

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (1) MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 90 FEET TO 81.28 FEET; AND (2) LOT SIZE VARIANCE FROM 11,700 SQUARE FEET TO 11,567 SQUARE FEET FOR AN EXISTING LOT IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (EXCLUSIVE HOMES, INC., G. DOUGLAS LAMAN, APPLICANTS).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Jason Showe **EXT.** 7398

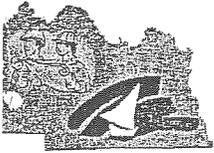
Agenda Date 10-25-04 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 90 FEET TO 81.28 FEET; AND (2) LOT SIZE VARIANCE FROM 11,700 SQUARE FEET TO 11,567 SQUARE FEET FOR AN EXISTING LOT IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (EXCLUSIVE HOMES, INC., G. DOUGLAS LAMAN, APPLICANTS); OR
2. **DENY** REQUEST FOR (1) MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 90 FEET TO 81.28 FEET; AND (2) LOT SIZE VARIANCE FROM 11,700 SQUARE FEET TO 11,567 SQUARE FEET FOR AN EXISTING LOT IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (EXCLUSIVE HOMES, INC., G. DOUGLAS LAMAN, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANTS: LOCATION: ZONING:	EXCLUSIVE HOMES, INC. AND G. DOUGLAS LAMAN 109 EAST ORANGE STREET R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS WISH TO CONSTRUCT A HOUSE AT 109 EAST ORANGE STREET ON A LOT THAT IS DEFICIENT IN BOTH MINIMUM WIDTH AT THE BUILDING LINE AND MINIMUM LOT SIZE; THE STATED VARIANCES ARE THEREBY REQUESTED. • THE EXPANSION OF INTERSTATE 4 REDUCED THE LOT WIDTH 16 FEET. THIS CAN BE SEEN ON THE SITE PLAN 	

	<p>AS RIGHT OF WAY TO THE WEST SIDE OF THE PROPERTY.</p> <ul style="list-style-type: none">• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.• PRIOR TO THE REDUCTION OF LOT SIZE DUE TO RIGHT OF WAY ACQUISITION, THE LOT WAS CONFORMING.
STAFF FINDINGS	<p>THE APPLICANT HAS SATISFIED THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCES. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none">• THE CONDITIONS ARE PECULIAR TO THE LAND AND ARE NOT APPLICABLE TO OTHER LANDS, STRUCTURES, OR BUILDINGS IN THE SAME ZONING CLASSIFICATION.• THE SPECIAL CONDITIONS DESCRIBED DO NOT RESULT FROM ACTIONS OF THE APPLICANT.• THE VARIANCES ARE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY.• THE REQUEST WOULD NOT CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.• THE APPLICANT WOULD NOT 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 APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE REQUESTED VARIANCES. 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 EXISTING LOT 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. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

w.d.th at building line variance from 90' to 81' for a proposed home - JS

APPLICATION TYPE:

VARIANCE TO BUILD A SFR ON A LOT 81.28' WIDE IN LIEU OF 90' ZONING REQUIREMENT.

SPECIAL EXCEPTION - THE LOT WIDTH WAS REDUCED BY 16'+ FOR I-4 EXPANSION.

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	EXCLUSIVE HOMES INC.	G. DOUGLAS LAMAN
ADDRESS	1130 E. PLANT ST. #H #H - WINTER GARDEN, FL.	34707.
PHONE 1	407-877-0331	
PHONE 2		
E-MAIL		

RECEIVED

PROJECT NAME: LOT 13/14 SANLANDO SPRINGS

SITE ADDRESS: 109 E. ORANGE ST. AUSTAMONTS

CURRENT USE OF PROPERTY: VACANT

LEGAL DESCRIPTION: SEE ATTACHED

SIZE OF PROPERTY: .2613 acre(s) PARCEL I.D. 01-21-29-5CK-670E0130

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 Oct. 25th (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 true and correct to the best of my knowledge.

[Signature]
 SIGNATURE OF OWNER OR AGENT*

9/17/04
 DATE

ADDITIONAL VARIANCES

VARIANCE 2:

Minimum lot size variance from 11,700 square feet to 11,567 square feet.

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 LDR / R1AA

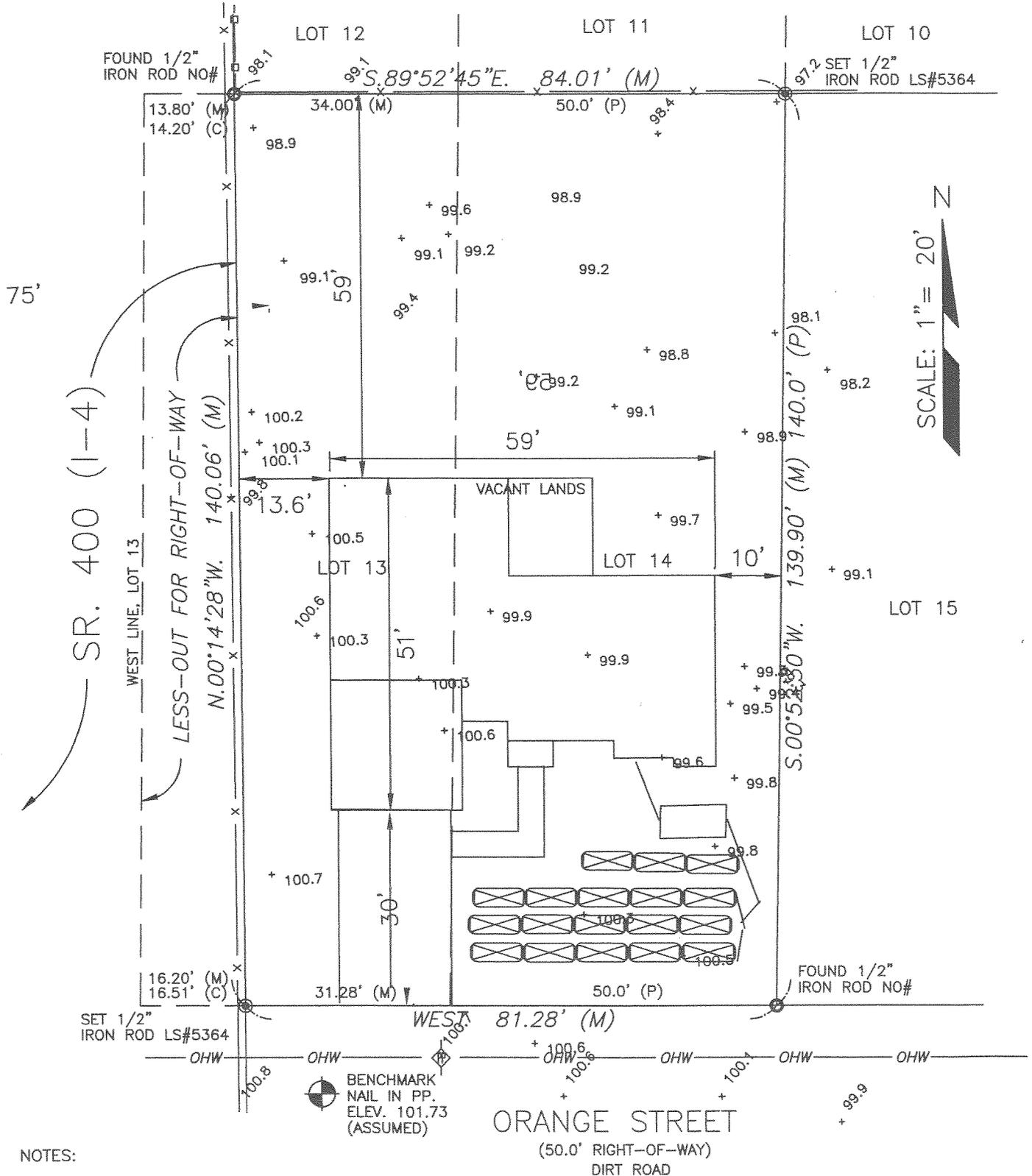
LOCATION FURTHER DESCRIBED AS ^{537" F} W of intersection of Raymond Ave & E. Orange ~~Blvd~~ St.

PLANNER Jason Showe DATE 9/17/04

EFFICIENCY COMMENTS _____

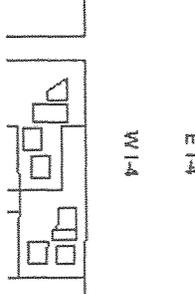
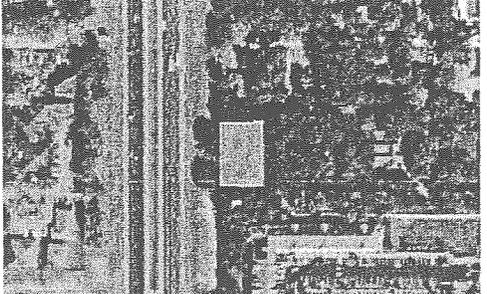
LEGAL DESCRIPTION:

LOTS 13 AND 14, OF BLOCK E, OF TRACT 67, OF SANLANDO SPRINGS, SEMINOLE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 65, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS THAT PART OF SAID LOT 13 LYING WITHIN 150 FEET OF THE CENTERLINE OF STATE ROAD 400, SECTION 77160, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS: BEGIN ON THE SOUTH LINE OF BLOCK "G", TRACT 67, SANLANDO SPRINGS, ACCORDING TO PLAT BOOK 4, PAGE 65 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA AT A POINT 77.81 FEET WEST OF THE SOUTHEAST CORNER OF SAID BLOCK "G" AND RUN NORTH 00°15'46" WEST, 1284.74 FEET TO THE NORTH LINE OF BLOCK "B", SAID TRACT 67 OF SANLANDO SPRINGS AT A POINT 99.05 FEET WEST OF THE NORTHEAST CORNER OF SAID BLOCK "B", SEMINOLE COUNTY, FLORIDA.



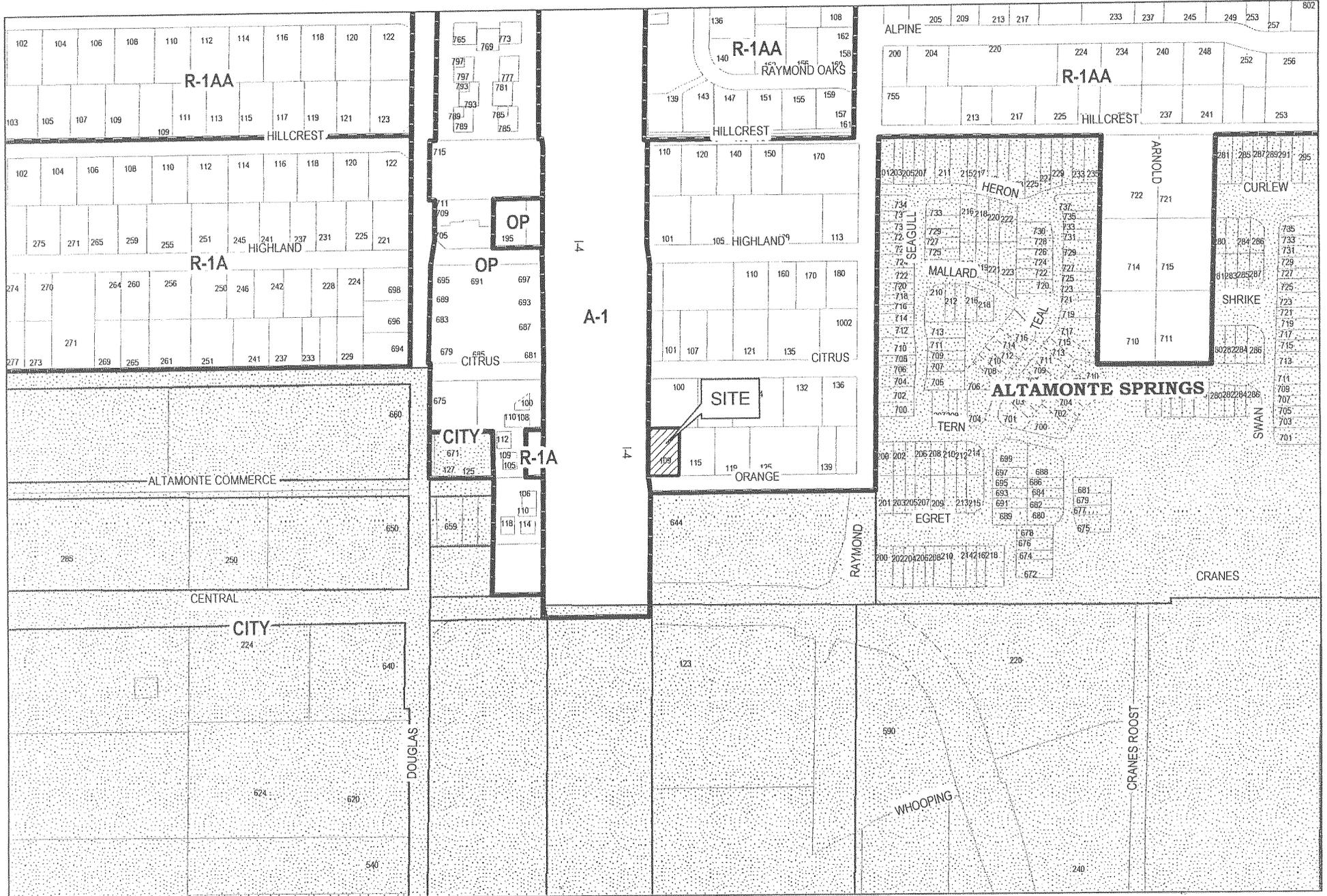
NOTES:

- 1.) BEARINGS SHOWN HEREON ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF ORANGE STREET, BEING AN ASSUMED BEARING OF WEST.
- 2.) THERE MAY BE EASEMENTS AND RESTRICTIONS OF RECORDS AND/OR PRIVATE AGREEMENTS NOT FURNISHED TO THIS SURVEYOR THAT MAY AFFECT PROPERTY RIGHTS AND/OR LAND USE RIGHTS OF THE LANDS SHOWN HEREON.

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH																									
 <p> Seminole County <i>Property Appraiser Services</i> 1101 E. First St. Sanford FL 32771 407-668-7506 </p>																													
<p align="center">GENERAL</p> <p> Parcel Id: 01-21-29-5CK-670E-0130 Tax District: 01-TX DIST 1 - COUNTY Owner: EXCLUSIVE HOMES INC Exemptions: Address: 1130 E PLANT ST City,State,ZipCode: WINTER GARDEN FL 34787 Property Address: 109 ORANGE ST E Subdivision Name: SANLANDO SPRINGS 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): \$19,246 Land Value Ag: \$0 Just/Market Value: \$19,246 Assessed Value (SOH): \$19,246 Exempt Value: \$0 Taxable Value: \$19,246 </p> <p align="center">2004 Notice of Proposed Property Tax</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>05/2004</td> <td>05339</td> <td>1083</td> <td>\$33,000</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>03/1990</td> <td>02177</td> <td>1913</td> <td>\$100</td> <td>Vacant</td> </tr> <tr> <td>ADMINISTRATIVE DEED</td> <td>04/1989</td> <td>02105</td> <td>0651</td> <td>\$100</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>			Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	05/2004	05339	1083	\$33,000	Vacant	QUIT CLAIM DEED	03/1990	02177	1913	\$100	Vacant	ADMINISTRATIVE DEED	04/1989	02105	0651	\$100	Vacant	<p align="center">2003 VALUE SUMMARY</p> <p> 2003 Tax Bill Amount: \$325 2003 Taxable Value: \$19,246 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS </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>																													



Exclusive Homes, Inc.
109 E Orange St



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 25, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 13 & 14 BLK E (LESS ST RD 400) TRACT 67 SANLANDO SPRINGS PB 4
PG 65

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

FINDINGS OF FACT

Property Owner: EXCLUSIVE HOMES INC.
1130 E. PLANT STREET #H
WINTER GARDEN, FL 34787

Project Name: 109 EAST ORANGE STREET

Requested Development Approval:

1. LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 90 FEET TO 81.28 FEET; AND
2. LOT SIZE VARIANCE FROM 11,700 SQUARE FEET TO 11,567 SQUARE FEET FOR A PROPOSED HOUSE IN THE R-1AA (SINGLE-FAMILY DWELLING 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: Jason Showe, 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 VARIANCES 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: