

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

**SUBJECT:** REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 38 FEET FOR A PROPOSED SHED IN THE A-1 (AGRICULTURE DISTRICT); (PETER & LORI QUAIL, APPLICANTS).

**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 MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 38 FEET FOR A PROPOSED SHED IN THE A-1 (AGRICULTURE DISTRICT); (PETER & LORI QUAIL, APPLICANTS); OR
2. **DENY** REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 38 FEET FOR A PROPOSED SHED IN THE A-1 (AGRICULTURE DISTRICT); (PETER & LORI QUAIL, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	<b>APPLICANTS:</b> PETER & LORI QUAIL <b>LOCATION:</b> 700 NORTH BELFAST PLACE <b>ZONING:</b> A-1 (AGRICULTURE DISTRICT)
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANTS WISH TO CONSTRUCT A SHED THAT WOULD ENCROACH 12 FEET INTO THE MINIMUM SIDE STREET SETBACK.</li> <li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li> </ul>
<b>STAFF FINDINGS</b>	<p>THE APPLICANTS HAVE NOT SATISFIED THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> <li>• THE NEED FOR A VARIANCE WOULD BE NEGATED BY RELOCATING THE SHED ADJACENT TO THE BRICK WALL ALONG FORT CHRISTMAS ROAD.</li> <li>• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE A-1 DISTRICT.</li> <li>• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED</li> </ul>

<b>STAFF RECOMMENDATION</b>	<b>VARIANCE.</b>
	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANTS, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED VARIANCE. 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 PROPOSED 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 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 8 KILLALOE BY THE LAKE PB 42 PGS 37 TO 40

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

**FINDINGS OF FACT**

**Property Owner:** PETER & LORI QUAIL  
700 NORTH BELFAST PLACE  
CHULUOTA, FL 32766

**Project Name:** NORTH BELFAST PLACE (700)

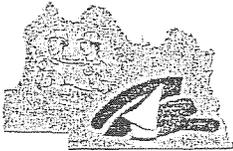
**Requested Development Approval:**

1. MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 38 FEET FOR A PROPOSED SHED 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



**COPY**

APPL. NO. BV 2004-191

**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** Side Street Setback from 50' to 30' (Fl. Christmas Road) See next page
- 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>Felzer + Lori QUAIL</u>	
ADDRESS	<u>700 North Belfast Pl</u>	
	<u>Chuluota Fl 32766</u>	
PHONE 1	<u>407 365-5905</u>	
PHONE 2	<u>407-340-7448</u>	
E-MAIL		

PROJECT NAME: Shed + covered area for Quail home  
 SITE ADDRESS: 700 N Belfast Pl, Chuluota Fl  
 CURRENT USE OF PROPERTY: Residential  
 LEGAL DESCRIPTION: ~~31~~ 1078 Killaloe by the Lake  
PB 42 pg 37 to 40  
 SIZE OF PROPERTY: 1.07 acre acre(s) PARCEL I.D. 34-21-32-502-0000-0080  
 UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_  
 KNOWN CODE ENFORCEMENT VIOLATIONS 0

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.

[Signature]  
 SIGNATURE OF OWNER OR AGENT\* DATE 12/28/04

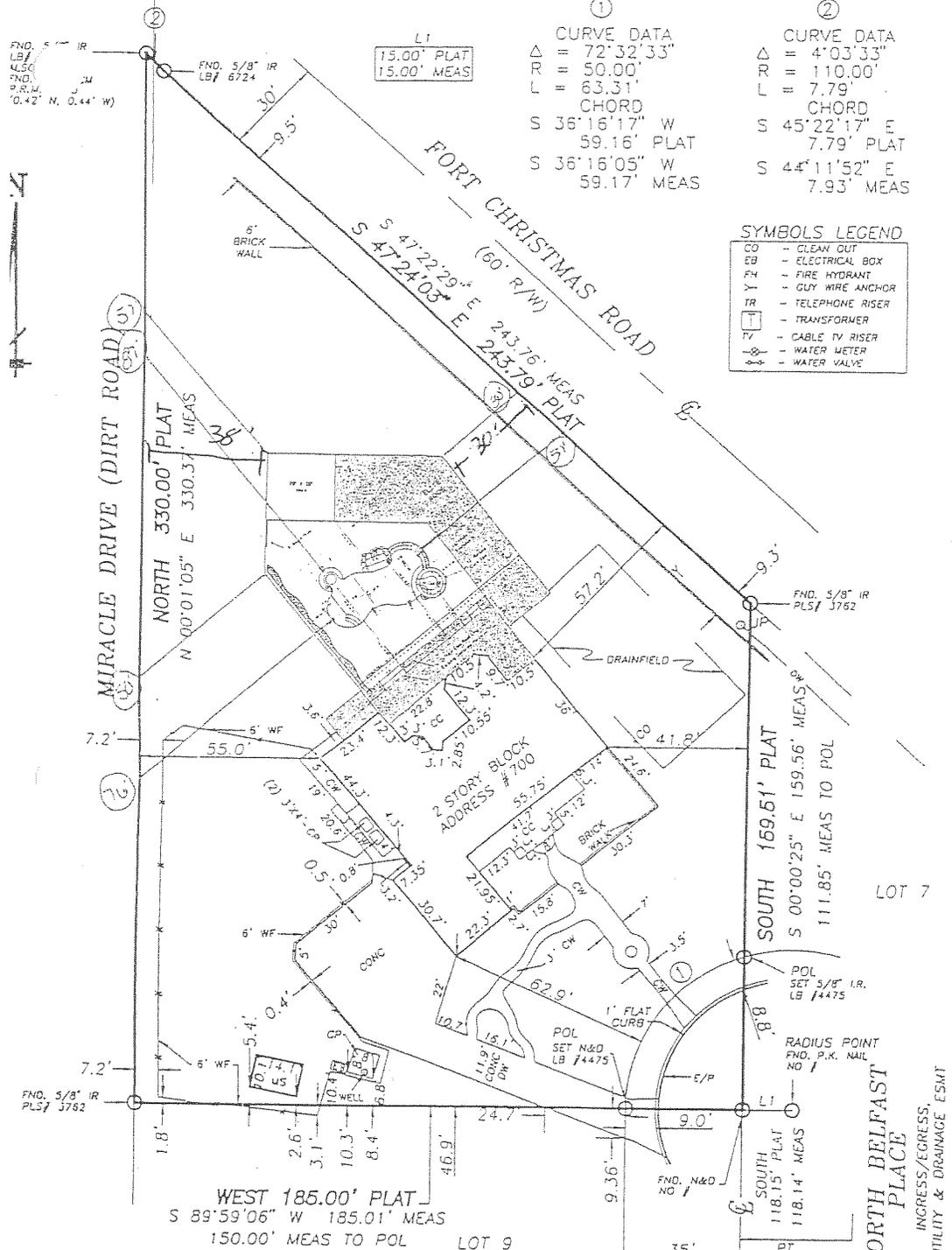
\* Proof of owner's authorization is required with submittal if signed by agent.



# PLAT OF SURVEY

## DESCRIPTION

LALOE BY THE LAKE, AS RECORDED IN PLAT BOOK 42, PAGES 37 THROUGH 40, PUBLIC OF SEMINOLE COUNTY, FLORIDA.



L1  
15.00' PLAT  
15.00' MEAS

CURVE DATA  
 $\Delta = 72^{\circ}32'33''$   
 $R = 50.00'$   
 $L = 63.31'$   
 CHORD  
 $S 36^{\circ}16'17'' W$   
 59.16' PLAT  
 $S 36^{\circ}16'05'' W$   
 59.17' MEAS

CURVE DATA  
 $\Delta = 4^{\circ}03'33''$   
 $R = 110.00'$   
 $L = 7.79'$   
 CHORD  
 $S 45^{\circ}22'17'' E$   
 7.79' PLAT  
 $S 44^{\circ}11'52'' E$   
 7.93' MEAS

**SYMBOLS LEGEND**

CO	- CLEAN OUT
EB	- ELECTRICAL BOX
FL	- FIRE HYDRANT
Y	- GUY WIRE ANCHOR
TR	- TELEPHONE RISER
TR	- TRANSFORMER
TV	- CABLE TV RISER
W	- WATER METER
WV	- WATER VALVE

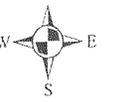
FND. 5/8" IR  
 LB# 4500  
 FND. 5/8" IR  
 P.R.W.  
 0.42' N. 0.44' W



37/018 1-15-04 = 40' DCM	BOUNDARY SURVEY CERTIFIED TO: LORI OQUIL	REVISIONS
<b>WRIGHT SURVEYS</b> Orlando Inc., LB 4475 12 E. Robinson St. Orlando, Florida 32803 894-6314 FAX (407) 897-3777	<b>NOTES:</b> 1. BEARING STRUCTURE BASED ON THE WESTERLY R/W LINE OF FORT CHRISTMAS ROAD. 2. THIS BUILDING/LOT IS NOT IN A FLOOD PRONE AREA, ZONE X, BASED ON FLOOD INSURANCE RATE MAP, NO. 120289 0255 E, SEMINOLE COUNTY, FLORIDA. 3. THIS SURVEY REFLECTS ONLY MATTERS OF RECORD AS PROVIDED BY CLIENT. 4. UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED. 5. BUILDING TIES SHOWN ON THIS SURVEY SHOULD NOT BE USED TO RECONSTRUCT PROPERTY LINES.	<b>LEGEND</b> CL - CENTERLINE CBW - CONCRETE BLOCK WALL CC - COVERED CONCRETE CLF - CHAIN LINK FENCE CM - CONCRETE MONUMENT CONC - CONCRETE COVD - COVERED CP - CONCRETE PAD CW - CONCRETE WALKWAY CA - CENTRAL ANGLE D&M - DESCRIBED & MEASURED DE - DRAINAGE EASEMENT DESC - DESCRIPTION DW - DRIVEWAY E/P - EDGE OF PAVEMENT ESMT - EASEMENT FFE - FINISHED FLOOR ELEVATION FINS - FLOOD INSURANCE RATE MAP FND - FOUND IR - IRON PIPE IR - IRON ROD LSA - LANDSCAPE AREA MEAS - MEASURED MS - METAL SHED N&D - NAIL & DISK OW - OVERHEAD WIRE ORB - OFFICIAL RECORDS BOOK P&M - PLAT & MEASURED PB - PLAT BOOK OP - POINT OF BEGINNING POL - POINT ON LINE R - RADIUS R/W - RIGHT OF WAY TYP - TYPICAL UE - UTILITY EASEMENT UP - UTILITY POLE WF - WOOD FENCE WS - WOOD SHED / - NUMBER

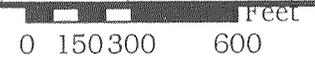
<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>														
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 34-21-32-502-0000-0080      Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: QUAIL PETER F &amp; LORENE M      Exemptions: 00-HOMESTEAD</p> <p>Address: 700 N BELFAST PL</p> <p>City,State,ZipCode: CHULUOTA FL 32766</p> <p>Property Address: 700 BELFAST PL N CHULUOTA</p> <p>Subdivision Name: KILLALOE BY THE LAKE</p> <p>Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;"><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$346,409</p> <p>Depreciated EXFT Value: \$5,691</p> <p>Land Value (Market): \$48,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$400,100</p> <p>Assessed Value (SOH): \$400,100</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$375,100</p> <p style="text-align: right;">Tax Estimator</p>												
<p style="text-align: center;"><b>SALES</b></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>07/1993</td> <td>02621</td> <td>1259</td> <td>\$37,000</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	07/1993	02621	1259	\$37,000	Vacant	<p style="text-align: center;"><b>2004 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$6,372</p> <p>2004 Tax Bill Amount: \$6,372</p> <p>Save Our Homes (SOH) Savings: \$0</p> <p>2004 Taxable Value: \$377,011</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp									
WARRANTY DEED	07/1993	02621	1259	\$37,000	Vacant									
<p style="text-align: center;"><b>LAND</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>48,000.00</td> <td>\$48,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	48,000.00	\$48,000	<p style="text-align: center;"><b>LEGAL DESCRIPTION PLAT</b></p> <p>LEG LOT 8 KILLALOE BY THE LAKE PB 42 PGS 37 TO 40</p>
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value									
LOT	0	0	1.000	48,000.00	\$48,000									
<b>BUILDING INFORMATION</b>														
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New					
1	SINGLE FAMILY	2002	18	2,997	6,200	4,910	CB/STUCCO FINISH	\$346,409	\$351,684					
	Appendage / Sqft		OPEN PORCH FINISHED / 291											
	Appendage / Sqft		GARAGE FINISHED / 684											
	Appendage / Sqft		OPEN PORCH FINISHED / 315											
	Appendage / Sqft		UPPER STORY FINISHED / 1913											
<b>EXTRA FEATURE</b>														
	Description	Year Bld	Units	EXFT Value	Est. Cost New									
	FIREPLACE	2002	2	\$4,625	\$5,000									
	STUCCO WALL	2002	288	\$1,066	\$1,152									
<p><b>NOTE:</b> 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>														

**Peter & Lori Quail  
700 North Belfast Place**



Parcel: 34-21-32-502-0000-0080 / District: 1

**BV2004-191  
FEBRUARY 28, 2005**



## 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 proposed 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: