

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

SUBJECT: Request for a width at the building line variance from 90 feet to 79 feet 5 inches for a proposed home in the R-1AA (Single-Family Dwelling District); (Horecio Gonzalez, applicant).

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

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

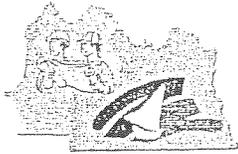
Agenda Date 7/24/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a width at the building line variance from 90 feet to 79 feet 5 inches for a proposed home in the R-1AA (Single-Family Dwelling District); or
2. **DENY** the request for a width at the building line variance from 90 feet to 79 feet 5 inches for a proposed home in the R-1AA (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Horecio Gonzalez Owner: Giriam Patel Location: 3125 Cecelia Dr. Zoning: R-1AA (Single-Family Dwelling District) Subdivision: Paradise Point
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is proposing a width at the building that is 10 feet 7 inches narrower than the minimum 90 foot width at the building line. • There is an existing single-family home on the property which will be demolished for the proposed single-family home. • There are currently no code enforcement or building violations for this property.

	<ul style="list-style-type: none">• There is no record of prior variances 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">• The applicant could redesign the new residence to meet all the required setbacks thereby negating the need for a variance.• 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 single-family home 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
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

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APPL. NO. BV 2006-095

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** SPECIAL LOT WIDTH @ BUILDING FRONT LINE
- 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 _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT*	
NAME	<u>GIRIAM PATEL</u>	<u>HONRACO GONZALEZ</u>	
ADDRESS	<u>1125 TALL PINE DR APOPKA FL 32712</u>	<u>247 MAISON CT AUMMOKE SPRINGS FL 32714</u>	
PHONE 1	<u>407 927 1510</u>	<u>2</u>	
PHONE 2	<u>407 880 8878</u>	<u>407 467 3317</u>	
E-MAIL		<u>SIWERSSEAN@201.COM</u>	

PROJECT NAME: PATEL RESIDENCE -
 SITE ADDRESS: 3125 CECILIA DR APOPKA FL 32703
 CURRENT USE OF PROPERTY: RESIDENTIAL
 LEGAL DESCRIPTION: LOT 20 BLK F PARADISE POINT
PB 7 PG 87
 SIZE OF PROPERTY: 0.3 AC. acre(s) PARCEL I.D. 18-21-29-510-0E00-0200
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

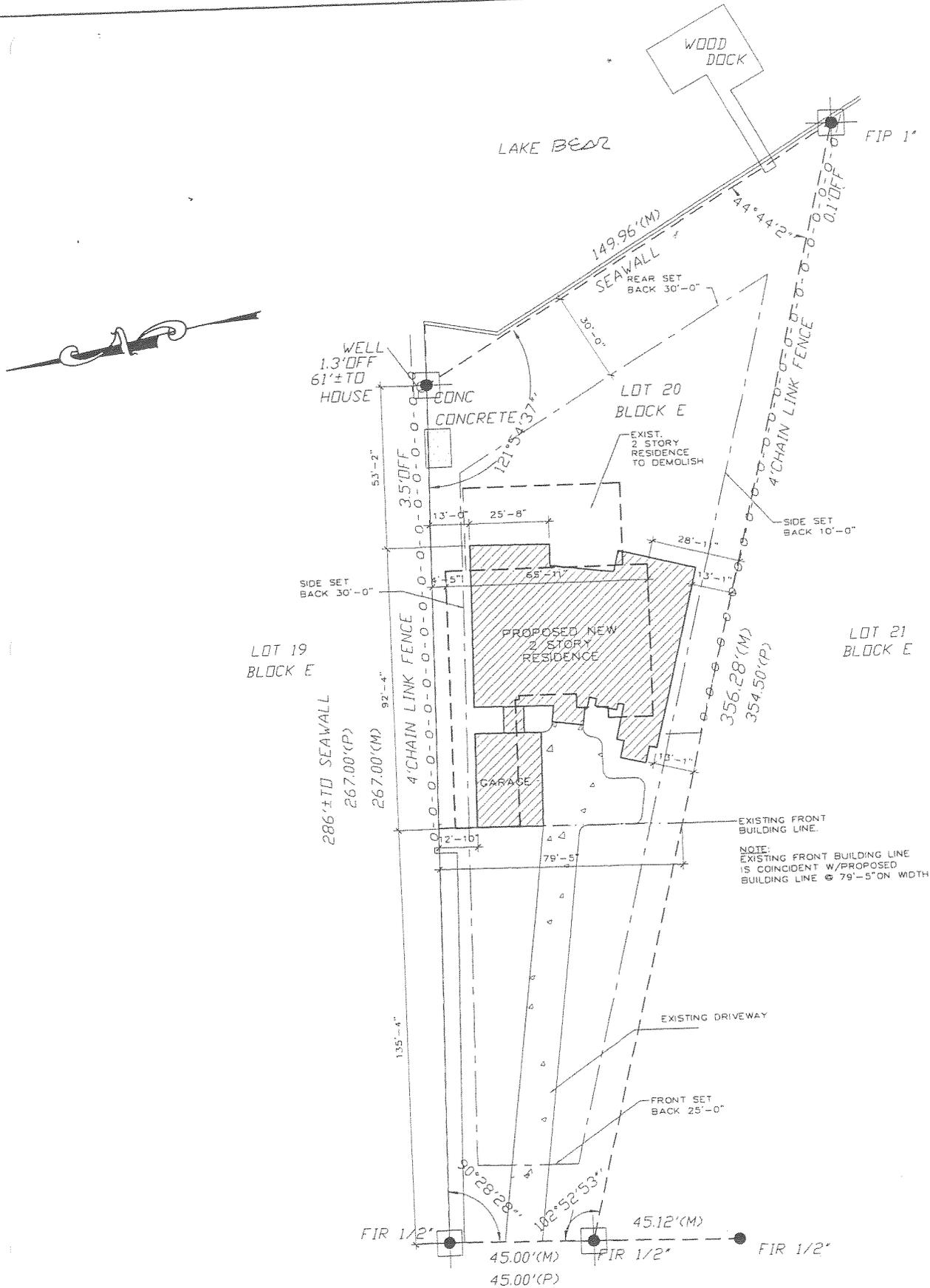
This request will be considered at the Board of Adjustment regular meeting on 7, 24, 06
 (mo/day/yr) in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

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.

SIGNATURE OF OWNER OR AGENT*

DATE

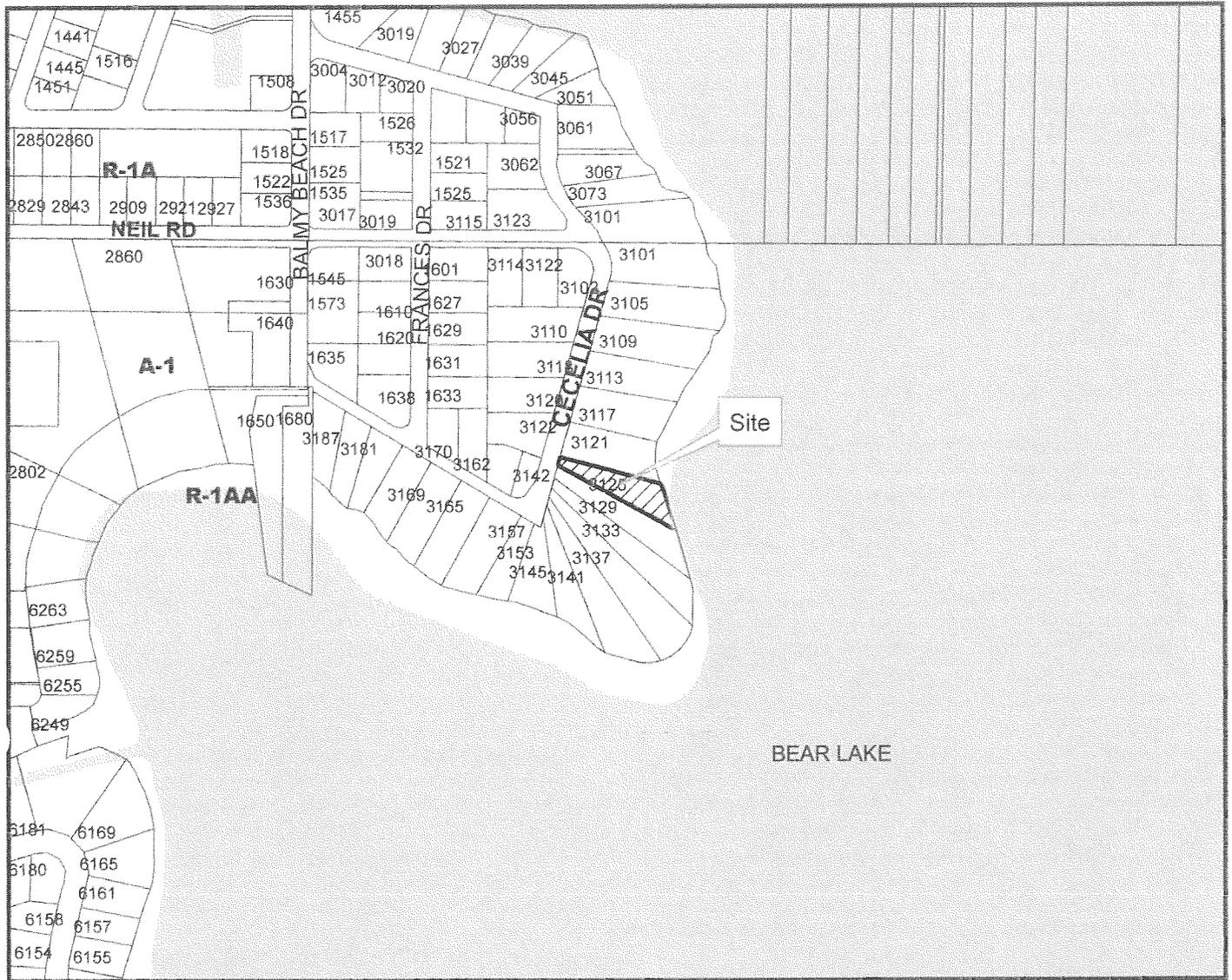
5/18/2006



3125 CECELIA DRIVE
 50'R/W

SITE PLAN
 SCALE: 1"=20'-0"

Horecio Gonzalez
3125 Cecelia Dr
Apopka, FL 32703

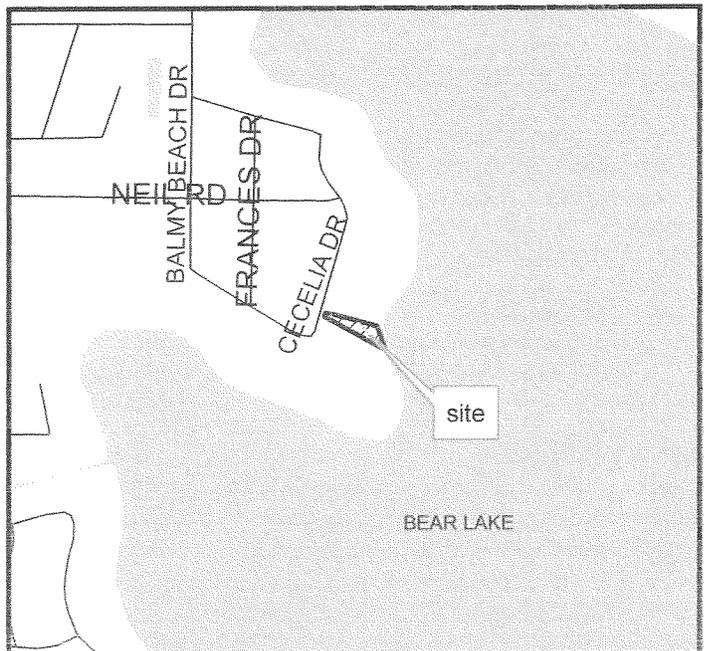
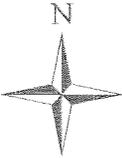


Seminole County Board of Adjustment
July 24, 2006
Case: BV2006-095
Parcel No: 18-21-29-510-0E00-0200

Zoning

-  BV2006-095
-  A-1
-  R-1AA
-  R-1A

N



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																																					
<p align="center">GENERAL</p> <p>Parcel Id: 18-21-29-510-0E00-0200</p> <p>Owner: PATEL GIRIAM M & DARSHIKA G</p> <p>Mailing Address: 3125 CECELIA DR</p> <p>City, State, Zip Code: APOPKA FL 32703</p> <p>Property Address: 3125 CECELIA DR APOPKA 32703</p> <p>Subdivision Name: PARADISE POINT</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$369,876</p> <p>Depreciated EXFT Value: \$18,091</p> <p>Land Value (Market): \$502,860</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$890,827</p> <p>Assessed Value (SOH): \$890,827</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$890,827</p> <p>Tax Estimator</p>																																																																			
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EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
ELECTRIC HEATER	1994	1	\$440	\$1,100
BOAT DOCK	1996	416	\$1,248	\$2,080
BOAT HOUSE	1996	288	\$1,382	\$2,304
POOL GUNITE	1994	476	\$6,664	\$9,520
COOL DECK PATIO	1994	901	\$2,208	\$3,154
SCREEN ENCLOSURE	1994	2,409	\$2,893	\$4,818
SEAWALL	1997	348	\$3,256	\$3,828

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.

Giriam M. Patel

RECEIVED MAY 23 2006

Facsimile Transmission
Fax: 407-665-7385
1 page(s), inclusive

CC: Horicio Gonzalez
Fax: 407-599-3700

Tuesday, May 23, 2006

Ian Sikonia
Seminole County
Planning & Development Division

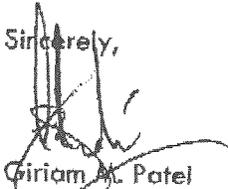
Dear Sir,

Re: Application for a Variance – 3125 Cecelia Dr., Apopka, FL 32703

Please be advised that I am the owner of above mentioned property and hereby authorize Mr. Horecio Gonzalez to act on my behalf in the process of obtaining a Variance for 3125 Cecelia Dr., Apopka, FL 32703. I furthermore authorize Mr. Horecio Gonzalez to sign any required documentation that the City or County may require on my behalf to facilitate the process of obtaining the Variance.

Should you have any questions, please call me direct at 407-927-1510

Sincerely,


Giriam M. Patel


Darshika Patel

1125 Tall Pine Dr., Apopka, FL 32712
Fax (407) 650-3055 • Phone (407) 927-1510
e-mail: giriam@gmail.com

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 24, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 20 BLK E PARADISE POINT PB 7 PG 87

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

FINDINGS OF FACT

Property Owner: Giriam Patel
3125 Cecelia Dr.
Apopka, FL 32703

Project Name: Cecelia Drive (3125)

Requested Development Approval:

Request for a width at the building line variance from 90 feet to 79 feet 5 inches for a proposed home in the R-1AA (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 single-family home 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: