

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

SUBJECT: Request for a side yard (south) setback variance from 7.5 feet to 2 feet for an existing shed in R-1A (Single Family Dwelling District); (Stephen Timmons, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Ian Sikonia **EXT.** 7398

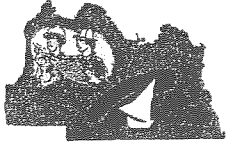
Agenda Date 10/30/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side yard (south) setback variance from 7.5 feet to 2 feet for an existing shed in R-1A (Single Family Dwelling District); or
2. **DENY** the request for a side yard (south) setback variance from 7.5 feet to 2 feet for an existing shed in R-1A (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

| | | |
|------------------------------------|---|---|
| <p>GENERAL INFORMATION</p> | <p>Applicant: Owner: Location: Zoning: Subdivision:</p> | <p>Stephen Timmons Stephen Timmons 171 Lakeside Drive R-1A (Single-Family Dwelling District) Fairlane Estates</p> |
| <p>BACKGROUND / REQUEST</p> | <ul style="list-style-type: none"> • The applicant constructed a shed that encroaches 5.5 feet into the minimum 7.5 foot side yard setback; the aforementioned variance is thereby requested. • The applicant constructed a 192 square foot (12' x 16') wood shed in the rear of the property. • There is currently one active building violation for the property regarding the installation of an AC unit. A notice of violation for the unpermitted construction on the property was issued on August 29, 2006. • 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 opportunity exists to construct a compliant shed. Therefore, the requested variance would not be the minimum that would make possible the reasonable use of the property.• 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 existing shed 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 22)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BU 2006-170

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** REQUEST FOR A SIDE YARD SETBACK VARIANCE
FROM 7.5 FT. TO 2 FT. FOR A PROPOSED SHED 12X16
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING (YEAR _____) PROPOSED (YEAR _____)
- REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME SEP 01 2006
- 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

SEMINOLE COUNTY PLANNING

| PROPERTY OWNER | | AUTHORIZED AGENT * |
|----------------|-----------------------|--------------------|
| NAME | STEPHEN A. TIMMONS | |
| ADDRESS | 171 LAKESIDE DR. | |
| | SANFORD FL 32773-6105 | |
| PHONE 1 | 407-321-1800 | |
| PHONE 2 | | |
| E-MAIL | STIMMS7@AOL.COM | |

PROJECT NAME: _____
 SITE ADDRESS: _____
 CURRENT USE OF PROPERTY: RESIDENTIAL
 LEGAL DESCRIPTION: LEG LOT 11 BLK 5, FAIRLANE ESTATES SEC 1
REPLAT PB 12 PG 100 & 101
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 11-20-30-501-0500-0110
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO
 This request will be considered at the Board of Adjustment regular meeting on 10, 30, 06
 (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.

 SIGNATURE OF OWNER OR AGENT* 9/1/06
 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): 150.00 COMMISSION DISTRICT _____ FLU / ZONING R-1A1 WDR
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____
PLANNING ADVISOR _____ DATE _____
SUFFICIENCY COMMENTS _____

LOT 12
BLOCK 5

FOUND 3/4" IRON
PIPE & CAP, LS #3761

FENCE CORNER
IS 0.4' S

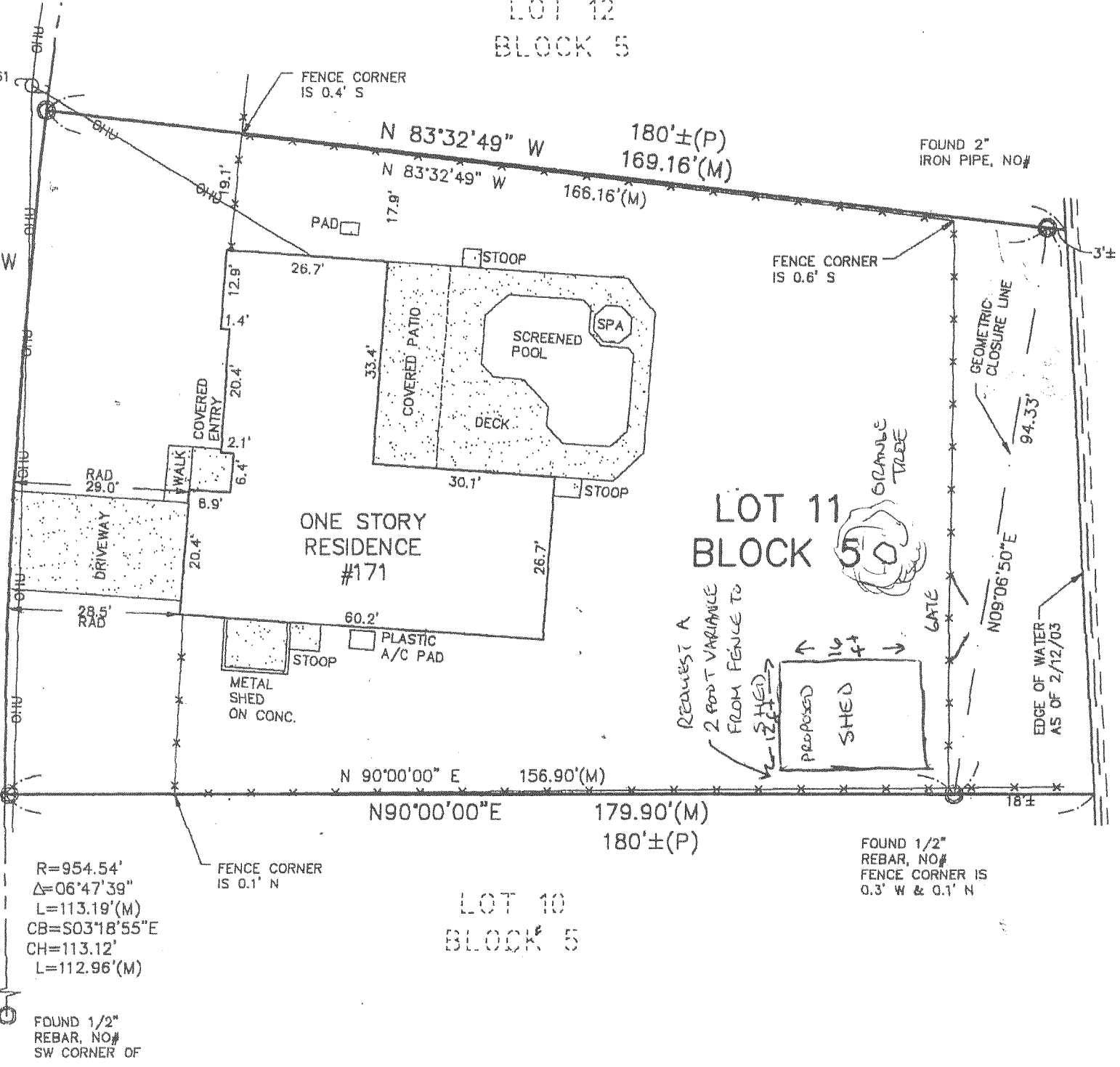
FOUND 2"
IRON PIPE, NO#

R=954.54'
Δ=06°43'39"
L=112.08'(M)
CB=S03°26'44"W
CH=112.01'
L=112.12'(P)

N 83°32'49" W 180'±(P)
N 83°32'49" W 169.16'(M)
17.9'
166.16'(M)

FENCE CORNER
IS 0.6' S

ASPHALT PAVEMENT
LAKESIDE DRIVE
60' RIGHT-OF-WAY



R=954.54'
Δ=06°47'39"
L=113.19'(M)
CB=S03°18'55"E
CH=113.12'
L=112.96'(M)

FENCE CORNER
IS 0.1' N

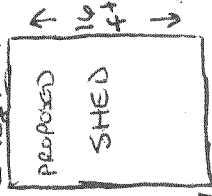
FOUND 1/2"
REBAR, NO#
FENCE CORNER IS
0.3' W & 0.1' N

LOT 10
BLOCK 5

FOUND 1/2"
REBAR, NO#

N 90°00'00" E 156.90'(M)
N90°00'00"E 179.90'(M)
180'±(P)

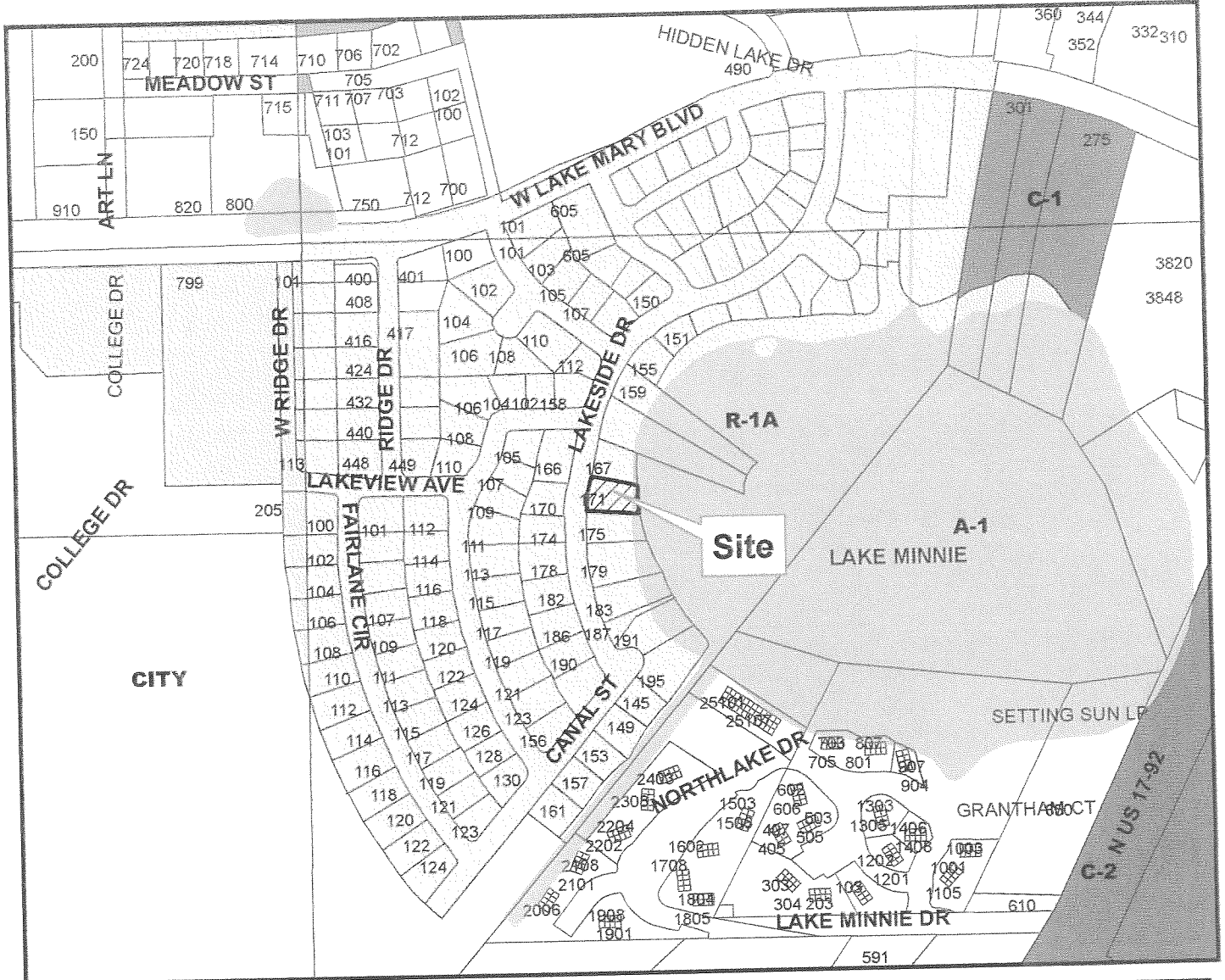
REQUEST A
2 FOOT VARIANCE
FROM FENCE TO
PROPOSED
SHED



EDGE OF WATER
AS OF 2/12/03







GEOMETRIC
CLOSURE LINE
94.33'
N09°06'50"E
18±

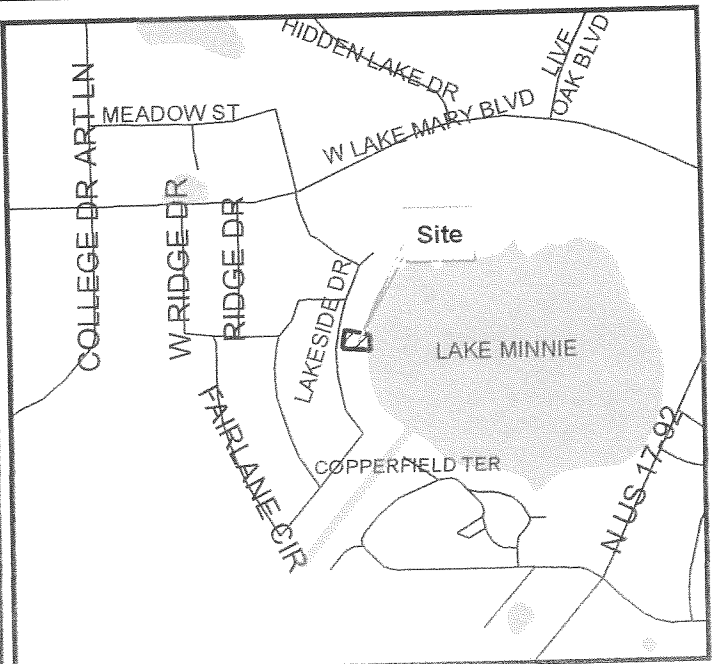
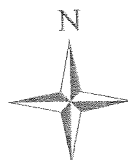
Stephen Timmons
 171 Lakeside Dr
 Sanford, FL 32771



Seminole County Board of Adjustment
 October 30, 2006
 Case: BV2006-170
 Parcel No: 11-20-30-501-0500-0110

Zoning

- | | | | |
|---|------------|---|-----|
|  | BV2006-170 |  | R-3 |
|  | A-1 |  | C-1 |
|  | R-1A |  | C-2 |



| <p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY, FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1488 407-665-7508</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---------------|--|---|------------|------------|------------|---------------|--------------------|---------------|---------|-------|--------|-----------|--|-----|-----------------|---------|-------|------|----------|----------|----|-----------------|---------|-------|------|-------|----------|----|---------------|---------|-------|------|-----------|----------|----|--|
| <p style="text-align: center;">GENERAL</p> <p>Parcel Id: 11-20-30-501-0500-0110 Owner: TIMMONS STEPHEN A Mailing Address: 171 LAKESIDE DR City, State, Zip Code: SANFORD FL 32773 Property Address: 171 LAKESIDE DR SANFORD 32771 Subdivision Name: FAIRLANE ESTATES SEC 1 REPLAT Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p> | | <p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$162,791 Depreciated EXFT Value: \$16,457 Land Value (Market): \$69,084 Land Value Ag: \$0 Just/Market Value: \$248,332 Assessed Value (SOH): \$158,142 Exempt Value: \$25,000 Taxable Value: \$133,142 Tax Estimator 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>WARRANTY DEED</td> <td>02/2003</td> <td>04718</td> <td>1425</td> <td>\$175,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>09/1998</td> <td>03515</td> <td>0530</td> <td>\$52,600</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>07/1996</td> <td>03160</td> <td>1705</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1996</td> <td>03034</td> <td>1451</td> <td>\$118,000</td> <td>Improved</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 | WARRANTY DEED | 02/2003 | 04718 | 1425 | \$175,000 | Improved | Yes | QUIT CLAIM DEED | 09/1998 | 03515 | 0530 | \$52,600 | Improved | No | QUIT CLAIM DEED | 07/1996 | 03160 | 1705 | \$100 | Improved | No | WARRANTY DEED | 02/1996 | 03034 | 1451 | \$118,000 | Improved | No | <p style="text-align: center;">2005 VALUE SUMMARY</p> <p>Tax Value (without SOH): \$2,466 2005 Tax Bill Amount: \$2,106 Save Our Homes (SOH) Savings: \$360 2005 Taxable Value: \$128,536 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p> |
| Deed | Date | Book | Page | Amount | Vac/Imp | Qualified | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 02/2003 | 04718 | 1425 | \$175,000 | Improved | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| QUIT CLAIM DEED | 09/1998 | 03515 | 0530 | \$52,600 | Improved | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| QUIT CLAIM DEED | 07/1996 | 03160 | 1705 | \$100 | Improved | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 02/1996 | 03034 | 1451 | \$118,000 | Improved | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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 & DEPTH</td> <td>101</td> <td>180</td> <td>.000</td> <td>600.00</td> <td>\$69,084</td> </tr> </tbody> </table> | | Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | FRONT FOOT & DEPTH | 101 | 180 | .000 | 600.00 | \$69,084 | <p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 11 BLK 5 FAIRLANE ESTATES SEC 1 REPLAT PB 12 PG 100 & 101</p> | | | | | | | | | | | | | | | | | | | | | | | |
| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| FRONT FOOT & DEPTH | 101 | 180 | .000 | 600.00 | \$69,084 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BUILDING INFORMATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bid Num | Bid Type | Year Blt | Fixtures | Base SF | Gross SF | Living SF | Ext Wall | Bld Value | Est. Cost New | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | SINGLE FAMILY | 1968 | 6 | 1,892 | 2,464 | 1,892 | CONC BLOCK | \$162,791 | \$199,743 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | Appendage / Sqft OPEN PORCH FINISHED / 35 Appendage / Sqft GARAGE FINISHED / 537 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Permits | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EXTRA FEATURE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | Description | Year Blt | Units | EXFT Value | Est. Cost New | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | ALUM SCREEN PORCH W/CONC FL | 1990 | 360 | \$1,430 | \$3,060 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | POOL GUNITE | 1996 | 480 | \$7,200 | \$9,600 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | COOL DECK PATIO | 1996 | 606 | \$1,591 | \$2,121 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | SCREEN ENCLOSURE | 1996 | 1,692 | \$2,257 | \$3,384 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | | |
|----------------------|------|-----|---------|---------|
| ALUM PORCH W/CONC FL | 1996 | 330 | \$1,431 | \$2,145 |
| SPA | 1996 | 1 | \$1,668 | \$2,500 |
| SOLAR HEATER | 1996 | 1 | \$440 | \$1,100 |
| GAS HEATER | 1996 | 1 | \$440 | \$1,100 |

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.

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 5 FAIRLANE ESTATES SEC 1 REPLAT PB 12 PG 100&101

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

FINDINGS OF FACT

Property Owner: Stephen Timmons
171 Lakeside Dr.
Sanford, FL 32773

Project Name: Lakeside Drive (171)

Requested Development Approval:

Request for a side yard (south) setback variance from 7.5 feet to 2 feet for an existing shed in R-1A (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: Ian Sikonia, 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 existing shed 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: