

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

SUBJECT: REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 40,000 SQUARE FEET, AND (2) MINIMUM LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 100 FEET FOR AN EXISTING LOT IN THE A-1 (AGRICULTURE DISTRICT); (TYRONE WILSON, APPLICANT).

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

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

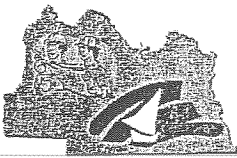
Agenda Date <u>1-24-05</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Public Hearing – 6:00 <input type="checkbox"/>
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MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 40,000 SQUARE FEET, AND (2) MINIMUM LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 100 FEET FOR AN EXISTING LOT IN THE A-1 (AGRICULTURE DISTRICT); (TYRONE WILSON, APPLICANT); OR
2. **DENY** REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 40,000 SQUARE FEET, AND (2) MINIMUM LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 100 FEET FOR AN EXISTING LOT IN THE A-1 (AGRICULTURE DISTRICT); (TYRONE WILSON, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: TYRONE WILSON, APPLICANT LOCATION: BANANA LAKE ROAD (LOT 1) ZONING: A-1 (AGRICULTURE DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT WISHES TO CONSTRUCT A HOUSE ON LOT 1 OF BAHIA SUBDIVISION. • LOT 1 IS DEFICIENT IN MINIMUM LOT SIZE AND MINIMUM WIDTH AT THE BUILDING LINE FOR THE A-1 DISTRICT. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS SATISFIED THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCES. STAFF HAS DETERMINED THAT:

	<ul style="list-style-type: none"> • POLICY FLU 3.2, ANTIQUATED PLATS, OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN REQUIRES THE ELIMINATION OF ANTIQUATED (NONCONFORMING) LOTS THROUGH REPLATTING AND THE RECOMBINATION OF LOTS WHEN APPROPRIATE. THE REQUESTED VARIANCES COMPLY WITH THE POLICY. IT IS STAFF'S DETERMINATION THAT THE LOT IS CONSISTENT WITH THE COMMUNITY CHARACTER, AND WILL HAVE NO ENVIRONMENTAL OR INFRASTRUCTURE ISSUES. • THE TREND OF DEVELOPMENT IN THIS AREA INCLUDES SINGLE-FAMILY HOMES ON LOTS OF SIMILAR SIZE PLATTED IN 1947 AND PRIOR TO THE ADOPTION OF COUNTYWIDE ZONING IN 1960. • THE REQUEST WOULD NOT CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE A-1 DISTRICT. • THE APPLICANT WOULD NOT RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.
<p>STAFF RECOMMENDATION</p>	<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.



RECEIVED
 DEC 01 2004

APPL. NO. BV 2002-182

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** Lot size variance and a width ^{line} size variance → over
- 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**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Tyrone Wilson</u>	
ADDRESS	<u>910 Banana Lake Road</u>	
	<u>Lake Mary Fl. 32746</u>	
PHONE 1	<u>321-277-6517</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: _____

SITE ADDRESS: Banana Lake Road

CURRENT USE OF PROPERTY: Vacant

LEGAL DESCRIPTION: Lot 1 Bahia Subd PB7 PG 73

SIZE OF PROPERTY: _____ ? acre(s) PARCEL I.D. 01-20-29-502-0000-0010

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 1/24/04 (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.

Tyrone Wilson
 SIGNATURE OF OWNER OR AGENT* DATE 12-1-04

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

ADDITIONAL VARIANCES

VARIANCE 1:

① Lot size variance from app. 43,560 sq ft to 40,000 sq ft.

VARIANCE 2:

② Width at building line variance from 150' to 100'

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): _____ COMMISSION DISTRICT 5 FLU/ZONING SE / A-1

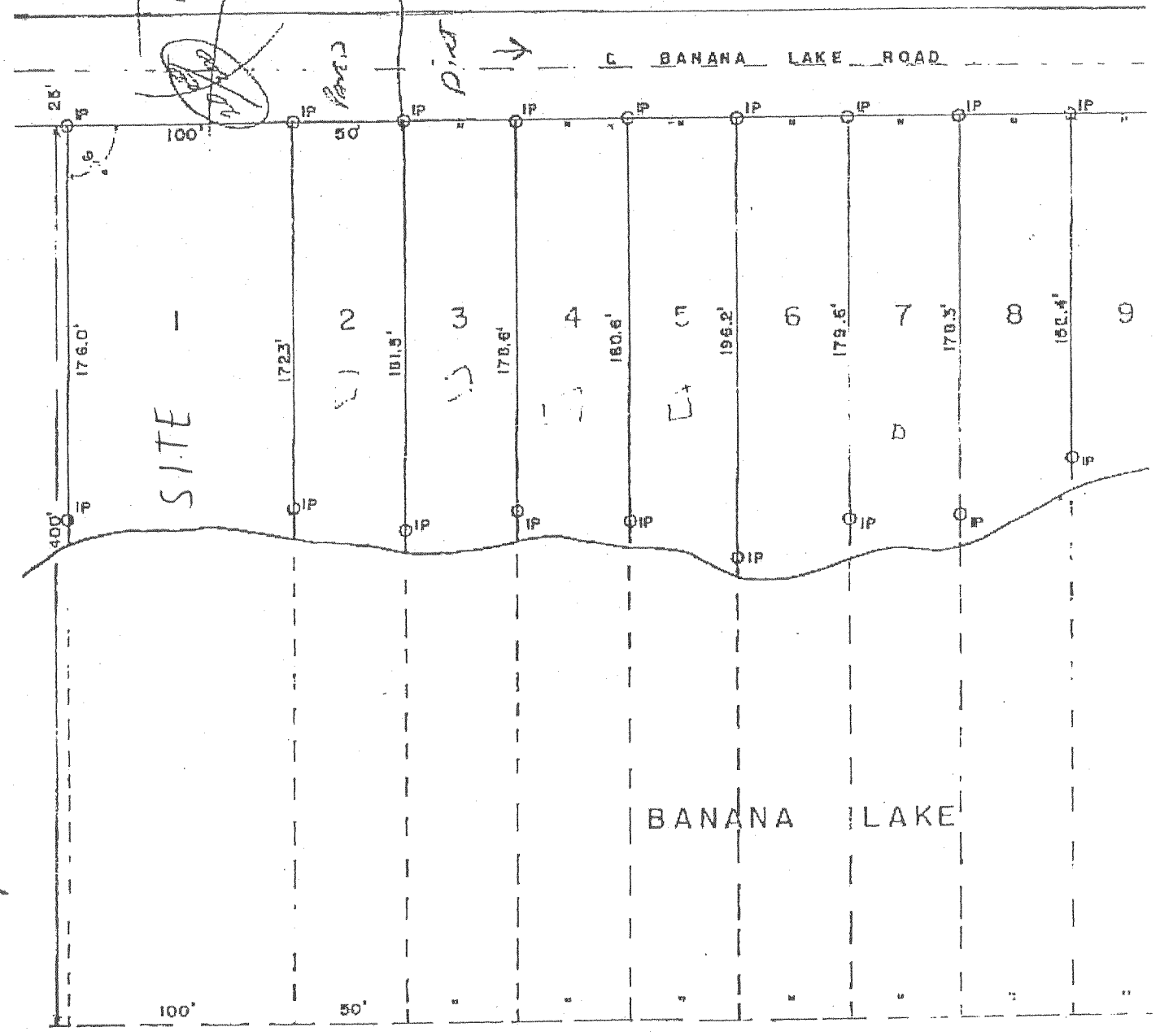
BCC HEARING DATE _____ (FOR APPEAL)

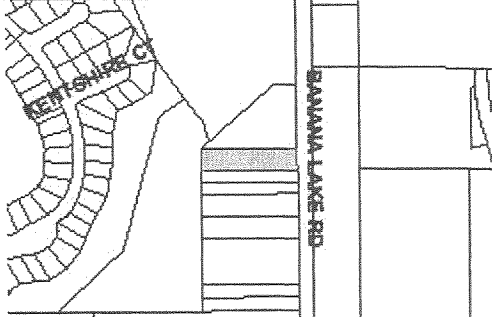

LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____

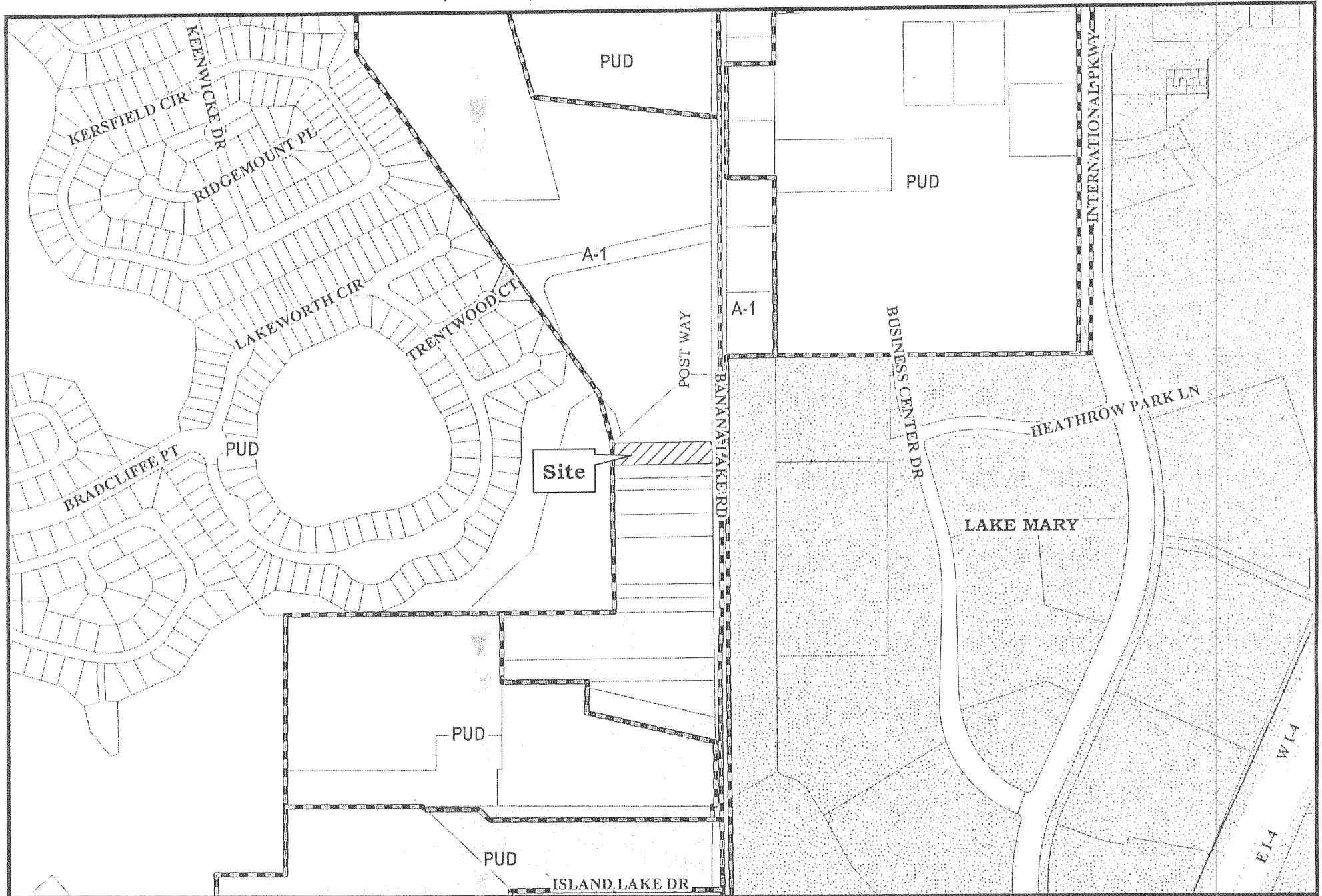
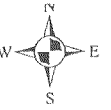
SEMINOLE COUNTY, FLOR



PARCEL DETAIL			< < BACK > >																		
<p> DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY, FL 1101 E. FIRST ST SANFORD, FL 32771-1488 407-685-7506 </p>	<p style="text-align: center;">GENERAL</p> <p> Parcel Id: 01-20-29-502-0000-0010 Tax District: 01-COUNTY-TX DIST 1 Owner: WILSON JANET K & TYRONE T Exemptions: Address: 910 BANANA LAKE RD City,State,ZipCode: LAKE MARY FL 32746 Property Address: BANANA LAKE RD LAKE MARY 32746 Subdivision Name: BAHIA SUBD Dor: 00-VACANT RESIDENTIAL </p>		<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <p> Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$44,600 Land Value Ag: \$0 Just/Market Value: \$44,600 Assessed Value (SOH): \$44,600 Exempt Value: \$0 Taxable Value: \$44,600 Tax Estimator </p>																		
<p style="text-align: center;">SALES</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>WARRANTY DEED</td> <td>09/2002</td> <td>04531</td> <td>1285</td> <td>\$100</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>04/1991</td> <td>02298</td> <td>1199</td> <td>\$100</td> <td>Vacant</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	09/2002	04531	1285	\$100	Vacant	QUIT CLAIM DEED	04/1991	02298	1199	\$100	Vacant	<p style="text-align: center;">2004 VALUE SUMMARY</p> <p> 2004 Tax Bill Amount: \$ 2004 Taxable Value: \$44 DOES NOT INCLUDE NON-AD VALOR ASSESSEME </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.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																					

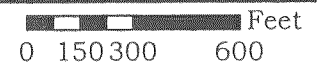


Janet & Tyrone Wilson Banana Lake Road (Lot 1)



Parcel: 01-20-29-502-0000-0010 / District: 5

BV2004-182
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 1 BAHIA SUBD PB 7 PG 73

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

FINDINGS OF FACT

Property Owner: TYRONE WILSON
910 BANANA LAKE ROAD
LAKE MARY, FL 32746

Project Name: BANANA LAKE ROAD (LOT 1)

Requested Development Approval:

1. MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET TO 40,000 SQUARE FEET; AND
2. MINIMUM LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 100 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 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: