

BV2005-089

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL & YVONNE MCCANN, APPLICANTS).

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

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

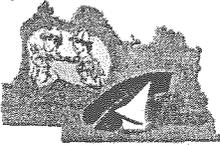
Agenda Date 08/22/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL & YVONNE MCCANN, APPLICANTS); OR
2. **DENY** THE REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL & YVONNE MCCANN, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

| | |
|-----------------------------|--|
| GENERAL INFORMATION | APPLICANT: MICHAEL 7 YVONNE MCCANN LOCATION: 119 LAKE RENA DRIVE ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT) |
| BACKGROUND / REQUEST | <ul style="list-style-type: none"> • THE APPLICANTS PROPOSE TO CONSTRUCT A GARAGE ADDITION TO AN EXISTING HOME. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY. |
| STAFF FINDINGS | <ul style="list-style-type: none"> • THE PROPOSED ADDITION WOULD ENCROACH 10 FEET INTO THE MINIMUM 25 FOOT FRONT YARD SETBACK. • THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE R-1AA ZONING DISTRICT BY ALLOWING ENCROACHMENT INTO THE FRONT YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL |

| | |
|--|--|
| | <p>CIRCUMSTANCES OR HARDSHIP.</p> <ul style="list-style-type: none">• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED ADDITION HAVE BEEN DEMONSTRATED. |
| <p>STAFF RECOMMENDATION</p> | <ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANT 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 GARAGE 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. |



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

16 2005

COPY

APPL. NO. BV 2005-089

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** Front Yard Setback Variance From 25' To 15'
- 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**

| | PROPERTY OWNER | AUTHORIZED AGENT * |
|---------|---|--------------------|
| NAME | MICHAEL & YVONNE McCann | |
| ADDRESS | 119 LAKE RENAI DR. LONGWOOD, FL. 32779 | |
| PHONE 1 | (407) 772-5155 | |
| PHONE 2 | (321) 231-6455 | |
| E-MAIL | MIKE@KATSUR.COM | |

PROJECT NAME: McCann Residence
 SITE ADDRESS: 119 LAKE RENAI DR. Longwood, Fl. 32779
 CURRENT USE OF PROPERTY: PRIVATE SINGLE FAMILY Residence
 LEGAL DESCRIPTION: LEG LOT 11 BLK "A" MEREDITH MANOR NOB HILL SEC PB 9 PG 55
 SIZE OF PROPERTY: .5 acre(s) PARCEL I.D. 04-21-29-514-0A00-0110
 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 08/22/05 (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.

6/16/05
DATE

SIGNATURE OF OWNER OR AGENT*

* Proof of owner's authorization is required with submittal if signed by agent.

MR

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 3 FLU/ZONING LDR/R-1AA
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS west of Lake Bear Dr. 210 mi from
intersection of Lake Bear Dr and W.S.R. 434
PLANNING ADVISOR MR DATE 6/16/05
SUFFICIENCY COMMENTS _____

Legal Description

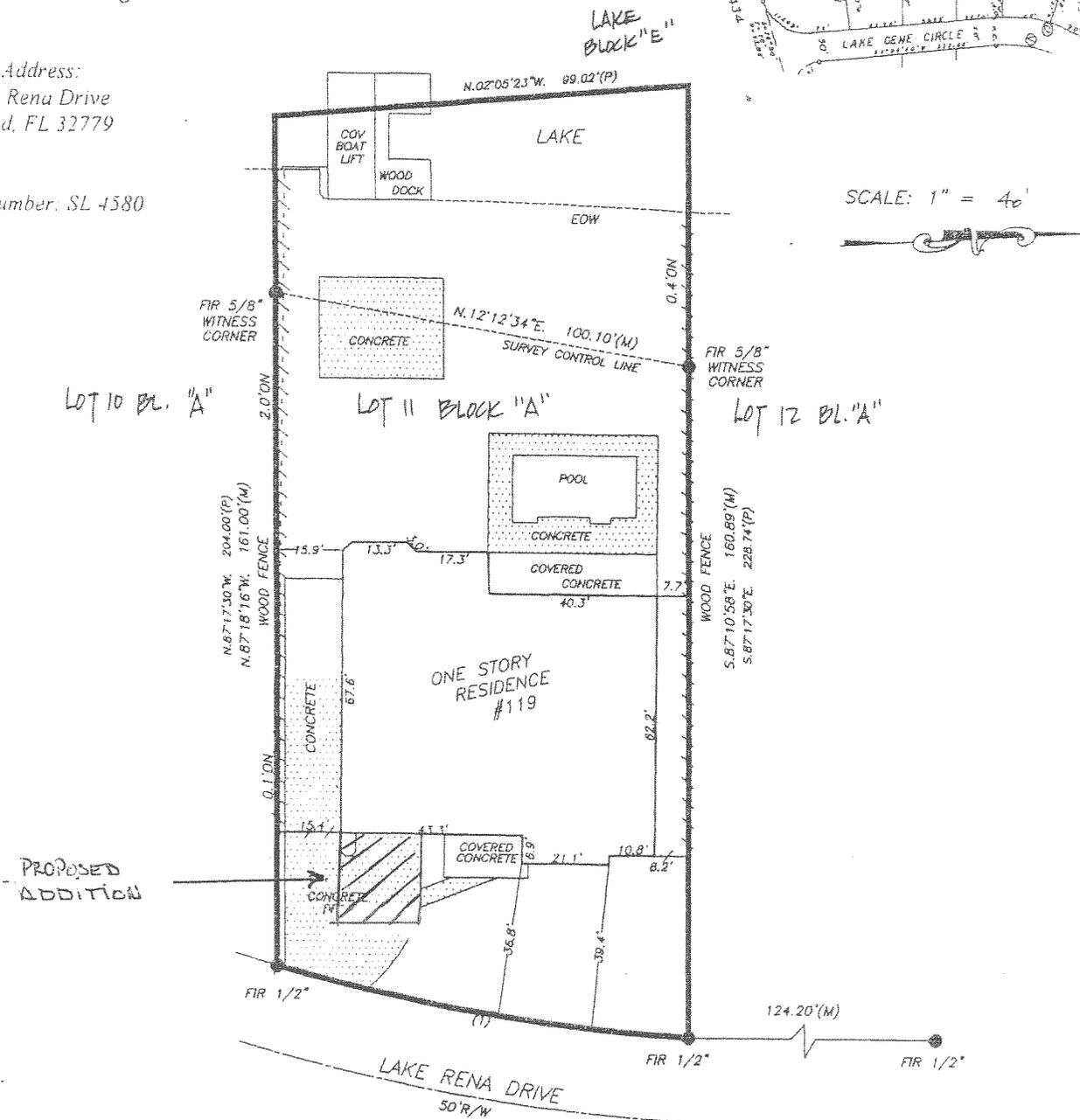
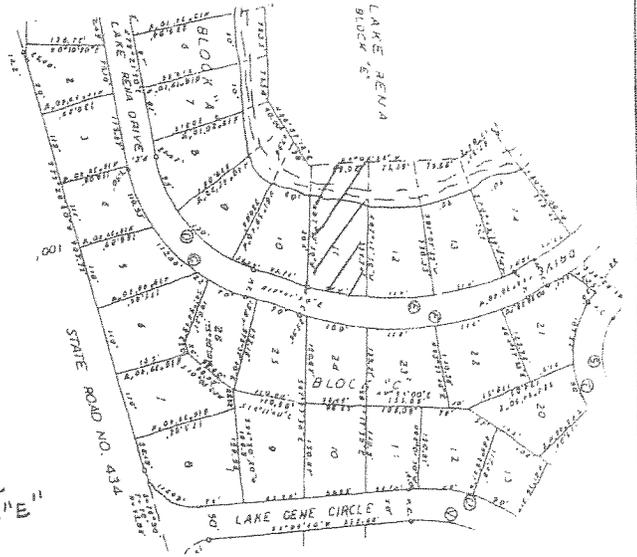
Lot 11, Block A, MEREDITH MANOR NOB HILL SECTION, according to the plat thereof, as recorded in Plat Book 9, Page(s) 54-55, of the Public Records of Seminole County, FL.

Community number: 121289 Panel: 0120
 Suffix: E F.I.R.M. Date: 4/17/95 Flood Zone: X
 Date of field work: 11/14/01 Completion Date: 11/14/01

Certified to:
 Michael McCann; Yvonne McCann; First American Title Insurance Company; Thomas Mortgage & Financial Services, Inc., its successors and/or assigns.

Property Address:
 119 Lake Rena Drive
 Longwood, FL 32779

Survey number: SL 4580



LEGEND

| | |
|-----------|-----------------|
| — | WOOD FENCE |
| - X - X - | WIRE FENCE |
| FN | NAIL |
| * | PROPERTY CORNER |
| R | RECORD |
| M | FIELD MEASURED |
| C | CALCULATED |
| CL | CLEAR |

| | |
|-------|---------------------|
| | BLOCK WALL |
| Δ | CENTRAL ANGLE/DELTA |
| O.B.B | DEED BOOK |
| D | DESCRIPTION OR DEED |
| D.H | DRILL HOLE |
| D/W | DRIVEWAY |
| ESMT | EASEMENT |
| E.L. | ELEVATION |
| F.F. | FINISHED FLOOR |

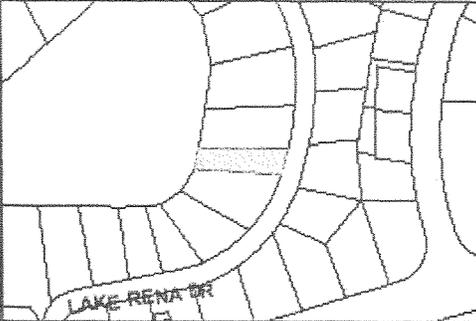
GENERAL NOTES

1) LEGAL DESCRIPTION PROVIDED BY OTHERS

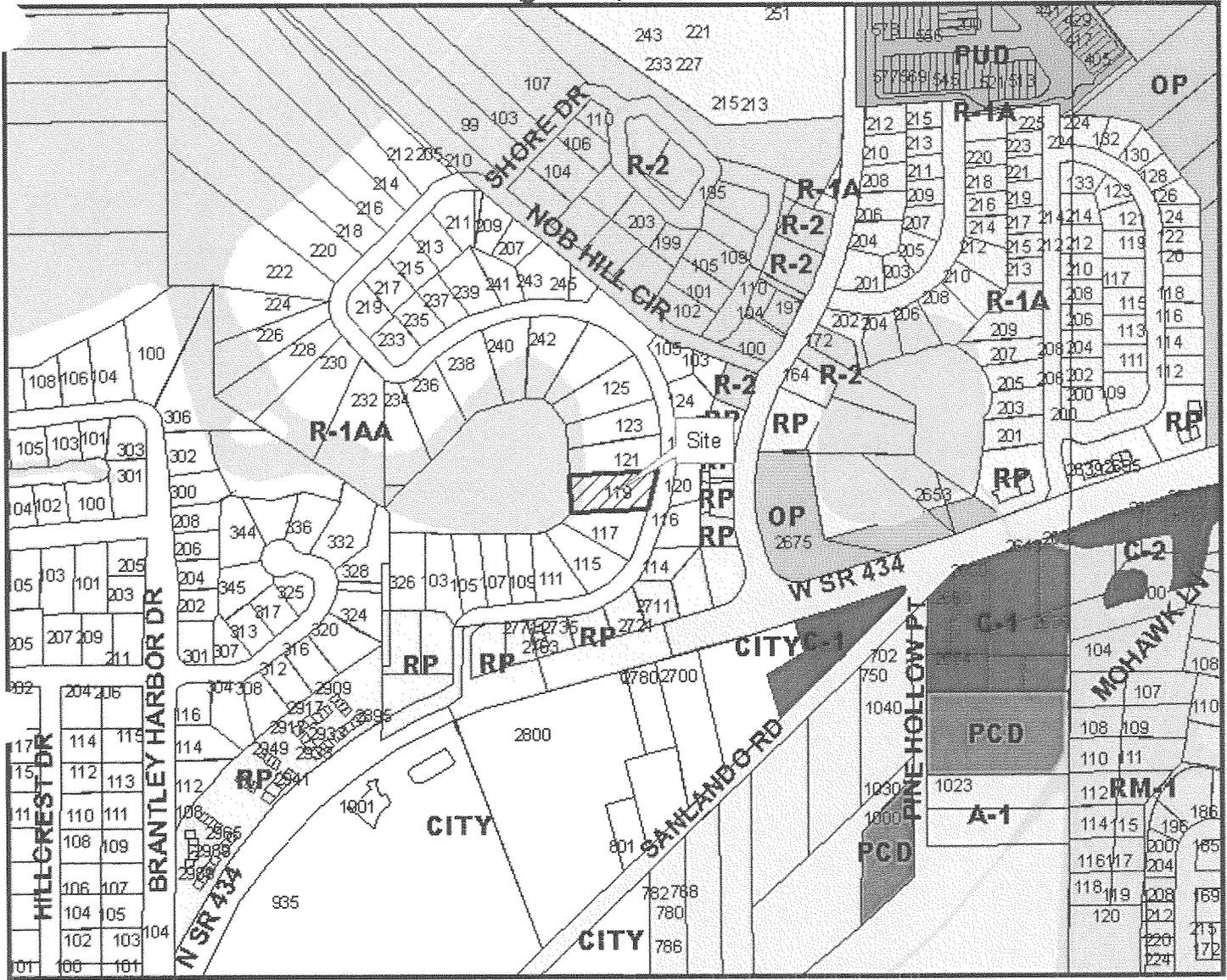
CURVE TABLE

| MC | RADIUS | DELTA | ARC | TANGENT | CHORD | CHORD BEARING |
|----|---------|----------|---------|---------|-----------|-----------------------|
| 1 | 487.44' | 127.707° | 100.23' | 50.31' | 100.04' | S. 12° 10' 38" W. |
| | | | | | 25.747(4) | S. 17° 10' 58" W. (2) |

Personal Property

| <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: 04-21-29-514-0A00-0110 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: MC CANN MICHAEL K & YVONNE H Exemptions: 00-HOMESTEAD</p> <p>Address: 119 LAKE RENA DR City,State,ZipCode: LONGWOOD FL 32779 Property Address: 119 LAKE RENA DR LONGWOOD 32779 Subdivision Name: MEREDITH MANOR NOB HILL SECTION 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: \$376,655</p> <p>Depreciated EXFT Value: \$15,326</p> <p>Land Value (Market): \$153,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$544,981</p> <p>Assessed Value (SOH): \$366,313</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$341,313</p> <p>Tax Estimator</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p align="center">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>07/1993</td> <td>02629</td> <td>0547</td> <td>\$210,000</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>08/1990</td> <td>02215</td> <td>1078</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1989</td> <td>02056</td> <td>1527</td> <td>\$150,000</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>11/1985</td> <td>01690</td> <td>1084</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1980</td> <td>01295</td> <td>0053</td> <td>\$115,000</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 | 07/1993 | 02629 | 0547 | \$210,000 | Improved | QUIT CLAIM DEED | 08/1990 | 02215 | 1078 | \$100 | Improved | WARRANTY DEED | 04/1989 | 02056 | 1527 | \$150,000 | Improved | QUIT CLAIM DEED | 11/1985 | 01690 | 1084 | \$100 | Improved | WARRANTY DEED | 09/1980 | 01295 | 0053 | \$115,000 | Improved | <p align="center">2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$7,295</p> <p>2004 Tax Bill Amount: \$5,588</p> <p>Save Our Homes (SOH) Savings: \$1,707</p> <p>2004 Taxable Value: \$330,644</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p> |
| Deed | Date | Book | Page | Amount | Vac/Imp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 07/1993 | 02629 | 0547 | \$210,000 | Improved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| QUIT CLAIM DEED | 08/1990 | 02215 | 1078 | \$100 | Improved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 04/1989 | 02056 | 1527 | \$150,000 | Improved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| QUIT CLAIM DEED | 11/1985 | 01690 | 1084 | \$100 | Improved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 09/1980 | 01295 | 0053 | \$115,000 | Improved | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p align="center">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>100</td> <td>146</td> <td>.000</td> <td>1,500.00</td> <td>\$153,000</td> </tr> </tbody> </table> | | Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | FRONT FOOT & DEPTH | 100 | 146 | .000 | 1,500.00 | \$153,000 | <p align="center">LEGAL DESCRIPTION PLAT</p> <p>LEG LOT 11 BLK A MEREDITH MANOR NOB HILL SEC PB 9 PG 55</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FRONT FOOT & DEPTH | 100 | 146 | .000 | 1,500.00 | \$153,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BUILDING INFORMATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bld Num | Bld Type | Year Bld | Fixtures | Base SF | Gross SF | Heated SF | Ext Wall | Bld Value | Est. Cost New | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | SINGLE FAMILY | 1967 | 10 | 2,792 | 5,423 | 4,364 | CB/STUCCO FINISH | \$376,655 | \$402,840 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Appendage / Sqft | | GARAGE FINISHED / 506 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Appendage / Sqft | | BASE / 1572 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Appendage / Sqft | | OPEN PORCH FINISHED / 153 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Appendage / Sqft | | OPEN PORCH FINISHED / 400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EXTRA FEATURE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Description | Year Bld | Units | EXFT Value | Est. Cost New | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | FIREPLACE | 1997 | 1 | \$1,600 | \$2,000 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | BOAT DOCK | 1995 | 192 | \$576 | \$960 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | BOAT HOUSE | 1995 | 319 | \$1,531 | \$2,552 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | CONCRETE PATIO | 1990 | 720 | \$1,125 | \$1,800 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | POOL GUNITE | 1999 | 496 | \$8,432 | \$9,920 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Michael & Yvonne McCann
 119 Lake Rena Drive
 Longwood, FL 32779

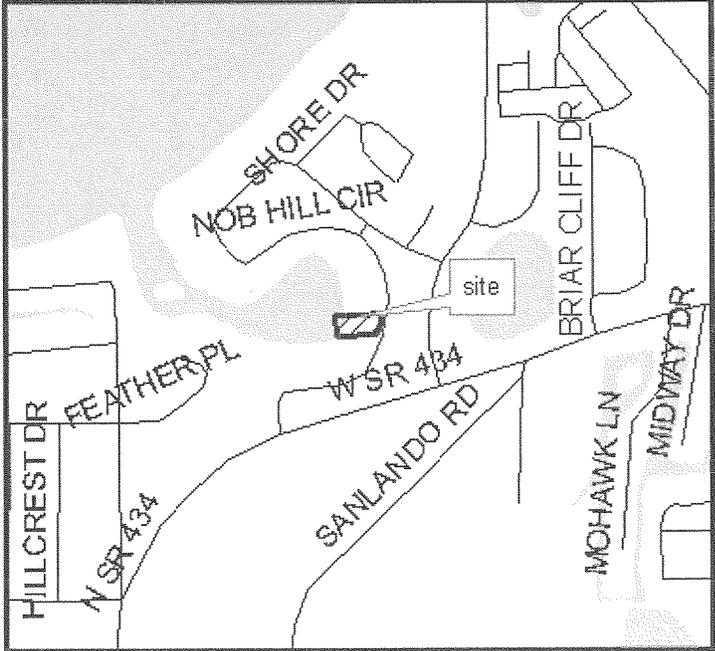


Seminole County Board of Adjustment
August 22, 2005
Case: BV2005-089
Parcel No: 04-21-29-514-0A00-0110

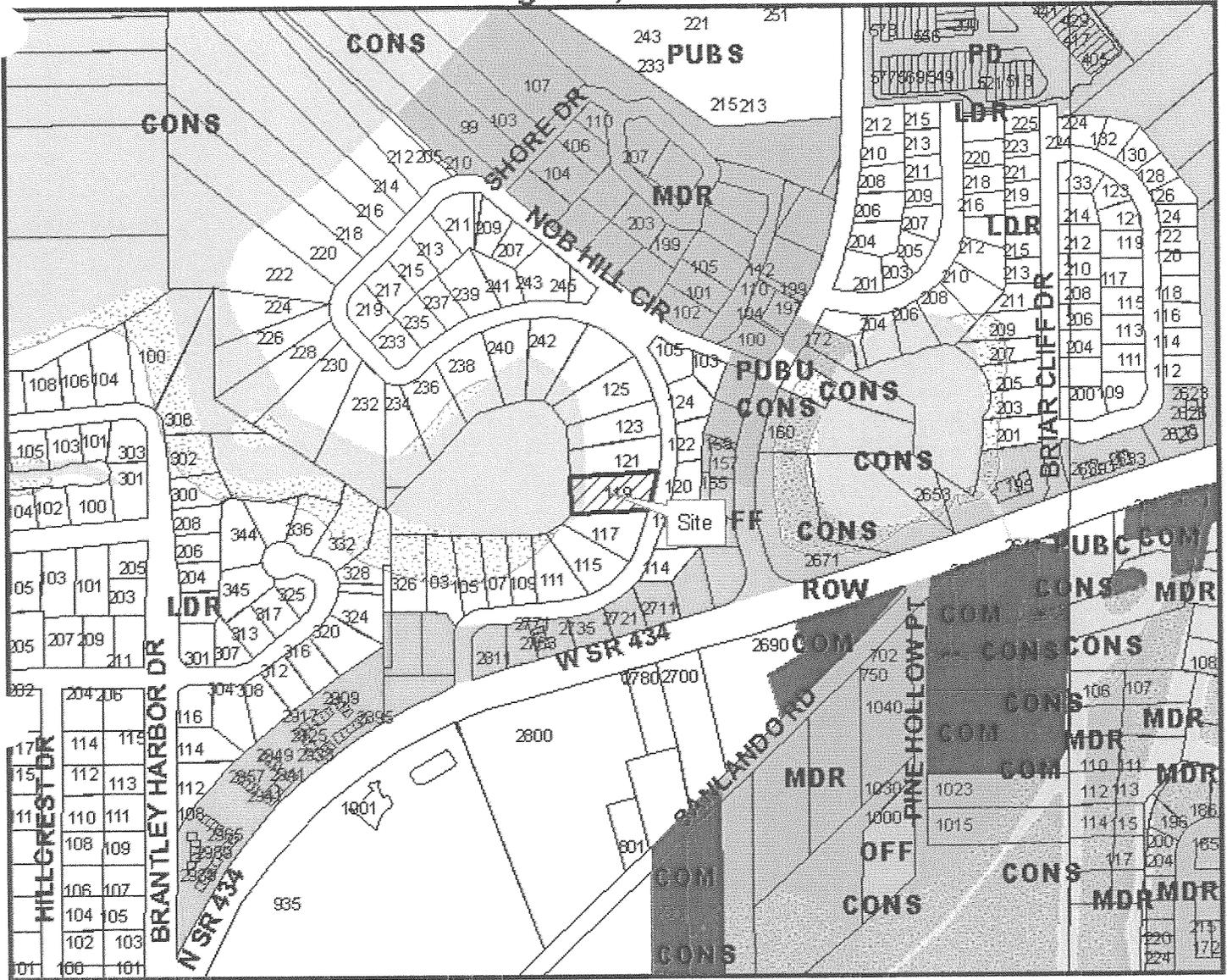
Zoning

- A-1 Agricultural-1A/c
- R-1AA Single Fam-11700
- R-1A Single Fam-9000
- R-2 One and Two-Family-9000
- RM-1 Single-fam Mobile Home-7000
- RP Residential Professional
- OP Office
- C-1 Retail Commercial
- C-2 Retail Commercial
- PUD Planned Unit Dev.
- PCD Planned Commercial Dist.
- BV2005-089

0 85170 340 510 680 Feet



Michael & Yvonne McCann
 119 Lake Rena Drive
 Longwood, FL 32779

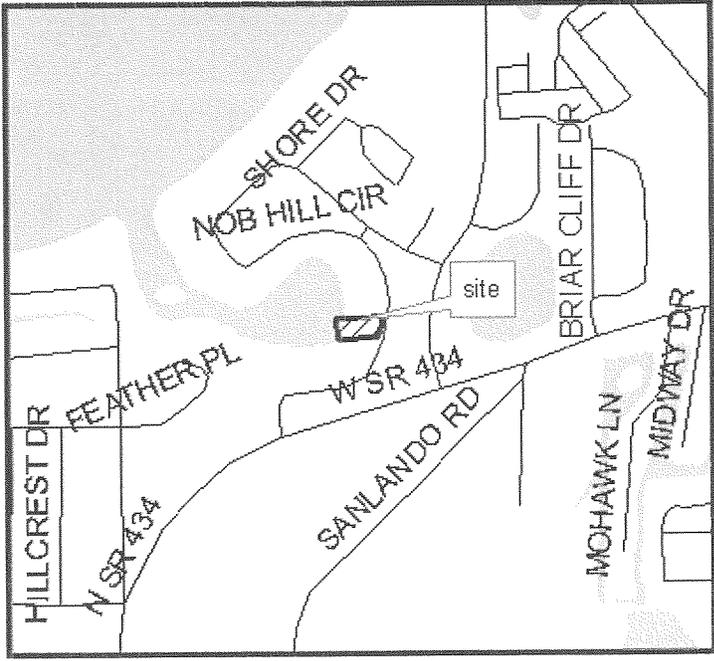


Seminole County Board of Adjustment
 August 22, 2005
 Case: BV2005-089
 Parcel No: 04-21-29-514-0A00-0110

Future Land Use

| | | | |
|--|------------|--|------------|
| | CONS, LDR | | LDR, NONE |
| | CONS, PUBU | | MDR, NONE |
| | CONS, MDR | | PD, NONE |
| | CONS, PD | | OFF, NONE |
| | CONS, OFF | | COM, NONE |
| | CONS, COM | | BV2005-089 |
| | PUBU, NONE | | |
| | PUBC, NONE | | |
| | PUBS, NONE | | |

0 95 190 380 570 760 Feet



.....

Michael McCann

June 16, 2005

Seminole County Planning & Development Dept.
Planning Division
1101 East First Street (RM. 2201)
Sanford, Fl. 32771

To whom it may concern;

I respectfully submit this request for a variance for a front yard setback change from 25 ft. to 15 ft. for proposed garage addition. I can be contacted if needed @ (407) 772-5155 or (321) 231-6455. The mailing address is 119 Lake Rena Drive, Longwood, Fl. 32779. This is our private residence so the name of the project would be "McCann Residence". I am attaching a printout from the SCPA's office that shows the land use, parcel I.D. and legal description. There is also a site plan including existing building, North indicator, property size and dimensions and proposed alteration.

Your assistance in this matter is greatly appreciated.

Sincerely,



Michael McCann

.....

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 11 BLK A MEREDITH MANOR NOB HILL SEC PB 9 PG 55

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

FINDINGS OF FACT

Property Owner: MICHAEL & YVONNE MCCANN
119 LAKE RENA DRIVE
LONGWOOD, FL 32779

Project Name: LAKE RENA DRIVE (119)

Requested Development Approval:

REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (MICHAEL & YVONNE MCCANN, APPLICANTS); OR

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 afordescribed property.

Prepared by: Michael Rumer, Senior 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 garage 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: