

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15.3 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MIKE ZUREIQ, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

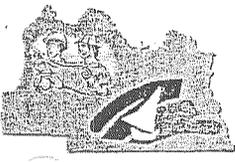
Agenda Date 07-26-04 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15.3 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MIKE ZUREIQ, APPLICANT); OR
2. **DENY** REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15.3 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MIKE ZUREIQ, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	<p>APPLICANT: MIKE ZUREIQ, ZUREIQ HOUSING CO. LOCATION: 3817 GREYSTONE LEGEND PLACE ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)</p>
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A SINGLE-FAMILY HOME THAT WOULD ENCROACH 9.7 FEET INTO THE MINIMUM 25 FOOT FRONT YARD SETBACK; THE AFOREMENTIONED FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15.3 FEET IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPOSED HOME OR SUBJECT PROPERTY HAVE BEEN DEMONSTRATED. • THE PROPOSED HOME COULD BE MODIFIED IN DESIGN TO COMPLY WITH THE MINIMUM APPLICABLE SETBACKS OF THE R-1AA DISTRICT.

	<ul style="list-style-type: none">• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCES.
STAFF RECOMMENDATION	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANTS, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUEST. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED SINGLE-FAMILY HOME AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

- VARIANCE** Front Yard set back variance to be changing Front set back from 25' to 15.3' FOR PROPOSED HOME
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING** **PROPOSED** **REPLACEMENT**
- MOBILE HOME IS FOR _____
- YEAR OF MOBILE HOME _____ SIZE OF MOBILE HOME _____
- ANTICIPATED TIME MOBILE HOME IS NEEDED _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

7-8-04
11

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Zurei@ Housing Co.	mike Zurei@
ADDRESS	4606 Eagle Peak Dr. KISS, FL. 34746	Same
PHONE 1	407-492-7788	
PHONE 2	407-971-6024	
E-MAIL	m2urei@prodigy.net	

PROJECT NAME: _____
 SITE ADDRESS: 3817 CREYSTONE LEGEND PL.
 CURRENT USE OF PROPERTY: Empty lot
 LEGAL DESCRIPTION: Attached

SIZE OF PROPERTY: Approx 1/3 acre(s) PARCEL I.D. 33-21-31-506-0000-0050
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO Gate Code # 1965

This request will be considered at the Board of Adjustment regular meeting on July 26, 2004 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

m. Zurei 5-6-04
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$200 COMMISSION DISTRICT 1 FLU/ZONING LDR/R1-AA

LOCATION FURTHER DESCRIBED AS Greystone Subdivision, McCullch Rd. of Alafala / ON THE EAST SIDE OF GREYSTONE LEGEND PL APPROX 230' NORTH OF THE (A) OF ZURBIGN PT. AND GREYSTONE LEGEND PL.

PLANNER VB DATE 5/6/04

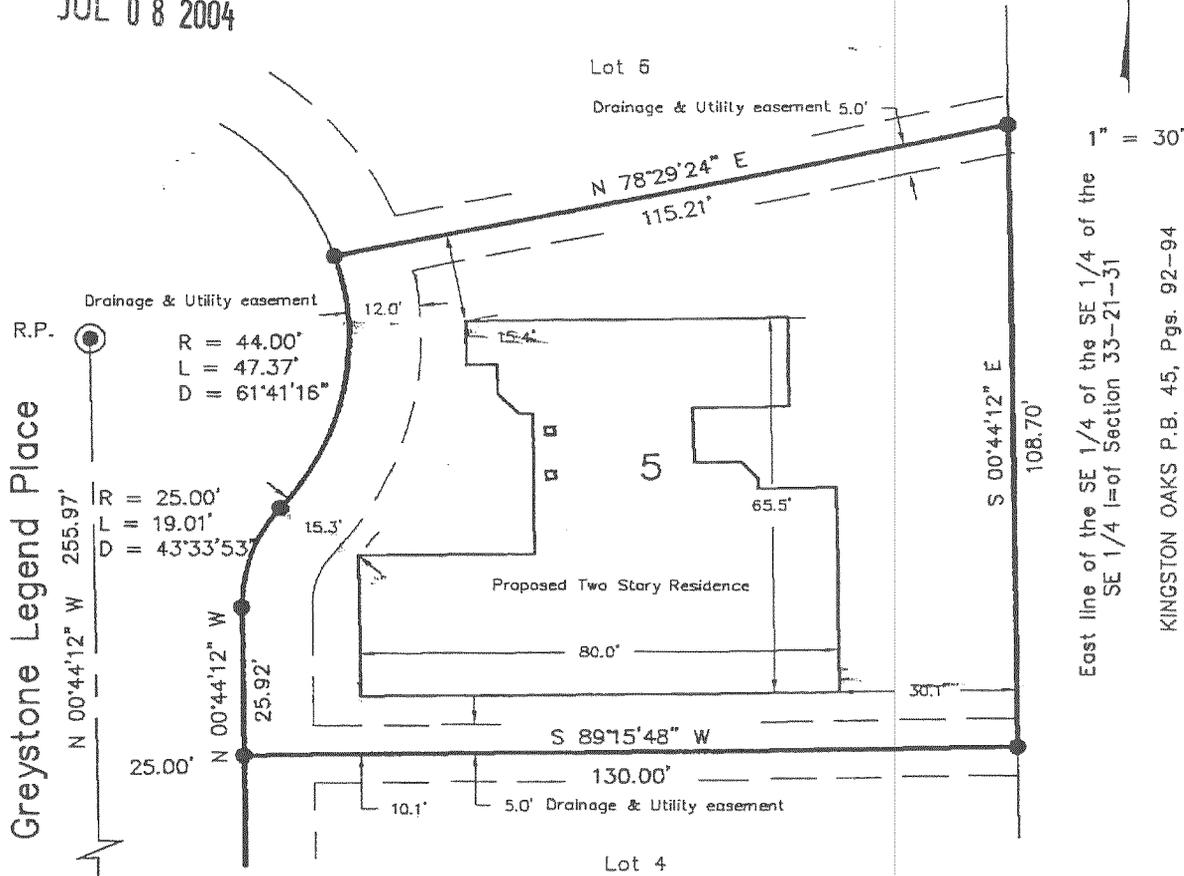
SUFFICIENCY COMMENTS HAVE UNTIL ~~15~~ JUNE 4TH TO SUBMIT SITE PLAN FOR PROPOSED HOME.

Plot Plan

Lot 5, GREYSTONE, according to the plat thereof as recorded in Plat Book 59, Pages 98 and 99, Public Records of Seminole County, Florida.

RECEIVED

JUL 08 2004



Greystone Legend Place

R.P. $R = 44.00'$
 $L = 47.37'$
 $D = 61^{\circ}41'16''$

$R = 25.00'$
 $L = 19.01'$
 $D = 43^{\circ}33'53''$

1" = 30'
 East line of the SE 1/4 of the SE 1/4 of the SE 1/4 of Section 33-21-31
 KINGSTON OAKS P.B. 45, Pgs. 92-94

Minimum Building Setback Dimensions
 Front: 25.0 feet
 Rear: 30.0 feet
 Side: 10.0 feet

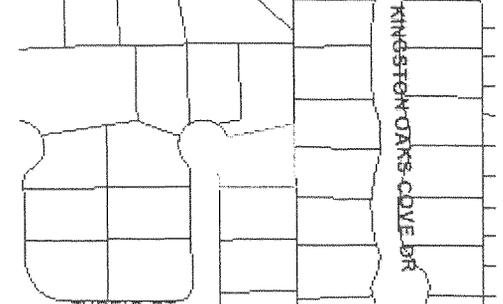
Notes

1. Bearings shown hereon are based on the East line of lot 5, GREYSTONE, being assumed as S 00°44'12" E.
2. Subject property lies in Zone "X", area outside the 500-year flood plan, according to the Flood Insurance Rate Map community panel/map number 12117C0230 E, dated April 17, 1995.
3. THIS IS NOT A SURVEY.

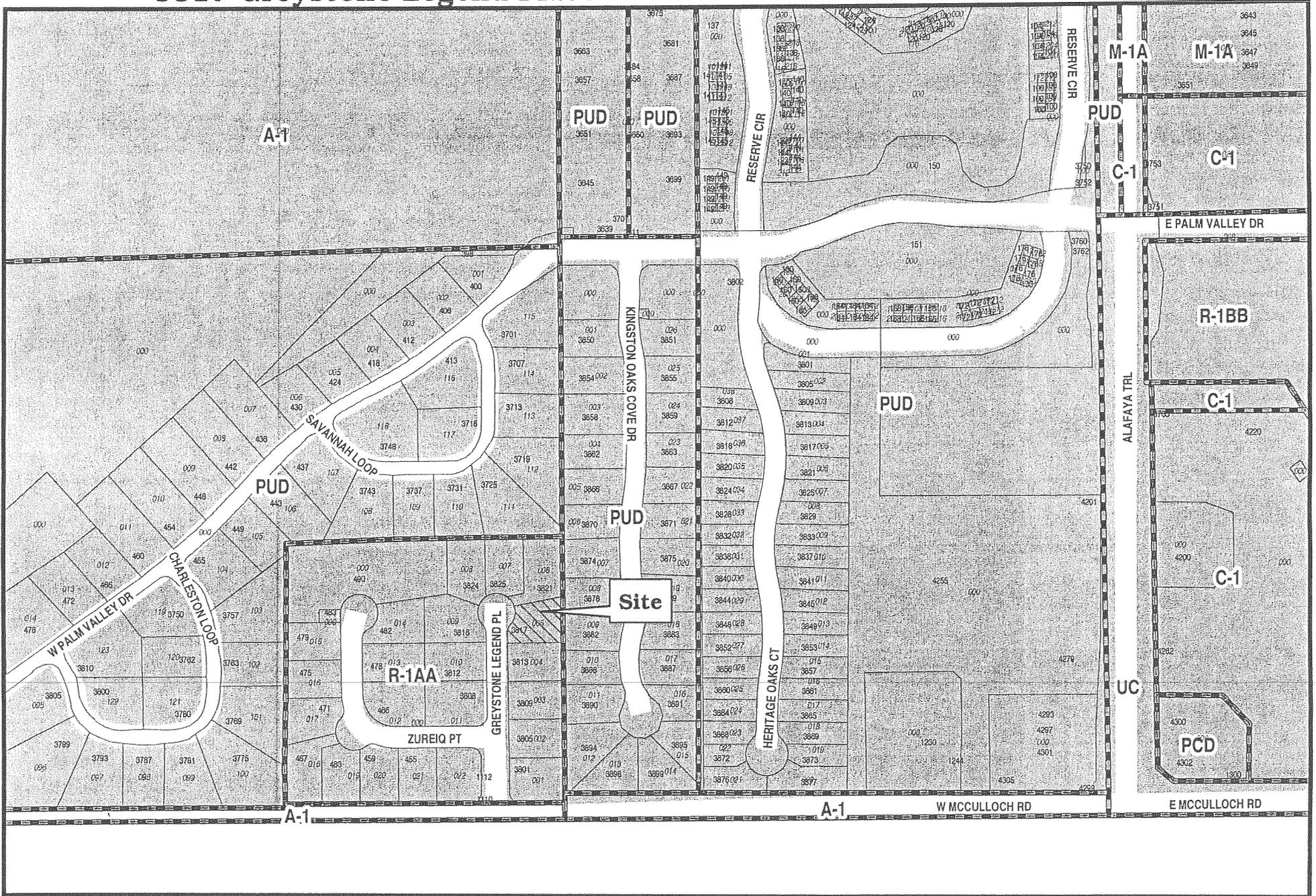
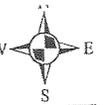
Benchmark Surveying & Mapping Consultants, Inc.
 Certificate of Authorization Number - LB 6796
 Post Office Box 771065, Winter Garden, Florida 34777-1065
 557 West Plant Street, Winter Garden, Florida 34787
 (407) 654-6183 Fax (407) 654-6184

321.01-5P
 Project #
 05/17/04
 Field Date

Plot Plan
 for
 Tropical Builders

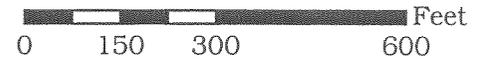
PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAXROLL	SALES SEARCH	◀ Back ▶												
 <p> Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506 </p>																	
<p align="center">GENERAL</p> <p> Parcel Id: 33-21-31-506-0000-0050 Tax District: 01-TX DIST 1 - COUNTY Owner: ZUREIQ HOUSING CO Exemptions: Address: 4606 EAGLE PEAK DR City,State,ZipCode: KISSIMMEE FL 32746 Property Address: 3817 GREYSTONE LEGEND PL Subdivision Name: GREYSTONE Dor: 00-VACANT RESIDENTIAL </p>			<p align="center">2004 WORKING VALUE SUMMARY</p> <p> Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$76,400 Land Value Ag: \$0 Just/Market Value: \$76,400 Assessed Value (SOH): \$76,400 Exempt Value: \$0 Taxable Value: \$76,400 </p>														
<p align="center">SALES</p> <p> Deed Date Book Page Amount Vac/Imp Find Comparable Sales within this Subdivision </p>			<p align="center">2003 VALUE SUMMARY</p> <p> 2003 Tax Bill Amount: \$1,310 2003 Taxable Value: \$76,400 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS </p>														
<p align="center">LAND</p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>76,400.00</td> <td>\$76,400</td> </tr> </tbody> </table>			Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	76,400.00	\$76,400	<p align="center">LEGAL DESCRIPTION PLAT</p> <p align="center">LOT 5 GREYSTONE PB 59 PGS 98 & 99</p>		
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value												
LOT	0	0	1.000	76,400.00	\$76,400												
<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																	

Zureiq Housing Company 3817 Greystone Legend Place



Parcel: 33-21-31-506-0000-0050 / District: 1

BV2004-088
July, 2004



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 5 GREYSTONE PB 59 PGS 98 & 99

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: ZUREIQ HOUSING CO.
4606 EAGLE PEAK DRIVE
KISSIMMEE, FL 34746

Project Name: GREYSTONE LEGEND PLACE (3817)

Requested Development Approval:

1. FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15.3 FEET FOR A PROPOSED HOUSE IN THE R-1AA ZONING DISTRICT.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - 1. The variance granted will apply only to the proposed single-family home as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Matthew West
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2004.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: