

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for side street setback variance from 100 feet to 11 feet for an existing accessory structure that projects in front of the main residence in the A-5 (Rural Zoning District); (Michael Robbins, applicant).

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

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

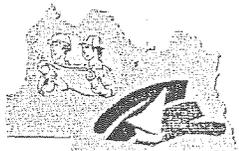
Agenda Date 11/28/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** Request for side street setback variance from 100 feet to 11 feet for an existing accessory structure that projects in front of the main residence in the A-5 (Rural Zoning District); (Michael Robbins); or
2. **DENY** Request for side street setback variance from 100 feet to 11 feet for an existing accessory structure that projects in front of the main residence in the A-5 (Rural Zoning District); (Michael Robbins); or
3. **CONTINUE** The request to a time and date certain.

GENERAL INFORMATION	APPLICANT:	Michael Robbins
	LOCATION:	1201 Saratoga Lane
	ZONING:	A-5 (Rural Zoning District)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • The applicant was cited by the Building Department for having a second single-family on his property and for a 24' x 29' (696 sq. ft) accessory structure built without permits. The second single-family home issue was corrected. The accessory structure requires a setback variance from 100 feet to 11 feet because it projects in front of the main residence. • 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">• No special circumstances applicable to the property or existing structure have been demonstrated.• The accessory structure could be moved to comply with zoning setbacks and negate the need for a variance.• The request would confer on the applicant special privileges that would be denied to other properties in the A-5 zoning district.
STAFF RECOMMENDATION	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: <ul style="list-style-type: none">• Any variance granted should apply only to the existing accessory structure as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.



COPY

APPL. NO. B12005-106

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: 100

- VARIANCE** Side Street Setback Variance from 30 feet To 11 feet for an existing accessory structure that project in front of the house
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____)
- SIZE OF MOBILE HOME / RV _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

RECEIVED
 OCT - 6 2005
 (PROPOSED PLANNING DIVISION)
 MEDICAL HANDSHIP
 TIME NEEDED

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Michael Robbins</u>	
ADDRESS	<u>1201 Saratoga Lane Geneva FL 32732</u>	
PHONE 1	<u>407-619-6718</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: _____
 SITE ADDRESS: 1201 Saratoga Lane Geneva FL 32732
 CURRENT USE OF PROPERTY: _____
 LEGAL DESCRIPTION: LEG SEC 20 TWP 20S R&E 32E NE 1/4 OF SE 1/4 OF NE 1/4 OF SE 1/4 (LESS N 30 FT + 30E 30 FT)
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 20-20-32-300-0140-0000
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 11/28/05 (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 10/6/05

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

MTR

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): 150.00 COMMISSION DISTRICT 2 FLU / ZONING A-5 / R-5

BCC HEARING DATE _____ (FOR APPEAL)

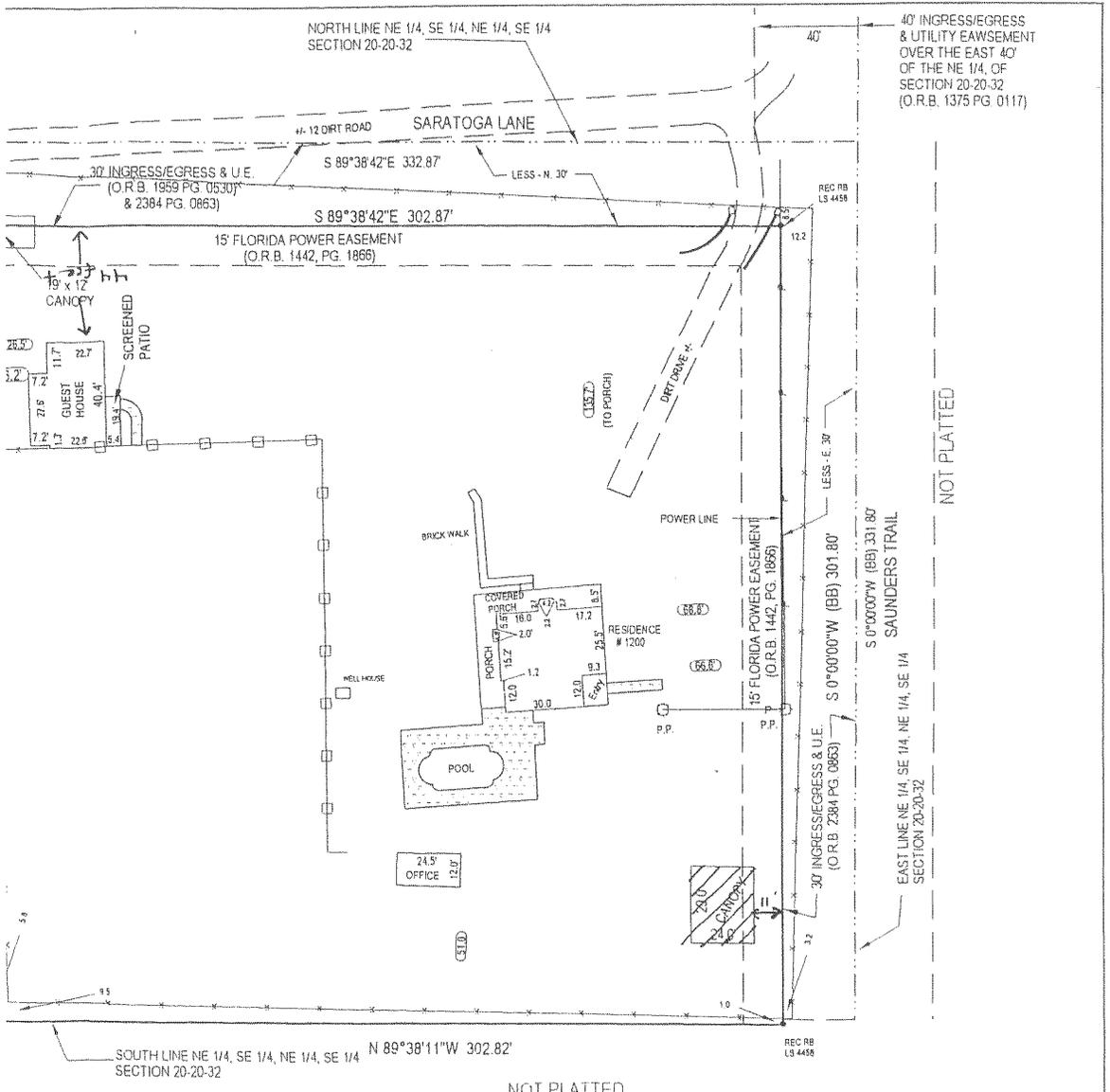
LOCATION FURTHER DESCRIBED AS west side of ~~Scraper~~ ^{Scraper Ln} ~~for~~ 0.1 mi

west south of intersection of Scraper Ln & Scraper Ln

PLANNING ADVISOR KF.

DATE 10-06-05

SUFFICIENCY COMMENTS _____



NOT PLATTED

REVISED: 02-19-04 ADD SEVERAL EASEMENTS

CERTIFIED TO:
 MICHAEL AND LORI ROBBINS
 FIRST RESOURCE TITLE
 WELLS FARGO HOME MORTGAGE
 COMMONWEALTH LAND TITLE INSURANCE COMPANY

I HEREBY CERTIFY THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS OF FLORIDA ADMINISTRATIVE CODE 61G17-6. SUBJECT TO NOTES HEREON.

[Signature]
 JIMMY W. JACKSON PSM 4243
 not valid unless sealed

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508	23	17	20	16	(LOT 8) 9A 8B 7B 10A 11A WOODRIDGE DR 14 12C		
	10	10A	9	21			15
	18	19	13	14			
	11	12	22				

GENERAL

Parcel Id: 20-20-32-300-0140-0000
 Owner: ROBBINS MICHAEL & LORI
 Mailing Address: 1201 SARATOGA LN
 City,State,ZipCode: GENEVA FL 32732
 Property Address: 1201 SARATOGA LN GENEVA 32732
 Subdivision Name:
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 2
 Depreciated Bldg Value: \$200,387
 Depreciated EXFT Value: \$18,200
 Land Value (Market): \$31,050
 Land Value Ag: \$0
 Just/Market Value: \$249,637
 Assessed Value (SOH): \$249,637
 Exempt Value: \$25,000
 Taxable Value: \$224,637
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	02/2004	05217	1333	\$320,000	Improved	Yes
WARRANTY DEED	09/1998	03504	0908	\$120,700	Improved	Yes
QUIT CLAIM DEED	03/1996	03041	1940	\$50,000	Improved	No
WARRANTY DEED	12/1991	02373	0276	\$100	Improved	No
WARRANTY DEED	05/1982	01393	0243	\$12,550	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH): \$3,715
 2005 Tax Bill Amount: \$3,715
 Save Our Homes (SOH) Savings: \$0
 2005 Taxable Value: \$226,694
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
ACREAGE	0	0	2.070	15,000.00	\$31,050

LEGAL DESCRIPTION

LEG SEC 20 TWP 20S RGE 32E NE 1/4 OF SE 1/4 OF NE 1/4 OF SE 1/4 (LESS N 30 FT + E 30 FT)

BUILDING INFORMATION

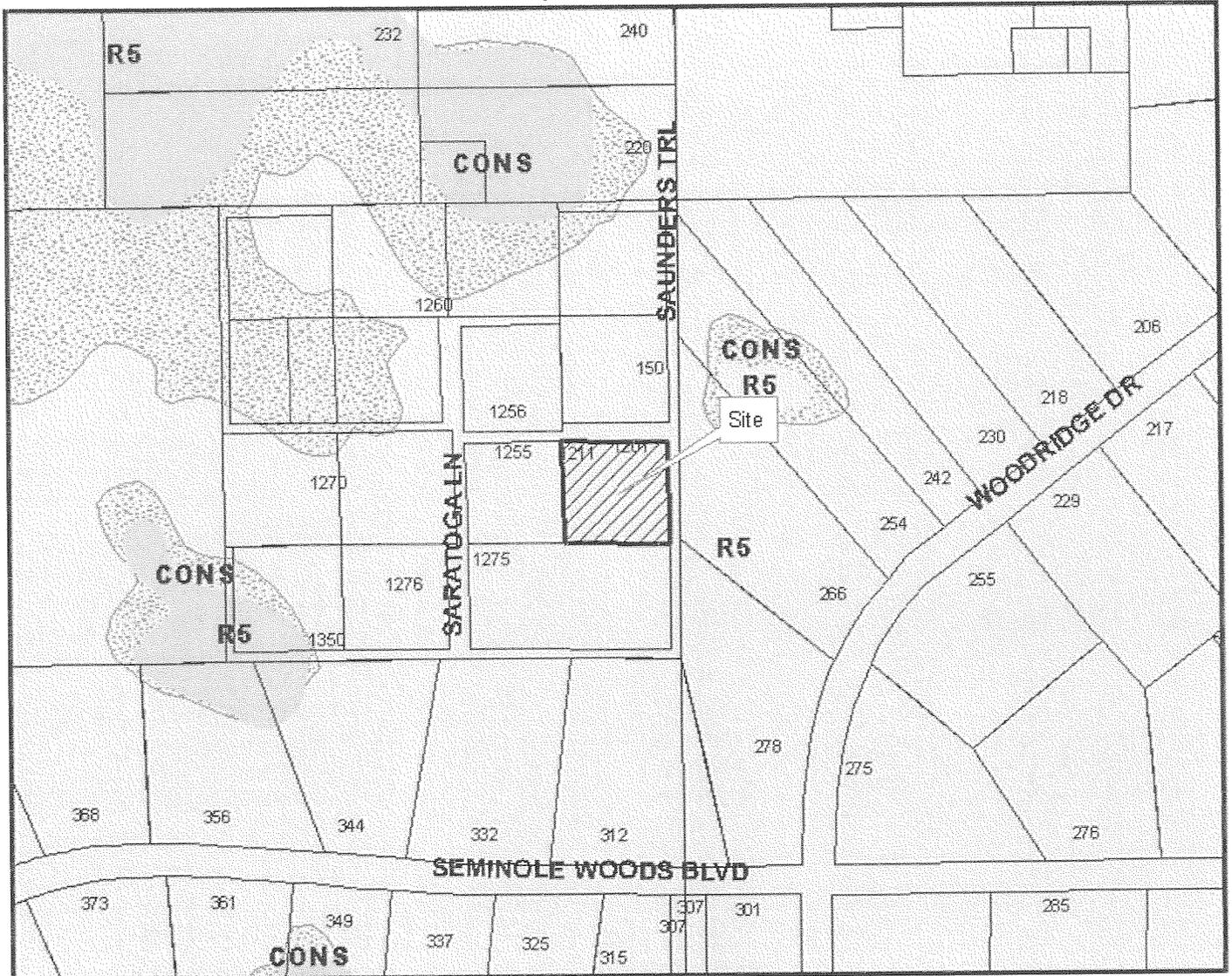
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1983	11	1,040	3,332	1,872	SIDING AVG	\$158,001	\$173,628
	Appendage / Sqft		OPEN PORCH FINISHED / 108						
	Appendage / Sqft		ENCLOSED PORCH FINISHED / 360						
	Appendage / Sqft		OPEN PORCH FINISHED / 512						
	Appendage / Sqft		UPPER STORY FINISHED / 832						
	Appendage / Sqft		BASE SEMI FINISHED / 480						
2	SINGLE FAMILY	1960	3	920	1,109	920	SIDING AVG	\$42,386	\$57,278
	Appendage / Sqft		UTILITY UNFINISHED / 189						

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1983	2	\$1,700	\$4,000
POLE BARN/AVG	1990	696	\$1,670	\$4,176
WOOD DECK	1983	172	\$344	\$860
POOL GUNITE	2002	512	\$9,216	\$10,240
COOL DECK PATIO	2002	1,018	\$3,207	\$3,563
ELECTRIC HEATER	2002	1	\$660	\$1,100
WOOD UTILITY BLDG	1998	120	\$490	\$720
ALUM CARPORT NO FLOOR	1998	240	\$704	\$960
FBGL PORCH W/FLOOR	1980	95	\$209	\$523

NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad

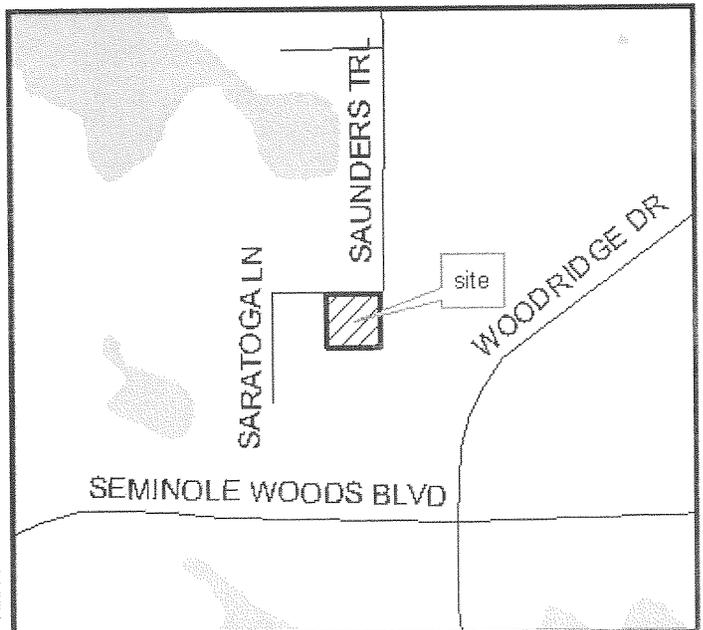
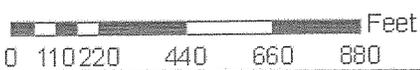
Michael Robbins
 1201 Saratoga Lane
 Geneva, FL 32732



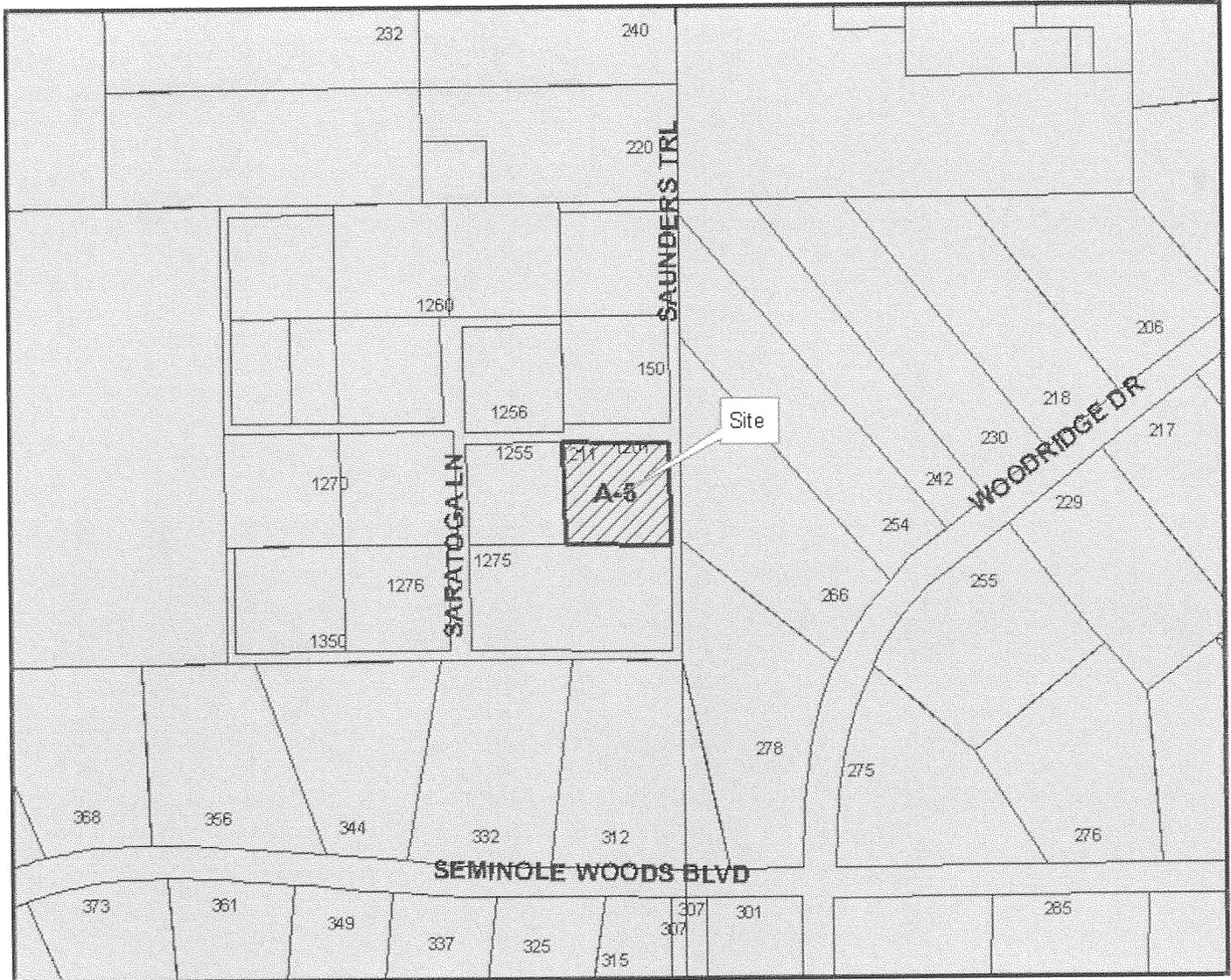
Seminole County Board of Adjustment
 November 28, 2005
 Case: BV2005-166
 Parcel No: 20-20-32-300-0140-0000

Future Land Use

-  CONS, R5
-  R5, NONE
-  BV2005-166



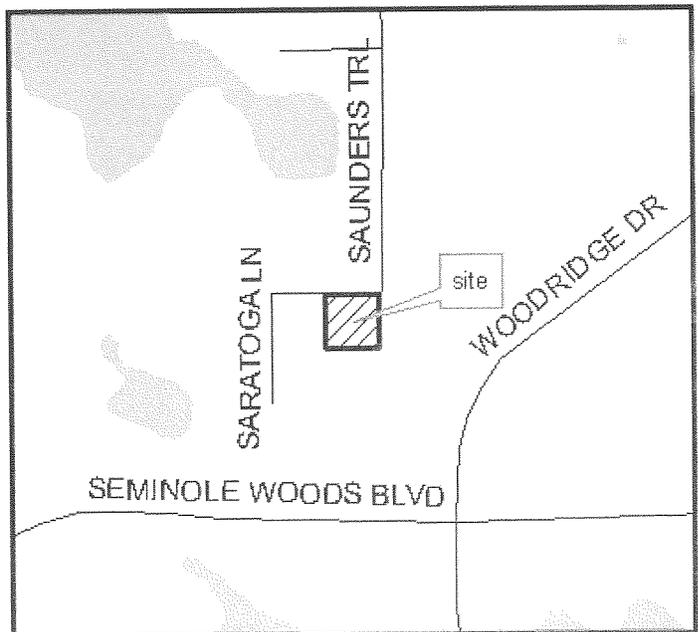
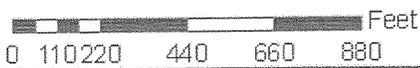
Michael Robbins
1201 Saratoga Lane
Geneva, FL 32732



Seminole County Board of Adjustment
November 28, 2005
Case: BV2005-166
Parcel No: 20-20-32-300-0140-0000

Zoning

-  A-5 Rural-5Ac
-  BV2005-166



SEMINOLE COUNTY DEVELOPMENT ORDER

On November 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 20 TWP 20S RGE 32E NE 1/4 OF SE 1/4 OF NE 1/4 OF SE 1/4 (LESS N 30 FT + E 30 FT)

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

FINDINGS OF FACT

Property Owner: MICHAEL & LORI ROBBINS
1201 SARATOGA LANE
GENEVA, FL 32732

Project Name: SARATOGA LANE (1201

Requested Development Approval:

REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 100 FEET TO 11 FEET FOR AN EXISTING ACCESSORY STRUCTURE THAT PROJECTS IN FRONT OF THE MAIN RESIDENCE IN THE A-5 (RURAL ZONING 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 ACCESSORY STRUCTURE 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: