

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

SUBJECT: Request for a rear yard setback variance from 30 feet to 23 feet for a proposed sunroom addition in the R-1A (Single-Family Dwelling District); (Sunroom Designs, applicant).

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

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

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

MOTION/RECOMMENDATION:

1. **APPROVE** the for a rear yard setback variance from 30 feet to 23 feet for a proposed sunroom addition in the R-1A (Single-Family Dwelling District); or
2. **DENY** the for a rear yard setback variance from 30 feet to 23 feet for a proposed sunroom addition in the R-1A (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<p>GENERAL INFORMATION</p>	<p>Applicant: Sunroom Designs Owner: Joseph Aloï Location: 2618 Tierra Circle Zoning: R-1A (Single-Family Dwelling District) Subdivision: Casa Aloma</p>
<p>BACKGROUND / REQUEST</p>	<ul style="list-style-type: none"> • The applicant proposes to enclose an existing covered porch that would encroaches 7 feet into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant submitted plans for the sunroom to the Building Division on 4/07/06. (App. # 06 00003987) • The property has received a previous approval in 1999 for a rear yard setback variance from 10 feet to 7 feet 6 inches for a screen enclosure. • There are currently no code enforcement or building

	violations 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.• 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.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

RECEIVED MAY 03 2006

COPY

APPL. NO. BV 2006-083

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 roof and concrete slabs with sunroom
- SPECIAL EXCEPTION** Existing porch built with home 1970 Setback from 30' + 0.23' for solid roof and proposed sunroom
- 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**

RECEIVED MAY 03 2006

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Joseph Alon</u>	<u>Sunroom Designs</u>
ADDRESS	<u>2618 Tierra Circle</u> <u>Winter Park, FL 32792</u>	<u>3601 Vineland Rd., Ste. 2</u> <u>Orlando, FL 32811</u>
PHONE 1	<u>407-671-6849</u>	<u>407-648-8700</u>
PHONE 2		<u>Call Alan or Robyn</u>
E-MAIL		<u>RobynK@sunroomdesignllc.com</u>

PROJECT NAME: Joseph Alon

SITE ADDRESS: 2618 Tierra Circle, Winter Park, FL 32792

CURRENT USE OF PROPERTY: Single Family Residence

LEGAL DESCRIPTION: Leg Lot 53 Casa Aloma PB 15 PG 7

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 33-21-30-509-0000-0530

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 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.

Robyn K. Wimer _____ 4/14/06
 SIGNATURE OF OWNER OR AGENT* DATE

* 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 _____

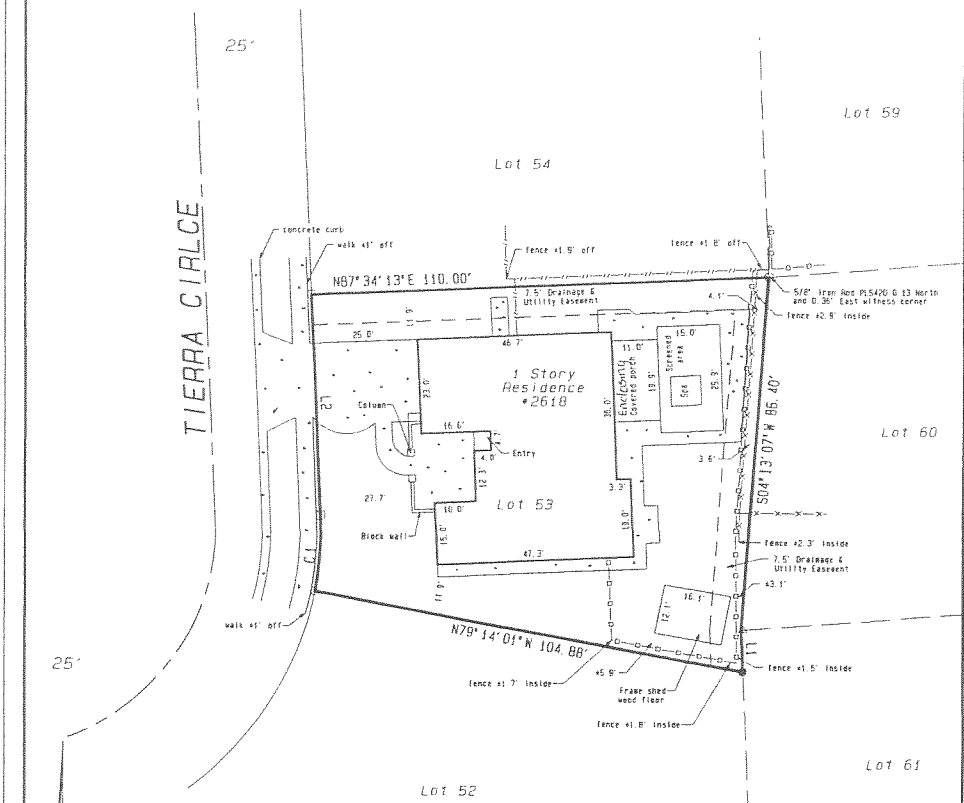
_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:	
FEE(S): <u>150.00</u>	COMMISSION DISTRICT _____ FLU / ZONING <u>R-1A / LOR</u>
BCC HEARING DATE _____	(FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____	
PLANNING ADVISOR _____	DATE _____
SUFFICIENCY COMMENTS _____	

Boundary Survey for Joseph Aloï

Lot 53,
CASA ALOMA
Plat Book 15, Page 7,
Seminole County, Florida



LINE	BEARING	LENGTH
L1	N02°25'47.0\" W	10.27'
L2	N02°25'47.0\" W	53.88'

Curve	Radius	Delta	Length
C1	80.00'	13°11'58\"	18.43'

- Legend**
- - Recovered 4\" x 4\" Concrete Monument
 - - Set 4\" x 4\" Concrete Monument *LB6300
 - △ - Recovered 1 1/4\" Iron Pipe no.
 - × - Recovered X Cut in concrete
 - - Recovered 5/8\" Iron Rod no.
 - - Recovered 5/8\" Iron Rod PLS4243
 - - Light Pole as shown
 - - 6\" Wood Fence
 - - Fence as shown
 - - Concrete Slab
 - - 4\" Chain link fence

This Survey Certified to:
Joseph Aloï

Not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions and deletions to survey maps, sketches or reports without the signing party or parties' consent without written consent of the signing party or parties.

Michael J. Scott, P.S.M., L.S.M.
For the firm of Altamonte Surveying and Platting, Inc. #186300

SCALE: 1\" = 30'
REVIEWED BY: MWS
DRAWN BY: SAN
DATE: April 26, 2006
JOB NO.: 25588
Revised:

This survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals listed and shall not be relied on by any other entity or individual whatsoever.

Underground foundations and/or improvements were not located as a part of this survey.

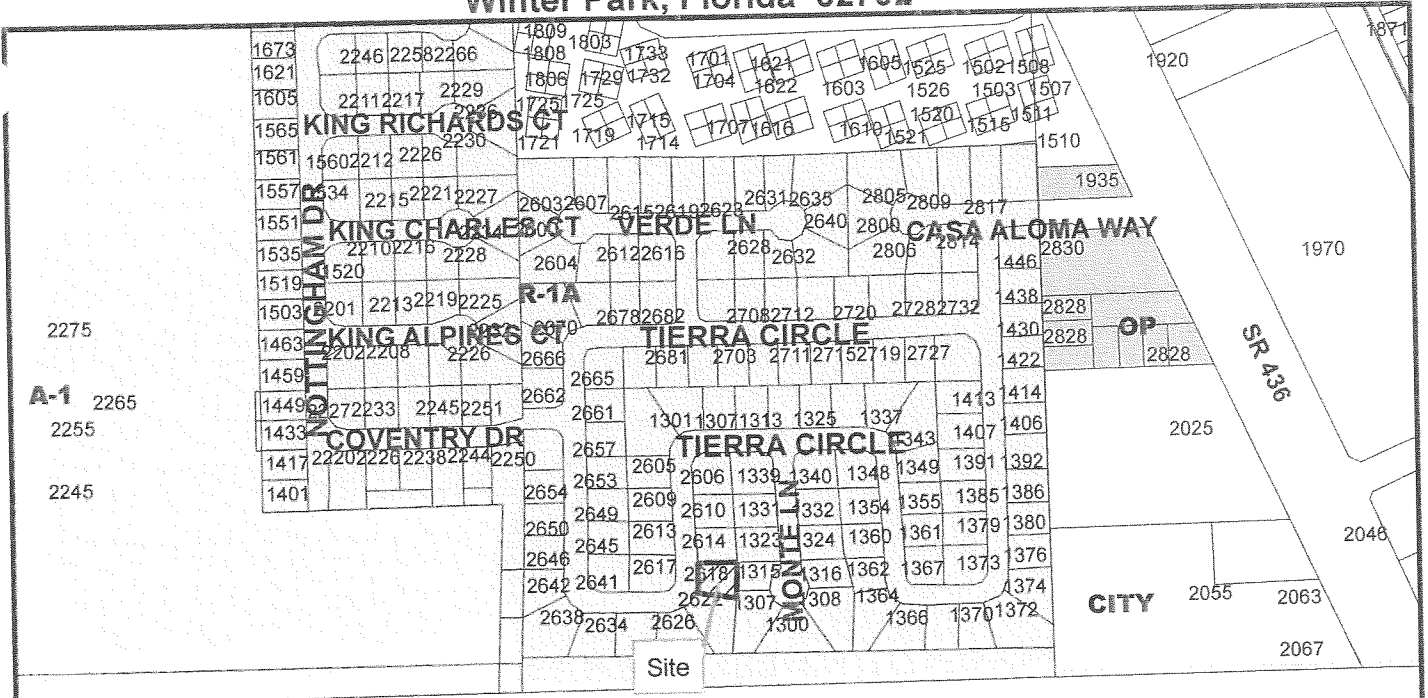
Lands shown hereon were not abstracted for rights of ways and/or easements of public records.

Bearings are based on the centerline of Tierra Circle as being N87°55'07\" E, per plat

Legal Description furnished by client (unless otherwise noted)

This is to certify that I have reviewed the Flood Insurance Rating Map (FIRM), Panel Number 120389 0210 E, Dated 4/17/95 and determined that the lands shown hereon lies in Flood Zone "X".





Sunroom Designs
2618 Tierra Circle
Winter Park, Florida 32792

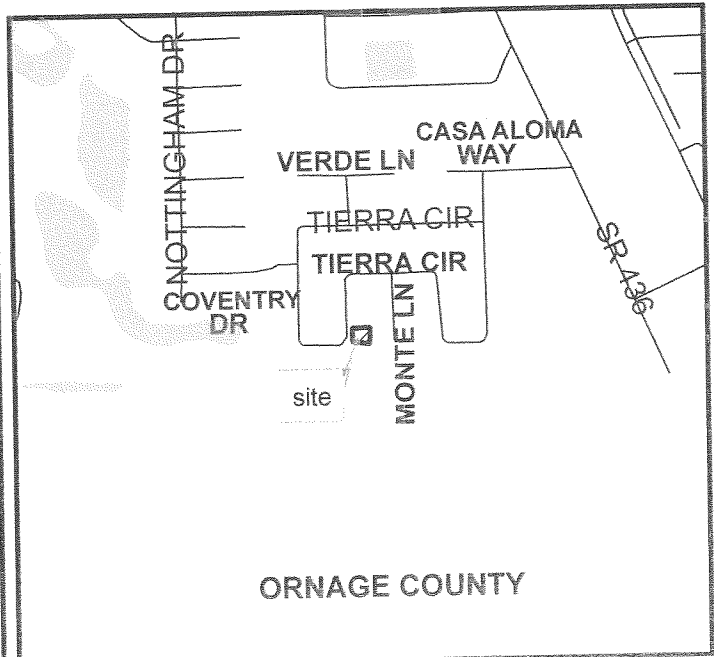
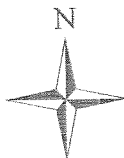


ORNAGE COUNTY

Seminole County Board of Adjustment
June 26, 2006
Case: BV2006-083
Parcel No: 33-21-30-509-0000-0530

Zoning

-  BV2006-083
-  A-1
-  R-1A
-  OP



DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

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

GENERAL

Parcel Id: 33-21-30-509-0000-0530

Owner: ALOI JOSEPH TRUSTEE

Own/Addr: FBO JOSEPH ALOI

Mailing Address: 2618 TIERRA CIR

City,State,ZipCode: WINTER PARK FL 32792

Property Address: 2618 TIERRA CIR WINTER PARK 32792

Subdivision Name: CASA ALOMA

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: \$158,807
Depreciated EXFT Value: \$2,675
Land Value (Market): \$69,000
Land Value Ag: \$0
Just/Market Value: \$230,482
Assessed Value (SOH): \$102,018
Exempt Value: \$25,500
Taxable Value: \$76,518

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
QUIT CLAIM DEED	12/1995	03004	0270	\$100	Improved	No
SPECIAL WARRANTY DEED	04/1990	02172	0405	\$100	Improved	No
WARRANTY DEED	01/1974	01030	0160	\$40,000	Improved	Yes

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH): \$2,464
2005 Tax Bill Amount: \$1,205
Save Our Homes (SOH) Savings: \$1,259
2005 Taxable Value: \$73,547

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	69,000.00	\$69,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 53 CASA ALOMA PB 15 PG 7

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	1970	6	1,827	2,616	1,827	CONC BLOCK	\$158,807	\$193,078
	Appendage / Sqft		SCREEN PORCH FINISHED / 240						
	Appendage / Sqft		GARAGE FINISHED / 529						
	Appendage / Sqft		OPEN PORCH FINISHED / 20						

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
COOL DECK PATIO	1999	390	\$1,126	\$1,365
SCREEN ENCLOSURE	1999	1,010	\$1,549	\$2,020

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.

Sunroom Designs

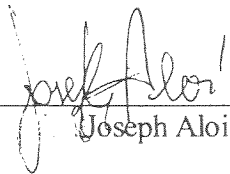
3601 Vineland Rd.
Suite 2
Orlando, FL 32811
407-648-8700
407-648-8701 (fax)

April 13, 2006

Joseph Aloï
2618 Tierra Circle
Winter Park, FL 32792

Re: Authorization for Variance Application

I, Joseph Aloï authorize Sunroom Designs to apply for a variance in my behalf. Application for variance is needed to enclose existing roof and concrete slab. We are requesting a variance for set back of 23 feet instead of 30 feet.



Joseph Aloï

4/15/06

Date

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 26, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 53 CASA ALOMA PB 15 PG 17

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

FINDINGS OF FACT

Property Owner: Joseph Aloï
2618 Tierra Circle
Winter Park, FL 32792

Project Name: Tierra Circle (2618)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 23 feet for a proposed sunroom addition 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 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: