

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3.5 FEET FOR AN EXISTING SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (PAUL BROCK, APPLICANT).

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

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

Agenda Date 06/27/05 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3.5 FEET FOR AN EXISTING SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (PAUL BROCK, APPLICANT); OR
2. **DENY** REQUEST FOR SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3.5 FEET FOR AN EXISTING SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (PAUL BROCK, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT: LOCATION: ZONING:	PAUL BROCK 1450 NORTH STREET R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
<b>BACKGROUND/ REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT CONSTRUCTED A SHED THAT ENCROACHES 6.5 FEET INTO THE MINIMUM SIDE YARD SETBACK WITHOUT A BUILDING PERMIT; THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED.</li> <li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li> </ul>	
<b>STAFF FINDINGS</b>	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> <li>• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR EXISTING SHED HAVE BEEN DEMONSTRATED.</li> <li>• THE SHED COULD HAVE BEEN BUILT TO COMPLY WITH</li> </ul>	

	<p>THE CODE OR COULD BE RELOCATED TO NEGATE THE NEED FOR A VARIANCE.</p> <ul style="list-style-type: none"><li>• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.</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 REQUEST. 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 EXISTING 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>



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 2005-50

**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 yard setback VARIANCE from 10 feet to <sup>3.5</sup> feet for existing shed.
- 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>PAUL BLOCK</u>	
ADDRESS	<u>1450 NORTH ST.</u>	
	<u>CONA WOOD FL. 32750</u>	
PHONE 1	<u>407-332-8399</u>	<u>(407) 332-8399</u>
PHONE 2		
E-MAIL		

PROJECT NAME: SHED

SITE ADDRESS: 1450 NORTH ST.

CURRENT USE OF PROPERTY: RESIDENCE

LEGAL DESCRIPTION: LEG LOTS 14 TO 16 B/LK G TRACT 15  
SANLANDO SPRINGS

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 01-21-29-5010-1509-0140

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 6/27/05 (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] 4.6.05  
 SIGNATURE OF OWNER OR AGENT\* DATE

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

**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 4 FLU/ZONING R-1AA /LOR  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS North of North St. less than 1/2 mile west of the intersection of North Street and Brook Ave  
PLANNING ADVISOR \_\_\_\_\_ DATE 4/25/05  
SUFFICIENCY COMMENTS \_\_\_\_\_



Jmiller5927@aol.com  
06/20/2005 05:47 AM

To plandesk@seminolecountyfl.gov  
cc  
bcc  
Subject 1450 north street variance

I live at 490 allison ave , my property backs up to the property in question. Please don't allow this variance, not only is it unsightly it poses a fire risk. If one property catches fire it can easily spread to the neighboring properties. This is an existing shed but it was only built a couple months ago and is not " grandfathered " in. The property owner also drilled a well without permits. This home already looks bad enough and the neighborhood should have been notified when it was being built a couple years ago, It is a poorly constructed prefab that was brought in on trailers and the setbacks are different than the rest on north street. Please don't allow this variance, our property values have already been affected by this property. I hope this letter is enough but if you need me to be at the hearing let me know and I will try to arrange it. I believe this is the variance # BV2005-050  
John Miller

# SWERDLOFF & PERRY

SURVEYING, INC.

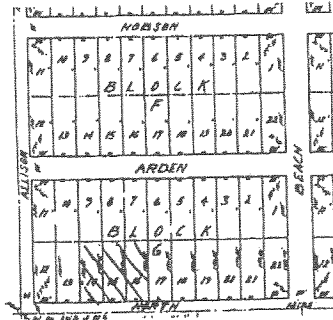
3525 W. Lake Mary Boulevard, Suite 301 - Lake Mary, FL 32746 - Voice 407.688.7631 - Fax 407.688.7691

### Legal Description

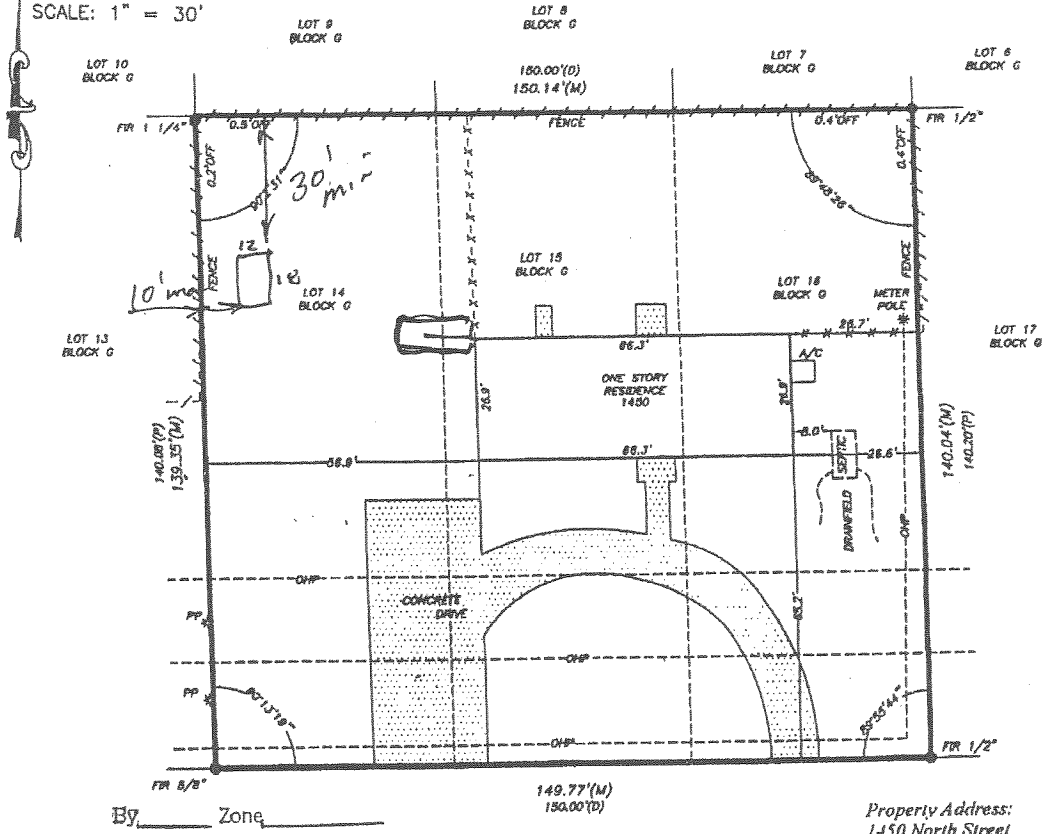
**Lots 14, 15 and 16, Block G, SANLANDO SPRINGS TRACT NO. 15 SECOND REPLAT, according to the plat thereof, as recorded in Plat Book 9, Page(s) 7, of the Public Records of Seminole County, FL.**

**Community number: 120289 Panel: 0140  
 Suffix: E.F.R.M. Date: 4/17/1995 Flood Zone: X  
 Date of field work: 12/29/2004 Completion Date: 12/29/2004**

**Certified to:  
 Paul E. Brock; Watson Title Insurance, Inc.; Attorneys' Title Insurance Fund, Inc.; National City Mortgage, Its' successors and/or assigns.**



SCALE: 1" = 30'



By \_\_\_\_\_ Zone \_\_\_\_\_

**APR 06 2005** NORTH STREET

SEMINOLE COUNTY  
 ZONING - APPROVED  
 PERMIT # \_\_\_\_\_

**Property Address:  
 1450 North Street  
 Longwood, FL 32750**

**Survey number: SL 45132**

### LEGEND

-//-	Wood Fence	CATV	Cable Riser
-x-x-	Wire Fence	W.M.	Water Meter
FN	Found Nail	TEL	Telephone Facilities
*	Property Corner	B.R.	Bearing Reference
R	Record	CH	Chord
M	Field Measured	RAD	Radial
CL	Clear	N.R.	Non Radial
ENCR	Encroachment	A/C	Air Conditioner
C	Centerline	B.M.	Bench Mark
CONC	Concrete	C	Calculated
R	Property Line	ZZZZ	Block Wall
C.M.	Concrete Monument	Δ	Central Angle/Delta
F.I.R.	Found Iron Rod	D.B.	Deed Book
F.I.P.	Found Iron Pipe	D.	Description or Deed
R.W.	Right of Way	D.H.	Drill Hole
N&D	Nail & Disk	D.H.	Driveway
D.E.	Drainage Easement	ESMT	Easement
U.E.	Utility Easement	EL	Elevation
FD	Found	FF	Finished Floor
P	Pit	F.C.M.	Found Concrete Monument
ASPH	Asphalt	F.B.K.	Found Parker-Kalon Nail
O.H.U.	Overhead Utilities	L	Length
PP	Power Pole	L & F	Limited Access Easement
TV	Telephone		

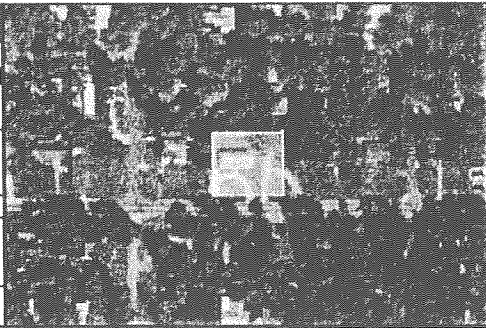
### GENERAL NOTES

1. Legal description provided by others.
2. The lands shown hereon were not abstracted for easements or other recorded encumbrances not shown on the plat.
3. Underground portions of footings, foundations or other improvements were not located.
4. Well ties are to the face of the well.
5. Only visible encroachments located.
6. No identification found on property corners unless noted.
7. Dimensions shown are plat and measured unless otherwise noted.
8. Elevations if shown are based upon M.G.V.D., 1925 unless otherwise noted.
9. Adjoining lots are within the same block, unless otherwise noted.
10. This is an AS-BUILT SURVEY unless otherwise noted.
11. Not valid unless sealed with the signing surveyors embossed seal.
12. Find some determinations are provided as a courtesy only, and are derived from the best sources available to the surveyor. This information should not be relied upon for flood insurance purposes, and may differ from information provided by others.
13. L.B. 7132



I hereby certify that this survey is a true and correct representation of a survey prepared under my direction.

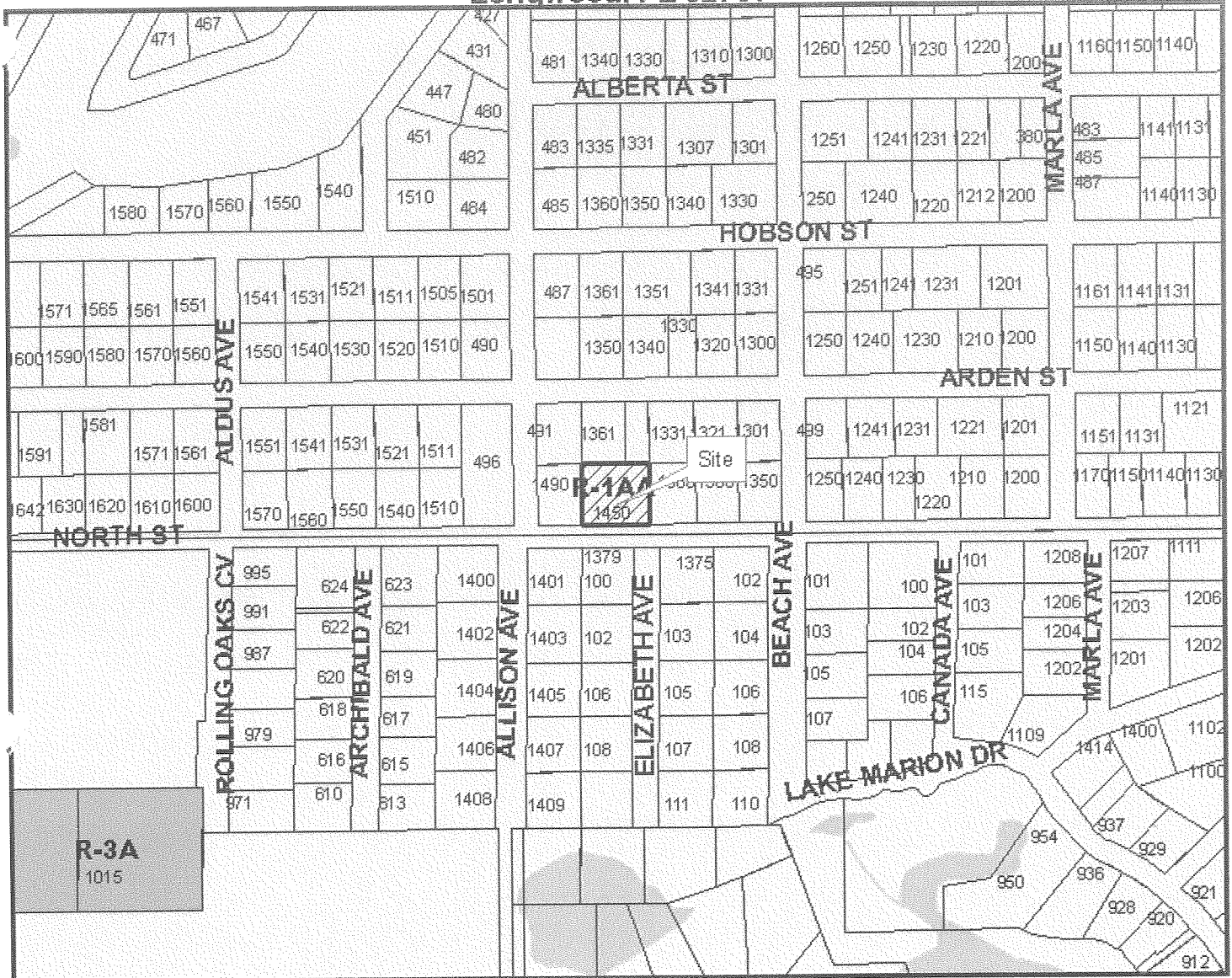
Ralph Swerdloff  
 Registered Land Surveyor No. 3411

<b>PARCEL DETAIL</b> DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506																																												
<b>GENERAL</b> Parcel Id: 01-21-29-5CK-150G-0140      Tax District: 01-COUNTY-TX DIST 1 Owner: BROCK PAUL E      Exemptions: 00-HOMESTEAD Address: 1450 NORTH ST City,State,ZipCode: LONGWOOD FL 32750 Property Address: 1450 NORTH ST LONGWOOD 32750 Subdivision Name: SANLANDO SPRINGS Dor: 01-SINGLE FAMILY		<b>2005 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$105,632 Depreciated EXFT Value: \$0 Land Value (Market): \$32,076 Land Value Ag: \$0 Just/Market Value: \$137,708 Assessed Value (SOH): \$137,708 Exempt Value: \$25,000 Taxable Value: \$112,708 Tax Estimator																																										
<b>SALES</b> <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>SPECIAL WARRANTY DEED</td> <td>12/2004</td> <td>05576</td> <td>1678</td> <td>\$120,000</td> <td>Improved</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>11/2004</td> <td>05507</td> <td>1917</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/2003</td> <td>04751</td> <td>1251</td> <td>\$139,900</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/2002</td> <td>04328</td> <td>1881</td> <td>\$26,000</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1984</td> <td>01605</td> <td>0523</td> <td>\$16,000</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01122</td> <td>1613</td> <td>\$100</td> <td>Vacant</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	SPECIAL WARRANTY DEED	12/2004	05576	1678	\$120,000	Improved	CERTIFICATE OF TITLE	11/2004	05507	1917	\$100	Improved	WARRANTY DEED	03/2003	04751	1251	\$139,900	Improved	WARRANTY DEED	02/2002	04328	1881	\$26,000	Vacant	WARRANTY DEED	12/1984	01605	0523	\$16,000	Vacant	WARRANTY DEED	01/1977	01122	1613	\$100	Vacant	<b>2004 VALUE SUMMARY</b> Tax Value(without SOH): \$2,147 2004 Tax Bill Amount: \$2,147 Save Our Homes (SOH) Savings: \$0 2004 Taxable Value: \$127,042 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS
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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.																																												

36R  
105




RIAA

Paul Brock  
 1450 North St  
 Longwood, FL 32750



Seminole County Board of Adjustment  
 June 27, 2005  
 Case: BV2005-050  
 Parcel No: 01-21-29-5CK-150G-0140

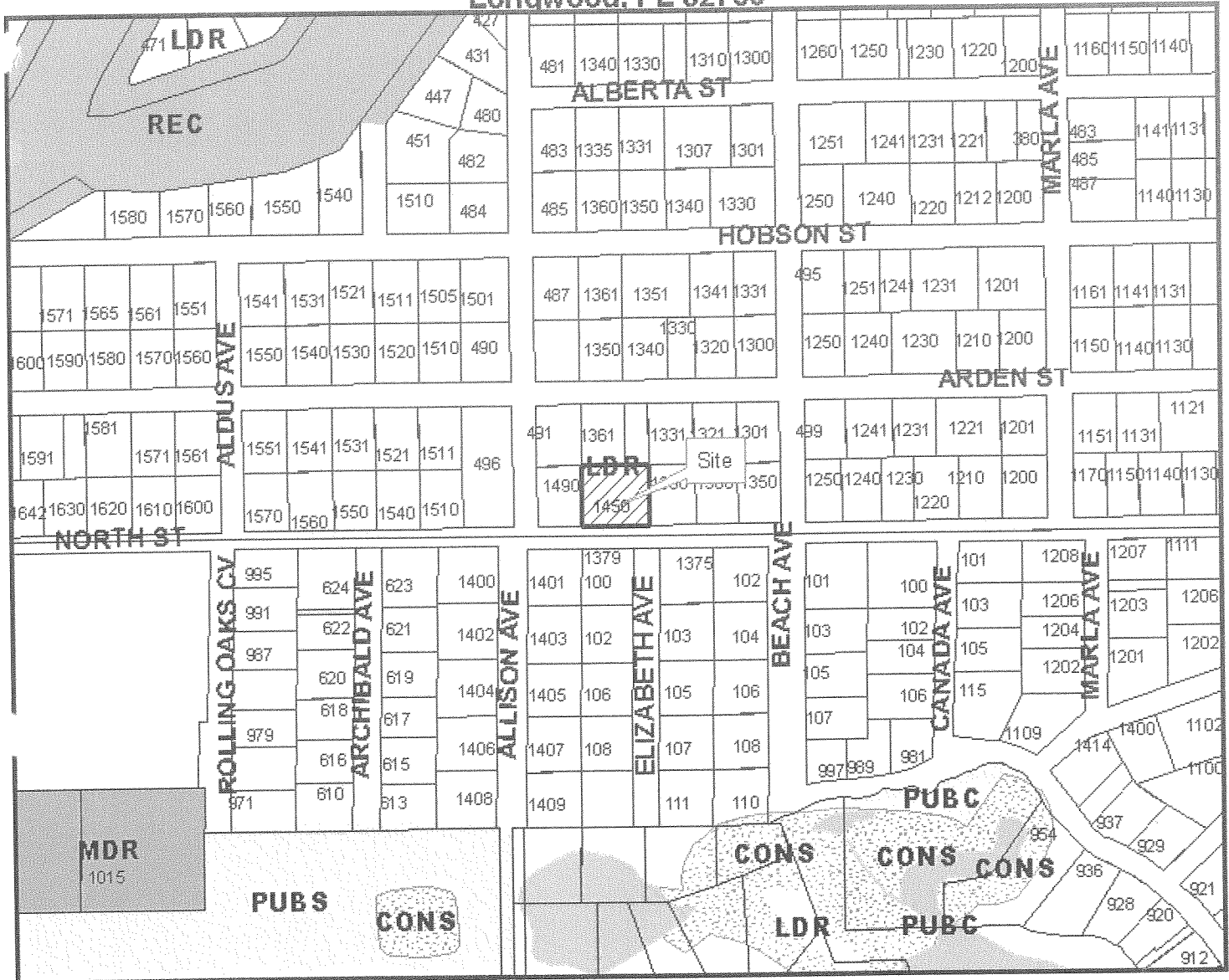
**Zoning**

-  R-1AA Single Fam-11700
-  R-3A Multi-Family-10DU
-  BV2005-050





Paul Brock  
 1450 North St  
 Longwood, FL 32750



Seminole County Board of Adjustment  
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### Future Land Use

	CONS, PUBC	PUBS, NONE
	PUBC, NONE	LDR, NONE
	CONS, PUBS	MDR, NONE
	CONS, LDR	BV2005-050
	REC, NONE	

0 75 150 300 450 600 Feet



**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On June 27, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 14 TO 16 BLK G TRACT 15 SANLANDO PB 9 PG 7

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

**FINDINGS OF FACT**

**Property Owner:** PAUL BROCK  
1450 NORTH STREET  
LONGWOOD, FL 32750

**Project Name:** NORTH STREET (1450)

**Requested Development Approval:**

MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 3.5 FEET FOR AN EXISTING SHED 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 existing 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: