

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Paul Talmadge, applicant; Request for (1) minimum rear yard setback variance from 10 feet to 6 feet for an existing shed; and (2) minimum side yard setback variance from 10 feet to 4 feet for an existing shed in the R-1AA (Single-Family Dwelling District); (Paul Talmadge, 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

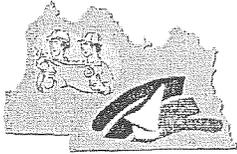
**MOTION/RECOMMENDATION:**

1. **APPROVE** Request for (1) minimum rear yard setback variance from 10 feet to 6 feet for an existing shed; and (2) minimum side yard setback variance from 10 feet to 4 feet for an existing shed in the R-1AA (Single-Family Dwelling District); (Paul Talmadge); OR
2. **DENY** Request for (1) minimum rear yard setback variance from 10 feet to 6 feet for an existing shed; and (2) minimum side yard setback variance from 10 feet to 4 feet for an existing shed in the R-1AA (Single-Family Dwelling District); (Paul Talmadge); OR
3. **CONTINUE** The request to a time and date certain.



<b>GENERAL INFORMATION</b>	APPLICANT:	Paul Talmadge
	LOCATION:	516 Oranole Road
	ZONING:	R-1AA (Single-Family Dwelling District)
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant constructed a 200 sf (10 x 20) shed without a building permit; a notice of violation from the Seminole County Building Division was subsequently issued on 7/27/05.</li> <li>• The unpermitted shed encroaches 6 feet into the minimum side yard setback and 4 feet into the minimum</li> </ul>	

	<p>rear yard setback.</p> <ul style="list-style-type: none"><li>• There is no record of prior variances having been granted for this property.</li></ul>
<b>STAFF FINDINGS</b>	<p>The applicant has failed to satisfy the criteria for the grant of a variance. staff has determined that:</p> <ul style="list-style-type: none"><li>• No special circumstances applicable to the property or existing shed have been demonstrated.</li><li>• The shed could have been built to comply with the code or could be relocated to negate the need for a variance.</li><li>• The request would confer on the applicant special privileges that would be denied to other properties in the Oakland Shores subdivision, by allowing encroachment into the rear and side yards without the demonstration of a special circumstance or hardship.</li></ul>
<b>STAFF RECOMMENDATION</b>	<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"><li>• Any variance granted should apply only to the existing shed, as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.</li></ul>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. BV2005-147

**COPY**

**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 SET BACK VARIANCE FROM 10 FT. TO 6 FT. FOR AN EXISTING SHED. (16x20) 11 FT HIGH
- 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	PAUL TALMADGE		
ADDRESS	516 ORANOLE ROAD MAITLAND FL 32751		
PHONE 1	407 331 5829		
PHONE 2	407 748 4193		
E-MAIL	RNDRCMAN@AOL.COM		

RECEIVED  
 SEP - 1 2005  
 PLANNING DIVISION

PROJECT NAME: SLAB AND GARAGE INSTALLATION

SITE ADDRESS: 516 ORANOLE ROAD MAITLAND FL 32751

CURRENT USE OF PROPERTY: PERSONAL RESIDENCE

LEGAL DESCRIPTION: LOT 7 BLOCK A 1-STORY CONC. BLOCK RESIDENCE #516

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 24-21-29-509-0A00-0070

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS NO PERMIT FOR GARAGE. I PAID FOR ONE SEE INVOICE BUT NONE WAS PULLED

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] DATE 9/1/05

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

MIR

**ADDITIONAL VARIANCES**

VARIANCE 2:

side yard setback variance from 10 ft. to 4 ft.  
for an existing shed

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:

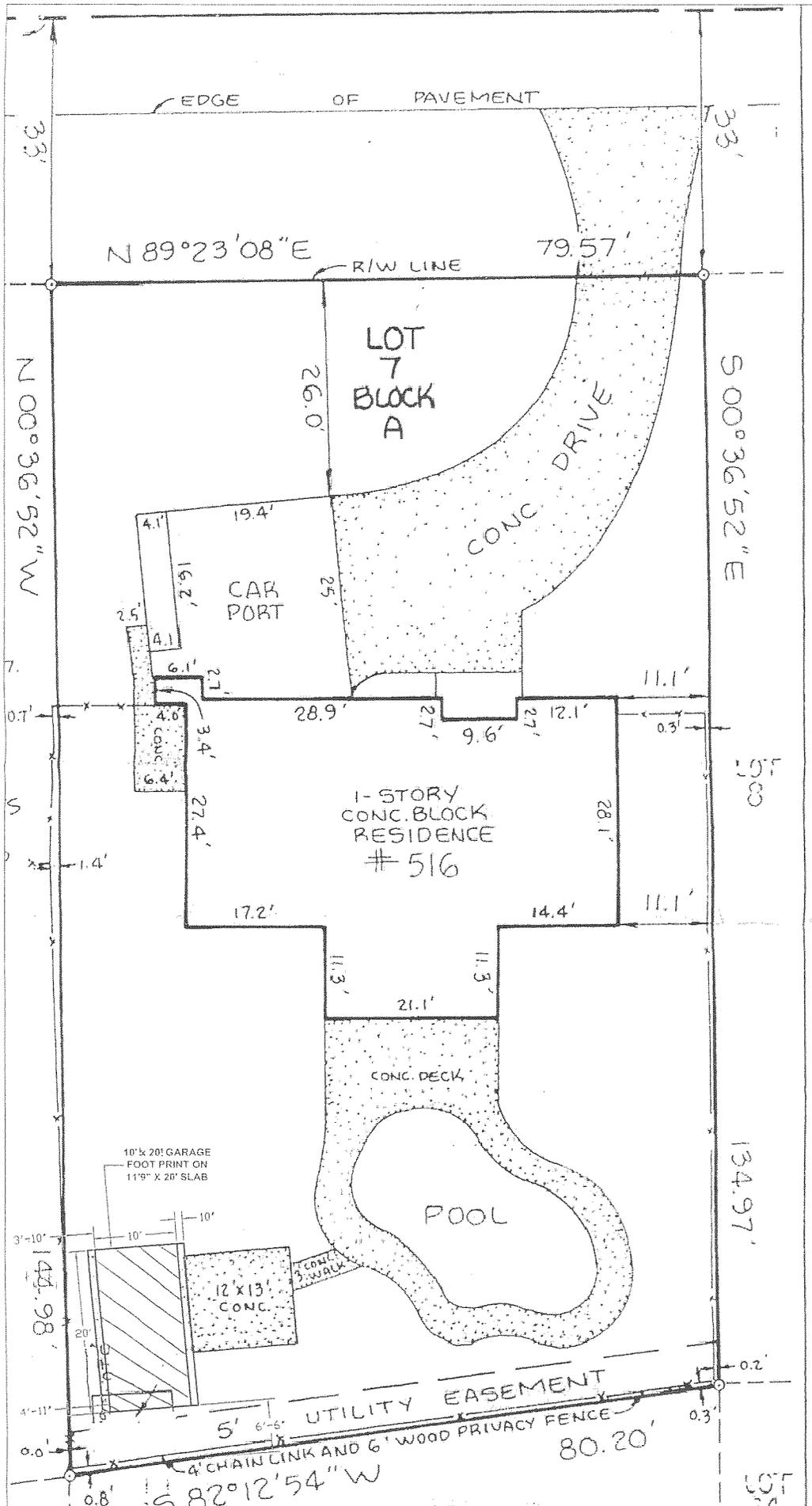
FEE(S): 200.00 COMMISSION DISTRICT 4 FLU / ZONING R-1AA / LOR

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

LOCATION FURTHER DESCRIBED AS south side of Orenole Road 0.1 mi east  
of the intersection of Orenole Rd & Magnolia Drive

PLANNING ADVISOR MR DATE 9-1-05

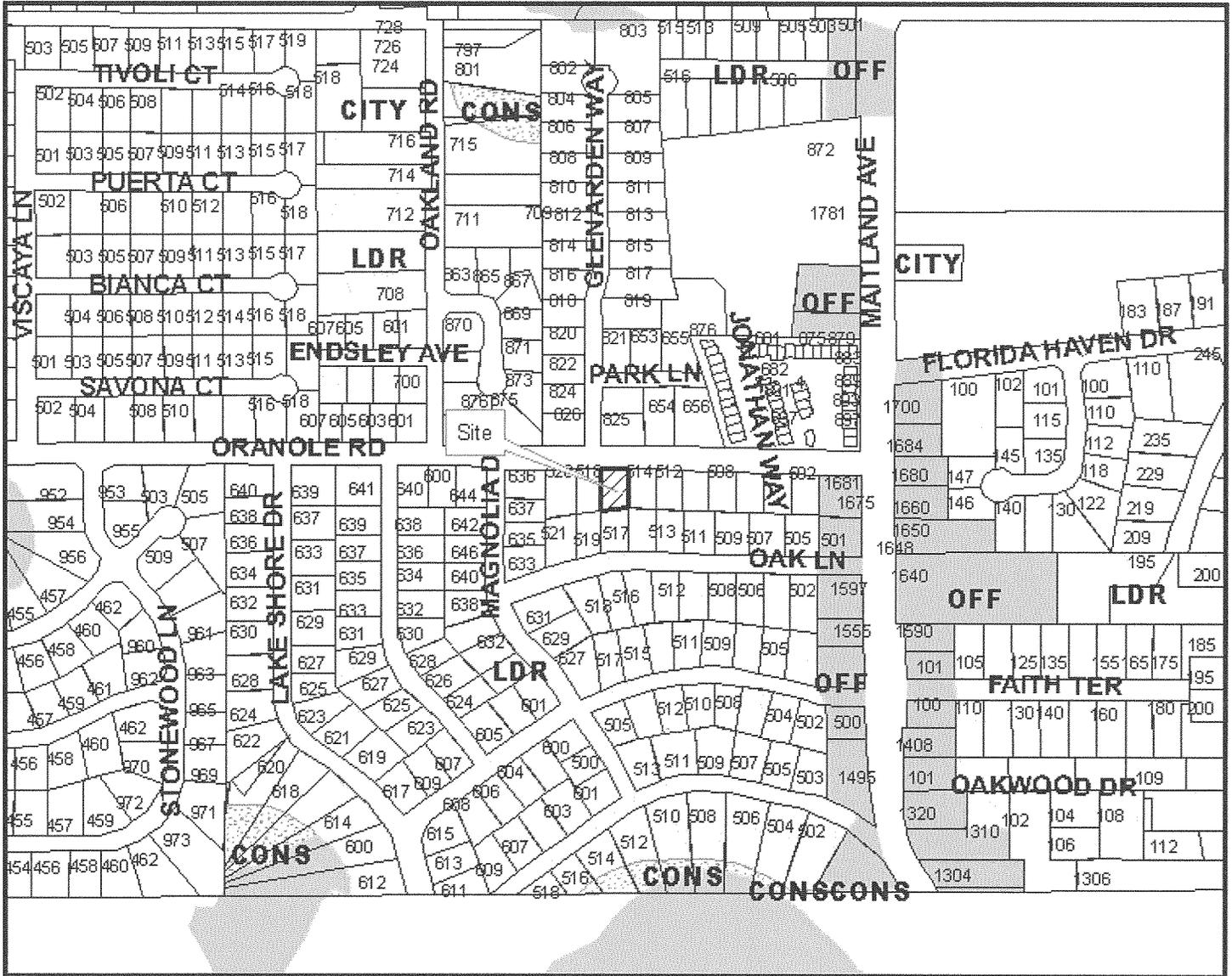
SUFFICIENCY COMMENTS \_\_\_\_\_



#2 10' x 80' STEEL SHED WAS PURCHASED AND PERMITTED, SO I WAS TOLD, AND INSTALLED BY FACTORY DIRECT. MY INVOICE SHOWS WHERE I REQUESTED THE PERMIT, I NEED A SETBACK VARIANCE FROM THE SIDE AND REAR OF THE PROPERTY. THE FOOTPRINT IS 10' X 20' AND THAT IS WHERE THE MEASUREMENTS WERE TAKEN FROM. I SPOKE TO MY NEIGHBORS ON ALL SIDES AND THEY DO NOT HAVE A PROBLEM WITH MY GARAGE. THANKS PAUL TALMADGE 407 331 5889 Home 407 748 4193 CELL

<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY, FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																													
<p><b>GENERAL</b></p> <p>Parcel Id: 24-21-29-509-0A00-0070</p> <p>Owner: TALMADGE VICTORIA A &amp; PAUL</p> <p>Mailing Address: 516 ORANOLE RD</p> <p>City,State,ZipCode: MAITLAND FL 32751</p> <p>Property Address: 516 ORANOLE RD MAITLAND 32751</p> <p>Subdivision Name: OAKLAND SHORES</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>	<p><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$112,896</p> <p>Depreciated EXFT Value: \$4,915</p> <p>Land Value (Market): \$24,929</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$142,740</p> <p>Assessed Value (SOH): \$86,498</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$61,498</p> <p>Tax Estimator</p> <p>2005 Notice of Proposed Property Tax</p>																																																												
<p><b>SALES</b></p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>08/1998</td> <td>03479</td> <td>0866</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1994</td> <td>02751</td> <td>1190</td> <td>\$78,000</td> <td>Improved</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	08/1998	03479	0866	\$100	Improved	WARRANTY DEED	03/1994	02751	1190	\$78,000	Improved	<p><b>2004 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$1,590</p> <p>2004 Tax Bill Amount: \$997</p> <p>Save Our Homes (SOH) Savings: \$593</p> <p>2004 Taxable Value: \$58,979</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																										
Deed	Date	Book	Page	Amount	Vac/Imp																																																								
QUIT CLAIM DEED	08/1998	03479	0866	\$100	Improved																																																								
WARRANTY DEED	03/1994	02751	1190	\$78,000	Improved																																																								
<p><b>LAND</b></p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>FRONT FOOT &amp; DEPTH</td> <td>79</td> <td>140</td> <td>.000</td> <td>425.00</td> <td>\$24,929</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	79	140	.000	425.00	\$24,929	<p><b>LEGAL DESCRIPTION PLAT</b></p> <p>LEG LOT 7 BLK A OAKLAND SHORES PB 10 PGS 3 + 4</p>																																																
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																								
FRONT FOOT & DEPTH	79	140	.000	425.00	\$24,929																																																								
<p><b>BUILDING INFORMATION</b></p> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1957</td> <td>6</td> <td>1,605</td> <td>2,241</td> <td>1,605</td> <td>CONC BLOCK</td> <td>\$112,896</td> <td>\$156,800</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td>UTILITY FINISHED / 18</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td>OPEN PORCH FINISHED / 60</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td>CARPORT FINISHED / 494</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td>UTILITY UNFINISHED / 64</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		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	1,605	2,241	1,605	CONC BLOCK	\$112,896	\$156,800		Appendage / Sqft		UTILITY FINISHED / 18								Appendage / Sqft		OPEN PORCH FINISHED / 60								Appendage / Sqft		CARPORT FINISHED / 494								Appendage / Sqft		UTILITY UNFINISHED / 64						
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	1,605	2,241	1,605	CONC BLOCK	\$112,896	\$156,800																																																				
	Appendage / Sqft		UTILITY FINISHED / 18																																																										
	Appendage / Sqft		OPEN PORCH FINISHED / 60																																																										
	Appendage / Sqft		CARPORT FINISHED / 494																																																										
	Appendage / Sqft		UTILITY UNFINISHED / 64																																																										
<p><b>EXTRA FEATURE</b></p> <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>COOL DECK PATIO</td> <td>1969</td> <td>324</td> <td>\$454</td> <td>\$1,134</td> </tr> <tr> <td>POOL GUNITE</td> <td>1969</td> <td>512</td> <td>\$4,096</td> <td>\$10,240</td> </tr> <tr> <td>WOOD UTILITY BLDG</td> <td>1999</td> <td>80</td> <td>\$365</td> <td>\$480</td> </tr> </tbody> </table>		Description	Year Blt	Units	EXFT Value	Est. Cost New	COOL DECK PATIO	1969	324	\$454	\$1,134	POOL GUNITE	1969	512	\$4,096	\$10,240	WOOD UTILITY BLDG	1999	80	\$365	\$480																																								
Description	Year Blt	Units	EXFT Value	Est. Cost New																																																									
COOL DECK PATIO	1969	324	\$454	\$1,134																																																									
POOL GUNITE	1969	512	\$4,096	\$10,240																																																									
WOOD UTILITY BLDG	1999	80	\$365	\$480																																																									
<p>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.</p>																																																													

Paul Talmadge  
 516 Oranole Road  
 Maitland, FL 32751

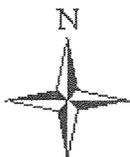


Seminole County Board of Adjustment  
 October 24, 2005  
 Case: BV2005-147  
 Parcel No: 24-21-29-509-0A00-0070

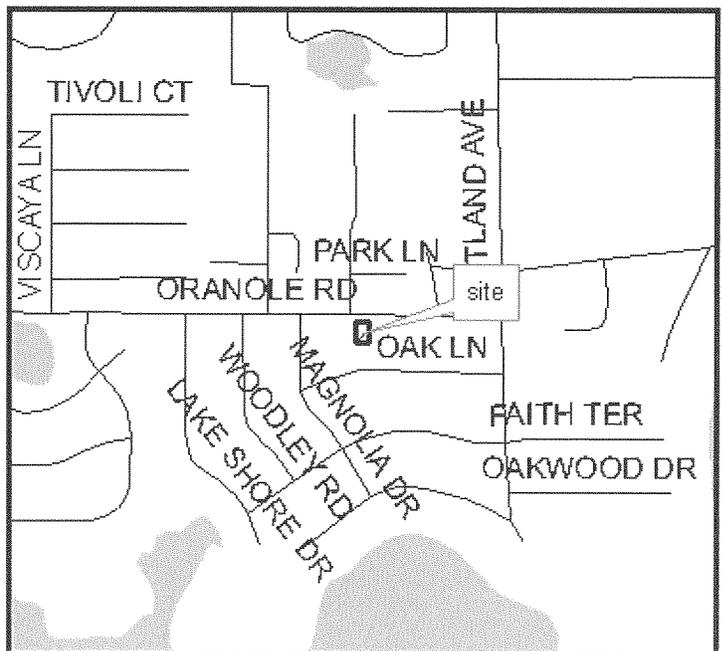
**Future Land Use**

-  CONS, LDR
-  LDR, NONE
-  OFF, NONE
-  BV2005-147

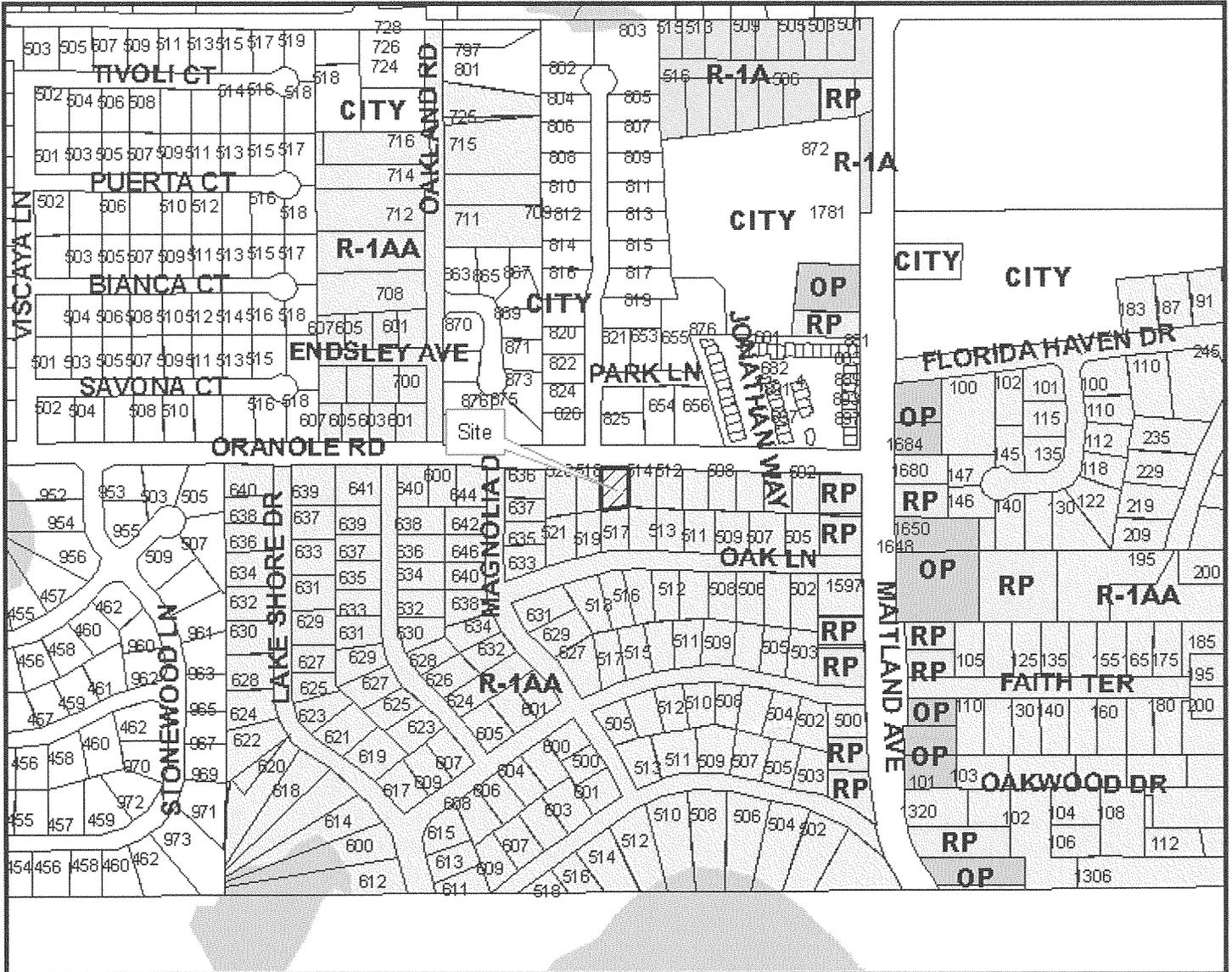
N



0 105210 420 630 840 Feet



Paul Talmadge  
 516 Oranole Road  
 Maitland, FL 32751

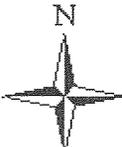


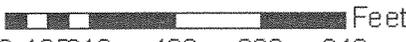
**Seminole County Board of Adjustment**  
 October 24, 2005  
 Case: BV2005-147  
 Parcel No: 24-21-29-509-0A00-0070

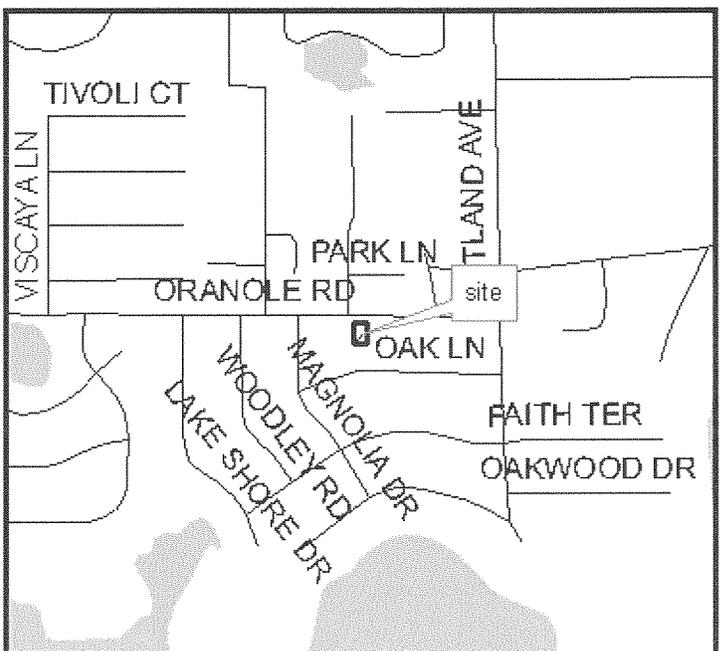
**Zoning**

-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  RP Residential Professional
-  OP Office
-  BV2005-147

N



 Feet  
 0 105210 420 630 840



# NOTICE OF CODE VIOLATION

**LOCATION OF VIOLATION:** 511 Church Rd.

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF Ch. 170 Building CHAPTER/ARTICLE 11 SECTION 161

**DESCRIPTION OF VIOLATION:** Structure is not enclosed  
and is not good structural proper  
condition.

**CORRECTIVE ACTION:** Obtain all proper permits and  
submit required inspection

**THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY** 8-10-05

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE AUTHORITY TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.

*90 day ext.*  
*Jul 8/9/05*



For further information contact:  
Building and Fire Inspection Division  
Seminole County Services Building  
1101 East First Street, Room 1020  
Sanford, FL 32771  
PHONE: (407) 665-7338 OR (407) 665-7423

**DATE:** 7/27/05 **INSPECTOR:** Frankie Perillo

**CASE NO:** 11-2117

*SANFORD'S APPLICATION*

## 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 7 BLK A OAKLAND SHORES PB 10 PGS 3 & 4

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

### FINDINGS OF FACT

**Property Owner:** PAUL & VICTORIA TALMADGE  
516 ORANOLE ROAD  
MAITLAND, FL 32751

**Project Name:** ORANOLE ROAD (516)

**Requested Development Approval:**

REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR AN EXISTING SHED; AND (2) MINIMUM SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 4 FEET FOR AN EXISTING SHED 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 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: