

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

SUBJECT: Request for a rear yard setback variance from 30 feet to 19 feet for a proposed addition in the R-1AA (Single-Family Dwelling District); (Samuel Olmedo, applicant).

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

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

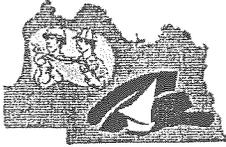
Agenda Date 3/27/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 19 feet for a proposed addition in the R-1AA (Single-Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 19 feet for a proposed addition in the R-1AA (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Samuel Olmedo, applicant LOCATION: 1004 Oak Lane ZONING: R-1AA(Single-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 1500 square foot addition to an existing 1,300 square foot home that would encroach 11 feet into the minimum 30 foot rear yard setback; the aforementioned variance is thereby requested. • The applicant has not submitted plans to the building division for the proposed addition to the single-family home. • There is no record of prior variances having been granted for this property. • There are currently no code enforcement or building violations 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">• The need for a variance would be negated by relocating the proposed addition and repositioning to meet the required setbacks.• 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.
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 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 (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. 02-03-0602253
BL 2500-030

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** RESIDENCE ADDITION & Pool SCREEN ENCLOSURE
SEE ATTACHED SITE PLAN
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING (YEAR _____) PROPOSED (YEAR _____)
 - REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
 - ANTICIPATED TIME MOBILE HOME IS NEEDED _____
 - PLAN TO BUILD YES NO IF SO, WHEN _____
 - MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	BETTY LLANIO	SAMUEL OLMEDO
ADDRESS	1004 OAK LANE, SOUTH APOPKA, FL 32703	14029 FOX GLOVE ST. WINTER GARDEN, FL 34787
PHONE 1	407-478-2528	407-905-0280
PHONE 2	407-832-9891	407-967-2249
E-MAIL	betty@blctelecom	oaginc@yqho.com

PROJECT NAME: PROPOSED ADDITION & RENOVATION FOR LLANIO RESIDENCE
 SITE ADDRESS: 1004 OAK LANE, SOUTH APOPKA, FL. 32703
 CURRENT USE OF PROPERTY: PRIVATE RESIDENCE
 LEGAL DESCRIPTION: LOTS, BLOCK E, BEVERLY TERRACE DEDICATED AS MIRROR LAKE FIRST ADDITIONS AS RECORDED IN PLAT BOOK 11, PG. 50 SEMINOLE CO.
 SIZE OF PROPERTY: 0.40 acre(s) PARCEL I.D. 17-21-29-511-0E00-0080
 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.

Samuel Olmedo
 SIGNATURE OF OWNER OR AGENT* 2.3.06
 DATE

*Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

REAR YARD SETBACK VARIANCE FROM 30'-0" TO 19'-0" FOR A (ROOM) ADDITION.

VARIANCE 3:

~~REAR YARD SETBACK VARIANCE FROM 5'-0" TO 4'-0" FOR SCREEN ENCLOSURE~~

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 / LOR

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR DATE

SUFFICIENCY COMMENTS

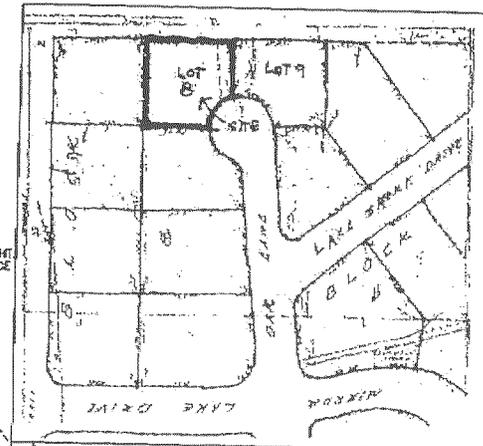


1004 FOX GLOVE DRIVE APOPKA, FLORIDA 32703	407 - 911-0212 407 - 812-0942
DATE: 02/06/2006	
REVISION:	

PROPOSED ADDITION AND RENOVATIONS FOR:
MS. BETTY LLANIO
 1004 OAK LANE SOUTH APOPKA, FLORIDA 32703

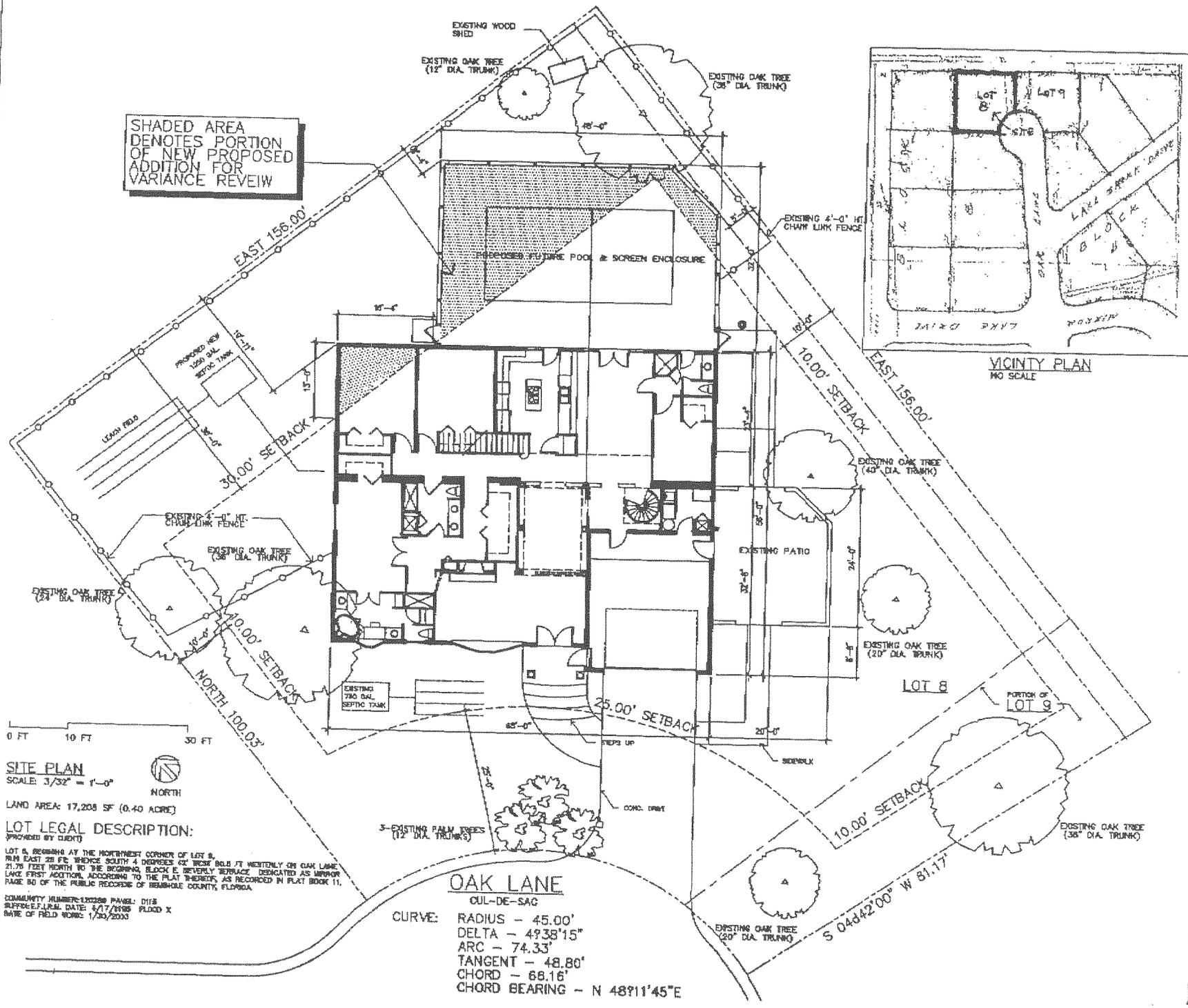
SCALE: GENERAL PLAN
 ARCHITECT: ARCHITECT

A1
 SHEET
 1-1



VICINITY PLAN
NO SCALE

SHADED AREA
DENOTES PORTION
OF NEW PROPOSED
ADDITION FOR
VARIANCE REVIEW



0 FT 10 FT 30 FT

SITE PLAN
SCALE: 3/32" = 1'-0"
NORTH

LAND AREA: 17,208 SF (0.40 ACRE)

LOT LEGAL DESCRIPTION:
(PROVIDED BY CLIENT)

LOT 8, BEGINNING AT THE NORTHWEST CORNER OF LOT 8, RUN EAST 20 FEET, THENCE SOUTH 4 DEGREES 02' WEST 80.67 FEET WESTERLY ON OAK LANE, 21.79 FEET NORTH TO THE BEGINNING BLOCK E BEVERLY TERRACE, DESIGNATED AS MIRROR LAKE FIRST ADDITION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 11, PAGE 80 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

COMMUNITY NUMBER: 120288 PARCEL: D18
 SUPPLEMENTAL DATE: 8/17/1988 FLOOD X
 DATE OF FIELD WORK: 1/30/2003

OAK LANE
CUL-DE-SAC

CURVE: RADIUS - 45.00'
 DELTA - 49°38'15"
 ARC - 74.33'
 TANGENT - 48.80'
 CHORD - 68.16'
 CHORD BEARING - N 48°11'45"E

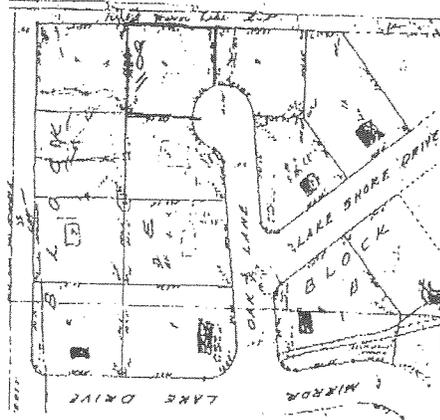
SWERDLOFF & LONG

SURVEYING, INC.

Lot 8 & Beginning at the Northwest corner of Lot 9, run East 28 feet; thence South 4 degrees 42' West 80.5 feet Westerly on Oak Lane 21.76 feet North to the beginning, Block E, BEVERLY TERRACE DEDICATED AS MIRROR LAKE FIRST ADDITION, according to the plat thereof, as recorded in Plat Book 11, Page 30, Public Records of Seminole County, Florida.

Community number: J20289 Panel: 0115
 Suffix: E.F.I.R.M. Date: 4/17/1995 Flood Zone: X
 Date of field work: 1/30/2003 Completion Date: 1/30/2003

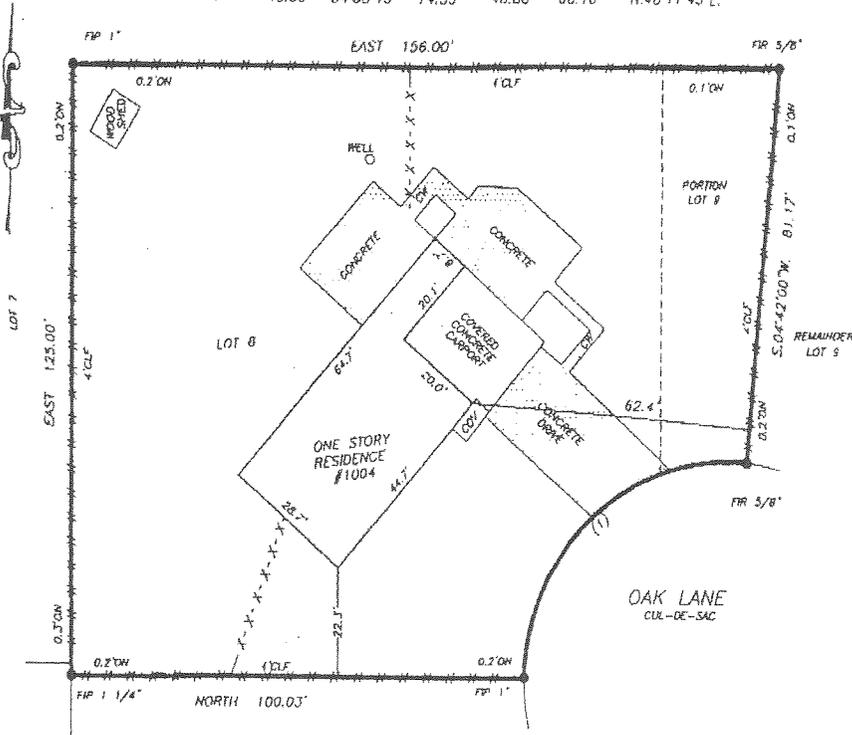
Certified to:
 Beatrice Ulanis; MTC Florida; Fidelity National Title Insurance Company of New York; Fidelity National, its' successors and/or assigns.



CURVE TABLE

SCALE: 1" = 30'

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	45.00'	54°38'15"	74.33'	48.00'	66.16'	N.46°11'45"E.



Property Address:
 1004 Oak Lane, South
 Apopka, FL 32703

Survey number: SL 14963

LEGEND

JA	Wood Fence	CAIV	Cable Riser	M.H.	Manhole
-x-x-	Wire Fence	W.M.	Water Meter	N.T.S.	Not to Scale
FN	Found Nail	TEL	Telephone Facilities	O.R.	Official Record
•	Property Corner	COV	Covered Area	O.R.B.	Official Records Book
R	Record	B.R.	Bearing Reference	P.C.P.	Permanent Control Point
M	Field Measured	CH	Chord	P.R.M.	Permanent Reference Monument
CL	Cross	RAD	Radial	PG	Page
ENCR	Encroachment	N.R.	Non Radial	P.V.M.T.	Pavement
C	Centerline	A.A.C.	Air Conditioner	H.B.	Flat Book
CON	Concrete	B.M.	Bench Mark	P.O.B.	Point of Beginning
PL	Property Line	C.	Calculated	P.O.C.	Point of Commencement
C.M.	Covered Measurement	WALL	Block Wall	P.O.L.	Point on Line
F.I.R.	Found Iron Rod	CA	Central Angle/Chord	E.C.	Point of Curvature
F.I.P.	Found Iron Pipe	H.L.	Dead Bench	P.R.C.	Point of Reverse Curvature
R/W	Right of Way	D	Description of Deed	P.Y.	Point of Tangency
N&D	Nail & Hook	D.H.	Drill Hole	R.	Radius (Radial)
D.E.	Drainage Easement	D.W.	Driveway	R.O.E.	Roof Overhang Easement
U.E.	Utility Easement	ESMT	Easement	S.I.R.	Set Iron Rod & Cap
FL	Found	EL	Elevation	S/W	Side Walk
P	Pin	F.F.	Finished Floor	T.O.P.	Top of Bank
ANV	Asphalt	F.C.M.	Found Concrete Measurement	T.Y.E.	Typical

GENERAL NOTES

- Legal descriptions provided by others.
- The limits shown hereon were not surveyed for easements or other recorded encumbrances not shown on the plat.
- Underground portions of buildings, foundations or other improvements were not located.
- Work has been to the best of the west.
- Only visible encroachments located.
- No identification found on property corner unless noted.
- Distances shown on plat not measured unless otherwise noted.
- Distances shown are based upon N.E.D. 1979 unless otherwise noted.
- Adjacent lots are within the same block unless otherwise noted.
- This is an AS-BUILT SURVEY unless otherwise noted.
- Not valid unless sealed with the signing surveyor's embossed seal.
- Found corner determinations are provided as a courtesy only, and are derived from the best source available to the surveyor. This information should not be relied upon for flood hazard purposes, and any data from determinations provided by others.
- N.B. 1972

I hereby certify that this survey is a true and correct representation of a survey prepared under my direction.

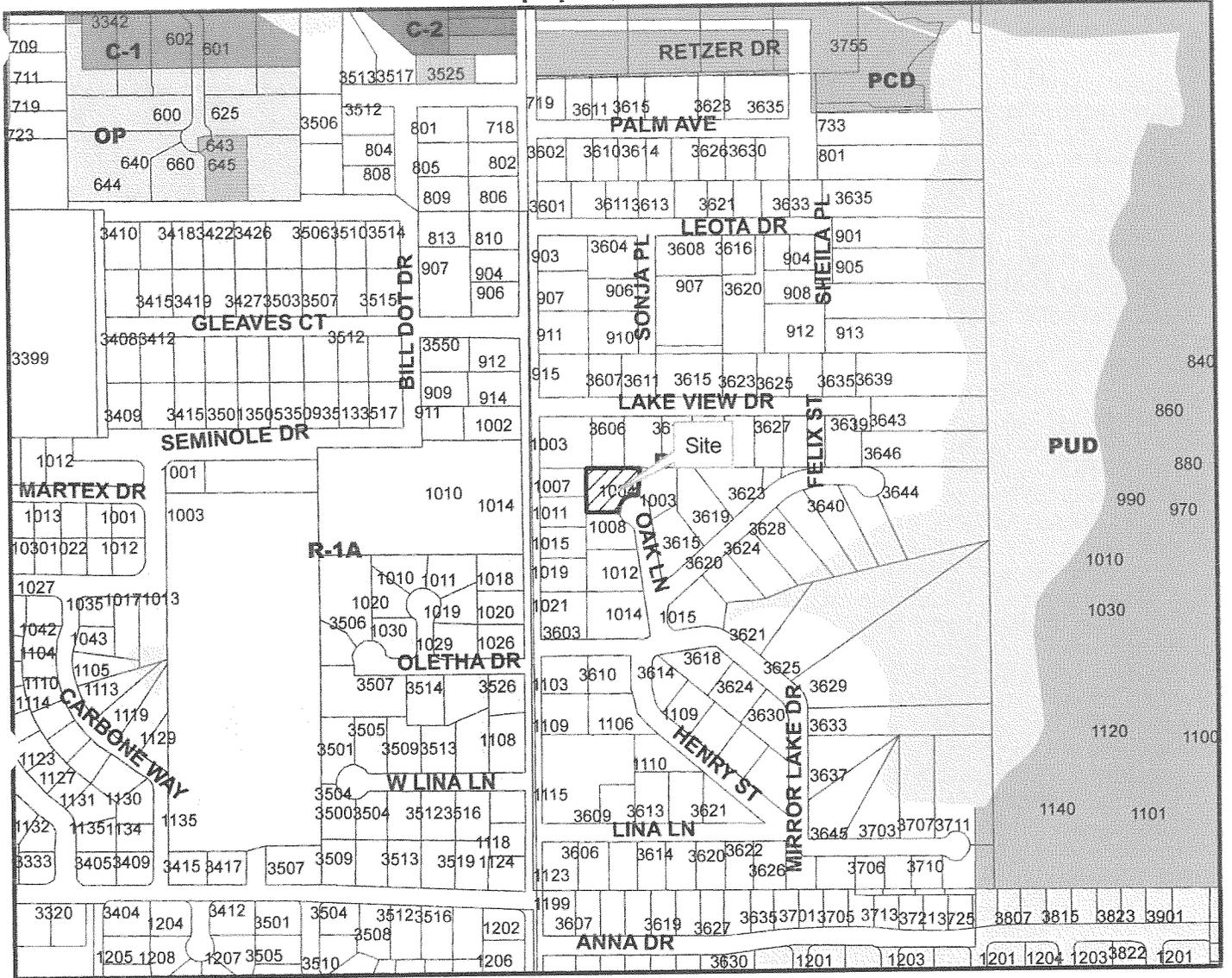
 Ralph Swerdloff
 Registered Land Surveyor No. 7151

Swerdloff & Long Surveying, Inc.

OCT 14 2005 11:11A

4078301105

Samuel Olmedo
 1004 Oak Lane
 South Apopka, Fl. 32703

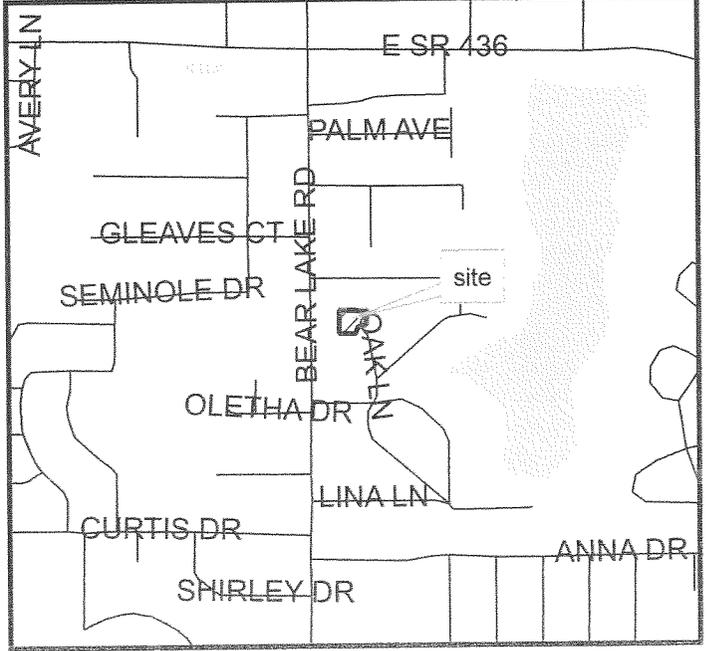


Seminole County Board of Adjustment
 March 27, 2006
 Case: BV2006-030
 Parcel No: 17-21-29-511-0E00-0080

Zoning

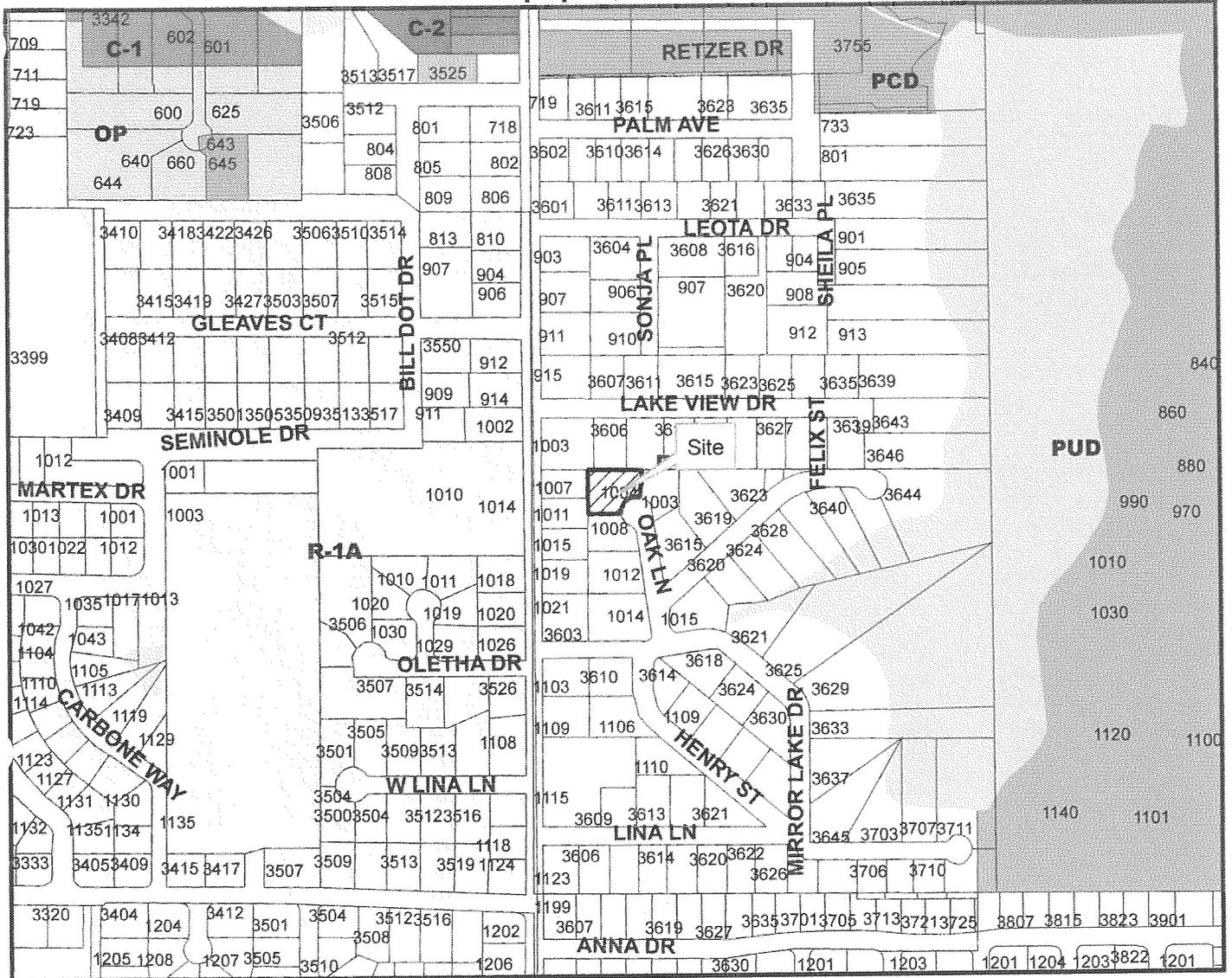
	BV2006-030		R-2		C-2
	R-1AA		R-3		PUD
	R-1A		RPI		PCD
	R-1		OP		C-1

0 80 160 320 480 640 Feet



<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 407-665-7508</p>																														
<p align="center">GENERAL</p> <p>Parcel Id: 17-21-29-511-0E00-0080</p> <p>Owner: LLANIO BEATRIZ</p> <p>Mailing Address: 1004 OAK LN</p> <p>City,State,ZipCode: APOPKA FL 32703</p> <p>Property Address: 1004 OAK LN S APOPKA 32703</p> <p>Subdivision Name: BEVERLY TERRACE DEDICATED AS MIRROR LAKE FIRST ADD</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$97,173</p> <p>Depreciated EXFT Value: \$115</p> <p>Land Value (Market): \$28,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$125,288</p> <p>Assessed Value (SOH): \$125,288</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$125,288</p> <p>Tax Estimator</p>																												
<p 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>03/2003</td> <td>05425</td> <td>0869</td> <td>\$110,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1995</td> <td>02938</td> <td>0431</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1972</td> <td>00951</td> <td>0590</td> <td>\$25,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	03/2003	05425	0869	\$110,000	Improved	Yes	WARRANTY DEED	06/1995	02938	0431	\$100	Improved	No	WARRANTY DEED	01/1972	00951	0590	\$25,000	Improved	Yes	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,075</p> <p>2005 Tax Bill Amount: \$2,075</p> <p>Save Our Homes (SOH) Savings: \$0</p> <p>2005 Taxable Value: \$126,637</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																									
LOT	0	0	1.000	28,000.00	\$28,000																									
BUILDING INFORMATION																														
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																					
1	SINGLE FAMILY	1958	5	1,305	1,993	1,305	CONC BLOCK	\$97,173	\$134,962																					
			Appendage / Sqft	UTILITY FINISHED / 180																										
			Appendage / Sqft	OPEN PORCH FINISHED / 28																										
			Appendage / Sqft	CARPORT FINISHED / 480																										
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 Bld	Units	EXFT Value	Est. Cost New																								
		WOOD UTILITY BLDG	1990	48	\$115	\$288																								
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.																														

Samuel Olmedo
1004 Oak Lane
South Apopka, FL 32703



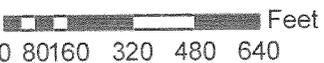
Seminole County Board of Adjustment
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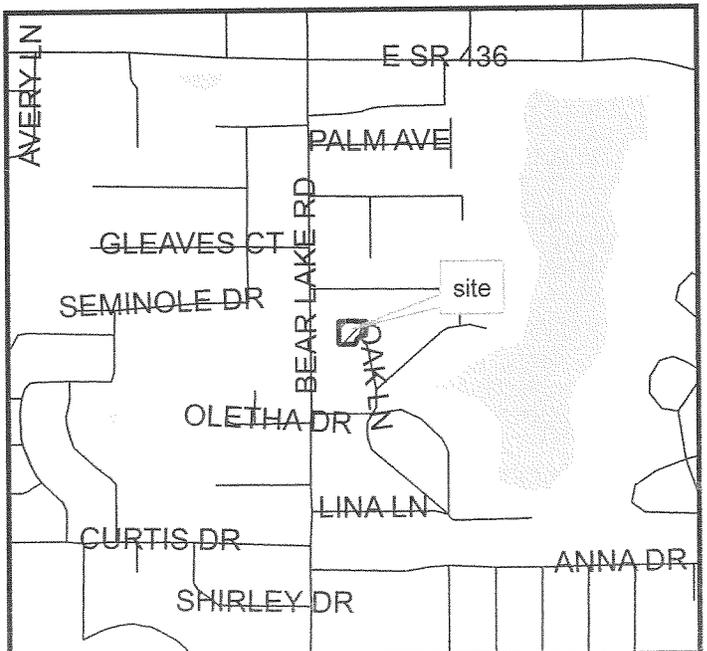
Zoning

	BV2006-030		C-1
	R-1AA		C-2
	R-1A		PUD
	R-3		PCD
	OP		

N



 Feet
0 80 160 320 480 640



AUTHORIZATION:

I, Betty Llanio, authorize Samuel Olmedo and/or Olmedo Architectural Group, Inc. to act as my agent for the variance application in Seminole County.


Betty Llanio

Feb. 3, 2006
Date

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 8 + BEG NW COR LOT 9 RUN E 28 FT S 4 DEG 42 MIN W 80.5 FT WLY ON
OAK LANE 21.76 FT N TO BEG BLK E BEVERLY TERRACE DEDICATED AS
MIRROR LAKE FIRST ADD PB 11 PG 50

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

FINDINGS OF FACT

Property Owner: Llanio Beatriz
1004 Oak Lane
Apopka, FL 32703

Project Name: Oak Lane (1004)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 19 feet for a proposed 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 proposed 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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: