

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (J. DAVID ARNOLD, 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 REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (J. DAVID ARNOLD, APPLICANT); OR
2. **DENY** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 10 FEET FOR A PROPOSED ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (J. DAVID ARNOLD, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: J. DAVID ARNOLD LOCATION: 1070 DRUID DRIVE ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT AN ADDITION, APPROXIMATELY 7 FEET X 24.6 FEET (172 SQUARE FEET) TO AN EXISTING HOME. • THE PROPOSED ADDITION WOULD ENCROACH 5 FEET INTO THE MINIMUM 30 FOOT REAR YARD SETBACK, WHICH IS THE REASON FOR THE VARIANCE REQUEST. • THE EXISTING HOME WAS CONSTRUCTED IN 1968 WHEN THE R-1AA ZONING DISTRICT MINIMUM REAR YARD SETBACK WAS 20 FEET. IN 1991, THE MINIMUM REAR YARD SETBACK FOR R-1AA WAS INCREASED FROM 20 FEET TO 30 FEET, THEREBY RENDERING THE EXISTING HOME AND ANY FUTURE REAR ADDITIONS NONCONFORMING. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA

	<p>FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none">• THERE ARE NO DEMONSTRATED SPECIAL CIRCUMSTANCES OR HARDSHIP PECULIAR TO THIS PROPERTY OR THE PROPOSED ADDITION.• 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.
<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 PROPOSED ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.

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 _____ FLU/ZONING R-1AA-LDR

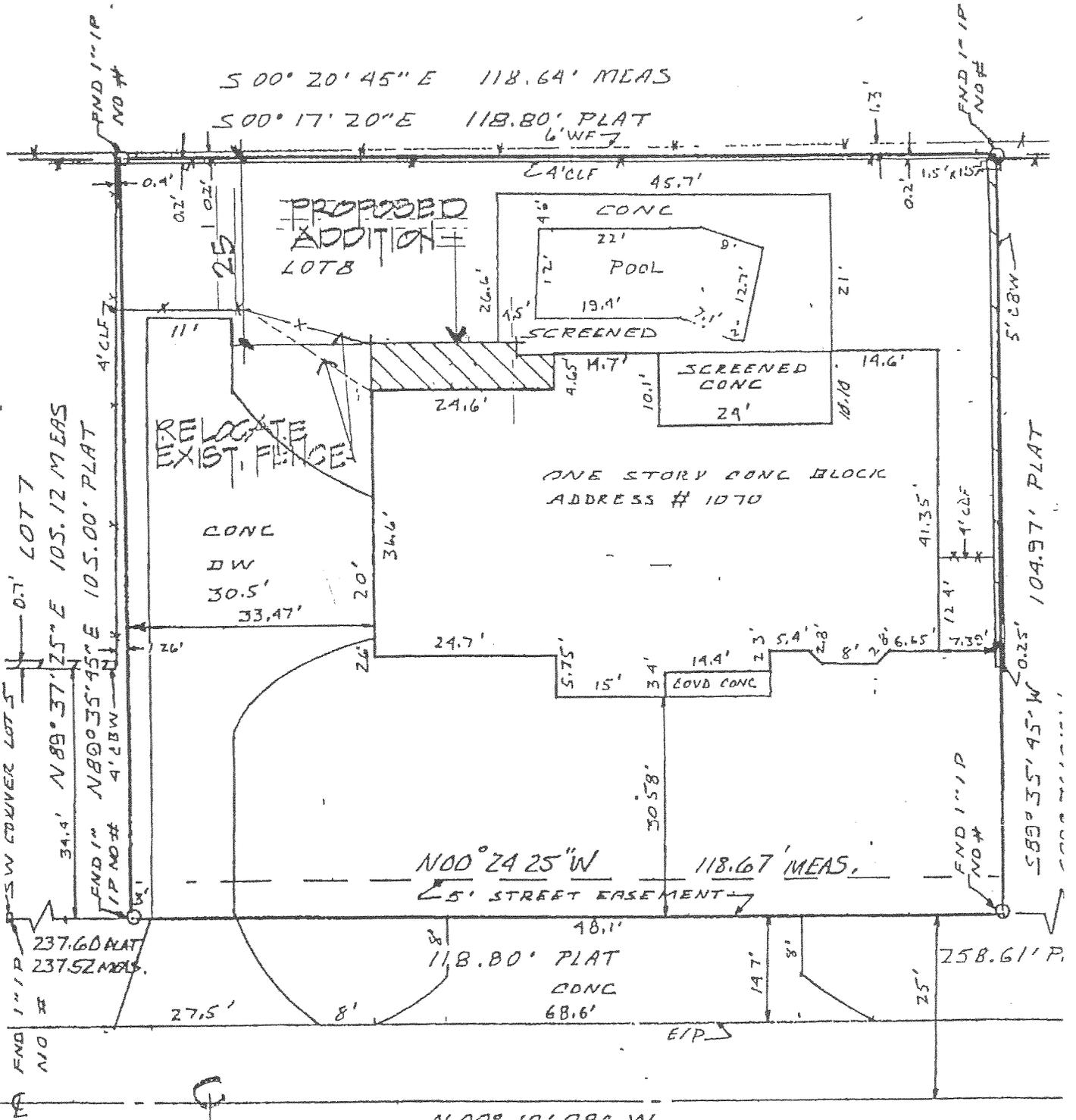
BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS on the W. side of Druid Dr. approx. 200' N. of the inters. of Kathy Ln. and Druid Dr.

PLANNING ADVISOR _____ DATE _____

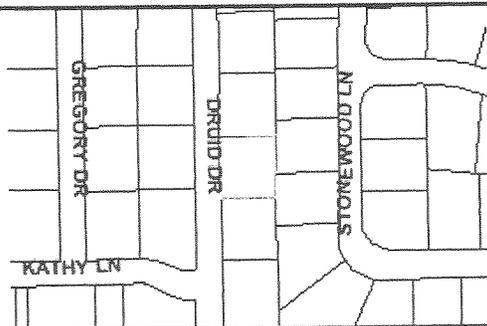
SUFFICIENCY COMMENTS _____

NOT PLATTED



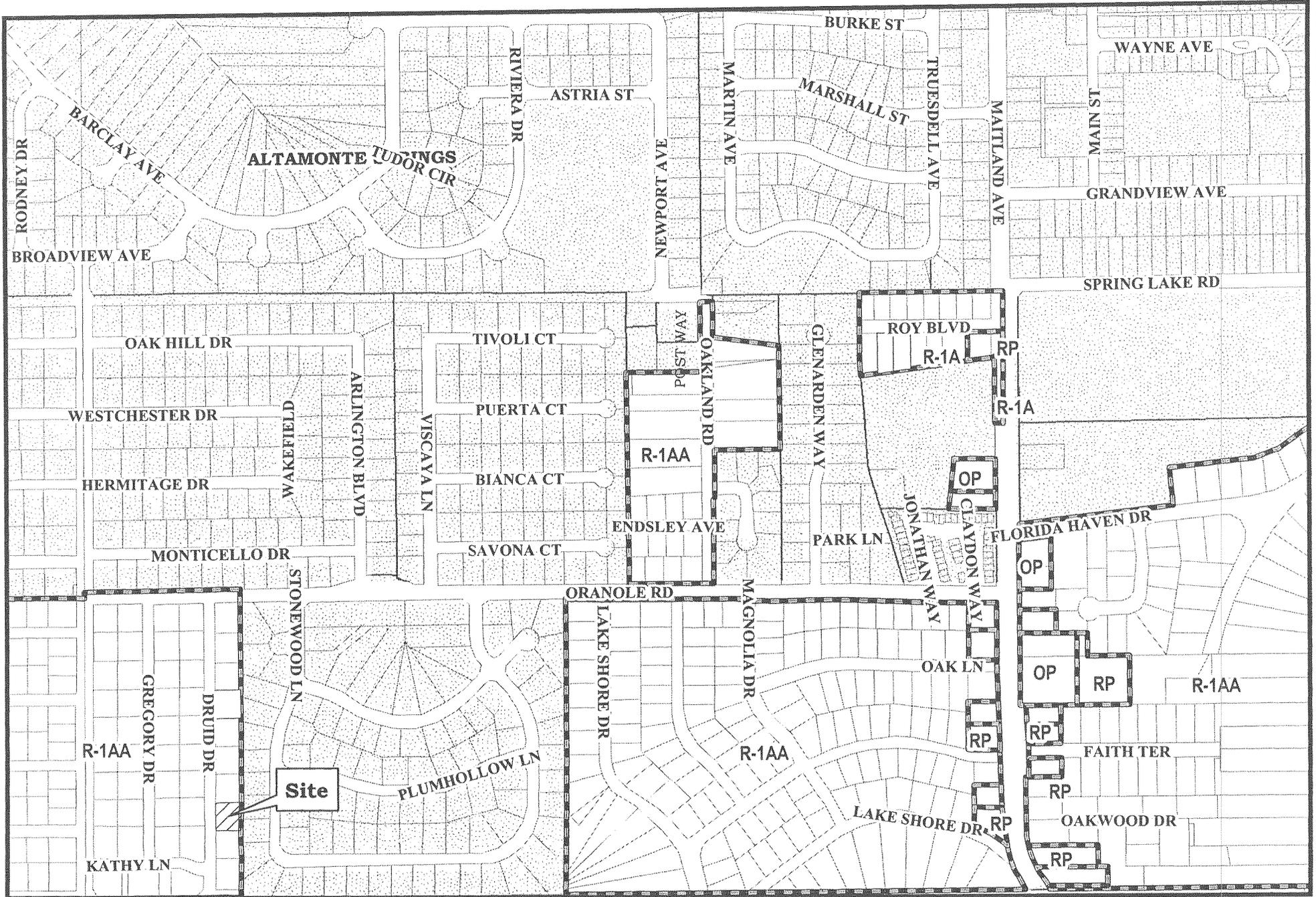
DRUID DRIVE

Personal Property

 <p>Seminole County Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>	<p>REAL ESTATE PERSONAL PROP TAX ROLL SALES SEARCH</p> <p>Back</p>																																																												
																																																													
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 24-21-29-507-0C00-0080 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: GIBBS MARSHALL A & SHARON W Exemptions: 00-HOMESTEAD</p> <p>Address: 1070 DRUID DR</p> <p>City,State,ZipCode: MAITLAND FL 32751</p> <p>Property Address: 1070 DRUID DR MAITLAND 32751</p> <p>Subdivision Name: DRUID HILLS ESTATES 1ST ADD</p> <p>Dor: 01-SINGLE FAMILY</p>																																																													
<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$137,088</p> <p>Depreciated EXFT Value: \$6,905</p> <p>Land Value (Market): \$28,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$171,993</p> <p>Assessed Value (SOH): \$133,886</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$108,886</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>																																																													

Marshall & Sharon Gibbs

1070 Druid Drive



Parcel: 24-21-29-507-0C00-0080 / District: 4

BV2004-185
JANUARY 24, 2005

0 150 300 600 Feet

Marshall A. Gibbs

1070 Druid Drive

Maitland, FL 32751

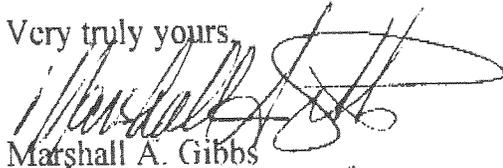
Voice: (407) 831-7599 E-Mail: mgibbs1000@earthlink.net

December 3, 2004

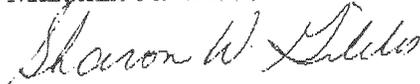
Seminole County Public Works
Sanford, Florida

This letter will serve as an instrument to certify J. David Arnold as our authorized representative concerning Planning and Zoning and Building Department applications and related matters at Seminole County Building Department. More particularly, these matters are related to renovations and additions at the above address.

Very truly yours



Marshall A. Gibbs



Sharon W. Gibbs

MARSHALL A. GIBBS
1070 DRUID DRIVE
MAITLAND, FLORIDA 32751

TO: SEMINOLE COUNTY PLANNING AND ZONING
SANFORD, FLORIDA

ATTN: COUNTY BOARD OF ADJUSTMENT

APPL. No. BV2004-185

DEAR SIRs,

WITH REGARDS TO A VARIANCE REQUEST BY MARSHALL AND SHARON GIBBS FOR AN ADDITION TO THE REAR OF THEIR HOME OF 2 FT. PAST THE EXISTING REAR WALL , AND WITHIN 25 FT. OF THE REAR PROPERTY LINE; WE HAVE NO OBJECTION AND SUPPORT THEIR REQUEST.

Mildred Radgett

NEIGHBORING OWNERS

1080 Druid Dr.

ADDRESS

MARSHALL A. GIBBS
1070 DRUID DRIVE
MAITLAND, FLORIDA 32751

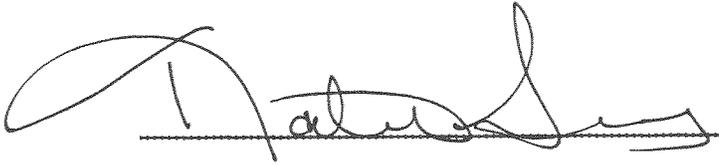
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NEIGHBORING OWNERS

996 Stonewood Lane Maitland 32751

ADDRESS

MARSHALL A. GIBBS
1070 DRUID DRIVE
MAITLAND, FLORIDA 32751

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SANFORD, FLORIDA

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Jill Clontz

NEIGHBORING OWNERS

992 Stonewood Lane

ADDRESS *Maitland, FL 32751*

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1070 DRUID DRIVE
MAITLAND, FLORIDA 32751

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Emily D. Heston

NEIGHBORING OWNERS

994 Stonewood Lane

ADDRESS

MARSHALL A. GIBBS
1070 DRUID DRIVE
MAITLAND, FLORIDA 32751

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Dustin Ma

NEIGHBORING OWNERS

1060 Druid Drive

ADDRESS

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 8 BLK C DRUID HILLS ESTATES 1ST ADD PB 11 PG 42

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

FINDINGS OF FACT

Property Owner: MARSHALL GIBBS
1070 DRUID DRIVE
MAITLAND, FL 32751

Project Name: 1070 DRUID DRIVE

Requested Development Approval:

REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED 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:

THE VARIANCE GRANTED SHALL APPLY ONLY TO THE
PROPOSED ADDITION 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 _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: