

Item #BV2005-181

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a side yard setback variance from 10 feet to 0 feet for an existing boat dock in the R-1AA (Single-Family Dwelling District); (Rodney Rapp, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Ian Sikonia **EXT.** 7398

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

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side yard setback variance from 10 feet to 0 feet for an existing boat dock in the R-1AA (Single-Family Dwelling District); (Rodney Rapp, applicant); or
2. **DENY** the request for a side yard setback variance from 10 feet to 0 feet for an existing boat dock in the R-1AA (Single-Family Dwelling District); (Rodney Rapp, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: LOCATION: ZONING:	Rodney Rapp 303 Brantley Harbor Dr. R-1AA (Single-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to modify an existing dock that encroaches 10 ft into the 10 ft side yard setback. The aforementioned variance is thereby requested. • There is no record of prior variances having been granted for this property. 	
STAFF FINDINGS	<ul style="list-style-type: none"> • The existing boat dock was constructed in 1985 in the canal in rear of the property. • The applicant cannot move the existing boat dock to meet the side yard setbacks due to the dimension of the subject property. • The neighbor to the south of the property received a variance from the Board of Adjustment in 1999 for a rear 	

	<p>and side yard setback from 10 feet to 0 feet. (BA99-3-26V).</p> <ul style="list-style-type: none">• The applicant has received his permit from the Department of Environmental Protection to modify the existing boat dock.
STAFF RECOMMENDATION	<p>Staff thereby recommends the Board of Adjustment approve the variance requested and make the appropriate findings of fact. If the board should decide to grant a variance, staff recommends the imposition of the following conditions:</p> <ul style="list-style-type: none">• Any variance granted should apply only to the proposed dock and boathouse as depicted on the attached site plan; and• Any addition conditions deemed appropriate by the board, following information presented at the public hearing.



COPY

APPL. NO. BV 2005-181

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** Side Yard setback Variance from 10 feet to 0 feet for an existing Boat Dock
- 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	RODNEY RAPP	
ADDRESS	303 Brantley Harbor Dr. Longwood FL 32779	
PHONE 1		
PHONE 2	321 356 3333	
E-MAIL		

RECEIVED

NOV - 3 2005

PLANNING DIVISION

PROJECT NAME: 303 Brantley Harbor Drive

SITE ADDRESS: 303 Brantley Harbor Drive

CURRENT USE OF PROPERTY: SFR

LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: 120x96 acre(s) PARCEL I.D. 04-21-29-509-0A00-0240

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 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.

SIGNATURE OF OWNER OR AGENT: [Signature]

DATE: 11-3-05

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 _____

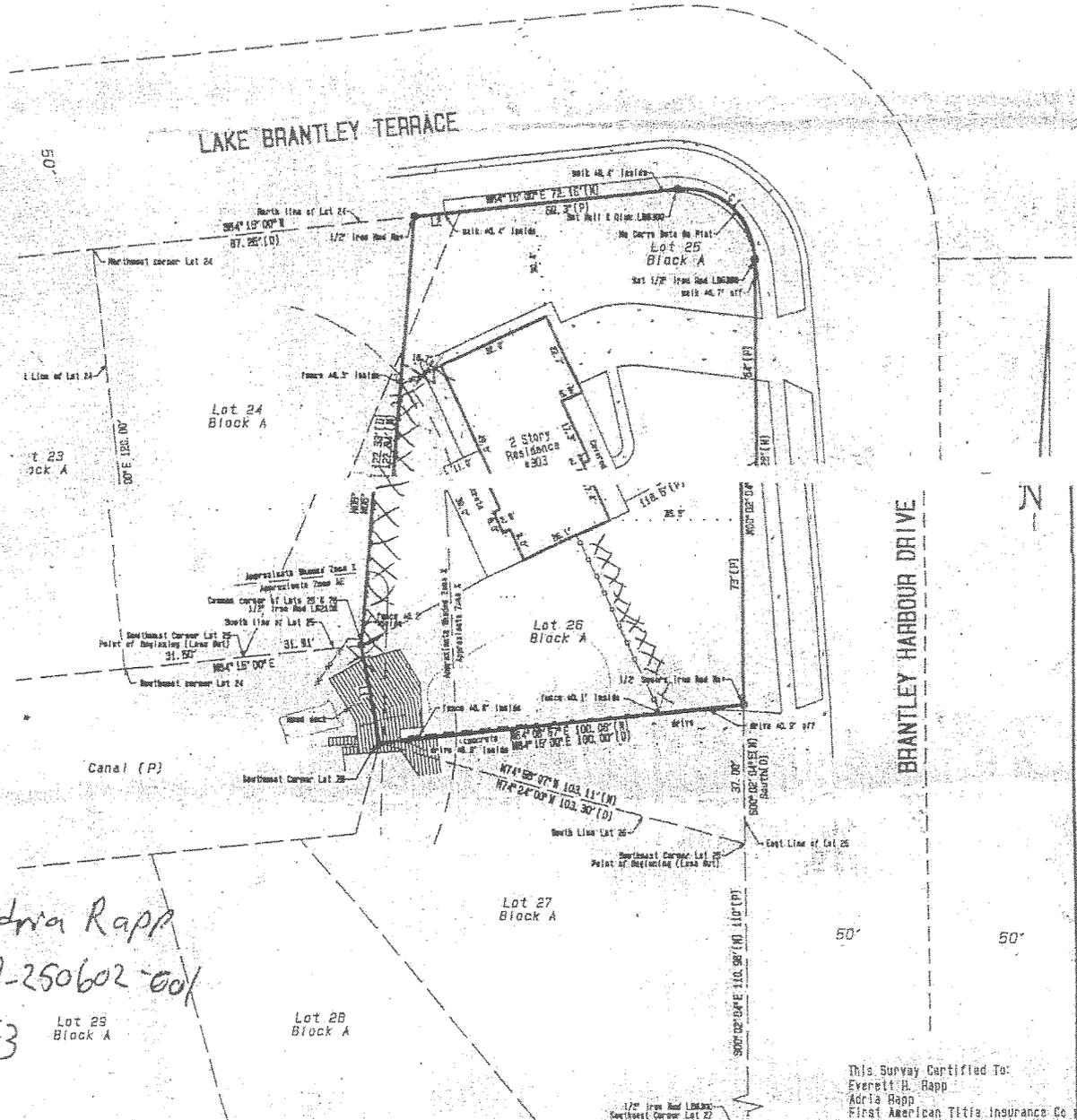
FOR OFFICE USE ONLY

PROCESSING:
 FEE(S): 150.00 COMMISSION DISTRICT 3 FLU / ZONING LDR/R-100
 BCC HEARING DATE _____ (FOR APPEAL)
 LOCATION FURTHER DESCRIBED AS S. side of Lake Brentley Terrace @ intersection
of Brentley Harbor Dr + Lake Brentley # Ter.
 PLANNING ADVISOR MR DATE 11-3-05
 SUFFICIENCY COMMENTS *Consent see variance attached

JUN 13 2005 5:9-250602001

Everett R. & Adria Rapp

LOTS 24, 25 AND 26 IN BLOCK A OF BRANTLEY HALL ESTATES, SEMINOLE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 36 AND 37, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, LESS BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 25, RUN THENCE ALONG THE SOUTH LINE OF SAID LOT 25, N 84 DEGREES 15' 00" E 31.91 FEET MORE OR LESS TO A COMMON CORNER BETWEEN SAID LOTS 25 AND 26, THENCE RUN N 05 DEGREES 28' 59" E 122.33 FEET TO THE NORTH LINE OF AFORESAID LOT 24, THENCE S 84 DEGREES 15' 00" W 87.25 FEET TO THE NORTHWEST CORNER OF LOT 24, THENCE S 05 DEGREES 45' 00" E ALONG THE WEST LINE OF SAID LOT 24, A DISTANCE OF 120.00 FEET TO THE SOUTHWEST CORNER OF LOT 24, RUN THENCE N 84 DEGREES 15' 00" EAST 31.50 FEET TO THE POINT OF BEGINNING AND ALSO LESS BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 26, RUN N 74 DEGREES 24' 00" W ALONG THE SOUTH LINE OF AFORESAID LOT 26 A DISTANCE OF 103.30 FEET TO THE SOUTHWEST CORNER OF SAID LOT 26, THENCE N 84 DEGREES 15' 00" E 100.00 FEET TO THE EAST LINE OF SAID LOT 26, THENCE SOUTH 37.00 FEET TO THE POINT OF BEGINNING.



Ron + Adria Rapp
 Permit # 59-250602-001
 Page 1 of 3

STATION	BEARING	LENGTH
1	N10°32'05"W	29.81'
2	S25°00'00"E	25.00'
3	S84°15'00"E	12.75'

STATION	BEARING	LENGTH
4	S19°00'00"E	31.74'

BEARINGS ARE BASED ON THE SOUTH LINE OF LOTS 24 & 25 AS BEING S84°15'00"E, PER DEED.

SCALE: 1" = 30'

REVIEWED BY: MMS

DRAWN BY: SAM

DATE: November 1, 1999

JOB NO.: 20672

Update: 7/19/04

Legend

- Recovered 4"x4" Concrete Monument - Legal Description Furnished by Client (unless otherwise noted)
- 8"x8" Concrete Monument #LB6300
- ▲ Recovered Nail & Disk #LB6300
- ✱ Recovered X Cut In concrete
- Recovered Iron Rod or Pipe as shown
- 1/2" Iron Rod #LB6300
- Light Pole as shown
- 6" Wood Fence
- 4" Chain Link Fence
- Fence as shown
- Concrete Slab

This survey is certified to and prepared for the sole and exclusive benefit of the parties and no individuals listed and shall not be relied on by any other entity or individual whatsoever.

Underground foundations and/or improvements were not located as a part of this survey.

Lands shown herein were not abstracted for rights of way and/or easements of public records.

ALTAONTE SURVEYING AND PLATTING, INC.
 436 Douglas Avenue, Suite 1505 F
 Altamonte Springs, Florida 32714
 Phone (407) 962-7526 Fax (407) 962-6229

JUN 13 2005 5:9-250602001

8/1/05

RECEIVED

AUG 10 2005

Central Dist. - DEP

add

Boat
slip
covered
w/
DOCK

Remove

Ron + Admin App

map # 59-250602-001

Page 2 of 3

<p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																			
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 04-21-29-509-0A00-0240</p> <p>Owner: RAPP RODNEY & CATHERINA</p> <p>Mailing Address: 303 BRANTLEY HARBOR DR</p> <p>City,State,ZipCode: LONGWOOD FL 32779</p> <p>Property Address: 303 BRANTLEY HARBOR DR LONGWOOD 32779</p> <p>Subdivision Name: BRANTLEY HALL ESTATES</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p style="padding-left: 20px;">Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$200,544</p> <p>Depreciated EXFT Value: \$1,788</p> <p>Land Value (Market): \$131,040</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$333,372</p> <p>Assessed Value (SOH): \$333,372</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$333,372</p> <p style="text-align: right;">Tax Estimator</p>																																																	
<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/2005</td> <td>05885</td> <td>0293</td> <td>\$353,600</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/2004</td> <td>05398</td> <td>1910</td> <td>\$340,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1999</td> <td>03758</td> <td>1525</td> <td>\$165,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>06/1985</td> <td>01647</td> <td>1333</td> <td>\$25,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1978</td> <td>01161</td> <td>0728</td> <td>\$63,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01120</td> <td>1868</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	08/2005	05885	0293	\$353,600	Improved	Yes	WARRANTY DEED	07/2004	05398	1910	\$340,000	Improved	Yes	WARRANTY DEED	11/1999	03758	1525	\$165,000	Improved	Yes	QUIT CLAIM DEED	06/1985	01647	1333	\$25,000	Improved	No	WARRANTY DEED	03/1978	01161	0728	\$63,000	Improved	Yes	WARRANTY DEED	01/1977	01120	1868	\$100	Improved	No	<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>2005 Tax Bill Amount: \$5,492</p> <p>2005 Taxable Value: \$335,152</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																													
WARRANTY DEED	08/2005	05885	0293	\$353,600	Improved	Yes																																													
WARRANTY DEED	07/2004	05398	1910	\$340,000	Improved	Yes																																													
WARRANTY DEED	11/1999	03758	1525	\$165,000	Improved	Yes																																													
QUIT CLAIM DEED	06/1985	01647	1333	\$25,000	Improved	No																																													
WARRANTY DEED	03/1978	01161	0728	\$63,000	Improved	Yes																																													
WARRANTY DEED	01/1977	01120	1868	\$100	Improved	No																																													
<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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 & DEPTH</td> <td>96</td> <td>120</td> <td>.000</td> <td>1,500.00</td> <td>\$131,040</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	96	120	.000	1,500.00	\$131,040	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG PT OF LOTS 24 25 + 26 BEG S 84 DEG 15 MIN E 87.25 FT OF NW COR LOT 24 RUN S 5</p> <p>DEG 28 MIN 59 SEC W 122.33 FT TO NW COR LOT 26 SLY TO SW COR N 84 DEG 15 MIN E</p> <p>100 FT TO E LI NLY + WLY TO BEG BLK A BRANTLEY HALL ESTATES</p> <p>PB 13 PG 16</p>																																					
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																														
FRONT FOOT & DEPTH	96	120	.000	1,500.00	\$131,040																																														
<p>BUILDING INFORMATION</p>																																																			
Bld Num	Bid Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																																										
1	SINGLE FAMILY	1972	11	1,117	3,532	2,183	CB/STUCCO FINISH	\$200,544	\$237,330																																										
	Appendage / Sqft		OPEN PORCH FINISHED / 242																																																
	Appendage / Sqft		SCREEN PORCH FINISHED / 176																																																
	Appendage / Sqft		OPEN PORCH FINISHED / 267																																																
	Appendage / Sqft		GARAGE FINISHED / 552																																																
	Appendage / Sqft		BASE SEMI FINISHED / 112																																																
	Appendage / Sqft		UPPER STORY FINISHED / 1066																																																

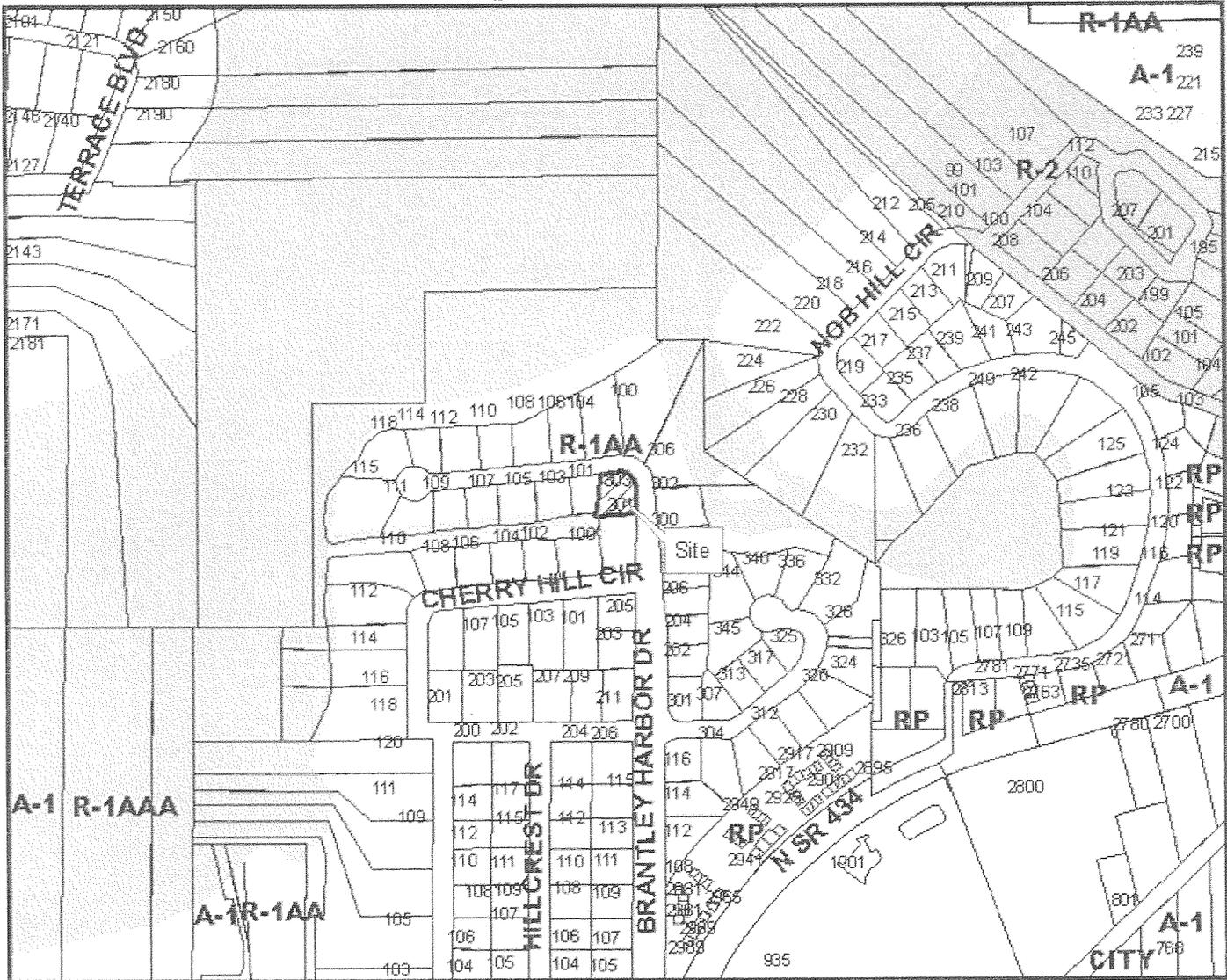
EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1972	1	\$800	\$2,000
WOOD DECK	1985	234	\$468	\$1,170
BOAT DOCK	1985	260	\$520	\$1,300

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.*

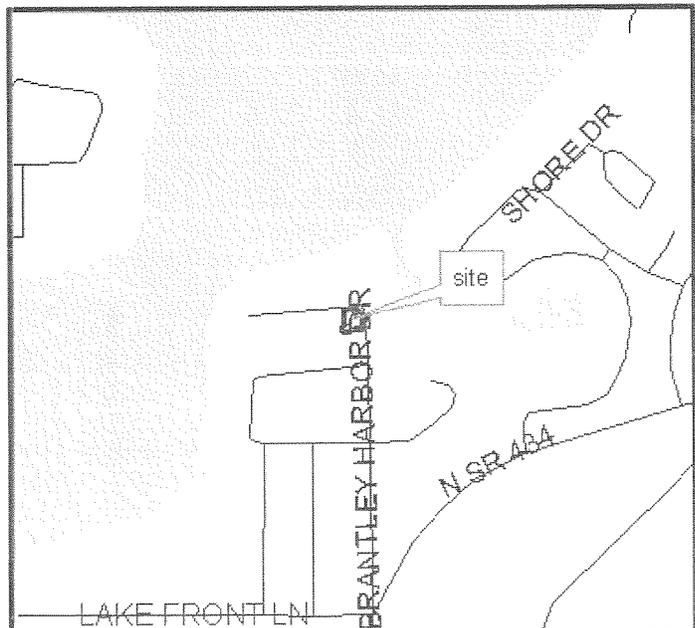
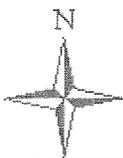
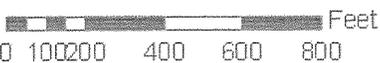
Rodney Rapp
303 Brantley Harbor Drive
Longwood, FL 32779



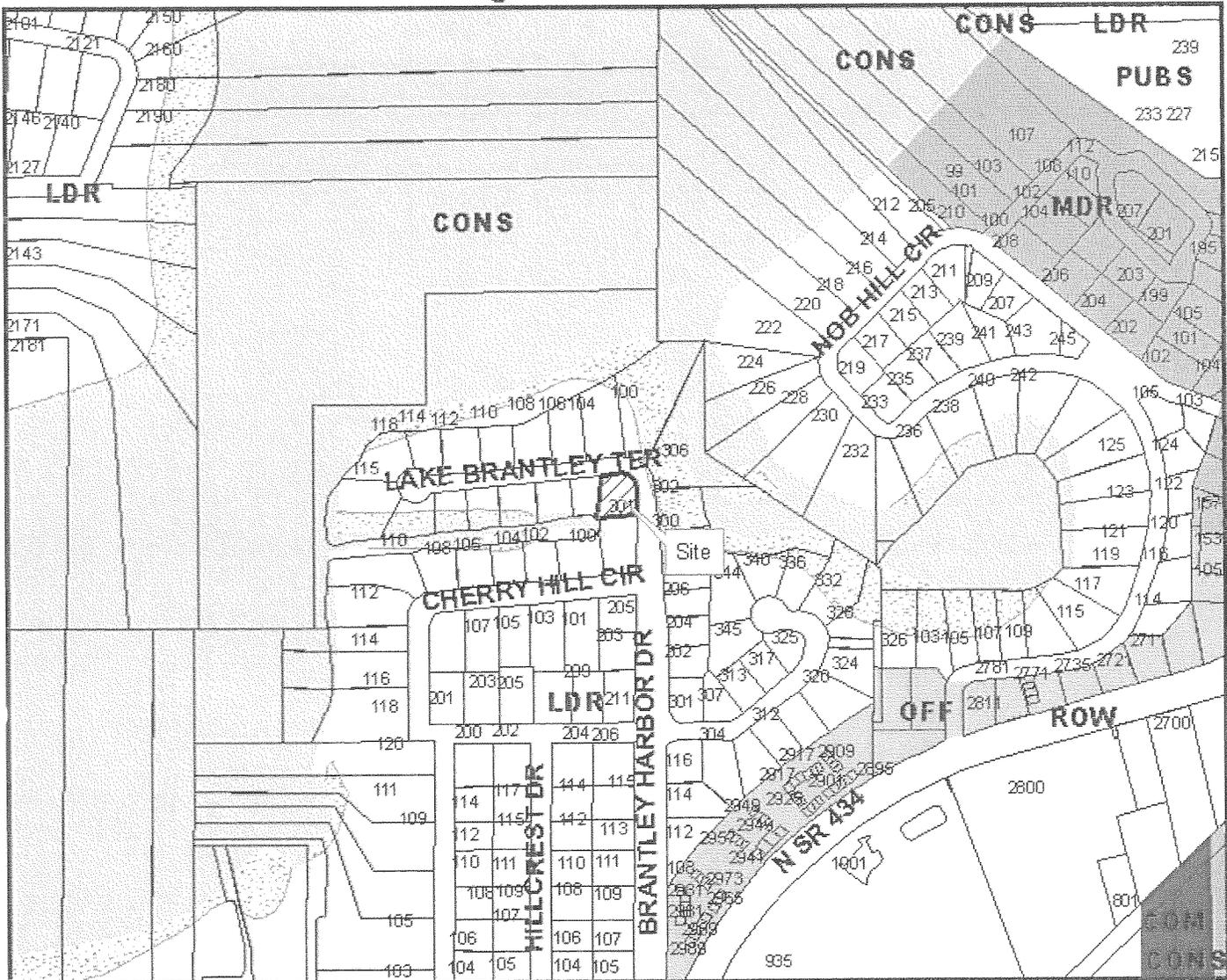
Seminole County Board of Adjustment
 December 19, 2005
 Case: BV2005-181
 Parcel No: 04-21-29-509-0A00-0240

Zoning

-  A-1
-  R-1AAA
-  R-1AA
-  R-2
-  RP I
-  BV2005-181



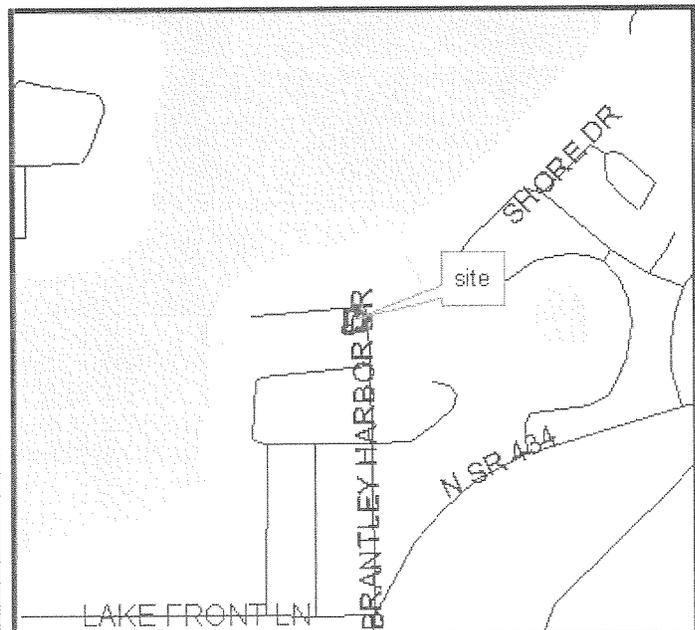
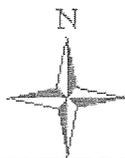
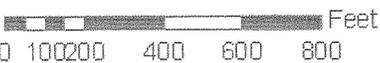
Rodney Rapp
303 Brantley Harbor Drive
Longwood, FL 32779



Seminole County Board of Adjustment
December 19, 2005
Case: BV2005-181
Parcel No: 04-21-29-509-0A00-0240

Future Land use

- | | | | |
|--|-----------|--|------------|
| | CONS, LDR | | OFF |
| | CONS, MDR | | COM |
| | CONS, COM | | HIPTI |
| | PUBS | | HIPAP |
| | LDR | | BV2005-181 |
| | MDR | | |



SEMINOLE COUNTY DEVELOPMENT ORDER

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

LEG PT OF LOTS 24 25 + 26 BEG S 84 DEG 15 MIN E 87.25 FT OF NW COR LOT 24
RUN S 5 DEG 28 MIN 59 SEC W 122.33 FT TO NW COR LOT 26 SLY TO SW COR N
84 DEG 15 MIN E 100 FT TO E LN NLY + WLY TO BEG BLK A BRANTLEY HALL
ESTATES PB 13 PG 16

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

FINDINGS OF FACT

Property Owner: Rodney Rapp
303 Brantley Harbor Dr.
Longwood, FL 32779

Project Name: Brantley Harbor Drive (303)

Requested Development Approval:

Request for a side yard setback variance from 10 feet to 0 feet for an existing boat dock 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 afordescribed property.

Prepared by: Ian Sikonia, 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. The variance granted will apply only to the existing boat dock 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: