

BS2006-010

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for special exception for a guest cottage in the R-1AA (Single Family Dwelling District); (Rachael & Todd Tucker, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7444

Agenda Date 10-30-06 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** The request for special exception for a guest cottage in the R-1AA (Single Family Dwelling District); (Rachael & Todd Tucker, applicant); or
2. **DENY** The request for special exception for a guest cottage in the R-1AA (Single Family Dwelling District); (Rachael & Todd Tucker, applicant); or
3. **CONTINUE** The request to a time and date certain.

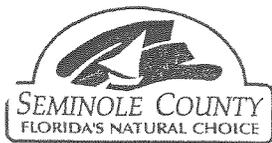
GENERAL INFORMATION	Applicant:	Rachael & Todd Tucker		
	Location:	Charlotte Street (lots 16 – 22)		
	Zoning:	R-1AA (Sanlando Springs)		
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is proposing to construct a guest cottage on a 1 +/- acre site property with a proposed single family home. • The proposed guest cottage is approximately 826 square feet of living space. The guest cottage will be 103 feet behind the proposed 2100 square foot single family home 			
ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	SITE	R-1AA	LDR	Single Family Home
	NORTH	R-1AA	LDR	Vacant
	SOUTH	R-1AA	LDR	Single Family

	WEST	Lake		
	WEST	R-1AA	LDR	Vacant
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</p>	<p>The Board of Adjustment (BOA) shall have the power to hear and decide special exceptions it is specifically authorized to pass under the terms of the land development code upon determination the use requested:</p> <p><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></p> <p>Since the guest cottage will be located on seven (7) platted lots with a proposed home it would not be inconsistent with the development trend of the area in which there are homes located on one (1) platted lot.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>The guest cottage, as defined by the Land Development Code, is only intended for intermittent or temporary occupancy by a nonpaying guest. Therefore there will be no adverse effect on Charlotte Avenue due to the low impact of the use.</p> <p><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></p> <p>The Seminole County Vision 2020 Comprehensive Plan describes LDR (Low Density Residential) Future Land Use (FLU) as mostly appropriate for detached single-family development. A guest cottage is consistent with a single-family use.</p> <p><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></p> <p>Based on the submitted site plan, the proposed use meets the minimum area and dimensional requirements of the R-1AA district.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>As stated previously the guest cottage will be located</p>			

	approximately 200 feet from Charlotte Street and 100 feet from the proposed home on seven (7) platted lots therefore it would be less intense than surrounding lots with homes.
STAFF RECOMMENDATION	Based on the previous stated findings staff is recommending approval of the special exception for a guest cottage per the following conditions: <ol style="list-style-type: none">1. The guest cottage shall not exceed 826 square feet including porch areas.2. The guest cottage shall be only intended for intermittent or temporary occupancy by a nonpaying guest and will have no cooking facilities.

Fee: \$370.00

Application # BS 2006-010
Meeting Date 10-30-06



SPECIAL EXCEPTION APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Harry Todd and Rachael Tucker
Address: 4134 Plantation Cove DR City: Orlando Zip code: 32810
Project Address: _____ City: _____ Zip code: _____
Contact number(s): 407-521-9285-Home 407-948-4729-Cell 407-473-1345-work
Email address: Tuckcars@aol.com

What is this request for?

- Church
- Daycare
- School
- Group Home
- Assisted Living Facility (ALF)
- Kennel
- Riding Stable
- Alcoholic Beverage License
- Communication Tower
- Other: Cottage / Guest house

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SEMINOLE COUNTY PLANNING

is the property available for inspection without an appointment? Yes No

What is the current use of the property? Vacant Land - Charlotte Street (no address assigned)
01-21-29-5CK-7608-0160 R1AA

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED UNLESS ALL OF THE INFORMATION IN THE SPECIAL EXCEPTION APPLICATION AND SUBMITTAL CHECKLIST ARE PROVIDED TO THE PLANNING DIVISION.

Signed: Rachael Tucker

FOR OFFICE USE ONLY

Date Submitted: 9-1-06 Reviewed By: IS

Tax parcel number: 01-21-29-5CK-7608-0160 Zoning/FLU R-1AA / LDR

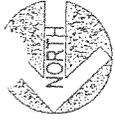
Legally created parcel (1971 tax roll, 5-acre dev, lot split) Platted Lot (check easements on lots / in dedication)

Lot size _____ Meets minimum size and width

Past approval # _____ Application and checklist complete

Notes: _____

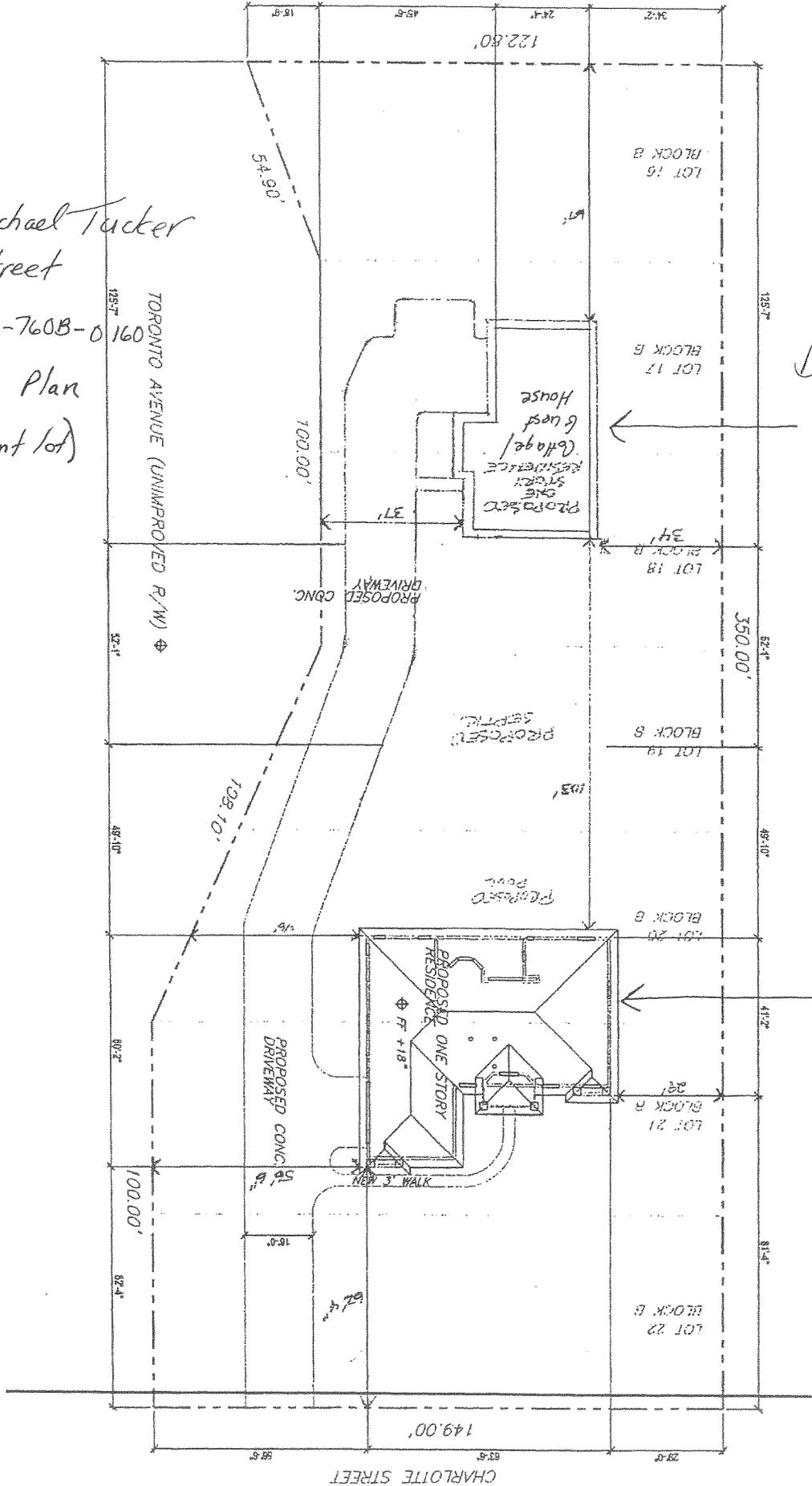
House is on well & septic



Todd & Rachael Tucker
Charlotte Street

1-21-29-50x-760B-0

Proposed Site Plan
(currently vacant lot)



Detached Guest House/
Co Hage w/ Garage
(1 car)
826 Sq ft
(approx)

Primary Residence
2100 Sq ft
(approx)

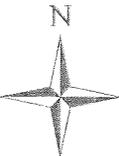
Rachel Tucker & Harry Todd
 Lots 16, 17, 18, 19, 20 21 & 22, Blk B
 Tract 76, Sanlando Springs, Charlotte St
 Altamonte Springs, Fl

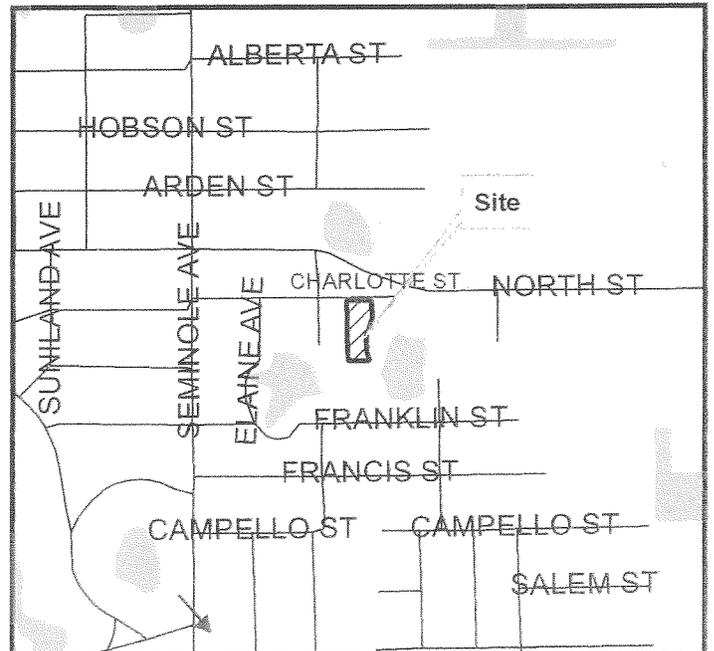


Seminole County Board of Adjustment
October 30, 2006
Case: BS-2006-010
Parcel No: 01-21-29-5CK-760B-0160

Zoning

-  BS2006-010
-  R-1AA
-  R-1

N




*Todd & Rachael Tucker
4134 Plantation Cove Drive
Orlando, FL 32810
(407) 521-9285 Home
(407) 948-4729 Cell
(407) 473-1345 Work*

Seminole County Planning Division
1101 East First Street
Sanford, FL 32771

RE: Special Exception Application
Submitted by Todd & Rachael Tucker
Charlotte Street (address not assigned yet)
Parcel #01-21-29-5CK-760B-0160
Leg Lots 16 17 18 19 20 21 & 22 Blk B Tract 76 Sandlando Springs PB 9 PG 4

Dear Value Adjustment Board Members and Planning Staff:

Attached please find our completed Special Exception Application in regards to requesting approval to build a detached garage with cottage/guest house on the above referenced parcel. We have also included the required application fee of \$370.00.

At this time the land is vacant and we plan to start construction on our new home (approximately 2100 square feet) and on the cottage/guest house (approximately 826 square feet) at the same time. We plan to build the small cottage/guest house on the back portion of our one acre property, approximately 103 feet from the primary residence (please see attached site plan). The use of the cottage/guest house will be to provide intermittent accommodations for my mother. The cottage/guest house does not contain cooking facilities and meets the setback requirements for a corner lot in R1AA Zoning.

I have also attached an aerial view of the property to provide you with a better understanding of the surrounding area. Attached you will also find an aerial view of an already existing detached garage located on the property at 911 Charlotte Street (3 lots down the road from our vacant lot). Since this detached garage exists at a property very close to ours we hope that our request would not be an inappropriate use for our property.

We understand that the surrounding property owners will be notified by the County. Prior to the Value Adjustment Board Hearing we are also planning to visit our neighbors and explain our intentions so they have a better understanding of our plans.

We feel these improvements to the property will enhance and increase the value of the property and will in no way devalue or be detrimental to the surrounding properties. We sincerely appreciate your consideration of our request. Please let us know if you have any questions or need additional information.

Sincerely,

Todd and Rachael Tucker

Show Aerial View & Location of Our Vacant Lot

SEMINOLE COUNTY FL.

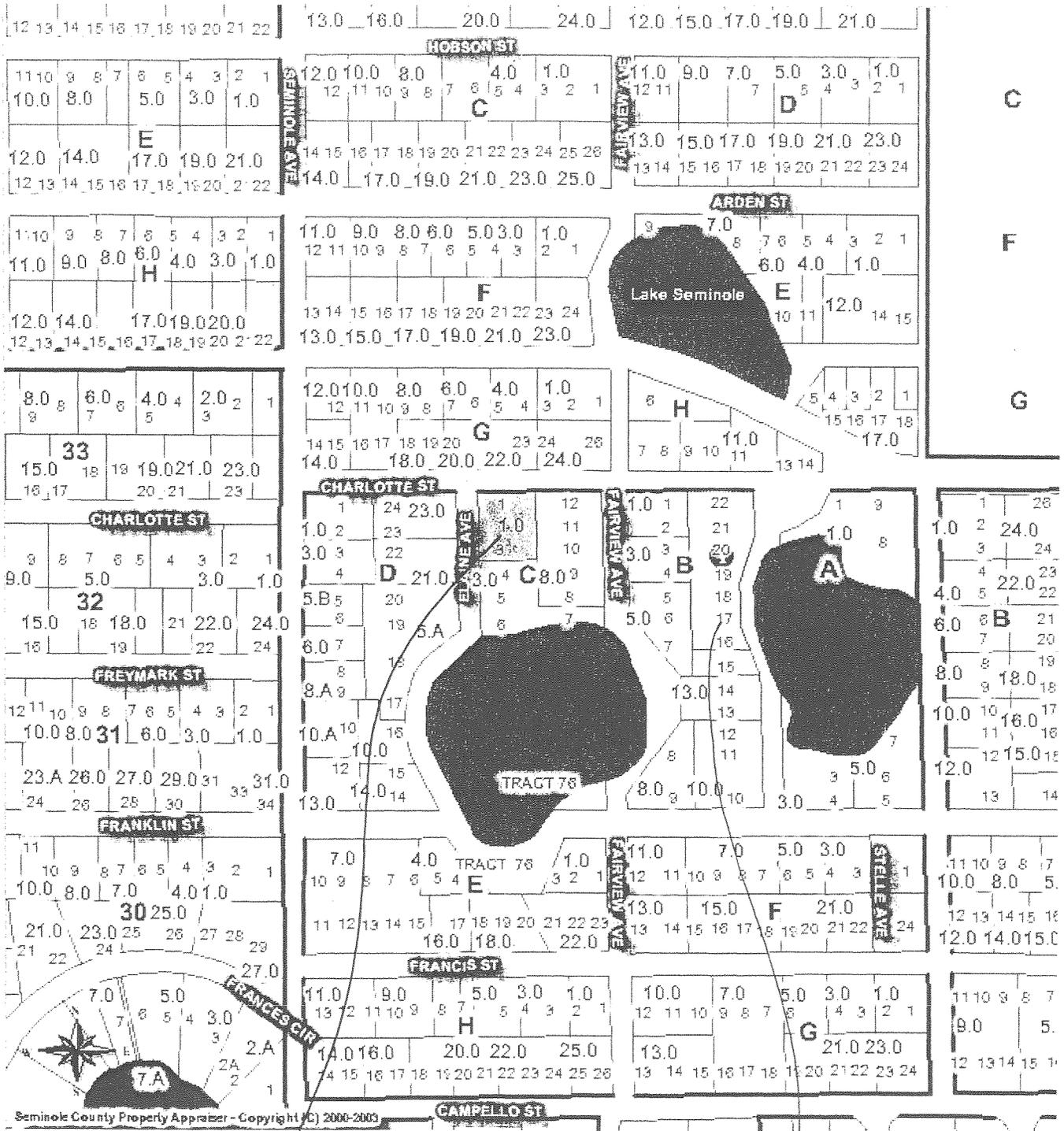
PROPERTY APPRAISER



Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	0121295CK760B0160	TUCKER HARRY T & RACHAEL M	4134 PLANTATION CT	ORLANDO	FL	32810

To Show Location of Existing Detached Garage in close proximity to our vacant lot

SEMINOLE COUNTY FL. PROPERTY APPRAISER



Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	0121295CK760B0160	TUCKER HARRY T & RACHAEL M	4134 PLANTATION CT	ORLANDO	FL	32810

Existing home at 911 Charlotte Street which contains a detached garage (3 lots down from our vacant lot) (according to Property Appraiser's attached printout)

Our vacant lot on Charlotte Street

(4)

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 31, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lot 16 thru 22 Blk B Tract 76 Sanlando Springs PB 9 PG 4

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

FINDINGS OF FACT

Property Owner: Rachael & Todd Tucker
4134 Plantation Court
Orlando, Fl. 32810

Project Name: Charlotte Street (Lots 16 thur 22, Blk B)

Requested Development Approval:

Request for a special exception for a guest house 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: Kathy Fall, Principal 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:

The variance granted will apply only to the 826 guest cottage 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: _____
April Boswell, AICP
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: