

BV2005-110

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 8,400 SQUARE FEET TO 6,732 SQUARE FEET AND A (2) WIDTH AT THE BUILDING LINE FROM 70 FEET TO 52.8 FEET FOR A PROPOSED HOME IN THE R-1 (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT KLETTNER, APPLICANT).

DEPARTMENT: PLANNING & DEVELOPMENT **DIVISION:** PLANNING

AUTHORIZED BY: KATHY FALL **CONTACT:** KATHY FALL **EXT.** 7389

AGENDA DATE 09-26-05 **REGULAR** **CONSENT** **PUBLIC HEARING – 6:00**

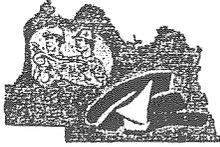
MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 8,400 SQUARE FEET TO 6,732 SQUARE FEET AND A (2) WIDTH AT THE BUILDING LINE FROM 70 FEET TO 52.8 FEET FOR A PROPOSED HOME IN THE R-1 (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT KLETTNER, APPLICANT); OR
2. **DENY** REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 8,400 SQUARE FEET TO 6,732 SQUARE FEET AND A (2) WIDTH AT THE BUILDING LINE FROM 70 FEET TO 52.8 FEET FOR A PROPOSED HOME IN THE R-1 (SINGLE-FAMILY DWELLING DISTRICT); (ROBERT KLETTNER, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.



GENERAL INFORMATION	APPLICANT: ROBERT KLETTNER, APPLICANT LOCATION: BURROWS LANE (LOT 41) ZONING: R-1 (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT IS REQUESTING TO CONSTRUCT A SINGLE FAMILY HOME ON LOT 41, WHICH IS COLLECTIVELY DEFICIENT IN THE MINIMUM LOT SIZE AND WIDTH AT THE BUILDING LINE FOR THE R-1AA ZONING DISTRICT. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.

STAFF FINDINGS	<p>THE APPLICANT HAS DEMONSTRATED A HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES:</p> <ul style="list-style-type: none">• THE SUBJECT LOT IS A PLATTED LOT IN THE ROSELAND PARK SUBDIVISION RECORDED IN 1946.• THE ADOPTION OF COUNTYWIDE ZONING IN 1960 BY SEMINOLE COUNTY SUBSEQUENTLY RENDERED THE PLATTED LOT NONCONFORMING WITH RESPECT TO R-1 DISTRICT MINIMUM LOT SIZE (8,400 SQUARE FEET) AND WIDTH AT THE BUILDING LINE (70 FEET) THEREBY CREATING A HARDSHIP.• COMPREHENSIVE PLAN POLICY FLU 3.2 REQUIRES THE COMBINATION OF LOTS TO RESOLVE LAND USE COMPATIBILITY, ENVIRONMENTAL AND INFRASTRUCTURE ISSUES. THERE IS THE ABILITY TO COMBINE THE LOT 41 WITH THE ADJACENT LOT 42 BECAUSE THEY ARE UNDER THE SAME OWNERSHIP. THE COMBINATION OF THE LOTS WOULD NEGATE THE NEED FOR THE VARIANCES. BUT BECAUSE THE MAJORITY OF THE PARCELS IN ROSELAND PARK HAVE BEEN DEVELOPED AS INDIVIDUAL PLATTED LOTS AND THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM HAS PROVIDED INFRASTRUCTURE IMPROVEMENTS. THEREFORE THE DEVELOPMENT OF THE PLATTED LOT WOULD NOT BE INCOMPATIBLE WITH OTHER USES IN ROSELAND PARK AND/OR CREATE ENVIRONMENTAL OR INFRASTRUCTURE ISSUES.• THE APPLICANT IS REQUESTING THE MINIMUM VARIANCE THAT WILL MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY.
STAFF RECOMMENDATION	<p>BASED ON THE ABOVE FINDINGS, STAFF RECOMMENDS THE BOARD APPROVE THE REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 8,400 SQUARE FEET TO 6,732 SQUARE FEET AND A (2) WIDTH AT THE BUILDING LINE FROM 70 FEET TO 52.8 FEET FOR A PROPOSED HOME WITH THE RECOMMENDED CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCES GRANTED SHOULD APPLY ONLY TO THE EXISTING LOT AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



COPY
 SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. BV 2005-110

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** Lot size variance from 8,400 S.F. To 6,732 S.F. for proposed home on Lot 41
- 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	Habitat for Humanity in	Seminole County, Inc.
ADDRESS	1548 Seminola Blvd.	Robert C. Klettner
	Unit 141	
PHONE 1	407-696-5855	
PHONE 2		
E-MAIL	bklettner@habitatseminole.org	

PROJECT NAME: Habitat Seminole Burrows Lane

SITE ADDRESS: 1821 Burrows Lane Lot 41

CURRENT USE OF PROPERTY: Residential

LEGAL DESCRIPTION: Lots 41 and 42, Roseland Park as recorded thereof in Platbook 7 Page 51

SIZE OF PROPERTY: 0.31 acre(s) PARCEL I.D. 32-19-31-502-0000-0410

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 9, 24, 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.

[Signature]
 SIGNATURE OF OWNER OR AGENT*

7-17-05
 DATE

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

VF

ADDITIONAL VARIANCES

VARIANCE 2:
 Change width to 52.8 feet from 70 feet.

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 COMMISSION DISTRICT S FLU/ZONING R-1/LDR
 BCC HEARING DATE _____ (FOR APPEAL)
 LOCATION FURTHER DESCRIBED AS east of Burrows Rd less than 100 m.
north of the intersection of Burrows Rd & 3rd Dr.
 PLANNING ADVISOR MX DATE 7/18
 SUFFICIENCY COMMENTS _____

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-865-7508			29 29.029.A
	2ND DR		11
			14
	3RD DR		1



GENERAL

Parcel Id: 32-19-31-502-0000-0410 Tax District: 01-COUNTY-TX DIST 1

HABITAT FOR
 Owner: HUMANITY IN SEM CO Exemptions:

Own/Addr: INC
 Address: 1548 SEMINOLA BLVD
 City,State,ZipCode: CASSELBERRY FL 32707
 Property Address: 1821 BURROWS LN SANFORD 32771
 Subdivision Name: ROSELAND PARK
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$58,579
 Depreciated EXFT Value: \$0
 Land Value (Market): \$6,909
 Land Value Ag: \$0
 Just/Market Value: \$65,488
 Assessed Value (SOH): \$65,488
 Exempt Value: \$0
 Taxable Value: \$65,488

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
CERTIFICATE OF TITLE	12/2004	05551	1845	\$51,000	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

2004 Tax Bill Amount: \$201
 2004 Taxable Value: \$11,866

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	105	127	.000	70.00	\$6,909

LEGAL DESCRIPTION PLAT

LEG LOTS 41 + 42 ROSELAND PARK PB 7
 PG 51

BUILDING INFORMATION

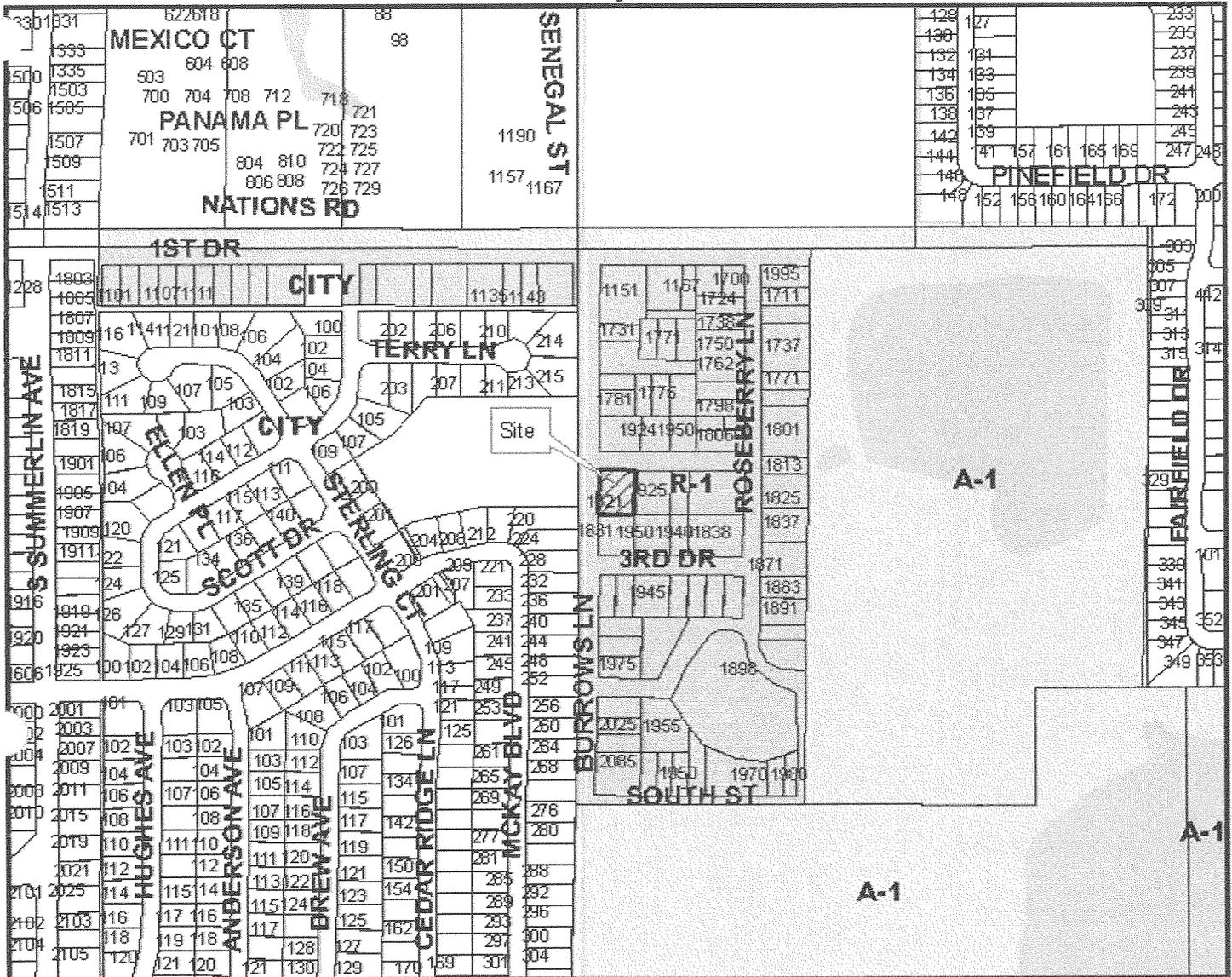
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1991	6	1,272	1,408	1,272	SIDING AVG	\$58,579	\$61,662
			Appendage / Sqft SCREEN PORCH FINISHED / 136						

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.

Habitat for Humanity (Seminole County)

1821 Burrows Lane Lot 41

Casselberry, FL 32707



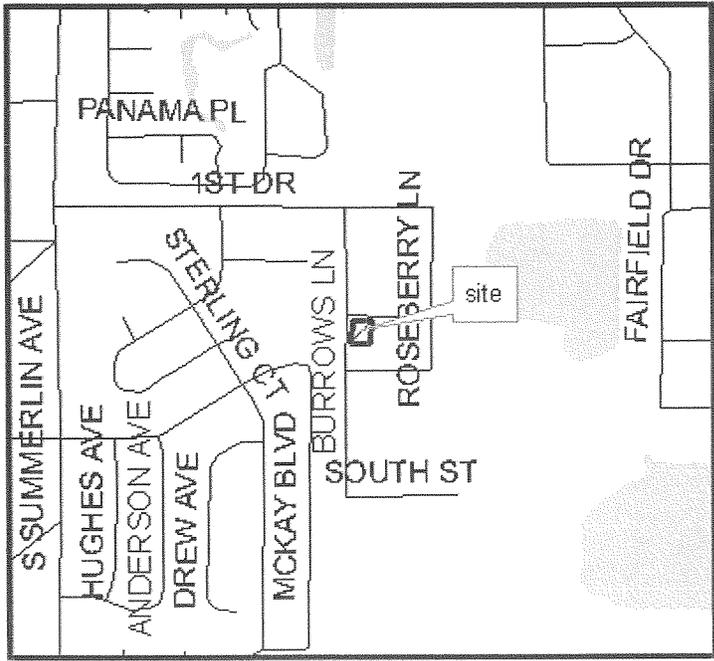
Seminole County Board of Adjustment
 September 26, 2005
 Case: BV2005-110
 Parcel No: 32-19-31-502-0000-0410

Zoning

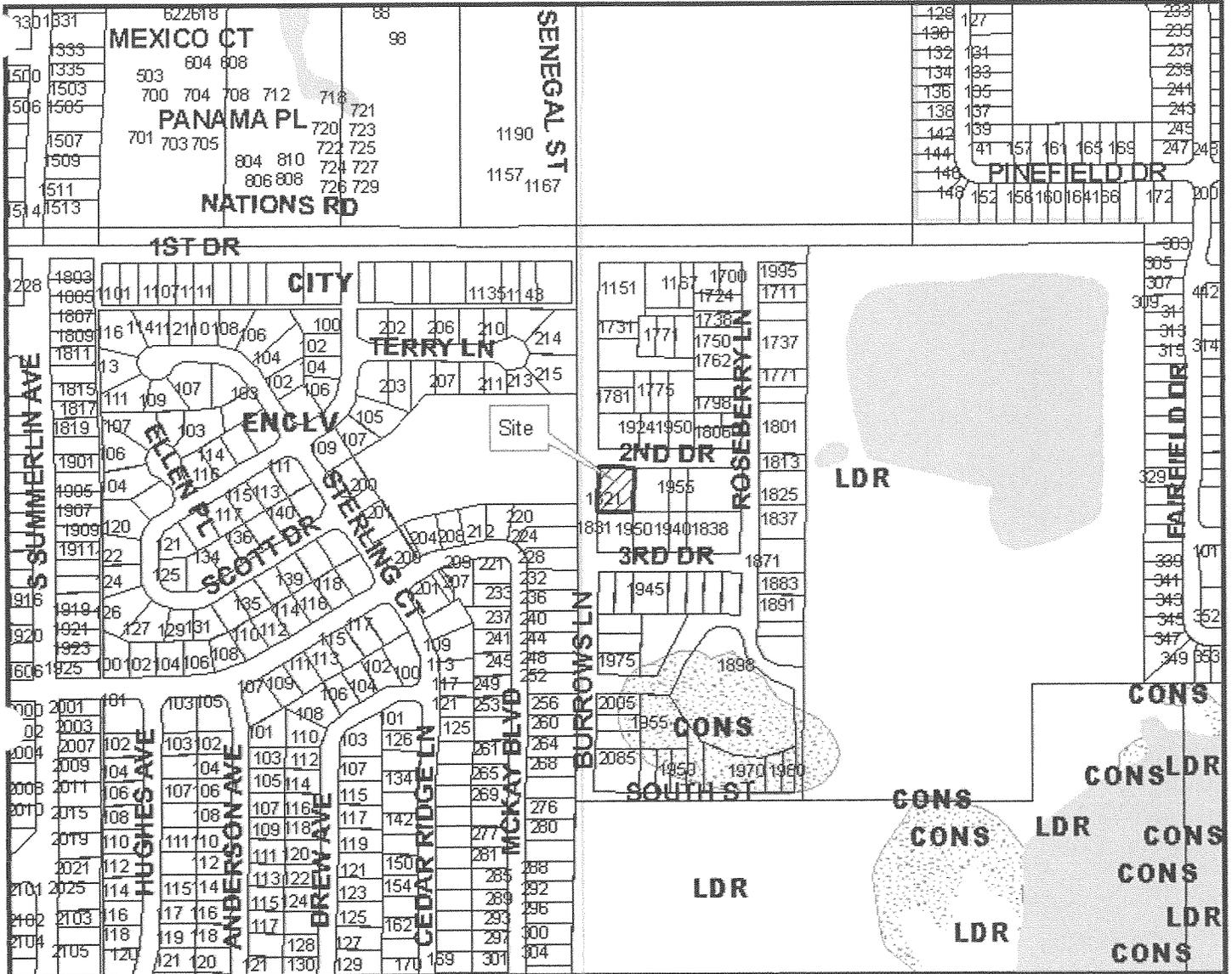
-  A-1 Agricultural-1 Ac
-  R-1 Single Fam-8400
-  BV2005-110

N

0 105 210 420 630 840 Feet



**Habitat for Humanity (Seminole County)
1821 Burrows Lane Lot 41
Casselberry, FL 32707**



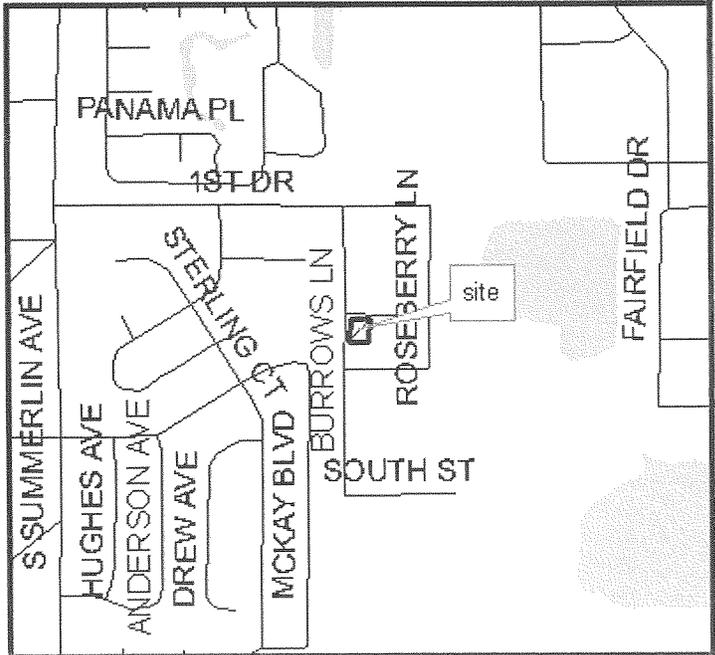
**Seminole County Board of Adjustment
September 26, 2005
Case: BV2005-110
Parcel No: 32-19-31-502-0000-0410**

Future Land Use

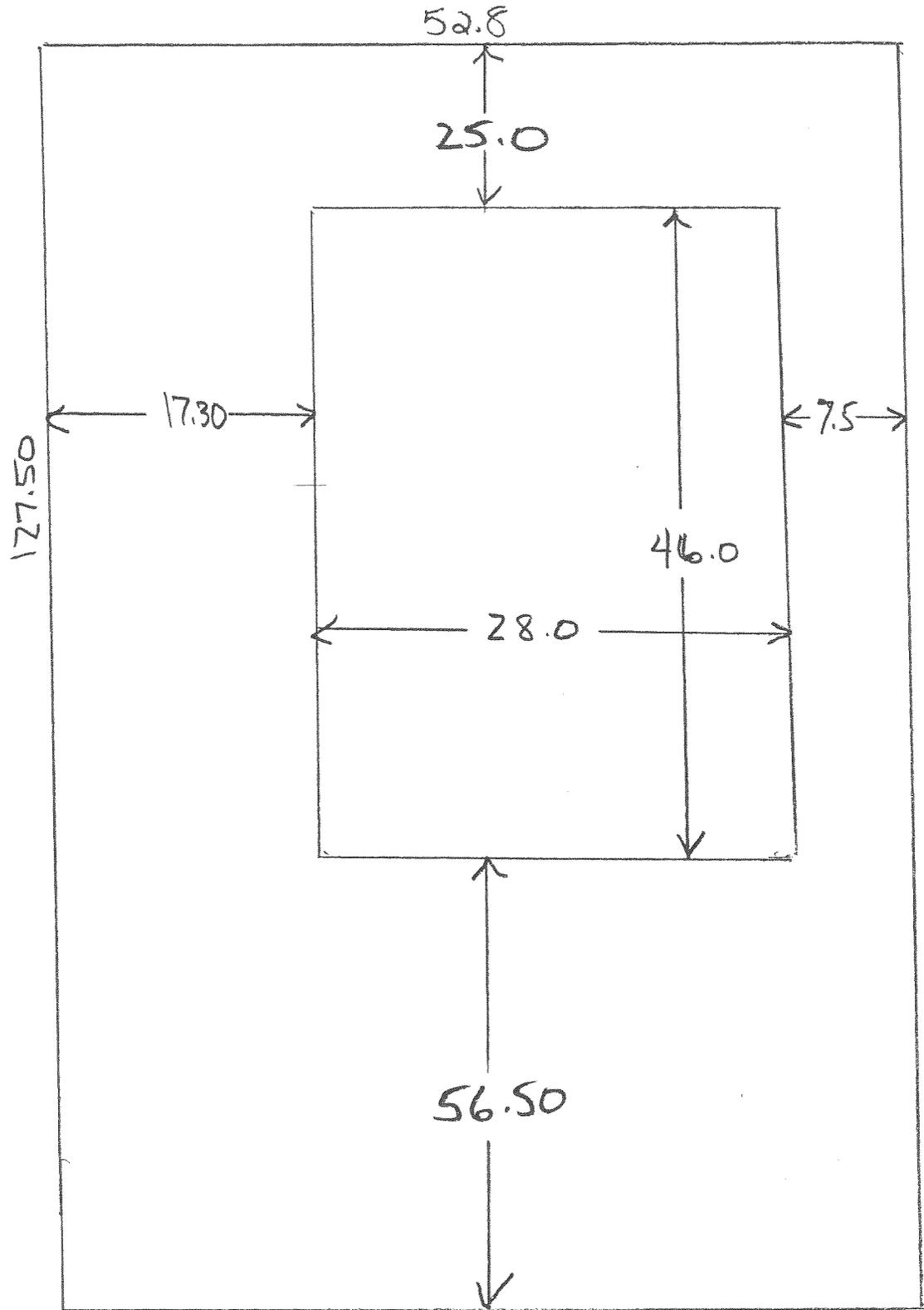
-  CONS, LDR
-  LDR, NONE
-  BV2005-110

N

0 105 210 420 630 840 Feet

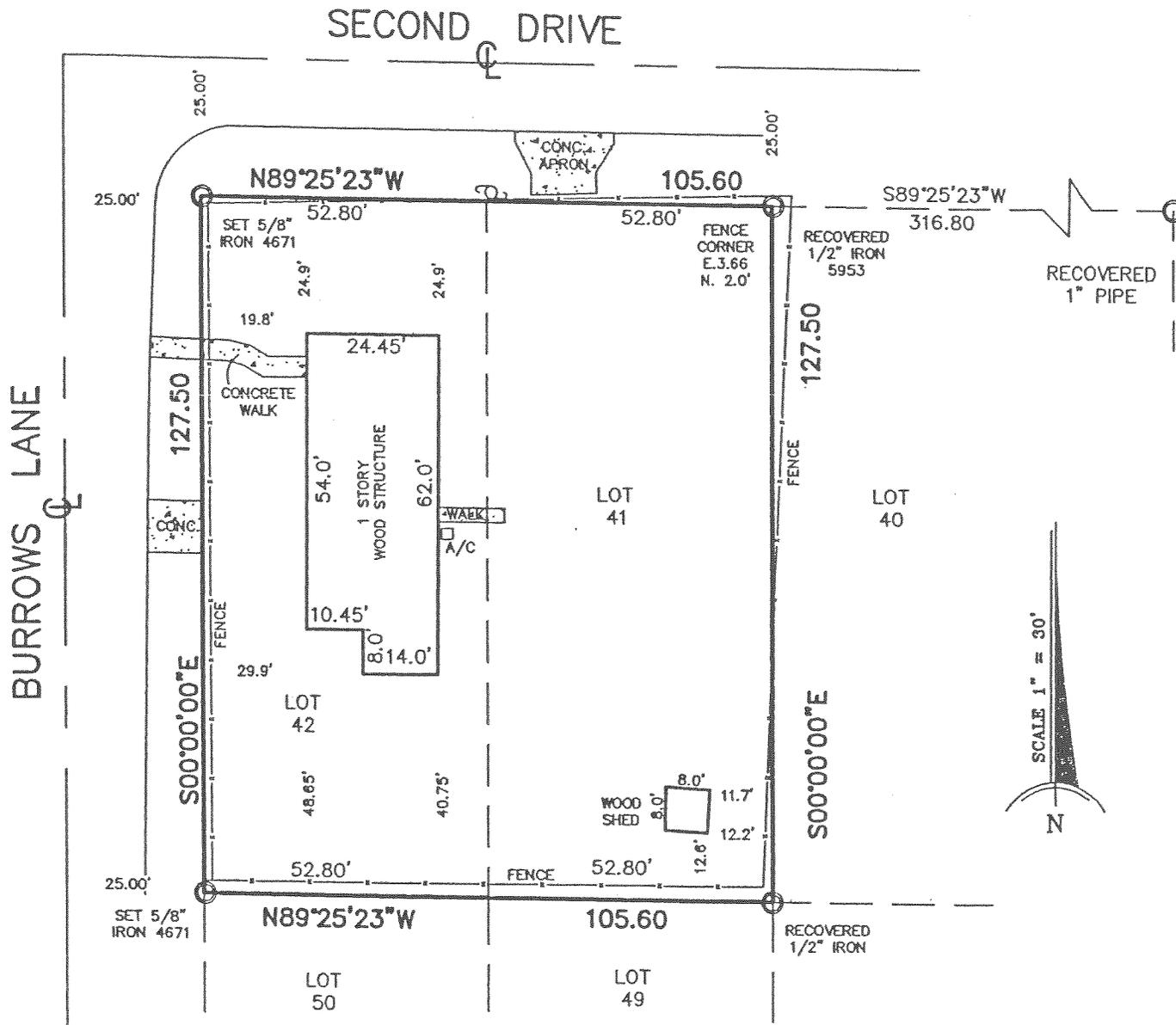


LOT 41 ROSELAND PARK
SECOND DRIVE



BOUNDARY SURVEY

DESCRIPTION: LOTS 41 AND 42, ROSELAND PARK AS RECORDED THEREOF IN PLAT BOOK 7,
PAGE 51 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



NOTES:
 -BEARINGS BASED ON THE CENTER LINE
 OF BURROWS LANE AS BEING
 N00°00'00"E.
 -UNDERGROUND UTILITIES NOT LOCATED.

[Handwritten Signature]
 JAMES R. SHANNON JR., P.L.S. #4671
 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
 SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SHANNON SURVEYING, INC.
 499 NORTH S.R. 434 - SUITE 2153
 ALTAMONTE SPRINGS, FLORIDA, 32714
 (407) 774-8372 LB # 6898

DATE OF SURVEY: MAY 19, 2005
 FIELD BY: J.H. SCALE: 1" = 30'
 FILE NUMBER: PB7-51 LOT 41+42

Actions Options Help



7/19/2005 10:26:12 AM

Project number 05 30000108
 Project description BURROWS LANE (1821)
 D balance .00

Select

Amount To Apply	Description	Previously Applied	Paid
.00	APPEALS	.00	.00
.00	MISCELLANEOUS FEES	.00	.00
.00	READVERTISING FEE	.00	.00
.00	VARIANCE	200.00	.00
100.00	VARIANCE TO WETLANDS/ECON ORD	.00	.00
50.00	VARIANCE TO PUBLIC ACCESS REQ	.00	.00

OK Exit Cancel Display all

* 7/26/05 SEMINOLE COUNTY GOVERNMENT -- PROJECT FEES RECEIPT 15:24:11
 PROJ # 05-30000108 RECEIPT # 0291652
 OWNER:
 JOB ADDRESS: 1821 BURROWS LN LOT #: 041

VARIANCE	200.00	200.00	.00
TOTAL FEES DUE.....	200.00		
AMOUNT RECEIVED.....		200.00	

* DEPOSITS NON-REFUNDABLE *
 ** THERE IS A PROCESSING FEE RETAINED FOR ALL REFUNDS **

COLLECTED BY: F01001	BALANCE DUE.....	.00
CHECK NUMBER.....	000000005016	
CASH/CHECK AMOUNTS.....	200.00	
COLLECTED FROM:	BURROWS LANE (1821)	
DISTRICT/SECTION.....	1 COUNTY 2 - CUSTOMER 3 -	4

501

HABITAT FOR HUMANITY
 IN SEMINOLE CO. INC.
 PH. 407-696-5855
 1548 SEMINOLA BLVD., STE 141
 CASSELBERRY, FL 32707

SUNTRUST
SUNTRUST BANK
 ORLANDO, FL 32801-3410
 63-215/631

7/18/2005

PAY TO THE ORDER OF SEMINOLE COUNTY \$ **200.00

Two Hundred and 00/100*****

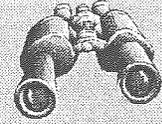
SEMINOLE COUNTY

MEMO VARIANCE - BURROWS LANE LOT 41

[Handwritten Signature]
 AUTHORIZED SIGNATURE

⑈005018⑈ ⑆063102152⑆0390003619400⑈

Vision 2020 Comprehensive Plan Seminole County, Florida



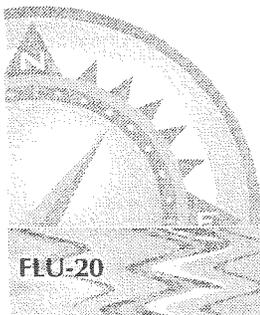
OBJECTIVE FLU 3: REDUCTION OF NONCONFORMING USES AND ANTIQUATED PLATS

The County shall reduce uses that are inconsistent with community character, future land uses and service and facility plans through a systematic program to reduce nonconforming uses, eliminate nonconforming zonings and resolve issues related to antiquated plats.

Policy FLU 3.1 Nonconforming Uses, Nonconforming Zonings and Conflicting Zonings
The County shall reduce nonconforming uses and zonings and eliminate conflicting zonings by means of procedures set forth in the Implementation Element of this Plan.

Policy FLU 3.2 Antiquated Plats
The County shall continue to resolve land use compatibility, environmental and infrastructure issues related to antiquated plats by way of, but not limited to, the following techniques:

- A Requiring the combining of lots; and
- B Allowing for replatting and vacating and abandonment procedures.



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 26, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 41 AND 42 ROSELAND PARK PB 7 PG 51

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

FINDINGS OF FACT

Property Owner: Habitat for Humanity
1548 Seminola Boulevard
Unit 141

Project Name: Roseland Park (Lot 41)

Requested Development Approval:

REQUEST FOR (1) MINIMUM LOT SIZE VARIANCE FROM 8,400 SQUARE FEET TO 6,732 SQUARE FEET AND A (2) WIDTH AT THE BUILDING LINE FROM 70 FEET TO 52.8 FEET FOR A PROPOSED HOME IN THE R-1 (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: Kathy Fall
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:
 - ANY VARIANCES GRANTED SHOULD APPLY ONLY TO THE EXISTING LOT AS DEPICTED ON THE ATTACHED SITE PLAN; AND
 - ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.
- (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: _____
Tony Walter
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: