

BV2005-101

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 22 FEET; FOR A SUN ROOM ADDITION IN AN R-1A (SINGLE-FAMILY DWELLING DISTRICT); (JILL & RAY ORMACHEA, APPLICANTS).

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

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

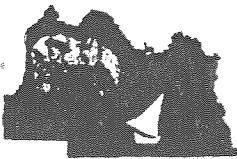
Agenda Date 08/22/05 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 22 FEET FOR A PROPOSED SUNROOM ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (JILL & RAY ORMACHEA, APPLICANTS); OR
2. **DENY** THE REQUEST FOR (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 22 FEET FOR A PROPOSED SUNROOM ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (JILL & RAY ORMACHEA, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT:	JILL & RAY ORMACHEA
	LOCATION:	3169 FLORA WAY EAST
	ZONING:	R-1A(SINGLE-FAMILY DWELLING DISTRICT)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANTS PROPOSE TO CONSTRUCT A SUNROOM ADDITION (APPROXIMATELY 5.41' X 19') TO AN EXISTING HOME.</li> <li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li> </ul>	
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE PROPOSED ADDITION WOULD ENCROACH 8 FEET INTO THE MINIMUM 30 FOOT REAR YARD SETBACK.</li> <li>• THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE R-1A ZONING DISTRICT BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP.</li> </ul>	

	<ul style="list-style-type: none"><li>• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED ADDITION HAVE BEEN DEMONSTRATED.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• 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"><li>• ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED SUNROOM ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul></li></ul>



**COPY**  
 APPL. NO. B112005-101

**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** back yard setback variance from 30 feet to 22 feet for proposed sunroom addition
- 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**

PLANNING DIVISION  
 JUN 10 2005

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Billand Ray Ormachea</u>	<u>Jessie Santiago</u>
ADDRESS	<u>3169 Floral Way East Apopka, FL 32703</u>	<u>3005 Forsythe Rd. Winter Park, FL 32792</u>
PHONE 1	<u>(586) 212-3473</u>	
PHONE 2	<u>(586) 296-5515</u>	<u>407 678-0500</u>
E-MAIL	<u>BRORMACHEA@COMCAST.NET</u>	

PROJECT NAME: J Ormachea  
 SITE ADDRESS: 3169 Floral Way East  
 CURRENT USE OF PROPERTY: home  
 LEGAL DESCRIPTION: \_\_\_\_\_

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 18-21-29-528-0000-0180

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 1/1  
 (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.

Bill Ormachea  
 SIGNATURE OF OWNER OR AGENT\* DATE 6-28-05

\* 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): \$150.00 COMMISSION DISTRICT 3 FLU/ZONING LDR/R-1A  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS N side of E Floral Way; 3/4 mi east  
of the intersection of Floral Way + Balm Beach Blvd  
PLANNING ADVISOR ML DATE 6/30/05  
SUFFICIENCY COMMENTS \_\_\_\_\_  
\_\_\_\_\_

# SWERDLOFF & HERRITY

SURVEYING, INC.

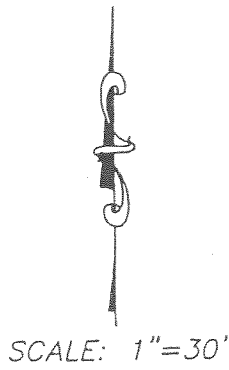
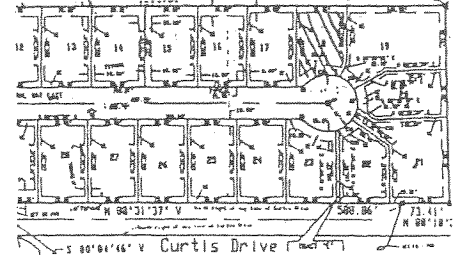
370 Waymont Court · Lake Mary, FL 32746 · Voice 407.688.7631 · Fax 407.688.7691

## Legal Description

Lot 18, BEECHWOODS, according to the plat thereof, as recorded in Plat Book 48, Page(s) 71 and 72, inclusive, of the Public Records of Seminole County, FL.

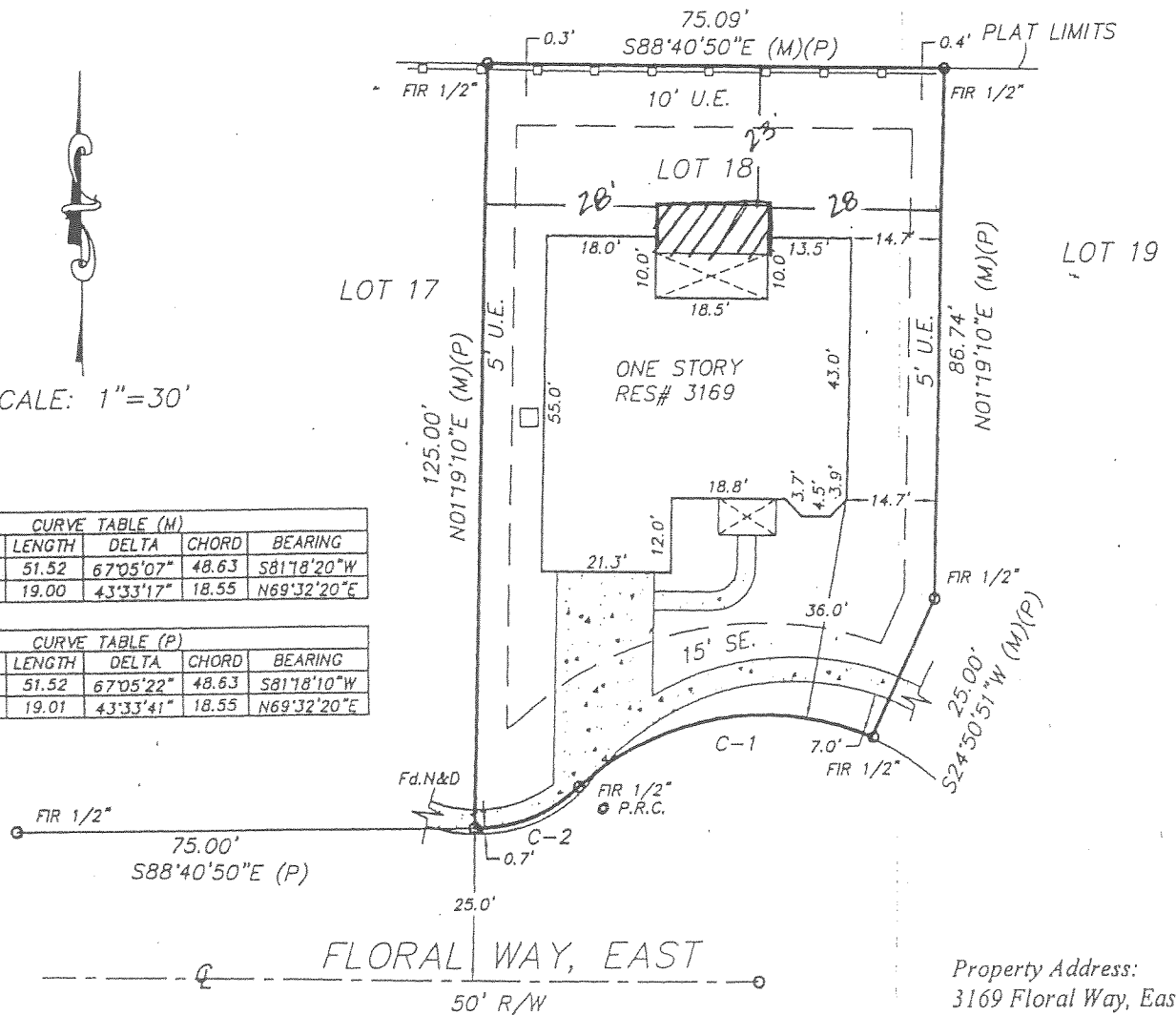
Community number: 120289 Panel: 0115  
 Suffix: E F.I.R.M. Date: 4/17/1995 Flood Zone: X  
 Date of field work: 3/23/2005 Completion Date: 3/31/2005

Certified to:  
 Raymond J. Ormachea; Jill M. Ormachea; New Horizons Title, Inc.;  
 Stewart Title Guaranty Company; Countrywide Home Loans, its  
 successors and/or assigns.



CURVE TABLE (M)					
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C-1	44.00	51.52	67°05'07"	48.63	S81°18'20"W
C-2	25.00	19.00	43°33'17"	18.55	N69°32'20"E

CURVE TABLE (P)					
CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C-1	44.00	51.52	67°05'22"	48.63	S81°18'10"W
C-2	25.00	19.01	43°33'41"	18.55	N69°32'20"E



Property Address:  
 3169 Floral Way, East  
 Anonka, FL 32703

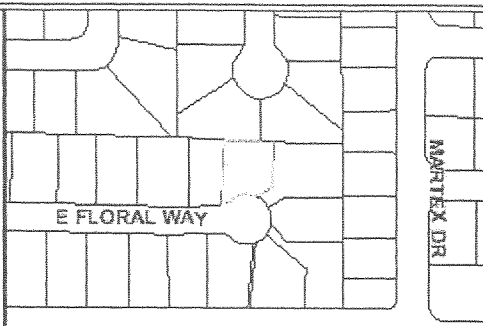
**PARCEL DETAIL**

DAVID JOHNSON, CFA, ASA

**PROPERTY APPRAISER**

SEMINOLE COUNTY FL

1101 E. FIRST ST  
SANFORD, FL 32771-1468  
407-665-7506



**GENERAL**

Parcel Id: 18-21-29-528-0000-0180      Tax District: 01-COUNTY-TX DIST 1

ORMACHEA  
Owner: RAYMOND J & JILL      Exemptions: 00-HOMESTEAD M

Address: 33832 SUNRISE DR  
City,State,ZipCode: FRASER MI 48026  
Property Address: 3169 FLORAL WAY E APOPKA 32703  
Subdivision Name: BEECHWOODS  
Dor: 01-SINGLE FAMILY

**2005 WORKING VALUE SUMMARY**

Value Method: Market  
Number of Buildings: 1  
Depreciated Bldg Value: \$136,392  
Depreciated EXFT Value: \$0  
Land Value (Market): \$40,000  
Land Value Ag: \$0  
Just/Market Value: \$176,392  
Assessed Value (SOH): \$134,119  
Exempt Value: \$25,000  
Taxable Value: \$109,119  
Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	04/2005	05686	1267	\$250,000	Improved
WARRANTY DEED	07/1998	03469	1154	\$133,000	Improved
WARRANTY DEED	07/1997	03277	1712	\$130,000	Improved

Find Comparable Sales within this Subdivision

**2004 VALUE SUMMARY**

Tax Value(without SOH): \$2,203  
2004 Tax Bill Amount: \$1,778  
Save Our Homes (SOH) Savings: \$425  
2004 Taxable Value: \$105,213  
DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	40,000.00	\$40,000

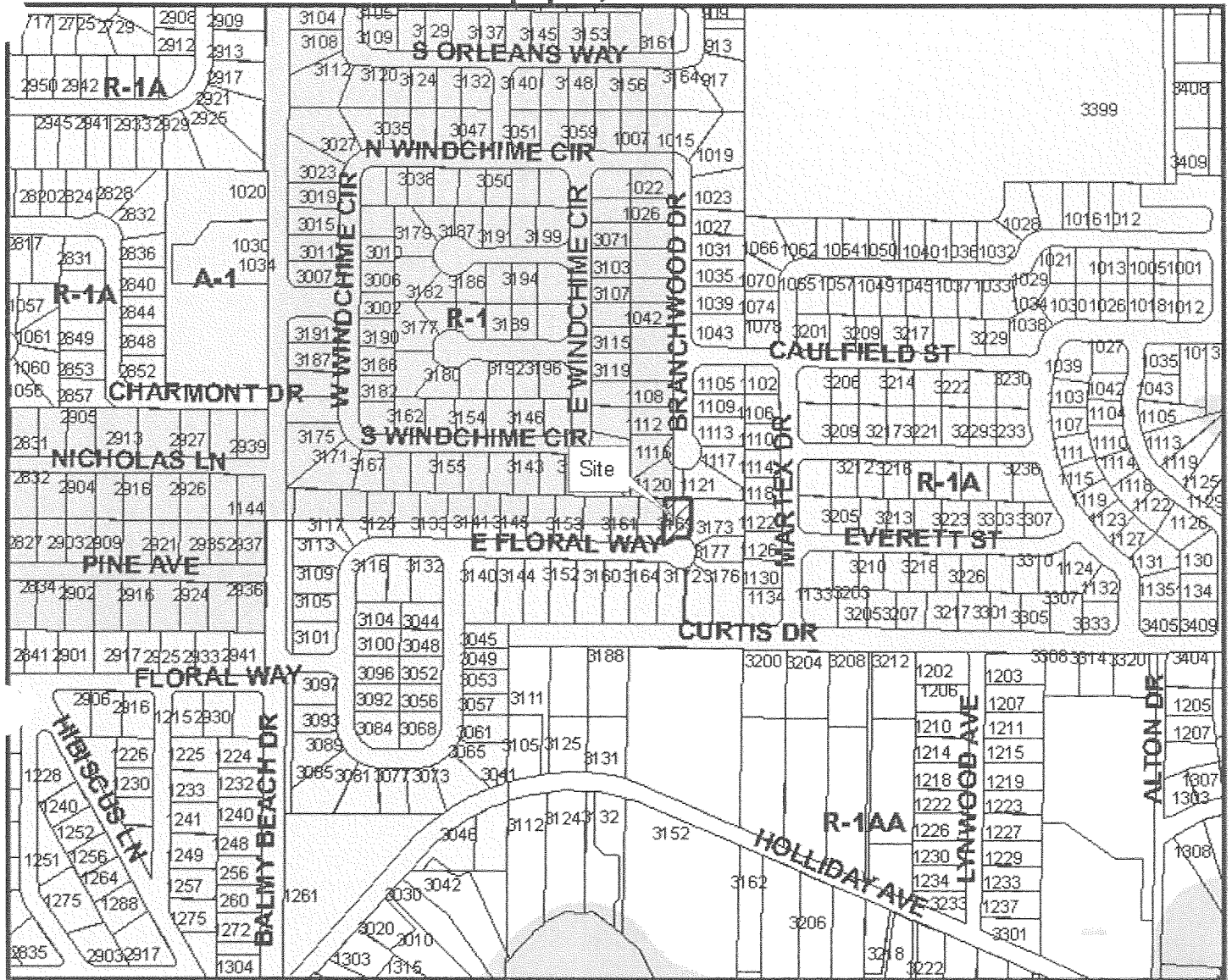
**LEGAL DESCRIPTION PLAT**  
LOT 18 BEECHWOODS PB 48 PGS 71 & 72

**BUILDING INFORMATION**

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1996	8	1,787	2,426	1,787	CB/STUCCO FINISH	\$136,392	\$141,706
	Appendage / Sqft		OPEN PORCH FINISHED / 126						
	Appendage / Sqft		GARAGE FINISHED / 453						
	Appendage / Sqft		OPEN PORCH FINISHED / 60						






**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.

**Jesse Santiago  
3169 Floral Way  
Apopka, FL 32703**

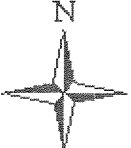


**Seminole County Board of Adjustment  
August 22, 2005  
Case: BV2005-101  
Parcel No: 18-21-29-528-0000-0180**

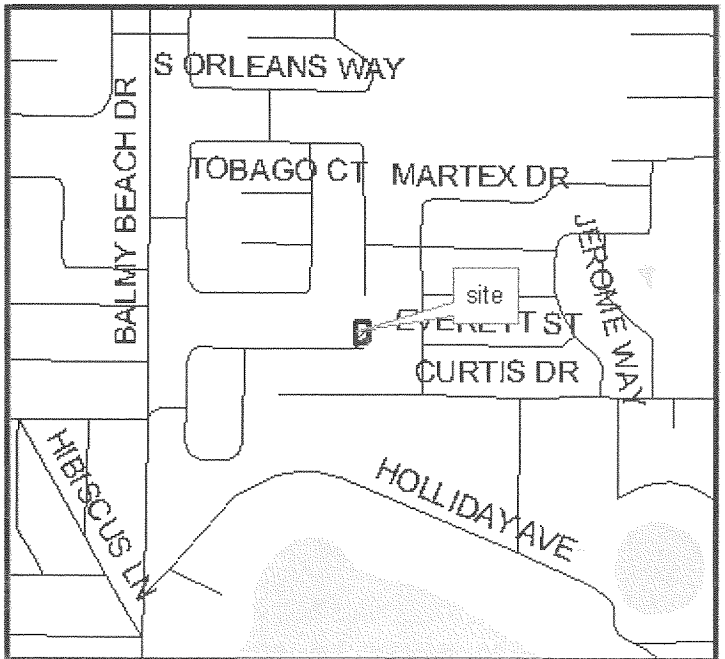
**Zoning**

-  A-1 Agricultural-1Ac
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  R-1 Single Fam-8400
-  BV2005-101

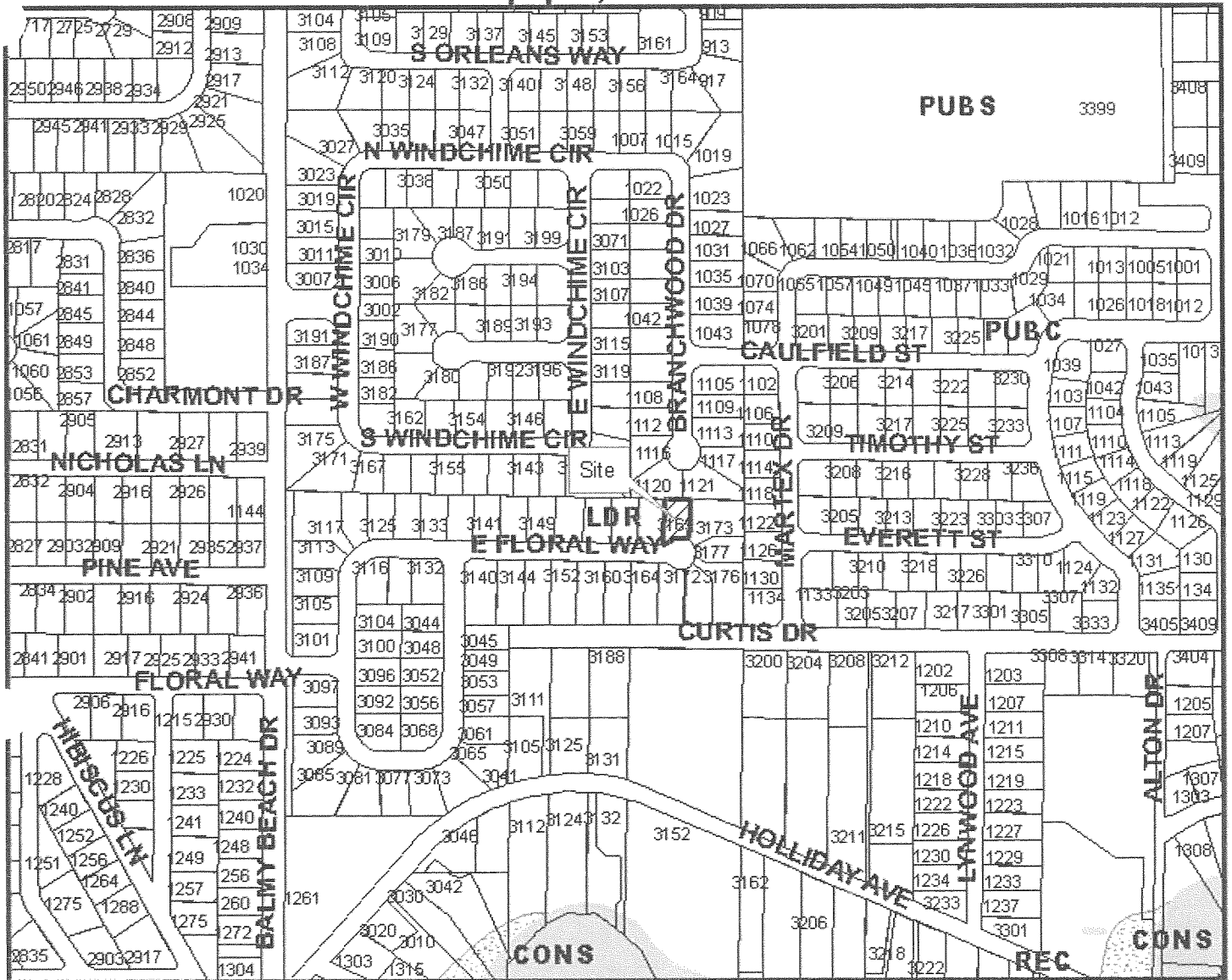
N



0 70 140 280 420 560 Feet



**Jesse Santiago  
3169 Floral Way  
Apopka, FL 32703**



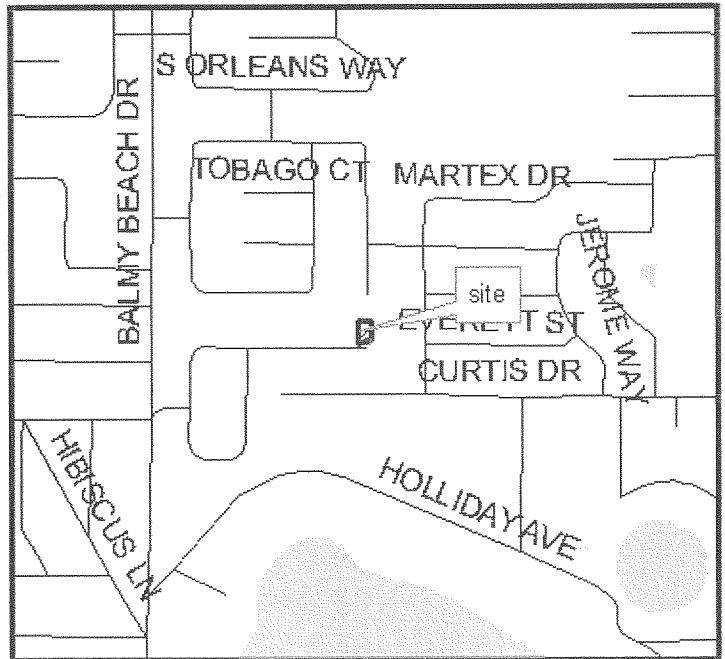
**Seminole County Board of Adjustment  
August 22, 2005  
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**Future Land Use**

- CONS, LDR
- PUBC, NONE
- PUBS, NONE
- LDR, NONE
- BV2005-101

N

0 70 140 280 420 560 Feet





Pool Enclosures  
Vinyl Enclosures  
Glass Enclosures  
Aluminum Awnings  
Solar Screens  
Carports



Screen Rooms  
Hurricane Storm Panels  
Aluminum and Vinyl Siding  
Soffit and Fascia  
Replacement Windows  
Mobile Home Roofovers

June 28, 2005

Variance Information:

Mr. & Mrs. Ormachea  
3169 Floral Way East  
Apopka, Fl. 32703

Contact Info.: Jessie Santiago (407) 678-0500  
3005 Forsyth Rd. Winter Park, Fl. 32792

To whom it may concern:

We are writing to request a variance for above address. We are requesting that the rear yard setback be changed from 30' to 20' in order to build a screen room with windows.

The structure will be (5.4 x 19') when complete.

If you have any questions please feel free to call me. I can be reached at (407) 678-0500.

Thank you for your time and consideration in this matter.

Sincerely,

Jessie Santiago  
Superior Aluminum  
Permitting.



ALUMINUM ASSOCIATION AWARD OF EXCELLENCE

## 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:

LOT 18 BEECHWOOD PB 48 PGS 71 & 72

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

### FINDINGS OF FACT

**Property Owner:** JILL & RAYMOND ORMACHEA  
3169 FLORAL WAY E  
APOPKA, FL 32703

**Project Name:** FLORAL WAY EAST (3169)

**Requested Development Approval:**

REQUEST FOR (NORTH) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 22 FEET FOR A PROPOSED SUNROOM ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING 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 sunroom 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: