

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 35 FEET TO 27.66 FEET FOR A PROPOSED HOME ADDITION IN THE RC-1 (COUNTRY HOMES DISTRICT); (KATHLEEN PROSSEN, APPLICANT).

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

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

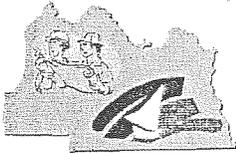
Agenda Date 07/25/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 35 FEET TO 27.66 FEET FOR A PROPOSED HOME ADDITION IN THE RC-1 (COUNTRY HOMES DISTRICT); (KATHLEEN PROSSEN, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 35 FEET TO 27.66 FEET FOR A PROPOSED HOME ADDITION IN THE RC-1 (COUNTRY HOMES DISTRICT); (KATHLEEN PROSSEN, APPLICANT);OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: KATHLEEN PROSSEN LOCATION: 1698 KINGSTON ROAD ZONING: RC-1 (COUNTRY ESTATES DISTRICT)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT AN ADDITION (APPROXIMATELY 20' X 30' IN SIZE) TO AN EXISTING HOME. • THE PROPOSED ADDITION WOULD ENCROACH 7.33 FEET INTO THE 35 FOOT SIDE STREET SETBACK ADJACENT TO PRESSVIEW AVENUE. • PRESSVIEW AVENUE AND KINGSTON ROAD ARE 66 FT WIDE PLATTED RIGHT-OF-WAYS. • 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 PROPOSED ADDITION HAVE BEEN

	<p>DEMONSTRATED.</p> <ul style="list-style-type: none">• THE ADDITION COULD BE CONSTRUCTED OR COULD BE RELOCATED TO COMPLY WITH THE CODE TO NEGATE THE NEED FOR A VARIANCE.• THE REQUEST WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER PROPERTIES IN THE KNOLLWOOD SUBDIVISION, BY ALLOWING ENCROACHMENT INTO THE SIDE STREET SETBACK WITHOUT THE DEMONSTRATION OF A SPECIAL CIRCUMSTANCE OR HARDSHIP.
<p>STAFF RECOMMENDATION</p>	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANTS CAN DEMONSTRATE A HARDSHIP. 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 HOME 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.



COPY

APPL. NO. BL2005-077

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 Street Setback Variance from 35 feet To 27.8 feet in the R-C-L zoning district
- 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>Kathleen L. Prossen</u>	
ADDRESS	<u>1698 Kingston Rd. Longwood, FL 32750</u>	
PHONE 1	<u>407-339-4028</u>	
PHONE 2	<u>407-947-6125</u>	
E-MAIL	<u>Kprossen@cfl.rr.com</u>	

PROJECT NAME: _____

SITE ADDRESS: 1698 Kingston Rd, Longwood, FL 32750

CURRENT USE OF PROPERTY: resid.

LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: 1.0 acre(s) PARCEL I.D. 01-21-29-516-0010

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 7/25/05 (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.

Kathleen L. Prossen
 SIGNATURE OF OWNER OR AGENT* DATE 5-19-05

* 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:

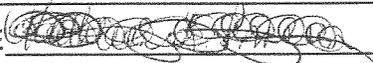
VARIANCE 7:

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 LDR / RC-1

BCC HEARING DATE _____ (FOR APPEAL)

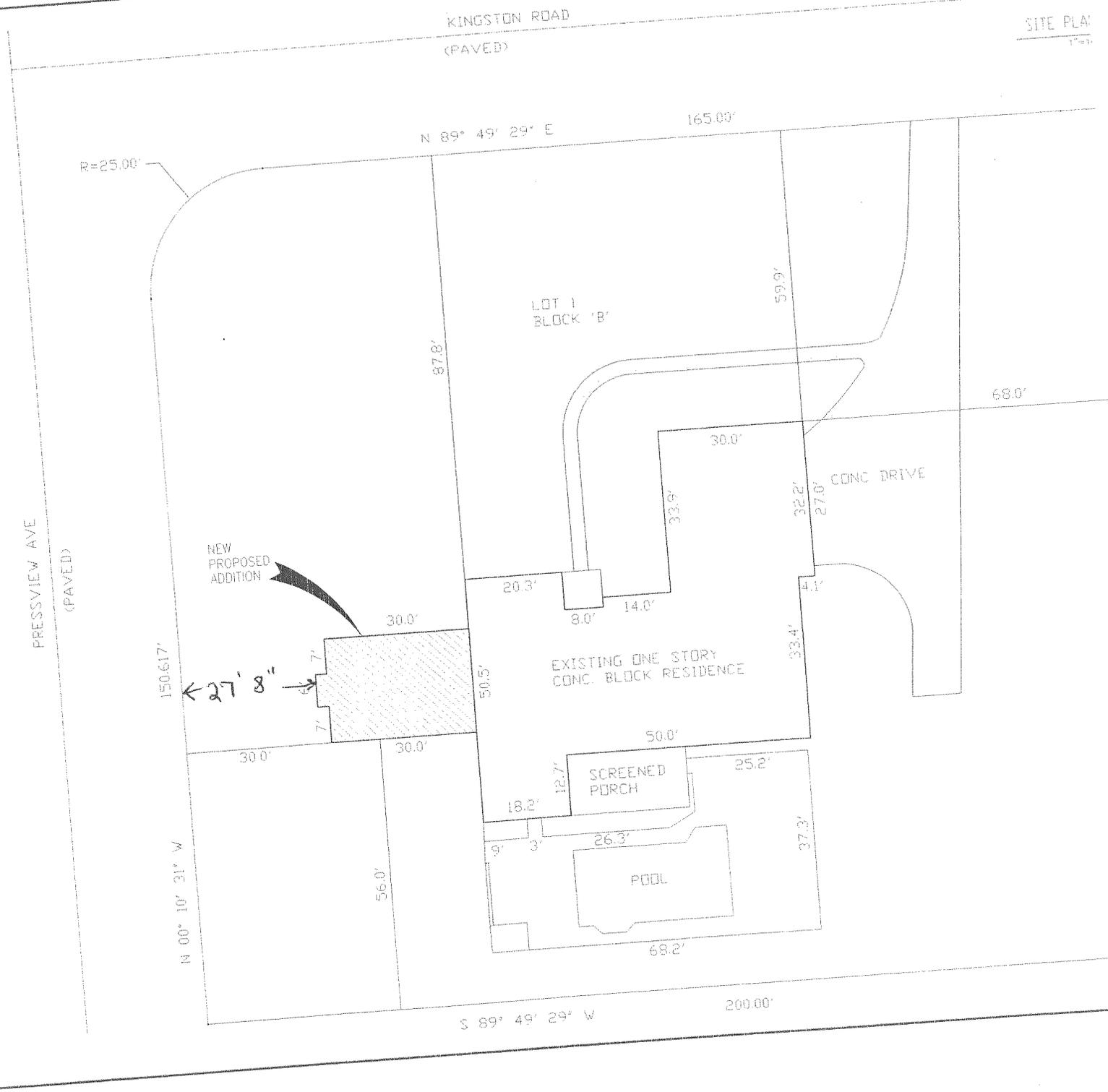
LOCATION FURTHER DESCRIBED AS SE corner of the intersection of Kingston Rd & South Pressview Ave

PLANNING ADVISOR MR DATE 5/19/05

SUFFICIENCY COMMENTS _____

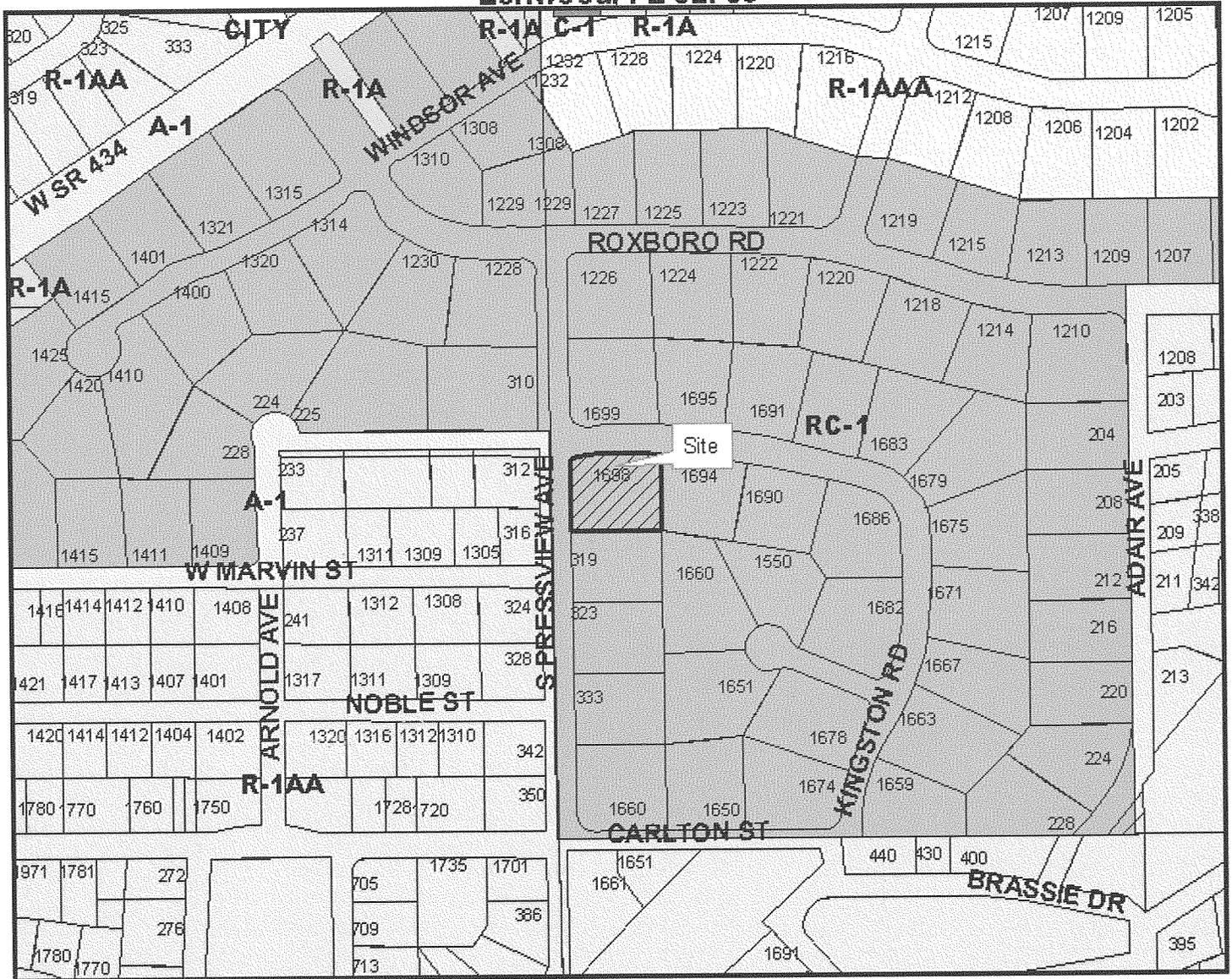
PLANNING DEPARTMENT
MAY 19 2000

SITE PLAN
1"=1'



<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 align="center">GENERAL</p> <p>Parcel Id: 01-21-29-516-0B00-0010 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: PROSSEN KATHLEEN L Exemptions: 00-HOMESTEAD</p> <p>Address: 1698 KINGSTON RD</p> <p>City,State,ZipCode: LONGWOOD FL 32750</p> <p>Property Address: 1698 KINGSTON RD LONGWOOD 32750</p> <p>Subdivision Name: KNOLLWOOD 2ND ADD</p> <p>Dor: 01-SINGLE FAMILY</p>	<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$180,177</p> <p>Depreciated EXFT Value: \$6,141</p> <p>Land Value (Market): \$68,250</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$254,568</p> <p>Assessed Value (SOH): \$163,001</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$138,001</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>04/1993</td> <td>02578</td> <td>0235</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1973</td> <td>00973</td> <td>0906</td> <td>\$74,900</td> <td>Improved</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	04/1993	02578	0235	\$100	Improved	WARRANTY DEED	01/1973	00973	0906	\$74,900	Improved	<p>2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$3,282</p> <p>2004 Tax Bill Amount: \$2,252</p> <p>Save Our Homes (SOH) Savings: \$1,030</p> <p>2004 Taxable Value: \$133,253</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>											
Deed	Date	Book	Page	Amount	Vac/Imp																									
WARRANTY DEED	04/1993	02578	0235	\$100	Improved																									
WARRANTY DEED	01/1973	00973	0906	\$74,900	Improved																									
<p align="center">LAND</p> <table border="1"> <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>FRONT FOOT & DEPTH</td> <td>175</td> <td>200</td> <td>.000</td> <td>325.00</td> <td>\$68,250</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	175	200	.000	325.00	\$68,250	<p>LEGAL DESCRIPTION PLAT</p> <p>LEG LOT 1 BLK B KNOLLWOOD 2ND ADD PB 15 PG 56</p>																	
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																									
FRONT FOOT & DEPTH	175	200	.000	325.00	\$68,250																									
BUILDING INFORMATION																														
<table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1972</td> <td>10</td> <td>2,517</td> <td>3,867</td> <td>2,517</td> <td>CB/STUCCO FINISH</td> <td>\$180,177</td> <td>\$211,351</td> </tr> </tbody> </table>	Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1972	10	2,517	3,867	2,517	CB/STUCCO FINISH	\$180,177	\$211,351										
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																					
1	SINGLE FAMILY	1972	10	2,517	3,867	2,517	CB/STUCCO FINISH	\$180,177	\$211,351																					
Appendage / Sqft		SCREEN PORCH FINISHED / 325																												
Appendage / Sqft		GARAGE FINISHED / 960																												
Appendage / Sqft		UTILITY FINISHED / 49																												
Appendage / Sqft		OPEN PORCH FINISHED / 16																												
EXTRA FEATURE																														
		Description	Year Blt	Units	EXFT Value	Est. Cost New																								
		POOL GUNITE	1972	512	\$4,096	\$10,240																								
		FIREPLACE	1972	1	\$600	\$1,500																								
		COOL DECK PATIO	1972	744	\$1,042	\$2,604																								
		WOOD PORCH	1990	112	\$269	\$672																								
		WOOD UTILITY BLDG	1990	42	\$134	\$336																								
<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>																														

Kathleen L. Prossen
 1698 Kingston Road
 Lonwood, FL 32750

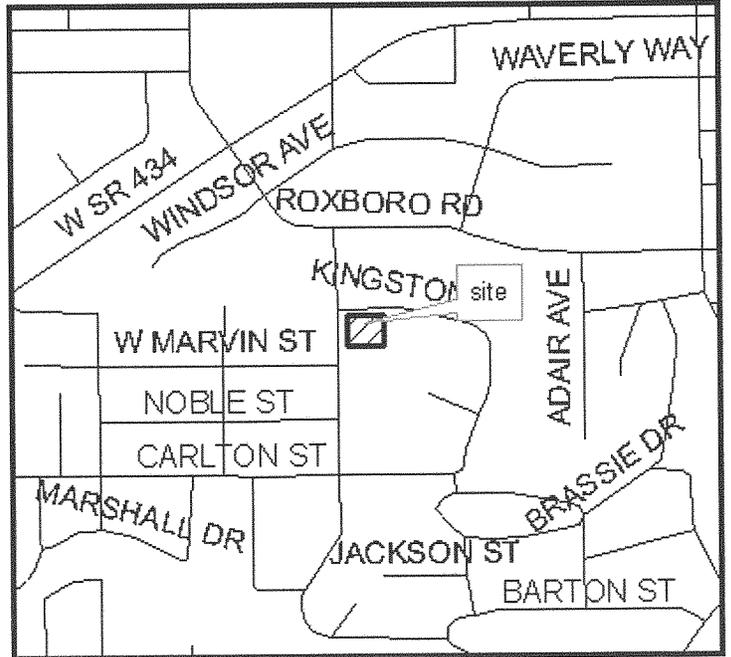


Seminole County Board of Adjustment
 July 25, 2005
 Case: BV2005-077
 Parcel No: 01-21-29-516-0B00-0010

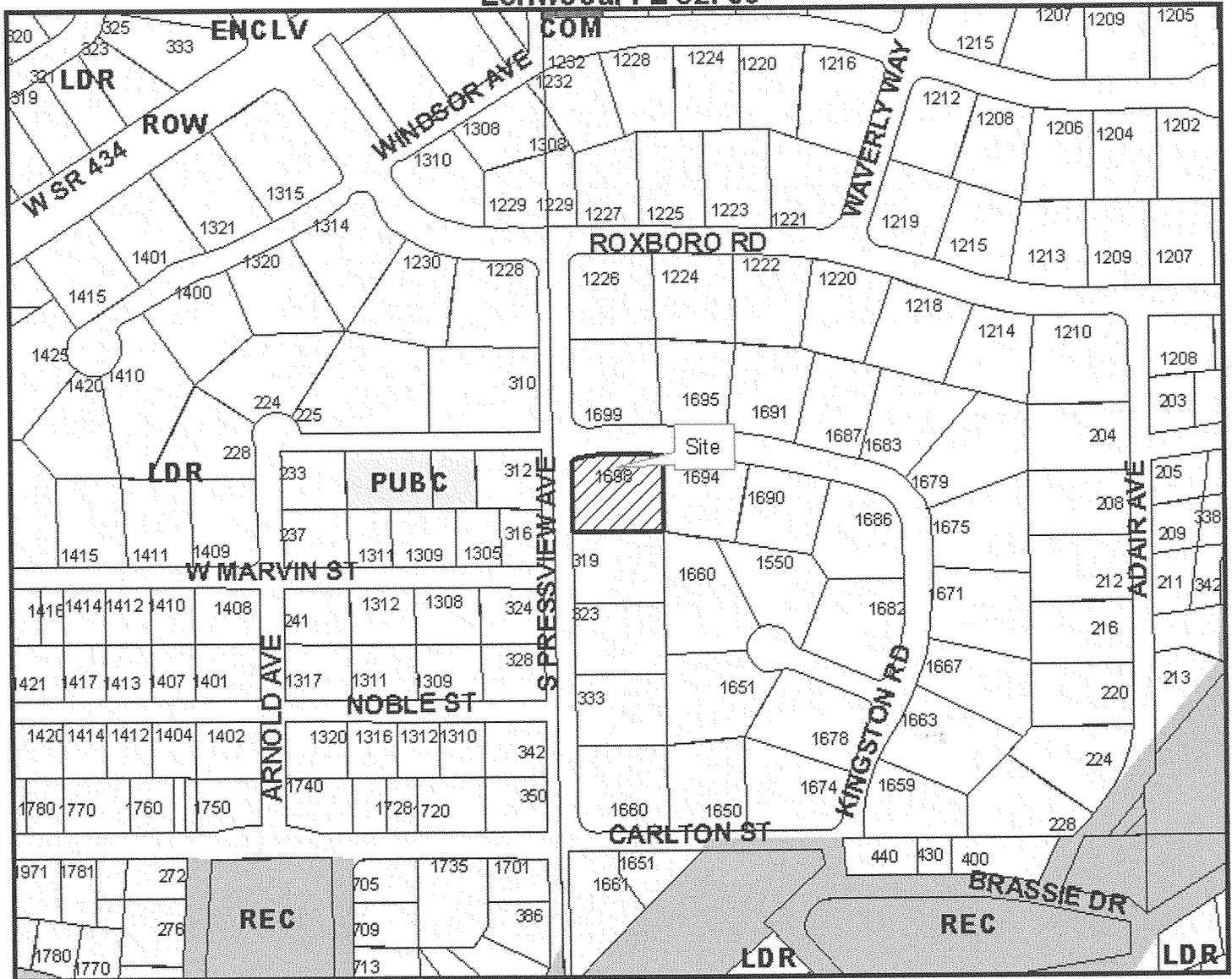
Zoning

A-1 Agricultural-1Ac	C-1 Retail Commercial
RC-1 Country Homes-1Ac	C-2 Retail Commercial
R-1AAA Single Fam-13600	C-3 Gen Commercial & W wholes ale
R-1AA Single Fam-11700	BV2005-077
R-1A Single Fam-9000	

0 75 150 300 450 600 Feet



Kathleen L. Prossen
 1698 Kingston Road
 Lonwood, FL 32750

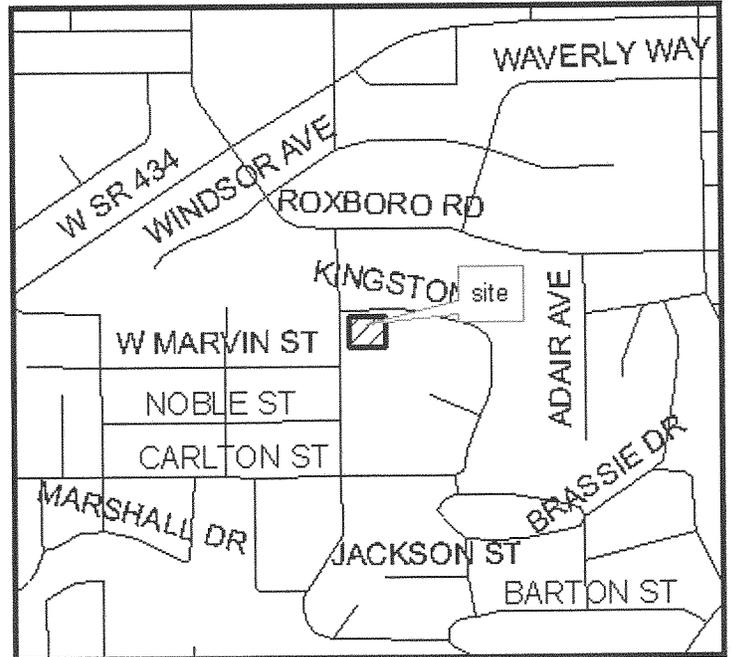


Seminole County Board of Adjustment
 July 25, 2005
 Case: BV2005-077
 Parcel No: 01-21-29-516-0B00-0010

Future Land Use

-  REC, NONE
-  BV2005-077
-  PUBC, NONE
-  LDR, NONE
-  COM, NONE

0 75 150 300 450 600 Feet

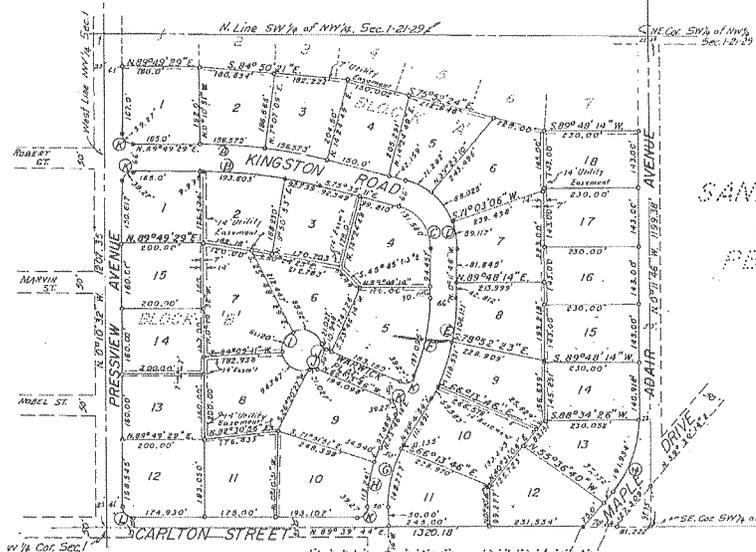



KNOLLWOOD SECOND ADDITION SEMINOLE COUNTY, FLORIDA

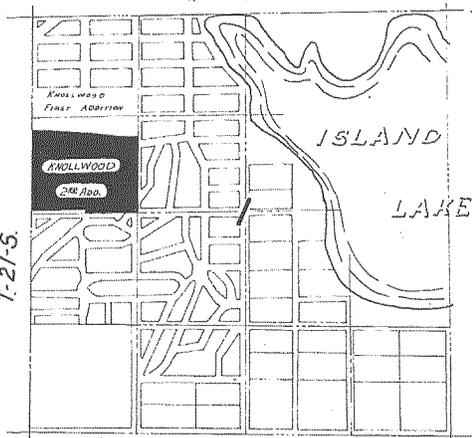
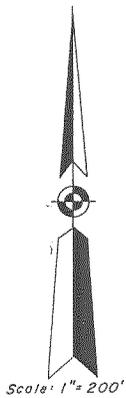
DESCRIPTION

That part of the SW 1/4 of the NW 1/4 of Section 1, Township 21 South, Range 29 East, lying below Knollwood First Addition, according to the plat thereof as recorded in Plat Book 15, Page 1, of the Public Records of Seminole County, Florida, Less that part lying Southeast of Maple Drive extended Southwesterly.

KNOLLWOOD
FIRST ADDITION
PB. 15 PG. 1



SANLANDO SPRINGS
TRACT 6
PB. 5 PG. 53



CURVE DATA CHART				
CURVE	RADIUS	DELTA	ARC LENGTH	TANGENT
A	1229.835'	14°35'20"	313.155'	157.424'
B	1163.835'	14°35'20"	296.340	148.976'
C	100.00'	75°23'25"	131.580	77.275'
D	166.00'	75°23'25"	218.424'	128.276'
E	537.137'	29°53'44"	280.265'	143.400'
F	471.137'	23°58'	197.095'	100.00'
G	301.216'	30°02'14"	159.912'	80.815'
H	351.216'	24°06'30"	147.761'	75.00'
I	50.00'	276°22'45"	241.187'	∞
J	25.00'	48°11'22"	21.027'	11.18'
K	25.00'	90°00'	39.270'	25.00'
L	25.00'	90°09'45"	39.341'	25.071'
M	277.002'	39°42'00"	191.934'	100.00'

PLAT BOOK 15 PAGE 56

DEDICATION

WHEREAS: The Corporation named below being owners of lands described in foregoing caption, have caused said lands to be surveyed, laid out, and platted to be known as KNOLLWOOD SECOND ADDITION, and the streets and easements in the annexed plat are hereby Dedicated to the perpetual use of the public, and in witness thereof have caused these presents to be signed by the Officers named below and the Corporate Seal of said Corporation to be affixed hereto this 20th day of February, 1967.

FLORIDA LAND DEVELOPMENT COMPANY

John A. Adams Witness
John A. Adams President
Edward E. Walker III
John A. Adams Attest: Joseph P. Baker Secretary

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF Seminole. Before me, an officer duly authorized to administer oaths and take acknowledgements, personally appeared the above named officers, to me well known and to be the persons who on behalf of the above named Corporation executed the fore-going dedication as a free act and deed.
Witness my hand and seal this 20th day of February, 1967.

John A. Adams
Notary Public
My commission expires February 8, 1972

CERTIFICATIONS

MORTGAGEES - heraby consent to the Platting of the lands heretofore described and agree that in event of foreclosure above dedication shall remain fully effective.

SURVEYED, Monumented, and Platted as shown in accordance with existing statutory requirements.

STATE OF FLORIDA
J. P. Baker
Registered Land Surveyor, No. 272
This 17th day of February, 1967

COUNTY OF SEMINOLE

BOARD OF COMMISSIONERS

Approved: John A. Adams chairman
Attest: Arthur H. Bushworth clerk
This 18 day of March, 1967

ZONING COMMISSION

Approved: _____ chairman
This _____ day of _____, 1967

MUNICIPALITY OF _____

Approved: _____ mayor
Attest: _____ clerk
This _____ day of _____, 1967

CLERK OF THE CIRCUIT COURT

Correct as to Statutory compliance and filed for record in Sanford, Florida at 2:02 PM this 18 day of March, 1967
File No. 057127
Arthur H. Bushworth

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 1 BLK B KNOLLWOOD 2ND ADD PB 15 PG 56

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

FINDINGS OF FACT

Property Owner: KATHLEEN PROSSEN
1698 KINGSTON ROAD
LONGWOOD, FL 32750

Project Name: KINGSTON ROAD (1698)

Requested Development Approval:

REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 35 FEET TO 27.66 FEET FOR A PROPOSED HOME ADDITION IN THE RC-1 (COUNTRY HOMES 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 home 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: