

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

**SUBJECT:** Request for a side yard (south) setback variance from 7.5 feet to 0 feet to replace existing garage in R-1 (Single Family Dwelling District); Raymond Krogman, 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 side yard (south) setback variance from 7.5 feet to 0 feet to replace existing garage in R-1 (Single Family Dwelling District); or
2. **DENY** the request for a side yard (south) setback variance from 7.5 feet to 0 feet to replace existing garage in R-1 (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Raymond Krogman Owner: Raymond & Michelle Krogman Location: 10026 Bear Lake Road Zoning: R-1 (Single Family Dwelling District) Subdivision: Mc Neils Orange Villa
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to replace the existing non-conforming garage with a new garage. The new garage will encroach 7.5 feet into the required 7.5 foot side yard setback.</li> <li>• At the 8/28/06 BOA meeting, the applicant was granted a side yard setback variance to replace the existing house.</li> <li>• There are currently no code enforcement or building violations for this property.</li> </ul>

<b>STAFF FINDINGS</b>	<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"><li>• 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.</li><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The variance granted is the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• 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"><li>• Any variance granted shall apply only to the garage as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.</li></ul></li></ul>

Fee: \$150.00 plus \$50.00 for each additional variance

**COPY**

Application # BV 2006-101  
Meeting Date 10-30-06



**VARIANCE 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: RAYMOND R & Michelle L. Krogman  
Address: 10026 Bear Lake Road City: Apopka Zip code: 32703  
Project Address: 10026 Bear Lake Road City: Apopka Zip code: 32703  
Contact number(s): 407-810-0952  
Email address: mlkrogman@yahoo.com

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

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other	Please describe: <u>To replace existing garage.</u>
<input type="checkbox"/> This request is for a structure that has already been built.	

**RECEIVED**  
AUG 30 2006  
SEMINOLE COUNTY PLANNING

What type of variance is this request?				
<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>7.5</u>	Proposed setback:	<u>0</u>
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<b>[ / ] Total number of variances requested _____</b>				

APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED UNLESS ALL OF THE INFORMATION IN THE VARIANCE APPLICATION AND SUBMITTAL CHECKLIST ARE PROVIDED TO THE PLANNING DIVISION.

Signed: Raymond R. Krogman

**FOR OFFICE USE ONLY**

Date Submitted: 8-30-06 Reviewed By: DE

Tax parcel number: 17-21-29-5BE-0000-14A0 Zoning/FLU R-1/LOR

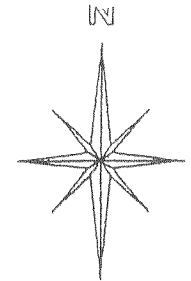
- Legally created parcel (1971 tax roll, 5-acre dev, lot split)
- Platted Lot (check easements as shown on lots, in notes or in dedication)
- Lot size \_\_\_\_\_  Meets minimum size and width
- Application and checklist complete

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

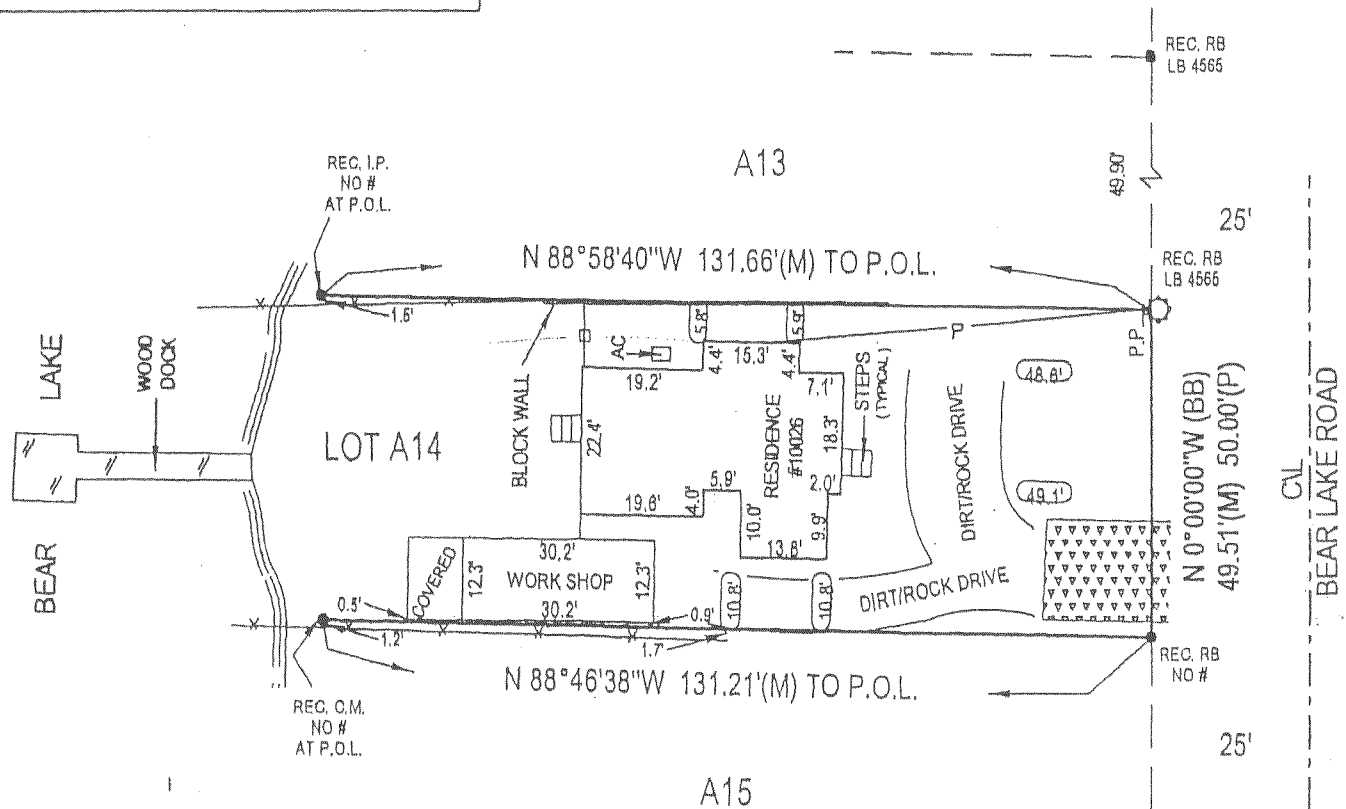
IED TO THIS SURVEYOR. THERE MAY  
 EFFECT THIS PROPERTY.  
 3 OTHERWISE SHOWN.  
 RTIFIED TO AND SHOULD NOT BE RELIED

EON SHOULD NOT BE USED TO

JWN AS BASE BEARING (BB).  
 INITY PANEL NO. 120289 0115 E DATED 04-17-95.



SCALE 1" = 30'



ND  
 SURVEYORS  
 LB 4565

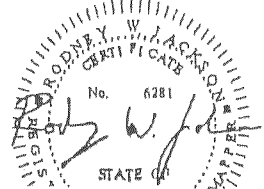
DESCRIPTION: LOT A14, MCNEIL'S ORANGE  
 VILLA, ACCORDING TO THE PLAT THEREOF,  
 AS RECORDED IN PLAT BOOK 2, PAGES 99  
 THROUGH 101, OF THE PUBLIC RECORDS

REC. - RECOVERED  
 I.P. - IRON PIPE  
 L.C. - ILLEGIBLE CAP #  
 C.M. - CONCRETE MONUMENT  
 RB - REBAR  
 RAD. - RADIAL  
 N.R. - NOT RADIAL  
 N&D - NAIL & DIF  
 (M) - DEPT. A

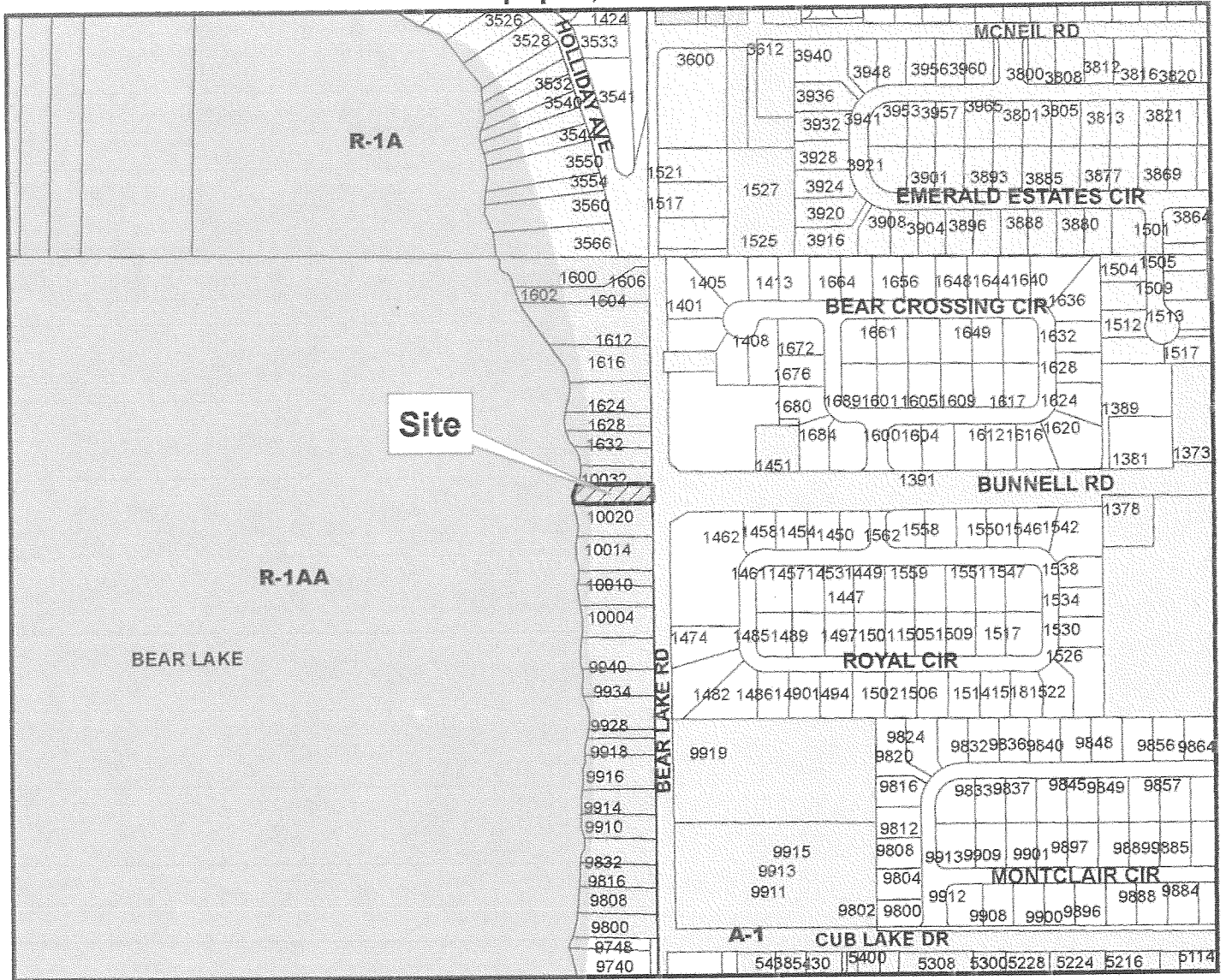
LEGEND

CONCRETE  
 PRG. - POINT OF REVERSE CURVE  
 R.P. - RADIUS POINT  
 R - RADIUS  
 L - LENGTH OF ARC  
 CA - CENTRAL ANGLE  
 U.E. - UTILITY EASEMENT  
 D.F. - DRAINAGE EASEMENT

This is a digitally signed and sealed drawing of a boundary survey performed under the direction of the undersigned. Six copies are authorized on or about the date of the survey shown hereon and certified only to those persons and/or entities listed hereon. The boundary survey meets the minimum technical standards as set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G47 F.A.C. pursuant to section 479.007 Florida










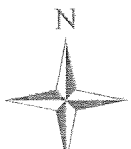
Michelle & Raymond Krogman  
 10026 Bear Lake Rd  
 Apopka, FL 32703

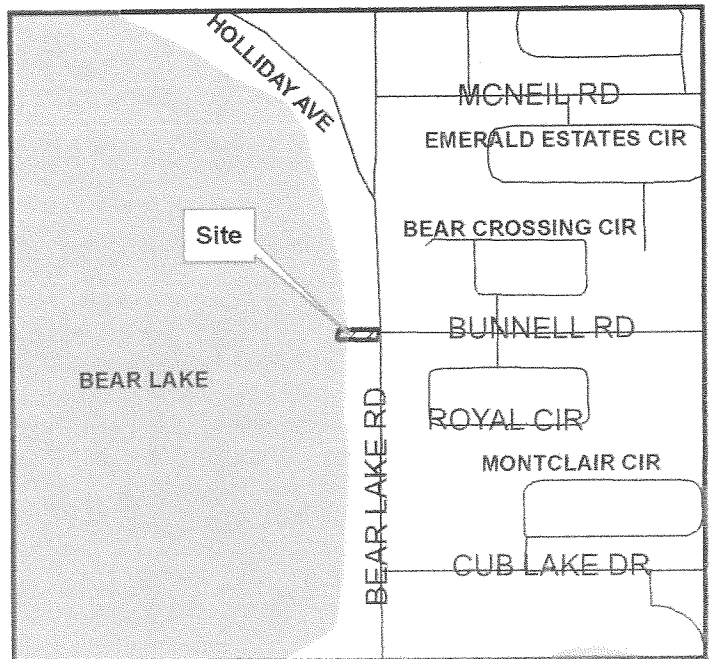


**Seminole County Board of Adjustment**  
**October 30, 2006**  
**Case: BV2006-161**  
**Parcel No: 17-21-29-5BG-0000-14A0**

**Zoning**

 BV2006-161	 R-1
 A-1	 R-1BB
 R-1AA	 R-2
 R-1A	

N  




R-1

<b>PARCEL DETAIL</b> DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506																															
<b>GENERAL</b> Parcel Id: 17-21-29-5BG-0000-14A0 Owner: KROGMAN RAYMOND R & MICHELLE L Mailing Address: 10032 BEAR LAKE RD City,State,ZipCode: APOPKA FL 32703 Property Address: 10026 BEAR LAKE RD S APOPKA 32703 Subdivision Name: MC NEILS ORANGE VILLA Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 01-SINGLE FAMILY		<b>2006 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$27,204 Depreciated EXFT Value: \$240 Land Value (Market): \$200,813 Land Value Ag: \$0 Just/Market Value: \$228,257 Assessed Value (SOH): \$228,257 Exempt Value: \$0 Taxable Value: \$228,257 Tax Estimator 2006 Notice of Proposed Property Tax																													
<b>SALES</b> <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>03/2006</td> <td>06159</td> <td>1277</td> <td>\$320,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1986</td> <td>01772</td> <td>1192</td> <td>\$55,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1978</td> <td>01185</td> <td>1683</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	03/2006	06159	1277	\$320,000	Improved	Yes	WARRANTY DEED	09/1986	01772	1192	\$55,000	Improved	Yes	WARRANTY DEED	06/1978	01185	1683	\$100	Improved	No	<b>2005 VALUE SUMMARY</b> 2005 Tax Bill Amount: \$2,992 2005 Taxable Value: \$182,581 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																									
WARRANTY DEED	03/2006	06159	1277	\$320,000	Improved	Yes																									
WARRANTY DEED	09/1986	01772	1192	\$55,000	Improved	Yes																									
WARRANTY DEED	06/1978	01185	1683	\$100	Improved	No																									
<b>LAND</b> <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>FRONT FOOT &amp; DEPTH</td> <td>50</td> <td>215</td> <td>.000</td> <td>4,250.00</td> <td>\$200,813</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	50	215	.000	4,250.00	\$200,813	<b>LEGAL DESCRIPTION</b> PLATS: <input type="text" value="Pick..."/> LEG LOT 14A MC NEILS ORANGE VILLA PB 2 PG 99																	
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																										
FRONT FOOT & DEPTH	50	215	.000	4,250.00	\$200,813																										
<b>BUILDING INFORMATION</b> <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>1930</td> <td>3</td> <td>952</td> <td>1,312</td> <td>952</td> <td>SIDING AVG</td> <td>\$27,204</td> <td>\$68,010</td> </tr> </tbody> </table> Appendage / Sqft      DETACHED GARAGE UNFINISHED / 360 NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished Permits										Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1930	3	952	1,312	952	SIDING AVG	\$27,204	\$68,010		
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																						
1	SINGLE FAMILY	1930	3	952	1,312	952	SIDING AVG	\$27,204	\$68,010																						
<b>EXTRA FEATURE</b> <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>BOAT DOCK</td> <td>1996</td> <td>80</td> <td>\$240</td> <td>\$400</td> </tr> </tbody> </table>										Description	Year Blt	Units	EXFT Value	Est. Cost New	BOAT DOCK	1996	80	\$240	\$400												
Description	Year Blt	Units	EXFT Value	Est. Cost New																											
BOAT DOCK	1996	80	\$240	\$400																											
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.																															

104' Elevation

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On (Month Date, Year) Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 14A MC NEILS ORANGE VILLA PB 2 PG 99

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

**FINDINGS OF FACT**

**Property Owner:** Raymond Krogman  
10032 Bear Lake Road  
Apopka FL 32703

**Project Name:** Bear Lake Road (10026)

**Requested Development Approval:**

Request for a side yard (south) setback variance from 7.5 feet to 0 feet to replace existing garage in R-1 (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: 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 garage 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: