

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Request for rear yard setback variance from 30 feet to 12 feet for a proposed detached garage in the R-1A (Single-Family Dwelling District); (Dean & Tracy Compher, applicants).

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

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

**Agenda Date** 4/24/06 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for rear yard setback variance from 30 feet to 12 feet for a proposed detached garage in the R-1A (Single-Family Dwelling District); or
2. **DENY** the request for rear yard setback variance from 30 feet to 12 feet for a proposed detached garage in the R-1A (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> Dean & Tracy Compher <b>LOCATION:</b> 3421 Hunt Lane <b>ZONING:</b> R-1A (Single-Family Dwelling District)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a detached garage that would encroach 18 feet into the minimum 30 foot rear yard setback; the aforementioned variance is thereby requested.</li> <li>• The applicant proposes to construct a two car detached garage that is approximately 25' by 28' or 700 square feet.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances having been granted for this property.</li> </ul>
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:

	<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>• 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 proposed detached garage 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>



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**

03-02-06P01:59  
 APPL. NO. BU2006-045

**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 SET BACK VARIANCE FROM 30 FT. TO 12 FT. FOR A PROPOSED 2 CAR GARAGE.
- 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	<u>DEAN + TRACY COMPTON</u>	
ADDRESS	<u>3421 HUNT LANE</u>	
	<u>OVIEDO FLORIDA 32765</u>	
PHONE 1	<u>407-365-4177</u>	
PHONE 2	<u>407-920-0111</u>	<u>03-02-06P01:</u>
E-MAIL	<u>DTSACOMP@BELLOUTH.NET</u>	

PROJECT NAME: \_\_\_\_\_  
 SITE ADDRESS: 3421 HUNT LN. OVIEDO FL 32765  
 CURRENT USE OF PROPERTY: SINGLE FAMILY HOME  
 LEGAL DESCRIPTION: \_\_\_\_\_

SIZE OF PROPERTY: 115x86  $\frac{1}{4}$  acre(s) PARCEL I.D. 34-21-31-504-0000-0080  
 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 4, 24, 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.

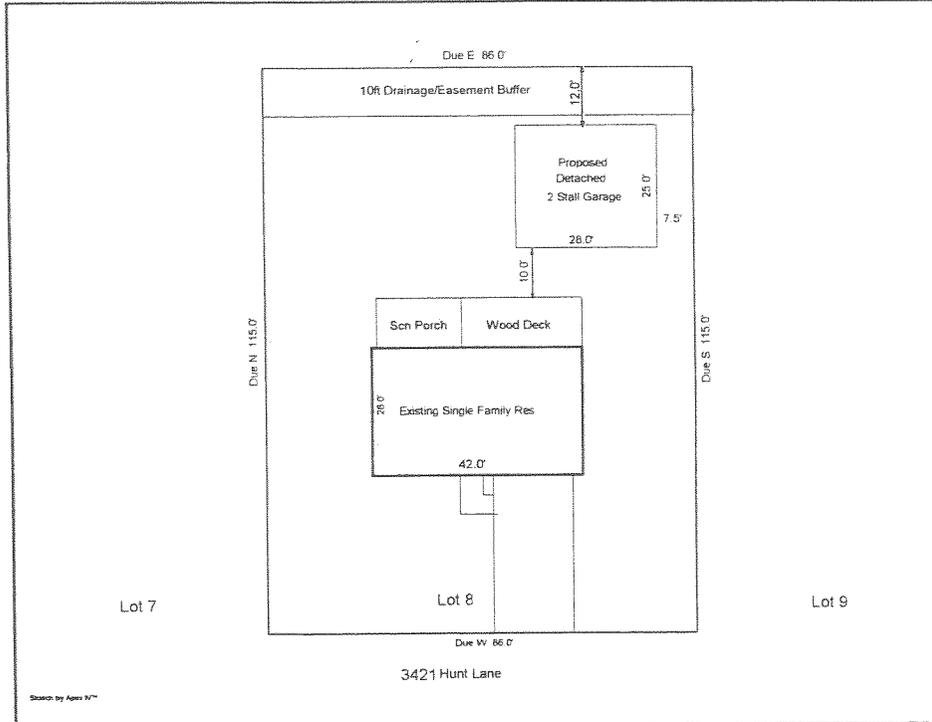
DEAN S. COMPTON 3/01/06  
 SIGNATURE OF OWNER OR AGENT\* DATE

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



**Building Sketch (Page - 1)**

Borrower/Client COMPHER, DEAN & TRACEY			
Property Address 3421 Hunt Lane			
City Oviedo	County Seminole	State FL	Zip Code 32765
Lender N/A			



Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	1092.0	1092.0
SITE	Subject Site	9890.0	9890.0
Net LIVABLE Area		( Rounded )	1092
Net SITE / LAND Area		( Rounded )	9890

LIVING AREA BREAKDOWN		
	Breakdown	Subtotals
First Floor	26.0 x 42.0	1092.0
1 Item	( Rounded )	1092



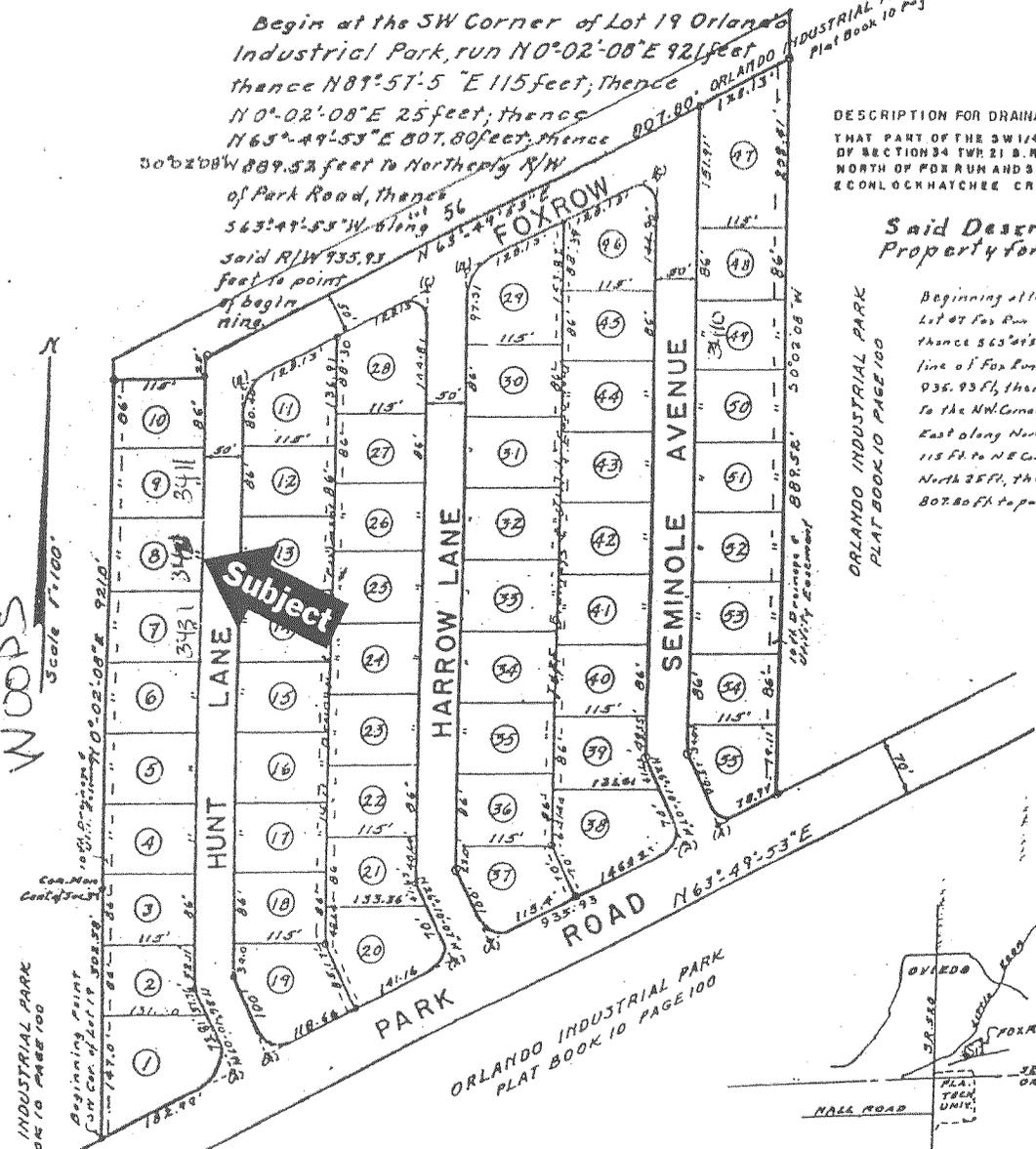
**WOODS FOX RUN RIVER**  
 SEMINOLE COUNTY FLORIDA SEC. 34 TWP. 21S. RGE. 31E.  
 DESCRIPTION

Begin at the SW Corner of Lot 19 Orlando Industrial Park, run N0°-02'-08"E 92.10 feet  
 thence N89°-57'-5"E 115 feet; thence  
 N0°-02'-08"E 25 feet; thence  
 N63°-49'-53"E 807.80 feet; thence  
 S06°28'W 889.52 feet to Northern R/W  
 of Park Road, thence  
 S63°49'-53"W along  
 said R/W 935.93  
 feet to point  
 of begin-  
 ning.

DESCRIPTION FOR DRAINAGE EASEMENT  
 THAT PART OF THE SW 1/4 OF NE 1/4  
 OF SECTION 34 TWP 21 S. RGE. 31E. LYING  
 NORTH OF FOX RUN AND SOUTH OF THE  
 E CONLOCK HATCHER CREEK.

Said Described  
 Property for Lot 56

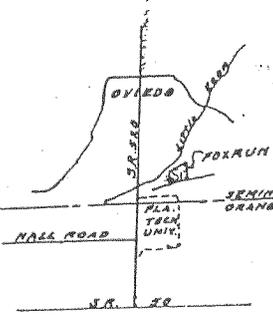
WOODS  
 Scale 1"=100'



**Subject**

Beginning at the NE Corner of  
 Lot 47 Fox Run Run Woods Industrial Park  
 thence S 63° 49' 53" W Parallel to North  
 line of Fox Run, run a distance of  
 935.93 ft, thence S 06° 28' W Parallel  
 to the NW Corner Lot 19 Fox Run then  
 East along North line Lot 19 Run  
 115 ft to NE Corner Lot 10, thence  
 North 35 ft, thence N 63° 49' 53" E  
 807.80 ft to point of Beginning.

ORLANDO INDUSTRIAL PARK  
 PLAT BOOK 10 PAGE 100



(A)	(B)	(C)
A = 90°	A = 63° 49' 53"	A = 116° 10'
ARC = 47.12'	ARC = 33.40'	ARC = 60.82'
R = 30'	R = 30'	R = 30'
T = 30'	T = 31.70'	T = 48.16'
		CORD = 50.93'

0 Denotes P.R.M.

WHEREAS: The Corporation named below being owners of  
 lands described in foregoing caption, have caused said lands  
 to be surveyed, laid out, and platted to be known as  
 WOODS INDUSTRIAL PARK and the streets as shown in the  
 annexed plat here by Dedicated to the perpetual use of  
 the public, and in witness thereof have caused these proceeds  
 to be signed by the Officers named below and the Corporate  
 Seal of said Corporation to be affixed hereto this  
 day of January 1973

Ray Crawford HARRISON INC  
James Spring Ray Charles Pate

ACKNOWLEDGEMENT

STATE of FLORIDA  
 COUNTY of SEMINOLE  
 I, before me, as officer duly  
 authorized to administer oaths and take acknowledgments,  
 personally appeared the above named officers, to me well known  
 and to be the persons who on behalf of the above named Corpora-  
 tion executed the foregoing dedication and free act and  
 deed.  
 Witness my hand and seal this 15 day of January 1973  
Margaret C. Clark  
 My commission expires 12/15/73

CERTIFICATIONS

MORTGAGEES-herely consent in the Platting of the lands  
 heretofore described and agree that in event of foreclosure  
 above dedication shall remain fully effective.

SURVEYED, Measured, and plotted as shown in accordance  
 with existing statutory requirements.  
 STATE OF FLORIDA  
Willie G. ...  
 Registered Land Surveyor  
 This day of Jan 1973

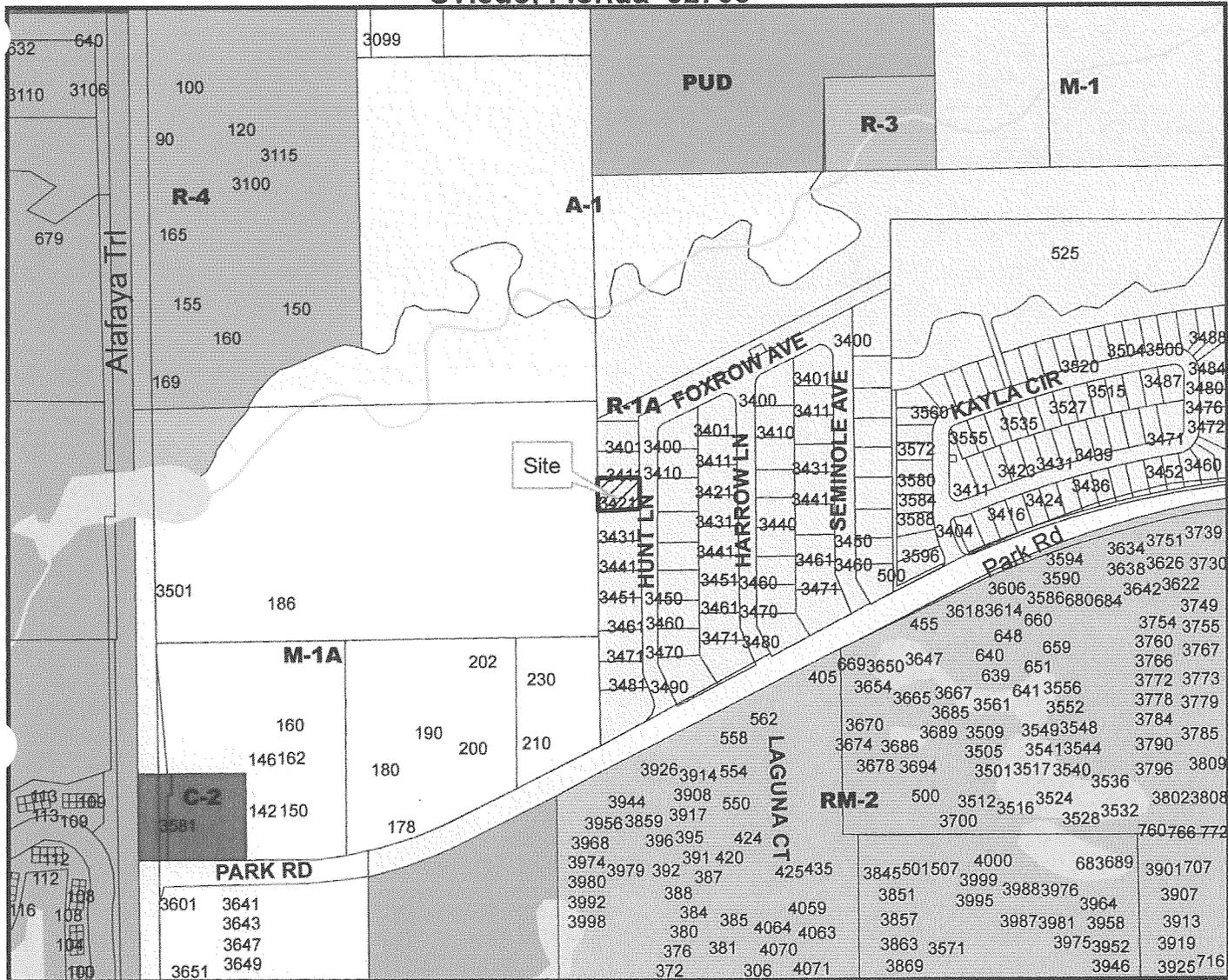
COUNTY OF SEMINOLE  
 BOARD OF COMMISSIONERS  
 Approved [Signature]  
 Attest [Signature]  
 This 15 day of Jan 1973

ZONING COMMISSION  
 Approved [Signature]  
 This 15 day of Jan 1973

MUNICIPALITY OF:  
 Approved \_\_\_\_\_ mayor  
 Attest \_\_\_\_\_ clerk  
 This \_\_\_\_\_ day of \_\_\_\_\_ 1973

CLERK OF THE CIRCUIT COURT  
 Correct as to Statutory requirements and filed  
 for record in Sanford, Florida on 15  
 This 15 day of Jan 1973

Tracy & Dean Compher  
 3421 Hunt Lane  
 Oviedo, Florida 32765



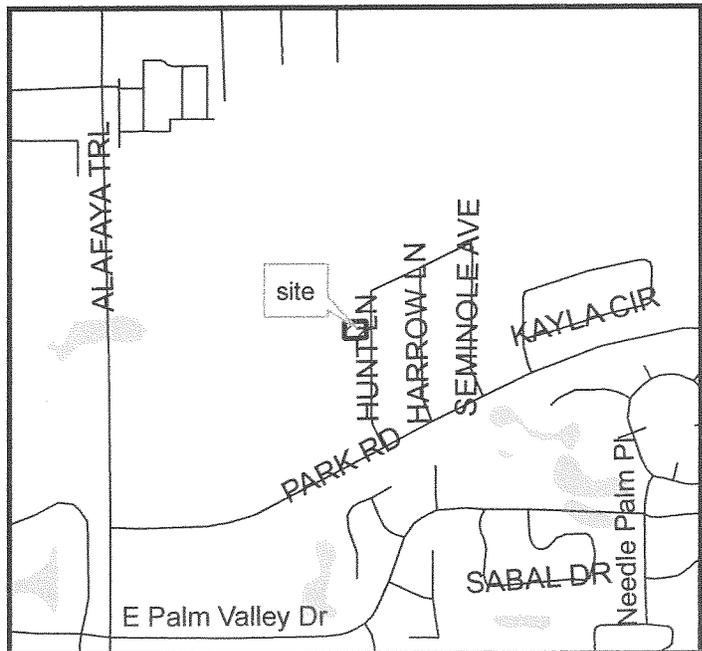
Seminole County Board of Adjustment  
 April 24, 2006  
 Case: BV2006-045  
 Parcel No: 34-21-31-504-0000-0080

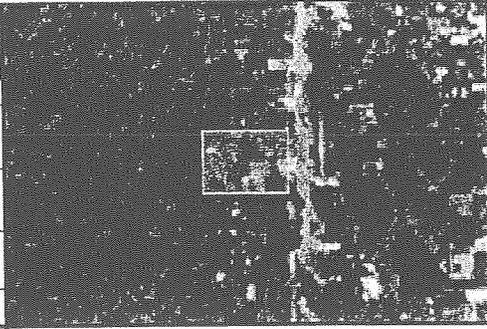
**Zoning**

	BV2006-045		R-3		M-1A
	A-1		R-4		M-1
	R-1AA		RM-2		PUD
	R-1A		C-2		



0 70 140 280 420 560 Feet



<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>	<table border="1" style="margin: auto;"> <tr><td>10</td><td>11</td><td>26</td></tr> <tr><td>9</td><td>12</td><td>27</td></tr> <tr><td>8</td><td>13</td><td>28</td></tr> <tr><td>7</td><td>14</td><td>29</td></tr> <tr><td>6</td><td>15</td><td>30</td></tr> </table> <p style="text-align: center;">HUNT LN</p>	10	11	26	9	12	27	8	13	28	7	14	29	6	15	30							
10	11	26																					
9	12	27																					
8	13	28																					
7	14	29																					
6	15	30																					
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 34-21-31-504-0000-0080                  Owner: COMPHER DEAN S &amp; TRACY A                  Mailing Address: 3421 HUNT LN                  City,State,ZipCode: OVIEDO FL 32765                  Property Address: 3421 HUNT LN OVIEDO 32765                  Subdivision Name: FOX RUN                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions: 00-HOMESTEAD                  Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;"><b>2006 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market                  Number of Buildings: 1                  Depreciated Bldg Value: \$107,244                  Depreciated EXFT Value: \$200                  Land Value (Market): \$24,000                  Land Value Ag: \$0                  Just/Market Value: \$131,444                  Assessed Value (SOH): \$74,062                  Exempt Value: \$25,000                  Taxable Value: \$49,062</p> <p style="text-align: center;">Tax Estimator</p>																					
<p style="text-align: center;"><b>SALES</b></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>12/1986</td> <td>01803</td> <td>1953</td> <td>\$66,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1984</td> <td>01570</td> <td>0965</td> <td>\$100,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	12/1986	01803	1953	\$66,500	Improved	Yes	WARRANTY DEED	08/1984	01570	0965	\$100,000	Vacant	No	<p style="text-align: center;"><b>2005 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$1,543                  2005 Tax Bill Amount: \$769                  Save Our Homes (SOH) Savings: \$774                  2005 Taxable Value: \$46,905</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																	
WARRANTY DEED	12/1986	01803	1953	\$66,500	Improved	Yes																	
WARRANTY DEED	08/1984	01570	0965	\$100,000	Vacant	No																	
<p style="text-align: center;"><b>LAND</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>24,000.00</td> <td>\$24,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	24,000.00	\$24,000	<p style="text-align: center;"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 8 FOX RUN PB 18 PG 60</p>									
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																		
LOT	0	0	1.000	24,000.00	\$24,000																		
<b>BUILDING INFORMATION</b>																							
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New														
1	SINGLE FAMILY	1986	6	1,136	1,723	1,136	SIDING AVG	\$107,244	\$115,939														
			Appendage / Sqft	OPEN PORCH FINISHED / 15																			
			Appendage / Sqft	GARAGE FINISHED / 572																			
<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>																							
<b>EXTRA FEATURE</b>																							
		Description	Year Blt	Units	EXFT Value	Est. Cost New																	
		WOOD DECK	1986	100	\$200	\$500																	
<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.                  *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																							

I Dean Compher and my wife Tracy reside at 3421 Hunt Ln. We are planning to do some construction additions to our home. We plan to add a garage to the back of our home/property. The measurements are 25 ft. long by 28 ft. wide.

Seminole County guidelines state that the building must be 30 ft. from the property line. Our garage would exceed the guideline by 18-ft. and we are applying for a variance. There are wooded wetlands behind us, and the Econ River, and there will never be any construction of any sort behind us, that we know of. We are asking if the new construction of our home would pose a problem for any of our surrounding neighbors. If you have no objections to this plan we would appreciate your signature and address for your support.

Thank You,  
Dean & Tracy Compher

1. Archie Carter 3/1/06 3410 SEMINOLE AVE.
2. [Signature] 1 March 06 3421 Seminole Ave. Oviedo, FL  
32765
3. [Signature] 3/1/06 3410 Harrow Lane

4. Tom & Sheli Gunglman 03/01/06 3420 Hunt lane
5. Tim & BETH DAVIS 3400 HUNT LN.
6. Ray & Jane Gunglman 3410 Hunt Lane
7. Kara & David Smith 3401 Hunt Lane
8. Al & S. 3411 Hunt Ln. / TO MY LEFT
- Valerie Riddle 3430 Hunt Lane
10. Kelly Gunglman 3440 Hunt Lane
11. Jennifer Miller 3460 Hunt Lane
12. Anne Gunglman 3481 Hunt Lane
13. Therese L. Goodwin 3461 Hunt Ln.
14. Russell Gunglman 3451 Hunt Lane

15. Imica Fahy 3/1/06 3441 Hunt Lane  
Lee P Day 3/1/06

16. LAURA MAE HILLIARD 3471 HUNT LANE

17. Freddi Chidona 3431 HUNT LANE / TO MY RIGHT

18. \_\_\_\_\_

19. \_\_\_\_\_

20. \_\_\_\_\_

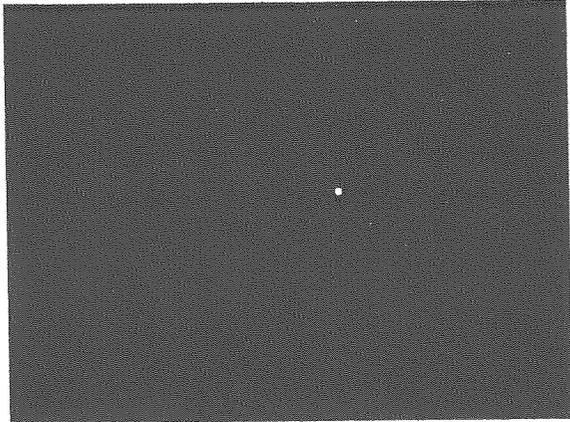
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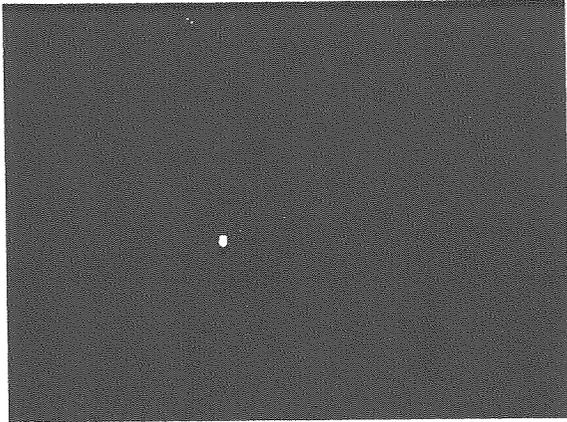
23. \_\_\_\_\_

24. \_\_\_\_\_

25. \_\_\_\_\_



DETACHED GARAGE  
THAT IS AT 3410 SEMINOLE  
AVE. WHICH IS TWO STREETS  
OVER FROM ME. IT IS  
WHAT I DID TO DO



SAME



SAME

## 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 8 FOX RUN PB 18 PG 60

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

### FINDINGS OF FACT

**Property Owner:** Dean & Tracy Compher  
3421 Hunt Ln.  
Oviedo, FL 32765

**Project Name:** Hunt Lane (3421)

**Requested Development Approval:**

Request for rear yard setback variance from 30 feet to 12 feet for a proposed detached garage in the R-1A (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 detached 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, 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: