

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

SUBJECT: Request for a rear yard setback variance from 20 feet to 12 feet for a proposed sunroom addition in the PUD (Planned Unit Development District); (Eleanor Ellison, applicant).

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

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

Agenda Date 5/22/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 20 feet to 12 feet for a proposed sunroom addition in the PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard setback variance from 20 feet to 12 feet for a proposed sunroom addition in the PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Eleanor Ellison LOCATION: 290 Moffat Loop ZONING: PUD (Planned Unit Development District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a sunroom addition that would encroach 8 feet into the minimum 20 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant proposes to construct a 182 square foot (13' x 14') sunroom addition to the rear of the existing single family home. • The Board of Adjustment granted a similar variance for a rear yard setback from 20 feet to 5 feet for a screen room addition at 302 Moffat Loop in 2004. (BV2004-119) • There are currently no code enforcement or building violations for this property. • 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 peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• Special conditions and circumstances result from the actions of the applicant.• 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.• 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.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• 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">• Any variance granted shall apply only to the proposed sunroom addition as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.

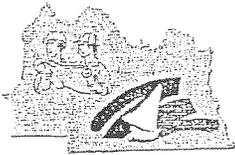
COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 21,22 TWP: 21 RNG: 31
 PROJ. #

DEVELOPMENT: Dunhill Phase 1		DEVELOPER: Mason Homes	
LOCATION: S side of Red Bug Lake Road, W of SR 434			
FILE#:	BA:	SP:	BCC: 02/10/87
P&Z:			
PB	40	PG	11-13
Lot	Blk	Parcel	DBA
Comm Dist			
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS: 5' sidewalk is required on SR 434. Sidewalks both sides		SETBACK REQUIREMENTS	
		FY: 20'	SY: 2 & 8*
		ST.:	RY: 20'
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER: *10' minimum between buildings. Min House size: 900 sq. ft.	
COMMENTS OTHER: *Intersection Improvements: Left and right turn lanes are required at entrance on SR 434. **Access Rights: Dedicate to Seminole County. Not flood prone.		ACCESSORY STRUCTURE SETBACKS:	
		SY: same as main structure	RY: 5'
		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES	
SCREEN:	Ordinance
TRAFFIC ZONE:	75-N
LAND USE:	3
1. ROAD-CO. WIDE	V-394.00
2. ROAD-COLL.	V-91.00
3. LIBRARY	V-25.00
4. FIRE	V-150.00
5. PARK	C-25.00
6. SCHOOL	V-300.00
7. LAW	C-50.00
8. DRAINAGE	
TOTAL	\$1,035.00
REMARKS: Must show setbacks of prior lots that were built on.	

PUD



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7445 FAX

COPY

APPL. NO. BV 2006-068

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 20' to 12' for a 13' x 14' sunroom
- SPECIAL EXCEPTION**
- LIMITED USE**

- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED _____

APPEAL FROM DECISION OF THE PLANNING MANAGER

PROPERTY OWNER		AUTHORIZED AGENT*	
NAME	<u>Wally Rosino</u>	<u>Eleanor Ellison</u>	
ADDRESS	<u>290 Maffatt Loop</u>	<u>2565 Park Dr</u>	
	<u>Duvaldo FL 32765</u>	<u>Sanford, FL</u>	
PHONE 1		<u>32765</u>	
PHONE 2		<u>(407) 322-3545</u>	
E-MAIL			

PROJECT NAME: _____

SITE ADDRESS: 290 Maffatt Loop, Duvaldo 32765

CURRENT USE OF PROPERTY: Single Family Residence

LEGAL DESCRIPTION: Leg Lot 102 Dunhill unit 1 PB 40
Pgs 11 to 13

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 21-21-31-SKL-0000-1020

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 5/22/2006 (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.

Eleanor Ellison
SIGNATURE OF OWNER OR AGENT*

3/31/06
DATE

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 / PO

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

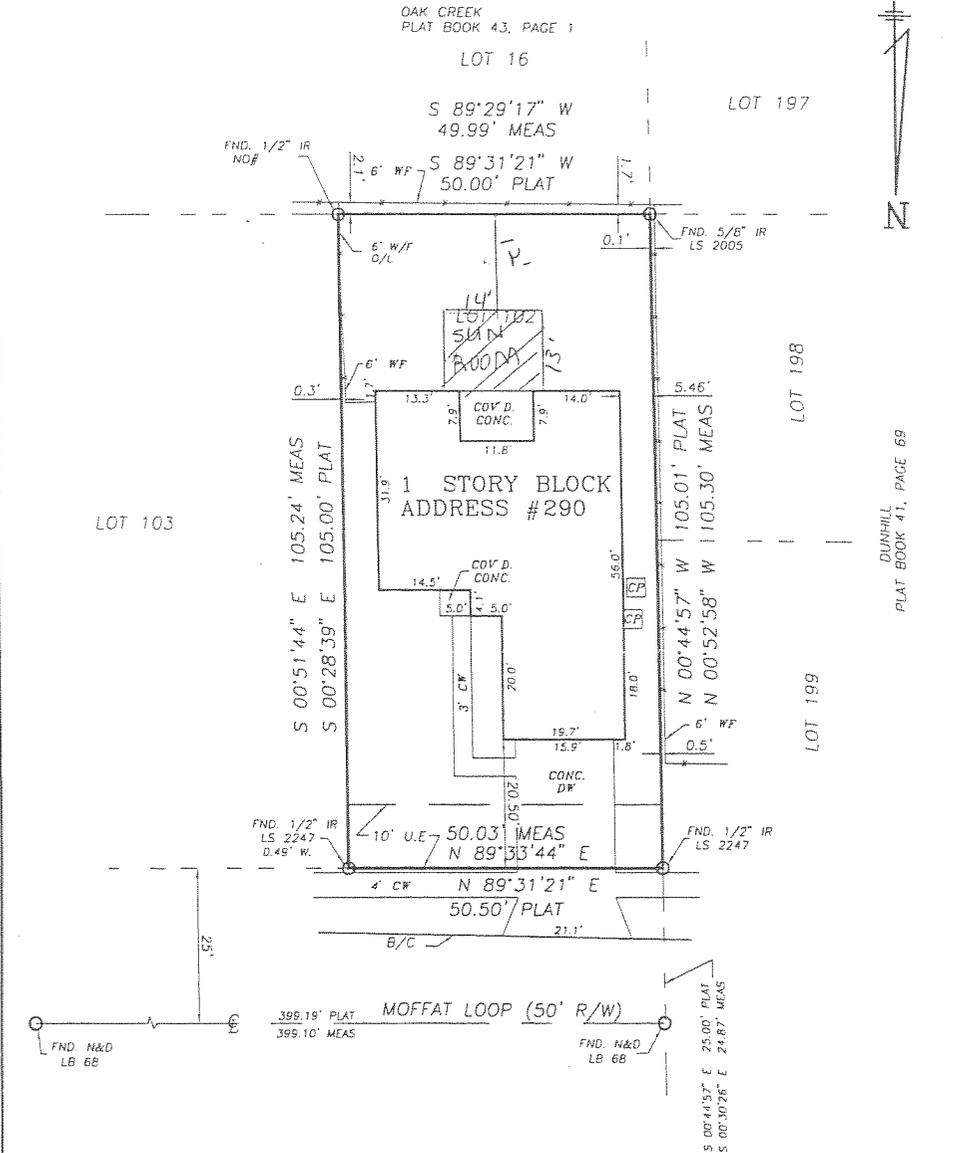
PLANNING ADVISOR

DATE

SUFFICIENCY COMMENTS

MAP OF SURVEY DESCRIPTION

LOT 102, DUNHILL UNIT 1, AS RECORDED IN PLAT BOOK 40, PAGES 11 THROUGH 13, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



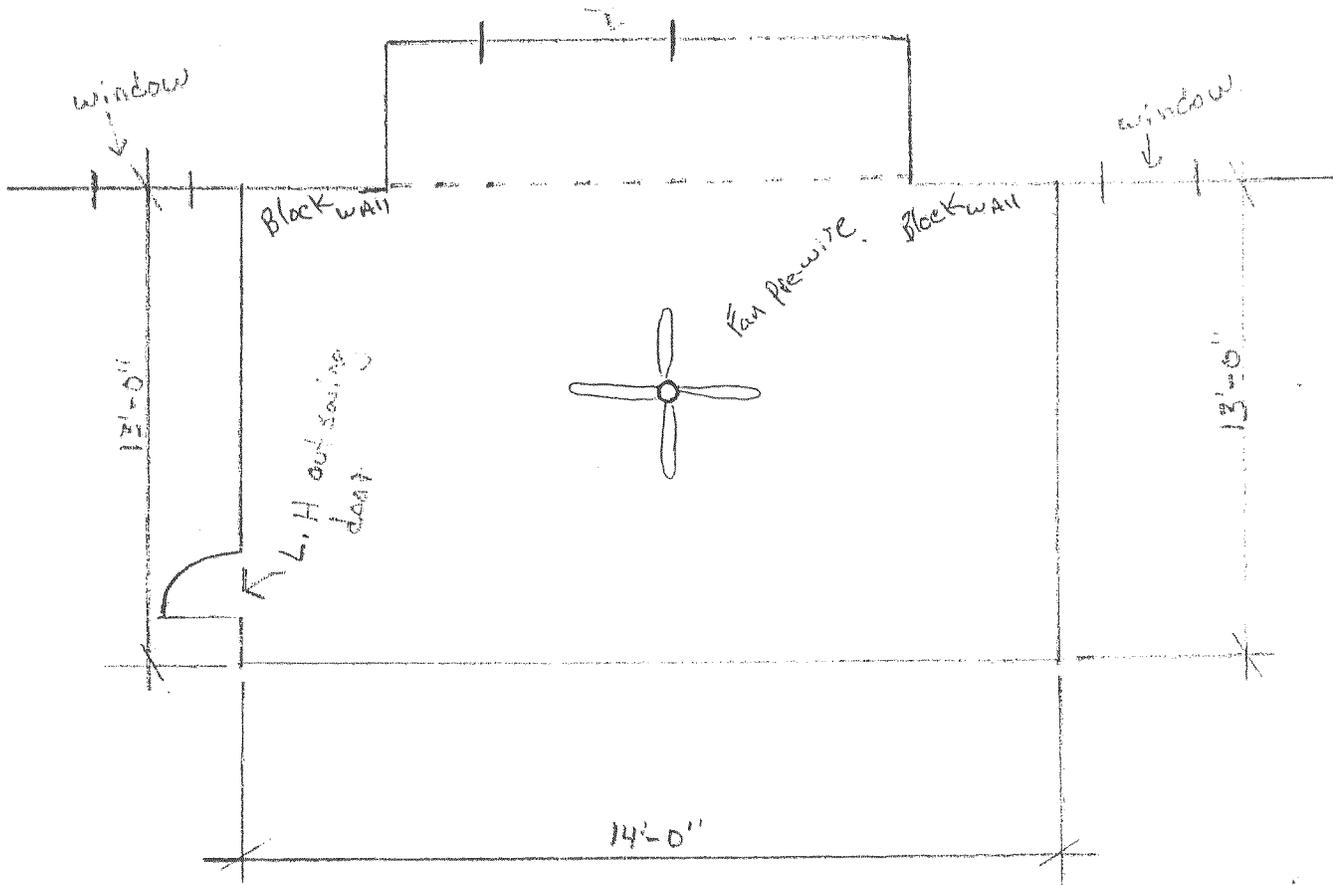
DF# SC40-12-LOT102 NOTE: UNDERGROUND UTILITIES AND FOUNDATIONS HAVE NOT BEEN SHOWN
 BOUNDARY SURVEY CERTIFIED TO: JEFFREY M. ROSIND & ANGELA J. PERKINS; FIDELITY NATIONAL TITLE INSURANCE COMPANY; WASHINGTON MUTUAL HOME LOANS, INC.

LEGEND		REVISIONS:	FIELD DATE: JUNE 26, 2001
BC - BACK OF CURB CALC - CALCULATED C - CENTERLINE CLF - CHAIN LINK FENCE CONC - CONCRETE CP - CONCRETE PAD CA - CENTRAL ANGLE DESC - DESCRIPTION DW - DRIVEWAY E/P - EDGE OF PAVEMENT FND - FOUND IR - IRON ROD MEAS - MEASURED N&D - NAIL & DISK PC - POINT OF CURVATURE R - RADIUS TYP - TYPICAL UE - UTILITY EASEMENT LB - LICENSE BUSINESS	CBW - CONCRETE BLOCK WALL CM - CONCRETE MONUMENT COVD - COVERED CW - CONCRETE WALKWAY DE - DRAINAGE EASEMENT ESMT - EASEMENT FFE - FINISHED FLOOR ELEVATION IRP - IRON PIPE L - ARC LENGTH MS - METAL SHED OL - ON LINE P&M - PLAT & MEASURED POB - POINT OF BEGINNING POC - POINT OF COMMENCEMENT R/W - RIGHT OF WAY UB - UTILITY BOX WF - WOOD FENCE / - NUMBER	1. 12/1/01 2. 12/1/01 3. 12/1/01 4. 12/1/01 5. 12/1/01 6. 12/1/01 7. 12/1/01 8. 12/1/01 9. 12/1/01 10. 12/1/01 11. 12/1/01 12. 12/1/01 13. 12/1/01 14. 12/1/01 15. 12/1/01 16. 12/1/01 17. 12/1/01 18. 12/1/01 19. 12/1/01 20. 12/1/01 21. 12/1/01 22. 12/1/01 23. 12/1/01 24. 12/1/01 25. 12/1/01 26. 12/1/01 27. 12/1/01 28. 12/1/01 29. 12/1/01 30. 12/1/01 31. 12/1/01 32. 12/1/01 33. 12/1/01 34. 12/1/01 35. 12/1/01 36. 12/1/01 37. 12/1/01 38. 12/1/01 39. 12/1/01 40. 12/1/01 41. 12/1/01 42. 12/1/01 43. 12/1/01 44. 12/1/01 45. 12/1/01 46. 12/1/01 47. 12/1/01 48. 12/1/01 49. 12/1/01 50. 12/1/01 51. 12/1/01 52. 12/1/01 53. 12/1/01 54. 12/1/01 55. 12/1/01 56. 12/1/01 57. 12/1/01 58. 12/1/01 59. 12/1/01 60. 12/1/01 61. 12/1/01 62. 12/1/01 63. 12/1/01 64. 12/1/01 65. 12/1/01 66. 12/1/01 67. 12/1/01 68. 12/1/01 69. 12/1/01 70. 12/1/01 71. 12/1/01 72. 12/1/01 73. 12/1/01 74. 12/1/01 75. 12/1/01 76. 12/1/01 77. 12/1/01 78. 12/1/01 79. 12/1/01 80. 12/1/01 81. 12/1/01 82. 12/1/01 83. 12/1/01 84. 12/1/01 85. 12/1/01 86. 12/1/01 87. 12/1/01 88. 12/1/01 89. 12/1/01 90. 12/1/01 91. 12/1/01 92. 12/1/01 93. 12/1/01 94. 12/1/01 95. 12/1/01 96. 12/1/01 97. 12/1/01 98. 12/1/01 99. 12/1/01 100. 12/1/01	THIS BUILDING/LOT IS IN FLOOD ZONE X-BASED ON FLOOD INSURANCE RATE MAP NO. 120288-0165 E SEMINOLE COUNTY FLORIDA BEARING STRUCTURE BASED ON THE CENTER LINE OF MOFFAT LOOP Andrew Perry, P.S.M. Professional Surveyor # 26124 *NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL BASED SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER*

M.A.P.
Land Surveying, Inc.

1207 Corbett Ln.
Orlando Fl. 32806
PH. 407 896 4557
FAX 407 896 4874

E-Mail: Meplansurveying@AOL.com LB #7084

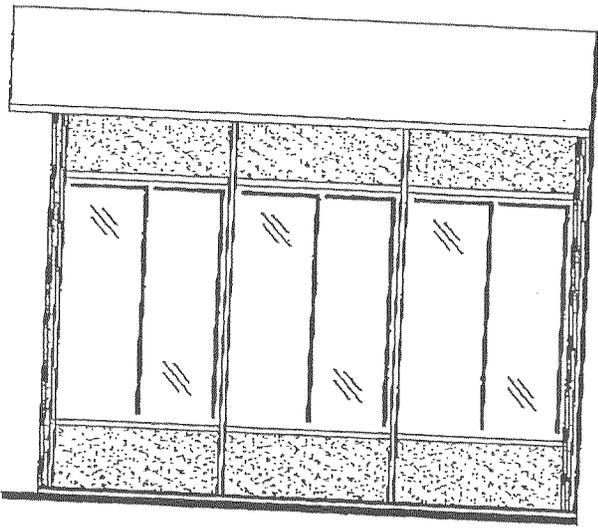


side or Bl.
 side of house
 hard to open
 no. outlet at
 front door
 need saddle

*** TX REPORT ***

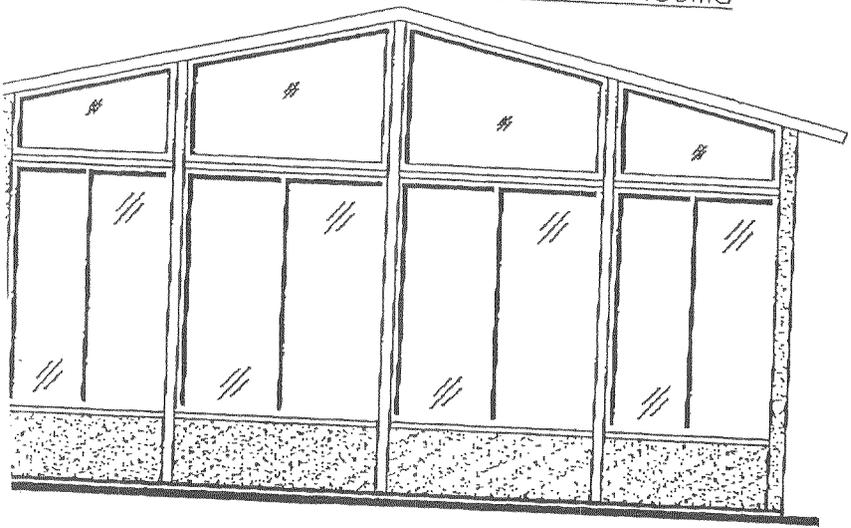
TRANSMISSION OK

TX/RX NO	0153
RECIPIENT ADDRESS	4073660044
DESTINATION ID	
ST. TIME	03/29 22:38
TIME USE	00:29
PAGES SENT	1
RESULT	OK



3

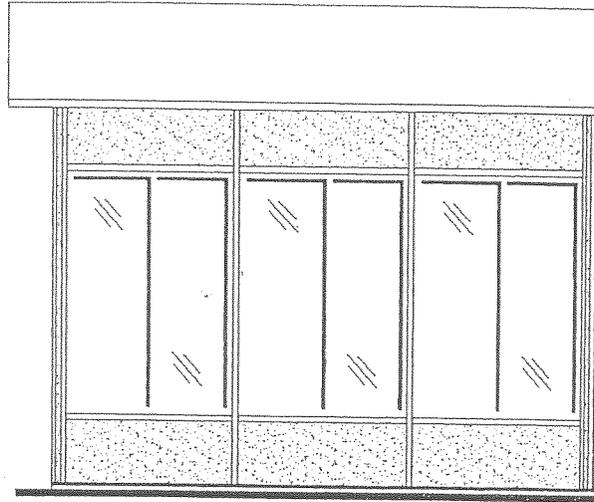
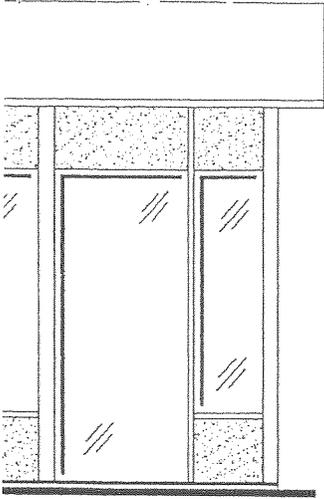
SHOWN WITH CUSTOM GLASS TRANSOMS



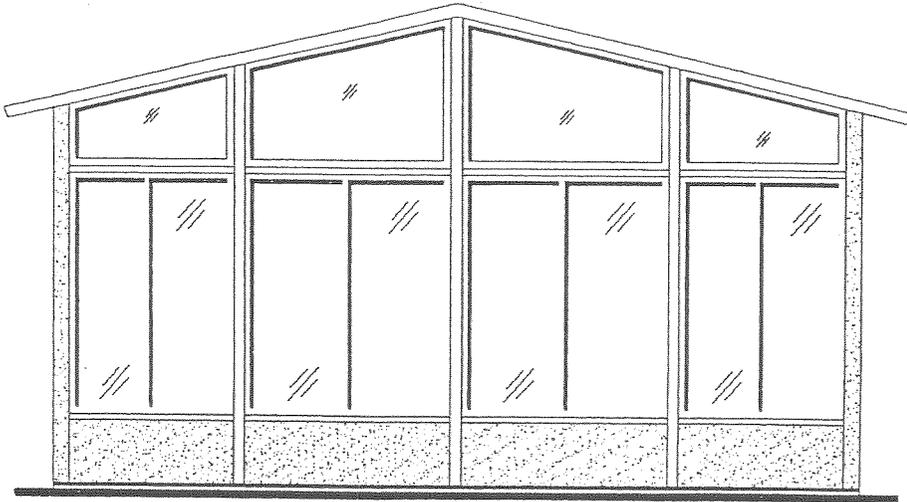
2

ALL TEMO STRUCTURES ARE
 DESIGNED IN ACCORDANCE
 WITH CHAPTER 16 OF THE
 2004 FLORIDA BUILDING CODE.
 NOTE: ALL OPERATING GLAZING
 PRODUCTS SUPPLIED BY TEMO
 SUNROOMS INCLUDE TEMPERED

TOTAL WEIGHT OF TEMO PRODUCT 1573.00 lbs



SHOWN WITH CUSTOM GLASS TRANSOMS

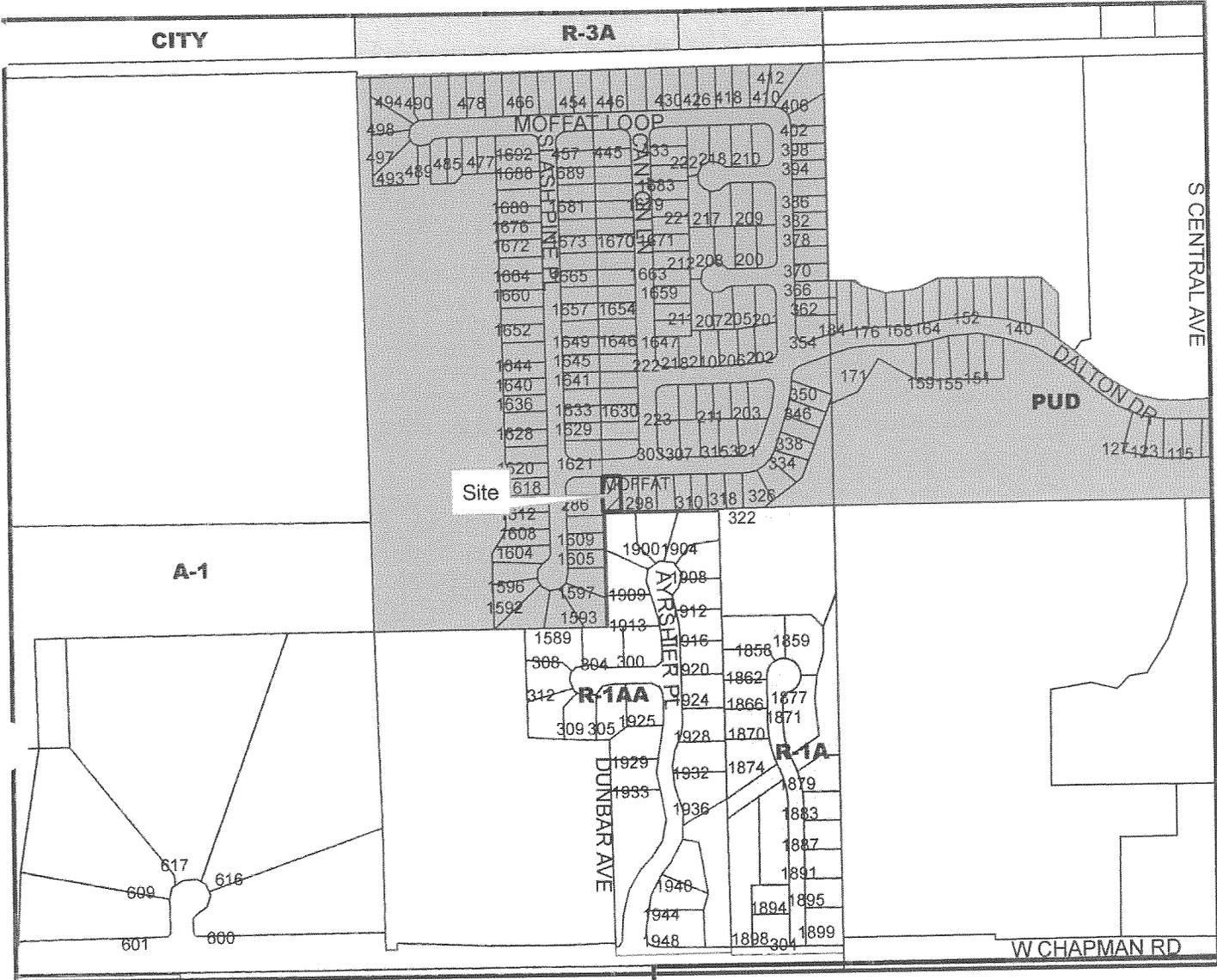


TOTAL WEIGHT OF TEMO PRODUCT: 1672.00 lbs

ALL TEMO STRUCTURES ARE
DESIGNED IN ACCORDANCE
WITH CHAPTER 16 OF THE
2004 FLORIDA BUILDING CODE.

NOTE: ALL OPERATING GLAZING
PRODUCTS SUPPLIED BY TEMO
SUNROOMS INCLUDE TEMPERED
HPG-2000 GLASS THAT CONFORMS

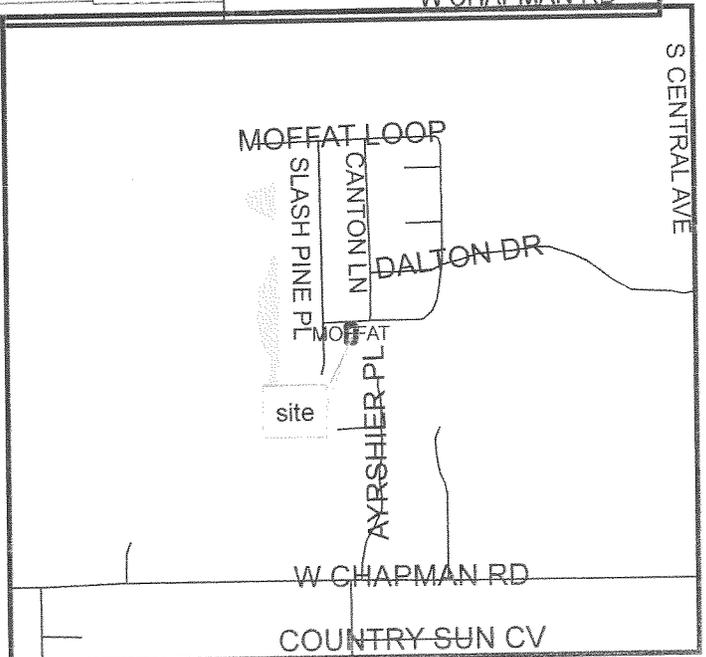
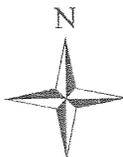
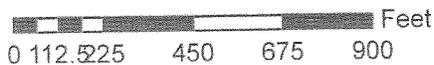
Eleanor Ellison
 290 Moffat Loop
 Oviedo, FL 32765



Seminole County Board of Adjustment
 May 22, 2006
 Case: BV2006-068
 Parcel No: 21-21-31-5KL-0000-1020

Zoning

-  BV2006-068
-  A-1
-  R-1AA
-  R-1A
-  R-3A
-  PUD



DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

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

GENERAL

Parcel Id: 21-21-31-5KL-0000-1020
 Owner: ROSINO JEFFREY M &
 Own/Addr: PEKINS ANGELA J
 Mailing Address: 290 MOFFAT LOOP
 City,State,ZipCode: OVIEDO FL 32765
 Property Address: 290 MOFFAT LOOP OVIEDO 32765
 Subdivision Name: DUNHILL UNIT 1
 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: \$111,434
 Depreciated EXFT Value: \$0
 Land Value (Market): \$27,000
 Land Value Ag: \$0
 Just/Market Value: \$138,434
 Assessed Value (SOH): \$99,611
 Exempt Value: \$25,000
 Taxable Value: \$74,611
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	07/2001	04134	0318	\$112,000	Improved	Yes
WARRANTY DEED	06/2000	03880	0164	\$99,000	Improved	Yes
WARRANTY DEED	08/1992	02463	1951	\$77,400	Improved	Yes
SPECIAL WARRANTY DEED	07/1991	02317	0376	\$1,663,800	Vacant	No
WARRANTY DEED	02/1991	02269	1277	\$2,424,900	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH): \$1,645
 2005 Tax Bill Amount: \$1,175
 Save Our Homes (SOH) Savings: \$470
 2005 Taxable Value: \$71,710
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	27,000.00	\$27,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 102 DUNHILL UNIT 1 PB 40 PGS 11 TO 13

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1992	6	1,210	1,768	1,210	CB/STUCCO FINISH	\$111,434	\$117,299
	Appendage / Sqft		OPEN PORCH FINISHED / 96						
	Appendage / Sqft		OPEN PORCH FINISHED / 20						
	Appendage / Sqft		GARAGE FINISHED / 442						

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

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.



Florida Exteriors, Inc.
2565 Park Drive, Sanford, FL 32773
Telephone (407) 322 3545 Fax (407) 330 4819

March 27, 2006

Seminole County Planning &
Development Department
Room 2201
1101 East First Street
Sanford, FL 32771

Re: Application for Variance
290 Moffatt Loop, Oviedo, FL 32765

Florida Exteriors, Inc. have contracted with the homeowners, Jeffery & Angela Rosino, to install a sunroom on their property shown above. It has been established we need to apply for a Variance on the property and are therefore requesting the rear Setback Distance be changed to allow this construction to go ahead. The information requested by the Building Division is as follows:

The distance requested is 12' from the original 20'
The square footage of the proposed sunroom is 182
The height at the highest point is 10'
Construction Material - Glass

Also enclosed in this package are copies of the drawings, survey showing proposed situ of sunroom, TEMO Sunroom brochure and sample colored material.

Sincerely,

Em Vecchione
Permit Technician
Florida Exteriors, Inc.



Florida Exteriors, Inc.
 2565 Park Drive, Sanford, FL 32773
 Telephone (407) 322 3545 Fax (407) 330 9554

March 27, 2006

To Whom It May Concern:

This letter is confirmation for Eleanor Ellison of Florida Exteriors, Inc. to act on our behalf as authorized agent in the application for Variance on our property at 290 Moffat Loop, Oviedo, FL 32765.


 Signed: _____

 Signed: _____

3/28/06
 Date:

3/28/06
 Date:



Florida Exteriors, Inc.
2565 Park Drive, Sanford, FL 32773
Telephone (407) 322 3545 Fax (407) 330 9554

March 27, 2006

To Whom It May Concern:

We/I, Kenneth Barr of 1613 Slash Pine Pt
Oviedo, FL 32765

confirm we/I have no objections to the proposed sunroom addition being constructed
to the rear of the property 290 Moffatt Loop, Oviedo, FL 32765, owned by
Jeffery & Angela Rosino.

Kenneth Barr
Print Name:

Date: 3/29/06

Print Name:

Date: _____



Florida Exteriors, Inc.
2565 Park Drive, Sanford, FL 32773
Telephone (407) 322 3545 Fax (407) 330 9554

March 27, 2006

To Whom It May Concern:

We/I, Clark Ford of _____
302 Moffatt Loop, Oviedo FL 32765

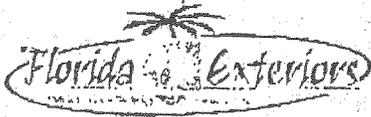
confirm we/I have no objections to the proposed sunroom addition being constructed
to the rear of the property 290 Moffatt Loop, Oviedo, FL 32765, owned by
Jeffery & Angela Rosino.

CLARK FORD
Print Name:

Date: 3/30/06

Print Name:

Date: _____



Florida Exteriors, Inc.
2565 Park Drive, Sanford, FL 32773
Telephone (407) 322 3545 Fax (407) 330 9554

March 27, 2006

To Whom It May Concern:

We/I, TOM FLUHAERTY of 294 MOFFATT LOOP
AMELIA FLUHAERTY 294 MOFFATT LOOP

confirm we/I have no objections to the proposed sunroom addition being constructed to the rear of the property 290 Moffatt Loop, Oviedo, FL 32765, owned by Jeffery & Angela Rosino.

TOM FLUHAERTY
Print Name:

Date: MARCH 29-06

AMELIA FLUHAERTY
Print Name:

Date: MARCH 29-06

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 22, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 102 DUNHILL UNIT 1 PB 40 PGS 11 TO 13

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

FINDINGS OF FACT

Property Owner: Jeffrey Rosino
290 Moffat Loop
Oviedo, FL 32765

Project Name: Moffat Loop (290)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 12 feet for a proposed sunroom addition in the PUD (Planned Unit Development 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 sunroom 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: