

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: Request for a side street setback variance from 25 feet to 0 feet for a proposed fence in the R-1AA (Single Family Dwelling District); (Jorge Rodriguez, 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 street setback variance from 25 feet to 0 feet for a proposed fence in the R-1AA (Single Family Dwelling District); (Jorge Rodriguez, applicant); or
2. **DENY** the request for a side street setback variance from 25 feet to 0 feet for a proposed fence in the R-1AA (Single Family Dwelling District); (Jorge Rodriguez, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Jorge Rodriguez LOCATION: 628 Alpine Street ZONING: R-1AA (Single-Family Dwelling District)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • The subject site has a 50' public right-of-way abutting his property to the west. • The applicant intends to build a single-family home and would like to fence in his western yard therefore requiring the variance request of 25 feet to 0 feet. • There have been prior variances granted for this property regarding a lot size variance from 11,700 sq. ft. to 10,500 sq. ft. and a width at the building line variance from 90 feet to 75 feet. (BV2003-017)
STAFF FINDINGS	<p>The applicant has satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"> • Special conditions and circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the

	<p>same zoning district.</p> <ul style="list-style-type: none">• The grant of the variance would be in harmony with the general intent of Chapter 30 due to the fact that the western portion of the property would be a right-of-way which will not be built upon. The proposed fence would not be injurious to the neighborhood or otherwise detrimental to the public welfare because it would buffer the applicant from his neighbor and utility lines.• That special conditions and circumstances did not result from the actions of the applicant. The right-of-way which will not be opened has utility lines running through it and the fence would be buffering him from those lines.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends the Board of Adjustment approve 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 proposed fence as depicted on the attached site plan; and• Any additional conditions deemed appropriate by the board, based on information presented at the public hearing.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 865-7444 PHONE (407) 666-7385 FAX

COPY

APPL. NO. WA005-182

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 to SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

- VARIANCE** Site Set For 0.0 Acre Fence
- SPECIAL EXCEPTION**
- LIMITED USE**

<input type="checkbox"/> SE DWELLING UNDER CONSTRUCTION	<input type="checkbox"/> MEDICAL HARDSHIP
<input type="checkbox"/> NIGHT WATCHMAN	<input type="checkbox"/> FAMILY HARDSHIP
<input type="checkbox"/> YEAR OF MOBILE HOME / RV (EXISTING)	<input type="checkbox"/> (PROPOSED)
<input type="checkbox"/> SIZE OF MOBILE HOME / RV	<input type="checkbox"/> TIME NEEDED
<input type="checkbox"/> PLAN TO BUILD <input type="checkbox"/> YES <input type="checkbox"/> NO IF SO WHEN	
<input type="checkbox"/> APPEAL FROM DECISION OF THE PLANNING MANAGER	

PROPERTY OWNER	AUTHORIZED AGENT *
NAME: <u>Tanya Rodriguez</u>	<div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED 1107 - 3 2005 PLANNING DIVISION </div>
ADDRESS: <u>628 ALPINE ST</u>	
PHONE1: <u>Altamonte Springs, FL 32701</u>	
PHONE2: <u>(407) 491-8425</u>	
EMAIL:	

PROJECT NAME: 628 ALPINE ST

SITE ADDRESS: 628 ALPINE ST, Altamonte Springs, FL 32701

CURRENT USE OF PROPERTY: Residential

LEGAL DESCRIPTION:

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 12-21-20-56D-4100-0130

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 12/13/05 (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.

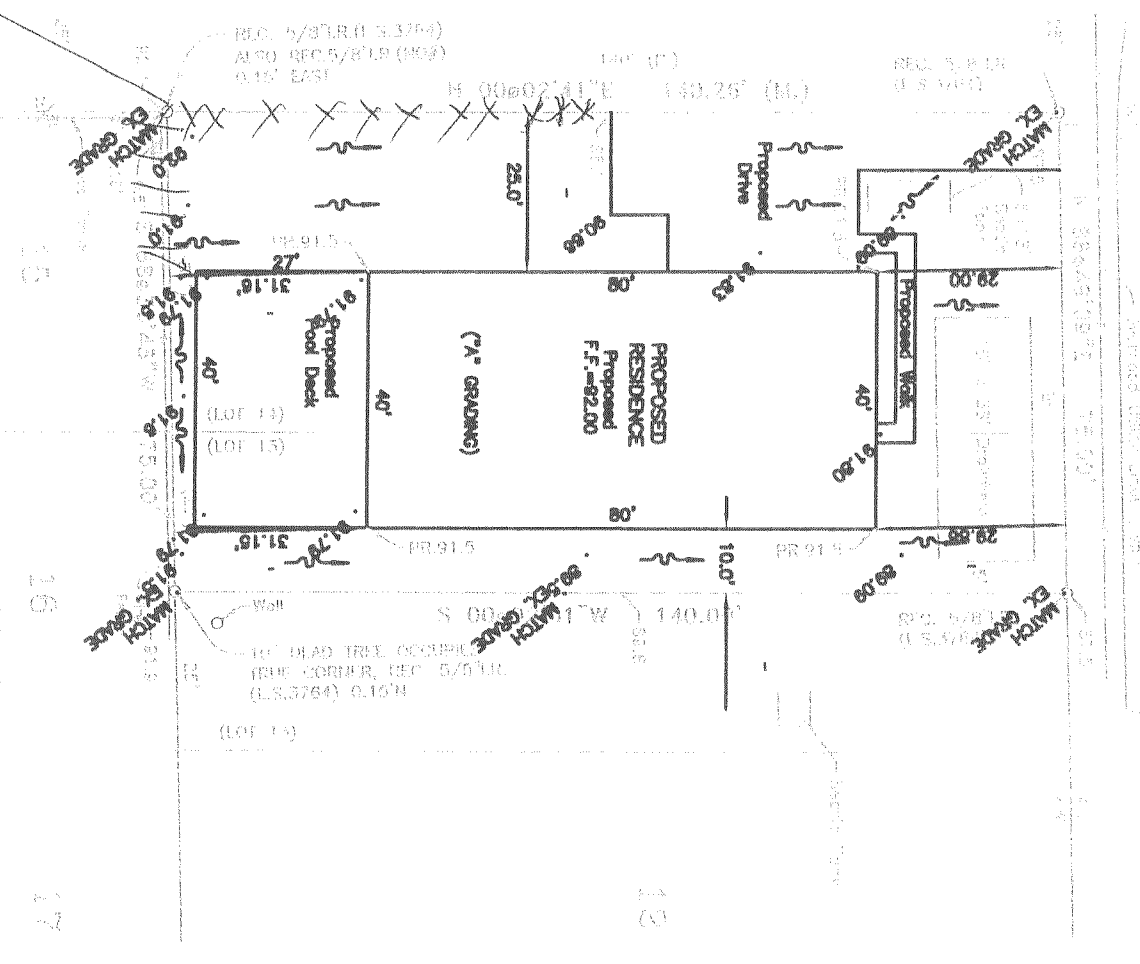
I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

* Tanya Rodriguez * 11-4-2005
 SIGNATURE OF OWNER OR AGENT * DATE

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

EVERGREEN AVENUE

(PUBLIC R/W-NOT OPEN)



XXX DENOTES EXISTING GROUND ELEVATION

SITE BENCHMARK ELEV.=88.33
P.K. Nail on South Face of Power Pole

BASIS OF BEARINGS: THE SOUTH RIGHT-OF-WAY LINE OF ALPINE STREET AS BEING N.88°49'09"E., ASSUMED.

SCALE: 1"=30'



Demetrius A. ...

9CT 2 6 2005

with 10 feet project

-S 458-165/104)

2800

628 ALPINE ST.

JRC&L LAND DEVELOPMENT SERVICES INC.
1404 PINECREST PL. ORLANDO FL 32705 TEL/FAX (407) 228-7482
PROFESSIONAL CIVIL ENGINEER : CARMELO DIAZ
FL CERTIFICATION No. 82149

Fence proposed

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-665-7508

GENERAL

Parcel Id: 12-21-29-5BD-4100-0130
 Owner: RODRIGUEZ JORGE
 Mailing Address: 1100 NORTH ST
 City,State,ZipCode: LONGWOOD FL 32750
 Property Address: ALPINE ST
 Subdivision Name: SANLANDO
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions:
 Dor: 00-VACANT RESIDENTIAL

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 0
 Depreciated Bldg Value: \$0
 Depreciated EXFT Value: \$0
 Land Value (Market): \$22,275
 Land Value Ag: \$0
 Just/Market Value: \$22,275
 Assessed Value (SOH): \$22,275
 Exempt Value: \$0
 Taxable Value: \$22,275
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
SPECIAL WARRANTY DEED	03/2003	04771	1326	\$25,000	Vacant	No
SPECIAL WARRANTY DEED	03/2003	04771	1323	\$25,000	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

2005 Tax Bill Amount: \$365
 2005 Taxable Value: \$22,275
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	75	140	.000	300.00	\$22,275

LEGAL DESCRIPTION

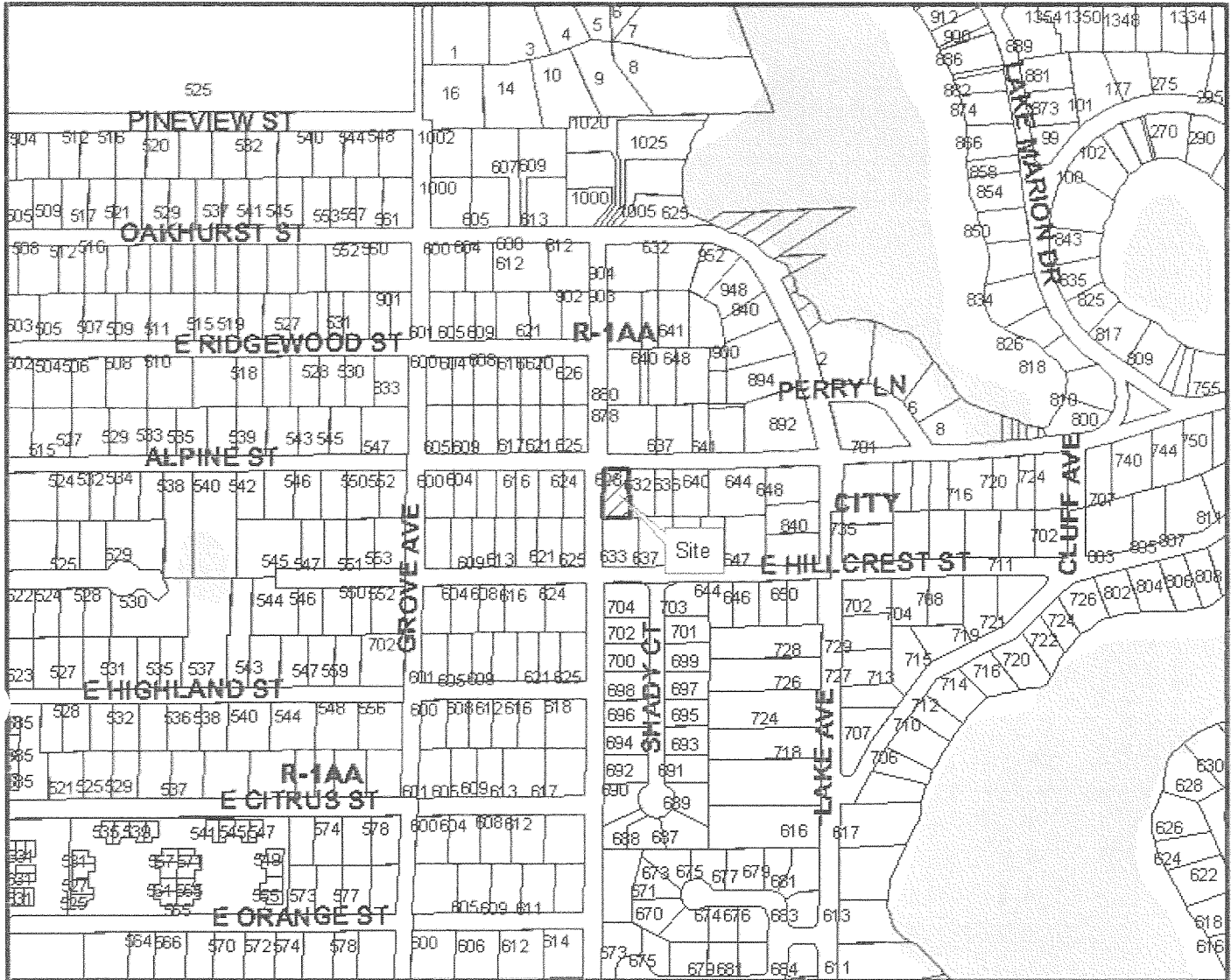
PLATS:

W 1/2 OF LOT 13 & ALL LOT 14 BLK 41
 SANLANDO
 PB 3 PG 65 1/2

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.



R-1AA/LDR

Jorge Rodriguez
 632 E. Alpine Street
 Altamonte Springs, FL 32707


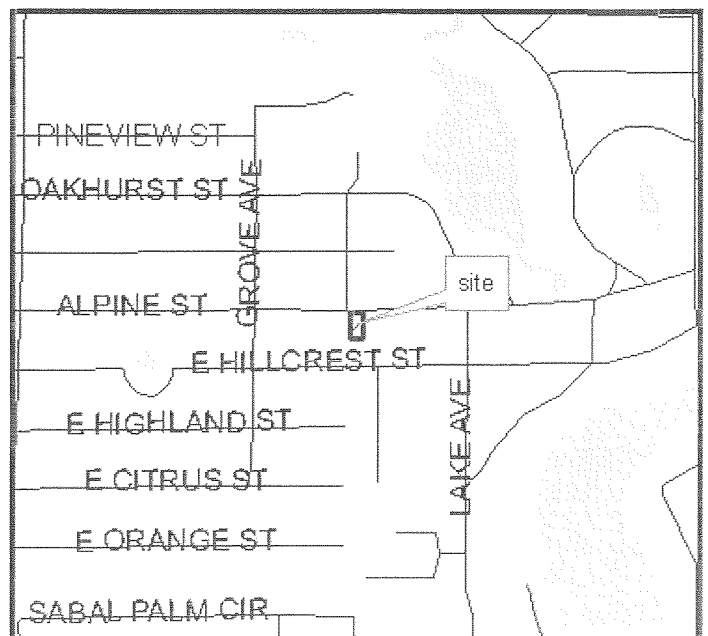


Seminole County Board of Adjustment
 December 19, 2005
 Case: BV2005-182
 Parcel No: 12-21-29-5BD-4100-0130

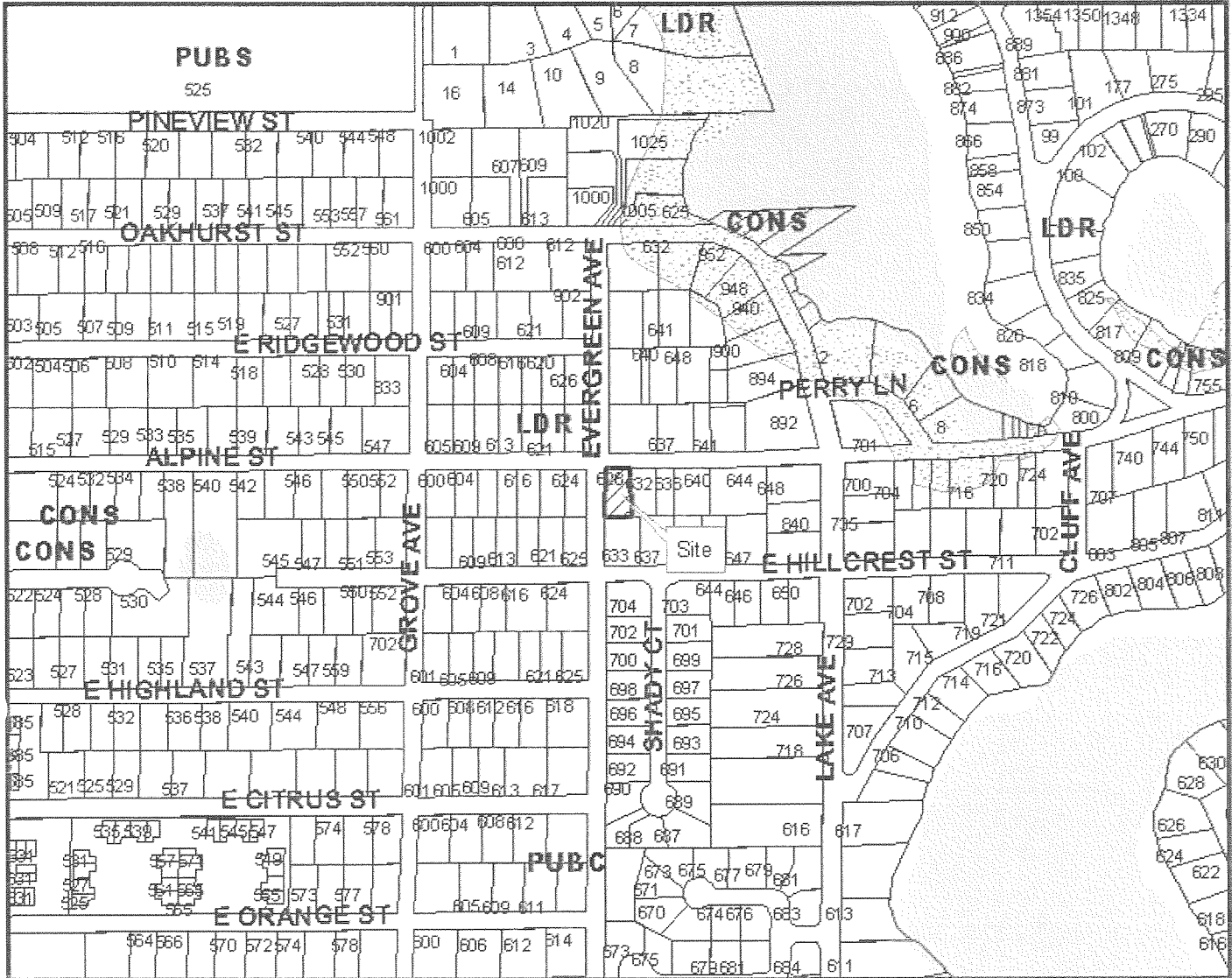
Zoning

-  R-1AA
-  BV2005-182

0 95 190 380 570 760 Feet

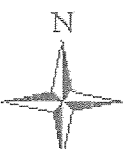

Jorge Rodriguez
632 E. Alpine Street
Altamonte Springs, FL 32707

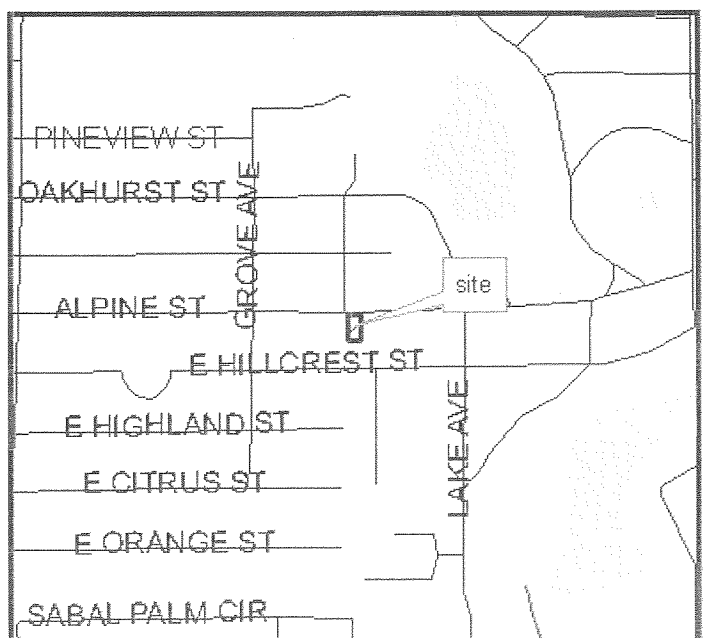


Seminole County Board of Adjustment
December 19, 2005
Case: BV2005-182
Parcel No: 12-21-29-5BD-4100-0130

Future Land Use

- CONS, LDR
- PUBC
- PUBS
- LDR
- BV2005-182



 0 95 190 380 570 760 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:

W ½ OF LOT 13 & ALL LOT 14 BLK 41 SANLANDO PB 3 PG 65 ½

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

FINDINGS OF FACT

Property Owner: Jorge Rodriguez
632 E. Alpine St.
Altamonte Springs, FL 32701

Project Name: Alpine Street (628)

Requested Development Approval:

Request for a side street setback variance from 25 feet to 0 feet for a proposed fence 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: 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 proposed fence 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: