

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 COVERED SCREEN ROOM ADDITION IN THE R-1 (SINGLE FAMILY DWELLING DISTRICT); (KRYSTLE HUBBARD, APPLICANT).

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

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

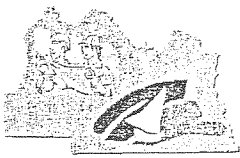
Agenda Date 02-28-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED COVERED SCREEN ROOM ADDITION IN THE R-1A (SINGLE FAMILY DWELLING DISTRICT); (KRYSTLE HUBBARD, APPLICANT); OR
2. **DENY** THE REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED COVERED SCREEN ROOM ADDITION IN THE R-1 (SINGLE FAMILY DWELLING DISTRICT); (KRYSTLE HUBBARD, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: KRYSTLE HUBBARD LOCATION: 5399 JUSTINE WAY ZONING: R-1 (WRENWOOD)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A COVERED SCREEN ROOM ADDITION (APPROXIMATELY 26' X 10') TO AN EXISTING HOME. • THERE WAS AN EXISTING SCREEN ROOM THAT WAS DAMAGED BY THE HURRICANES LAST YEAR. THE PROPOSED COVERED SCREEN ROOM IS 6 FEET LONGER THAN THE EXISTING SCREEN ROOM. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE PROPOSED ADDITION WOULD ENCROACH 5 FEET INTO THE MINIMUM 30 FOOT REAR YARD SETBACK.

	<p>CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE WRENWOOD SUBDIVISION BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP.</p> <ul style="list-style-type: none">• THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. REASONABLE USE OF THE PROPERTY WOULD BE RETAINED WITHOUT THE GRANT OF THE REQUESTED VARIANCE.• THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY ALLOW AN ADDITION THAT IS INCONSISTENT WITH THE TREND OF NEIGHBORHOOD DEVELOPMENT.
<p>STAFF RECOMMENDATION</p>	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:<ul style="list-style-type: none">• ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED COVERED SCREEN ROOM ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



COPY

APPL. NO. BV2005-002

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.

APPLICATION TYPE:

- VARIANCE**
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING PROPOSED REPLACEMENT
 - MOBILE HOME IS FOR _____
 - YEAR OF MOBILE HOME _____ 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**

RECEIVED
 JAN 06 2005

	PROPERTY OWNER	AUTHORIZED AGENT*
NAME	Schmidt, Katherine	Kevine Hubbard
ADDRESS	5399 Justice Way Winter Park, FL 32792	3005 Forsyth rd Winter Park, FL 32792
PHONE 1	407-673-3829	407-678-8506
PHONE 2		
E-MAIL		

PROJECT NAME: Schmidt
 SITE ADDRESS: 5399 Justice Way Winter Park, FL 32792
 CURRENT USE OF PROPERTY: SFR
 LEGAL DESCRIPTION: Lot 10 of 435 Wrenwood Unit 3 with AD 65 866

SIZE OF PROPERTY: 9.102 acre(s) PARCEL I.D. 34-21-30-529-0000-4350
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

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.

Katherine Schmidt SIGNATURE OF OWNER OR AGENT* 2/28/05 DATE

* Proof of owner's authorization is required with submittal if signed by agent.
 I:\pl\projects\boa\master forms & lists\boa applications\boa application.doc

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL _____

BCC PUBLIC HEARING DATE _____

FOR OFFICE USE ONLY

PROCESSING:

FEE: 150-00 COMMISSION DISTRICT _____ FLU / ZONING R-1 / LOR

LOCATION FURTHER DESCRIBED AS _____

PLANNER _____ DATE _____

SUFFICIENCY COMMENTS _____

PARCEL DETAIL		REAL ESTATE	PERSONAL	TAX ROLL	SALES SEARCH	▲ ◀ ▶																																										
DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-655-7506																																																
GENERAL Parcel Id: 34-21-30-529-0000-4350 Tax District: 01-COUNTY-TX DIST 1 Owner: SCHMIDT KATHERINE L Exemptions: 00-HOMESTEAD Address: 5399 JUSTINE WAY City,State,ZipCode: WINTER PARK FL 32792 Property Address: 5399 JUSTINE WAY WINTER PARK 32792 Subdivision Name: WRENWOOD UNIT 3 4TH ADD Dor: 01-SINGLE FAMILY				2005 WORKING VALUE SUMMARY Value Method: Number of Buildings: Depreciated Bldg Value: \$ Depreciated EXFT Value: Land Value (Market): \$ Land Value Ag: Just/Market Value: \$1 Assessed Value (SOH): \$ Exempt Value: \$ Taxable Value: \$ Tax Estimator																																												
SALES <table border="1"> <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>03/1996</td> <td>03053</td> <td>1998</td> <td>\$85,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1982</td> <td>01413</td> <td>0823</td> <td>\$58,500</td> <td>Improved</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision				Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	03/1996	03053	1998	\$85,000	Improved	WARRANTY DEED	09/1982	01413	0823	\$58,500	Improved	2004 VALUE SUMMARY Tax Value(without SOH) 2004 Tax Bill Amount Save Our Homes (SOH) Savings 2004 Taxable Value DOES NOT INCLUDE NON-ASSESSABLE																										
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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.																																																

BACK
HOME
CONTACT

24/65/66

Pool Enclosures
Vinyl Enclosures
Glass Enclosures
Aluminum Awnings
Solar Screens
Carports



Screen Rooms
Hurricane Storm Panels
Aluminum and Vinyl Siding
Soffit and Fascia
Replacement Windows
Mobile Home Roofovers

1-5-05

Variance information for:

Katherine Schmidt
5399 Justine Way
Winter Park Fl 32792

Contact Information:

Krystle Hubbard
3005 Forsyth Rd
Winter Park Fl 32792
(407)678-0500

To Whom It May Concern:

We are writing to request a variance to change the rear yard setback from 30' to 25'. This change would be for the building of a screen room with a solid aluminum roof. When the room is complete it will be 260 sq. feet. (26x10). The screen room was previously 20x10. The room was damaged in the hurricanes thus resulting in the homeowner needing a new room. Mrs. Schmidt is enlarging the room by 6' along the width of the house. The new screen room will be located the same distance from the property line as the original room. If there are any questions please feel free to contact me at the above number. Thank you for your time and consideration in this matter.

Sincerely,

Krystle Hubbard
Superior Aluminum
Permitting



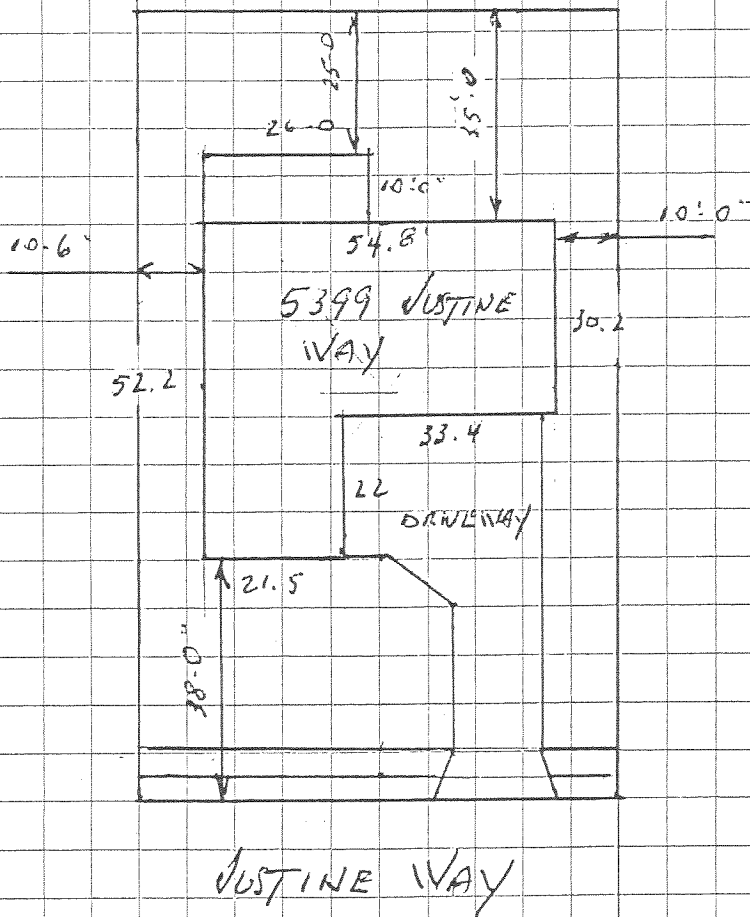
ALUMINUM ASSOCIATION AWARD OF EXCELLENCE

KATHERINE SCHMIDT
5399 JUSTINE WAY
WINTER PARK, FLORIDA 32792

LEGAL DESCRIPTION:

LEG LOT 435 WARMWOOD UNIT 3 4TH ADD
PB PGS 65 & 66

SCALE: 1" = 30'-0"



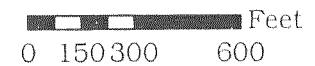
NOT A LEGAL SURVEY
~~Timothy S. Drie~~
Timothy S. Drie
SACD56770

**Katherine L. Schmidt
5399 Justine Way**



Parcel: 34-21-30-529-0000-4350 / District: 1

**BV2005-002
FEBRUARY 28, 2005**



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:

LOT 435, WRENWOOD UNIT 3 4TH ADD, PGS 65 & 66

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

FINDINGS OF FACT

Property Owner: KATHERINE SCHMIDT
5399 JUSTINE WAY
WINTER PARK, FL 32792

Site Address: 5399 JUSTINE WAY

Requested Development Approval:

REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED COVERED SCREEN ROOM ADDITION.

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 COVERED SCREEN ROOM 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 Matthew West 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: