

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

**SUBJECT:** Request for a (1) side yard (east) setback variance from 10 feet to 2 feet for an existing shed; (2) side yard (west) setback variance from 10 feet to 2 feet for an existing shed and (3) front yard setback variance from 25 feet to 0 feet for an existing fence in the R-1A (Single Family Dwelling District); (Dean & Wendy Eaton, applicants).

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

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

**Agenda Date** 6/26/06    **Regular**     **Consent**     **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a (1) side yard (east) setback variance from 10 feet to 2 feet for an existing shed; (2) side yard (west) setback variance from 10 feet to 2 feet for an existing shed and (3) front yard setback variance from 25 feet to 0 feet for an existing fence in the R-1A (Single Family Dwelling District); (Dean & Wendy Eaton, applicants); or
2. **DENY** the request for a (1) side yard (east) setback variance from 10 feet to 2 feet for an existing shed; (2) side yard (west) setback variance from 10 feet to 2 feet for an existing shed and (3) front yard setback variance from 25 feet to 0 feet for an existing fence in the R-1A (Single Family Dwelling District); (Dean & Wendy Eaton, applicants); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Dean & Wendy Eaton Location: 7275 Sylvan Court Zoning: R-1A Subdivision: Sylvan Estates
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant was cited by the Building Division on 4/26/06 for the unpermitted construction of 2 sheds and a privacy fence.</li> <li>• One of the sheds encroaches 8 feet into the 10 foot east side yard setback and is 10 feet by 20 feet (200 square</li> </ul>

	<p>feet). The other shed encroaches 8 feet into the 10 foot west side yard setback and is 10 feet by 16 feet (160 square feet).</p> <ul style="list-style-type: none"> <li>• The fence is a 6 foot privacy fence that was constructed along the west side property line and 25 feet into the 25 foot front yard setback.</li> <li>• There is no record of prior variances for this property.</li> </ul>
<p><b>STAFF FINDINGS</b></p>	<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"> <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>• Special conditions and circumstances result from the actions of the applicant.</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 variance granted is the minimum variance that will make possible reasonable use of the land, building or structure. <i>The applicants have the ability to construct a shed on the property without encroaching into the setbacks.</i></li> <li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance. <i>The applicants would retain reasonable use of the property without a fence that encroaches into the entire front yard setback.</i></li> <li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li> </ul>
<p><b>STAFF RECOMMENDATION</b></p>	<ul style="list-style-type: none"> <li>• Based on the stated findings, staff recommends denial of the requests, 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 two (2) shed and privacy fence as depicted on the attached</li> </ul> </li> </ul>

	<p>site plan; and</p> <ul style="list-style-type: none"><li>• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.</li></ul>
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## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On 6/26/06 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 33 (LESS E 5 FT) LAKE SYLVAN ESTATES PB 12 PG 13

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

### FINDINGS OF FACT

**Property Owner:** Dean & Wendy Eaton  
7275 Sylvan Court  
Sanford, FL 32771

**Project Name:** 7275 Sylvan Court

**Requested Development Approval:**

Request for a (1) side yard (east) setback variance from 10 feet to 2 feet for an existing shed; (2) side yard (west) setback variance from 10 feet to 2 feet for an existing shed and (3) front yard setback variance from 25 feet to 0 feet for an existing fence 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: Kathy Fall, Principal 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 existing two sheds and fence 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

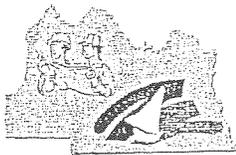
STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

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:



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

RECEIVED APR 17 2006

APPL. NO. BV 2006-079

**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** SIDE YARD SET BACK VARIANCE  
FROM 7.5 TO 2 FT. 10x16 EXISTING SHED
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF 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 \_\_\_\_\_
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>DEAN + WENDY EATON</u>	
ADDRESS	<u>7275 SYLVAN CT.</u>	
	<u>SANDEBARO FL. 32771</u>	
PHONE 1	<u>407-324-4411</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: \_\_\_\_\_  
 SITE ADDRESS: 7275 Sylvan Court  
 CURRENT USE OF PROPERTY: SFR  
 LEGAL DESCRIPTION: \_\_\_\_\_

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 26-19-29-503-0000-0330  
 UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_  
 KNOWN CODE ENFORCEMENT VIOLATIONS Yes

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 6/26/06  
 (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 M. Eaton  
 SIGNATURE OF OWNER OR AGENT\* DATE 4/17/06



<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>		
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**GENERAL**

Parcel Id: 26-19-29-503-0000-033A  
 Owner: EATON DEAN M & WENDY C  
 Mailing Address: 7275 SYLVAN CT  
 City,State,ZipCode: SANFORD FL 32771  
 Property Address: 7265 SYLVAN CT SANFORD 32771  
 Subdivision Name: LAKE SYLVAN ESTATES  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 00-VACANT RESIDENTIAL

**2006 WORKING VALUE SUMMARY**

Value Method:	Market
Number of Buildings:	0
Depreciated Bldg Value:	\$0
Depreciated EXFT Value:	\$0
Land Value (Market):	\$30,176
Land Value Ag:	\$0
Just/Market Value:	\$30,176
Assessed Value (SOH):	\$30,176
Exempt Value:	\$0
Taxable Value:	\$30,176

Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	12/1996	03181	0439	\$35,000	Vacant	No
WARRANTY DEED	09/1995	02980	0367	\$18,000	Vacant	Yes
WARRANTY DEED	04/1989	02070	0058	\$18,000	Vacant	Yes

Find Comparable Sales within this Subdivision

**2005 VALUE SUMMARY**

2005 Tax Bill Amount: \$359  
 2005 Taxable Value: \$21,878  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	82	122	.000	400.00	\$30,176

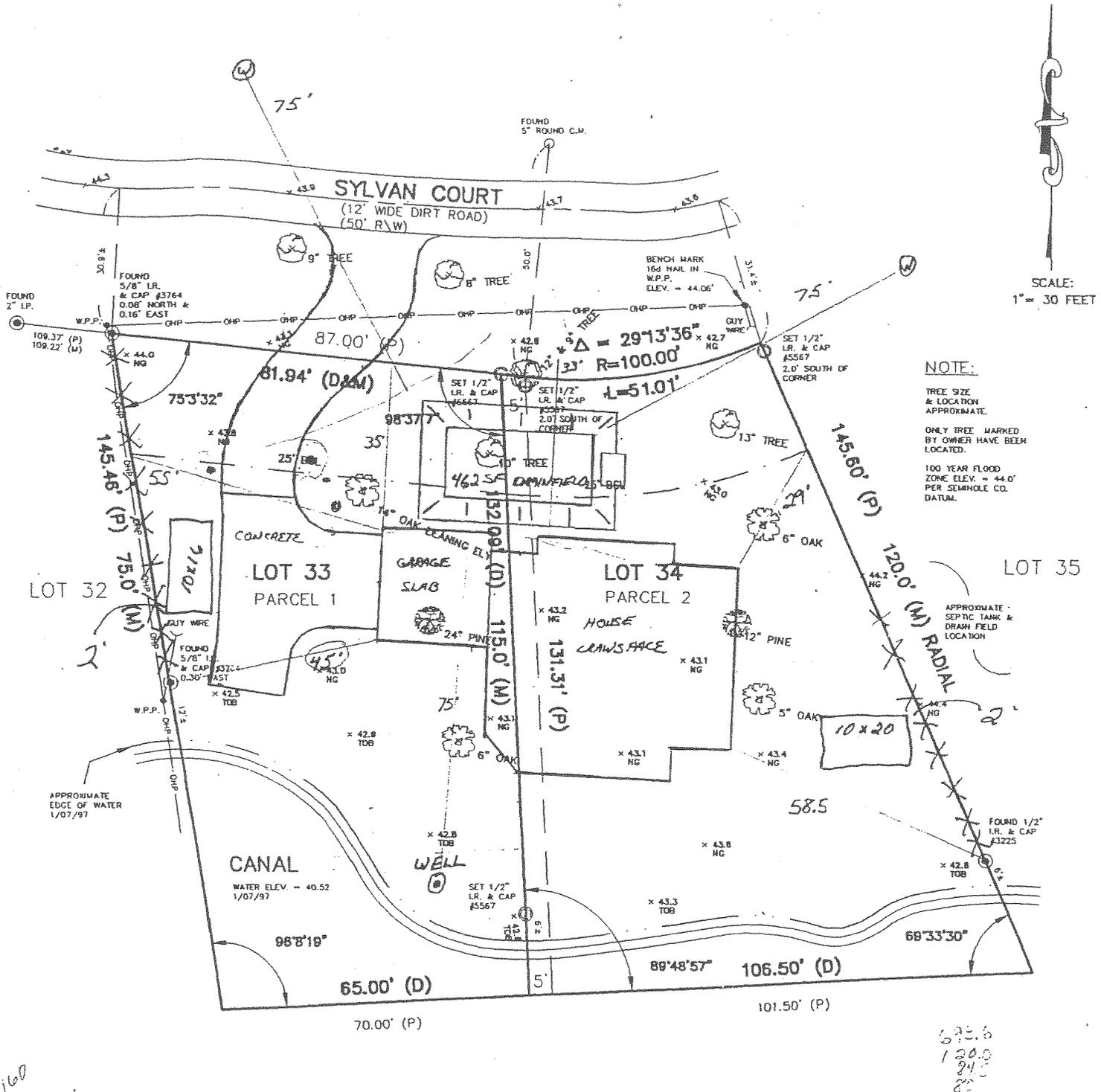
**LEGAL DESCRIPTION**

PLATS:

LEG E 5 FT OF LOT 33 & ALL LOT 34 LAKE SYLVAN ESTATES PB 12 PG 13

**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.

PARCEL 1: LOT 33, LESS THE EAST 5 FEET, AS RECORDED IN PLAT BOOK 12 PAGES 13 AND 14, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; AND PARCEL 2: LOT 34 AND THE EAST 5 FEET OF LOT 33, LAKE SYLVAN ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12 PAGES 13 AND 14, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



**NOTE:**  
 TREE SIZE & LOCATION APPROXIMATE.  
 ONLY TREE MARKED BY OWNER HAVE BEEN LOCATED.  
 100 YEAR FLOOD ZONE ELEV. = 44.0' PER SEMINOLE CO. DATUM.

APPROXIMATE SEPTIC TANK & DRAIN FIELD LOCATION

**LEGEND:**

- |   |  |  |
|---|--|--|
| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: gray; border: 1px solid black;"></span> = CONCRETE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = SET 1/2" REBAR &amp; CAP PSM # 5567</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = FOUND PROPERTY CORNER</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = FOUND 4" X 4" CONCRETE MONUMENT</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = WELL</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = WATER VALVE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = FIRE HYDRANT</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = CENTERLINE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = BUILDING SETBACK LINE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = BARBED WIRE FENCE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = 6" WOOD FENCE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = 4" CHAIN LINK FENCE</li> <li><span style="display: inline-block; width: 15px; height: 15px; border: 1px solid black; border-radius: 50%;"></span> = OVERHEAD POWER LINES</li> </ul> | <ul style="list-style-type: none"> <li>R = RADIUS</li> <li>Δ = CENTRAL ANGLE</li> <li>L = ARC LENGTH</li> <li>CH.BRG. = CHORD BEARING</li> <li>LS. = LAND SURVEYOR</li> <li>LB. = LAND SURVEYING BUSINESS</li> <li>D = DESCRIPTION</li> <li>M = MEASURED</li> <li>P = PLAT</li> <li>PRM = PERMANENT REFERENCE MONUMENT</li> <li>PC = POINT OF CURVATURE</li> <li>POB = POINT OF BEGINNING</li> <li>PT = POINT OF TANGENT</li> <li>U.E. = UTILITY EASEMENT</li> </ul> | <ul style="list-style-type: none"> <li>NG = NATURAL GROUND ELEVATION</li> <li>TGB = TOP OF BANK ELEVATION</li> <li>W.F. = WOOD FRAME</li> <li>CONC. = CONCRETE</li> <li>C.B. = CONCRETE BLOCK</li> <li>W.F. = WOOD FRAME</li> <li>COV. = COVERED</li> <li>WM = WATER METER</li> <li>WPP = WOOD POWER POLE</li> <li>CPP = CONC. POWER POLE</li> <li>A/C = AIR CONDITIONER</li> <li>R/W = RIGHT OF WAY</li> <li>I.R. = IRON ROD</li> <li>I.P. = IRON PIPE</li> <li>C.M. = CONCRETE MONUMENT</li> <li>FF ELEV = FINISHED FLOOR ELEVATION</li> </ul> |
|---|--|--|

**CERTIFIED TO:**  
 DEAN M. EATON AND WENDY C. EATON  
 DEJURY NATIONAL TITLE

**NOTES:**  
 1. THIS SURVEY IS BASED ON THE LEGAL DESCRIPTION AS PROVIDED BY THE CLIENT

# NOTICE OF CODE VIOLATION

**LOCATION OF VIOLATION:** 7275 Sulvan Ct. Sanford FL 32771  
IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT  
THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF Florida Building Code  
CHAPTER/ARTICLE 1 SECTION 10411.

**DESCRIPTION OF VIOLATION:** Installation of a street fence  
without permits

**CORRECTIVE ACTION:** Obtain Permits within 14 days

**THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY** 4/26/06.

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE AUTHORITY TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.



**For further information contact:**  
**Building and Fire Inspection Division**  
**Seminole County Services Building**  
**1101 East First Street, Room 1020**  
**Sanford, FL 32771**  
**PHONE: (407) 665-7338 OR (407) 665-7423**  
TOM TOVA

**DATE:** 4/26/06 **INSPECTOR:** E. H. [Signature]

**CASE NO:** 200-122

<b>PARCEL DETAIL</b>  DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508		

**GENERAL**

Parcel Id: 26-19-29-503-0000-0330  
 Owner: EATON DEAN M & WENDY C  
 Mailing Address: 7275 SYLVAN CT  
 City,State,ZipCode: SANFORD FL 32771  
 Property Address: 7275 SYLVAN CT SANFORD 32771  
 Subdivision Name: LAKE SYLVAN ESTATES  
 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: \$195,119  
 Depreciated EXFT Value: \$1,066  
 Land Value (Market): \$24,864  
 Land Value Ag: \$0  
 Just/Market Value: \$221,049  
 Assessed Value (SOH): \$124,758  
 Exempt Value: \$25,000  
 Taxable Value: \$99,758  
 Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	12/1996	03181	0439	\$35,000	Vacant	No
WARRANTY DEED	09/1995	02972	0239	\$13,000	Vacant	Yes
WARRANTY DEED	01/1975	01042	0224	\$10,000	Vacant	No
WARRANTY DEED	01/1975	01040	1351	\$30,000	Vacant	No

Find Comparable Sales within this Subdivision

**2005 VALUE SUMMARY**

Tax Value(without SOH): \$2,476  
 2005 Tax Bill Amount: \$1,575  
 Save Our Homes (SOH) Savings: \$901  
 2005 Taxable Value: \$96,124  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	74	105	.000	400.00	\$24,864

**LEGAL DESCRIPTION**

PLATS:

LEG LOT 33 (LESS E 5 FT) LAKE SYLVAN ESTATES PB 12 PG 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	1997	9	1,640	2,565	1,640	SIDING AVG	\$195,119	\$202,721
	Appendage / Sqft		OPEN PORCH FINISHED / 128						
	Appendage / Sqft		OPEN PORCH FINISHED / 133						
	Appendage / Sqft		GARAGE FINISHED / 576						
	Appendage / Sqft		SCREEN PORCH FINISHED / 88						

**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 Blt	Units	EXFT Value	Est. Cost New
WOOD DECK	1997	333	\$1,066	\$1,665

**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.

Wendy & Dean Eaton  
 7265 Sylvan Ct  
 Sanford, FL 32771



Seminole County Board of Adjustment  
 June 26, 2006  
 Case: BV2006-079  
 Parcel No: 26-19-29-503-0000-0330

**Zoning**

- |   |            |   |      |
|---|------------|---|------|
|  | BV2006-079 |  | R-1A |
|  | A-1        |  | C-1  |
|  | RC-1       |  | PUD  |
|  | R-1AA      |   |      |

