

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FT TO 100 FT FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-1 (AGRICULTURE DISTRICT); (MADALYN HENRICKS, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

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

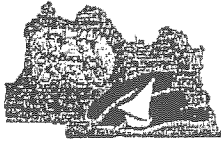
MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 150 TO 100 FT FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (MADALYN HENRICKS, APPLICANTS); OR
2. **DENY** THE REQUEST FOR MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 150 TO 100 FT FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (MADALYN HENRICKS, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Earnest McDonald, Principal Coordinator)

GENERAL INFORMATION	MADALYN HENRICKS, APPLICANT 7200 WEST STATE ROAD 46	A-1 (AGRICULTURE DISTRICT)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT DESIRES TO CONSTRUCT A NEW SINGLE-FAMILY HOME ON A LOT THAT FAILS TO MEET THE MINIMUM LOT WIDTH REQUIREMENT OF THE A-1 DISTRICT. • A VARIANCE FROM 150 FT TO 100 FT IS REQUESTED TO REDUCE THE MINIMUM WIDTH AT THE BUILDING LINE FOR THE NEW HOME. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY. 	
STAFF FINDINGS	<p>THE APPLICANT HAS DEMONSTRATED A HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES:</p> <ul style="list-style-type: none"> • ACCORDING TO THE 1970 TAX ROLL, THE SUBJECT PROPERTY (LOT 6) WAS A PART OF THE YANKEE LAKES SUBDIVISION, CREATED ON MARCH 8, 1955. • WITH THE ADOPTION OF COUNTYWIDE ZONING IN 1960, 	

	<p>THE SUBJECT PROPERTY WAS A CONFORMING LOT UNDER THE COMPREHENSIVE ZONING RESOLUTION, A PREDECESSOR TO THE CURRENT LAND DEVELOPMENT CODE. SUBSEQUENT AMENDMENTS TO THE CODE INCREASED THE A-1 DISTRICT MINIMUM LOT WIDTH AT THE BUILDING LINE FROM 100 FT TO THE CURRENT STANDARD OF 150 FT. THIS FACTOR, AS APPLIED TO THE SUBJECT PROPERTY, CONSTITUTES A HARDSHIP FOR THE CURRENT PROPERTY OWNER.</p> <ul style="list-style-type: none">• ACCORDING TO SEMINOLE COUNTY PROPERTY APPRAISER RECORDS, THE OWNERS OF THE ABUTTING PROPERTIES (LOTS 5 AND 7) ARE DIFFERENT THAN THE CURRENT OWNERS OF THE SUBJECT PROPERTY.• THEREFORE, THERE IS NO OPPORTUNITY TO IMPOSE POLICY FLU 3.2 (ANTIQUATED PLATS) OF THE COMPREHENSIVE PLAN, WHERE THE RECOMBINATION OF PROPERTIES WOULD BE REQUIRED TO ELIMINATE NONCONFORMITY WITH RESPECT TO THE PLAT AND THE NEED FOR A VARIANCE.
STAFF RECOMMENDATION	STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE VARIANCE REQUEST AND MAKE THE APPROPRIATE FINDINGS OF FACT. STAFF ALSO RECOMMENDS THE BOARD IMPOSE ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



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

MAY 05 2005
COPY
 APPL. NO. BV 2005-075

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** Width at building line variance from 150' To 100'
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING) (PROPOSED)
- SIZE OF MOBILE HOME / RV
- PLAN TO BUILD YES NO IF SO WHEN
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>MADALYN Henricks</u>	
ADDRESS	<u>488 W Highbanks Rd</u>	
PHONE 1	<u>Deberry FL 32713-4646</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: LEONARD LEE / Evelyn Thow
 SITE ADDRESS: 7200 W SR 46
 CURRENT USE OF PROPERTY: Vacant
 LEGAL DESCRIPTION: 1 eg Lot 6 (Less St Rd 46 R/W) Yankee Lake Subd PB 9 PG 91
 SIZE OF PROPERTY: 6522 sq. ft. 1.5 acre(s) PARCEL I.D. 26 19 29 502 0000 0060
 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 6/10/05 (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.

Madalyn

SIGNATURE OF OWNER OR AGENT* _____ DATE _____
 * Proof of owner's authorization is required with submittal if signed by agent.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 885-7444 PHONE (407) 845-7383 FAX APP. NO

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall require a complete application package to be submitted to the Board of Adjustment Planning Division. No applications 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 available for processing following pre-application conference.

APPLICATION TYPE:

- REZONING
- SUBDIVISION
- OTHER
- IF DWELLING UNDER CONSTRUCTION MEDICAL NEIGHBORHOOD
- NEIGH WATCHMAN FAMILY NEIGHBORHOOD
- YEAR OF MOBILE HOME / RV (EXISTING) PROPOSED
- AGE OF MOBILE HOME / RV TRAIL TRAILER
- PLAN TO BUILD YES NO IF YES WHEN
- ADDITIONAL COMMENTS

PROPERTY OWNER		AUTHORIZED AGENT	
NAME	<u>Madalen Henricks</u>		
ADDRESS	<u>488 W. Highbanks Rd</u>		
	<u>Deberry, FL 32713</u>		
PHONE			
PHONE F			
E-MAIL			
PROJECT NAME	<u>Leonard Lee & EVERYW. THOW</u>		
SITE ADDRESS	<u>7200 SE 46 W</u>		
CURRENT USE OF PROPERTY	<u>VACANT LAND</u>		
LEGAL DESCRIPTION	<u>LEG LOT 6 (LESS ST RD 46 R/W)</u>		
	<u>YANKEE LAKE SUBD PB 9 PG 91</u>		
SIZE OF PROPERTY	<u>.70 ACRES) PARCEL ID <u>26-19-29-502-0000-0060</u></u>		
UTILITIES	<input type="checkbox"/> WATER <input type="checkbox"/> WELL <input type="checkbox"/> SEWER <input checked="" type="checkbox"/> SEPTIC TANK <input type="checkbox"/> OTHER		
KNOWN CODE ENFORCEMENT VIOLATIONS	<u>NONE</u>		

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment / regular meeting on 5, 6, 05
 held at the Board Chamber (Room 100) at 8:00 pm on the first floor of the Seminole County Services Building located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that the above information is true and correct to the best of my knowledge.

Madalen Henricks 5/5/2005
 SIGNATURE OF OWNER OR AGENT DATE

Leonard Lee/Evelyn Thow
Variance Request
Parcel Id: 29 19 29 502 000 0060

- A. Request: Requesting zoning criteria be amended to support construction of a single family residence on property ID: 26 19 29 502 0000 0060. Current zoning is A-1 and as such zoning requires a minimum lot size of 1 Acre and lot width of 150'-0". We request a variance be granted for the current lot width of 100'-00".
- B. Applicants Contact Info: Leonard Lee and Evelyn Thow. 820 BRIGHTVIEW DR. LAKE MARY, FL 32746. Phone: 407-474-1513
- C. Project Name: Lee/Thow Single Family Residence
- D. 46 SR W
- E. Current Use: Vacant Land
- F. Legal Description: LEG LOT 6 (LESS ST RD 46 R/W) YANKEE LAKE SUBD PB 9 PG 91
- G. Size: 65221 Sq FT 1.5 acres of which .65 Acres is comprised of Yankee Lake
- H. Dimensions: 100' x 652.21'
- I. Drawing
- J. Property Abutts 46A to the south.
- K. Not required per Mike Rumor
- L. Trees to be removed only from building footprint
- M. Not required per Mike Rumor
- N. Drawing
- O. Parcel ID: ID: 26 19 29 502 0000 0060
- P. Not required Per Mike Rumor
- Q. Code violations: none
- R. Yes - Leonard to have authorization signed by owner
- S. Application Fee - Leonard
- T. Authorization form - Leonard to sign
- U. See Drawing
- V. See statement in (A)

LEE/THOW SINGLE FAMILY RESIDENCE

Parcel ID: 29 19 29 502 0000 0060

OFFSETS : FRONT: 50.00'
SIDE: 10.00'
BACK: 30.00'

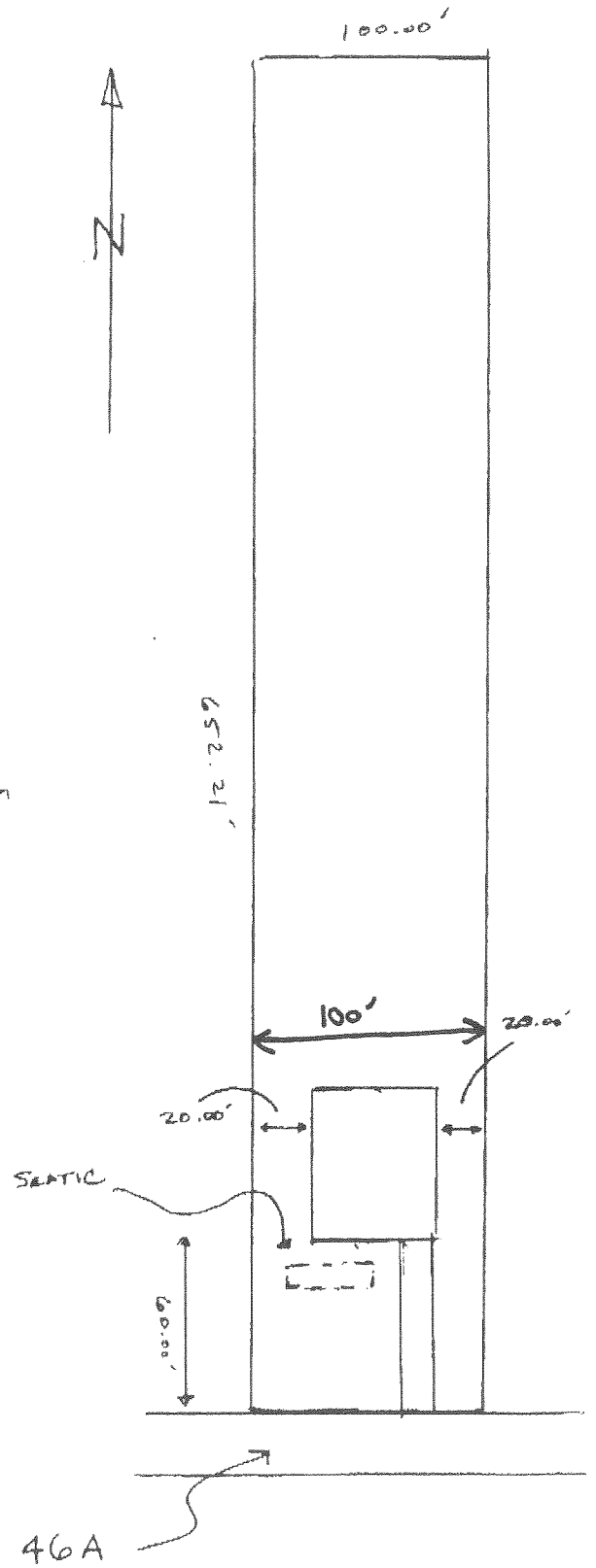
SEATIC: 1050 GALLON

VARIANCE: ACCEPT 100'.00 AS MINIMUM
LOT WIDTH AS OPPOSED TO
150.00' MIN. REQUIRED OF
A-1 ZONING.

LEONARD LEE / EVELYN THOW

820 BRIGHTVIEW DR
LAKE MARY, FL 32746

407-474-1513



<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>		
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GENERAL

Parcel Id: 26-19-29-502-0000-0060 Tax District: 01-COUNTY-TX DIST 1

Owner: HENRICKS MADALYN Exemptions:

Address: 488 W HIGHBANKS RD

City,State,ZipCode: DEBARY FL 32713

Property Address: 46 SR W

Subdivision Name: YANKEE LAKE 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): \$32,585

Land Value Ag: \$0

Just/Market Value: \$32,585

Assessed Value (SOH): \$32,585

Exempt Value: \$0

Taxable Value: \$32,585

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
QUIT CLAIM DEED	04/1989	02064	0590	\$100	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

2004 Tax Bill Amount: \$551

2004 Taxable Value: \$32,585

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

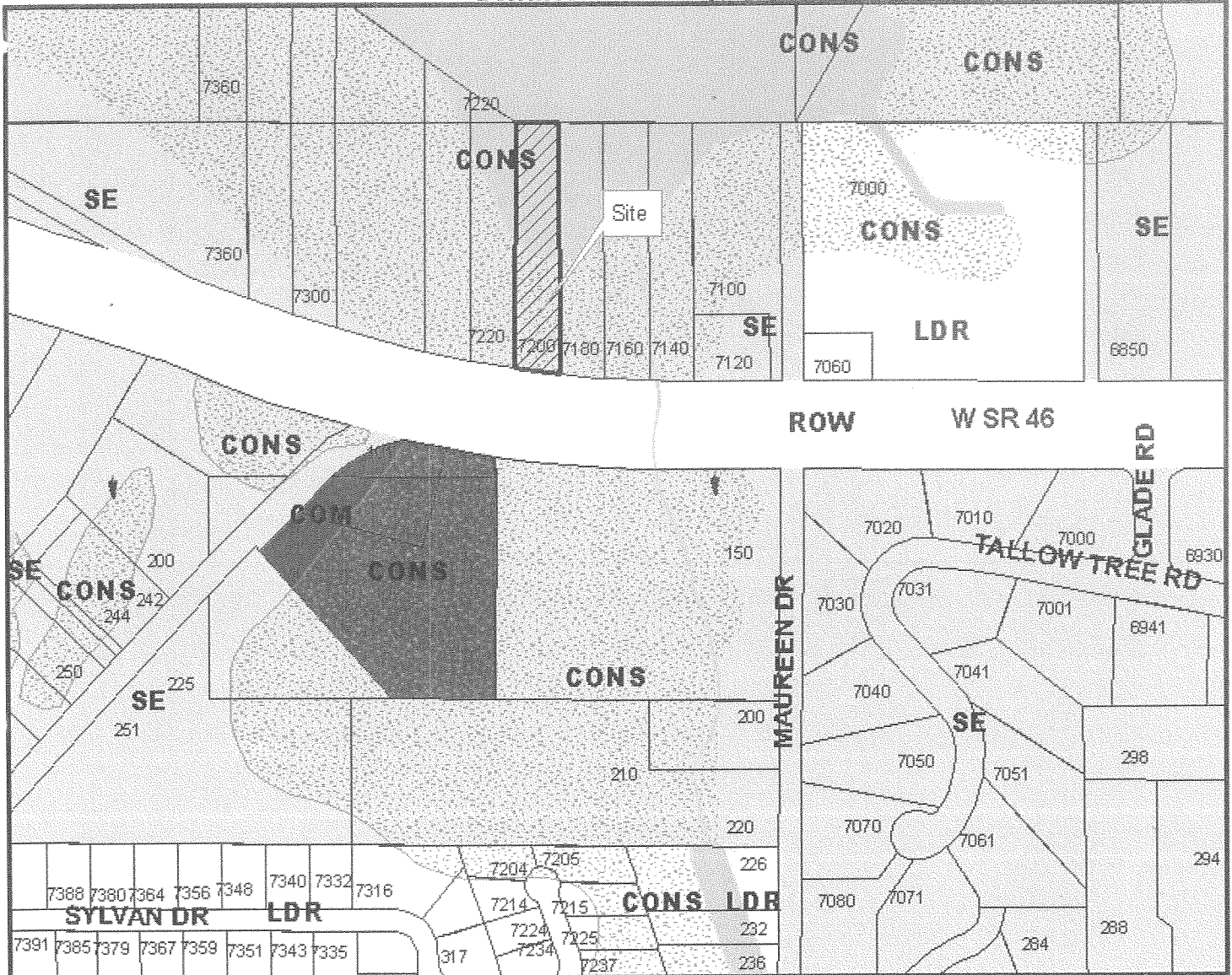
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	100	305	.000	350.00	\$32,585

LEGAL DESCRIPTION PLAT

LEG LOT 6 (LESS ST RD 46 RW) YANKEE LAKE SUBD PB 9 PG 91

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.

Madalyn Henricks
 7200 W S.R. 46
 Seminole County, FL

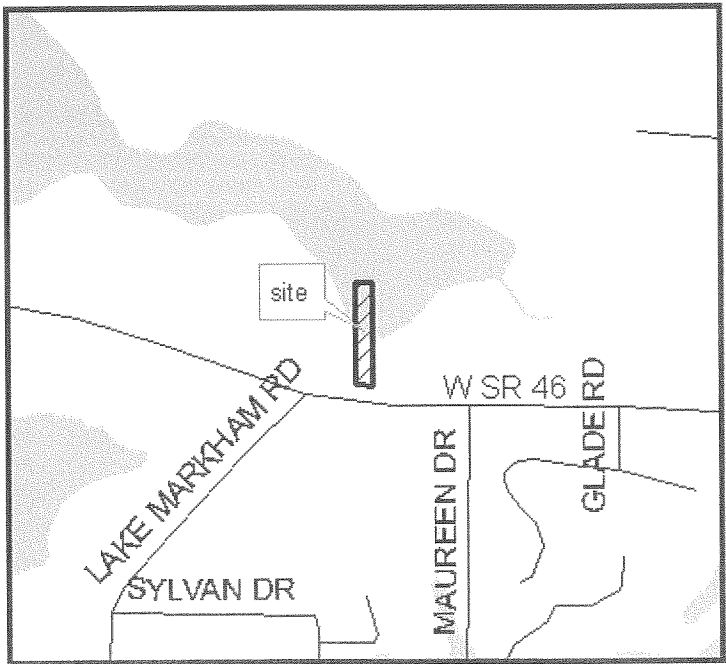


Seminole County Board of Adjustment
 June 27, 2005
 Case: BV2005-075
 Parcel No: 26-19-29-502-0000-0060

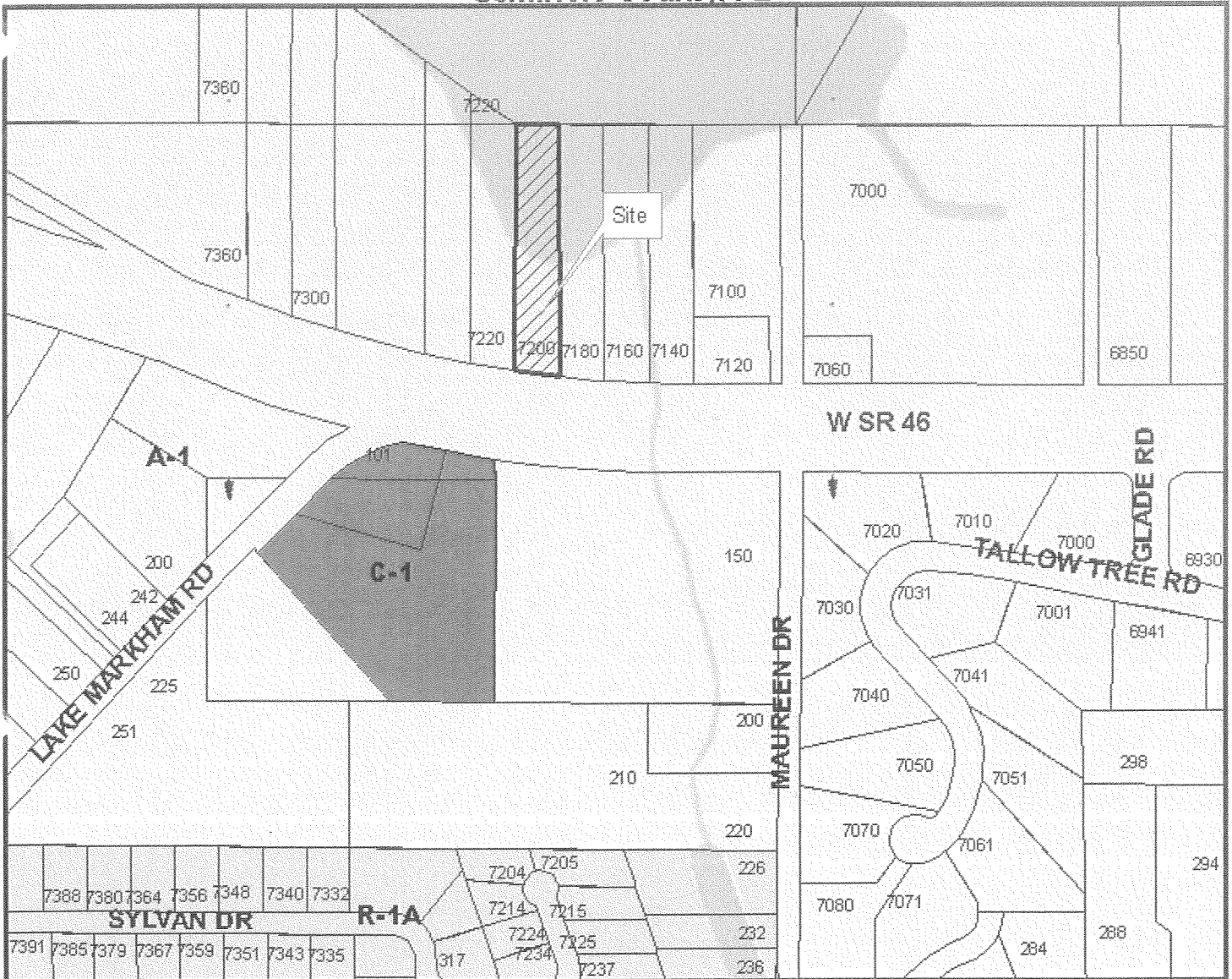
Future Land Use

	CONS, SE		BV2005-075
	CONS, LDR		
	CONS, COM		
	SE, NONE		
	LDR, NONE		
	COM, NONE		

0 90 180 360 540 720 Feet








Madalyn Henricks
 7200 W S.R. 46
 Seminole County, FL




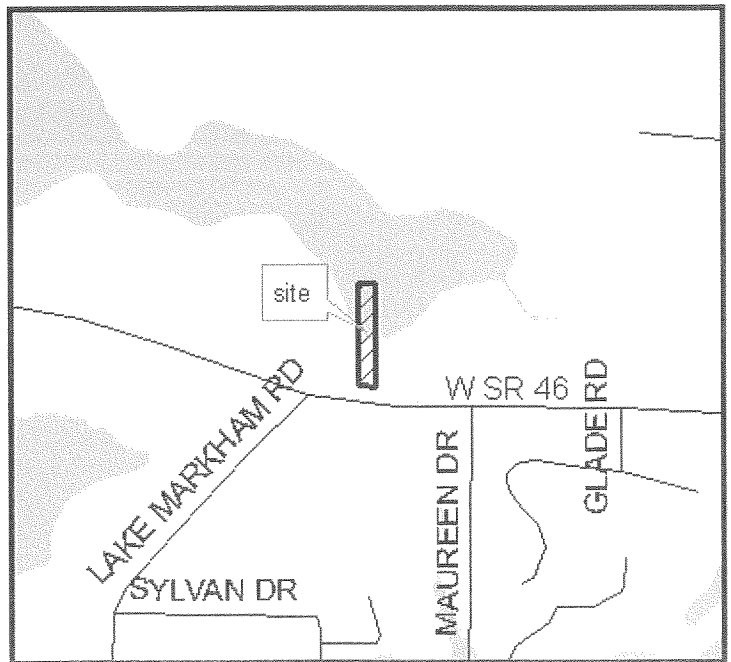
Seminole County Board of Adjustment
June 27, 2005
Case: BV2005-075
Parcel No: 26-19-29-502-0000-0060

Zoning

-  A-1 Agricultural-1Ac
-  R-1A Single Fam-9000
-  C-1 Retail Commercial
-  BV2005-075



 Feet
 0 90 180 360 540 720



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 LOT 6 (LESS ST RD 46 R/W) YANKEE LAKES SUBDIVISION PB 9 PG 91

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

FINDINGS OF FACT

Property Owner: MADALYN HENRICKS
488 W HIGHBANKS ROAD
DEBARY, FL 32713

Project Name: 7200 WEST STATE ROAD 46

Requested Development Approval:

MINIMUM WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FT TO 100 FT
FOR A PROPOSED HOME 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: Earnest McDonald,
Principal Coordinator
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 lot and proposed home 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: