

BV2006-033

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Request for a front yard setback variance from 100 feet to 10 feet for a proposed garage the projects in front of the building line in the A-5 (Rural Zoning Classification); (Alfred & Sara Rowe, applicants).

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

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

**Agenda Date** 04-24-06 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a front yard setback variance from 100 feet to 10 feet for a proposed garage the projects in front of the building line in the A-5 (Rural Zoning Classification); (Alfred & Sara Rowe, applicants).
2. **DENY** the request for a front yard setback variance from 100 feet to 10 feet for a proposed garage the projects in front of the building line in the A-5 (Rural Zoning Classification); (Alfred & Sara Rowe, applicants).
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Location: Zoning:	Alfred & Sara Rowe 4352 Prevatt Road A-5 (Geneva)
<b>BACKGROUND REQUEST</b>	/ <ul style="list-style-type: none"> <li>• The applicant proposes to construct a garage that consist of 1026 square feet (27' x 38') that projects in front of the existing building line. The zoning district requires a 100 foot setback from the property line for accessory buildings that project in front of the building line. The applicant is proposing to construct the garage 10 feet from the property line. The existing home is 128 feet from the property line.</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>• The request from 100 feet to 10 feet is not the minimum variance that will make possible reasonable use of the property. The applicant has the ability to place the proposed garage outside of the 100 foot setback and/or reduce the size of the structure.</li><li>• The applicant would retain reasonable use of the property without the requested variance.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>Based on the stated findings and the representations of the applicant, staff recommends denial of the request, subject to the following conditions:</p> <ol style="list-style-type: none"><li>1. Any variance granted should apply only to the proposed garage, as depicted on the attached site plan.</li><li>2. Any additional conditions deemed appropriate, based on information presented at the public hearing.</li></ol>



**ADDITIONAL VARIANCES**

VARIANCE 2: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
VARIANCE 3: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
VARIANCE 4: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
VARIANCE 5: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
VARIANCE 6: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
VARIANCE 7: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPEAL FROM BOA DECISION TO BCC**

**APPELLANT INFORMATION**

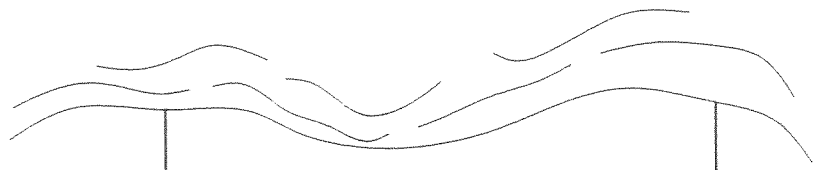
NAME	_____
ADDRESS	_____
PHONE 1	_____
PHONE 2	_____
E-MAIL	_____

NATURE OF THE APPEAL \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ APPELLANT SIGNATURE \_\_\_\_\_

**FOR OFFICE USE ONLY**

PROCESSING: \_\_\_\_\_  
FEE(S): 160.00 COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING A-5 / R-5  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS \_\_\_\_\_  
PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_  
SUFFICIENCY COMMENTS \_\_\_\_\_  
\_\_\_\_\_

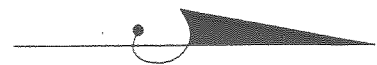
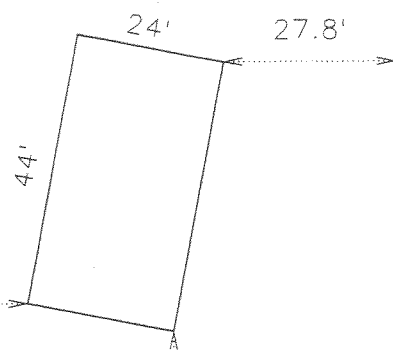
JORDAN SLOUGH



275'±

258'±

EXISTING  
2-STORY  
RESIDENCE



SITE PLAN

1"=20'

SEPTIC AREA±

38'

PROPOSED  
GARAGE

27' 4"

10'

128.4'

10'

87.5'

DIRT ROAD

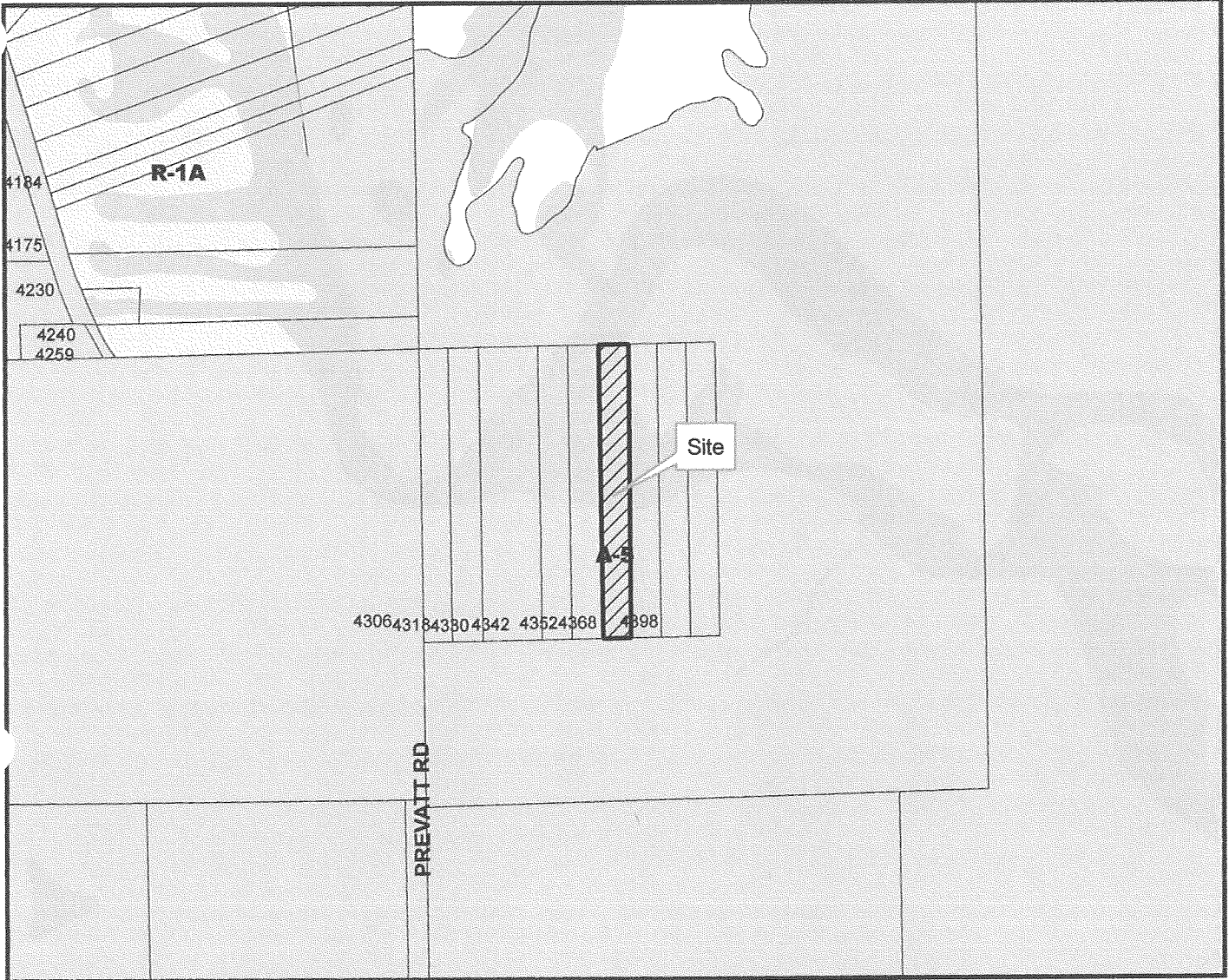
*PREVATT ROAD*

50' INGRESS-EGRESS EASEMENT

<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY, FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																						
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 29-20-33-300-005A-0000</p> <p>Owner: ROWE ALFRED G &amp; SARA J</p> <p>Mailing Address: 2350 SELLECK AVE</p> <p>City, State, Zip Code: NEW SMYRNA BEACH FL 32168</p> <p>Property Address: 4352 PREVATT RD GENEVA 32732</p> <p>Subdivision Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 01-SINGLE FAMILY</p>	<p align="center"><b>2006 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$57,709</p> <p>Depreciated EXFT Value: \$576</p> <p>Land Value (Market): \$61,608</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$119,893</p> <p>Assessed Value (SOH): \$119,893</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$119,893</p> <p>Tax Estimator</p>																					
<p align="center"><b>SALES</b></p> <table border="1"> <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>05/1999</td> <td>03655</td> <td>1486</td> <td>\$84,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1975</td> <td>01068</td> <td>0695</td> <td>\$6,000</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	05/1999	03655	1486	\$84,000	Improved	Yes	WARRANTY DEED	01/1975	01068	0695	\$6,000	Improved	Yes	<p align="center"><b>2005 VALUE SUMMARY</b></p> <p>2005 Tax Bill Amount: \$1,970</p> <p>2005 Taxable Value: \$120,223</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																
WARRANTY DEED	05/1999	03655	1486	\$84,000	Improved	Yes																
WARRANTY DEED	01/1975	01068	0695	\$6,000	Improved	Yes																
<p align="center"><b>LAND</b></p> <table border="1"> <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>FRONT FOOT &amp; DEPTH</td> <td>87</td> <td>250</td> <td>.000</td> <td>600.00</td> <td>\$61,596</td> </tr> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>1.190</td> <td>10.00</td> <td>\$12</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	87	250	.000	600.00	\$61,596	ACREAGE	0	0	1.190	10.00	\$12	<p align="center"><b>LEGAL DESCRIPTION</b></p> <p>LEG SEC 29 TWP 20S RGE 33E E 87.5 FT OF W 612.5 FT OF N 848.9 FT OF SW 1/4</p>			
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																	
FRONT FOOT & DEPTH	87	250	.000	600.00	\$61,596																	
ACREAGE	0	0	1.190	10.00	\$12																	
<p align="center"><b>BUILDING INFORMATION</b></p> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1976</td> <td>3</td> <td>864</td> <td>1,728</td> <td>864</td> <td>SIDING AVG</td> <td>\$57,709</td> <td>\$65,953</td> </tr> </tbody> </table> <p>Appendage / Sqft      UTILITY UNFINISHED / 864</p> <p><b>NOTE:</b> Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p>		Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1976	3	864	1,728	864	SIDING AVG	\$57,709	\$65,953	
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New													
1	SINGLE FAMILY	1976	3	864	1,728	864	SIDING AVG	\$57,709	\$65,953													
<p align="center"><b>EXTRA FEATURE</b></p> <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>WOOD SCREEN PORCH</td> <td>1979</td> <td>192</td> <td>\$576</td> <td>\$1,440</td> </tr> </tbody> </table>		Description	Year Blt	Units	EXFT Value	Est. Cost New	WOOD SCREEN PORCH	1979	192	\$576	\$1,440											
Description	Year Blt	Units	EXFT Value	Est. Cost New																		
WOOD SCREEN PORCH	1979	192	\$576	\$1,440																		
<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																						






Sara & Alfred Rowe  
4352 Prevatt Road  
Geneva, Florida 32732



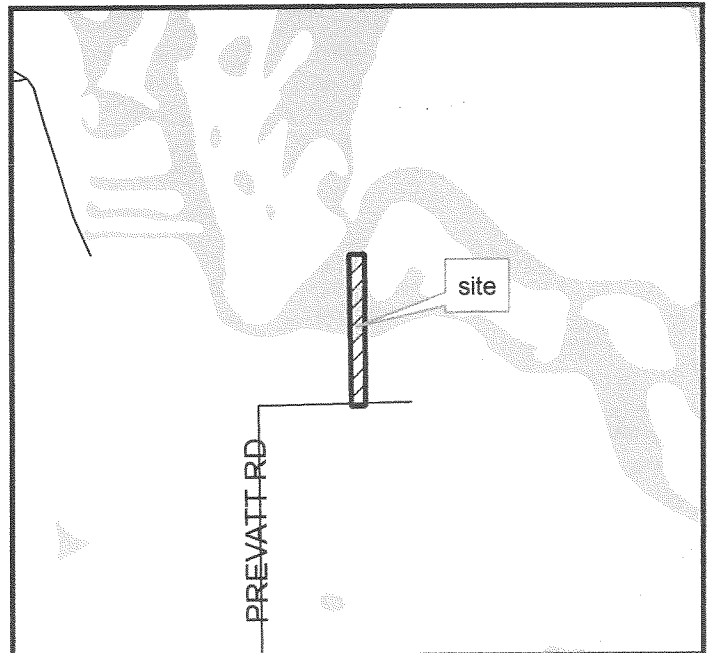
Seminole County Board of Adjustment  
March 27, 2006  
Case: BV2006-033  
Parcel No: 29-20-33-300-005A-0000

**Zoning**

-  BV2006-033
-  A-5
-  R-1A



0 80 160 320 480 640 Feet



**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On April 24, 2006, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 29 TWP 20S RGE 33E E 87.5 ft OF W 612.5 FT OF N 848.9 FT  
OF SW  $\frac{1}{4}$

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

**FINDINGS OF FACT**

**Property Owner:** Alfred & Sara Rowe  
4352 Prevatt Road  
Geneva, FL 32732

**Site Address:** 4352 Prevatt Road

**Requested Development Approval:**

Request for front yard setback variance from 100 feet to 10 feet for a proposed garage the projects in front of the building line in the A-5 (Rural Zoning Classification).

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 PROPOSED GARAGE, 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: