

BV2006-040

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 15 feet to 10 feet for a proposed room addition in the PUD (Planned Unit Development); (Robert Richardson, applicant).

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

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

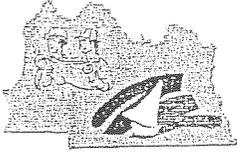
Agenda Date 04-24-06 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 15 feet to 10 feet for a proposed room addition in the PUD (Planned Unit Development); (Robert Richardson, applicant).
2. **DENY** the request for a rear yard setback variance from 15 feet to 10 feet for a proposed room addition in the PUD (Planned Unit Development); (Robert Richardson, applicant).
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Property Owner: Location: Zoning:	Robert Richarson Claude & Mary Rish 1412 Oberlin Terrace PUD (Hampton Park)
BACKGROUND REQUEST	/	<ul style="list-style-type: none">• The applicant proposes to construct a room addition the will project 6 feet from the existing home and 5 feet into the 15 foot rear yard setback.• The applicant's rear yard property line abuts the retention pond of the adjacent development (Country Downs).• 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	

	<p>variance. Staff has determined that:</p> <ul style="list-style-type: none">• The granting of the variance would allow the applicant's rights that are denied to others in the Planned Unit Development zoning classification.• 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 denial of the request, subject to the following conditions:</p> <ol style="list-style-type: none">1. Any variance granted should apply only to the proposed room addition, as depicted on the attached site plan.2. Any additional conditions deemed appropriate, based on information presented at the public hearing.



COPY

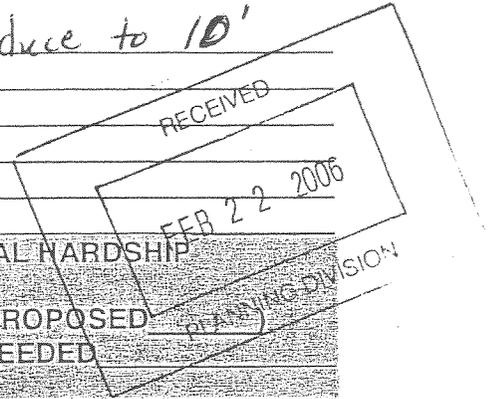
APPL. NO. BV 2006-040

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** Rear yard setback of 16' reduce to 10'
- 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 _____
- APEAL FROM DECISION OF THE PLANNING MANAGER**



	PROPERTY OWNER	AUTHORIZED AGENT*
NAME	<u>Rish, Claude M + Mary M</u>	<u>Robert M. Richardson</u>
ADDRESS	<u>1412 Oberlin Ter</u>	<u>1011 S. Bay St</u>
	<u>Lake Mary, FL 32746</u>	<u>Eustis, FL 32726</u>
PHONE 1		<u>352-483-1535</u>
PHONE 2	<u>407-493-2581 cell</u>	<u>386-804-8354</u>
E-MAIL		<u>pastor.pastor@comcast.net</u>

PROJECT NAME: Mike Rish room addition
 SITE ADDRESS: 1412 Oberlin Ter, Lake Mary
 CURRENT USE OF PROPERTY: Single Family Residence
 LEGAL DESCRIPTION: Leg lot 4, Hampton Park, PB 38 Pgs 58 to 60

SIZE OF PROPERTY: .1316 acre(s) PARCEL I.D. 21-20-30-512-0000-0040

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER county provided

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 4/24/2006 (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.

Robert M. Richardson

2-22-06

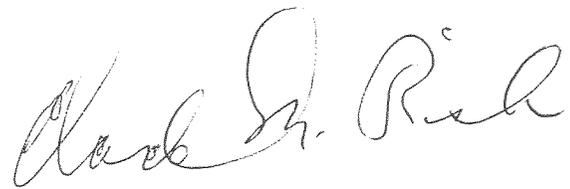
SIGNATURE OF OWNER OR AGENT*

DATE

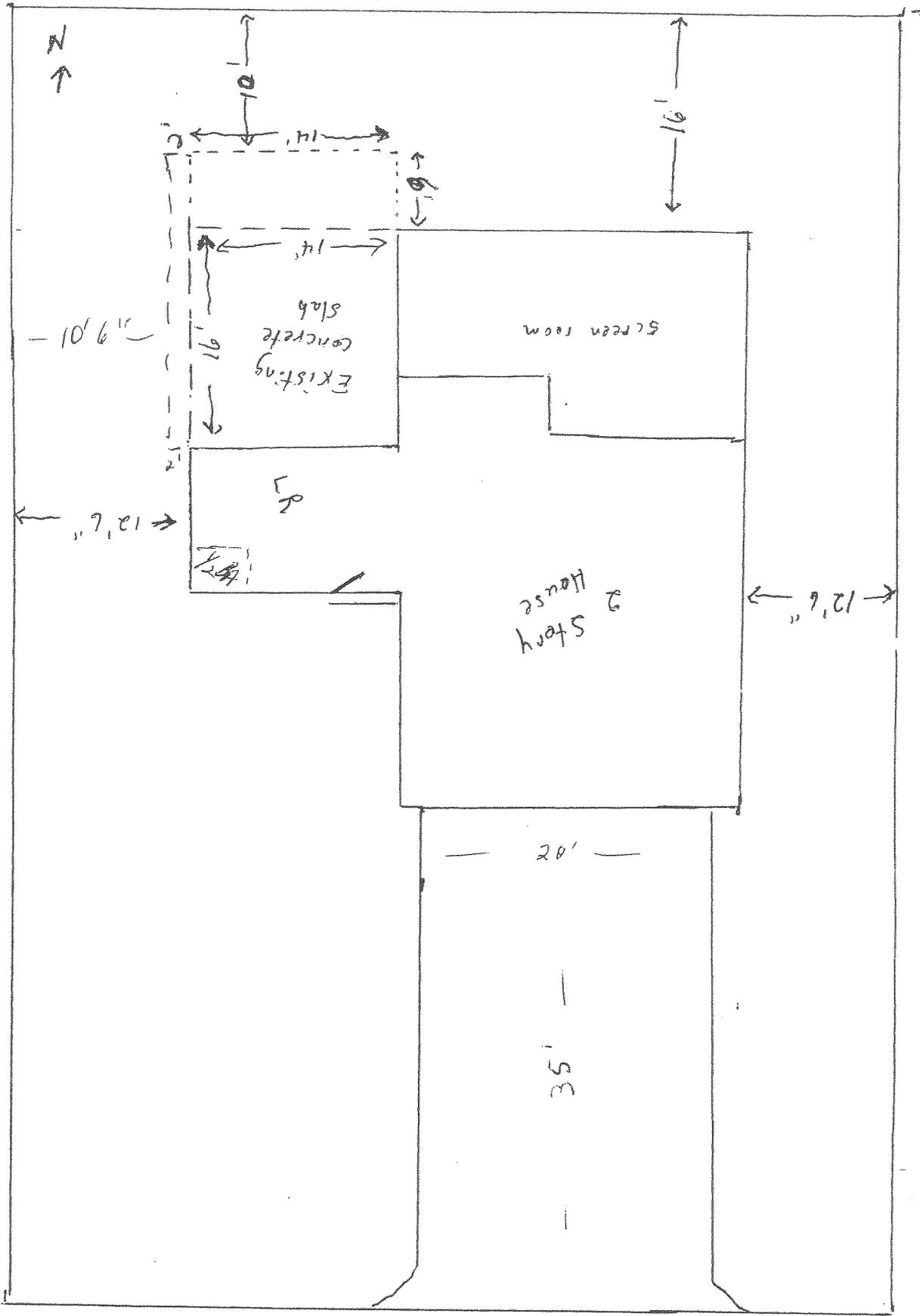
Feb 23, 2006

This note is to authorize
Robert M. Richardson to serve as
my agent for the variance request
I am applying for at 1412 Oberlin Terrace
in Lake Mary, FL, Seminole County.

Claude M. Rish

A handwritten signature in cursive script that reads "Claude M. Rish". The signature is fluid and matches the typed name above it.

undeveloped natural area



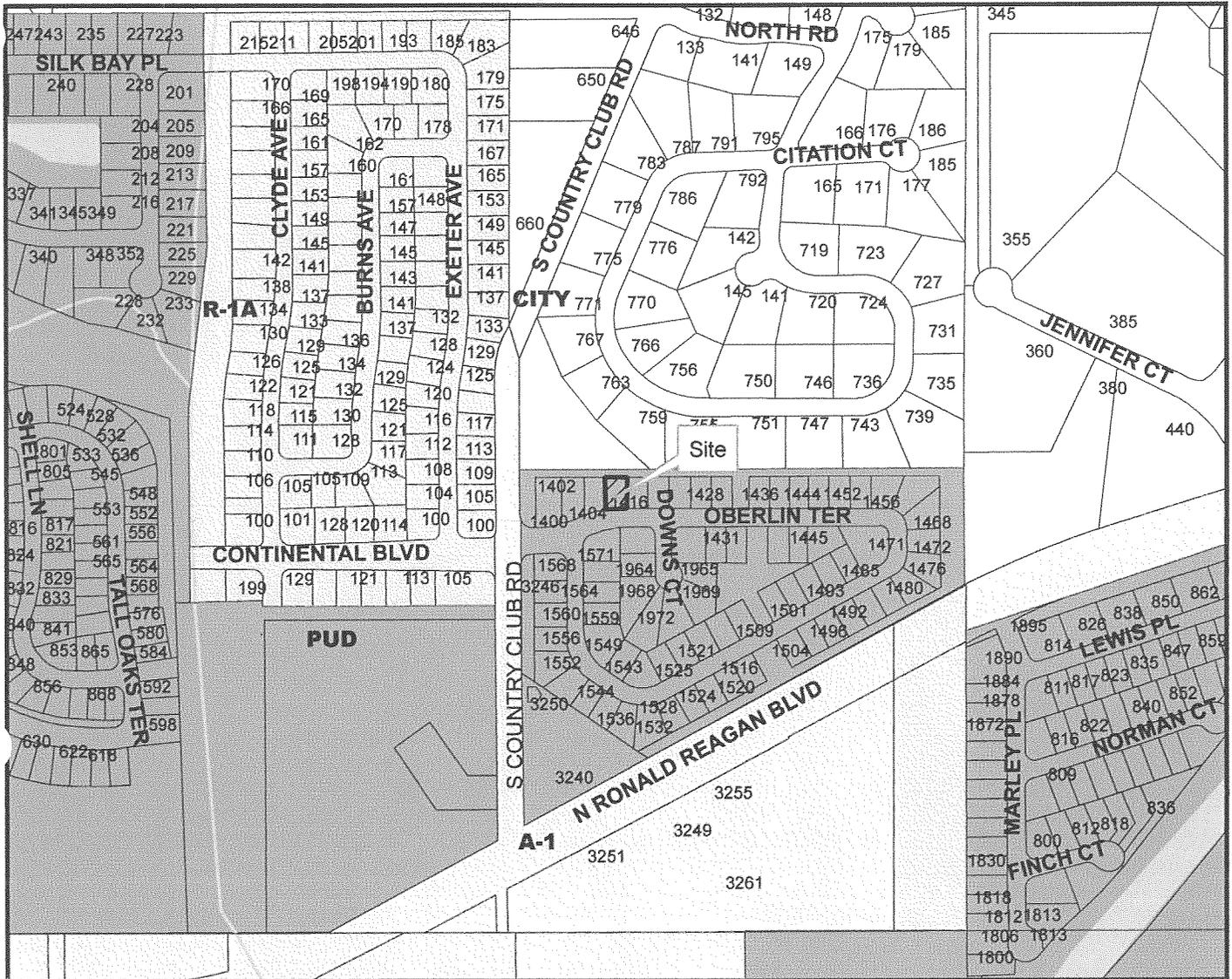
Street

63'

1412 Oberlin Terrace

Claude M. Rish

Robert Richardson
 1412 Oberlin Terrace
 Lake Mary, Florida 32746

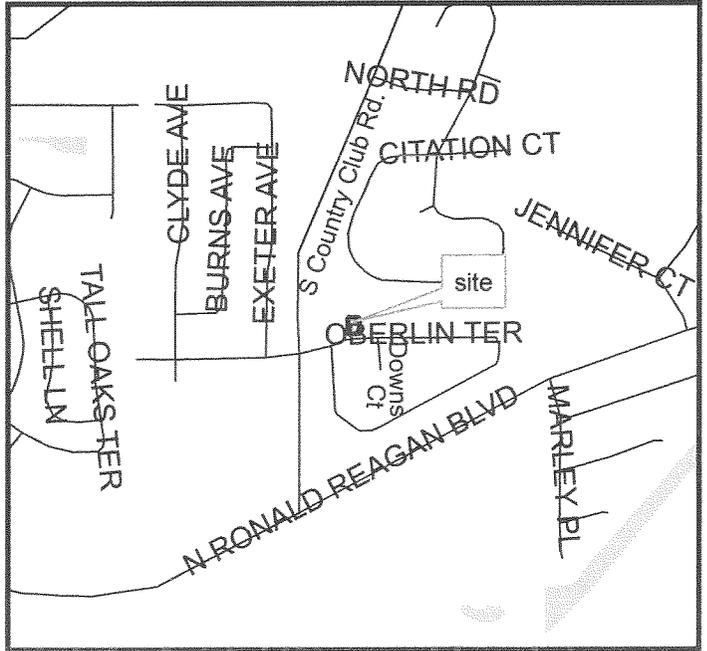


Seminole County Board of Adjustment
 April 24, 2006
 Case: BV2006-040
 Parcel No: 21-20-30-512-0000-0040

Zoning

-  BV2006-040
-  A-1
-  R-1A
-  PUD

0 70 140 280 420 560 Feet

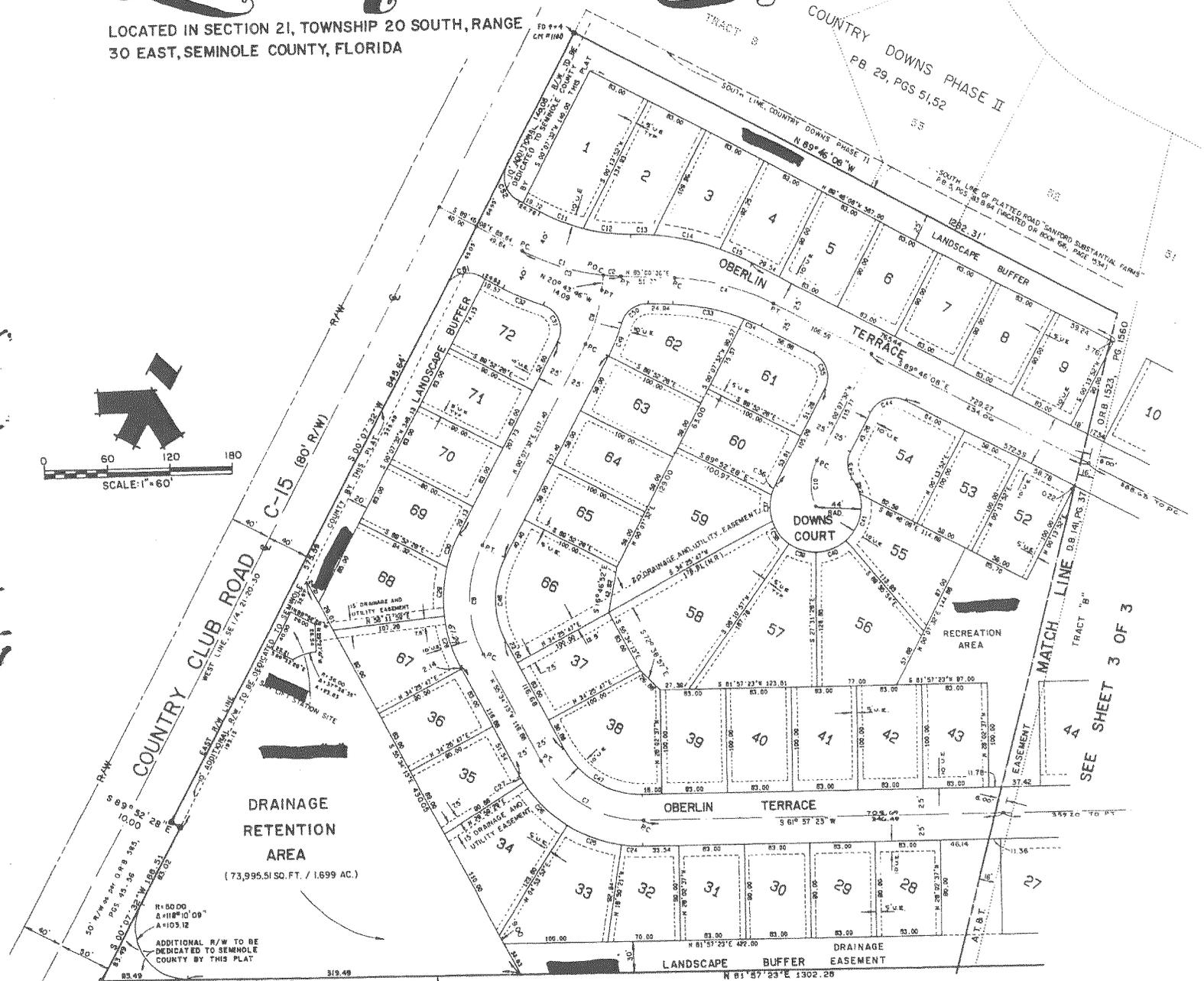
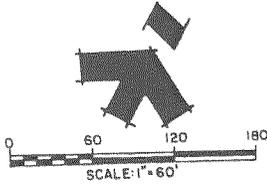



<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY, FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-668-7506</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$135,834 Depreciated EXFT Value: \$1,877 Land Value (Market): \$33,000 Land Value Ag: \$0 Just/Market Value: \$170,711 Assessed Value (SOH): \$102,453 Exempt Value: \$25,000 Taxable Value: \$77,453 Tax Estimator</p>																																																															
<p>GENERAL</p> <p>Parcel Id: 21-20-30-512-0000-0040 Owner: RISH CLAUDE M & MARY M Mailing Address: 1412 OBERLIN TER City,State,ZipCode: LAKE MARY FL 32746 Property Address: 1412 OBERLIN TER LAKE MARY 32746 Subdivision Name: HAMPTON PARK Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>		<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,129 2005 Tax Bill Amount: \$1,220 Save Our Homes (SOH) Savings: \$909 2005 Taxable Value: \$74,469 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																																															
<p>SALES</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>03/1990</td> <td>02159</td> <td>1913</td> <td>\$102,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1989</td> <td>02096</td> <td>0267</td> <td>\$116,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	03/1990	02159	1913	\$102,500	Improved	Yes	WARRANTY DEED	07/1989	02096	0267	\$116,000	Vacant	No	<p>LEGAL DESCRIPTION</p> <p>PLATS: Pick... LEG LOT 4 HAMPTON PARK PB 38 PGS 58 TO 60</p>																																										
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Hampton Park

LOCATED IN SECTION 21, TOWNSHIP 20 SOUTH, RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA

PLAT BOOK 38 PAGE 59
SHEET 2 OF 3



63
91
5733
49 ft

43,560
49 ft
in all

S.R. No. 427 (100' R/W)

S.R.D. R/W MAP SECTION 77510-2607,
C.R.B. 595, PGS. 45, 46

PEC PROFESSIONAL ENGINEERING CONSULTANTS, INC.
engineers planners surveyors
Suite 1580 Hartford Building 200 East Robinson Street Orlando, Florida 32801 305/422-8082

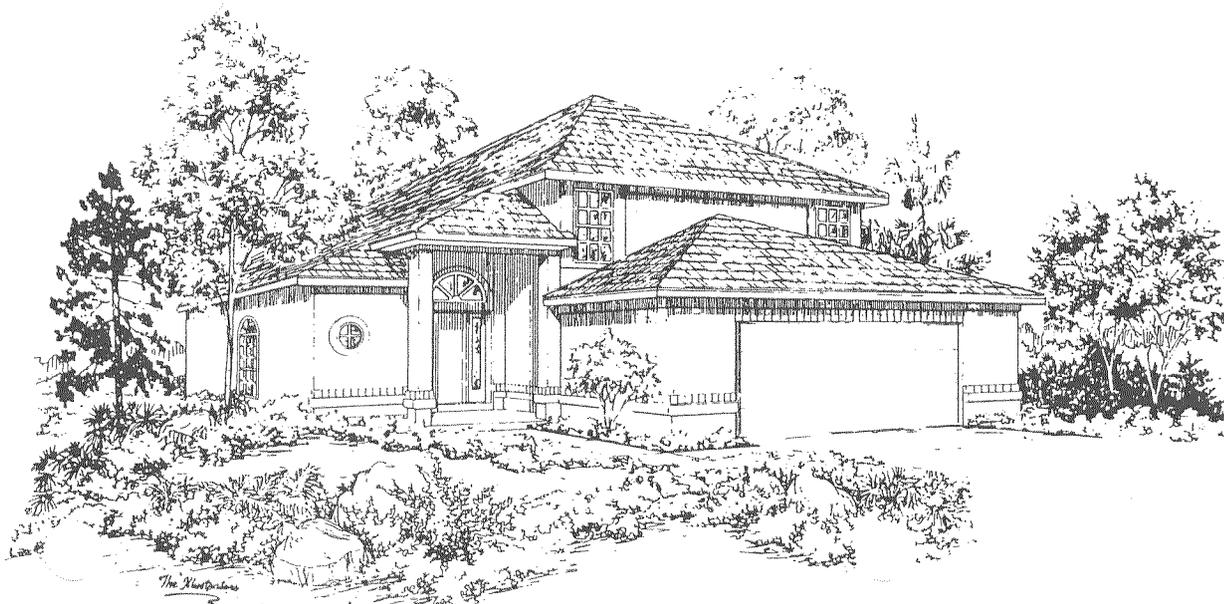
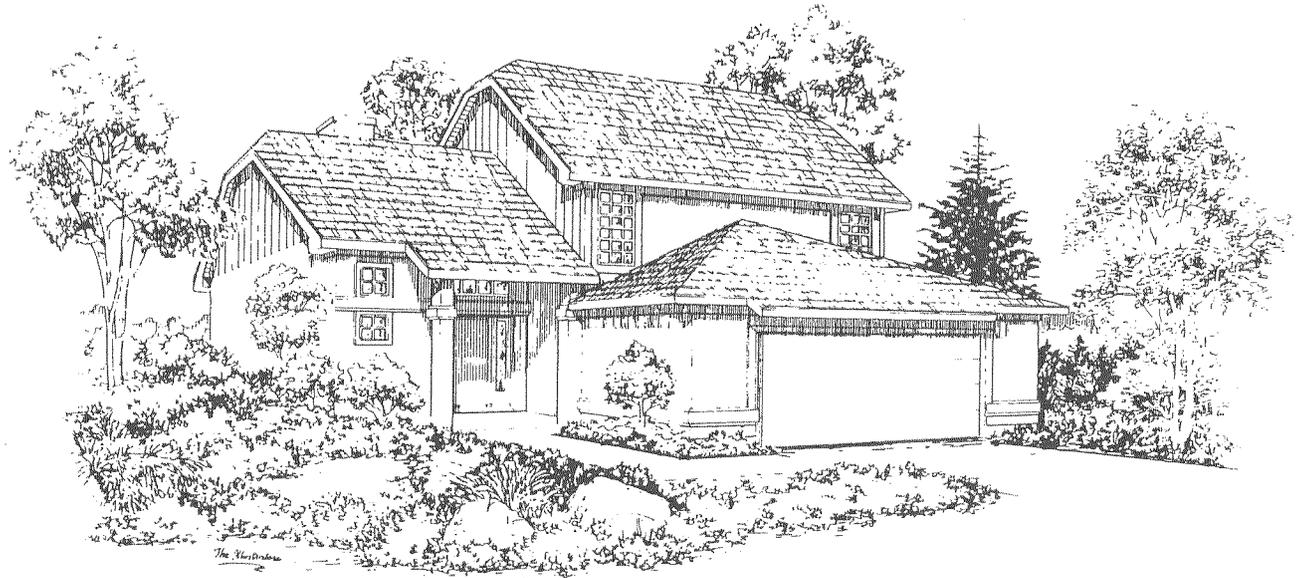
COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 21 TWP: 20 RNG: 30
 PROJ. #

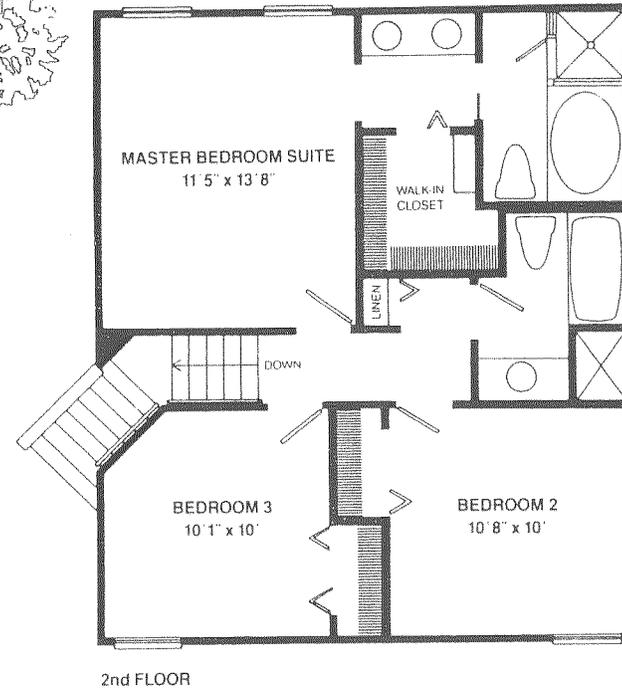
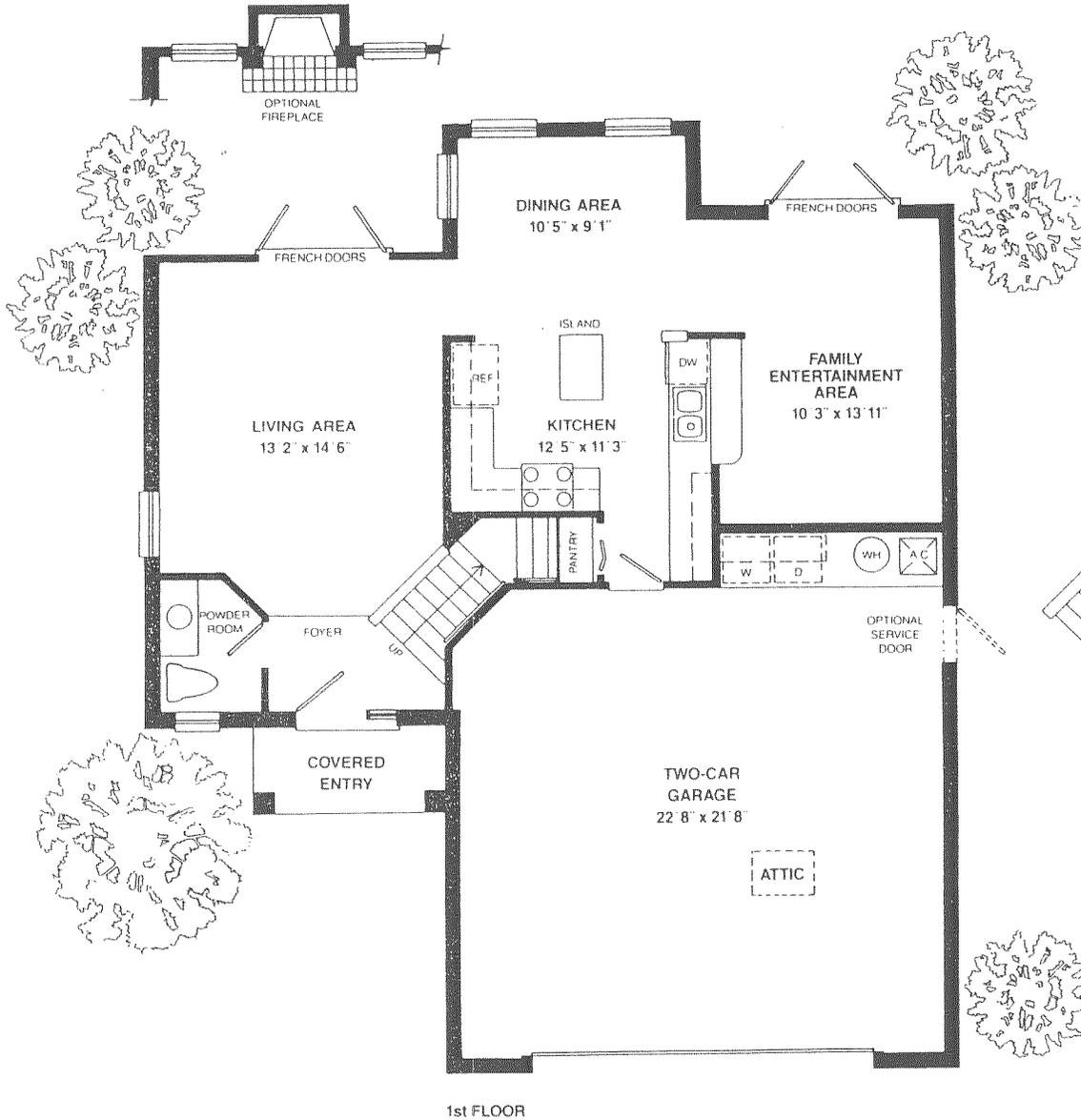
DEVELOPMENT: Hampton Park		DEVELOPER: A Wayne Rich	
LOCATION: NE corner of Country Club Road and C427		72 lots	
FILE#:	BA:	SP:	BCC: 3/24/87
P&Z:			
PB	38	PG	58-60 Lot
		BIK	
		Parcel	
		DBA	
			Comm Dist
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS: Construct a 5' sidewalk prior to Certificate of Occupancy of any units on C-15 and C-427		SETBACK REQUIREMENTS	
		FY: 20'	SY: 6'
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER:	
		ACCESSORY STRUCTURE SETBACKS:	
COMMENTS OTHER: *Intersection Improvements: Left and right turn lanes required at entrance. 1) Pool and lighted tennis court is required prior to occupancy of the 6 th unit. Please notify the Commitment Inspector when the 60 th permit is issued. 2) A brick wall is required along the south, east and west boundaries, east is to be a 6' brick wall, west and south are to be a 4' brick wall. Not flood prone.		SY: 6'	
		RY: 10'	
		ACCESSORY STRUCTURE OTHER:	

	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	14
	LAND USE:	3
	1. ROAD-CO. WIDE	V-0
	2. ROAD-COLL.	V-0
	3. LIBRARY	V-\$25.00
	4. FIRE	V-\$50.00
	5. PARK	C-\$25.00
	6. SCHOOL	C-\$300.00
	7. LAW	C-\$50.00
	8. DRAINAGE	
	TOTAL	
	REMARKS: Curb and gutter; sidewalks	

The Laurel



The Laurel



This sheet is for illustrative purposes only and not part of a legal contract. Floor plans and standard features may vary according to alternate style selected and are subject to change without notice. Optional items indicated are available at additional cost.

Plans copyrighted 1989, Ryan Homes



We are pledged to the letter and spirit of U.S. policy of the equal housing opportunity in which there are no barriers to obtaining housing because of race, color, religion, sex or national origin.

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 LOT 4 HAMPTON PARK PB #* PGS 58 TO 60

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

FINDINGS OF FACT

Property Owner: Claude & Mary Rish
1412 Oberlin Terrace
Lake Mary, FL 32746

Site Address: 1412 Oberlin Terrace

Requested Development Approval:

Request for a rear yard setback variance from 15 feet to 10 feet for a proposed room addition in the PUD (Planned Unit Development)

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 ROOM 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, 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: