

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

SUBJECT: Request for a front yard setback variance from 25 feet to 20 feet for a proposed front porch extension and second story garage addition in R-1A (Single Family Dwelling District); (Susan Jackson, owner).

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

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

Agenda Date July 24, 2006 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a front yard setback variance from 25 feet to 20 feet for a proposed front porch extension and second story garage addition in R-1A (Single Family Dwelling District); or
2. **DENY** the request for a front yard setback variance from 25 feet to 20 feet for a proposed front porch extension and second story garage addition in R-1A (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Susan Jackson Location: 8121 Via Bonita Zoning: R-1A Subdivision: Lake Markham Estates
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to extend the garage out 5 feet and construct a second story over the existing garage which would encroach 5 feet into the required 25 foot front yard setback. • They also propose to extend the existing front porch out 5 feet which would encroach 5 feet into the required 25 foot front yard setback. • Lot 70 rear yard abuts Lake Gary. There is approximately 27 feet between the existing house and the edge of water of the lake.

	<ul style="list-style-type: none">• The applicant has submitted letters of support from the immediate neighbors.• There are currently no code enforcement or building violations for this property.• 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">• 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.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
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 front porch extension and second story garage 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.

COPY



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET (ROOM 220)
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX

RECEIVED MAY 26 2006

APPL. NO. BV 2006-097

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** Request to reduce front yard set back from 25 feet to 20 feet.
- SPECIAL EXCEPTION**
- 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**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	SUSAN JACKSON	
ADDRESS	8121 VIA Bonita Sanford FL 32771	
PHONE 1	407-321-8465 (home)	
PHONE 2	352-516-3531 (cell)	
E-MAIL	SJACKSON71@CPL.RD.COM	

PROJECT NAME: _____

SITE ADDRESS: 8121 Via Bonita, Sanford FL 32771

CURRENT USE OF PROPERTY: single family residential

LEGAL DESCRIPTION: Lot 70, Lake Markham Estates, PB 11, Pg 60

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 27-19-29-501-0000-0700

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.

Susan Jackson
SIGNATURE OF OWNER OR AGENT* 5/26/06
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 _____

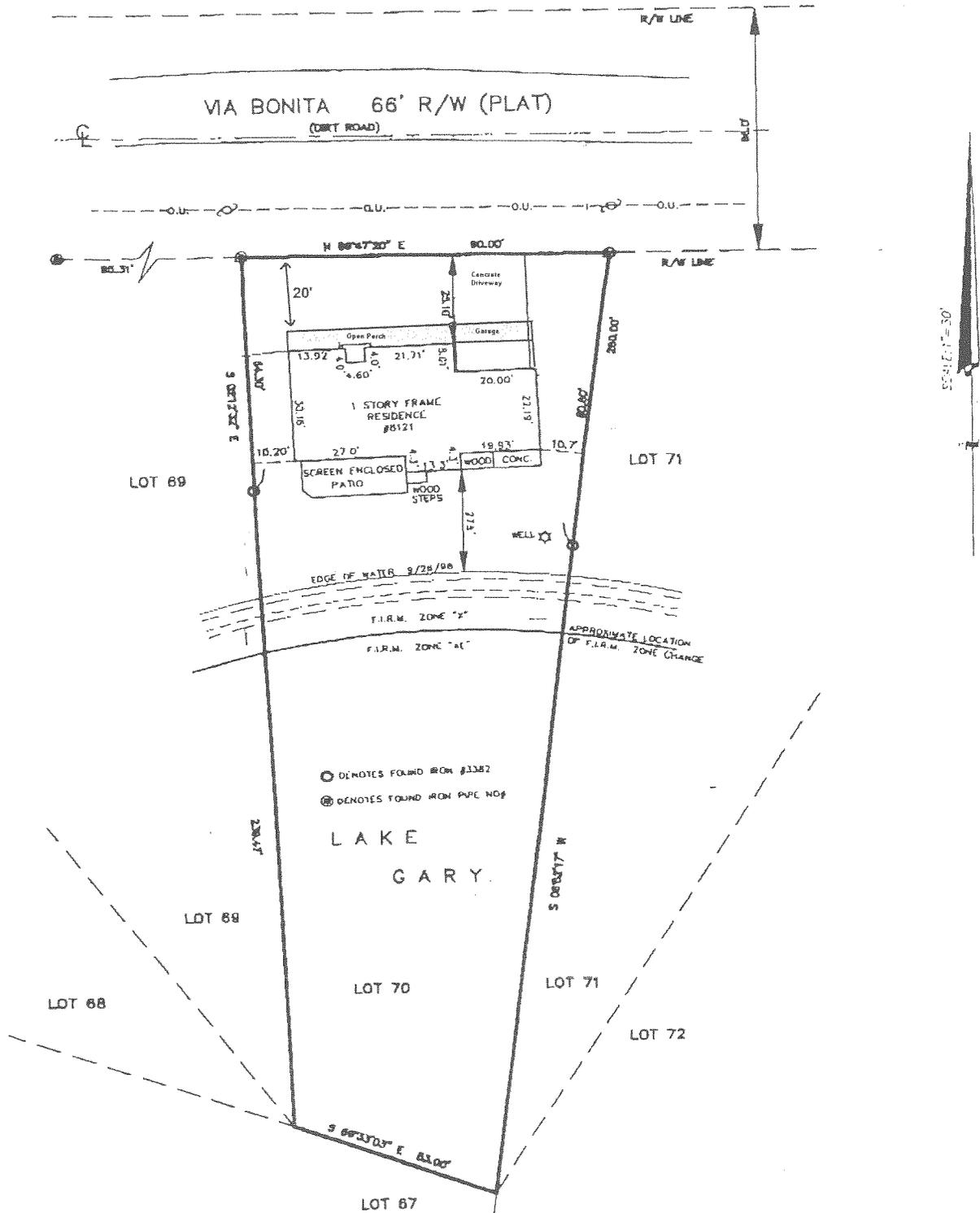
APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

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

" RECORD SURVEY "

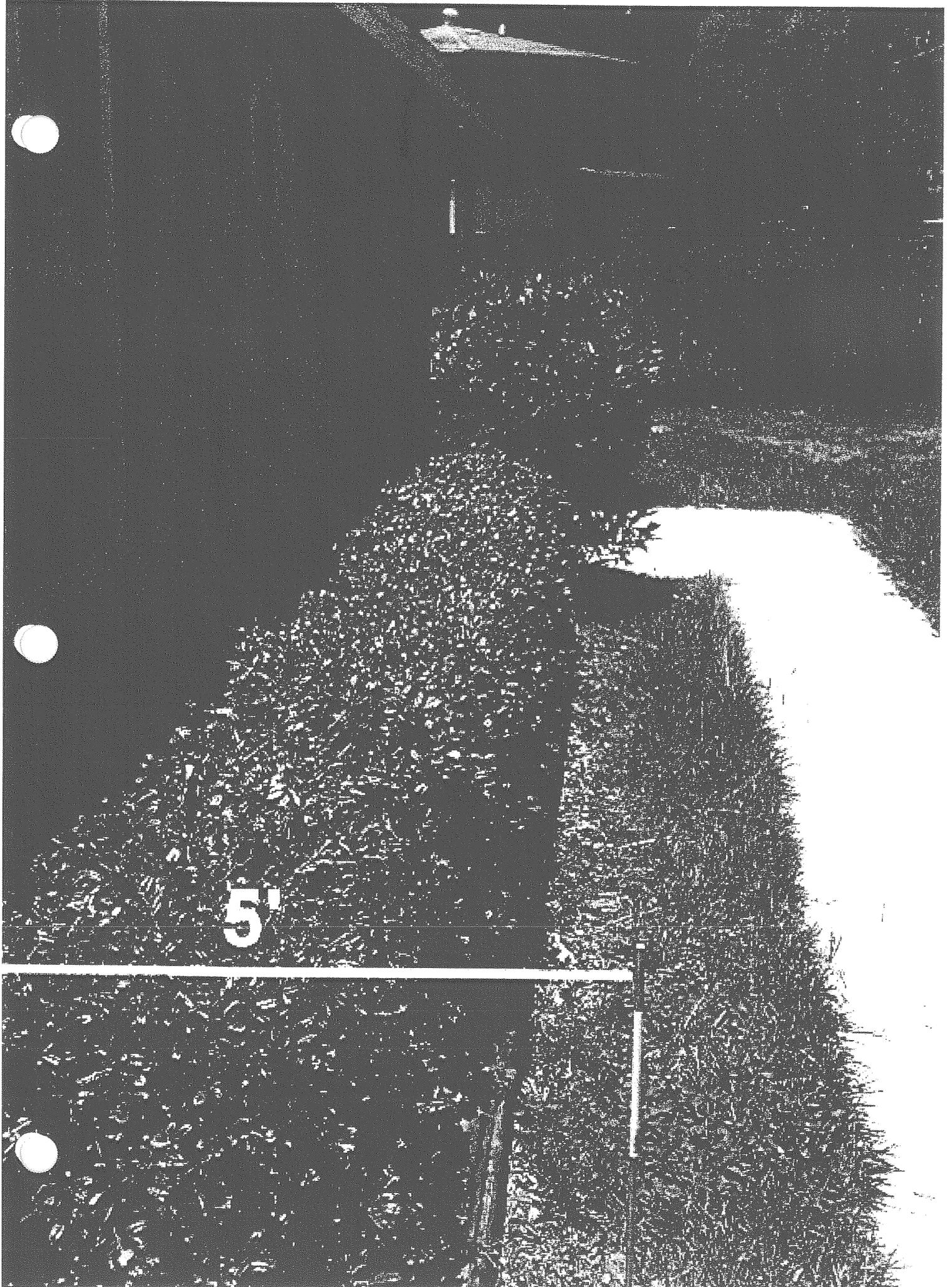
FOR
SUSAN A. DEINES



NOTE: SEE SHEET 1 OF 2 FOR ADDITIONAL INFORMATION.



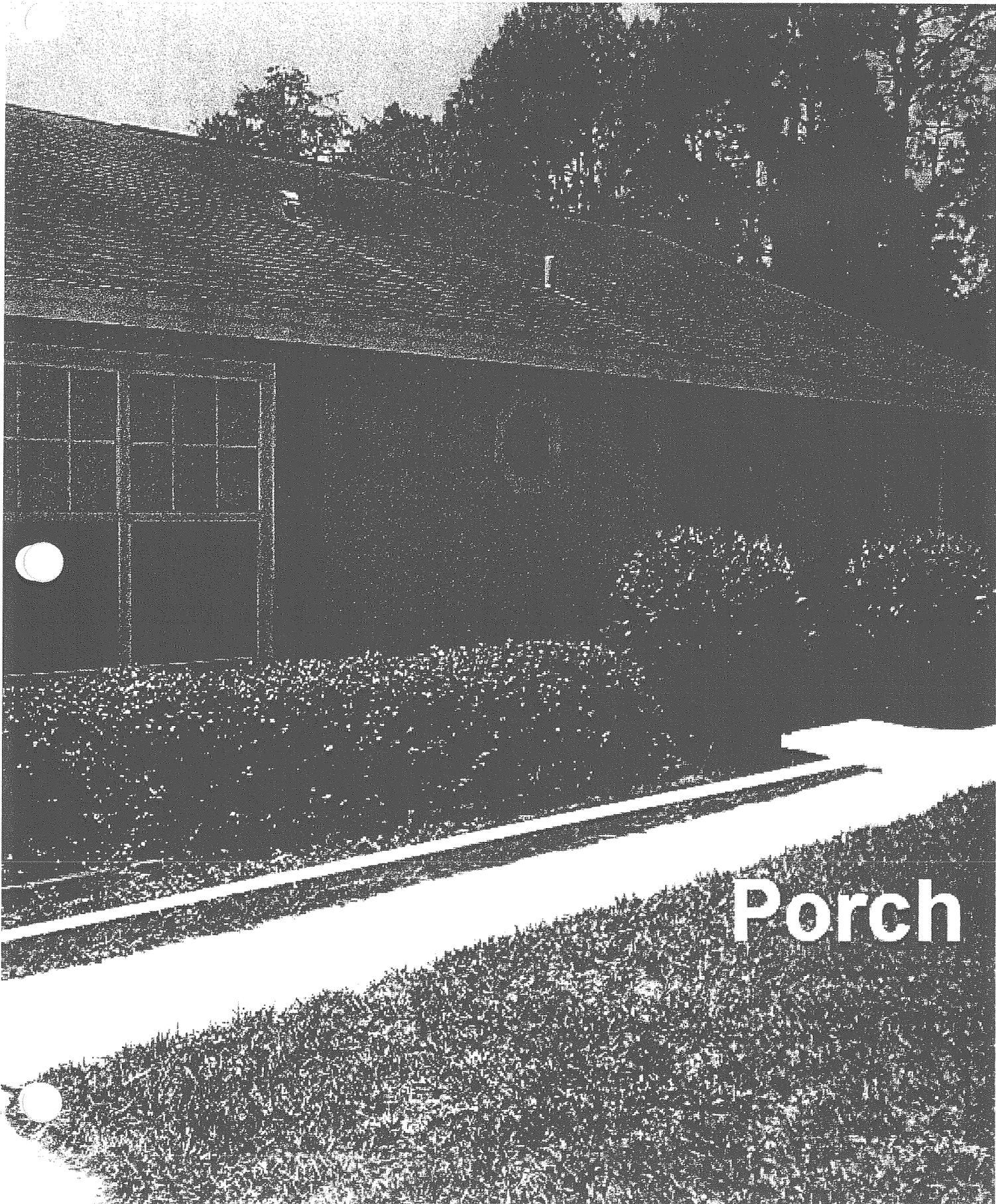
ROBERTS
SURVEYING & MAPPING, INC.
185 N. COUNTRY CLUB ROAD
LAKE MARY, FLORIDA



5'

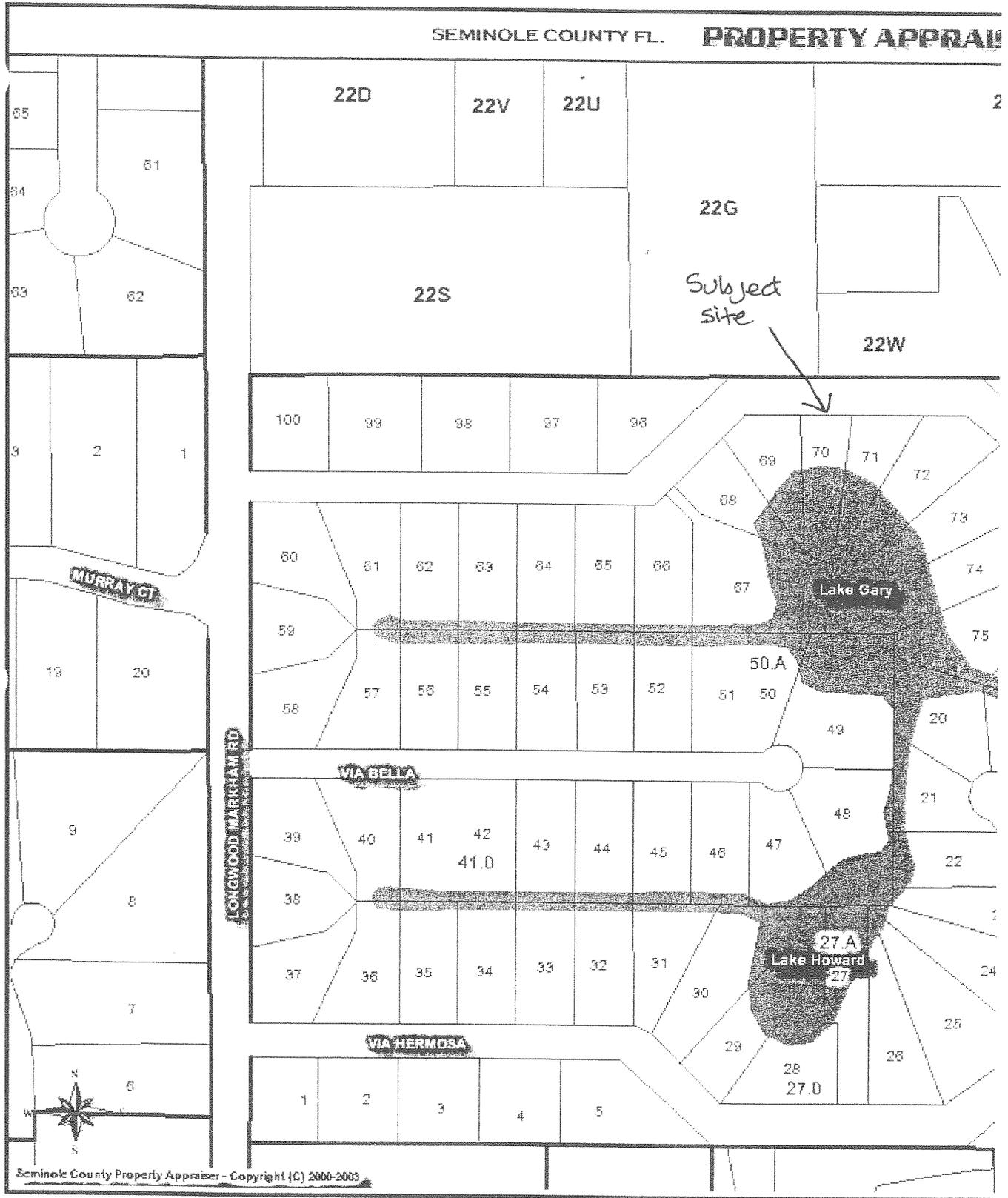


Porch L

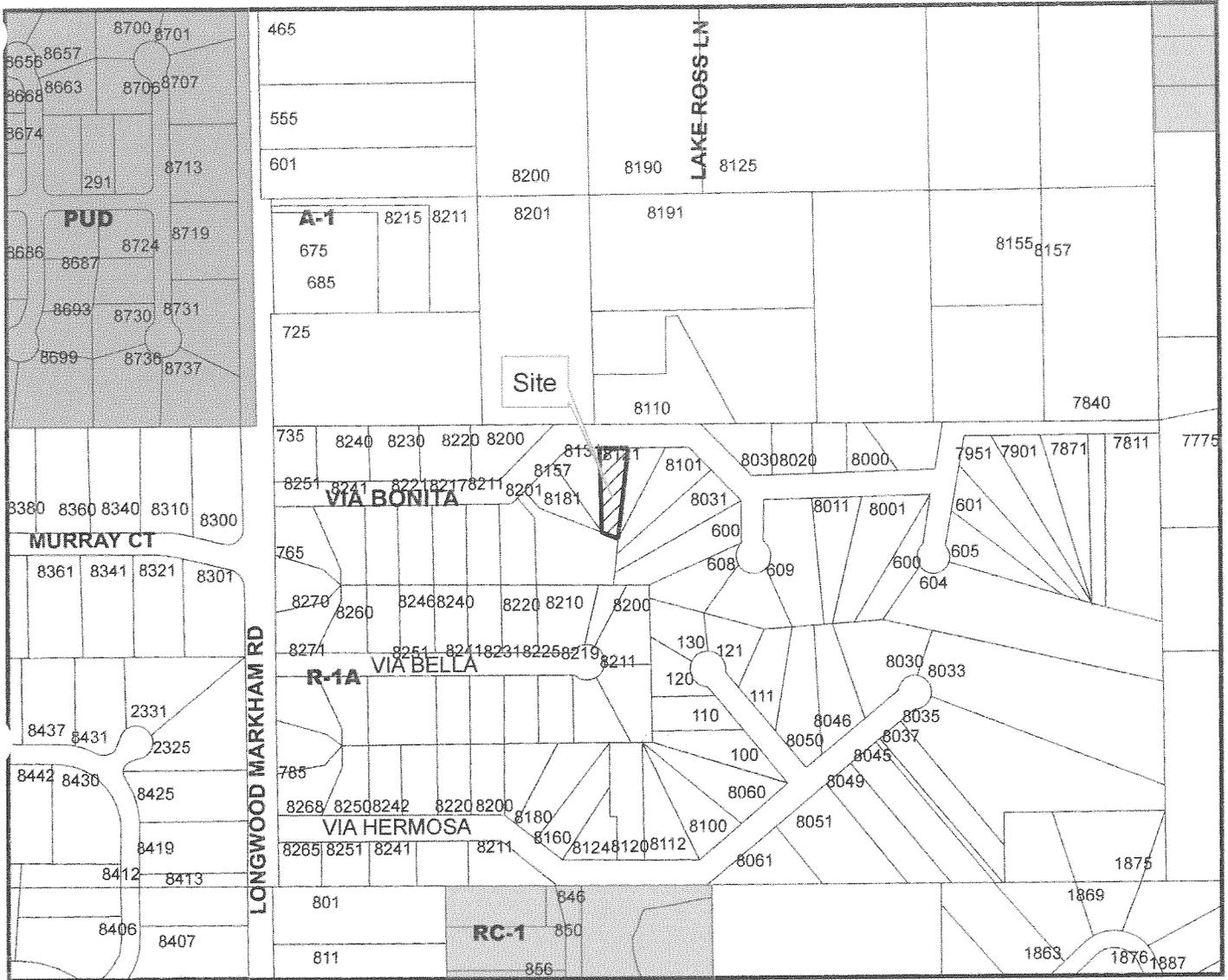


Porch

<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>	<p>MAPPING DISABLED</p>	<p>MAPPING DISABLED</p>																																																									
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 27-19-29-501-0000-0700 Owner: CONFIDENTIAL PER STATUTES Own/Addr: 119.07(03)(I) Mailing Address: 1101 E 1ST ST City,State,ZipCode: SANFORD FL 32771 Property Address: Subdivision Name: LAKE MARKHAM ESTATES Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$114,574 Depreciated EXFT Value: -\$0 Land Value (Market): \$80,000 Land Value Ag: \$0 Just/Market Value: \$194,574 Assessed Value (SOH): \$77,756 Exempt Value: \$25,000 Taxable Value: \$52,756 Tax Estimator</p>																																																									
<p style="text-align: center;">SALES</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>QUIT CLAIM DEED</td> <td>03/1997</td> <td>03222</td> <td>1790</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1986</td> <td>01759</td> <td>0996</td> <td>\$75,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1985</td> <td>01646</td> <td>1549</td> <td>\$23,500</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1980</td> <td>01303</td> <td>0453</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1980</td> <td>01273</td> <td>0028</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	03/1997	03222	1790	\$100	Improved	No	WARRANTY DEED	08/1986	01759	0996	\$75,000	Vacant	Yes	WARRANTY DEED	06/1985	01646	1549	\$23,500	Vacant	No	WARRANTY DEED	04/1980	01303	0453	\$100	Vacant	No	WARRANTY DEED	04/1980	01273	0028	\$100	Vacant	No	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,661 2005 Tax Bill Amount: \$827 Save Our Homes (SOH) Savings: \$834 2005 Taxable Value: \$50,491 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>															
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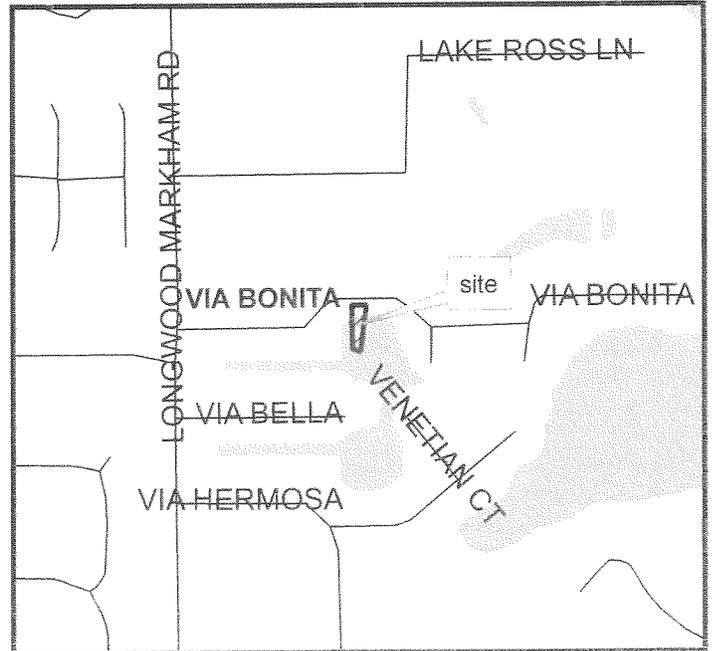


Seminole County Board of Adjustment
July 24, 2006
Case: BV2006-097
Parcel No: 27-19-29-501-0000-0700

Zoning

-  BV2006-097
-  A-1
-  RC-1
-  R-1A
-  PUD

N

May 26, 2006

**Seminole County Board of Adjustment
Request for Variance**

I am requesting a reduction in the front yard setback from 25 feet to 20 feet. The purpose of the request is to allow for a covered front porch and an extension on the garage.

Currently my house is only 1290 square feet. Because of an increase in family size, (I recently married and my husband has a 7 year old son), I would like to enlarge it by building a second story over the garage, and making some internal renovations in order to gain more storage space. Due to the small size of the lot, I have no other options. The additional 5 feet for the garage would allow for an inside laundry room/storage area and enough room to store our boat inside the garage rather than in the driveway. The 5 feet for the front porch is to add architectural appeal to the front of the house.

I believe these renovations would be a great improvement to the house and add value to the neighborhood. The neighborhood is rural in nature and is an eclectic mix of house styles and ages. My house is nearly 20 years old and I am the original owner. The new homes in the neighborhood are considerably larger than those built at the same time mine was. The renovations I'm proposing would be more in keeping with the size of houses now being built in the area.

Although the front yard is technically only 25 feet, there is actually approximately 45 feet to the roadway. The road is paved, but there is no curb and gutter or sidewalks. It was a dirt road until the recent Seminole County rural road paving project. Therefore, it appears that the lot actually has a much deeper front yard. A 5 foot reduction in the setback would hardly be noticeable.

I appreciate your consideration of this variance request.

Sincerely,



Susan Jackson

8121 Via Bonita
Sanford, FL 32771

To: Patricia Johnson
Board of Adjustment Secretary
Seminole County

FAX: 407.665.7385

From: Susan Jackson
8121 Via Bonita, Sanford FL 32771
BU 2006-097

Re: **Variance Request**

Attached is a letter of support from my immediate neighbors for the 5 foot front setback variance I am requesting. Please include this in your staff report to the Board.

Please let me know if there is anything else I should be doing in preparation for the Board presentation.

Thank you,

Susan

May 26, 2006

**Seminole County Board of Adjustment
Request for Variance**

I support Susan and Stoney's request for a five foot setback reduction for the front yard at thier house located at 8121 Via Bonita, Sanford Florida.

Ruth Wilkinson 8111 Via Bonita 5/27/06
Name Address Date

Richard L. Fletcher 8131 Via Bonita 6/3/06
Name Address Date

Lanina Green 8130 Via Bonita 6/5/06
Name Address Date

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 70 Lake Markham Estates PB 11 PG 60

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

FINDINGS OF FACT

Property Owner: Susan Jackson
8121 Via Bonita
Sanford FL 32771

Project Name: VIA BONITA (8121)

Requested Development Approval:

Request for a front yard setback variance from 25 feet to 20 feet for a proposed front porch extension and second story garage addition in 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: 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 front porch extension and second story garage 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: