

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

Continued from the September 25, 2006 meeting

SUBJECT: Request for a rear yard (south) setback variance from 15 feet to 9.5 feet to convert an existing screen room into an enclosed family room addition in PUD (Planned Unit Development District); Mahmoud Sabrkhani, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

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

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard (south) setback variance from 15 feet to 9.5 feet to convert an existing screen room into an enclosed family room addition in PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard (south) setback variance from 15 feet to 9.5 feet to convert an existing screen room into an enclosed family room addition in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Mahmoud Sabrkhani Owner: Mahmoud Sabrkhani Location: 3759 Okeechobee Circle Zoning: PUD (Planned Unit Development District) Subdivision: Hollowbrook West
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is proposing to enclose an existing screen room in order to convert to a family room. The structure is approximately 17 feet by 19 feet. The existing screen room encroaches 5.5 feet into the required 15-foot rear yard setback. • 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.• Special conditions and circumstances result from the actions of the applicant.• 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 variance granted is the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
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 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 ZONED: PUD SE 23 TWP: 24 RNG: 21
 PROJ. # C:

ELOPMENT:		Hollowbrook West				DEVELOPER:		General Home	
LOCATION:		N of Red Bug Lake Road on Dodd Road – 74 lots							
FILE#:		BA:		SP:		BC		7/15/85	
P&Z:		C:							
PB	32	PG	88-90	Lot		Blk		Parcel	
								DBA	
									Comm Dist

DEVEL. ORDER #: _____ **TAX PAR. I.D. #:** _____

SIDEWALKS:
 Red Bug Lake Road to be installed prior to occupancy of 50% of patio homes, also interior walks required

ROAD TYPE:
 (CURB & GUTTER OR SWALE)

COMMENTS OTHER:

SETBACK REQUIREMENTS

FY:	20'	SIDE ST.:	20'	SY:	3', 7'	RY:	15'
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MAIN STRUCTURE OTHER:
 Patio Homes – Lot size: 4,500 sq ft

ACCESSORY STRUCTURE SETBACKS:

SY:	3', 7'	RY:	5'
------------	--------	------------	----

ACCESSORY STRUCTURE OTHER: Same minimum setback as the main structure (3' and 7').
 10' minimum between structures.
 Accessory, pool, screen porches, screen pool enclosure.

	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	107
	LAND USE:	3
	JURISDICTION	50
	1. ROAD-CO. WIDE	\$200.00/unit
	2. ROAD-COLL.	
	3. LIBRARY	
	4. FIRE	\$10.00/unit
	5. PARK	
	6. SCHOOL	\$300.00/unit
	7. LAW	
	8. DRAINAGE	
	TOTAL	\$510.00
	REMARKS:	



COPY

APPL. NO. BV 2006-137

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: 15' TO 9.5'

VARIANCE rear yard setback variance from 15' to 9.5' Porch 17x19.2 Existing
screen porch with solid roof. INTO A FAMILY ROOM

SPECIAL EXCEPTION

LIMITED USE

RECEIVED AUG 02 2006

- SE DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING) (PROPOSED)
- SIZE OF MOBILE HOME / RV
- PLAN TO BUILD
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED
- YES
- NO IF SO, WHEN

APPEAL FROM DECISION OF THE PLANNING MANAGER

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	SABRIKHANI, MAHMOUD	
ADDRESS	3759 Okeechobee Cir Casselberry, FL 32707	
PHONE 1	407-339-1280	
PHONE 2		
E-MAIL	msabrkhanic@hotmail	

PROJECT NAME: _____

SITE ADDRESS: 3759 okeechobee cir, Casselberry, FL

CURRENT USE OF PROPERTY: Residential

LEGAL DESCRIPTION: Lot 27 Hollowbrook west
PB 32 PGS 88 TO 90

SIZE OF PROPERTY: PUD acre(s) PARCEL I.D. 23 2130 511 0000 0270

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, 04
 (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.

Sabri Khan
 DATE: 8/2/06

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:

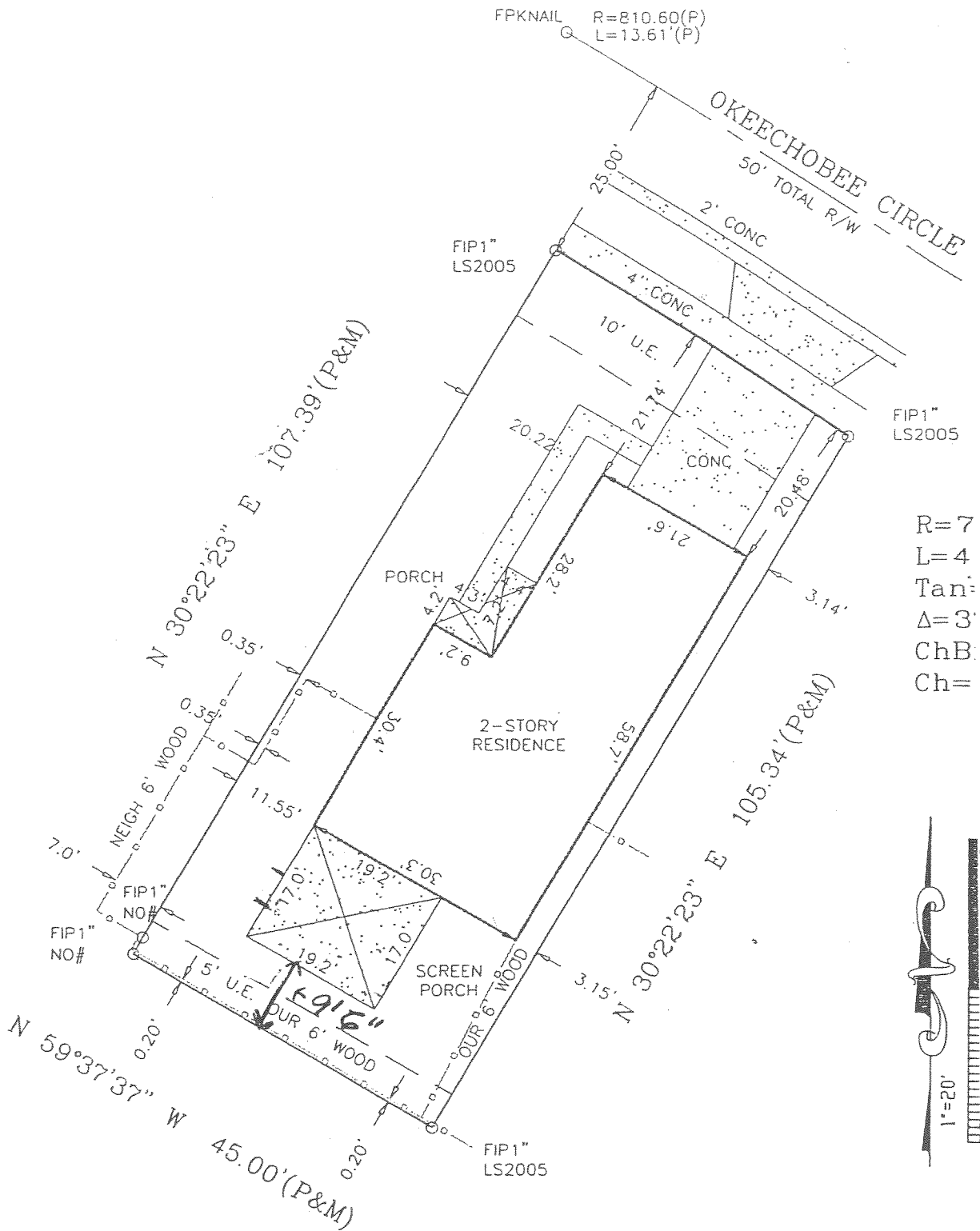
FEE(S) 150.00 COMMISSION DISTRICT _____ FLU/ZONING PAO/PO

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____

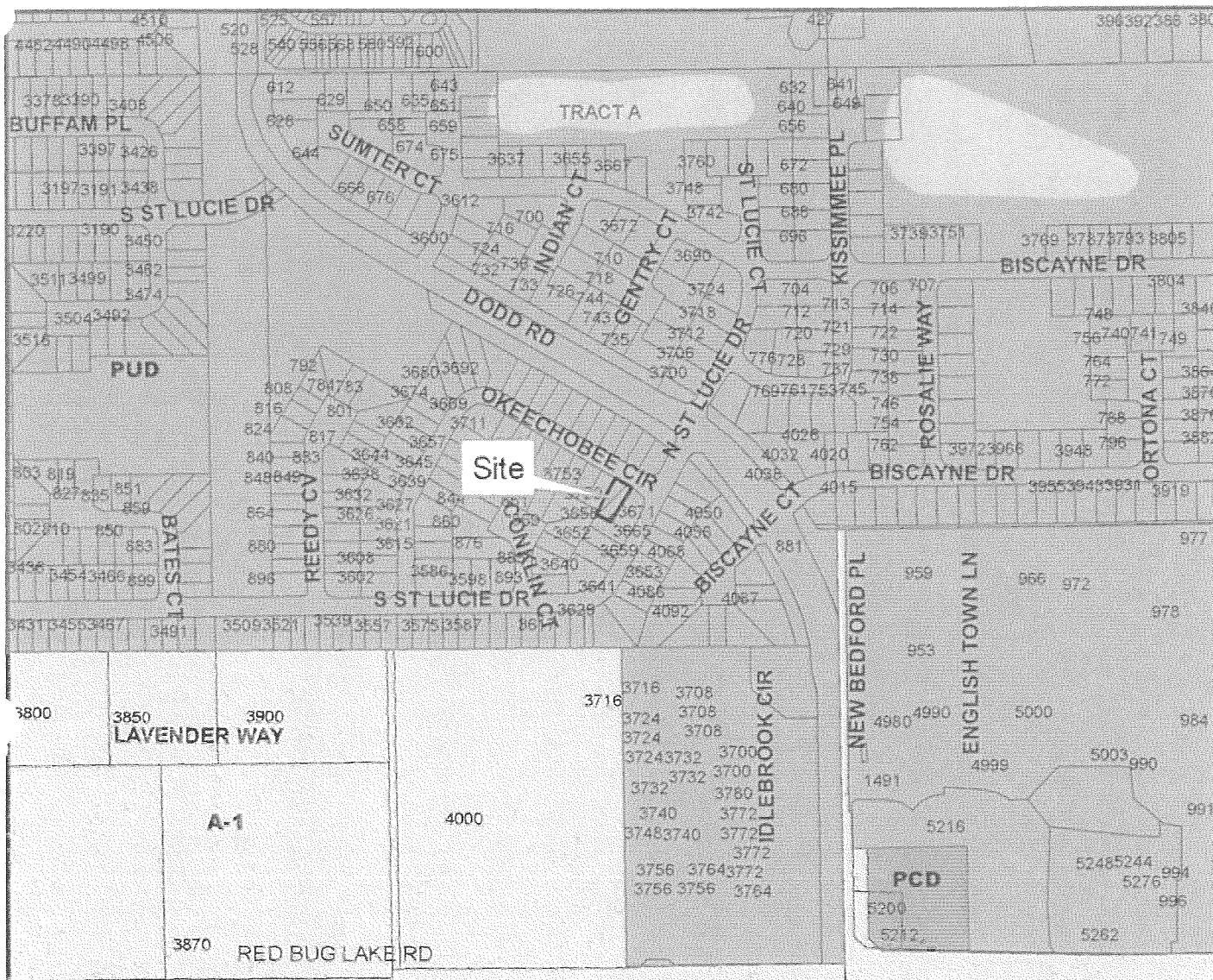


R=7
 L=4
 Tan:
 Δ=3'
 ChB:
 Ch=







CONCRETE	CH	CHORD	PRW	PERMANENT REFERENCE MONUMENT	CM	CONCRETE MONUMENT	NOTES: 1) NOT VALID UNLESS SIGNATURE IS EMBOSSED WITH THE REGISTERED LAND SURVEYORS SEAL. 2) LEGAL DESCRIPTION PROVIDED BY OTHERS. 3) PROPERTIES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PROPERTY PLAT OF RECORD. 4) BEARINGS WHERE SHOWN ARE PER PLAT UNLESS OTHERWISE NOTED. 5) UNDERGROUND UTILITIES, FOUNDATIONS, OR OTHER IMPROVEMENTS, IF ANY, WERE NOT LOCATED. 6) ELEVATIONS, IF SHOWN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.
WIRE FENCE	TAN	TANGENT	PCP	PERMANENT CONTROL POINT	FD	FOUND	
WOOD FENCE	Δ	DELTA	POB	POINT OF BEGINNING	R/W	RIGHT-OF-WAY	
PROPERTY CORNER	L	ARC LENGTH	POC	POINT OF COMMENCEMENT	ORB	OFFICIAL RECORD BOOK	
PROPERTY LINE	R	RADIUS	POCV	POINT ON CURVE	FF	FINISHED FLOOR	
CENTERLINE	K/D	NAIL AND DISC	PC	POINT OF CURVATURE	EL	ELEVATION	
RECORD	CL	CLEAR	PI	POINT OF INTERSECTION	HTS	NOT TO SCALE	
FIELD MEASURED	ENCR	ENCROACHMENT	PT	POINT OF TANGENCY	W/	WITH	
FOUND 4" CONCRETE POST	FIP	FOUND IRON PIPE	PRC	POINT OF REVERSE CURVE	N	NORTH	
SET 1/2" DIAMETER REBAR	FRB	FOUND REBAR	PCC	POINT OF COMPOUND CURVE	S	SOUTH	
TYP.	NEIGH	NEIGHBORING PROPERTY	D.U.E.	DRAINAGE & UTILITY EASEMENT	E	EAST	
=	OUR	SUBJECT PROPERTY	U.E.	UTILITY EASEMENT	W	WEST	

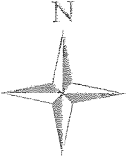
Mahmoud Sabrkhani
 3759 Okeechobee Cir
 Casselberry, FL 32707



Seminole County Board of Adjustment
September 25, 2006
Case: BV2006-137
Parcel No: 23-21-30-511-0000-0270

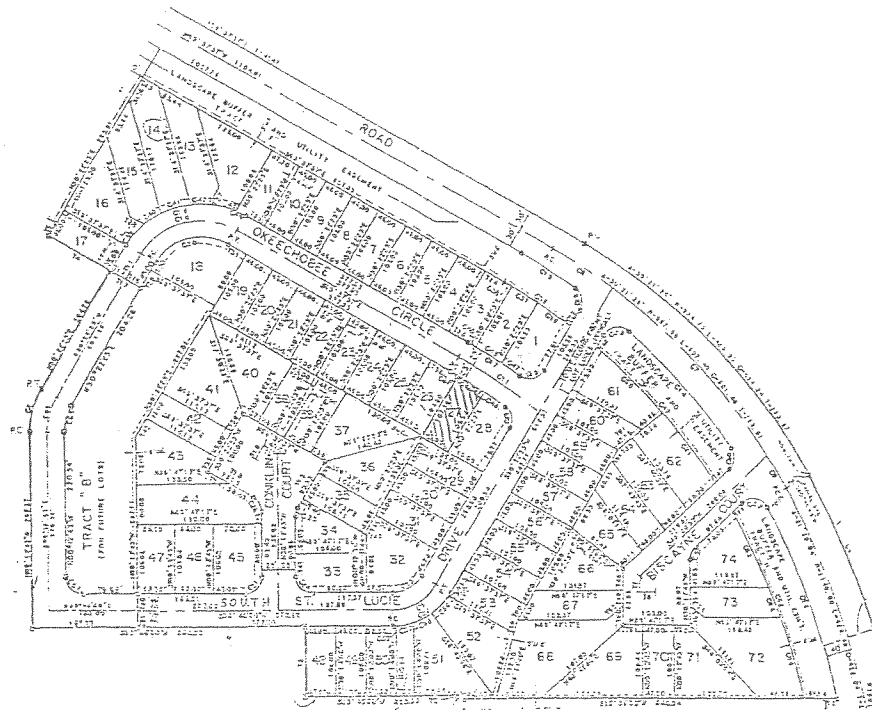
Zoning

-  BV2006-137
-  A-1
-  PUD
-  PCD

N




<p>PARCEL DATA</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 407-665-7506</p>																																																											
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 23-21-30-511-0000-0270 Owner: SABRKHANI MAHMOUD R Mailing Address: 3759 OKEECHOBEE CIR City,State,ZipCode: CASSELBERRY FL 32707 Property Address: 3759 OKEECHOBEE CIR CASSELBERRY 32707 Subdivision Name: HOLLOWBROOK WEST Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$145,935 Depreciated EXFT Value: \$1,731 Land Value (Market): \$35,000 Land Value Ag: \$0 Just/Market Value: \$182,666 Assessed Value (SOH): \$182,666 Exempt Value: \$25,000 Taxable Value: \$157,666 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>QUIT CLAIM DEED</td> <td>04/2006</td> <td>06274</td> <td>0187</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/2002</td> <td>04394</td> <td>0964</td> <td>\$121,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1997</td> <td>03204</td> <td>0389</td> <td>\$97,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>09/1986</td> <td>01780</td> <td>1512</td> <td>\$88,200</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	QUIT CLAIM DEED	04/2006	06274	0187	\$100	Improved	No	WARRANTY DEED	02/2002	04394	0964	\$121,000	Improved	Yes	WARRANTY DEED	02/1997	03204	0389	\$97,500	Improved	Yes	SPECIAL WARRANTY DEED	09/1986	01780	1512	\$88,200	Improved	Yes	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,272 2005 Tax Bill Amount: \$2,272 Save Our Homes (SOH) Savings: \$0 2005 Taxable Value: \$138,634 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																						
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																											



30'(P)
 5'(P)
 .53'
 08"
 N57°01'20"W

PROPERTY ADDRESS:
 3759 OKEECHOBEE CIRCLE
 CASSELBERRY, FLORIDA 32707

FLOOD INFORMATION:
 FLOOD ZONE X
 COMMUNITY NO. 120289
 PANEL NO. 0145
 SUFFIX E
 DATE OF FIRM 4/17/95
 DATE OF SURVEY 2/13/02
 SURVEY NO. 21429

LEGAL DESCRIPTION:
 LOT 27, HOLLOWBROOK WEST, ACCORDING TO THE PLAT
 THEREOF AS RECORDED IN PLAT BOOK 32, PAGES 88
 THROUGH 90, OF THE PUBLIC RECORDS OF SEMINOLE
 COUNTY, FLORIDA.

CERTIFIED TO:
 MANSOR BAHRAMI-MOAYYED AND MAHMOUD SABRKHANI,
 ORLANDO TITLE AND ABSTRACT OF FLORIDA, INC., AMERICAN
 PIONEER TITLE INSURANCE COMPANY, CAPITAL MORTGAGE.

P NOT DETERMINED UNLESS OTHERWISE
 1. MEASUREMENTS TO WIRE FENCES ARE TO CENTER OF WIRE.
 2. MEASUREMENTS TO WOOD FENCES ARE TO OUTSIDE OF WOOD.
 3. MEASUREMENTS ARE TO/FROM FACES OF WALLS.
 4. MINOR DISTANCE BETWEEN WALLS AND/OR FENCES AND
 PROPERTY LINES MAY BE EXAGGERATED FOR CLARITY.
 5. FLOOD ZONE INFORMATION WAS DERIVED FROM FEDERAL
 AGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE
 6.

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE
 MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE
 FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN
 CHAPTER 61G17, FLORIDA ADMINISTRATIVE CODE PURSUANT
 TO SECTION 472, FLORIDA STATUTES

L. BEALE SMITH IV, P.S.M.
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA REGISTERED NO. 5238

S BEALE SMITH
 PROFESSIONAL SURVEYOR & MAPPER

113 CONCORD DRIVE, SUITE A CASSELBERRY, FLORIDA 32707
 POST OFFICE BOX 151633, ALTAMONTE SPRINGS, FLORIDA 32715-1633
 PHONE: 407-331-5577 FAX: 407-331-9188

BU 2006 - 137

To Whom It May Concern:

My name is Thomas Doyle and I am the president of home owners association for Hollow Brook subdivision, I am also member of the architectural committee, we have reviewed Mr. Sabrkhani's plans to convert the existing screened-in porch into permanent family room and have no objection.

Thomas Doyle

Thomas J. Doyle
President H.H.O.A.

Date:

9/2/06

To Whom It May Concern:

My name is Jeffrey Becher and I am the owner of the property located at 3658 Saint Lucie Dr, Casselberry, Fl, 32707, I live behind the property at 3759 Okeechobee Cir , and I do not have any objection to the conversion of his existing closed-in porch to a family room.


Jeffrey Becher

8/1/06
Date:

To Whom It May Concern:

My name is Jennifer Zalk and I am the owner of the property located at 3765 Okeechobee Cir, Casselberry, Fl, 32707, I live next door to Mahmoud Sabrkhani, and I do not have any objection to the conversion of his existing closed-in porch to a family room.

Jennifer B Zalk

Jennifer Zalk

Date: *8/1/06*

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 30, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 27 HOLLOWBROOK WEST PB 32 PGS 88 - 90

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

FINDINGS OF FACT

Property Owner: Mahmoud Sabrkhani
3759 Okeechobee Circle
Casselberry, FL 32707

Project Name: Okeechobee Circle (3759)

Requested Development Approval:

Request for a rear yard (south) setback variance from 15 feet to 9.5 feet to convert an existing screen room into an enclosed family room 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: Denny Gibbs, Senior 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 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: _____
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: