

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

SUBJECT: Request for a rear yard setback variance from 20 feet to 15 feet for a proposed covered screen room addition in PUD (Planned Unit Development District); (Mark McGrath, 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 rear yard setback variance from 20 feet to 15 feet for a proposed covered screen room addition in PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard setback variance from 20 feet to 15 feet for a proposed covered screen room addition in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant:	Mark McGrath
	Owner:	Rebecca Quade
	Location:	617 Brightview Drive
	Zoning:	PUD (Planned Unit Development District)
	Subdivision:	Chase Groves Unit 6
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a covered screen room addition that would encroach 5 feet into the minimum 20 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant proposes to construct a 12' x 40' or approximately 480 square foot covered screen room to the rear of the existing single-family home. • The applicant submitted plans for the covered screen room addition to the Building Division on 7/25/06. (App. 	

	<p># 06 00008635)</p> <ul style="list-style-type: none">• To the rear of the property is a drainage and conservation easement designated as Tract "Y" on the Chase Groves Unit 6 plat.• 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 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 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.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 3

TWP: 20

RNG: 30

ELOPMENT:		Chase Groves Unit 6				DEVELOPER:		Laurel Homes					
LOCATION:		E side of Casa Verde Boulevard, between C-46A and Old Lake Mary Boulevard 102 lots											
FILE#:		BA:		SP:		BCC:							
P&Z:		PG		29, 31 Lot		Blk		Parcel		DBA		Comm Dist	
PB		44	PG		29, 31 Lot		Blk		Parcel		DBA		Comm Dist
DEVEL. ORDER #:				87-0012				TAX PAR. I.D. #:					
SIDEWALKS: 4' wide on both sides						SETBACK REQUIREMENTS							
						FY:	20'	SIDE ST.:		SY:	0*- 10'***	RY:	20'
ROAD TYPE: (CURB & GUTTER OR SWALE)						MAIN STRUCTURE OTHER: *10' minimum between buildings **Side street: with driveway - 20'; without driveway - 15'							
COMMENTS OTHER: Not flood prone.						ACCESSORY STRUCTURE SETBACKS:							
						SY:		0-10'		RY:		10'	
						ACCESSORY STRUCTURE OTHER:							

IMPACT FEES	
SCREEN:	ORD
TRAFFIC ZONE:	23
LAND USE:	1
1. ROAD-CO. WIDE	ORD
2. ROAD-COLL.	ORD
3. LIBRARY	ORD
4. FIRE	ORD
5. PARK	
6. SCHOOL	ORD
7. LAW	
8. DRAINAGE	C-200.00
TOTAL	\$2,657.00
REMARKS: Curb & gutter; sidewalks required	

COMMITMENT CARD

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



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

COPY

RECEIVED AUG 08 2006

APPL. NO. BV 2006-142

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** A REAR YARD SETBACK VARIANCE FROM 20 FT. TO 15 FT. FOR A PROPOSED SCREEN ENCLOSURE.
- 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 _____
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

RECEIVED AUG 08 2006

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	REBECCA QUADE	MARK MCGRAM	
ADDRESS	617 BRIGHTVIEW DR LAKE MARY, FL 32746	902 CATLIN POINT LONGWOOD, FL 32750	
PHONE 1	407-321-4059	321-229-5935	
PHONE 2		407-697-8458	
E-MAIL	REBECCAQUADE@AOL.COM	KMCGRAM3@CFL-RA.COM	

PROJECT NAME: REBECCA QUADE
 SITE ADDRESS: 617 BRIGHTVIEW DRIVE LAKE MARY, FLORIDA 32746
 CURRENT USE OF PROPERTY: HOME DWELLING (HOMESTEAD)
 LEGAL DESCRIPTION: CHASE GROVES UNIT 6

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 03-20-30-513-0000-0390

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.

[Signature]
 OWNER OR AGENT

2ND AUG 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

FD0 / FD

BCC HEARING DATE

(FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR

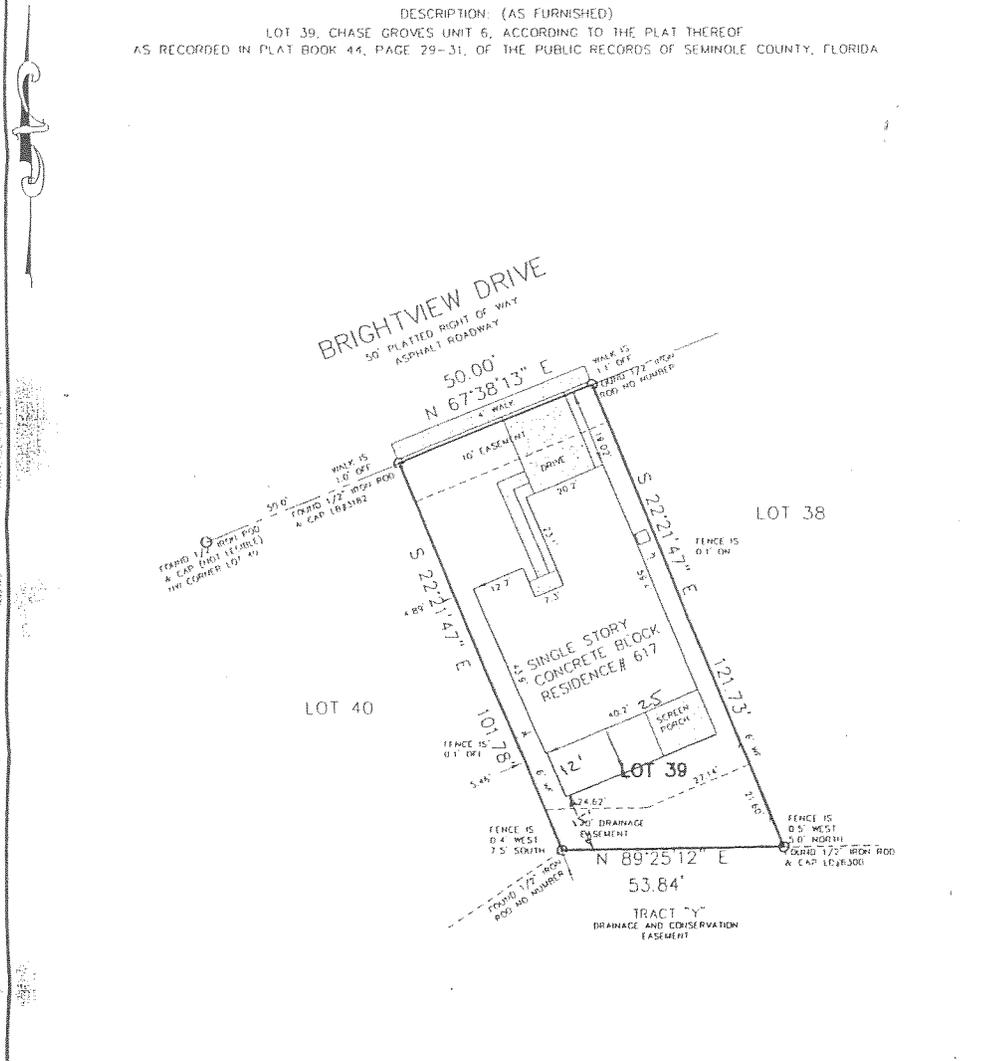
DATE

SUFFICIENCY COMMENTS

PLAT OF SURVEY

DESCRIPTION: (AS FURNISHED)

LOT 39, CHASE GROVES UNIT 6, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 44, PAGE 29-31, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



LEGEND:

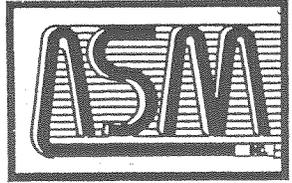
- R DENOTES RADIUS
- Δ DENOTES BETA ANGLE
- L DENOTES ARC LENGTH
- CB CHORD BEARING
- RIGHT OF WAY LINE
- (P) PER PLAT
- (M) MEASURED
- REC RECOVERED
- CONCRETE
- PRC POINT OF REVERSE CURVATURE
- CWA CORNER NOT ACCESSIBLE
- BFE BASE FLOOD ELEVATION
- ORAL OVERHEAD UTILITY LINE
- D/B/A DOING BUSINESS AS
- LB LAND SURVEYING BUSINESS
- LS LAND SURVEYOR
- PRM PERMANENT REFERENCE MONUMENT
- PCP PERMANENT CONTROL POINT
- PI POINT OF INTERSECTION
- P1 POINT OF TANGENCY
- PC POINT OF CURVATURE
- CLF CHAIN LINK FENCE
- WF WOOD FENCE
- TYP TYPICAL
- A/C AIR CONDITIONER
- CBW CONCRETE BLOCK WALL
- RP RADIUS POINT

CERTIFIED TO:
 REBECCA JOY OUADE
 1ST NATIONAL BANK OF CENTRAL FLORIDA
 THE TITLE COMPANY
 FIDELITY NATIONAL TITLE INSURANCE COMPANY OF NEW YORK

I HAVE EXAMINED THE F.I.R.M. COMMUNITY PANEL NO 120289 0045 E DATED 4/17/95 AND FOUND THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE X AREA OUTSIDE 100 YEAR FLOOD.

BEARINGS SHOWN HEREON ARE BASED ON THE SOUTHERLY LINE OF LOT 39 BEING N 89°25'12" E PER PLAT.

(FIELD DATE:) 12/11/01
 SCALE: 1" = 30 FEET
 APPROVED BY: OXB
 JOB NO. ASW34641
 DRAWN BY: JTB



AMERICAN SURVEYING & MAPPING
 320 E SOUTH STREET SUITE #180
 ORLANDO, FLORIDA 32801 (813) 251-3717

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Galén K. Bell 12/11/01 FOR THE FIELD
 GALÉN K. BELL P.S.M. #42E4

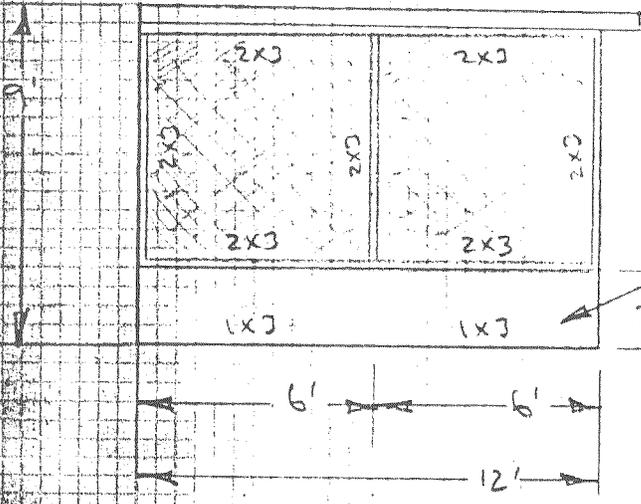
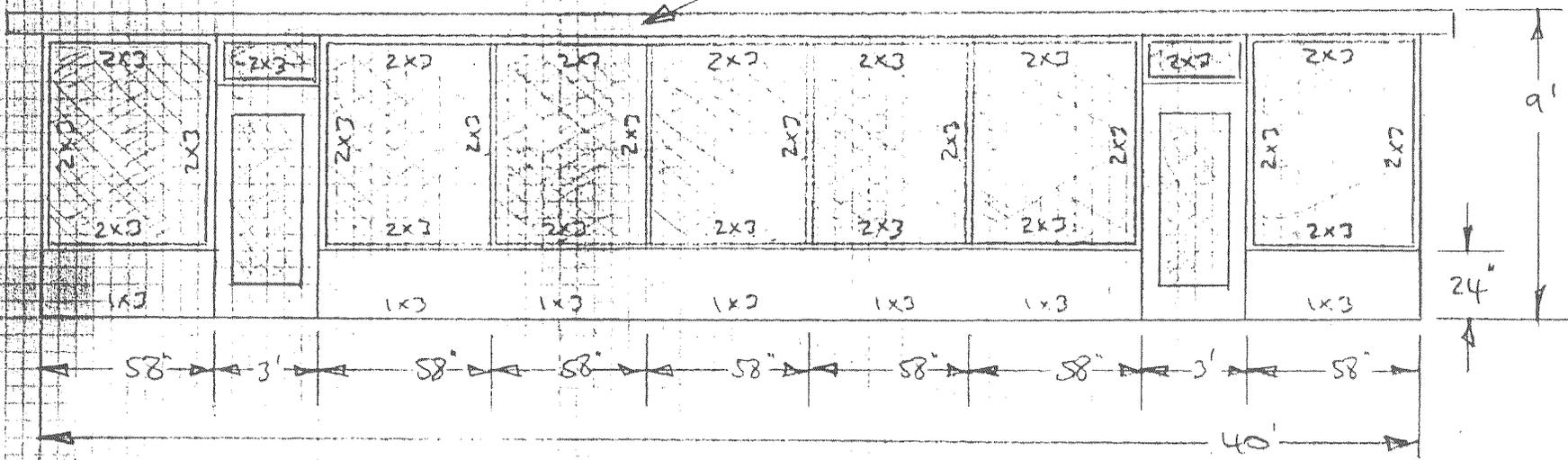
REBECCA QUADE

SCALE: 1" = 1'

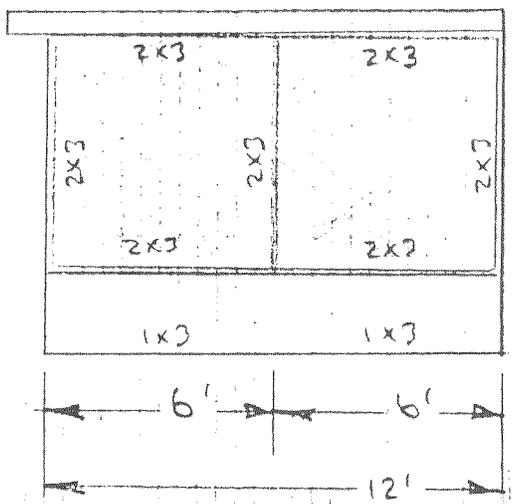
1001 BRIGHTVIEW DRIVE, LAKE MANA, FLORIDA, 32746

PANEL ID: 03-20-30-513-0000-0390

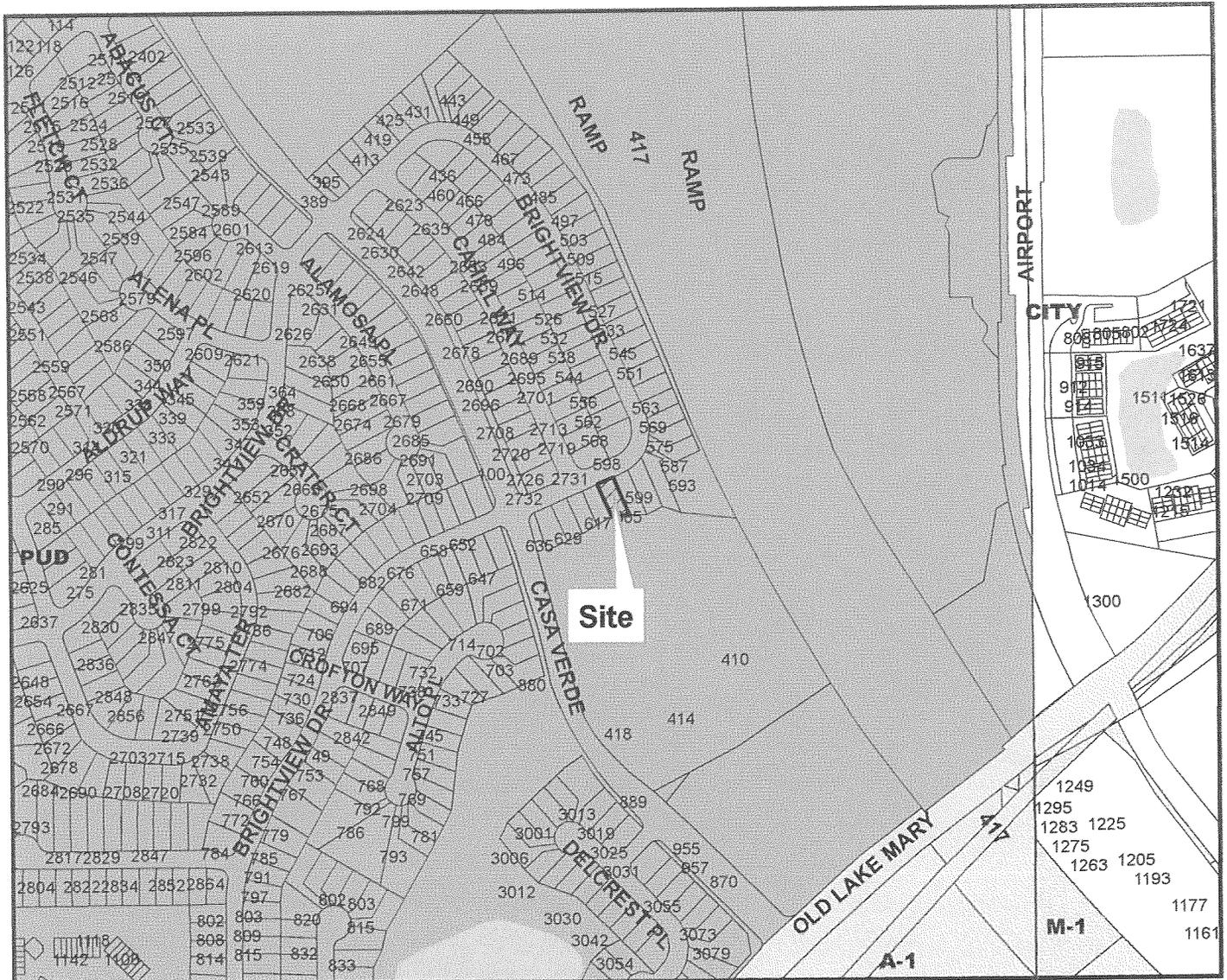
FULL INSULATED ELITE ALUMINUM ROOF SYSTEM



INSULATED ALUMINUM KNEEWALL



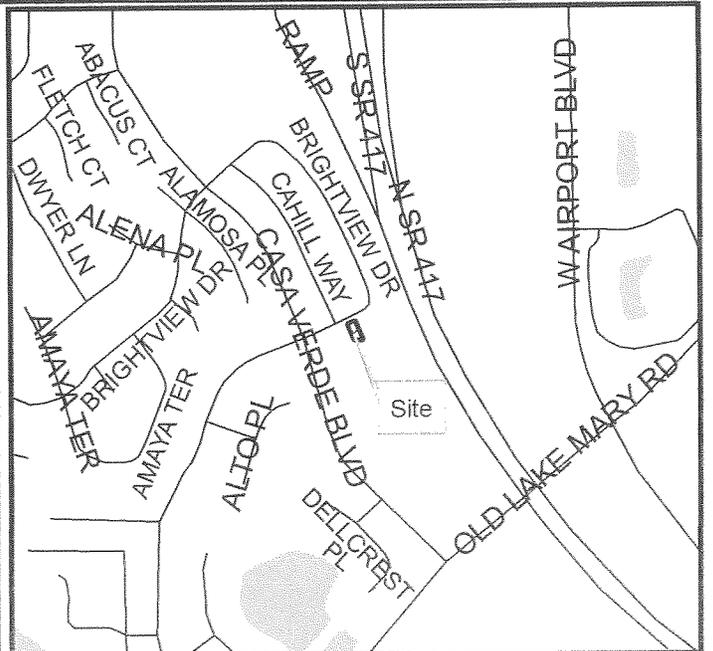
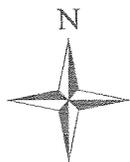
Mark McGrath
 617 Brightview Dr
 Lake Mary, FL 32746



Seminole County Board of Adjustment
 September 25, 2006
 Case: BV2006-142
 Parcel No: 03-20-30-513-0000-0390

Zoning

-  BV2006-142
-  M-1
-  A-1
-  PUD
-  R-1AA



<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 407-885-7506</p>																																					
<p align="center">GENERAL</p> <p>Parcel Id: 03-20-30-513-0000-0390</p> <p>Owner: QUADE REBECCA J</p> <p>Mailing Address: 617 BRIGHTVIEW DR</p> <p>City, State, Zip Code: LAKE MARY FL 32746</p> <p>Property Address: 617 BRIGHTVIEW DR LAKE MARY 32746</p> <p>Subdivision Name: CHASE GROVES UNIT 6</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$157,157</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$36,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$193,157</p> <p>Assessed Value (SOH): \$114,764</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$89,764</p> <p>Tax Estimator</p>																																			
<p align="center">SALES</p> <table border="1"> <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>12/2001</td> <td>04272</td> <td>1608</td> <td>\$129,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1997</td> <td>03305</td> <td>1842</td> <td>\$98,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1991</td> <td>02361</td> <td>0914</td> <td>\$93,300</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>02/1991</td> <td>02267</td> <td>1226</td> <td>\$437,500</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	12/2001	04272	1608	\$129,500	Improved	Yes	WARRANTY DEED	09/1997	03305	1842	\$98,000	Improved	Yes	WARRANTY DEED	11/1991	02361	0914	\$93,300	Improved	Yes	SPECIAL WARRANTY DEED	02/1991	02267	1226	\$437,500	Vacant	No	<p>2005 VALUE SUMMARY</p> <p>Tax Value (without SOH): \$1,850</p> <p>2005 Tax Bill Amount: \$1,416</p> <p>Save Our Homes (SOH) Savings: \$434</p> <p>2005 Taxable Value: \$86,421</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																															
WARRANTY DEED	12/2001	04272	1608	\$129,500	Improved	Yes																															
WARRANTY DEED	09/1997	03305	1842	\$98,000	Improved	Yes																															
WARRANTY DEED	11/1991	02361	0914	\$93,300	Improved	Yes																															
SPECIAL WARRANTY DEED	02/1991	02267	1226	\$437,500	Vacant	No																															
<p align="center">LAND</p> <table border="1"> <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>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>36,000.00</td> <td>\$36,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	36,000.00	\$36,000	<p align="center">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 39 CHASE GROVES UNIT 6 PB 44 PGS 29 THRU 31</p>																							
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																
LOT	0	0	1.000	36,000.00	\$36,000																																
<p align="center">BUILDING INFORMATION</p> <table border="1"> <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>1991</td> <td>7</td> <td>1,592</td> <td>2,122</td> <td>1,592</td> <td>CB/STUCCO FINISH</td> <td>\$157,157</td> <td>\$165,865</td> </tr> </tbody> </table> <p>Appendage / Sqft: GARAGE FINISHED / 439</p> <p>Appendage / Sqft: OPEN PORCH FINISHED / 91</p>		Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1991	7	1,592	2,122	1,592	CB/STUCCO FINISH	\$157,157	\$165,865	<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	1991	7	1,592	2,122	1,592	CB/STUCCO FINISH	\$157,157	\$165,865																												
<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																					

k na mcgrath

From: <BeckyQuade@aol.com>
To: <kmcgrath3@cfl.rr.com>
Sent: Tuesday, August 01, 2006 10:36 AM
Subject: Re: Screen room by Mark

August 1, 2006

Mark,

If i am paying the 150 dollars for the variance is it guarenteed that I am getting a full patio like we talked about before I left? I would like to know this please. Where my lot line turns it is away from my patio, this would mean There is plenty of room. On the east side it is already up. It is only the west side of the house that would matter.

I Becky Quade give you permission to apply for the variance in place of myself since I will not be home until Aug. 5th at 5pm.

It is ok to take photos. Jim and Sherry are staying at my house while I am gone. They have a Golden Retriever. You will want to call and let them know when you are coming over so the dog is inside. Sherri's cell is 321-276-2985.

Thanks for all of your help. I Didn't know it would take a month to just find out if it can even be done or not. Keep me posted.

Thanks again,

Becky Quade

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 39 CHASE GROVES UNIT 6 PB 44 PGS 29 THRU 31

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

FINDINGS OF FACT

Property Owner: Rebecca Quade
617 Brightview Dr.
Lake Mary, FL 32746

Project Name: Brightview Drive (617)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 15 feet for a proposed covered screen room addition in 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 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: