

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

SUBJECT: Request for (1) a rear yard setback variance from 30 feet to 10 feet for an existing shed; and (2) a side yard (east) setback variance from 10 feet to 0 feet for a proposed carport in the R-1AA (Single Family Dwelling District); (Mary Sullivan, 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:

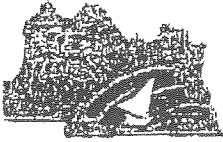
1. **APPROVE** the request for (1) a rear yard setback variance from 30 feet to 10 feet for an existing shed; and (2) a side yard (east) setback variance from 10 feet to 0 feet for a proposed carport in the R-1AA (Single Family Dwelling District); or
2. **DENY** the request for (1) a rear yard setback variance from 30 feet to 10 feet for an existing shed; and (2) a side yard (east) setback variance from 10 feet to 0 feet for a proposed carport in the R-1AA (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Owner: Location: Zoning: Subdivision:	Mary Sullivan Mary Sullivan 2460 Westwood Dr. R-1AAA (Single-Family Dwelling District) Lake Brantley Isles
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to raise the roof of the existing shed from approximately 12 feet to 15 feet for a proposed loft. • Given that the proposed height of the roof will be in excess of 12 feet the existing shed would have to meet the same setbacks applicable to the main residence. 	

	<ul style="list-style-type: none">• The applicant proposes to construct a carport that would encroach 10 feet into the minimum 10 foot side yard setback; the aforementioned side yard setback variance is thereby requested.• The applicant proposes to construct a 20' x 12' carport that is attached to the east side of the single-family home.• 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 variances.
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 existing shed and proposed carport 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

RECEIVED AUG 03 2006



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

APPL. NO. B42006-143

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** Rear Yard Setback. from 30 ft to 10 for an existing shed to allow main roof height from 12' to 15' to accommodate a loft for Art studio.
- SPECIAL EXCEPTION**
- LIMITED USE**

SECOND DWELLING UNDER CONSTRUCTION MEDICAL HARDSHIP
 NIGHT WATCHMAN FAMILY HARDSHIP
 YEAR OF MOBILE HOME / BY EXISTING PROPOSED
 SIZE OF MOBILE HOME TIME NEEDED
 PLANS TO BE FILED YES NO IF SO WHEN

- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Mary E. Sullivan	
ADDRESS	2460 Westwood Dr. Longwood Fl. 32779	
PHONE 1	407-869-8090	
PHONE 2		
EMAIL		

PROJECT NAME: _____
 SITE ADDRESS: Same
 CURRENT USE OF PROPERTY: RESIDENTIAL
 LEGAL DESCRIPTION: Leg Lot 32 B1KA
Lake Brantley Isles 2nd ADD
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 05-21-29-502-DADD-0320
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS none

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO have dog in back yard - please call day ahead.

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.

Mary E. Sullivan
 SIGNATURE OF OWNER OR AGENT* 8-3-06
DATE

* Proof of owner's authorization is required with signature if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:
side yard setback variance from 10' to 0' for an attached carport addition

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	

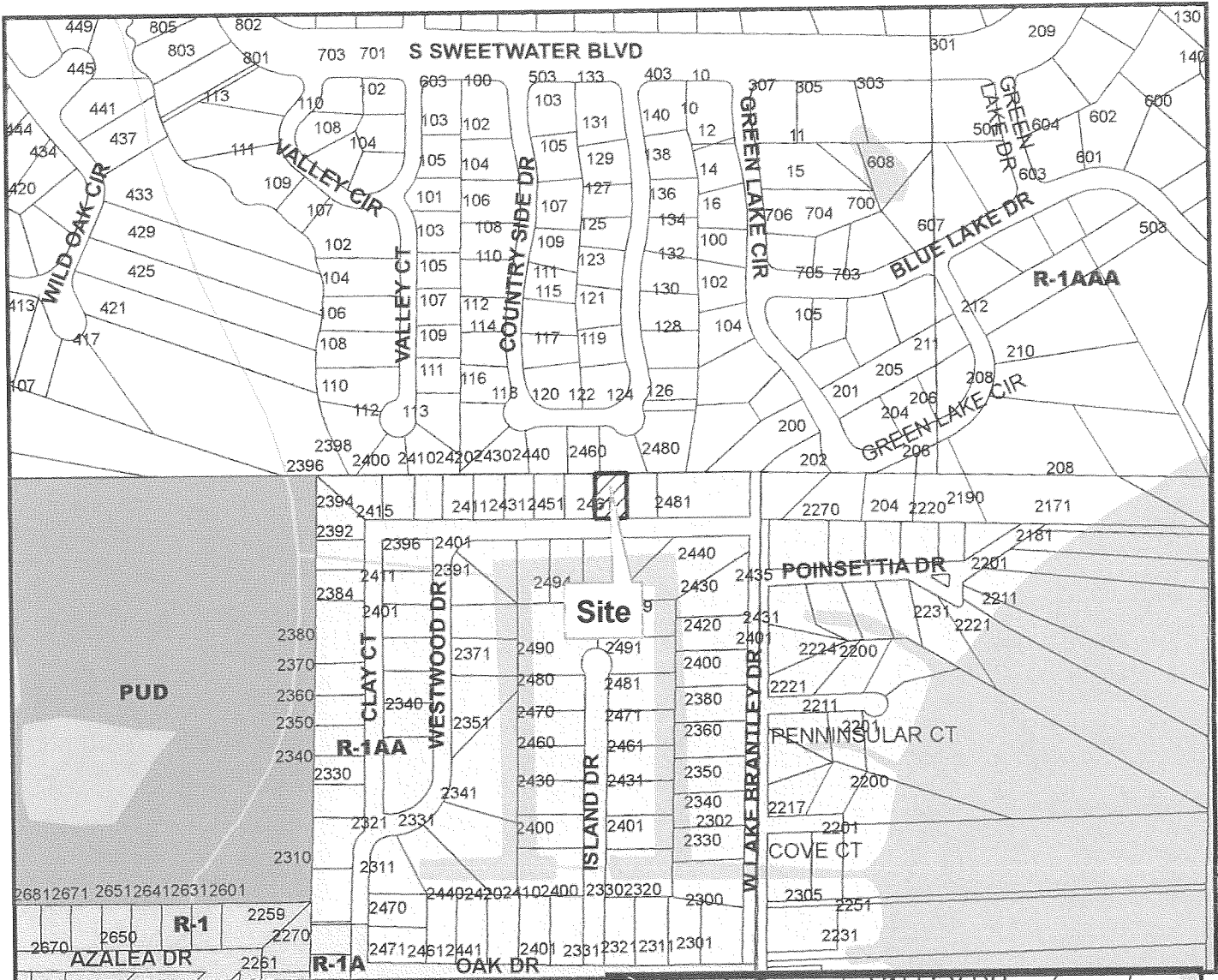
NATURE OF THE APPEAL _____

APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY







PROCESSING:
FEE(S): 200.00 COMMISSION DISTRICT _____ FLU / ZONING R-1AA / LOR
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____
PLANNING ADVISOR _____ DATE _____
SUFFICIENCY COMMENTS _____

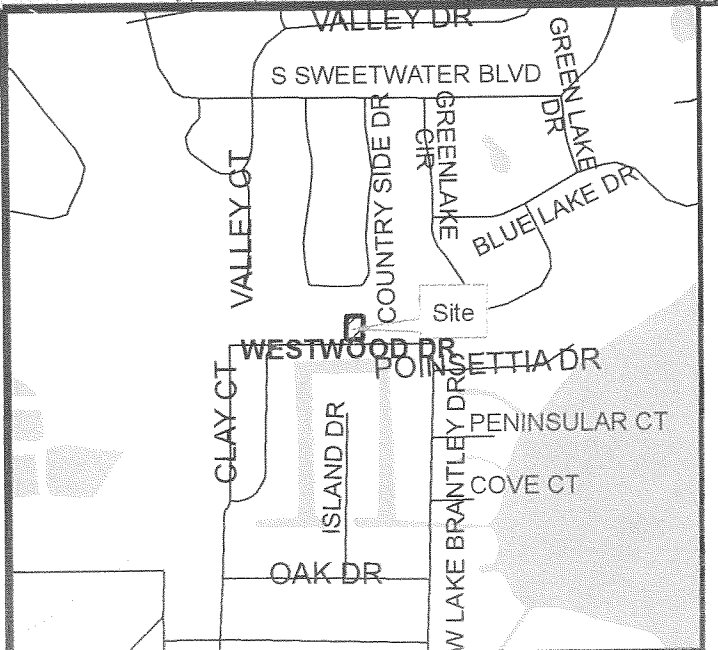
Mary Sullivan
 2460 Westwood Dr
 Longwood, FL 32779



Seminole County Board of Adjustment
 September 25, 2006
 Case: BV2006-143
 Parcel No: 05-21-29-502-0A00-0320

Zoning

- | | | | |
|---|------------|---|------|
|  | BV2006-143 |  | R-1A |
|  | A-1 |  | R-1 |
|  | R-1AAA |  | PUD |
|  | R-1AA | | |



<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: 05-21-29-502-0A00-0320</p> <p>Owner: SULLIVAN MARY E</p> <p>Mailing Address: 2460 WESTWOOD DR</p> <p>City,State,ZipCode: LONGWOOD FL 32779</p> <p>Property Address: 2460 WESTWOOD DR LONGWOOD 32779</p> <p>Subdivision Name: LAKE BRANTLEY ISLES 2ND ADD</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: \$100,760</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$38,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$138,760</p> <p>Assessed Value (SOH): \$64,654</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$39,654</p> <p>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>04/1987</td> <td>01842</td> <td>0362</td> <td>\$52,700</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	04/1987	01842	0362	\$52,700	Improved	Yes	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,278</p> <p>2005 Tax Bill Amount: \$619</p> <p>Save Our Homes (SOH) Savings: \$659</p> <p>2005 Taxable Value: \$37,771</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified										
WARRANTY DEED	04/1987	01842	0362	\$52,700	Improved	Yes										
<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>38,000.00</td> <td>\$38,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	38,000.00	\$38,000	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 32 BLK A LAKE BRANTLEY ISLES 2ND ADD PB 11 PG 5</p>		
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value											
LOT	0	0	1.000	38,000.00	\$38,000											
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	1959	6	1,150	1,697	1,150	CONC BLOCK	\$100,760	\$138,027							
			<p>Appendage / Sqft OPEN PORCH FINISHED / 20</p> <p>Appendage / Sqft UTILITY UNFINISHED / 117</p> <p>Appendage / Sqft GARAGE UNFINISHED / 260</p> <p>Appendage / Sqft SCREEN PORCH FINISHED / 150</p>													
<p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p>Permits</p>																
<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>																

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 32 BLK A LAKE BRANTLEY ISLES 2ND ADD PB 11 PG 5

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

FINDINGS OF FACT

Property Owner: Mary Sullivan
2460 Westwood Dr.
Longwood, FL 32779

Project Name: Westwood Drive (2460)

Requested Development Approval:

Request for (1) a rear yard setback variance from 30 feet to 10 feet for an existing shed; and (2) a side yard (east) setback variance from 10 feet to 0 feet for a proposed carport 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 variances granted will apply only to the existing shed and proposed carport 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: