

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 30 feet to 10 feet for a proposed detached storage garage in the R-1AA (Single-Family Dwelling District); (Frank Locasio, 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 10 feet for a proposed detached storage garage in the R-1AA (Single-Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed detached storage garage in the R-1AA (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Frank Locasio Owner: Frank Locasio Location: 608 Oakhurst St. Zoning: R-1AA (Single-Family Dwelling District) Subdivision: Sanlando
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a storage garage that would encroach 20 feet into the minimum 30 foot rear yard setback; the aforementioned variance is thereby requested. • The applicant is proposing a 31' x 41' or approximately 1200 square foot storage garage in the southwest portion of the property. • 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">• 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.• 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 proposed detached storage garage 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

RECEIVED JUN 01 2008

APPL. NO. BV2006-099

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 30 ft. to 10 ft. for a storage garage (30 x 40)
- 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>FRANK LOCASCIO</u>	<u>SAME</u>
ADDRESS	<u>608 OAKHURST ST ALTAMONTE SP. FL 32701</u>	
PHONE 1	<u>407 927 9271</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: 608 OAKHURST

SITE ADDRESS: 608 OAKHURST ST STREET

CURRENT USE OF PROPERTY: RESID

LEGAL DESCRIPTION: LEG LOTS 3+4 E SOFT OF LOT 5 BLK 45 SANLANDO
PB3 PG 65 1/2

SIZE OF PROPERTY: 0.54 acre(s) PARCEL I.D. 12-21-29-5BD-4500-0030

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* [Signature] DATE 6/1/06

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-1AA / UOR

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS check square footage of house.

UNAPPORTIONED

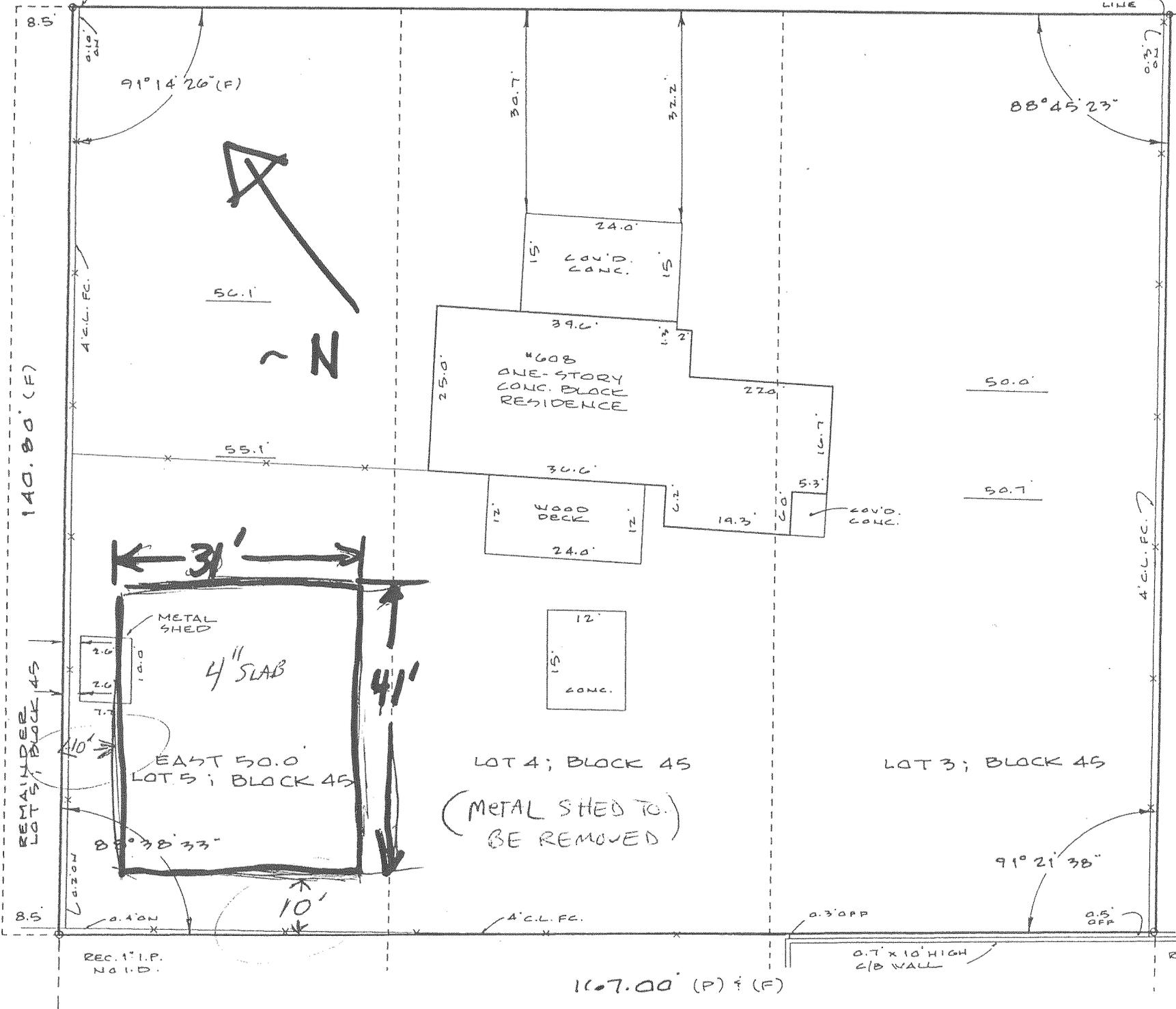
REC. 5/8 I.P. NO I.D.

REC. 5/8 I.P. NO I.D.

REC. 5/8 I.P. NO I.D.

LOT 6; BLOCK 45

LOT 2; BLOCK 45



140.80' (F)

140.45' (F)

1107.00' (P) & (F)

LOT 12; BLOCK 45

LOT 13; BLOCK 45

LOT 14; BLOCK 45

METAL SHED

4" SLAB

EAST 50.0' LOT 5; BLOCK 45

LOT 4; BLOCK 45

LOT 3; BLOCK 45

(METAL SHED TO BE REMOVED)

#608 ONE-STORY CONC. BLOCK RESIDENCE

20x10 CONC.

20x10 CONC.

91°14'26" (F)

88°45'23"

88°38'33"

91°21'38"

56.1'

55.1'

50.0'

50.7'

8.5'

8.5'

REC. 1" I.P. NO I.D.

REC. 1" I.P. NO I.D.

4' C.L. FC.

4' C.L. FC.

4' C.L. FC.

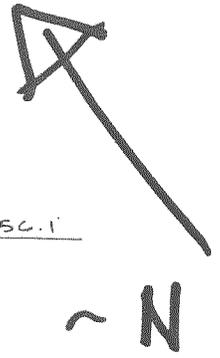
0.4' ON

0.4' ON

0.3' APP

0.5' APP

0.7' X 10' HIGH C/B WALL



REMAINDER LOT 5; BLOCK 45

2.6'

2.6'

7.7'

10'

10'

12' 15' 20' CONC.

12' 24.0'

19.3' 5.3'

12' 30.6'

25.0' 39.6' 15' 2' 22.0' 16.7'

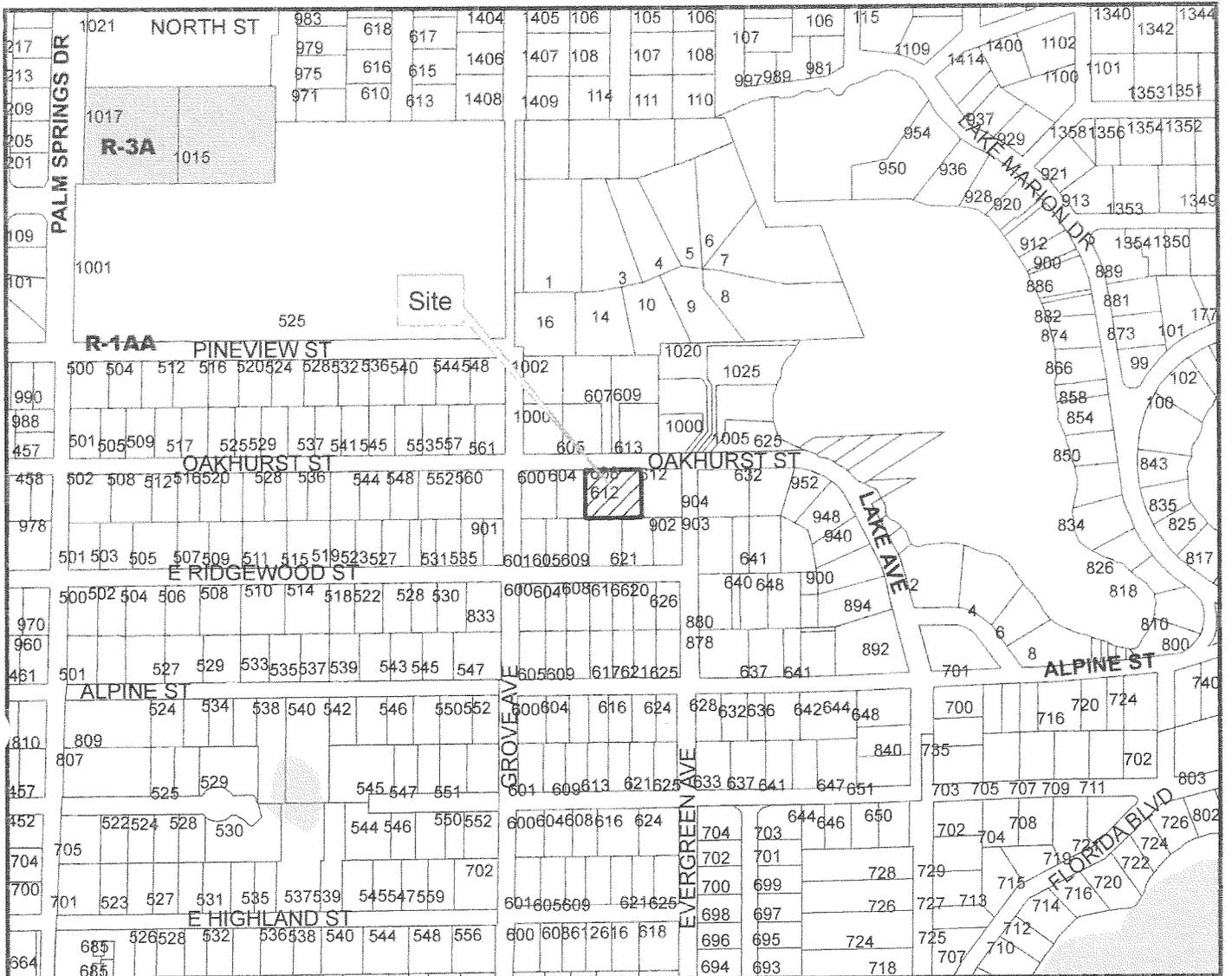
15' 24.0' 15'

30.7'

32.2'

0.3' APP

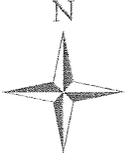
Frank LoCascio
608 Oakhurst St E
Altamonte Springs, FL 32701

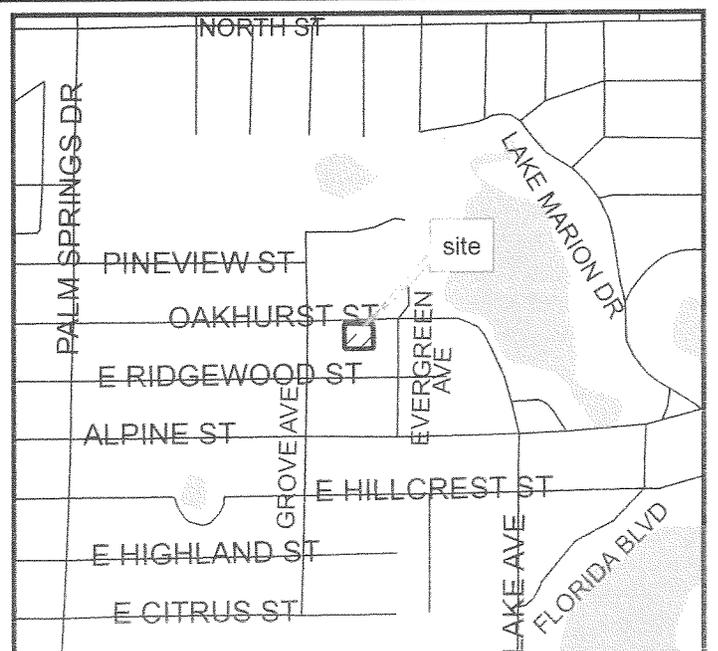


Seminole County Board of Adjustment
July 24, 2006
Case: BV2006-099
Parcel No: 12-21-29-5BD-4500-0030

Zoning

-  BV2006-099
-  R-1AA
-  R-3A

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 407-665-7508</p>																																																																							
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 12-21-29-5BD-4500-0030</p> <p>Owner: LOCASIO FRANK V</p> <p>Mailing Address: 608 OAKHURST ST</p> <p>City, State, Zip Code: ALTAMONTE SPRINGS FL 32701</p> <p>Property Address: 608 OAKHURST ST E ALTAMONTE SPRINGS 32701</p> <p>Subdivision Name: SANLANDO</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>	<p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$70,725</p> <p>Depreciated EXFT Value: \$1,300</p> <p>Land Value (Market): \$70,265</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$142,290</p> <p>Assessed Value (SOH): \$104,448</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$79,448</p> <p>Tax Estimator</p>																																																																						
<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>02/2003</td> <td>04726</td> <td>0800</td> <td>\$120,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1979</td> <td>01232</td> <td>1833</td> <td>\$38,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1978</td> <td>01202</td> <td>1238</td> <td>\$37,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	02/2003	04726	0800	\$120,000	Improved	Yes	WARRANTY DEED	07/1979	01232	1833	\$38,000	Improved	Yes	WARRANTY DEED	12/1978	01202	1238	\$37,000	Improved	Yes	<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>Tax Value (without SOH): \$1,552</p> <p>2005 Tax Bill Amount: \$1,252</p> <p>Save Our Homes (SOH) Savings: \$300</p> <p>2005 Taxable Value: \$76,406</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																										
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																																																	
WARRANTY DEED	02/2003	04726	0800	\$120,000	Improved	Yes																																																																	
WARRANTY DEED	07/1979	01232	1833	\$38,000	Improved	Yes																																																																	
WARRANTY DEED	12/1978	01202	1238	\$37,000	Improved	Yes																																																																	
<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>FRONT FOOT & DEPTH</td> <td>167</td> <td>140</td> <td>.000</td> <td>425.00</td> <td>\$70,265</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	167	140	.000	425.00	\$70,265	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOTS 3 + 4 + E 50 FT OF LOT 5 BLK 45 SANLANDO PB 3 PG 65 1/2</p>																																																										
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																																		
FRONT FOOT & DEPTH	167	140	.000	425.00	\$70,265																																																																		
BUILDING INFORMATION																																																																							
<table border="1" style="width:100%; border-collapse: collapse;"> <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>1955</td> <td>3</td> <td>975</td> <td>1,853</td> <td>1,264</td> <td>SIDING AVG</td> <td>\$70,725</td> <td>\$102,873</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">OPEN PORCH UNFINISHED / 30</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">UTILITY UNFINISHED / 114</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">UTILITY FINISHED / 85</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">ENCLOSED PORCH FINISHED / 289</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">OPEN PORCH UNFINISHED / 360</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	1955	3	975	1,853	1,264	SIDING AVG	\$70,725	\$102,873		Appendage / Sqft		OPEN PORCH UNFINISHED / 30								Appendage / Sqft		UTILITY UNFINISHED / 114								Appendage / Sqft		UTILITY FINISHED / 85								Appendage / Sqft		ENCLOSED PORCH FINISHED / 289								Appendage / Sqft		OPEN PORCH UNFINISHED / 360						
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																														
1	SINGLE FAMILY	1955	3	975	1,853	1,264	SIDING AVG	\$70,725	\$102,873																																																														
	Appendage / Sqft		OPEN PORCH UNFINISHED / 30																																																																				
	Appendage / Sqft		UTILITY UNFINISHED / 114																																																																				
	Appendage / Sqft		UTILITY FINISHED / 85																																																																				
	Appendage / Sqft		ENCLOSED PORCH FINISHED / 289																																																																				
	Appendage / Sqft		OPEN PORCH UNFINISHED / 360																																																																				
EXTRA FEATURE																																																																							
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>FIREPLACE</td> <td>1955</td> <td>1</td> <td>\$480</td> <td>\$1,200</td> </tr> <tr> <td>WOOD DECK</td> <td>1980</td> <td>90</td> <td>\$180</td> <td>\$450</td> </tr> <tr> <td>ALUM CARPORT NO FLOOR</td> <td>1980</td> <td>400</td> <td>\$640</td> <td>\$1,600</td> </tr> </tbody> </table>		Description	Year Blt	Units	EXFT Value	Est. Cost New	FIREPLACE	1955	1	\$480	\$1,200	WOOD DECK	1980	90	\$180	\$450	ALUM CARPORT NO FLOOR	1980	400	\$640	\$1,600																																																		
Description	Year Blt	Units	EXFT Value	Est. Cost New																																																																			
FIREPLACE	1955	1	\$480	\$1,200																																																																			
WOOD DECK	1980	90	\$180	\$450																																																																			
ALUM CARPORT NO FLOOR	1980	400	\$640	\$1,600																																																																			
<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p>																																																																							

Planning & Development Department
Room 2201
1101 East First Street
Sanford Fl 32771

RE: Residential lot – 608 Oakhurst St Altamonte Springs – Setback Variance
Legal description - Leg lots 3+4+E 50 ft of lot 5 Blk 45 Sanlando PB 3 PG 65 1/2
Parcel Id - 12-21-29-5BD-4500-0030
Lot size approximately 167ft x 141ft - .54 acres

Dear Planning & Development Department,

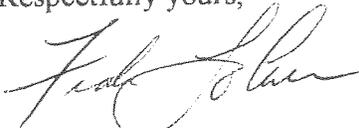
6/1/06

At this time I'm in need of a large garage/storage space for materials and a workspace to begin and complete the planned renovation of my home. I will use the space for storage when the renovation is completed. My request is for a variance to adjust the setback from the corner of the garage to be 10 feet off of the back right and rear of the lot. The property is comprised of 3 lots and is the largest in the neighborhood. In speaking with the neighbors there appears to not be any objections, as any improvement to the lot is has been welcomed because the property has been somewhat of an eyesore. I would like to change that and not only have a nice place to live but also raise the property values and appearance of the neighborhood. Without the storage space I cannot upgrade the property. I will do the work myself and will have to live off the property as the work is being done.

No trees will need to be removed and the septic tank is at the other end of the property. The property is completely fenced in. No driveway access is necessary. Electricity will not be needed, as I will run an extension cord on a daily basis as needed. The property can be inspected without notice.

There must have been a variance granted to the property adjoining the left rear of my property as there is currently a 12 foot high 50 feet long concrete wall just one foot from my property line.

Respectfully yours,



Frank LoCascio
608 Oakhurst Street
Altamonte Springs Fl 32701
407 927 9271

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 LOTS 3 + 4 + E 50 FT OF LOT 5 BLK 45 SANLANDO PB 3 PG 65 1/2

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

FINDINGS OF FACT

Property Owner: Frank Locasio
608 Oakhurst St.
Altamonte Springs, FL 32701

Project Name: Oakhurst Street (608)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 10 feet for a proposed detached storage garage 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 detached storage garage 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: