

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

SUBJECT: REQUEST FOR (SOUTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR A PROPOSED COVERED PATIO ADDITION IN AN R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (GLENN & CONNIE GROSSMAN, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Michael Rumer **EXT.** 7398

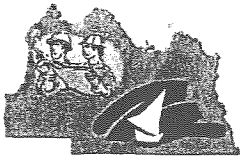
Agenda Date 05/23/05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR (SOUTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR A PROPOSED COVERED PATIO ADDITION IN A R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (GLENN & CONNIE GROSSMANN APPLICANT); OR
2. **DENY** THE REQUEST FOR (SOUTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR A PROPOSED COVERED PATIO ADDITION IN A R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (GLENN & CONNIE GROSSMANN APPLICANT)OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: GLENN & CONNIE GROSSMANN LOCATION: 2861 ALOMA LAKE RUN ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A COVERED PATIO ADDITION (APPROXIMATELY 12'X18') TO AN EXISTING HOME THAT WOULD ENCROACH 12 FEET INTO A MINIMUM 30 FOOT REAR YARD SETBACK. • THE PROPOSED ADDITION WOULD ALLOW COVERED ACCESS TO A POOL BATH. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE R-1AA (SINGLE-FAMILY

	<p>DWELLING DISTRICT) BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP BY THE APPLICANTS.</p> <ul style="list-style-type: none">• THE APPLICANTS WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT GRANTING THE REQUESTED VARIANCE.• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED ADDITION HAVE BEEN DEMONSTRATED.• THE ADJACENT PROPERTY IS A PLATTED CONSERVATION AND DRAINAGE EASMENT (TRACT "D"), WHICH WOULD REMAIN UNDEVELOPED IN ITS NATURAL CONDITION.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST. 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 PATIO 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.



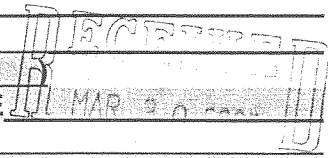
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APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

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** backyard setback variance from 30' to 18' for proposed covered patio to allow access to pool bath.
- 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	Glenn & Connie Grossman	
ADDRESS	2861 Aloma Lake Run Oviedo, Fla. 32765	
PHONE 1	407-365-3294	
PHONE 2	407-497-9709 (9701)	
E-MAIL	uncmba@bellsouth.net	

PROJECT NAME: _____

SITE ADDRESS: 2861 Aloma Lake Run, Oviedo

CURRENT USE OF PROPERTY: single family home

LEGAL DESCRIPTION: lot 165, Estates at Aloma Woods Phase III, plat book 54, pgs 15-17, Public records of Seminole Cty. Fla.

SIZE OF PROPERTY: 90' x 130' (1/4) acre(s) PARCEL I.D. lot #165 32-21-31-5A17-0000-1650

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 5, 23, 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.

[Signature]
 SIGNATURE OF OWNER OR AGENT* 3/26/05
DATE

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

MR

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 1 FLU/ZONING R-1AA / LOR

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS south of Aloma Lake Run about 1/10 mi. east of the intersection of Oak Hill Tr. + Aloma Lk. Run

PLANNING ADVISOR J.V. DATE 3/30/01

SUFFICIENCY COMMENTS _____

PLAT OF SURVEY

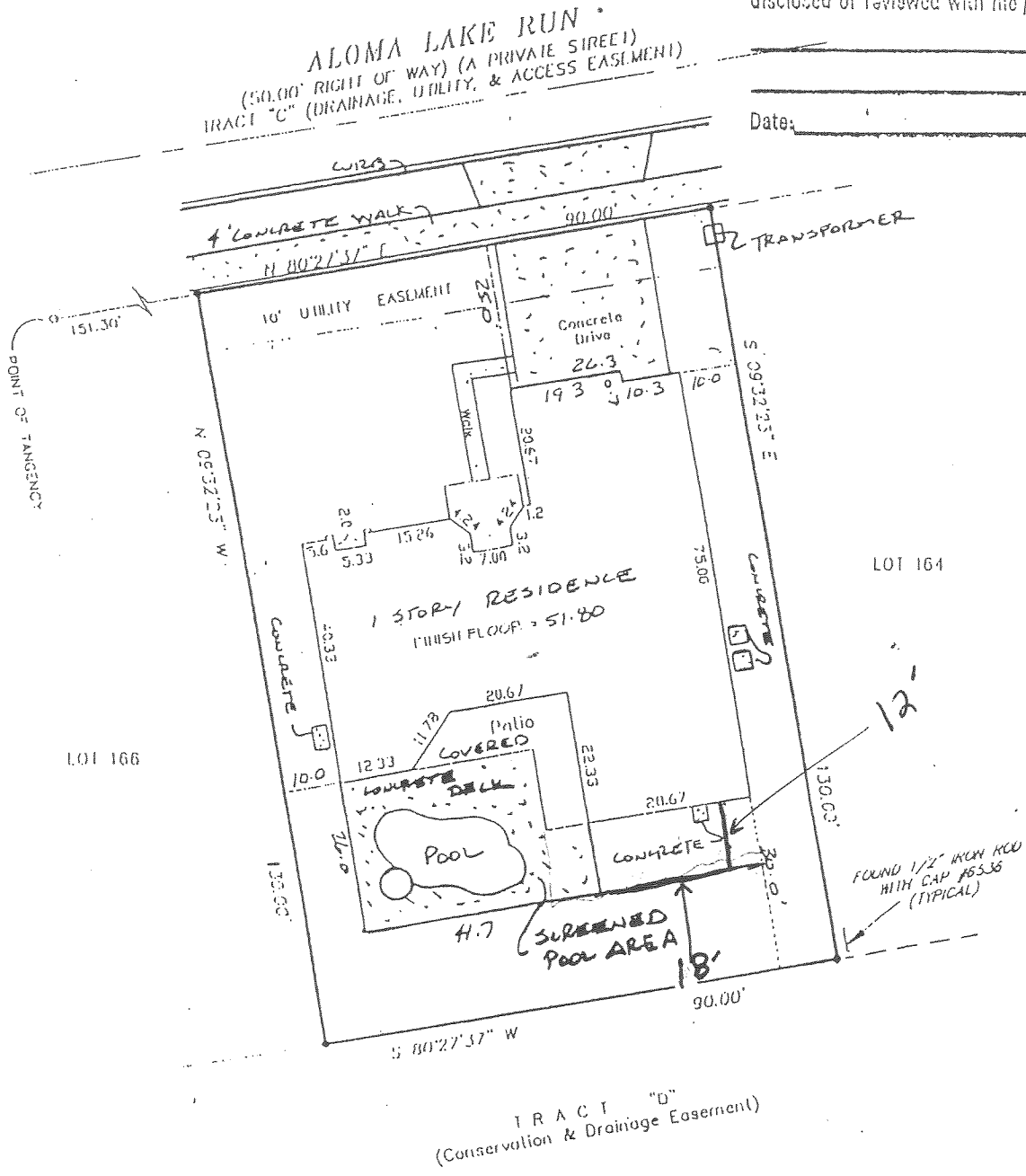
LAND DESCRIPTION:

LOT 165, ESTATES AT ALOMA WOODS PHASE III, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 54, PAGES 15-17, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

ADDRESS: #2861 ALOMA LAKE RUN

The undersigned acknowledges receipt of a copy of this survey and that the items HIGHLIGHTED hereon have been disclosed or reviewed with me/us.

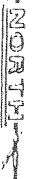
Date: _____

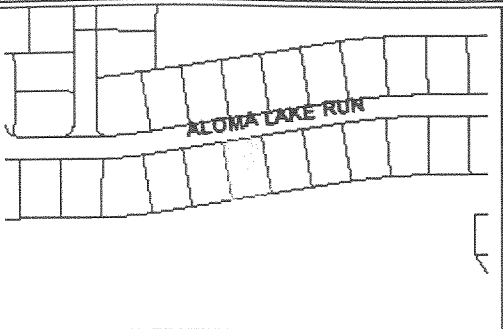



SURVEYORS NOTES:

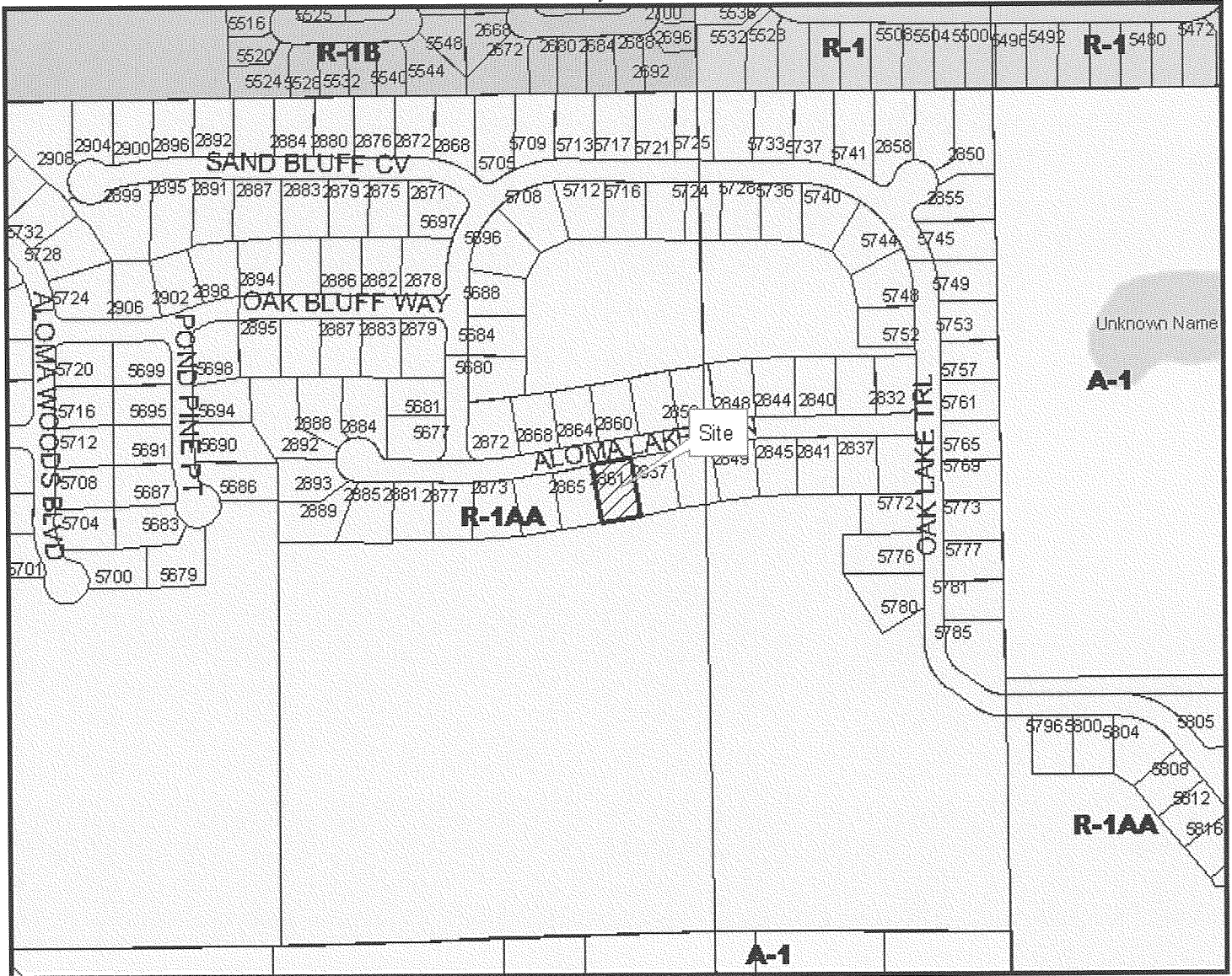
1. Unless it bears the signature and the original raised seal of a Florida Licensed Surveyor and Mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.
2. Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
3. Underground portions of footings, foundations, or other improvements were not located.
4. Bearings are based on Aloma Lake Run as being N 80°27'37\" E.
5. I have reviewed the Flood Insurance Rate Map and determined that this property does not lie within the 100 year flood zone.
6. House lines are not to be used to reconstruct property lines.
7. Elevations are based on Seminole county datum.
8. Only Visible Encroachments Located.
9. FENCE OWNERSHIP NOT DETERMINED.

SCALE: 1" = 30'








<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 407-665-7506</p>																				
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 32-21-31-5NT-0000-1650 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: GROSSMANN GLENN R & CONNIE P Exemptions: 00-HOMESTEAD</p> <p>Address: 2861 ALOMA LAKE RUN</p> <p>City,State,ZipCode: OVIEDO FL 32765</p> <p>Property Address: 2861 ALOMA LAKE RUN OVIEDO 32765</p> <p>Subdivision Name: ESTATES AT ALOMA WOODS PH 3</p> <p>Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$272,394</p> <p>Depreciated EXFT Value: \$15,667</p> <p>Land Value (Market): \$49,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$337,061</p> <p>Assessed Value (SOH): \$300,071</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$275,071</p> <p>Tax Estimator</p>																		
<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>SPECIAL WARRANTY DEED</td> <td>04/2000</td> <td>03832</td> <td>0528</td> <td>\$330,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1999</td> <td>03589</td> <td>1990</td> <td>\$93,900</td> <td>Vacant</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	SPECIAL WARRANTY DEED	04/2000	03832	0528	\$330,000	Improved	WARRANTY DEED	01/1999	03589	1990	\$93,900	Vacant	<p style="text-align: center;">2004 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$4,822</p> <p>2004 Tax Bill Amount: \$4,501</p> <p>Save Our Homes (SOH) Savings: \$321</p> <p>2004 Taxable Value: \$266,331</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp															
SPECIAL WARRANTY DEED	04/2000	03832	0528	\$330,000	Improved															
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<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>49,000.00</td> <td>\$49,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	49,000.00	\$49,000	<p style="text-align: center;">LEGAL DESCRIPTION PLAT</p> <p>LOT 165 ESTATES AT ALOMA WOODS PH 3 PB 54 PGS 15 THRU 17</p>						
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value															
LOT	0	0	1.000	49,000.00	\$49,000															
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	14	2,936	4,326	3,288	CB/STUCCO FINISH	\$272,394	\$279,378											
	Appendage / Sqft		OPEN PORCH FINISHED / 298																	
	Appendage / Sqft		GARAGE FINISHED / 620																	
	Appendage / Sqft		OPEN PORCH FINISHED / 120																	
	Appendage / Sqft		UPPER STORY FINISHED / 352																	
EXTRA FEATURE																				
	Description	Year Blt	Units	EXFT Value	Est. Cost New															
	POOL GUNITE	2000	450	\$7,875	\$9,000															
	COOL DECK PATIO	2000	500	\$1,531	\$1,750															
	SCREEN ENCLOSURE	2000	1,780	\$2,967	\$3,560															
	SPA	2000	1	\$2,084	\$2,500															
	ELECTRIC HEATER	2000	1	\$550	\$1,100															
	SOLAR HEATER	2001	1	\$660	\$1,100															
<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																				

**Gleen & Connie Grossmann
2861 Aloma Lake Run
Oviedo, FL 32765**




**Seminole County Board of Adjustment
May 23, 2005
Case: BV2005-036
Parcel No: 32-21-31-5NT-0000-1650**

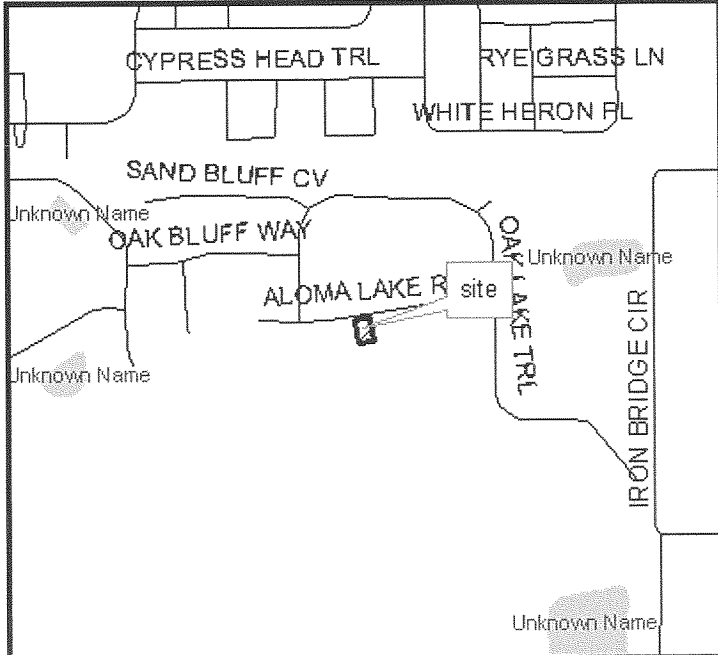
Zoning

-  A-1 Agricultural-1Ac
-  R-1AA Single Fam-11700
-  R-1 Single Fam-8400
-  R-1B Single Fam-6700
-  BV2005-036

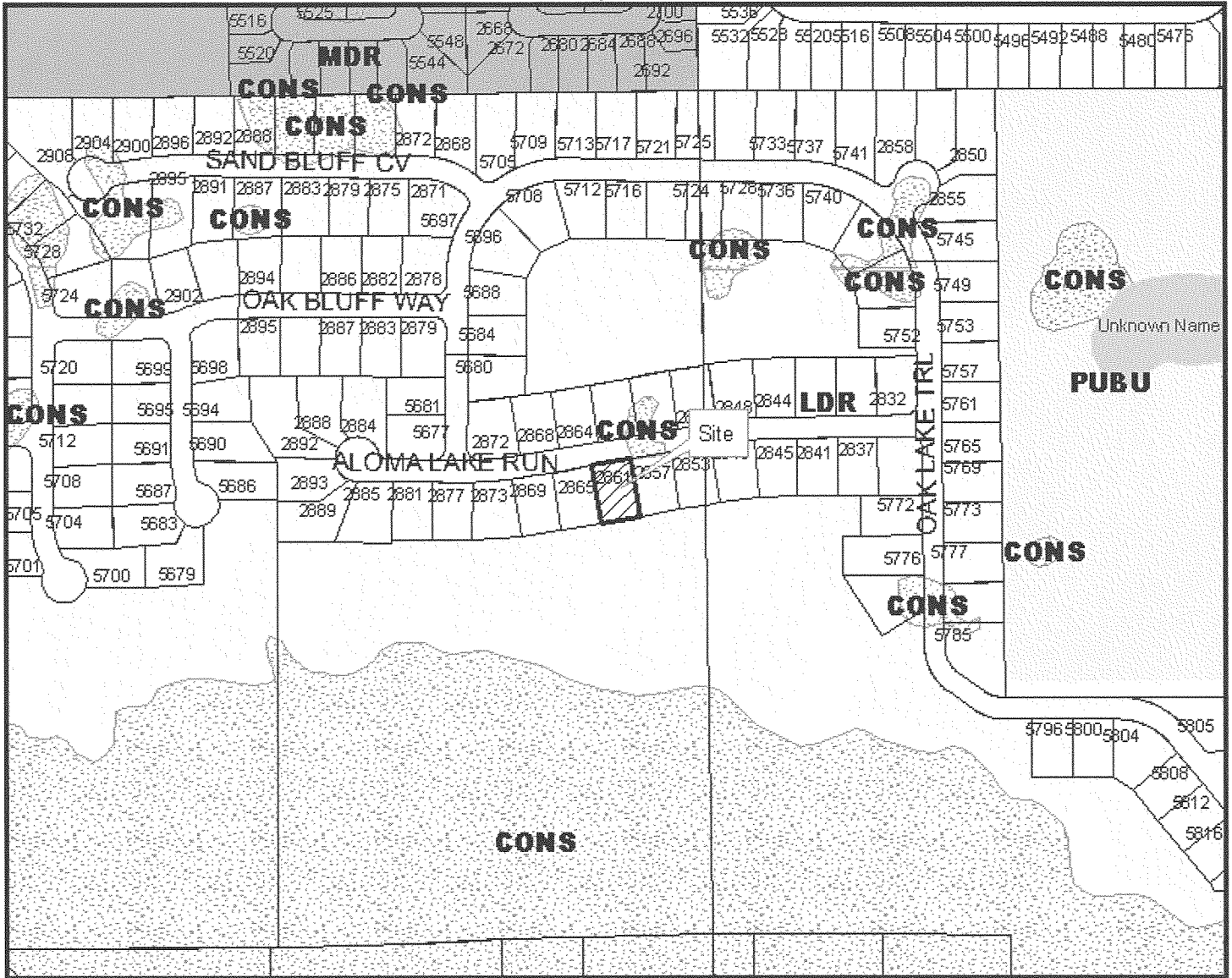
N



0 70 140 280 420 560 Feet



Gleen & Connie Grossmann
2861 Aloma Lake Run
Oviedo, FL 32765



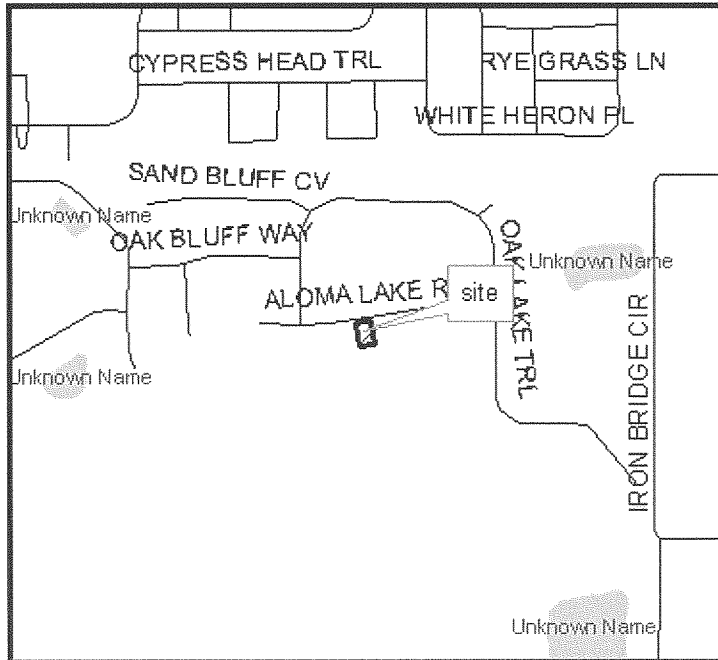
Seminole County Board of Adjustment
May 23, 2005
Case: BV2005-036
Parcel No: 32-21-31-5NT-0000-1650

Future Land Use

	CONS, PUBU		BV2005-036
	CONS, LDR		
	CONS, MDR		
	PUBU, NONE		
	LDR, NONE		
	MDR, NONE		

N

0 70 140 280 420 560 Feet



SEMINOLE COUNTY DEVELOPMENT ORDER

On May 23, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 165 ESTATES AT ALOMA WOODS PH 3 PB 54 PGS 15 THRU 17

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

FINDINGS OF FACT

Property Owner: GLENN & CONNIE GROSSMAN
2861 ALOMA LAKE RUN
OVIEDO, FL 32765

Project Name: ALOMA LAKE RUN (2861)

Requested Development Approval:

(SOUTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 18 FEET FOR A PROPOSED COVERED PATIO 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: Michael Rumer, 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 variance granted will apply only to the proposed covered patio 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: