

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

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 6 FEET FOR A PROPOSED SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT WILSON, APPLICANT).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Michael Rumer **EXT.** 7387

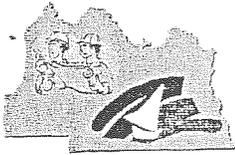
Agenda Date 07/25/05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 6 FEET FOR A PROPOSED SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT WILSON, APPLICANT); OR
2. **DENY** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 6 FEET FOR A PROPOSED SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT WILSON, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: ROBERT WILSON LOCATION: 116 SWEETBRIAR BRANCH ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANT BEGAN CONSTRUCTING A SHED 11'X 20' (220 S.F.) THAT ENCROACHES 24 FEET INTO THE MINIMUM REAR YARD SETBACK WITHOUT A BUILDING PERMIT; THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR EXISTING SHED HAVE BEEN DEMONSTRATED. • THE SHED COULD HAVE BEEN BUILT TO COMPLY WITH

	<p>THE CODE OR COULD BE RELOCATED TO NEGATE THE NEED FOR A VARIANCE.</p> <ul style="list-style-type: none">• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.
STAFF RECOMMENDATION	<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">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING 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. B62005-051

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. 30ft ✓

APPLICATION TYPE:

- VARIANCE** REAR YARD SETBACK VARIANCE FROM 10ft TO 6ft FOR PROPOSED SHED (REPLACEMENT 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 _____
- APEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Robert Wilson</u>	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> RECEIVED APR 27 2005 </div>
ADDRESS	<u>116 Sweetbriar Branch</u>	
	<u>Longwood, FL 32750</u>	
PHONE 1	<u>(407) 332-6985</u>	
PHONE 2	<u>(407) 514-2031 wk.</u>	
E-MAIL		

PROJECT NAME: _____

SITE ADDRESS: SAME AS ABOVE

CURRENT USE OF PROPERTY: RESIDENCE

LEGAL DESCRIPTION: Leg Lot 9 B1KG The Woodlands PB16 PG3

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 36-20-29-502-0600-0080

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 06/27/05 (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.

R. A. Wilson 4-27-05
 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:

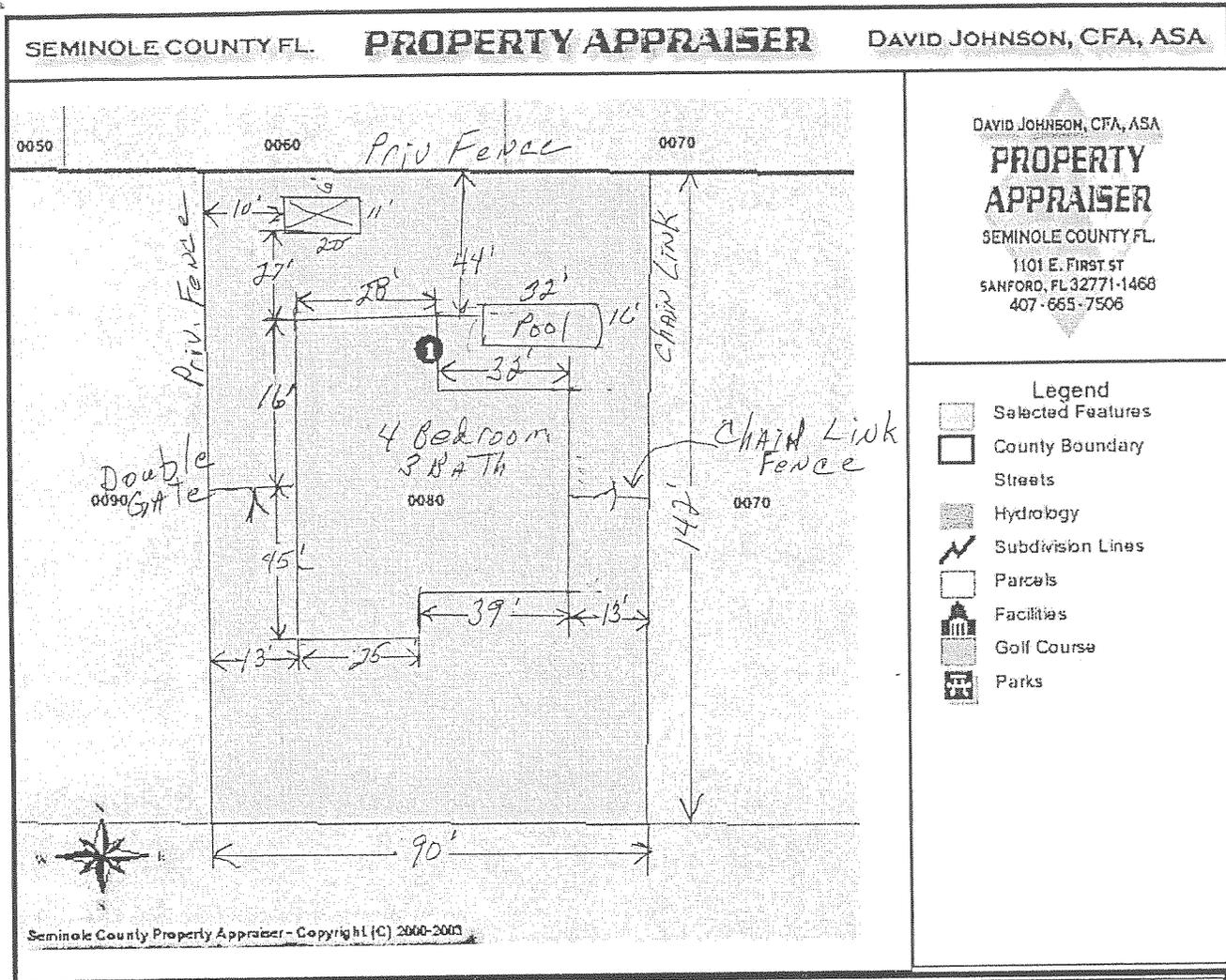
FEE(S): \$ 150.00 COMMISSION DISTRICT 4 FLU/ZONING R-1A/LDR

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS N of Sweetbair Br about 1/2 mi from the intersection of Fairbridge Ave + Sweetbair BR

PLANNING ADVISOR DATE 4/27/05

SUFFICIENCY COMMENTS



Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	3620295020G000080	WILSON ROBERT F & POLLY H	116 SWEETBRIAR BR	LONGWOOD	FL	32750

<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 407-665-7508</p>																																									
<p align="center">GENERAL</p> <p>Parcel Id: 36-20-29-502-0G00-0080 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: WILSON ROBERT F & POLLY H Exemptions: 00-HOMESTEAD</p> <p>Address: 116 SWEETBRIAR BR</p> <p>City,State,ZipCode: LONGWOOD FL 32750</p> <p>Property Address: 116 SWEETBRIAR BRANCH LONGWOOD 32750</p> <p>Subdivision Name: WOODLANDS THE</p> <p>Dor: 01-SINGLE FAMILY</p>		<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$123,860</p> <p>Depreciated EXFT Value: \$7,243</p> <p>Land Value (Market): \$31,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$162,103</p> <p>Assessed Value (SOH): \$112,692</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$87,692</p> <p>Tax Estimator</p>																																							
<p align="center">SALES</p> <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>WARRANTY DEED</td> <td>01/1973</td> <td>00981</td> <td>0802</td> <td>\$100</td> <td>Improved</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	01/1973	00981	0802	\$100	Improved	<p align="center">2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,029</p> <p>2004 Tax Bill Amount: \$1,427</p> <p>Save Our Homes (SOH) Savings: \$602</p> <p>2004 Taxable Value: \$84,410</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																											
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<p><small>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.</small></p>																																									

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 25, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 8 BLK G THE WOODLANDS PB 16 PG 3

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

FINDINGS OF FACT

Property Owner: ROBERT WILSON
116 SWEETBRIAR BR
LONGWOOD, FL 32750

Project Name: SWEETBRIAR (116)

Requested Development Approval:

REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 6 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: