

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SHIRLEY & RUSSEL JONES, APPLICANTS).

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

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

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

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SHIRLEY & RUSSEL JONES, APPLICANTS); OR
2. **DENY** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SHIRLEY & RUSSEL JONES, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANTS: LOCATION: ZONING:	SHIRLEY & RUSSEL JONES 1226 MADELENA AVENUE SUNRISE UNIT 2C PUD (PLANNED UNIT DEVELOPMENT DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS PROPOSE TO CONSTRUCT A SCREEN ROOM ADDITION TO AN EXISTING HOME THAT WOULD ENCROACH 7 FEET INTO THE MINIMUM 25 FOOT REAR YARD SETBACK; THE AFOREMENTIONED REAR YARD SETBACK VARIANCE FROM 25 FEET TO 18 FEET IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY. 	
STAFF FINDINGS	<p>THE APPLICANTS HAVE 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 	

	<p>PROPERTY OR PROPOSED SCREEN ROOM ADDITION HAVE BEEN DEMONSTRATED.</p> <ul style="list-style-type: none">• THE SCREEN ROOM ADDITION COULD BE BUILT ON THE SIDE OF THE EXISTING HOUSE TO COMPLY WITH MINIMUM SETBACK REQUIREMENTS.• REASONABLE USE WOULD BE RETAINED WITHOUT THE PROPOSED SCREEN ROOM ADDITION.• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE SUNRISE UNIT 2C PUD DISTRICT.
<p>STAFF RECOMMENDATION</p>	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, 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 SCREEN ROOM 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.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 18

TWP: 21

RNG: 31

DEVELOPMENT: Sunrise Unit 2C		DEVELOPER: Arden Group of Florida	
LOCATION: 38 Lots – 13.4551			
FILE#:		BA:	
P&Z:		SP:	
BCC: 7/13/83			
PB	28	PG	43
Lot		Blk	
Parcel		DBA	
Comm Dist			
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS:		SETBACK REQUIREMENTS	
		FY: 20'	SY: 6'
		SIDE ST.:	RY: 25'
ROAD TYPE:		MAIN STRUCTURE OTHER:	
		Minimum Lot Size: 6,800 sq. ft.	
		Minimum Living Area: 900 sq. ft.	
		Maximum Height: 35'	
COMMENTS OTHER:		ACCESSORY STRUCTURE SETBACKS:	
1) Developer will plant minimum of 3 trees per lot, minimum of 6' in height and 2" in diameter 1' above ground.		SY: 6'	RY: 10'
		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES		
	SCREEN:	
	TRAFFIC ZONE:	
	LAND USE:	
	1. ROAD-CO. WIDE	
	2. ROAD-COLL.	
	3. LIBRARY	
	4. FIRE	\$10.00
	5. PARK	
	6. SCHOOL	\$300.00
	7. LAW	
	8. DRAINAGE	
	TOTAL	
	REMARKS:	



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. BV2004-124

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** REAR YARD SETBACK VARIANCE FROM 25'
TO 18' FOR A PROPOSED SCREEN ROOM WITH A SOLID ROOF
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING** **PROPOSED** **REPLACEMENT**
- MOBILE HOME IS FOR** _____ **RECEIVED**
- YEAR OF MOBILE HOME** _____ **SIZE OF MOBILE HOME** _____ **JUL 02 2004**
- 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	Shirley S. Russell Jones	
ADDRESS	1226 MADRENA AVE	
	WINTER SPRING, FL 32708	
PHONE 1	(407) 365-4309	
PHONE 2		
E-MAIL	sjonesmtey@earthlink.net	

PROJECT NAME: _____
 SITE ADDRESS: 1226 MADRENA AVE; WINTER SPRING, FL 32708
 CURRENT USE OF PROPERTY: OWNER OCCUPIED RESIDENCE
 LEGAL DESCRIPTION: Reg Lot 208 SUNNYSIDE UNIT 20 PB 28 PG 43
SEE ATTACHED PROPERTY APPR. SHEET
 SIZE OF PROPERTY: 110x80' acre(s) PARCEL I.D. 19-21-31-5GM-0000-2080
 UTILITIES: **WATER** **WELL** **SEWER** **SEPTIC TANK** **OTHER** County
 KNOWN CODE ENFORCEMENT VIOLATIONS No

IS PROPERTY ACCESSIBLE FOR INSPECTION **YES** **NO**

This request will be considered at the Board of Adjustment regular meeting on 8/23/04
 (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.

Shirley S. Russell Jones 7/2/04
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.
 I:\p\projects\boa\master forms & lists\boa applications\boa application.doc

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

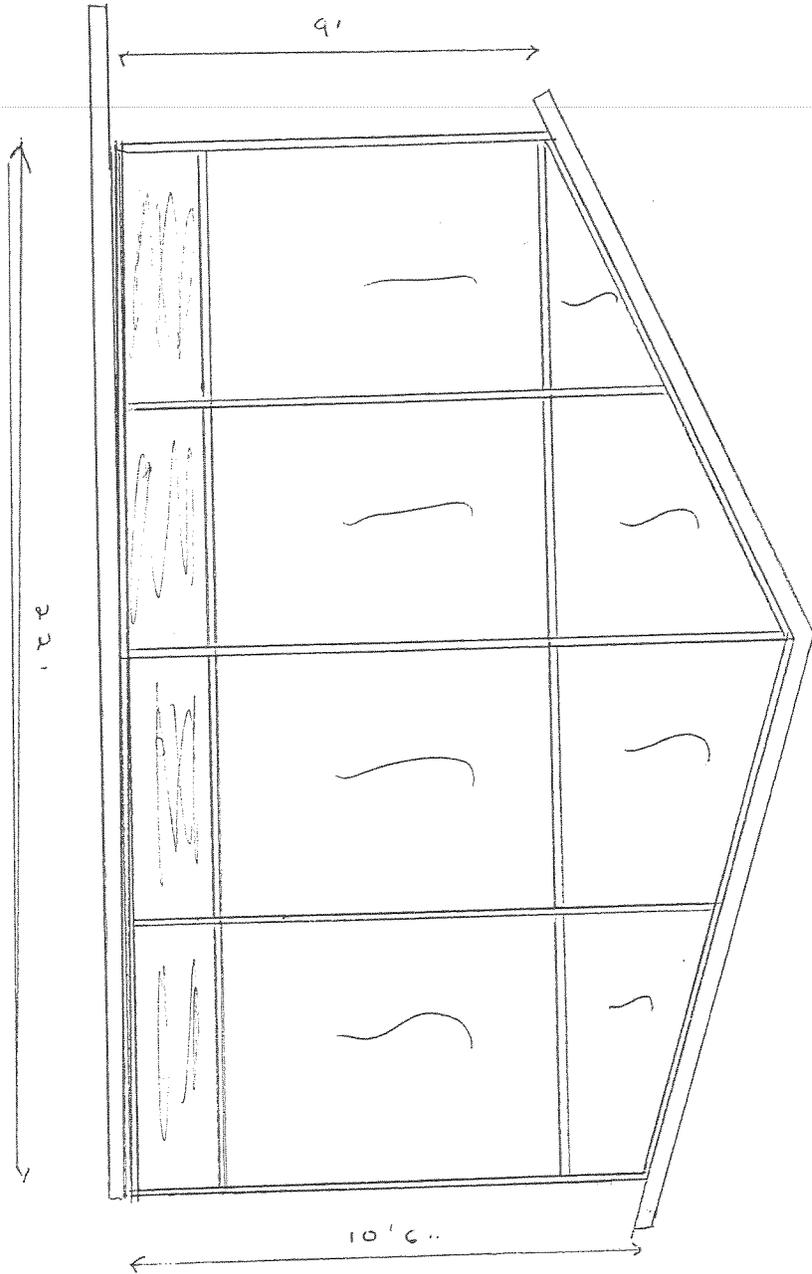
PROCESSING:

FEE: 150 COMMISSION DISTRICT 2 FLU/ZONING PD/PUD
 LOCATION FURTHER DESCRIBED AS ON W. SIDE OF MADALENA AVE.
APPROX. 250' SOUTH OF ORTEGA ST.

PLANNER VB

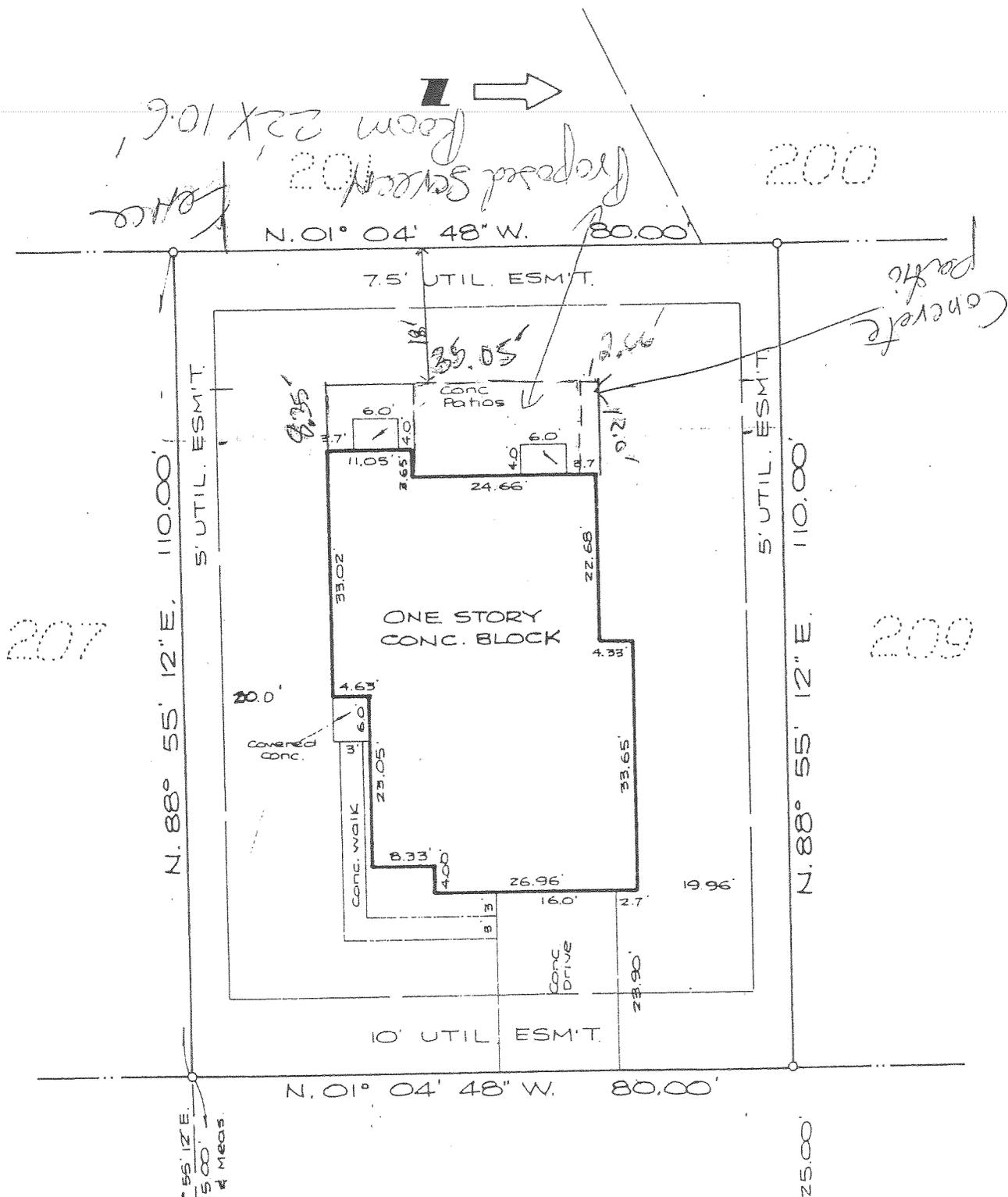
DATE 7/2/04

SUFFICIENCY COMMENTS



PLAT OF BOUNDARY SURVEY for THE ANDEN GROUP OF FLORIDA
 DESCRIPTION: LOT 208, SUNRISE UNIT TWO "C"

RECORDED IN PLAT BOOK 28 PAGE(S) 43 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



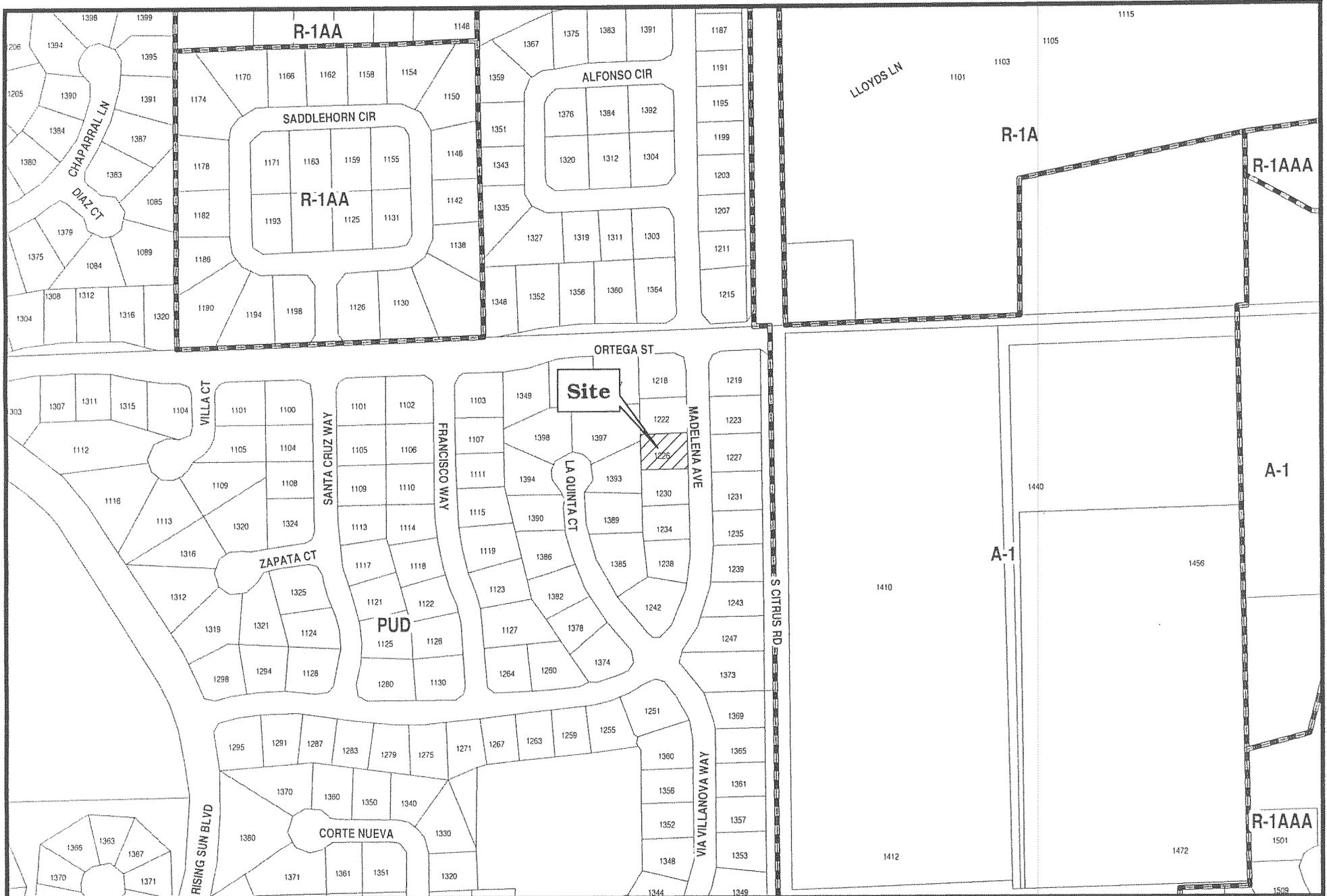
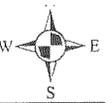
4 PT. N. 01° 04' 48" W.
 209.44' Plot & Meas.
 Rec. Disk No. 2005.

MADELENA AVENUE

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH																																									
 Seminole County <i>Property Appraiser Services</i> 1101 E. First St. Sanford FL 32771 407-665-7506																																													
<p align="center">GENERAL</p> <p>Parcel Id: 19-21-31-5GM-0000-2080 Tax District: 01-TX DIST 1 - COUNTY Owner: JONES RUSSEL & SHIRLEY Exemptions: 00-HOMESTEAD Address: 1226 MADELENA AVE City,State,ZipCode: WINTER SPRINGS FL 32708 Property Address: 1226 MADELENA AVE WINTER SPRINGS 32708 Subdivision Name: SUNRISE UNIT 2C Dor: 01-SINGLE FAMILY</p> <p align="right"><i>pa</i></p>				<p align="center">2004 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$88,911 Depreciated EXFT Value: \$0 Land Value (Market): \$18,000 Land Value Ag: \$0 Just/Market Value: \$106,911 Assessed Value (SOH): \$79,238 Exempt Value: \$25,000 Taxable Value: \$54,238</p>																																									
<p align="center">SALES</p> <table border="1"> <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>WARRANTY DEED</td> <td>03/1985</td> <td>01622</td> <td>0121</td> <td>\$76,500</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1983</td> <td>01511</td> <td>1704</td> <td>\$62,000</td> <td>Improved</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>				Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	03/1985	01622	0121	\$76,500	Improved	WARRANTY DEED	12/1983	01511	1704	\$62,000	Improved	<p align="center">2003 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,185 2003 Tax Bill Amount: \$905 Savings Due To SOH: \$280 2003 Taxable Value: \$52,761</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																							
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<p><small>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.</small></p>																																													

[BACK](#)
 [PROPERTY APPRAISER HOME PAGE](#)
 [CONTACT](#)

Shirley & Russel Jones
1226 Madelena Avenue



Parcel: 19-21-31-5GM-0000-2080 / District: 2

BV2004-124
August, 2004

1:3,500

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 208 SUNRISE UNIT 2C PB 28 PG 43

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

FINDINGS OF FACT

Property Owner: SHIRLEY & RUSSEL JONES
1226 MADELENA AVENUE
WINTER SPRINGS, FL 32708

Project Name: MADELENA AVENUE (1226)

Requested Development Approval:

1. REAR YARD SETBACK VARIANCE FROM 25 FEET TO 18 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE SUNRISE UNIT 2C PUD (PLANNED UNIT DEVELOPMENT 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 screen room 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: