

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

SUBJECT: Request for a rear yard setback variance from 30 feet to 14 feet for a proposed sunroom addition in the A-5 (Rural Zoning Classification); (Sunroom Designs LLC, Applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Rufus Brown **EXT.** 7357

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

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 14 feet for a proposed sunroom addition in the A-5 (Rural Zoning Classification); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 14 feet for a proposed sunroom addition in the A-5 (Rural Zoning Classification); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Owner: Location: Zoning:	Sunroom Designs LLC. Tamara M. Hasty 1322 Flint Trail A-5 (Rural Zoning Classification)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a sunroom addition that would encroach 16 feet into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant proposes to construct an approximately 500 square foot sun room addition to the rear of the existing 1,459 square foot 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	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.
<p>STAFF RECOMMENDATION</p>	<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 sunroom 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.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. B112006-104

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** RDAR YARD A Set Back change from 30' To 14' a difference of 16'.
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING (YEAR _____) PROPOSED (YEAR _____)
- REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
- ANTICIPATED TIME MOBILE HOME IS NEEDED _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

RECEIVED
 AUG 31 2006
 SEMINOLE COUNTY PLANNING

PROPERTY OWNER		AUTHORIZED AGENT*
NAME	Tamara M. Hasty	Sunroom Designs LLC
ADDRESS	1322 Flint Trail Geneva, FL 32732	3601 Vineland Rd., Ste. 2 Orlando, FL 32811
PHONE 1	407-319-2356	407-648-8700
PHONE 2		Fx: 407-648-8701
E-MAIL		Robyn or Alan

PROJECT NAME: Tamara Hasty

SITE ADDRESS: 1322 Flint Trail, Geneva, FL 32732

CURRENT USE OF PROPERTY: Residential Single Family

LEGAL DESCRIPTION: LEG SEC 10 TWP 20S R6E 32E FROM NE COR RUN S 352.05 FT S 77 DEG 36 MIN 37 SEC W 226.16 FT S 12 DEG 23 SECE 815.30 FT S 241.73 FT TO POB RUN S 322.67 FT W 390 FT TO APT W OF BEGE TO BEG

SIZE OF PROPERTY: 2.5 acre(s) PARCEL I.D. 10-20-32-3AE-0880-0000

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO - CATTLE GATE/DOGS

This request will be considered at the Board of Adjustment regular meeting on 1/1 (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.

Tamara Hasty

8/25/06

SIGNATURE OF OWNER OR AGENT*

DATE

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

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): _____ COMMISSION DISTRICT _____ FLU / ZONING A-5/R-5
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____
SUFFICIENCY COMMENTS _____

Last Updated: October 20, 2004

check near lot, when subdivided & ownership = FPL / 1985

SWARDLOFF & LONG SURVEYING, INC.

... parcel of land lying in Section 10, Township 20 South, Range 32 East, Seminole County, Florida, described as follows: from the Northeast corner of said Section 10, run North 00°03'10" East, 352.05 feet to a point on the Southerly right-of-way line of a 50.00 foot right-of-way of Osceola Road, thence run along the Southerly right-of-way line of Osceola Road, South 77°36'37" West 226.16 feet thence leaving said right-of-way run North 12°23'23" East, 615.30 feet; thence run South 241.79 feet to the Point of Beginning, thence run South 322.67 feet; thence run West 675.00 feet, thence run North 32.67 feet, thence run East 675.00 feet to the Point of Beginning. Subject to a 35.00 foot ingress and egress easement on the East line of said parcel.

... EXCEPT the West 285.00 feet of the above described parcel. Subject to a Florida Power and Light Company Transmission Line Easement over the West 15.00 feet thereof.

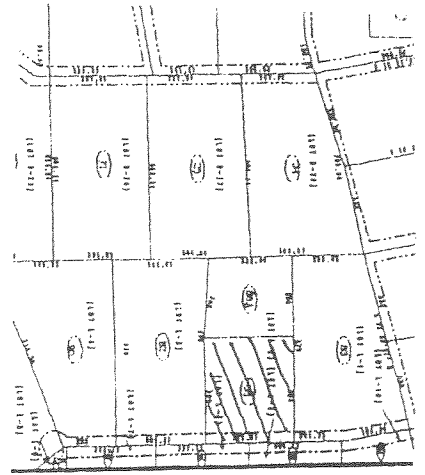
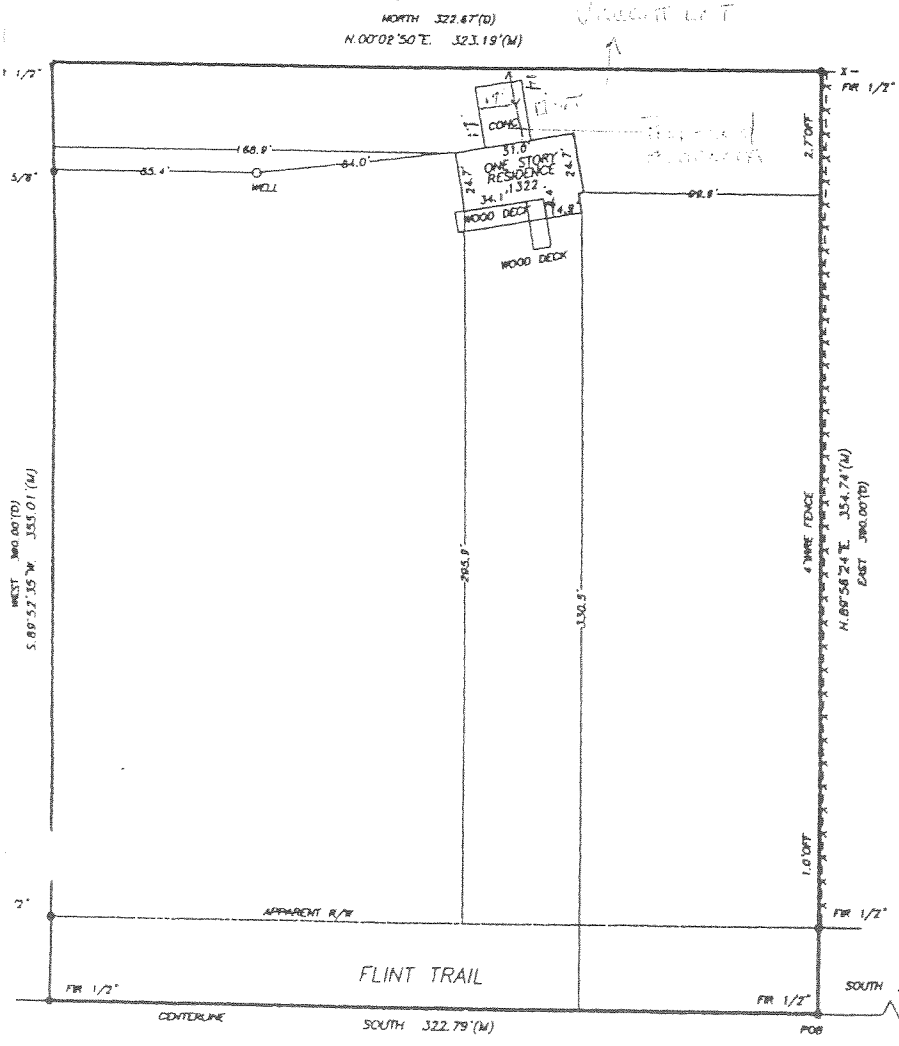
... together with and subject to a non-exclusive easement for ingress and egress, recorded in Official Records Book 1631, Page 851, of the Public Records of Seminole County, Florida

Community number: 120289 Panel: 0090
 Prefix: E.F.I.R.M. Date: 4/17/1995 Flood Zone: A
 Date of field work: 10/23/2003 Completion Date: 10/30/2003

... certified to:
 ... Thomas Hasty, K.E.L. Title Insurance Agency, Inc.; Attorneys' Title Insurance Fund, Inc.; First Horizon Home Loan Corporation, its successors and/or assigns.

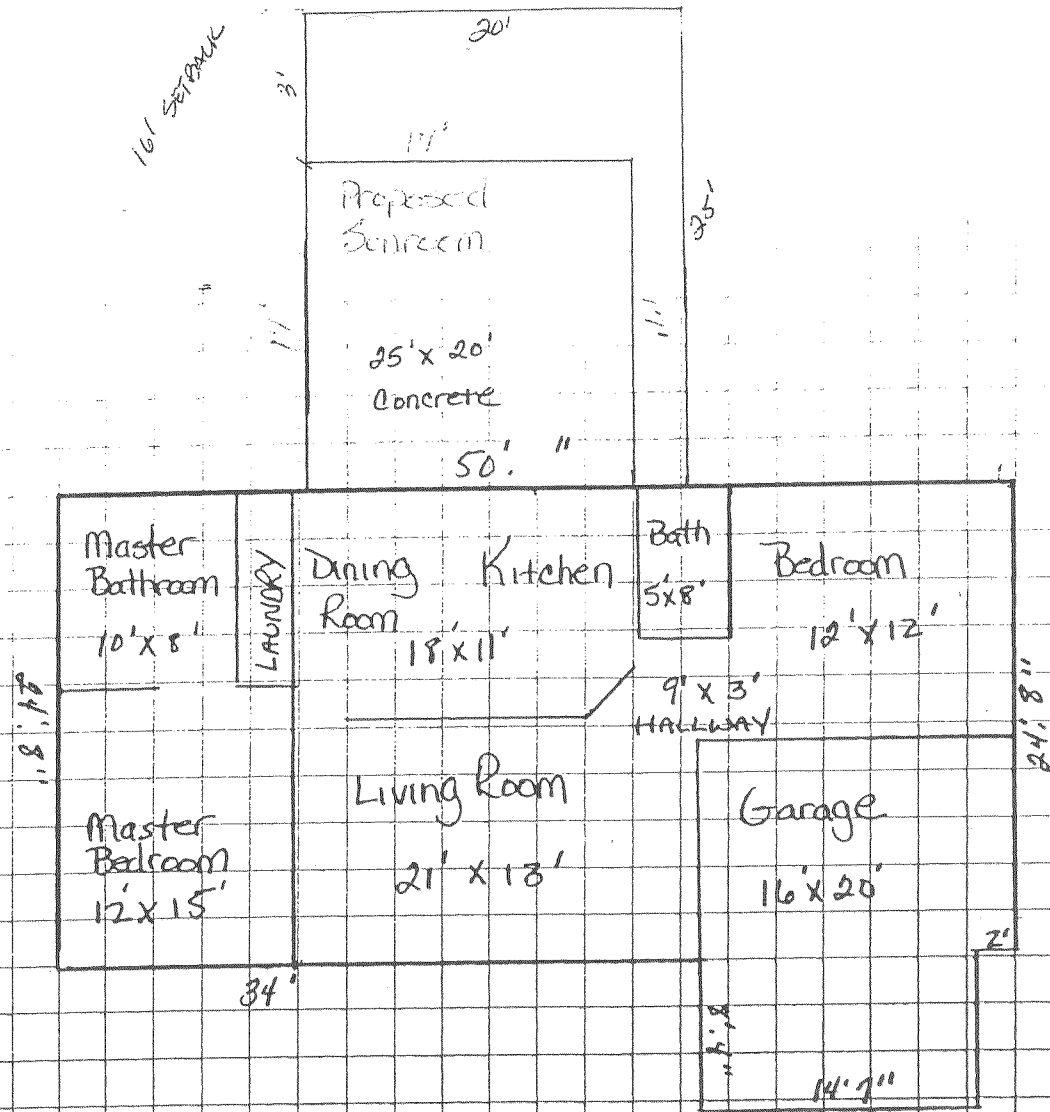
USE SCALE
 1" = 40'
 Accuracy 1/4"

SCALE: 1" = 80'



Property Address:
 1322 Flint Trail
 Geneva, FL 32732

Survey number: SL 25828



Hasty Residence




SCALE 1" = 10'

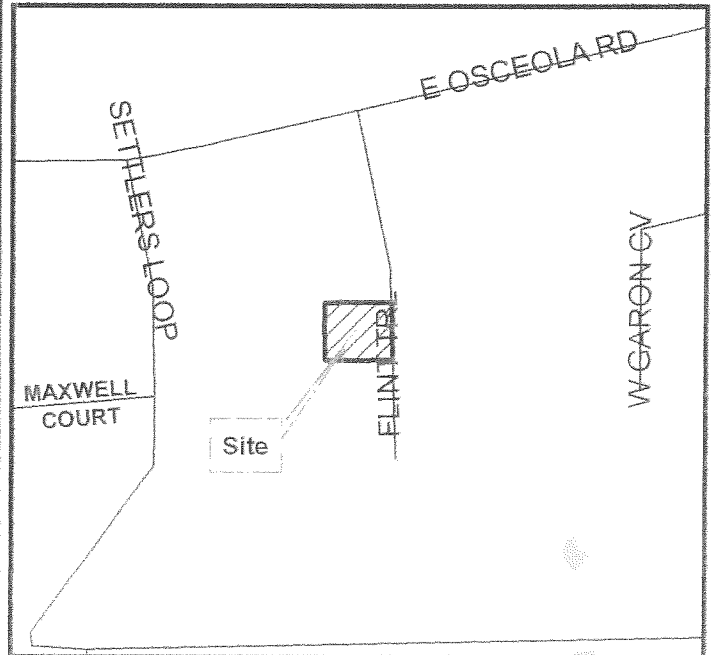
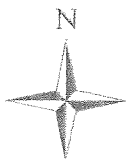
Sunroom Designs LLC
 1322 Flint Trail
 Geneva, FL 32732



Seminole County Board of Adjustment
 October 30, 2006
 Case: BV2006-164
 Parcel No: 10-20-32-3AE-0880-0000

Zoning

-  BV2006-164
-  A-1
-  A-5



<p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7505</p>																																																																	
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 10-20-32-3AE-0880-0000</p> <p>Owner: HASTY TAMARA M</p> <p>Mailing Address: PO BOX 331</p> <p>City,State,ZipCode: GENEVA FL 32732</p> <p>Property Address: 1322 FLINT TRL GENEVA 32732</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: \$88,975</p> <p>Depreciated EXFT Value: \$480</p> <p>Land Value (Market): \$43,200</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$132,655</p> <p>Assessed Value (SOH): \$84,519</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$59,519</p> <p>Tax Estimator</p> <p>2006 Notice of Proposed Property Tax</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>CORRECTIVE DEED</td> <td>01/2004</td> <td>05160</td> <td>1353</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>11/2003</td> <td>05110</td> <td>1422</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>11/2003</td> <td>05110</td> <td>1421</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1989</td> <td>02125</td> <td>0504</td> <td>\$62,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1986</td> <td>01751</td> <td>0571</td> <td>\$32,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>04/1985</td> <td>01639</td> <td>0076</td> <td>\$32,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1983</td> <td>01483</td> <td>1885</td> <td>\$80,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1982</td> <td>01378</td> <td>0459</td> <td>\$15,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	CORRECTIVE DEED	01/2004	05160	1353	\$100	Improved	No	QUIT CLAIM DEED	11/2003	05110	1422	\$100	Improved	No	QUIT CLAIM DEED	11/2003	05110	1421	\$100	Improved	No	WARRANTY DEED	11/1989	02125	0504	\$62,500	Improved	Yes	WARRANTY DEED	07/1986	01751	0571	\$32,000	Improved	No	SPECIAL WARRANTY DEED	04/1985	01639	0076	\$32,000	Improved	No	WARRANTY DEED	08/1983	01483	1885	\$80,000	Improved	Yes	WARRANTY DEED	01/1982	01378	0459	\$15,000	Vacant	No	<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,598</p> <p>2005 Tax Bill Amount: \$935</p> <p>Save Our Homes (SOH) Savings: \$663</p> <p>2005 Taxable Value: \$57,057</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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Description	Year Blt	Units	EXFT Value	Est. Cost New
WOOD DECK	1991	240	\$480	\$1,200

*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.*

Sunroom Designs

3601 Vineland Rd.
Suite 2
Orlando, FL 32811
407-648-8700
407-648-8701 (fax)

August 31, 2006

Tamara Hasty
1322 Flint Trail
Geneva, FL 32732

Re: Request for Variance

To whom it may concern;

We at Sunroom Designs acting on behalf of the homeowner Tamara Hasty are requesting a variance for a side set back from 30' to 14' according to the survey, the difference of 16' feet. We have been contracted by Ms. Hasty to install 4" insulated aluminum Sunroom 17' x 17' to the existing 25' x 20' concrete slab at the rear of home.

- o The homeowner's home is very small with 1,395 living square feet and located to the rear of her property which abuts vacant property owned by Florida Power & Light. She has an existing 25' x 20' concrete slab to the rear of her house which can be utilized for the Sunroom for extra space.
- o They require a Sunroom because they live in a remote wilderness area which will allow her to enjoy her surroundings element and insect free.
- o The home was purchased already built to the rear of the property and at that time the vacant lot belonged to the owner as well. The owner just found out that Florida Power and Light has acquired this land unknowingly to the owner. The owner has tried diligently to purchase this land back but Florida Power and Light told her to apply for a variance that they didn't have time to deal with her.

Thank You,



Robyn Klamer
Sunroom Designs LLC
Production Manager Assistant

AGENT AUTHORIZATION

DATE: 7/28/06

TO: Seminole County Planning & Development Department
Planning Division
1101 East First Street (Room 2201)
Sanford, FL 32771

SUBJECT: Variance Application

I, Tamara Hasty, hereby authorize as my Agent Sunroom Designs LLC, Said Agent has my Permission to make any necessary decisions on my behalf concerning the variance application regarding the set backs on my property located at:

1322 Flint Trail, Geneva, FL 32732

Tamara Hasty
Owner's Signature

7/28/06
Date

State of Florida
County of Orange

The foregoing instrument was acknowledged this 28th day of July, 2006, by Tamara Hasty, who is personally appeared before me and acknowledged that he/she signed the instrument voluntarily for the purpose expressed in it.

- Personally Known
- Produced Identification

Drivers License
Type of Identification

Elwood Thomas Long
Signature of Notary

ELWOOD THOMAS LONG
Print or Type Name of Notary Public

(Seal)



Elwood Thomas Long
Commission #DD190045
Expires: Mar 06, 2007
Bonded Thru
Atlantic Bonding Co., Inc.

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 SEC 10 TWP 20S RGE 32E From NE COR RUN S 352.05 FT S 77 DEG 36 MIN
37 SEC W 226.16 FTS 12 DEG 23 MIN 23 SEC E 815.30 FT S 241.73 FT TO POB
RUN S 322.67 FT W 390 FT N TO A PT W of BEG E TO BEG

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

FINDINGS OF FACT

Property Owner: Tamara M. Hasty
1322 Flint Trail
Geneva, FL 32732

Project Name: Flint Trail (1322)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 14 feet for a proposed sunroom addition in the A-5 (Rural Zoning Classification).

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: Rufus Brown, 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 sunroom 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
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: