

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

**SUBJECT:** Request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room in PUD (Planned Unit Development District); (Tami McKenna, applicant).

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

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

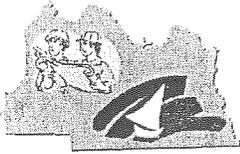
**Agenda Date** 6/26/06    **Regular**     **Consent**     **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room in PUD; or
2. **DENY** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room in PUD; or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Tami McKenna Location: 2573 Alena Place Zoning: PUD Subdivision: Chase Groves Unit 5A
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• Request for a rear yard setback variance for a proposed covered screen room, approximately 10 feet by 40 feet, that would encroach 10 feet into a 20 foot rear yard setback.</li> <li>• There is no record of prior variances for this property.</li> <li>• There are currently no code enforcement or building violations for this property.</li> </ul>
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <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,</li> </ul>

	<p>structures or building in the same zoning district.</p> <ul style="list-style-type: none"><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.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• 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"><li>• Any variance granted shall apply only to the proposed screen room as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.</li></ul></li></ul>



**COPY**

APPL. NO. BV 2006-087

**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 ft to 10 ft. for a screen porch with a solid roof.
- 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>Tami McKenna</u>	
ADDRESS	<u>2573 Alena Pl. Lake Mary FL 32746</u>	
PHONE 1	<u>407 328-1228 - Home</u>	
PHONE 2	<u>321-696-9561 - Cell</u>	
E-MAIL	<u>Tami.L.McKenna@chase.com</u>	

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 2573 Alena Pl. Lake Mary FL 32746

CURRENT USE OF PROPERTY: Residential

LEGAL DESCRIPTION: Lot 22 Chase Groves Unit 5A Plat Book 50, at pages 95-96 of Public records of Seminole County

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 120289 004JE <sup>03-20-30-520</sup> <sub>000-0220</sub>

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.

Tami L. McKenna 5/4/06  
 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): \$150.00 COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING PD / PUD

BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL) *enclave*

LOCATION FURTHER DESCRIBED AS \_\_\_\_\_

PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_

SUFFICIENCY COMMENTS \_\_\_\_\_

# Herx & Associates Inc.

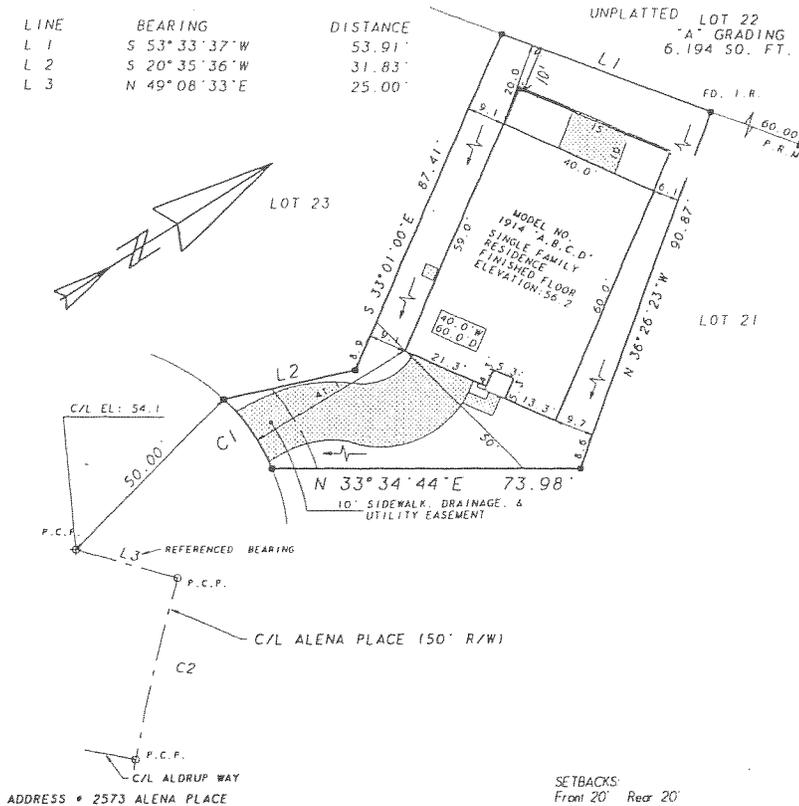
Professional Land Surveyors

1230 Douglas Avenue Suite 320, Longwood, Florida, 32779 (407)788-8808

Member of: Florida Surveying and Mapping Society, American Congress on Surveying and Mapping, Florida Land Surveyors Council

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	23° 04' 26"	50.00'	20.14'	10.21'	20.00'	N 88° 57' 14" E
C 2	20° 01' 22"	550.00'	192.20'	97.09'	191.23'	S 50° 52' 08" E

LINE	BEARING	DISTANCE
L 1	S 53° 33' 37" W	53.91'
L 2	S 20° 35' 36" W	31.83'
L 3	N 49° 08' 33" E	25.00'



SETBACKS:  
Front 20' Rear 20'  
Side 5' Corner 20'

LEGAL DESCRIPTION: Lot 2 2 "Chase Groves Unit 5A" according to the plat thereof as recorded in Plat Book 50 at pages 95-96 of the Public Records of Seminole County, Florida

Note: Bearings shown hereon are referenced to the C/L of ALENA PLACE as being S 49° 08' 33" W.

FLOOD HAZARD DATA: The Parcel shown hereon lies within Flood Zone "X" according to the Flood Insurance Rate Map Community Panel Number 20289 0045E, Dated 4/17/95.

Vertical datum is based on NGVD/OCVD per Engineering construction plans by Donald W. McIntosh Associates, Inc. Job No. 8920

### General Notes:

- This is a Boundary Survey performed in the field on 3-4-98.
- No underground improvements or subsurface/aerial encroachments were located.
- Elevations shown hereon, if any, are either assumed or were obtained from approved construction plans provided by client unless otherwise noted, and are shown only to depict the difference in elevation between the floor slab of the residence and the crown of pavement. Other elevations are from approved plans and have not been verified. "FINAL" elevations are relative to the finished floor elevation as an assumed datum.
- The parcel shown hereon is subject to all easements, reservations, restrictions, and rights-of-way of record. No search of the Public Records has been made by this office.
- The legal description shown hereon is as furnished by client. No search of the Public Records has been made by this office.
  - ⊙ Denotes 1/2" iron rod with yellow plastic cap marked LB 4937.
  - ⊖ Denotes found iron rod or P.C.P. (see drawing).
  - ⊕ Denotes CM or P.R.M. (see drawing).
  - X- Denotes "X" cut on surface or nail and brass washer (see drawing).

### Legend:

CB	Chord Bearing	PB	Plat Book
CD	Chord	PC	Point of curvature
CA	Centerline	PCC	Point of compound curvature
CM	Concrete Monument	PG	Page
(Calc)	Calculated	POB	Point of beginning
EI (Elev)	Elevation	POC	Point of commencement
FD	Found	PI	Point of tangency
Fin Fl Elev	Finished Floor Elevation	PI	Point of intersection
I.P.	Iron Pipe	P.C.P.	Permanent control point
I.R.	Iron Rod	PL	Property line
L	Arc length	PRC	Point of reverse curvature
LS	Land Surveyor	PRM	Permanent reference monument
LB	Licensed Business	R	Radius
(Meas)	Measured	RAD	Radial line
N(N&D)	Nail and brass disc	RES	Residence
OS	Offset	TYP	Typical
ORB	Official records book	⊕	Fence symbol
		Δ	Central angle (delta angle)

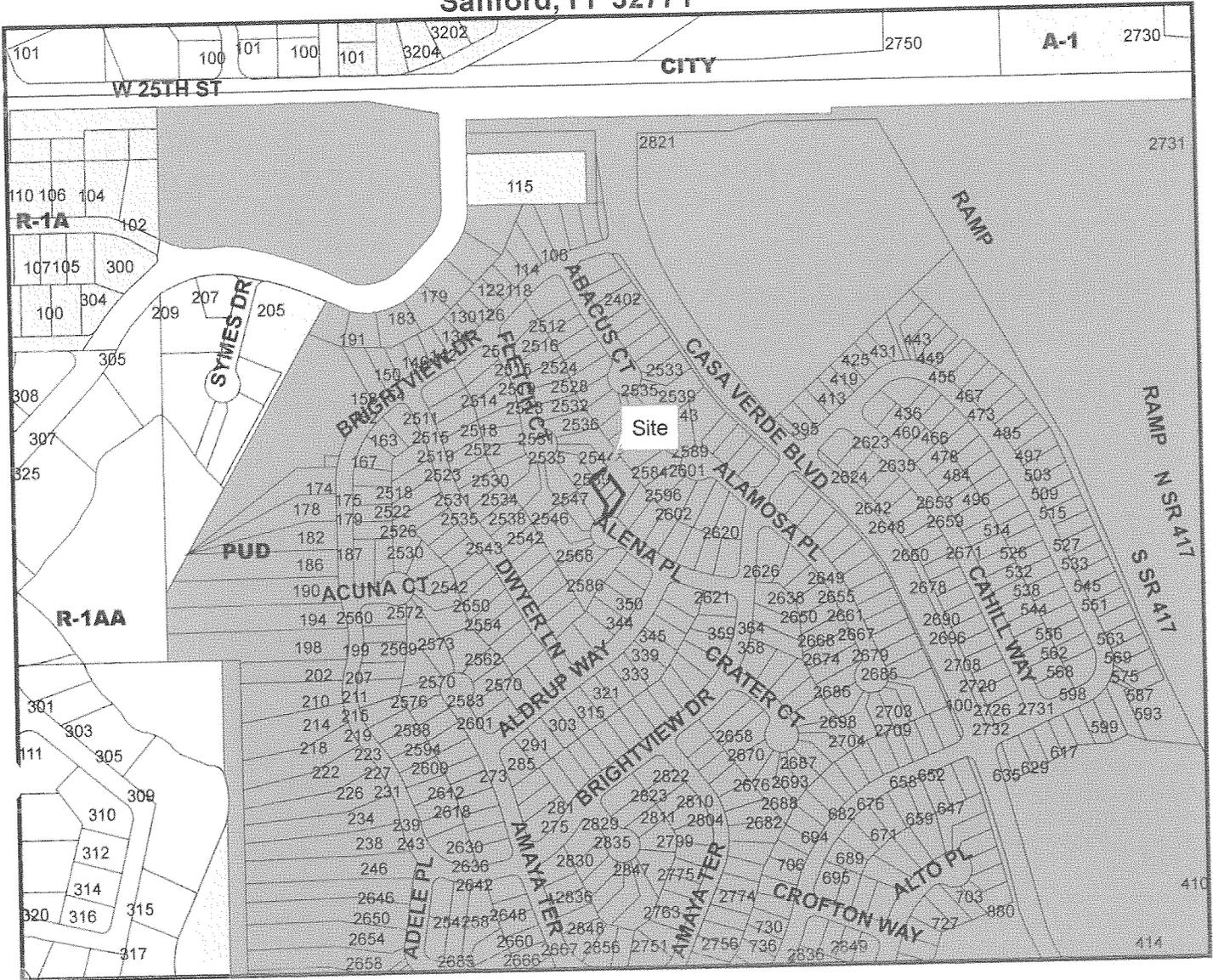
Certification: Not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper. I hereby certify that this survey was made under my responsible charge and meets the Minimum Technical Standards as set forth by the Florida Board of Professional Surveyors and Mappers, in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

*William A. Herx*  
William A. Herx, P.L.S., Florida Registered Land Surveyor No. 3162  
Herx & Associates Inc. LB 4937

CERTIFIED TO:  
GREAT WESTERN BANK, A FEDERAL SAVINGS BANK  
CTX MORTGAGE COMPANY  
METROPOLITAN TITLE & GUARANTY CO.  
COMMONWEALTH LAND TITLE INSURANCE COMPANY  
CHICAGO TITLE INSURANCE COMPANY  
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Drawn by: MH  
Checked by: DP  
Job Number: 96-024-02  
Prepared for: CENTEX  
Scale: 1" = 30'  
Plat plate performed: 1-30-98  
Foundation Survey: 3-4-98  
Final Survey: 5-28-98  
Revisions:

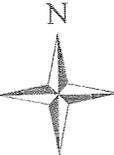
Tami McKenna  
 2573 Alena Pl  
 Sanford, FL 32771

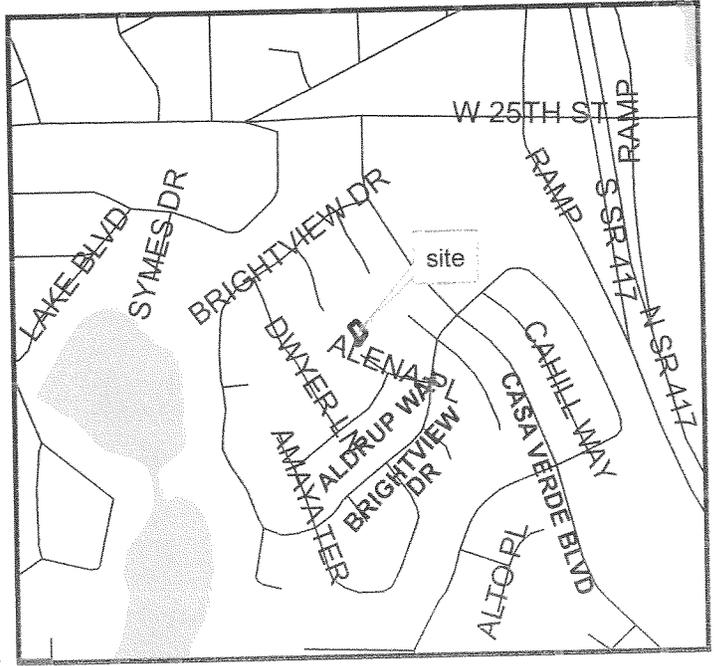


**Seminole County Board of Adjustment**  
 June 26, 2006  
 Case: BV2006-087  
 Parcel No: 03-20-30-520-0000-0220

**Zoning**

-  BV2006-087
-  A-1
-  R-1AA
-  R-1A
-  PUD

N  




<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>																																									
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 03-20-30-520-0000-0220          Owner: MC KENNA TAMI L          Mailing Address: 2573 ALENA PL          City,State,ZipCode: LAKE MARY FL 32746          Property Address: 2573 ALENA PL SANFORD 32771          Subdivision Name: CHASE GROVES UNIT 5A          Tax District: 01-COUNTY-TX DIST 1          Exemptions: 00-HOMESTEAD          Dor: 01-SINGLE FAMILY</p>	<p><b>2006 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market          Number of Buildings: 1          Depreciated Bldg Value: \$185,243          Depreciated EXFT Value: \$0          Land Value (Market): \$36,000          Land Value Ag: \$0          Just/Market Value: \$221,243          Assessed Value (SOH): \$116,429          Exempt Value: \$25,000          Taxable Value: \$91,429</p> <p>Tax Estimator</p>																																								
<p align="center"><b>SALES</b></p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>07/1998</td> <td>03465</td> <td>1161</td> <td>\$106,800</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>04/1997</td> <td>03239</td> <td>1298</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1996</td> <td>03152</td> <td>0883</td> <td>\$445,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	07/1998	03465	1161	\$106,800	Improved	Yes	QUIT CLAIM DEED	04/1997	03239	1298	\$100	Vacant	No	WARRANTY DEED	10/1996	03152	0883	\$445,000	Vacant	No	<p><b>2005 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$2,171          2005 Tax Bill Amount: \$1,443          Save Our Homes (SOH) Savings: \$728          2005 Taxable Value: \$88,038</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>												
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																			
WARRANTY DEED	07/1998	03465	1161	\$106,800	Improved	Yes																																			
QUIT CLAIM DEED	04/1997	03239	1298	\$100	Vacant	No																																			
WARRANTY DEED	10/1996	03152	0883	\$445,000	Vacant	No																																			
<p align="center"><b>LAND</b></p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>36,000.00</td> <td>\$36,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	36,000.00	\$36,000	<p align="center"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LOT 22 CHASE GROVES UNIT 5A PB 50 PGS 95 &amp; 96</p>																												
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																				
LOT	0	0	1.000	36,000.00	\$36,000																																				
<p align="center"><b>BUILDING INFORMATION</b></p> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1998</td> <td>7</td> <td>1,929</td> <td>2,379</td> <td>1,929</td> <td>CB/STUCCO FINISH</td> <td>\$185,243</td> <td>\$191,962</td> </tr> <tr> <td colspan="3">Appendage / Sqft</td> <td colspan="7">GARAGE FINISHED / 420</td> </tr> <tr> <td colspan="3">Appendage / Sqft</td> <td colspan="7">OPEN PORCH FINISHED / 30</td> </tr> </tbody> </table> <p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p>		Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1998	7	1,929	2,379	1,929	CB/STUCCO FINISH	\$185,243	\$191,962	Appendage / Sqft			GARAGE FINISHED / 420							Appendage / Sqft			OPEN PORCH FINISHED / 30						
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																
1	SINGLE FAMILY	1998	7	1,929	2,379	1,929	CB/STUCCO FINISH	\$185,243	\$191,962																																
Appendage / Sqft			GARAGE FINISHED / 420																																						
Appendage / Sqft			OPEN PORCH FINISHED / 30																																						
<p>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.</p>																																									

## 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 22 CHASE GROVES UNIT 5A PB 50, PG 95 -96

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

### FINDINGS OF FACT

**Property Owner:** TAMI L MC KENNA  
2573 ALENA PLACE  
LAKE MARY FL 32746

**Project Name:** ALENA PLACE (2573)

**Requested Development Approval:**

Request for a rear yard setback variance from 20 feet to 10 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: