

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

**SUBJECT:** Request for a rear yard setback variance from 30 feet to 14 feet 4 inches for a proposed covered screened room in the R-1A (Single-Family Dwelling District); (John Jordan, applicant).

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

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

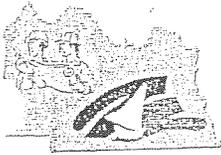
**Agenda Date** 7/24/06    **Regular**     **Consent**     **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 14 feet 4 inches for a proposed covered screened room in the R-1A (Single-Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 14 feet 4 inches for a proposed covered screened room in the R-1A (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: John Jordan Owner: Xavier Vargas Location: 923 Jerico Dr. Zoning: R-1A (Single-Family Dwelling District) Subdivision: Orange Grove Park
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a covered screen room that would encroach 15 feet 8 inches into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested.</li> <li>• The proposed covered screen room would be approximately 650 square feet attached to the rear of the existing single-family home.</li> <li>• The applicant has submitted plans to the building department for the proposed covered screen room on</li> </ul>

	<p>May 15, 2006. (App. #06 00005673)</p> <ul style="list-style-type: none"><li>• There are currently no code enforcement or building violations for this property.</li><li>• There is no record of prior variances for this property.</li></ul>
<b>STAFF FINDINGS</b>	<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>• A compliant screen room addition could be built on the side of the house by reducing the size or relocating the addition.</li><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>• 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 applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</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 covered screened 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**  
 RECEIVED MAY 23 2006  
 APPL. NO. BU 2006-096

**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** Screen Enclosure Rear yard setback variance from 30 ft. to 14 ft. 4 inches for a screen porch with a solid roof.
- 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	Xavier Vargas	John Jordan
ADDRESS	923 North Jerico Dr. Casselberry, FL 32707	1281 Lancelot way Casselberry, FL 32707
PHONE 1	(407) 695-1796	(407) 448-0554
PHONE 2	(321) 277-7548	
E-MAIL	XVargas2@oflrr.com	

PROJECT NAME: \_\_\_\_\_  
 SITE ADDRESS: \_\_\_\_\_  
 CURRENT USE OF PROPERTY: Residence  
 LEGAL DESCRIPTION: LEG Lot 87 ORANGE GROVE PARK UNIT 2 P13 29 PG 61  
 SIZE OF PROPERTY: 1 (acre(s)) PARCEL I.D. 23-21-30-510-0000-0870  
 UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_  
 KNOWN CODE ENFORCEMENT VIOLATIONS None

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.  
Xavier Vargas DATE 5/24/06  
 SIGNATURE OF OWNER OR AGENT DATE

**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 \_\_\_\_\_

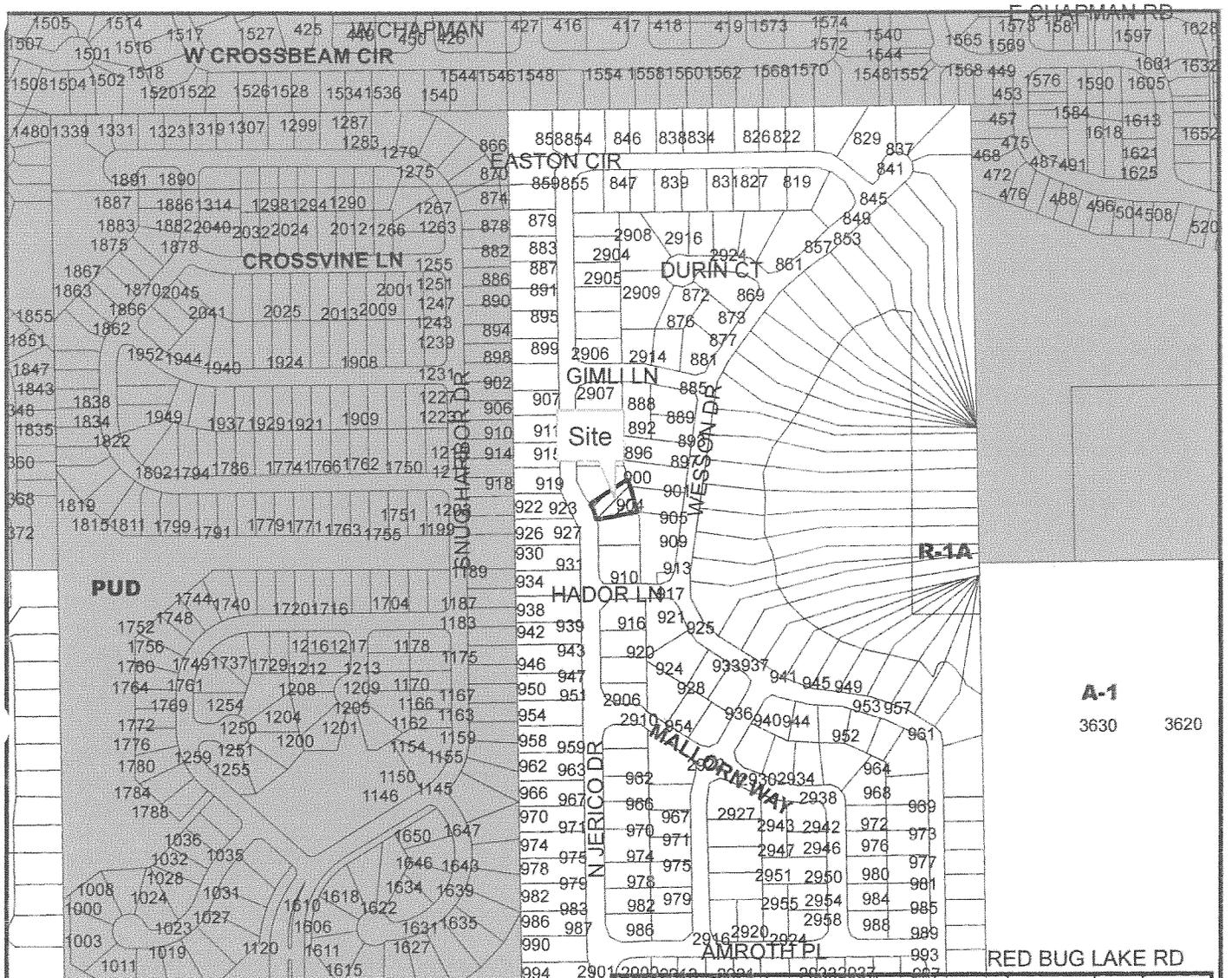
\_\_\_\_\_ APPELLANT SIGNATURE \_\_\_\_\_

**FOR OFFICE USE ONLY**

PROCESSING: \_\_\_\_\_  
FEE(S): 150.00 COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING LDR/R-1A  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS \_\_\_\_\_  
PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_  
SUFFICIENCY COMMENTS \_\_\_\_\_



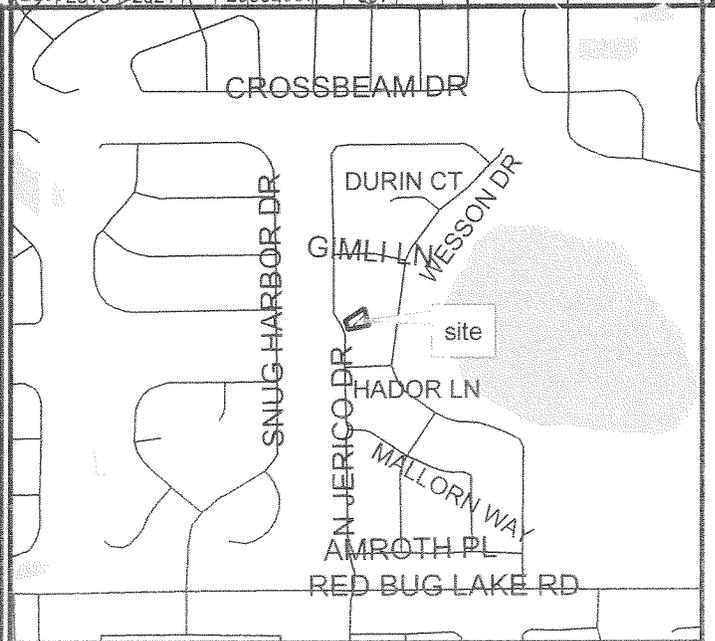
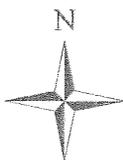
John Jordan  
 923 N Jerico Dr  
 Casselberry, FL 32707



Seminole County Board of Adjustment  
 July 24, 2006  
 Case: BV2006-096  
 Parcel No: 23-21-30-510-0000-0870

**Zoning**

-  BV2006-096
-  A-1
-  R-1AA
-  R-1A
-  PUD



<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	1	37	N JERICO DR  HADOR LN  WESSON DR	84	85	84	85	
	104	36		84	85	85	117	
	103	35		85	82	118		
	102	34		86	91	119		
	101	34		87	90	120		
	100	33		85	TR A	121		
	99	32		89	TR B	122		
	TR 1	31						
	98	30						

**GENERAL**

Parcel Id: 23-21-30-510-0000-0870  
 Owner: VARGAS XAVIER & MONICA  
 Mailing Address: 923 N JERICO DR  
 City,State,ZipCode: CASSELBERRY FL 32707  
 Property Address: 923 JERICO DR N CASSELBERRY 32707  
 Subdivision Name: ORANGE GROVE PARK UNIT 2  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 01-SINGLE FAMILY

**2006 WORKING VALUE SUMMARY**

Value Method: Market  
 Number of Buildings: 1  
 Depreciated Bldg Value: \$124,379  
 Depreciated EXFT Value: \$675  
 Land Value (Market): \$31,000  
 Land Value Ag: \$0  
 Just/Market Value: \$156,054  
 Assessed Value (SOH): \$156,054  
 Exempt Value: \$0  
 Taxable Value: \$156,054  
 Tax Estimator

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	07/1999	03692	0201	\$95,600	Improved	Yes
WARRANTY DEED	08/1984	01571	0369	\$70,600	Improved	Yes

Find Comparable Sales within this Subdivision

**2005 VALUE SUMMARY**

2005 Tax Bill Amount: \$2,225  
 2005 Taxable Value: \$135,762  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	31,000.00	\$31,000

**LEGAL DESCRIPTION**

PLATS:

LEG LOT 87 ORANGE GROVE PARK UNIT 2  
 PB 29 PG 61

**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	1984	6	1,445	2,279	1,445	CB/STUCCO FINISH	\$124,379	\$135,933
Appendage / Sqft			OPEN PORCH FINISHED / 72						
Appendage / Sqft			GARAGE FINISHED / 462						
Appendage / Sqft			SCREEN PORCH FINISHED / 300						

*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
FIREPLACE	1984	1	\$675	\$1,500

*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.*

5/26/06

We, Xavier Vargas & Monica T. Vargas, owners of the property in 923 North Jerico Dr. Casselberry, FL 32707, authorize the agent John Jordan to take care of the case and represent us the day of the meeting July 24, 2006 the application number B4 2006-096. If any problem contact Xavier Vargas at (407) 695-1796 or (321) 277-7548 or (321) 277-7519.

Sincerely,  
Monica T. Vargas

## 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 87 ORANGE GROVE PARK UNIT 2 PB 29 PG 61

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

### FINDINGS OF FACT

**Property Owner:** Xavier Vargas  
923 Jerico Dr.  
Casselberry, FL 32707

**Project Name:** Jerico Drive (923)

**Requested Development Approval:**

Request for a rear yard setback variance from 30 feet to 14 feet 4 inches for a proposed covered screened room 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 covered 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: