

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

SUBJECT: Request for a rear yard setback variance from 30 feet to 17 feet for a replacement screen room addition in the R-1AA (Single-Family Dwelling District); (Roger A. Repstien, applicant).

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

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

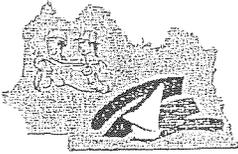
Agenda Date 2/27/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 17 feet for a replacement screen room addition in the R-1AA (Single-Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 17 feet for a replacement screen room addition in the R-1AA (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Roger A. Repstien LOCATION: 2022 Collier Drive ZONING: R-1AA (Single-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant constructed a replacement screen room addition that encroaches 13 feet into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant was cited on 5/6/05 by the Code Enforcement department for unpermitted construction on the subject property. • The applicant has submitted a building permit application for this replacement addition. (05-21191) • 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

	<p>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 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.
<p>STAFF RECOMMENDATION</p>	<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 replacement 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.



COPY

APPL. NO. BV 2006-011

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 SET BACK FROM 30' TO 18'-10" 17'-0"
- SPECIAL EXCEPTION**
- LIMITED USE** 01-11-06P03:39
- SF DWELLING UNDER CONSTRUCTION MEDICAL HARDSHIP
- 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>Diane L. Rice</u>	<u>Roger A. Repstien</u>	
ADDRESS	<u>2022 COLLIER DR</u>	<u>524 Fernwood Drive</u>	
	<u>Fern Park FL</u>	<u>Altamonte Springs FL</u>	
PHONE 1	<u>407 331 1188</u>	<u>407 830 6522</u>	
PHONE 2	<u>407 256 7826</u>	<u>321 228 8729</u>	
E-MAIL			

PROJECT NAME: D. Rice As Built Porch

SITE ADDRESS: 2022 COLLIER DRIVE

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: LOT 6 BLOCK 12, INDIAN HILLS UNIT

TWO AS RECORDED PLAT BOOK 14 PAGE 30 PUBLIC RECORDS

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 20-21-30-508-1200-0060

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS BUILDING PERMIT APPLICATION
05-21192

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.

[Signature]
 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): 150.00

COMMISSION DISTRICT

FLU / ZONING

R-1AA/LDR

BCC HEARING DATE

(FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

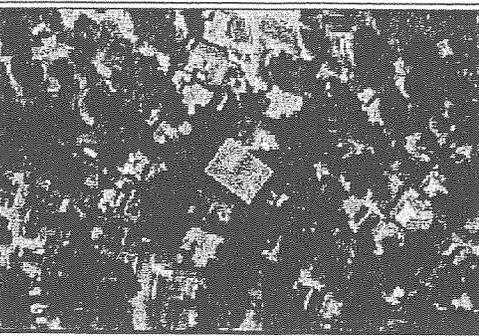
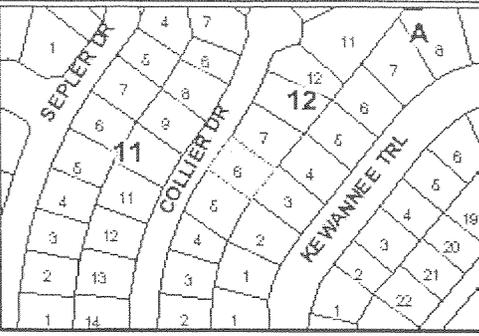
PLANNING ADVISOR

DATE

SUFFICIENCY COMMENTS

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-665-7506



GENERAL

Parcel Id: 20-21-30-508-1200-0060
 Owner: RICE DIANE L
 Mailing Address: 2022 COLLIER DR
 City,State,ZipCode: CASSELBERRY FL 32730
 Property Address: 2022 COLLIER DR FERN PARK 32707
 Subdivision Name: INDIAN HILLS UNIT 2
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$135,400
 Depreciated EXFT Value: \$7,912
 Land Value (Market): \$25,000
 Land Value Ag: \$0
 Just/Market Value: \$168,312
 Assessed Value (SOH): \$112,821
 Exempt Value: \$25,000
 Taxable Value: \$87,821
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
QUIT CLAIM DEED	10/2000	03948	0544	\$100	Improved	No
WARRANTY DEED	05/1981	01335	1539	\$80,900	Improved	Yes

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH): \$2,373
 2005 Tax Bill Amount: \$1,385
 Save Our Homes (SOH) Savings: \$988
 2005 Taxable Value: \$84,535
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	25,000.00	\$25,000

LEGAL DESCRIPTION

PLATS:
 LEG LOT 6 BLK 12 INDIAN HILLS UNIT 2 PB 14 PG 80

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1968	6	1,890	2,545	1,890	BRICKWOOD FRAMING	\$135,400	\$166,135
	Appendage / Sqft		UTILITY FINISHED / 119						
	Appendage / Sqft		OPEN PORCH FINISHED / 30						
	Appendage / Sqft		GARAGE FINISHED / 506						

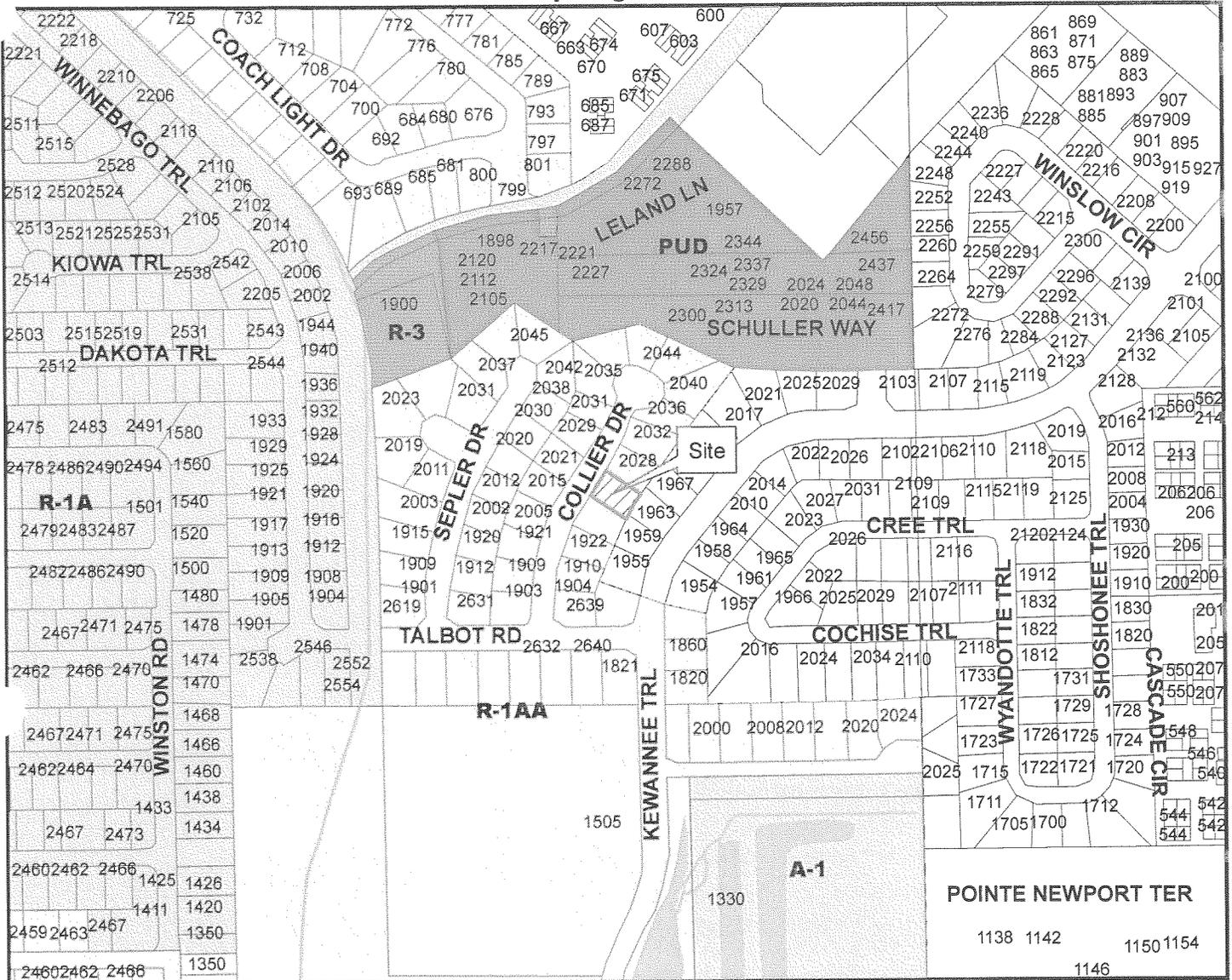
NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
ALUM SCREEN PORCH W/CONC FL	1979	240	\$816	\$2,040
BLOCK WALL	1979	1,740	\$2,088	\$5,220
POOL GUNITE	1986	450	\$4,500	\$9,000
COOL DECK PATIO	1986	290	\$508	\$1,015

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.

Roger Repstien
 524 Fernwood Dr.
 Altamonte Springs, FL 32701

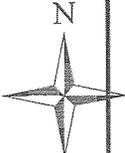


Seminole County Board of Adjustment
February 27, 2006
Case: BV2006-011
Parcel No: 20-21-30-508-1200-0060

Zoning

 BV2006-011_Zon	 R-1A
 A-1	 R-3
 R-1AA	 PUD

N



0 95 190 380 570 760 Feet





Architecture
Engineering
Master Planning
Land Development

To whom it may concern
Seminole County Planning and Zoning
Seminole County Services Bldg.
Sanford, FL 32771

January 9, 2006

RE: Diane Rice Residence Variance
2022 Collier Drive
Fern Park, Florida 32730

To whom it may concern

This letter is to act as notice that I Roger A. Repstien, have been granted authority to act as the owners agent regarding the application of the zoning variance for the above existing structure.

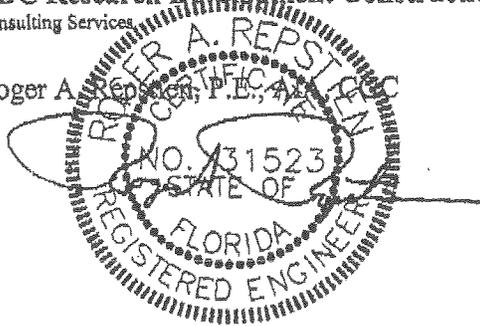
If I may be of further service to you or your staff, please do not hesitate to contact me.

Thank you.

Sincerely,

RDC Research Development Construction
Consulting Services

Roger A. Repstien, P.E., A.S.T.



Authorized Signature

Dated 1-9-06

Diane Rice
2022 Collier Drive
Fern Park, Florida 32730

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 6 BLK 12 INDIAN HILLS UNIT 2 PB 14 PG 80

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

FINDINGS OF FACT

Property Owner: Diane Rice
2022 Collier Drive
Casselberry, FL 32730

Project Name: Collier Drive (2022)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 17 feet for a replacement screen room addition 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 replacement 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: