

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for minimum rear yard setback variance from 30 feet to 14 feet for an existing detached addition in the R-1A (Single-Family Dwelling District); (Ted Gauvin, applicant).

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

AUTHORIZED

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

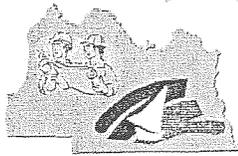
Agenda Date 10/24/05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** Request for minimum rear yard setback variance from 30 feet to 14 feet for an existing detached addition in the R-1A (Single-Family Dwelling District); (Ted Gauvin, applicant); or
2. **DENY** Request for minimum rear yard setback variance from 30 feet to 14 feet for an existing detached addition in the R-1A (Single-Family Dwelling District); (Ted Gauvin, applicant); or
3. **CONTINUE** The request to a time and date certain.

GENERAL INFORMATION	APPLICANT:	Ted Gauvin
BACKGROUND/REQUEST	LOCATION:	180 Eileen Avenue
STAFF FINDINGS	ZONING:	R-1A (Single-Family Dwelling District)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • The applicant constructed a 16'x44' detached addition without a building permit; a notice of violation from the Seminole County Building Division was subsequently issued on 06/22/05. • 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 special privileges that would be denied to others in the R-1A 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.
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 existing detached 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

APPL. NO. BV2005-141

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 feet To 14 feet for a detached Addition.
- 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 31 2005
 PLANNING DIVISION

PROPERTY OWNER AUTHORIZED AGENT *

PROPERTY OWNER	AUTHORIZED AGENT *
NAME: <u>Ted Staccini</u>	
ADDRESS: <u>1806 Eileen Ave</u>	
PHONE 1: <u>407-969-9590</u>	
PHONE 2:	
E-MAIL: <u>tedstaccini10@earthlink.net</u>	

RECEIVED
 AUG 31 2005
 PLANNING DIVISION

PROJECT NAME: _____
 SITE ADDRESS: Same
 CURRENT USE OF PROPERTY: Ramp addition
 LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 15-21-29-505-000-0520
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS Yes

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* Ted Staccini DATE 9-31-05

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

MIR

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 3 FLU / ZONING R-1A / LDR

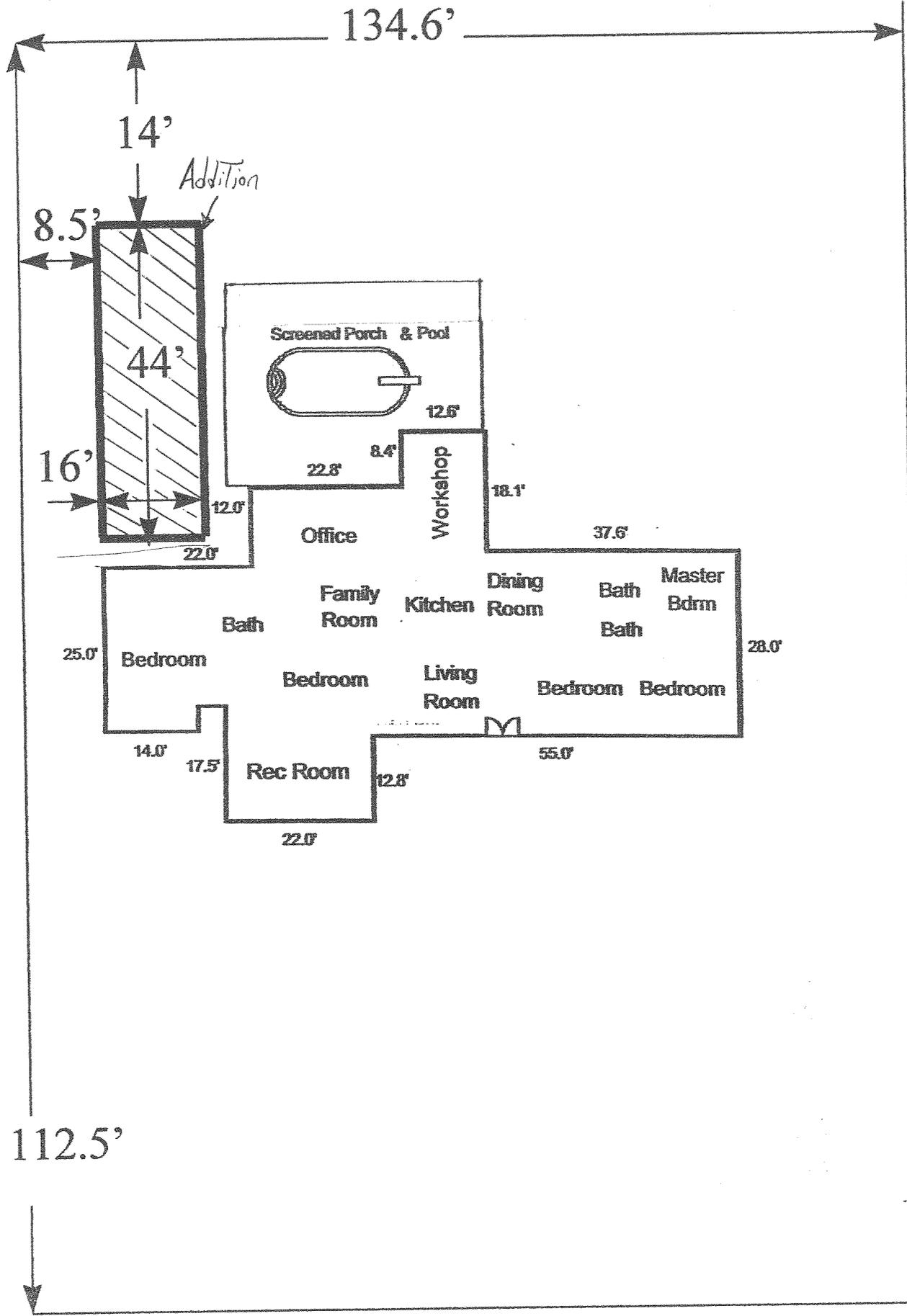
BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS west side of Eileen Drive @ the intersection of Eileen Pr. + Oak Dr.

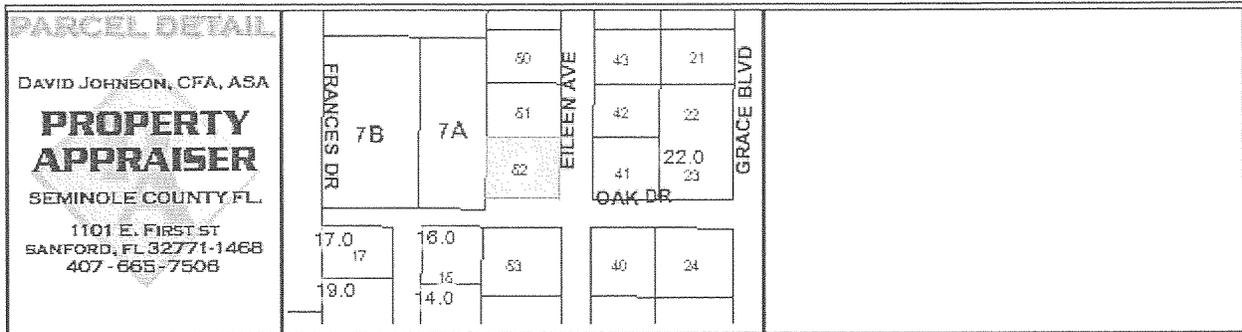
PLANNING ADVISOR MR DATE 8/31/05

SUFFICIENCY COMMENTS _____

OAK STREET



Eileen Ave



GENERAL

Parcel Id: 15-21-29-505-0000-0520
 Owner: GAUVIN AIME H &
 Own/Addr: GAUVIN KATHRYN A
 Mailing Address: 180 EILEEN AVE
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32714
 Property Address: 180 EILEEN DR ALTAMONTE SPRINGS 32714
 Subdivision Name: SHADY OAKS 152129505
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$167,432
 Depreciated EXFT Value: \$7,377
 Land Value (Market): \$27,160
 Land Value Ag: \$0
 Just/Market Value: \$201,969
 Assessed Value (SOH): \$165,659
 Exempt Value: \$25,000
 Taxable Value: \$140,659
 Tax Estimator
 2005 Notice of Proposed Property Tax

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
QUIT CLAIM DEED	06/2003	04865	1417	\$67,300	Improved
QUIT CLAIM DEED	10/2002	04576	0189	\$132,000	Improved
WARRANTY DEED	05/1979	01223	1587	\$52,500	Improved
WARRANTY DEED	09/1978	01190	1067	\$48,500	Improved

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$2,171
 2004 Tax Bill Amount: \$2,171
 Save Our Homes (SOH) Savings: \$0
 2004 Taxable Value: \$135,834
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	112	135	.000	250.00	\$27,160

LEGAL DESCRIPTION PLAT

LEG LOT 52 SHADY OAKS PB 11 PG 24

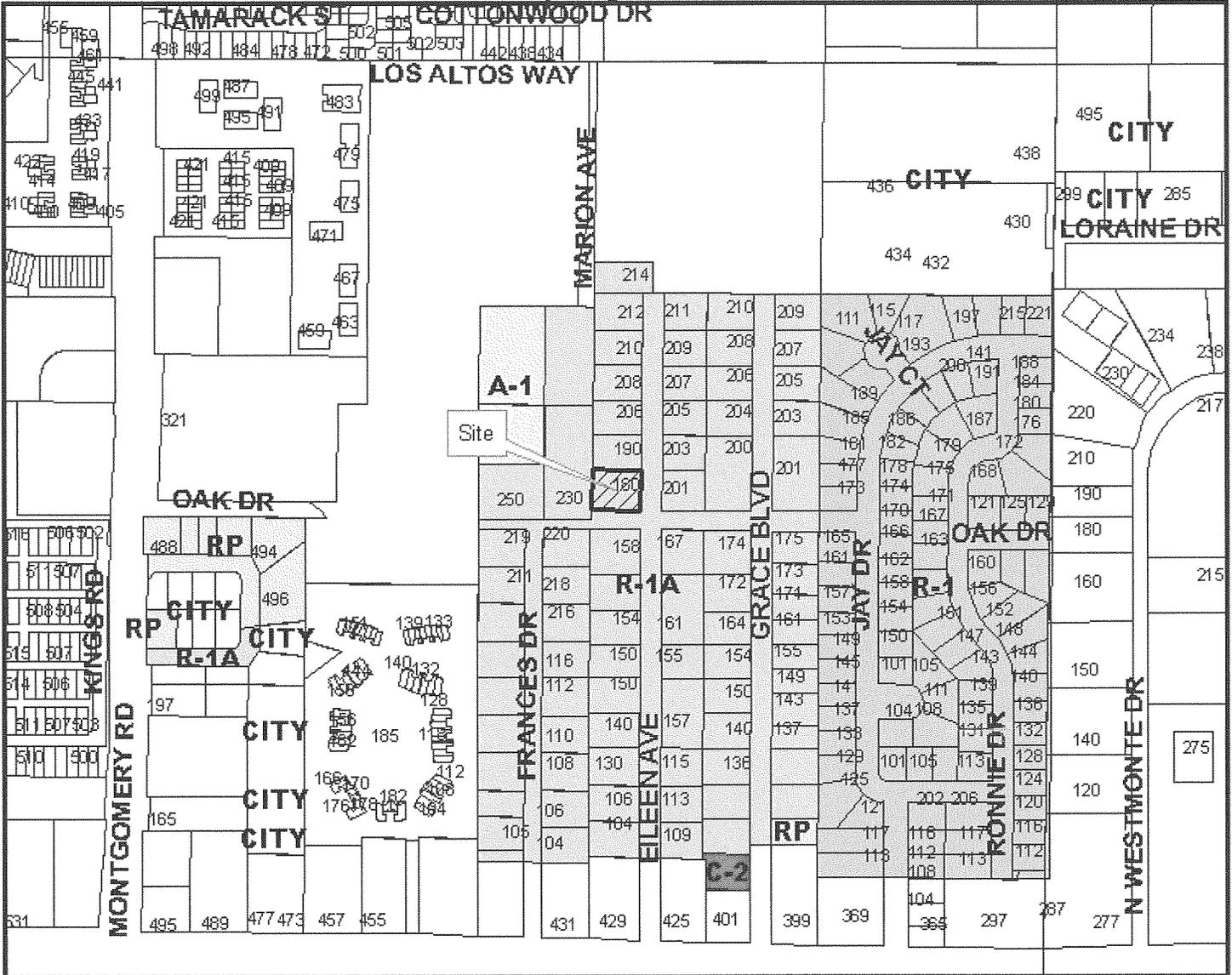
BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1971	9	1,834	3,484	1,834	CONC BLOCK	\$167,432	\$198,144
	Appendage / Sqft		UTILITY FINISHED / 240						
	Appendage / Sqft		ENCLOSED PORCH FINISHED / 276						
	Appendage / Sqft		BASE SEMI FINISHED / 416						
	Appendage / Sqft		OPEN PORCH FINISHED / 16						
	Appendage / Sqft		BASE SEMI FINISHED / 546						
	Appendage / Sqft		OPEN PORCH FINISHED / 156						

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1971	1	\$480	\$1,200
POOL VINYL LINER	1987	392	\$4,312	\$7,840
ELECTRIC HEATER	1987	1	\$440	\$1,100
COOL DECK PATIO	1987	388	\$747	\$1,358
SCREEN ENCLOSURE	1987	1,460	\$1,168	\$2,920

Ted Guavin
 180 Eileen Avenue
 Altamonte Springs, FL 32714

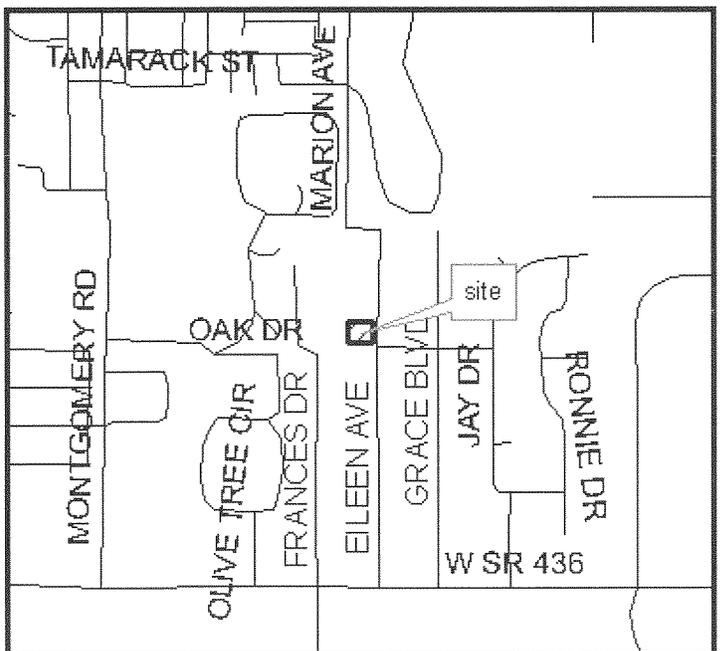


Seminole County Board of Adjustment
 October 24, 2005
 Case: BV2005-141
 Parcel No: 15-21-29-505-0000-0520

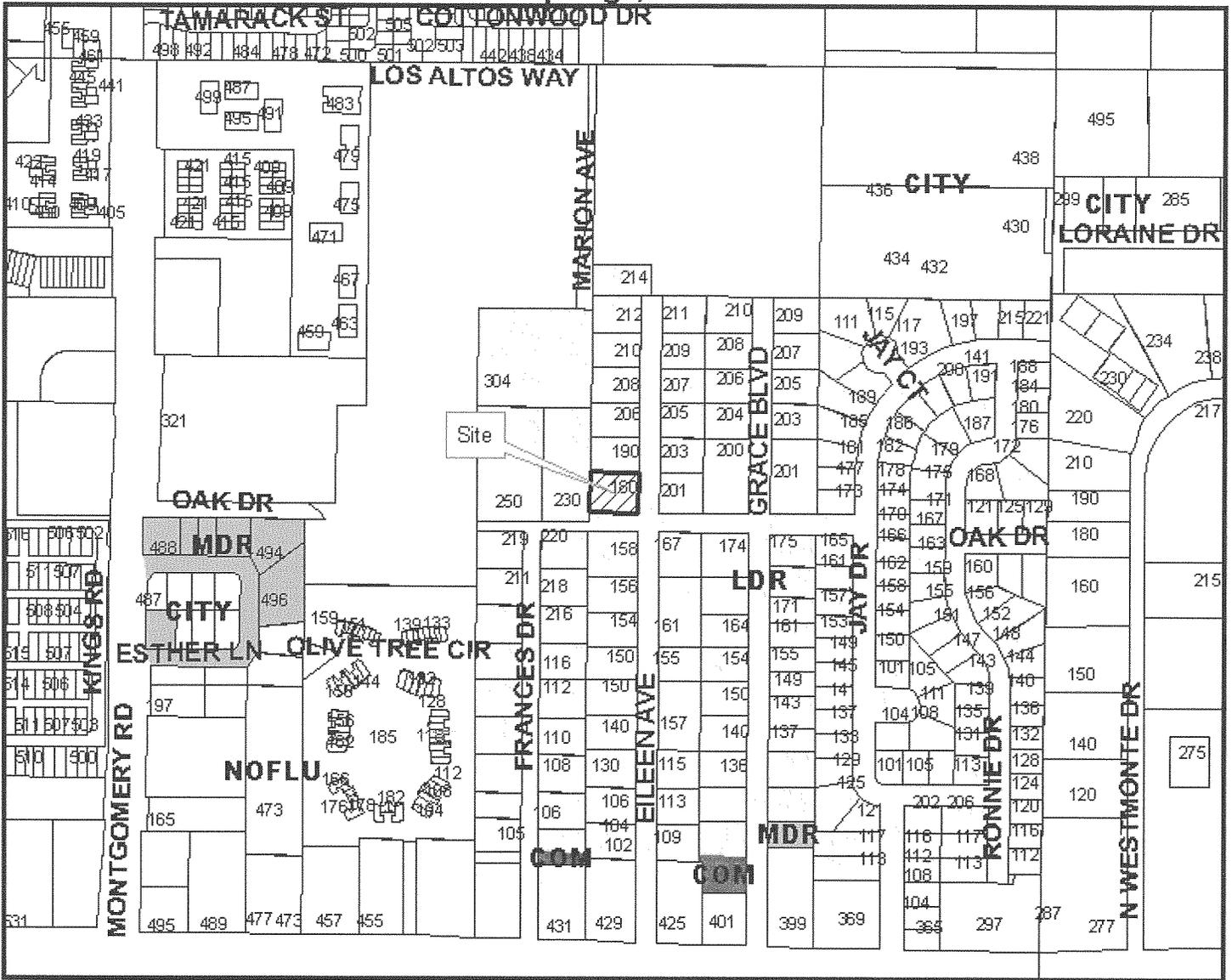
Zoning

- A-1 Agricultural-1Ac
- R-1A Single Fam-9000
- R-1 Single Fam-8400
- RP Residential Professional
- C-2 Retail Commercial
- BV2005-141

0 100 200 400 600 800 Feet



Ted Guavin
 180 Eileen Avenue
 Altamonte Springs, FL 32714



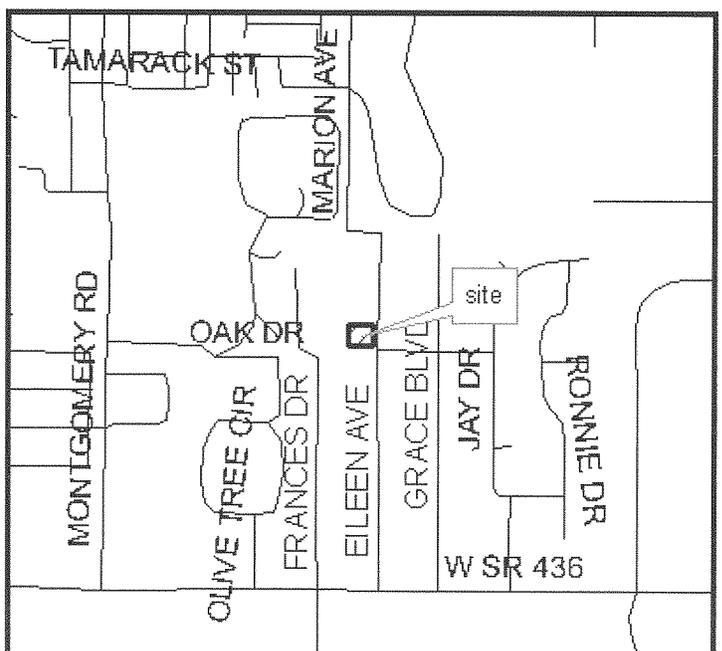
Seminole County Board of Adjustment
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Future Land Use

- LDR, NONE
- MDR, NONE
- COM, NONE
- BV2005-141

N

0 100 200 400 600 800 Feet



PLANNING AND DEVELOPMENT DEPARTMENT

BUILDING AND FIRE INSPECTIONS



05-13355

June 22, 2005

CERTIFIED 7004 2510 0001 3231 8647

Aime & Kathryn Gauvin
180 Eileen Ave.
Altamonte Springs, FL 32714

Ranney
407 665-7444

RE: PARCEL ID 15 21 29 505 0000 0520, 180 EILEEN AVE., ALTAMONTE SPRINGS, FL, CASE NO. 03-3074

Dear Property Owner and all Interested Parties:

This is to advise you that the above described property has been inspected and the following violation(s) of the Seminole County Code have been identified.

"Addition to back of building."

Each violation shall be corrected within 7 days of receipt of this letter. Failure to comply may result in formal charges brought before the Seminole County Code Enforcement Board. The Board has been granted the authority to levy fines in an amount up to \$250.00 per day for every day the violation(s) exists.

Please contact Tom Helle at 407.665.7338 for any further information. Thank you for your cooperation in this matter.

Sincerely,

Seminole County,
Building & Fire Inspection Division

dv

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 52 SHADY OAKS PB 11 PG 24

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

FINDINGS OF FACT

Property Owner: KATHRYN & AIME GAUVIN
180 EILEEN AVE
ALTAMONTE SPRINGS, FL 32714

Project Name: EILEEN AVENUE (180)

Requested Development Approval:

REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 30 FEET TO 14 FEET FOR AN EXISTING DETACHED 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. ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE EXISTING DETACHED 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: