

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

SUBJECT: Request for a rear yard setback variance from 30 feet to 15 feet for a proposed uncovered cantilevered deck, 6' above grade, in PUD (Planned Unit Development District); (Ken Szczepanek, applicant).

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

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

Agenda Date 12/04/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 15 feet for a proposed uncovered cantilevered deck, 6' above grade, in PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 15 feet for a proposed uncovered cantilevered deck, 6' above grade, in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

<p>GENERAL INFORMATION</p>	<p>Applicant: Ken Szczepanek Owner: Kenneth R & Charity Szczepanek Location: 626 Longmeadow Circle Zoning: PUD Subdivision: Sabal Point AT Sabal Glen</p>
<p>BACKGROUND / REQUEST</p>	<ul style="list-style-type: none"> • The applicant proposes to construct an uncovered cantilevered deck, 6' above grade that will encroach 15 feet into the required 30 feet rear yard setback. • The applicant proposes to construct an approximately 12 x 22 foot uncovered cantilevered deck addition to the rear of the existing 4,094 square foot single family home. • There are currently no code enforcement or building violations for this property.

	<ul style="list-style-type: none">• 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.• 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 (Type of structure) 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.

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 34 TWP: 20 RNG: 29
 PROJ. #

DEVELOPMENT: Sabal Glen		DEVELOPER: Sabal Point Development Corp.	
LOCATION: 56 Lots – 23.52 Acres PB: 27 PG: 14, 15			
FILE#:	BA:	SP:	BCC: 11/4/82
P&Z:			
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS:		SETBACK REQUIREMENTS	
		FY: 25	SY: 10
		SIDE ST.:	RY: 30
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER:	
COMMENTS OTHER:		ACCESSORY STRUCTURE SETBACKS:	
1) School: \$300.00 per unit to be paid at time of issuance of permit as of 3/29/85.		SY: 10	RY: 10
2) Must convey an off-site drainage easement to the pond on the golf course.		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES	
	SCREEN:
	TARAFFIC ZONE:
	LAND USE:
	1. ROAD-CO. WIDE
	2. ROAD-COLL.
	3. LIBRARY
	4. FIRE
	5. PARK
	6. SCHOOL
	7. LAW
	8. DRAINAGE
	TOTAL
	REMARKS:

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

Application # BV2006-191
Meeting Date Dec 4, 2006



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: Ken Szardandk
Address: 626 Longmeadow Cir City: Longwood Zip code: 32779
Project Address: ABIR City: _____ Zip code: _____
Contact number(s): 407 741 3254
Email address: Ken718@cfl.net.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"/> Fence	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 checked="" type="checkbox"/> Other	Please describe: <u>Deck - not covered</u>
<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</u>	Proposed setback:	<u>15</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 <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.

10-12-06P03:35 RC

Signed: _____

FOR OFFICE USE ONLY

Date Submitted: _____ Reviewed By: _____
 Tax parcel number: 34-20-29-507-0000 0340 Zoning/FLU PD/PD
 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: _____

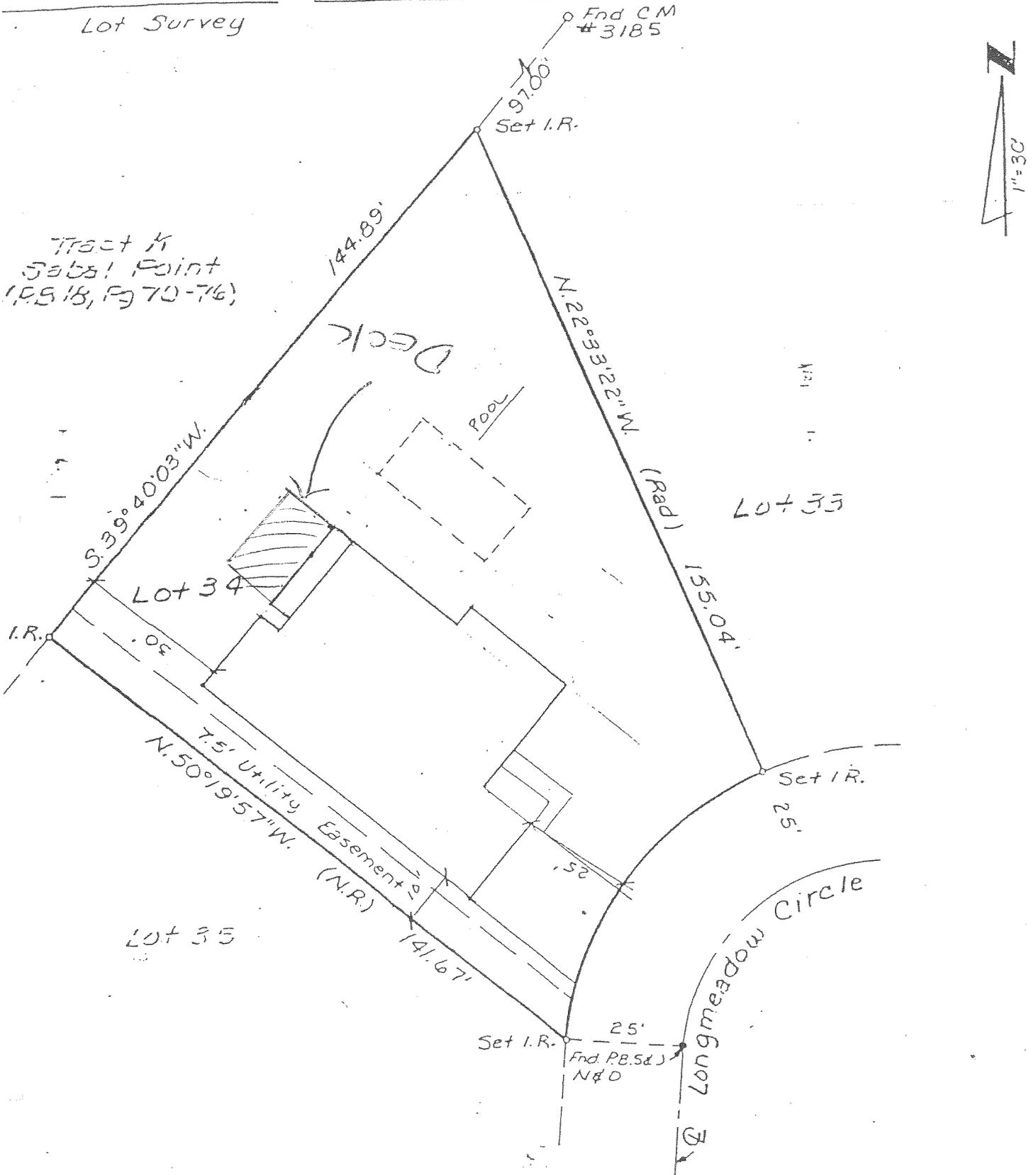
VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

<p>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
	3. Provide a legible 8 ½ x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
	<input type="checkbox"/> Size and dimension of the parcel
	<input type="checkbox"/> Location and name of all abutting streets
	<input type="checkbox"/> Location of driveways
	<input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
	<input type="checkbox"/> Location of all easements
	<input type="checkbox"/> Existing or proposed house or addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	<input type="checkbox"/> Building height
	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
	<input type="checkbox"/> Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

PARDUE·HEID
CHURCH·SMITH
& WAIFR INC.

Lot Survey



LEGAL DESCRIPTION

Lot 34 SARAI GIVEN AT SARAI POINT, according to the plat

OFFICE COPY

NOBLE COUNTY
FIRE PREVENTION DIVISION

CONDITIONALLY ACCEPTED FOR PERMIT
IN ACCORDANCE WITH ANY CORRECTION NOTES ON PLANS
AND IS LIMITED TO CONSTRUCTION ONLY IN
THE ADMITTED CODES AND DOES NOT WAIVE
THE ENGINEER'S LIABILITY IN REVIEW, ISSUANCE
OR INSPECTION. FIELD INSPECTORS FROM
THE COUNTY SHALL REVIEW WHEN ISSUES ARE
IDENTIFIED.

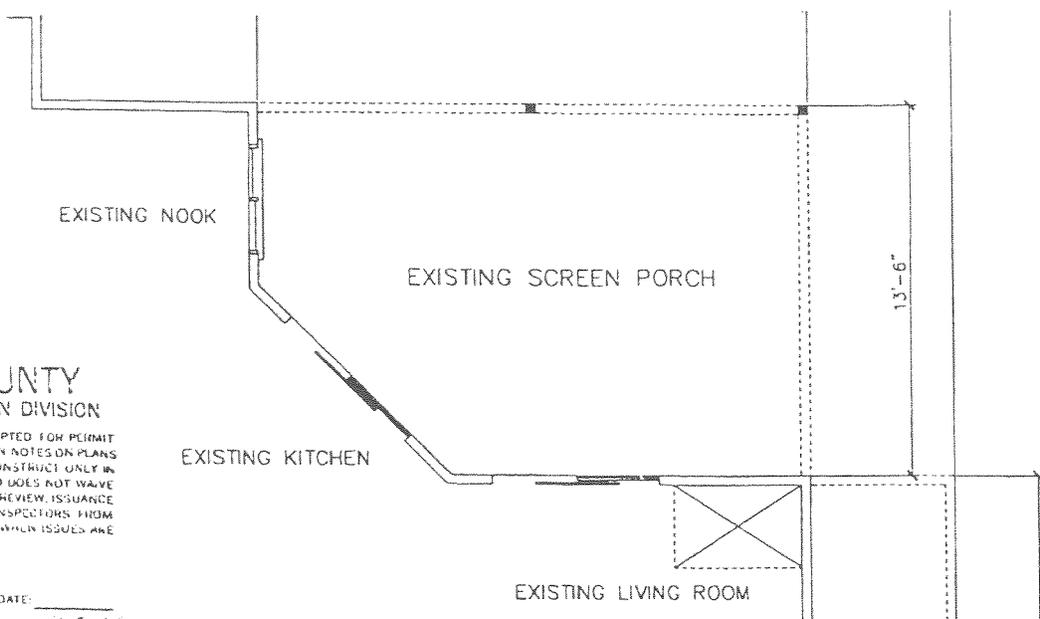
DATE: 4-8-05
DATE: 4-8-05
625 Long Meadow Cir

PROFESSIONAL ENGINEER
REGISTERED PROFESSIONAL ENGINEER
NO. 12000 IN THE STATE OF FLORIDA
ALL WORK SHOWN BELOW ATTEST
TO BE DONE IN ACCORDANCE WITH
THE CODES AND REGULATIONS
WERE SUBMITTED TO AND REVIEWED BY
THE PERMITTING AGENCY AND THIS IS FULL
AND COMPLETE COMPLIANCE WITH ALL
CODES AND ALL CODES THAT MAY
BE IN FORCE AT THE TIME OF THE PROJECT.

OFFICE COPY

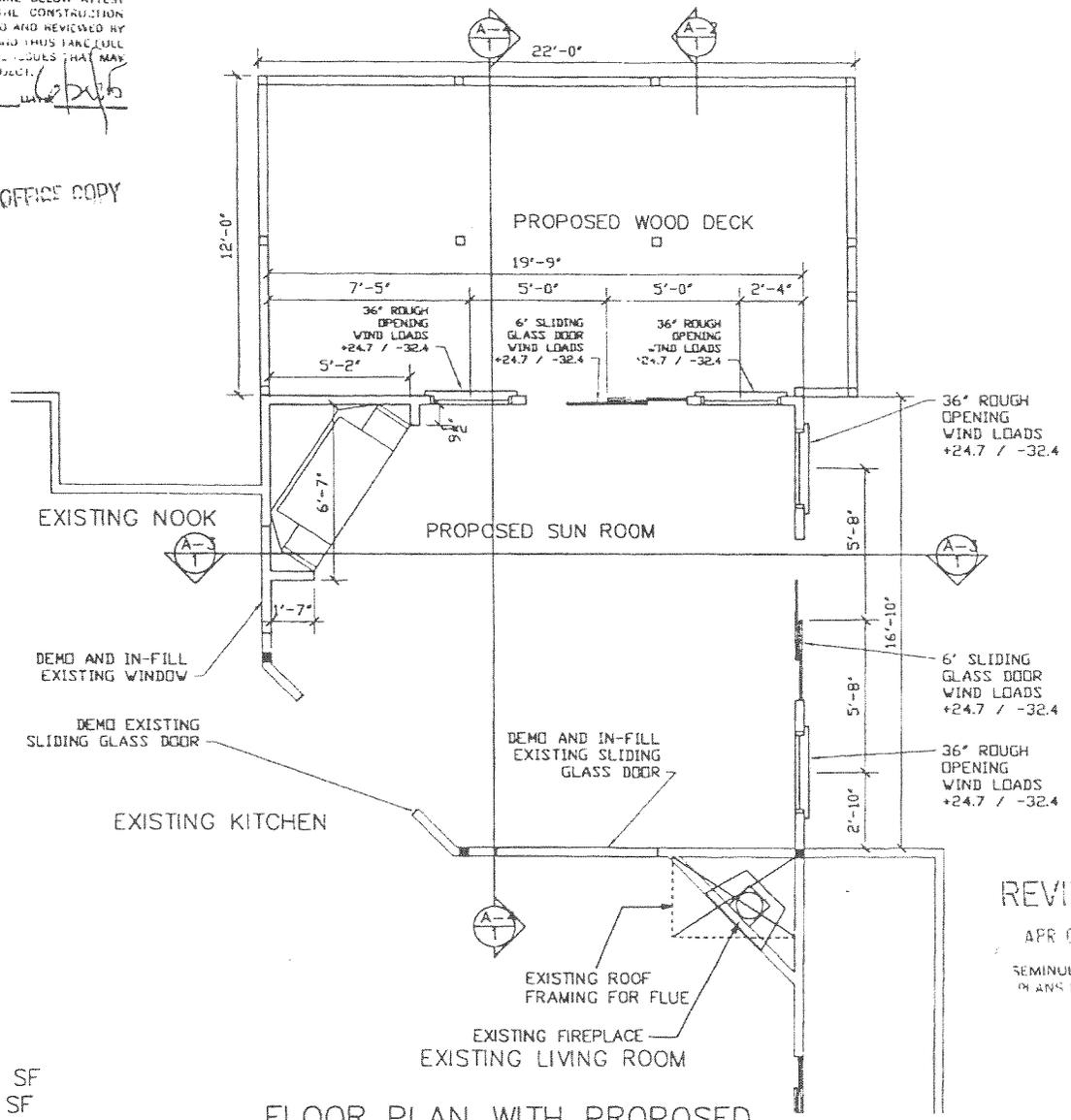
EJ 269 SF
67 SF
K 264 SF
=====

.....600 SF



EXISTING FLOOR PLAN

SCALE:
1/4" = 1'-0"



FLOOR PLAN WITH PROPOSED CHANGES

SCALE:
1/4" = 1'-0"

REVIEWED

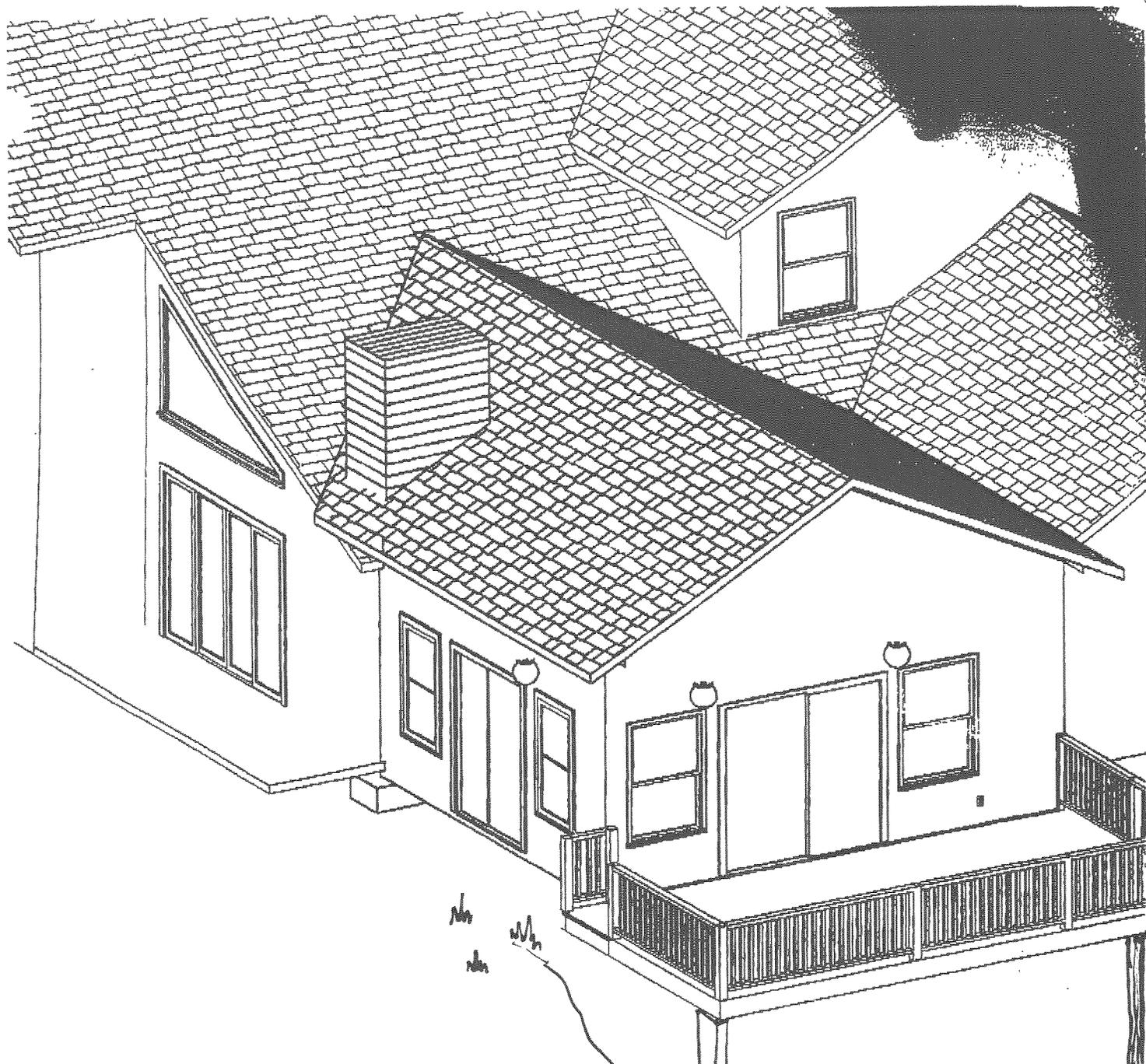
APR 08 2005

SEMINOLE COUNTY
PLANS EXAMINER

05-6999

THIS STRUCTURE HAS BEEN DESIGNED TO MEET THE 2001
FLORIDA BUILDING CODE WITH ITS 2003 REVISIONS. SECTION





REAR ISOMETRIC VIEW WITH CHAN

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL.

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7506

GENERAL

Parcel Id: 34-20-29-507-0000-0340
 Owner: SZCZEPANEK KENNETH R & CHARITY
 Mailing Address: 626 LONGMEADOW CIR
 City,State,ZipCode: LONGWOOD FL 32779
 Property Address: 626 LONGMEADOW CIR LONGWOOD 32779
 Subdivision Name: SABAL POINT SABAL GLEN AT
 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: \$267,237
 Depreciated EXFT Value: \$11,487
 Land Value (Market): \$107,000
 Land Value Ag: \$0
 Just/Market Value: \$385,724
 Assessed Value (SOH): \$256,496
 Exempt Value: \$25,000
 Taxable Value: \$231,496
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	03/1989	02054	0423	\$239,900	Improved	Yes
WARRANTY DEED	03/1985	01627	0922	\$49,900	Vacant	No

Find Comparable Sales within this Subdivision

2006 VALUE SUMMARY

Tax Value(without SOH): \$5,843
 2006 Tax Bill Amount: \$3,610
 Save Our Homes (SOH) Savings: \$2,233
 2006 Taxable Value: \$224,025
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	107,000.00	\$107,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 34 SABAL GLEN AT SABAL POINT
PB 27 PGS 14 & 15

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	1985	12	2,113	4,094	3,141	SIDING AVG	\$267,237	\$292,062
	Appendage / Sqft		GARAGE FINISHED / 495						
	Appendage / Sqft		OPEN PORCH FINISHED / 216						
	Appendage / Sqft		OPEN PORCH FINISHED / 242						
	Appendage / Sqft		UPPER STORY FINISHED / 1028						

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

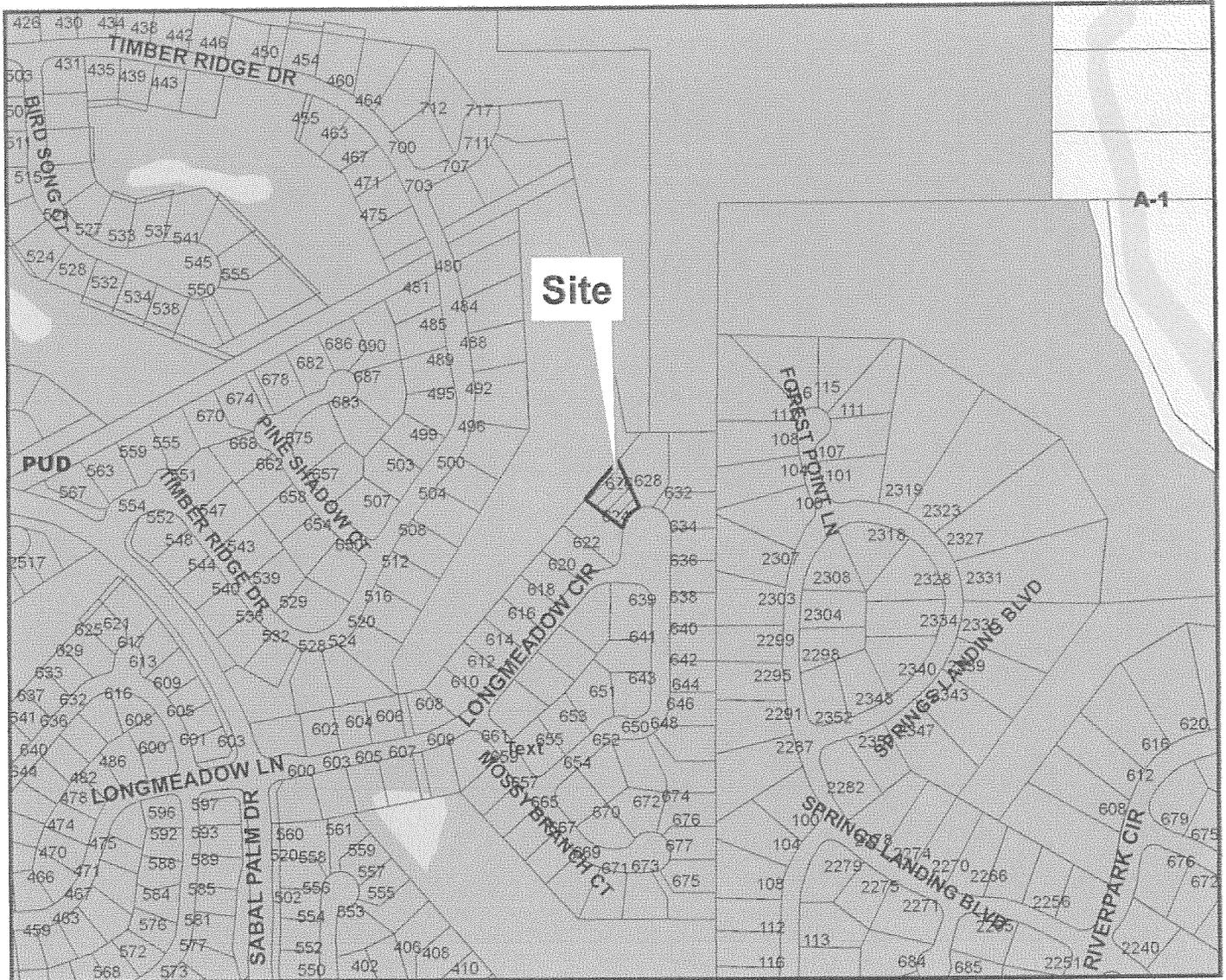
Permits

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
SPA	1985	2	\$2,000	\$5,000
POOL GUNITE	1985	512	\$4,608	\$10,240
SCREEN ENCLOSURE	1985	2,218	\$1,774	\$4,436
COOL DECK PATIO	1985	648	\$1,021	\$2,268
FIREPLACE	1985	1	\$1,350	\$3,000
WOOD DECK	1985	147	\$294	\$735
SOLAR HEATER	1985	1	\$440	\$1,100

NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad

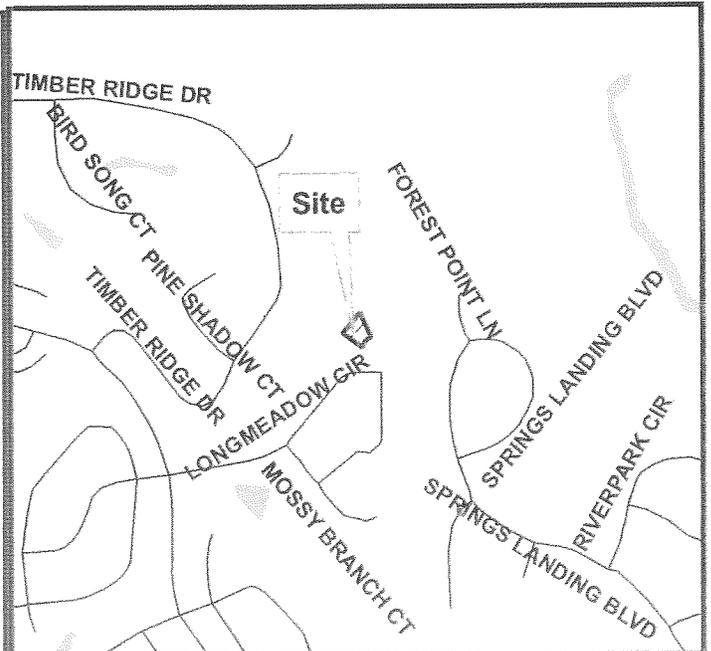
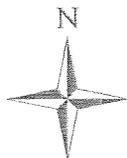
Charity & Kenneth Szczepanek
626 Longmeadow Cir
Longwood, FL 32779



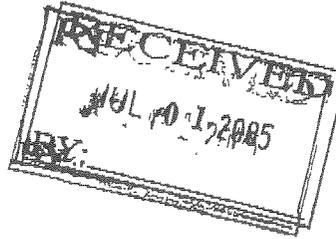
Seminole County Board of Adjustment
December 4, 2006
Case: BV2006-191 (Map 3155, Grid B1)
Parcel No: 34-20-29-507-0000-0340

Zoning

-  BV2006-191
-  A-1
-  PUD



faxed to F.C. 7-1-05



June 29, 2005

Sabal Point Homeowners Assoc.

To Whom It May concern:

Enclosed please find drawings for a remodel at my residence. I have also enclosed a sign off from both adjacent neighbors. Construction will begin shortly.

Any questions or concerns, please feel free to call.

407 741 3288

Cordially,

A handwritten signature in black ink, appearing to be "Ken Szczepanek". The signature is written in a cursive style with a large, sweeping initial letter.

Ken Szczepanek

June 28, 2005

TO WHOM IT MAY CONCERN

I, ~~MARK~~ ALEXANDER WHO RESIDES AT 628
LONGMEADOW CIR. LONGWOOD, FL. HAVE REVIEWED THE
PLANS FOR THE RENOVATION OF 626 LONGMEADOW CIR.
OWNED BY KEN SZCZEPANEK NAD FIND NO OBJECTION TO THIS
RENOVATION. IT WILL NOT IMPEDE ANY VIEW THAT I
CURRENTLY HAVE OF THE GOLF COURSE.

CORDIALLY,

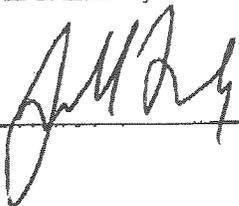


June 28, 2005

TO WHOM IT MAY CONCERN

I, Juso French WHO RESIDES AT 624
LONGMEADOW CIR. LONGWOOD, FL. HAVE REVIEWED THE
PLANS FOR THE RENOVATION OF 626 LONGMEADOW CIR.
OWNED BY KEN SZCZEPANEK NAD FIND NO OBJECTION TO THIS
RENOVATION. IT WILL NOT IMPEDE ANY VIEW THAT I
CURRENTLY HAVE OF THE GOLF COURSE.

CORDIALLY,



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 4, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 34 SABAL GLEN AT SABAL POINT PB 27 PGS 14 & 15

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

FINDINGS OF FACT

Property Owner: KENNETH R & CHARITY SZCZEPANEK
626 LONGMEADOW CIR
LONGWOOD FL 32779

Project Name: Longmeadow Circle (626)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 15 feet for a proposed uncovered cantilevered deck, 6' above grade, in PUD (Planned Unit Development 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 (Structure) 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, AICP
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: