

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for (1) a lot size variance from 8,400 square feet to 6,850 square feet; and (2) a width at the building line variance from 70 feet to 50 feet; (3) a side yard setback variance from 7.5 feet to 5 feet; and (4) a side street setback variance from 25 feet to 15 feet for a proposed home in the R-1 (Single-Family Dwelling District); (Doris Justice & Connie Reid, applicants).

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

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

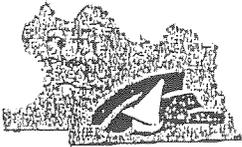
Agenda Date 3/27/06 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** the request for (1) a lot size variance from 8,400 square feet to 6,850 square feet; and (2) a width at the building line variance from 70 feet to 50 feet; (3) a side yard setback variance from 7.5 feet to 5 feet; and (4) a side street setback variance from 25 feet to 15 feet for a proposed home in the R-1 (Single-Family Dwelling District); or
2. **DENY** the request for (1) a lot size variance from 8,400 square feet to 6,850 square feet; and (2) a width at the building line variance from 70 feet to 50 feet; (3) a side yard setback variance from 7.5 feet to 5 feet; and (4) a side street setback variance from 25 feet to 15 feet for a proposed home in the R-1 (Single-Family Dwelling District); or
3. **CONTINUE** The request to a time and date certain.

GENERAL INFORMATION	APPLICANT: LOCATION: ZONING:	Doris Justice & Arthur Lark Dunbar Street (Lot 1) R-1 (Single-Family Dwelling District)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a single-family residence on a vacant lot. • Currently, the subject property consists of Lot 1 Block C of the Merrit Park Subdivision Plat. This lot was platted in 1950 and the dimensions of the lot are 50' x 137'. • The proposed single-family home would be 	

	approximately 1,800 +/- square feet having one story and a 2 car garage.
STAFF FINDINGS	<ul style="list-style-type: none">• The lot is a parcel of record as of July 6, 1950.• The lot would obtain water and sewer from a 2" water main and 8" gravity sewer main running along Dunbar Street.• Policy FLU 3.2, adopted on September 11, 1991, states the county shall resolve environmental and infrastructure issues by requiring the combining of lots. Although it is possible for the applicant to combine this lot with its neighbors, staff feels because of the trend of development and the connection of sewer and water to the site it won't be a detriment to the neighborhood and will meet the goals of Policy 3.2.• There are lots in the immediate area that were granted similar variances. (BV2005-184, BV2005-185)• This lot will have direct access to Dunbar Street which is a paved county-maintained roadway.• The subject property is located in the East Altamonte community which has been designated as a Community Development Target area by Seminole County in order to promote new housing opportunities.• There is no record of prior variances having been granted for this property.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends the Board of Adjustment approve the requested variance. If the Board should decide to grant a variance, staff recommends the following conditions:</p> <ul style="list-style-type: none">• Any variance granted should apply only to the proposed lot and proposed single-family residence as depicted on the attached site plan; and• Any additional conditions 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. BV 2006-028

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** Lot Size Variance from 3,400 S.F. TO 6,850 and
- SPECIAL EXCEPTION**
- LIMITED USE**
- SE 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>Doris Justice Lunn & Reid</u>	
ADDRESS	<u>617 MAJORCA AVE</u>	
	<u>Altamonte Springs, FL 32714</u>	
PHONE 1	<u>(407) 862-5356</u>	
PHONE 2	<u>(407) 788-8280</u>	
E-MAIL		

PROJECT NAME: Justice / Reid / Lark

SITE ADDRESS: _____

CURRENT USE OF PROPERTY: Vacant Land Cleared - R-1

LEGAL DESCRIPTION: Lot 1, BIKC Merritt Park, PB 8, PG 2)

SIZE OF PROPERTY: 50 X 135 acre(s) PARCEL I.D. 18-21-30-502-0000-0010

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 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

02-02-06

[Handwritten Signature]

* If signed by agent, a power of attorney is required with submittal.

ADDITIONAL VARIANCES

VARIANCE 2:

width at building line variance from 7 feet to 50 feet

VARIANCE 3:

Side yard setback from 7.5 feet to 5 feet

VARIANCE 4:

side street setback from 25 ft. to 15 ft.

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)

COMMISSION DISTRICT

FLU / ZONING

R-1/MDR

BCC HEARING DATE

(FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR

MR

DATE

2/2/06

SUFFICIENCY COMMENTS

Collect \$50.00 for side setback

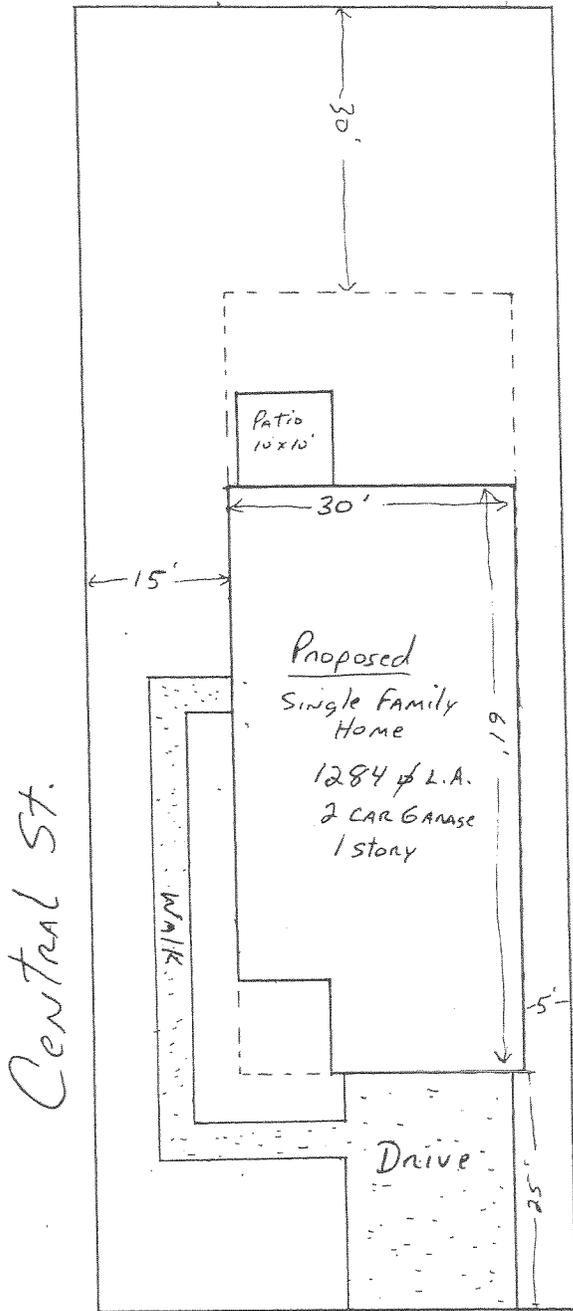
Lot 1
(Corner)

PID = 18-21-30-502-0000-0010

Legal = Lot 1, BKC, Merritt Park,
PB 8, Pg 22

Requested Variances:

1. Minimum Lot Size from 8400 ϕ to 6850 ϕ
2. Corner Side Setback = 15'
3. Side Setback = 5'
4. Lot Width from 70' to 50'

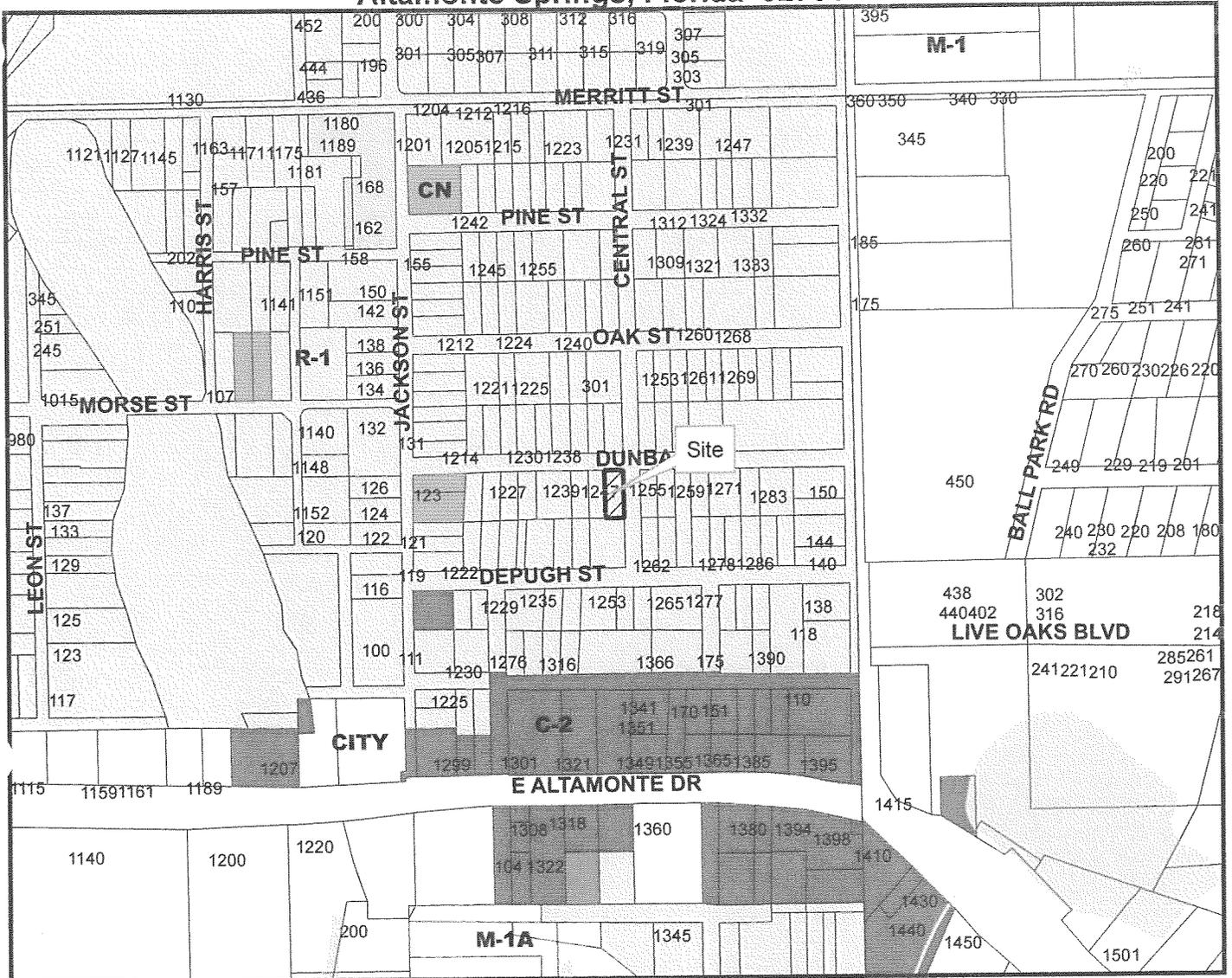


Central St.

Dunbar St.

Scale = 1" = 20'

**Doris Justice & Arthur Lark
& Constance Reid
Dunbar Street (Lot 1, Block C)
Altamonte Springs, Florida 32701**



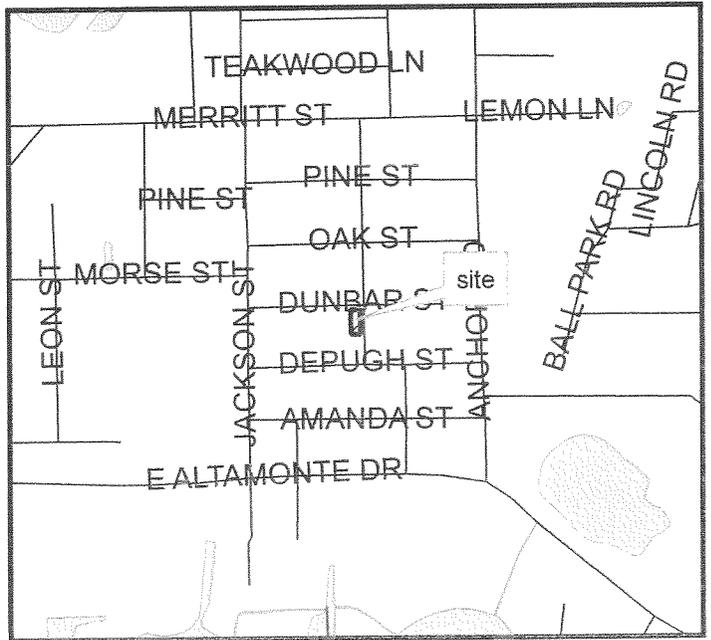
Seminole County Board of Adjustment
March 27, 2006
Case: BV2006-028
Parcel No: 18-21-30-502-0C00-0010

Zoning

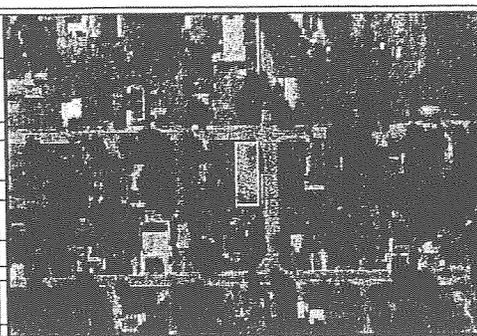
	BV2007-028		C-1
	R-1A		C-2
	R-1		M-1A
	R-2		M-1
	CN		

N

Feet
 0 95 190 380 570 760



PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506	10.A B.0	5.0	4	3	1.0	1	12	11	10	9	8	7	6	5	4				
	14	15	16	17	18	19	21	22	23	24	13	14	15	16	17	20 21			
	DUNBAR ST																		
	10.0	9	8	7	6	5	4	3	2	1	12	11	10	9	7	4.0			
11	10																		
10.A	14	15	16	17	18	1	20	21	22	24	13	14	15	17	19	20	21		
DEPUGH ST																			
13.B	1																		
1	2	5	6	1	2	3	4	5	6	7	8	9	10	11	1	2	3	4	5



GENERAL

Parcel Id: 18-21-30-502-0C00-0010
 Owner: JUSTICE DORIS J & LARK ARTHUR
 Own/Addr: L & REID CONSTANCE W L ET AL
 Mailing Address: 1226 DUNBAR ST
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32701
 Property Address: DUNBAR ST ALTAMONTE SPRINGS 32701
 Subdivision Name: MERRITT PARK
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions:
 Dor: 00-VACANT RESIDENTIAL

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 0
 Depreciated Bldg Value: \$0
 Depreciated EXFT Value: \$0
 Land Value (Market): \$2,940
 Land Value Ag: \$0
 Just/Market Value: \$2,940
 Assessed Value (SOH): \$2,940
 Exempt Value: \$0
 Taxable Value: \$2,940
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
QUIT CLAIM DEED	09/2003	05028	1515	\$100	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

2005 Tax Bill Amount: \$48
 2005 Taxable Value: \$2,940
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	50	137	.000	60.00	\$2,940

LEGAL DESCRIPTION

PLATS:

LEG LOT 1 BLK C MERRITT PARK PB 8 PG 22

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.

BV2006-028

February 7, 2006

We, the undersigned, are in complete agreement with the variances requested from the Seminole County Board of Adjustment (BOA) on Lots 1 & 2, Blk C Merritt Park, PB 8, PG 22.

Thank you very much for your consideration.

Arthur L. Lark 2/8/06
 Arthur L. Lark Date

Constance L. Reid 2/8/06
 Constance Lark Reid Date

Michael L. Lark 2/8/06
 Michael L. Lark Date

Doris J. Justice 2/8/06
 Doris J. Justice Date

SCALE: 1 inch = 100 ft

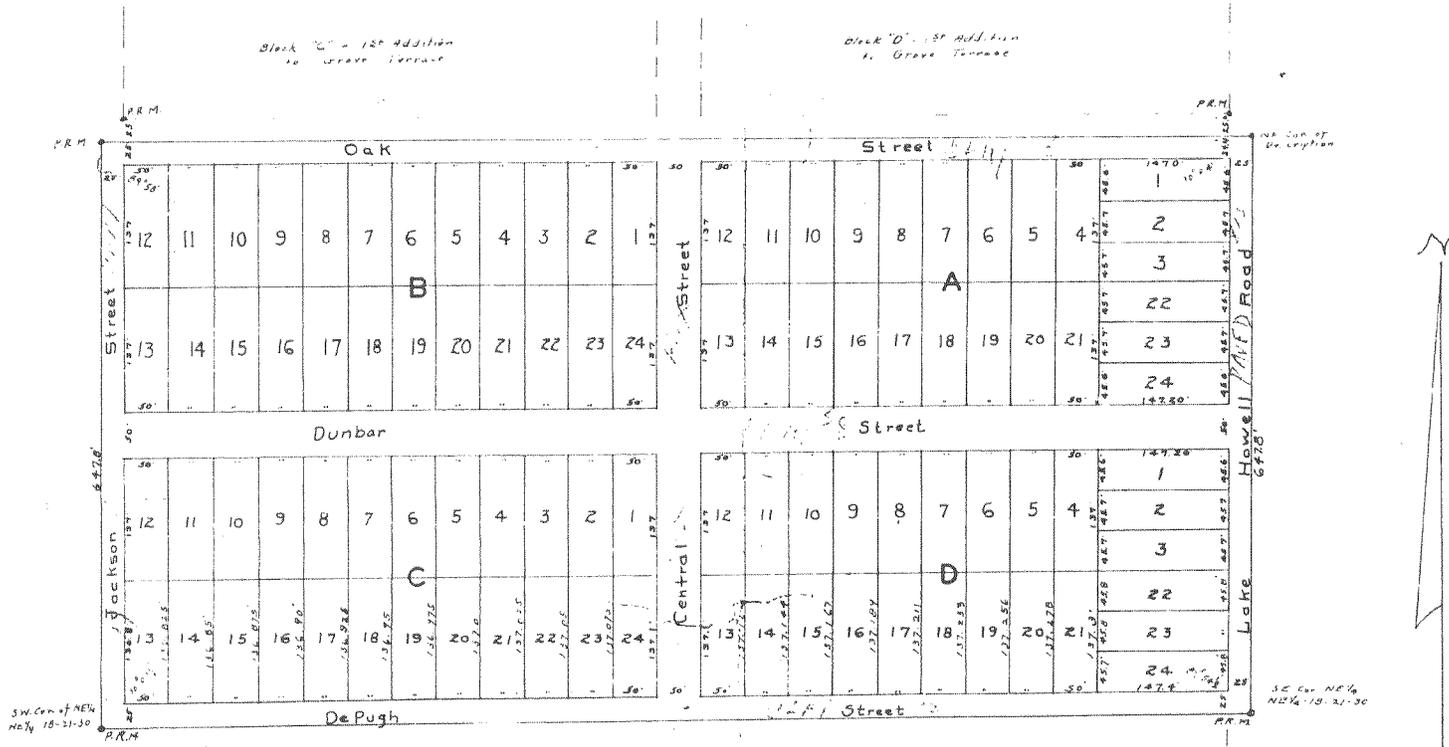
MERRITT PARK

SEMINOLE COUNTY - FLORIDA

Date: June 16, 1950. **22**

DESCRIPTION.

The South 47% of NE 1/4 of NE 1/4 Section 18, T.21S, R.30E.

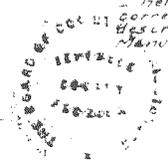


SURVEYOR'S CERTIFICATE.

I hereby certify that the plat shown herein is a true and correct representation of the survey and subdivision of the land described in the caption and that Permanent Reference Monuments have been placed as shown in the plat.

Dated this 16th day of June A.D. 1950.

H.M. Tinklepaugh
H.M. Tinklepaugh, Reg. Cert. No. 125.



COUNTY APPROVAL.

This plat was approved by the Board of County Commissioners of Seminole County, Florida at a meeting held at Sanford, Florida on this 6 day of July, 1950.

[Signature]
Chairman of Board of County Commissioners of Seminole County, Florida

State of Florida
County of Seminole

104907

This is to certify that this plat complies in form with all the requirements of Chapter 177 of Florida Statutes 1941 and was filed this 7 day of July, 1950 A.D. at 1:30 o'clock P.M. and recorded in Plat Book 8, page 22, of the Public Records of Seminole County, Florida.

[Signature]
Clerk of the Circuit Court and ex-officio
County Clerk of Seminole County, Florida.

OWNERS CERTIFICATE.

I know all men by these presents, that the undersigned, being the owners in fee simple of the lands described in the foregoing caption, do hereby dedicate said lands and plat for the uses and purposes therein expressed and dedicate the streets shown herein to the perpetual use of the public.

In witness whereof, the undersigned has hereunto set their hands and seal on this the 16 day of June A.D. 1950.

Signed and sealed in presence of
[Signatures]

Overstreet Land Company
Attest: *[Signature]* by *[Signature]*
Secretary president

State of Florida
County of Orange

I hereby certify that on this 16 day of June A.D. 1950 before me personally appeared M.O. Overstreet and R.E. Overstreet, respectively President and Secretary of the Overstreet Land Company, a corporation under the laws of the State of Florida, to me known to be the individuals and officers described in and who executed the foregoing dedication and severally acknowledged the execution thereof to be their free act and deed as such officers thereunto duly authorized, and that the official seal of said Corporation is duly affixed thereto, and the said dedication is the act and deed of said Corporation.

Witness my hand and official seal at Orlando, in the County of Orange and State of Florida the day and year last aforesaid.

[Signature]
Notary Public

My Commission expires July 15, 1952



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 1 BLK C MERRIT PARK PB 8 PG 22

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

FINDINGS OF FACT

Property Owner: Doris Justice & Connie Reid
1226 Dunbar St.
Altamonte Springs, FL 32701

Project Name: Dunbar Street (Lot 1)

Requested Development Approval:

Request for (1) a lot size variance from 8,400 square feet to 6,850 square feet; and (2) a width at the building line variance from 70 feet to 50 feet; (3) a side yard setback variance from 7.5 feet to 5 feet; and (4) a side street setback variance from 25 feet to 15 feet for a proposed home in the R-1 (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 lot and proposed single-family home 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: