

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

**SUBJECT:** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR AN EXISTING SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (DONNA SCOTT, APPLICANT).

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

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

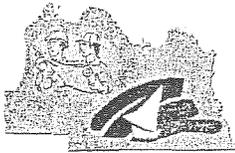
**Agenda Date** 2-28-05    **Regular**     **Consent**     **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR AN EXISTING SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (DONNA SCOTT, APPLICANT); OR
2. **DENY** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR AN EXISTING SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (DONNA SCOTT, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT:	DONNA SCOTT
	LOCATION:	524 OAKHURST STREET
	ZONING:	R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT CONSTRUCTED A SHED THAT ENCROACHES 8 FEET INTO THE MINIMUM REAR YARD SETBACK WITHOUT A BUILDING PERMIT; THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED.</li> <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 A VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> <li>• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR EXISTING SHED HAVE BEEN DEMONSTRATED.</li> <li>• THE SHED COULD HAVE BEEN BUILT TO COMPLY WITH THE CODE OR COULD BE RELOCATED TO NEGATE THE</li> </ul>	

	<p>NEED FOR A VARIANCE.</p> <ul style="list-style-type: none"><li>• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.</li></ul>
<p><b>STAFF RECOMMENDATION</b></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"><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>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET (ROOM 2201)  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

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APPL. NO. BV 2004-188

**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** RYSB variance from 10' to 2' for an 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**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Donna M. Scott</u>	
ADDRESS	<u>524 Oakhurst St. Altamonte Springs, FL</u>	
PHONE 1	<u>407 260-0094</u>	
PHONE 2	<u>407 782-8822</u>	
E-MAIL	<u>dmsquire2004@aol.com</u>	

PROJECT NAME: 0 524 Oakhurst St.

SITE ADDRESS: 524 Oakhurst St.

CURRENT USE OF PROPERTY: residential

LEGAL DESCRIPTION: LEG LOT 13 BLK 58 SANLANDO PB3 PG 65 1/2

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 12-21295BD 5800 0130

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS NA

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 2 / 28 / 05 (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.

Donna M. Scott  
 SIGNATURE OF OWNER OR AGENT\*

12/10/04  
 DATE

\* 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): 1150 COMMISSION DISTRICT 4 FLU/ZONING LDR/R-1AA

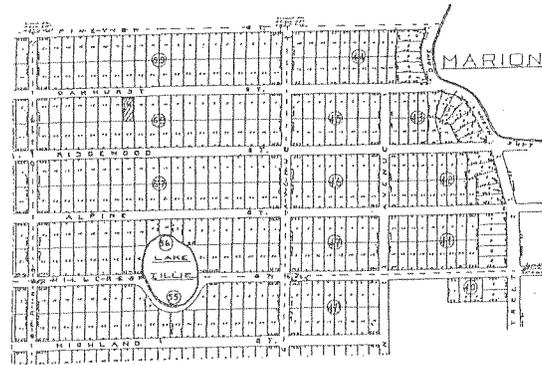
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS on the S. side of Oakhurst st approx. 500' E of intersection of Palm Spring Rd and Oakhurst

PLANNING ADVISOR JV DATE 12/10/04

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

# AS-BUILT SURVEY



## Legal Description

Lot 13, Block 58, SANLANDO, according to the plat thereof, as recorded in Plat Book 3, Page 65 1/2, of the Public records of Seminole County, Florida.

Community number: 120289 Panel: 0120  
 Suffix: G F.I.R.M. Date: 4/17/95 Flood Zone: X  
 Date of field work: 11/13/98 Completion date: 11/13/98

Certified to:  
 Donna M. Scott; Central Florida Title Company; Old Republic National Title Insurance Company; Pinnacle Financial Corporation, its successors and/or assigns.

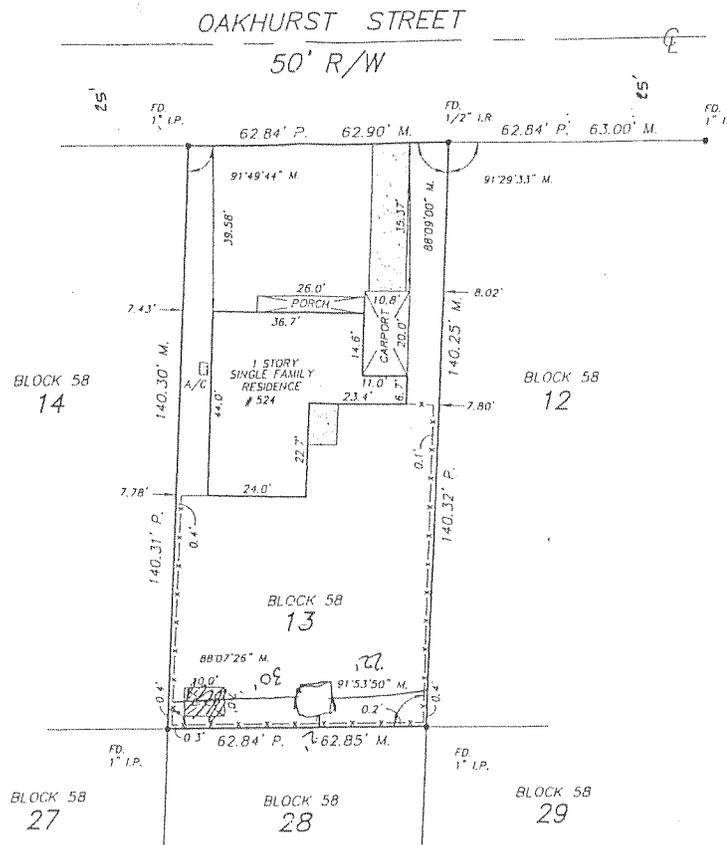
Property Address:  
 524 Oakhurst Street  
 Altamonte Springs, Florida 32701

Survey number: Y-28928

SKETCH OF SURVEY REVISED: 4/4/01  
 (FIELD WORK NOT UPDATED)

Notes:

Accepted By:



LEGEND	
---	WOOD FENCE
- - - -	WIRE FENCE
F.M.	FIELD MEASURED
●	PROPERTY CORNER
R	RECORD
N	NOT TO SCALE
C	CALCULATED
CL	CLEAR
CNCR	CORNER
CL	CENTERLINE
CONCR	CONCRETE
CM	CONCRETE MONUMENT
F.I.R.	FOUND IRON ROD
F.I.P.	FOUND IRON PIPE
R/W	RIGHT OF WAY
N/D	NOT DETERMINED
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
FD	FOUND
F	FLAT
ASPHLT	ASPHALT
O.H.L.	OVERHEAD UTILITIES
P.P.	POWER POLE
T.F.	TRANSFORMER
CATV	CABLE RISER
WM	WATER METER
TEL	TELEPHONE FACILITIES
COVERED AREA	COVERED AREA
B.R.	BEARING REFERENCE
CH	CHORD
RAD	RADIAL
NR	NON RADIAL
AC	AIR CONDITIONER
B.M.	BENCH MARK
C.B.	CATCH BASIN
C	CALCULATED
Δ	CENTRAL ANGLE DELTA
D.B.	DEED BOOK
D	DESCRIPTION OR DEED
D.H.	DRILL HOLE
D.W.	DRIVEWAY
ESMT	EASEMENT
E.L.	ELEVATION
F.F.	FINISHED FLOOR
F.C.M.	FOUND CONCRETE MONUMENT
F.P.K.	FOUND PARKER-KAL ON NAIL
L	LENGTH
L.A.E.	LIMITED ACCESS EASEMENT
M.H.	MANHOLE
N.T.S.	NOT TO SCALE
O.R.	OFFICIAL RECORDS
O.R.B.	OFFICIAL RECORDS BOOK
P.C.P.	PERMANENT CONTROL POINT
P.R.M.	PERMANENT REFERENCE MONUMENT
PG	PAGE
P.M.T.	PAVEMENT
P.B.	PLAT BOOK
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.O.L.	POINT ON LINE
P.C.	POINT OF CURVATURE
P.R.C.	POINT OF REVERSE CURVE
P.T.	POINT OF TANGENCY
R.	RADIUS (FEET)
R.O.E.	ROOF OVERHANG EASEMENT
S.I.R.	SET IRON ROD & CAP
SW	SIDEWALK
T.E.M.	TEMPORARY BENCH MARK
T.O.B.	TOP OF BANK
TYP.	TYPICAL
W.C.	WITNESS CORNER
W.S.	EXISTING ELEVATION
E.O.W.	EDGE OF WATER

## GENERAL NOTES:

- LEGAL DESCRIPTION PROVIDED BY OTHERS
- THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT. UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
- WALL TIES ARE TO THE FACE OF THE WALL.
- NOT VALID UNLESS SEALED WITH THE EMBOSSED SURVEYORS SEAL.
- ONLY VISIBLE ENCUMBRANCES LOCATED.
- NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.
- DIMENSIONS SHOWN ARE PLAT AND MEASURED UNLESS OTHERWISE SHOWN.
- FENCE OWNERSHIP NOT DETERMINED.
- ELEVATIONS IF SHOWN ARE BASED UPON N.G.V.D. UNLESS OTHERWISE NOTED.
- BEARINGS REFERENCED TO LINE NOTED AS B.R.

I HEREBY CERTIFY THAT THIS AS-BUILT SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTORSHIP.

SIGNED: CARL MICHAEL SMITH, LAND SURVEYOR & MAPPER NO. 3762

SIGNED: ODALYS C. BELLO-IZAGA, LAND SURVEYOR & MAPPER NO. 6169

SIGNED: NOE AGUILAR, LAND SURVEYOR & MAPPER NO. 5571

THIS SURVEY IS INTENDED FOR MORTGAGE OR REFINANCE PURPOSES ONLY. EXCLUDED UNLESS FOR THIS USE BY THOSE TO WHOM IT IS CERTIFIED. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN OR ANY OTHER USE WITHOUT THE WRITTEN CONSENT OF FIRST FINANCIAL SURVEYORS, INC.

**First Financial Surveyors, Inc.**

365 A-6th Avenue,  
 Orlando, Florida 32765  
 (407) 977-7010 Fax (407) 977-7020

6500 SW 92nd Street, Suite B-204  
 Miami, Florida 33156  
 (305) 271-3555 Fax (305) 271-8499

628 Anchor Road Drive Suite 405  
 Naples, Florida 34103  
 (941) 263-8782 Fax (941) 263-8781

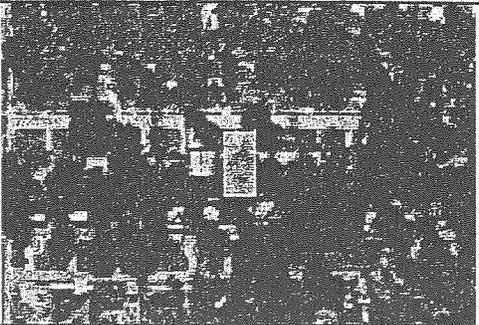
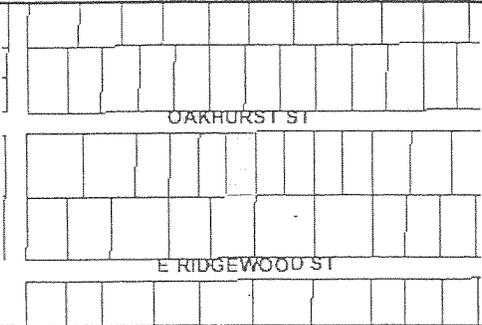
AND AFFILIATED COMPANIES  
 L.B. 6387

Nationwide: 1-800-787-8266 Fax: 1-800-787-8269

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PARCEL DETAIL



GENERAL

Parcel Id: 12-21-29-5BD-5800-0130 Tax District: 01-COUNTY-TX DIST 1  
 Owner: CONFIDENTIAL PER STATUTES Exemptions: 00-HOMESTEAD  
 Own/Addr: 119.07(03)(I) CID# 666  
 Address: 1101 E 1ST ST  
 City,State,ZipCode: SANFORD FL 32771  
 Property Address:  
 Subdivision Name: SANLANDO  
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market  
 Number of Buildings: 1  
 Depreciated Bldg Value: \$71,774  
 Depreciated EXFT Value: \$0  
 Land Value (Market): \$14,731  
 Land Value Ag: \$0  
 Just/Market Value: \$86,505  
 Assessed Value (SOH): \$66,265  
 Exempt Value: \$25,000  
 Taxable Value: \$41,265

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	11/1998	03546	0910	\$81,100	Improved
WARRANTY DEED	06/1984	01559	0838	\$59,800	Improved
WARRANTY DEED	10/1979	01249	0375	\$44,000	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$1,050  
 2004 Tax Bill Amount: \$677  
 Save Our Homes (SOH) Savings: \$373  
 2004 Taxable Value: \$40,029  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	62	140	.000	240.00	\$14,731

LEGAL DESCRIPTION PLAT

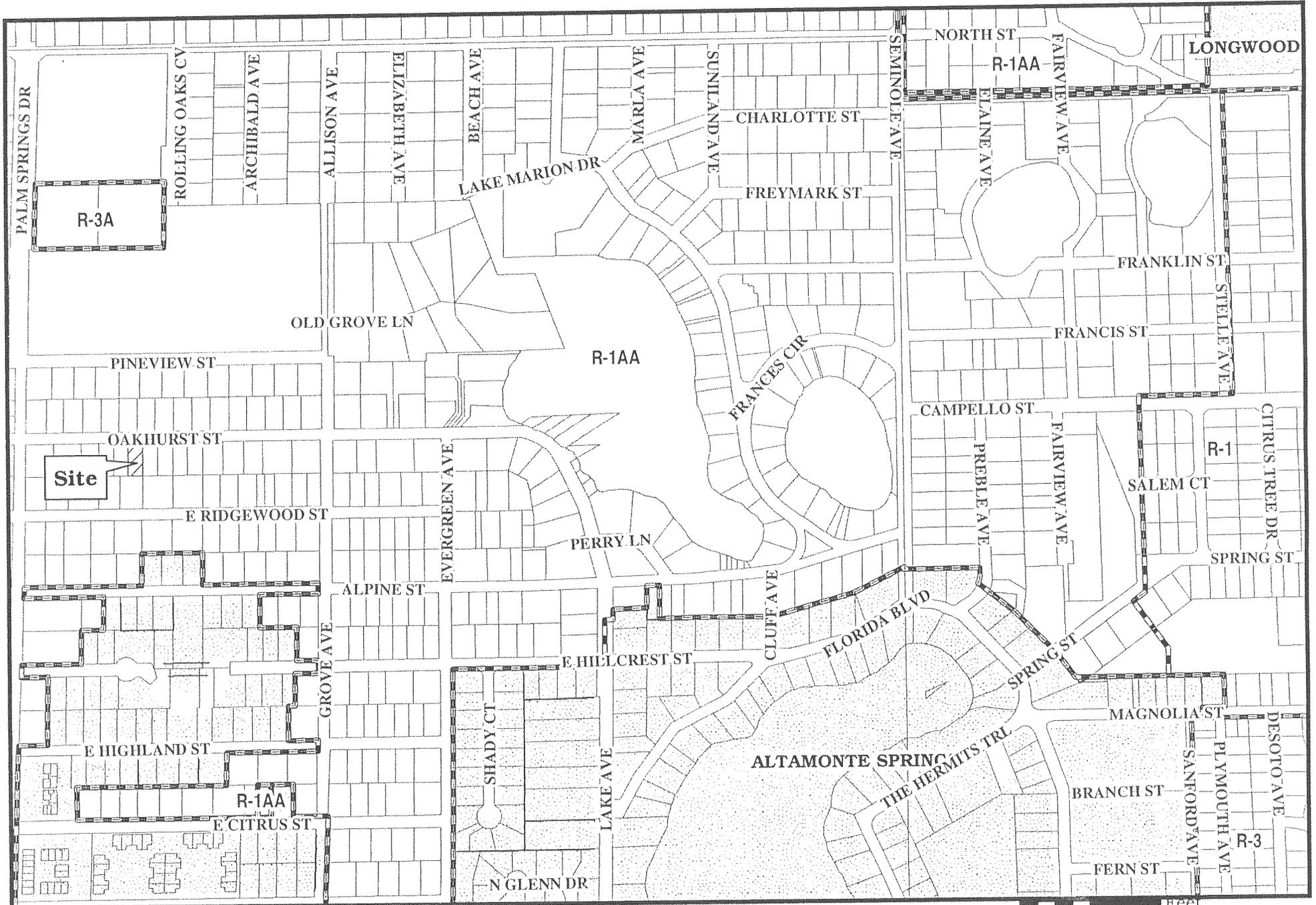
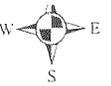
LEG LOT 13 BLK 58 SANLANDO PB 3 PG 65 1/2

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	1970	6	1,287	1,662	1,287	CONC BLOCK	\$71,774	\$85,700
	Appendage / Sqft		UTILITY FINISHED / 77						
	Appendage / Sqft		OPEN PORCH FINISHED / 100						
	Appendage / Sqft		CARPORT FINISHED / 198						

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.

**Donna M. Scott  
524 Oakhurst St.**



Parcel: 12-21-29-5BD-5800-0130 / District: 4

**BV2004-188**

**FEBRUARY 28, 2005**

0 150 300 600 Feet

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On February 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 13 BLK 58 SANLANDO PB 3 PG 65 1/2

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

**FINDINGS OF FACT**

**Property Owner:** DONNA SCOTT  
524 OAKHURST STREET  
ALTAMONTE SPRINGS, FL 32701

**Project Name:** OAKHURST STREET (524)

**Requested Development Approval:**

1. MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR AN EXISTING SHED 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: 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 \_\_\_\_\_, 2005.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: