

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 14 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ASHOK NAIDU, APPLICANT).

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

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

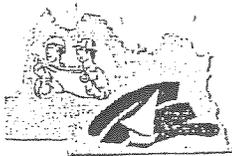
Agenda Date 09/26/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 14 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ASHOK NAIDU, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 14 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ASHOK NAIDU, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: LOCATION: ZONING:	ASHOK NAIDU 220 BLUESTONE PLACE, BROOKWOOD SUBDIVISION R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT AN ADDITION (APPROXIMATELY 32' X 16') TO AN EXISTING HOME. • THE PROPOSED ADDITION WOULD ENCROACH 16 FEET INTO THE MINIMUM 30 FOOT REAR YARD SETBACK; THE AFORMENTIONED REAR YARD SETBACK VARIANCE FROM 30 FEET TO 14 FEET IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY. 	
STAFF FINDINGS	THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA	

	<p>FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none">• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT, WITHOUT THE DEMONSTRATION OF A HARDSHIP.• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED ADDITION HAVE BEEN DEMONSTRATED.
<p>STAFF RECOMMENDATION</p>	<p>BASED ON THE STATED FINDINGS, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED VARIANCE. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED ROOM ADDITION 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 BY 2005-114
 APPL. NO. 2005-114

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 30 FT. TO 14 FT. FOR A PROPOSED ADDITION
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION** **MEDICAL HARDSHIP**
- NIGHT WATCHMAN** **FAMILY HARDSHIP**
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)**
- SIZE OF MOBILE HOME / RV _____** **TIME NEEDED _____**
- PLAN TO BUILD** **YES** **NO IF SO, WHEN _____**
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT
NAME	ASHOK P. & JAYAMALA NAIDU	
ADDRESS	220 BLUESTONE PLACE CASSELLBERY, FL. 32707	
PHONE 1	407-696-5714 - HOME	
PHONE 2	407-209-7021 - CELL	
E-MAIL	NAIDU2@YAHOO.COM	

PROJECT NAME: _____

SITE ADDRESS: 220 BLUESTONE PLACE, CASSELLBERY, FL. 32707

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: BROOKWOOD PB61 Pcs 29 & 30

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 14-21-30-516-0000-0060

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, 26, 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.

[Signature]
 SIGNATURE OF OWNER OR AGENT*

7.23.05
 DATE

MK

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 _____

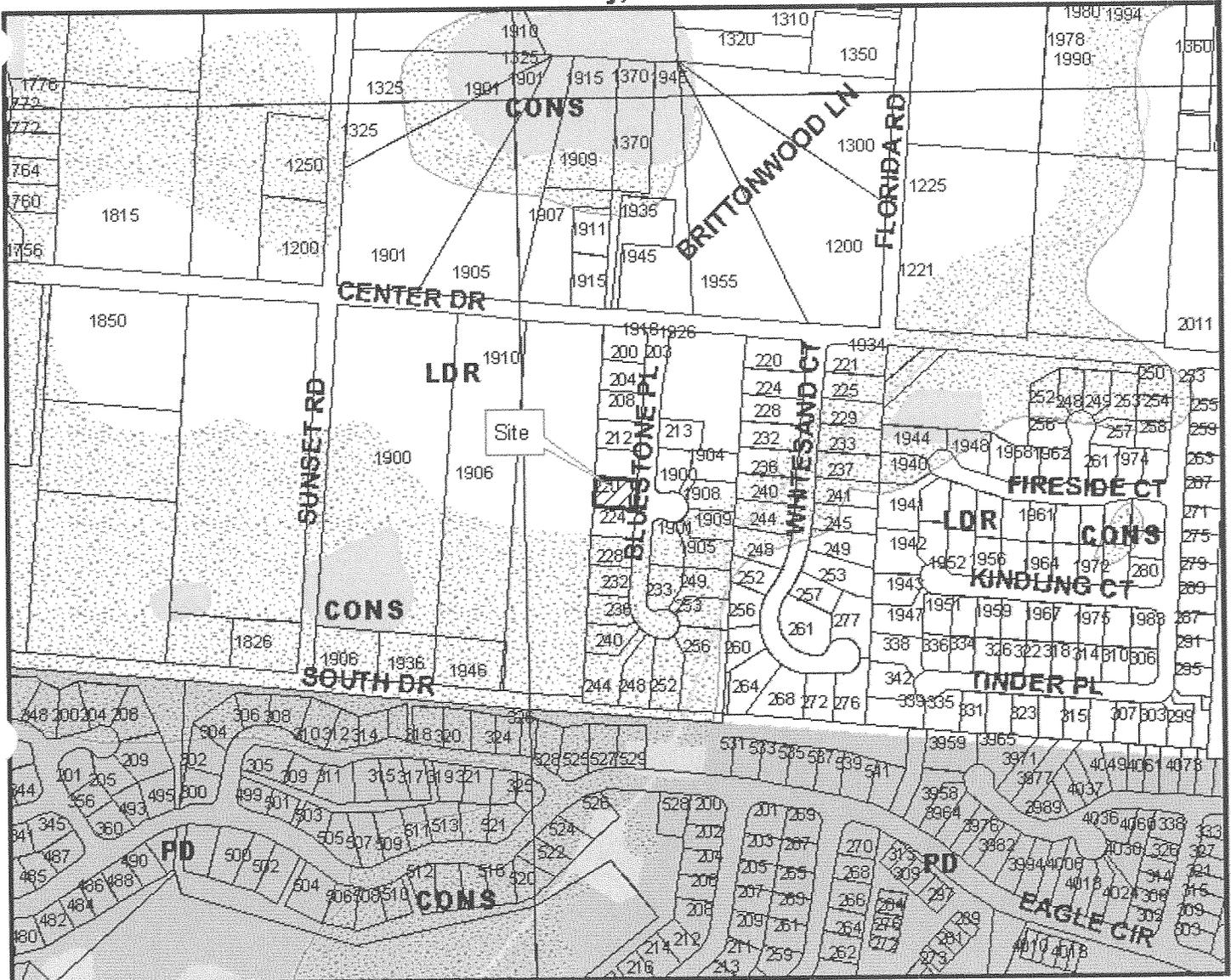
_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:
FEE(S): 150.00 COMMISSION DISTRICT 1 FLU/ZONING R-1AA/LDR
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS west of Bluestone Place 1/10 mi south
of the intersection of Bluestone Pl & Center Dr.
PLANNING ADVISOR MR DATE 7/25/05
SUFFICIENCY COMMENTS _____

<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: 14-21-30-516-0000-0060</p> <p>Owner: NAIDU ASHOK P & JAYAMALA A</p> <p>Mailing Address: 220 BLUESTONE PL</p> <p>City,State,ZipCode: CASSELBERRY FL 32707</p> <p>Property Address: 220 BLUESTONE PL CASSELBERRY 32707</p> <p>Subdivision Name: BROOKWOOD</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$240,731</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$62,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$302,731</p> <p>Assessed Value (SOH): \$302,731</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$277,731</p> <p>Tax Estimator</p> <p>2005 Notice of Proposed Property Tax</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>WARRANTY DEED</td> <td>11/2003</td> <td>05119</td> <td>1240</td> <td>\$72,500</td> <td>Vacant</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	11/2003	05119	1240	\$72,500	Vacant	<p>2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,048</p> <p>2004 Tax Bill Amount: \$1,048</p> <p>Save Our Homes (SOH) Savings: \$0</p> <p>2004 Taxable Value: \$62,000</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																													
Deed	Date	Book	Page	Amount	Vac/Imp																																																						
WARRANTY DEED	11/2003	05119	1240	\$72,500	Vacant																																																						
<p align="center">LAND</p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>62,000.00</td> <td>\$62,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	62,000.00	\$62,000	<p>LEGAL DESCRIPTION PLAT</p> <p>LOT 6 BROOKWOOD PB 61 PGS 29 & 30</p>																																													
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																						
LOT	0	0	1.000	62,000.00	\$62,000																																																						
<p align="center">BUILDING INFORMATION</p> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>2004</td> <td>12</td> <td>2,649</td> <td>3,549</td> <td>2,649</td> <td>CB/STUCCO FINISH</td> <td>\$240,731</td> <td>\$241,941</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">GARAGE FINISHED / 618</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">OPEN PORCH FINISHED / 48</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">OPEN PORCH FINISHED / 234</td> </tr> </tbody> </table>										Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	2004	12	2,649	3,549	2,649	CB/STUCCO FINISH	\$240,731	\$241,941		Appendage / Sqft		GARAGE FINISHED / 618								Appendage / Sqft		OPEN PORCH FINISHED / 48								Appendage / Sqft		OPEN PORCH FINISHED / 234						
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																																																		
1	SINGLE FAMILY	2004	12	2,649	3,549	2,649	CB/STUCCO FINISH	\$240,731	\$241,941																																																		
	Appendage / Sqft		GARAGE FINISHED / 618																																																								
	Appendage / Sqft		OPEN PORCH FINISHED / 48																																																								
	Appendage / Sqft		OPEN PORCH FINISHED / 234																																																								
<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																											

Ashok P. & Jayamala Naidu
 220 Bluestone Place
 Casselberry, FL 32707

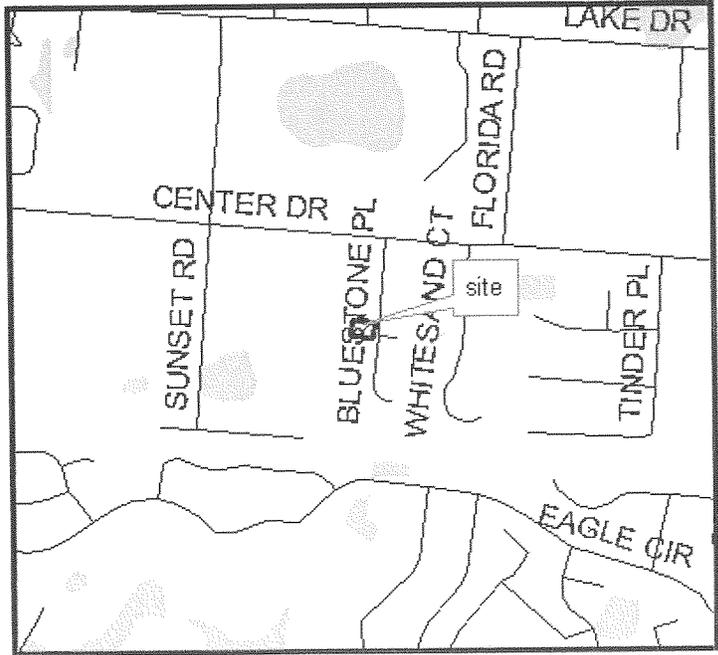


Seminole County Board of Adjustment
 September 26, 2005
 Case: BV2005-114
 Parcel No: 14-21-30-516-0000-0060

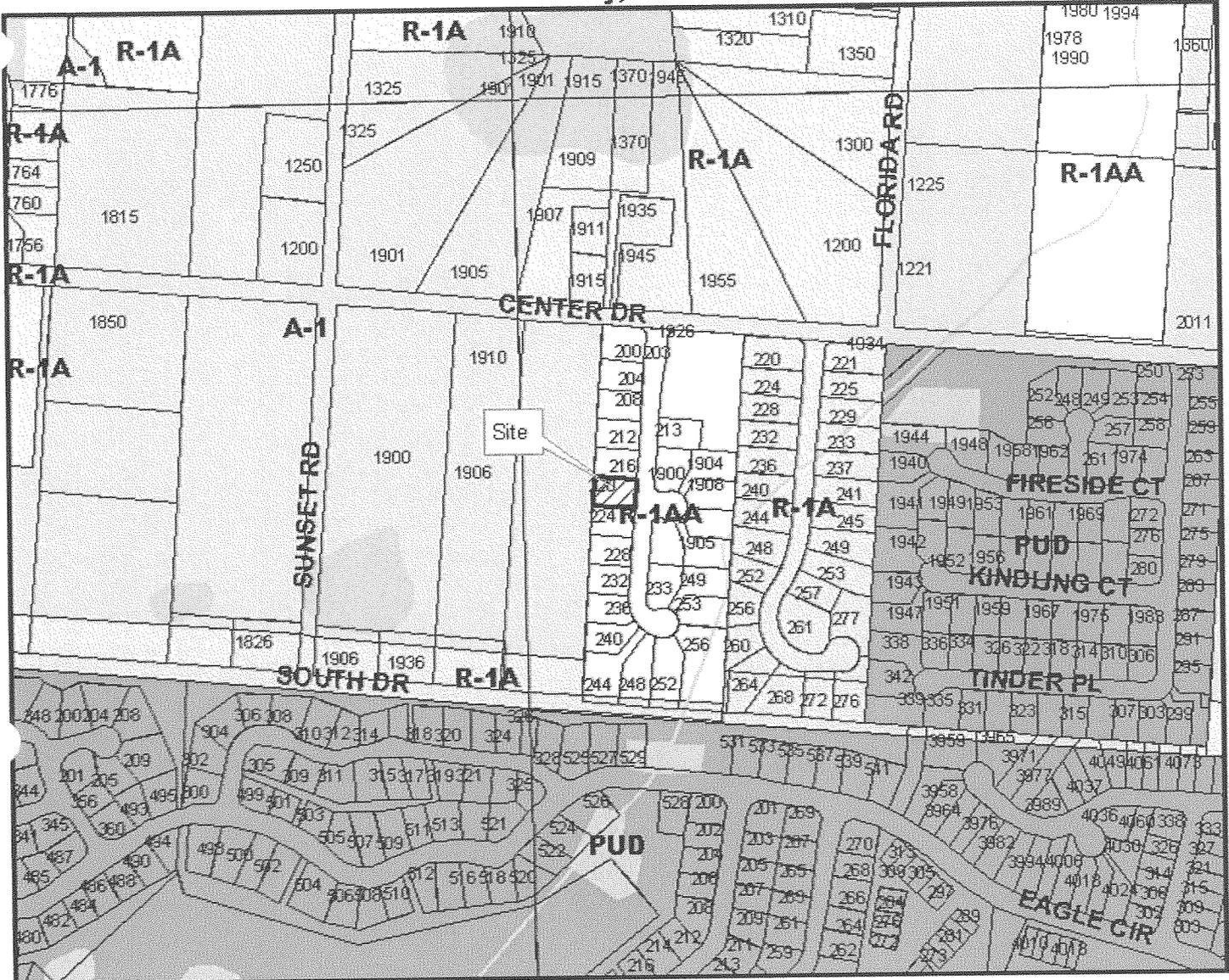
Future Land Use

- CONS, LDR
- CONS, PD
- LDR, NONE
- PD, NONE
- BV2005-114

0 85170 340 510 680 Feet



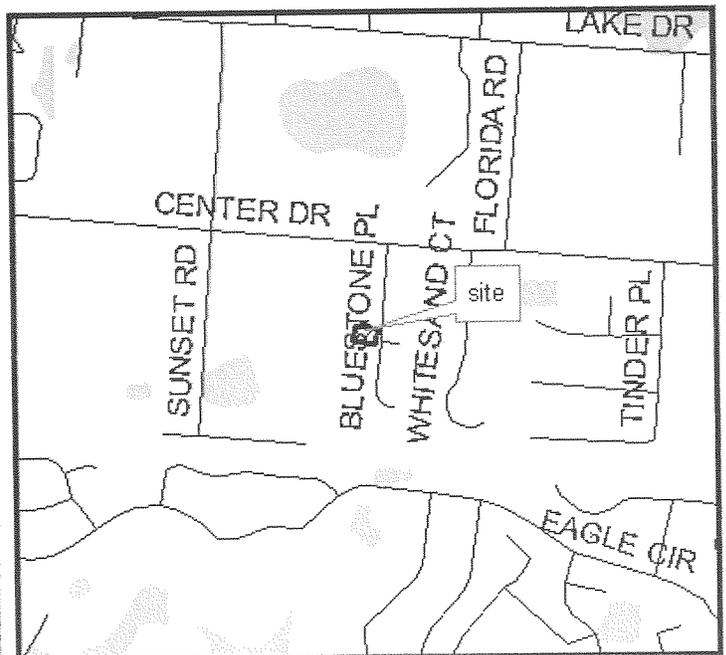
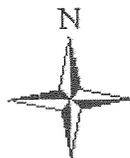
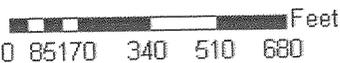
Ashok P. & Jayamala Naidu
 220 Bluestone Place
 Casselberry, FL 32707



Seminole County Board of Adjustment
 September 26, 2005
 Case: BV2005-114
 Parcel No: 14-21-30-516-0000-0060

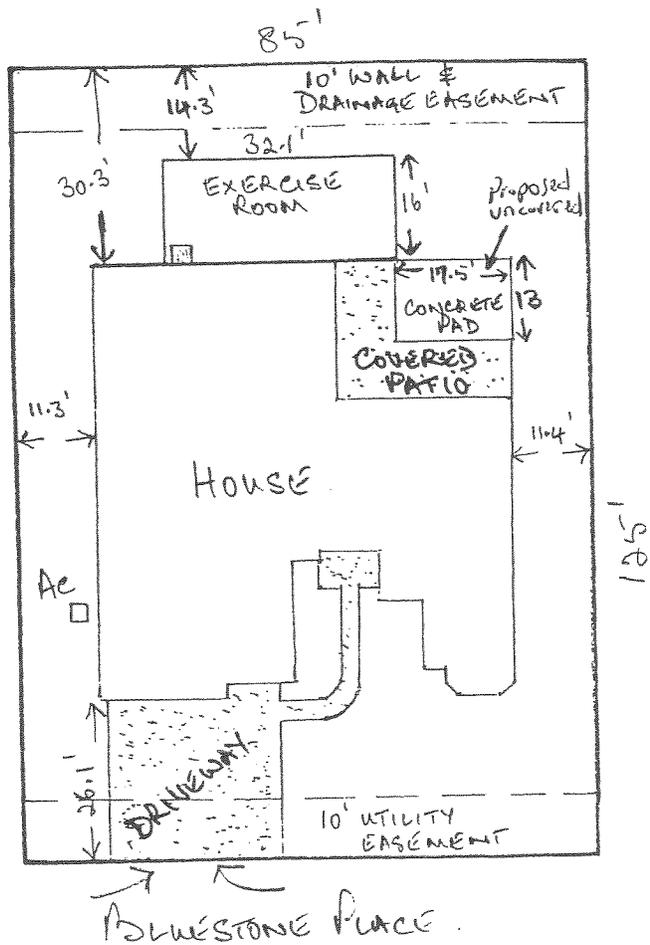
Zoning

-  A-1 Agricultural-1Ac
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  PUD Planned Unit Dev.
-  BV2005-114



220 BLUESTONE PLACE
CASSELBERRY, FL. 32707

REQUESTING BACKYARD SETBACK VARIANCE
FROM 30.3 FEET TO 14.3 FEET. FOR PROPOSED
EXERCISE ROOM ADDITION. NO TREES ON LOT.



N
1" = 30'

Date: 07/23/05

To: The Seminole County Board of Adjustments
Room 2202
1101 East First Street
Sanford FL 32771

From: Ashok and Jayamala Naidu
220 Bluestone Place
Casselberry FL 32707

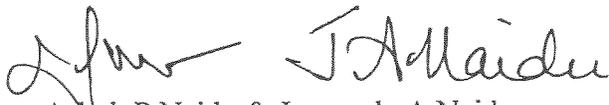
Subj: Variance Request

Dear Sir/Madam,

We are requesting this variance to build an exercise room/extension to existing family room. We have both been diagnosed recently with Diabetes and have hypertension and high cholesterol. We have been asked by our doctor, Dr Lawrence Kelly, to exercise regularly 3-4 times a week for our health. We are also on prescription medication. Temporarily, because we do not have a room large enough, our exercise equipment is in our garage. This in itself can be harmful, because it gets very hot in the garage especially in the summer months.

Thank you.

Sincerely,


Ashok P Naidu & Jayamala A Naidu

SEMINOLE COUNTY DEVELOPMENT ORDER

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

LEG LOT 6 BROKKWOOD PB 61 PG 29 & 30

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

FINDINGS OF FACT

Property Owner: ASHOK & JAYAMALA NAIDU
220 BLUESTONE PLACE
CASSELBERRY, FL 32707

Project Name: BLUESTONE PLACE (220)

Requested Development Approval:

REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 14 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1AA (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 room 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: _____
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: