

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 5 FEET TO 1 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 3 FEET FOR A PROPOSED POOL IN THE R-1BB (SINGLE FAMILY DWELLING DISTRICT); (ADAM & BETH-ANN FRACK, APPLICANTS)

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

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

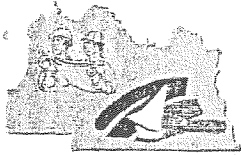
Agenda Date 08/22/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 5 FEET TO 1 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 3 FEET FOR A PROPOSED POOL IN THE R-1BB (SINGLE FAMILY DWELLING DISTRICT); (ADAM & BETH-ANN FRACK, APPLICANTS), OR
2. **DENY** REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 5 FEET TO 1 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 3 FEET FOR A PROPOSED POOL IN THE R-1BB (SINGLE FAMILY DWELLING DISTRICT); (ADAM & BETH-ANN FRACK, APPLICANTS), OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANTS: ADAM & BETH-ANN FRACK LOCATION: 1804 PINE BAY DRIVE ZONING: R-1BB (HUNTING POINTE)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A POOL SCREEN ENCLOSURE THAT WOULD ENCROACH 4 FEET INTO THE 5 FOOT MINIMUM REAR YARD SETBACK AND A POOL THAT WOULD ENCROACH 7 FEET INTO THE 10 MINIMUM REAR YARD SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.

STAFF FINDINGS	<ul style="list-style-type: none">• THE OPPORTUNITY EXISTS TO CONSTRUCT THE PROPOSED POOL WITHOUT ENCROACHING INTO THE REAR YARD SETBACK, THEREFORE NEGATING THE REQUESTED VARIANCES.• THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE HUNTINGTON POINTE NEIGHBORHOOD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP BY THE APPLICANTS.• THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY ALLOW DEVELOPMENT THAT IS INCONSISTENT WITH THE TREND OF NEIGHBORHOOD DEVELOPMENT.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANTS 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 POOL AND SCREEN ENCLOSURE 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.



COPY

APPL. NO. BV 2005-102

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 rearranged setback from 10 ft to 3 1/2 ft. for proposed pool

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 _____
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED _____

APPEAL FROM DECISION OF THE PLANNING MANAGER

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	<u>Helen & Beth Ann Frack</u>	
ADDRESS	<u>1304 Pine Bay Dr Lake Mary, FL 32746</u>	
PHONE 1	<u>407 204 6303</u>	
PHONE 2	<u>407 461 2772</u>	
E-MAIL	<u>hfrack@yolice.com</u>	

PROJECT NAME: _____

SITE ADDRESS: 1304 Pine Bay Dr, Lake Mary, FL 32746

CURRENT USE OF PROPERTY: residence

LEGAL DESCRIPTION: Lot 24 Huntington Pointe PH 1A-PB 53 P6560461

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 24-20-29-509-0000-0340

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS none

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.

Helen Frack
 SIGNATURE OF OWNER OR AGENT*

8/30/05
 DATE HF

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

ADDITIONAL VARIANCES

VARIANCE 2:

D RYSB VARIANCE FROM 5 FT TO 1 FT. ^{Proposed} SCREEN ENCLOSURE.

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): 200.00 COMMISSION DISTRICT 4 FLU / ZONING R-1BB/MOR

BCC HEARING DATE _____ (FOR APPEAL)

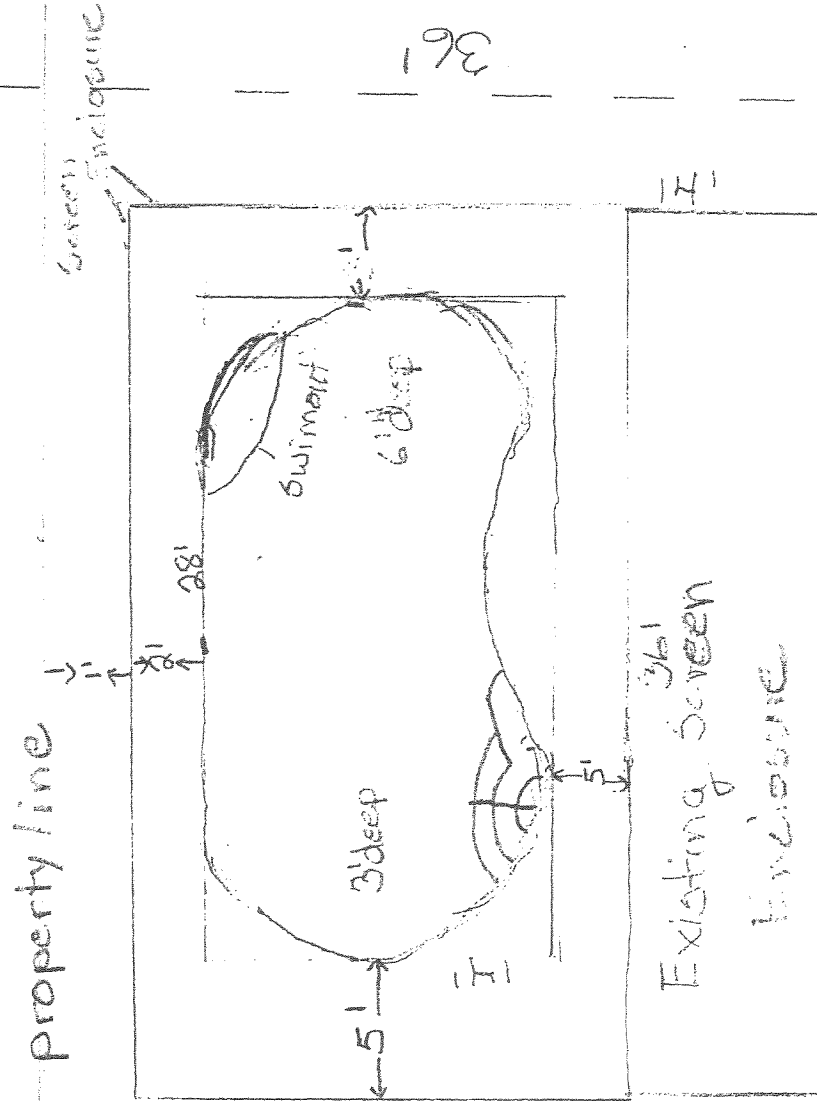
LOCATION FURTHER DESCRIBED AS N. side of Pine Bay Dr. at intersection of Pine Bay Dr + Palm Crystal Ln.

PLANNING ADVISOR _____ DATE _____

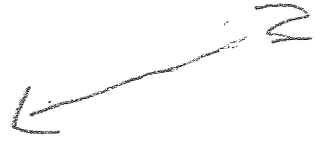
SUFFICIENCY COMMENTS _____

Huntington Pointe HOA
Common Property
Easement

Brick Wall



- 14' Existing Screen Enclosure
- 5' Existing Screen Enc. to Pool Edge
- 14' Pool Width
- 2' Pool Edge to Back Screen
- 35'

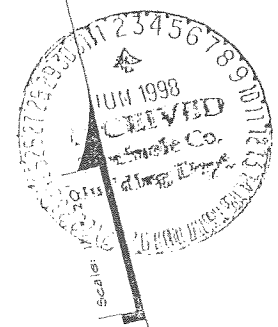
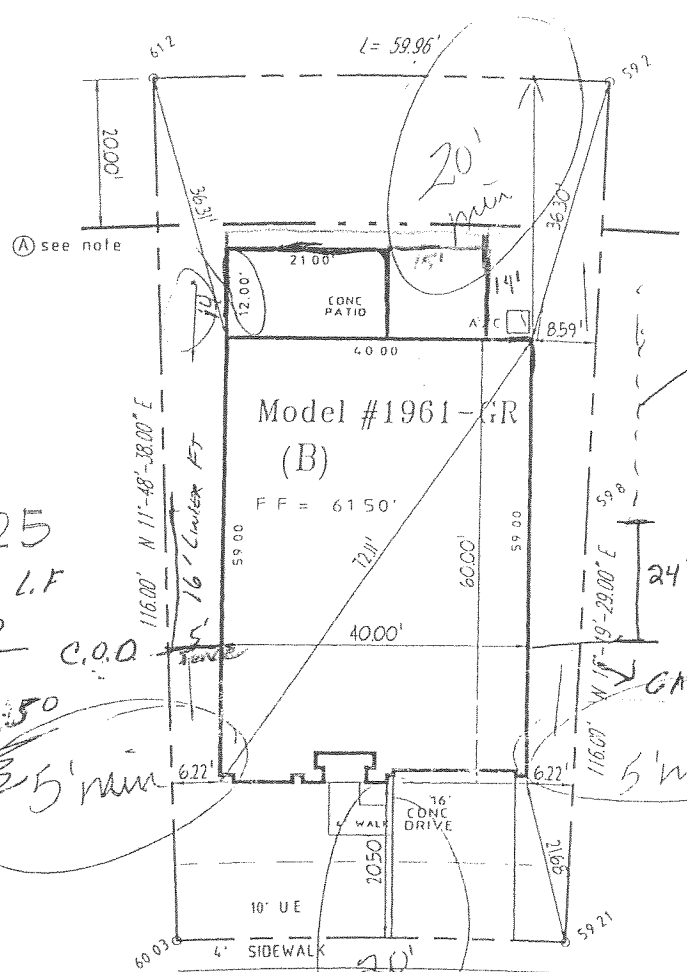


TR 242-9092

6.424
conc. area: - 2.982 (46.4) %
permeable area: 3.442

Notes
(A) Screen porch cannot go beyond this line
(this is the structure set-back line)

TRACT A



EXISTING LOT W-O-E
FENCE on 23

REVISION 6/2/98

Reduce size of concrete slab at Row

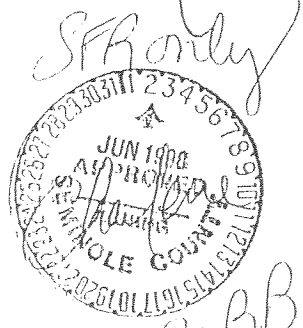
25
21 L.F.
\$7.50
C.O.O.
\$157.50
2.5' min

SIDEWALKS
REQUIRED

PLANT/RETAIN 2 TREES, 8 FT. HIGH.
2 INCH CALIPER MIN. PRIOR TO C.O.

Commitment Inspection Pay

MR. FRACK
1804 PINE BAY DRIVE RIBB



PLAT BOOK 53 PAGE 61

SWORN TO AND SUBSCRIBED BEFORE ME
THIS _____ DAY OF _____ 199__

NOTARY PUBLIC, STATE of FLORIDA @ LARGE
MY COMMISSION EXPIRES _____

SIGNED
Mike Showers
C.G.C. 049904



SUBDIVISION HUNTINGTON POINTE
PHASE 4A
SEMINOLE COUNTY - FLORIDA

SETBACKS	
F 20'	S 50'
R 20'	SS 20'

1804 PINE BAY DRIVE

LOT 24

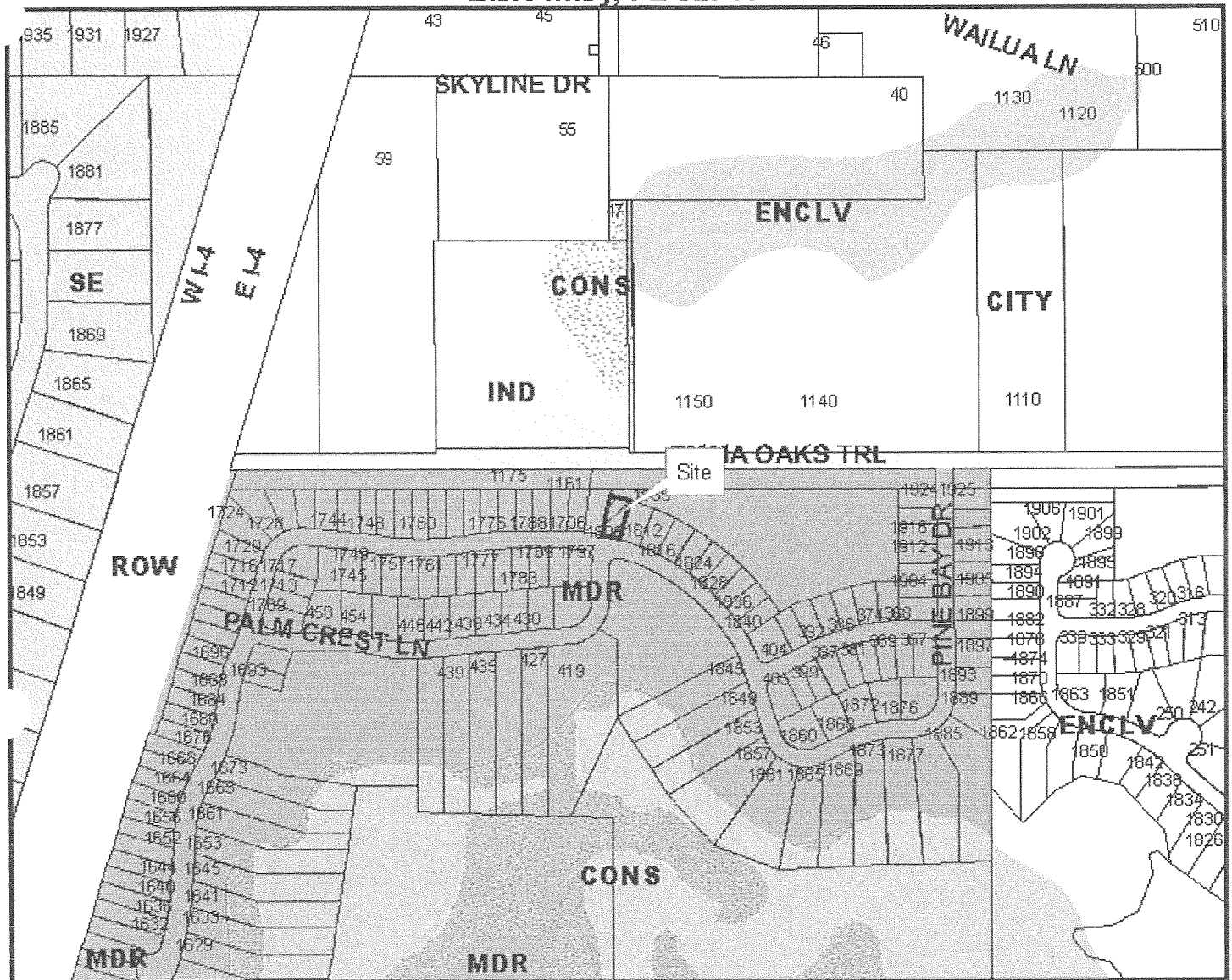
EMPIRE FENCE
291-1101 BRIAN

DRAINAGE TYPE
A/B CUSTOMER SIGNATURE

693 21

<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: 24-20-29-509-0000-0240 Tax District: 01-COUNTY-TX DIST 1 Owner: FRACK ADAM S & BETH-ANN Exemptions: 00-HOMESTEAD Address: 1804 PINE BAY DR City,State,ZipCode: LAKE MARY FL 32746 Property Address: 1804 PINE BAY DR LAKE MARY 32746 Subdivision Name: HUNTINGTON POINTE PH 4A Dor: 01-SINGLE FAMILY</p>	<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$155,922 Depreciated EXFT Value: \$3,967 Land Value (Market): \$36,000 Land Value Ag: \$0 Just/Market Value: \$195,889 Assessed Value (SOH): \$144,269 Exempt Value: \$25,000 Taxable Value: \$119,269 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>SPECIAL WARRANTY DEED</td> <td>10/1998</td> <td>03528</td> <td>0995</td> <td>\$140,400</td> <td>Improved</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	SPECIAL WARRANTY DEED	10/1998	03528	0995	\$140,400	Improved	<p align="center">2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,436 2004 Tax Bill Amount: \$1,945 Save Our Homes (SOH) Savings: \$491 2004 Taxable Value: \$115,067 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																												
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<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>																																									

Adam & Beth-Ann Frank
 1804 Pine Bay Drive
 Lake Mary, FL 32746

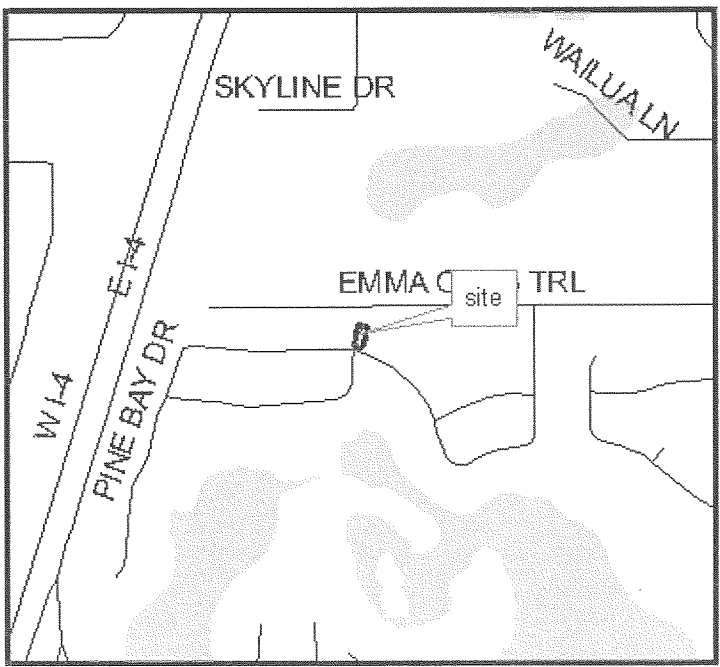


Seminole County Board of Adjustment
 August 22, 2005
 Case: BV2005-102
 Parcel No: 24-20-29-509-0000-0240

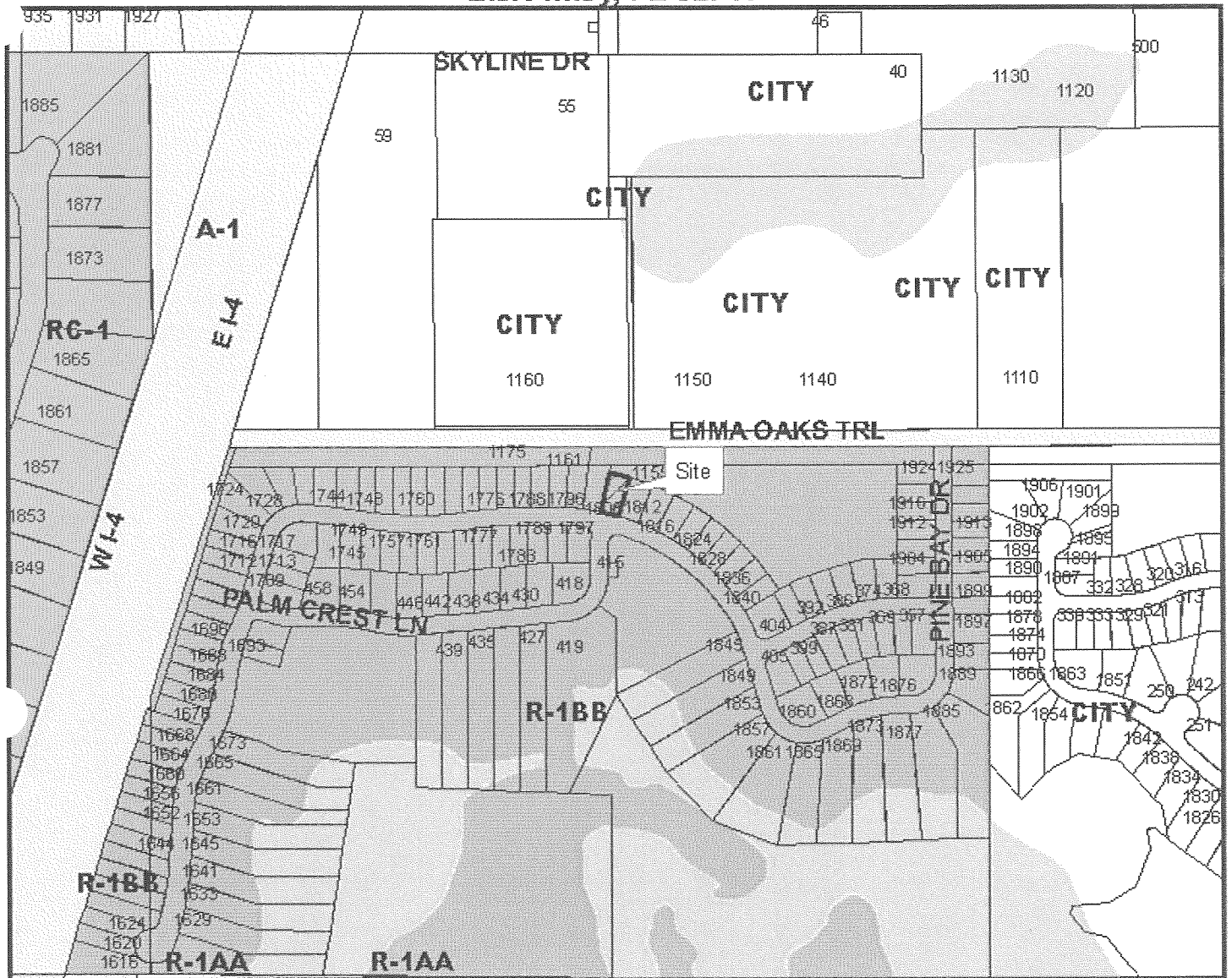
Future Land Use

- CONS, MDR
- CONS, IND
- SE, NONE
- LDR, NONE
- MDR, NONE
- IND, NONE
- BV2005-102

0 95 190 380 570 760 Feet








**Adam & Beth-Ann Frank
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Lake Mary, FL 32746**

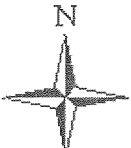


**Seminole County Board of Adjustment
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Zoning

-  BV2005-102
-  A-1 Agricultural-1Ac
-  RC-1 Country Homes-1Ac
-  R-1AA Single Fam-11700
-  R-1BB Single Fam-5000

N



0 95 190 380 570 760 Feet

