

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

SUBJECT: Request for a rear yard setback variance from 25 feet to 8 feet for a proposed covered screen room in the PUD (Planned Unit Development District); (Diane Seaman & William Lutter, applicants).

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 rear yard setback variance from 25 feet to 8 feet for a proposed covered screen room in the PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard setback variance from 25 feet to 8 feet for a proposed covered screen room in the PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Diane Seaman & William Lutter Owner: Diane Seaman & William Lutter Location: 1363 San Luis Court Zoning: PUD (Planned Unit Development District) Subdivision: Sunrise Village
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a covered screen room that would encroach 17 feet into the minimum 25 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The proposed screen room addition will be approximately 9' x 31' or 279 square feet which will be attached to the rear of the existing single-family home. • The applicant submitted plans for the covered screen room to the Building Division on May 5, 2006. (App. # 06

	<p>00005302)</p> <ul style="list-style-type: none">• 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.• 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 covered screen room 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.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 19

TWP: 21

RNG: 31

DEVELOPMENT:		Sunrise Village Unit 1				DEVELOPER:		Arden Group of Florida									
LOCATION:		19.29 Acres – 49 Lots															
FILE#:		BA:			SP:			BCC: 8/17/82									
P&Z:		PB		PG		88		Lot		Bik		Parcel		DBA		Comm Dist	
DEVEL. ORDER #:						TAX PAR. I.D. #:											
SIDEWALKS:						SETBACK REQUIREMENTS											
						FY: 20'		SIDE ST.:		SY: 0**		RY: 25'					
ROAD TYPE:						MAIN STRUCTURE OTHER:											
						Minimum Lot Size: 4,500 sq. ft. Minimum Living Area: 900 sq. ft. Maximum Height: 35'											
COMMENTS OTHER:						*Minimum of 10' between homes and 2 side setbacks within lot must be a minimum of 10'; if 2' setback on one side, a minimum of 8' required on others.											
1) Lots 1 and 2 are double fronted lots and thus require a wall of concrete or masonry no less than 4' high on Rising Sun Boulevard.						ACCESSORY STRUCTURE SETBACKS:											
2) Interior road must be stubbed out to west until it is tied into future sections.						SY:				RY:							
3) Developer will plant minimum of 3 trees per lot, minimum of 6' in height and 2" in diameter 1' above ground.						ACCESSORY STRUCTURE OTHER:											

IMPACT FEES	
	SCREEN:
	TRAFFIC ZONE:
	LAND USE:
	1. ROAD-CO. WIDE
	2. ROAD-COLL.
	3. LIBRARY
	4. FIRE \$10.00
	5. PARK
	6. SCHOOL \$300.00
	7. LAW
	8. DRAINAGE
	TOTAL
	REMARKS:

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



COPY

RECEIVED JUN 20 2006

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.

APPLICATION TYPE:

VARIANCE wants to build a 4'x31' screen room with 3" Alum. Roof
25' Rear Setback variance to 8'

SPECIAL EXCEPTION

MOBILE HOME SPECIAL EXCEPTION

RECEIVED JUN 20 2006

EXISTING PROPOSED REPLACEMENT

MOBILE HOME IS FOR _____

YEAR OF MOBILE HOME _____ 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	<u>Seaman, Diane + William Lutter</u>	<u>Superior</u>
ADDRESS	<u>1363 San Luis Ct</u> <u>Winter Springs FL 32708</u>	<u>Aluminum</u> <u>3005 Forsyth Rd</u> <u>W. Park 32792</u>
PHONE 1	<u>407-365-0799</u>	<u>407-678-0500</u>
PHONE 2	<u>321-243-2570</u>	<u>407-678-0500</u>
E-MAIL		<u>FAX 407-678-5560</u>

PROJECT NAME: Seaman + Lutter

SITE ADDRESS: 1363 San Luis Court Winter Springs 32708

CURRENT USE OF PROPERTY: Home

LEGAL DESCRIPTION: Leg lot 37 Sunrise Village
Unit 1 P.B 26 PG 88

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 19-21-31-504-0000-0370

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 8/28/06
 (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]

SIGNATURE OF OWNER OR AGENT*

16 Jun 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

PD / PUD

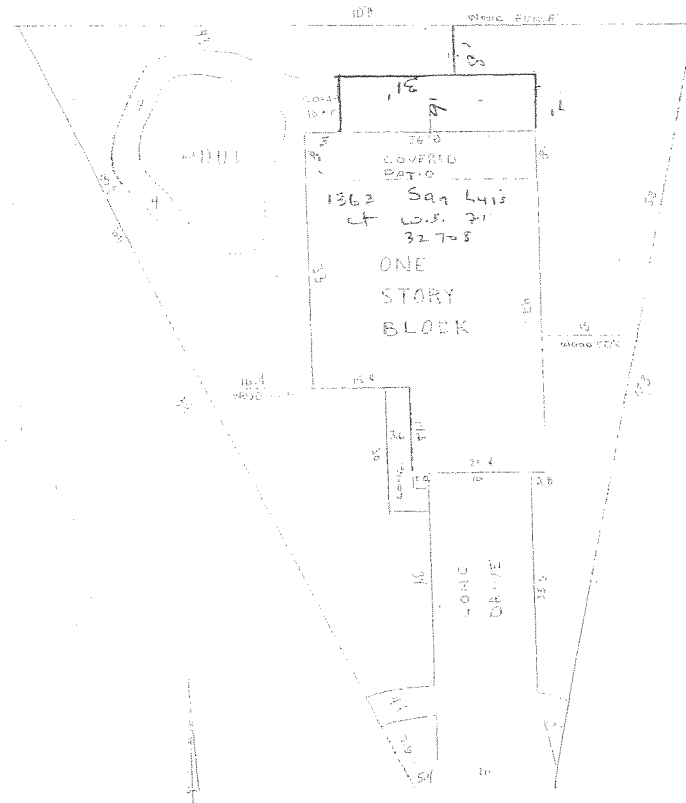
BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR

DATE

SUFFICIENCY COMMENTS



SCALE: 1/2"

San Luis Ct

This is not a legal survey



3095 Forsyth Road
 WINTER PARK, FL 32792-8298
 (407) 678-0500 • (800) 247-6768

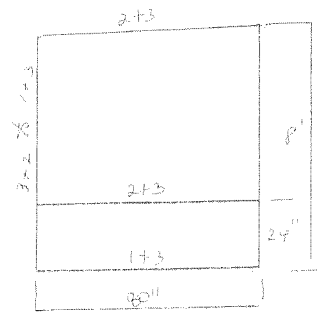
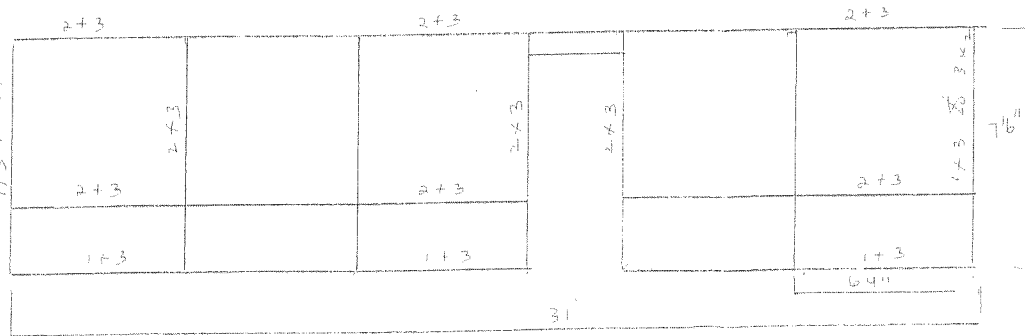
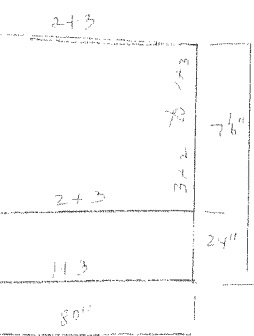
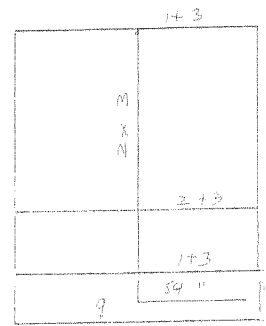
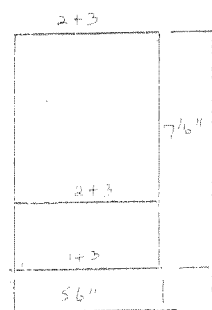
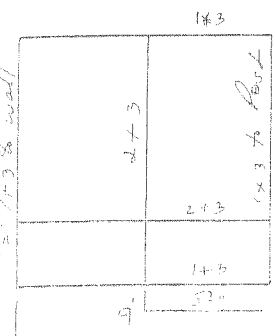
NAME Diane Seaman JOB NO. _____
 1363 San Luis Ct
 WS H 32708
 DATE _____
 COI OF _____



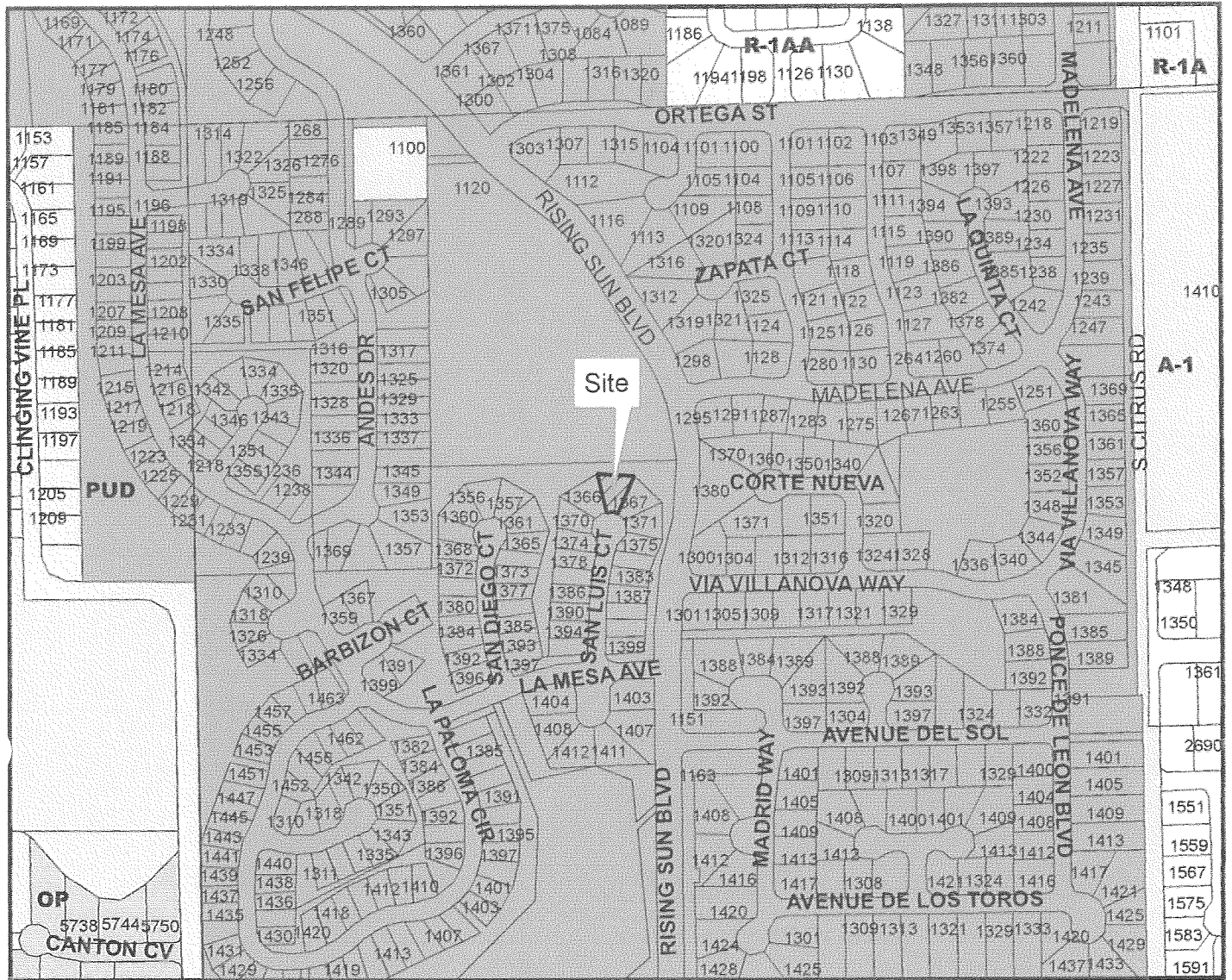
#1 s/r solid roof attach to fa

Job name: Seaman
 Job number: 06-120
 Date: 4/20/06
 Drawn by: cl

Scale: 1/4" = 1"









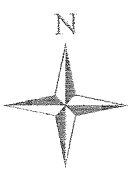
Superior Aluminum
 1363 San Luis Court
 Winter Springs, FL 32708

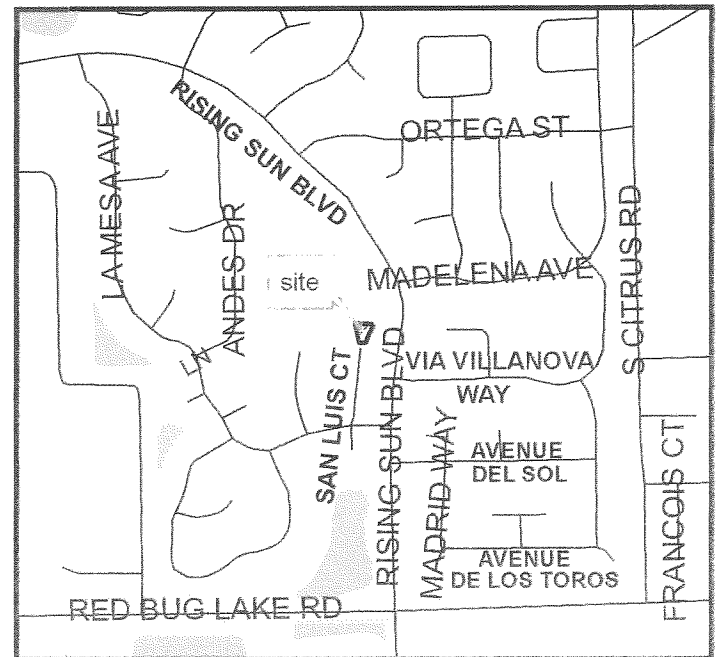


Seminole County Board of Adjustment
August 28, 2006
Case: BV2006-113
Parcel No: 19-21-31-504-0000-0370

Zoning

	BV2006-113		R-1A
	A-1		OP
	R-1AA		PUD

N




<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																				
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 19-21-31-504-0000-0370 Owner: SEAMAN DIANE M & Own/Addr: LUTTER WILLIAM G Mailing Address: 1363 SAN LUIS CT City,State,ZipCode: WINTER SPRINGS FL 32708 Property Address: 1363 SAN LUIS CT WINTER SPRINGS 32708 Subdivision Name: SUNRISE VILLAGE UNIT 1 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$110,908 Depreciated EXFT Value: \$4,718 Land Value (Market): \$32,000 Land Value Ag: \$0 Just/Market Value: \$147,626 Assessed Value (SOH): \$147,626 Exempt Value: \$25,000 Taxable Value: \$122,626 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>07/2005</td> <td>05855</td> <td>1679</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>11/1988</td> <td>02016</td> <td>0459</td> <td>\$52,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>09/1988</td> <td>01999</td> <td>1887</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>08/1988</td> <td>01994</td> <td>0360</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1985</td> <td>01619</td> <td>1487</td> <td>\$72,400</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1982</td> <td>01430</td> <td>0621</td> <td>\$47,900</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	07/2005	05855	1679	\$100	Improved	No	SPECIAL WARRANTY DEED	11/1988	02016	0459	\$52,000	Improved	No	SPECIAL WARRANTY DEED	09/1988	01999	1887	\$100	Improved	No	CERTIFICATE OF TITLE	08/1988	01994	0360	\$100	Improved	No	WARRANTY DEED	02/1985	01619	1487	\$72,400	Improved	Yes	WARRANTY DEED	12/1982	01430	0621	\$47,900	Improved	Yes	<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,743 2005 Tax Bill Amount: \$1,743 Save Our Homes (SOH) Savings: \$0 2005 Taxable Value: \$106,348 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>	
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<p><i>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad</i></p>																																																				

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 37 SUNRISE VILLAGE UNIT 1 PB 26 PG 88

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

FINDINGS OF FACT

Property Owner: Diane Seaman & William Lutter
1363 San Luis Ct.
Winter Springs, FL 32708

Project Name: San Luis Court (1363)

Requested Development Approval:

Request for a rear yard setback variance from 25 feet to 8 feet for a proposed covered screen room in the PUD (Planned Unit Development 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: