

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

SUBJECT: Request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in R-1 (Single Family Dwelling District); (Reginald & Jeanette Martin, applicants).

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 25 feet for a proposed addition in R-1 (Single Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in R-1 (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

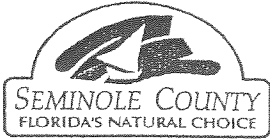
GENERAL INFORMATION	Applicant: Reginald & Jeanette Martin Location: 1810 Harding Avenue Zoning: R-1 (Single Family Dwelling District) Subdivision: Lincoln Heights
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct an addition that would encroach 5 feet into the minimum 30 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant proposes to construct an approximately 1,200 square foot addition to the rear of the existing 1,243 square foot single family home. • The applicant submitted plans for the proposed addition to the Building Division on 8/23/06.(App. # 06 00009766) • 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.• 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. <i>The variance requested is not the minimum variance needed the applicant has the ability to construct an addition without a variance.</i>• The applicant would still retain reasonable use of the land, building or structure without the granting of the 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 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.

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

Application # BY 2006-166
Meeting Date 10-30-06

COPY



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: Reginald & Jeanette Martin
Address: 1810 HARDING Ave City: Sanford Zip code: 32771
Project Address: 1810 HARDING Ave. City: Sanford Zip code: 32771
Contact number(s): 407-328-9097
Email address: Charleyrune@Bellsouth.net

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 checked="" type="checkbox"/> Addition	Please describe: <u>Family Room / Bed Room</u>
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input type="checkbox"/> This request is for a structure that has already been built.	

RECEIVED

AUG 31 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 checked="" type="checkbox"/> Rear yard setback	Required setback:	Proposed setback:	<u>25 feet</u>
<input type="checkbox"/> Side yard setback	Required setback:	Proposed setback:	
<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:	
[X] Total number of variances requested <u>1</u> / <u> </u>			

NO 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: Reginald Martin

FOR OFFICE USE ONLY

Date Submitted: 8-31-06

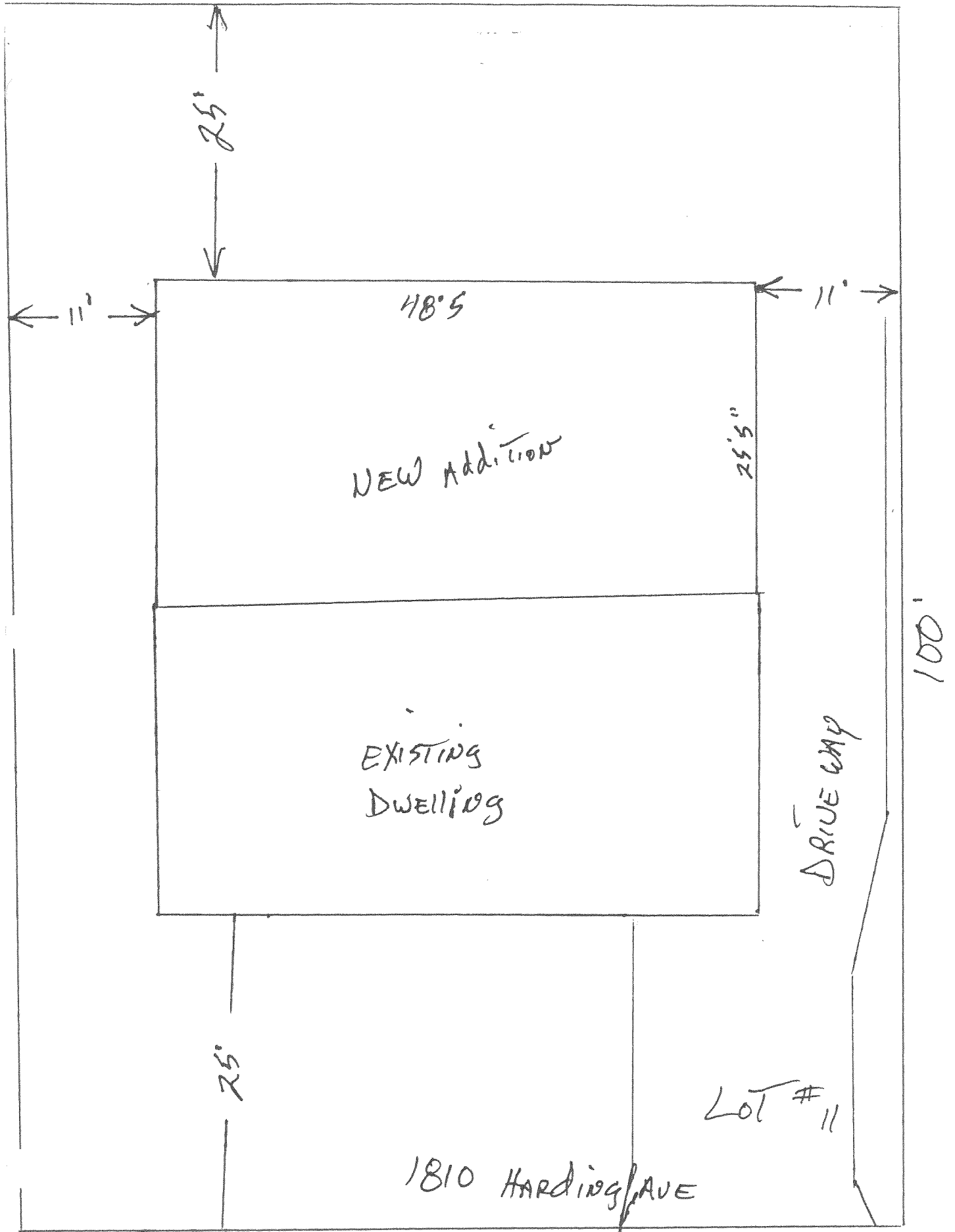
Reviewed By: _____

Tax parcel number: 34-19-30-502-0300-0110

Zoning/FLU R-1 / LAR

- 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: _____



25'

48'5"

11'

NEW Addition

25'5"

EXISTING Dwelling

DRIVE WAY

100'

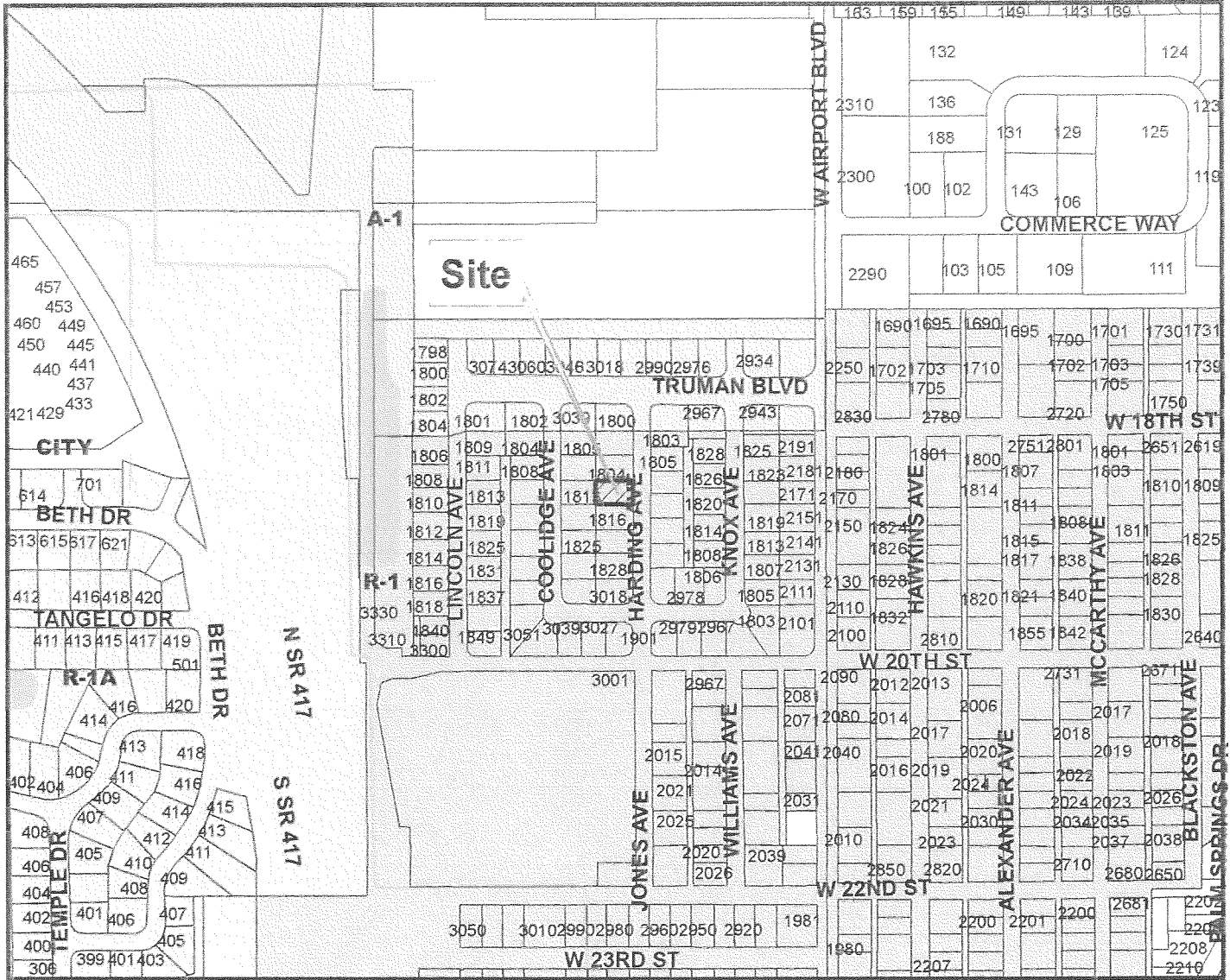
25'

LOT # 11

1810 HARDING AVE





70

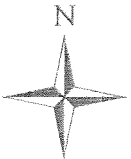
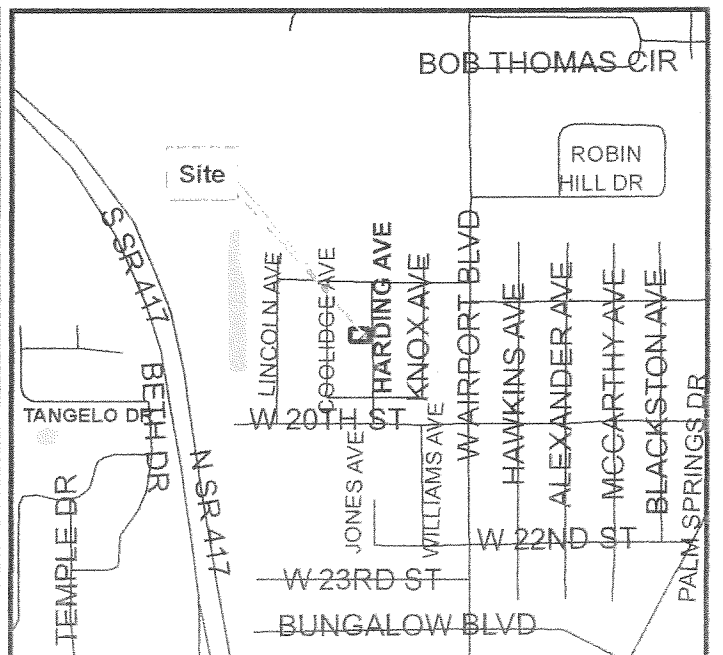
Jeanette & Reginald Martin
 1810 Harding Ave
 Sanford, FL 32771




Seminole County Board of Adjustment
October 30, 2006
Case: BV2006-166
Parcel No: 34-19-30-502-0300-0110

Zoning

-  BV2006-166
-  A-1
-  R-1A
-  R-1

PARCEL DETAIL		3	4	3		
DAVID JOHNSON, CFA, ASA		COOLIDGE AVE	21	19	HARDING AVE	93
PROPERTY APPRAISER			20	11		29
SEMINOLE COUNTY FL			19	12		38
1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508			18	13		27
		4	3		2	



GENERAL

Parcel Id: 34-19-30-502-0300-0110
 Owner: VANN BERNARD & JEANETTE
 Mailing Address: 1810 HARDING AVE
 City, State, Zip Code: SANFORD FL 32771
 Property Address: 1810 HARDING AVE SANFORD 32771
 Subdivision Name: LINCOLN HEIGHTS SEC 1
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$50,842
 Depreciated EXFT Value: \$336
 Land Value (Market): \$11,500
 Land Value Ag: \$0
 Just/Market Value: \$62,678
 Assessed Value (SOH): \$36,801
 Exempt Value: \$25,000
 Taxable Value: \$11,801
 Tax Estimator

SALES

Deed Date Book Page Amount Vac/Imp Qualified
 Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value (without SOH): \$628
 2005 Tax Bill Amount: \$176
 Save Our Homes (SOH) Savings: \$452
 2005 Taxable Value: \$10,729
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	11,500.00	\$11,500

LEGAL DESCRIPTION

PLATS:

LEG LOT 11 BLK 3 LINCOLN HEIGHTS SEC 1
 PB 13 PG 99

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1962	5	925	1,243	1,125	BRICKWOOD FRAMING	\$50,842	\$66,898
			Appendage / Sqft OPEN PORCH FINISHED / 68						
			Appendage / Sqft OPEN PORCH FINISHED / 50						
			Appendage / Sqft ENCLOSED PORCH FINISHED / 200						

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
WOOD UTILITY BLDG	1990	140	\$336	\$840

*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.*

1816 Harding Ave.
Sanford, Florida 32777

August 30, 2006

To whom it may concern:

It is alright if our neighbors
at 1810 Harding Avenue have a set
back of 25 feet.

Johnnie Taylor

I concur to the
above statement.

I am the neighbor
to the right.

Carletha L. Merperson

B13 Coolidge
Sanford, Fla
Aug 30, 2006³

To Whom may Concern

It is alright if our
Neighbors at 1810 Harding Ave.
have a set back of 25th feet

Home of me
1925 Coolidge Ave
I DO, NOT OBJECT
TO THE SET BACK

Earnestine
Rouse

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 11 BLK 3 LINCOLN HEIGHTS SEC 1 PB 13 PG 99

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

FINDINGS OF FACT

Property Owner: Bernard & Jeanette Vann
1810 Harding Ave
Sanford, FL 32771

Project Name: Harding Ave (1810)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition 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: 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 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:

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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: