

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a rear yard setback variance from 30 feet to 11 feet for a proposed church use in an existing shed in the R-1A (Single Family Dwelling District); (Steve Serrin, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7444

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 11 feet for a proposed church use in an existing shed in the R-1A (Single Family Dwelling District); (Steve Serrin, applicant); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 11 feet for a proposed church use in an existing shed in the R-1A (Single Family Dwelling District); (Steve Serrin, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Owner: Location: Zoning: Subdivision:	Steve Serrin Ruben & Florence Exantus 1521 Bear Lake Road R-1A Pratt Acres
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant has applied for a special exception for a church (item #22) in which an existing metal shed will be converted into the congregation hall. • The metal shed is located 11 feet from the rear property line which encroaches 19 feet into the rear yard setback. • The change of use from a shed to a church requires the building meet all setbacks therefore a rear yard setback is required from 30 feet to 11 feet. 	

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. <i>Other properties located in the same district have nonresidential uses that meet the required setbacks.</i>• Special conditions and circumstances result from the actions of the applicant. <i>The applicant is changing the use of the existing building which requires the variance.</i>• 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. <i>The applicant currently retains reasonable use of the property as a single family residence which is within character of the surrounding area.</i>• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>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:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the proposed church 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 # BV2006-172

Meeting Date 10-30-06



VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

COPY

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Ruben & Florence EXANTUS Steve Serrin

Address: _____ City: _____ Zip code: _____

Project Address: 1521 BEAR LAKE ROAD City: Apopka Zip code: 32723

Contact number(s): (407) 310-5676

Email address: _____

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 type="checkbox"/> Other	Please describe:
<input checked="" type="checkbox"/> This request is for a structure that has already been built.	

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:	<u>30 ft.</u>	Proposed setback: <u>11 ft.</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:
[] Total number of variances requested _____			

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: _____

STEVE SERRIN

FOR OFFICE USE ONLY

Date Submitted: 10-10-06 Reviewed By: KF.

Tax parcel number: 17-H-29-520-0000-0010 Zoning/FLU A-1 /

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: _____

BOUNDARY SURVEY

LEGAL DESCRIPTION: LOT 1, PRATT ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 22, PAGE(S) 34, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

SCALE: 1" = 30'

PROPOSED

14 EACH SPACE PARKING
10x30' STALL

LOT 3 ADDITIONAL BUILD

EXIST BUFFER

PROPOSED BUFFER

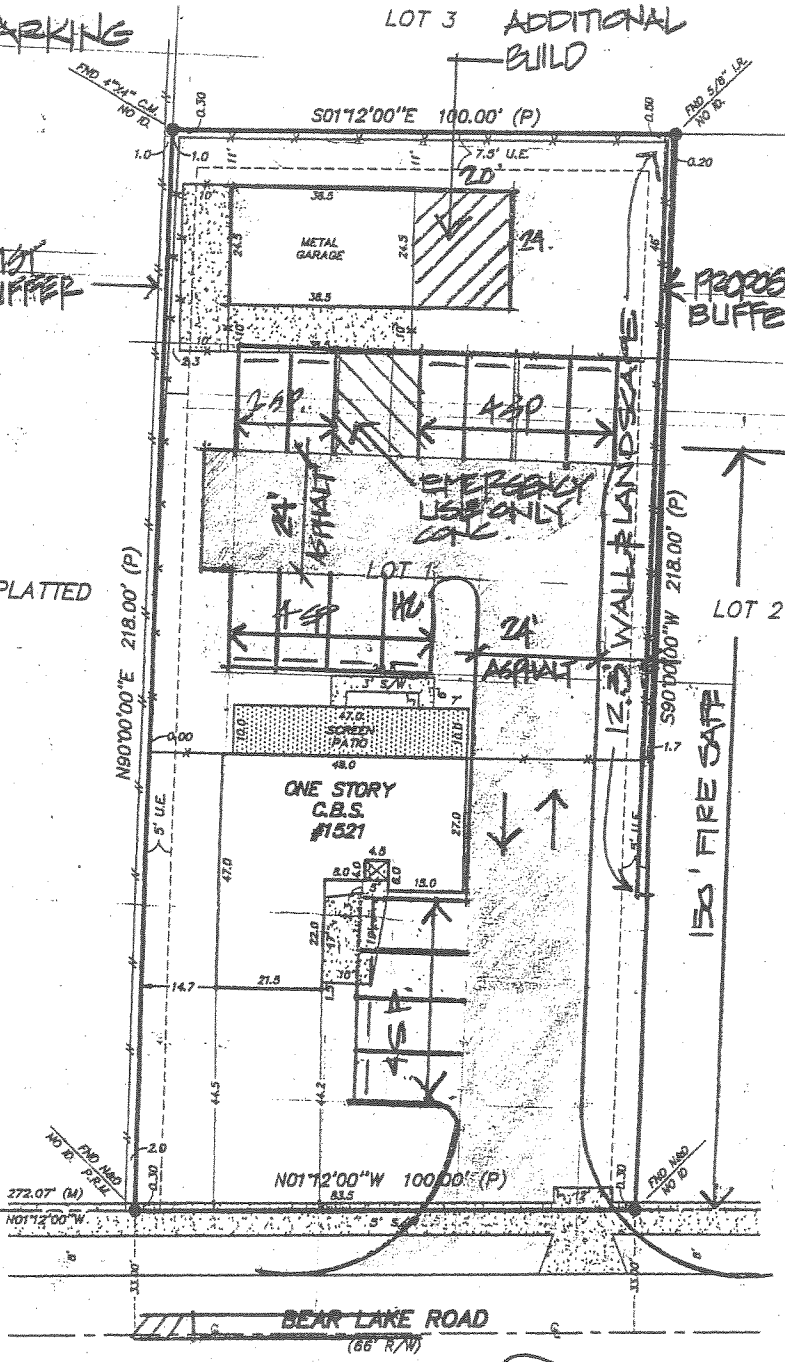
NOT PLATTED

EMERGENCY USE ONLY CONC

150' FIRE SAFE

LEGEND

- X = FOUND "X" CUT IN CONC
- = SET 1/2" REBAR AND CAP
FSM LB 7371
- = FOUND PROPERTY CORNER
- ⊙ = 4" x 4" CONCRETE MONUMENT
- ⊖ = WELL
- ▨ = COVERED-AREA
- ▩ = CONCRETE
- A/C = AIR CONDITIONER
- ∠ = CENTRAL ANGLE
- BLK = BLOCK
- C.B. = CHORD BEARING
- C.B.S. = CONCRETE BLOCK STRUCTURE
- C.M. = CONCRETE MONUMENT
- CONC. = CONCRETE
- D = DEAD
- D.E. = DRAINAGE EASEMENT
- E = EAST
- F.F.E. = FINISHED FLOOR ELEVATION
- FND = FOUND
- ID. = IDENTIFICATION
- I.P. = IRON PIPE
- I.R. = IRON ROD
- I.R.C. = IRON ROD & CAP
- L = ARC LENGTH
- L.B. = LAND SURVEYING BUSINESS
- L.S. = LAND SURVEYOR
- M = MEASURED
- N = NORTH
- N&D = NAIL AND DISK
- PLAT = PLAT
- P.C. = POINT OF CURVATURE
- P.C.C. = POINT OF COMPOUND CURVATURE
- P.C.P. = PERMANENT CONTROL POINT
- P.L. = PROPERTY LINE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- P.O.L. = POINT ON LINE
- P.R.C. = POINT OF REVERSE CURVE
- P.R.M. = PERMANENT REFERENCE MONUMENT
- P.T. = POINT OF TANGENT
- R = RADII
- R/W = RIGHT OF WAY
- S/W = SIDEWALK
- S = SOUTH
- U.E. = UTILITY EASEMENT
- W = WEST
- W.F.S. = WOOD FRAME STRUCTURE
- RIGHT-OF-WAY LINE
- CENTERLINE
- BUILDING SETBACK LINE
- BARB WIRE FENCE
- WOOD FENCE
- CHAIN LINK FENCE
- OVERHEAD UTILITY LINES
- PLASTIC FENCE



DRAWN BY: MP	CHECKED BY: BRETT
CERTIFIED TO: RUBEN W. EXANTUS JP MORGAN CHASE BANK, N.A. TRST AMERICAN TITLE INS. COMPANY	
COMMUNITY NO: 120289	SUFFIX: E
F.I.R.M. DATE: 04/17/95	
FLOOD ZONE: X	
SURVEY NO: 20140	FIELD DATE: 05/29/06

BEARINGS SHOWN HEREON ARE BASED UPON
THE CENTERLINE OF BEAR LAKE ROAD BEING
N01°12'00"W PER PLAT

Long Surveying, Inc.
"Specializing in Residential Surveying"
LB No. 7371
101 N. Country Club Road, Suite 220
Lake Mary, FL 32746
Office 407-330-9717 or 407-330-9716
Fax 407-330-9775
WWW.LONGSURVEYING.COM

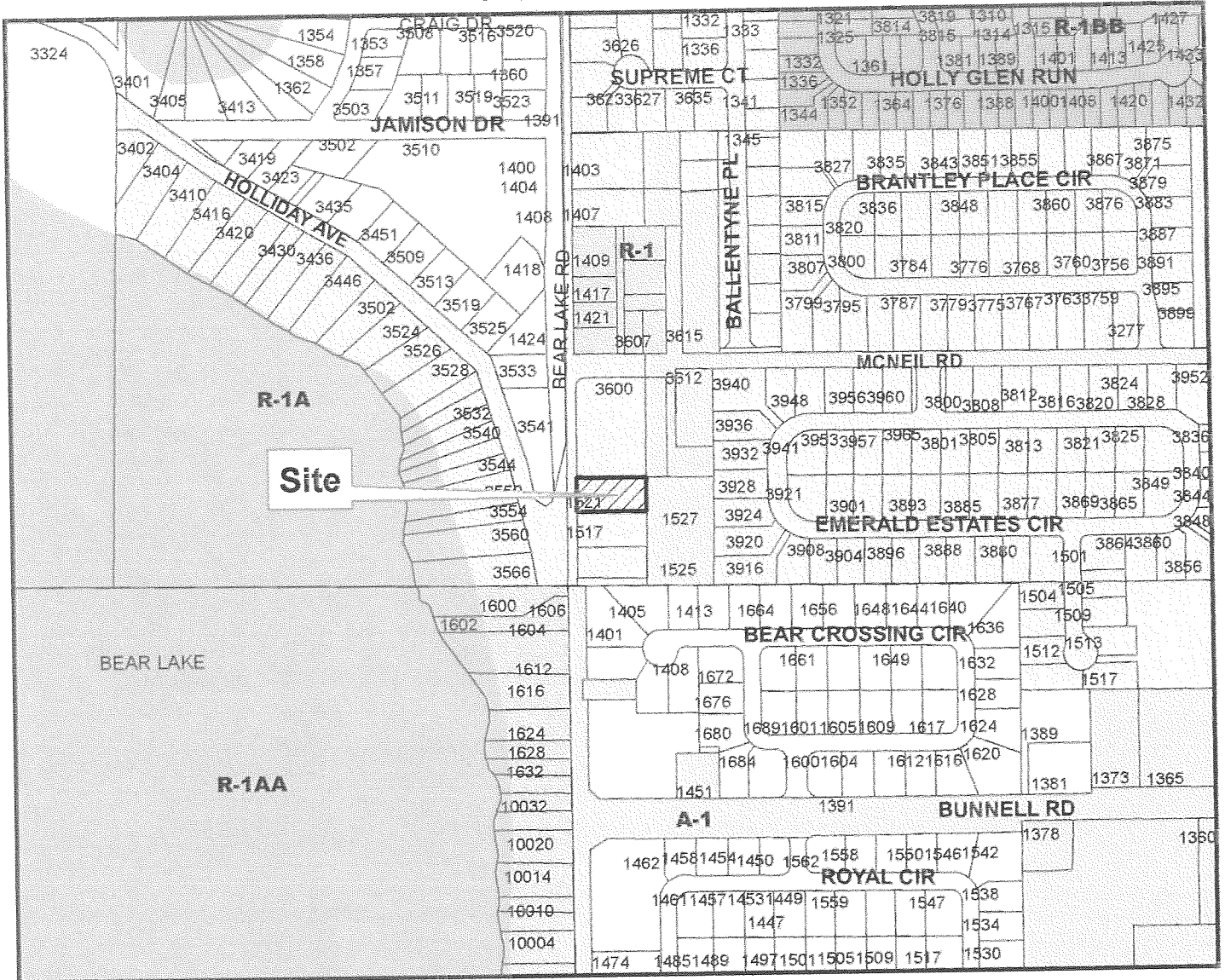
NOTES:

- 1) This survey is based on the legal description as provided by the Client.
- 2) This Surveyor has not abstracted the land shown hereon for encumbrances, rights of way or restrictions of record which may affect the title or use of the land.
- 3) Do not reconstruct property lines from building lines.
- 4) No hidden or overhanging lines were located except as shown.
- 5) No encumbrances or utilities have been located except as shown.
- 6) This survey is not valid without the signature and the official red seal of a Florida licensed Survey and Mapper.

I certify the validity that this survey was made under my direction and that it meets the minimum "highest" standards set forth by the Board of Professional Land Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.







Ed M. Shoemaker, P.S.M. No. 5144

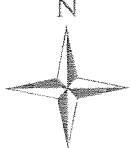
Steve Serrin
 1521 Bear Lake Rd
 Apopka, FL 32703

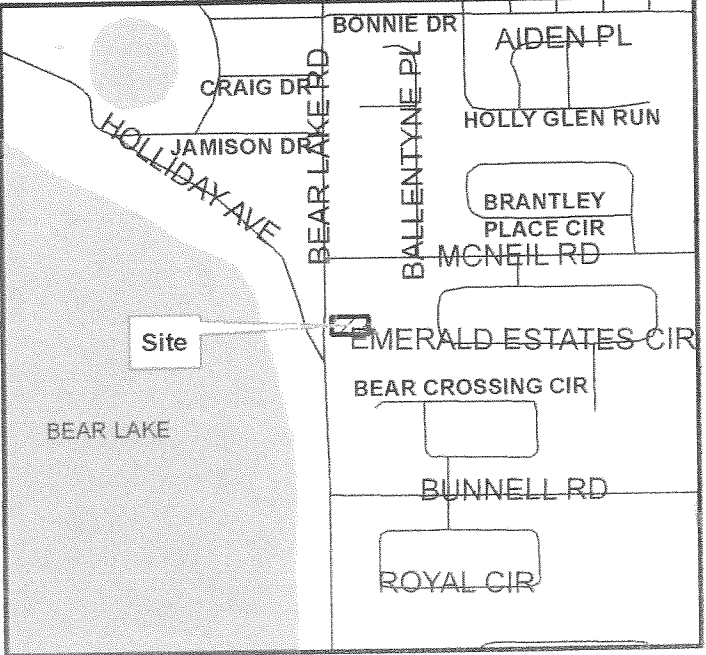


Seminole County Board of Adjustment
October 30, 2006
Case: BS2006-009
Parcel No: 17-21-29-520-0000-0010

Zoning

 BS2006-009	 R-1A
 A-1	 R-1
 R-1AA	 R-1BB

N




<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7505</p>																																																																								
<p align="center">GENERAL</p> <p>Parcel Id: 17-21-29-520-0000-0010 Owner: EXANTUS RUBEN W & FLORENCE F Mailing Address: 1521 BEAR LAKE RD City,State,ZipCode: APOPKA FL 32703 Property Address: 1521 BEAR LAKE RD APOPKA 32703 Subdivision Name: PRATT ACRES Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 01-SINGLE FAMILY</p>		<p align="center">2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$113,122 Depreciated EXFT Value: \$4,575 Land Value (Market): \$52,275 Land Value Ag: \$0 Just/Market Value: \$169,972 Assessed Value (SOH): \$169,972 Exempt Value: \$0 Taxable Value: \$169,972 Tax Estimator</p>																																																																						
<p 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>05/2006</td><td>06288</td><td>1089</td><td>\$289,000</td><td>Improved</td><td>Yes</td></tr> <tr><td>QUIT CLAIM DEED</td><td>04/2003</td><td>05010</td><td>1915</td><td>\$102,000</td><td>Improved</td><td>No</td></tr> <tr><td>QUIT CLAIM DEED</td><td>08/2002</td><td>04610</td><td>0920</td><td>\$38,500</td><td>Improved</td><td>No</td></tr> <tr><td>WARRANTY DEED</td><td>12/1997</td><td>03351</td><td>0024</td><td>\$85,000</td><td>Improved</td><td>Yes</td></tr> <tr><td>WARRANTY DEED</td><td>06/1988</td><td>01975</td><td>0637</td><td>\$82,500</td><td>Improved</td><td>Yes</td></tr> <tr><td>WARRANTY DEED</td><td>07/1983</td><td>01475</td><td>1807</td><td>\$62,000</td><td>Improved</td><td>Yes</td></tr> <tr><td>WARRANTY DEED</td><td>04/1982</td><td>01389</td><td>0236</td><td>\$15,000</td><td>Vacant</td><td>No</td></tr> <tr><td>WARRANTY DEED</td><td>02/1980</td><td>01271</td><td>0859</td><td>\$12,500</td><td>Vacant</td><td>Yes</td></tr> <tr><td>WARRANTY DEED</td><td>04/1978</td><td>01164</td><td>1912</td><td>\$22,000</td><td>Vacant</td><td>No</td></tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	05/2006	06288	1089	\$289,000	Improved	Yes	QUIT CLAIM DEED	04/2003	05010	1915	\$102,000	Improved	No	QUIT CLAIM DEED	08/2002	04610	0920	\$38,500	Improved	No	WARRANTY DEED	12/1997	03351	0024	\$85,000	Improved	Yes	WARRANTY DEED	06/1988	01975	0637	\$82,500	Improved	Yes	WARRANTY DEED	07/1983	01475	1807	\$62,000	Improved	Yes	WARRANTY DEED	04/1982	01389	0236	\$15,000	Vacant	No	WARRANTY DEED	02/1980	01271	0859	\$12,500	Vacant	Yes	WARRANTY DEED	04/1978	01164	1912	\$22,000	Vacant	No	<p align="center">2006 VALUE SUMMARY</p> <p>2006 Tax Bill Amount: \$2,751 2006 Taxable Value: \$170,698 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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1	SINGLE FAMILY	1983	6	1,239	1,739	1,239	CONC BLOCK	\$113,122	\$124,997																																																															
			Appendage / Sqft	GARAGE FINISHED / 484																																																																				
			Appendage / Sqft	SCREEN PORCH FINISHED / 16																																																																				
NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished																																																																								
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		ALUM SCREEN PORCH W/CONC FL	1985	200	\$680	\$1,700																																																																		
		ALUM UTILITY BLDG W/CONC FL	1985	600	\$1,560	\$3,900																																																																		

ALUM GLASS PORCH	1990	290	\$2,335	\$4,060
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.				