

**VARIANCE CRITERIA STATEMENT**  
**Single Family Home**  
**654 Oleander Dr (Golden Isles)**

The Variances being requested are as follows:

- 1-) Increase of the allowed projections into required rear setback in additional 5'-8" long by 14'-3" wide
- 2-) Allow the use of the rear setback projection as a balcony with dimensions of 5'-8" long by 14'-3" wide
- 3-) Allow the use of the front setback projection as a balcony with dimensions of 3'-2-1/2" long by 21'-9-1/2" wide
- 4-) Allow Architectural vertical banding encroachment into required setbacks as follows:
  - 4a.) -(1) Encroachment of 12'x12" vertical Architectural banding into the front setback (East), from the ground up to the allowed 4'-0" roof overhang
  - 4b.) -(1) Encroachment of 12'x12" vertical Architectural banding into the front setback (East), from the second floor level up to the allowed 4'-0" roof overhang.
  - 4c.) -(1) Encroachment of 12'x 24" vertical Architectural banding into the front setback (East), from the ground level up to the allowed 4'-0" roof overhang.
  - 4d.) -(2) Encroachment of 12'x12" vertical Architectural banding into the lateral setback (South), from the ground floor level up to the allowed 4'-0" roof overhang.
  - 4e.) -(1) Encroachment of 12'x12" vertical Architectural banding into the rear setback (West), from the second floor level up to the allowed 4'-0" roof overhang.
  - 4f.) -(1) Encroachment of 12'x18" vertical Architectural banding into the rear setback (West), from the ground floor level up to the allowed 4'-0" roof overhang.

*A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not generally applicable to other lands, structures or buildings in the same zoning district.*

The requested Variances maintains the basic intent and purpose of the subject regulations and are strictly related with Architectural elements that enrich the overall appearance of the subject building without increasing habitable space.

*B. That the special conditions and circumstances do not result from the action of the applicant.*

The subject Building Architectural conditions are the result of similar actions from previous applicants and will maintain a consistent look and feel to the community.

*C. That granting the variance requested will not confer on the applicant, any special privilege that is denied by the Code to other lands, building, or structures in the same district.*

The Variances being requested reflects the encroachments into setbacks that already exist throughout the neighborhood. It would therefore not be detrimental to the Community

*D. The literal interpretation of the provisions of the Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Code, and would work unnecessary and undue hardship on the applicant.*

The Home being proposed has a modern and warm look, it has like many others on the same zoning, large outdoor entertainment spaces to take advantage of the South Florida Climate. Privacy between next door homes have been taken into high consideration during the Design process. By restraining from placing recessed balconies looking on next door neighbor lateral setbacks, providing projected Architectural vertical banding around windows and providing tall landscape buffer on the North property line( Matching the existing tall landscape buffer of the South property line) will guarantee the best possible privacy standards between the next door properties (North and South)

*E. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.*

The variance being request doesn't challenge the reasonable use of the land based on the existing Code, any part of the Variances look for increasing the maximum habitable area.

*F. That the granting of the variance will be in harmony with the general intent and purpose of the Code.*

The requested Variance maintains the basic intent and purpose of the subject regulations and does not affect the stability and appearance of Golden Isles, where several properties have similar encroachments into setbacks. It is important to mention that the regulated setbacks at the first floor in the overall perimeter, whit the exception of the proposed vertical Architectural banding have been adopted in excess to the minimum setbacks. In the second floor front and rear set back, with the exception of the proposed balconies, the proposed house has setbacks in excess to the minimum on the North, South and East.

*G. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.*

The proposed variance is in no way detrimental to the public welfare and the concerns about privacy have been addressed in the design and landscape buffer proposition, privacy control solution already in place in the South side of the property (660 Oleander Dr) that will easily be replicated in the North side of the property (648 Oleander Dr).