

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

*Continued from the July 24, 2006 BOA Meeting*

**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** 8/28/06    **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.

<b>GENERAL INFORMATION</b>	Applicant: Owner: Location: Zoning: Subdivision:	Horecio Gonzalez Giriam Patel 3125 Cecelia Dr. R-1AA (Single-Family Dwelling District) Paradise Point
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• There is an existing single-family home on the property which will be demolished for the proposed single-family home.</li> </ul>	

	<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>• The applicant could redesign the new residence to meet all the required setbacks thereby negating the need for a variance.</li><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 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 single-family home 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>



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

**COPY**

RECEIVED MAY 23 2006

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
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED
- YES
- NO IF SO, WHEN \_\_\_\_\_
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	<u>GIRIAM PATEL</u>	NAME	<u>HONORO CONTRERAS</u>
ADDRESS	<u>1125 TALL PINE DR APOPKA FL 32712</u>	ADDRESS	<u>247 MAISON CT AURORA SPRINGS FL 32710</u>
PHONE 1	<u>407 927 1510</u>	PHONE 1	<u>2</u>
PHONE 2	<u>407 880 8878</u>	PHONE 2	<u>407 467 3317</u>
E-MAIL		E-MAIL	<u>SIWERSSEAN@aol.com</u>

PROJECT NAME: Patel Residence -

SITE ADDRESS: 3125 CECELIA DR APOPKA FL 32703

CURRENT USE OF PROPERTY: RESIDENTIAL

LEGAL DESCRIPTION: lot 20 BLK E PARADISE POINT  
PB 7 PG 87

SIZE OF PROPERTY: 0.3 AC. acre(s) PARCEL I.D. 18-21-29-S10-0E00-0200

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\* [Signature] DATE 5/18/2006

**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: \_\_\_\_\_

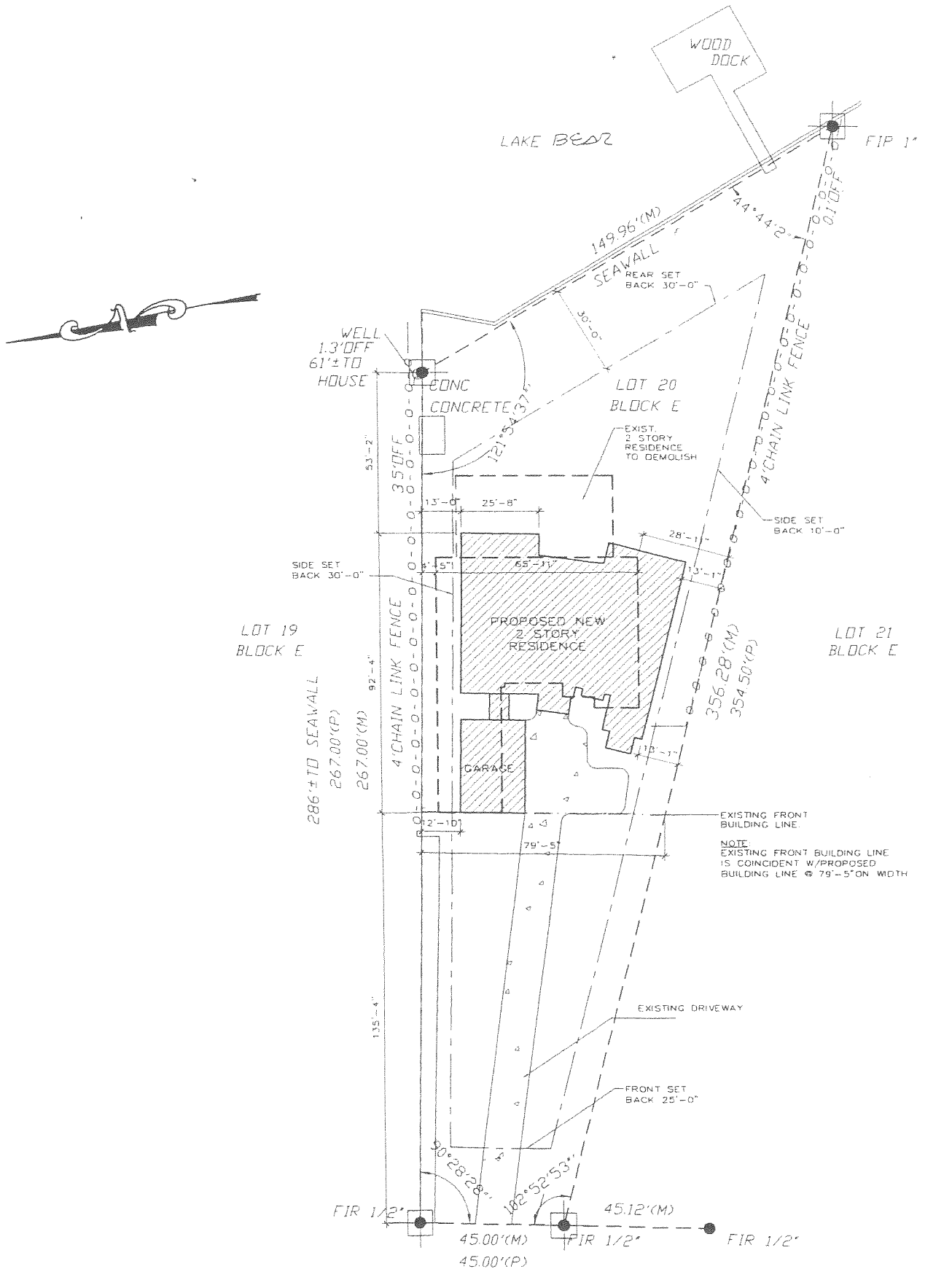
FEE(S): 150.00 COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING R-1AA / LOR

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

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

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

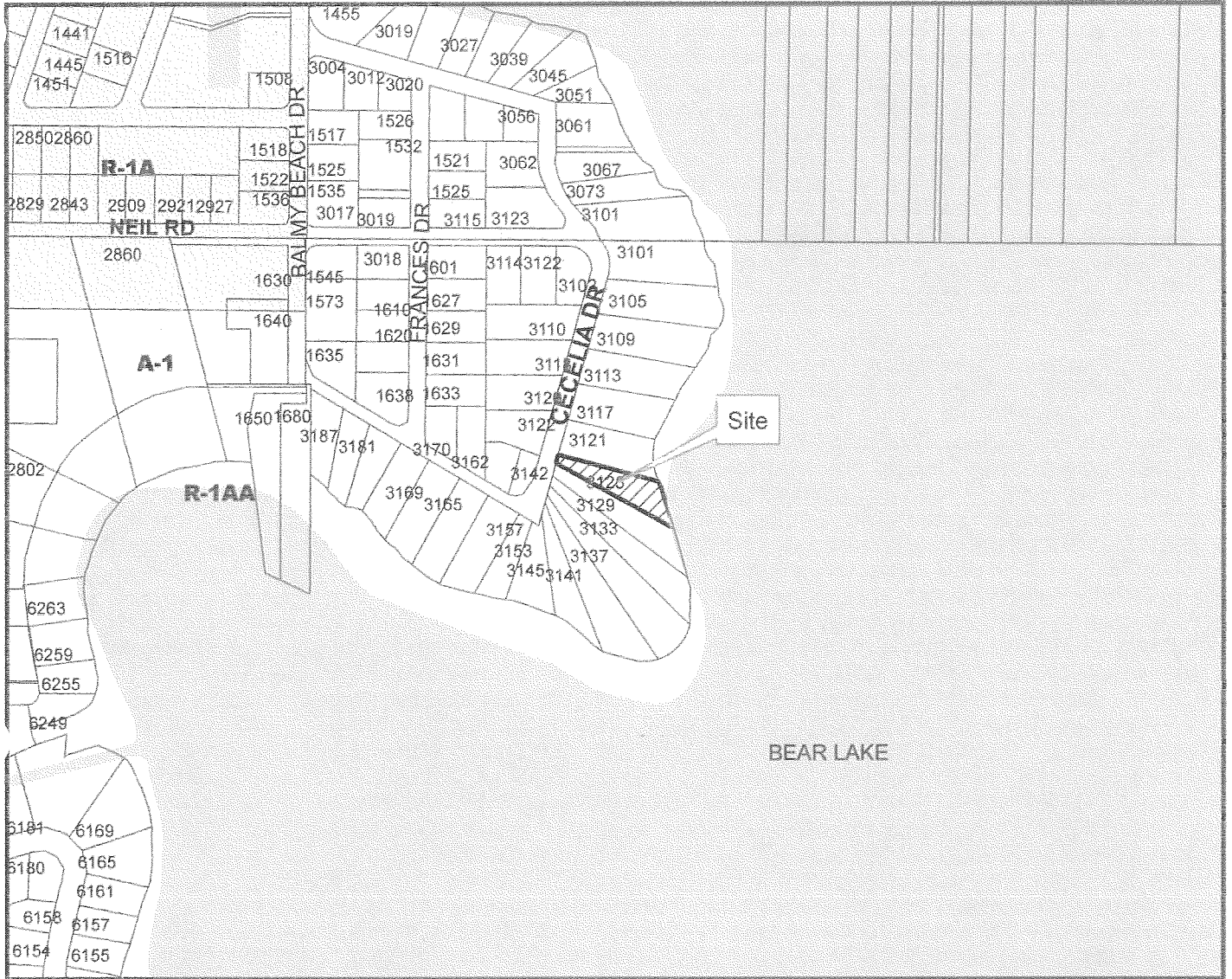
SUFFICIENCY COMMENTS \_\_\_\_\_



3125 CECELIA DRIVE  
50'R/W





SITE PLAN  
SCALE 1"=20'-0"

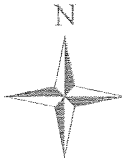
Horecio Gonzalez  
 3125 Cecelia Dr  
 Apopka, FL 32703

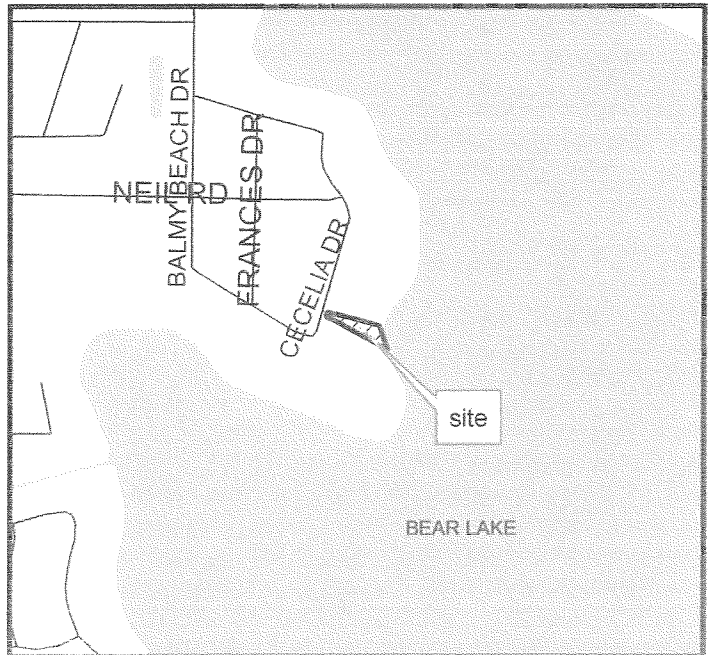


**Seminole County Board of Adjustment**  
**August 28, 2006**  
**Case: BV2006-095**  
**Parcel No: 18-21-29-510-0E00-0200**

**Zoning**

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

N  




<p>DAVID JOHNSON, CFA, ASA  <b>PROPERTY APPRAISER</b>                  SEMINOLE COUNTY FL                  1101 E. FIRST ST                  SANFORD, FL 32771-1468                  407-665-7508</p>																																																																					
<p><b>GENERAL</b></p> <p>Parcel Id: 18-21-29-510-0E00-0200                  Owner: PATEL GIRIAM M &amp; DARSHIKA G                  Mailing Address: 3125 CECELIA DR                  City,State,ZipCode: APOPKA FL 32703                  Property Address: 3125 CECELIA DR APOPKA 32703                  Subdivision Name: PARADISE POINT                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions:                  Dor: 01-SINGLE FAMILY</p>		<p><b>2006 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market                  Number of Buildings: 1                  Depreciated Bldg Value: \$369,876                  Depreciated EXFT Value: \$18,091                  Land Value (Market): \$502,860                  Land Value Ag: \$0                  Just/Market Value: \$890,827                  Assessed Value (SOH): \$890,827                  Exempt Value: \$0                  Taxable Value: \$890,827                  Tax Estimator</p>																																																																			
<p style="text-align: center;"><b>SALES</b></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>09/2005</td> <td>05906</td> <td>1381</td> <td>\$1,050,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>09/2003</td> <td>05034</td> <td>1556</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>FINAL JUDGEMENT</td> <td>07/2003</td> <td>04912</td> <td>1013</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1995</td> <td>03015</td> <td>1179</td> <td>\$552,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1993</td> <td>02717</td> <td>1031</td> <td>\$201,300</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01133</td> <td>1622</td> <td>\$68,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1975</td> <td>01055</td> <td>1349</td> <td>\$65,000</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	09/2005	05906	1381	\$1,050,000	Improved	Yes	QUIT CLAIM DEED	09/2003	05034	1556	\$100	Improved	No	FINAL JUDGEMENT	07/2003	04912	1013	\$100	Improved	No	WARRANTY DEED	11/1995	03015	1179	\$552,500	Improved	Yes	WARRANTY DEED	01/1993	02717	1031	\$201,300	Improved	No	WARRANTY DEED	01/1977	01133	1622	\$68,000	Improved	Yes	WARRANTY DEED	01/1975	01055	1349	\$65,000	Improved	Yes	<p><b>2005 VALUE SUMMARY</b></p> <p>2005 Tax Bill Amount: \$5,871                  2005 Taxable Value: \$358,289                  DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>											
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**EXTRA FEATURE**

Description	Year	Blk	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*

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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

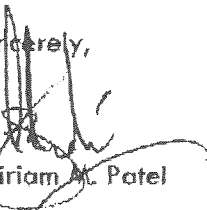
Dear Sir,

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: [glriam@gmail.com](mailto:glriam@gmail.com)

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 28, 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: