

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 30 feet to 10 feet for a proposed shed in A-1 (Agricultural District); (Joseph Tamulonis, applicant.)

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Courtney Counts **EXT.** 7357

Agenda Date 9/25/2006 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed shed in A-1 (Agricultural District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed shed in A-1 (Agricultural District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Joseph Tamulonis Owner: Joseph Tamulonis Location: 124 Sandy Oaks Place Zoning: A-1 (Agriculture District) Subdivision: Longwood-Markham Estates
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is proposing to construct a 22 foot by 31 foot shed (approximately 682 square feet), which encroaches 20 feet into the required 30 foot rear yard setback. • The proposed shed will be 9 feet in height with a peak point of 11.5 feet. Furthermore, the proposed shed will have no electricity and dirt flooring. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a

	<p>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.• The shed could be placed in an area that could comply with the setbacks, there by negating the need for a 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 shed 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

RECEIVED AUG 04 2006
COPY

APPL. NO. BU 2006-150

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 TEN FEET FOR A PROPOSED SHED.
- SPECIAL EXCEPTION**
- 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**

RECEIVED AUG 04 2006

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	JOSEPH TAMULONIS	
ADDRESS	124 SANDY OAKS PLACE LONGWOOD FL 32779	
PHONE 1	407 341-9182	
PHONE 2		
E-MAIL		

PROJECT NAME: TAMULONIS

SITE ADDRESS: 124 SANDY OAKS PLACE, LONGWOOD, FL 32779

CURRENT USE OF PROPERTY: SINGLE FAMILY RESIDENTIAL

LEGAL DESCRIPTION: LEG SEC 26 TWP 20S RGE 29E S 329.35 FT OF N 914.35 FT OF W 121 FT OF E 774 FT OF NE 1/4 OF NW 1/4

SIZE OF PROPERTY: 1 acre(s) PARCEL I.D. 26-20-29-300-008F-0000

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.

Joseph J. Tamulonis
 SIGNATURE OF OWNER OR AGENT*

8-09-06
 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	

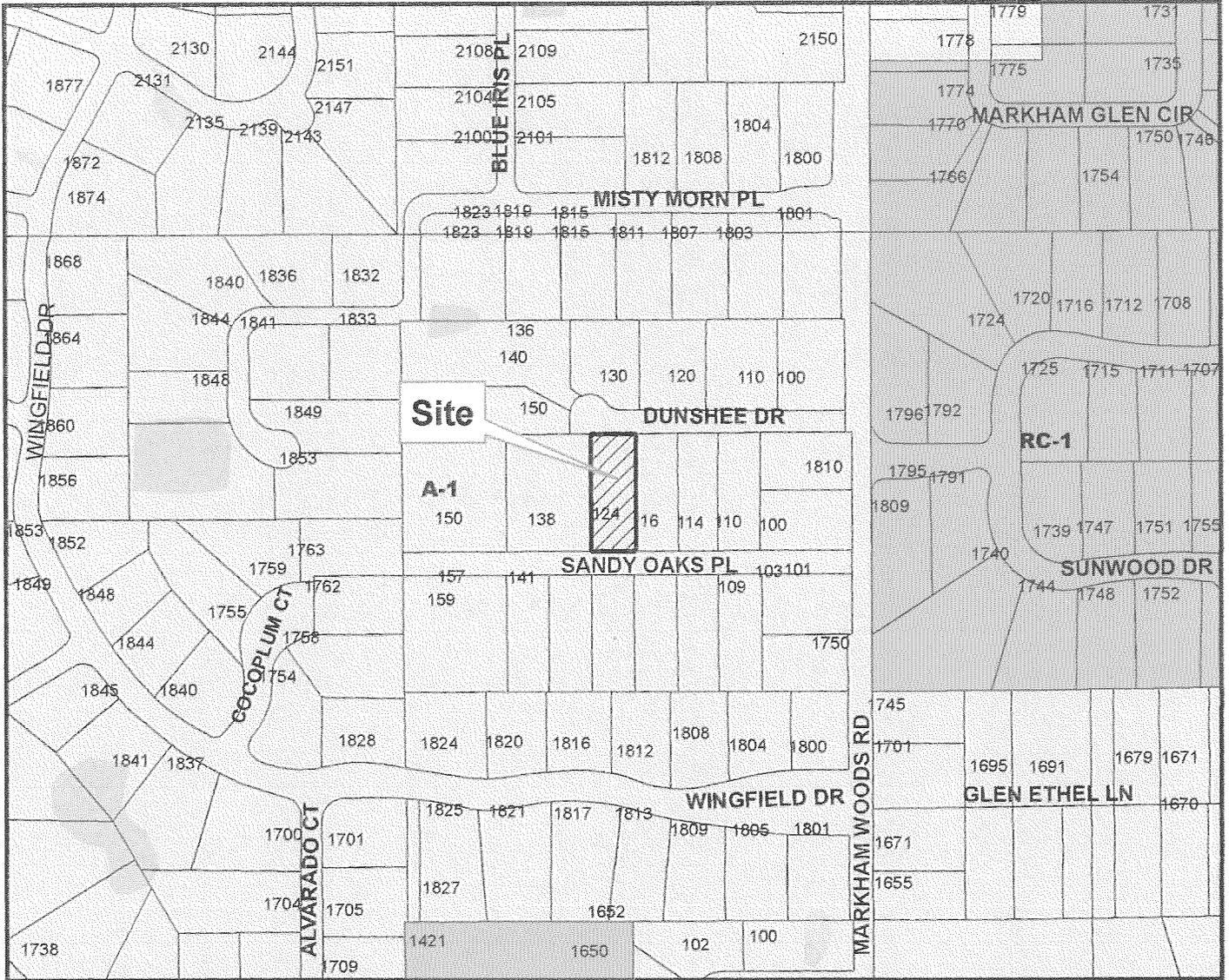
NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:	
FEE(S): <u>150.00</u>	COMMISSION DISTRICT _____ FLU/ZONING <u>A-1/SE</u>
BCC HEARING DATE _____	(FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____	
PLANNING ADVISOR _____	DATE _____
SUFFICIENCY COMMENTS _____	

Joseph Tamulonis
 124 Sandy Oaks Pl
 Longwood, FI 32779

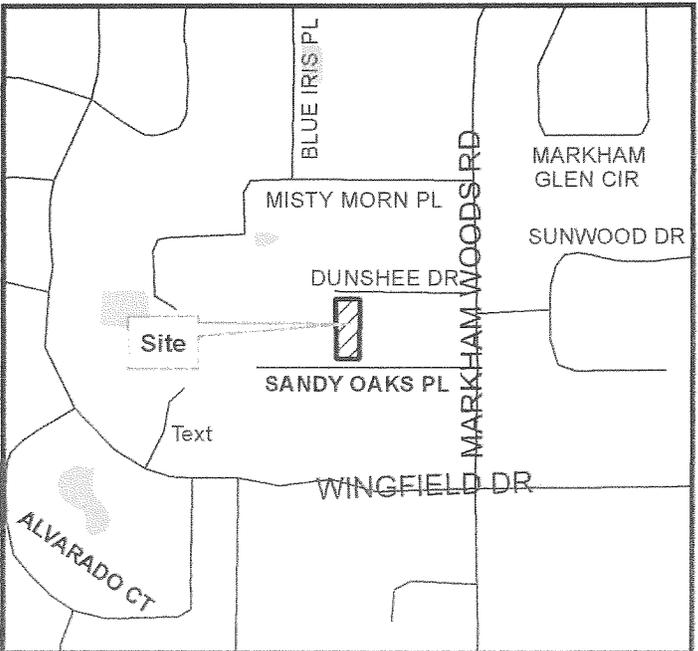


Seminole County Board of Adjustment
September 25, 2006
Case: BV2006-150
Parcel No: 26-20-29-300-008F-0000

Zoning

-  BV2006-150
-  A-1
-  RC-1

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>MAPPING DISABLED</p>		<p>MAPPING DISABLED</p>																																											
<p>GENERAL</p> <p>Parcel Id: 26-20-29-300-008F-0000</p> <p>Owner: CONFIDENTIAL PER STATUTES</p> <p>Own/Addr: 119.071</p> <p>Mailing Address: 1101 E 1ST ST</p> <p>City,State,ZipCode: SANFORD FL 32771</p> <p>Property Address:</p> <p>Subdivision Name:</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: \$328,893</p> <p>Depreciated EXFT Value: \$3,500</p> <p>Land Value (Market): \$86,450</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$418,843</p> <p>Assessed Value (SOH): \$253,282</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$228,282</p> <p>Tax Estimator</p>																																											
<p>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>CORRECTIVE DEED</td> <td>05/2000</td> <td>03856</td> <td>0070</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/2000</td> <td>03848</td> <td>0612</td> <td>\$66,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>ADMINISTRATIVE DEED</td> <td>12/1999</td> <td>03781</td> <td>1651</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>PROBATE RECORDS</td> <td>07/1999</td> <td>03686</td> <td>0236</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1973</td> <td>00967</td> <td>0605</td> <td>\$6,000</td> <td>Vacant</td> <td>Yes</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>			Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	CORRECTIVE DEED	05/2000	03856	0070	\$100	Vacant	No	WARRANTY DEED	05/2000	03848	0612	\$66,000	Vacant	Yes	ADMINISTRATIVE DEED	12/1999	03781	1651	\$100	Vacant	No	PROBATE RECORDS	07/1999	03686	0236	\$100	Vacant	No	WARRANTY DEED	01/1973	00967	0605	\$6,000	Vacant	Yes	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$5,078</p> <p>2005 Tax Bill Amount: \$3,620</p> <p>Save Our Homes (SOH) Savings: \$1,458</p> <p>2005 Taxable Value: \$220,905</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>	
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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 SEC 26 TWP 20S RGE 29E S 329.35 FT OF N 914.35 FT OF W 121 FT OF E 774
FT OF NE ¼ OF NW ¼

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

FINDINGS OF FACT

Property Owner: Joseph Tamulonis
124 Sandy Oaks Place
Longwood, FL 32779

Project Name: Sandy Oaks Place (124)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 10 feet for a proposed shed in A-1 (Agricultural 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: Courtney Counts, Planning Intern
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 shed 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.

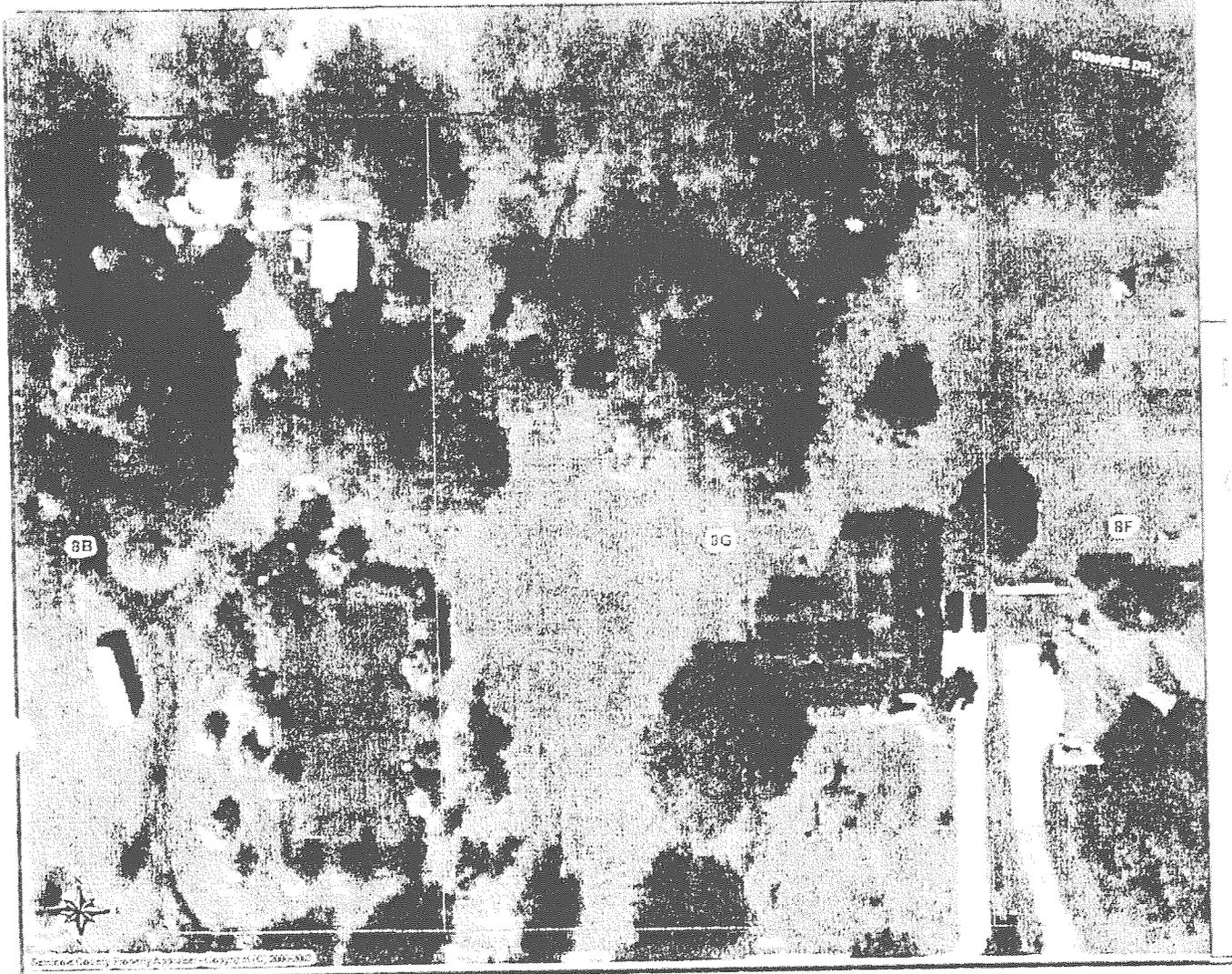
Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

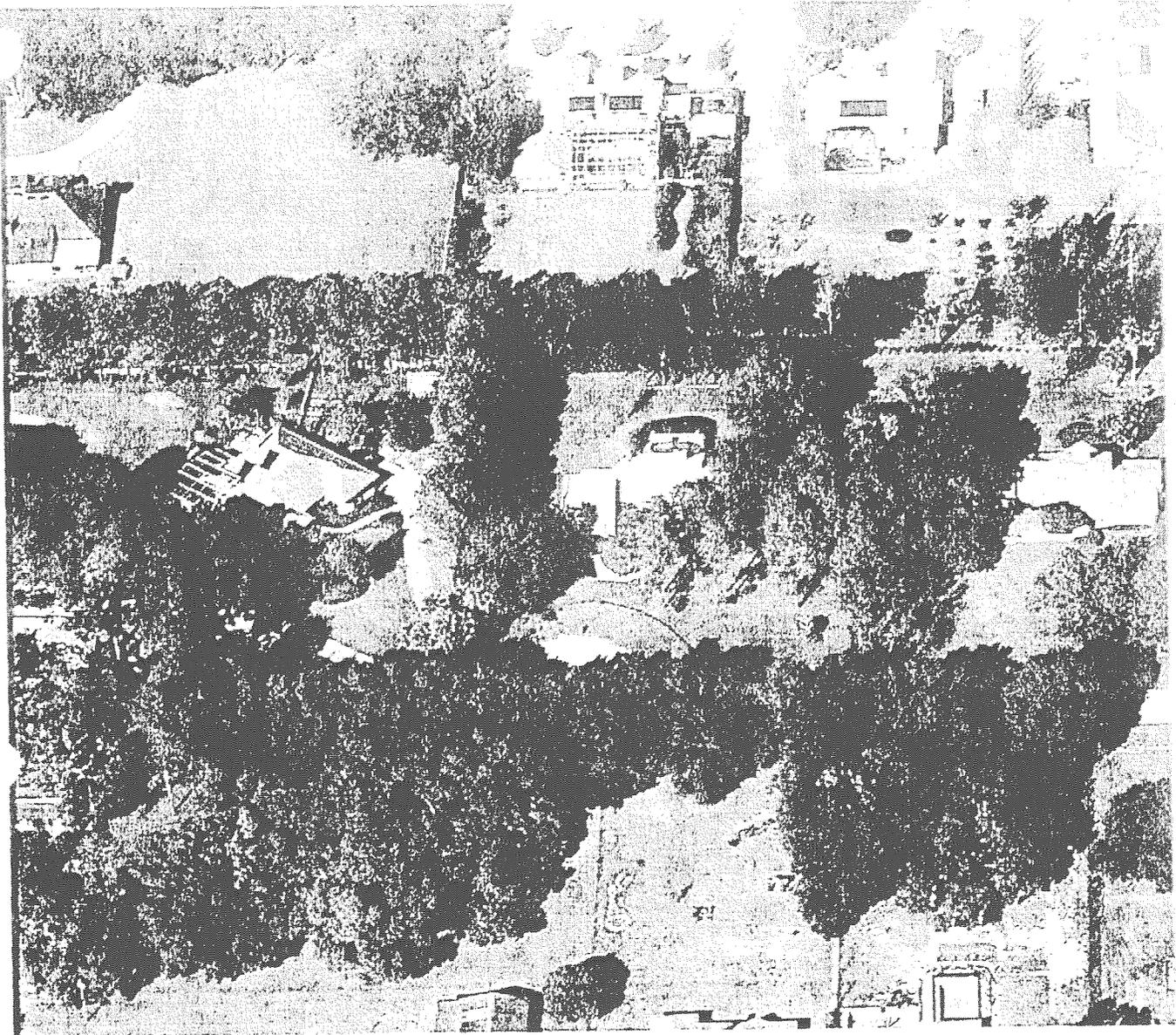
SE MINOR COUNTY

PROPERTY APPRAISER

DAVID JOHNSON, D



Sevier County Property Appraiser - Copyright © 2009-2010



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