

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

SUBJECT: Request for a side yard (east) setback variance from 10 feet to 3.5 feet for a proposed room addition in the PUD (Planned Unit Development District); (Jeff & Lisa Jones, applicant).

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

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

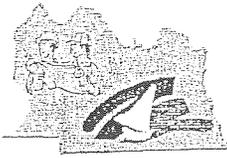
Agenda Date 9/25/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side yard (east) setback variance from 10 feet to 3.5 feet for a proposed room addition in the PUD (Planned Unit Development District); or
2. **DENY** the request for a side yard (east) setback variance from 10 feet to 3.5 feet for a proposed room addition in the PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Jeff & Lisa Jones Owner: Jeff & Lisa Jones Location: 853 Shell Lane Zoning: PUD (Planned Unit Development District) Subdivision: Crystal Creek
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a room addition that would encroach 6.5 feet into the minimum 10 foot side yard setback; the aforementioned side yard setback variance is thereby requested. • The applicant proposes to build a 24' x 13' or approximately 350 square foot room addition to the rear of the single-family home. • 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">• 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 room 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

APPL. NO. BV 2006-138

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** ^{SIDE} REAR YARD SETBACK VARIANCE FROM 10 FT. TO 3.5 FT. FOR A PROPOSED ROOM ADDITION.
 - SPECIAL EXCEPTION**

RECEIVED AUG 03 2006

- 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	Jeff L. and Lisa M. Jones	
ADDRESS	853 Shell Lane Longwood, FL 32750	
PHONE 1	407-330-6556	
PHONE 2	407-925-2855	
E-MAIL	jonesj@cfl.rr.com	

PROJECT NAME: _____
 SITE ADDRESS: 853 Shell Lane, Longwood
 CURRENT USE OF PROPERTY: Residence
 LEGAL DESCRIPTION: Leg Lot 176 Crystal Creek Unit 1 PB PGS 49 to 52
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 21-20-30-515-0000-1760
 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 9 / 25 / 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: 8/3/06

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

P40 / PD

BCC HEARING DATE (FOR APPEAL)

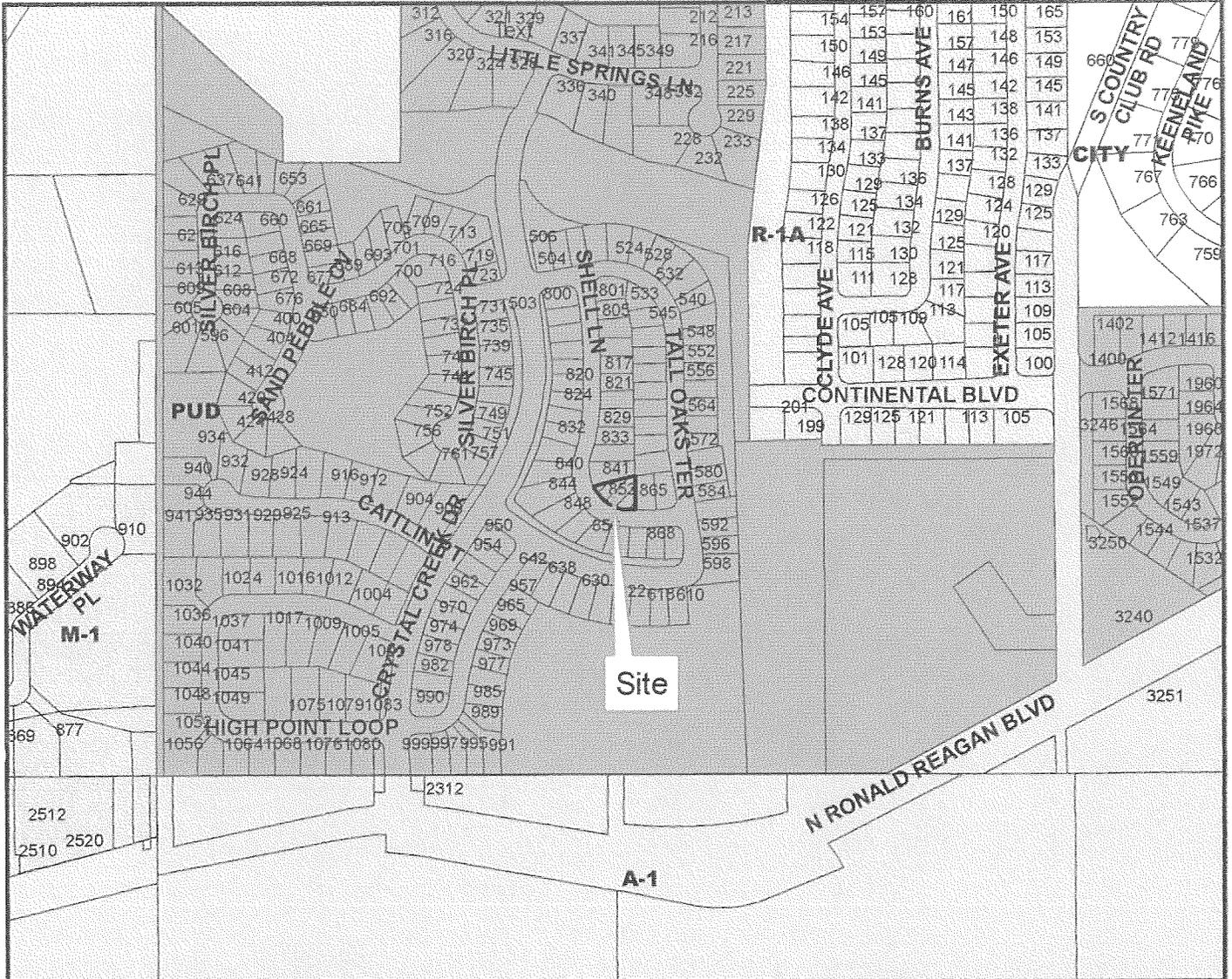
LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR

DATE

SUFFICIENCY COMMENTS

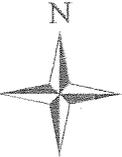
Lisa & Jeffrey Jones
 853 Shell Ln
 Longwood, FL 32750

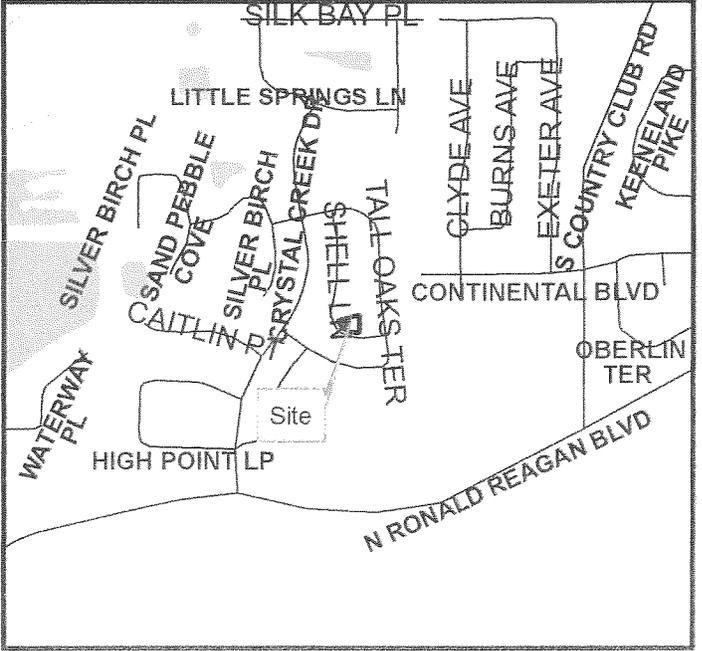


Seminole County Board of Adjustment
September 25, 2006
Case: BV2006-138
Parcel No: 21-20-30-515-0000-1760

Zoning

	BV2006-138		M-1
	A-1		PUD
	R-1A		

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: 21-20-30-515-0000-1760 Owner: JONES JEFFREY L & LISA M Mailing Address: 853 SHELL LN City,State,ZipCode: LONGWOOD FL 32750 Property Address: 853 SHELL LN LONGWOOD 32750 Subdivision Name: CRYSTAL CREEK UNIT 1 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: \$157,241 Depreciated EXFT Value: \$9,385 Land Value (Market): \$37,000 Land Value Ag: \$0 Just/Market Value: \$203,626 Assessed Value (SOH): \$119,991 Exempt Value: \$25,000 Taxable Value: \$94,991</p> <p style="text-align: right;">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>06/1992</td> <td>02449</td> <td>1086</td> <td>\$92,400</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1991</td> <td>02377</td> <td>1785</td> <td>\$48,900</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>12/1989</td> <td>02132</td> <td>0803</td> <td>\$3,962,700</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	WARRANTY DEED	06/1992	02449	1086	\$92,400	Improved	Yes	WARRANTY DEED	12/1991	02377	1785	\$48,900	Vacant	No	SPECIAL WARRANTY DEED	12/1989	02132	0803	\$3,962,700	Vacant	No	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,167 2005 Tax Bill Amount: \$1,499 Save Our Homes (SOH) Savings: \$668 2005 Taxable Value: \$91,496</p> <p style="text-align: center;">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 valorem tax purposes.</i></p>																														

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 21,28

TWP: 20

RNG: 30

DEVELOPMENT: Crystal Creek Unit 1		DEVELOPER: Florida Homecrafters	
LOCATION: W side of C-15, N of C-427		168 lots	
FILE#:	BA:	SP:	BCC: 7/23/85
P&Z:			
PB	41	PG	49-52
Lot		Bik	
Parcel		DBA	
Comm Dist			
DEVEL. ORDER #: 88-0016		TAX PAR. I.D. #:	
SIDEWALKS: Required		SETBACK REQUIREMENTS	
		FY:	RY:
		SIDE ST.:	
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER:	
COMMENTS OTHER: On 4/16/00, Board of Adjustments approved setback variances which are as follows: 1) BA90-4-58V: Side Street setback variance from 20' to 10' for Lot 61. 2) BA90-4-59V Side street setback variance from 20' to 10' for Lot 71. 3) BA90-4-57V: Rear yard setback variance from 30' to 15' for Lot 29. 4) BA90-4-60V: Rear yard setback variance from 30' to 5' for Lot 100. 5) BA90-4-61V: Side street setback variance from 20' to 10' for Lot 121.		Lots 1-60 - Minimum House: 1,000 sq. ft Setbacks: FY: 25', SY: 7.5', RY: 30' Lots 61-188 - Min. House: 800 sq. ft. Setbacks: FY:20', SY: 0' one side (10 ft. between bldg.), RY: 10'	
		ACCESSORY STRUCTURE SETBACKS:	
		SY:	RY: 10'
		Same as main structure	
		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES			
SCREEN:			
TRAFFIC ZONE:		14	
LAND USE:		Lots 1-60: 1	Rem.: 3
1. ROAD-CO. WIDE		V-705.00	V-394.00
2. ROAD-COLL.		V-142.00	V-79.00
3. LIBRARY		V-0.00	V-0.00
4. FIRE		V-10.00	V-10.00
5. PARK			
6. SCHOOL		V-300.00	V-200.00
7. LAW			
8. DRAINAGE			
TOTAL		\$1,157.00	\$683.00
REMARKS: Curb and gutter; sidewalks			

COMMITMENT CARD

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

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 25, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 176 CRYSTAL CREEK UNIT 1 PB 41 PGS 49 TO 52

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

FINDINGS OF FACT

Property Owner: Jeffrey & Lisa Jones
853 Shell Ln.
Longwood, FL 32750

Project Name: Shell Lane (853)

Requested Development Approval:

Request for a side yard (east) setback variance from 10 feet to 3.5 feet for a proposed room addition 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 room 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: