

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (WEST) MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED GARAGE IN THE R-1AAA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL BOCCARD, APPLICANT).

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

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

Agenda Date 4-25-05 Regular Consent Public Hearing – 6:00

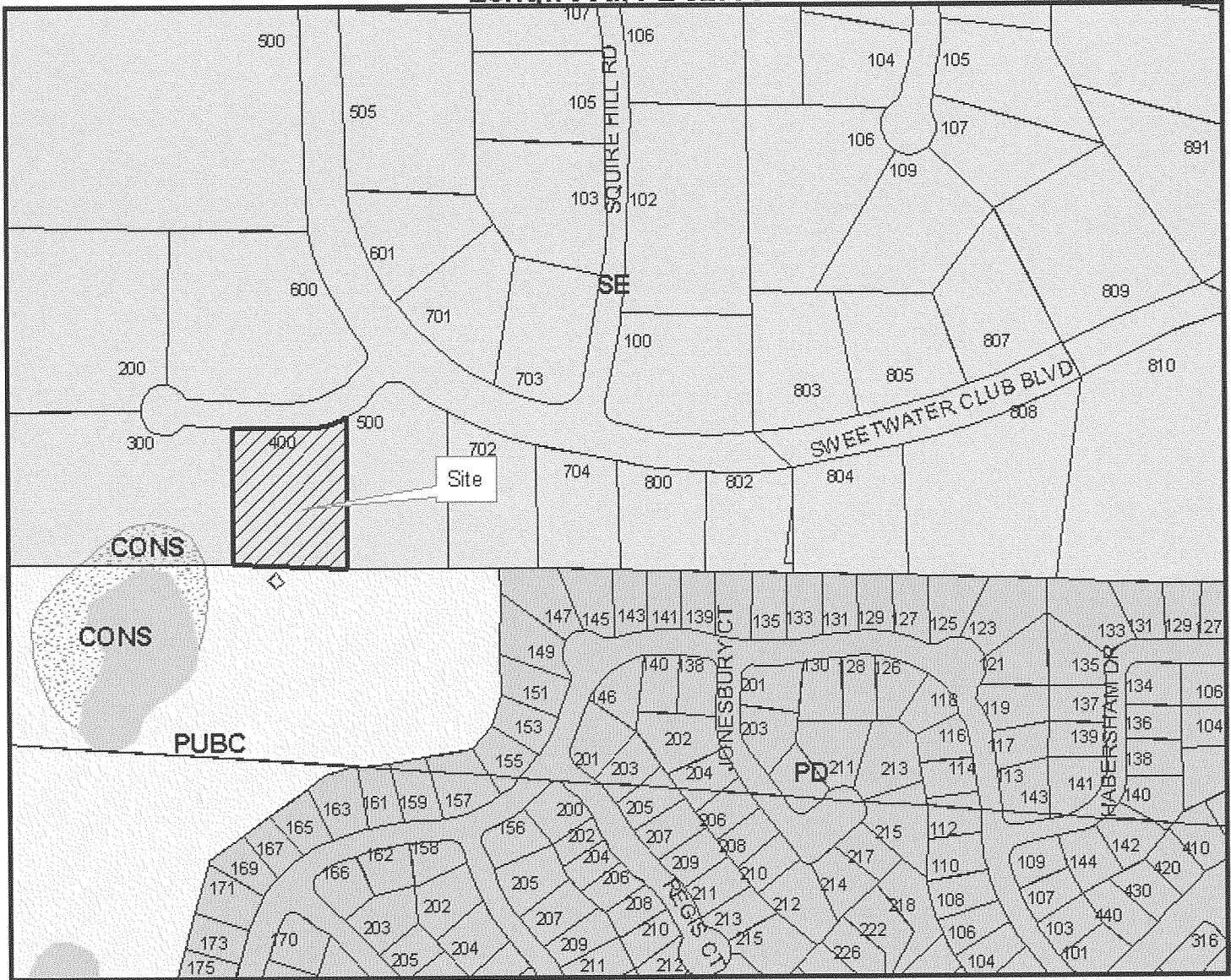
MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (WEST) MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED GARAGE IN THE R-1AAA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL BOCCARD, APPLICANT); OR
2. **DENY** REQUEST FOR (WEST) MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED GARAGE IN THE R-1AAA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL BOCCARD, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

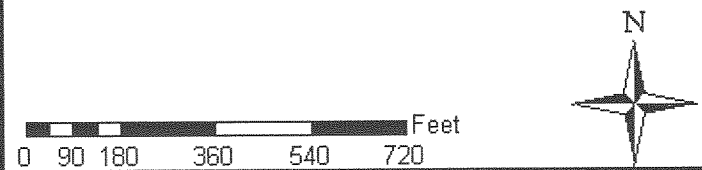
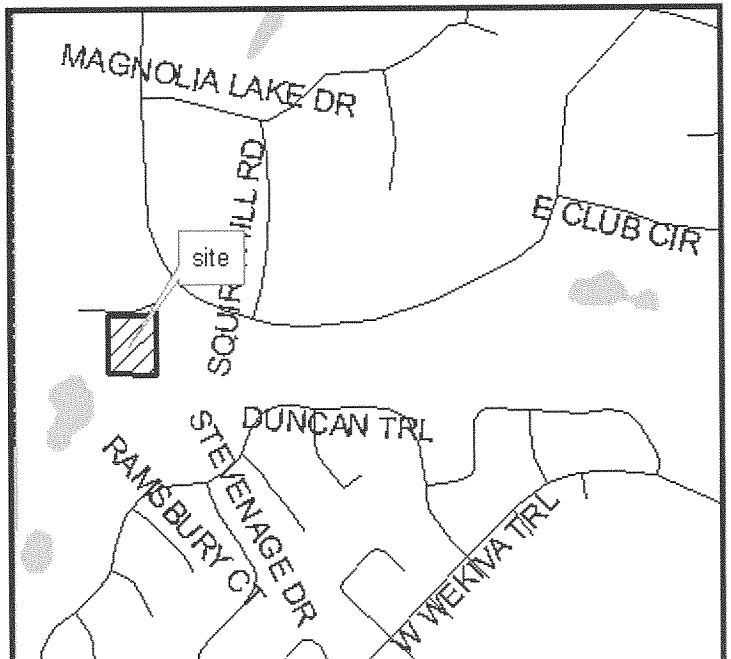
GENERAL INFORMATION	APPLICANT: MICHAEL BOCCARD LOCATION: 400 GRANDVIEW PLACE ZONING: R-1AAA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A DETACHED GARAGE THAT WOULD ENCROACH 8 FEET INTO THE MINIMUM 10 FOOT (WEST) SIDE YARD SETBACK; THE AFOREMENTIONED VARIANCE IS 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 FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE LOT OR PROPOSED DETACHED GARAGE HAVE BEEN

	<p>DEMONSTRATED. THE PROPOSED GARAGE COULD BE RELOCATED TO COMPLY WITH DISTRICT SETBACK REQUIREMENTS;</p> <ul style="list-style-type: none">• THE REQUESTED VARIANCES WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AAA DISTRICT; AND• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT THE REQUESTED VARIANCES.
STAFF RECOMMENDATION	<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 GARAGE AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.

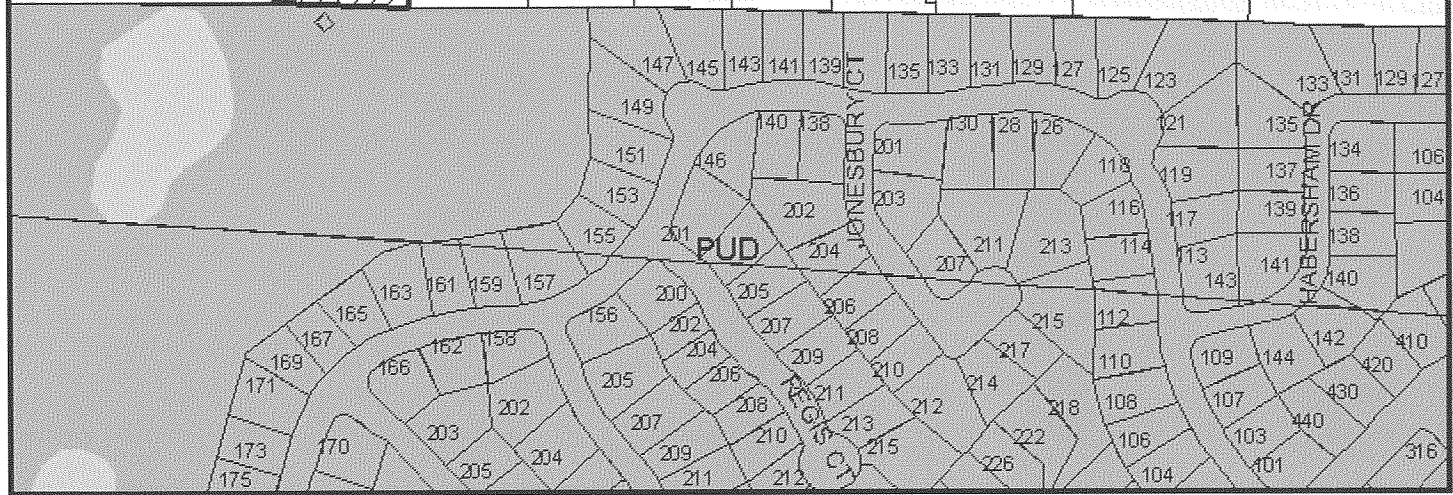
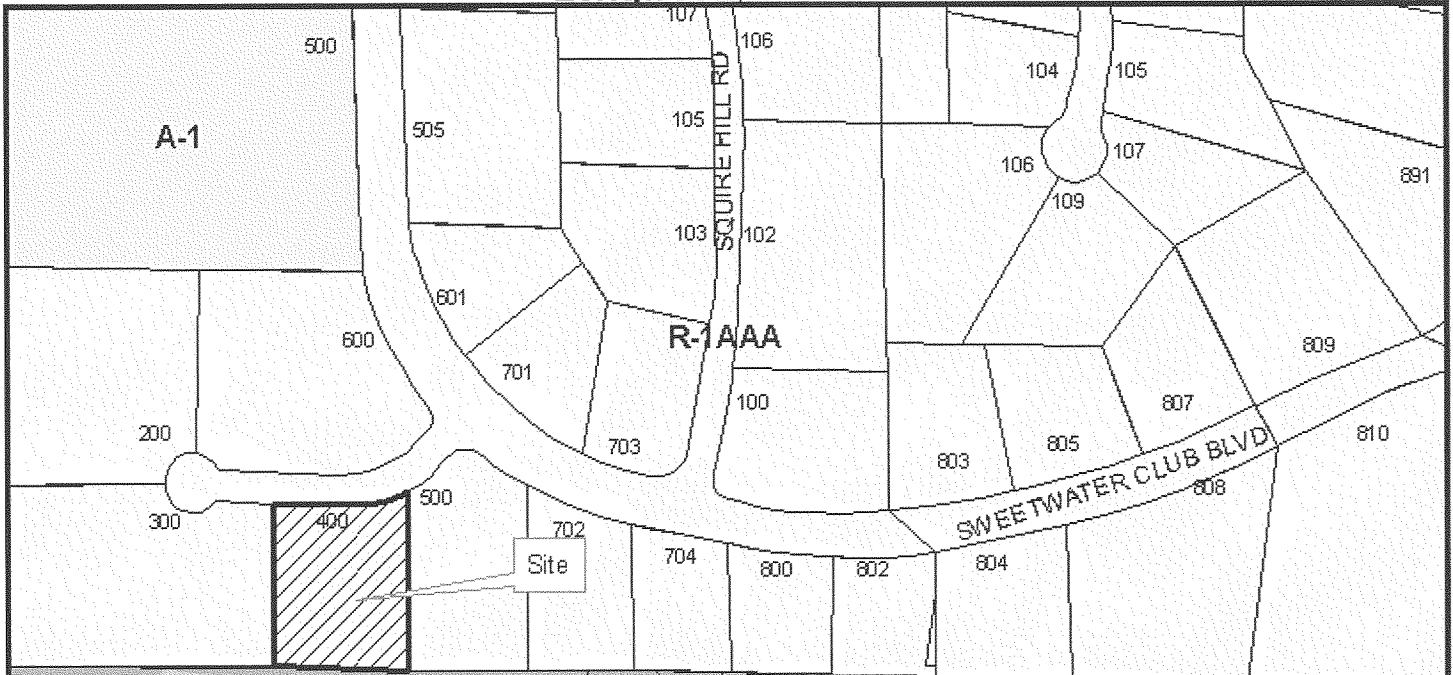
Michael Boccard
400 Grandview PL
Longwood, FL 32779



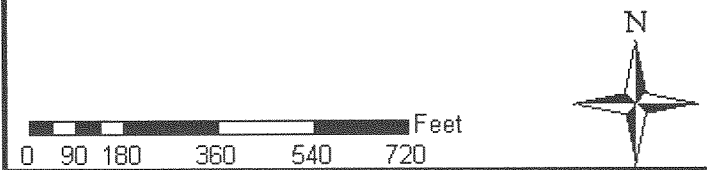
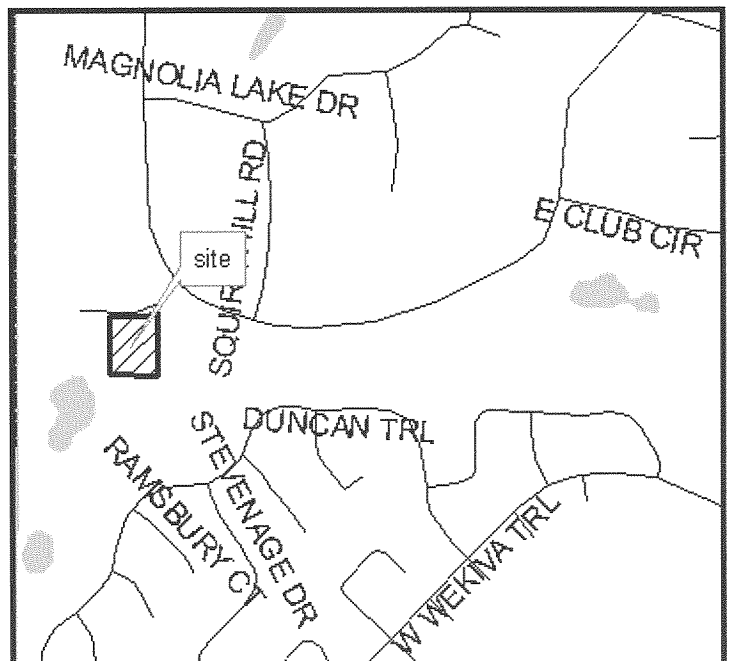
Seminole County Board of Adjustment
April 25, 2005
Future Land Use Map
Case: BV2005-024
Parcel No: 31-20-29-505-0C00-0040

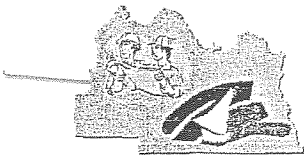


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SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY APPL. NO. BV 2005-024

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 side yard setback variance from 10' to 2'
- 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	IRVING COLVIN	MICHAEL BOCCARD
ADDRESS	400 GRANDVIEW PL LAKELWOOD, FL 32779	108 SAGEWOOD COURT APOPKA, FL 32703
PHONE 1	407 869-6580	407-925-3946
PHONE 2		
E-MAIL		mmbj108@AOL.COM

PROJECT NAME: GRANDVIEW PLACE (400)

SITE ADDRESS: 400 Grandview pl.

CURRENT USE OF PROPERTY: SFR

LEGAL DESCRIPTION: LEG LOT 4 BLK C SWEET WATER CLUB UNIT 1 PB18 PG 5 26, 27 + 28

SIZE OF PROPERTY: 2.07 acre(s) PARCEL I.D. 31-20-29-505-0000-0040

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 04/25/05 (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.

Michael Boccard
 SIGNATURE OF OWNER OR AGENT* 3/2/2005
DATE

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

JV

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): \$150.00 COMMISSION DISTRICT 3 FLU/ZONING CDR/R-1AAA

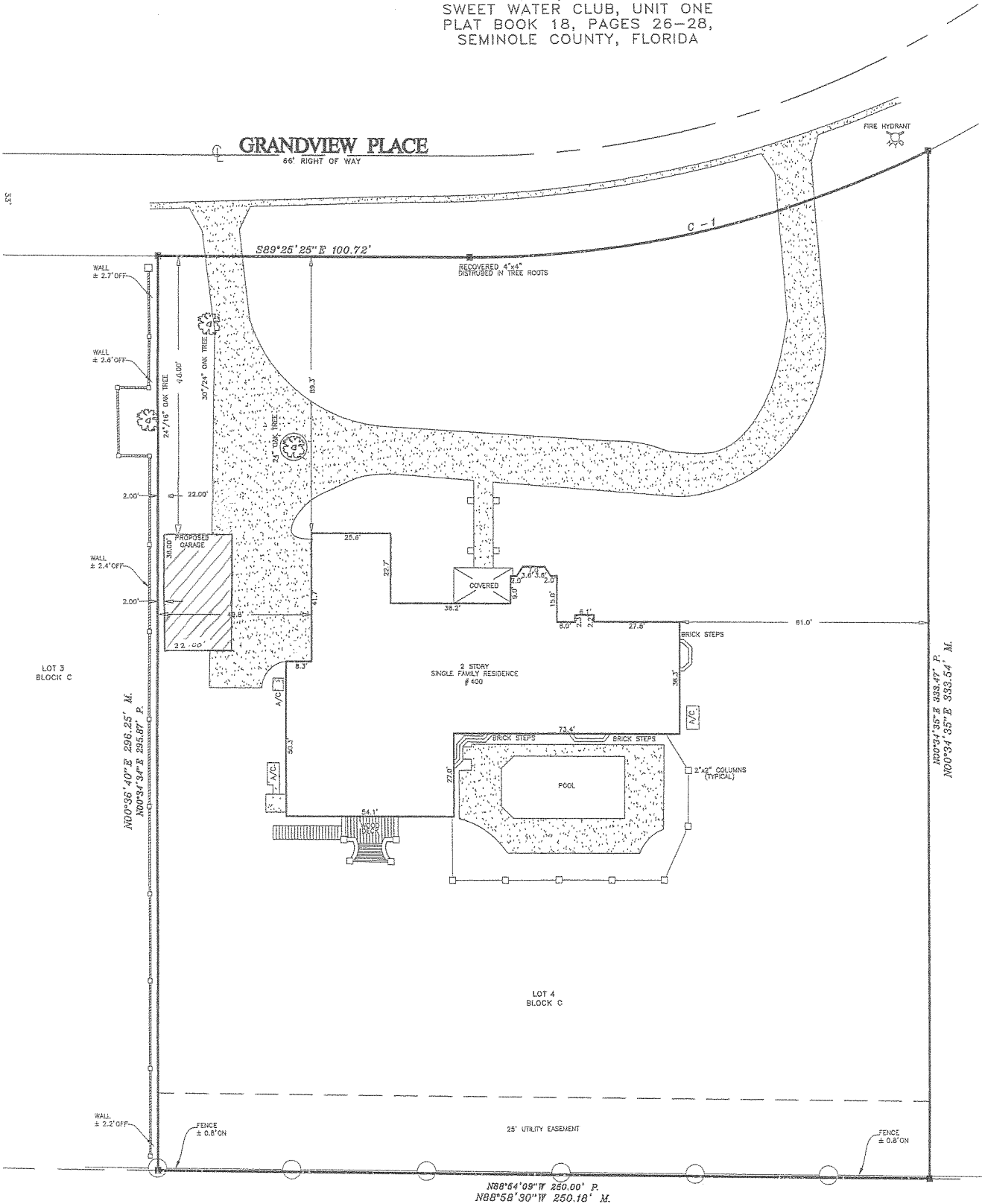
BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS South of Grandview Pl 1/2 mile from the intersection of Grandview Pl. and Sweetwater Club Blvd.PLANNING ADVISOR JV DATE 3/2/05

SUFFICIENCY COMMENTS _____

BOUNDARY SURVEY
FOR
IRVING L. COLVIN, TRUSTEE

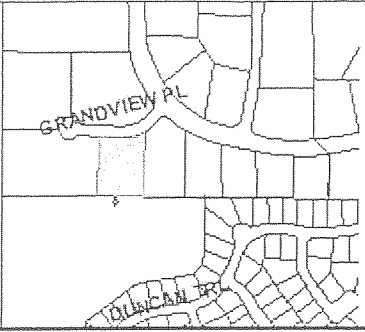
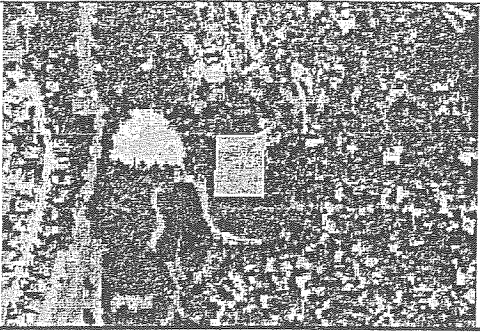
LOT 4, BLOCK C
SWEET WATER CLUB, UNIT ONE
PLAT BOOK 18, PAGES 26-28,
SEMINOLE COUNTY, FLORIDA



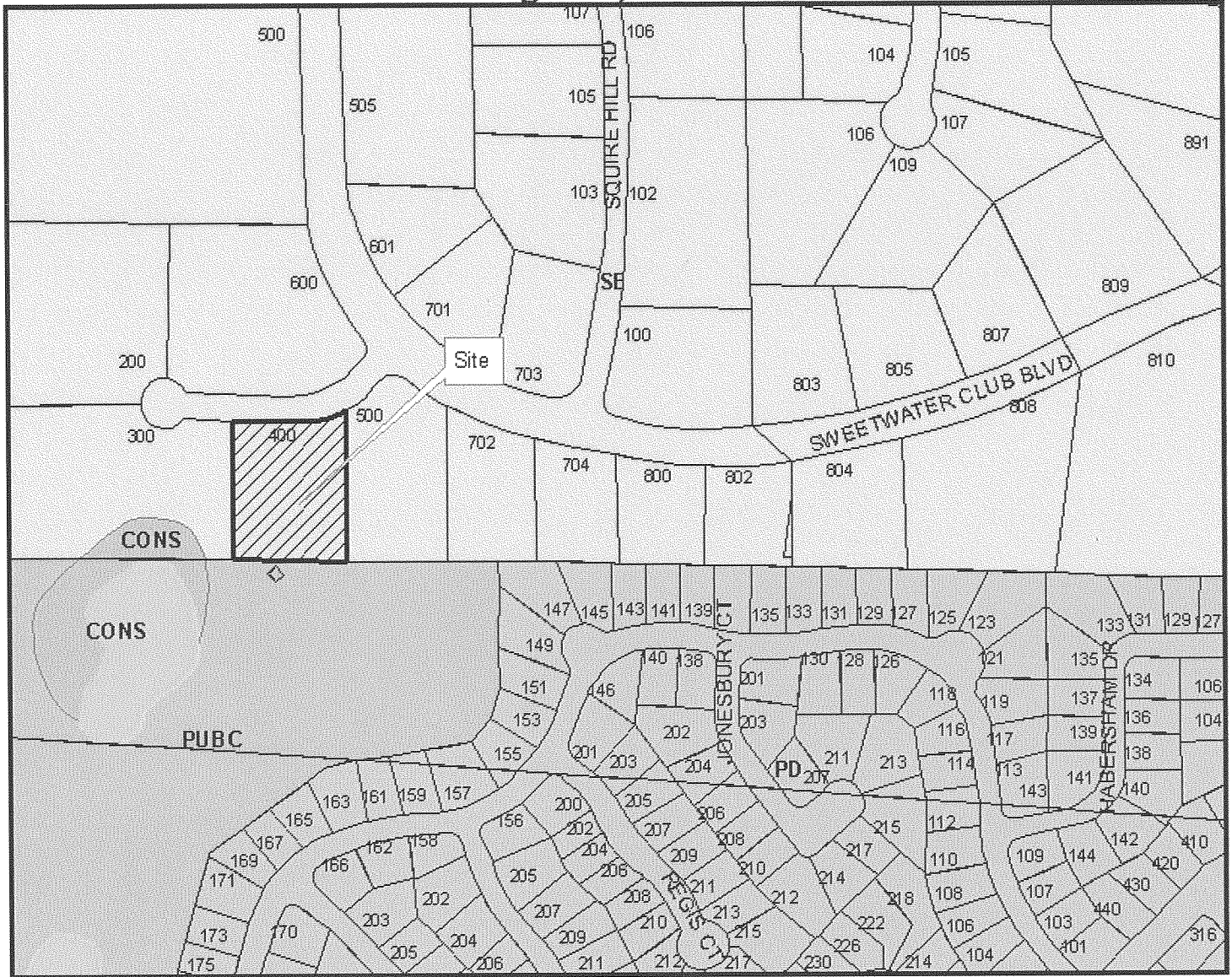
NOT PLATTED
(PER PLAT)

REVISED:	NOT VALID WITHOUT THE ORIGINAL SA LICENSED SURVEY, ADDITIONS AND DELETIONS, SKETCHES, THAN THE SIGNING PROHIBITED WITHIN OF THE SIGNING.
REVISED:	
REVISED:	
REVISED:	
REVISED:	

MICHAEL W. SOLI









<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 407-665-7508</p>																																																													
<p>GENERAL</p> <p>Parcel Id: 31-20-29-505-0C00-0040 Tax District: 01-COUNTY-TX DIST 1 Owner: COLVIN IRVING L TRUSTEE Exemptions: 00-HOMESTEAD Address: 400 GRANDVIEW PL City,State,ZipCode: LONGWOOD FL 32779 Property Address: 400 GRANDVIEW PL LONGWOOD 32779 Subdivision Name: SWEETWATER CLUB UNIT 1 Dor: 01-SINGLE FAMILY</p> <p style="text-align: right; font-size: 2em; font-family: cursive;">R-1AAA</p>	<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$441,818 Depreciated EXFT Value: \$22,589 Land Value (Market): \$195,000 Land Value Ag: \$0 Just/Market Value: \$659,407 Assessed Value (SOH): \$426,943 Exempt Value: \$25,000 Taxable Value: \$401,943 Tax Estimator</p>																																																												
<p>SALES</p> <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>QUIT CLAIM DEED</td> <td>04/1994</td> <td>02762</td> <td>1232</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>09/1986</td> <td>01770</td> <td>1495</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1980</td> <td>01299</td> <td>0296</td> <td>\$435,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1978</td> <td>01167</td> <td>0167</td> <td>\$39,900</td> <td>Vacant</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	04/1994	02762	1232	\$100	Improved	QUIT CLAIM DEED	09/1986	01770	1495	\$100	Improved	WARRANTY DEED	09/1980	01299	0296	\$435,000	Improved	WARRANTY DEED	04/1978	01167	0167	\$39,900	Vacant	<p>2004 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$9,972 2004 Tax Bill Amount: \$6,583 Save Our Homes (SOH) Savings: \$3,389 2004 Taxable Value: \$389,508</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																														
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<p>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.</p>																																																													

Michael Boccaco
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 Longwood, FL 32779


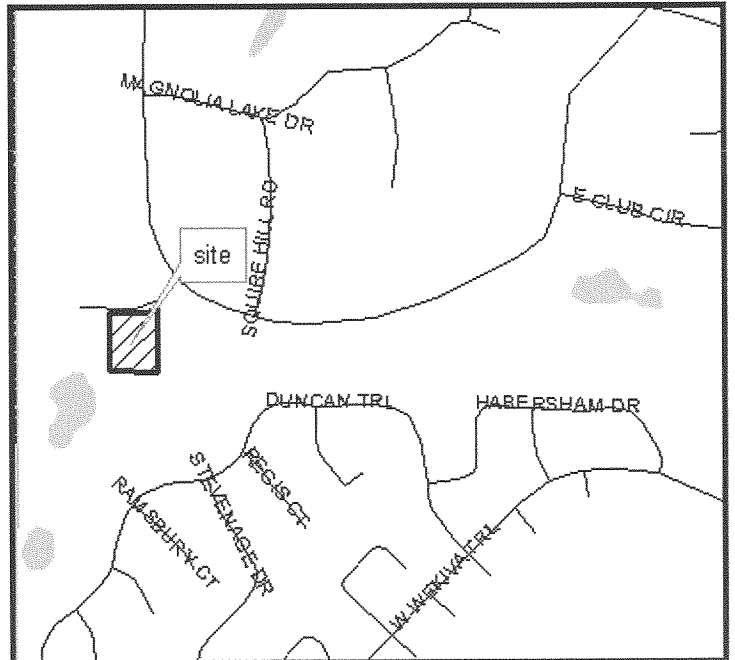


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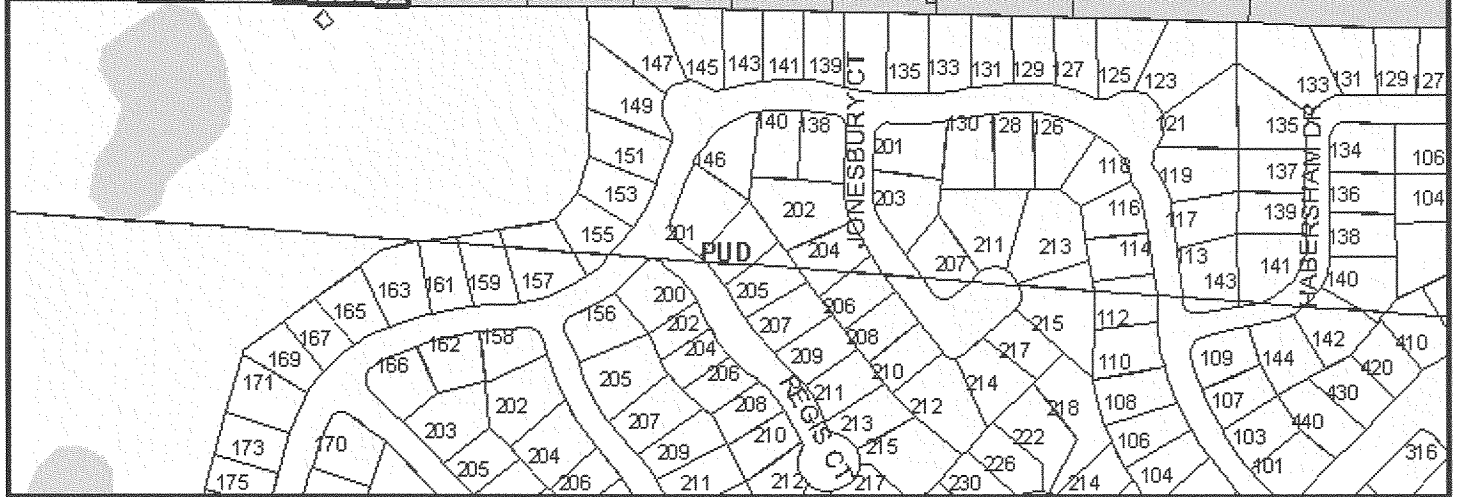
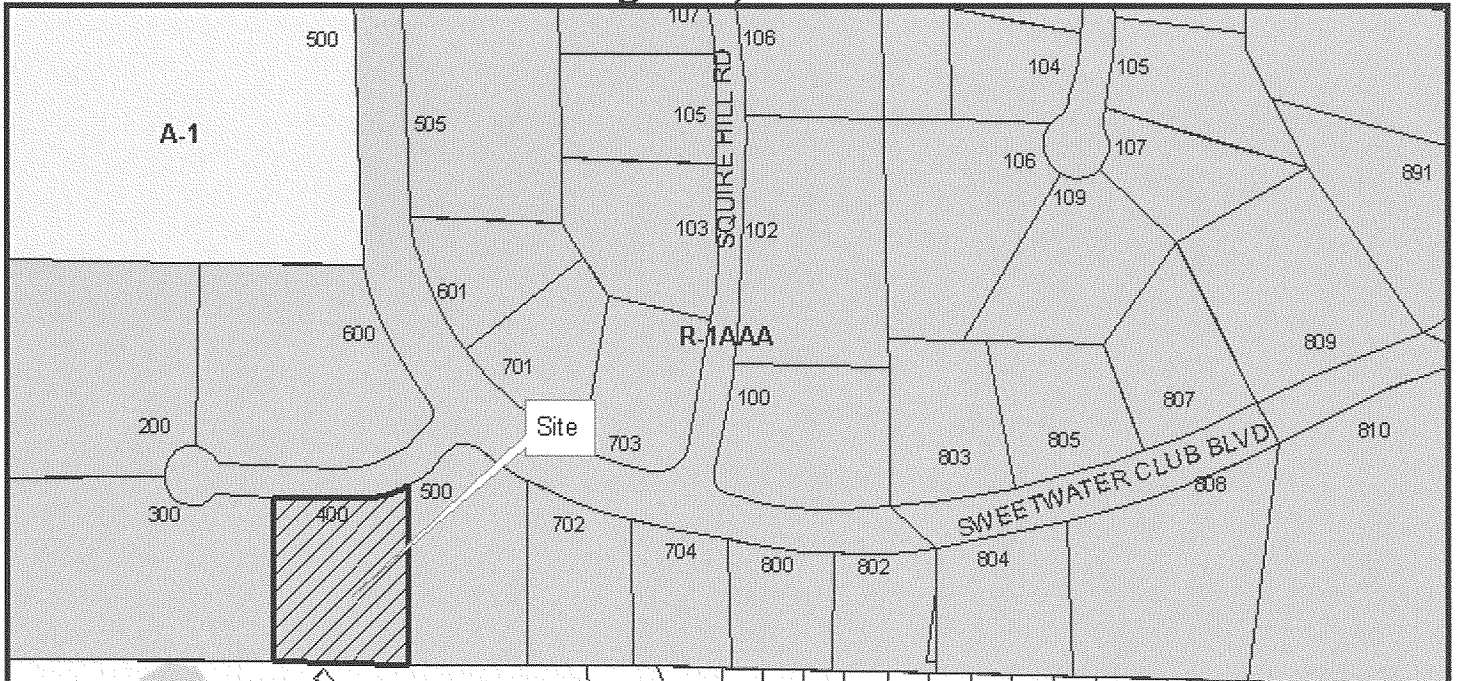
Legend

 BV2005-024	 LONGWOOD
Cities	 OVIEDO
NAME	 SANFORD
 ALTAMONTE SPRINGS	 WINTER SPRINGS
 CASSELBERRY	
 LAKE MARY	

0 95 190 380 570 760 Feet












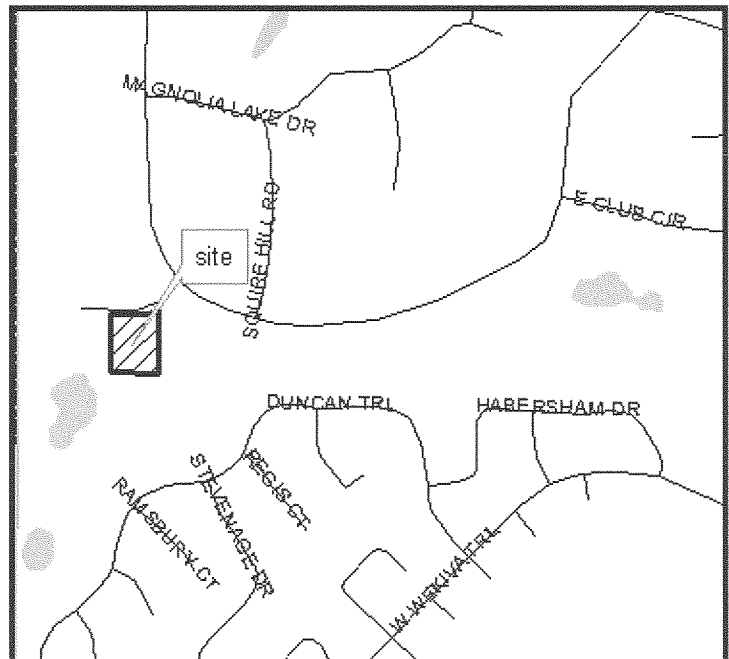
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Legend

-  BV2005-024
-  LONGWOOD
- Cities**
-  OVIEDO
- NAME**
-  SANFORD
-  ALTAMONTE SPRINGS
-  WINTER SPRINGS
-  CASSELBERRY
-  LAKE MARY



FEBRUARY 22, 2005
TO WHOMEVER IT MAY CONCERN

MIKE BOCCARD WILL BE MY REPRESENTATIVE FOR THE VARIANCE OF THE 3 CAR GARAGE AT 400 GRANDVIEW PLACE AT LONGWOOD, FL 32779.


I. COWIN

Sweetwater Club Homeowners Association, Inc.
Architectural Review Board
Application for Approval of Proposed Improvements

This application and the plans and specifications attached hereto and incorporated herein by reference are being submitted for the purpose of obtaining the Architectural Review Board's approval of proposed improvements as set forth herein. Prior to the commencement of construction, all proposed improvements to be constructed within Sweetwater Club must be approved by the Architectural Review Board. The Applicant has submitted two (2) copies of the original plans and specifications.

No improvements may be made without prior written ARB approval. The ARB will respond within fourteen days of receipt of the application and ALL required paperwork.

1. Name of Applicant

A. Exact legal name of Applicant:

IRVING L. COLVIN TRUSTEE

Address: 400 GRANDVIEW PLACE

LONGWOOD, FL 32779

2. Proposed Improvements (Describe briefly below):

BUILD A DETACHED 3 CAR GARAGE

ACROSS FROM EXISTING 3 CAR GARAGE ON HOUSE

Signature of Applicant Roberta W. Colman Date _____

TO BE COMPLETED BY THE ARCHITECTURAL REVIEW BOARD:

Date Application Received: 2/11/05

The Application was : APPROVED: 2/16/05

(Name of Architect/Date of Plans) _____

Conditions: Subject to Variance approval
Variance must Be submitted to Board
after approved.

This approval is granted by the above referenced Board, but is subject to the project conforming to Seminole County approvals and all set back requirements of Seminole County or restrictions which may be of record.

DISAPPROVED: _____

The Application was disapproved for, among other things, the following reasons:

NOT ACTED UPON: _____

at a meeting of the ARB on 2/16/05 with the following Board members in attendance:

Luciano Priore Jr.
Member

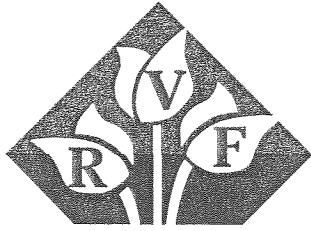
Erud Legrow
Member

Subject To Approved
Set Backs
EL

Chairman

Member

[Signature]
Member



Roseville Farms

04/04/05

Dear Mr. Boccard:

I am in receipt of your letter dated 04/04/05, regarding my neighbor, Dr. Irving, and his intention to seek a variance. I have reviewed the proposed building site which I understand is directly across from his current garage and adjacent to my western perimeter wall. I have no objection to this variance as long as a minimum space of 25 inches is left between my perimeter wall and the outside of the new proposed structure and that you obtain proper permission from the Sweetwater Club Architectural review board as well as all necessary Seminole county permits.

I hope you find this letter sufficient for your purposes, sincerely

David Raab

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 25, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 4 BLK C SWEETWATER CLUB UNIT 1 PB 18 PGS 26 27 + 28

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

FINDINGS OF FACT

Property Owner: IRVING L COLVIN TRUSTEE
400 GRANDVIEW PLACE
LONGWOOD, FL 32779

Project Name: GRANDVIEW PLACE (400)

Requested Development Approval:

MINIMUM (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR A PROPOSED GARAGE IN THE R-1AAA (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 garage 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: