

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Request for (1) rear yard setback variance from 10 feet to 4 feet for a proposed pool and (2) rear yard setback variance from 5 feet to 0 feet fro a proposed screen room addition in the PUD (Planned Unit Development District); (Dave Riley, applicant).

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

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

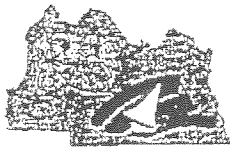
**Agenda Date** 12-19-05 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for (1) rear yard setback variance from 10 feet to 4 feet for a proposed pool and (2) rear yard setback variance from 5 feet to 0 feet fro a proposed screen room addition in the PUD (Planned Unit Development District); (Dave Riley, applicant); or
2. **DENY** the request for (1) rear yard setback variance from 10 feet to 4 feet for a proposed pool and (2) rear yard setback variance from 5 feet to 0 feet fro a proposed screen room addition in the PUD (Planned Unit Development District); (Dave Riley, applicant); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> Dave Riley <b>LOCATION:</b> 646 Carrigan Woods Trail <b>ZONING:</b> PUD (Carrigan Woods)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to pool and pool screen enclosure that would encroach into the minimum rear yard setbacks.</li> <li>• There is no record of prior variances having been granted for this property.</li> </ul>
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• The granting of the requested variance would confer special privileges denied to other properties in the Carrigan Woods PUD by allowing encroachment into the</li> </ul>

	<p>rear yard setback without the demonstration of special circumstances or hardship by the applicants.</p> <ul style="list-style-type: none"><li>• The applicants could construct the pool and pool screen enclosure to meet the minimum rear yard setbacks without the need for a variance.</li><li>• The requested variance would not be compliant with the land development code and would potentially allow development that is inconsistent with the trend of neighborhood development.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. if the board should decide to grant a variance, staff recommends the following conditions of approval:<ul style="list-style-type: none"><li>• Any variance granted shall apply only to the proposed pool and pool screen enclosure 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></li></ul>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

APPL. NO. BV 2005-177

**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 VARIANCE FROM 10 FT TO 4 FT FOR PROPOSED POOL.
- SPECIAL EXCEPTION**
- LIMITED USE**
- SE 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:	DAVE & MARVILLOE RELEY		
ADDRESS:	646 LARRIGAN WOODS TR.		
	002600 FL. 32765		NOV - 2 2005
PHONE 1:	407-466-6044		
PHONE 2:	407-366-5501		
E-MAIL:	RELEY@POCS-SYSTEMS.COM		PLANNING DIVISION

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 646 LARRIGAN WOODS TR. OVIEDO, FL. 32765

CURRENT USE OF PROPERTY: PRIVATE RESIDENCE

LEGAL DESCRIPTION: \_\_\_\_\_

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 34-21-31-512-0000-0250

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

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES     NO

This request will be considered at the Board of Adjustment regular meeting on 12/19/05  
 (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.

Dave Reley    11/21/05  
 SIGNATURE OF OWNER OR AGENT\*    DATE

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

**ADDITIONAL VARIANCES**

VARIANCE 2:

REAL YARD VARIANCES SET TO 0 FT  
PICK UP SCREEN ENCLOSURE

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 1 FLU/ZONING HOC/POD

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS: South side of Carnigan Woods Dr  
0.1 mi S.W of the intersection of Carnigan Woods Dr + Division Street

PLANNING ADVISOR DATE

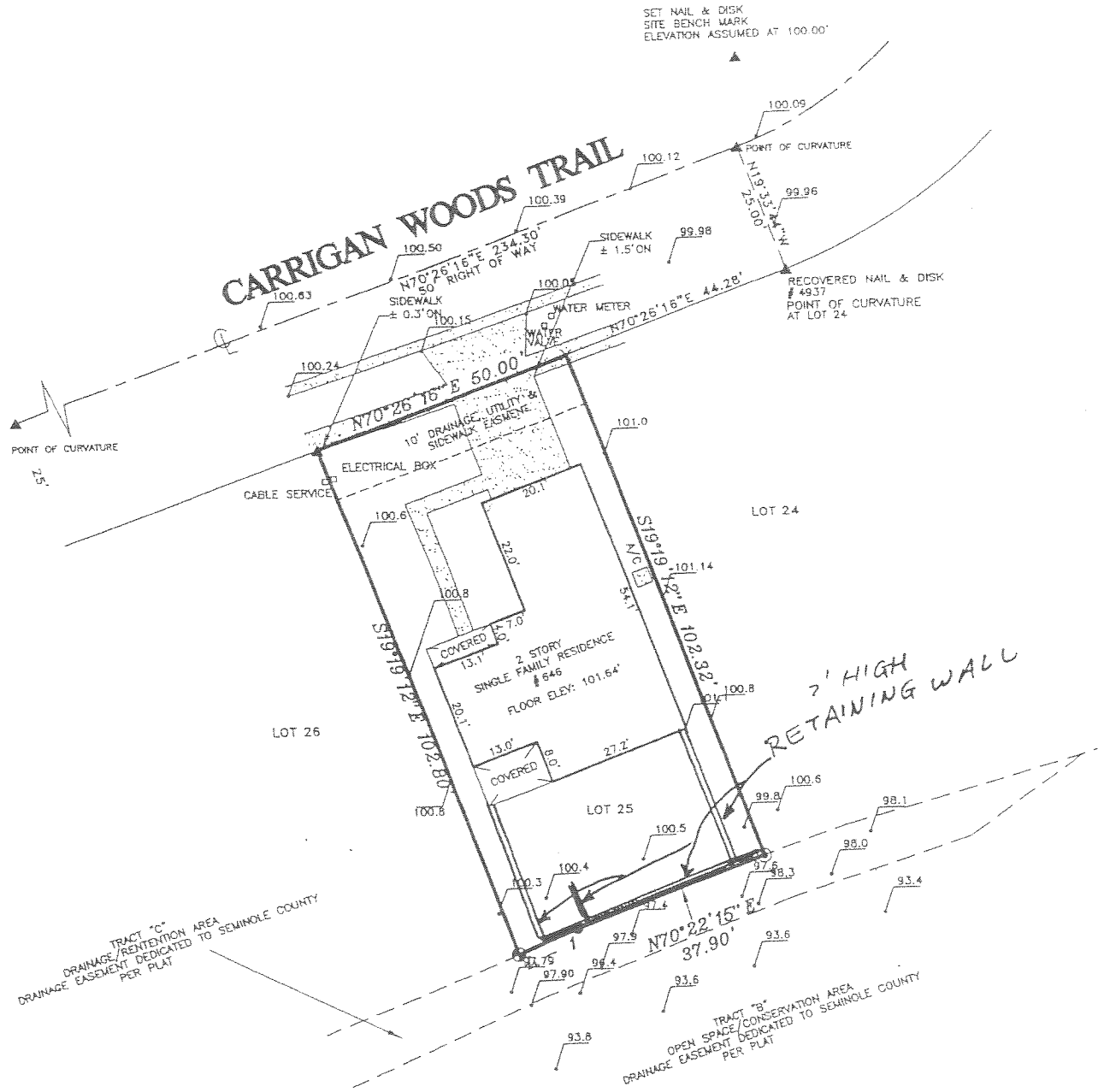
SUFFICIENCY COMMENTS

# BOUNDARY SURVEY FOR DAVE E. & MERVILE RILEY

LOT 25  
CARRIGAN WOODS  
PLAT BOOK 52, PAGES 31-33,  
SEMINOLE COUNTY, FLORIDA



1-30-



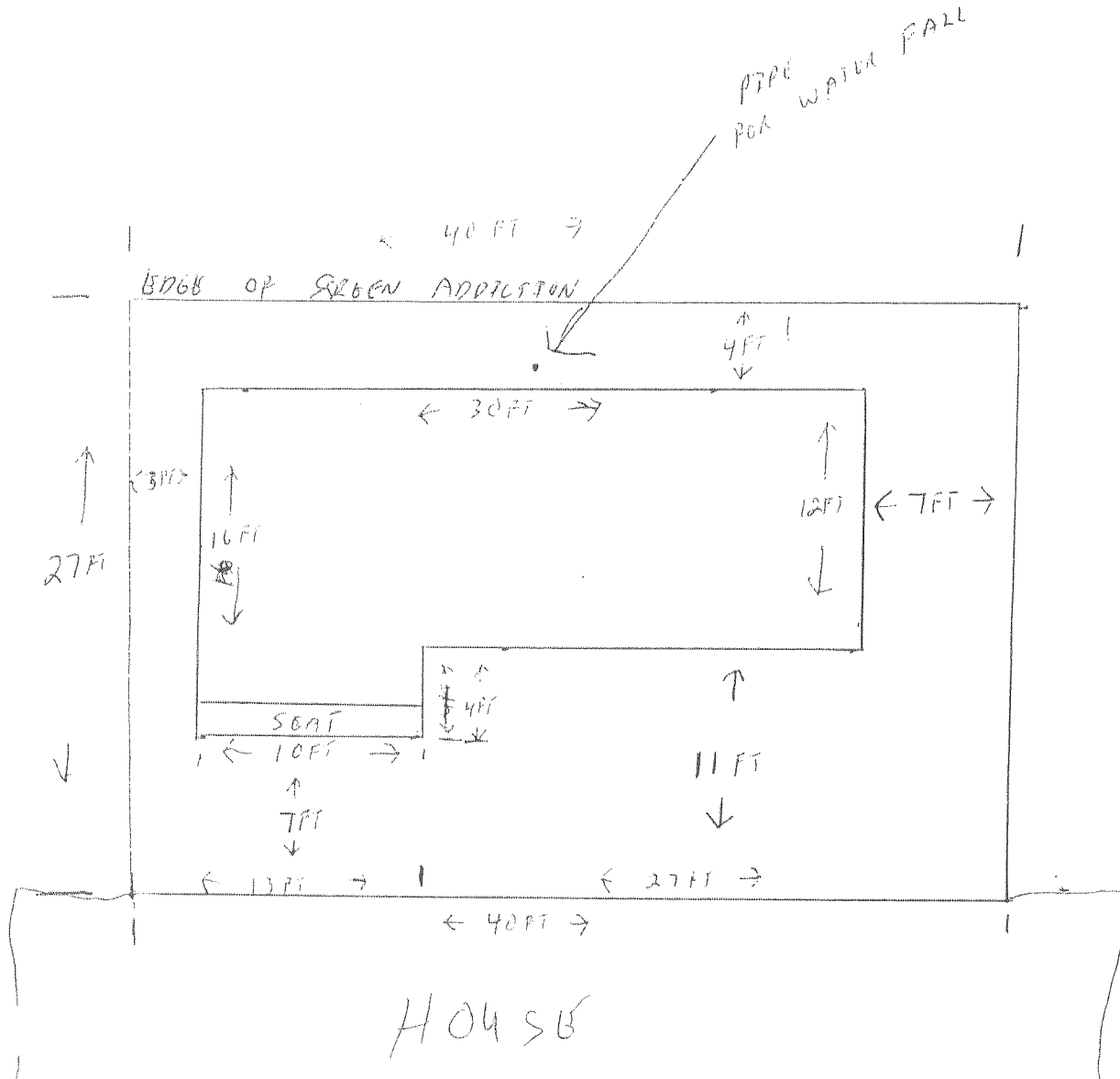
SHERMAN

352-483-7665

DAVE RILEY

646 CARRIGAN WOODS TR,  
OZARK, MO. 64765

467-466-6044



POOL LAYOUT

DAVID JOHNSON, CFA, ASA

**PROPERTY APPRAISER**

SEMINOLE COUNTY FL

1101 E. FIRST ST  
SANFORD, FL 32771-1468  
407-665-7506

**GENERAL**

Parcel Id: 34-21-31-512-0000-0250  
 Owner: RILEY DAVE E & MERVILEE  
 Mailing Address: 646 CARRIGAN WOODS TRL  
 City,State,ZipCode: OVIEDO FL 32765  
 Property Address: 646 CARRIGAN WOODS TRL OVIEDO 32765  
 Subdivision Name: CARRIGAN WOODS  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions: 00-HOMESTEAD  
 Dor: 01-SINGLE FAMILY

**2006 WORKING VALUE SUMMARY**

Value Method: Market  
 Number of Buildings: 1  
 Depreciated Bldg Value: \$158,105  
 Depreciated EXFT Value: \$0  
 Land Value (Market): \$25,500  
 Land Value Ag: \$0  
 Just/Market Value: \$183,605  
 Assessed Value (SOH): \$146,743  
 Exempt Value: \$25,000  
 Taxable Value: \$121,743  
 Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	08/1999	03719	0423	\$144,400	Improved	Yes
WARRANTY DEED	01/1998	03363	0499	\$221,900	Vacant	No

Find Comparable Sales within this Subdivision

**2005 VALUE SUMMARY**

Tax Value(without SOH): \$2,606  
 2005 Tax Bill Amount: \$1,925  
 Save Our Homes (SOH) Savings: \$681  
 2005 Taxable Value: \$117,469  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	25,500.00	\$25,500

**LEGAL DESCRIPTION**

PLATS:

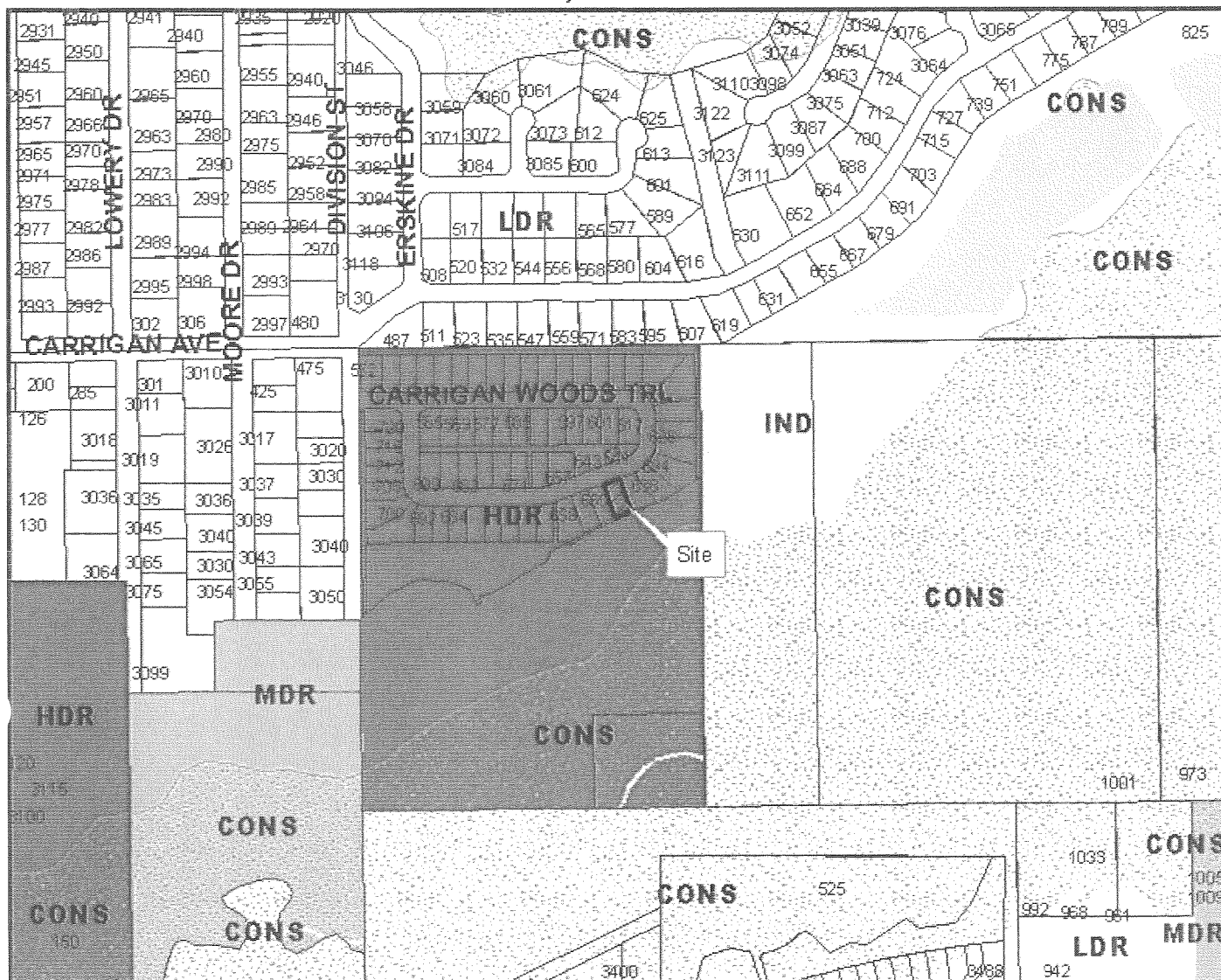
LOT 25 CARRIGAN WOODS PB 52 PGS 31 THRU 33

**BUILDING INFORMATION**

Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1999	11	1,124	2,956	2,360	CB/STUCCO FINISH	\$158,105	\$163,416
	Appendage / Sqft		GARAGE FINISHED / 440						
	Appendage / Sqft		OPEN PORCH FINISHED / 52						
	Appendage / Sqft		OPEN PORCH FINISHED / 104						
	Appendage / Sqft		UPPER STORY FINISHED / 1236						

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.

Dave & Mervilee Riley  
 646 Carrigan Woods Trail  
 Oviedo, FL 32765



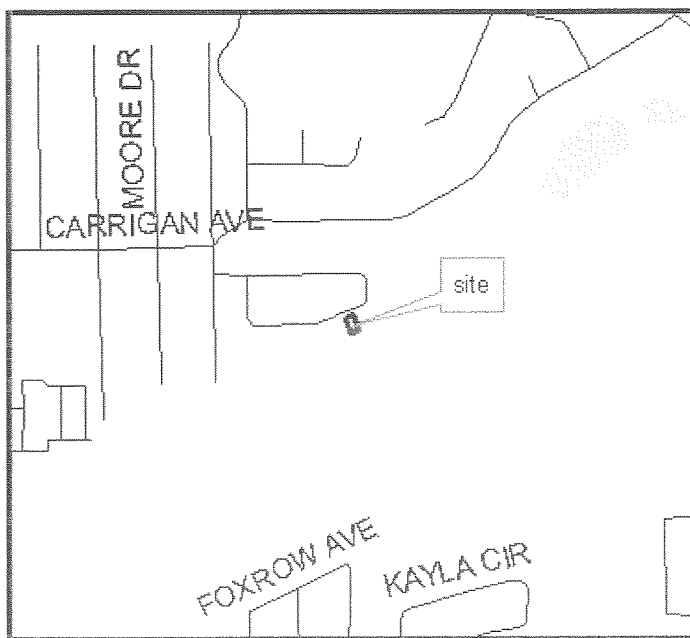
Seminole County Board of Adjustment  
 December 19, 2005  
 Case: BV2005-177  
 Parcel No: 34-21-31-512-0000-0250

**Future Land Use**

	CONS, LDR		MDR
	CONS, MDR		HDR
	CONS, HDR		IND
	CONS, IND		BV2005-177

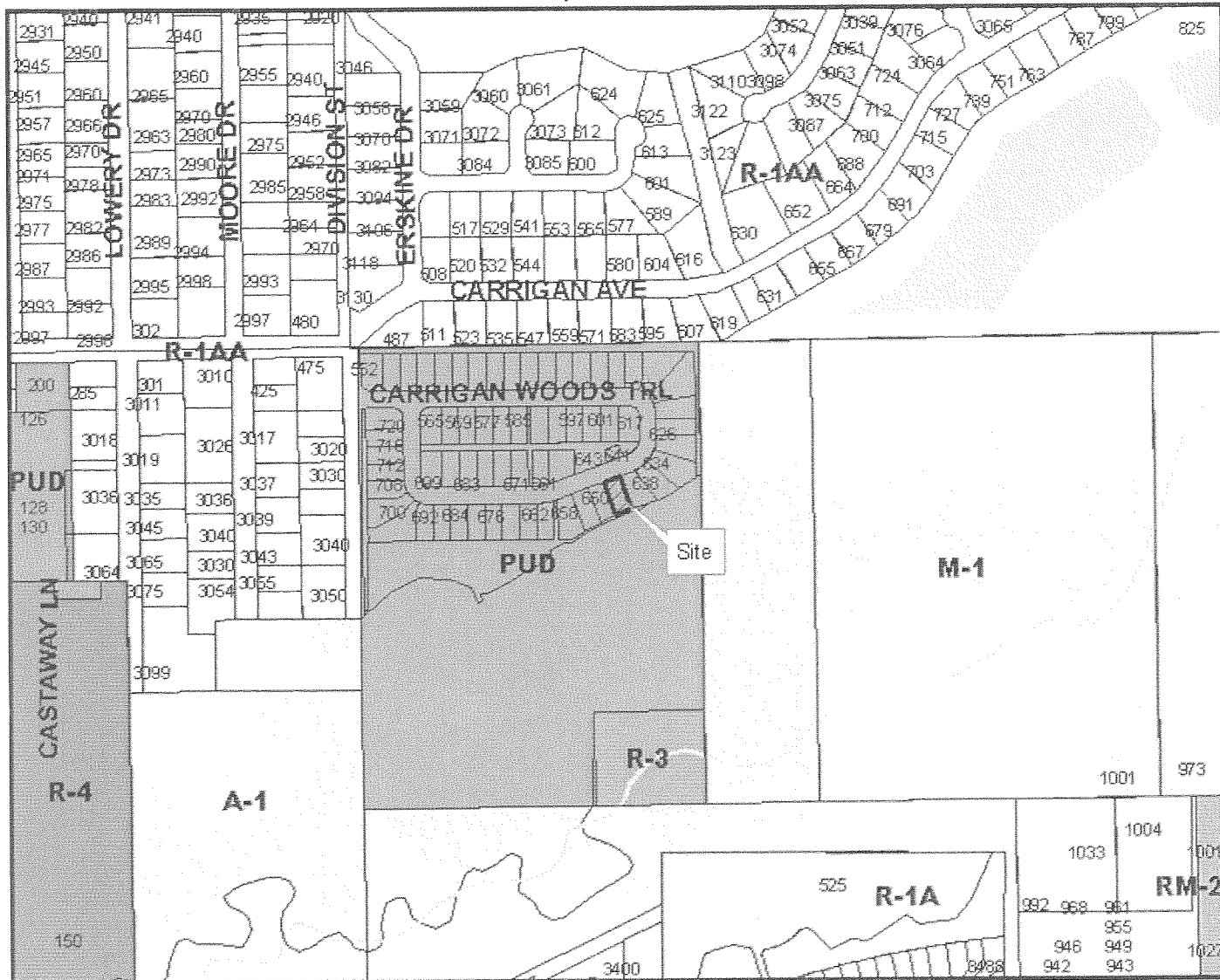
LDR

0 110 220 440 660 880 Feet





Dave & Mervilee Riley  
 646 Carrigan Woods Trail  
 Oviedo, FL 32765

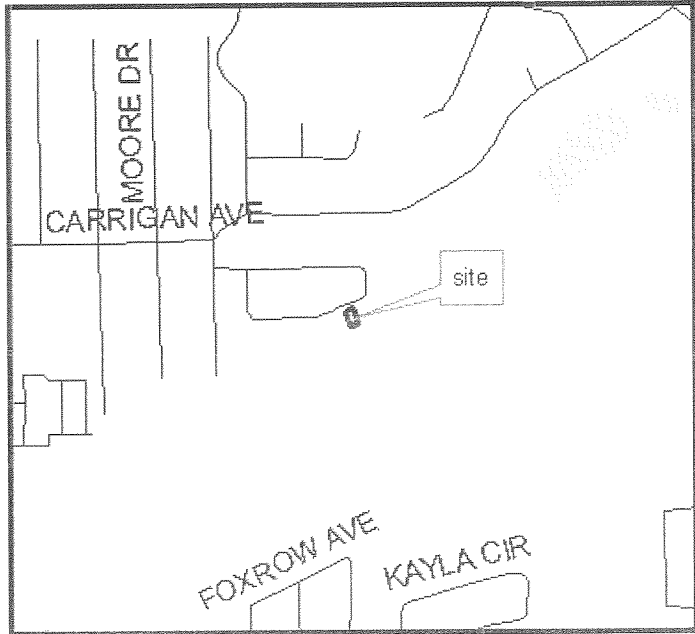


Seminole County Board of Adjustment  
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**Zoning**

A-1	RM-2
R-1AA	M-1
R-1A	PUD
R-3	BV2005-177
R-4	

0 110220 440 660 880 Feet



**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On December 19, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 25 CARRIGAN WOODS PB 52 PGS 31 THRU 33

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

**FINDINGS OF FACT**

**Property Owner:** DAVE & MERVILEE RILEY  
646 CARRIGAN WOODS TRAIL  
OVIEDO, FL 32765

**Site Address:** 646 CARRIGAN WOODS TRAIL

**Requested Development Approval:**

REQUEST FOR (1) REAR YARD SETBACK VARIANCE FROM 10 FEET TO 4 FEET FOR A PROPOSED POOL AND (2) REAR YARD SETBACK VARIANCE FROM 5 FEET TO 0 FEET FRO A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT 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  
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:

THE VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED POOL AND 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 Matthew West 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: