

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for minimum rear yard setback variance from 200 feet to 75 feet for a proposed shed on property abutting the Wekiva River in the A-1 (Agriculture District); (Francisco Torregrosa, applicant).

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

AUTHORIZED

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

Agenda Date 10-24-05 Regular Consent Public Hearing – 6:00

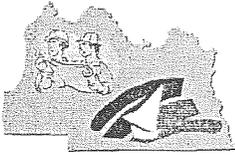
MOTION/RECOMMENDATION:

1. **APPROVE** Request for minimum rear yard setback variance from 200 feet to 75 feet for proposed shed on property abutting the Wekiva River in the A-1 (Agriculture District); (Francisco Torregrosa, applicant); or
2. **DENY** Request for minimum rear yard setback variance from 200 feet to 75 feet for proposed shed on property abutting the Wekiva River in the A-1 (Agriculture District); (Francisco Torregrosa, applicant); or
3. **CONTINUE** The request to a time and date certain.



GENERAL INFORMATION	APPLICANT: LOCATION: ZONING:	Francisco Torregrosa 206 Wekiva Park Drive A-1 (Agriculture District)
BACKGROUND/REQUEST	The applicant proposes to construct a 10 x 30 shed that encroaches 125 feet into the minimum 200 foot rear yard setback from the edge of the Wekiva River as measured from the mean high water elevation. Seminole County's Vision 2020 Comprehensive Plan	
STAFF FINDINGS	This is the second application seeking a variance from a comprehensive plan policy, rather than a provision of chapter 30. Staff had the County Attorney determine if the board is empowered to take action on the request. After review of pertinent statutes and regulations, the county attorney determined that the board is empowered to approve	

	<p>or deny the request.</p> <p>Staff finds that the applicant could relocate the structure to a location that meets the required setbacks for properties abutting the wekiva river.</p>
STAFF RECOMMENDATION	<p>Based on the proposed site plan and the representations of the applicant, staff recommends the board of adjustment deny the request. If the board should decide to grant a variance, staff recommends the following conditions:</p> <ul style="list-style-type: none">• The variance is conditioned on the applicant obtaining necessary permits from the water management district;• Any variance granted should apply only to the proposed shed as depicted on the attached site plan; and• Any additional conditions deemed appropriate by the board, based on information presented at the public hearing.



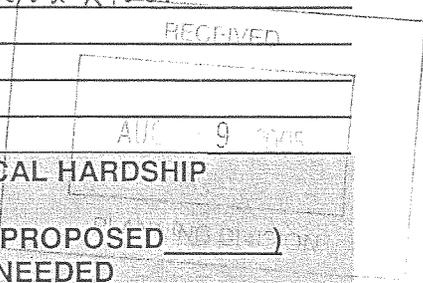
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APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

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 200' to 75' for a replacement shed on property abutting the Wekiva River
- 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	<u>Jorge Torregrosa</u>	NAME	<u>Francisco Torregrosa</u>
ADDRESS	<u>104 Southview Street Gadsden, AL 35904</u>	ADDRESS	<u>6330 Fox Briar Trail Orlando, FL 32818</u>
PHONE 1	<u>(256) 441-4911</u>	PHONE 1	<u>(407) 230-3179</u>
PHONE 2		PHONE 2	
E-MAIL		E-MAIL	

PROJECT NAME: Wekiva Park Drive (206)

SITE ADDRESS: 206 Wekiva Park Drive

CURRENT USE OF PROPERTY: SFR

LEGAL DESCRIPTION: LEG NELY 100FT OF LOT 11 + SLY 1/2 OF LOT 12 RE PLAT OF WEKIVA CAMP SITES PB 9 PG 20

SIZE OF PROPERTY: 2.58 acre(s) PARCEL I.D. 21-19-29-5MQ-0000-0110

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NA

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 10 / 24 / 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.

Francisco Torregrosa 8/9/05
 SIGNATURE OF OWNER OR AGENT* DATE

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

MR

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

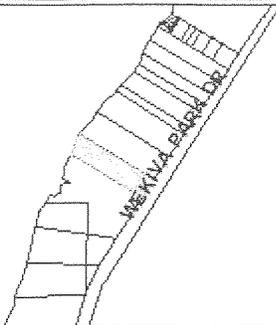
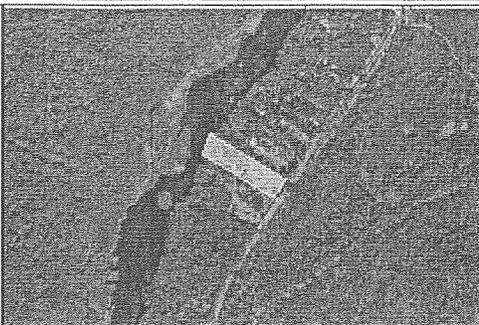
APPELLANT INFORMATION	
NAME	_____
ADDRESS	_____
PHONE 1	_____
PHONE 2	_____
E-MAIL	_____

NATURE OF THE APPEAL _____

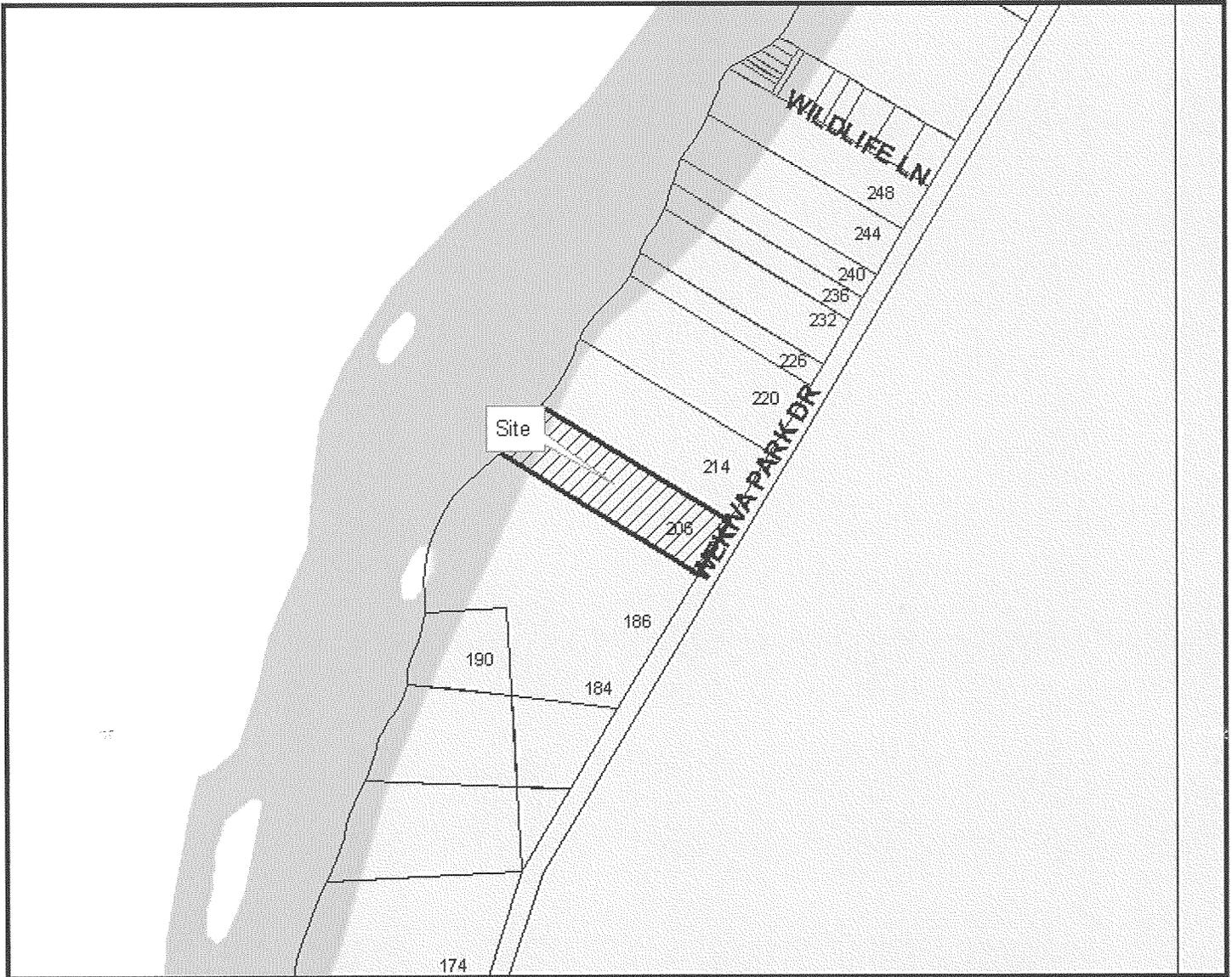
_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:
FEE(S): \$ 150 COMMISSION DISTRICT 5 FLU / ZONING A-1/SE
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS west side of Winter Park Dr 0.2mi
South of the intersection of Wehve Park Dr & Wildlife Ln.
PLANNING ADVISOR _____ DATE _____
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 style="text-align: center;">GENERAL</p> <p>Parcel Id: 21-19-29-5MQ-0000-0110 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: TORREGROSA JORGE F Exemptions:</p> <p>Address: 104 SOUTHVIEW ST</p> <p>City,State,ZipCode: GADSDEN AL 35904</p> <p>Property Address: 206 WEKIVA PARK DR SANFORD 32771</p> <p>Subdivision Name: WEKIVA CAMP SITES REPLAT</p> <p>Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$20,895</p> <p>Depreciated EXFT Value: \$13,745</p> <p>Land Value (Market): \$221,638</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$256,278</p> <p>Assessed Value (SOH): \$256,278</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$256,278</p> <p style="text-align: center;">Tax Estimator</p>																																																																			
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<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>																																																																					

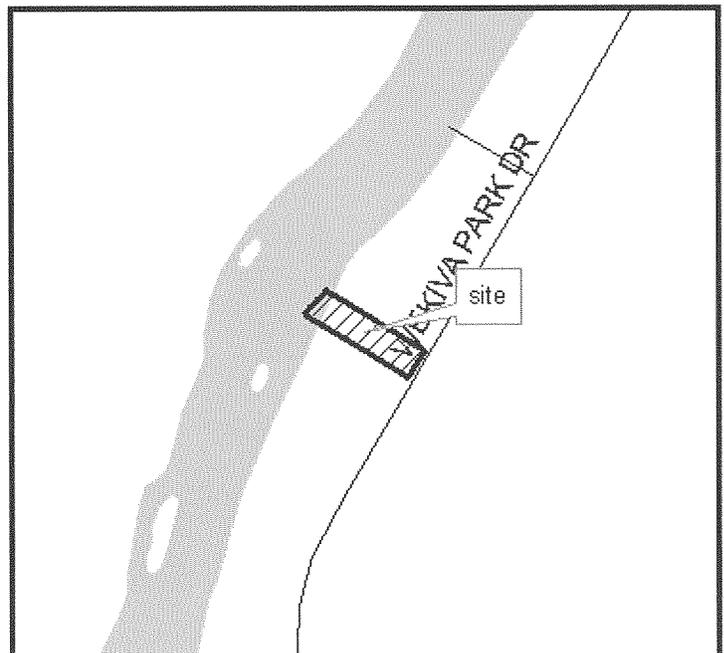
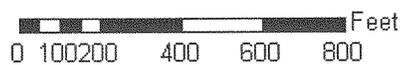
Francisco Torregrosa
206 Wekiva Park Drive
Sanford, FL 32771



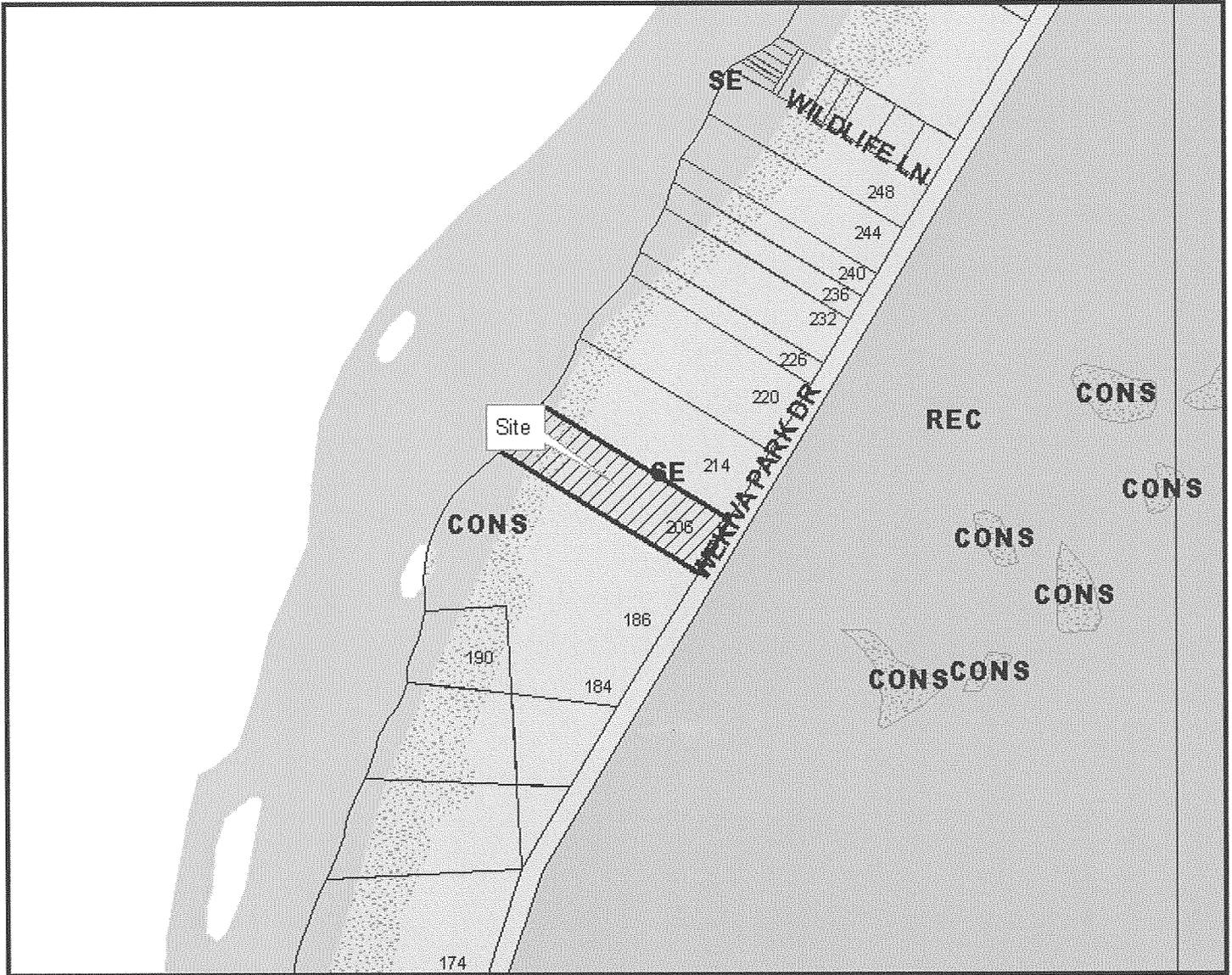
Seminole County Board of Adjustment
October 24, 2005
Case: BV2005-132
Parcel No: 21-19-29-5MQ-0000-0110

Zoning

-  A-1 Agricultural-1Ac
-  BV2005-132



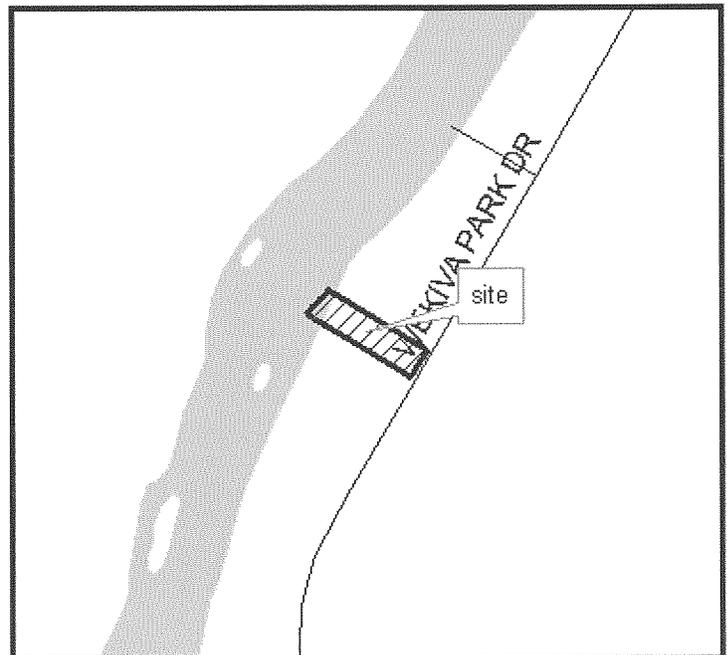
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Seminole County Board of Adjustment
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Future Land Use

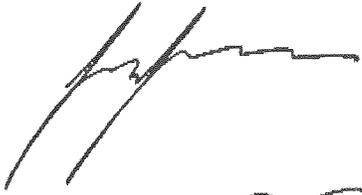
-  CONS, REC
-  CONS, SE
-  REC, NONE
-  SE, NONE
-  BV2005-132



August 13, 2005

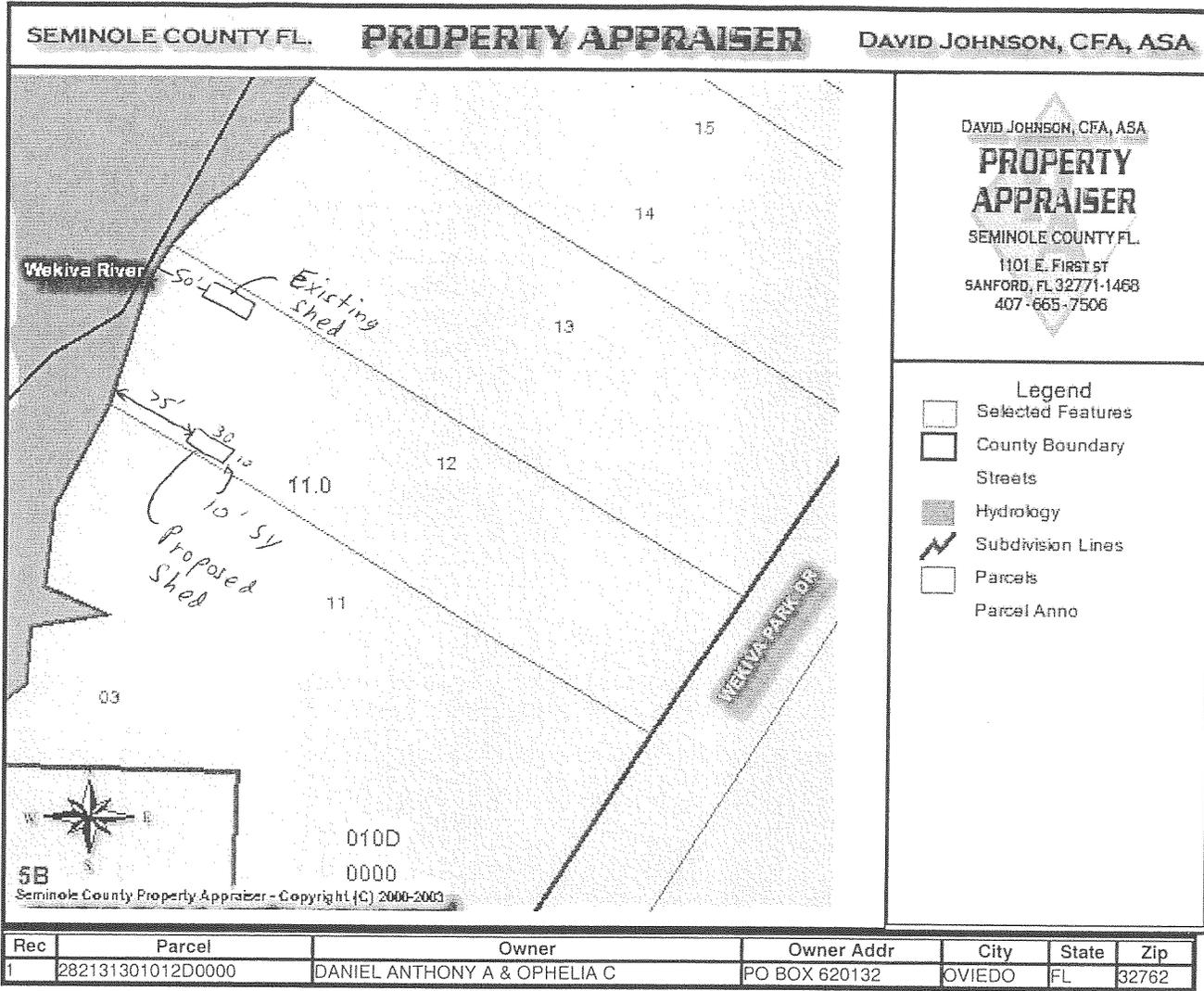
To Whom It May Concern:

I, Jorge F. Torregrosa, hereby designate my brother Francisco J. Torregrosa to be my agent for the purposes of applying for a setback variance at 206 Wekiva Park Drive from Seminole County government.



Jorge F. Torregrosa

August 13, 2005



SEMINOLE COUNTY DEVELOPMENT ORDER

On October 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG NELY 100 FT OF LOT 11 + SLY ½ OF LOT 12 REPLAT OF WEKIVA CAMP
SITES PB 9 PG 20

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

FINDINGS OF FACT

Property Owner: JORGE TORREGROSA
104 SOUTHVIEW STREET
GADSDEN, AL 35904

Project Name: WEKIVA PARK DRIVE (206)

Requested Development Approval:

REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 200 FEET TO 75 FEET FOR A PROPOSED SHED ON PROPERTY ABUTTING THE WEKIVA RIVER IN THE A-1 (AGRICULTURE 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 is conditioned on the applicant obtaining necessary permits from the water management district.
 2. Any variance granted should apply only to the proposed shed 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: