

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 3 FEET FOR AN EXISTING SHED; AND (2) (WEST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 3 FEET FOR AN EXISTING SHED IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (RAYMOND LOMBERK, APPLICANT).

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

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

Agenda Date 1-24-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 3 FEET FOR AN EXISTING SHED; AND (2) (WEST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 3 FEET FOR AN EXISTING SHED IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); OR
2. **DENY** REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 3 FEET FOR AN EXISTING SHED; AND (2) (WEST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 3 FEET FOR AN EXISTING SHED IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: RAYMOND LOMBERK LOCATION: 3209 TIMOTHY STREET ZONING: R-1A (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT ERECTED A SHED THAT ENCROACHES 27 FEET INTO THE MINIMUM 30 FOOT REAR YARD SETBACK AND 4.5 FEET INTO THE MINIMUM (WEST) SIDE YARD SETBACK; THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED. • 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"> • NO SPECIAL CIRCUMSTANCE APPLICABLE TO THE

	<p>PROPERTY HAS BEEN DEMONSTRATED</p> <ul style="list-style-type: none">• A COMPLIANT SHED OF SMALLER SIZE COULD HAVE BEEN BUILT ON THE PROPERTY.• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1A 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 EXISTING SHED AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



COPY

APPL. NO. BV 2004-176

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** REAR YARD SETBACK VARIANCE FROM 30 FT. TO 3 FT. FOR EXISTING SHED
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING (YEAR _____) PROPOSED (YEAR _____)
 - REPLACEMENT (YEAR _____) 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**

RECEIVED
 NOV 23 2004

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>RAYMOND LOMBERK</u>	
ADDRESS	<u>3209 TIMOTHY STREET APOKA, FLA. 32703</u>	
PHONE 1	<u>407-886-6422</u>	
PHONE 2		
E-MAIL	<u>elray01@msn.com</u>	

PROJECT NAME: SHED
 SITE ADDRESS: 3209 TIMOTHY ST.
 CURRENT USE OF PROPERTY: RESIDENTIAL
 LEGAL DESCRIPTION: LEG LOT 2 B1K C LYWOOD REVISION PB 10 PG 33

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 18-21-29-522-0000-0020
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS YES - NO PERMIT FOR SHED

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO
 This request will be considered at the Board of Adjustment regular meeting on 11/24/04
 (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.
Raymond Lombark 11/23/04
 SIGNATURE OF OWNER OR AGENT* DATE
 * Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

side yard setback variance from 7.5 ft. to 3 ft. for existing shed.

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL _____

APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:

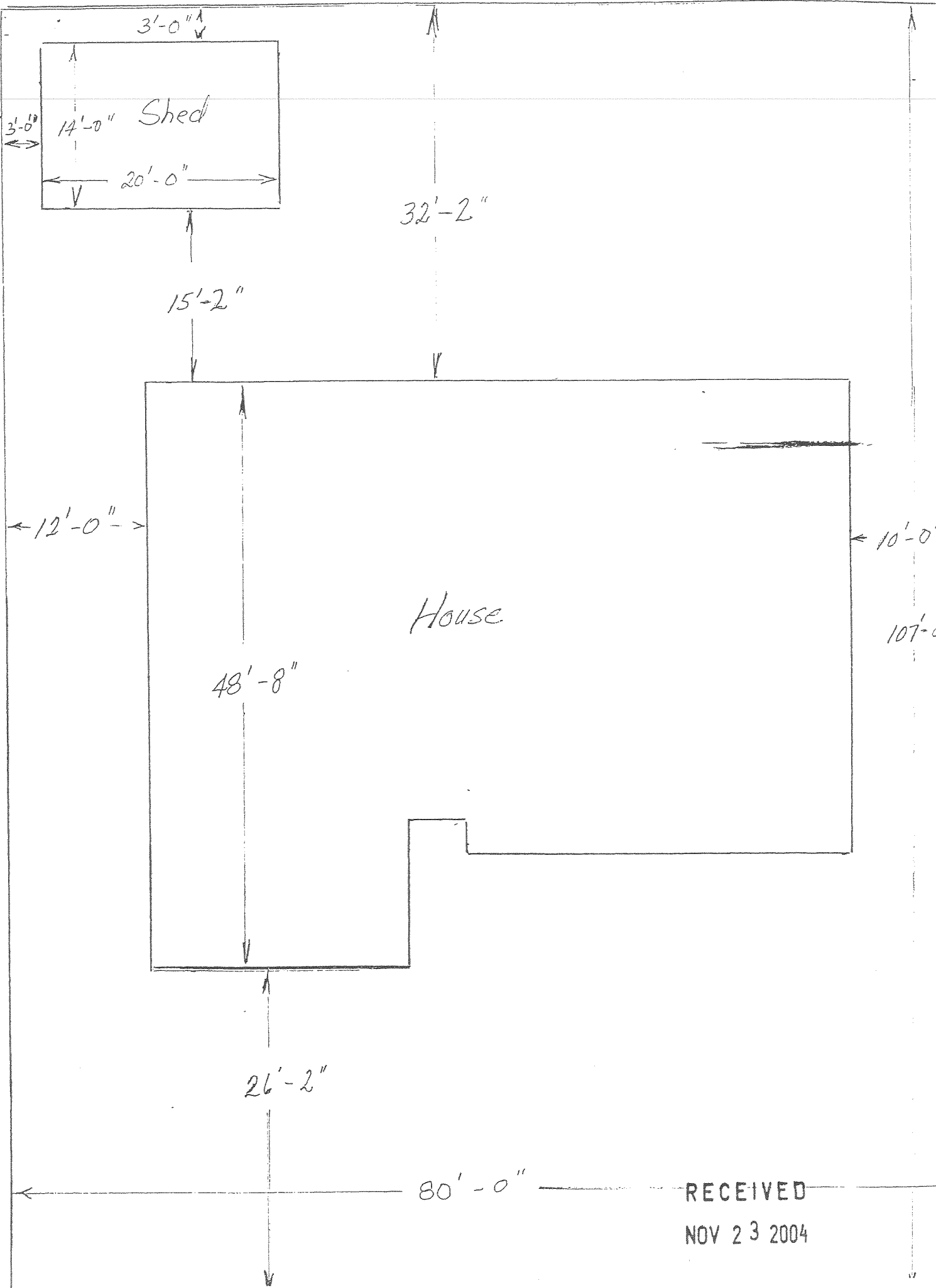
FEE(S): 200.00 COMMISSION DISTRICT 3 FLU / ZONING LOR / R-1A

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS north side of Timothy St.
Approx. 170 ft east of intersection of Timothy St & MARTIN DR.

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____



RECEIVED
NOV 23 2004

SMITHBILT INDUSTRIES, INC.

PORTABLE BUILDING ANCHORS

BUILDING ANCHOR SCHEDULE			
BUILDING SIZE	NO. OF ANCH. @ EA. END OF BLDG.	NO. OF ANCH. @ EA. SIDE OF BLDG.	TOTAL ANCH. PER BLDG.
8',10',12' & 14' WIDE TO 24' LONG	2	-	4
48'	2	1	6
50'	2	2	8
20',22' & 24' WIDE TO 24' LONG	4	-	8
48'	4	1	10
50'	4	2	12

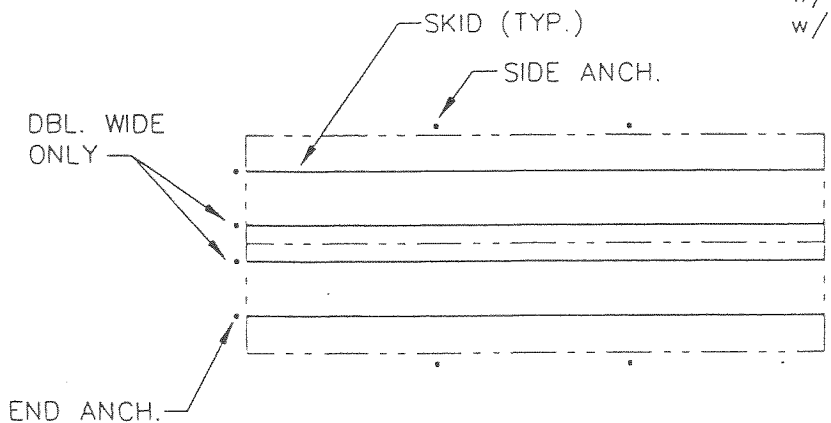
BUILDING ANCHOR DATA					
MODEL NUMBER	LENGTH	BAR DIAMETER	EYE DIAMETER	HELIX DIAMETER	UPLIFT CAPACITY IN NORMAL SOIL
36SHE34	30"	1/2"	1 1/2"	4"	2500 lbs.

NOTE:

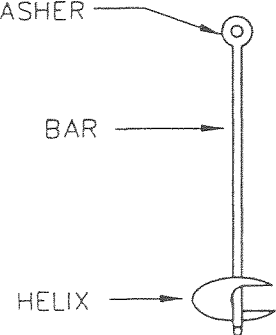
THESE ANCHORS MEET THE WIND REQUIREMENTS OF THE FLORIDA 2001 BUILDING CODE AND THE AMERICAN SOCIETY OF CIVIL ENGINEERS STANDARD CODE ASCE 7-98.

WIND LOAD: 150 M.P.H.

BOLT THRU ANCH. & 2x6
SKID OR HEADER BEAM
w/ 3/8" ϕ x 4" LAG BOLT
w/ 3/32" x 2" ϕ WASHER



ANCHOR SPACING PLAN




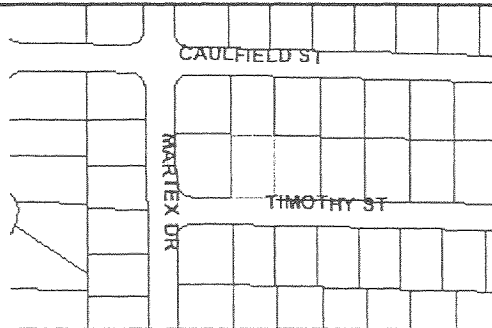
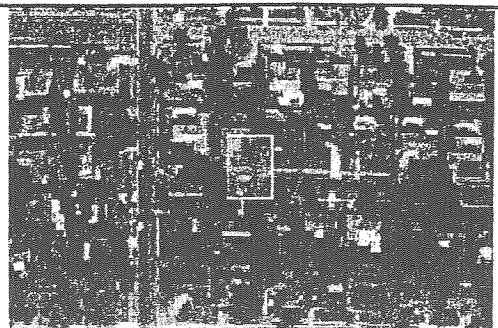
TYPICAL ANCHOR

William J. McCarthy
9/12/04

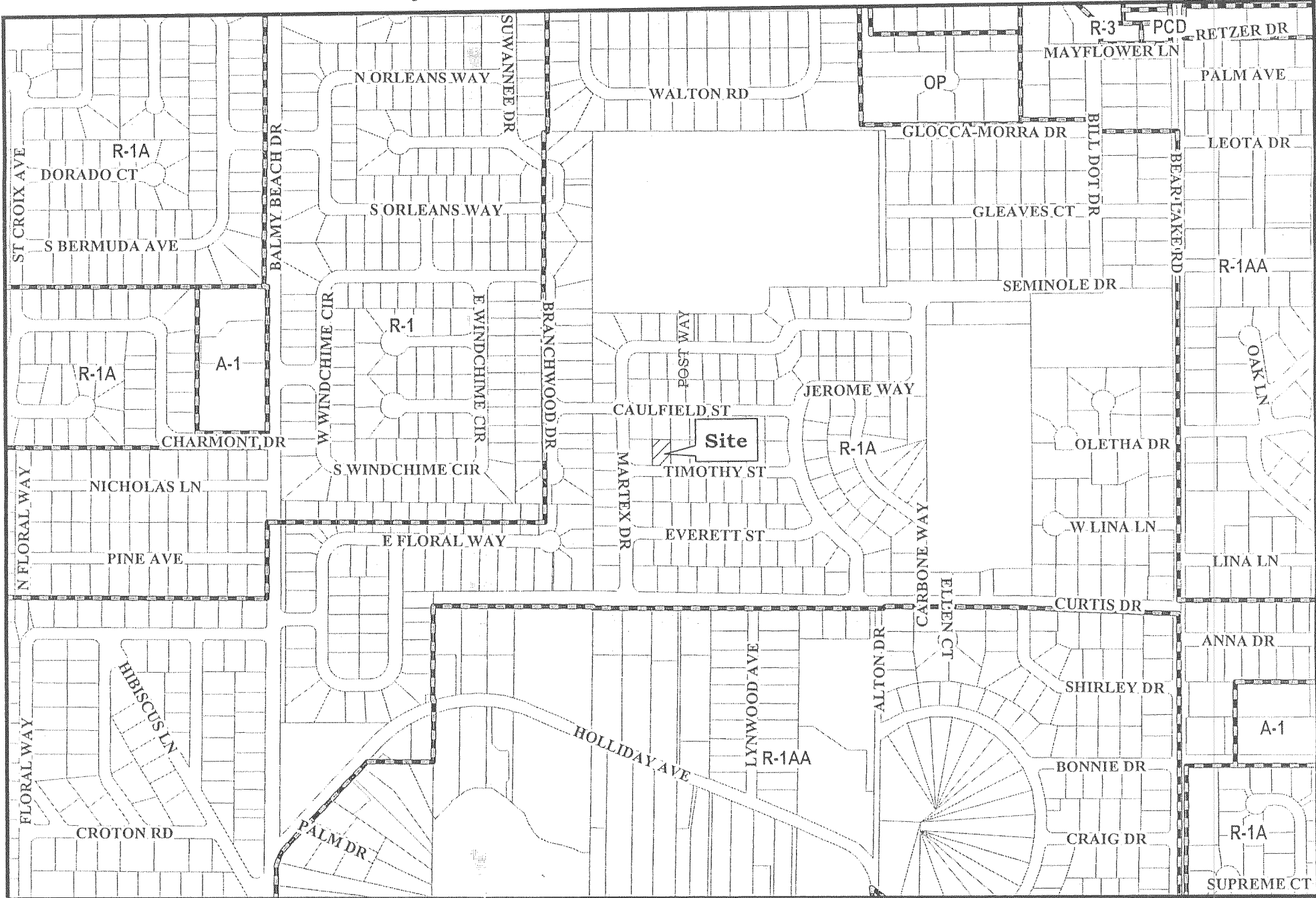
SCALE	NONE	DATE	1/8/03	LOCATION OF JOB	ANYWHERE, FL
DRAWN BY	TM	CHECKED BY	W.J.M.	PROJECT NO.	02030

M **McCarthy ENGINEERING, INC.**
 STRUCTURAL CONSULTANTS LAKELAND, FLORIDA
 2225 EAST EDGEWOOD DRIVE SUITE 4 - LAKELAND, FL 33803
 PHONE (863) 667-1759 • FAX (863) 667-1790
 CERTIFICATE OF AUTHORIZATION No. 6394
 William J. McCarthy P.E. 24553

TYPICAL PORTABLE BUILDING ANCHORS		
SMITHBILT INDUSTRIES, INC.		
1061 U.S. HWY. 92 WEST		
AUBURNDALE, FLORIDA		
DWG. NO.	A-1	REV. 3

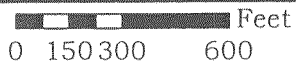
PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	◀ ◁ Back ▷ ▶																																								
 <p> Seminole County <i>Property Appraiser Services</i> 1101 E. First St. Sanford FL 32771 407-665-7506 </p>																																													
<p style="text-align: center;">GENERAL</p> <p> Parcel Id: 18-21-29-522-0C00-0020 Tax District: 01-COUNTY-TX DIST 1 Owner: LOMBERK TRACY W & Exemptions: 00-HOMESTEAD Own/Addr: LOMBERK RAYMOND L & ELEANOR Address: 3209 TIMOTHY ST City,State,ZipCode: APOPKA FL 32703 Property Address: 3209 TIMOTHY ST APOPKA 32703 Subdivision Name: LYNWOOD REVISION Dor: 01-SINGLE FAMILY </p>			<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <table style="width:100%; border-collapse: collapse;"> <tr><td>Value Method:</td><td style="text-align: right;">Market</td></tr> <tr><td>Number of Buildings:</td><td style="text-align: right;">1</td></tr> <tr><td>Depreciated Bldg Value:</td><td style="text-align: right;">\$87,495</td></tr> <tr><td>Depreciated EXFT Value:</td><td style="text-align: right;">\$5,756</td></tr> <tr><td>Land Value (Market):</td><td style="text-align: right;">\$21,000</td></tr> <tr><td>Land Value Ag:</td><td style="text-align: right;">\$0</td></tr> <tr><td>Just/Market Value:</td><td style="text-align: right;">\$114,251</td></tr> <tr><td>Assessed Value (SOH):</td><td style="text-align: right;">\$110,590</td></tr> <tr><td>Exempt Value:</td><td style="text-align: right;">\$25,000</td></tr> <tr><td>Taxable Value:</td><td style="text-align: right;">\$85,590</td></tr> </table>			Value Method:	Market	Number of Buildings:	1	Depreciated Bldg Value:	\$87,495	Depreciated EXFT Value:	\$5,756	Land Value (Market):	\$21,000	Land Value Ag:	\$0	Just/Market Value:	\$114,251	Assessed Value (SOH):	\$110,590	Exempt Value:	\$25,000	Taxable Value:	\$85,590																				
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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>																																													

Raymond Lomberk 3209 Timothy St



Parcel: 18-21-29-522-0C00-0020 / District: 3

BV2004-176
JANUARY 24, 2005



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 2 BLK C LYNNWOOD REVISION PB 16 PG 33

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

FINDINGS OF FACT

Property Owner: RAYMOND LOMBERK
3209 TIMOTHY STREET
APOPKA, FL 32703

Project Name: TIMOTHY STREET (3209)

Requested Development Approval:

1. REAR YARD SETBACK VARIANCE FROM 30 FEET TO 3 FEET FOR AN EXISTING SHED; AND
2. (WEST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 3 FEET FOR AN EXISTING SHED IN THE R-1A (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: 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: