

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (1) MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 4 FEET FOR A PROPOSED SHED; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 10 FEET FOR A PROPOSED SHED IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (DENNIS PATTERSON, 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 (1) MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 4 FEET FOR A PROPOSED SHED; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 10 FEET FOR A PROPOSED SHED IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (DENNIS PATTERSON, APPLICANT); OR
2. **DENY** REQUEST FOR (1) MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 4 FEET FOR A PROPOSED SHED; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 10 FEET FOR A PROPOSED SHED IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (DENNIS PATTERSON, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: DENNIS PATTERSON LOCATION: 202 JAMES COURT ZONING: R-1A (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A 288 SQUARE FOOT (12' X 24') SHED THAT WOULD ENCROACH 20 FEET INTO THE MINIMUM REAR YARD SETBACK AND 3.5 FEET INTO THE MINIMUM (EAST) SIDE YARD SETBACK; THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED. • 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 THE REQUESTED VARIANCES. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none">• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE LOT OR PROPOSED SHED HAVE BEEN DEMONSTRATED. THE PROPOSED SHED COULD BE RELOCATED AND REDUCED IN SIZE TO COMPLY WITH DISTRICT SETBACK REQUIREMENTS; AND• THE REQUESTED VARIANCES WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1A DISTRICT.• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT THE REQUESTED VARIANCES.
<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 VARIANCES. 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 SHED AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 207)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BV 2005-010

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** ^{minimum} (East) side yard setback variance from 7.5 feet to 4 feet
 - 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>Dennis W Patterson</u>	
ADDRESS	<u>202 James Ct</u>	
PHONE 1	<u>407-696-5237</u>	
PHONE 2	<u>407-466-3565</u>	
E-MAIL	_____	

PROJECT NAME: James Court (202)
 SITE ADDRESS: 202 James Court
 CURRENT USE OF PROPERTY: SFR
 LEGAL DESCRIPTION: LEG WLY 30 FT OF LOT 14 + ELY 48 FT OF LOT 15 WILLIAMSON HEIGHTS REPLAT PB 13 PG 14
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 33-20-30-510-0000-0140
 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 3/28/05 (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.

Dennis W. Potts 2/1/05
 SIGNATURE OF OWNER OR AGENT* DATE

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

ADDITIONAL VARIANCES

VARIANCE 2:

rear yard setback variance from 30 feet to 10 feet for a proposed shed (12X24)

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): \$200.00 COMMISSION DISTRICT 2 FLU/ZONING LDR/R-1A

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS on S. side of James Ct approx 60' E. of intersect. of Phillip St & James Ct.

PLANNING ADVISOR JV DATE 2/1/05

SUFFICIENCY COMMENTS _____

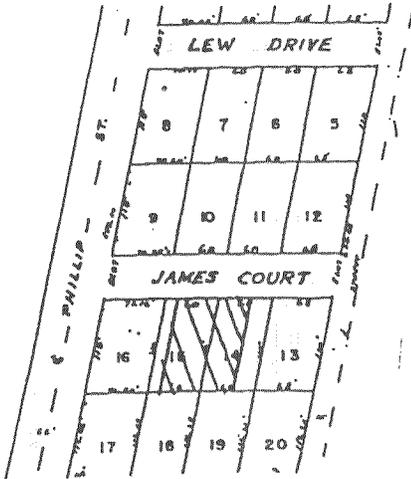
Legal Description

The East 48.0 feet of Lot 15, and the West 30.0 feet of Lot 14, WILLIAMSON HEIGHTS REPLAT, according to the Plat thereof, as recorded in Plat Book 13, Page 14, of the Public Records of Seminole County, Florida.

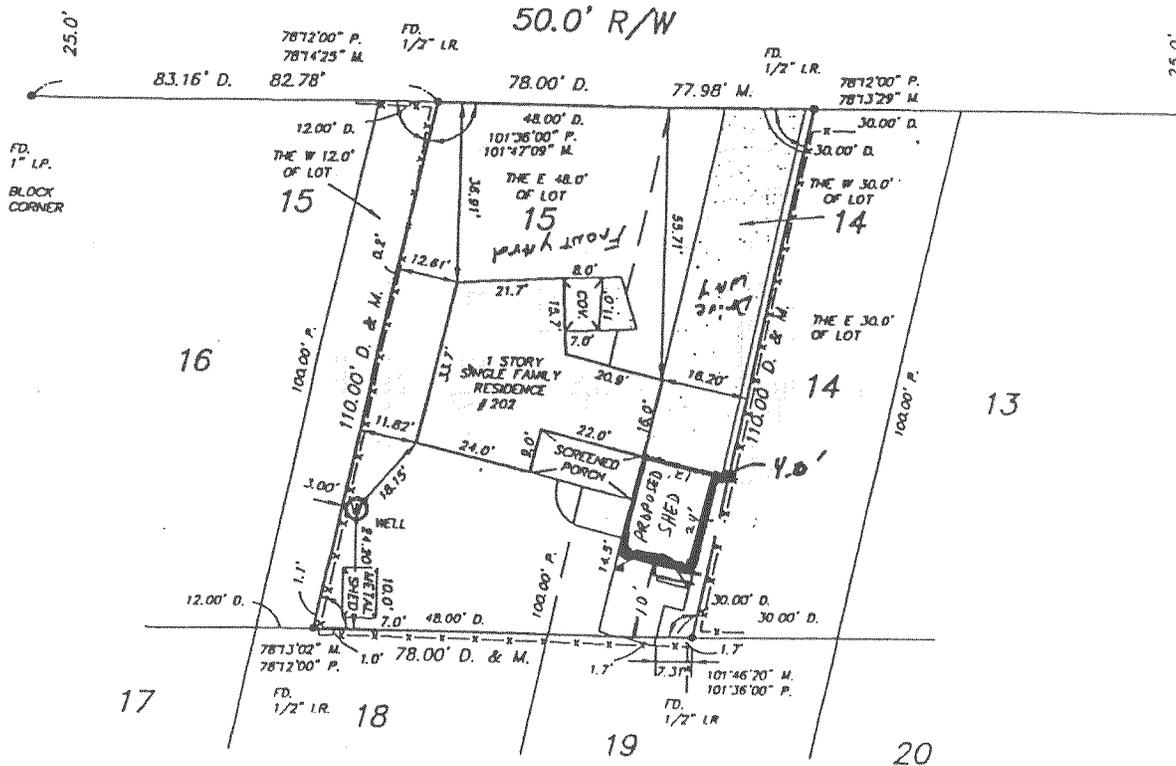
Community Number: 120289 Panel: 0130
 Suffix: E F.I.R.M. Date: 4/17/95 Flood Zone: X
 Field Work: 2/15/01 Completed: 2/16/01

Certified To:
 Dennis W. Patterson; Kathryn L. Patterson; Eagle Title & Abstract Corporation; Stewart Title Guaranty Company; Alliance Funding Company, a Division of Superior Bank, FSB, its successors and/or assigns.

12 wide
 24 foot
 LONG



JAMES COURT



Property Address:
 202 James Court
 Winter Springs, Florida 32708

Survey Number: O-73601

W.F.	WOOD FENCE
R-2	WIRE FENCE
R.M.	RAIL
PC	PROPERTY CORNER
R	RECORD
M	FIELD MEASURED
C	CALCULATED
CL	CLEAR
ENCR	ENCROACHMENT
CL	CENTERLINE
CONC	CONCRETE
PL	PROPERTY LINE
C.M.	CONCRETE MONUMENT
F.I.R.	FOUND IRON ROD
F.I.P.	FOUND IRON PIPE
R.W.	RIGHT OF WAY
H.D.	HAIR & DRINK
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
FD.	FOUND
P	PLAT
ASPH	ASPHALT
O.H.L.	OVERHEAD UTILITIES
P.P.	POWER POLE
TX	TRANSFORMER
CATV	CABLE RISER
W.M.	WATER METER
TEL	TELEPHONE FACILITIES
CONC	CONCRETE AREA
B.R.	BEARING REFERENCE
CH	CHORD
RAD	RADIAL
N.R.	NON RADIAL
AC	AIR CONDITIONER
B.M.	BENCH MARK
C.B.	CATCH BASIN
C.	CALCULATED

- GENERAL NOTES:
- LEGAL DESCRIPTION PROVIDED
 - THE LANDS SHOWN HEREON IN OTHER RECORDS OR ENCLOSURES
 - UNDERGROUND PORTIONS OF IMPROVEMENTS WERE NOT LOCATED
 - WALL TIES ARE TO THE FACE OF
 - ONLY VISIBLE ENCROACHMENTS
 - NO IDENTIFICATION FOUND ON
 - CONCRETE SHOWN ARE PLAT
 - FENCE OWNERSHIP NOT DETECTED
 - ELEVATIONS IF SHOWN ARE BY OTHERS UNLESS NOTED
 - BEARINGS REFERENCED TO LB
 - THIS IS A BOUNDARY SURVEY
 - NOT VALID UNLESS SEALED WITH MY NOTARY PUBLIC SEAL

SIGNED: _____
 JAMES W. BROWN, CIVIL ENGINEER

SIGNED: _____
 CARL MICHAEL SMITH

SIGNED: _____
 ROSE ADRIAN

SIGNED: _____
 CLOYD G. MARSH

SIGNED: _____
 CAROL E. ANDRUS

THIS SURVEY IS OFFERED FOR MORTGAGE BY THE STATE OF FLORIDA BY THE SIGNATURE OF THE SURVEYOR OR ANY OTHER PERSON INDICATED THEREIN.

First Financial Surveyors, Inc.
 AND AFFILIATED COMPANIES
 L.B. 6387 (FLORIDA)

305 Auburn Avenue
 Orlando, Florida 32703
 (407) 877-7070 Fax (407) 877-7820
 (800) 787-8200 Fax (800) 787-8200

1:407 977 7020

2-16-01; 4:25PM;FFS

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7506



GENERAL

Parcel Id: 33-20-30-510-0000-0140 Tax District: 01-COUNTY-TX DIST 1

Owner: PATTERSON DENNIS W & KATHRYN L Exemptions: 00-HOMESTEAD

Address: 202 JAMES CT

City, State, Zip Code: WINTER SPRINGS FL 32708

Property Address: 202 JAMES CT WINTER SPRINGS 32708

Subdivision Name: WILLIAMSON HEIGHTS REPLAT

Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market

Number of Buildings: 1

Depreciated Bldg Value: \$70,123

Depreciated EXFT Value: \$0

Land Value (Market): \$10,179

Land Value Ag: \$0

Just/Market Value: \$80,302

Assessed Value (SOH): \$53,451

Exempt Value: \$25,000

Taxable Value: \$28,451

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	06/1998	03452	1154	\$59,400	Improved
WARRANTY DEED	09/1983	01491	1465	\$41,000	Improved
QUIT CLAIM DEED	01/1979	01211	0745	\$19,500	Improved
U.S. MARSHALL DEED	10/1978	01196	0722	\$100	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Amount (without SOH): \$819

2004 Tax Bill Amount: \$455

Save Our Homes (SOH) Savings: \$364

2004 Taxable Value: \$28,894

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	78	110	.000	150.00	\$10,179

LEGAL DESCRIPTION PLAT

LEG WLY 30 FT OF LOT 14 + ELY 48 FT OF LOT 15 WILLIAMSON HEIGHTS REPLAT

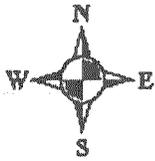
PB 13 PG 14

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	952	1,416	952	CONC BLOCK	\$70,123	\$83,729
	Appendage / Sqft		SCREEN PORCH FINISHED / 90						
	Appendage / Sqft		ENCLOSED PORCH FINISHED / 270						
	Appendage / Sqft		UTILITY UNFINISHED / 104						

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.

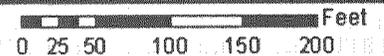


Dennis W. Patterson
202 James CT.
Winter Springs, FL. 32708



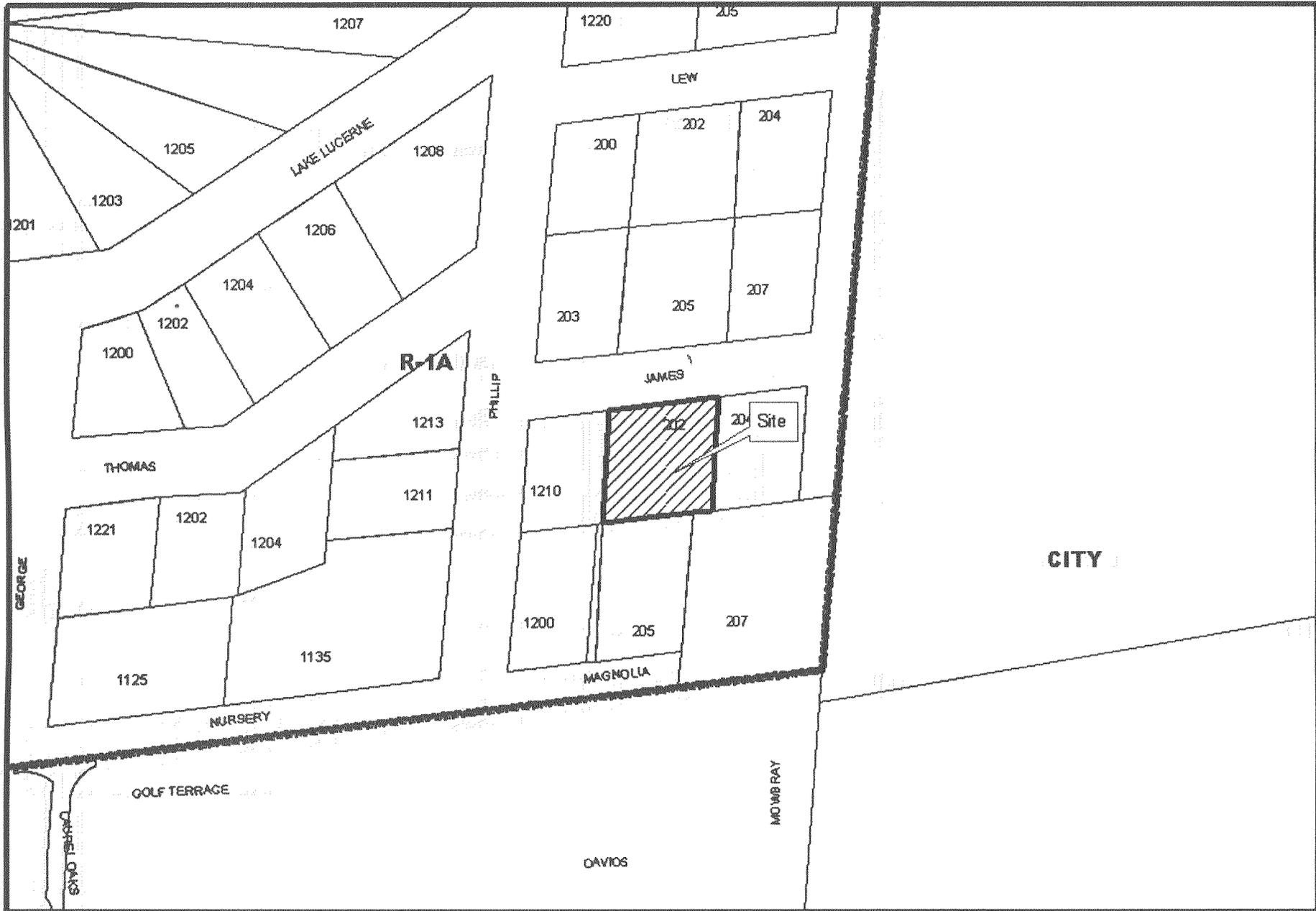
Parcel No: 33-20-30-510-0000-0140

EV2005-010



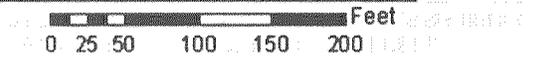


Dennis W. Patterson
202 James CT.
Winter Springs, FL. 32708



Parcel No: 33-20-30-510-0000-0140

BY2005-010



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 WLY 30 FT OF LOT 14 + ELY 48 FT OF LOT 15 WILLIAMSON
HEIGHTS REPLAT PB 13 PG 14

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

FINDINGS OF FACT

Property Owner: DENNIS PATTERSON
202 JAMES COURT
WINTER SPRINGS, FL 32708

Project Name: JAMES COURT (202)

Requested Development Approval:

1. MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 10 FEET; AND
2. MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 7.5 FEET TO 4 FEET FOR A PROPOSED SHED IN THE R-1A (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 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: