

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

SUBJECT: Request for a side yard (west) setback variance from 7.5 feet to 0 feet for a proposed garage addition in R-1A (Single Family Dwelling District); (Kenneth & Cindy Robinson, applicants).

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

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

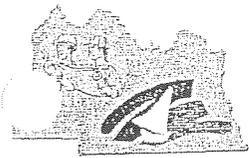
Agenda Date 9/25/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side yard (west) setback variance from 7.5 feet to 0 feet for a proposed garage addition in R-1A (Single Family Dwelling District); or
2. **DENY** the request for a side yard (west) setback variance from 7.5 feet to 0 feet for a proposed garage addition in R-1A (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Kenneth & Cindy Robinson Owner: Kenneth & Cindy Robinson Location: 230 Varsity Circle Zoning: R-1A (Single-Family Dwelling District) Subdivision: Academy Cove
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a garage addition that would encroach 7.5 feet into the minimum 7.5 foot side yard setback; the aforementioned side yard setback variance is thereby requested. • The proposed garage addition would expand to the west and would be 26' x 10' 2" or approximately 260 square feet. • To the west of the subject property is a drainage easement designated as Tract "A" on the Academy

	<p>Cove Plat.</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 applicant could meet the required setbacks of the R-1A district by redesigning the proposed garage addition.• 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 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 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.



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

COPY 2006

APPL. NO. BU 2006-141

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 yard set back from 7.5 to 0 for addition to garage
- SPECIAL EXCEPTION**
- LIMITED USE**
- SE 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**

- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED _____

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Kenneth D & Cindy G Robinson	
ADDRESS	230 Varsity Circle Altamonte Springs FL 32714	
PHONE 1	407-869-0284	
PHONE 2	407-754-4131	
E-MAIL	KRobinson@LRinsurance.com	

PROJECT NAME: _____

SITE ADDRESS: same as above

CURRENT USE OF PROPERTY: residential

LEGAL DESCRIPTION: see attached property appraiser sheet

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 17-21-29-526-0000-0310

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 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.

Kenneth Robinson
 SIGNATURE OF AGENT

8-3-06
 DATE

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:

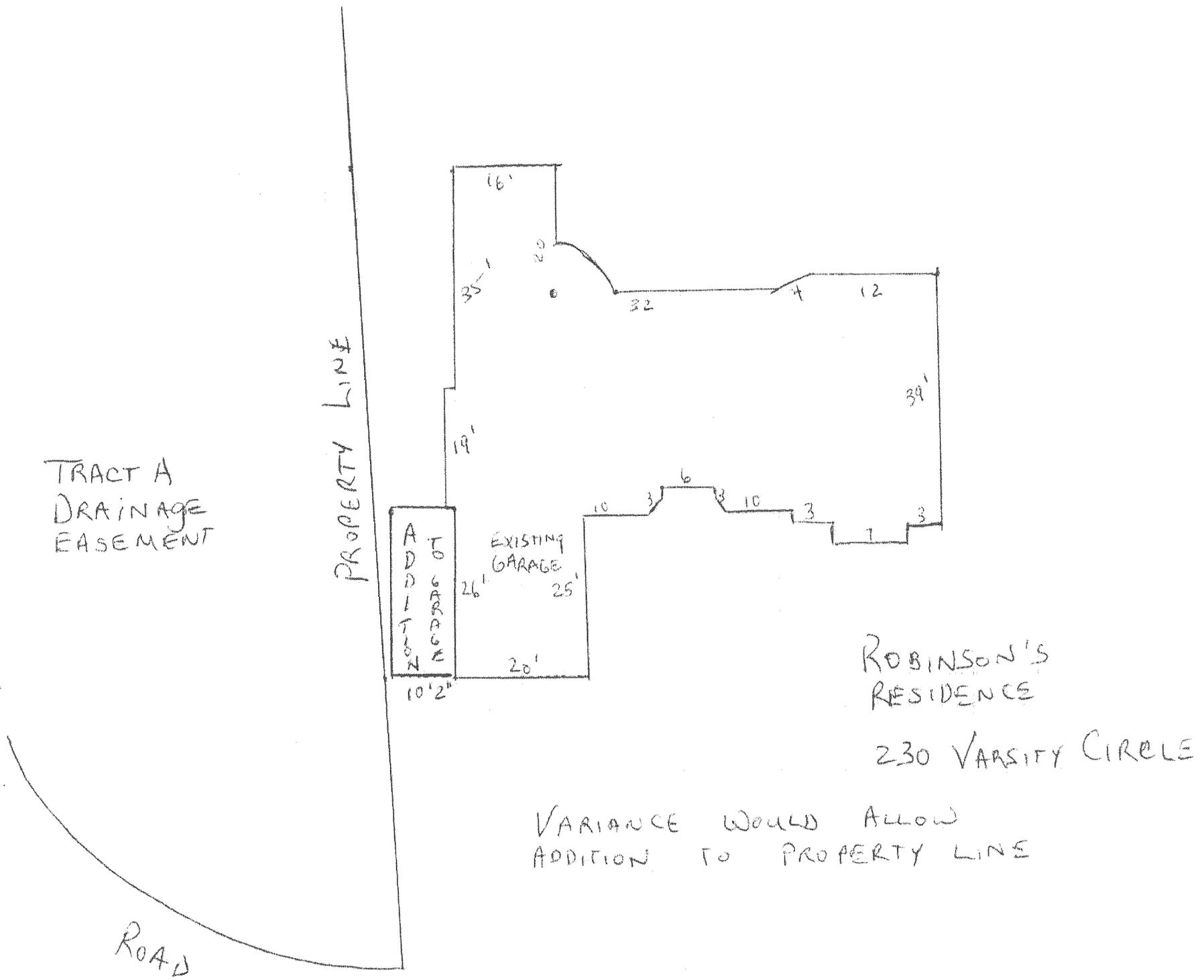
FEE(S): 150.00 COMMISSION DISTRICT _____ FLU / ZONING R-1A

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____



TRACT A
DRAINAGE
EASEMENT

PROPERTY LINE

ADDITION
TO GARAGE

EXISTING
GARAGE

ROBINSON'S
RESIDENCE

230 VARSITY CIRCLE

VARIANCE WOULD ALLOW
ADDITION TO PROPERTY LINE

ROAD

PLAT OF SURVEY GRAHAM CONST.

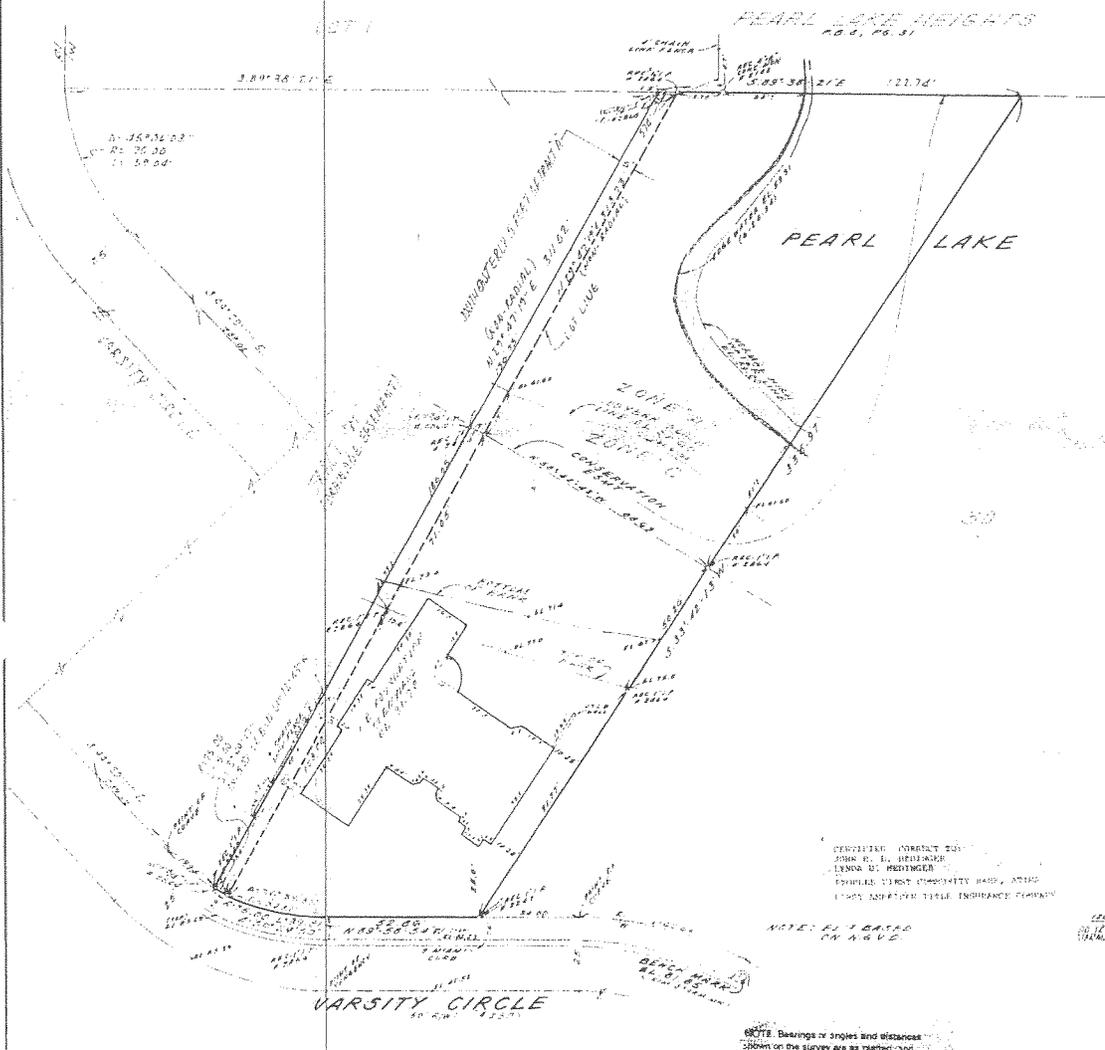
DESCRIPTION

LOT 31, ACADEMY COVE, AS RECORDED IN PLAT BOOK 43, PAGES 31 AND 32 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

AND

The Southeastern 5 feet of Tract A, ACADEMY COVE, according to the plat thereof as recorded in Plat Book 43, Page 81, Public Records of Seminole County, Florida, said 5 feet adjoining and being contiguous to the lot line between Lot 31 and the said Tract A of ACADEMY COVE; and extending the entire distance across Tract A from the North line of ACADEMY COVE, in a Southwesterly direction to the Northwestly right-of-way line of Varsity Circle as the same appears on the plat of ACADEMY COVE.

LEGEND	RECOVERED
REC.	RECOVERED
COR.	CORNER
IP.	IRON PIPE
I.R.	IRON ROD
CONC.	CONCRETE
EL.	ELEVATION
R/W	RIGHT-OF-WAY
C.B.	CONCRETE BLOC
RES.	RESIDENCE
UTIL.	UTILITY
DR. IN.	DRAINAGE
ESMT.	EASEMENT
TYP.	TYPICAL
C.	CENTERLINE
NON	NONVALENT



BEARING BASIS: E. BEARING INSTRUMENTS RECORDED IN PLAT BOOK 43, PAGES 31 AND 32

SCALE: 1" = 20'
DATE OF BOUNDARY: 6-24-94
FOUND: 12-16-94
FINAL:

ASPECTS OBTAINED FROM THE TRACT TO THE SURVEY: 1-3-95

CERTIFIED CORRECT:

M. S. Jervis DATE: 6-24-94
(REG. LAND SURVEYOR NO. 5003)

THIS SURVEY IS THE MINOR TECHNICAL STAFF WORK SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYING, PURSUANT TO CHAPTER 461, F.S. FLORIDA STATUTES.

THIS SURVEY WAS MADE BY ME AND MY STAFF ON THE 24th DAY OF JUNE, 1994, AT 10:30 A.M. IN THE PRESENCE OF THE FOLLOWING WITNESSES: JOHN W. TROTTER, CARL A. CARTER, AND HENRICH TROTTER, CARL A. CARTER, INC. LAND SURVEYORS

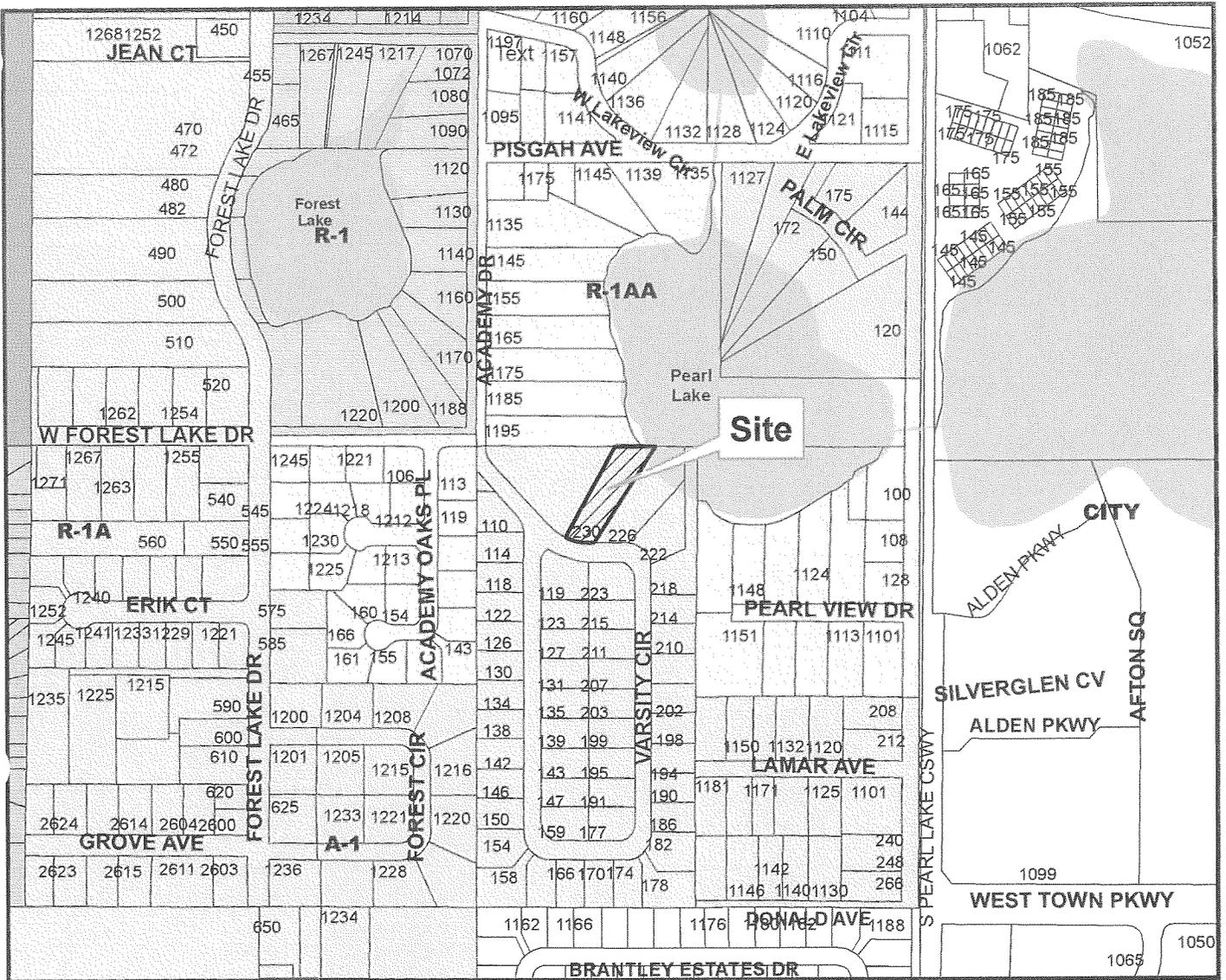
436 N. WYMORE ROAD
WINTER PARK, FLORIDA 32784
FAX (407) 847-8087
(407) 847-7348

CERTIFIED CORRECT TO:
JOHN W. TROTTER
CARL A. CARTER
HENRICH TROTTER, CARL A. CARTER, INC.
LAND SURVEYORS

NOTE: PLAT BASED ON A.G.C.

NOTE: Bearings or angles and distances shown on the survey are as plotted, and are unchanged according to field measurements.

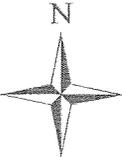
**Cindy & Kenneth Robinson
230 Varsity Circle
Altamonte Springs, FL 32714**

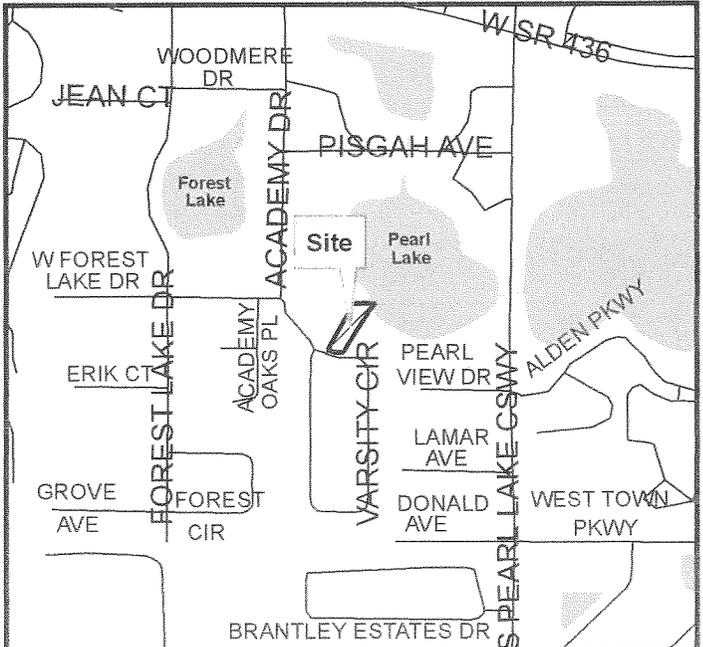


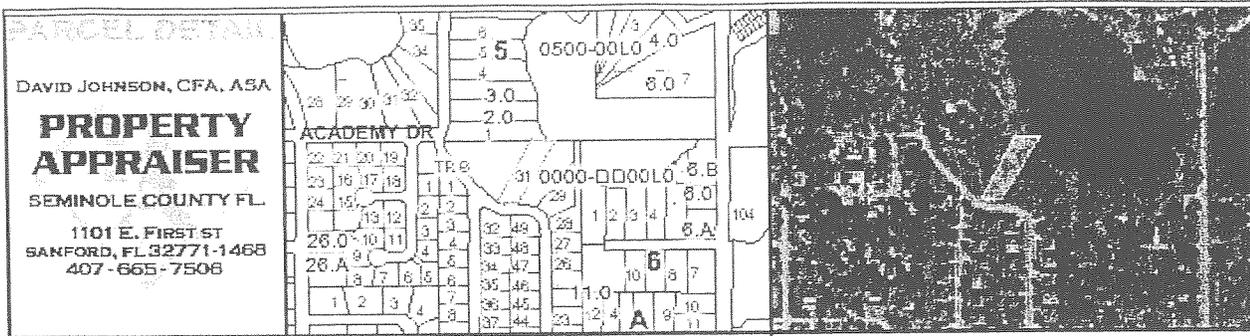
**Seminole County Board of Adjustment
September 25, 2006
Case: BV2006-141
Parcel No: 17-21-29-526-0000-0310**

Zoning

	BV2006-141		R-1
	A-1		R-2
	R-1AA		PUD
	R-1A		

N






DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-665-7508

GENERAL
 Parcel Id: 17-21-29-526-0000-0310
 Owner: ROBINSON KENNETH & CINDY
 Mailing Address: 230 VARSITY CIR
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32714
 Property Address: 230 VARSITY CIR ALTAMONTE SPRINGS 32714
 Subdivision Name: ACADEMY COVE
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2006 WORKING VALUE SUMMARY

Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	\$339,665
Depreciated EXFT Value:	\$15,669
Land Value (Market):	\$63,000
Land Value Ag:	\$0
Just/Market Value:	\$418,334
Assessed Value (SOH):	\$318,799
Exempt Value:	\$25,000
Taxable Value:	\$293,799
Tax Estimator	

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	11/2001	04281	0269	\$165,000	Improved	Yes
WARRANTY DEED	11/2001	04281	0267	\$250,000	Improved	Yes
WARRANTY DEED	09/1994	02830	0079	\$100	Vacant	No
WARRANTY DEED	09/1994	02824	1061	\$72,000	Vacant	Yes
WARRANTY DEED	07/1992	02455	1781	\$100	Vacant	No
WARRANTY DEED	03/1991	02274	1030	\$365,000	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH):	\$5,206
2005 Tax Bill Amount:	\$4,662
Save Our Homes (SOH) Savings:	\$544
2005 Taxable Value:	\$284,514

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	63,000.00	\$63,000

LEGAL DESCRIPTION
 PLATS:
 LOT 31 & SELY 5 FT OF TRACT A ADJ & PARA ON W ACADEMY COVE
 PB 43 PGS 91 & 92

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1995	14	2,691	4,774	3,323	CB/STUCCO FINISH	\$339,665	\$354,742
	Appendage / Sqft		GARAGE FINISHED / 500						
	Appendage / Sqft		OPEN PORCH FINISHED / 212						
	Appendage / Sqft		OPEN PORCH FINISHED / 739						
	Appendage / Sqft		UPPER STORY FINISHED / 632						

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

Permits

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1995	1	\$1,450	\$2,000
POOL GUNITE	1995	450	\$6,525	\$9,000
COOL DECK PATIO	1995	514	\$1,304	\$1,799
SPA	1995	1	\$1,584	\$2,500
SCREEN ENCLOSURE	2005	2,258	\$4,366	\$4,516
SOLAR HEATER	1995	1	\$440	\$1,100

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:

LOT 31 & SELY 5 FT OF TRACT A ADJ & PARA ON W ACADEMY COVE PB 43 PGS
91 & 92

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

FINDINGS OF FACT

Property Owner: Kenneth & Cindy Robinson
230 Varsity Circle
Altamonte Springs, FL 32714

Project Name: Varsity Circle (230)

Requested Development Approval:

Request for a side yard (west) setback variance from 7.5 feet to 0 feet for a proposed 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: 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 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: