

Item #BV2006-009

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 30 feet to 14.10 feet for a covered screen room in the R-1A (Single-Family Dwelling District); (Robert L. Yates, applicant).

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

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

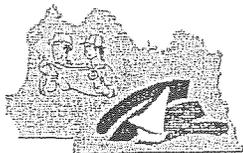
Agenda Date 2/27/05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 14.10 feet for a covered screen room in the R-1A (Single-Family Dwelling District); (Robert L. Yates, applicant); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 14.10 feet for a covered screen room in the R-1A (Single-Family Dwelling District); (Robert L. Yates, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Robert L. Yates LOCATION: 2810 Casa Aloma Way ZONING: R-1A (Single-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to replace a screen room addition that would encroach 16 feet into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The Board of Adjustment has granted similar variances on nearby properties in the Casa Aloma subdivision. (BA98-4-54V, BA92-6-58V, BA86-6-80V) • The applicant proposes to construct a covered screen room (approximately 10' x 20') on the existing concrete slab. • 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 covered screen room 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.



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. BV2006-009

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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 from 30 feet to 14.10 for a covered screen room.
- SPECIAL EXCEPTION**
- LIMITED USE** 01-11-06 P02:
- SF DWELLING UNDER CONSTRUCTION 01-11-06 P02:
- 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	<u>Robert L. Yates</u>	
ADDRESS	<u>2810 Casa Aloma Way</u>	
	<u>Winter Park, FL 32792</u>	
PHONE 1	<u>407-331-6622</u>	
PHONE 2	<u>407-251-4803 Cel</u>	
E-MAIL		

PROJECT NAME: _____

SITE ADDRESS: 2810 Casa Aloma Way, Winter Park, FL 32792

CURRENT USE OF PROPERTY: Residential

LEGAL DESCRIPTION: Lot 8, Casa Aloma, Plot BK 15 Page 7
Property ID 33-21-30-509-0000-0080

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 33-21-30-509-0000-0080

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 2, 20, 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.

Robert L. Yates

02/10/2006
DATE

SIGNATURE OF OWNER OR AGENT*

* If the signature of the applicant is required with submittal, it should be 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 LDR / R-1A

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

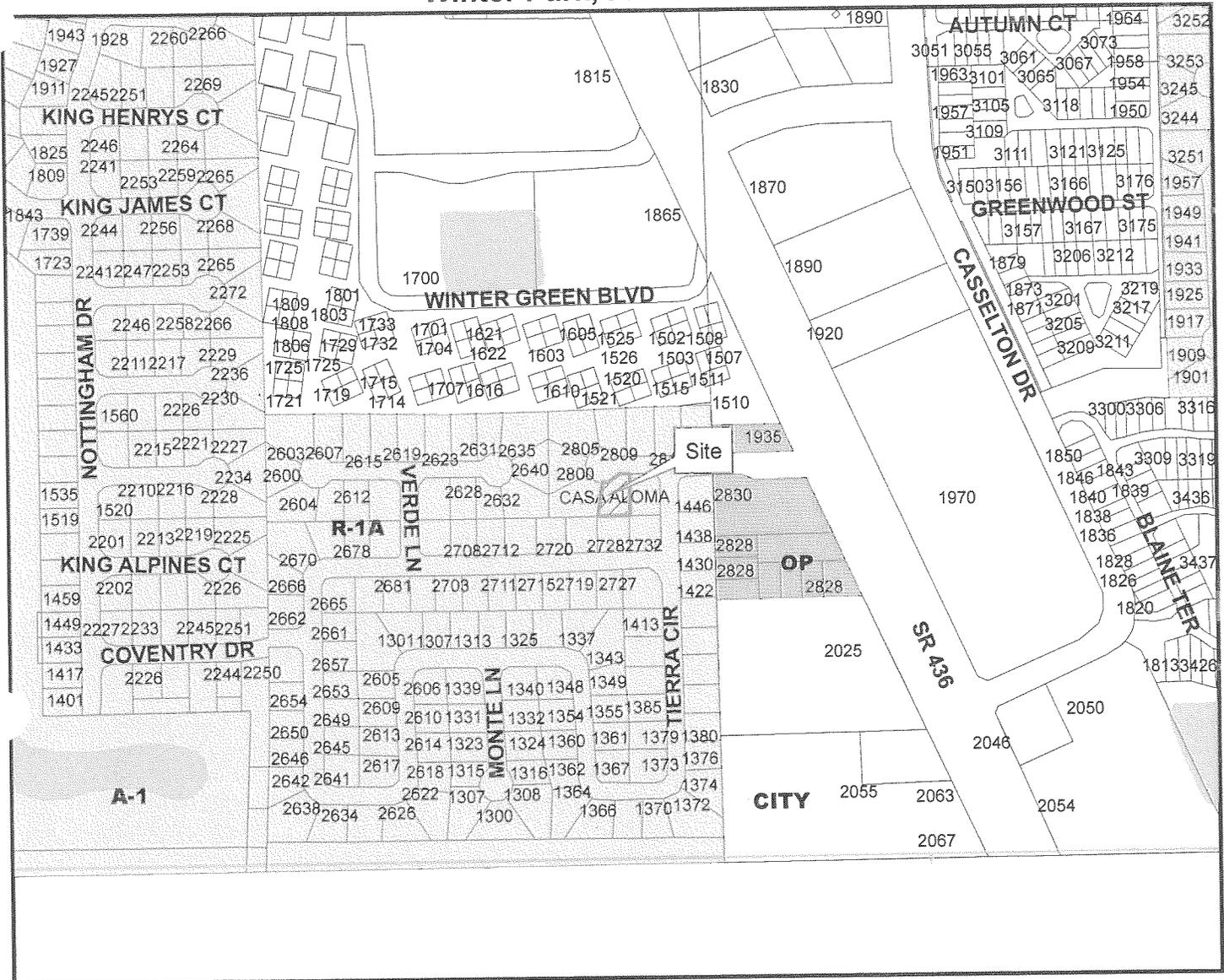
PLANNING ADVISOR

DATE

SUFFICIENCY COMMENTS

<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: 33-21-30-509-0000-0080</p> <p>Owner: YATES ROBERT L & SYDNEY C</p> <p>Mailing Address: 2810 CASA ALOMA WAY</p> <p>City,State,ZipCode: WINTER PARK FL 32792</p> <p>Property Address: 2810 CASA ALOMA WAY WINTER PARK 32792</p> <p>Subdivision Name: CASA ALOMA</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: 1</p> <p>Depreciated Bldg Value: \$133,721</p> <p>Depreciated EXFT Value: \$680</p> <p>Land Value (Market): \$30,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$164,401</p> <p>Assessed Value (SOH): \$106,406</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$81,406</p> <p>Tax Estimator</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.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																				

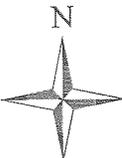
**Robert Yates
2810 Aloma Way
Winter Park, FL 32792**

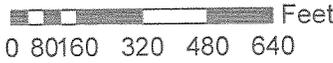


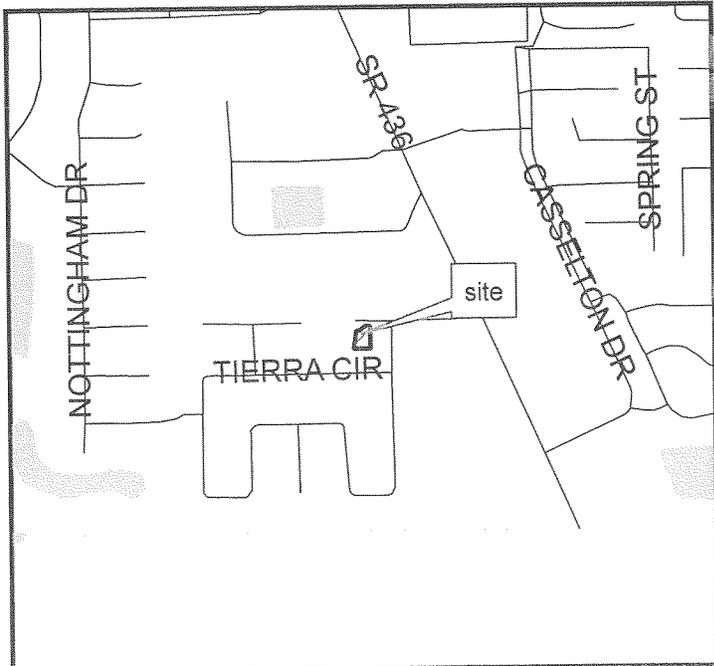
**Seminole County Board of Adjustment
February 27, 2006
Case: BV2006-009
Parcel No: 33-21-30-509-0000-0080**

Zoning

-  BV2006-009_Zon
-  A-1
-  R-1A
-  OP

N


 Feet
0 80 160 320 480 640



COPY

To: The Seminole County Planning and Development Department:

The Yates, who reside at 2810 Casa Aloma Way, have requested a variance in order to replace their existing screened porch. This porch has been on the property for nearly 30 years and replacing it will be an asset to the neighborhood. We would appreciate having this variance granted.

Sincerely,



Jason L. Smith
407-677-9739

2805 Casa Aloma Way
Winter Park FL 32792

Seminole County Planning and Development Department

COPY

To Whom It May Concern:

Robert Yates intends to replace the screened porch structure on his property and needs a variance to get this work done. This porch has been there for many years and replacing it will maintain and enhance the value of that property and the others in the neighborhood. It would please us to see this variance granted.

Thank you.

A handwritten signature in cursive script that reads "Robert C. Southerland". The signature is fluid and includes a long horizontal flourish at the end.

Robert Southerland
2806 Casa Aloma Way
Winter Park FL 32792

407-671-4619

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:

LEG LOT 8 CASA ALOMA PB 15 PG 7

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

FINDINGS OF FACT

Property Owner: Robert L. Yates
2810 Casa Aloma Way
Winter Park, FL 32792

Project Name: Casa Aloma Way (2810)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 14.10 feet for a covered screen room in the R-1A (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 covered screen room 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: