

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

SUBJECT: REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10.4 FEET FOR A PROPOSED HOME ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT MILANOVICH JR., APPLICANT).

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

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

Agenda Date 3-28-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10.4 FEET FOR A PROPOSED HOME ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT MILANOVICH JR., APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10.4 FEET FOR A PROPOSED HOME ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT MILANOVICH JR., APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: LOCATION: ZONING:	ROBERT MILANOVICH JR. 2220 CHARLOTTE DRIVE R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A HOME ADDITION THAT WOULD ENCROACH 14.6 FEET INTO THE MINIMUM SIDE STREET SETBACK; THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY. 	
STAFF FINDINGS	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPOSED HOME ADDITION OR LOT HAVE BEEN 	

	<p>DEMONSTRATED. THE PROPOSED ADDITION COULD BE RELOCATED OR REDESIGNED TO COMPLY WITH THE CODE; AND</p> <ul style="list-style-type: none">• THE VARIANCE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.
<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 REQUESTED VARIANCE. 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 HOME 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.



COPY **RECEIVED**
 JAN 27 2005
 APPL. NO. BV 2005-008

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 25 feet to 10.4 feet for an 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
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Robert J. Mikunovich Jr.</u>	
ADDRESS	<u>2220 Charlotte Drive</u>	
	<u>Longwood, Florida 32779</u>	
PHONE 1	<u>407 389-6293</u>	
PHONE 2	<u>407 620-9808</u>	
E-MAIL	<u>J+B ALOHA 1020@aol.com</u>	

PROJECT NAME: Addition + Pool
 SITE ADDRESS: 2220 Charlotte Drive
 CURRENT USE OF PROPERTY: Single Family Home
 LEGAL DESCRIPTION: Leg Lot 1 BLK B Thornburgs Add to Lloyds terrace PB9P696

SIZE OF PROPERTY: 1/2 acre(s) PARCEL I.D. R1AA 04-21-29-505-0B00-0010
 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 03, 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.

Robert J. Mikunovich Jr.
 SIGNATURE OF OWNER OR AGENT* 1/27/05
DATE

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

ADDITIONAL VARIANCES

VARIANCE 2:

~~Side street set back from 25 feet to 17 feet for a pool~~

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): _____ COMMISSION DISTRICT _____ FLU / ZONING 4DR/R-100

BCC HEARING DATE _____ (FOR APPEAL)

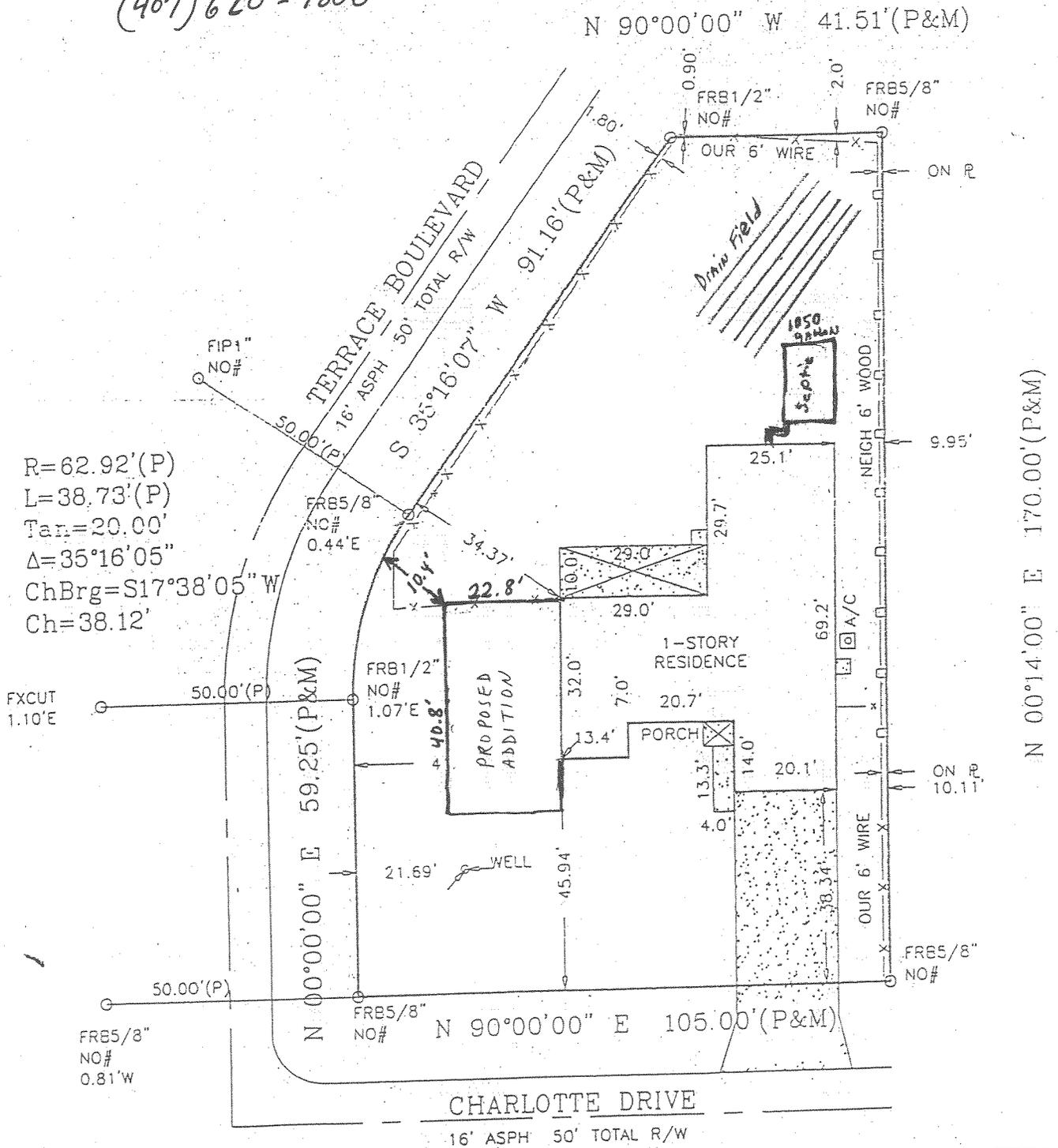
LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____

Robert J. Milanovich
 2220 Charlotte Drive
 Longwood, Florida 32779
 (407) 620-9808

R 1 A A
 I.D.# 04-21-29-505-0800-0010



CONCRETE	CH	CHORD	PRM	PERMANENT REFERENCE MONUMENT	CM	CONCRETE MONUMENT	NOTES: 1) NOT VALID UNLESS SIGNATURE IS EMBOSSED WITH THE REGISTERED LAND SURVEYORS SEAL. 2) LEGAL DESCRIPTION PROVIDED BY OTHERS. 3) PROPERTIES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PROPERTY PLAT OF RECORD. 4) BEARINGS WHERE SHOWN ARE PER PLAT UNLESS OTHERWISE NOTED. 5) UNDERGROUND UTILITIES, FOUNDATIONS, OR OTHER IMPROVEMENTS, IF ANY, WERE NOT LOCATED. 6) ELEVATIONS, IF SHOWN ARE BASED ON NATIONAL GEOCEENIC VERTICAL DATUM 1929.
WIRE FENCE	TAN	TANGENT	PCP	PERMANENT CONTROL POINT	FD	FOUND	
WOOD FENCE	Δ	DELTA	POB	POINT OF BEGINNING	R/W	RIGHT-OF-WAY	
PROPERTY CORNER	L	ARC LENGTH	POC	POINT OF COMMENCEMENT	ORB	OFFICIAL RECORD BOOK	
PROPERTY LINE	R	RADIUS	POCV	POINT ON CURVE	FT	FINISHED FLOOR	
CENTERLINE	N/D	NAIL AND DISC	PC	POINT OF CURVATURE	EL	ELEVATION	
RECORD	CL	CLEAR ENCROACHMENT	PT	POINT OF INTERSECTION	HTS	HOT TO SCALE	
FIELD MEASURED	ENCR	ENCROACHMENT	PT	POINT OF TANGENCY	W/	WITH	
FOUND 4" CONCRETE POST	FIP	FOUND IRON PIPE	PRC	POINT OF REVERSE CURVE	N	NORTH	
SET 1/2" DIAMETER REBAR	FRB	FOUND REBAR	PCC	POINT OF COMPOUND CURVE	S	SOUTH	
TYPICAL	NEIGH	NEIGHBORING PROPERTY	O.U.E.	ORAINAGE & UTILITY EASEMENT	E	EAST	
MORE OR LESS	OUR	SUBJECT PROPERTY	U.E.	UTILITY EASEMENT	W	WEST	

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-865-7508</p>		
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GENERAL

Parcel Id: 04-21-29-505-0B00-0010 Tax District: 01-COUNTY-TX DIST 1

Owner: MILANOVICH ROBERT J JR & Exemptions: 00-HOMESTEAD

Own/Addr: CONNER JULIE L

Address: 2220 CHARLOTTE DR

City,State,ZipCode: LONGWOOD FL 32779

Property Address: 2220 CHARLOTTE DR LONGWOOD 32750

Subdivision Name: THORNBURGS ADD TO LLOYDS TERRACE

Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market

Number of Buildings: 1

Depreciated Bldg Value: \$165,379

Depreciated EXFT Value: \$0

Land Value (Market): \$21,000

Land Value Ag: \$0

Just/Market Value: \$186,379

Assessed Value (SOH): \$176,986

Exempt Value: \$25,000

Taxable Value: \$151,986

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
CORRECTIVE DEED	07/1999	03689	1378	\$100	Vacant
WARRANTY DEED	04/1999	03647	0877	\$42,000	Vacant
WARRANTY DEED	06/1997	03257	1097	\$94,500	Improved
WARRANTY DEED	06/1991	02308	0143	\$60,000	Vacant
CERTIFICATE OF TITLE	03/1991	02277	1651	\$30,000	Vacant

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Amount(without SOH): \$2,445

2004 Tax Bill Amount: \$2,328

Save Our Homes (SOH) Savings: \$117

2004 Taxable Value: \$137,713

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 1 BLK B THORNBURGS ADD TO LLOYDS TERRACE

PB 9 PG 96

BUILDING INFORMATION

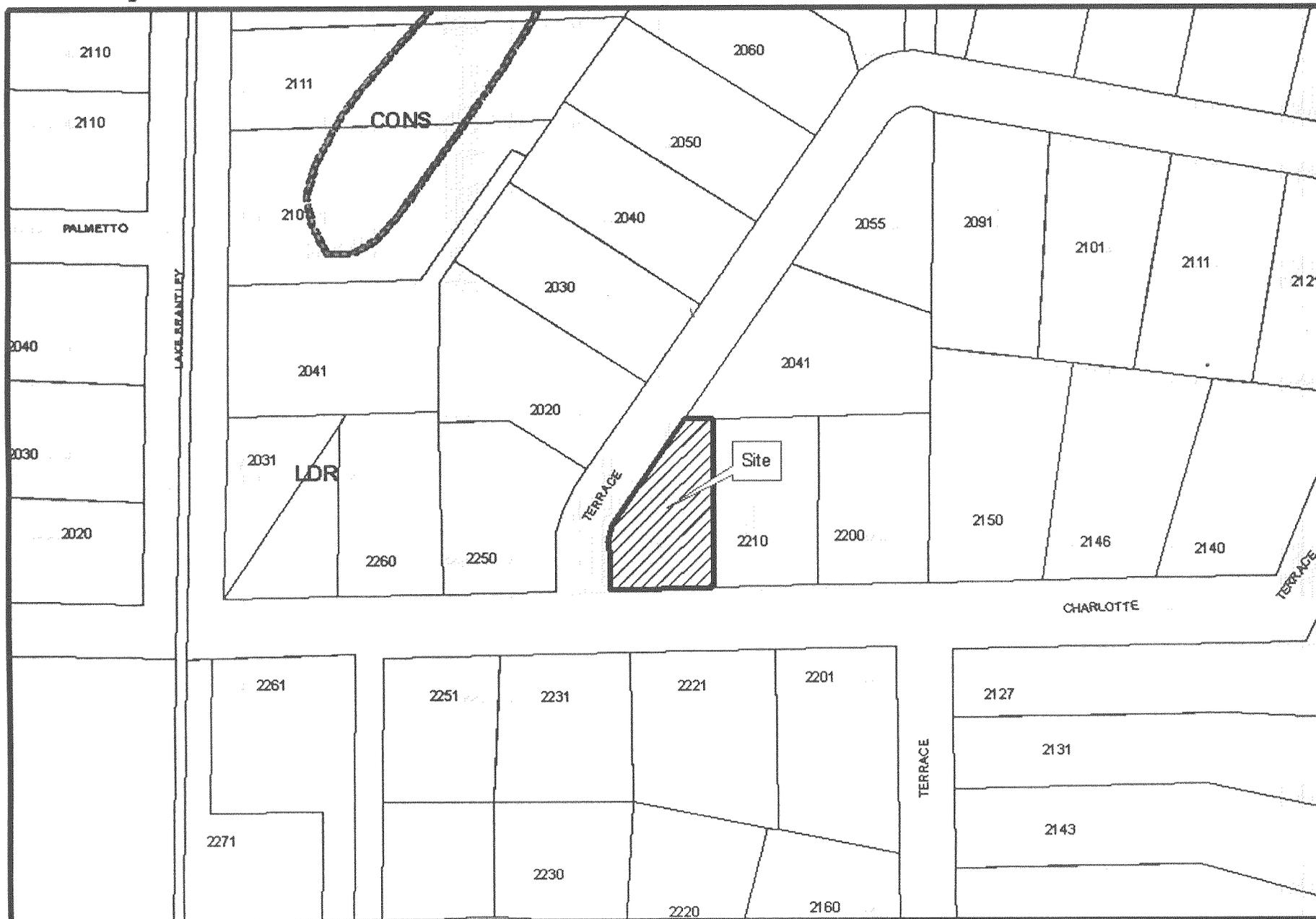
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	2000	9	1,964	2,706	1,964	CB/STUCCO FINISH	\$165,379	\$169,619
	Appendage / Sqft		SCREEN PORCH FINISHED / 290						
	Appendage / Sqft		OPEN PORCH FINISHED / 25						
	Appendage / Sqft		GARAGE FINISHED / 427						

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.

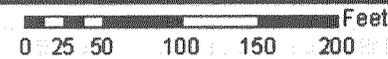


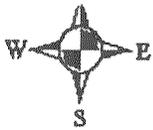
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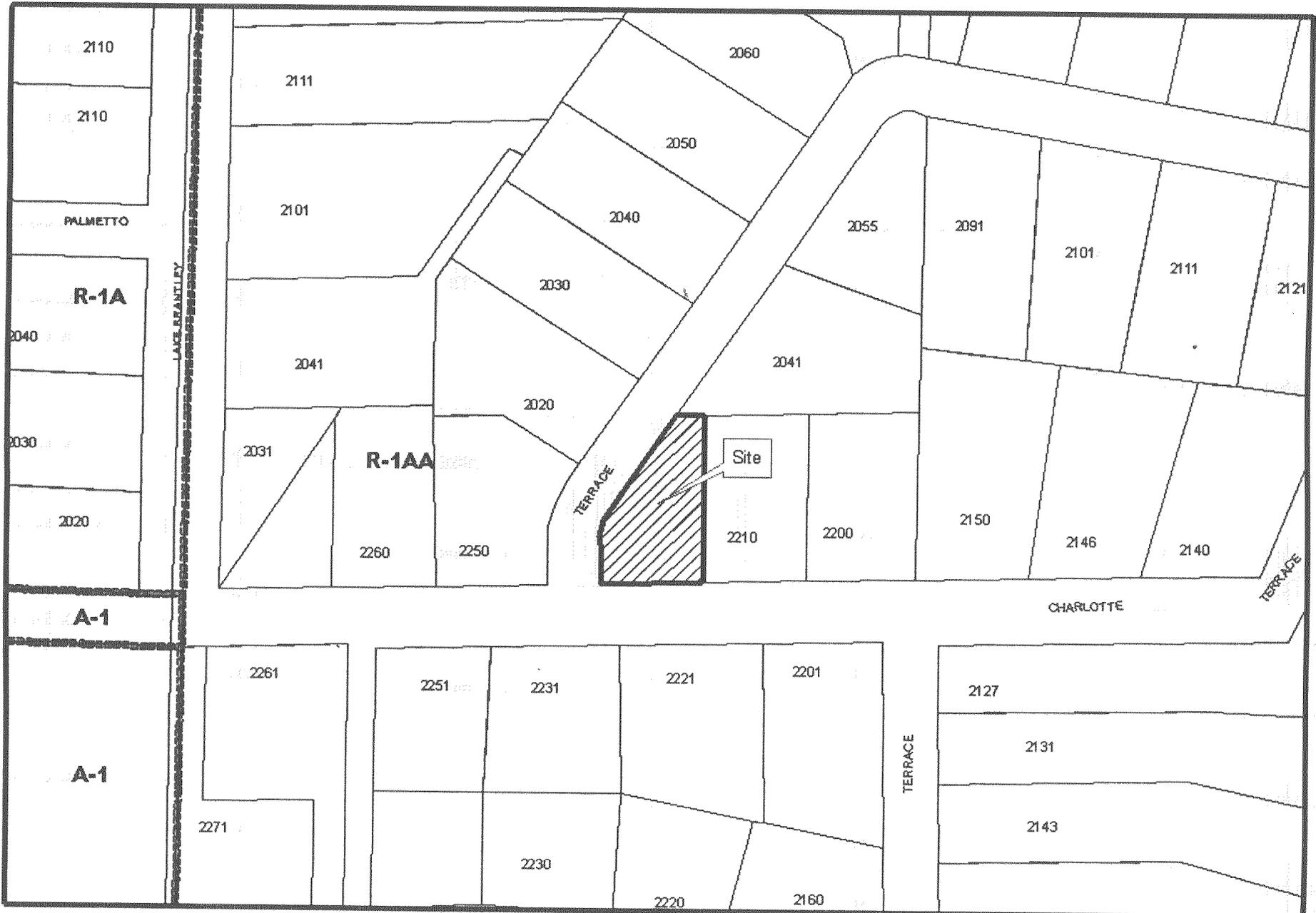
Parcel No: 04-21-29-505-0B00-0010

BV2005-008



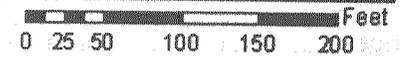


Robert J. Milanovich Jr.
2220 Charlotte Dr.
Longwood, FL. 32779



Parcel No: 04-21-29-505-0800-0010

BV2005-008



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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

LEG LOT 1 BLK B THORNBURGS ADD TO LLOYDS TERRACE PB 9 PG 96

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

FINDINGS OF FACT

Property Owner: ROBERT MILANOVICH JR.
2220 CHARLOTTE DRIVE
LONGWOOD, FL 32779

Project Name: CHARLOTTE DRIVE (2220)

Requested Development Approval:

MINIMUM SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10.4 FEET FOR A PROPOSED HOME 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: 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 variances granted will apply only to the proposed home 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: