

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

**SUBJECT:** Request for minimum (south) side yard setback from 10 feet to 7.5 feet for an existing pool screen enclosure in the R-1AA (Single-Family Dwelling District); (Charles Mason, applicant).

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

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

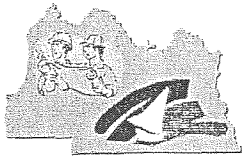
Agenda Date 10/24/05 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** Request for minimum side yard setback variance from 10 feet to 7.5 feet for an existing pool screen enclosure in the R-1AA (Single-Family Dwelling District); (Charles Mason, applicant); or
2. **DENY** Request for minimum side yard setback variance from 10 feet to 7.5 feet for an existing pool screen enclosure in the R-1AA (Single-Family Dwelling District); (Charles Mason, applicant); or
3. **CONTINUE** The request to a time and date certain.

<b>GENERAL INFORMATION</b>	APPLICANT: LOCATION: ZONING:	Charles Mason 303 Earl Street, Longwood R-1AA (Single-Family Dwelling District)
<b>BACKGROUND/REQUEST</b>	The applicant hired a company to install a pool screen enclosure over an existing pool. The screen enclosure was constructed 2.5 feet into the 10-foot side yard setback.	
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of the requested variance. Staff has determined that: <ul style="list-style-type: none"> <li>• The pool screen enclosure could be moved 2.5 feet. The site plan shows 6 feet between the edge of pool and the existing edge of screen.</li> <li>• The request would confer upon the applicant special privileges that would be denied to others in the R-1AA zoning district.</li> </ul>	

	<ul style="list-style-type: none"><li>• The applicant would retain reasonable use of the pool meeting the district 10-foot side yard setback.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>Based on the proposed site plan 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"><li>• Any variance granted should apply only to the existing pool screen enclosure as depicted on the attached site plan; and</li><li>• Any additional conditions deemed appropriate by the board, based on information presented at the public hearing.</li></ul>



**COPY**

APPL. NO. BV2005-133

RECEIVED  
 AUG 8 2005  
 PLANNING DIVISION

**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** South side yard from 10 ft to 7.5
- 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**

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	<u>Charles Mason</u>	NAME	<u>Scott Miller</u>
ADDRESS	<u>303 Earl St Longwood FL 32750</u>	ADDRESS	<u>Al-U-men Alwan, Inc 28 Naranya Rd DeBary, FL 32713</u>
PHONE 1	<u>407-260-0673</u>	PHONE 1	<u>386-717-3955</u>
PHONE 2		PHONE 2	
E-MAIL		E-MAIL	

PROJECT NAME: Mason  
 SITE ADDRESS: 303 Earl St, Longwood, FL 32750  
 CURRENT USE OF PROPERTY: Residential  
 LEGAL DESCRIPTION: Lot 8 of N 35 ft of Lot 7 BLK H Tract 12 Sanlando Springs PB 5 PG 59  
 SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. C1-21-29-50K-120H-007A  
 UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_  
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 10.24.05 (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 OF OWNER OR AGENT\* [Signature] 06/06/25 DATE

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

MR

**ADDITIONAL VARIANCES**

VARIANCE 2: Release to 7.5' from Southern property line instead of 10' for room for

VARIANCE 3: screen room structure placement

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

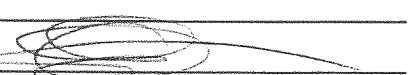
**APPEAL FROM BOA DECISION TO BCC**

APPELLANT INFORMATION	
NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ APPELLANT SIGNATURE 

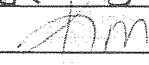
**FOR OFFICE USE ONLY**

PROCESSING:

FEE(S): \$150.00 COMMISSION DISTRICT 4 FLU/ZONING LDR/A-1AA

BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS East of Earl St less than 0.1 mi south of the intersection of Stanley St & Earl St.

PLANNING ADVISOR  DATE \_\_\_\_\_

SUFFICIENCY COMMENTS \_\_\_\_\_

# PLAT OF SURVEY

## DESCRIPTION

LOT 8 & THE NORTH 35 FEET OF LOT 7, BLOCK H, SANLANDO SPRINGS TRACT 12, AS RECORDED IN PLAT BOOK 5, PAGE 59, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



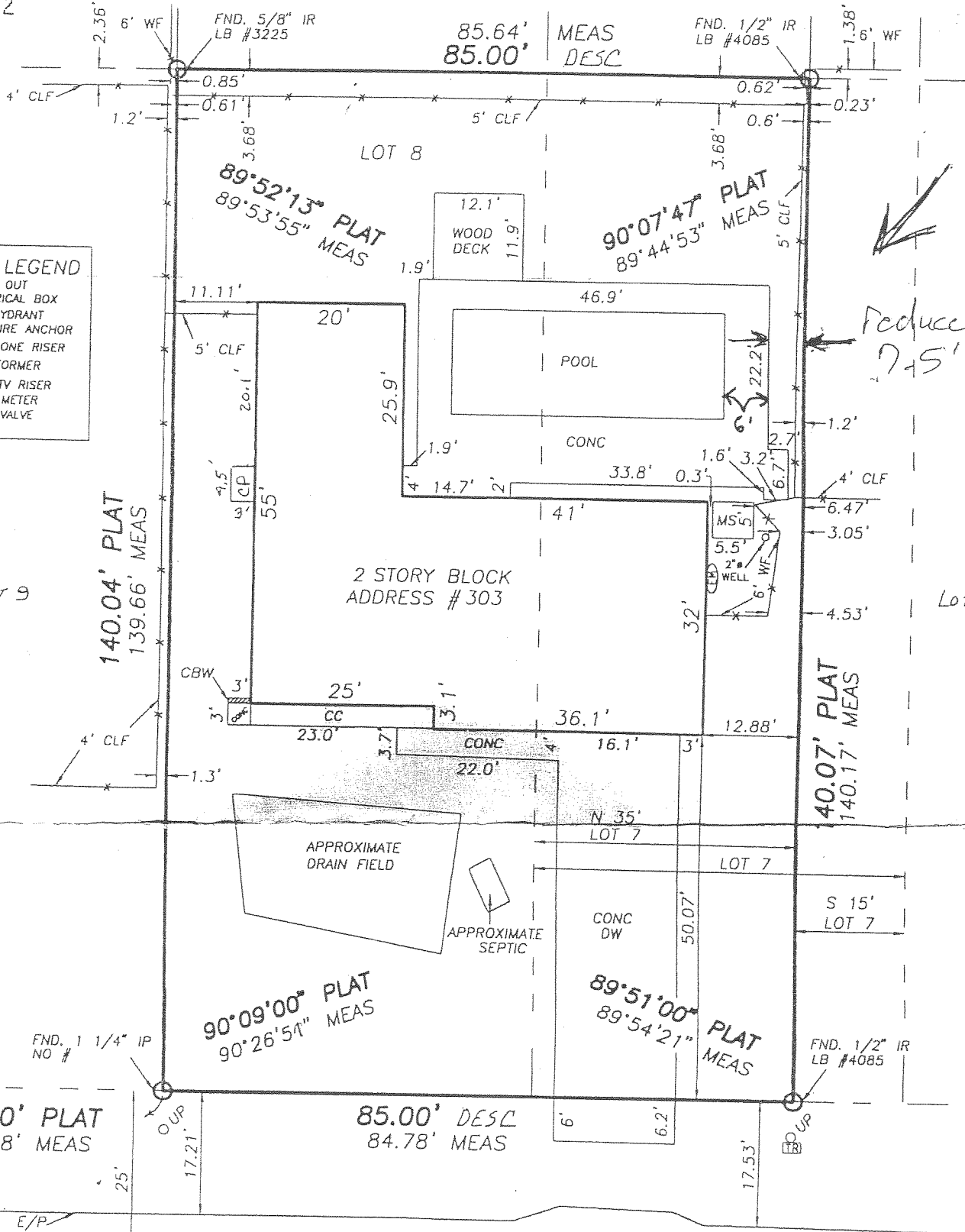
Lot 2

Lot 3

Lot 4

Scale  
20

SYMBOLS LEGEND	
CO	- CLEAN OUT
EB	- ELECTRICAL BOX
FH	- FIRE HYDRANT
Y	- GUY WIRE ANCHOR
TR	- TELEPHONE RISER
T	- TRANSFORMER
TV	- CABLE TV RISER
⊗	- WATER METER
⊕	- WATER VALVE



Reduce to  
7.5'

NW CORNER  
LOT 10  
FND. 2" IP  
NO #

FND. 1 1/4" IP  
NO #

90°09'00" PLAT  
90°26'51" MEAS

89°51'00" PLAT  
89°54'21" MEAS

115.00' PLAT  
115.38' MEAS

85.00' DESC  
84.78' MEAS

FND. 1/2" IR  
LB #4085

EARL STREET

(50' R/W)

**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: 01-21-29-5CK-120H-007A      Tax District: 01-COUNTY-TX DIST 1  
 Owner: RYAN SUSAN F &      Exemptions: 00-HOMESTEAD  
 Own/Addr: MASON CHARLES A  
 Address: PO BOX 521472  
 City,State,ZipCode: LONGWOOD FL 32752  
 Property Address: 303 EARL ST LONGWOOD 32750  
 Subdivision Name: SANLANDO SPRINGS  
 Dor: 01-SINGLE FAMILY

**2005 WORKING VALUE SUMMARY**

Value Method: Market  
 Number of Buildings: 1  
 Depreciated Bldg Value: \$153,633  
 Depreciated EXFT Value: \$5,220  
 Land Value (Market): \$30,048  
 Land Value Ag: \$0  
 Just/Market Value: \$188,901  
 Assessed Value (SOH): \$162,468  
 Exempt Value: \$25,000  
 Taxable Value: \$137,468  
 Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	12/2003	05129	1849	\$225,000	Improved
WARRANTY DEED	05/1985	01639	0555	\$105,000	Improved

Find Comparable Sales within this Subdivision

**2004 VALUE SUMMARY**

Tax Value(without SOH): \$2,243  
 2004 Tax Bill Amount: \$2,243  
 Save Our Homes (SOH) Savings: \$0  
 2004 Taxable Value: \$132,736  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	85	145	.000	350.00	\$30,048

**LEGAL DESCRIPTION PLAT**

LEG LOT 8 & N 35 FT OF LOT 7 BLK H TRACT 12 SANLANDO SPRINGS  
 PB 5 PG 59

**BUILDING INFORMATION**

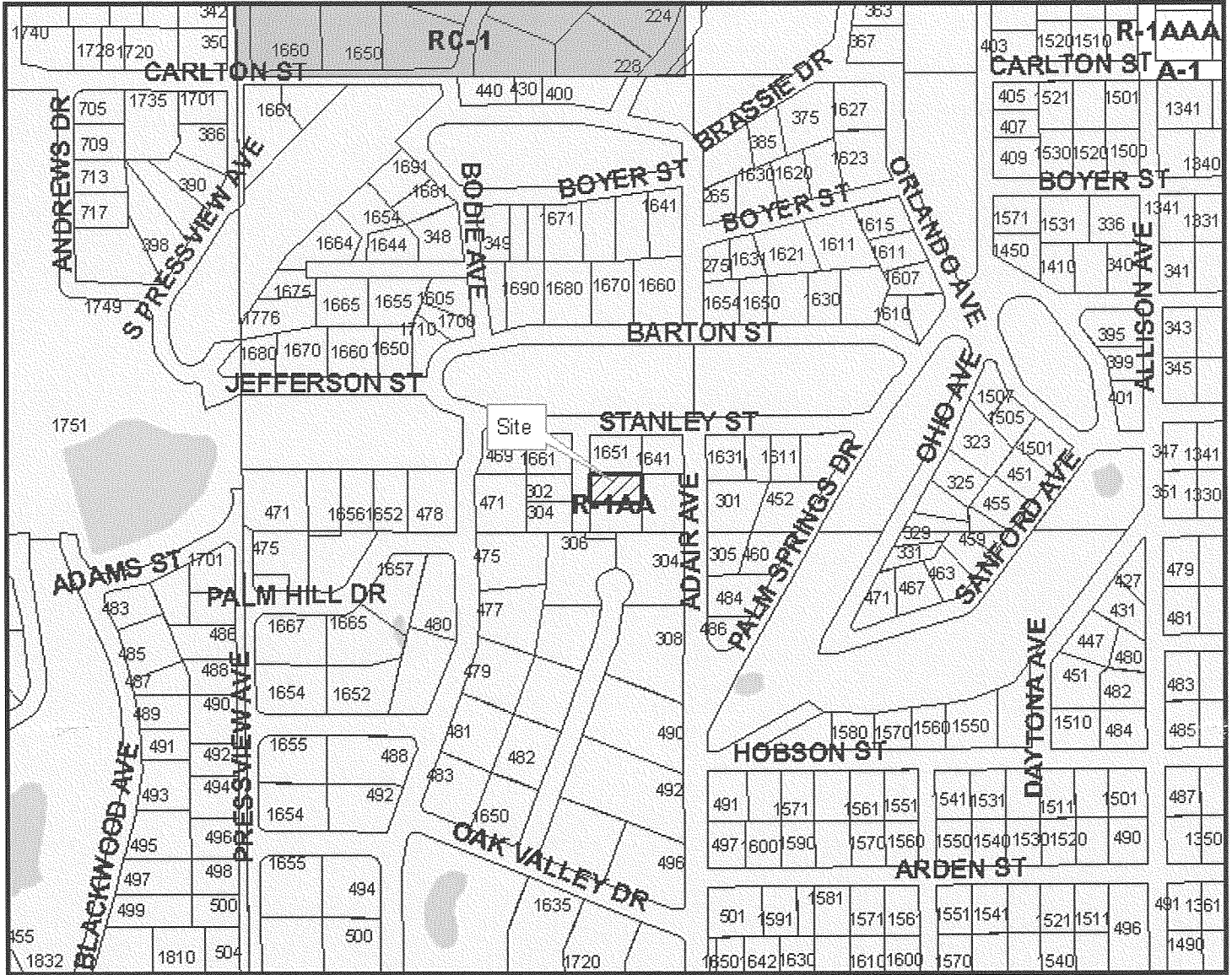
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1964	9	1,845	3,190	1,845	CONC BLOCK	\$153,633	\$194,472
			Appendage / Sqft	ENCLOSED PORCH FINISHED / 520					
			Appendage / Sqft	GARAGE FINISHED / 825					

**EXTRA FEATURE**

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1964	1	\$600	\$1,500
POOL GUNITE	1972	512	\$4,096	\$10,240
COOL DECK PATIO	1972	374	\$524	\$1,309





**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.

Scott Miller  
 303 Earl Street  
 Longwood, FL 32750




Seminole County Board of Adjustment  
 October 24, 2005  
 Case: BV2005-133  
 Parcel No: 01-21-29-5CK-120H-007A

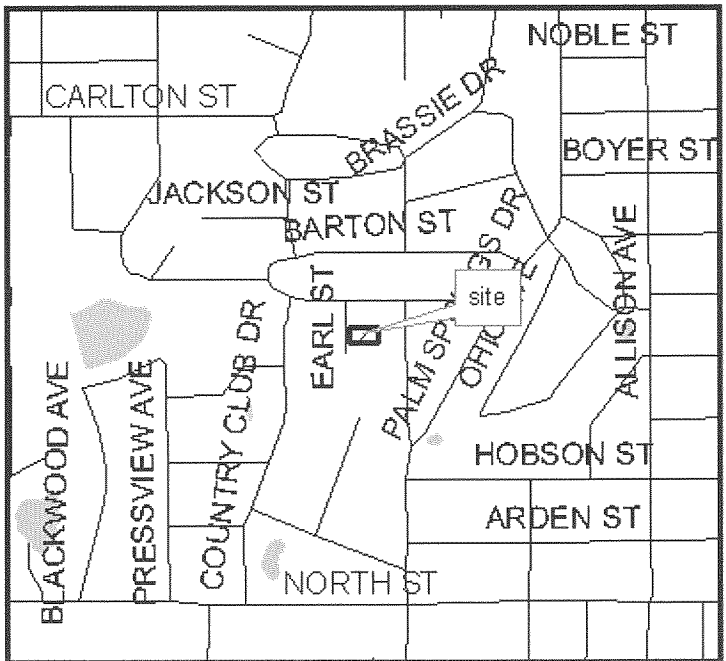
**Zoning**

-  RC-1 Country Homes-1Ac
-  R-1AAA Single Fam-13500
-  R-1AA Single Fam-11700
-  BV2005-133

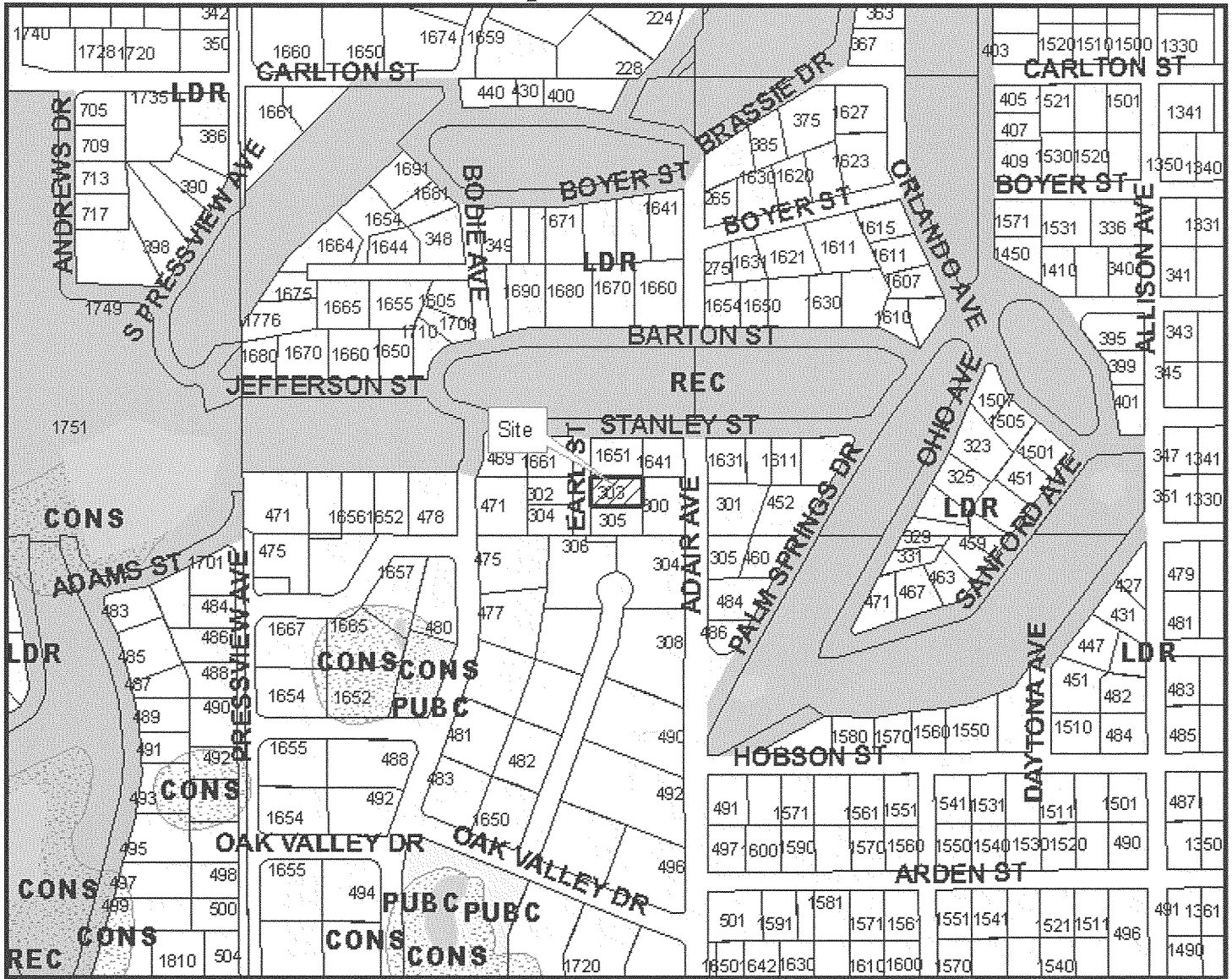
N



0 100 200 400 600 800 Feet










Scott Miller  
 303 Earl Street  
 Longwood, FL 32750


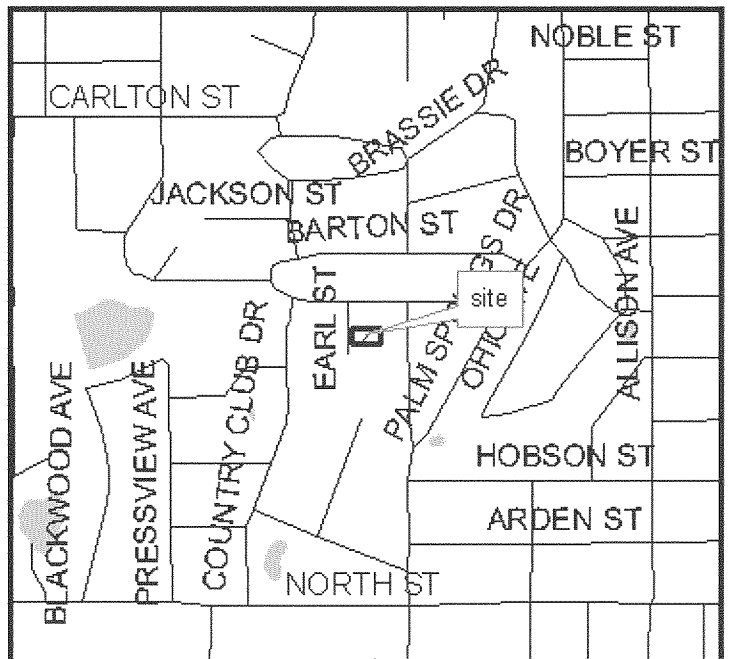


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**Future Land Use**

-  CONS, REC
-  CONS, PUBC
-  CONS, LDR
-  REC, NONE
-  PUBC, NONE
-  LDR, NONE
-  BV2005-133

0 100 200 400 600 800 Feet



## 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 LOT 8 & N 35 FT OF LOT 7 BLK H TRACT 12 SANLANDO SPRINGS PB 5 PG 59

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

### FINDINGS OF FACT

**Property Owner:** CHARLES MASON  
303 EARL STREET  
LONGWOOD, FL 32750

**Project Name:** EARL STREET (303)

**Requested Development Approval:**

REQUEST FOR MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 7.5 FEET FOR AN EXISTING POOL SCREEN ENCLOSURE 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. ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE EXISTING POOL SCREEN ENCLOSURE 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: