

Item # BV2006-190

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

SUBJECT: Request for a rear yard setback from 30 feet to 10 feet for a proposed addition in the R-1 (Single Family Dwelling District), (Manuel Coello, applicant).

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

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

Agenda Date 12/4/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback from 30 feet to 10 feet for a proposed addition in the R-1 (Single Family Dwelling District), (Manuel Coello, applicant); or
2. **DENY** the request for a rear yard setback from 30 feet to 10 feet for a proposed addition in the R-1 (Single Family Dwelling District), (Manuel Coello, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Manuel Coello Location: 1961 Aster Drive Zoning: R-1A Subdivision: Garden Lakes Estates
BACKGROUND / REQUEST	<ul style="list-style-type: none">• The applicant proposes to construct an addition that will consist of approximately 2500 square feet under roof with 1224 square feet under heat and air.• The addition will encroach 20 feet into the 30 feet rear yard setback.• 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.• Special conditions and circumstances result from the actions of the applicant.• 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 resides in a 2000 square foot home, which is typical for the neighborhood, and has the ability to expand the home without a variance.</i>• The grant of the variance would not be in harmony with the general intent of Chapter 30.
<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 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

COPY

Application # BV 2006-190
Meeting Date 12-4-06



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: MANUEL B. COELLO
Address: 1961 ASTEL DRIVE City: WESTER PARK Zip code: 32752
Project Address: 1961 ASTEL DRIVE City: WESTER PARK Zip code: 32752
Contact number(s): 321-377-2205 / 321-377-2208 / 407-657-2828
Email address: COELLOMANUEL@MSN.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 checked="" type="checkbox"/> Addition	Please describe: <u>+ MASTER BED ROOM + bath plus room addition</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.	

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>10 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:
<input type="checkbox"/> Total number of variances requested <u>1</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: [Signature]

FOR OFFICE USE ONLY

Date Submitted: 10-12-06 Reviewed By: _____

Tax parcel number: 26-21-30-501-0000-0350 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: _____

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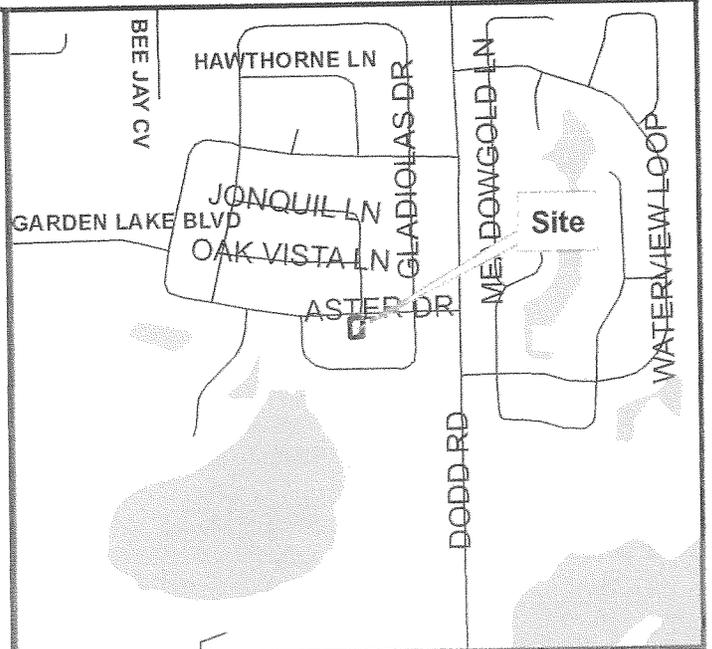
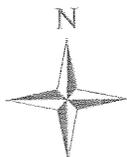
Claudia & Manuel Coello
 1961 Aster Drive
 Winter Park, FL 32792



Seminole County Board of Adjustment
 December 4, 2006
 Case: BV2006-190 (Map 3211, Grid B4)
 Parcel No: 26-21-30-501-0000-0350

Zoning

 BV2006-190	 R-1A
 A-1	 R-1
 R-1AA	 PUD



PARCEL DETAIL

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY, FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-665-7506

ASTER DR
 GLADIOLAS DR

GENERAL

Parcel Id: 26-21-30-501-0000-0350
 Owner: COELLO CLAUDIA N & MANUEL B JR
 Mailing Address: 1961 ASTER DR
 City, State, Zip Code: WINTER PARK FL 32792
 Property Address: 1961 ASTER DR WINTER PARK 32792
 Subdivision Name: GARDEN LAKE ESTATES UNIT 2
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2007 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$159,060
 Depreciated EXFT Value: \$0
 Land Value (Market): \$35,000
 Land Value Ag: \$0
 Just/Market Value: \$194,060
 Assessed Value (SOH): \$108,828
 Exempt Value: \$25,000
 Taxable Value: \$83,828
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
QUIT CLAIM DEED	08/2005	05888	1918	\$100	Improved	No
QUIT CLAIM DEED	05/2002	04452	0025	\$100	Improved	No
WARRANTY DEED	06/2000	03876	1397	\$111,000	Improved	Yes
FINAL JUDGEMENT	02/2000	03798	1289	\$100	Improved	No
WARRANTY DEED	03/1999	03624	1231	\$93,000	Improved	Yes
WARRANTY DEED	05/1989	02064	1889	\$81,000	Improved	Yes
WARRANTY DEED	08/1983	01484	1621	\$78,000	Improved	Yes
WARRANTY DEED	06/1982	01400	1460	\$72,200	Improved	Yes
WARRANTY DEED	08/1981	01352	1524	\$919,500	Vacant	No

Find Comparable Sales within this Subdivision

2006 VALUE SUMMARY

Tax Value (without SOH): \$2,739
 2006 Tax Bill Amount: \$1,300
 Save Our Homes (SOH) Savings: \$1,439
 2006 Taxable Value: \$80,658
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	35,000.00	\$35,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 35 GARDEN LAKE ESTATES UNIT
 2 PB 24 PG 74

BUILDING INFORMATION

Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1981	6	1,622	2,664	2,006	CB/STUCCO FINISH	\$159,060	\$177,721
	Appendage / Sqft		ENCLOSED PORCH FINISHED / 204						
	Appendage / Sqft		BASE / 180						
	Appendage / Sqft		OPEN PORCH FINISHED / 60						
	Appendage / Sqft		GARAGE FINISHED / 598						

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

Permits

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.

Manuel B. Coello
1961 Aster Drive.
Winter Park F.L. 32792

October 12, 2006

To: Whom it my concern.

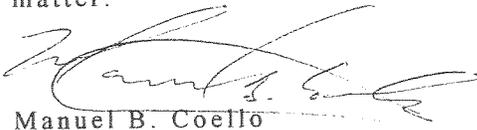
The reason for this letter is to give an explanation for our request on the variance.

At the time we purchased this house, we had 2 children and expected no others. Then we had 1 other for which it was o.k. Then we were blessed with twins for which it was definitely unplanned. Now we have the need for additional room to be added to our house. And to add to our dilemma, my mother came down from N.Y. and we really need her living with us. She helps us quite a bit with the children, but she is always in and out from the doctors. So not only do we need the room for the children, we also need the room for my mother. So you can only imagine the situation that we are in.

We have looked at moving to a larger home, but it is definitely beyond what we can afford. The funny part of all this is that I am a general contractor but purchasing a large pze of land and building the house is also beyond what we can afford.

My wife and I have spoken to our neighbors about the additions and they have no problems with us building it up-to 10 ft from the property line. We have collected our neighbor's signatures plus a few others. At no time were we denied any signatures of approval.

We thank you in advance for any help that we can be given in this personal matter.



Manuel B. Coello

