

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Request for (1) a rear yard setback variance from 30 feet to 2 feet; and (2) a side yard setback variance from 10 feet to 5 feet for an existing shed in the R-1AA (Single-Family Dwelling District); Salvador Corona, 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

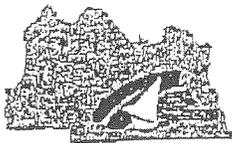
**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for (1) a rear yard setback variance from 30 feet to 2 feet; and (2) a side yard setback variance from 10 feet to 5 feet for a existing an shed in the R-1AA (Single-Family Dwelling District); or
2. **DENY** the request for (1) a rear yard setback variance from 30 feet to 2 feet; and (2) a side yard setback variance from 10 feet to 5 feet for an existing shed in the R-1AA (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> Salvador Corona <b>LOCATION:</b> 2951 Boland Drive <b>ZONING:</b> R-1AA (Single-Family Dwelling District)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant erected a shed that encroaches 28 feet into the minimum 30 foot rear and 5 feet into the 10 foot minimum side yard setback, respectively. The aforementioned variances are requested.</li> <li>• The applicant constructed a 17' x 17' shed without a building permit; a notice of violation from the Seminole County Code Enforcement division was subsequently issued on 4/16/04.</li> <li>• The applicant has since applied for a building permit on 12/14/05, which is dependent upon the variances requested.</li> <li>• There is no record of prior variances having been granted for this property.</li> </ul>

<b>STAFF FINDINGS</b>	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"><li>• 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.</li><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• 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"><li>• Any variance granted shall apply only to the shed as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.</li></ul></li></ul>

# COPY



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

APPL. NO. 842006-034

## 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** *To place a shed in the location indicated in the enclosed site plan.*
- SPECIAL EXCEPTION**
- LIMITED USE**
- SEMIWELLING 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>Salvador Corona</u>	<u>owner</u>
ADDRESS	<u>2951 Bolan DR</u>	
	<u>OKRIDA, FL</u>	
PHONE 1		
PHONE 2		
E-MAIL		

PROJECT NAME: salvador corona Res

SITE ADDRESS: 2951 Bolan DR

CURRENT USE OF PROPERTY: as a Res.

LEGAL DESCRIPTION: 5.75 Ft of Lot 6 + then 15 of Lot 7 Block "B" Seminole Terravare Re Plat, Pbk 11 pg. 29 of Seminole County FL.

SIZE OF PROPERTY: 0.2909 acre(s) PARCEL I.D. 27-21-3 1-5CC0B00-0050

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER

KNOWN CODE ENFORCEMENT VIOLATIONS

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

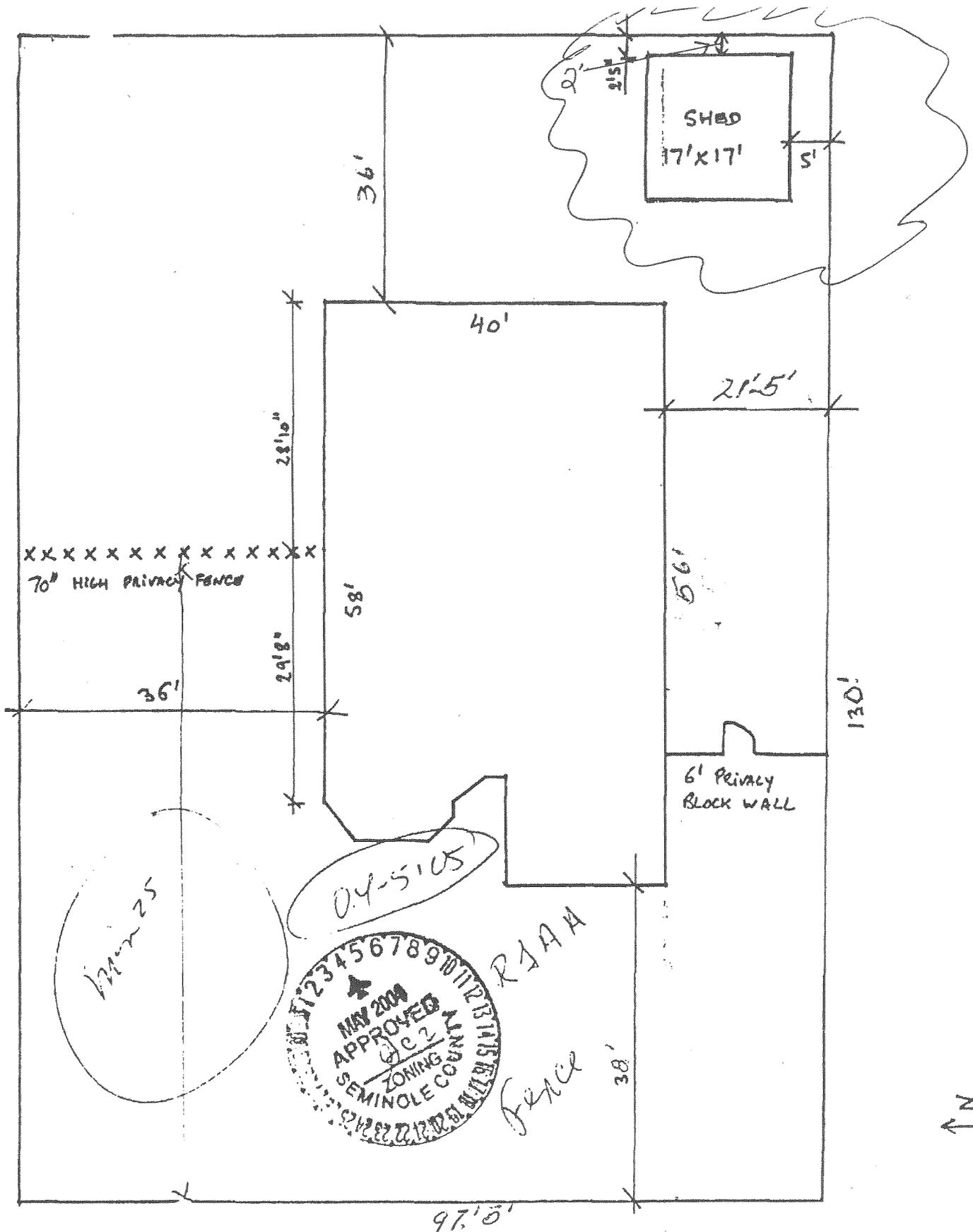
This request will be considered at the Board of Adjustment regular meeting on 3/27/06  
 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

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]  
 SIGNATURE OF OWNER OR AGENT\*

3/27/06  
 DATE





BOLAND DRIVE

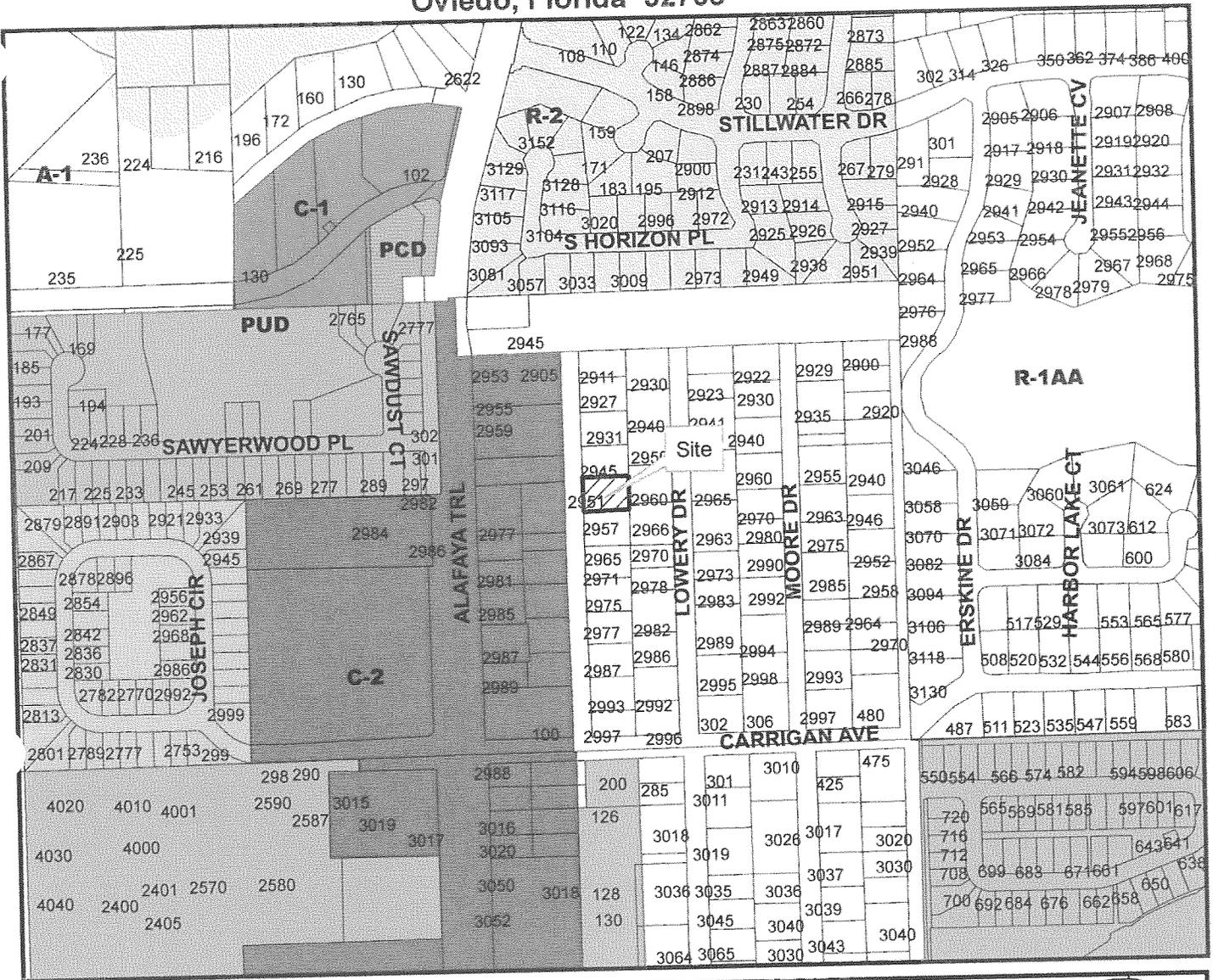
SCALE 1" = 15'

ADDRESS = 2951 BOLAND DRIVE  
OVIDO

LEGAL DESCRIPTION = L&C S 7.5 FT OF  
LOT 5 AND ALL LOT 6 AND N 15 FT OF  
LOT 7 BLK B SEMINOLE TERRACE  
REPLAT - PB 11 PG 29

PARCEL ID = 27-21-31-5CC-0800-0050

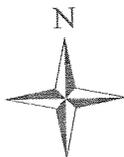
Salvador Corona  
 2951 Boland Drive  
 Oviedo, Florida 32765



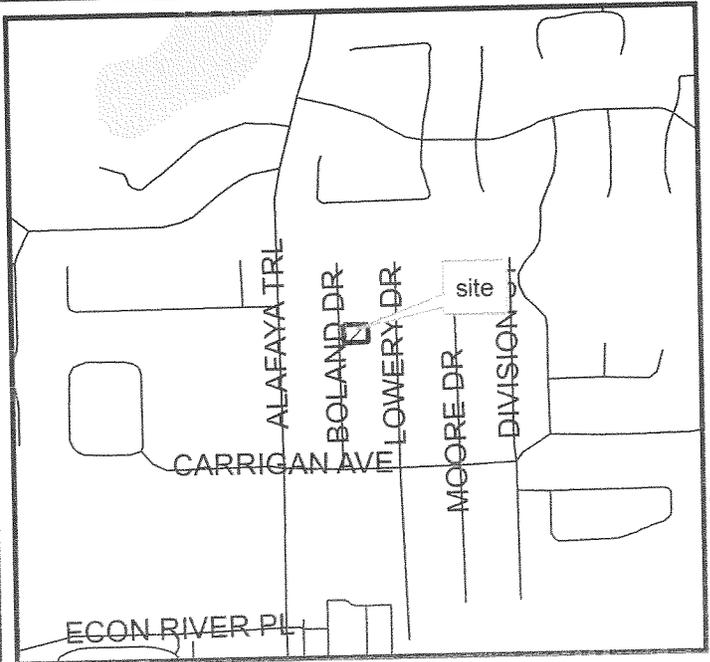
Seminole County Board of Adjustment  
 March 27, 2006  
 Case: BV2006-034  
 Parcel No: 27-21-31-5CC-0B00-0050

**Zoning**

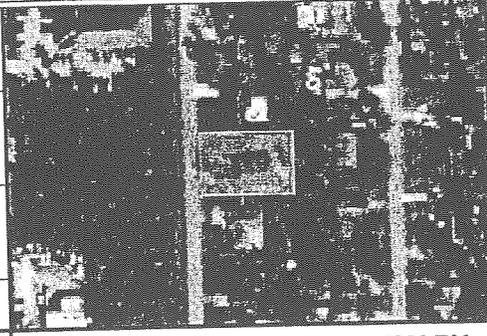
- |   |            |   |       |   |     |
|---|------------|---|-------|---|-----|
|  | BV2006-034 |  | R-1BB |  | C-2 |
|  | A-1        |  | R-2   |  | PUD |
|  | R-1AA      |  | RPI   |  | PCD |
|  | R-1A       |  | C-1   |   |     |



0 80 160 320 480 640 Feet



<b>PARCEL DETAIL</b>  DAVID JOHNSON, CFA, ASA  <b>PROPERTY APPRAISER</b>  SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508	3	28	3.0	28	3	3.0 4 25.0 27 3.0 4 5 5.0 8 C 7 24 7.0 24 23 7.0 24 22 22 8 9
	4	27	4.0	25	4	
	5	5.0	5.0	25	5	
	6	A 25	5.0	B 25	6	
	7	24	7.0	24	7	
	8	23.0 23	8.0	22.0	8	
	9	22.0	8.0	22.0	9	



**GENERAL**

Parcel Id: 27-21-31-5CC-0B00-0050  
 Owner: CORONA SALVADOR  
 Mailing Address: 448 JORDAN STUART CIR APT 104  
 City,State,ZipCode: APOPKA FL 32703  
 Property Address: 2951 BOLAND DR  
 Subdivision Name: SEMINOLE TERRACE REPLAT  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 01-SINGLE FAMILY

**2006 WORKING VALUE SUMMARY**

Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	\$148,013
Depreciated EXFT Value:	\$2,127
Land Value (Market):	\$32,253
Land Value Ag:	\$0
Just/Market Value:	\$182,393
Assessed Value (SOH):	\$182,393
Exempt Value:	\$0
Taxable Value:	\$182,393
Tax Estimator	

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	03/2002	04355	0599	\$20,000	Vacant	Yes
WARRANTY DEED	02/1987	01823	1291	\$12,500	Vacant	Yes
WARRANTY DEED	02/1985	01618	0703	\$9,800	Vacant	Yes
WARRANTY DEED	01/1976	01089	1349	\$2,600	Vacant	Yes

Find Comparable Sales within this Subdivision

**2005 VALUE SUMMARY**

2005 Tax Bill Amount:	\$3,003
2005 Taxable Value:	\$183,241

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	97	130	.000	350.00	\$32,253

**LEGAL DESCRIPTION**

PLATS:

LEG S 7.5 FT OF LOT 5 & ALL LOT 6 & N 15 FT OF LOT 7 BLK B SEMINOLE TERRACE REPLAT  
 PB 11 PG 29

**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	2002	7	1,727	2,567	2,231	CB/STUCCO FINISH	\$148,013	\$151,034
	Appendage / Sqft		OPEN PORCH FINISHED / 18						
	Appendage / Sqft		GARAGE FINISHED / 318						
	Appendage / Sqft		BASE / 144						
	Appendage / Sqft		BASE / 360						

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
WOOD UTILITY BLDG	2004	289	\$2,127	\$2,312

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.

# NOTICE OF CODE VIOLATION

LOCATION OF VIOLATION: 2951 Boland DR (OVIEDO)  
SEMINOLE TERR. Sub.

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF FLORIDA Building Code CHAPTER/ARTICLE CH.1 SECTION 303.3.

DESCRIPTION OF VIOLATION: Constructing LARGE shed  
IN BACK YARD without PERMITS. ALSO SQUARE  
structure (Like Fence) FOR DOG PIN, ENCLOSED BACK PORCH AND  
constructed wall in GARAGE.

CORRECTIVE ACTION: OBTAIN (ALL) PROPER PERMITS  
and schedule ALL REQUIRED INSPECTION.

THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY 5-3-04. FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE POWER TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.

IF YOU DESIRE FURTHER INFORMATION CONTACT:

Tom Helle  
407.665.7338

PLANNING AND DEVELOPMENT DEPARTMENT  
SEMINOLE COUNTY SERVICES BUILDING  
1101 EAST FIRST STREET  
SANFORD, FLORIDA 32771  
PHONE: 321-1130 EXTENSION 7050

DATE 4.26.04  
FILE NO. 04-267

JASON BUCKER 407-665-9472  
INSPECTOR

## 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 S 7.5 FT OF LOT 5 & ALL LOT 6 & N 15 FT OF LOT 7 BLK B SEMINOLE  
TERRACE REPLAT PB 11 PG 29

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

### FINDINGS OF FACT

**Property Owner:** Salvador Corona  
448 Jordan Stuart Circle Apt. 104  
Apopka, FL 32703

**Project Name:** Boland Drive (2951)

**Requested Development Approval:**

Request for (1) a rear yard setback variance from 30 feet to 2 feet; and (2) a side yard setback variance from 10 feet to 5 feet for an existing shed 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 variances granted will apply only to the shed 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: