

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR (1) FRONT YARD SETBACK VARIANCE FROM 35 FEET TO 20 FEET; AND (2) REAR YARD SETBACK VARIANCE FROM 35 FEET TO 15 FEET FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (JOSUE LLANOS, APPLICANT).

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

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

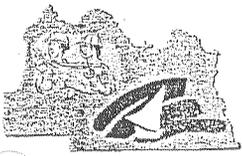
Agenda Date 09-27-04 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR (1) FRONT YARD SETBACK VARIANCE FROM 35 FEET TO 20 FEET; AND (2) REAR YARD SETBACK VARIANCE FROM 35 FEET TO 15 FEET FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (JOSUE LLANOS, APPLICANT); OR
2. **DENY** THE REQUEST FOR (1) FRONT YARD SETBACK VARIANCE FROM 35 FEET TO 20 FEET; AND (2) REAR YARD SETBACK VARIANCE FROM 35 FEET TO 15 FEET FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (JOSUE LLANOS, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANTS: LOCATION: ZONING:	JOSUE LLANOS 3453 PEACE VALLEY WAY A-1 (AGRICULTURE DISTRICT)
<b>BACKGROUND/ REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT A HOME THAT WOULD ENCROACH 15 FEET INTO THE MINIMUM 35 FOOT FRONT YARD SETBACK AND 20 INTO THE MINIMUM REAR YARD SETBACK.</li> <li>• ON MAY 7, 1999, THE BOARD OF COUNTY COMMISSIONERS APPROVED THE FOLLOWING VARIANCES:               <ol style="list-style-type: none"> <li>1. MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 25,293.59 SQUARE FEET;</li> <li>2. MINIMUM FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 35 FEET; AND</li> <li>3. THE APPLICANT VOLUNTARILY AGREED TO INCREASE THE REAR YARD SETBACK FROM 30</li> </ol> </li> </ul>	

	FEET TO 35 FEET AS A CONDITION OF APPROVAL FOR THOSE VARIANCES.
<b>STAFF FINDINGS</b>	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCES. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"><li>• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED HOME HAVE BEEN DEMONSTRATED.</li><li>• THE HOME COULD BE MODIFIED AND BUILT ON THE PROPERTY TO COMPLY WITH THE SETBACK REDUCTIONS OF PRIOR VARIANCES.</li><li>• REASONABLE USE WOULD BE RETAINED WITHOUT THE REQUESTED VARIANCES.</li><li>• THE REQUESTS WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE A-1 DISTRICT.</li></ul>
<b>STAFF RECOMMENDATION</b>	<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"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED HOME AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

RECEIVED

AUG 02 2004

**COPY**

APPL. NO. BV 2004-134

**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. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

**VARIANCE** Front yard setback variance from 35' to 20'

**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	JOSUE LIANO	
ADDRESS	603 SAN MARIE AVE ALTAMONTE FL 32714	
PHONE 1	(407) 786-3838	
PHONE 2	(407) 310-1147	
E-MAIL	(407) 786-4997 FAX	

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 34.53 PEACE VALLEY WAY LONEWOOD FL 32779

CURRENT USE OF PROPERTY: RE VACANT LOT

LEGAL DESCRIPTION: see attached

SIZE OF PROPERTY: 25,293.58 acre(s) PARCEL I.D. 32-20-29-300-004B-0000

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS \_\_\_\_\_

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on SEPT 27-2004 (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.

SIGNATURE OF OWNER OR AGENT\* [Signature] DATE 8-1-04

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

**ADDITIONAL VARIANCES**

VARIANCE 2:

Rear yard setback variance from 35' to 15'

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: \$200.00 COMMISSION DISTRICT 3 FLU/ZONING LDR / A-1

LOCATION FURTHER DESCRIBED AS on Peace Valley Way approx. 500'  
east of Miami Springs Dr.

PLANNER JV

DATE 8/2/04

EFFICIENCY COMMENTS \_\_\_\_\_

Josue Llanos  
603 San Marie Ave  
Altamonte Springs FL, 32714

30 July, 2004

To Seminole County Board

Dear Sir or Madam:

From Josue Llanos & Gloria Llanos, we have a plan to build a house  
in parcel # 31-20-29-501-0000-0180

But setback are only 35 feet at front and 35 feet on back; this make  
The house to narrow with only 50 feet wide.

For our type of house we need please to change just the setback front &  
back to 20 feet that way we will have 80 feet wide or 90 feet if is  
possible.

The house will be 80 x 100 Thankyou for your help.

Josue, Llanos



Sincerely,



July 19, 2004

Josue Llanos  
603 San Marie Ave  
Altamonte Springs, FL 32714

Re: 3453 Peace Valley Way/#31-20-29-501-0000-0180

Mr Llanos:

This is to advise you that the zoning and land use of the above-captioned parcel is governed by the laws and regulations of unincorporated Seminole County. The parcel has a Low Density Residential land use designation and an A-1 (Agriculture) zoning classification. On May 7, 1999 the Board of County Commissioners approved three variances: 1) a lot size variance from 43,560 square feet to 25,293.59 square feet; 2) front yard setback along Peace Valley Way of 35 feet; and 3) rear yard setback of 35 feet. A drawing is included to illustrate the granted setbacks.

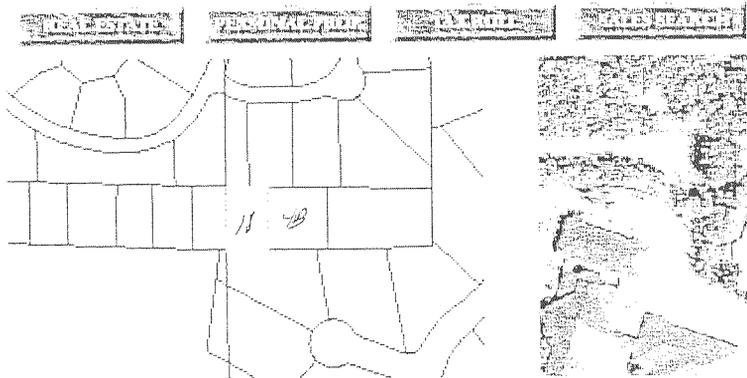
If you have any questions concerning this correspondence please contact me at (407)665-7389.

Sincerely,

Kathy Fall  
Senior Planner

Attachment

PARCEL DETAIL



Back

GENERAL

Parcel Id: 31-20-29-501-0000-0180 Tax District: 01-TX DIST 1 - COUNTY  
 Owner: LIANOS JOSUE E & GLORIA E Exemptions:  
 Address: 603 SAN MARIE AVE  
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32714  
 Property Address: 3453 PEACE VALLEY WAY LONGWOOD 32779  
 Subdivision Name: PEACE VALLEY MIAMI SPRINGS  
 Dor: 00-VACANT RESIDENTIAL

2004 WORKING VALUE SUMMARY

Value Method: Market  
 Number of Buildings: 0  
 Depreciated Bldg Value: \$0  
 Depreciated EXFT Value: \$0  
 Land Value (Market): \$37,050  
 Land Value Ag: \$0  
 Just/Market Value: \$37,050  
 Assessed Value (SOH): \$37,050  
 Exempt Value: \$0  
 Taxable Value: \$37,050

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	02/2004	05228	1793	\$80,000	Vacant
WARRANTY DEED	12/1997	03347	1925	\$16,500	Vacant
WARRANTY DEED	01/1980	01262	1626	\$5,500	Vacant
QUIT CLAIM DEED	01/1980	01262	1625	\$100	Vacant

Find Comparable Sales within this Subdivision

2003 VALUE SUMMARY

2003 Tax Bill Amount: \$149  
 2003 Taxable Value: \$8,700  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
ACREAGE	0	0	.570	65,000.00	\$37,050

LEGAL DESCRIPTION PLAT

LEG LOT 18 PEACE VALLEY MIAMI SPRINGS AS NOW LOCATED  
 PB 9 PG 51 & 32-20-29-300-00B0-0000  
 SEC 32 TWP 20S RGE 29E BEG 119.98 FT N & 210.19 FT W OF NE COR LOT 4 BLK B SWEETWATER COVE RUN  
 W TO NW COR LOT 18 PEACE VALLEY MIAMI SPRINGS S 120 FT E TO A PT S OF BEG N TO BEG

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.





# 50' INGRESS & EGRESS EASEMENT. O.R.B. 1

POINT OF BEGINNING INGRESS & EGRESS EASEMENT

POINT OF COMMENCEMENT INGRESS & EGRESS EASEMENT

S 89° 14' 48" W 420.37' SET IRON

11.2' RINGS IS TO LINE TO OF 4 50' PER 2

0.00 FND 4"x4" CONCRETE MONUMENT NO I.D. 65.00 75.00

FND 4"x4" CONCRETE MONUMENT NO I.D. 210.19' (20)

A BROKEN DOWN WOOD RAIL FENCE MEANDERS ALONG LINE POINT OF BEGINNING

REMNANTS OF OLD WOOD RAIL FENCE 5 00' 12' 28" W 120.00'

10' INGRESS AND EGRESS EASEMENT 18  
 H 00° 12' 28" E 120.00'  
 LINE OF LOT 18 S 0° 12' 28" W 120.00'

Building Area 19 PROPOSED

85' 20' rear yard

S 00° 22' 37" E 119.99'

10 feet side yard

larch

0.00 75.00' FND 4"x4" CONCRETE MONUMENT NO I.D. 6' WOOD FENCE 0.5' SOUTH OF LINE

FND 4"x4" CONCRETE MONUMENT NO I.D. 211.41' (21)

N 89° 14' 48" E 422.82' SET IRON

347.82'

TED

30' PLATTED DRAINAGE

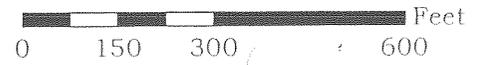
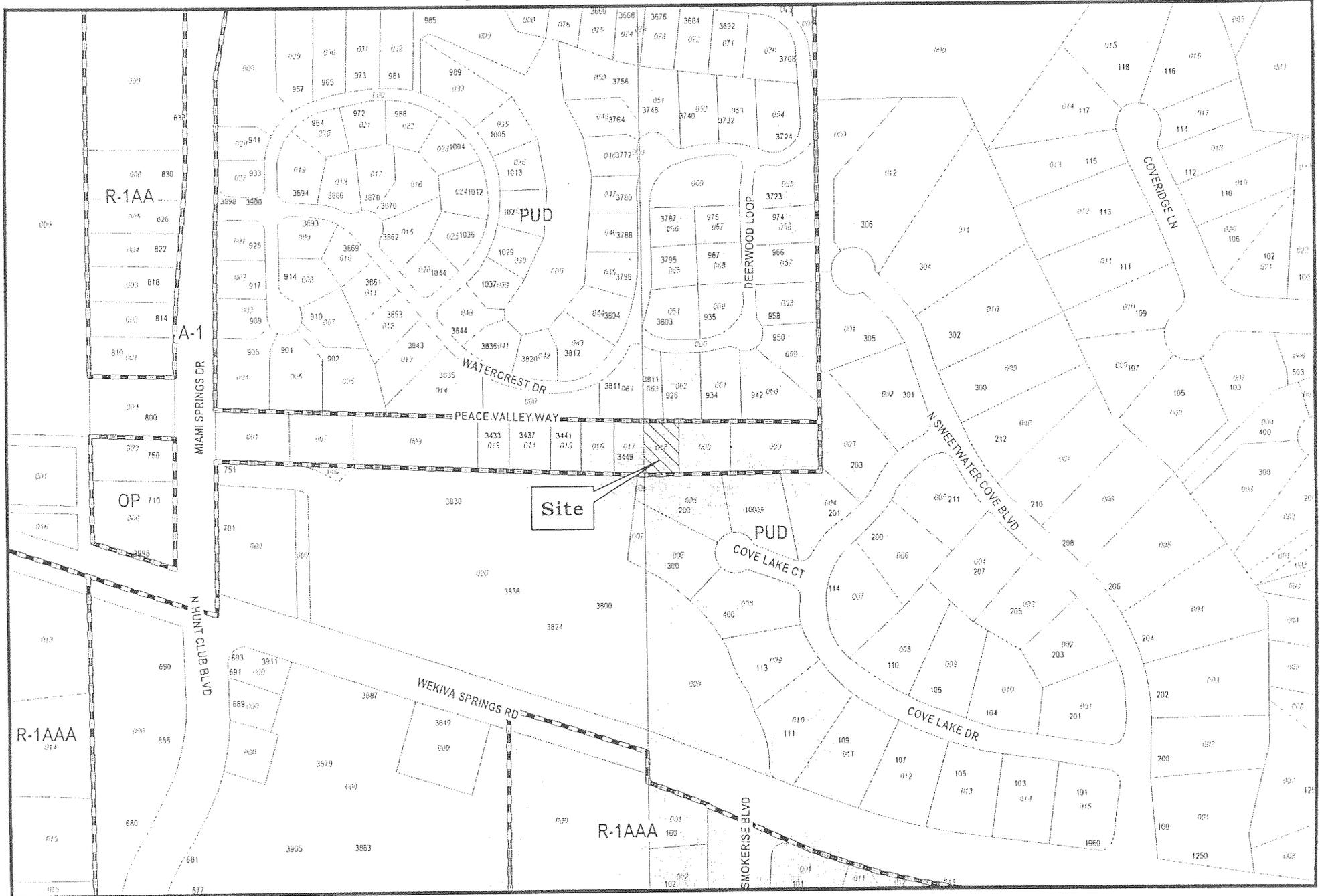
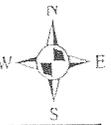
BLOCK B - SWEETWATER PLAT BOOK 20. PAGES 3

FOUND IDENTIFICATION OFFICIAL RECORDS BOOK PAGE

LOT 6

LOT 5

Josue Llanos  
3453 Peace Valley Way



**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On September 27, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 18 PEACE VALLEY MIAMI SPRINGS AS NOW LOCATED PB 9 PG 51 & 32-20-29-300-00B0-0000 SEC 32 TWP 20S RGE 29E BEG 119.98 FT N & 210.19 FT W OF NE COR LOT 4 BLK B SWEETWATER COVE RUN W TO NW COR LOT 18 PEACE VALLEY MIAMI SPRINGS S 120 FT E TO A PT S OF BEG N TO BEG

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

**FINDINGS OF FACT**

**Property Owner:** JOSUE LLANOS  
603 SAN MARIE AVENUE  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** PEACE VALLEY WAY (3453)

**Requested Development Approval:**

1. MINIMUM FRONT YARD SETBACK VARIANCE FROM 35 FEET TO 20 FEET;  
AND
2. MINIMUM REAR YARD SETBACK VARIANCE FROM 35 FEET TO 15 FEET  
FOR AN EXISTING LOT IN THE A-1 (AGRICULTURE 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 existing lot 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: