Item #BV2006-020

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in the R-1A (Single-Family Dwelling District); (Donald & Mary Banks, applicants).

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

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

Agenda Date 3/27/06 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

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

GENERAL INFORMATION	APPLICANT:	Donald & Mary Banks
	LOCATION:	1043 Manchester Circle
	ZONING:	R-1A (Single-Family Dwelling District)
BACKGROUND / REQUEST	• The applicant proposes to construct a 400 square foot addition to an existing 1,600 square foot single-family home that would encroach 5 feet into the minimum 30 foot rear yard setback; the aforementioned variance is thereby requested. • The applicant submitted plans for the addition to the Building Division on 1/4/06. (App. # 06 00000082) • 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:	

	• 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. • Reasonable use of the property would be retained without the grant of the requested variance. • 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 need for a variance would be negated by relocating the proposed addition and repositioning to meet the required setbacks.
STAFF RECOMMENDATION	• 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: • Any variance granted shall apply only to the proposed 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.

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. BV2006-020

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:

X **VARIANCE** Rear yard setback from 30 feet to 25 feet

O **SPECIAL EXCEPTION**

O **LIMITED USE**

O SF DWELLING UNDER CONSTRUCTION O MEDICAL HARDSHIP
O NIGHT WATCHMAN O FAMILY HARDSHIP
O YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
O SIZE OF MOBILE HOME / RV _____ O TIME NEEDED
O PLAN TO BUILD O YES O NO IF SO, WHEN

O **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	DONALD + MARY BANKS	
ADDRESS	1043 MANCHESTER CIR.	
	WINTER PARK, FL 32792	
PHONE 1	407-677-9570	
PHONE 2	407-310-0914	
E-MAIL	dmbanks1@juno.com	

PROJECT NAME: _____

SITE ADDRESS: 1043 MANCHESTER CIRCLE

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: 26-21-30-503-0000-0360

SIZE OF PROPERTY: 9000 sq f. acre(s) PARCEL I.D. 26-21-30-503-0000-0360

UTILITIES: ✓ WATER O WELL ✓ SEWER O SEPTIC TANK O OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

IS PROPERTY ACCESSIBLE FOR INSPECTION ✓ YES O NO

This request will be considered at the Board of Adjustment regular meeting on 3/27/06 (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.

Mary Banks — 1/18/06
OWNER OR AGENT — DATE

ADDITIONAL VARIANCES

VARIANCE 2:

VARINACE 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:

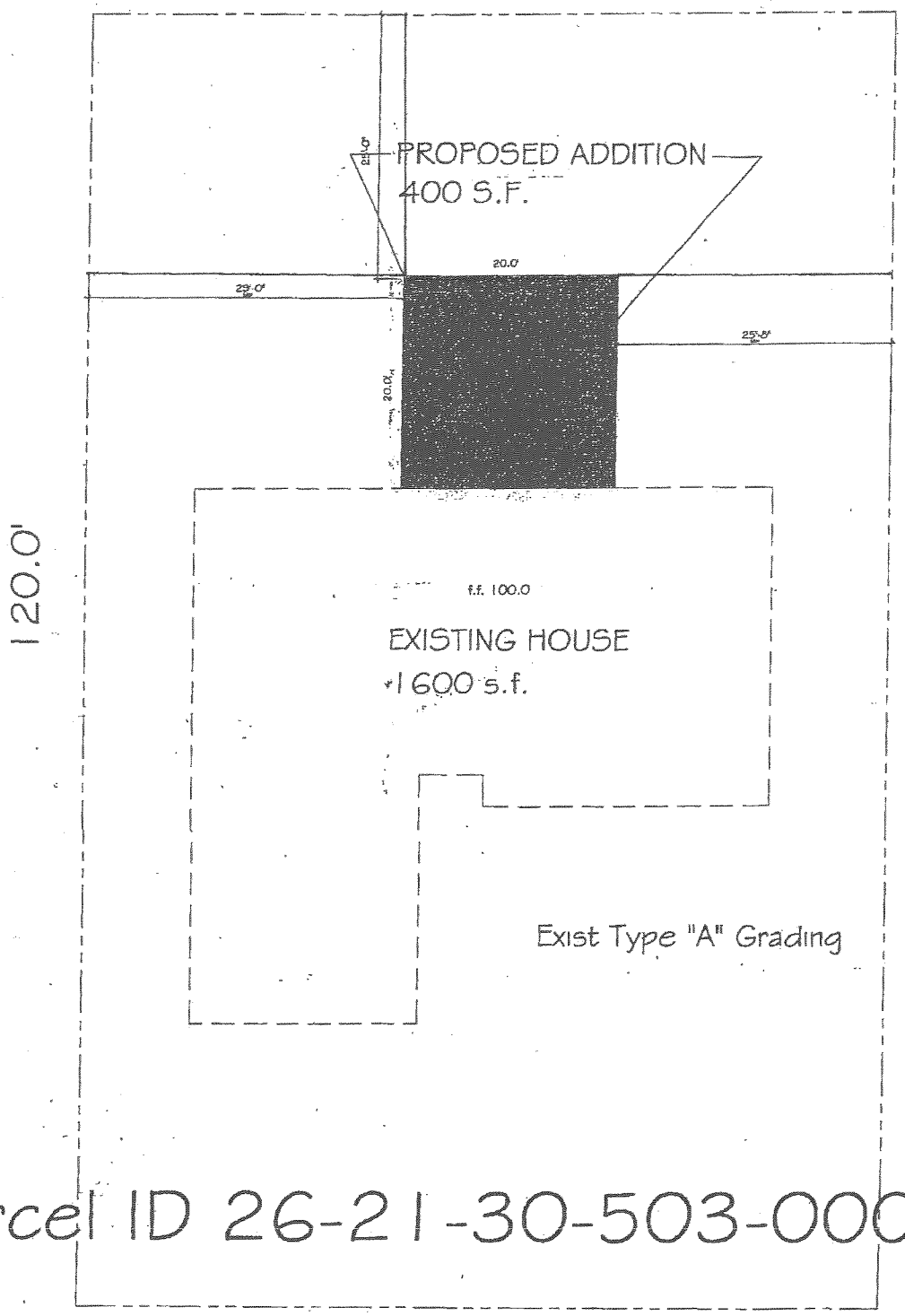
FEE(S): 150.00 COMMISSON DISTRICT FLU / ZONING R-1A/ LDR

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR DATE

SUFFICIENCY COMMENTS



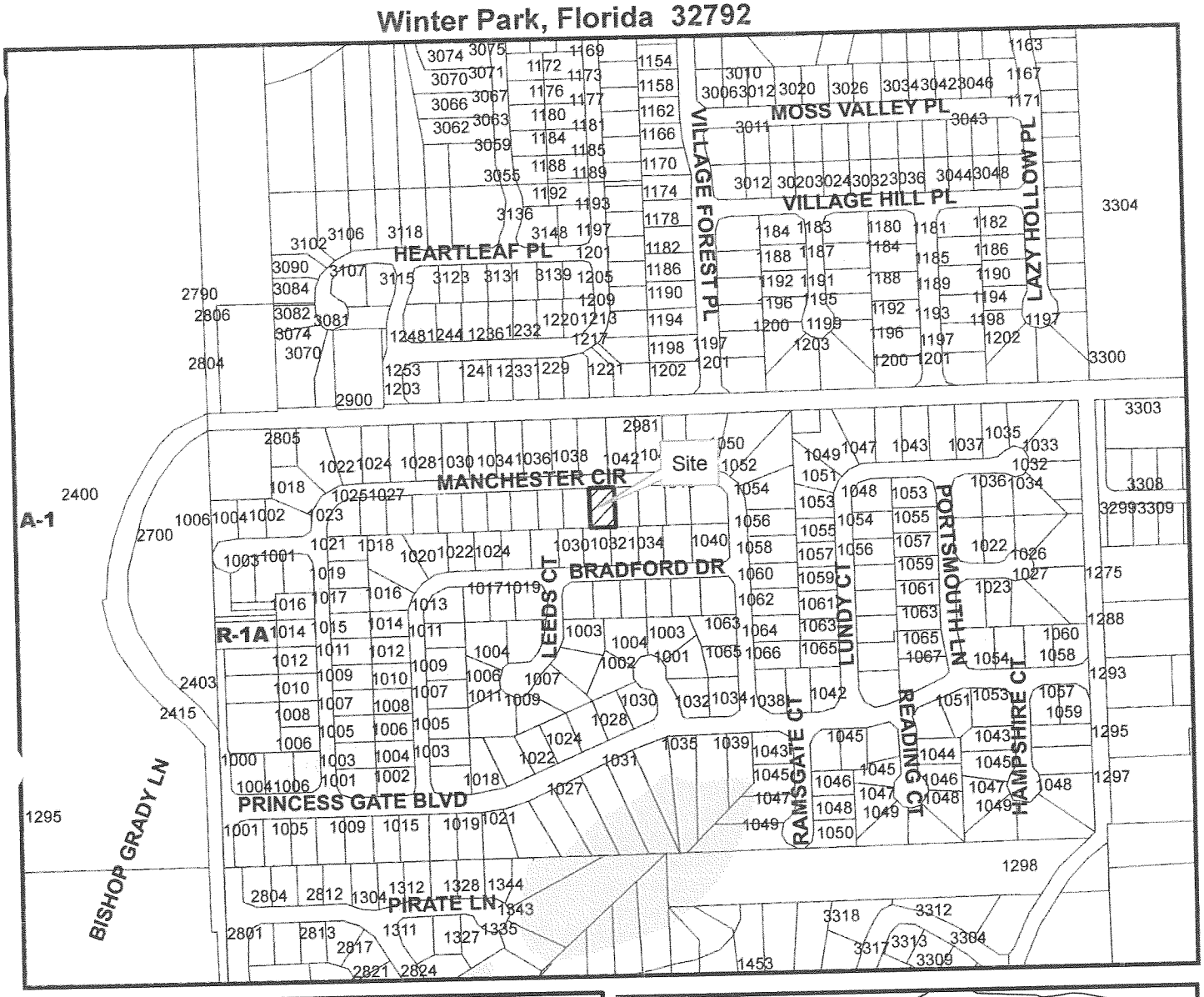
Parcel ID 26-21-30-503-0000-0360

MANCHESTER CIRCLE

SITE PLAN

SCALE: 1/8" = 1'-0"

Donald & Mary Banks
1043 Manchester Drive
Winter Park, Florida 32792



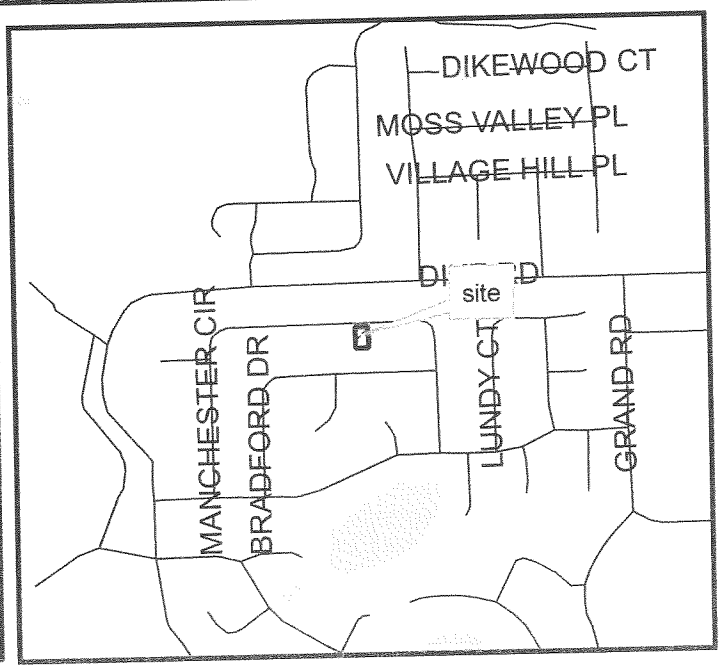
Seminole County Board of Adjustment
March 27, 2006
Case: BV2006-020
Parcel No: 26-21-30-503-0000-0360

Zoning

- BV2006-020
- A-1
- R-1A

N

Feet
0 90180 360 540 720



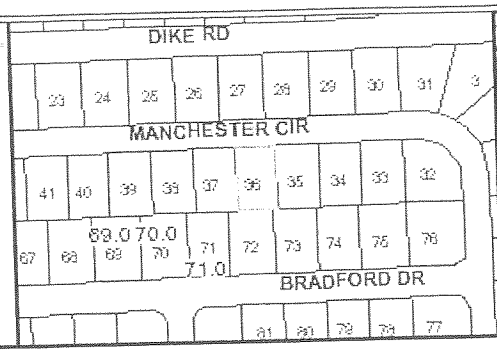
PARCEL DETAIL

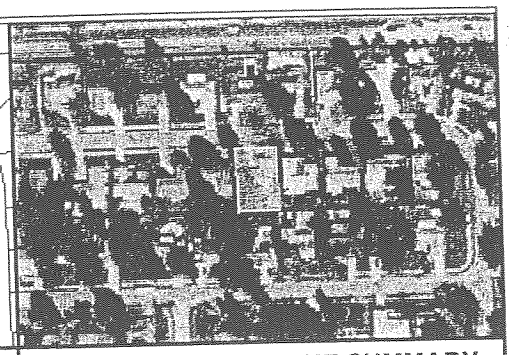
DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7506





GENERAL

Parcel Id:	26-21-30-503-0000-0360
Owner:	BANKS DONALD C & MARY L
Mailing Address:	1043 MANCHESTER DR
City,State,ZipCode:	WINTER PARK FL 32792
Property Address:	1043 MANCHESTER DR WINTER PARK 32792
Subdivision Name:	HOWELL ESTATES REPLAT
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:	$102,911
Depreciated EXFT Value:	$1,958
Land Value (Market):	$28,000
Land Value Ag:	$0
Just/Market Value:	$132,869
Assessed Value (SOH):	$117,727
Exempt Value:	$25,000
Taxable Value:	$92,727

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	02/1994	02733	1402	$78,500	Improved	Yes
WARRANTY DEED	07/1988	01982	1474	$76,800	Improved	Yes
WARRANTY DEED	12/1985	01699	1591	$69,900	Improved	Yes
WARRANTY DEED	05/1981	01338	0941	$59,500	Improved	Yes
WARRANTY DEED	01/1977	01147	1768	$35,000	Improved	Yes

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH):	$1,783
2005 Tax Bill Amount:	$1,463
Save Our Homes (SOH) Savings:	$320
2005 Taxable Value:	$89,298

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	28,000.00	$28,000

LEGAL DESCRIPTION

PLATS: Pick...

LEG LOT 36 HOWELL ESTATES REPLAT PB 18 PGS 47 + 48

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	1974	6	1,602	2,040	1,602	CONC BLOCK	$102,911	$119,664

Appendage / Sqft	OPEN PORCH FINISHED / 18
Appendage / Sqft	GARAGE FINISHED / 420

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

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
ALUM GLASS PORCH	1995	180	$1,958	$2,700

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.*

FILE NO.: BV2006-020 DEVELOPMENT ORDER # 06 30000020

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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

LEG LOT 36 HOWELL ESTATES REPLAT PB 18 PGS 47 + 48

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

FINDINGS OF FACT

Property Owner: Donald & Mary Banks
1043 Manchester Cir.
Winter Park, Fl 32792

Project Name: Manchester Circle (1043)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition 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 aforedescribed 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 proposed addition as depicted on the attached site plan.

(4) This Development Order touches and concerns the aforedescribed 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: