

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 8 FEET FOR A PROPOSED SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (JAIME MAISONET, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Michael Rumer **EXT.** 7387

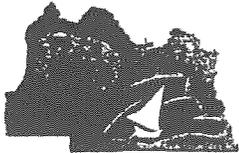
Agenda Date 06/27/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 8 FEET FOR A PROPOSED SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (JAIME MAISONET, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 8 FEET FOR A PROPOSED SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (JAIME MAISONET, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANTS: JAIME MAISONET LOCATION: 3114 NEIL ROAD ZONING: R-1AA (SINGLE-FAMILY DWELLING)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A 20X25 (500 SF) FOOT SHED THAT WOULD ENCROACH 22 FEET INTO THE MINIMUM REAR YARD SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS NOT SATISFIED THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • THE NEED FOR A VARIANCE WOULD BE NEGATED BY RELOCATING THE SHED AND REPOSITIONING TO MEET THE REQUIRED SETBACKS. • THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA ZONING DISTRICT. • THE APPLICANT WOULD RETAIN REASONABLE USE OF

	THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.
STAFF RECOMMENDATION	BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANTS, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED VARIANCE. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS: <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.



COPY

APPL. NO. BV 2005-055

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 rear yard setback variance from 30' to 8' for a proposed shed
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION**
- MEDICAL HARDSHIP**
- NIGHT WATCHMAN**
- FAMILY HARDSHIP**
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)**
- SIZE OF MOBILE HOME / RV _____**
- TIME NEEDED _____**
- PLAN TO BUILD: YES NO IF SO, WHEN _____**
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Jaime Maisonet	
ADDRESS	3114 Neil Rd.	
	Apopka, FL 32703	
PHONE 1	(407) 523-3905	
PHONE 2	(407) 484-4798	
E-MAIL		

PROJECT NAME: NEIL ROAD (3114)

SITE ADDRESS: The same as above

CURRENT USE OF PROPERTY: Single family home

LEGAL DESCRIPTION: Leg Lot 24 Tract 2 Paradise Point 2nd Sec PB 9 Pg 18

SIZE OF PROPERTY: 16,500 Ft² acre(s) PARCEL I.D. 18-21-29-509-0200-0240

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 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.

Jaime Maisonet
 SIGNATURE OF OWNER OR AGENT* 06/29/05
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

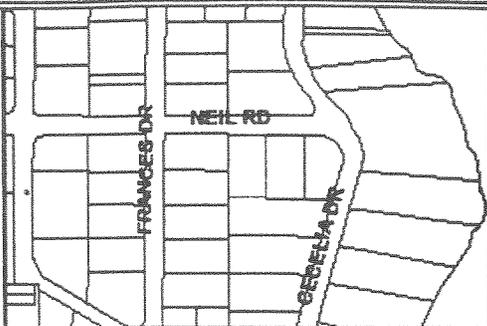
APPELLANT INFORMATION	
NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	
NATURE OF THE APPEAL _____	
_____ APPELLANT SIGNATURE _____	

FOR OFFICE USE ONLY

PROCESSING:
FEE(S): <u>9150.00</u> COMMISSION DISTRICT <u>3</u> FLU/ZONING <u>LDR/R-1AA</u>
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS <u>on the S side of Neil Rd approx</u> <u>300' E. of inter. of Frances Dr. & Neil Rd</u>
PLANNING ADVISOR <u>JV</u> DATE <u>4/29/05</u>
SUFFICIENCY COMMENTS _____

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-503-7508



GENERAL

Parcel Id: 18-21-29-509-0200-0240 Tax District: 01-COUNTY-TX DIST 1
 Owner: MAISONET JAIME & EVELYN Exemptions: 00-HOMESTEAD
 Address: 3114 NEIL RD
 City,State,ZipCode: APOPKA FL 32703
 Property Address: 3114 NEIL RD APOPKA 32703
 Subdivision Name: PARADISE POINT 2ND SEC
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$103,161
 Depreciated EXFT Value: \$1,542
 Land Value (Market): \$47,000
 Land Value Ag: \$0
 Just/Market Value: \$151,703
 Assessed Value (SOH): \$96,372
 Exempt Value: \$25,000
 Taxable Value: \$71,372
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
QUIT CLAIM DEED	07/2003	04945	1148	\$100	Improved
WARRANTY DEED	12/1997	03340	0677	\$102,000	Improved
QUIT CLAIM DEED	08/1997	03288	0785	\$100	Improved
QUIT CLAIM DEED	06/1993	02601	0824	\$100	Improved
WARRANTY DEED	03/1990	02160	0943	\$87,000	Improved
WARRANTY DEED	02/1985	01619	1161	\$89,000	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$1,376
 2004 Tax Bill Amount: \$1,159
 -Save Our Homes (SOH) Savings: \$217
 2004 Taxable Value: \$68,565
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	47,000.00	\$47,000

LEGAL DESCRIPTION PLAT

LEG LOT 24 TRACT 2 PARADISE POINT 2ND SEC PB 9 PG 18

BUILDING INFORMATION

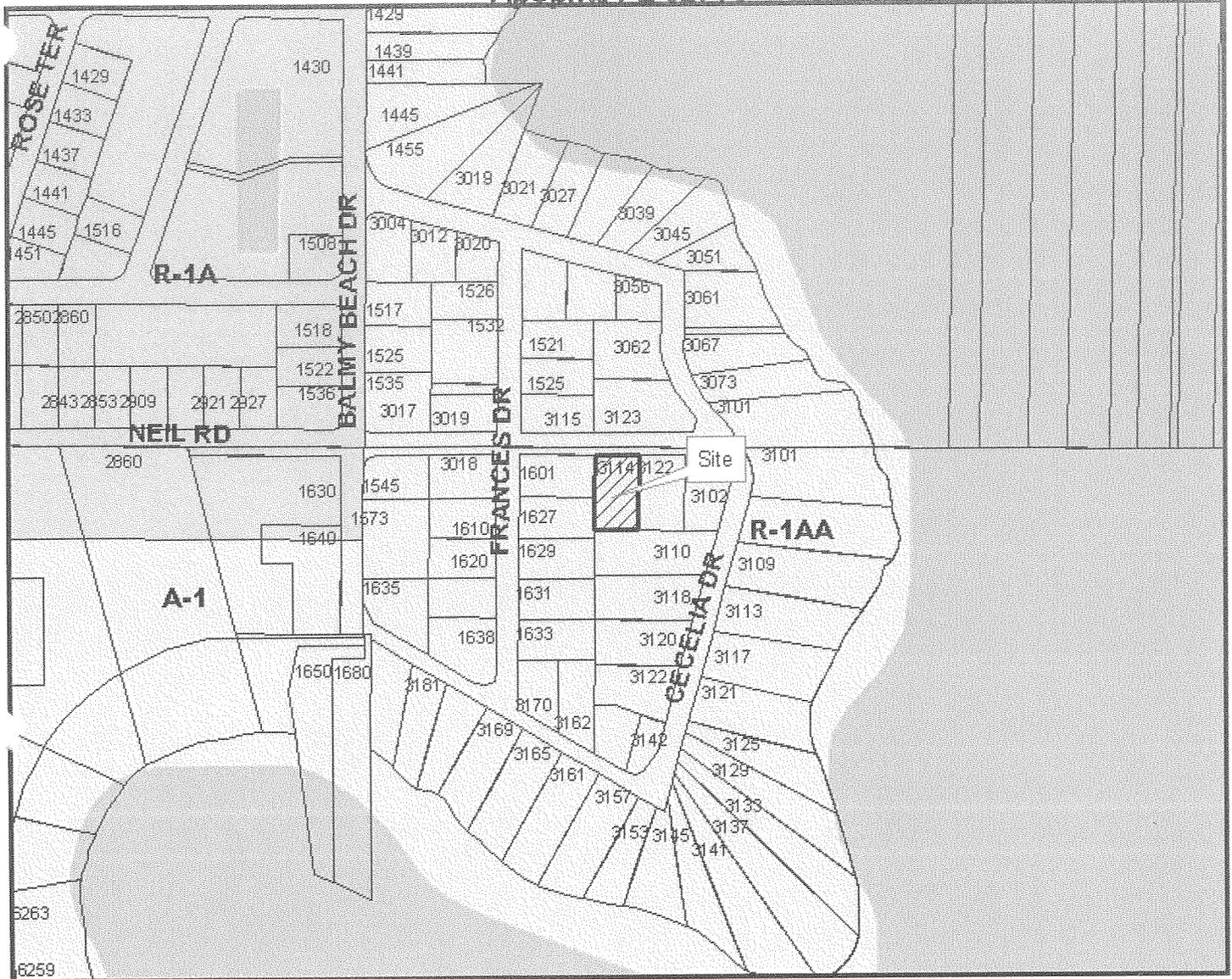
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1962	6	1,520	2,540	1,520	CONC BLOCK	\$103,161	\$133,975
	Appendage / Sqft		OPEN PORCH FINISHED / 100						
	Appendage / Sqft		GARAGE FINISHED / 400						
	Appendage / Sqft		UTILITY FINISHED / 360						
	Appendage / Sqft		BASE SEMI FINISHED / 160						

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
ALUM SCREEN PORCH W/CONC FL	1990	240	\$1,021	\$2,040
ALUM PORCH W/CONC FL	1990	160	\$521	\$1,040

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.

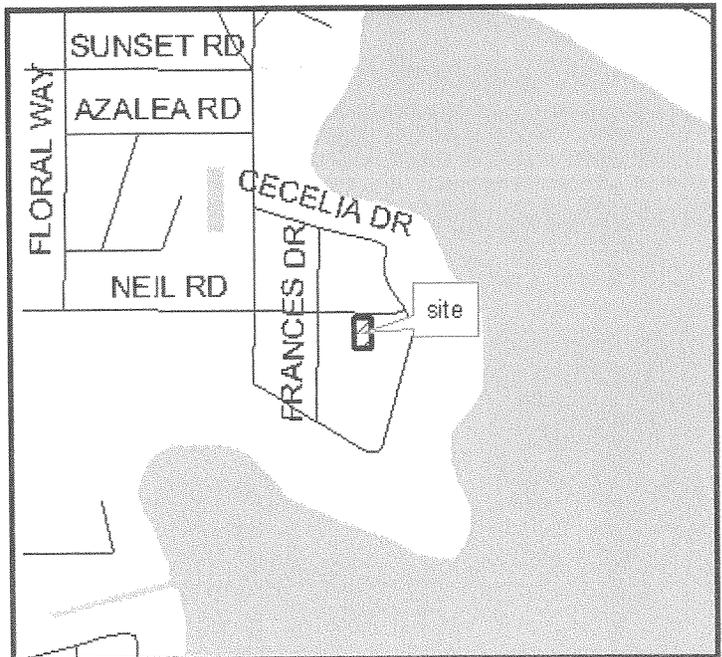
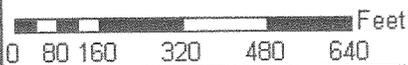
Jaime Maisonet
 2114 Neil Road
 Apopka, FL 32703



Seminole County Board of Adjustment
 June 27, 2005
 Case: BV2005-055
 Parcel No: 18-21-29-509-0200-0240

Zoning

-  A-1 Agricultural-1Ac
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  BV2005-055



SEMINOLE COUNTY DEVELOPMENT ORDER

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

LEG LOT 24 TRACT 2 PARADISE POINT 2ND SEC PB 9 PG 18

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

FINDINGS OF FACT

Property Owner: JAIME MAISONET
3114 NEIL ROAD
APOPKA, FL 32703

Project Name: NEIL ROAD (3114)

Requested Development Approval:

REAR YARD SETBACK VARIANCE FROM 30 FEET TO 8 FEET FOR A PROPOSED 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 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:

Order