

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

**SUBJECT:** Request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in the R-1AAA (Single-Family Dwelling District); (Everett Harper, applicant).

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

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

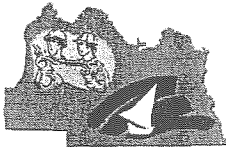
**Agenda Date** 4/24/06 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in the R-1AAA (Single-Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in the R-1AAA (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> Everett Harper <b>LOCATION:</b> 110 Palm Springs Dr. <b>ZONING:</b> R-1AAA (Single-Family Dwelling District)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a room addition that would encroach 5 feet into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested.</li> <li>• The proposed construction would be a master suite addition that is approximately 1,200 square feet in the rear of the property.</li> <li>• There is no record of prior variances having been granted for this property.</li> <li>• There are currently no code enforcement or building violations 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 addition 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 220)  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

03-03-06A

APPL. NO. BV 2006-047

**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 VARIANCE FROM 30 FT. TO 25 FT FOR A PROPOSED ADDITION
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION** RECEIVED MAR 02 2007
- 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>Evelyn Graves</u>	<u>EVERETT HARPER</u>	
ADDRESS	<u>110 Palm Springs Dr. Longwood, FL 32750</u>	<u>429 W. Church Av Longwood FL 32750</u>	
PHONE 1	<u>407-260-0520</u>	<u>407 332 7431</u>	
PHONE 2			
E-MAIL			

PROJECT NAME: Graves

SITE ADDRESS: 110 Palm Springs Dr. Longwood

CURRENT USE OF PROPERTY: S/F Residence

LEGAL DESCRIPTION: Leg Lot 1 B1K B Knellwood 3rd Add Amended Plat PB1K PG62

SIZE OF PROPERTY 200x150 acre(s) PARCEL I.D. 01-21-29-501-0800-0010

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.

Evelyn Graves 2/26/06  
 SIGNATURE OF OWNER OR AGENT\* DATE

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

**ADDITIONAL VARIANCES**

VARIANCE 2:  
 Change Rear Yard set back from  
 30 to 25 ft

VARIANCE 3:  
 03-06A1

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

**APPEAL FROM BOA DECISION TO BCC**

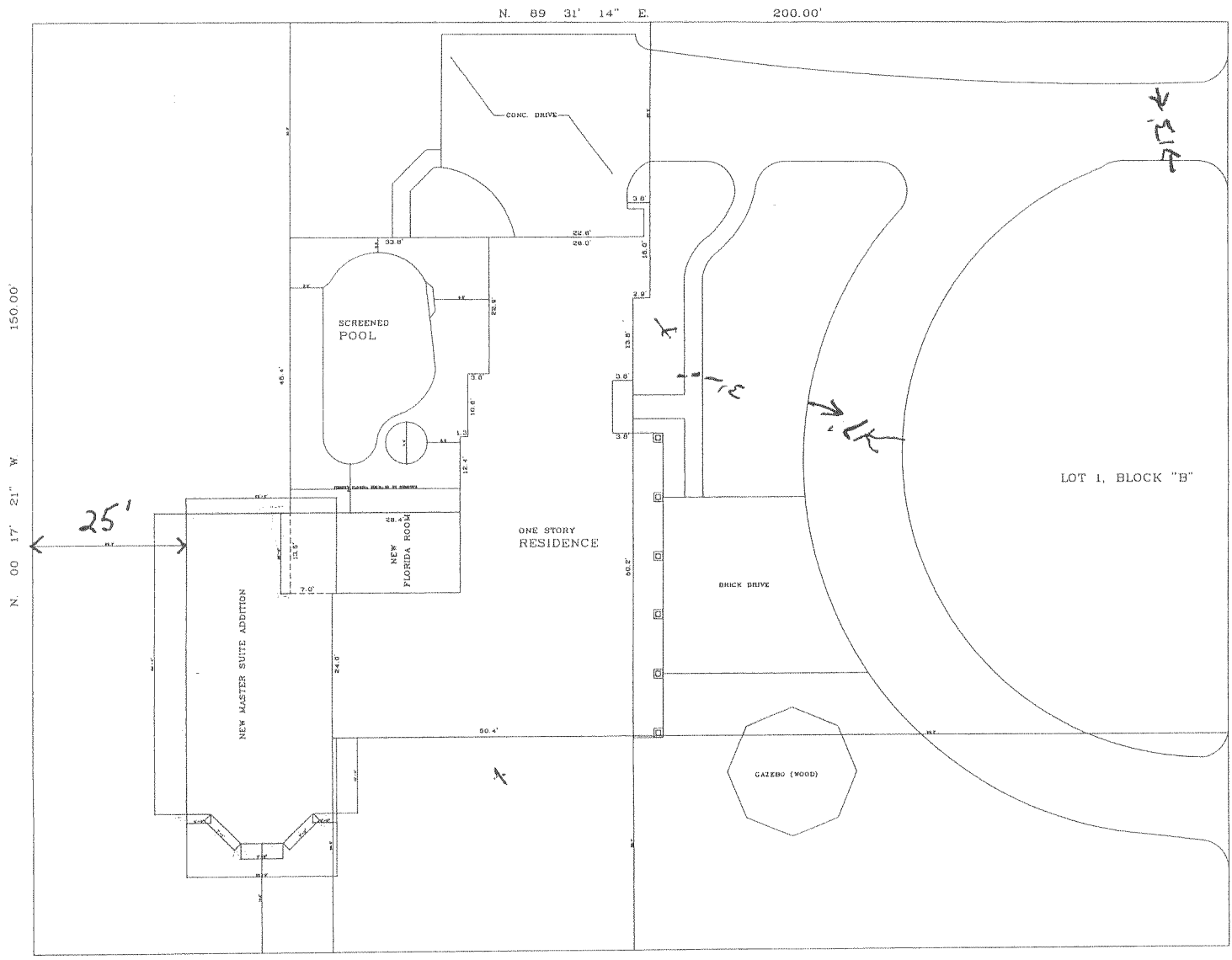
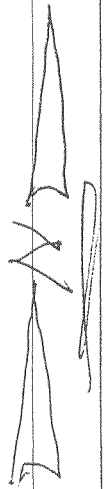
APPELLANT INFORMATION	
NAME	Evelyn Graves
ADDRESS	110 Palm Springs Dr. Longwood, FL 32750
PHONE 1	407-260-1052
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL To build bedroom addition on home which would encroach on 30ft. rear set-back by 5 ft. - would need variance from 30ft. to 25ft.

APPELLANT SIGNATURE Evelyn Graves  
 agent

**FOR OFFICE USE ONLY**

PROCESSING:  
 FEE(S): 100.00 COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING R-1AA / LR  
 BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
 LOCATION FURTHER DESCRIBED AS \_\_\_\_\_  
 PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_  
 SUFFICIENCY COMMENTS setbacks not legible



N. 89 31' 14" E. 200.00'

KNOLLWOOD FIRST ADDITION

P.B. 15, PG. 1

DESCRIPTION: LOT 1, BLOCK 8, KNOLLWOOD THIRD ADDITION, as recorded in plat book 16, Pages 61 & 62, Public Records of Seminole County, Florida.

S. 00 17' 21" E. 150.00'

PALM SPRINGS DRIVE (50.00') R/W C/L

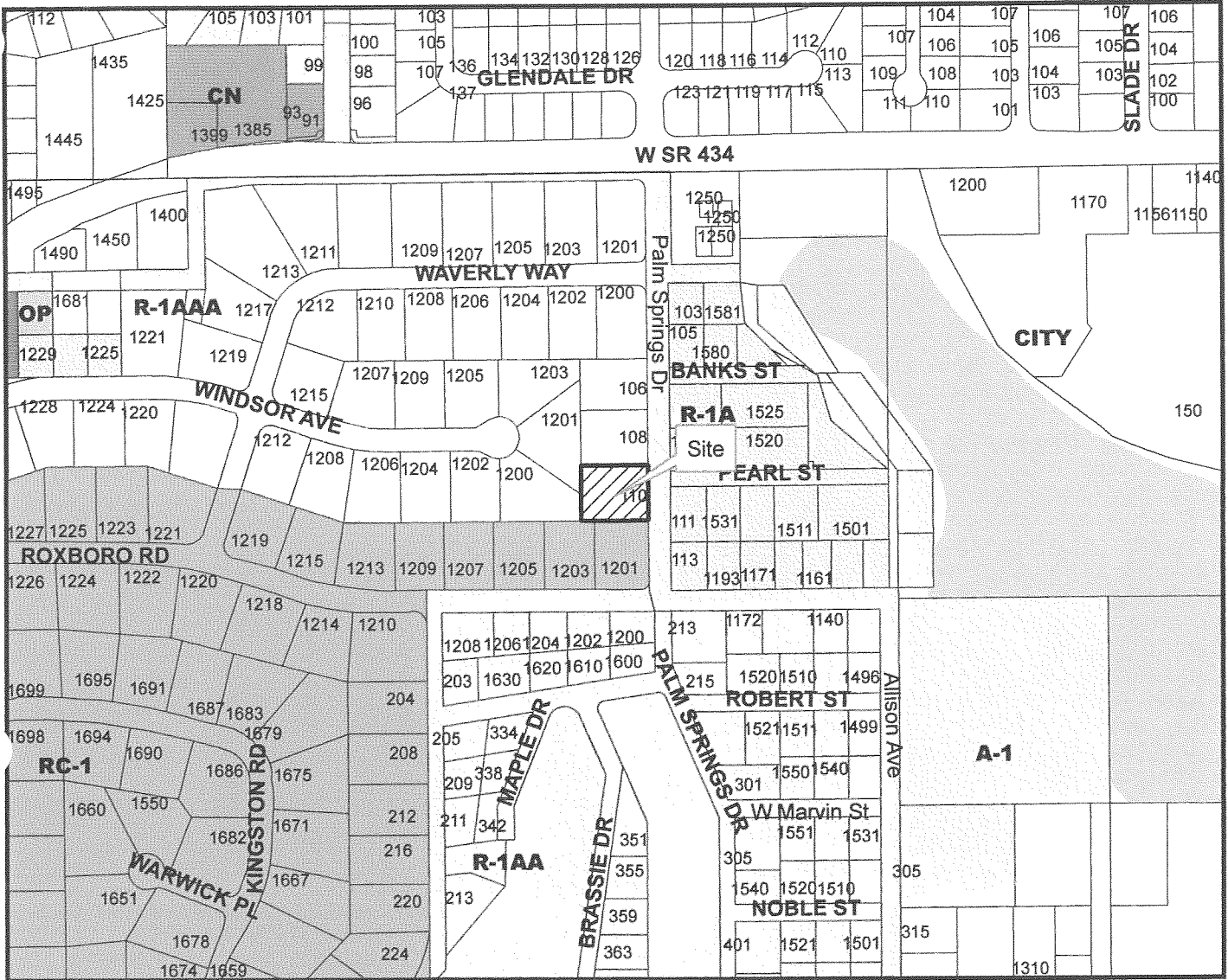
REVISIONS

Complete Drafting & Design 201 Yarmcuh Rd. Fern Park, Florida 32730	PROPOSED NEW RENOVATION FOR THE GRAVES FAMILY PALMSPRINGS DRIVE LONGWOOD, FLORIDA 32751
DRAWN BY: RVS DESIGNED BY: RVS CHECKED BY: DATE: 2/9/2006 SCALE: AS NOTED	REVISIONS

*Note* **600A** *WALKS & DRIVE*

SHEET NO.  
**C-1**  
1 OF 12

**Everett Harper  
110 Palm Springs Drive  
Longwood, Florida 32750**



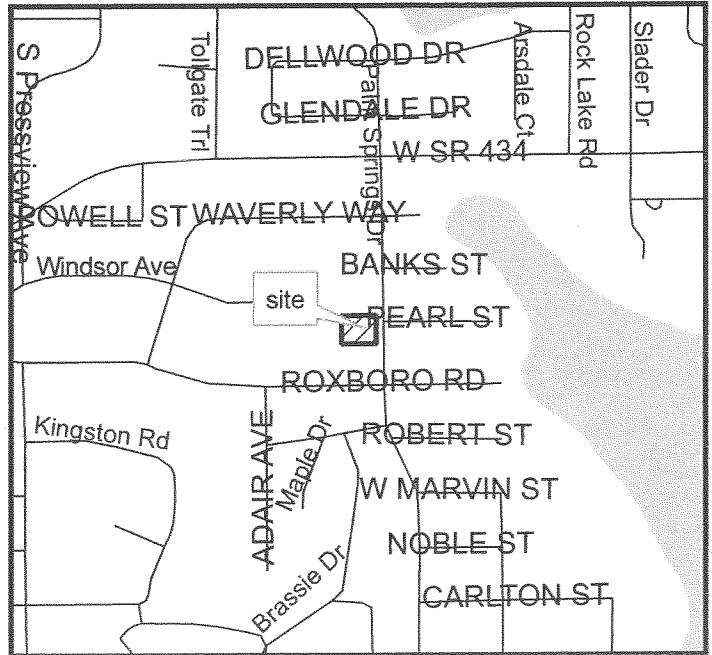
**Seminole County Board of Adjustment  
April 24, 2006  
Case: BV2006-047  
Parcel No: 01-21-29-501-0B00-0010**

**Zoning**

	BV2006-047		R-1AAA		OP
	A-1		R-1AA		CN
	RC-1		R-1A		C-1

N

0 75 150 300 450 600 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 407-865-7508</p>																																																											
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 01-21-29-501-0B00-0010                  Owner: GRAVES EVELYN L                  Mailing Address: 110 PALM SPRINGS DR                  City,State,ZipCode: LONGWOOD FL 32750                  Property Address: 110 PALM SPRINGS DR LONGWOOD 32750                  Subdivision Name: KNOLLWOOD 3RD ADD AMENDED PLAT                  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: \$202,296                  Depreciated EXFT Value: \$9,831                  Land Value (Market): \$45,338                  Land Value Ag: \$0                  Just/Market Value: \$257,465                  Assessed Value (SOH): \$158,219                  Exempt Value: \$158,219                  Taxable Value: \$0                  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>01/1979</td> <td>01206</td> <td>1100</td> <td>\$85,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1978</td> <td>01187</td> <td>1148</td> <td>\$78,500</td> <td>Improved</td> <td>Yes</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	01/1979	01206	1100	\$85,000	Improved	Yes	WARRANTY DEED	08/1978	01187	1148	\$78,500	Improved	Yes	<p style="text-align: center;"><b>2005 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$0                  2005 Tax Bill Amount: \$0                  Save Our Homes (SOH) Savings: \$0                  2005 Taxable Value: \$0                  DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																				
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3/3/06

To Seminole County,

Re: 110 Palm Springs Dr  
Langwood Fla

Application for set back Variance  
for above described.

I hereby request a authorize  
Everett Hooper, state certified Contractor  
# CR-C057955, to represent me,  
Evelyn Graves, in the above described  
Application for Variance

Thank you!!

Evelyn Graves



## 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 1 BLK B KNOLLWOOD 3<sup>RD</sup> ADD AMENDED PLAT PB 16 PG 62

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

### FINDINGS OF FACT

**Property Owner:** Evelyn Graves  
110 Palm Springs Dr.  
Longwood, FL 32750

**Project Name:** Palm Springs Drive (110)

**Requested Development Approval:**

Request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in the R-1AAA (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: