

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

SUBJECT: REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 6.92 (6 FEET 11 INCHES) FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (DAN & DIANA MARSDEN, APPLICANTS).

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

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

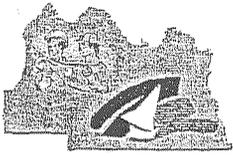
Agenda Date 07-26-04 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 6.92 (6 FEET 11 INCHES) FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (DAN & DIANA MARSDEN, APPLICANTS); OR
2. **DENY** REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 6.92 (6 FEET 11 INCHES) FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (DAN & DIANA MARSDEN, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANTS: DAN & DIANA MARSDEN LOCATION: 617 PRAIRIE LAKE DRIVE ZONING: R-1A (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS PROPOSE TO CONSTRUCT A GARAGE ADDITION THAT WOULD ENCROACH 18.08 (18 FEET 1 INCH) FEET INTO THE MINIMUM 25 FOOT FRONT YARD SETBACK; THE AFOREMENTIONED FRONT YARD SETBACK VARIANCE IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANTS HAVE FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPOSED GARAGE HAVE BEEN DEMONSTRATED. • THE PROPOSED GARAGE COULD BE BUILT TO COMPLY

	<p>WITH THE MINIMUM APPLICABLE SETBACKS OF THE R-1A DISTRICT.</p> <ul style="list-style-type: none">• THE REQUEST WOULD CONFER UPON THE APPLICANTS SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1A DISTRICT.• THE APPLICANTS WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCES.
<p>STAFF RECOMMENDATION</p>	<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 GARAGE ADDITION 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 FYSBY from 25' to 6'-11" for proposed attached SF garage

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

	PROPERTY OWNER	AUTHORIZED AGENT
NAME	<u>Dan and Diana Marsden</u>	
ADDRESS	<u>617 Prairie Lake Drive Fern Park, FL 32730</u>	
PHONE 1	<u>407-830-8085</u>	
PHONE 2	<u>321-231-1607</u>	
E-MAIL	<u>ddmarsden@aol.com</u>	

PROJECT NAME: Marsden Garage addition

SITE ADDRESS: 617 Prairie Lake Drive, Fern Park, FL 32730

CURRENT USE OF PROPERTY: SF

LEGAL DESCRIPTION: See PA report

SIZE OF PROPERTY: .43 acre(s) PARCEL I.D. 18-21-30-515-0A00-0080

size: 100.04A
209.02 x 88.3A
191.51

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

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.

Diana H. Marsden 6.3.04
 SIGNATURE OF OWNER OR AGENT* DATE

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

ADDITIONAL VARIANCES

BV 2004-109

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 4 FLU/ZONING R-1A/LDR

LOCATION FURTHER DESCRIBED AS North side of Prairie Lk Dr, approx. 150' feet west of the intersection of Prairie Lk Dr. and Weills Ave.

PLANNER ERM DATE 05/21/04

SUFFICIENCY COMMENTS _____

Seminole County Planning & Development
Planning Division
1101 East First Street
Sanford, FL 32771

June 03, 2004

To Whom It May Concern:

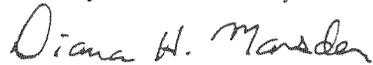
My husband and I are applying for a variance to the front yard setback from 25' to 6'-11", so we may add a two car garage to the front by our kitchen. We currently have a one car garage and one car carport, however we have to enter it through one of the designated bedrooms in our house. This turns one of the bedrooms into a public space instead of a bedroom. So we really have a two bedroom house instead of a three bedroom house.

Currently our two little girls share a small bedroom, we/they would really like to have their own bedrooms, in order to do this we must relocate the garage. We cannot relocate the garage in front of the existing garage because of the new drainfield. And a garage in that location would block the windows into the bedrooms, which are required for emergency egress.

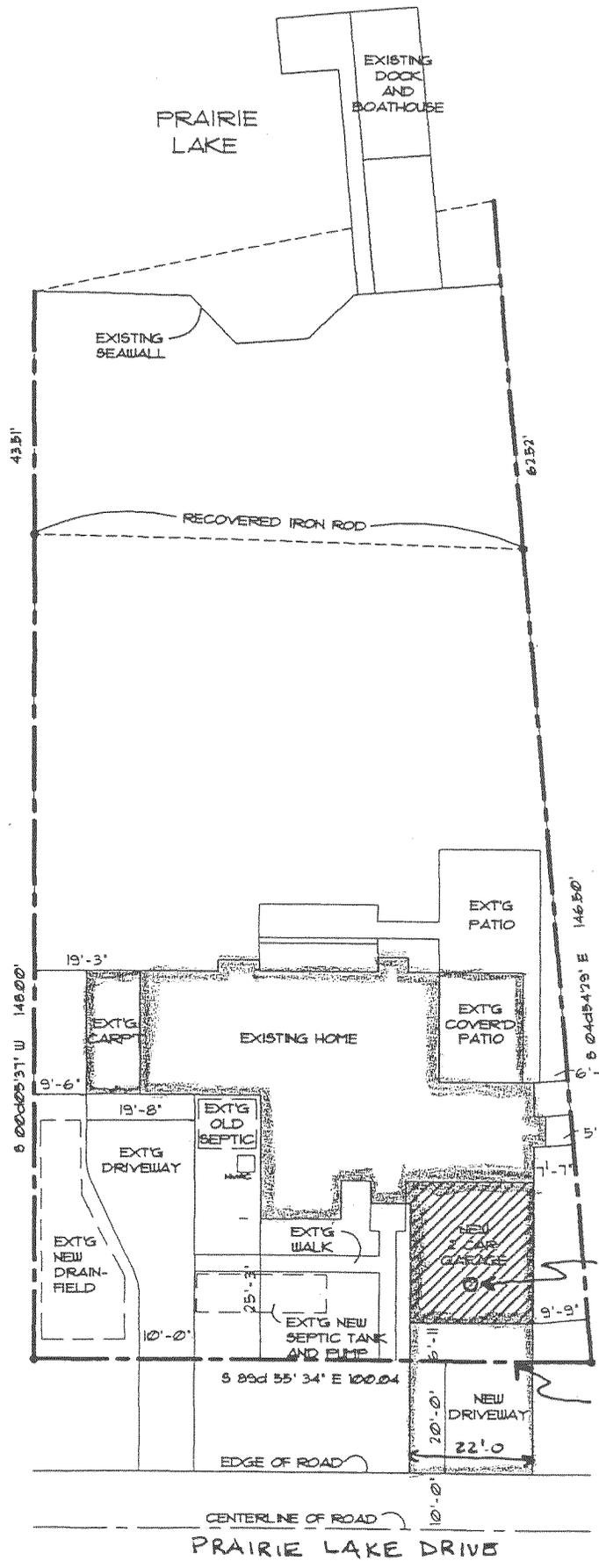
Things to Consider:

- * Our house was built in 1954, probably before setbacks or garages were around.
- * Our house is the oldest house on the street, all the houses on our side of the street have two car garages.
- * There are other homes on the street and in the area which have had variances to the setbacks.
- * Two little girls who need there own space.

Thank you so much for your consideration;



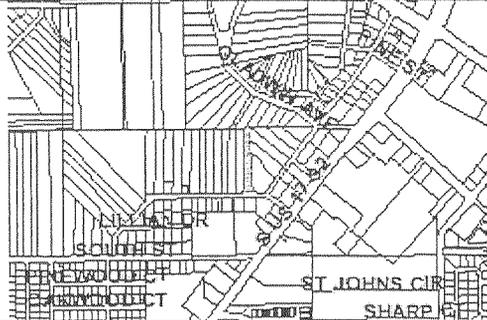
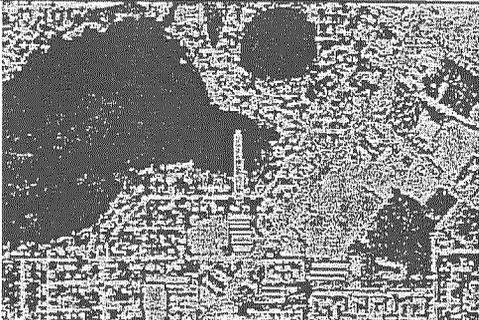
Diana H. Marsden



NORTH
1:30'

REMOVAL OF EXISTING 8" D. MAGNOLIA. THE TREE IS VERY SPARSE DUE TO OAK TREES NEXT DR.

REMOVAL OF BUSHES AT PROPOSED DRIVE

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	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: 18-21-30-515-0A00-0080 Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: MARSDEN DANIEL J & DIANA H Exemptions: 00-HOMESTEAD</p> <p>Address: 617 PRAIRIE LAKE DR</p> <p>City,State,ZipCode: CASSELBERRY FL 32730</p> <p>Property Address: 617 PRAIRIE LAKE DR FERN PARK 32730</p> <p>Subdivision Name: PRAIRIE LAKE PARK</p> <p>Dor: 01-SINGLE FAMILY</p>			<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$85,272</p> <p>Depreciated EXFT Value: \$7,307</p> <p>Land Value (Market): \$73,800</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$166,379</p> <p>Assessed Value (SOH): \$116,726</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$91,726</p>																																																																																																																
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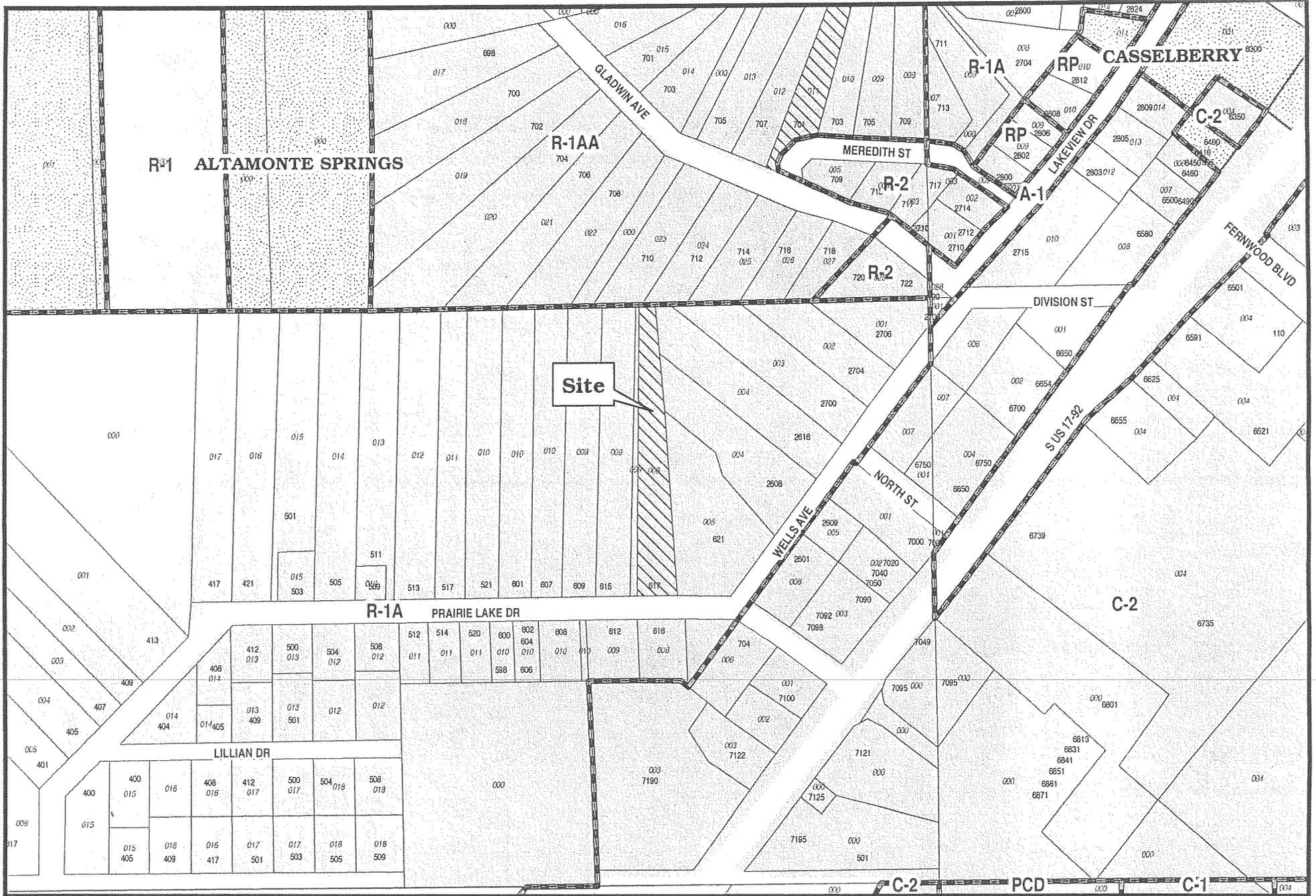
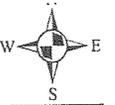
SEAWALL	1999	180	\$990	\$1,080
WOOD UTILITY BLDG	1999	384	\$2,458	\$3,072
FIREPLACE	1979	1	\$480	\$1,200

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.

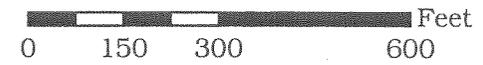


Dan & Diana Marsden 617 Prairie Lake Drive



Parcel: 18-21-30-515-0A00-0080 / District: 4

BV2004-109
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:

LEG LOT 8 BLK A PRAIRIE LAKE PARK PB 7 PG 64

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

FINDINGS OF FACT

Property Owner: DAN & DIANA MARSDEN
617 PRAIRIE LAKE DRIVE
CASSELBERRY, FL 32730

Project Name: PRAIRIE LAKE DRIVE (617)

Requested Development Approval:

1. FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 6.92 (6 FEET 11 INCHES) FEET FOR A PROPOSED GARAGE ADDITION 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 garage addition 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: