

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

SUBJECT: Request for rear yard setback variance from 30 feet to 10 feet for a proposed detached garage in the R-1A (Single-Family Dwelling District); (Peter Martin, Applicant).

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

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

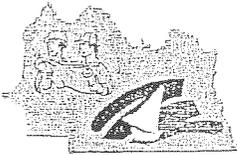
Agenda Date <u>02/27/06</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Public Hearing – 6:00 <input checked="" type="checkbox"/>

MOTION/RECOMMENDATION:

1. **APPROVE** Request for rear yard setback variance from 30 feet to 10 feet for a proposed detached garage in the R-1A (Single-Family Dwelling District); (Peter Martin, Applicant); or
2. **DENY** Request for rear yard setback variance from 30 feet to 10 feet for a proposed detached garage in the R-1A (Single-Family Dwelling District); (Peter Martin, Applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Peter Martin LOCATION: 426 W Crystal Drive ZONING: R-1A (Single-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> The applicant proposes to construct a 22' x 25' detached garage that would encroach 20 feet into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. 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 existing home currently contains a carport that could be enclosed with room to expand.</p> <ul style="list-style-type: none">• The requested variance would not be the minimum that would make possible the reasonable use of the property. The detached garage could be located further from the rear property line.• Special conditions and circumstances result from the actions of the applicant. The applicant could locate the structure• 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 detached garage 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 2006-010

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 set back variance from 30' to 10' for garage
- 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**

1-11-06

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Peter Martin</u>	
ADDRESS	<u>426 W Crystal dr. Sanford FL 32773</u>	
PHONE 1	<u>407-687-3452</u>	
PHONE 2	<u>407-330-3274</u>	
E-MAIL		

PROJECT NAME: _____
 SITE ADDRESS: 426 W Crystal dr, Sanford FL 32773
 CURRENT USE OF PROPERTY: Residence
 LEGAL DESCRIPTION: Lot 7 BLK Loch Arbor - Phillips sec p6 9 pg 66 Info 0300-0090 cut out for 95
 SIZE OF PROPERTY: 100' x 120' acre(s) PARCEL I.D. 04-20-20-506-0100-0070
 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 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.

Peter Martin
 SIGNATURE OF OWNER OR AGENT* 1-11-06
DATE

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): 190.00

COMMISSION DISTRICT

FLU / ZONING

LDR / R-1A

BCC HEARING DATE

(FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR

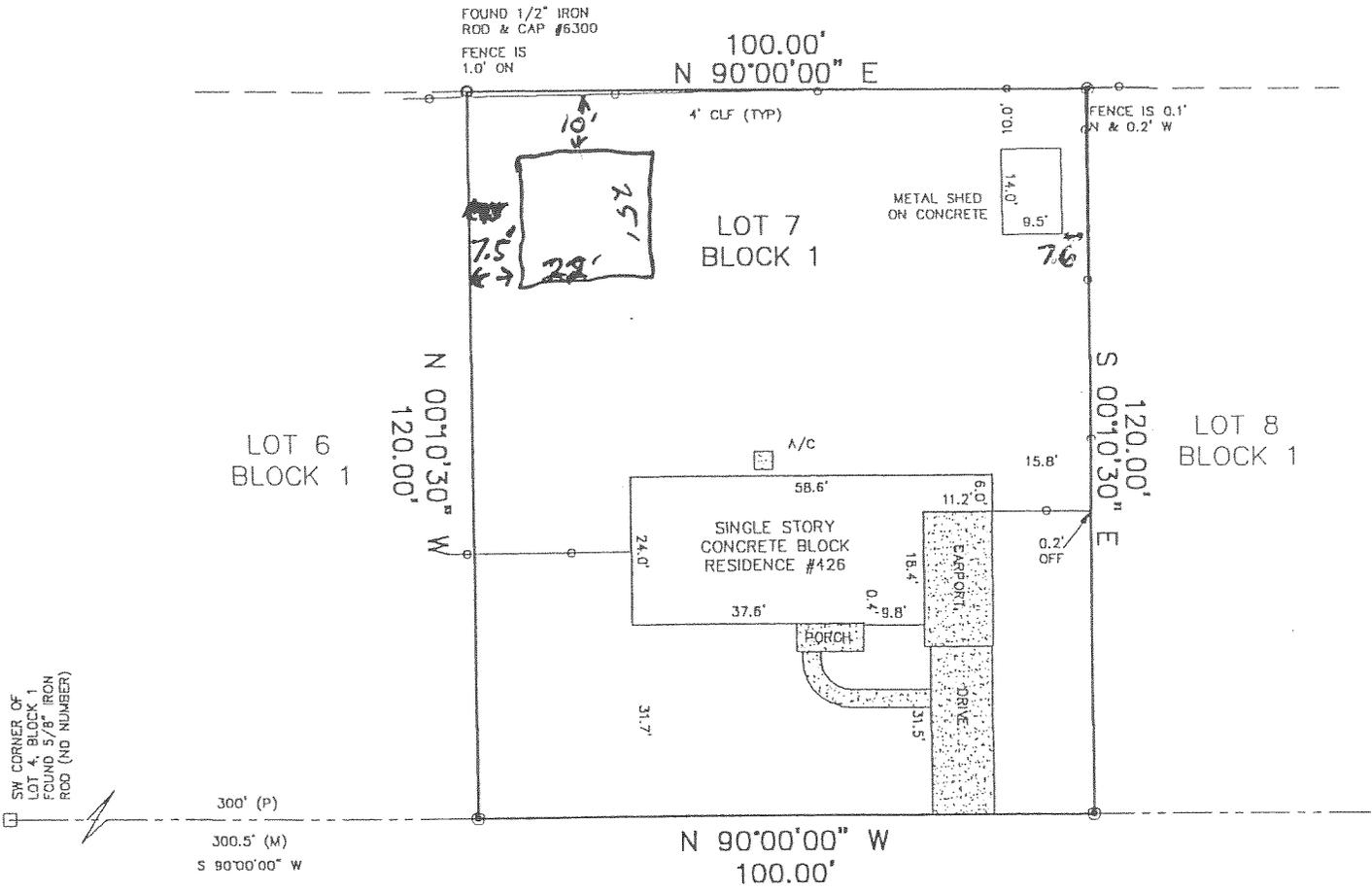
DATE

SUFFICIENCY COMMENTS

PLAT OF SURVEY

DESCRIPTION: (AS FURNISHED)

LOT 7, BLOCK 1, LOCH ARBOR – PHILLIPS SECTION, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 9, PAGES 65 & 66, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



WEST CRYSTAL DRIVE
PLATTED 60' RIGHT OF WAY
ASPHALT ROADWAY

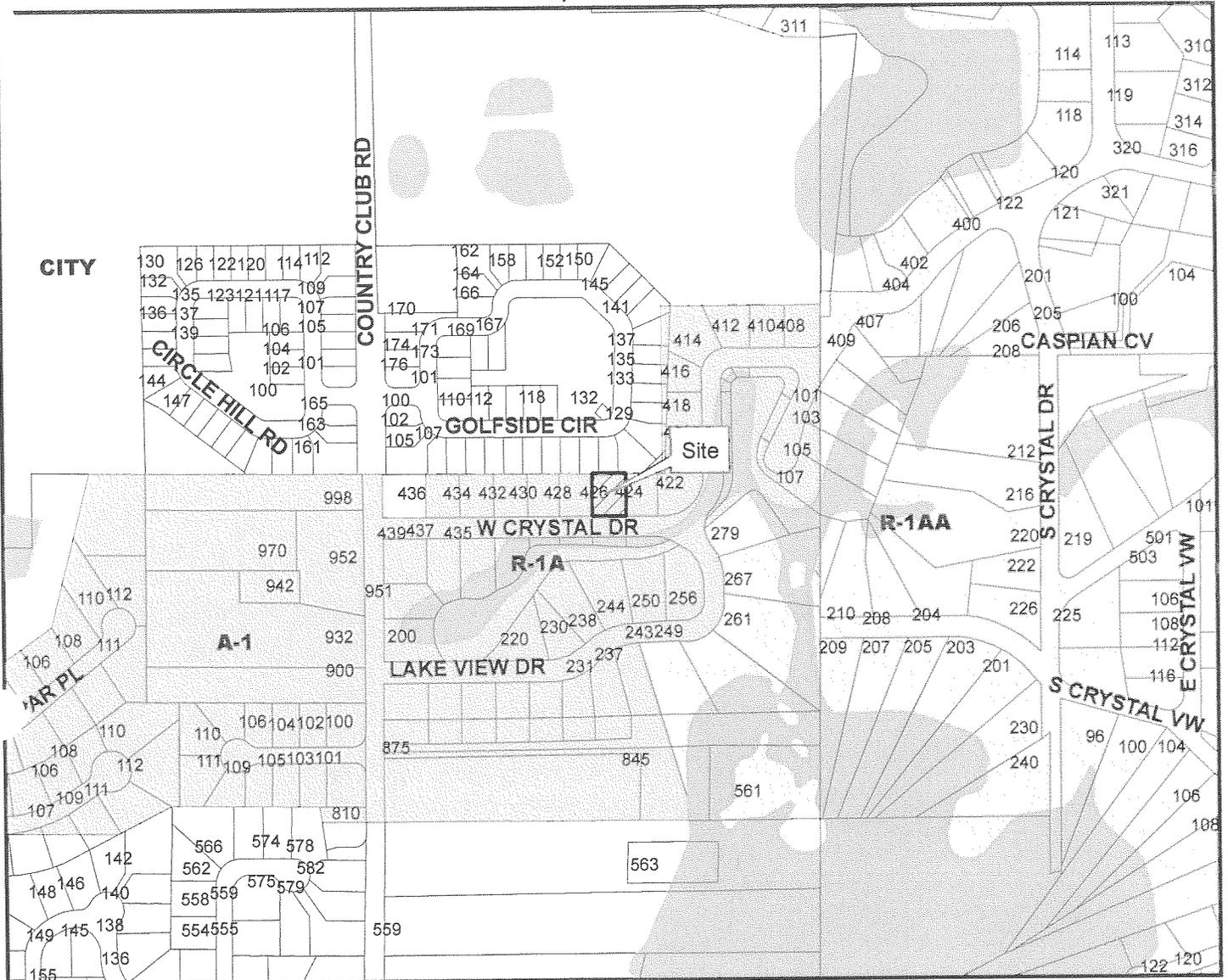


LEGEND:

- | | | | |
|---|--|-----|------------------------------|
| ⊙ | DENOTES SET 1/2" IRON ROD & CAP LB #6393 | RP | RADIUS POINT |
| R | DENOTES RADIUS | LS | LAND SURVEYING BUSINESS |
| Δ | DENOTES DELTA ANGLE | LS | LAND SURVEYOR |
| L | DENOTES ARC LENGTH | PRM | PERMANENT REFERENCE MONUMENT |
| | | PCP | PERMANENT CONTROL POINT |
| | | PI | POINT OF INTERSECTION |
| | | PT | POINT OF TANGENCY |

<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 407-665-7506</p>																																																			
<p align="center">GENERAL</p> <p>Parcel Id: 04-20-30-506-0100-0070 Owner: MARTIN LISA L Mailing Address: 426 W CRYSTAL DR City,State,ZipCode: SANFORD FL 32773 Property Address: 426 CRYSTAL DR W SANFORD 32773 Subdivision Name: LOCH ARBOR-PHILLIPS SEC 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: \$56,834 Depreciated EXFT Value: \$0 Land Value (Market): \$18,200 Land Value Ag: \$0 Just/Market Value: \$75,034 Assessed Value (SOH): \$52,907 Exempt Value: \$25,000 Taxable Value: \$27,907</p> <p align="right">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>04/1999</td> <td>03817</td> <td>1746</td> <td>\$72,900</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1999</td> <td>03619</td> <td>0973</td> <td>\$52,000</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	04/1999	03817	1746	\$72,900	Improved	No	WARRANTY DEED	03/1999	03619	0973	\$52,000	Improved	No	<p align="center">2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$837 2005 Tax Bill Amount: \$432 Save Our Homes (SOH) Savings: \$405 2005 Taxable Value: \$26,366</p> <p align="center">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>																																																			

Peter Martin
 426 W. Crystal Dr.
 Sanford, FL 32773



Seminole County Board of Adjustment
February 27, 2006
Case: BV2006-010
Parcel No: 04-20-30-506-0100-0070

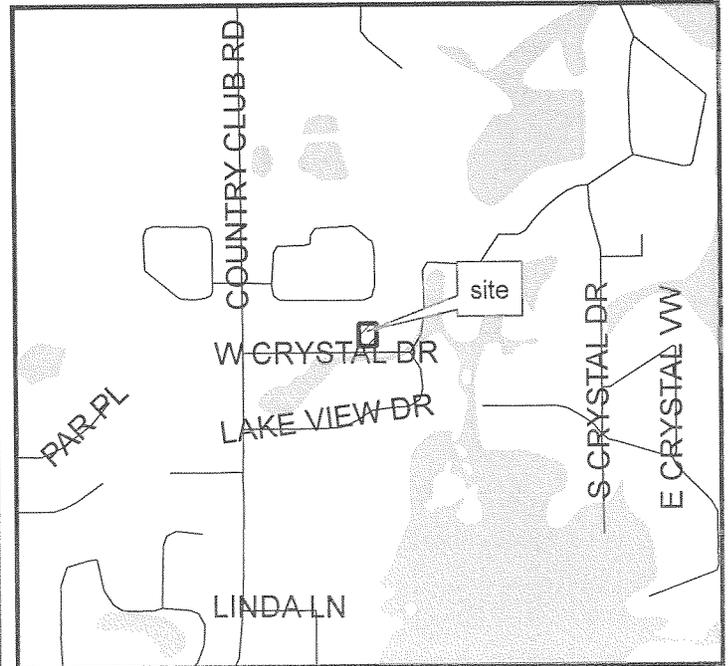
Zoning

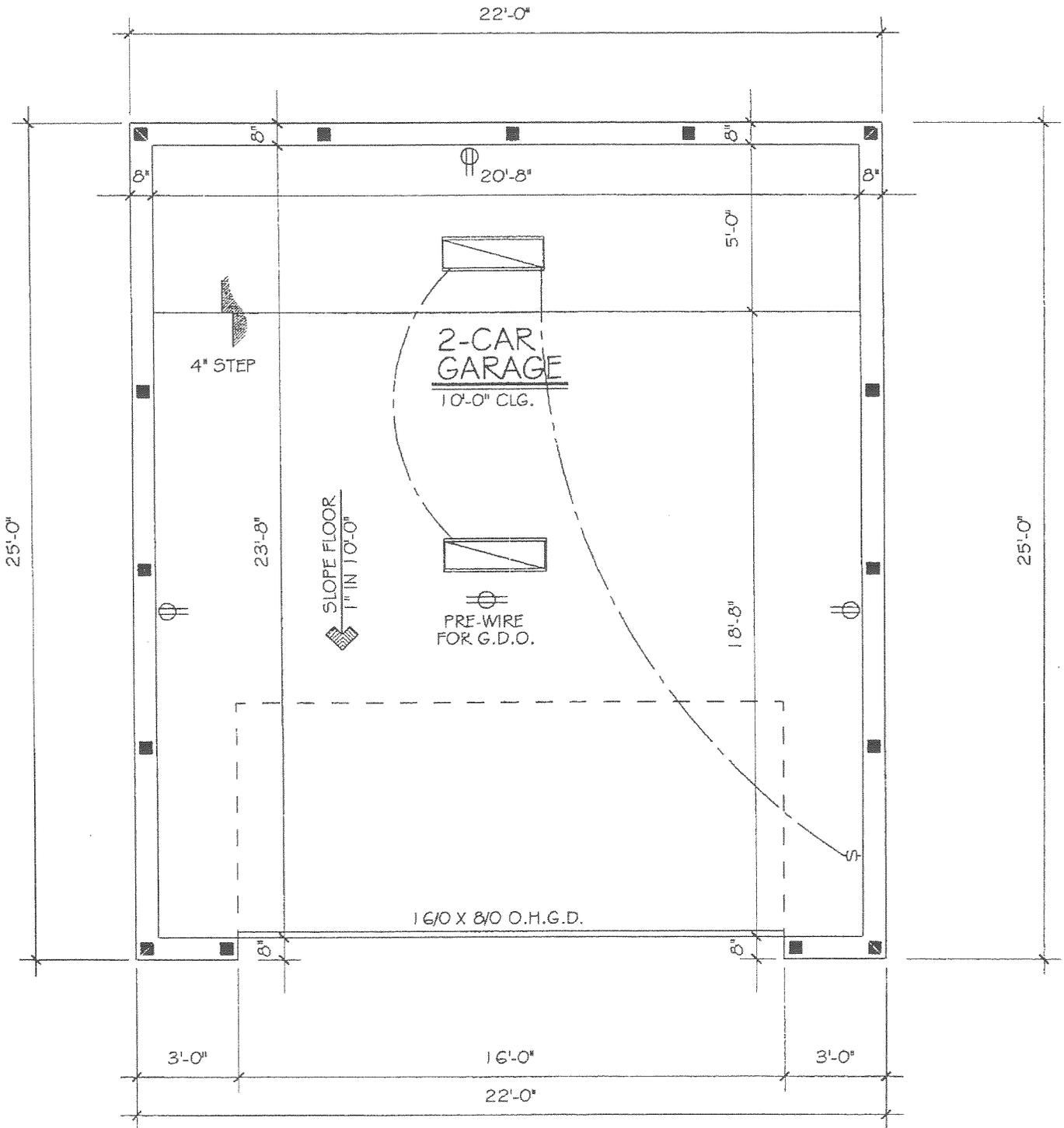
	BV2006-010_Zon
	A-1
	R-1AA
	R-1A

N



0 95 190 380 570 760 Feet





not to scale

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 7 BLK 1 LOCH ARBOR-PHILLIPS SEC PB 9 PG 66

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

FINDINGS OF FACT

Property Owner: Lisa Martin
426 W Crystal Drive
Sanford, FL 32773

Project Name: W Crystal Drive (426)

Requested Development Approval:

REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 10 FEET FOR A PROPOSED DETACHED GARAGE 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: 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 22' x 25' detached garage 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: