

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

SUBJECT: Request for a rear yard setback variance from 20 feet to 10 feet for a proposed covered screen room addition in the R-3A (Multiple-Family Dwelling District); (Heather Campbell, Applicant).

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

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

Agenda Date 2/27/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed covered screen room addition in the R-3A (Multiple-Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed covered screen room addition in the R-3A (Multiple-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Heather Campbell LOCATION: 1797 Waukoh Circle ZONING: R-3A (Multiple-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a covered screen room addition that would encroach 10 feet into the minimum 20 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant has received approval from the Royal Oaks Homeowners Association for the proposed screen room on December 2, 2005. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances having been granted for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:

	<ul style="list-style-type: none">• No special conditions or 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 same zoning district.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• 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">• Any variance granted shall apply only to the proposed covered screen room addition 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.

COMMISSION DISTRICT #:

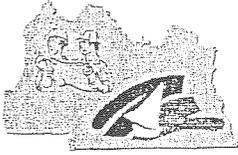
GUI ZONED: R-3A SEC: 22 TWP: 21 RNG: 30
 PROJ. #

DEVELOPMENT: Royal Oaks		DEVELOPER: Beazer	
LOCATION: N side of Red Bug Lake Road, E of SR 436		70 Lots	
FILE#: P&Z:	BA:	SP:	BCC:
PB 59 PG 22-24 Lot	Bik	Parcel	DBA Comm Dist
DEVEL. ORDER #:	00-21	TAX PAR. I.D. #:	
SIDEWALKS:		SETBACK REQUIREMENTS	
		FY: 20'	SY: 3.1' RY: 20'
ROAD TYPE:		MAIN STRUCTURE OTHER: Setbacks; 46.2' lots (above) and corner: 11.75', boundary: 25'; 49' lots: FY: 20', RY: 20', SY: 3.1'; corner: 11.75', boundary 25'.	
COMMENTS OTHER:		ACCESSORY STRUCTURE SETBACKS:	
1) This subdivision is being developed as a single family project.		SY: RY:	
2) Commitments are "tied" to side development – except for:		ACCESSORY STRUCTURE OTHER:	
a) No sidewalks along front of lots 26-47.			
b) 100' building setback along east subdivision boundary, adjacent to Copperfield. (Setback from subdivision boundary)			
c) As many existing trees as possible shall be saved on the lots in particular adjacent to Deer Run and Copperfield.			

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	186
LAND USE:	3
1. ROAD-CO. WIDE	\$394.00
2. ROAD-COLL.	\$268.00
3. LIBRARY	\$54.00
4. FIRE	\$172.00
5. PARK	
6. SCHOOL	\$639.00
7. LAW	
8. DRAINAGE	
TOTAL	\$1,527.00
REMARKS: 50' lots or less – condo rate.	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



01-09-06 A11:22 IN

COPY

IS

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 setback variance from 20 ft. to 10 ft. for a proposed screen room addition.
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Heather Campbell	
ADDRESS	1497 Waukon Circle Casselberry, FL 32707	
PHONE 1	407-834-9830	
PHONE 2	407-496-7005	
E-MAIL		

cell

PROJECT NAME: _____

SITE ADDRESS: 1497 Waukon Circle

CURRENT USE OF PROPERTY: personal home

LEGAL DESCRIPTION: Lot 55 Royal Oaks PB 59 PGS 22 THRU 24

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 22-21-30-513-0000-0550

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER county

KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 2, 27, 06 (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.

Heather Campbell
 SIGNATURE OF OWNER OR AGENT*

12/8/2005
 DATE

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

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

FLU / ZONING

R-3A / MAR

BCC HEARING DATE

(FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR

DATE

SUFFICIENCY COMMENTS

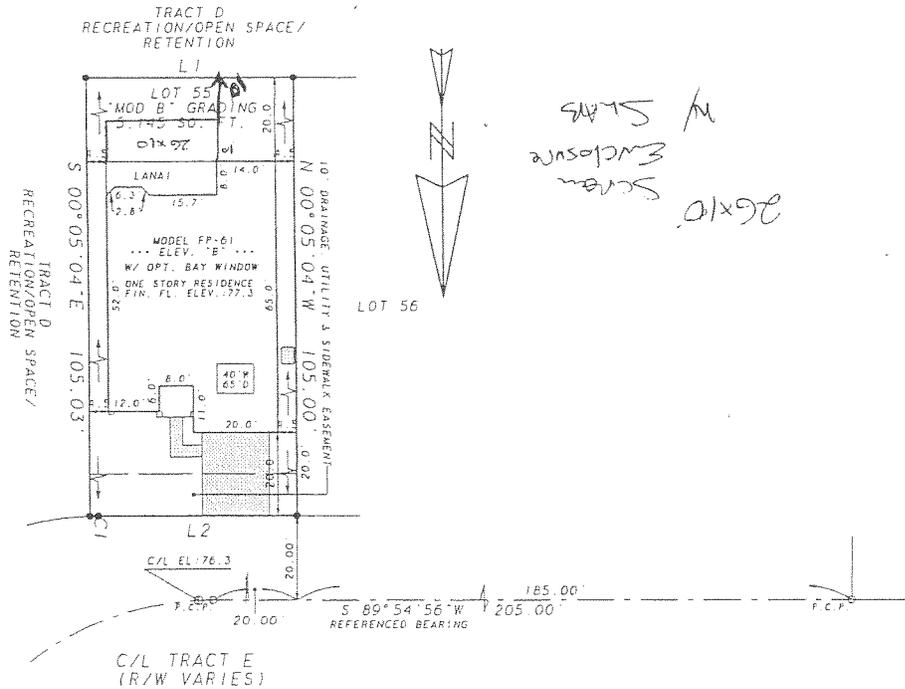
Herk & Associates Inc.

Land Surveying

455 Douglas Avenue Suite 1455, Altamonte Springs, Florida 32714 (407)788-8808
Member of the Florida Surveying and Mapping Society and American Congress on Surveying and Mapping

Map of Survey

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	1° 38' 14"	70.00'	2.00'	1.00'	2.00'	N 89° 05' 49" E
		LINE	BEARING	DISTANCE		
		L 1	S 89° 54' 56" W	49.00'		
		L 2	N 89° 54' 56" E	47.00'		



SETBACKS:
Front 20' Rear 20'
Side 3.1' Corner 11.75'
M.W. - 45.2' / 45'

SITE DATA
IMPERVIOUS SQ. FT. - 561 sq.
LOT SQ. FT.

LEGAL DESCRIPTION Lot 55, ROYAL OAKS according to the plat thereof as recorded in Plat Book of pages of the Public Records of Seminole County, Florida.

FLOOD HAZARD DATA: The Parcel shown hereon lies within Flood Zone "X" according to the Flood Insurance Rate Map Community Panel Number 120289 0145E, Dated 04/17/95.

IMPERVIOUS AREA - 2887 SQ. FT.
Note: Bearings shown hereon are referenced to the C/L of as being S 89° 54' 56" W.

Vertical datum is based on NSVD/OCVD per Engineering construction plans by Bowyer - Singleton and Associates, Inc. Job

General Notes:

- This is a BOUNDARY Survey performed in the field on Proposed aerial, surface or subsurface utility installations, underground improvements or subsurface/aerial encroachments, if any, were located.
- Findings shown are to the exterior unfinished foundation surface or formboard elevations shown hereon, if any, are assumed and were obtained from approved construction plans provided by the Client unless otherwise noted, and are shown only to depict the proposed or actual difference in elevation relative to the assumed temporary benchmark shown hereon.
- The parcel shown hereon is subject to all easements, reservations, restrictions, and rights-of-way of record whether depicted or not on this document. No search of the Public Records has been made by this office.
- The legal description shown hereon is as furnished by client.
- Distances and measured directions are the same unless otherwise noted.
- Iron rod with yellow plastic cap marked LB4937 or LS2162, or iron rod with red plastic cap marked "Witness Corner", unless otherwise noted.
- enotes P.C.P. (Permanent control point)
- enotes Permanent Reference Monument

Legend

e	Temporary Benchmark (assumed datum)	O/S	Offset
BOW	Back of sidewalk	O.R.B.	Official Records Book
CL	Centerline	PB	Plat Book
∠	Central or (Delta) Angle	PC	Point of Curvature
CALC	Calculated	PCC	Point of Compound Curvature
CE	Chord Bearing	P.C.P.	Permanent Control Point
CD	Chord	PG	Page
CM	Concrete Monument	P.R.M.	Permanent Reference Monument
EL or ELEV	Elevation (Proposed)	PL	Property Line
FINAL EL	Elevation (Measured)	P.O.B.	Point of Beginning
FD	Found	P.O.C.	Point of Commencement
Fin. Fl. Elev.	Finished Floor Elevation	P.I.	Point of Intersection
I.P.	Iron Pipe	PRC	Point of Reverse Curvature
I.R.	Iron Rod	PT	Point of Tangency
L	Arc Length	R	Radius
LB	Licensed Bushless	RAD	Radial Line
LS	Land Surveyor	RES	Residence
Mes	Measured	RAW	Right-of-Way
ND(N&D)	Nail and Disk	TBM	Temporary Benchmark
N.R.	Not Radial	TVE	Typical
		-//-	Fence symbol (see drawing)
		-X-X-	Fence symbol (see drawing)

Attention: Not valid without the signature and the original raised seal Florida Licensed Surveyor and Mapper survey meets the requirements of The Florida Minimum Technical Standards as contained in Chapter 61D17-6 Florida Administrative Code.

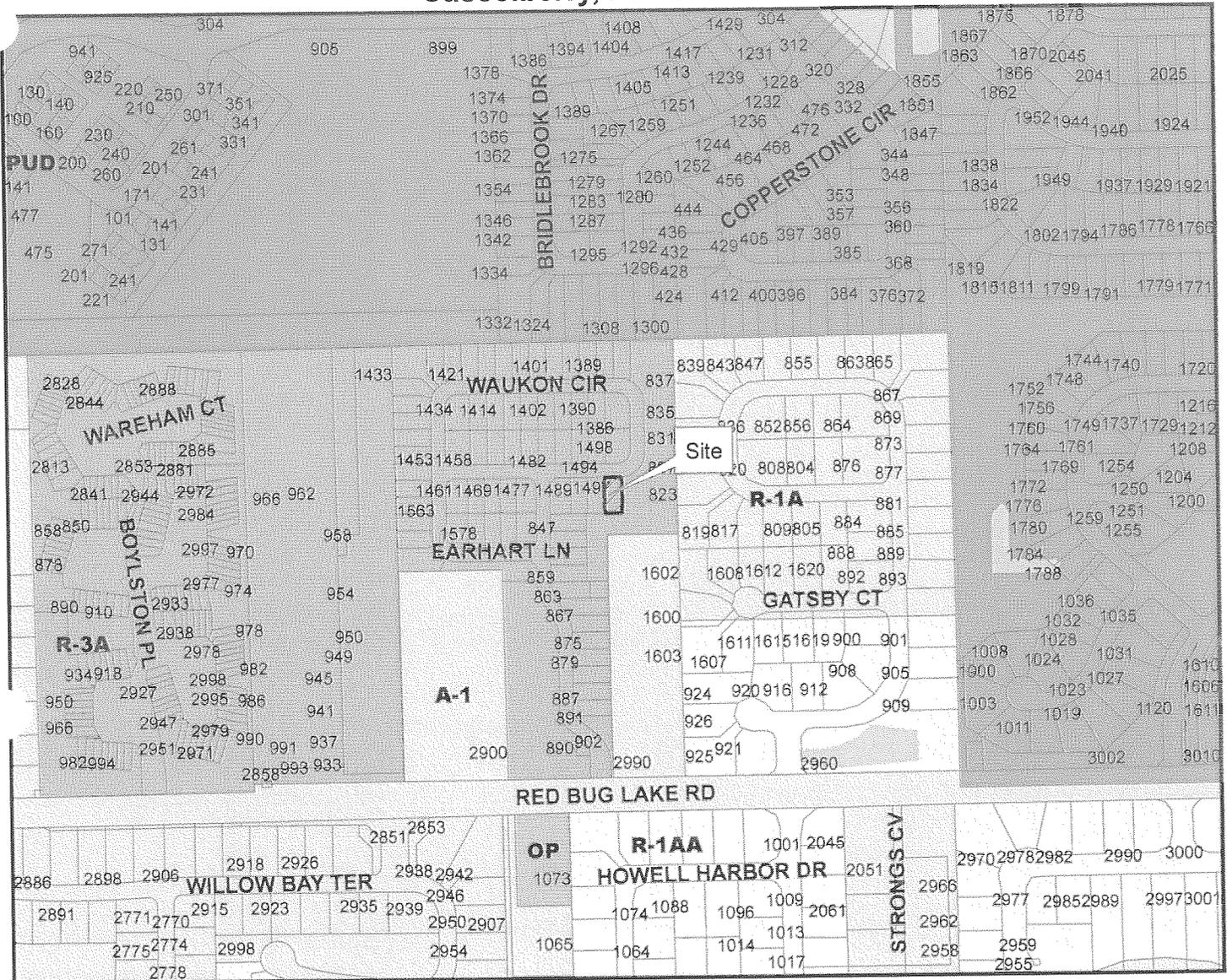
David P. Puzanowski
David P. Puzanowski, P.L.S., Florida Registered Land Surveyor No. 3782
e L. Puzanowski, P.E.M., Registered Surveyor and Mapper No. 6030
in R. Herk, P.S.M., Registered Surveyor and Mapper No. 6092
& Associates Inc., State of Florida LB 4937

Sketch of Legal Description
This is not a Survey

Drawn by: AH
Checked by: DF
Prepared For: BEAZER
Job Number: 00-027-02
Scale: 1" = 30'
Plat plan performed: 04-05-01
Foundation Survey:
Final Survey:
Revisions:

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																			
<p align="center">GENERAL</p> <p>Parcel Id: 22-21-30-513-0000-0550 Owner: CAMPBELL HEATHER A Mailing Address: 1497 WUKON CIR City,State,ZipCode: CASSELBERRY FL 32707 Property Address: 1497 WUKON CIR CASSELBERRY 32707 Subdivision Name: ROYAL OAKS Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>	<p align="center">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$152,636 Depreciated EXFT Value: \$1,750 Land Value (Market): \$30,000 Land Value Ag: \$0 Just/Market Value: \$184,386 Assessed Value (SOH): \$168,946 Exempt Value: \$25,000 Taxable Value: \$143,946 Tax Estimator</p>																																																		
<p align="center">SALES</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> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>08/2001</td> <td>04187</td> <td>1070</td> <td>\$212,400</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	08/2001	04187	1070	\$212,400	Improved	Yes	<p align="center">2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,625 2005 Tax Bill Amount: \$2,278 Save Our Homes (SOH) Savings: \$347 2005 Taxable Value: \$139,025 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																				
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<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>																																																			

Heather Campbell
 1497 Waukoh Cir.
 Casselberry, FL 32707

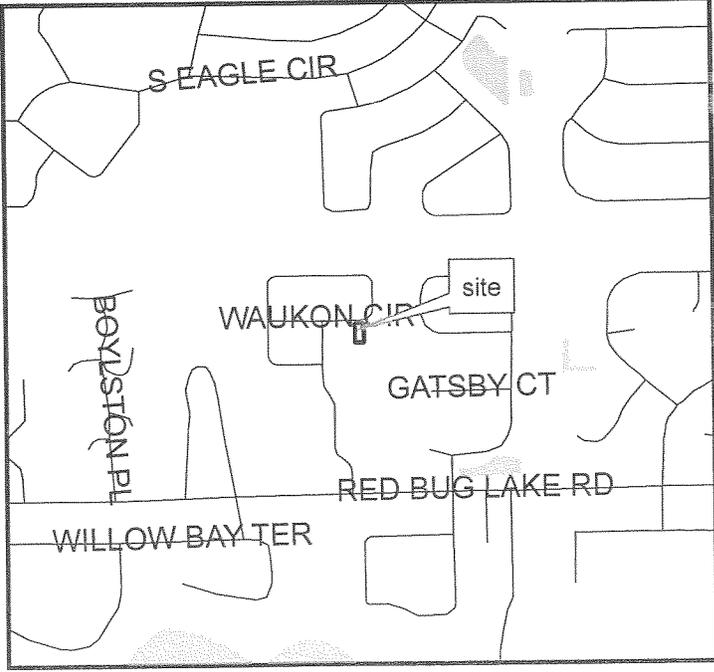


Seminole County Board of Adjustment
February 27, 2006
Case: BV2006-005
Parcel No: 22-21-30-513-0000-0550

Zoning

	BV2006-005		R-3A
	A-1		OP
	R-1AA		PUD
	R-1A		

0 90 180 360 540 720 Feet



Royal Oaks of Seminole County

HOMEOWNERS ASSOCIATION, INC.

December 2, 2005

Ms. Heather Campbell
1497 Waukon Circle
Casselberry, FL 32707

Re: Alteration Application

Dear Ms. Campbell:

The Board of Directors for Royal Oaks of Seminole County has reviewed your request relating to the amending of your August alteration application to include insulated roofing in your screened in lanai. The Board of Directors(BOD) has approved your request as submitted provided the changes are made in accordance with your Alteration Application and the recorded Deed Restrictions for Royal Oaks of Seminole County Homeowners Association, Inc.

Please be advised that you are solely responsible for determining whether the improvements described herein comply with all applicable laws, rules, regulations, codes and ordinances; including without limitation, zoning ordinances, subdivision regulations and building codes. The BOD shall have no liability or obligation to determine whether such improvements comply with any such laws, rules, regulations, codes or ordinances.

Should you have any additional questions, please give our office a call.

Sincerely,



Michelle Bibeau
As Agent for the Board of Directors

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 27, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 55 ROYAL OAKS PB 59 PGS 22 THRU 24

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

FINDINGS OF FACT

Property Owner: Heather Campbell
1497 Waukon Circle
Casselberry, FL 32707

Project Name: Waukon Circle (1497)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 10 feet for a proposed covered screen room addition in the R-3A (Multiple-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 covered screen room addition 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: