

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 08-22-05 Regular  Consent  Public Hearing – 6:00

**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.

<b>GENERAL INFORMATION</b>	SCOTT RYAN, APPLICANT PINE STREET, LOT 15 (BLOCK 1) (CASSA VILLA HEIGHTS)	A-1 DISTRICT, LDC SECTION 30.186(a)(3)
<b>BACKGROUND REQUEST</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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).</li> </ul>	
<b>STAFF FINDINGS</b>	<p>STAFF HAS DETERMINED THE FOLLOWING:</p> <ul style="list-style-type: none"> <li>• THE SUBJECT LOT WAS CREATED AS A PART OF CASSA VILLA HEIGHTS, WHICH WAS PLATTED ON FEBRUARY 19, 1957.</li> <li>• THE ADOPTION OF COUNTYWIDE ZONING IN 1960 BY SEMINOLE COUNTY CONSEQUENTLY RENDERED THE LOT NONCONFORMING WITH RESPECT TO THE A-1 DISTRICT STANDARDS.</li> <li>• 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 15 WITH THE ADJACENT LOT 14 BECAUSE OF A DIFFERENT SECONDARY OWNER.</li> <li>• THE AFOREMENTIONED CIRCUMSTANCES COMPRISE A HARDSHIP, FOR WHICH THE APPLICANT IS NOT RESPONSIBLE.</li> <li>• 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.</li> </ul>	
<b>STAFF RECOMMENDATION</b>	<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"> <li>1. ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE EXISTING LOT AND PROPOSED HOME, AS</li> </ol>	

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



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET (ROOM 2201)  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

APPL. NO. BY 2005-058

**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  
MAY 02 2005

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Scott K. Ryan</u>	<u>Scott K. Ryan</u>
ADDRESS	<u>P.O. Box 820226</u> <u>Oviedo, FL 32762-0226</u>	
PHONE 1	<u>407-402-3405</u>	
PHONE 2	<u>FAX # 407-673-7268</u>	
E-MAIL		

PROJECT NAME: Cassa-Villa-Heights

SITE ADDRESS: LOT 150, Pine Street

CURRENT USE OF PROPERTY: Vacant land

LEGAL DESCRIPTION: LOT 15 Blk. 1 Cassa-Villa Heights  
PB 10 Pg 97

SIZE OF PROPERTY: 3250 sq. ft. Wetland acre(s) PARCEL I.D. 04-21-31-501-0100-0150

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.

SIGNATURE OF OWNER OR AGENT\* [Signature]

DATE 29 APR 105

\* 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 \_\_\_\_\_

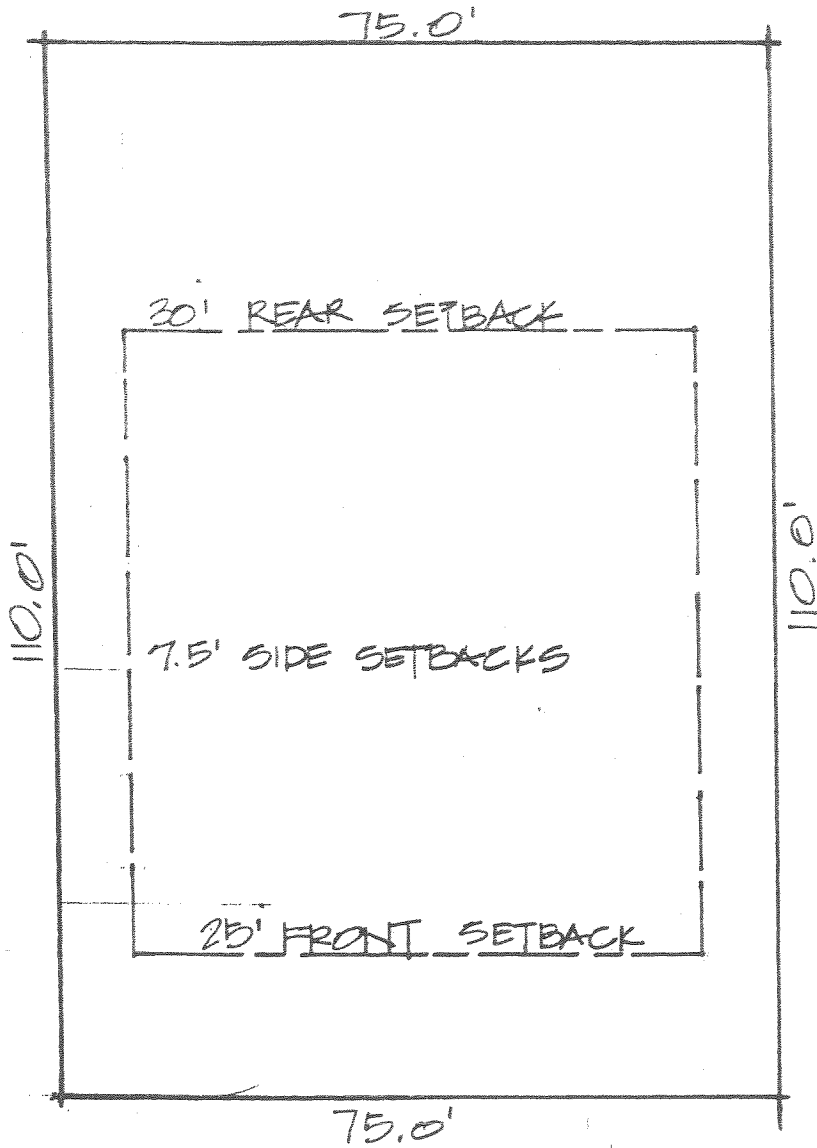
\_\_\_\_\_

APPELLANT SIGNATURE \_\_\_\_\_

**FOR OFFICE USE ONLY**

**PROCESSING:**  
FEE(S): \$ 150 COMMISSION DISTRICT 2 FLU/ZONING A-1/LDR  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS North of Pine St less than 1/4 mi west of the intersection of Pine St + Palm Dr.  
PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_  
SUFFICIENCY COMMENTS \_\_\_\_\_

<p><b>PROPERTY APPRAISER</b>                  SEMINOLE COUNTY FL                  1101 E. FIRST ST                  SANFORD, FL 32771-1468                  407-655-7508</p>														
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 04-21-31-501-0100-0150      Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: MOTT SHARON R &amp;      Exemptions:</p> <p>Own/Addr: MOTT LILLIAN J                  Address: 1259 PALM DR                  City,State,ZipCode: OVIEDO FL 32765                  Property Address: PINE ST                  Subdivision Name: CASSA-VILLA HEIGHTS                  Dor: 00-VACANT RESIDENTIAL</p>		<p align="center"><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market                  Number of Buildings: 0                  Depreciated Bldg Value: \$0                  Depreciated EXFT Value: \$0                  Land Value (Market): \$22,000                  Land Value Ag: \$0                  Just/Market Value: \$22,000                  Assessed Value (SOH): \$22,000                  Exempt Value: \$0                  Taxable Value: \$22,000                  Tax Estimator</p>												
<p align="center"><b>SALES</b></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>07/1983</td> <td>01470</td> <td>1287</td> <td>\$2,700</td> <td>Vacant</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	07/1983	01470	1287	\$2,700	Vacant	<p align="center"><b>2004 VALUE SUMMARY</b></p> <p>2004 Tax Bill Amount: \$338                  2004 Taxable Value: \$20,000                  DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp									
WARRANTY DEED	07/1983	01470	1287	\$2,700	Vacant									
<p align="center"><b>LAND</b></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 align="center"><b>LEGAL DESCRIPTION PLAT</b></p> <p>LEG LOT 15 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><b>NOTE:</b> 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>														

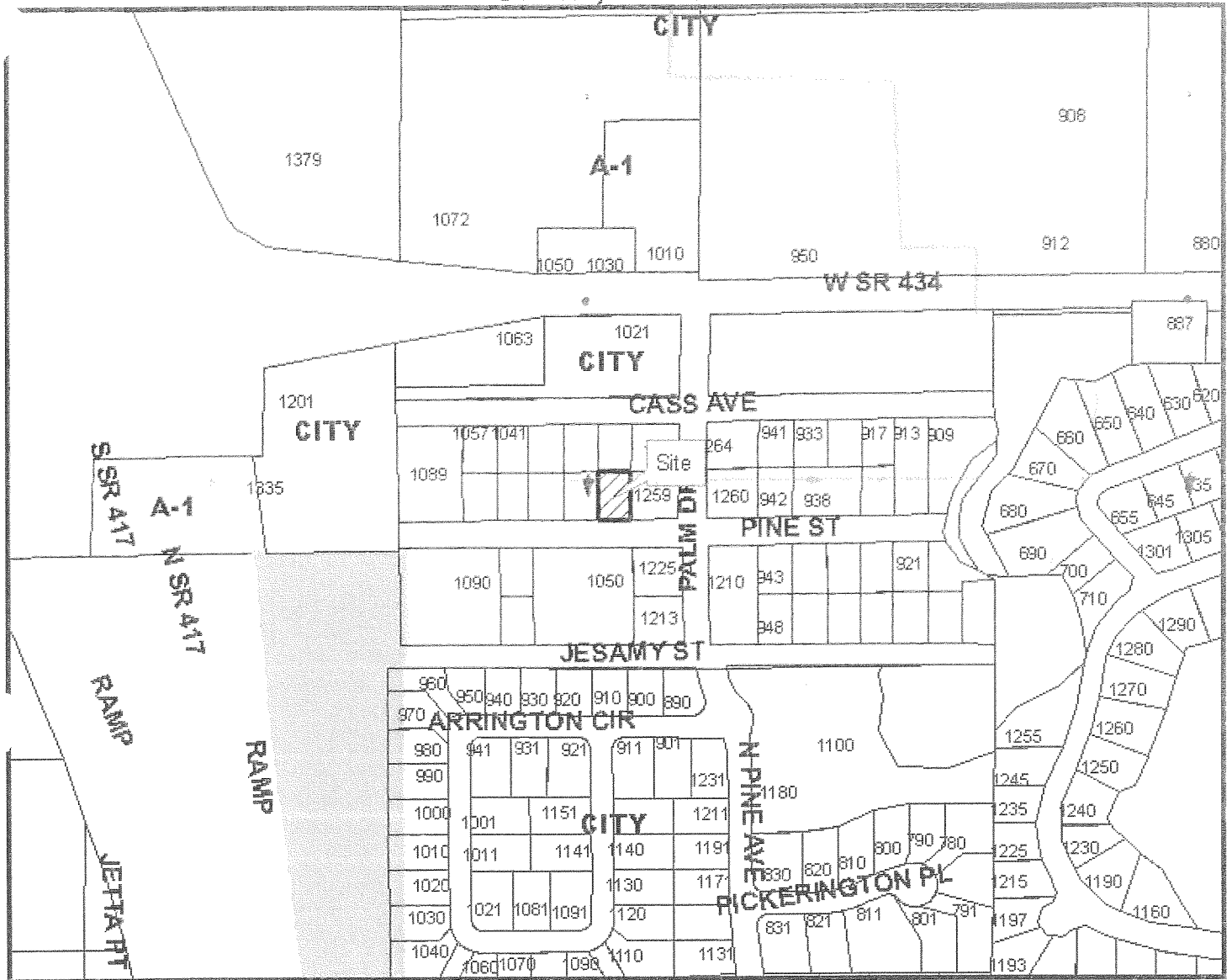


30'

☒ PINE ST


SR BUILDERS, INC.  
LOT # 15 BLOCK 1  
CASSAVILLA HEIGHTS  
PB 10, PG 97, SEMINOLE CO, FL


Scott K. Ryan  
 Lot 15 Pine Street  
 Oviedo, FL 32762




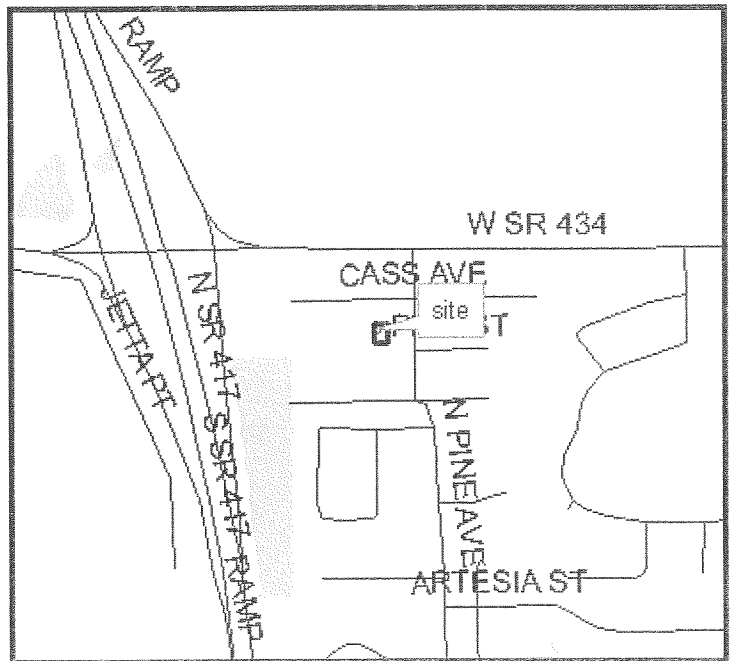
Seminole County Board of Adjustment  
 June 27, 2005  
 Case: BV2005-058  
 Parcel No: 04-21-31-501-0100-0150

**Zoning**

 BV2005-058

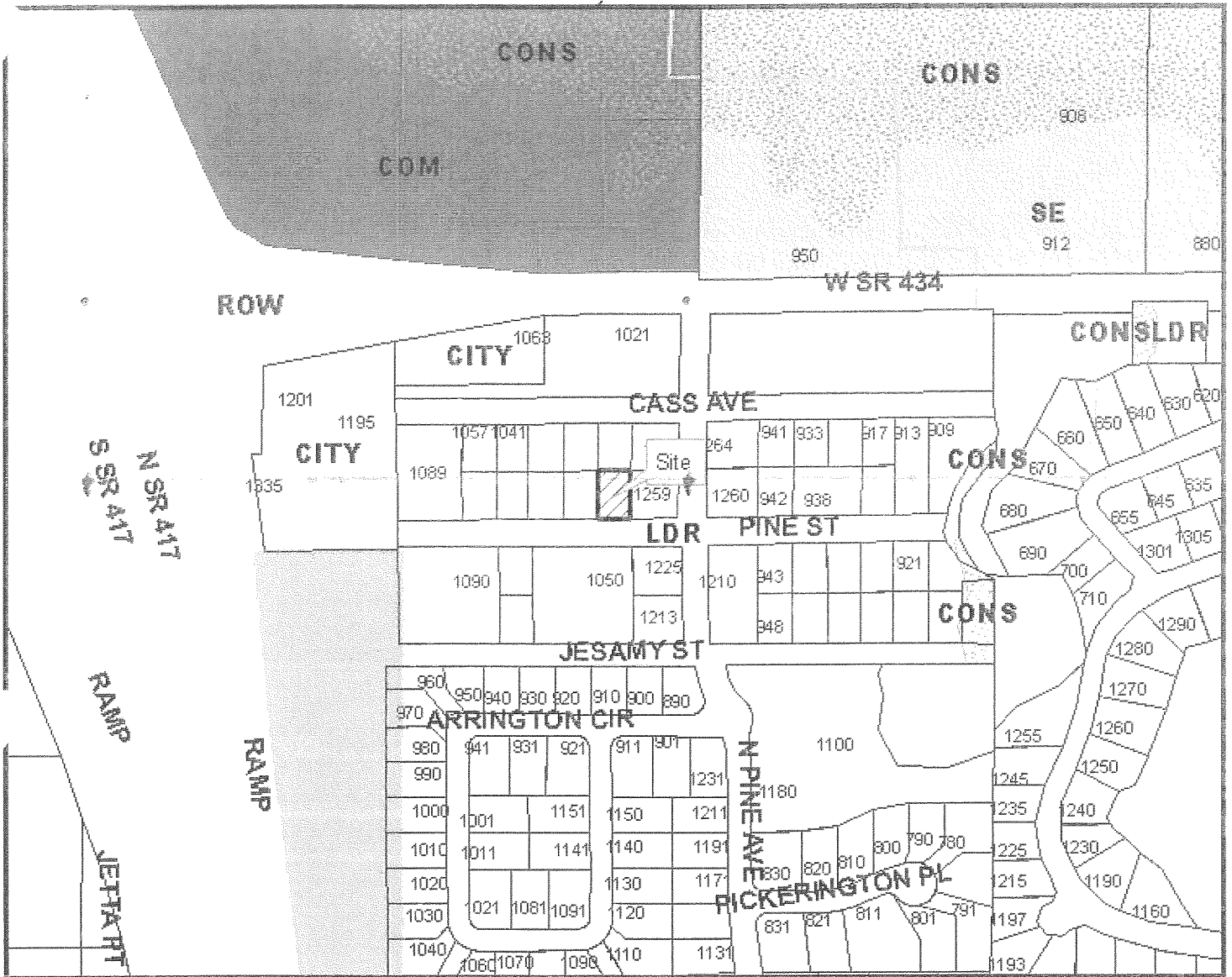
 A-1 Agricultural-1Ac

0 75 150 300 450 600 Feet



Scott K. Ryan  
 Lot 15 Pine Street  
 Oviedo, FL 32762



Seminole County Board of Adjustment  
 June 27, 2005  
 Case: BV2005-058  
 Parcel No: 04-21-31-501-0100-0150

**Future Land Use**

	CONS, SE	SE, NONE
	CONS, LDR	LDR, NONE
	CONS, COM	COM, NONE
	BV2005-058	N

0 75 150 300 450 600 Feet

