

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (NORTH) REAR YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET; FOR A COVERED PATIO ADDITION IN A PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SHIV & SUNITA BALI, 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 (NORTH) REAR YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED COVERED PATIO ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SHIV & SUNITA BALI, APPLICANTS); OR
2. **DENY** THE REQUEST FOR (NORTH) REAR YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED COVERED PATIO ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SHIV & SUNITA BALI, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: SHIV & SUNITA BALI LOCATION: 1280 RISING SUN BLVD ZONING: PUD (SUNRISE VILLAGE)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO EXTEND A COVERED PATIO ADDITION (10 X 35.75) THAT WOULD EXTEND OFF AN EXISTING COVERED PATIO TO AN EXISTING HOME. • THE EXISITING COVERED PATIO DOES NOT MEET THE MINIMUM REAR SETBACKS. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE SUNRISE VILLAGE PUD BY ALLOWING ENCROACHMENT INTO THE REAR 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 COVERED PATIO 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.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 19

TWP: 21

RNG: 31

DEVELOPMENT:		Sunrise Village Unit 5				DEVELOPER:		Arden Group					
LOCATION:		20.46 Acres - 45 Lots											
FILE#:		BA:		SP:		BCC:				7/31/84			
P&Z:		PG		Lot		Blk		Parcel		Comm Dist			
PB	30	PG	77	Lot		Blk		Parcel		DBA			
DEVEL. ORDER #:						TAX PAR. I.D. #:							
SIDEWALKS:						SETBACK REQUIREMENTS							
						FY:	20'	SIDE ST.:		SY:	0'	RY:	25'
ROAD TYPE:						MAIN STRUCTURE OTHER: Minimum Lot Size: 4,500 sq. ft. Minimum Living Area: 900 sq. ft. Maximum Height: 35' *Minimum of 10' between homes and 2 side setbacks within lot must be a minimum of 10'; if 2' setback on one side, a minimum of 8' required on others.							
COMMENTS OTHER:						ACCESSORY STRUCTURE SETBACKS:							
1) All roads must be constructed to applicable green book standards.						SY:							
2) Development of the property within the approved density as per the existing Master Plan.						RY:							
						ACCESSORY STRUCTURE OTHER: SY: 5' and RY: 5' minimum setback for pools. 0' side, 5' side, and 5' rear for screen and accessory building.							

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	
LAND USE:	
1. ROAD-CO. WIDE	
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	\$10.00
5. PARK	
6. SCHOOL	\$300.00
7. LAW	
8. DRAINAGE	
TOTAL	
REMARKS:	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



COPY

APPL. NO. BV 2005-099

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** Rear Yard Setback Variance from 25 feet To 10 feet
for a proposed covered patio extension.
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

RECEIVED
JUN 20 2005

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>SHIV & SUNITA BALI</u>	
ADDRESS	<u>1280 Rising Sun Blvd</u> <u>Winter Springs 32708</u>	
PHONE 1	<u>407-696-4502</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: Rising Sun Blvd (1280)
 SITE ADDRESS: 1280 Rising Sun Blvd. Winter Springs, 32708
 CURRENT USE OF PROPERTY: Residential
 LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 13-21-30-510-0000-2620
 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 8/22/05
 (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.
Shiv Bali
 SIGNATURE OF OWNER OR AGENT* DATE 6-28-05

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

mfb

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 1 FLU / ZONING PUD / PD

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS north side Rising Sun Blvd 2/10
mi east of Dinero Rd + Rising Sun Blvd

PLANNING ADVISOR: ML DATE 6/28/05

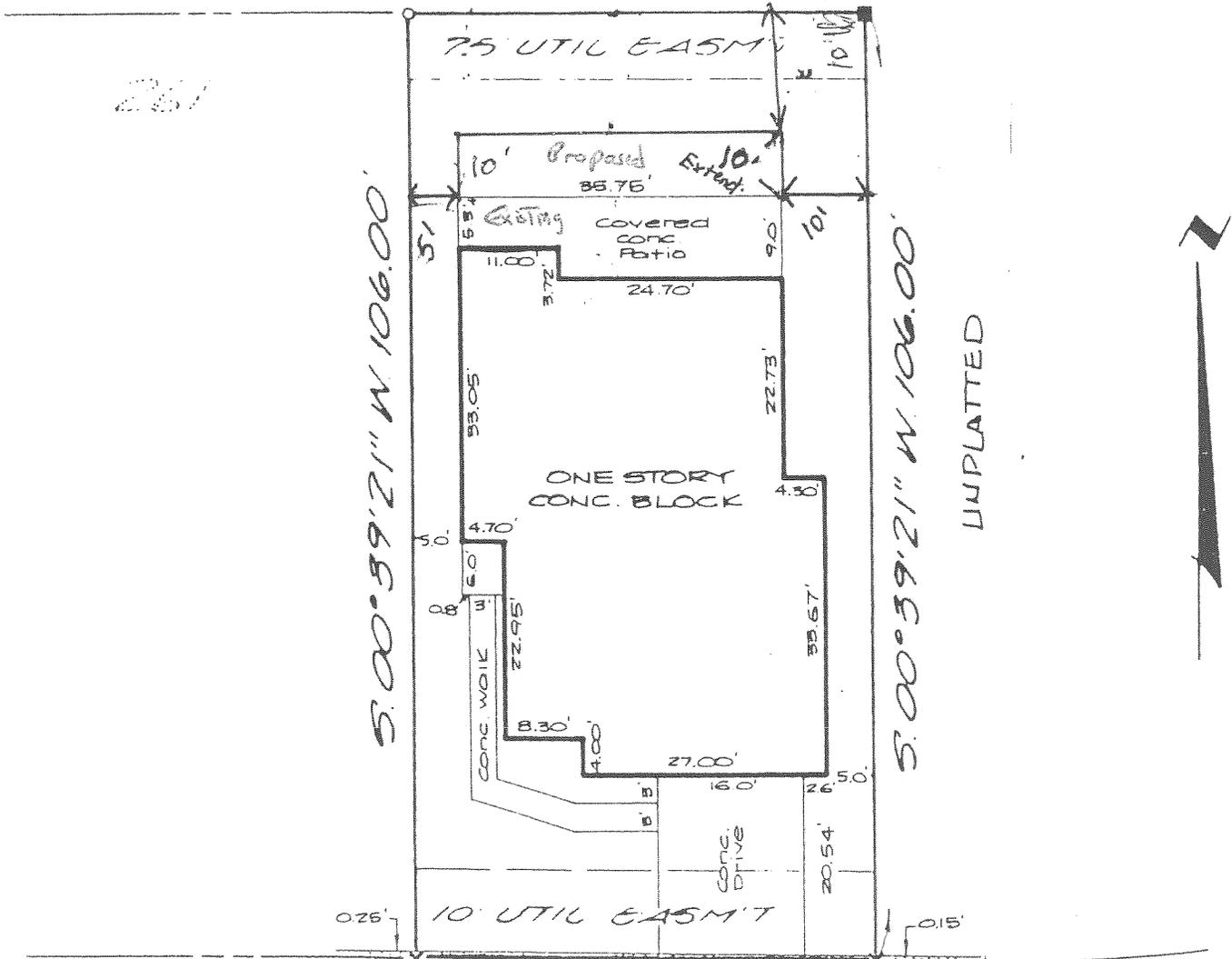
SUFFICIENCY COMMENTS _____

PLAT OF BOUNDARY SURVEY OF: THE ANDEN CR 'UP OF FLORIDA
 DESCRIPTION: LOT: 262, SUNRISE VILLAGE UNIT 5

RECORDED IN PLAT BOOK 30 PAGE(S) 77 PUBLIC RECORDS OF Seminole COUNTY, FLORIDA

UNPLATTED

5.89° 20' 39" E 50.00'



UNPLATTED

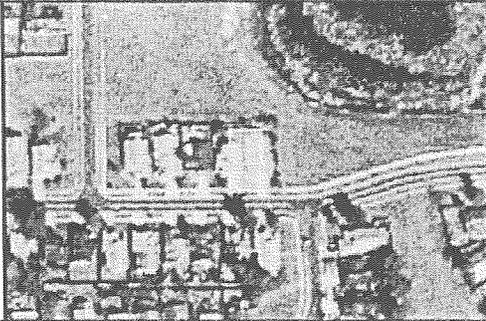
5.89° 20' 39" E 50.00'

Address: 1280
 RISING SUN

BLVD

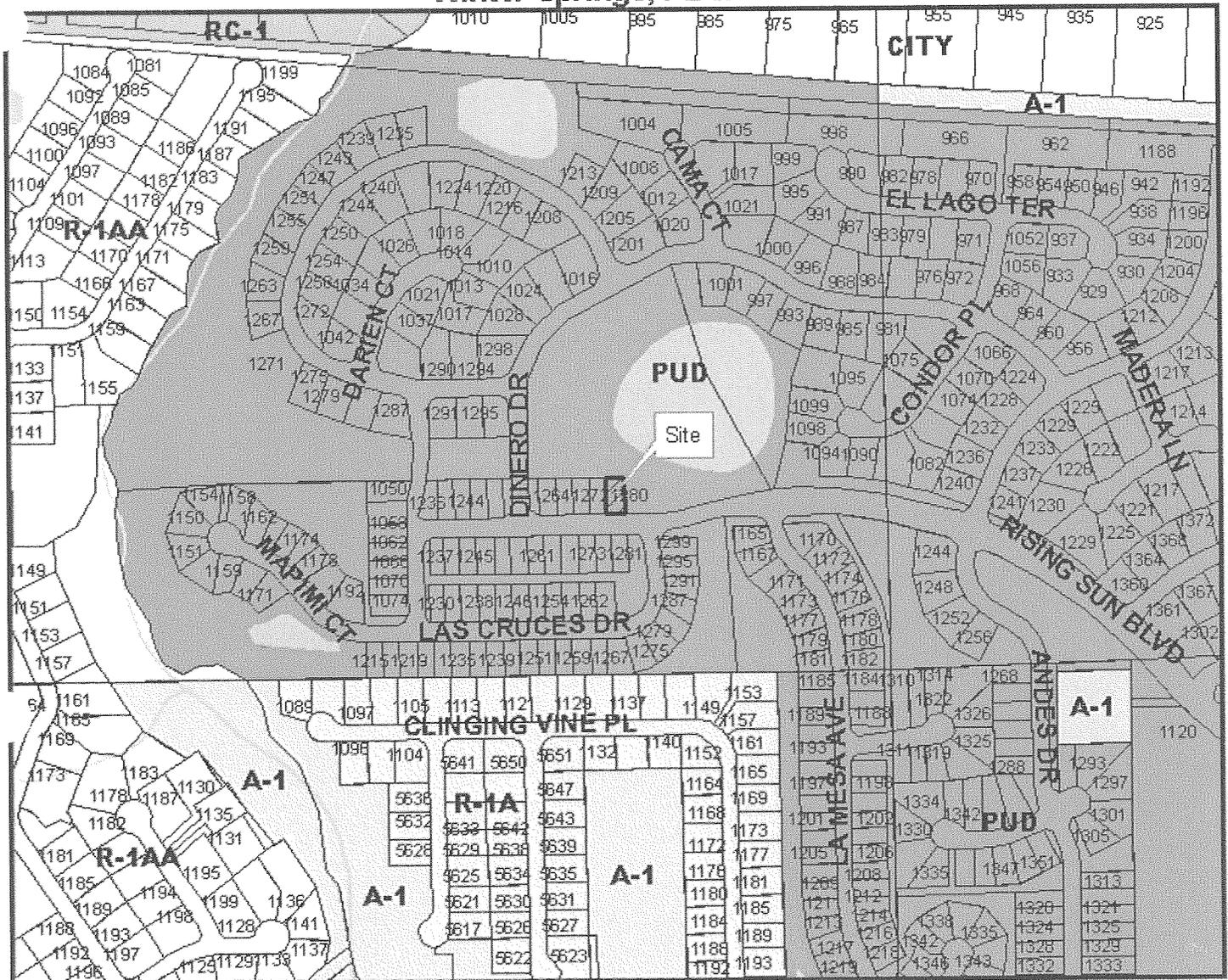
C.P.C.
 Rec. Disk
 To 2005

5.89° 20' 39" E
 Plat & Meas

<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 style="text-align: center;">GENERAL</p> <p>Parcel Id: 13-21-30-510-0000-2620 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: BALI SHIV D & SUNITA Exemptions: 00-HOMESTEAD</p> <p>Address: 1280 RISING SUN BLVD</p> <p>City,State,ZipCode: WINTER SPRINGS FL 32708</p> <p>Property Address: 1280 RISING SUN BLVD WINTER SPRINGS 32708</p> <p>Subdivision Name: SUNRISE VILLAGE UNIT 5</p> <p>Dor: 01-SINGLE FAMILY</p>	<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$109,778</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$24,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$133,778</p> <p>Assessed Value (SOH): \$85,798</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$60,798</p> <p>Tax Estimator</p>																																																		
<p style="text-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>11/1985</td> <td>01687</td> <td>1264</td> <td>\$65,500</td> <td>Improved</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	11/1985	01687	1264	\$65,500	Improved	<p style="text-align: center;">2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,585</p> <p>2004 Tax Bill Amount: \$985</p> <p>Save Our Homes (SOH) Savings: \$600</p> <p>2004 Taxable Value: \$58,299</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																						
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PUD

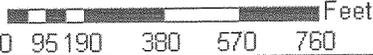
Shiv & Sunita Bali
1180 Rising Sun Boulevard
Winter Springs, FL 32708

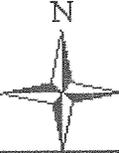


Seminole County Board of Adjustment
August 22, 2005
Case: BV2005-099
Parcel No: 13-21-30-510-0000-2620

Zoning

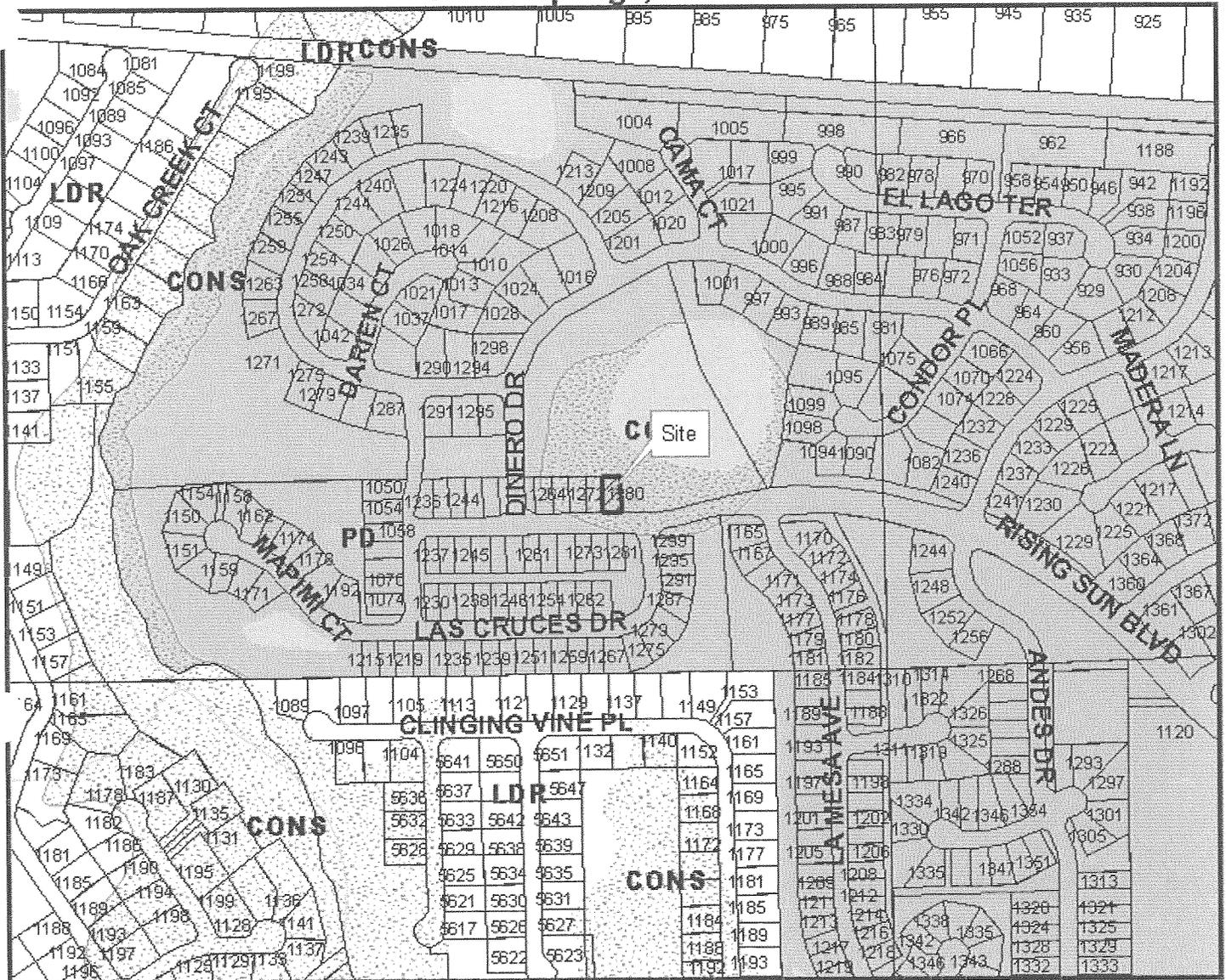
-  A-1 Agricultural-1Ac
-  RC-1 Country Homes-1Ac
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  PUD Planned Unit Dev.
-  BV2005-099

 Feet
0 95 190 380 570 760





Shiv & Sunita Bali
1180 Rising Sun Boulevard
Winter Springs, FL 32708



Seminole County Board of Adjustment
August 22, 2005
Case: BV2005-099
Parcel No: 13-21-30-510-0000-2620

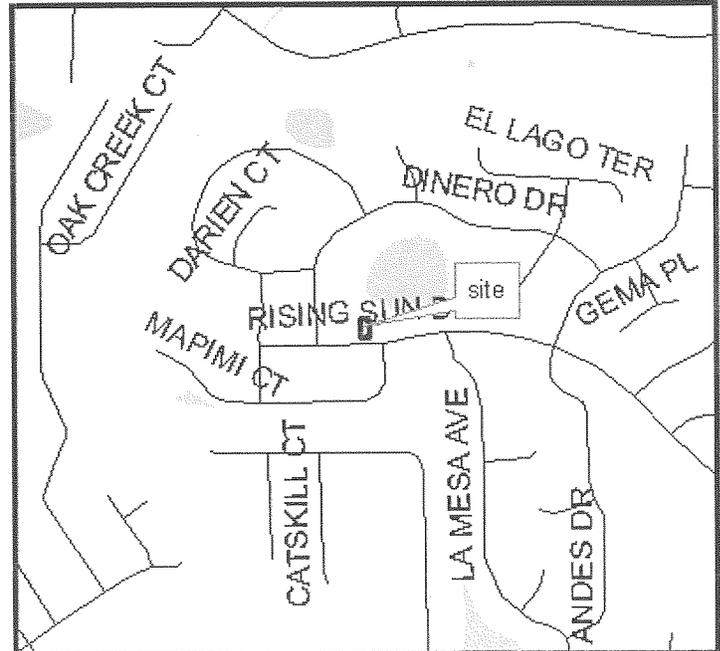
Future Land Use

-  CONS, LDR
-  CONS, PD
-  LDR, NONE
-  PD, NONE
-  BV2005-099

N



0 95 190 380 570 760 Feet



Sunrise Owners' Group, Inc.

Exterior Improvement Approval Form

Section 1: Name and Location DO NOT USE BLUE INK

Name: SHIV AND SUNITA BALI
Property Address: 1280 RISING SUN BLVD Lot: 262
Mailing Address: 1280 RISING SUN BLVD. Day Phone: (407) 245-0750
City: WINTER SPRINGS, FL Zip: 32788 Eve. Phone: (407) 691-4502

Section 2: Change Description (include all dimensions, materials, color, finish, location, etc.)

EXTENSION OF PATIO (ALUMINUM) ~~45~~ 10'
(TO AVOID RAIN WATER); TO PROTECT PROPERTY

Section 3: Request For Approval

"I request approval to make the above changes. I understand that some types of changes require county permits and I will acquire any required permits prior to making the above changes."

Shiv Bali
Signed

10-14-97
Dated

Section 4: Approval or Denial

- Approved.
 Approved Subject To The Following:
 Denied - Comments:

Received:

Signed (SUNRISE ARC): Deborah Wash 10/14/97

Instructions: Please fill out sections 1, 2 & 3. Attach a plot survey showing location of changes. If construction is to occur in an easement an additional form is also required. Changes must be completed within 120 days. For paint color changes, please attach "color chips" with the colors desired clearly marked (larger samples may be requested). We will return this form either approved or denied within 31 days from the day we receive it.

Please return this form and required information to:

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 262 SUNRISE VILLAGE UNIT 5 PB 30 PG 77

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

FINDINGS OF FACT

Property Owner: SHIV & SUNITA BALI
1280 RISING SUN BLVD
WINTER PARK, FL 32708

Project Name: RISING SUN BLVD (1280)

Requested Development Approval:

REQUEST FOR (NORTH) REAR YARD SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED COVERED PATIO ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT 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, 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 covered patio 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: