

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

SUBJECT: Request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room in PUD (Planned Unit Development District); (Marie Francois, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

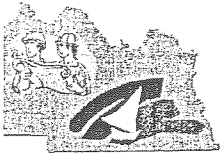
Agenda Date 6/26/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room in PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Marie Francois Location: 2542 Fletch Court Zoning: PUD Subdivision: Chase Groves Unit 3
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a screen room, approximately 20 feet x 26 feet, over both an existing slab area and a new slab area (6 feet x 20 feet). The new screen room will encroach 9 feet into the 20 foot rear setback leaving an 11 foot setback at the south corner. • There is no record of prior variances for this property. • 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.• 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 variance granted is the minimum variance that will make possible reasonable use of the land, building or structure. <i>The variance requested is not the minimum variance needed. There appears to be the ability to reconfigure the screen room in a way that would not require an encroachment into the rear yard setback.</i>• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>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:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the screen room 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.



COPY

BV 2006-086

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.

APPLICATION TYPE:

- VARIANCE** Screen Room Rear yard setback variance from 20ft. to 11ft. for a screen room w/solid roof.
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING **PROPOSED** REPLACEMENT
- MOBILE HOME IS FOR _____
- YEAR OF MOBILE HOME _____ 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	MARIE FRANCOIS	
ADDRESS	2542 Fletch Ct LAKE MARY FL 32746	
PHONE 1	407-688-9010 (H)	
PHONE 2	321-356-8905 (cell)	
E-MAIL	mariejosephancois@yahoo.com	

PROJECT NAME: FRANCOIS

SITE ADDRESS: 2542 Fletch Ct Lake Mary 32746

CURRENT USE OF PROPERTY: Residence

LEGAL DESCRIPTION: Lot 289 Chase Groves Unit 3
Flat Book 57

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 03-20-30-524-0000-2890

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.

x Marie Francois
 SIGNATURE OF OWNER OR AGENT* DATE 5/4/06

* Proof of owner's authorization is required with submittal if signed by agent.
 I:\pl\projects\boa\master forms & lists\boa applications\boa application.doc

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL _____

BCC PUBLIC HEARING DATE _____

FOR OFFICE USE ONLY

PROCESSING:

FEE: 190.00 COMMISSION DISTRICT _____ FLU / ZONING PD / PUO

LOCATION FURTHER DESCRIBED AS _____

PLANNER _____ DATE _____

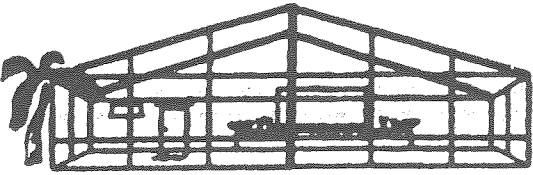
SUFFICIENCY COMMENTS _____

PRAGER BUILDERS, INC.

2938 Stonewall Avenue • Sanford, FL 32773

Telephone: (407) 324-9960

License Number: #CBC053007



NAME Francois, Marie HOME # 688 9010 WORK # 321 356 8905 DATE 4-3-06

ADDRESS 2542 Fletch Ct CITY Lake Mary ZIP 32746

DIRECTIONS Chase Groves

SCREEN: 18/14

FLAT: _____ GABLE: TIE IN: _____

ROOF SIZE: 22 X 30

DOORS: 2 1 set french doors
1 primary entry

KICKPLATE HEIGHT: 24" TYPE: _____

GUTTERS: included

WINDOW TYPE: Acrylic Clear

FRAME COLOR: white

PORCH OVERHANG: 2'

HOUSE O.H.: Ø SOFFIT? n/a

ROOF ATTACHMENT HEIGHT: 10' Peak

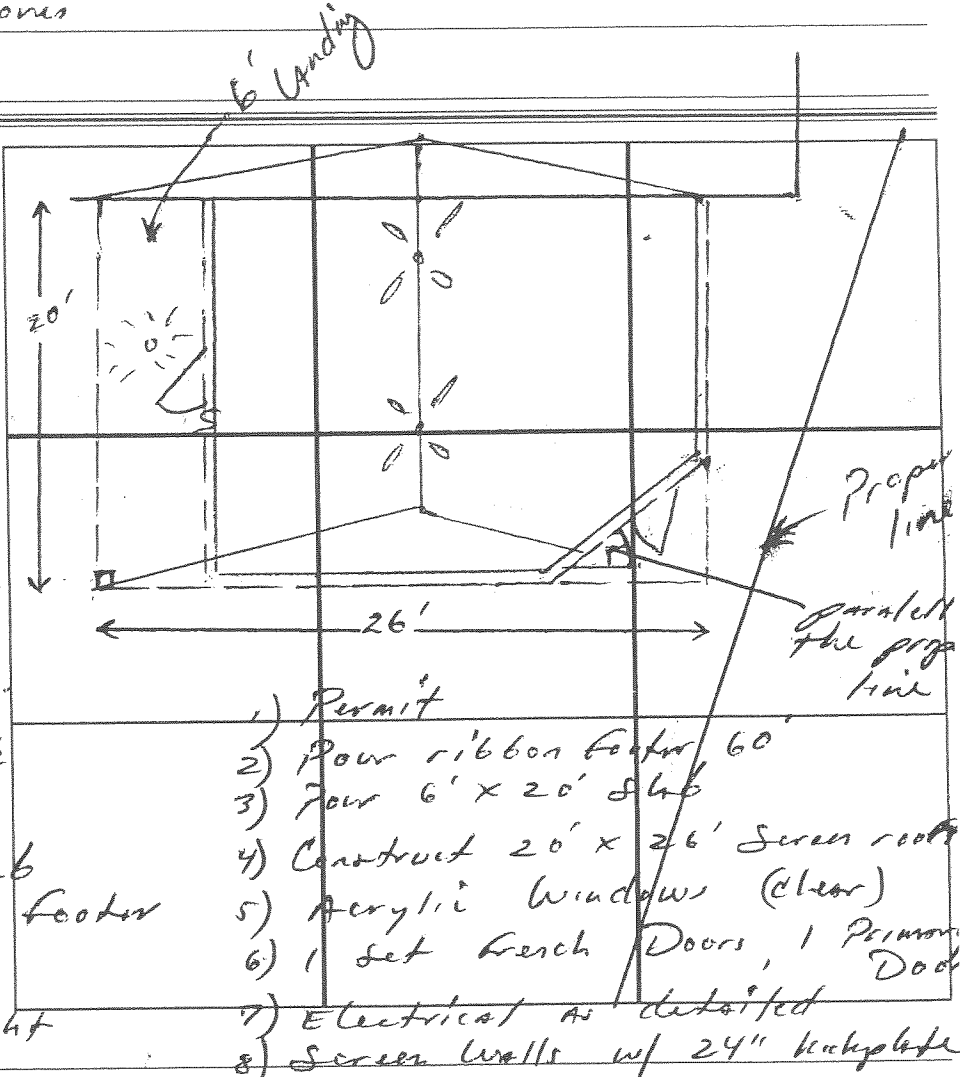
FAN BEAMS: 1 centered

SLAB SIZE: Add 6 x 20 slab
+ 60' Ribbon footer

DEMO: _____

ELECTRICAL: Wire 2 fans

WALL HEIGHT: 1 Outside light
1 Switch



- NOTE: 1) HAIRLINE CRACKING OF NEW CONCRETE SLABS ARE A COMMON OCCURRENCE.
2) SPRINKLER HEADS MUST BE RELOCATED BY CUSTOMER.
3) DRAINAGE AT BASE OF ROOM IS RESPONSIBILITY OF HOMEOWNER.
4) FLOOR MAY REQUIRE LEVELING FOR TILE INSTALLATION.
5) OWNER IS RESPONSIBLE FOR ANY REINSPECTION FEES DUE TO INACCESSIBILITY OR MISSING PERMIT.
6) IF HOMEOWNER'S ASSOCIATION APPROVAL IS NECESSARY IT IS CUSTOMER'S RESPONSIBILITY TO OBTAIN PRIOR TO FINAL LAYOUT.

ANY CHANGES AFTER FINAL MEASUREMENTS WILL BE CHARGED ACCORDINGLY. MATERIAL AND WORKMANSHIP GUARANTEED FOR 2 YEARS.
Contractor expressly reserves all contractors, mechanics and material man's lien which may be asserted under any provisions of the law to secure payment of the contract price and may assert and fix the same as a lien upon the real property on which installation is made. Purchaser agrees to supply electrical power at job site.
* Room + Concrete 14,850
* Windows \$7910

I have read the foregoing proposed contract and accept the same on the terms and conditions printed on the reverse side and as stated above.

Purchaser [Signature] Date 4-11-06

Sales Rep. Bayan Dorian
As Completed

THIS PRICE IS BASED ON DIMENSIONS SHOWN IN THE ABOVE SKETCH

CONTRACT PRICE	22,760
DEPOSIT	Ø
BAL. DUE	22,760

Payment Schedule _____

PLAT OF SURVEY

(DESCRIPTION: AS FURNISHED)

LOT 289, CHASE GROVES UNIT 3,
AS RECORDED IN PLAT BOOK 57, PAGES 48 & 49, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

2542
FLETCH COURT

50' RIGHT-OF-WAY
ASPHALT ROADWAY

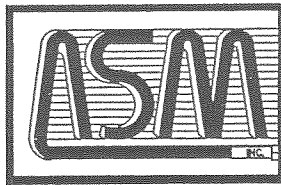
LEGEND

- BUILDING SETBACK LINE
- CENTERLINE
- RIGHT OF WAY LINE
- EXISTING ELEVATION
- CONCRETE
- LB LAND SURVEYING BUSINESS
- LS LAND SURVEYOR
- PRM PERMANENT REFERENCE MONUMENT
- PCP PERMANENT CONTROL POINT
- (P) PER PLAT
- (M) MEASURED
- FND FENDING
- C/W CONCRETE WALK
- S/W SIDEWALK
- CP CONCRETE PAD
- CS CONCRETE SLAB
- C CHORD LENGTH
- PK PARKER KALON
- FND MAIL AND DISC
- LB 806 (06-11-01)
- FND 1/2" IRON ROD AND CAP
- LB 86393 (06-11-01)
- CNA CORNER NOT ACCESSIBLE
- Δ DENOTES DELTA ANGLE
- L DENOTES ARC LENGTH
- C.B. DENOTES CHORD BEARING
- PC DENOTES POINT OF CURVATURE
- PI DENOTES POINT OF INTERSECTION
- PRC DENOTES POINT OF REVERSE CURVATURE
- PT DENOTES POINT OF TANGENCY
- TYP TYPICAL
- A/C AIR CONDITIONER
- CBW CONCRETE BLOCK WALL
- RP RADIUS POINT
- OHU OVERHEAD UTILITY LINE
- R IDENTIFICATION
- S.DAUE SIDEWALK, DRAINAGE AND UTILITY EASEMENT

CERTIFIED TO:
D.R.H. TITLE COMPANY OF FLORIDA INC.
FIDELITY NATIONAL TITLE INSURANCE OF PENNSYLVANIA
CARL H. FRANCOIS AND MARIE JOSE FRANCOIS
CH MORTGAGE COMPANY, T. LTD.

NOTE:
THIS BOUNDARY SURVEY MEETS THE
MINIMUM TECHNICAL STANDARDS SET FORTH
IN CHAPTER 61G17-6 OF THE FLORIDA
ADMINISTRATIVE CODE PURSUANT TO CHAPTER
472.027, FLORIDA STATUTES.

I HAVE EXAMINED THE F.S.R.M. COMMUNITY PANEL
NO 120289 0045 E DATED 4-17-95 AND FOUND
THE SUBJECT PROPERTY LIES IN ZONE X,
AREA OUTSIDE 100 YEAR FLOOD.
ELEVATIONS SHOWN HEREON ARE BASED ON SEMINOLE COUNTY DATUM.
BEARINGS SHOWN HEREON ARE BASED ON
THE CENTERLINE OF FLETCH COURT
BEING S 08°14'38" E PER PROPOSED PLAT.

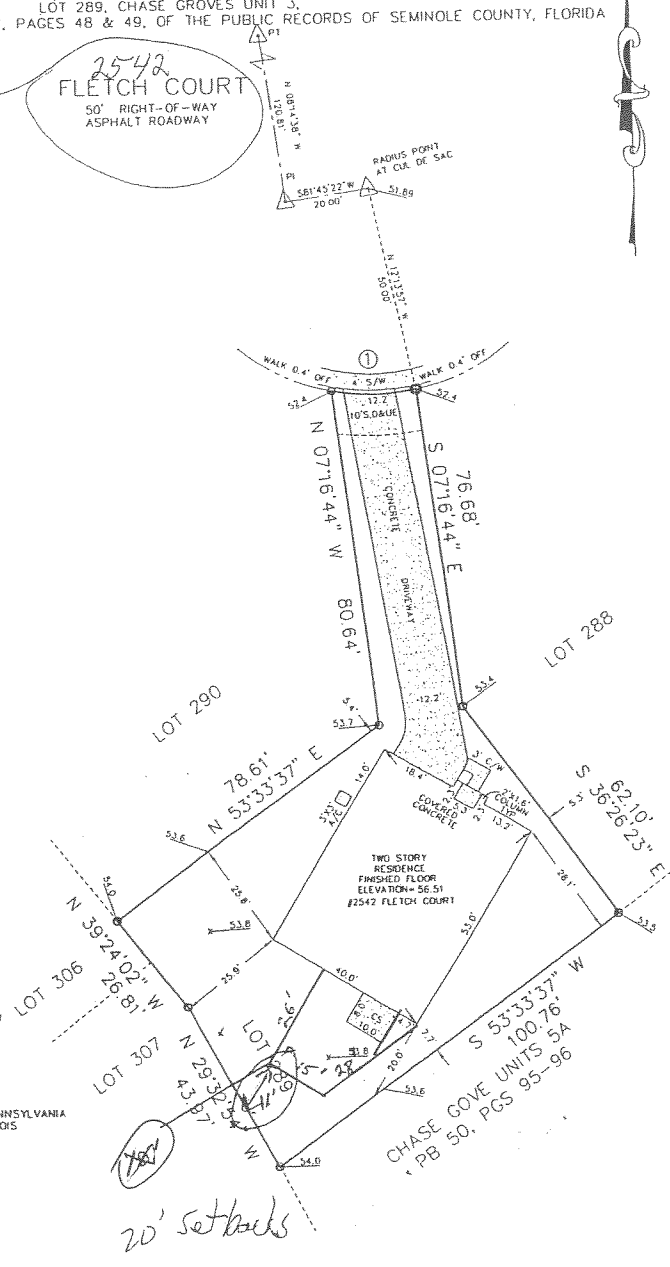


1. THE SURVEYOR HAS NOT ABSTRACTED THE
LAND SHOWN HEREON FOR EASEMENTS, RIGHT
OF WAY, RESTRICTIONS OF RECORD WHICH
MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN
LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR
AND MAPPER.

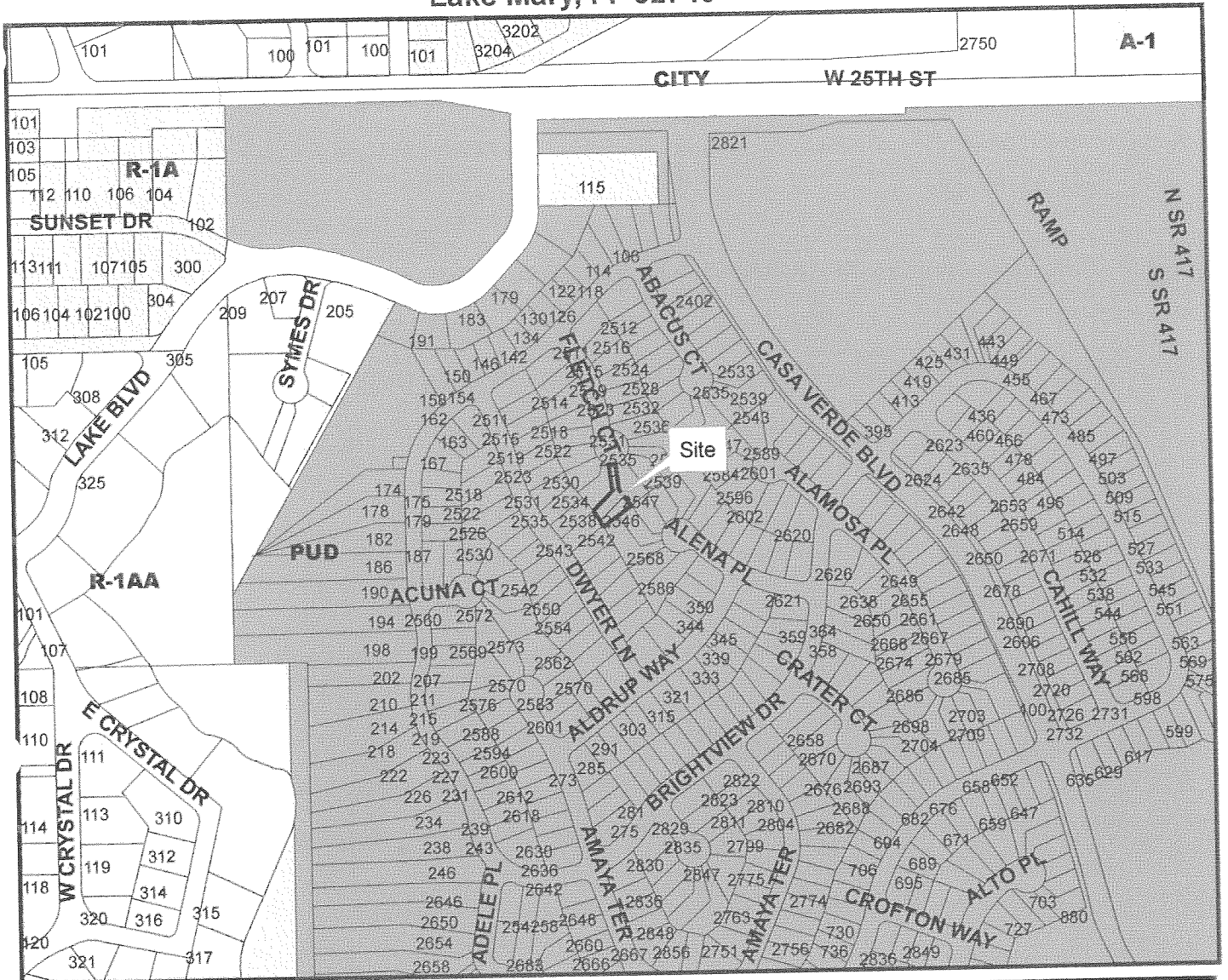
(FIELD DATE:) 06-11-01
SCALE: 1" = 30 FEET
APPROVED BY: EEC
JOB NO. ASM27746
DRAWN BY:

FINAL 06-11-01/JB
REPOSITION 1-25-01/RRD
REPOSITION 1-03-01/RRD
REPOSITION 7-10-00/JAL
PLOT PLAN 6-27-00/RRD
HOUSE FIT 5-30-00/RRD
HOUSE FIT 5-5-00/RRD

Emory E. Cole 6-14-01 FOR THE FIRM
EMORY E. COLE, PSM #4403 DATE








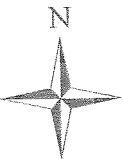
Marie-Jose & Carl Francois
 2542 Fletch Ct
 Lake Mary, FL 32746

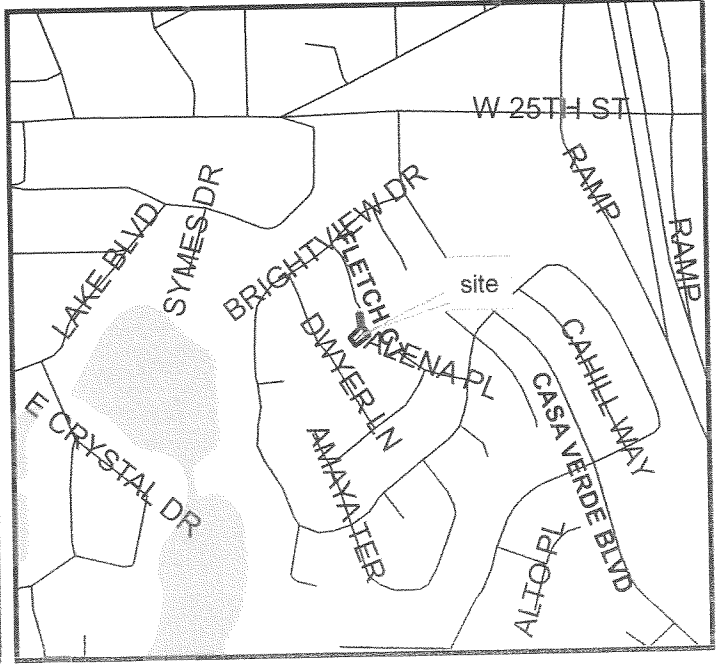


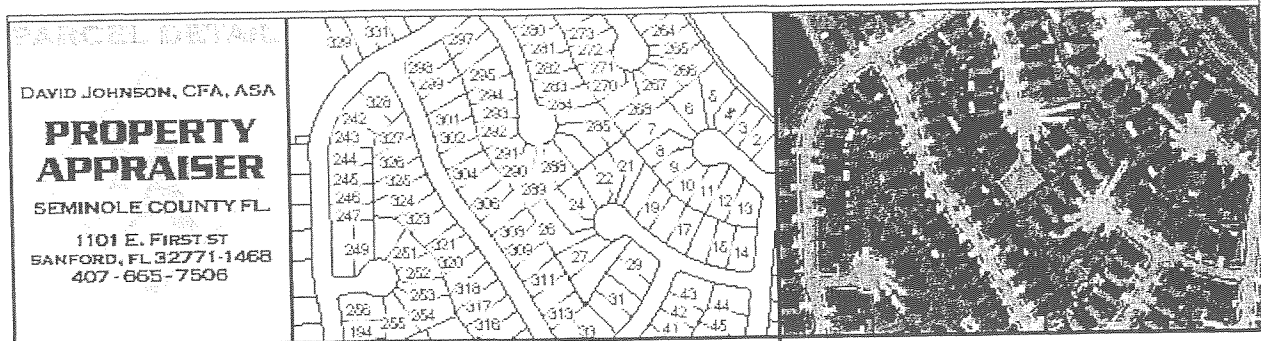
Seminole County Board of Adjustment
 June 26, 2006
 Case: BV2006-086
 Parcel No: 03-20-30-524-0000-2890

Zoning

-  BV2006-086
-  A-1
-  R-1AA
-  R-1A
-  PUD

N






PARCEL DETAIL
 DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-665-7506

GENERAL
 Parcel Id: 03-20-30-524-0000-2890
 Owner: FRANCOIS CARL H & MARIE-JOSE
 Mailing Address: 2542 FLETCH CT
 City,State,ZipCode: LAKE MARY FL 32746
 Property Address: 2542 FLETCH CT LAKE MARY 32746
 Subdivision Name: CHASE GROVES UNIT 3
 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: \$264,925
 Depreciated EXFT Value: \$0
 Land Value (Market): \$36,000
 Land Value Ag: \$0
 Just/Market Value: \$300,925
 Assessed Value (SOH): \$178,625
 Exempt Value: \$25,000
 Taxable Value: \$153,625
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	06/2001	04112	0674	\$169,100	Improved	Yes
WARRANTY DEED	02/2001	04010	1806	\$296,000	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY
 Tax Value(without SOH): \$3,089
 2005 Tax Bill Amount: \$2,432
 Save Our Homes (SOH) Savings: \$657
 2005 Taxable Value: \$148,422
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	36,000.00	\$36,000

LEGAL DESCRIPTION
 PLATS:
 LOT 289 CHASE GROVES UNIT 3 PB 57 PGS 48 & 49

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	2001	9	1,710	3,278	2,863	CB/STUCCO FINISH	\$264,925	\$271,718
			Appendage / Sqft	OPEN PORCH FINISHED / 15					
			Appendage / Sqft	GARAGE FINISHED / 400					
			Appendage / Sqft	UPPER STORY FINISHED / 1153					

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.

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 3 TWP: 20 RNG: 30
 PROJ. #

DEVELOPMENT:		Chase Groves Unit 3 (Parcel D, Final Master Plan)			DEVELOPER:		Laurel Homes						
LOCATION:		S of CR 46A within Chase Groves PUD			87 lots								
FILE#:		BA:		SP:		BCC:							
P&Z:		PG		Lot		Blk		Parcel		DBA	Comm Dist		
PB	57	PG	48,49	Lot		Blk		Parcel		DBA		Comm Dist	
DEVEL. ORDER #:				TAX PAR. I.D. #:									
SIDEWALKS:				SETBACK REQUIREMENTS									
4' sidewalks throughout				FY: 20'		SIDE ST.:		*		SY: *15		RY: 20'	
ROAD TYPE:				MAIN STRUCTURE OTHER:									
(CURB & GUTTER OR SWALE)				*Side yard: Min. 10' between structures on adj. lots – there will be no "0" lot line set backs									
COMMENTS OTHER:				Side Street: Side street driveways on corner lots are prohibited where side street setback is 15'									
5,000 sq. ft. minimum lot area				ACCESSORY STRUCTURE SETBACKS:									
				SY: 10'				RY: 10'					
				ACCESSORY STRUCTURE OTHER:									
				Accessory: Side 0-10'/minimum 10' between structures on adjacent lots – There will be no "0" lot line setbacks.									

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	23
LAND USE:	1
1. ROAD-CO. WIDE	705.00
2. ROAD-COLL.	142.00
3. LIBRARY	54.00
4. FIRE	172.00
5. PARK	
6. SCHOOL	1,384.00
7. LAW	
8. DRAINAGE	
TOTAL	\$2,657.00
REMARKS: Sidewalks throughout; 2' Miami curb. Public streets	

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:

LOT 289 CHASE GROVES UNIT 3 PB 57 PGS 48 & 49

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

FINDINGS OF FACT

Property Owner: Marie Francois
2542 Fletch Court
Lake Mary FL 32746

Project Name: Fletch Court Street (2542)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room in 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: Denny Gibbs, Senior 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 screen room 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: