

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 15 FEET FOR A PROPOSED SHED; AND (2) MINIMUM FRONT YARD SETBACK VARIANCE FROM 46.67 FEET TO 31.77 FEET FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (VIRGINIA REYNOLDS, 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

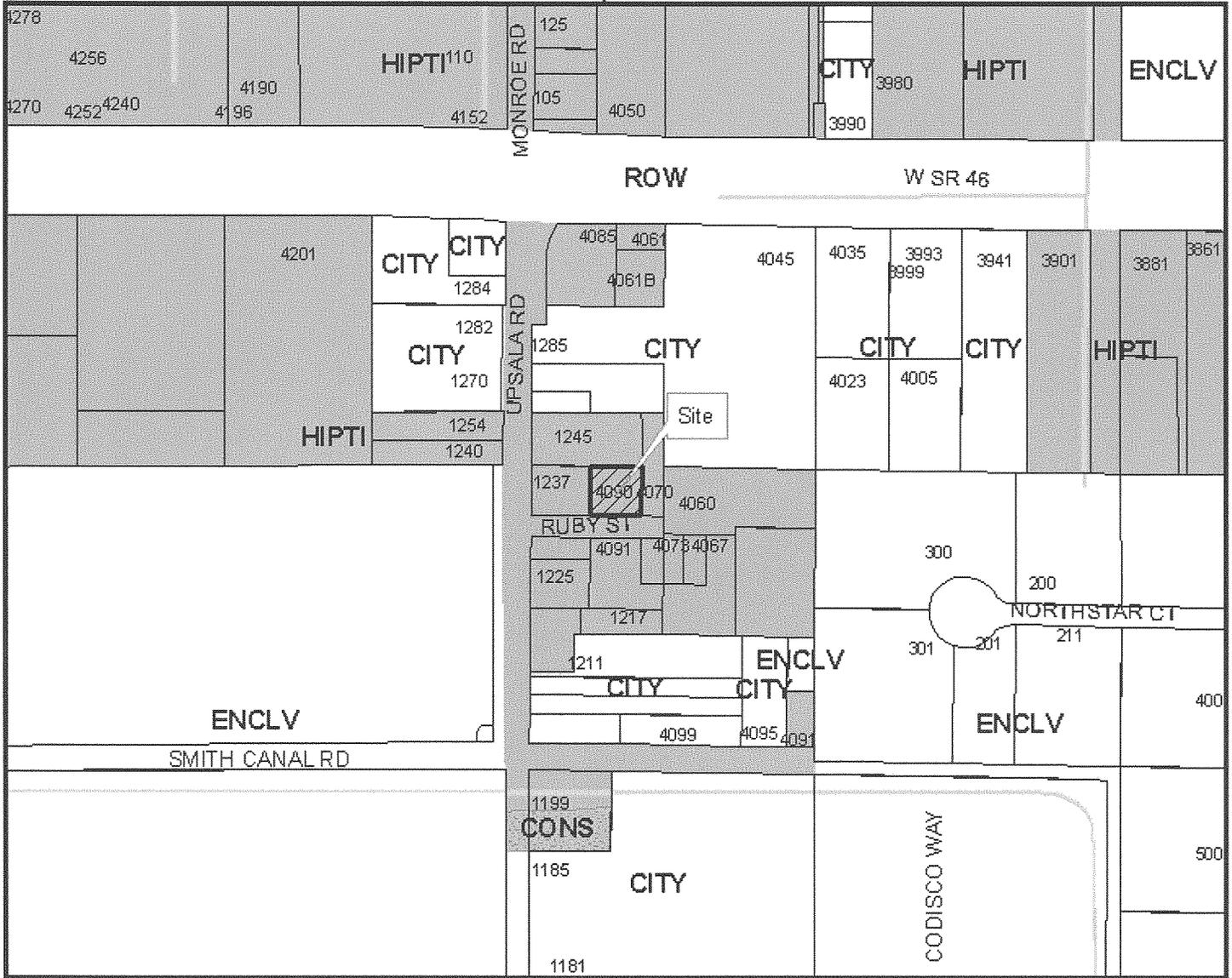
**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 15 FEET FOR A PROPOSED SHED; AND (2) MINIMUM FRONT YARD SETBACK VARIANCE FROM 46.67 FEET TO 31.77 FEET FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (VIRGINIA REYNOLDS, APPLICANT); OR
2. **DENY** REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 15 FEET FOR A PROPOSED SHED; AND (2) MINIMUM FRONT YARD SETBACK VARIANCE FROM 46.67 FEET TO 31.77 FEET FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (VIRGINIA REYNOLDS, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT: VIRGINIA REYNOLDS LOCATION: 4090 RUBY STREET ZONING: A-1 (AGRICULTURE DISTRICT)
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"> <li>• AN ADMINISTRATIVE VARIANCE WAS OBTAINED BY THE PROPERTY OWNER ON MARCH 5, 2005 TO REDUCE THE FRONT YARD SETBACK FROM 50 FEET TO 46.67 FEET FOR A PROPOSED HOME. THE APPLICANT WISHES TO FURTHER REDUCE THE SETBACK TO RELOCATE AN EXISTING HOME ON THE PARCEL.</li> <li>• THE APPLICANT PROPOSES TO RELOCATE A HOME THAT WOULD ENCROACH 14.9 FEET INTO THE</li> </ul>

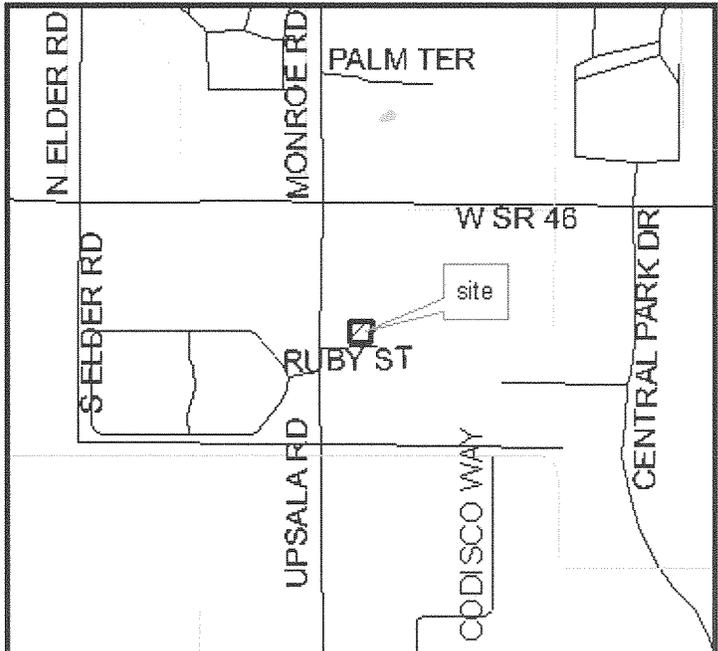
	<p>MINIMUM FRONT YARD SETBACK AND A SHED THAT WOULD ENCROACH 15 FEET INTO THE MINIMUM REAR YARD SETBACK; THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED.</p> <ul style="list-style-type: none"><li>• THE LOT DOES NOT MEET DIMENSIONAL AND SIZE REQUIREMENTS OF THE A-1 ZONING DISTRICT. HOWEVER, LOT BUILDABILITY HAS BEEN ESTABLISHED BY VIRTUE OF BUILDING PERMITS ISSUED IN THE PAST. FOR THIS REASON NO LOT SIZE OR WIDTH AT THE BUILDING LINE VARIANCES ARE REQUIRED.</li></ul>
<b>STAFF FINDINGS</b>	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCES. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"><li>• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE LOT OR PROPOSED HOME AND SHED HAVE BEEN DEMONSTRATED. A SMALLER HOME AND SHED COULD BE CONSTRUCTED TO COMPLY WITH DISTRICT SETBACK REQUIREMENTS;</li><li>• THE REQUESTED VARIANCES WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE A-1 DISTRICT; AND</li><li>• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT THE REQUESTED VARIANCES.</li></ul>
<b>STAFF RECOMMENDATION</b>	<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"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED HOME AND 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>

Virginia Reynolds  
 4090 Ruby Street  
 Sanford, FL 32773

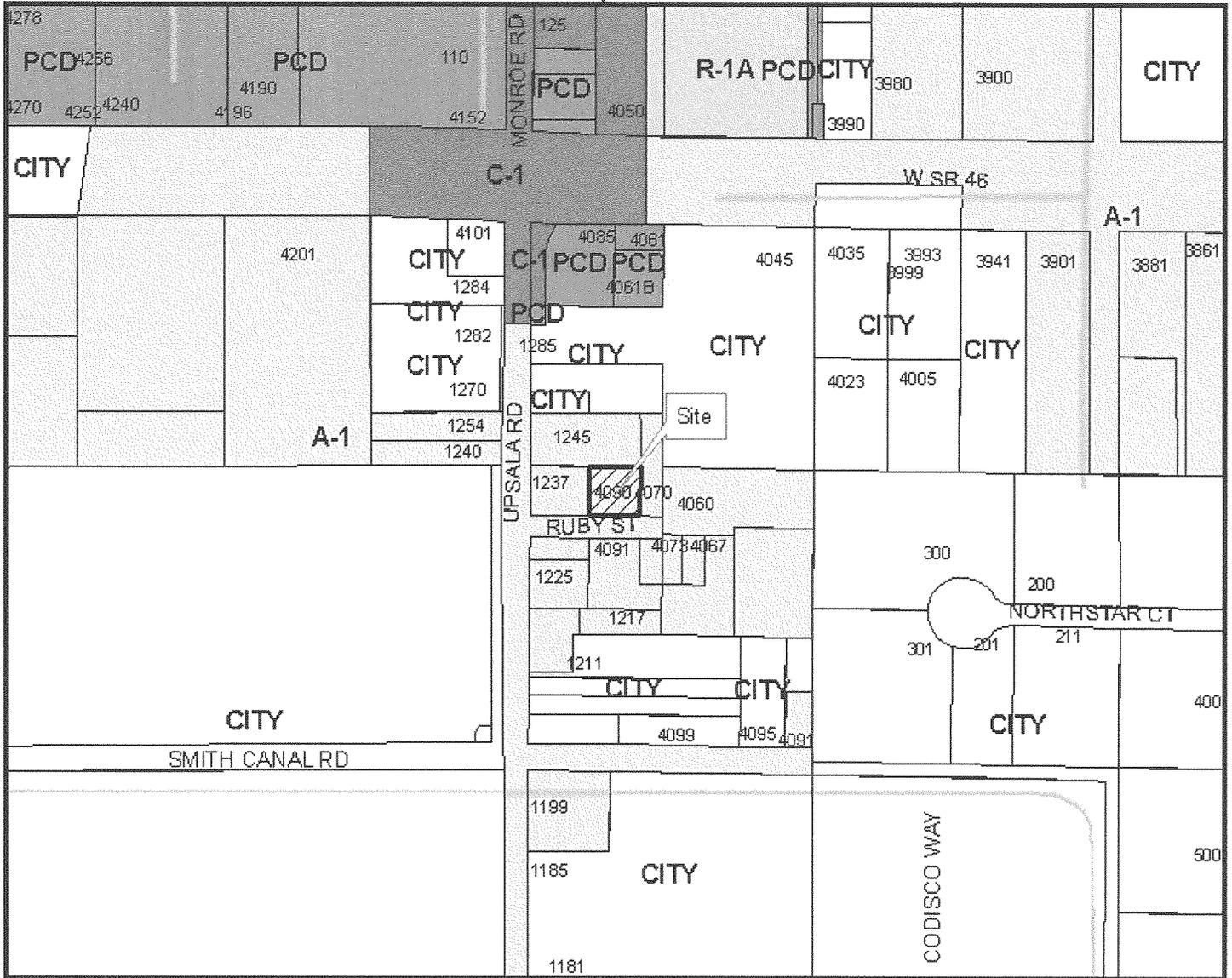


Seminole County Board of Adjustment  
 April 25, 2005  
 Future Land Use Map  
 Case: BV2005-028  
 Parcel No: 28-19-30-502-0000-0080

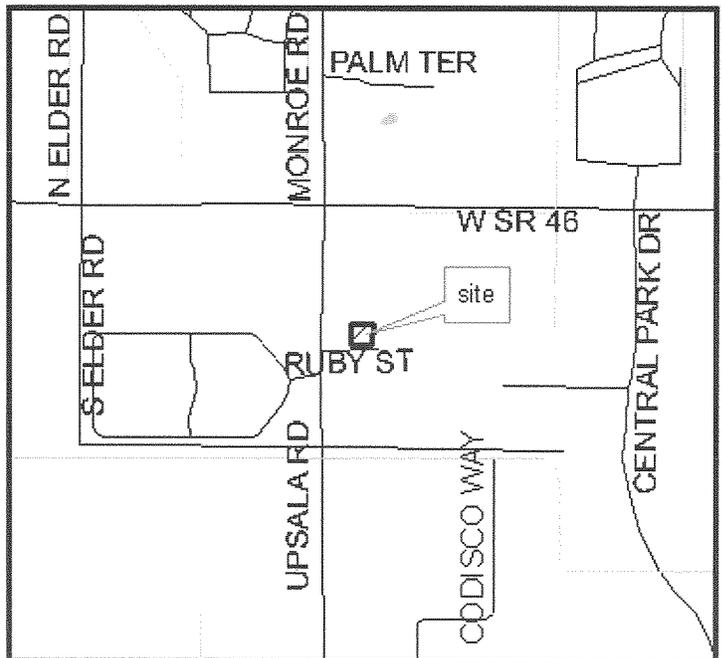
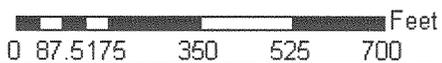
A north arrow is located at the bottom center of the text box. Below it is a scale bar marked in feet, with increments at 0, 87.5175, 350, 525, and 700.

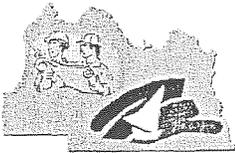


Virginia Reynolds  
 4090 Ruby Street  
 Sanford, FL 32773



Seminole County Board of Adjustment  
 April 25, 2005  
 Zoning Map  
 Case: BV2005-028  
 Parcel No: 28-19-30-502-0000-0080





**COPY**

APPL. NO. BV2005-028

**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 front yard setback from 46.67 to 31.77 for a proposed home
- 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
- APEAL FROM DECISION OF THE PLANNING MANAGER**

RECEIVED  
MAR 17 2005

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	<u>Judy F. Erickson</u>	NAME	<u>Virginia Keynolds</u>
ADDRESS	<u>11 N. Cortez Ave Sanford, FL 32771</u>	ADDRESS	<u>900 Country Club Rd. Sanford, FL 32773</u>
PHONE 1	<u>(407) 327-2755</u>	PHONE 1	<u>(321) 377-2941</u>
PHONE 2	<u>(407) 444-8511</u>	PHONE 2	<u>(407) 323-7079</u>
E-MAIL		E-MAIL	

PROJECT NAME: 4090 Ruby Street  
 SITE ADDRESS: 4090 Ruby Street, Sanford FL 32771  
 CURRENT USE OF PROPERTY: Vacant  
 LEGAL DESCRIPTION: Leg lots 8 + 8 Booths subd P05  
Pg 6  
 SIZE OF PROPERTY: ~ 1/3 acre(s) PARCEL I.D. 28-19-30-502-0000-0080  
 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 4/25/05 (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.

Virginia A. Reynolds 3/17/05  
 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 15 feet for a proposed shed (20x40)

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	

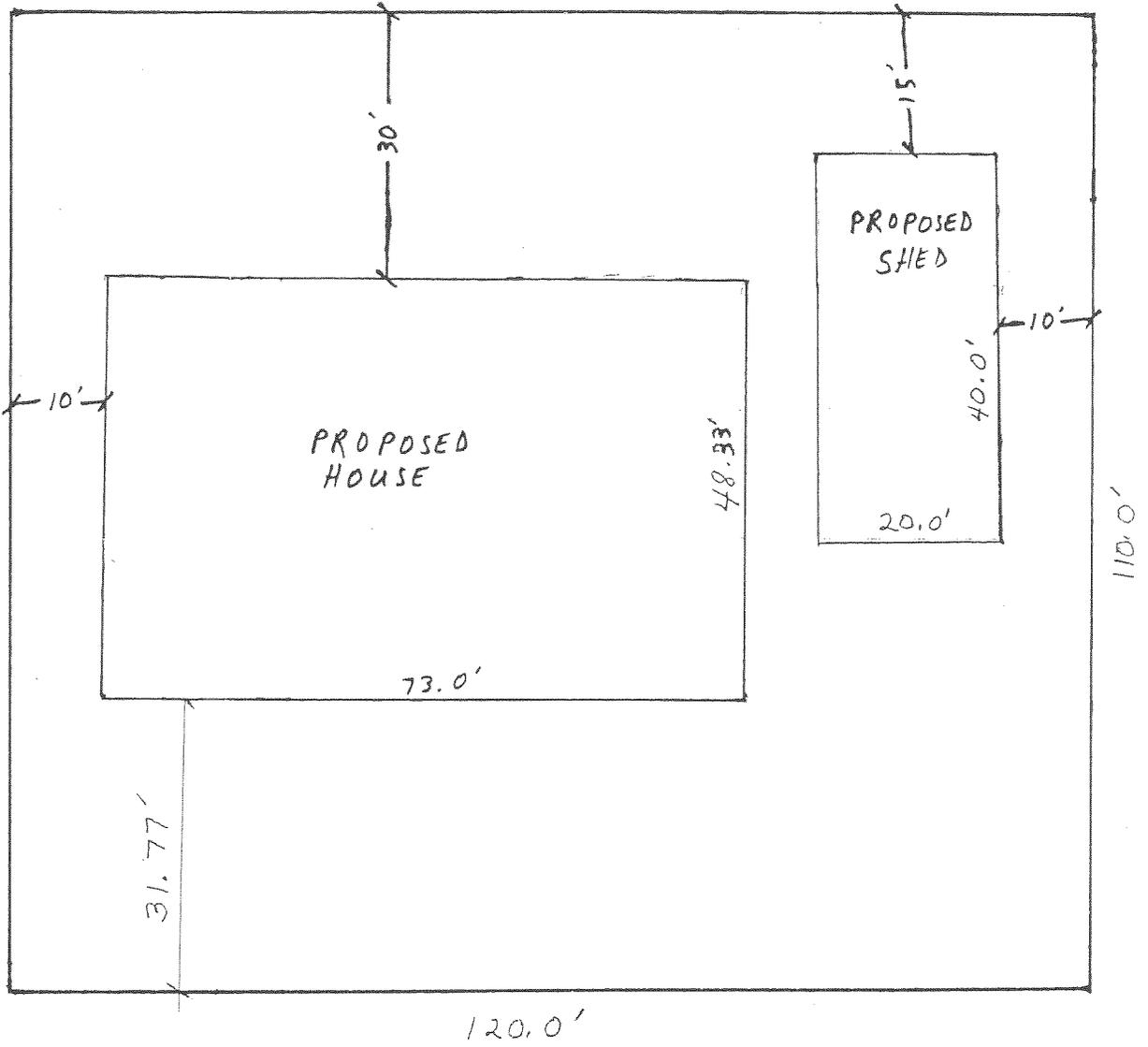
NATURE OF THE APPEAL \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ APPELLANT SIGNATURE \_\_\_\_\_

**FOR OFFICE USE ONLY**

PROCESSING: Already  
FEE(S): 200.00 PAID COMMISSION DISTRICT 5 FLU/ZONING HIP-TI/A-1  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS North side of Ruby St. Approx. 275 East of UPSALA ROAD  
PLANNING ADVISOR JV TORREGROSA & KATHY FALL DATE 3-18-05  
SUFFICIENCY COMMENTS \_\_\_\_\_



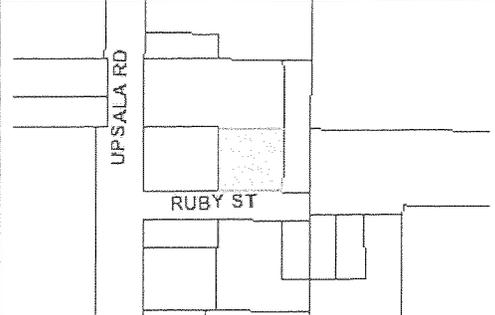
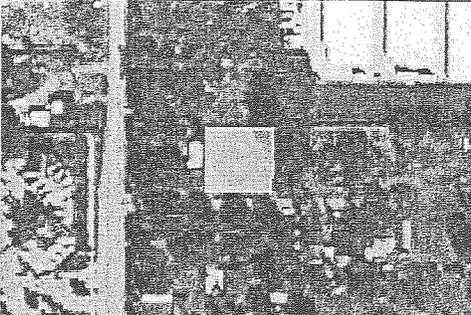
120.0'  
RUBY STREET ROW

SITE PLAN  
1" = 20'

4090 Ruby ST.



NORTH

<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>UP SALLA RD</p> <p>RUBY ST</p>	
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**GENERAL**

Parcel Id: 28-19-30-502-0000-0080      Tax District: 01-COUNTY-TX DIST 1

Owner: ERICKSON JUDY F      Exemptions:

Address: 11 N CORTEZ AVE

City,State,ZipCode: SANFORD FL 32771

Property Address: 4090 RUBY ST SANFORD 32771

Subdivision Name: BOOTHES SUBD

Dor: 00-VACANT RESIDENTIAL

**2005 WORKING VALUE SUMMARY**

Value Method: Market

Number of Buildings: 0

Depreciated Bldg Value: \$0

Depreciated EXFT Value: \$0

Land Value (Market): \$9,396

Land Value Ag: \$0

Just/Market Value: \$9,396

Assessed Value (SOH): \$9,396

Exempt Value: \$0

Taxable Value: \$9,396

Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	09/2000	05005	1259	\$100	Vacant
SPECIAL WARRANTY DEED	10/2000	03938	1355	\$10,000	Vacant
CERTIFICATE OF TITLE	06/2000	03874	1317	\$100	Improved
QUIT CLAIM DEED	05/1995	02913	1653	\$100	Improved
WARRANTY DEED	07/1989	02084	1894	\$18,500	Improved
WARRANTY DEED	01/1975	01056	1357	\$6,300	Improved

Find Comparable Sales within this Subdivision

**2004 VALUE SUMMARY**

2004 Tax Bill Amount: \$159

2004 Taxable Value: \$9,396

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	120	110	.000	90.00	\$9,396

**LEGAL DESCRIPTION PLAT**

LEG LOTS 8 + 9 BOOTHES SUBD PB 5 PG 6

**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.

**AGENT AUTHORIZATION**

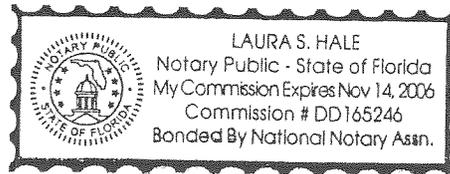
I, Judy F. Erickson, owner of property located at 4090 Ruby Street, Sanford, Florida, 32771, give Virginia Reynolds permission to apply for a variance to said property as indicated below:

LEGAL DESCRIPTION: LEG LOTS 8+9 BOOTHS SUBDIVISION PB 5 PAGE 6  
PARCEL ID: 28-19-30-502-0000-0080

**STATEMENT OF VARIANCE REQUEST**

VARIANCE TO BE REQUESTED: Front yard setback variance from 50 feet to 46.67 feet for proposed residence to be located on the property.

Signature: *Judy Erickson*  
Date: *Mar 2, 2005*



*Laura S. Hale*  
*March 2, 2005*



**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 6 + 9 BOOTHS SUBD PB 5 PG 6

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

**FINDINGS OF FACT**

**Property Owner:** JUDY F. ERICKSON  
11 NORTH CORTEZ AVENUE  
SANFORD, FL 32771

**Project Name:** RUBY STREET (4090)

**Requested Development Approval:**

1. MINIMUM FRONT YARD SETBACK VARIANCE FROM 46.67 FEET TO 31.77 FEET FOR A PROPOSED HOME; AND
2. MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 15 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

**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 and 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: