

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 1 FOOT FOR AN EXISTING SHED; AND (2) SIDE YARD SETBACK VARIANCE FROM 5 FEET TO 1 FOOT FOR AN EXISTING SHED IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (DIANE TERRANO, APPLICANT).

DEPARTMENT: Planning & Development DIVISION: Planning

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

Agenda Date 11-15-04 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 1 FOOT FOR AN EXISTING SHED; AND (2) SIDE YARD SETBACK VARIANCE FROM 5 FEET TO 1 FOOT FOR AN EXISTING SHED IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (DIANE TERRANO, APPLICANT); OR
2. **DENY** REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 1 FOOT FOR AN EXISTING SHED; AND (2) SIDE YARD SETBACK VARIANCE FROM 5 FEET TO 1 FOOT FOR AN EXISTING SHED IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (DIANE TERRANO, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT: LOCATION: ZONING:	DIANE TERRANO 2762 SNOW GOOSE LANE EGRET'S LANDING PUD (PLANNED UNIT DEVELOPMENT DISTRICT)
<b>BACKGROUND/ REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT ERECTED A SHED THAT ENCROACHES 9 FEET AND 4 FEET INTO THE MINIMUM 10 FOOT REAR AND 5 FOOT SIDE YARD SETBACKS, RESPECTIVELY. THE AFOREMENTIONED VARIANCES ARE REQUESTED.</li> <li>• A BUILDING PERMIT (#04-8511) HAS BEEN ACQUIRED. THE PERMIT REQUIRES THAT THE SHED BE RELOCATED TO A LOCATION WHERE MINIMUM SETBACKS ARE OBSERVED.</li> <li>• THE APPLICANT WISHES TO MAINTAIN THE CURRENT SHED LOCATION TO AVOID HAVING TO REMOVE A</li> </ul>	

	<p>TREE.</p> <ul style="list-style-type: none"><li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li></ul>
<b>STAFF FINDINGS</b>	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE VARIANCES. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"><li>• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY HAVE BEEN DEMONSTRATED.</li><li>• THE SHED CAN BE RELOCATED ON THE PROPERTY TO COMPLY WITH THE CODE.</li><li>• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER PROPERTIES IN THE EGRET'S LANDING PUD.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>BASED ON THE PROPOSED SITE PLAN, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUEST. IF THE BOARD SHOULD DECIDE TO GRANT THE VARIANCES, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING SHED 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>

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 3,10 TWP: 20 RNG: 30  
 PROJ. #

DEVELOPMENT: Egret's Landing		DEVELOPER: Lake Mary 32746	
LOCATION: E. side of Longwood-Lake Mary Rd., S. of Airport Blvd – 224 lots			
FILE#:	BA:	SP:	BCC:
P&Z:			
PB	54	PG	96-99 Lot
		Blk	Parcel
		DBA	Comm Dist
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS: 4' sidewalks both sides of internal streets. 2' Miami curb typical		<b>SETBACK REQUIREMENTS</b>	
		FY: 20'	SIDE ST.: 15'
ROAD TYPE: (CURB & GUTTER OR SWALE)		SY: 5'	
COMMENTS OTHER: Side street driveways on corner lots are prohibited where the side street set back is 15'		RY: 20'	
		MAIN STRUCTURE OTHER:	
		ACCESSORY STRUCTURE SETBACKS:	
		SY:	RY:
		ACCESSORY STRUCTURE OTHER: Attached: same as main bldg: rear 10' Detached: same as main bldg not to project beyond the main residence, rear yard – 10'	

	IMPACT FEES	
Minimum corner lot width: 55'. Min. dwelling size: 700 sq ft. Minimum lot size: 5000 sq. ft. 45' at Bldg line Min Lot width.	SCREEN:	
The retention and conservation areas and their access shall be platted as Tracts. 6' C.L. Fence within 10 landscape esmt. for lots. 6' masonry wall to be located within 15' landscape esmt. with the exception of area adjacent to tracts O and H. Vegetation will be preserved within the 15' landscape easement except for minimal removal necessary for wall construction. Provide SW easements around all cul-de-sacs to allow adequate room for util. & separation between sidewalk and curb.	TRAFFIC ZONE:	
	LAND USE:	
	1. ROAD-CO. WIDE	705.00
	2. ROAD-COLL.	147.00
	3. LIBRARY	54.00
	4. FIRE	172.00
	5. PARK	
	6. SCHOOL	1384.00
	7. LAW	
	8. DRAINAGE	
	TOTAL	\$2657.00
	REMARKS:	



**COPY**

APPL. NO. BU 2004-164

**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**

Request SETBACK IN REAR YARD FROM 10' TO 1' (see back)

**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>DIANE TERRANO</u>	
ADDRESS	<u>2762 SNOW GOOSE LANE</u>	
	<u>LAKE MARY FLORIDA 32746</u>	
PHONE 1	<u>407-688-1208</u>	
PHONE 2	<u>407-687-6479</u>	
E-MAIL	<u>dt2762@aol.com</u>	

PROJECT NAME: N/A

SITE ADDRESS: ABOVE

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: LOT 86 EGRETS LANDING PB 54 PGS 96 THRU 99

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. \_\_\_\_\_

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER N/A

KNOWN CODE ENFORCEMENT VIOLATIONS shed was cited but permit acquired (#04-8511)

IS PROPERTY ACCESSIBLE FOR INSPECTION  (YES)  NO

This request will be considered at the Board of Adjustment regular meeting on 11/15/04 (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.

SIGNATURE OF OWNER OR AGENT\* [Signature]

DATE 10/22/04

JV

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

### ADDITIONAL VARIANCES

VARIANCE 2:

side yard setback variance from 5' to 1' for existing shed

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:


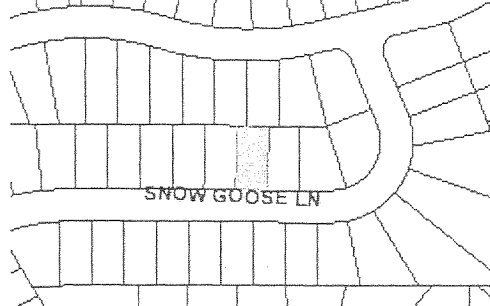
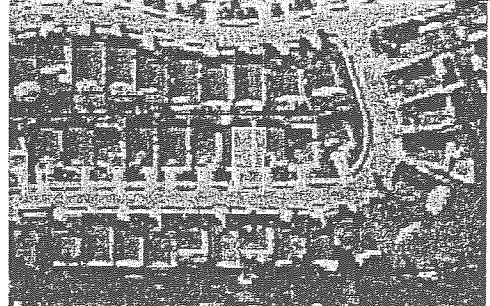
FEE: \$200.00 COMMISSION DISTRICT 5 FLU/ZONING PD/PUD

LOCATION FURTHER DESCRIBED AS Located on the north side of Snow Goose Lane approximately 450' southwest of the intersection of Snow Goose Lane and Egrets Landing Drive (Egrets Landing PUD)

PLANNER JV DATE 10/22/04

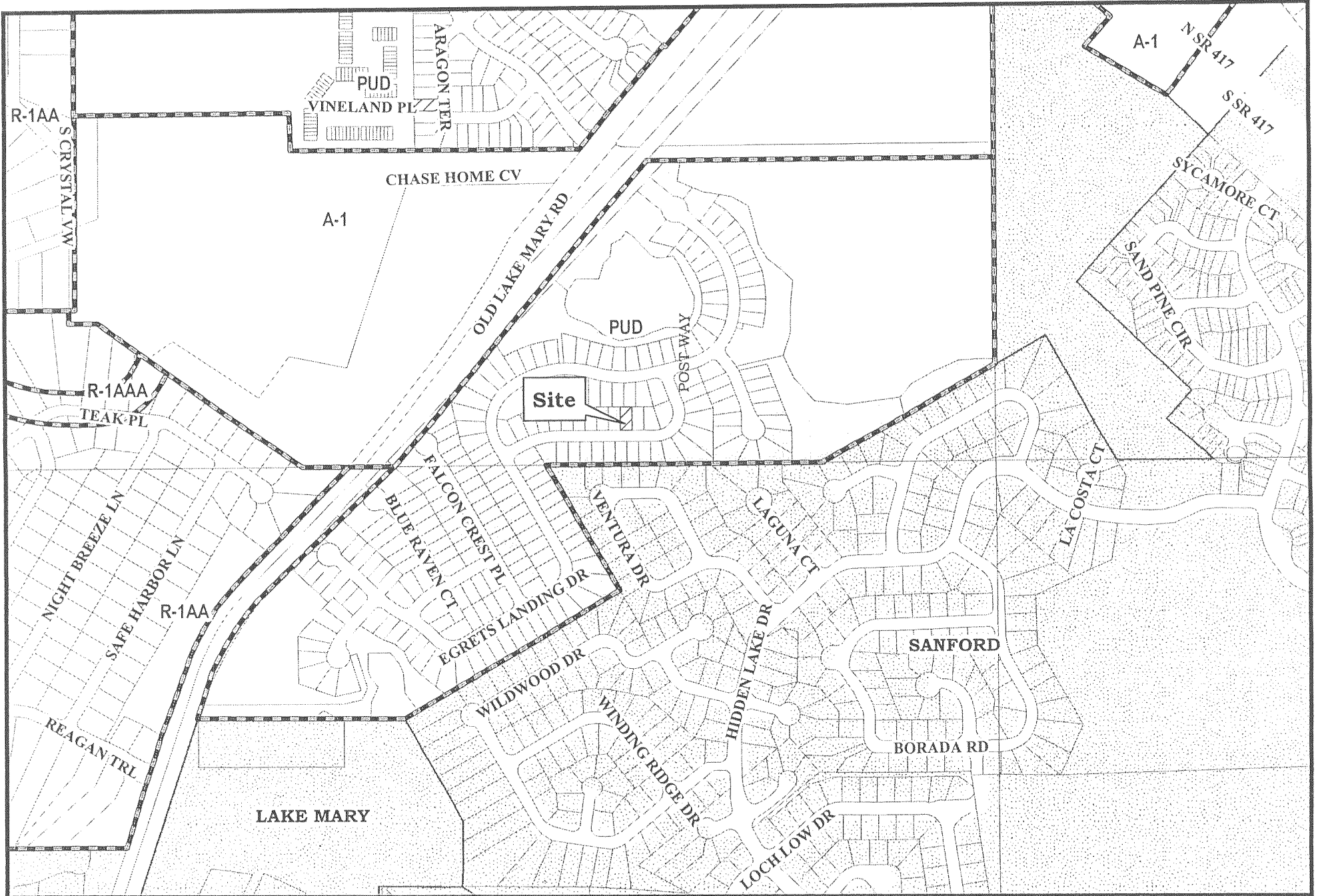
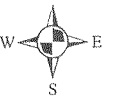
SUFFICIENCY COMMENTS \_\_\_\_\_



<b>PARCEL DETAIL</b>	<a href="#">REAL ESTATE</a> <a href="#">PERSONAL PRO</a> <a href="#">TAX ROLL</a> <a href="#">SALES SEARCH</a>	<a href="#">◀</a> <a href="#">◀</a> Back <a href="#">▶</a> <a href="#">▶</a>																																								
 <p><b>Seminole County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>	 <p>SNOW GOOSE LN</p>																																									
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 03-20-30-5PB-0000-0860    Tax District: 01-TX DIST 1 - COUNTY          Owner: TERRANO DIANE    Exemptions: 00-HOMESTEAD          Address: 2762 SNOW GOOSE LN          City,State,ZipCode: LAKE MARY FL 32746          Property Address: 2762 SNOW GOOSE LN LAKE MARY 32746          Subdivision Name: EGRETS LANDING          Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;"><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method:            Market          Number of Buildings:            1          Depreciated Bldg Value:    \$115,336          Depreciated EXFT Value:            \$0          Land Value (Market):            \$25,000          Land Value Ag:                    \$0          Just/Market Value:            \$140,336          Assessed Value (SOH):    \$128,107          Exempt Value:                    \$25,000          Taxable Value:                    \$103,107</p>																																								
<p style="text-align: center;"><b>SALES</b></p> <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>09/2001</td> <td>04242</td> <td>1810</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>12/2000</td> <td>03977</td> <td>1922</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>01/2000</td> <td>03795</td> <td>1418</td> <td>\$129,300</td> <td>Improved</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	09/2001	04242	1810	\$100	Improved	QUIT CLAIM DEED	12/2000	03977	1922	\$100	Improved	SPECIAL WARRANTY DEED	01/2000	03795	1418	\$129,300	Improved	<p style="text-align: center;"><b>2004 VALUE SUMMARY</b></p> <p>Tax Value(without SOH):            \$1,959          2004 Tax Bill Amount:            \$1,702          Save Our Homes (SOH) Savings:    \$257          2004 Taxable Value:            \$100,718</p> <p style="text-align: center;">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>																																										

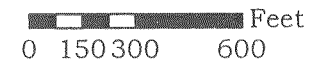
PUD PD

**Diane Terrano  
2762 Snow Goose Lane**



Parcel: 03-20-30-5PB-0000-0860 / District: 5

**BV2004-164  
NOVEMBER 15, 2004**





**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On November 15, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 86 EGRETS LANDING PB 54 PGS 96 THRU 99

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

**FINDINGS OF FACT**

**Property Owner:** DIANE TERRANO  
2762 SNOW GOOSE LANE  
LAKE MARY, FL 32746

**Project Name:** SNOW GOOSE LANE (2762)

**Requested Development Approval:**

1. MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 1 FOOT FOR AN EXISTING SHED; AND
2. MINIMUM SIDE YARD SETBACK VARIANCE FROM 5 FEET TO 1 FOOT FOR AN EXISTING SHED IN THE 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 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 \_\_\_\_\_ 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: