

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 3895 Brantley Place Circle - Sunroom Designs, Applicant; Request for a rear yard (east) setback variance from 30 feet to 18 feet for a proposed sunroom addition in the R-1A (Single Family Dwelling District).

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

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

Agenda Date 1/22/07 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard (east) setback variance from 30 feet to 18 feet for a proposed sunroom addition in the R-1A (Single Family Dwelling District); or
2. **DENY** the request for a rear yard (east) setback variance from 30 feet to 18 feet for a proposed sunroom addition in the R-1A (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Owner: Location: Zoning: Subdivision:	Sunroom Designs LLC Robert Whitehouse 3895 Brantley Place Circle R-1A (Single Family Dwelling District) Brantley Place
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a sunroom addition that will encroach 12 feet into the minimum 30 foot rear yard setback. • The applicant proposes to construct an approximately 200 square foot sunroom addition to the existing 3,607 square foot 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 sunroom 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 APPLICANT AUTHORIZATION FORM
(ORIGINAL ONLY)**

An authorized applicant is defined as:

- The property owner of record; or
- An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I, ROBERT WHITEHOUSE, the fee simple owner of the following
(Owner's Name)

described property (Provide Legal Description or Tax Parcel ID Number(s) _____
17-21-29-530-0000-0230
3895 BRANTLEY PLACE CIR

hereby petition Seminole County to amend the Comprehensive Plan, Future Land Use Map, Official Zoning Map
(circle one or more) from .30' Rear to 18' Rear and affirm that _____
Sunroom Designs LLC is hereby designated to act as my / our authorized agent and to file the
attached application for the stated amendment and make binding statements and commitments regarding the
amendment request.

Robert Whitehouse

Owner's Signature

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Seminole County, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 24th day of Oct., 2006.

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Robert Whitehouse who is personally known to me or who has produced _____ has identification and who executed the foregoing instrument and sworn an oath.

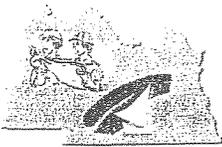
WITNESS my hand and official seal in the County and State last aforesaid this 24 day of October, 2006.

Nancy M. Cole

Notary Public in and for the County and State
Aforementioned

NANCY M. COLE
NOTARY PUBLIC - STATE OF FLORIDA
COMMISSION # DD215317
EXPIRES 05/26/2007
BONDED THRU 1-888-NOTARY1

My Commission Expires: 5/26/07



COPY

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** Rear setback from 30' to 18' a difference of 12'
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING (YEAR _____) PROPOSED (YEAR _____)
- REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
- 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**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Robert Whitehouse	Sunroom Designs LLC / Robyn Klammer
ADDRESS	3895 Brantley Place Circle Apopka, FL 32703	3601 Vineland Rd, Ste 2 Orlando, FL 32811
PHONE 1	407-574-5789	407-648-8700
PHONE 2		PX: 407-648-8701
E-MAIL		RobynK@sunroomdesignsllc.com

PROJECT NAME: Whitehouse

SITE ADDRESS: 3895 Brantley Place Circle, Apopka, FL 32703

CURRENT USE OF PROPERTY: Residential

LEGAL DESCRIPTION: Lot 43 Brantley Place PB 51 PGS 48 + 49

SIZE OF PROPERTY: .21 acre(s) PARCEL I.D. 17-21-89-530-0000-0230

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 11/22/07
 (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.

Robert Whitehouse
 SIGNATURE OF OWNER OR AGENT*

10/26/06
 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 3 FLU / ZONING C-1A/LDR
BCC HEARING DATE 1-22-07 (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR TGF DATE _____
SUFFICIENCY COMMENTS _____

Herx & Associates Inc.

Land Surveying

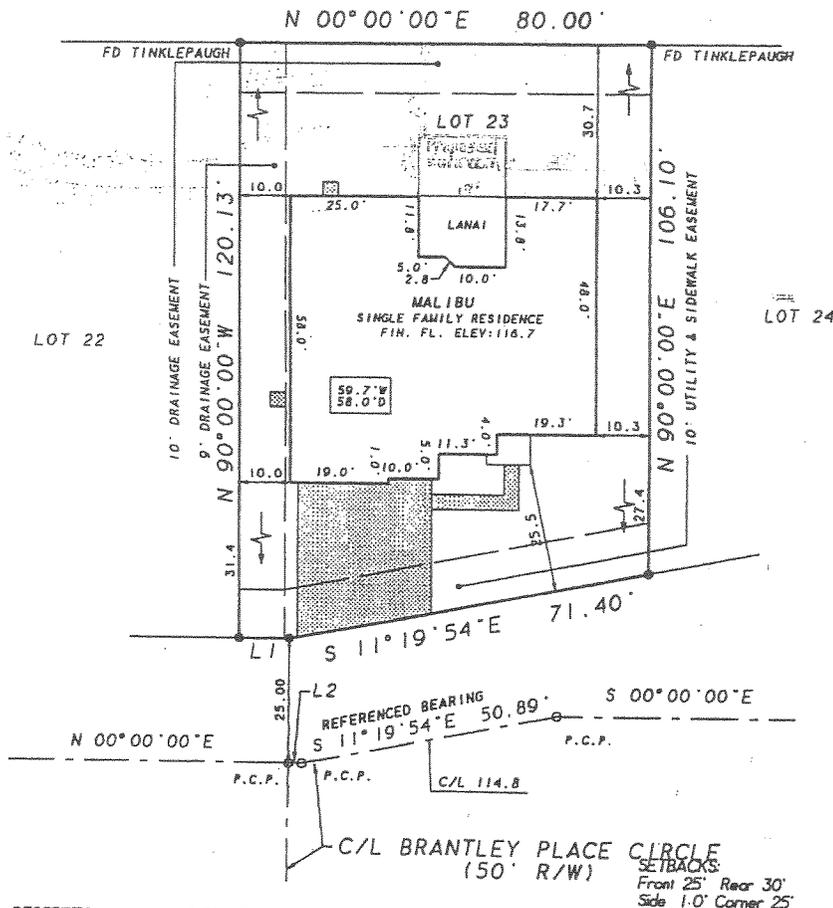
455 Douglas Avenue Suite 1255, Altamonte Springs, Florida. 32714 (407)788-8808

Member of the Florida Surveying and Mapping Society and American Congress on Surveying and Mapping

Map of Boundary Survey

LINE	BEARING	DISTANCE
L 1	S 00° 00' 00" E	9.99'
L 2	N 00° 00' 00" E	2.70'

TRACT "B"
RETENTION POND
(DRAINAGE EASEMENT DEDICATED TO SEMINOLE COUNTY)



LEGAL DESCRIPTION: Lot 23, "BRANTLEY PLACE" according to the plat thereof as recorded in Plat Book 51 at pages 48 - 49 of the Public Records of Seminole County, Florida.

FLOOD HAZARD DATA: The Parcel shown hereon lies within Flood Zone "X" according to the Flood Insurance Rate Map Community Panel Number 20289 DISE, Dated 04/17/95.

Note: Bearings shown hereon are referenced to the C/L of Brantley Place Circle as being S 11° 19' 54" E.

Vertical datum is based on NGVD/OCVD per Engineering construction plans by Conklin, Porter and Holmes Engineers, Inc. Job C750101.

General Notes:

- This is a BOUNDARY Survey performed in the field on 2.2.99.
- No aerial, surface or subsurface utility installations, underground improvements or subsurface/aerial encroachments, if any, were located.
- Elevations shown hereon, if any, are assumed and were obtained from approved construction plans provided by the Client unless otherwise noted, and are shown only to depict the proposed or actual difference in elevation relative to the assumed temporary benchmark shown hereon.
- The parcel shown hereon is subject to all easements, reservations, restrictions, and Rights-of-way of record whether depicted or not on this document. No search of the Public Records has been made by this office.
- The legal description shown hereon is as furnished by client.
- Distances and measured distances and directions are the same unless otherwise noted.
- Denotes 1/2" iron rod with yellow plastic cap marked LB4937 or LS3182, or 1/4" iron rod with red plastic cap marked "Witness Corner", unless otherwise noted.
- Denotes P.C.P. (Permanent control point)
- Denotes Permanent Reference Monument

Legend

(T)	Temporary Benchmark (assumed datum)	O/S	Offset
BOW	Back of sidewalk	O.R.B.	Official Records Book
C/L	Centerline	PB	Plat Book
J	Central or (Delta) Angle	PC	Point of Curvature
CALC	Calculated	PCC	Point of Compound Curvature
CB	Chord Bearing	P.C.P.	Permanent Control Point
CD	Chord	PS	Edge
C.M.	Concrete Monument	P.R.M.	Permanent Reference Monument
E.L. or ELEV	Elevation (Proposed)	PL	Property Line
FINAL EL.	Elevation (Measured)	P.O.C.	Point of Beginning
FD	Found	P.O.C.	Point of Commencement
Fin.Fl. Elev.	Finished Floor Elevation	P.I.	Point of Intersection
I.P.	Iron Pipe	PRC	Point of Reverses Curvature
I.R.	Iron Rod	PT	Point of Tangency
L	Licensee	R	Radius
LB	Licensee Business	RAD	Radial Line
L.S.	Land Surveyor	RES.	Residence
M	Measured	R/W	Right-of-Way
M/D(N&D)	Nail and Disk	TBM	Temporary Benchmark
M.R.	Not Found	TYP.	Typical
		-H/-	Fence symbol (see drawing)
		-X-X-	Fence symbol (see drawing)

Authentication: Not valid without the signature and the original raised seal Florida Licensed Surveyor and Mapper. This survey meets the requirements of the Florida Minimum Technical Standards as contained in Chapter 61G17-6 Florida Administrative Code.

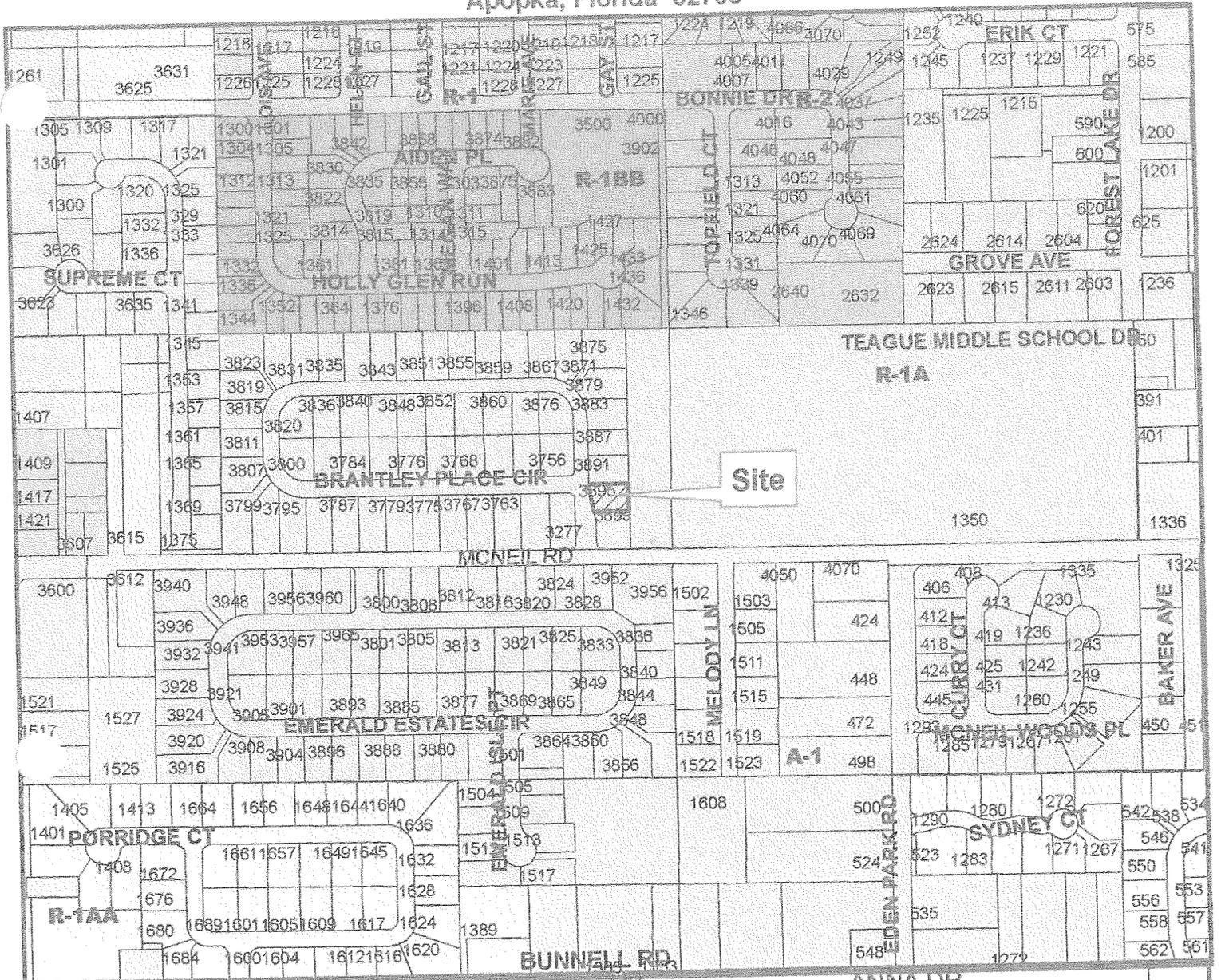
William A. Herx

William A. Herx, P.L.S. Florida Registered Land Surveyor No. 3182
& Associates Inc., State of Florida LB 4937

CERTIFIED TO:
- M/I HOMES
- M/I TITLE AGENCY, LTD.
- LAWYERS TITLE INSURANCE
- M/I FINANCIAL CORPORATION
- ROBERT & NANCY WHITEHOUSE

Drawn by: DP
Checked by: BH
Prepared For: M/I HOMES
Job Number: 96-014-02
Scale: 1" = 30'
Plot plan performed: 7-31-98
Foundation Survey: 2-02-99
Final Survey: 11-22-99
Revisions:

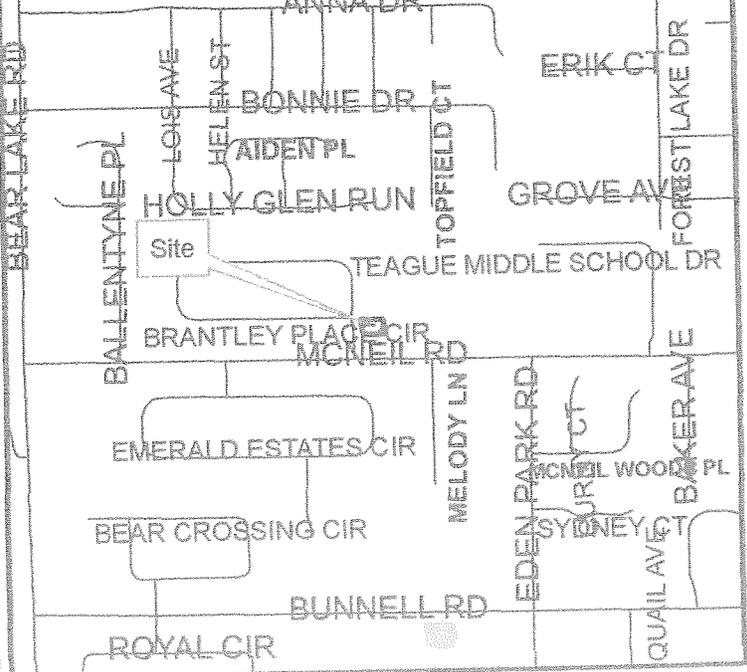
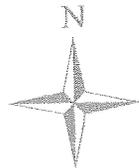
Sunroom Designs LLC/Robyn Klamer
 3895 Brantley Place Circle
 Apopka, Florida 32703



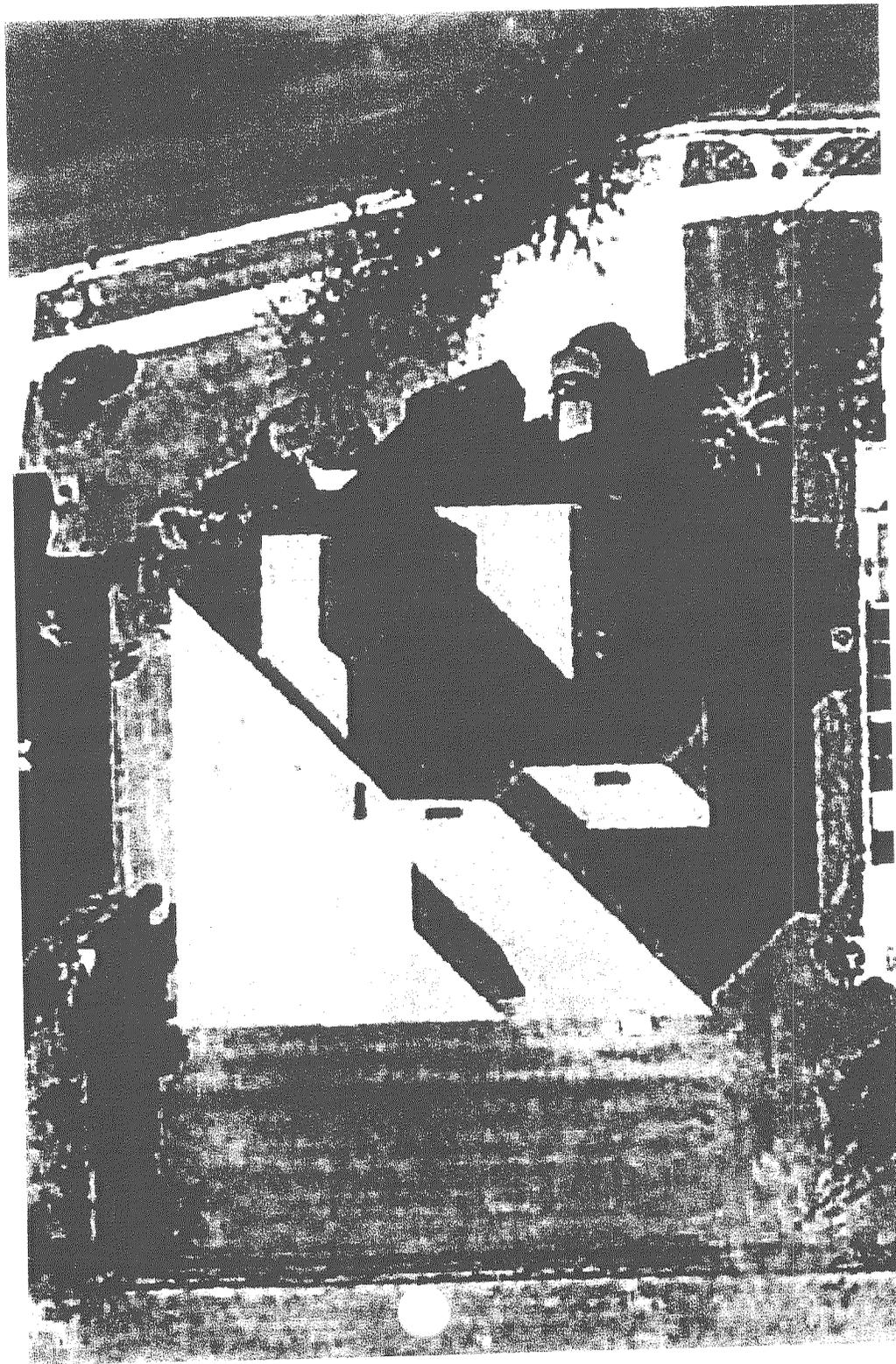
Seminole County Board of Adjustment
 January 22, 2007
 Case: BV2006-205 (Map 3207, Grid B1)
 Parcel No: 35-19-30-517-0900-0220

Zoning

-  BV2006-205
-  A-1
-  R-1AA
-  R-1A
-  R-1
-  R-1BB
-  R-2



DAVID JOHNSON, CPA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7505																																																																					
<p style="text-align: center;">GENERAL</p> Parcel Id: 17-21-29-530-0000-0230 Owner: WHITEHOUSE ROBERT Mailing Address: 3895 BRANTLEY PLACE CIR City,State,ZipCode: APOPKA FL 32703 Property Address: 3895 BRANTLEY PLACE CIR APOPKA 32703 Subdivision Name: BRANTLEY PLACE Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY		<p style="text-align: center;">2007 WORKING VALUE SUMMARY</p> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$285,252 Depreciated EXFT Value: \$0 Land Value (Market): \$67,000 Land Value Ag: \$0 Just/Market Value: \$352,252 Assessed Value (SOH): \$247,742 Exempt Value: \$25,000 Taxable Value: \$222,742 Tax Estimator																																																																			
<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>11/1999</td> <td>03761</td> <td>1667</td> <td>\$238,700</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1999</td> <td>03570</td> <td>0193</td> <td>\$61,000</td> <td>Vacant</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	11/1999	03761	1667	\$238,700	Improved	Yes	WARRANTY DEED	01/1999	03570	0193	\$61,000	Vacant	No	<p style="text-align: center;">2006 VALUE SUMMARY</p> Tax Value(without SOH): \$5,286 2006 Tax Bill Amount: \$3,473 Save Our Homes (SOH) Savings: \$1,813 2006 Taxable Value: \$215,526 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS																																														
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SEMINOLE COUNTY - Application Inquiry

Functions Help



12/21/2006 10:24:21 AM

Application number	06 00012214	
Application status, date	IN PLAN CHECK	10/30/06
Property	3895 BRANTLEY PLACE CIR	
Parcel ID	17-21-29-530-0000-0230	
Subdivision Name	BRANTLEY PLACE	
Subdivision	BRANTLEY PLACE	
Zoning	R1A	SINGLE-FAMILY DWELLING
Application type	R435	RES ADDITIONS / NEW
Application date	10/30/06	
Tenant number, name	BRANTLEY PL / SUNROOM	
Master plan number, reviewed by		
Estimated valuation	50781	
Total square footage	204	
Public building	NO	
Work description, quantity		
Pin number	509774	

OK Exit Cancel Fees Receipts

FILE #: BA93-4-38V APPL: GILL, KENDEL & ROBIN
SEC: 17 TWP: 21 RNG: 29 SUF: PL BK: 13 PB PG: 37 BLOCK #:

DEVELOPMENT NAME: V-GILL, KENDEL & ROBIN
LOC: E SIDE OF MARIE AVENUE, 300 FT. N OF BONNIE DRIVE AND
LC #1: 86 #2: #3: #4: #5: #6: #7:
PARC #1: #2: #3: #4: #5: #6: #7:

REQUEST DESCRIPTION:

SIDE YARD SETBACK VARIANCE FROM 10 FT. TO 5 FT. FOR A SCREEN PORCH.

ACTION: APPROVED.

DATE: 042693

REMARKS:

(BEAR LAKE HILLS) (LOCATION: ALSO 1/4 MILE E OF BEAR LAKE ROAD AND
1/2 MILE S OF SR-436.)

CMD 1 - End Job **CMD 2** - Go to Search Prompt **HELP** - SCREEN AID

Sunroom Designs

3601 Vineland Rd.
Suite 2
Orlando, FL 32811
407-648-8700
407-648-8701 (fax)

November 1, 2006

Robert Whitehouse
3895 Brantley Place Circle
Apopka, FL 32703

Re: Request for Variance

To whom it may concern;

We at Sunroom Designs acting on behalf of the homeowner Robert Whitehouse are requesting a variance for a rear set back from 30' to 18' a difference of 12' according to the survey. We have been contracted by Mr. Whitehouse to install 4" insulated aluminum Sunroom 12' x 17'.10" to the rear of their home, with concrete and footers and electric to meet code.

- The homeowner Mr. & Mrs. Whitehouse has an extended family of three children. Mr. Whitehouse also has parents who come during the winter months from Canada to stay with him and his mother has mobility problems with temperature sensitive needs and they need the additional space with comfortable conditions and without exposure from the weather year round. The upstairs bonus room can not be utilized due to his Mom's special needs.
- Mr. & Mrs. Whitehouse are very active church members an hold bi-weekly bible study of 15 or more members and need additional space without exposure from the weather.
- Mr. Whitehouse has an office in his home and works out of his home. He is required to hold meetings and entertain clients. Additional space is needed with comfortable conditions.
- Mrs. Whitehouse is temperature sensitive and requires comfortable conditions without exposure from the weather. The sunroom would provide the special needs she requires.
- Mr. & Mrs. Whitehouse are also looking to improve their property value by adding the Sunroom and adding space.

Thank You,



Robyn Klamer
Sunroom Designs LLC

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 22, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 23 BRANTLEY PLACE PB 51 PGS 48 & 49

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

FINDINGS OF FACT

Property Owner: Robert Whitehouse
3895 BRANTLEY PLACE CIRCLE
APOPKA, FL 32703

Project Name: BRANTLEY PLACE CIRCLE (3895)

Requested Development Approval:

Request for a rear yard (east) setback variance from 30 feet to 18 feet for a proposed sunroom addition in the 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: 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 sunroom 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 _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: