

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL SCOTT LEETE, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

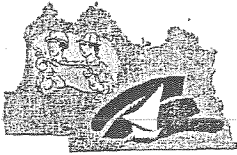
Agenda Date 01-24-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL SCOTT LEETE, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL SCOTT LEETE, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT:	MICHAEL SCOTT LEETE
	LOCATION:	2410 WESTWOOD DRIVE
	ZONING:	R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A GARAGE ADDITION, APPROXIMATELY 21.6 FEET X 20 FEET (432 SQUARE FEET) TO AN EXISTING HOME. • THE PROPOSED GARAGE ADDITION WOULD ENCROACH 15 FEET INTO THE MINIMUM 25 FOOT FRONT YARD SETBACK, WHICH IS THE REASON FOR THE REQUEST. • ACCORDING TO THE ATTACHED SITE PLAN, THE PROPOSED GARAGE WOULD BE 32.6 FEET FROM THE EDGE OF PAVEMENT ALONG WESTWOOD DRIVE. • 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 CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED GARAGE ADDITION HAVE BEEN DEMONSTRATED.• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT THE GRANTING OF THE VARIANCE.• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT, WITHOUT THE DEMONSTRATION OF A HARDSHIP.
STAFF RECOMMENDATION	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: <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED GARAGE ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN;• THE PROPOSED GARAGE SHALL BE A SIDE-ENTRY DESIGN TO PREVENT THE ENCROACHMENT OF PARKED VEHICLES INTO THE RIGHT OF WAY.• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



COPY

APPL. NO. BV2007-194

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 set back variance from 25 ft. to 10 ft. for a garage addition.
- 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
- APEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	MICHAEL SLATT LEEDE	
ADDRESS	2410 WESTWOOD DR	
	LONGWOOD, FL 32779	
PHONE 1	407-362-5910	
PHONE 2	407-614-3083	
E-MAIL	msleete@yahoo.com	

PROJECT NAME: _____

SITE ADDRESS: 2410 Westwood Drive, Longwood, FL 32779

CURRENT USE OF PROPERTY: single family residence

LEGAL DESCRIPTION: Lot 37, Block "A", LAKE BRANTLEY ISLES, SECOND ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 11, PAGE 5, PUBLIC RECORDS OF SEMINOLE

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 05-21-29-502-0A00-6370

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.

SIGNATURE OF OWNER OR AGENT* [Signature] DATE 12/02/04

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

ADDITIONAL VARIANCES

VARIANCE 2:

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): 150-00 COMMISSION DISTRICT 3 FLU/ZONING LDR/R-1AA

BCC HEARING DATE _____ (FOR APPEAL)

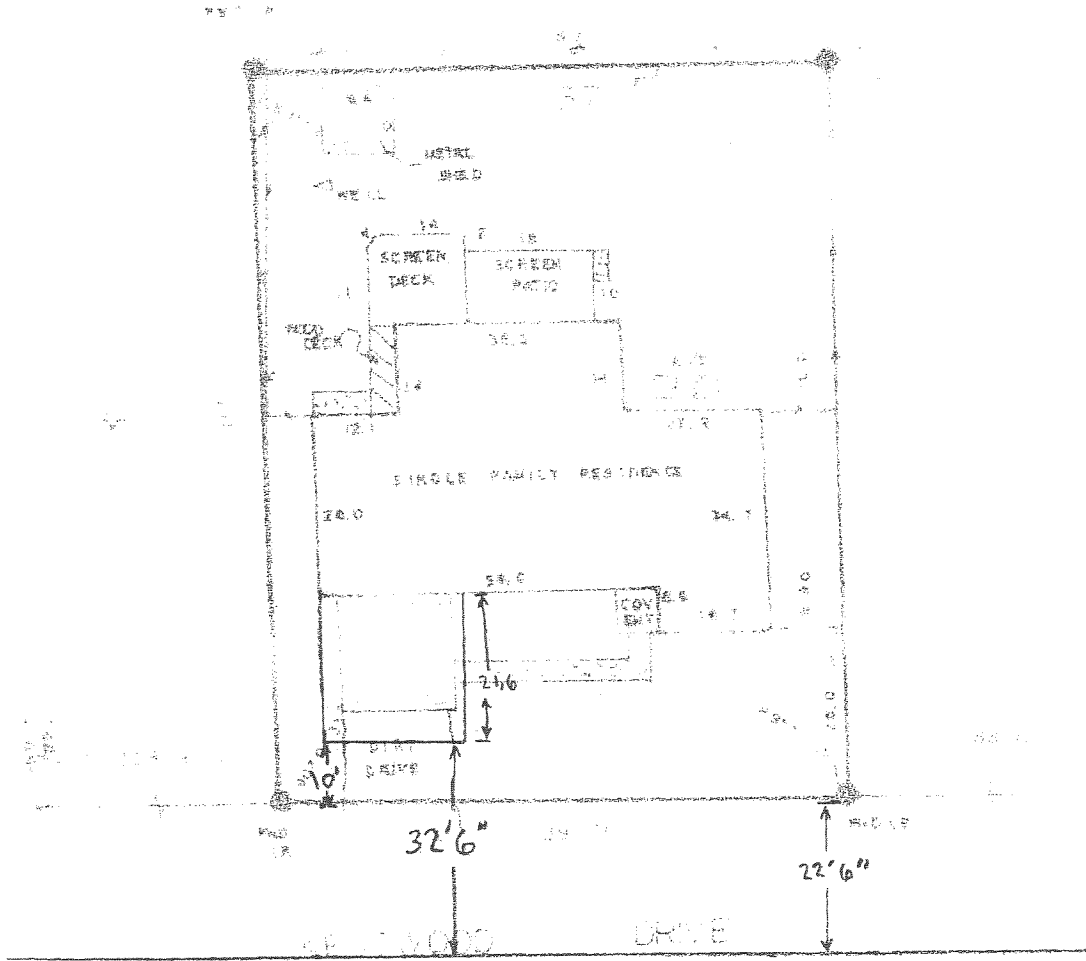
LOCATION FURTHER DESCRIBED AS on the N. side of Westwood Dr. on the N. side of the intersection of Westwood Dr. and Clay Ct.

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS Is this from the edge of pavement?

PROPOSED VARIANCE

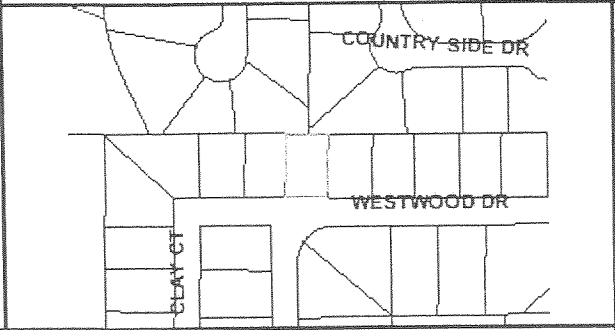
TO ALLOW FOR ADDITION OF GARAGE IN FRONT OF CURRENT GARAGE, STRUCTURE WOULD EXTEND TO WITHIN TEN FEET OF PROPERTY LINE AND THIRTY-TWO FEET, SIX INCHES OF CURRENT PAVED ROAD.



UNIVERSAL LAND TITLE, INC.
COMMONWEALTH LAND TITLE, INC.
PREFERRED FLORIDA MORTGAGE
MICHAEL S. LEBTE & PAMELA D. LEBTE



Seminole County
Property Appraiser Services
 1101 E. First St.
 Sanford FL 32771
 407-665-7506



GENERAL

Parcel Id: 05-21-29-502-0A00-0370 Tax District: 01-COUNTY-TX DIST 1
 Owner: LEETE MICHAEL S & PAMELA D Exemptions: 00-HOMESTEAD
 Address: 2410 WESTWOOD DR
 City,State,ZipCode: LONGWOOD FL 32779
 Property Address: 2410 WESTWOOD DR LONGWOOD 32779
 Subdivision Name: LAKE BRANTLEY ISLES 2ND ADD
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$138,473
 Depreciated EXFT Value: \$13,416
 Land Value (Market): \$21,000
 Land Value Ag: \$0
 Just/Market Value: \$172,889
 Assessed Value (SOH): \$127,503
 Exempt Value: \$25,000
 Taxable Value: \$102,503

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	04/1999	03640	0893	\$125,000	Improved
WARRANTY DEED	03/1995	02897	1006	\$96,000	Improved
WARRANTY DEED	01/1974	01030	0786	\$34,000	Improved
WARRANTY DEED	01/1972	00956	0454	\$28,900	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$2,207
 2004 Tax Bill Amount: \$1,386
 Save Our Homes (SOH) Savings: \$821
 2004 Taxable Value: \$81,990
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	21,000.00	\$21,000

LEGAL DESCRIPTION PLAT

LEG LOT 37 BLK A LAKE BRANTLEY ISLES 2ND ADD
PB 11 PG 5

BUILDING INFORMATION

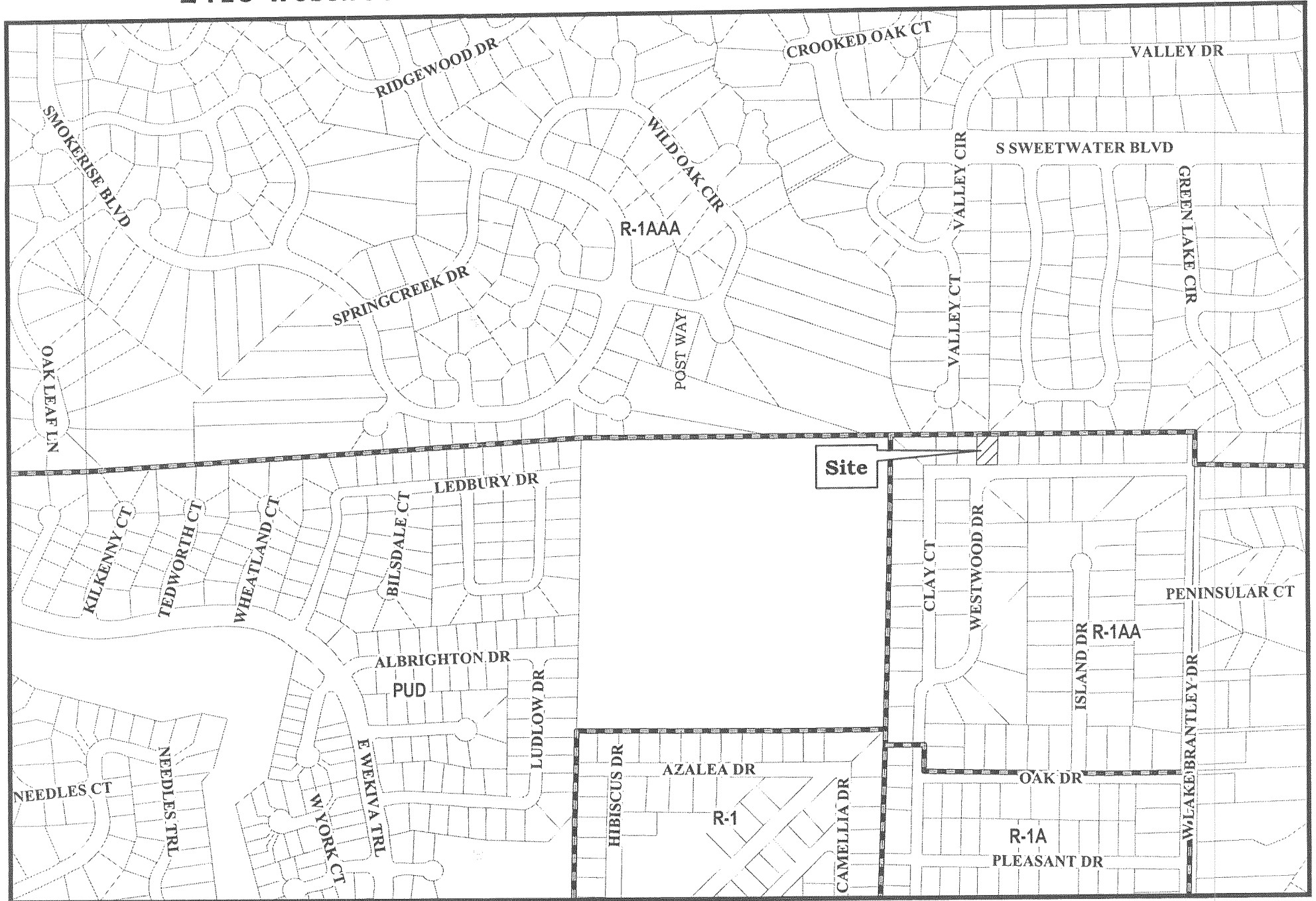
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1972	6	2,009	3,036	2,009	CONC BLOCK	\$138,473	\$162,432
	Appendage / Sqft		GARAGE FINISHED / 560						
	Appendage / Sqft		OPEN PORCH FINISHED / 35						
	Appendage / Sqft		OPEN PORCH FINISHED / 432						

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1972	1	\$600	\$1,500
POOL GUNITE	2004	512	\$9,984	\$10,240
COOL DECK PATIO	2004	830	\$2,832	\$2,905

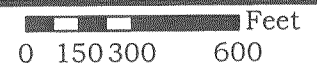
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.
 *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

**Michael & Pamela Leete
2410 Westwood Drive**



Parcel: 05-21-29-502-0A00-0370 / District: 3

**BV2004-184
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 37 BLK A LAKE BRANTLEY ISLES 2ND ADD PB 11 PG 5

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

FINDINGS OF FACT

Property Owner: MICHAEL SCOTT LEETE
2410 WESTWOOD DRIVE
LONGWOOD, FL 32779

Project Name: 2410 WESTWOOD DRIVE

Requested Development Approval:

REQUEST FOR MINIMUM FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED GARAGE ADDITION 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: Kathy Fall
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 SHALL APPLY ONLY TO THE PROPOSED GARAGE ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN.
 2. THE PROPOSED GARAGE SHALL BE A SIDE-ENTRY DESIGN TO PREVENT THE ENCROACHMENT OF PARKED VEHICLES INTO THE RIGHT OF WAY.
- (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 _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: