

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 20 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (MALCOLM TRIGG, 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 20 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (MALCOLM TRIGG, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 20 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1A (SINGLE-FAMILY DWELLING DISTRICT); (MALCOLM TRIGG, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: MALCOLM TRIGG LOCATION: 234 DOVERWOOD ROAD, ENGLISH WOODS SUBDIVISION ZONING: R-1A (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT AN ADDITION (APPROXIMATELY 10' X 18') TO AN EXISTING HOME. • THE PROPOSED ADDITION WOULD ENCROACH 10 FEET INTO THE MINIMUM 30 FOOT REAR YARD SETBACK; THE AFORMENTIONED REAR YARD SETBACK VARIANCE FROM 30 FEET TO 20 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 FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • THE REQUEST WOULD CONFER UPON THE APPLICANT

	<p>SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1A DISTRICT, WITHOUT THE DEMONSTRATION OF A HARDSHIP.</p> <ul style="list-style-type: none">• 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.
STAFF RECOMMENDATION	<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.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

RECEIVED

COPY

APPL. NO. BV 2005-127

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

RECEIVED

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.

PLANNING DIVISION
 AUG - 2 2005

APPLICATION TYPE:

PLANNING DIVISION

- VARIANCE** - Rear yard setback variance from 30 feet to 20 feet for proposed addition to residence.
- 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	Malcolm & Margaret Trigg	
ADDRESS	234 Doverwood Rd. Fern Park, FL 32730	
PHONE 1	407-830-7438	
PHONE 2	321-377-8323	
E-MAIL	mtrigg@aol.com	

PROJECT NAME: Rear Setback Variance for Main Residence Addition

SITE ADDRESS: 234 Doverwood Rd., Fern Park, FL 32730

CURRENT USE OF PROPERTY: Residential – Primary Residence

LEGAL DESCRIPTION: Lot 16 English Woods First Addition, Recorded in Plat Book 17 Page 45 of the Public Records of Seminole County, Florida

SIZE OF PROPERTY: < 0.25 acre(s) PARCEL I.D. 20-21-30-520-0000-0160

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 09 / 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.

Malcolm Trigg
 SIGNATURE OF OWNER OR AGENT*

August 5 2005
 DATE

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

where is addition, show dimensions, show setback

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 COMMISSION DISTRICT 4 FLU/ZONING ADR/R-1A

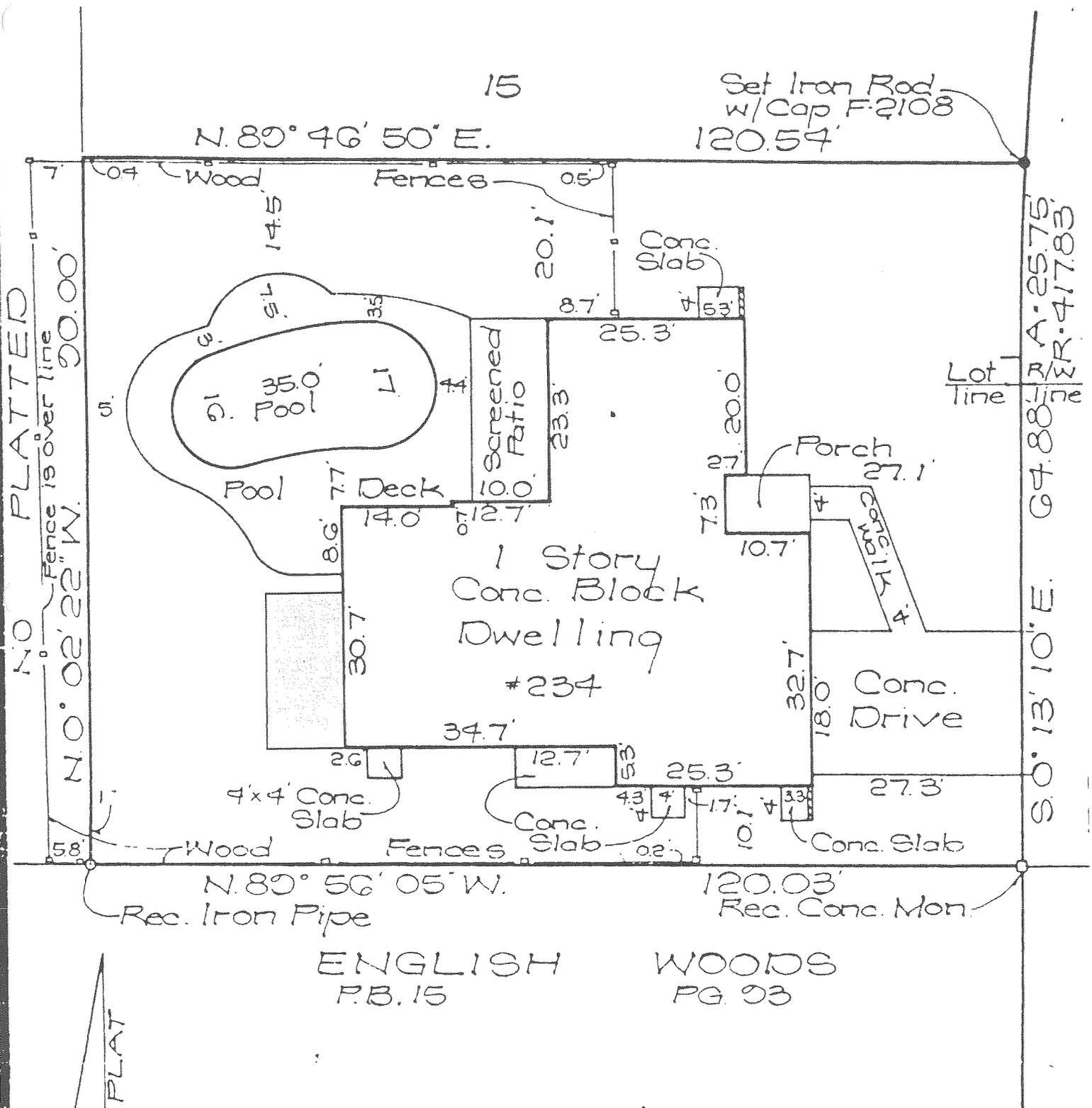
BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS west side of Doverwood Rd 0.1

m. north of the intersection of Fieldingwood Rd + Doverwood Rd

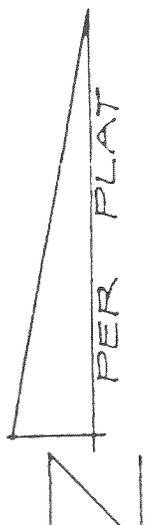
PLANNING ADVISOR MW DATE 9/5/05

SUFFICIENCY COMMENTS _____



SURVEYOR'S CERTIFICATION

This is to certify that I have consulted the federal, state, and Administration flood hazard maps and found that the building on the above described property is not located in a special flood



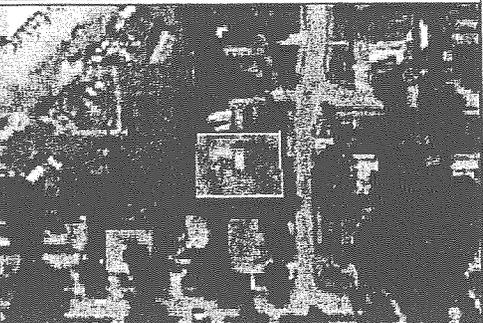
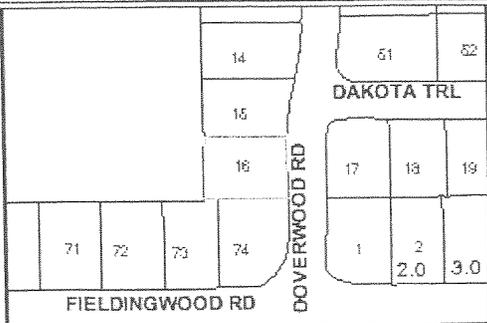
PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

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



GENERAL			
Parcel Id:	20-21-30-520-0000-0160	Tax District:	01-COUNTY-TX DIST 1
Owner:	TRIGG MALCOLM &	Exemptions:	00-HOMESTEAD
Own/Addr:	WALLER MARGARET		
Address:	234 DOVERWOOD RD		
City,State,ZipCode:	FERN PARK FL 32730		
Property Address:	234 DOVERWOOD RD FERN PARK 32730		
Subdivision Name:	ENGLISH WOODS 1ST ADD		
Dor:	01-SINGLE FAMILY		

2005 WORKING VALUE SUMMARY	
Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	\$122,555
Depreciated EXFT Value:	\$6,901
Land Value (Market):	\$30,000
Land Value Ag:	\$0
Just/Market Value:	\$159,456
Assessed Value (SOH):	\$103,141
Exempt Value:	\$25,000
Taxable Value:	\$78,141
Tax Estimator	

SALES						
Deed	Date	Book	Page	Amount	Vac	Imp
WARRANTY DEED	08/1992	02467	1321	\$115,000		Improved
WARRANTY DEED	06/1982	01399	0407	\$96,500		Improved
WARRANTY DEED	08/1980	01292	0987	\$84,000		Improved
Find Comparable Sales within this Subdivision						

2004 VALUE SUMMARY	
Tax Value(without SOH):	\$1,988
2004 Tax Bill Amount:	\$1,270
Save Our Homes (SOH) Savings:	\$718
2004 Taxable Value:	\$75,137
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

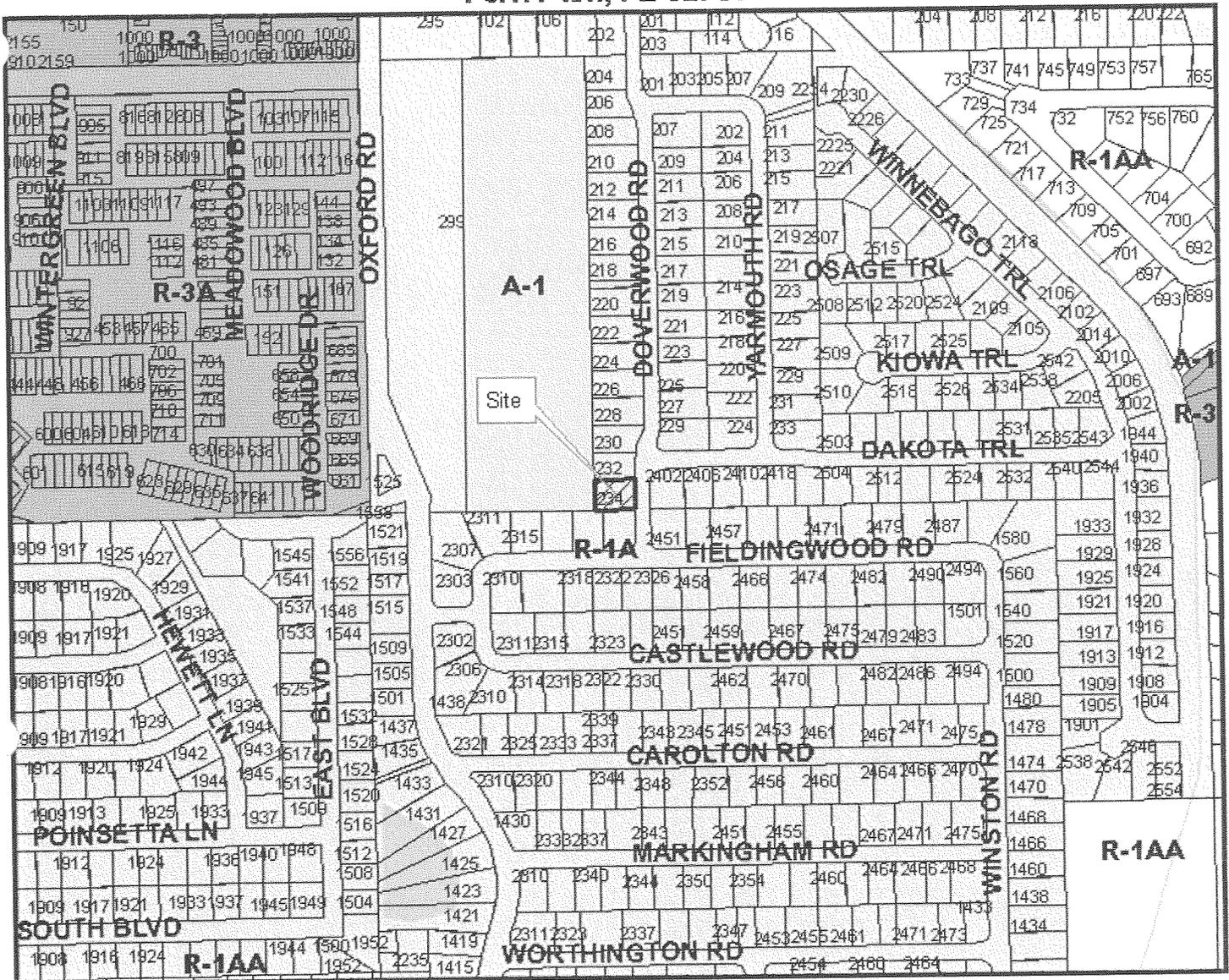
LEGAL DESCRIPTION PLAT
LEG LOT 16 ENGLISH WOODS 1ST ADD PB
17 PG 45

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	1973	6	1,767	2,355	1,767	CONC BLOCK	\$122,555	\$142,506
	Appendage / Sqft		UTILITY FINISHED / 150						
	Appendage / Sqft		OPEN PORCH FINISHED / 60						
	Appendage / Sqft		GARAGE FINISHED / 378						

EXTRA FEATURE					
Description	Year Blt	Units	EXFT Value	Est. Cost New	
POOL GUNITE	1975	450	\$3,600	\$9,000	
COOL DECK PATIO	1975	457	\$640	\$1,600	
ALUM SCREEN PORCH W/CONC FL	1975	230	\$782	\$1,955	
WOOD DECK	1992	192	\$461	\$960	
SPA	1992	1	\$1,418	\$2,500	

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.

**Malcolm & Margaret Trigg
234 Doverwood Rd
Fern Park, FL 32730**



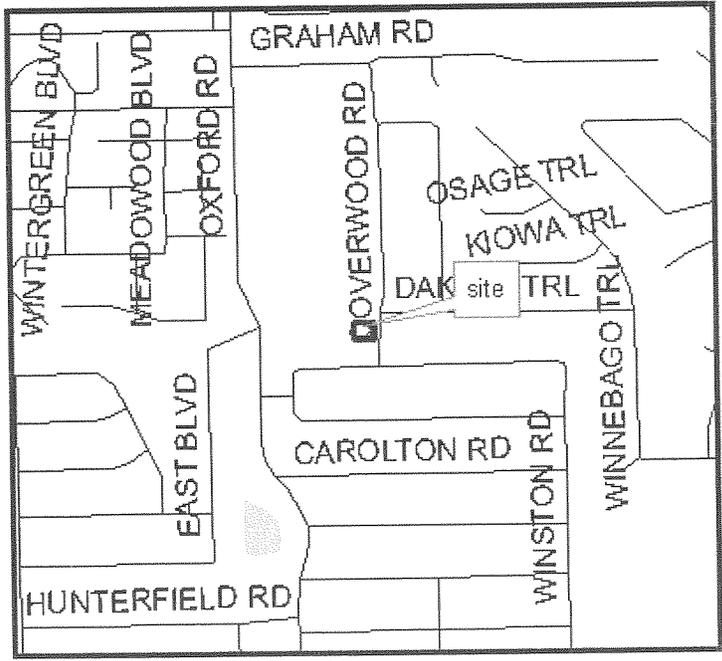
**Seminole County Board of Adjustment
September 26, 2005
Case: BV2005-127
Parcel No: 20-21-30-520-0000-0160**

Zoning

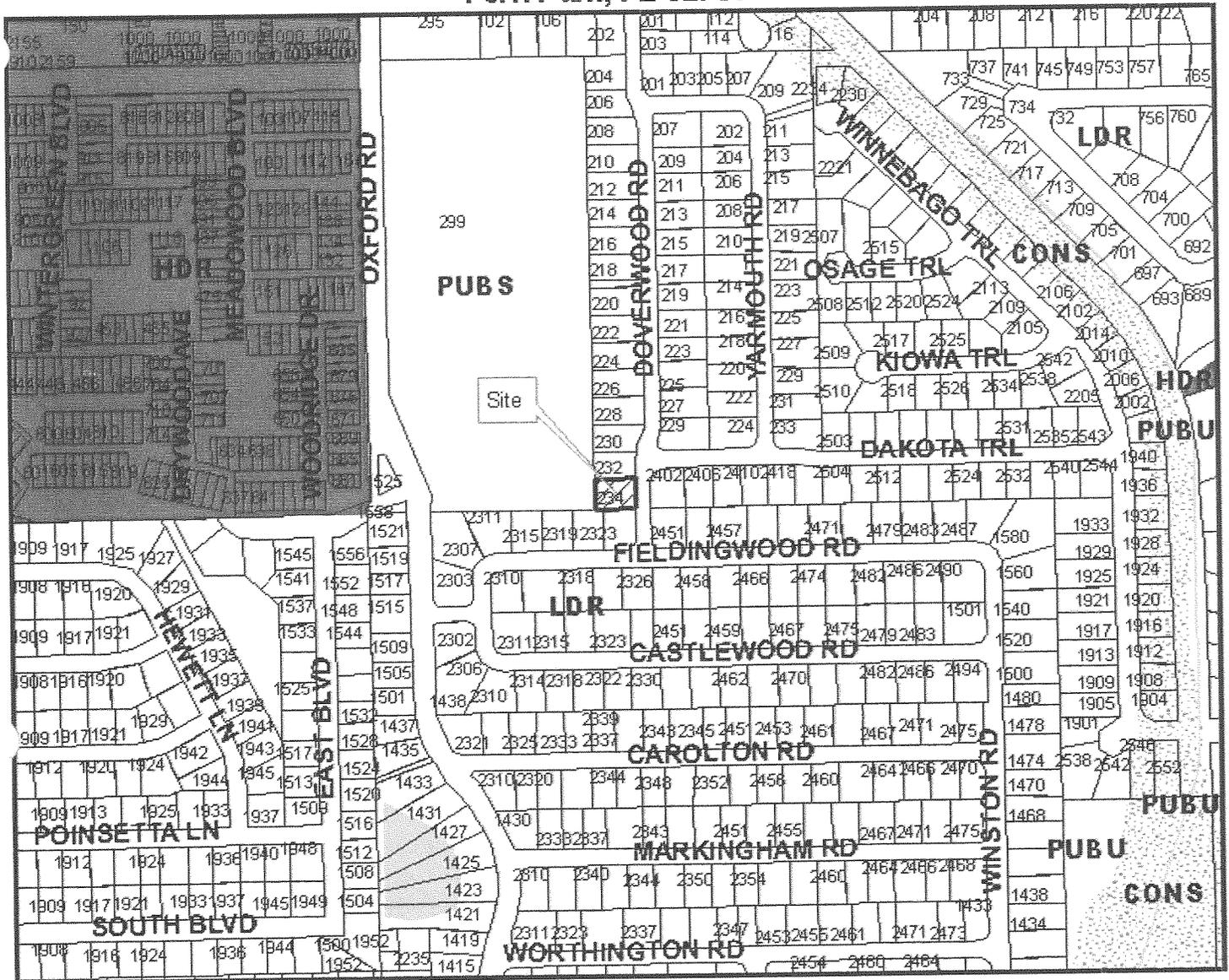
- A-1 Agricultural-1Ac
- R-1AA Single Fam-11700
- R-1A Single Fam-9000
- R-3A Multi-Family-10DU
- R-3 Multi-Family-13DU
- BV2005-127

N

Feet
0 95 190 380 570 760



**Malcolm & Margaret Trigg
234 Doverwood Rd
Fern Park, FL 32730**



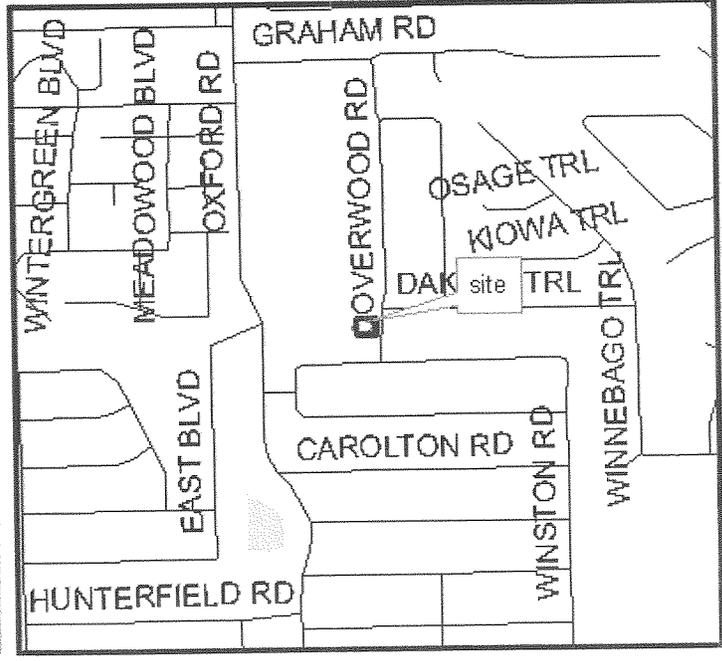
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Future Land Use

	CONS, PUBU	PUBU, NONE
	CONS, LDR	LDR, NONE
	CONS, HDR	HDR, NONE
	PUBS, NONE	BV2005-127

N

0 95 190 380 570 760 Feet



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 16 ENGLISH WOODS 1ST ADD PB 17 PG 45

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

FINDINGS OF FACT

Property Owner: MALCOLM TRIGG
234 DOVERWOOD ROAD
FERN PARK, FL 32730

Project Name: DOVERWOOD ROAD (234)

Requested Development Approval:

REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 20 FEET FOR A PROPOSED ROOM ADDITION IN THE R-1A (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: