

BV2006-024

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

SUBJECT: Request for a side yard setback variance from 7 ½ feet to 5 ½ feet for an existing pool screen enclosure in the R-1A (Single Family Dwelling District); (Andrew Coplin/Pacific Pools, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7444

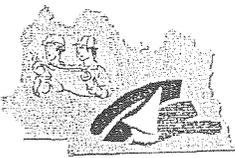
Agenda Date 03-27-06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side yard setback variance from 7 ½ feet to 5 ½ feet for an existing pool screen enclosure in the R-1A (Single Family Dwelling District); (Andrew Coplin/Pacific Pools, applicant).
2. **DENY** the request for a side yard setback variance from 7 ½ feet to 5 ½ feet for an existing pool screen enclosure in the R-1A (Single Family Dwelling District); (Andrew Coplin/Pacific Pools, applicant).
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Andrew Coplin/Pacific Pools Property Owner: Wendall Hill Location: 4318 Meeting Place Zoning: R-1A (Middleton Oaks)
BACKGROUND REQUEST /	<ul style="list-style-type: none">• The applicant constructed pool that encroaches 2 feet into the 7 ½ side yard setback requirement.• The applicant submitted a permit for the screen enclosure in 9/05 and can not receive final inspection until a variance is granted.• 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

	<p>which are not applicable to other lands, structures or building in the same zoning district. An existing concrete deck does not justify a hardship. Building permits are not required for concrete decking. Only when the deck is covered or walled is it considered a structure.</p> <ul style="list-style-type: none">• The applicant would retain reasonable use of the property without the requested variance.
STAFF RECOMMENDATION	<p>Based on the stated findings and the representations of the applicant, staff recommends approval of the request, subject to the following conditions:</p> <ol style="list-style-type: none">1. Any variance granted should apply only to the existing pool screen enclosure, as depicted on the attached site plan.2. Any additional conditions deemed appropriate, based on information presented at the public hearing.



COPY

APPL. NO. BV 2006-024

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** Screen enclosure over swimming pool (7'6" to 5'6") side setback from
- 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	<u>Hill</u>	<u>Pacific Pools of Orlando - Andrew Caplan</u>
ADDRESS	<u>4318 MEETING PLACE SANFORD, FL. 32773</u>	<u>934 N. Magnolia Ave. Suite 229 Orl, FL. 32803</u>
PHONE 1	<u>407-330-6804</u>	<u>407-948-7903</u>
PHONE 2		<u>407-295-6609</u>
E-MAIL		

PROJECT NAME: Hill
 SITE ADDRESS: 4318 MEETING PLACE SANFORD, FL. 32773
 CURRENT USE OF PROPERTY: Residential
 LEGAL DESCRIPTION: Lot 44, Block 'C', Middleton Oaks
 PB 39 pgs. 33, 34 + 35 - Seminole County
 SIZE OF PROPERTY: ~ 9750 sq acre(s) PARCEL I.D. 13-20-30-506-0000-0440
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS Screen enclosure over pool
 v. 7'6" setback
 IS PROPERTY ACCESSIBLE FOR INSPECTION YES 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

SIGNATURE OF OWNER OR AGENT* _____ DATE 1/27/06

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-1A

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR MR DATE 1-27-06

SUFFICIENCY COMMENTS _____

1/26/06

I authorize Andy Capko of
Pacific Pools of Orlando
to act as an agent of ours
for the purpose of applying to
Sevier County for a variance.

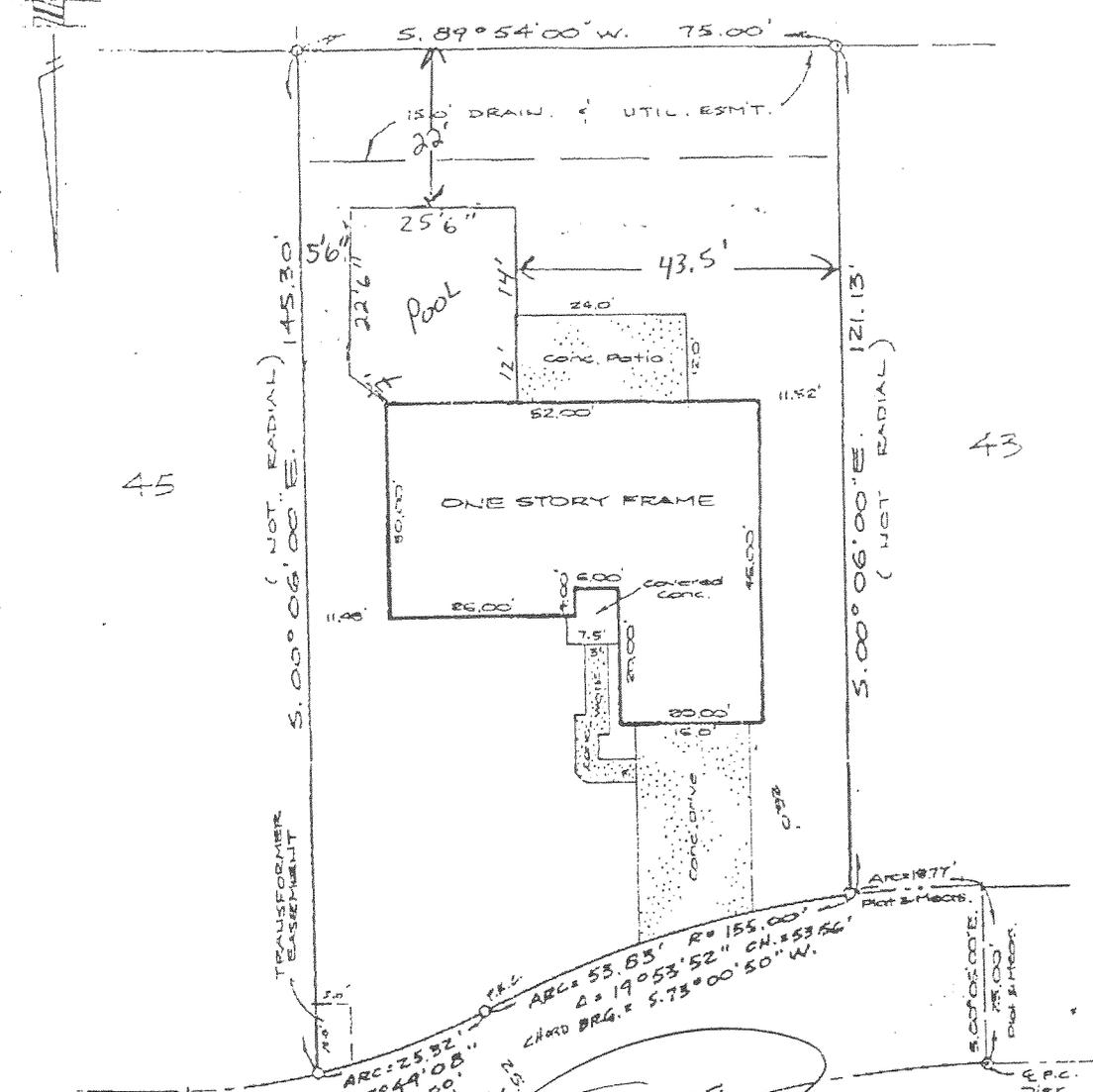
Sincerely

x Wendell E Hill
Wendell Hill 1/26/06

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CPA, 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 style="text-align: center;">GENERAL</p> <p>Parcel Id: 13-20-30-506-0C00-0440 Owner: HILL WENDELL E & SUZANNE G Mailing Address: 4318 MEETING PL City,State,ZipCode: SANFORD FL 32773 Property Address: 4318 MEETING PL SANFORD 32773 Subdivision Name: MIDDLETON OAKS Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$97,384 Depreciated EXFT Value: \$3,787 Land Value (Market): \$21,000 Land Value Ag: \$0 Just/Market Value: \$122,171 Assessed Value (SOH): \$90,769 Exempt Value: \$25,500 Taxable Value: \$65,269 Tax Estimator</p>																					
<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>12/1989</td> <td>02140</td> <td>1601</td> <td>\$77,700</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1989</td> <td>02065</td> <td>0282</td> <td>\$237,600</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	12/1989	02140	1601	\$77,700	Improved	Yes	WARRANTY DEED	04/1989	02065	0282	\$237,600	Vacant	No	<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,471 2005 Tax Bill Amount: \$901 Save Our Homes (SOH) Savings: \$570 2005 Taxable Value: \$62,625 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																	
WARRANTY DEED	12/1989	02140	1601	\$77,700	Improved	Yes																	
WARRANTY DEED	04/1989	02065	0282	\$237,600	Vacant	No																	
<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>21,000.00</td> <td>\$21,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	21,000.00	\$21,000	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 44 BLK C MIDDLETON OAKS PB 39 PGS 33 TO 35</p>									
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																		
LOT	0	0	1.000	21,000.00	\$21,000																		
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	1989	7	1,456	1,898	1,456	SIDING AVG	\$97,384	\$103,600														
			Appendage / Sqft	OPEN PORCH FINISHED / 42																			
			Appendage / Sqft	GARAGE FINISHED / 400																			
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	1989	264	\$974	\$2,244																	
		POOL GUNITE	1991	225	\$2,813	\$4,500																	
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.																							

PLAT OF BOUNDARY SURVEY for: **BOVIS/BRUNNING HOMES, INC.**
 DESCRIPTION: **LOT 44, BLOCK 'C', MIDDLETON OAKS**
 RECORDED IN PLAT BOOK **39** PAGE(S) **33, 34 & 35** PUBLIC RECORDS OF **SEMINOLE** COUNTY, FLORIDA.

- UNPLATTED - **05-293**



FLOOD CERTIFICATION
 Based on the Federal Emergency Management Agency flood hazard boundary map, the building site shown hereon DOES NOT LIE within the 100 year flood hazard area. Zone "C"

ARC = 25.52' Δ = 130° 49' 08" R = 105.00' CH = 25.26' CH. BRG. = S. 69° 58' 28" W.
 ARC = 55.85' R = 155.00' Δ = 19° 53' 52" CH = 53.76' CH. BRG. = S. 73° 00' 50" W.

Address: **4318 E PLACE**
 MEETING PLACE

Certified to
WENDELL & SUZANNE HILL
LINSEY & COMPANY
GULF ATLANTIC TITLE AGENCY.

- NOTES:**
1. BEARINGS BASED ON PLAT
 2. ○ INDICATES IRON PIPE WITH CAP NO. 2005.
 3. ⊙ INDICATES RECOVERED IRON PIPE WITH CAP NO. _____
 4. ⊠ INDICATES 4"x4" CONC. MON. WITH NO. _____
 5. X INDICATES CROSS IN _____
 6. ⊗ INDICATES REWF. BAR WITH CAP NO. _____
 7. VEHICULAR ACCESS RIGHTS TO _____ COUNTY, FL.
 8. ELEVATIONS ARE BASED ON _____

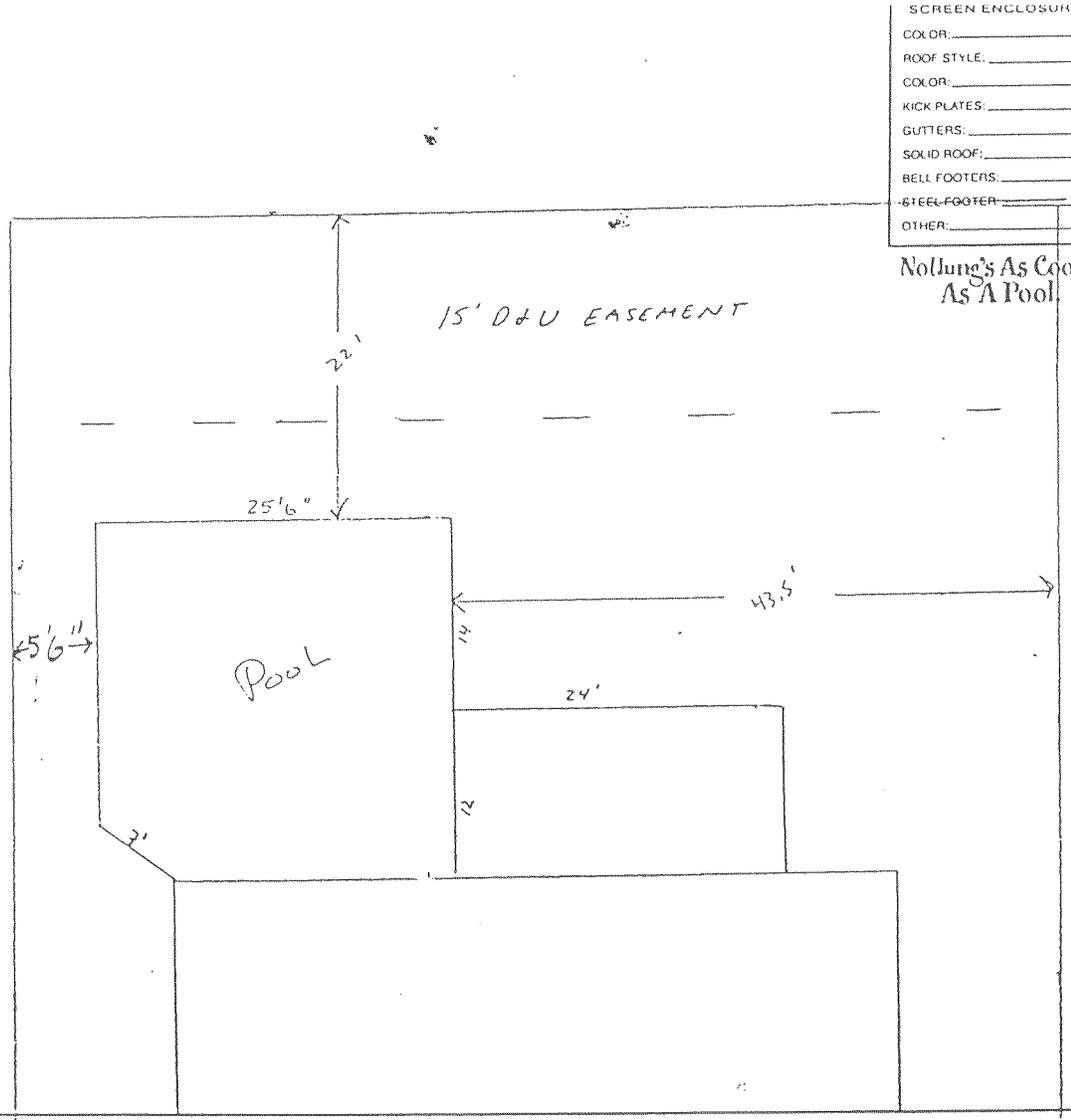
This survey meets the minimum technical standards set forth by the Florida Board of Civil Surveyors, pursuant to Section 472.023, Florida Statutes.

CAVONE, INC.
 848 COUNTY ROAD 427 SOUTH
 LONGWOOD, FLORIDA 32750-3499
 TELEPHONE: (407) 850-9080

NOT VALID
 UNLESS
 EMBOSSED
 WITH
 SURVEYORS
 SEAL

FINAL FOUNDATION: **12-21-89**
 STAKED: **11-22-89**
10-31-89 SCALE: 1"=20'
Dominick F. Cavone
 Dominick F. Cavone - President

P11042



SCREEN ENCLOSURE
 COLOR: _____
 ROOF STYLE: _____
 COLOR: _____
 KICK PLATES: _____
 GUTTERS: _____
 SOLID ROOF: _____
 BELL FOOTERS: _____
 STEEL FOOTER: _____
 OTHER: _____

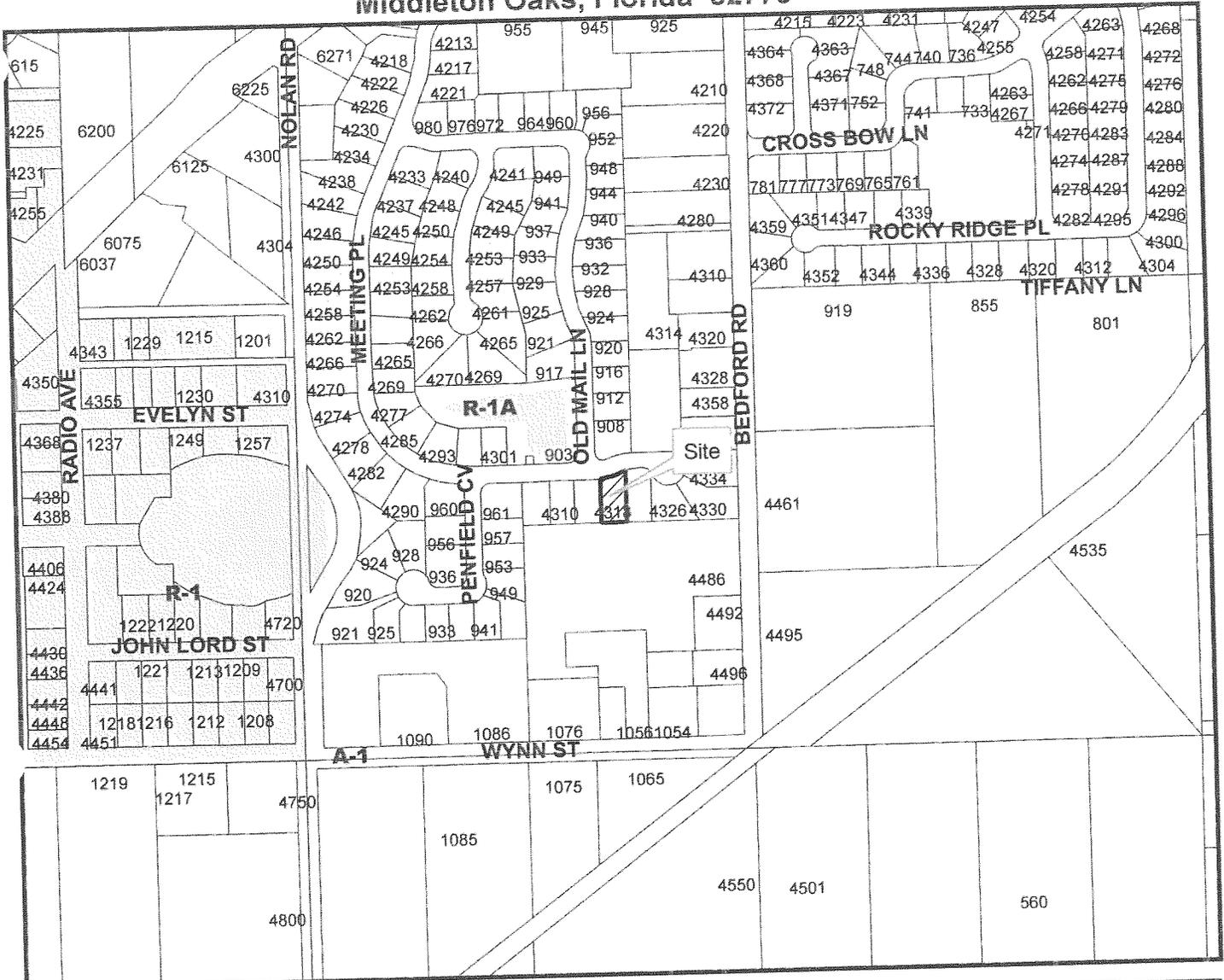
Nothing's As Cool
 As A Pool.

- | | |
|--------------------------------------|---------------------------------|
| 1. POOL DESIGN: _____ | REF. NO.: _____ |
| 2. SIZE: _____ X _____ X _____ | DEPTH: _____ TO: _____ |
| 3. TILE: _____ | COLOR: _____ STEP TILE: _____ |
| 4. DECKING TYPE: _____ | COLOR: _____ |
| 5. POOL GALLONS: _____ | 6. PUMP SIZE: _____ |
| 7. FILTER TYPE: _____ | FILTER SIZE: _____ |
| 8. HAND RAIL: _____ | 9. SWIMOUT: _____ |
| 10. GRABRAIL: _____ | 11. UNDERWATER LIGHT: _____ |
| 12. ELECTRICAL: _____ | 13. SLIDE TYPE & COLOR: _____ |
| 14. DIVING BOARD TYPE & COLOR: _____ | 15. SKIMMER: _____ |
| 16. RETURN INLETS: _____ | 17. MAIN DRAIN: _____ |
| 18. CHLORINATOR: _____ | 19. TIME CLOCK: _____ |
| 20. FILTER LOC.: _____ | 21. TYPE INTERIOR FINISH: _____ |
| 22. TEST KIT: _____ | 23. BRUSH & POLE: _____ |
| 24. UNDERWATER VAC.: _____ | 25. HOSE FOR VAC.: _____ |
| 26. THERMOMETER: _____ | 27. START-UP: _____ |
| 28. AUTO POOL CL TYPE: _____ | 29. STUB OUT: _____ |
| 30. FENCE REMOVAL: _____ | 31. FENCE INSTALLATION: _____ |
| 32. TREE REMOVAL: _____ | 33. SKIMMER: _____ |
| 34. SPRINKLER REMOVAL: _____ | 35. SPRINKLER REROUTING: _____ |
| 36. PLANT REMOVAL: _____ | 37. RESODING: _____ |
| 38. DIRT REMOVAL: _____ | 39. CLEAN-UP: _____ |
| 40. DECK-O-DRAIN: _____ FT. | 41. SPA: _____ |
| 42. THERAPY JETS: _____ | 43. HEATER SIZE: _____ |
| 44. ACCESS APPROVAL: _____ | TYPE: _____ |
| 45. OTHER: _____ | |

PACIFIC POOLS
 PACIFIC POOLS OF ORLANDO
 934 N. Magnolia Avenue • Suite 229
 Orlando, Florida 32803
 (407) 295-6609

HOMEOWNER: _____
 ADDRESS: _____
 PHONE: _____
 APPROVAL: _____ DATE: _____

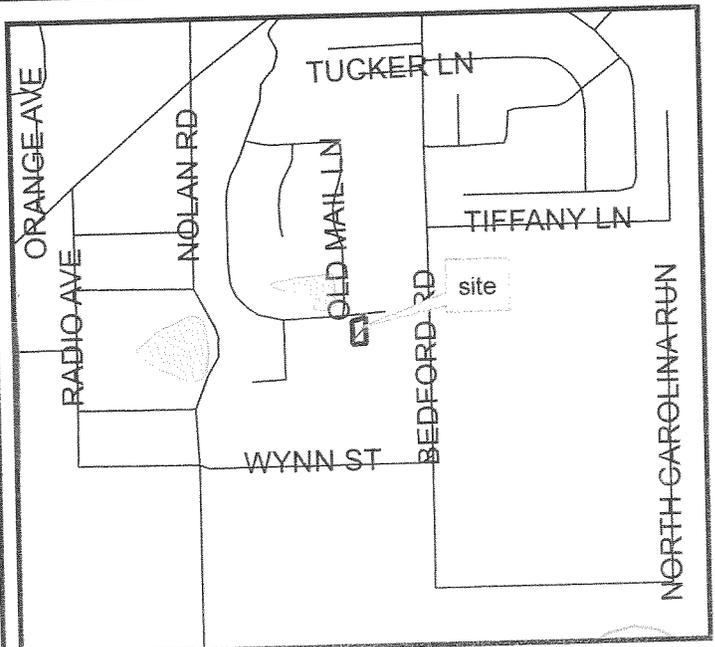
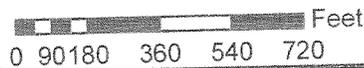
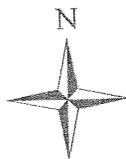
Pacific Pools of Orlando/Andrew Coplin
 4318 Meeting Place
 Middleton Oaks, Florida 32773



Seminole County Board of Adjustment
 March 27, 2006
 Case: BV2006-024
 Parcel No: 13-20-30-506-0C00-0440

Zoning

-  BV2006-024
-  A-1
-  R-1A
-  R-1



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 44 BLK C MIDDLETON OAKS PB 39 PGS 33 TO 35

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

FINDINGS OF FACT

Property Owner: WENDALL HILL
4318 MEETING PLACE
SANFORD, FL 32773

Site Address: 4318 MEETING PLACE

Requested Development Approval:

Request for side yard setback from 7 ½ feet to 5 ½ feet for an existing pool screen enclosure.

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: Kathy Fall
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:

THE VARIANCE GRANTED SHALL APPLY ONLY TO THE EXISTING POOL SCREEN ENCLOSURE, 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, who is personally known to me 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: