

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 6 FEET FOR AN EXISTING ATTACHED STORAGE ROOM IN THE R-1 (SINGLE FAMILY DWELLING DISTRICT); (JOSEPH HEAD, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

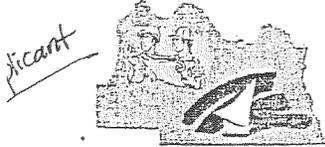
Agenda Date 08-23-04 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 6 FEET FOR AN EXISTING ATTACHED STORAGE ROOM IN THE R-1 (SINGLE FAMILY DWELLING DISTRICT); (JOSEPH HEAD, APPLICANT); OR
2. **DENY** THE REQUEST FOR SIDE (EAST) YARD SETBACK VARIANCE FROM 7.5 FEET TO 6 FEET FOR AN EXISTING ATTACHED STORAGE ROOM IN THE R-1 (SINGLE FAMILY DWELLING DISTRICT); (JOSEPH HEAD, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: JOSEPH HEAD LOCATION: 1780 LAKE STREET ZONING: R-1 (SINGLE FAMILY DWELLING DISTRICT)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT CONSTRUCTED AN ATTACHED STORAGE ROOM CONSISTING OF APPROXIMATELY 75 SQUARE FEET (APPROXIMATELY 4.7' X 15.8' IN SIZE) WITHOUT A BUILDING PERMIT. • THE EXISTING STORAGE ROOM ENCROACHES 1.5 FEET (18 INCHES) INTO THE (EAST) SIDE YARD SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER

	<p>PROPERTIES IN THE R-1 DISTRICT BY ALLOWING ENCROACHMENT INTO THE SIDE YARD WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP.</p> <ul style="list-style-type: none">• THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. REASONABLE USE OF THE PROPERTY WOULD BE RETAINED WITHOUT THE GRANT OF THE REQUESTED VARIANCE,
	<ul style="list-style-type: none">• THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD PERMIT AN ADDITION THAT IS POTENTIALLY INCONSISTENT WITH THE TREND OF NEIGHBORHOOD DEVELOPMENT.
<p>STAFF RECOMMENDATION</p>	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:<ul style="list-style-type: none">• ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE EXISTING STORAGE ROOM AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 657-3011 FAX (407) 665-7444
 APPLICATION NO. BV 0004-117

COPY

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 SIDE YARD SET BACK VARIANCE 7.5 FT TO 6.0 FT FOR EXITING STORAGE ROOM.

SPECIAL EXCEPTION

MOBILE HOME SPECIAL EXCEPTION

RECEIVED
 JUN-25 2004

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	HEAD JOSEPH H	
ADDRESS	1780 LAKE ST OVIDO FL 32765	
PHONE 1	407-365-9675	
PHONE 2		
E-MAIL		

PROJECT NAME: N/A

SITE ADDRESS: Same as above

CURRENT USE OF PROPERTY: Single-family

LEGAL DESCRIPTION: LEG LOT 1 + N 30 FT OF VARD ST ON S BLK 4

AMENDED PLAT 15th ADD MINERAL SPRINGS PARK PB B PG 47

SIZE OF PROPERTY: APPROX. 11,000 sq. ft. PARCEL I.D. 32-20-31-502-0400-0010

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS REF - 03 - 8099

DATE - 9-25-03

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 11-24-03 (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.

[Handwritten Signature]

SIGNATURE OF OWNER OR AGENT*

6-28-04
 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: \$150 COMMISSION DISTRICT 2 FLU/ZONING LDR/R-1

LOCATION FURTHER DESCRIBED AS ON THE NORTH SIDE OF LAKE ST.
APPROX. 0.2 MILE E. OF SPRING AVE.

PLANNER VB DATE 6/28/04

SUFFICIENCY COMMENTS Check ^{MUST} be brought in before July 2, '04.

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ON
plat
the

3/97

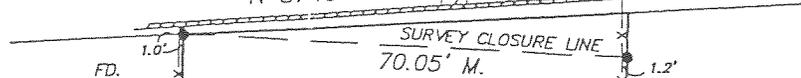
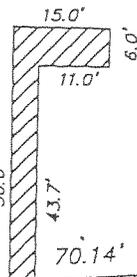
til.
ince
d/or

1" = 30'



LAKE JESSUP

B.R.
N 87°19'00" E 70.14' P.

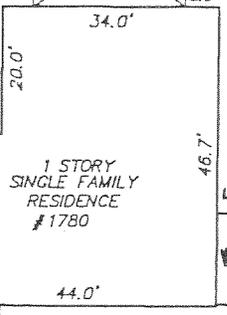
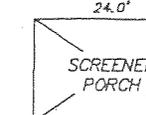


FD. #4 I.R.

1.2' P.O.L.
FD. #4 I.R.
7.0' S.

BLOCK 4
1

BLOCK 1
12



1 STORY
SINGLE FAMILY
RESIDENCE
#1780

1.5 feet
(18 inches)

160.20' M.
160.00' D.

130.00' P.

135.00' P.

165.00' D.

154.90' M.

N 00°56'00" E

15.10'

00°56'00" E

S 00°56'00" W

4.7'

S 00°56'00" W

FD. #5
I.R. #4887

N 88°32'03" W
70.00' P.
70.15' M.

N 88°32'03" W 70.00' P. & M.

N 98°32'03" W
70.00' P.
VACATED
NORTH 30'
OF ROAD
6.0'

NORTH

RIGHT OF WAY LINE

VACATED

SET #4
IR #6387

LAKE STREET

20' R/W

SOUTH RIGHT OF WAY LINE

32-20-31-~~32~~

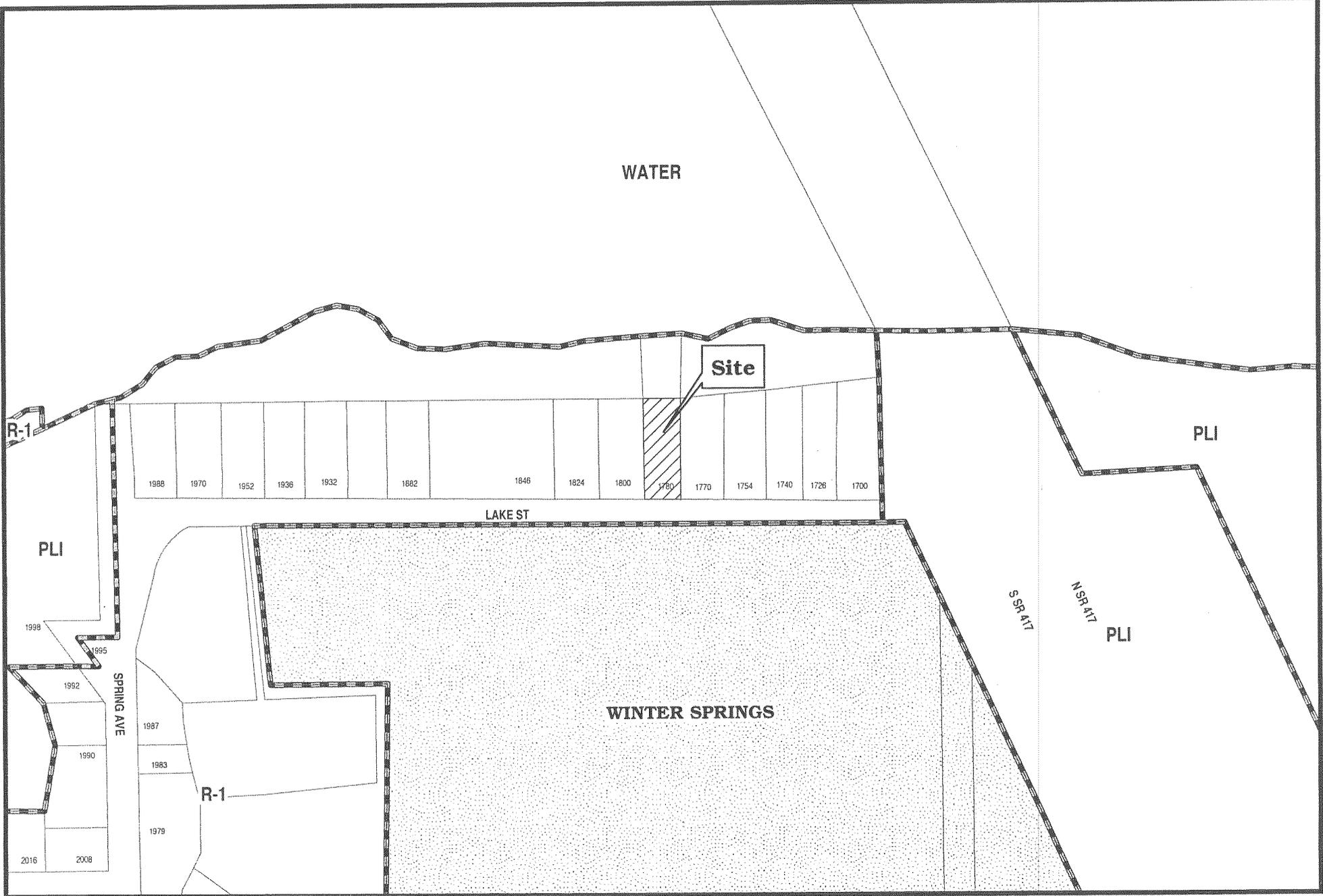
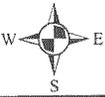
PARCEL DETAIL																																									
<p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7806</p>																																									
GENERAL		2003 WORKING VALUE SUMMARY																																							
<p>Parcel Id: 32-20-31-502-0400-0010 Tax District: 01-TX DIST 1 - COUNTY Owner: HEAD JOSEPH H Exemptions: 00-HOMESTEAD Address: 1780 LAKE ST City,State,ZipCode: OVIEDO FL 32765 Property Address: 1780 LAKE ST OVIEDO 32765 Subdivision Name: MINERAL SPRING PARK AMENDED PLAT OF 1ST ADD Dor: 01-SINGLE FAMILY</p>		<p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$51,074 Depreciated EXFT Value: \$7,632 Land Value (Market): \$41,650 Land Value Ag: \$0 Just/Market Value: \$100,356 Assessed Value (SOH): \$65,334 Exempt Value: \$25,000 Taxable Value: \$40,334</p>																																							
SALES		2003 Notice of Proposed Property Tax																																							
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>10/1997</td> <td>03324</td> <td>1984</td> <td>\$37,600</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1989</td> <td>02052</td> <td>0426</td> <td>\$90,000</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>03/1978</td> <td>01163</td> <td>1163</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01118</td> <td>0456</td> <td>\$15,000</td> <td>Vacant</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	10/1997	03324	1984	\$37,600	Improved	WARRANTY DEED	03/1989	02052	0426	\$90,000	Improved	QUIT CLAIM DEED	03/1978	01163	1163	\$100	Improved	WARRANTY DEED	01/1977	01118	0456	\$15,000	Vacant	<p>2002 VALUE SUMMARY</p> <p>2002 Tax Bill Amount: \$676 2002 Taxable Value: \$38,803</p>									
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<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>																																									

165
70

11,550

R-1

**Joseph Head
1780 Lake Street**



Case number	03	00008099	
Property address, ID	1780 LAKE ST	268594	
Parcel ID	32-20-31-502-0400-0010		
Subdivision Name	MINERAL SPRING PARK		
Case status, description	AC	ACTIVE	
Case type, description, established	UNPR	UNPERMITTED CONSTRUCTION	9/22/03
Origination code, description	AP	ANON - PHONE	
Default inspector ID	134	JASON RUCKER	
Tenant name, number			
Case credit balance		.00	

Send notices to: **PROPERTY OWNER**

Name	HEAD JOSEPH H	Print letters	Y
Address	1780 LAKE ST	Phone	
	OWIEDD FL	Zip	32765

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 23, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 1 AND n 30 FT OF VACD ST ON S BLK 4 AMENDED PLAT 1ST
ADD MINERAL SPRINGS PARK PB 8 PG 47

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

FINDINGS OF FACT

Property Owners: JOSEPH HEAD
1780 LAKE STREET
OVIEDO, FL 32765

Site Address: 1780 LAKE STREET

Requested Development Approval:

1) SIDE (EAST) YARD SETBACK VARIANCE FROM 7.5 FEET TO 6 FEET FOR AN EXISTING STORAGE ROOM.

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: Kathy Fall
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:

THE VARIANCES GRANTED SHALL APPLY ONLY TO THE EXISTING SHED, 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 Matthew West 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: