

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 4 FEET FOR A PROPOSED POOL IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (VICTOR JOHN SELENICA, 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** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 4 FEET FOR A PROPOSED POOL IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (VICTOR JOHN SELENICA, APPLICANT), OR
2. **DENY** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 4 FEET FOR A PROPOSED POOL IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (VICTOR JOHN SELENICA, APPLICANT), OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANTS: LOCATION: ZONING:	VICTOR JOHN SELENICA 850 LEWIS PLACE PUD (CHELSEA PLACE)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A POOL THAT WOULD ENCROACH 6 FEET INTO THE 10 FOOT 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 VARIANCE. • THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE HUNTINGTON POINTE NEIGHBORHOOD BY ALLOWING ENCROACHMENT INTO 	

	<p>THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP BY THE APPLICANTS.</p> <ul style="list-style-type: none">• 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 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 2005-106

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** VARIANCE FOR REAR SET BACK FROM 10' TO 4'
- 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**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	VICTOR JOHN SELENICA	
ADDRESS	850 LEWIS PLACE LONGWOOD FL 32750	
PHONE 1	407-321-1941	
PHONE 2	407-970-7019	
E-MAIL		

PROJECT NAME: _____

SITE ADDRESS: 850 LEWIS PLACE LONGWOOD 32750

CURRENT USE OF PROPERTY: PERSONAL HOME

LEGAL DESCRIPTION: LOT 21 "CHELSEA PLACE OF SEMINOLE COUNTY"

ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 47 PAGES 75-76

SIZE OF PROPERTY: 11715¹⁵⁹ FT acre(s) PARCEL I.D. 21-20-30-522-0000-0210

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 08/22, 2005 (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.

Victor J. Selenica
 SIGNATURE OF OWNER OR AGENT*

6/25/2005
 DATE

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

RF

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

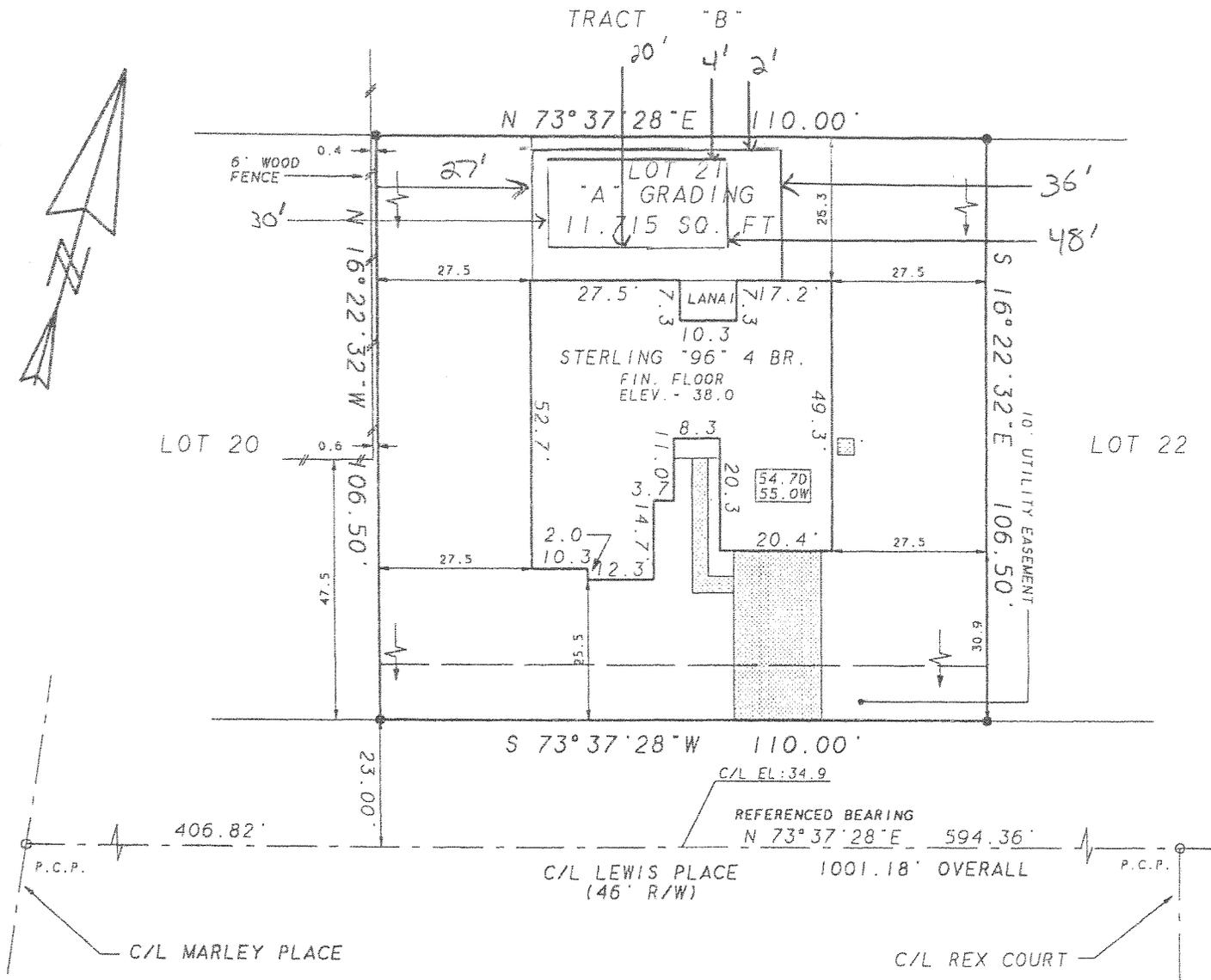
PROCESSING:
FEE(S): 7 150.00 COMMISSION DISTRICT 5 FLU / ZONING PD/PUD
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS N. side of Lewis Pl 0.1 mi east of
intersection of Lewis Pl + Maple Pl
PLANNING ADVISOR MR DATE 7/1/05
SUFFICIENCY COMMENTS Screen encl.

Herx & Associates Inc.

Professional Land Surveyors

1230 Douglas Avenue Suite 320, Longwood, Florida. 32779 (407)788-8808

Member of: Florida Surveying and Mapping Society, American Congress on Surveying and Mapping, Florida Land Surveyors Council



ADDRESS # 850 LEWIS PLACE

LEGAL DESCRIPTION: Lot 21 "A" CHELSEA PLACE OF SEMINOLE COUNTY according to the plat thereof as recorded in Plat Book 47 at pages 75-76 of the Public Records of Seminole County, Florida.

FLOOD HAZARD DATA: The Parcel shown hereon lies within Flood Zone "X" according to the Flood Insurance Rate Map Community Panel Number J289 0130E, Date 04-17-95.

SETBACKS:
 Front 25' Rear 20'
 Side 10' Corner 25'

Note: Bearings shown hereon are referenced to the C/L of LEWIS PLACE as being S 73° 37' 28" W.

Vertical datum is based on NGVD/OCVD Per Engineering construction plans by Engineering Design, Inc. Job No. 92-101

COMMISSION DISTRICT #:

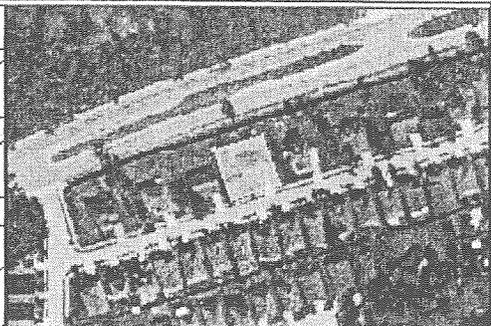
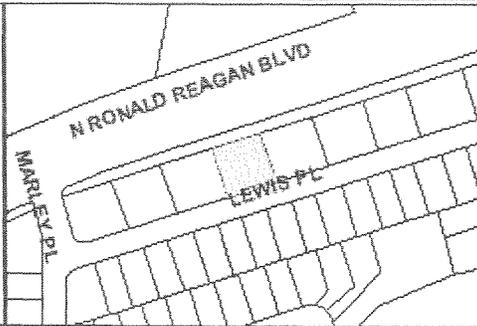
GUI ZONED: PUD SEC: 21, 28 TWP: 20 RNG: 30
 PROJ. #

DEVELOPMENT: Chelsea Place (Forest Green)		DEVELOPER: Bovis Brunning Homes	
LOCATION: S side of CR 427, W of Hwy 17-92		83 lots	
FILE#:	BA:	SP:	BCC:
P&Z:			
PB	47	PG	75, 76 Lot
		Blk	Parcel
		DBA	Comm Dist
DEVEL. ORDER #: 88-22-78		TAX PAR. I.D. #:	
SIDEWALKS: 5' wide on CR 427, 4' wide on both sides of interior roads.		SETBACK REQUIREMENTS	
		FY:	RY:
		SIDE ST.:	
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER:	
COMMENTS OTHER: Not flood prone.		Lots 17-27: comply with R-1AA Dwelling Size SFR – 700 sq. ft. All other lots: Comply with R1BB* except side yard that can be 0' with a minimum of 10' separation between buildings. *Rear Yard: 20' for lots 18-27 (Add. #1)	
		ACCESSORY STRUCTURE SETBACKS:	
		SY:	RY: 10'
		Same as main structure	
		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	150
LAND USE:	
1. ROAD-CO. WIDE	Ord
2. ROAD-COLL.	Ord
3. LIBRARY	Ord
4. FIRE	Ord
5. PARK	
6. SCHOOL	Ord
7. LAW	
8. DRAINAGE	
TOTAL	\$2,881.00
REMARKS: curb and gutter; sidewalks	

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: 21-20-30-522-0000-0210 Tax District: 01-COUNTY-TX DIST 1
 Owner: SELENICA VICTOR J Exemptions: 00-HOMESTEAD
 Address: 850 LEWIS PL
 City,State,ZipCode: LONGWOOD FL 32750
 Property Address: 850 LEWIS PL LONGWOOD 32750
 Subdivision Name: CHELSEA PLACE
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$151,845
 Depreciated EXFT Value: \$0
 Land Value (Market): \$30,000
 Land Value Ag: \$0
 Just/Market Value: \$181,845
 Assessed Value (SOH): \$129,406
 Exempt Value: \$25,000
 Taxable Value: \$104,406
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
QUIT CLAIM DEED	05/1999	03668	1132	\$100	Improved
FINAL JUDGEMENT	03/1999	03612	1066	\$100	Improved
WARRANTY DEED	07/1997	03268	1645	\$135,900	Improved
WARRANTY DEED	09/1996	03149	1452	\$285,000	Vacant

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$2,352
 2004 Tax Bill Amount: \$1,701
 Save Our Homes (SOH) Savings: \$651
 2004 Taxable Value: \$100,637
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	30,000.00	\$30,000

LEGAL DESCRIPTION PLAT

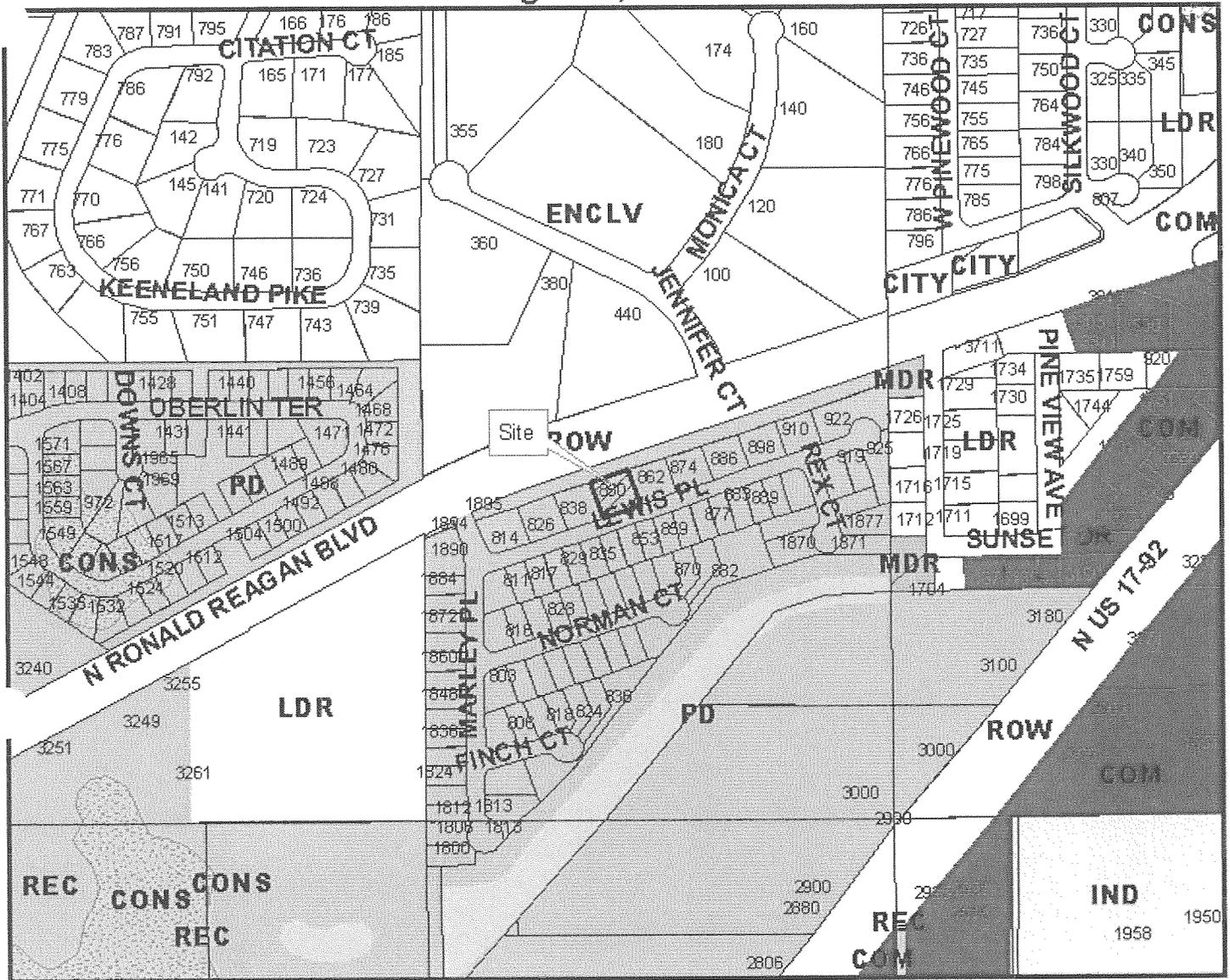
LEG LOT 21 CHELSEA PLACE PB 47 PGS 75 & 76

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	1997	8	2,120	2,657	2,120	CB/STUCCO FINISH	\$151,845	\$157,352
	Appendage / Sqft		OPEN PORCH FINISHED / 77						
	Appendage / Sqft		OPEN PORCH FINISHED / 40						
	Appendage / Sqft		GARAGE FINISHED / 420						

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.

Victor John Selenica
 850 Lewis Place
 Longwood, FL 32750

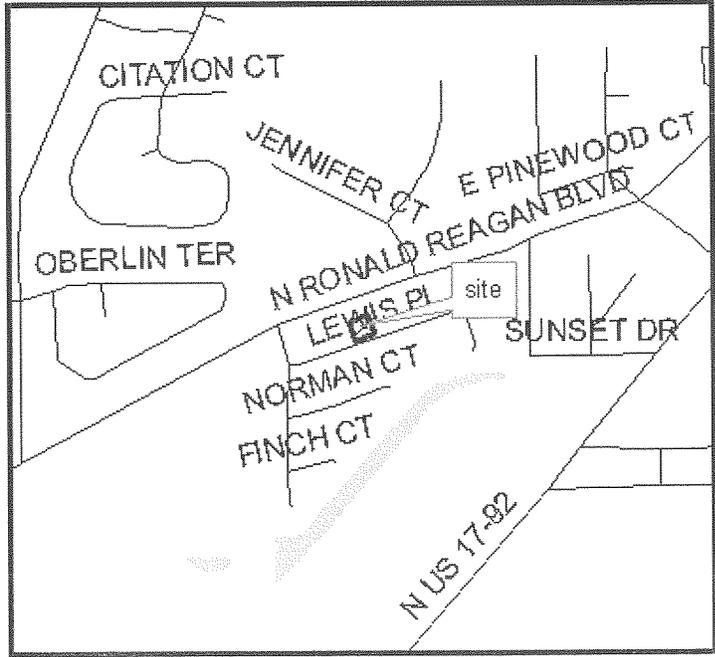


Seminole County Board of Adjustment
 August 22, 2005
 Case: BV2005-106
 Parcel No: 21-20-30-522-0000-0210

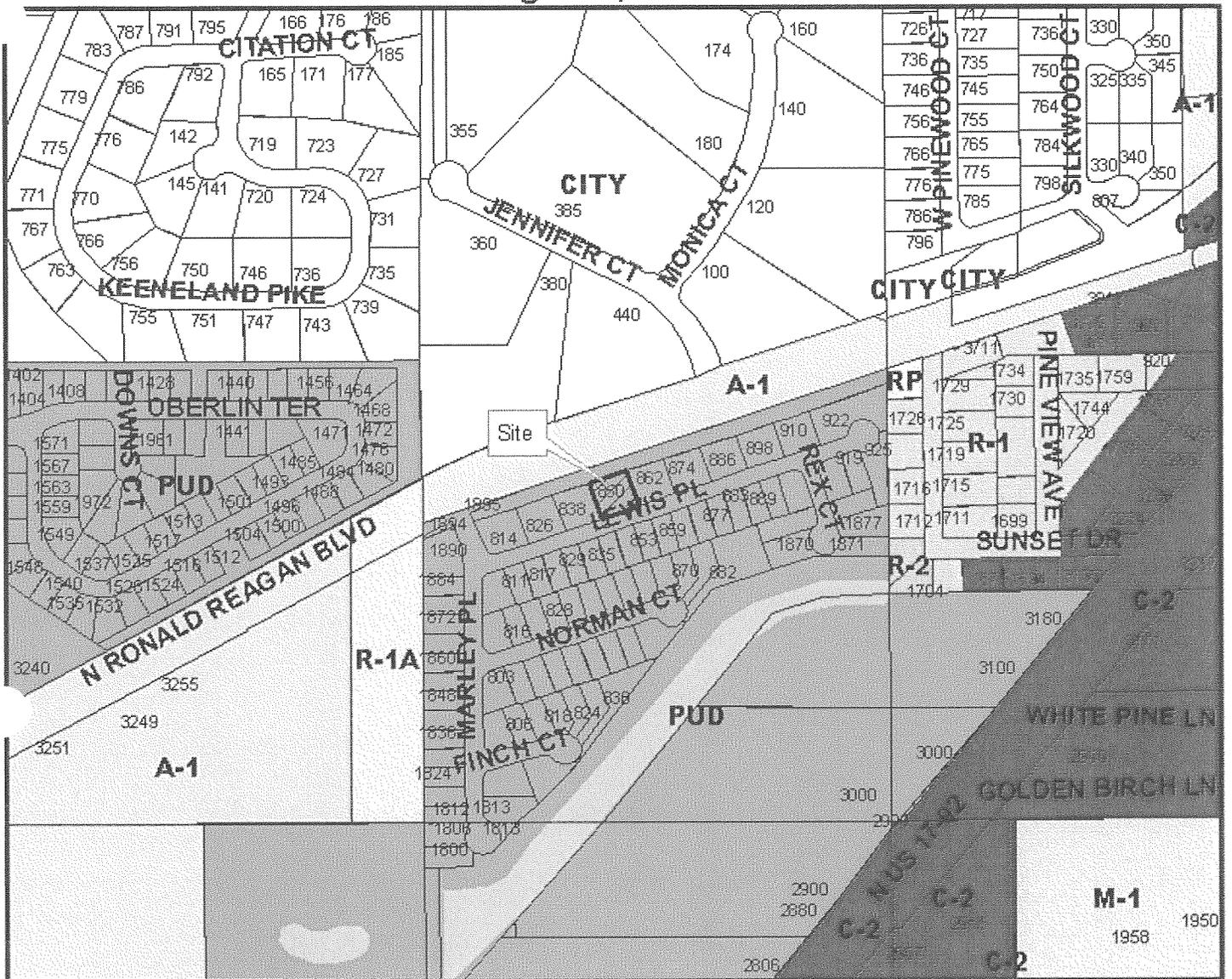
Future Land Use

	CONS, REC		MDR, NONE
	CONS, LDR		PD, NONE
	CONS, PD		COM, NONE
	REC, NONE		IND, NONE
	LDR, NONE		BV2005-106

0 95 190 380 570 760 Feet



Victor John Selenica
 850 Lewis Place
 Longwood, FL 32750



Seminole County Board of Adjustment
 August 22, 2005
 Case: BV2005-106
 Parcel No: 21-20-30-522-0000-0210

Zoning

	A-1 Agricultural-1A		BV2005-106
	R-1A Single Fam-9000		
	R-1 Single Fam-8400		
	R-2 One and Two-Family-9000		
	RP Residential Professional		
	C-2 Retail Commercial		
	M-1 Industrial		
	PUD Planned Unit Dev.		

0 95 190 380 570 760 Feet

