

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

SUBJECT: REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET (1 ACRE) TO 8,250 SQUARE FEET (0.2 ACRE); (2) MINIMUM LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 75 FEET; (3) (EAST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7.5 FEET FOR A PROPOSED SINGLE-FAMILY HOME; (4) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7.5 FEET FOR A PROPOSED SINGLE-FAMILY HOME; AND (5) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 25 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-1 (AGRICULTURE DISTRICT); (SCOTT RYAN, APPLICANT).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date <u>08-22-05</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Public Hearing – 6:00 <input type="checkbox"/>

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET (1 ACRE) TO 8,250 SQUARE FEET (0.2 ACRE); (2) MINIMUM LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 75 FEET; (3) (EAST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7.5 FEET FOR A PROPOSED SINGLE-FAMILY HOME; (4) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7.5 FEET FOR A PROPOSED SINGLE-FAMILY HOME; AND (5) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 25 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-1 (AGRICULTURE DISTRICT); (SCOTT RYAN, APPLICANT).

2. **DENY** THE REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 43,560 SQUARE FEET (1 ACRE) TO 8,250 SQUARE FEET (0.2 ACRE); (2) MINIMUM LOT WIDTH AT THE BUILDING LINE VARIANCE FROM 150 FEET TO 75 FEET; (3) (EAST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7.5 FEET FOR A PROPOSED SINGLE-FAMILY HOME; (4) (WEST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7.5 FEET FOR A PROPOSED SINGLE-FAMILY HOME; AND (5) FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 25 FEET FOR A PROPOSED SINGLE-FAMILY HOME IN THE A-1 (AGRICULTURE DISTRICT); (SCOTT RYAN, APPLICANT).

3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<p>GENERAL INFORMATION</p>	<p>SCOTT RYAN, APPLICANT PINE STREET, LOT 14 (BLOCK 1) (CASSA VILLA HEIGHTS)</p>	<p>A-1 DISTRICT, LDC SECTION 30.186(a)(3)</p>
<p>BACKGROUND REQUEST</p>	<ul style="list-style-type: none"> • ON JUNE 27, 2005 THE BOARD OF ADJUSTMENT DENIED THE REQUEST BASED UPON THE ABILITY OF THE OWNER TO COMBINE LOTS. UPON FURTHER REVIEW IT WAS DETERMINED THAT BECAUSE THE DEED HAD TWO SEPARATE SECONDARY OWNERS THEY COULD NOT COMBINE THE PARCELS. • THE APPLICANT PROPOSES TO CONSTRUCT A SINGLE-FAMILY HOME ON A VACANT LOT THAT FAILS TO MEET THE MINIMUM LOT SIZE, MINIMUM WIDTH AT BULDING LINE AND MINIMUM SETBACK REQUIREMENTS OF THE A-1 DISTRICT; THE AFOREMENTIONED VARIANCES ARE REQUESTED TO REDUCE THOSE STANDARDS. • THE BOARD OF ADJUSTMENT HAS APPROVED SIMILAR VARIANCES ON NEARBY PROPERTIES AFTER THE DEMONSTRATION OF HARDSHIPS CONSISTENT WITH THE VARIANCE CRITERIA IDENTIFIED IN SECTION 30.43(b)(3) (VARIANCES). 	
<p>STAFF FINDINGS</p>	<p>STAFF HAS DETERMINED THE FOLLOWING:</p> <ul style="list-style-type: none"> • THE SUBJECT LOT WAS CREATED AS A PART OF CASSA VILLA HEIGHTS, WHICH WAS PLATTED ON FEBRUARY 19, 1957. • THE ADOPTION OF COUNTYWIDE ZONING IN 1960 BY SEMINOLE COUNTY CONSEQUENTLY RENDERED THE LOT NONCONFORMING WITH RESPECT TO THE A-1 DISTRICT STANDARDS. • POLICY FLU 3.2, ADOPTED ON SEPTEMBER 11, 1991, STATES THE COUNTY SHALL RESOLVE ENVIRONMENTAL AND INFRASTRUCTURE ISSUES BY REQUIRING THE COMBINING OF LOTS. THE APPLICANT DOES NOT HAVE THE OPPORTUNITY TO COMBINE LOT 14 WITH THE ADJACENT LOT 15 BECAUSE OF A DIFFERENT SECONDARY OWNER. • THE AFOREMENTIONED CIRCUMSTANCES COMPRISE A HARDSHIP, FOR WHICH THE APPLICANT IS NOT RESPONSIBLE. • WITHOUT THE REQUESTED VARIANCES, NO REASONABLE USE OF THE SUBJECT PROPERTY CAN BE MADE FOR CONSTRUCTING A SINGLE-FAMILY HOME, A USE EXPRESSLY PERMITTED IN THE A-1 DISTRICT. 	
<p>STAFF RECOMMENDATION</p>	<p>BASED ON THE STATED FINDINGS AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS APPROVAL OF THE SUBJECT TO THE FOLLOWING CONDITIONS:</p> <ol style="list-style-type: none"> 1. ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING LOT AND PROPOSED HOME, AS 	

	<p>DEPICTED ON THE ATTACHED SITE PLAN.</p> <p>2. ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</p>
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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 2005-057

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

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

RECEIVED
 MAR 02 2005

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Scott K. Ryan	Scott K. Ryan
ADDRESS	P.O. Box 1620226 Oviedo, FL 32762-0226	
PHONE 1	407-462-3405	
PHONE 2	FAX # 407-673-7268	
E-MAIL		

PROJECT NAME: Cassa-Villa-Heights

SITE ADDRESS: LOT 140 Pine Street

CURRENT USE OF PROPERTY: vacant land

LEGAL DESCRIPTION: LOT 14 Bk. 1 Cassa Villa Heights
 PB 10 Pg 97

SIZE OF PROPERTY: 8250 Sq. Ft. acre(s) PARCEL I.D. 04-21-31-501-0100-0140

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 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.

Scott K. Ryan
 SIGNATURE OF OWNER OR AGENT*

2 APR 10 5
 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:

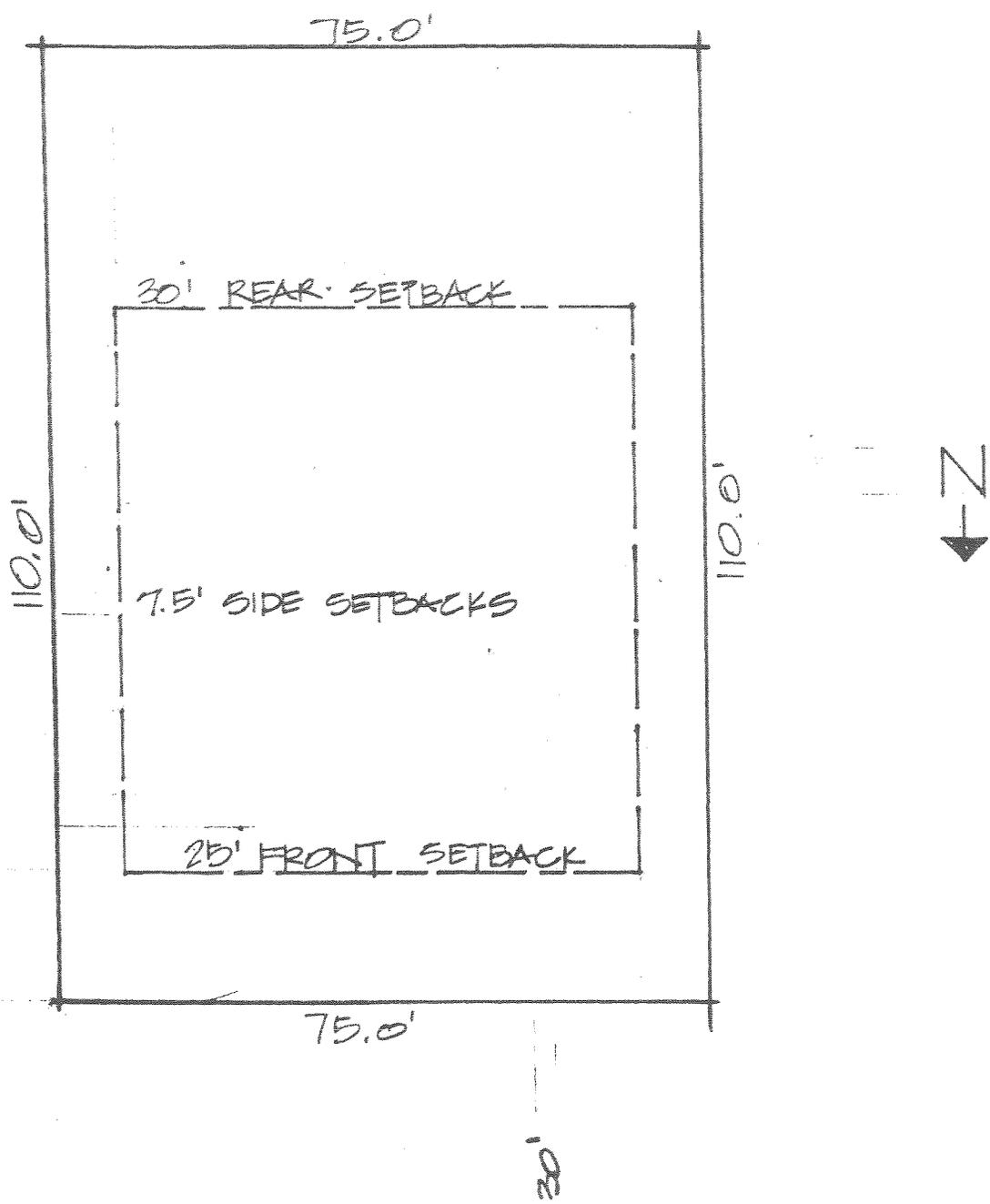
FEE(S): \$ 150 COMMISSION DISTRICT 2 FLU / ZONING A-1 / LOR

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS North of Pine St about 1/2 mi west of the intersection of Pine St. + Palm Dr.

PLANNING ADVISOR DATE

SUFFICIENCY COMMENTS

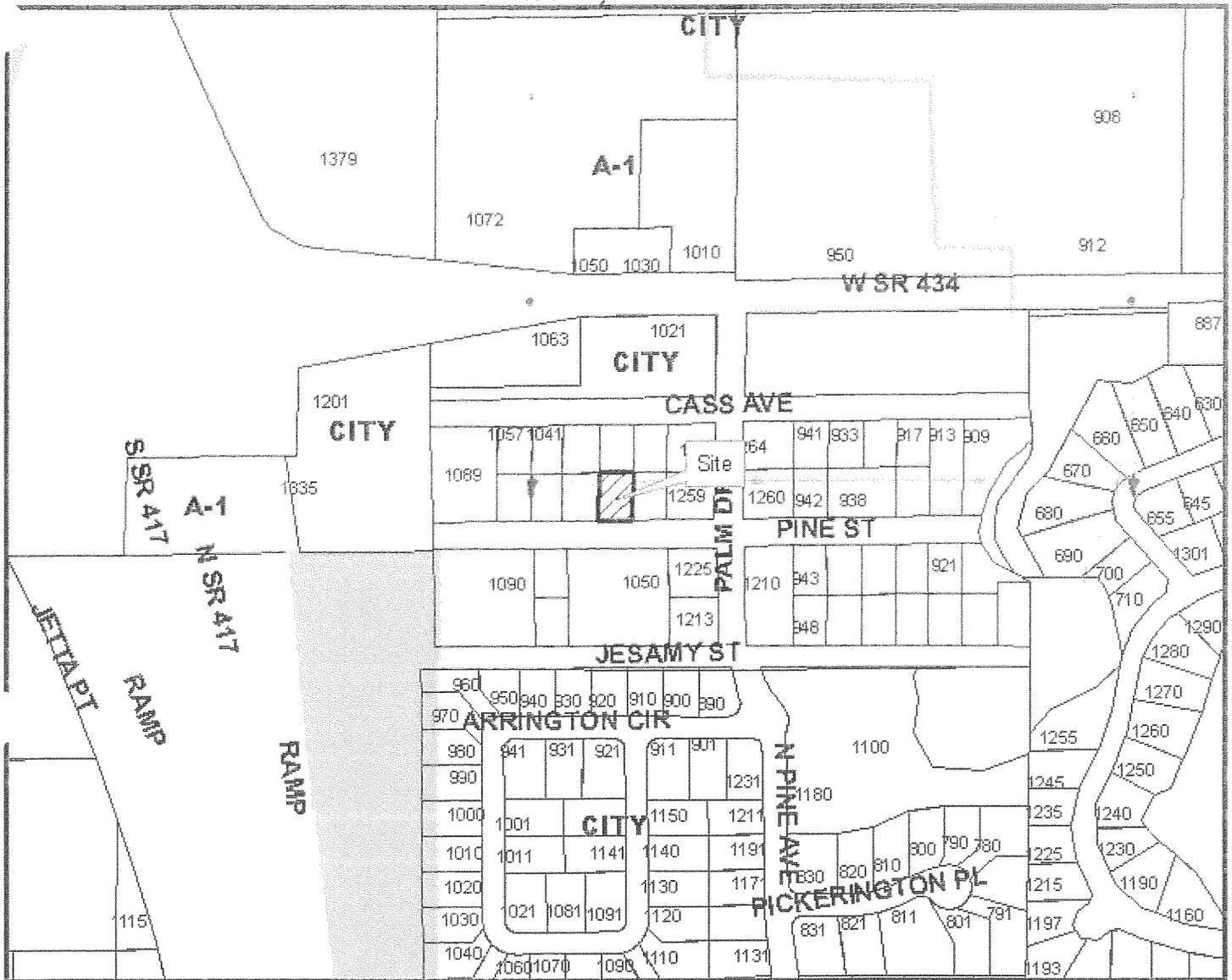


E PINE ST

SR BUILDERS, INC.
LOT # 14 BLOCK 1
CASSAVILLA HEIGHTS
PB 10, PG 97, SEMINOLE CO, FL

<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1466 407-666-7506</p>													
<p align="center">GENERAL</p> <p>Parcel Id: 04-21-31-501-0100-0140 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: MOTT LILLIAN J & Exemptions:</p> <p>Own/Addr: MOTT ROBERT T JR Address: PO BOX 620441 City,State,ZipCode: OVIEDO FL 32762 Property Address: PINE ST Subdivision Name: CASSA-VILLA HEIGHTS Dor: 00-VACANT RESIDENTIAL</p>	<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$22,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$22,000</p> <p>Assessed Value (SOH): \$22,000</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$22,000</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>05/1999</td> <td>03660</td> <td>0954</td> <td>\$10,000</td> <td>Vacant</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	05/1999	03660	0954	\$10,000	Vacant	<p>2004 VALUE SUMMARY</p> <p>2004 Tax Bill Amount: \$338</p> <p>2004 Taxable Value: \$20,000</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp								
WARRANTY DEED	05/1999	03660	0954	\$10,000	Vacant								
<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>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>22,000.00</td> <td>\$22,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	22,000.00	\$22,000	<p>LEGAL DESCRIPTION PLAT</p> <p>LEG LOT 14 BLK 1 CASSA-VILLA HEIGHTS PB 10 PG 97</p>
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value								
LOT	0	0	1.000	22,000.00	\$22,000								
<p>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.</p>													

Scott K. Ryan
 Lot 14 Pine Street
 Oviedo, FL 32762

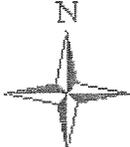


Seminole County Board of Adjustment
 June 27, 2005
 Case: BV2005-057
 Parcel No: 04-21-31-501-0100-0140

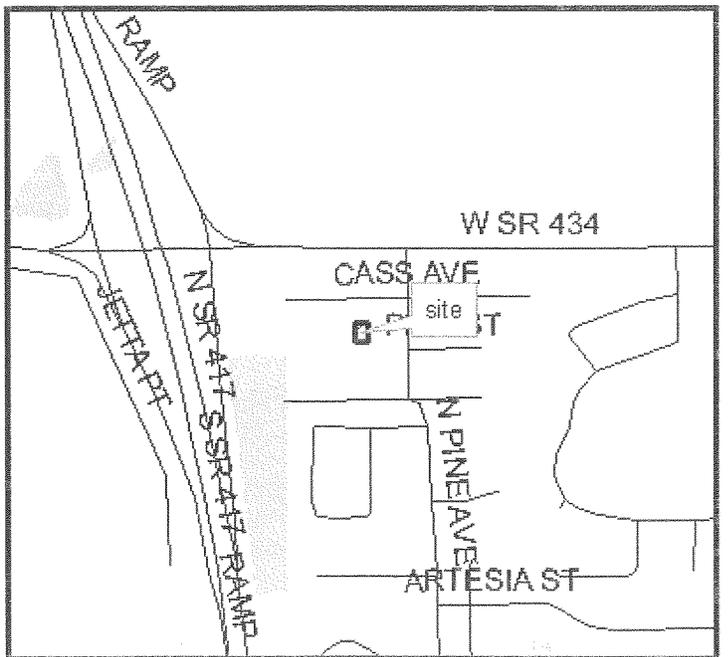
Zoning

-  A-1 Agricultural-1Ac
-  BV2005-057

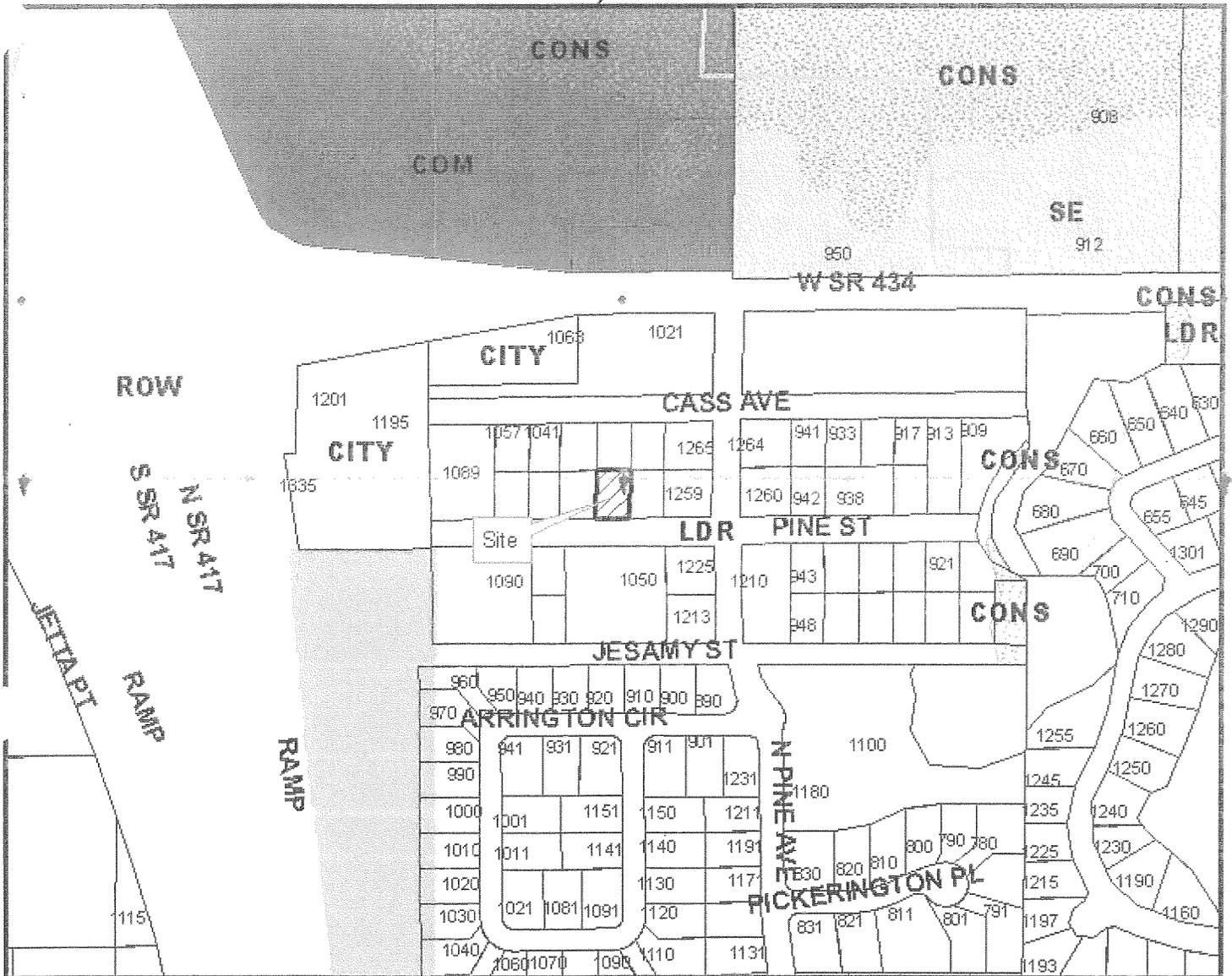
N



0 75 150 300 450 600 Feet



Scott Ryan
 Lot 14 Pine Street
 Oviedo, FL 32762



Seminole County Board of Adjustment
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Future Land Use

-  CONS, SE
-  CONS, LDR
-  CONS, COM
-  SE, NONE
-  LDR, NONE
-  COM, NONE
-  BV2005-057

N

