

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

SUBJECT: REQUEST FOR MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 0 FEET FOR AN EXISTING CAR PORT IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ISRAEL PEREZ, 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 SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 0 FEET FOR AN EXISTING CAR PORT IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ISRAEL PEREZ, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 0 FEET FOR AN EXISTING CAR PORT IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (ISRAEL PEREZ, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: ISRAEL PEREZ LOCATION: 510 ORANOLE ROAD ZONING: R-1AA (OAKLAND SHORES)
BACKGROUND/REQUEST	WITHOUT PERMITS, THE APPLICANT CONSTRUCTED AN ALUMINUM CAR PORT THAT ENCROACHES 10 FEET INTO THE MINIMUM 10 FOOT SIDE YARD SETBACK.
STAFF FINDINGS	THE APPLICANT HAS NOT SATISFIED THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY AUTHORIZE CARPORTS THAT ARE INCONSISTENT WITH THE TREND OF NEIGHBORHOOD DEVELOPMENT. • THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA ZONING DISTRICT. • THE APPLICANT WOULD RETAIN REASONABLE USE OF

	THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.
STAFF RECOMMENDATION	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANTS, 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 EXISTING CAR PORT AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



RECEIVED
 SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. BV2005-122

RECEIVED
 AUG - 4 2005

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** Side yard setback variance from 10 feet to 0 feet for a proposed car port
- 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**

RECEIVED
 AUG 4 2005
 PLANNING DIVISION

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Israel Perez</u>	
ADDRESS	<u>510 Orange Rd Maitland, FL 32751</u>	
PHONE 1	<u>407-830-6270</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: Car Port
 SITE ADDRESS: 510 Orange Rd
 CURRENT USE OF PROPERTY: Single-Family Dwelling
 LEGAL DESCRIPTION: Leg Lot 10 Blk A Oakland Shores P3 W Pct 3-4

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 24-21-29-509-0A00-0100
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS 05-374

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 9/26/05 (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.
Israel Perez
 SIGNATURE OF OWNER OR AGENT* 8/4/05
DATE

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

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): 15000 COMMISSION DISTRICT _____ FLU / ZONING LD4-R-10A
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS South side of Orange Rd 0.2 m. west
of the intersection of Maitland Ave + Orange Rd
PLANNING ADVISOR MR DATE 8/4/05
SUFFICIENCY COMMENTS _____

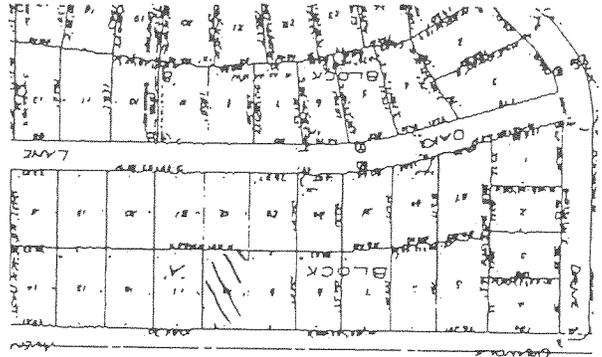
SWERDLOFF & LONG

Legal Description

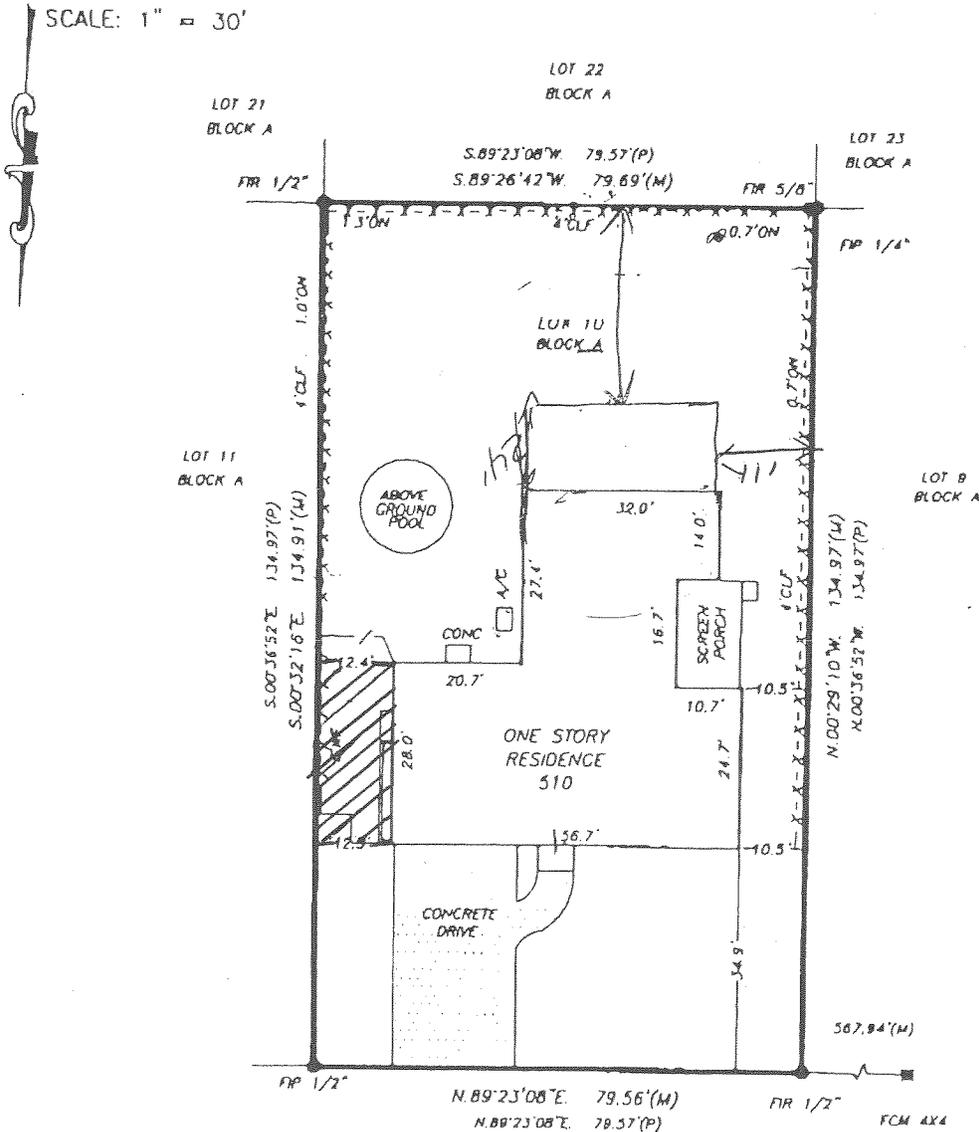
Lot 10, Block A, OAKLAND SHORES, according to the plat thereof, as recorded in Plat Book 10, Page(s) 3 and 4, of the Public Records of Seminole County, FL.

Community number: 120290 Panel: 0140
Suffix: E F.I.R.M. Date: 4/17/1995 Flood Zone: X
Date of field work: 10/2/2003 Completion Date: 10/3/2003

Certified to:
Israel Perez; Anabel Perez; Allied Abstract and Title Company, LLC;
Commonwealth Land Title Insurance Company; America's Wholesale Lender, its' successors and/or assigns.



SCALE: 1" = 30'



Property Address:

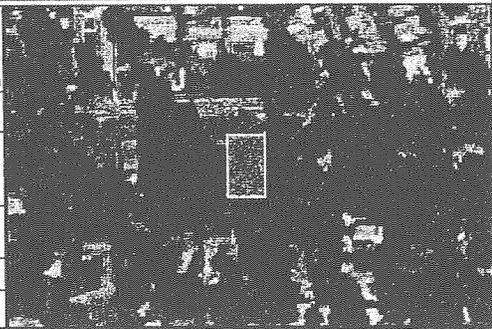
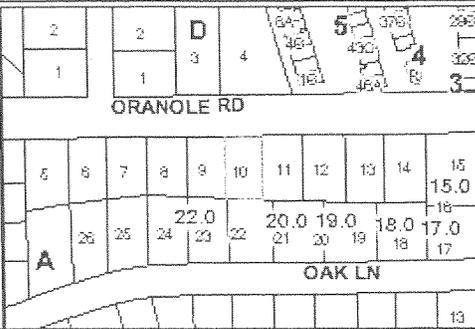
PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7508



GENERAL

Parcel Id: 24-21-29-509-0A00-0100 Tax District: 01-COUNTY-TX DIST 1

Owner: PEREZ ISRAEL & ANABEL Exemptions: 00-HOMESTEAD

Address: 510 ORANOLE RD

City,State,ZipCode: MAITLAND FL 32751

Property Address: 510 ORANOLE RD MAITLAND 32751

Subdivision Name: OAKLAND SHORES

Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market

Number of Buildings: 1

Depreciated Bldg Value: \$127,722

Depreciated EXFT Value: \$0

Land Value (Market): \$24,426

Land Value Ag: \$0

Just/Market Value: \$152,148

Assessed Value (SOH): \$87,056

Exempt Value: \$25,000

Taxable Value: \$62,056

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
ADMINISTRATIVE DEED	12/1989	02161	1054	\$67,500	Improved
WARRANTY DEED	01/1975	01082	0453	\$10,800	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$1,704

2004 Tax Bill Amount: \$1,006

Save Our Homes (SOH) Savings: \$698

2004 Taxable Value: \$59,520

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	79	135	.000	425.00	\$24,426

LEGAL DESCRIPTION PLAT

LEG LOT 10 BLK A OAKLAND SHORES PB
10 PGS 3 + 4

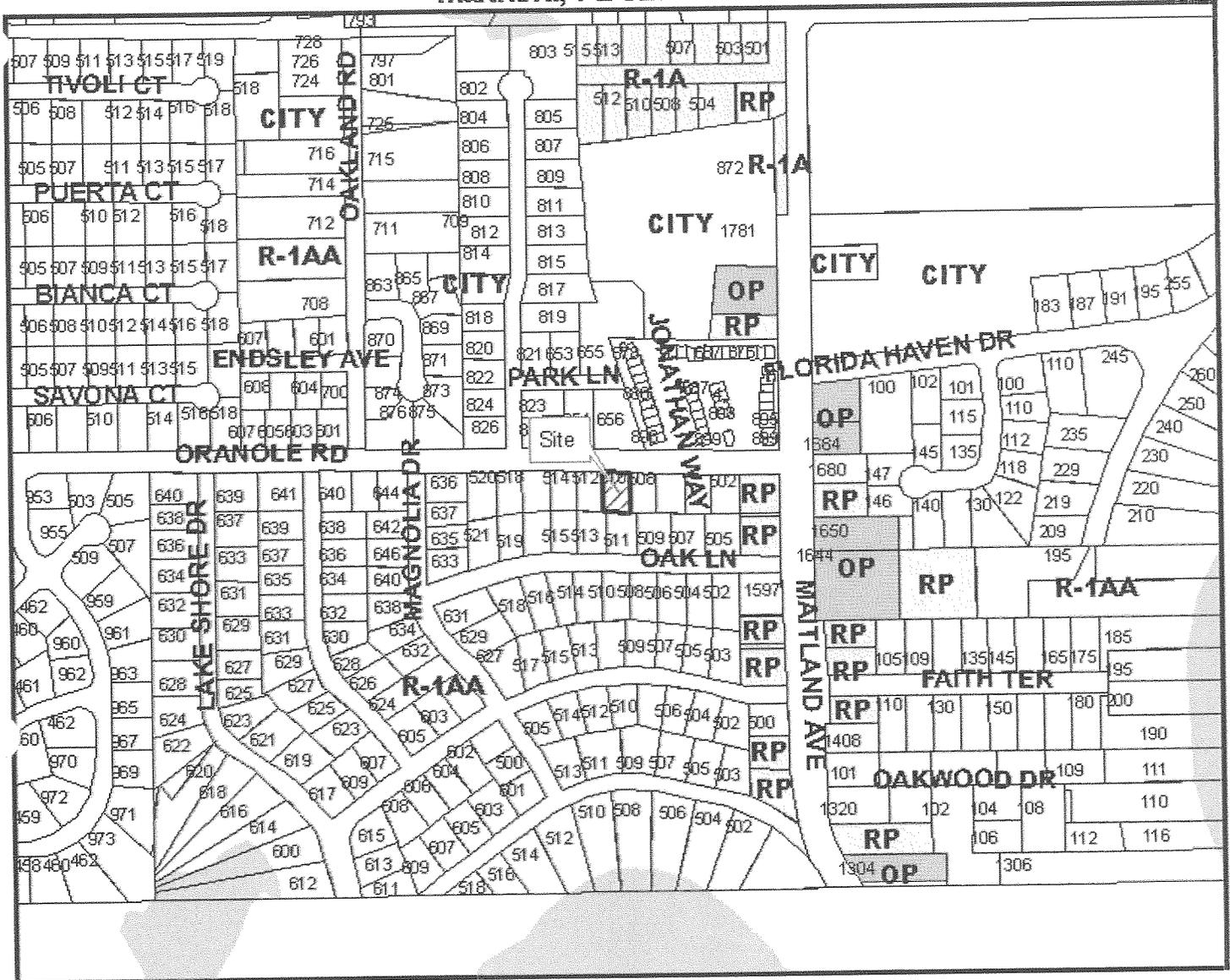
BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1957	6	1,737	2,349	1,737	CONC BLOCK	\$127,722	\$177,392
	Appendage / Sqft		GARAGE FINISHED / 420						
	Appendage / Sqft		UTILITY FINISHED / 168						
	Appendage / Sqft		OPEN PORCH FINISHED / 24						

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.

Israel Perez
510 Oranole Road
Maitland, FL 32751

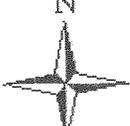


Seminole County Board of Adjustment
September 26, 2005
Case: BV2005-122
Parcel No: 24-21-29-509-0A00-0100

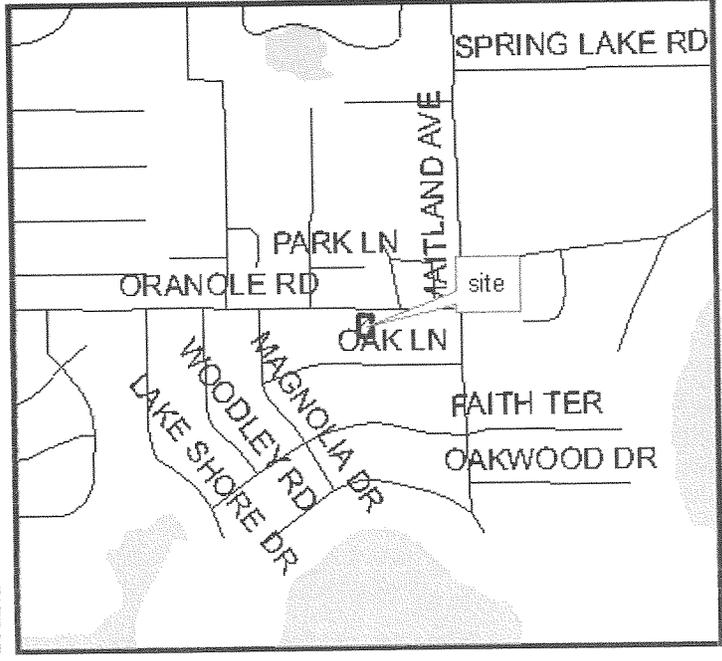
Zoning

-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  RP Residential Professional
-  OP Office
-  BV2005-122

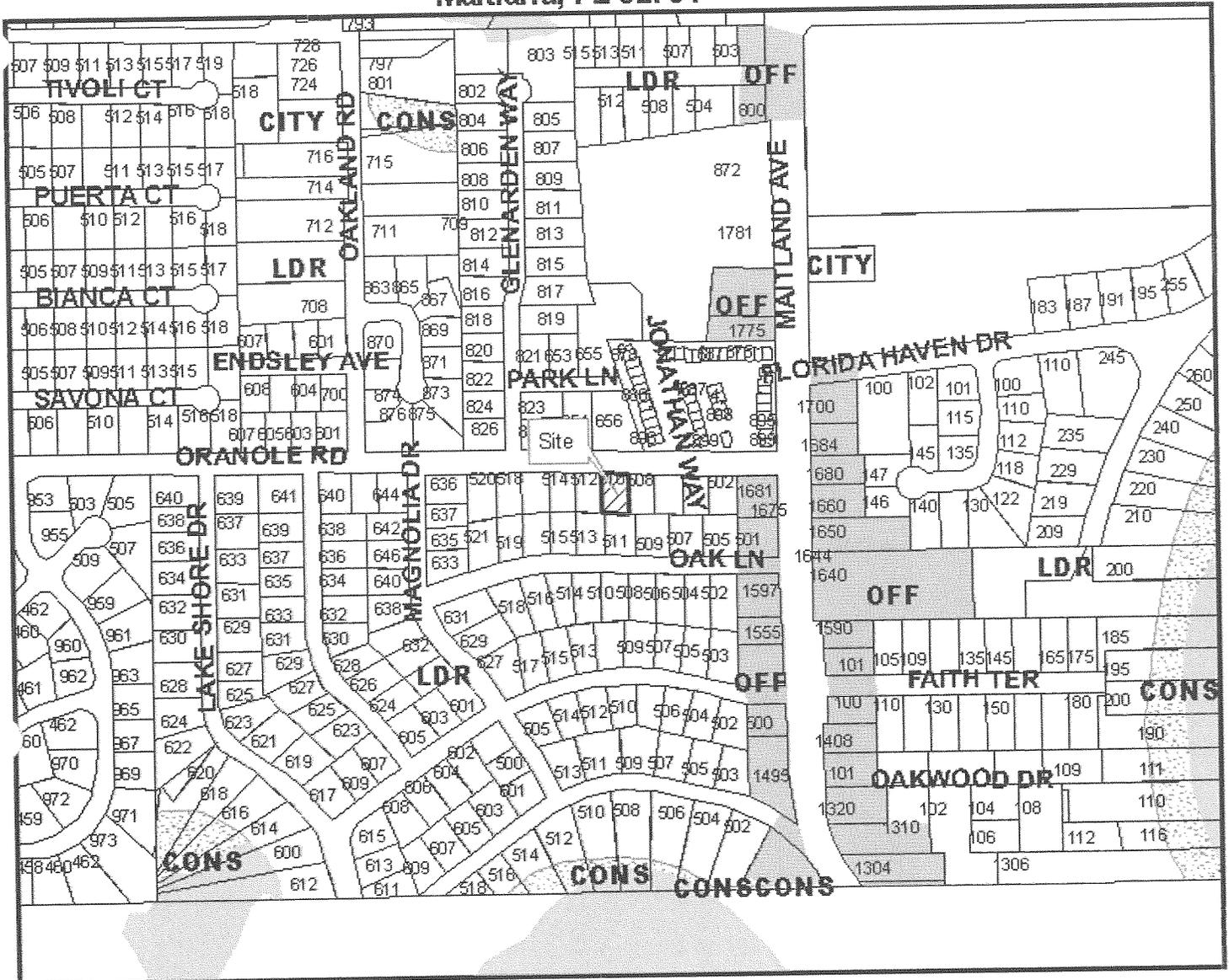
N



087.575 350 525 700 Feet



Israel Perez
510 Oranole Road
Maitland, FL 32751



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Future Land Use

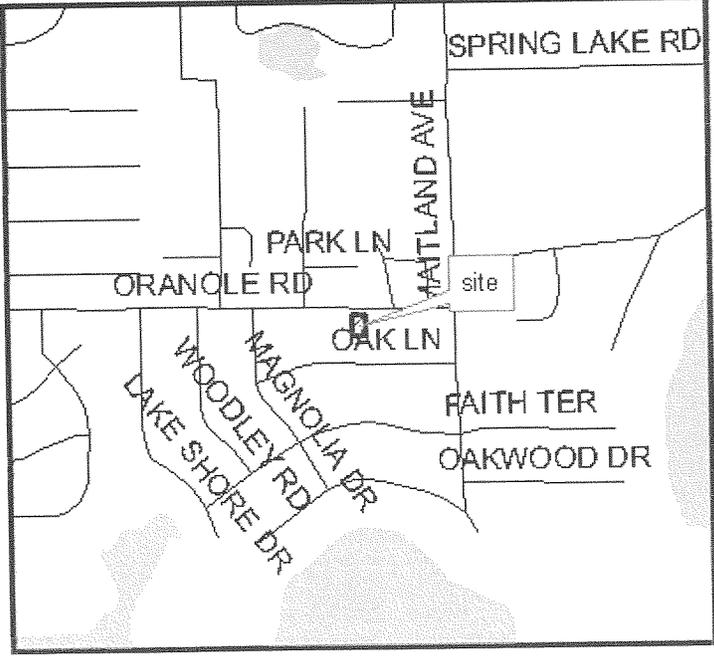
-  CONS, LDR
-  LDR, NONE
-  OFF, NONE
-  BV2005-122

N



Feet

0 87.5 175 350 525 700



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 10 BLK A OAKLAND SHORES PB 10 PG 3 & 4

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

FINDINGS OF FACT

Property Owner: ISRAEL PEREZ
510 ORANOLE ROAD
MAITLAND, FL 32751

Project Name: ORANOLE ROAD (2313)

Requested Development Approval:

REQUEST FOR MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 0 FEET FOR AN EXISTING CAR PORT 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 existing car port 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: