

BV2006-051

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 20 feet to 15 feet for a proposed sunroom in the PUD (Planned Unit Development); (Sunroom Designs, 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 20 feet to 15 feet for a proposed sunroom in the PUD (Planned Unit Development); (Sunroom Designs, applicant).
2. **DENY** the request for a rear yard setback variance from 20 feet to 15 feet for a proposed sunroom in the PUD (Planned Unit Development); (Sunroom Designs, applicant).
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Property Owners: Location: Zoning:	Sunroom Designs John & Emma Raucheggar 1230 Chessington Circle PUD (Keenwicke at Heathrow)
BACKGROUND REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a sunroom that will consist of 195 ± square feet. The proposed sunroom will encroach 5 feet into the 20 foot rear yard setback. • There is currently a screen room that was permitted in 2003 which does not have a covered roof therefore did not require a variance. The applicant wishes to remove the screen room and construct the sunroom on the same footprint. • There is no record of prior variances having been granted for this property. 	
STAFF FINDINGS	<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"> • No special conditions or circumstances exist, which are 	

	<p>peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district. An existing concrete patio and/or screen room does not justify a hardship.</p> <ul style="list-style-type: none">• The granting of the variance would not be in harmony with the Keenwicke development in which there has been no other similar variances granted.
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 sunroom, as depicted on the attached site plan.2. Any additional conditions deemed appropriate, based on information presented at the public hearing.



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

RECEIVED MAR 03 2007
 APPL. NO. DL 2006-051

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** Enclose existing screen room with aluminum solarium with roof. Set back for solid roof from 20' to 15' rear yard
- 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	John + Emma Rauehgger	Sunroom Designs
ADDRESS	1230 Chessington Circle Heathrow, FL 32746	3601 Vineland Rd., Ste. 2 Orlando, FL 32811
PHONE 1	407-619-3435	407-648-8700 <i>call filed or Robyn</i>
PHONE 2		
E-MAIL		RobynK@sunroomdesignsllc.com

PROJECT NAME: John + Emma Rauehgger
 SITE ADDRESS: 1230 Chessington Circle, Heathrow, FL 32746
 CURRENT USE OF PROPERTY: Single Family Residence
 LEGAL DESCRIPTION: Lot 26 Keenwicke PB 53 PGS 14 THRU 17

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 36-19-29-5NH-0000-0260
 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 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

Robyn K. Conroy
 SIGNATURE OF OWNER OR AGENT* DATE 3/3/06

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

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	_____

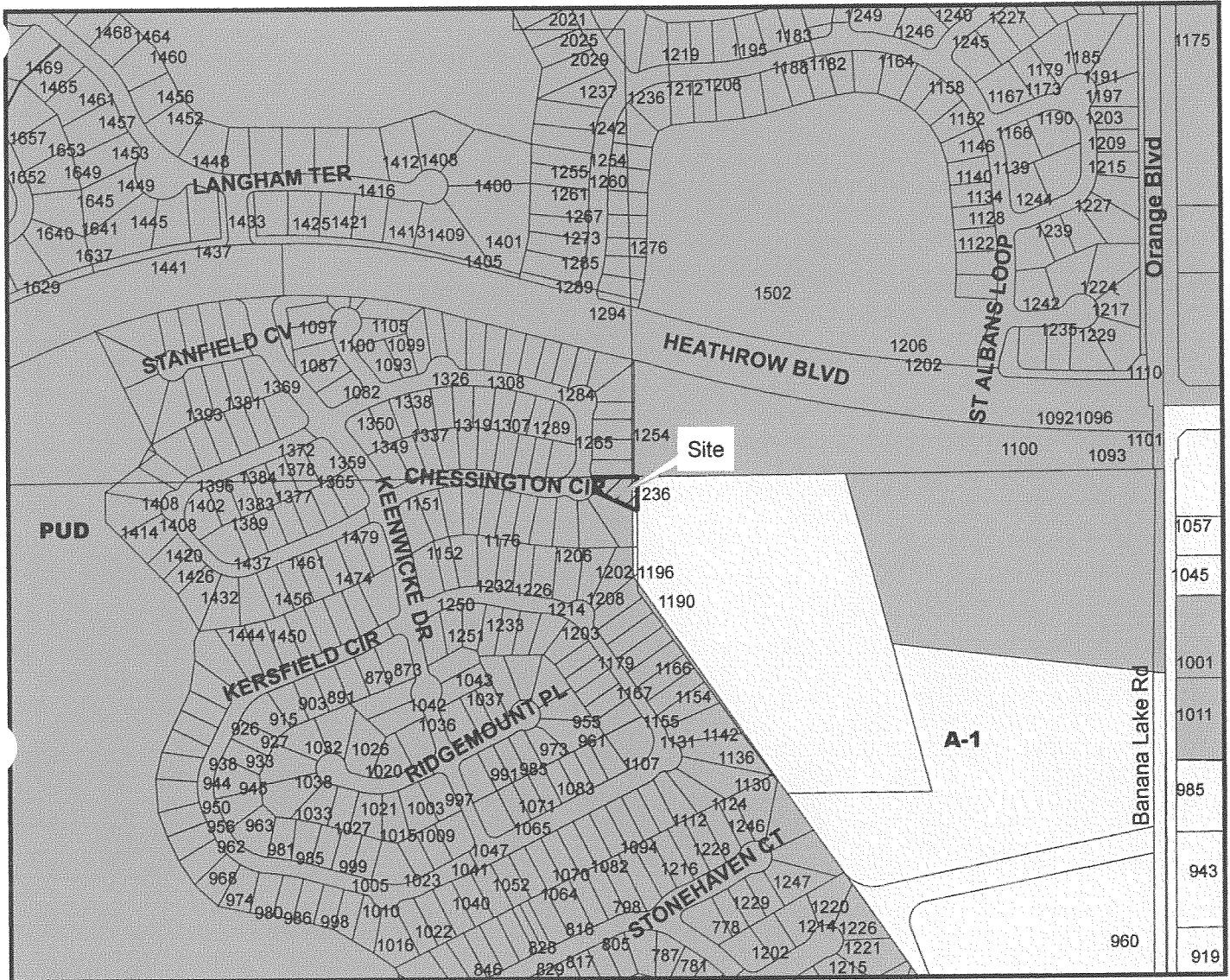
NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY




PROCESSING:
FEE(S): 150.00 COMMISSION DISTRICT _____ FLU / ZONING PUD / PD
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS Keenwicke PUD
PLANNING ADVISOR #3 DATE _____
SUFFICIENCY COMMENTS Check permit or variance for existing screen room ② screen room is located in easement

Sunroom Designs
1230 Chessington Circle
Heathrow, Florida 32746

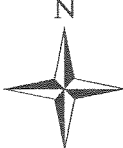


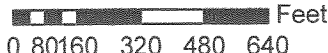
Seminole County Board of Adjustment
April 24, 2006
Case: BV2006-051
Parcel No: 36-19-29-5NH-0000-0260

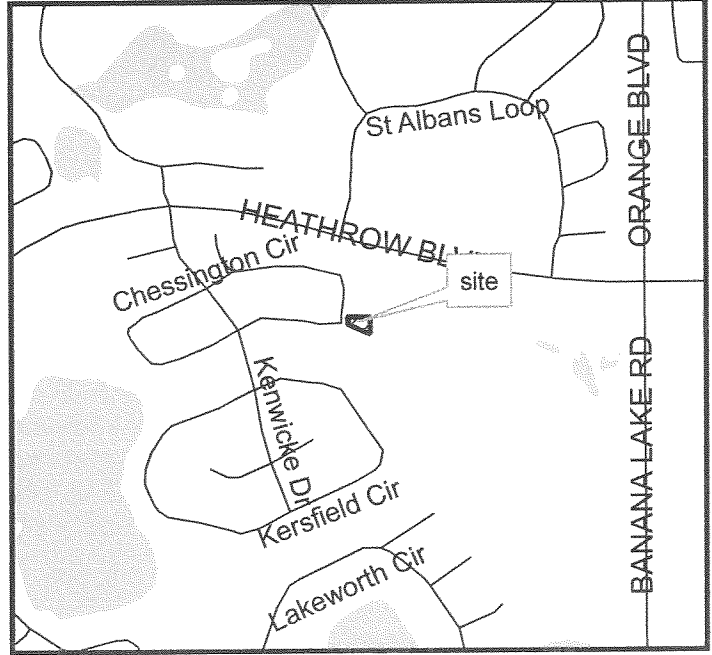
Zoning

-  BV2006-051
-  A-1
-  PUD

N

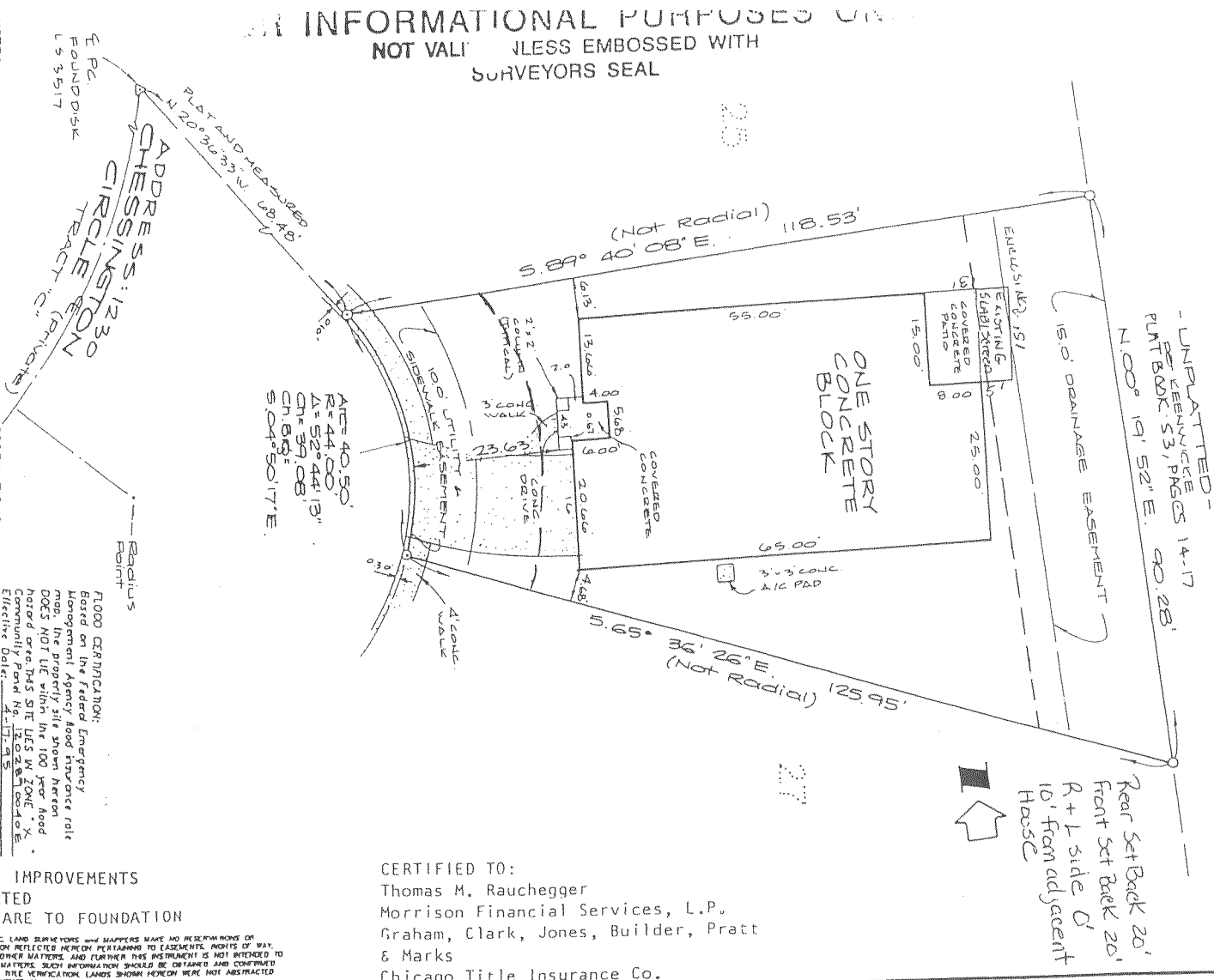


 Feet
0 80 160 320 480 640



LAT OF BOUNDARY SURVEY for: MORRISON HOMES, INC.
 DESCRIPTION: LOT 26, KEENWICKE

RECORDED IN PLAT BOOK 53, PAGE(S) 14-17 PUBLIC RECORDS OF SENTINELLE COUNTY, FLORIDA.



FOR INFORMATIONAL PURPOSES ONLY
 NOT VALID UNLESS EMBOSSED WITH
 SURVEYORS SEAL

- NOTES:
1. BEARINGS ARE BASED ON THE EAST LINE OF LOT 26.
 2. 0. 1/2\"/>

- ABBREVIATIONS:
- P.C. POINT OF CURVATURE
 - P.T. POINT OF TANGENCY
 - P.I. POINT OF INTERSECTION
 - P.R.C. POINT OF REVERSE CURVATURE
 - P.C.M. POINT OF COMPOUND CURVATURE
 - CH. CHORD
 - CH. RADIUS
 - R. RADIUS
 - DEC. DECENTRAL ANGLE
 - CL. CENTRAL LINE
 - LOC. LOCATION
 - ACC. AIR CONDITIONER PAD
 - LS. LAND SURVEYOR NUMBER

FLOOD CERTIFICATION:
 Based on the Federal Emergency Management Agency Flood Insurance rate map, the property sits above the 100 year flood hazard area. THIS SITE USES "ZONE" X. Community Flood No. 1202281000000E
 Effective Date: 4-17-95
 Map Revision Date: 4-17-95
 SUBJECT TO CHANGE

NO UNDERGROUND IMPROVEMENTS
 HAVE BEEN LOCATED
 BUILDING TIES ARE TO FOUNDATION

CERTIFIED TO:
 Thomas M. Rauchegger
 Morrison Financial Services, L.P.
 Graham, Clark, Jones, Builder, Pratt & Marks
 Chicago Title Insurance Co.

THE UNDERSIGNED AND CAVONE, INC. LAND SURVEYORS AND MAPPERS MAKE NO REPRESENTATIONS OR GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SE TRACT LINES, ADJACENTS AND OTHER MATTERS, AND FURTHER THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAY AND/OR EASEMENTS OF RECORD.

AVONE, INC.
 LAND SURVEYORS
 300 SOUTH COUNTY ROAD 427
 LONGWOOD, FLORIDA 32705-4999
 TELEPHONE: (407) 610-9080
 FAX NO. (407) 339-3636

Not valid without the signature and seal of a Florida licensed surveyor and mapper.

FINAL FOUNDATION STAKED
 4-6-99 1-13-99 10-3-98
 SCALE: 1" = 20'
Dominick F. Cavone
 DOMINICK F. CAVONE PRESIDENT
 Florida Land Surveyor Registration No. 2005

WD START LOT 48-8461 WD START HOUSE 48-8461 WD FORM CHECK
 NO OF COMPARISON 48-731 WD FINAL 48-3111 WD REVERT
 Licensed Business No. LB 5073

Rauchegger KC26

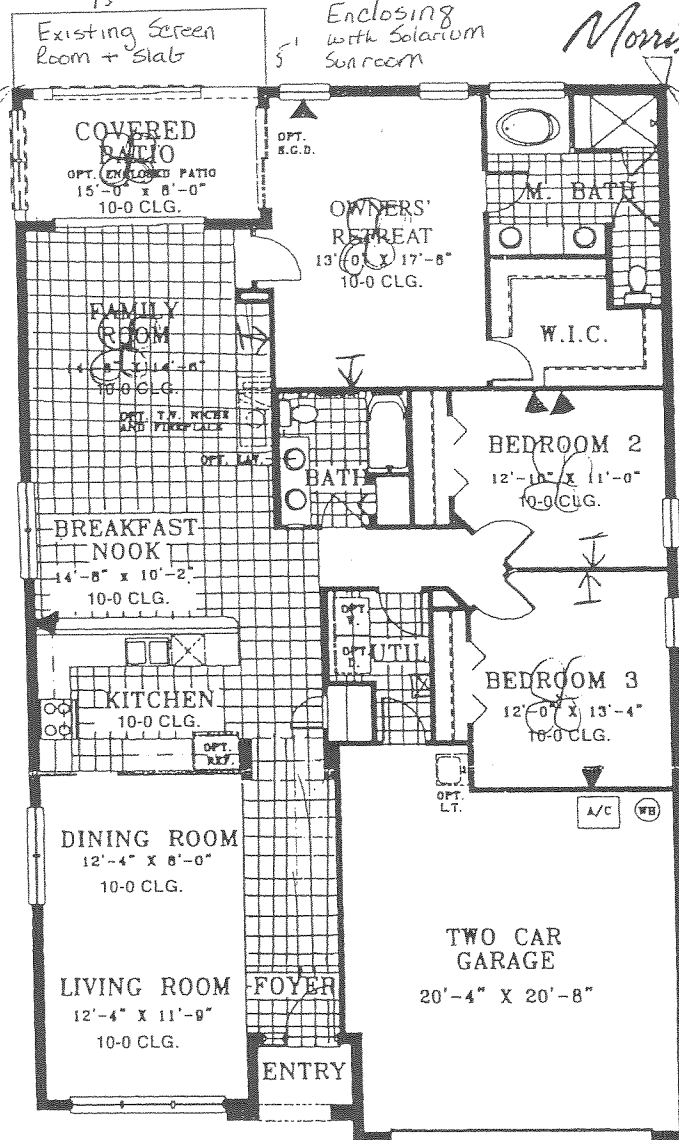
3- Family Views (5)
1- Stone Views (5)

THE SHEFFIELD
Three Bedrooms, Two Baths

Single Family Homes by

Morrison Homes

Security
& Pool
Floodlight
Views (2)



1275 Lake Heathrow Lane • Heathrow, Florida 32746 • (407) 333-1400

© 1998 Heathrow Realty, Licensed Real Estate Broker. Heathrow is a planned community with many types of homes, which are constructed and sold by builders unrelated to Heathrow Land Company Limited Partnership. The obligation of such builders is not guaranteed by Heathrow Land Company Limited Partnership or its general partner #46A Corporation. Prices, plans and availability are subject to change without notice. The use of certain recreational facilities may require membership in a club(s) and/or the payment of membership fees. Heathrow is a registered trademark. Broker participation welcome. Equal Housing Opportunity.

Print Date: 9/98



Sunroom Designs

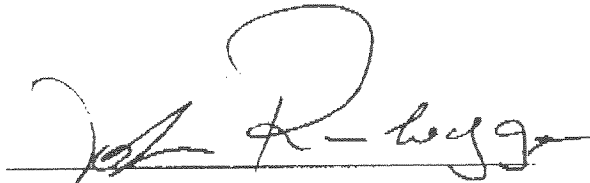
3601 Vineland Rd.
Suite 2
Orlando, FL 32811
407-648-8700
407-648-8701 (fax)

March 2, 2006

John & Emmy Rauchegger
1230 Chessington Circle
Heathrow, FL 32746

Re: Authorization for Variance Application

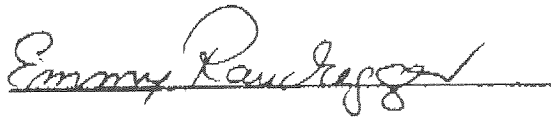
We, John & Emmy Rauchegger authorize Sunroom Designs to apply for a variance on our behalf. Application for variance is needed to enclose existing screen room and existing concrete slab.



John Rauchegger

3-2-06

Date



Emmy Rauchegger

3-2-06

Date

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 36 TWP: 19 RNG: 29
 PROJ. #

DEVELOPMENT:		Keenwicke Phase 1 (Heathrow Tract 30)				DEVELOPER:		Heathrow Land Development Co.			
LOCATION:		within Heathrow PUD – 58 lots									
FILE#:		BA:		SP:		BCC:					
P&Z:		PB		PG		14-17		Lot		Blk	
PB		53		PG		14-17		Lot		Blk	
Parcel		DBA		Comm Dist							
DEVEL. ORDER #:						TAX PAR. I.D. #:					
SIDEWALKS: 4' interior streets on one side of R/W. Sidewalks front on Lots 1-37 (outside of Loop).						SETBACK REQUIREMENTS					
						FY: 20'		SIDE ST.: 20'		RY: 20'	
ROAD TYPE: (CURB & GUTTER OR SWALE)						MAIN STRUCTURE OTHER:					
COMMENTS OTHER: *Access Rights: Dedicated to Seminole County for Heathrow Boulevard. 1) Landscape berm along Heathrow Boulevard for double frontage lots in lieu of wall; Lots 6-20. 2) Lot 5 does not need a variance for pool and screen to 5'. No D.O. for Plat; Plat Recorded 12/12/97						ACCESSORY STRUCTURE SETBACKS:					
						SY: *0		RY: 5'			
						ACCESSORY STRUCTURE OTHER: *Min. 10' separation between structures on adjacent lots.					

IMPACT FEES	
	SCREEN:
	TRAFFIC ZONE: 5
	LAND USE: 1
	1. ROAD-CO. WIDE
	2. ROAD-COLL.
	3. LIBRARY
	4. FIRE
	5. PARK
	6. SCHOOL
	7. LAW
	8. DRAINAGE
	TOTAL
	REMARKS: 4' sidewalks on interior street (one side only). Miami curb.

COMMITMENT CARD

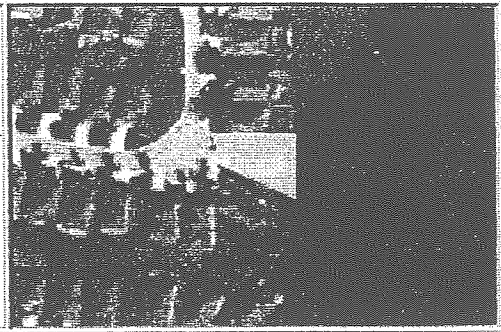
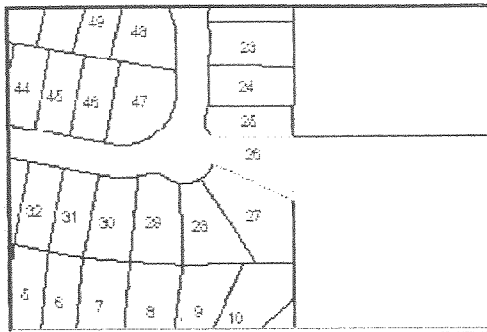
Instructions: print two-sided on card stock and cut along the left and bottom border.

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7506



GENERAL

Parcel Id: 36-19-29-5NH-0000-0260
 Owner: RAUCHEGGER JOHN A &
 Own/Addr: RAUCHEGGER EMMA M TRS
 Mailing Address: 1230 CHESSINGTON CIR
 City,State,ZipCode: LAKE MARY FL 32746
 Property Address: 1230 CHESSINGTON CIR HEATHROW 32746
 Subdivision Name: KEENWICKE
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$196,790
 Depreciated EXFT Value: \$950
 Land Value (Market): \$42,000
 Land Value Ag: \$0
 Just/Market Value: \$239,740
 Assessed Value (SOH): \$197,618
 Exempt Value: \$25,000
 Taxable Value: \$172,618

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	11/2003	05091	0847	\$198,500	Improved	Yes
SPECIAL WARRANTY DEED	04/1999	03636	1715	\$166,500	Improved	Yes
SPECIAL WARRANTY DEED	10/1998	03534	1403	\$78,000	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH): \$3,016
 2005 Tax Bill Amount: \$2,609
 Save Our Homes (SOH) Savings: \$407
2005 Taxable Value: \$166,862
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	42,000.00	\$42,000

LEGAL DESCRIPTION

PLATS:

LOT 26 KEENWICKE PB 53 PGS 14 THRU 17

BUILDING INFORMATION

Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1999	9	1,963	2,592	1,963	CB/STUCCO FINISH	\$196,790	\$203,401
	Appendage / Sqft		OPEN PORCH FINISHED / 120						
	Appendage / Sqft		OPEN PORCH FINISHED / 50						
	Appendage / Sqft		GARAGE FINISHED / 459						

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 Bld	Units	EXFT Value	Est. Cost New
CONCRETE PATIO	2003	90	\$208	\$225
SCREEN ENCLOSURE	2003	412	\$742	\$824

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.

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:

LOT 26 KEENWICKE PB 53 PGS 14 THRU 17

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

FINDINGS OF FACT

Property Owner: John & Emma Raucheggar
1230 Chessington Circle
Lake Mary, FL 32746

Site Address: 5103 Great Oak Lane

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 15 feet for a proposed sunroom 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 SUNROOM, 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: