

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

SUBJECT: Request for (1) front yard setback variance from 25 feet to 15 feet for a proposed home; and (2) rear yard setback variance from 30 feet to 25 feet for a proposed home in the R-1 (Single-Family Dwelling District); (Arthur Jackson, Applicant).

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

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

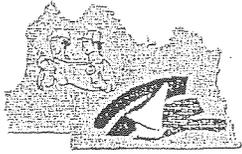
Agenda Date <u>02/27/06</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Public Hearing – 6:00 <input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. **APPROVE** Request for (1) front yard setback variance from 25 feet to 15 feet for a proposed home; and (2) rear yard setback variance from 30 feet to 25 feet for a proposed home in the R-1 (Single-Family Dwelling District); or
2. **DENY** Request for (1) front yard setback variance from 25 feet to 15 feet for a proposed home; and (2) rear yard setback variance from 30 feet to 25 feet for a proposed home in the R-1 (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Arthur Jackson LOCATION: 4531 Dubois Street ZONING: R-1 (Single-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> The applicant proposes to construct a single-family home that would encroach 10 feet into the 25 foot front yard setback and 5 feet into the 30 foot rear setback. There is no record of prior variances having been granted for this property.
STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"> No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved

	<p>and which are not applicable to other lands, structures or building in the same zoning district. The minimum house size for the zoning district is 700 square feet.</p> <ul style="list-style-type: none">• The special conditions and circumstances result from the actions of the applicant. A home with a different floor plan could be designed to meet the district set backs.• 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.
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 home 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. BV 2006-007

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 30 FT. TO 25 FT. FOR A PROPOSED HOME
- 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	Arthur L Jackson	
ADDRESS	4531 DuBois St Sanford, FL 32747	
PHONE 1	407 323 0275	
PHONE 2		
E-MAIL		

PROJECT NAME: _____

SITE ADDRESS: 4531 DuBois St

CURRENT USE OF PROPERTY: Vacant

LEGAL DESCRIPTION: Lot S-106-107 1/2 vacd Alley Adjon South Bockertown PB 4 RG 98

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 20-19-30-501-0000-1060

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 21 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.

Arthur L Jackson 1-10-06
 SIGNATURE OF OWNER OR AGENT* DATE

ADDITIONAL VARIANCES

VARIANCE 2:

FRONT YARD SETBACK VARIANCE FROM 25 FT. TO 10 FT. FOR A PROPOSED HOME.

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 + 50.00 COMMISSION DISTRICT _____ FLU / ZONING R-1 / MOR

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____

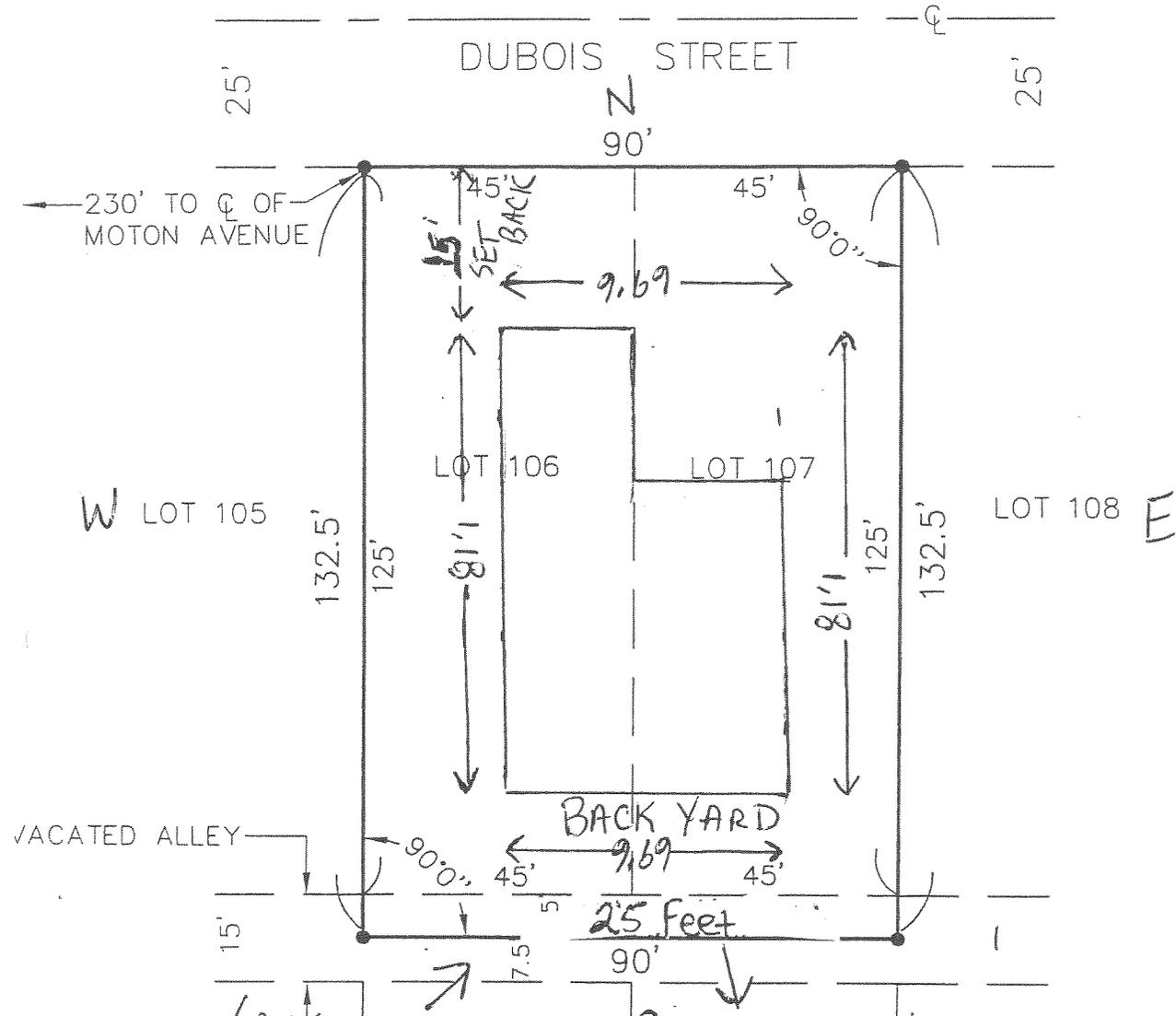
SUFFICIENCY COMMENTS _____

SKETCH AND DESCRIPTION

FOR

ARTHUR JACKSON

DESCRIPTION: LOTS 106 AND 107, AND THE NORTH 1/2 OF THE ALLEY SOUTH OF SAID PROPERTY, BOOKERTOWN, AS RECORDED IN PLAT BOOK 4, PAGES 97 AND 98, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



SURVEY REPORT: (BACK YARD SETBACK VARIANCE FROM 30 feet to 25 feet) NEED VARIANCE FOR 5 feet IN BACK YARD



- This sketch does not reflect or determine ownership.
- Title data has not been furnished to this surveyor unless otherwise noted.
- Underground improvements or underground foundations have not been located except as noted on survey map.
- According to the Federal Insurance Rate Map, this property lies in Zone(s) "X", Community Panel number 12117C0030 E, Dated: 4-17-95.
- This property lies Section 20, Township 19 S., Range 30 E., Seminole County, Florida.

HENRICH-LUKE & SWAGGERTY, LLC

surveyors & mappers
250 S. Ronald Reagan Blvd. Ste. 114
Longwood, Florida 32750
(407) 647-7346
FAX (407) 647-8097
Licensed Business No. 7276



FIELD SURVEY DATE:
SKETCH: 7-1-05
BOUNDARY:
FOUNDATION:
FINAL :
WORK ORDER: E-2083

Mark I. Luke
Mark I. Luke
Professional Surveyor and Mapper
Florida License No. 5006

This survey report and survey map or copies thereof are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper.

FILE: 210-05

<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>GENERAL</p> <p>Parcel Id: 20-19-30-501-0000-1060</p> <p>Owner: JACKSON ARTHUR & PRISCILLA H</p> <p>Mailing Address: PO BOX 470162</p> <p>City,State,ZipCode: LAKE MONROE FL 32747</p> <p>Property Address: 4521 DU BOIS ST</p> <p>Subdivision Name: BOOKERTOWN</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>	<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$5,616</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$5,616</p> <p>Assessed Value (SOH): \$5,616</p> <p>Exempt Value: \$5,616</p> <p>Taxable Value: \$0</p> <p>Tax Estimator</p>																					
<p>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>QUIT CLAIM DEED</td> <td>05/1989</td> <td>02066</td> <td>1990</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>04/1984</td> <td>01540</td> <td>1916</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	05/1989	02066	1990	\$100	Improved	No	QUIT CLAIM DEED	04/1984	01540	1916	\$100	Improved	No	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$184</p> <p>2005 Tax Bill Amount: \$184</p> <p>Save Our Homes (SOH) Savings: \$0</p> <p>2005 Taxable Value: \$11,232</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																
QUIT CLAIM DEED	05/1989	02066	1990	\$100	Improved	No																
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Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																	
FRONT FOOT & DEPTH	90	132	.000	65.00	\$5,616																	
<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>																						

Lot 200 + 201 - ① Lot size 8,400 - 5,200

② Lot width 70-40

③ Side Street 25-15

④ Side yard 10-5

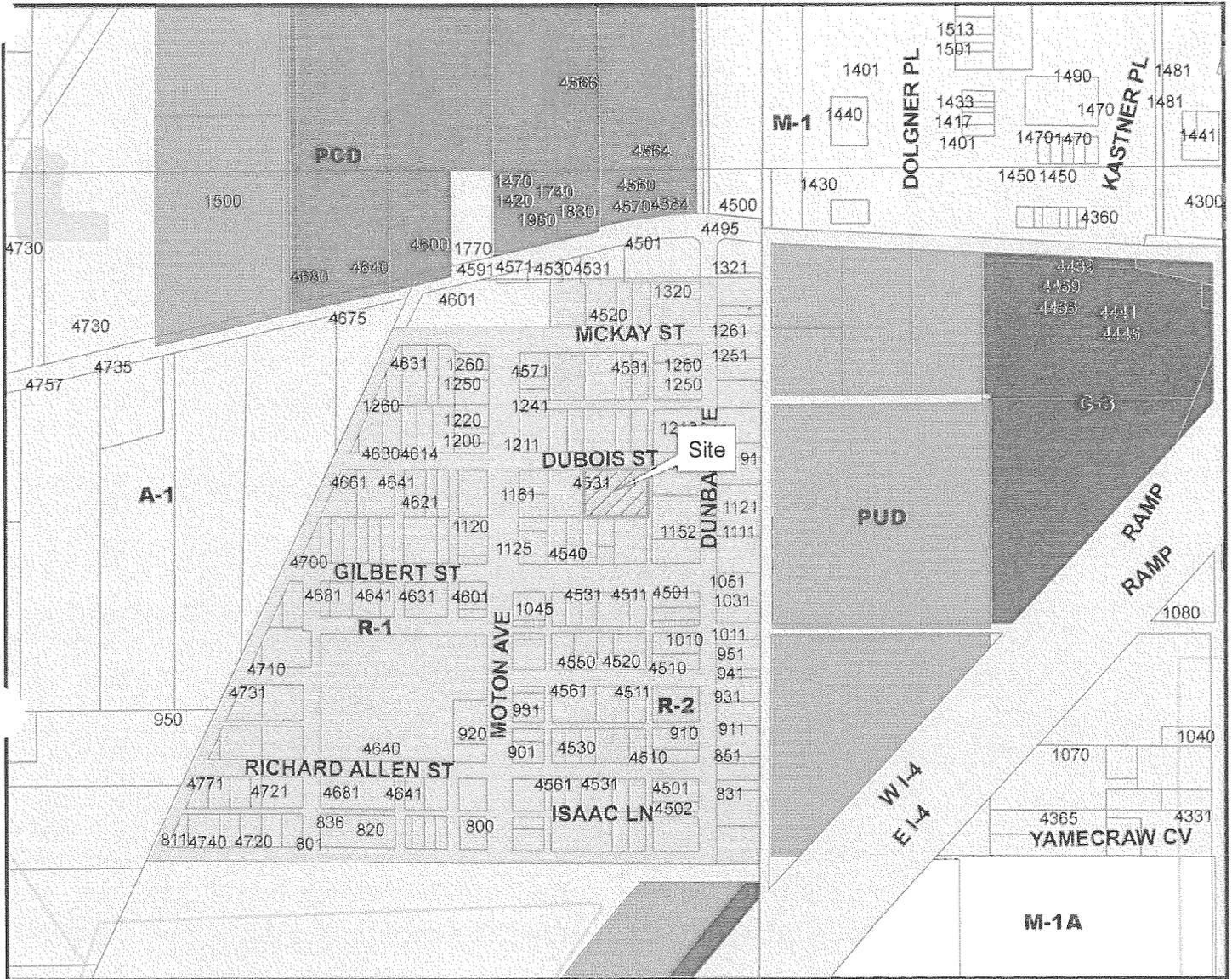
Lot 255 + 256 - ① Lot size 8,400 - 5,200

② Front 25-14

③ Rear 30-9

④ House size 700 s.f. - 300 s.f.

Arthur L. Jackson
 4531 Dubois St.
 Sanford, FL 32747

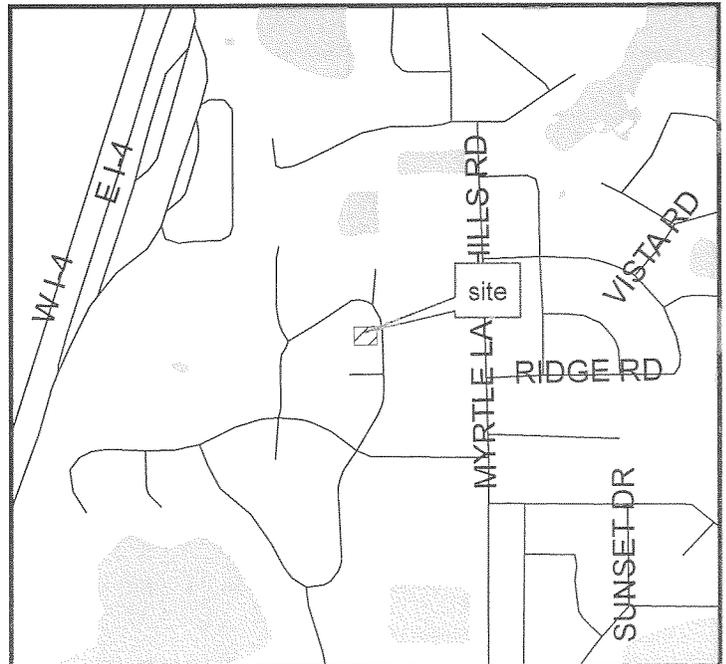


Seminole County Board of Adjustment
 February 27, 2006
 Case: BV2006-007
 Parcel No: 20-19-30-501-0000-1060

Zoning

	BV2006-007_Zon		C-3
	A-1		M-1A
	R-1		M-1
	R-2		PUD
	C-1		PCD
	C-2		

0 87.5 175 350 525 700 Feet



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On (Month Date, Year) Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOTS 106 & 107 & ½ VACD ALLEY ADJ ON S BOOKERTOWN PB 4 PG 98

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

FINDINGS OF FACT

Property Owner: ARTHUR & PRISCILLA JACKSON
PO BOX 470162
LAKE MONROE, FL 32747

Project Name: DU BOISE STREET 4512

Requested Development Approval:

REQUEST FOR (1) FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED HOME; AND (2) REAR YARD SETBACK VARIANCE FROM 30 FEET TO 25 FEET FOR A PROPOSED HOME IN THE R-1 (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: Michael Rumer, Senior 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 home 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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: