

Item # BV2006-207

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 552 East Hillcrest Street - Andrea Costantine, applicant; Request for a side yard (east) setback variance from 25 feet to 12.4 feet for a proposed 6 foot high fence in R-1AA (Single Family Dwelling District); (Andrea, Costantine, applicant).

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 side yard (east) setback variance from 25 feet to 12.4 feet for a proposed 6 foot high fence in R-1AA (Single Family Dwelling District); (Andrea, Costantine, applicant); or
2. **DENY** the request for a side yard (east) setback variance from 25 feet to 12.4 feet for a proposed 6 foot high fence in R-1AA (Single Family Dwelling District); (Andrea, Costantine, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning: Subdivision:	Andrea Costantine 552 East Hillcrest Street R-1AA (Single Family Dwelling District) Sanlando
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a fence that will encroach 12.6 feet into the minimum 25 foot side street setback. • November 13, 2006, the applicant submitted plans to the Building Division for the proposed fence. • 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 requested is not 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.• 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 fence 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 # BU 2006-207
Meeting Date 1-22-07



VARIANCE APPLICATION

SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 65-7444

COPY

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

Name: ANDREA COSTANTINE
Address: 552 Hillcrest Street East City: Altamonte Zip code: 32701
Project Address: Games As Above City: SPRING Zip code: _____
Contact number(s): (407) 493-6203 cell (407) 339-2512
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 checked="" type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe: 17-1-061
<input type="checkbox"/> Addition	Please describe:
<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 type="checkbox"/> Rear yard setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Side yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Side street setback	Required setback:	25ft.	Proposed setback: 12.4ft.
<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 checked="" 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: Andrea M Costantine

FOR OFFICE USE ONLY

Date Submitted: 11-13-06 Reviewed By: _____
 Tax parcel number: 12-21-29-530-5500-0010 Zoning/FLU R-1AA/LDR
 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

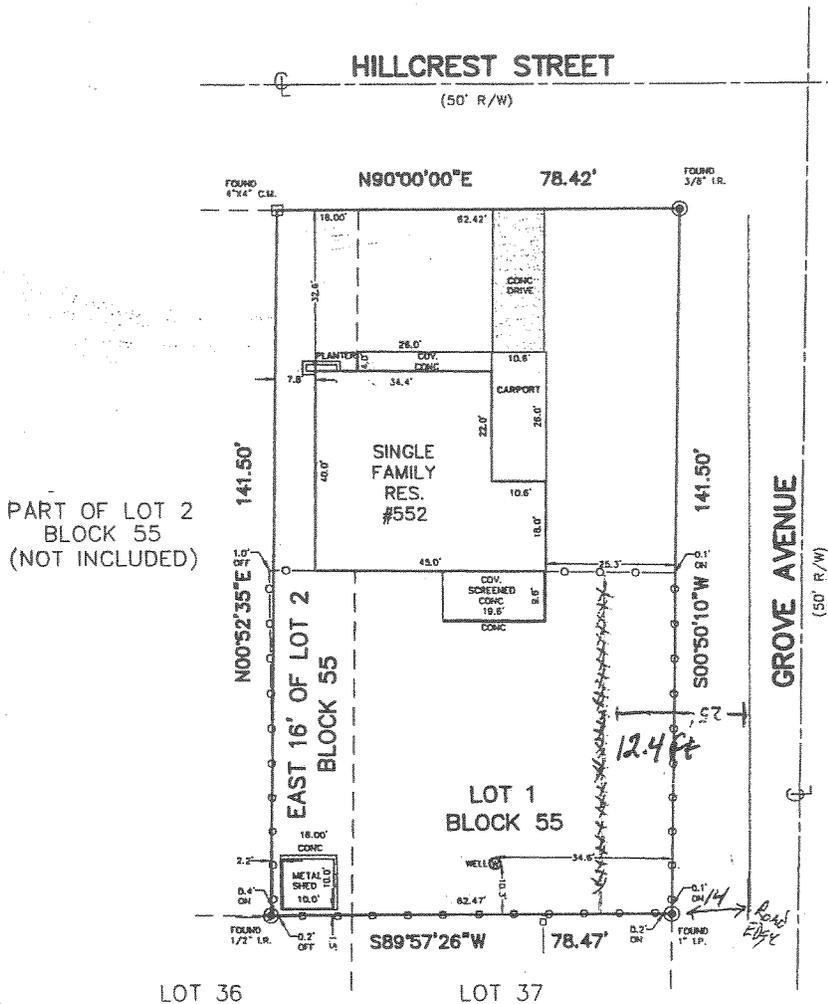
Please return this checklist with your application!

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.

	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 1/2 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 <u>or</u> 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.

BOUNDARY SURVEY

PROPERTY DESCRIPTION (AS PROVIDED BY CLIENT): LOT 1 AND THE EAST 16 FEET OF LOT 2, BLOCK 55, SANLANDO, THE SUBURB BEAUTIFUL, PALM SPRINGS SECTION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 65 1/2, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



PART OF LOT 2
BLOCK 55
(NOT INCLUDED)

LOT 36

LOT 37



SCALE:
1" = 30 FEET

- LEGEND:**
- CONCRETE
 - SET 1/2" REBAR & CAP PSM # 7020
 - FOUND PROPERTY CORNER
 - FOUND 4" X 4" CONCRETE MONUMENT #
 - WELL
 - GAS METER
 - FIRE HYDRANT
 - CENTERLINE
 - BUILDING SETBACK LINE
 - BARBED WIRE FENCE
 - WOOD FENCE
 - CHAIN LINK FENCE
 - OVERHEAD UTILITY LINES

- NR = NOT RADIAL
- RAD = RADIAL
- R = RADIUS
- Δ = CENTRAL ANGLE
- L = ARC LENGTH
- CH.BRC. = CHORD BEARING
- LS. = LAND SURVEYOR
- LB. = LAND SURVEYING BUSINESS
- M = MEASURED
- D = DESCRIPTION
- P = PLAT
- PRM = PERMANENT REFERENCE MONUMENT
- PC = POINT OF CURVATURE
- POB = POINT OF BEGINNING
- PT = POINT OF TANGENT
- U.E. = UTILITY EASEMENT
- D.E. = DRAINAGE EASEMENT
- RES. = RESIDENCE
- U.R. = UTILITY ROOM
- CONC. = CONCRETE
- C.B. = CONCRETE BLOCK
- WF. = WOOD FRAME
- COV. = COVERED
- ENT. = ENTRANCE
- WM. = WATER METER
- WPP = WOOD POWER POLE
- CPP = CONC. POWER POLE
- A/C = AIR CONDITIONER
- R/W = RIGHT OF WAY
- I.R. = IRON ROD
- I.P. = IRON PIPE
- C.M. = CONCRETE MONUMENT
- FF ELEV. = FINISHED FLOOR ELEVATION
- D.U.E. = DRAINAGE & UTILITY EASEMENT

CERTIFIED TO:
THE CLOSING AGENT II, INC.
COMMONWEALTH LAND TITLE INSURANCE COMPANY
TRIST HOMES HOME LOAN CORPORATION
ANDREA COSTANTINE

BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF HILLCREST STREET BEING N90°00'00"E (ASSUMED).

ACCORDING TO THE FLOOD INSURANCE RATE MAP NO. 12117C 0140 E DATED 04/17/95 THE PROPERTY SHOWN HEREON APPEARS TO LIE IN ZONE X.

JOB NO. BCA4954 (FIELD DATE:) 06/24/03
DRAWN BY: RO REVISED:
CHECKED BY: BC
OPERATING UNDER L.B. # 7020

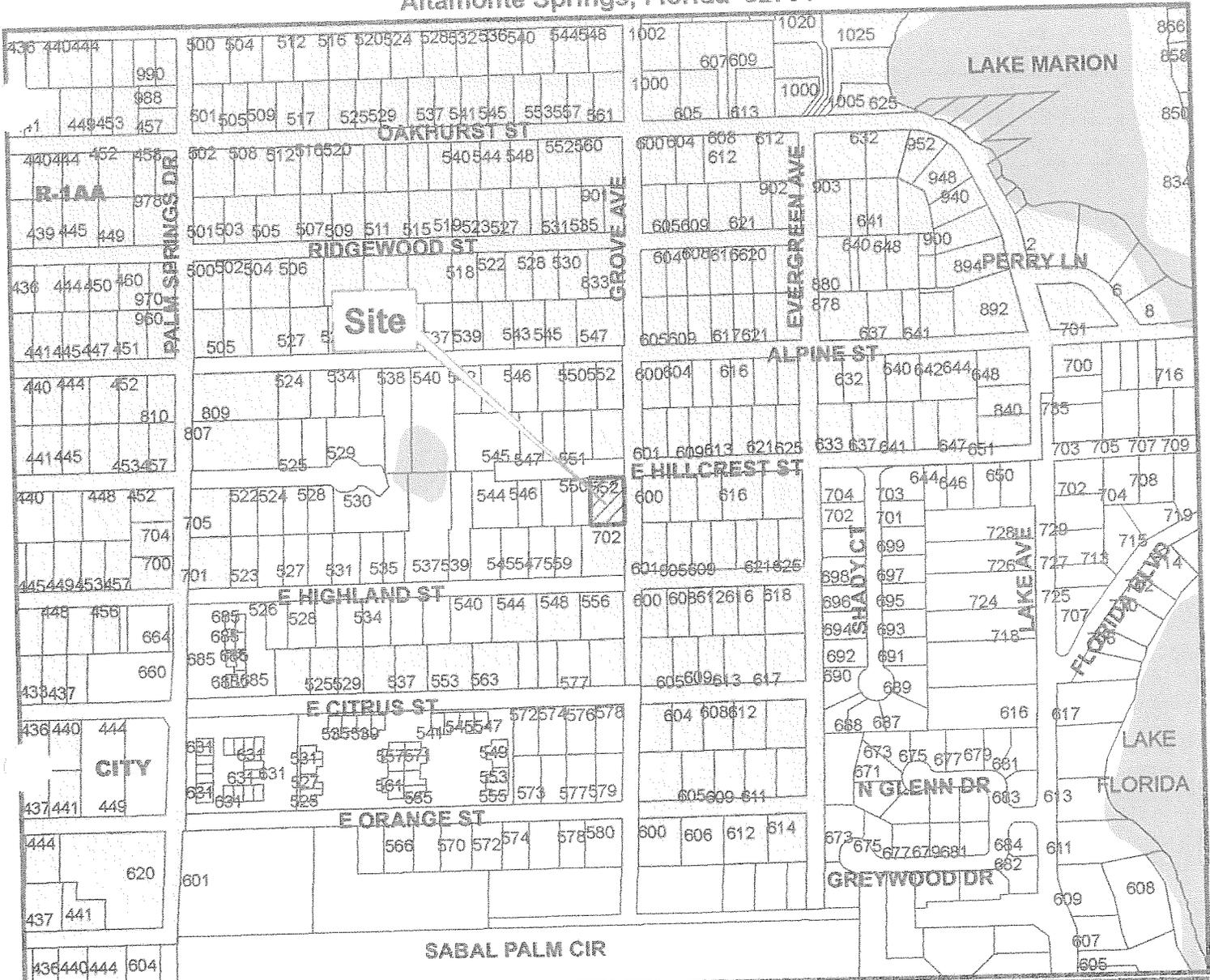
BRADLEY COX & ASSOCIATES
LAND SURVEYING
820 W. LAKE MARY BLVD., SUITE 202
SANFORD, FLORIDA 32773
(407) 323-9202

- NOTES:**
- THIS SURVEY IS BASED ON THE LEGAL DESCRIPTION AS PROVIDED BY THE CLIENT.
 - THIS SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHTS OF WAY OR RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND.
 - DO NOT RECONSTRUCT PROPERTY LINES FROM BUILDING TIES.
 - NO FOOTING OR OVERHANGS HAVE BEEN LOCATED EXCEPT AS SHOWN.
 - NO IMPROVEMENTS OR UTILITIES HAVE BEEN LOCATED EXCEPT AS SHOWN.
 - THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

I HEREBY CERTIFY THAT WE HAVE PERFORMED A FIELD SURVEY OF THE HEREON DESCRIBED PROPERTY, THIS DRAWING IS A REPRESENTATION OF THAT SURVEY AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5617-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

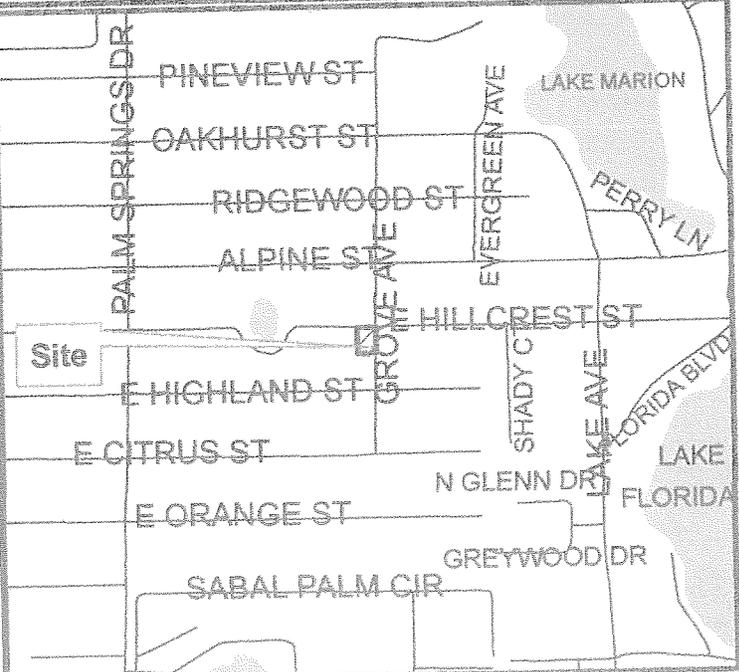
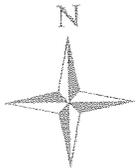
BRADLEY G. COX, PSM # 5567 (DATE) 06/25/03

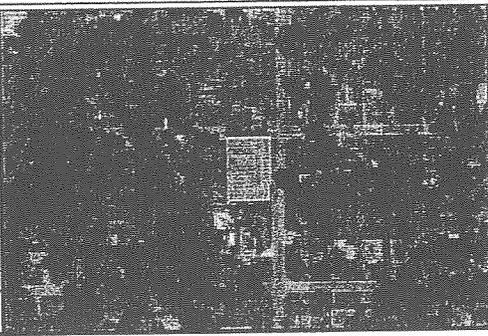
Andrea Costantine
 552 E Hillcrest Street
 Altamonte Springs, Florida 32701

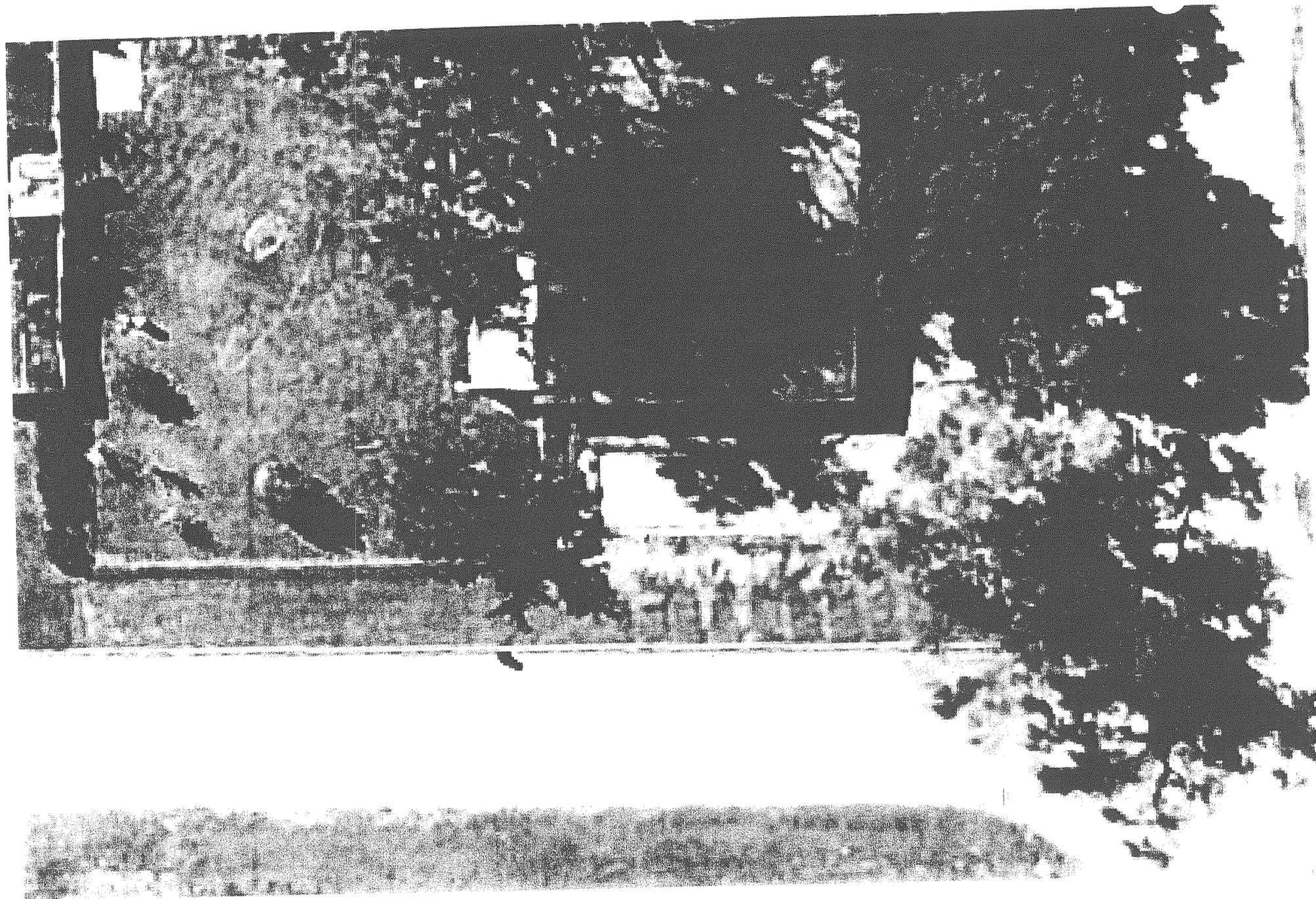


Seminole County Board of Adjustment
 January 22, 2007
 Case: BV2006-207, (Map 3156, Grid A5)
 Parcel No: 12-21-29-5BD-5500-0010

Zoning
 BV2006-207
 R-1AA



<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 32771-1468 407-665-7506</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;">9</td><td style="width:5%;">8</td><td style="width:5%;">7</td><td style="width:5%;">6</td><td style="width:5%;">5</td><td style="width:5%;">4</td><td style="width:5%;">3</td><td style="width:5%;">2</td><td style="width:5%;">1</td> <td style="width:5%;">9</td><td style="width:5%;">8</td><td style="width:5%;">7</td><td style="width:5%;">6</td><td style="width:5%;">5</td><td style="width:5%;">4</td><td style="width:5%;">3</td><td style="width:5%;">2</td> </tr> <tr> <td colspan="8" style="text-align: center;">56</td> <td colspan="8" style="text-align: center;">47</td> </tr> <tr> <td colspan="4">30.0</td><td colspan="4">39.0</td><td colspan="4">35.0</td><td colspan="4">10.0</td><td colspan="4">13.0</td> </tr> <tr> <td colspan="4">30</td><td colspan="4">32</td><td colspan="4">34</td><td colspan="4">35</td><td colspan="4">36</td> </tr> <tr> <td colspan="16" style="text-align: center;">E HILLCREST ST</td> </tr> <tr> <td colspan="4">7.0</td><td colspan="4">4.0</td><td colspan="4">3.0</td><td colspan="4">2.0</td><td colspan="4">1.0</td> </tr> <tr> <td colspan="4">5.0</td><td colspan="4">4.0</td><td colspan="4">3.0</td><td colspan="4">2.0</td><td colspan="4">1.0</td> </tr> <tr> <td colspan="8" style="text-align: center;">55</td> <td colspan="8" style="text-align: center;">48</td> </tr> <tr> <td colspan="4">27.0</td><td colspan="4">30.0</td><td colspan="4">34.0</td><td colspan="4">38.0</td><td colspan="4">9.0</td><td colspan="4">10.0</td><td colspan="4">12.0</td><td colspan="4">13.0</td> </tr> <tr> <td colspan="4">29</td><td colspan="4">30</td><td colspan="4">31</td><td colspan="4">32</td><td colspan="4">33</td><td colspan="4">34</td><td colspan="4">35</td><td colspan="4">37</td> </tr> <tr> <td colspan="4">9.0</td><td colspan="4">7.0</td><td colspan="4">5.0</td><td colspan="4">3.0</td><td colspan="4">1.0</td><td colspan="4">6.0</td><td colspan="4">5.0</td><td colspan="4">4.0</td><td colspan="4">1.0</td> </tr> </table>	9	8	7	6	5	4	3	2	1	9	8	7	6	5	4	3	2	56								47								30.0				39.0				35.0				10.0				13.0				30				32				34				35				36				E HILLCREST ST																7.0				4.0				3.0				2.0				1.0				5.0				4.0				3.0				2.0				1.0				55								48								27.0				30.0				34.0				38.0				9.0				10.0				12.0				13.0				29				30				31				32				33				34				35				37				9.0				7.0				5.0				3.0				1.0				6.0				5.0				4.0				1.0				
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<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 12-21-29-5BD-5500-0010</p> <p>Owner: COSTANTINE ANDREA</p> <p>Mailing Address: 552 E HILLCREST ST</p> <p>City,State,ZipCode: ALTAMONTE SPRINGS FL 32701</p> <p>Property Address: 552 HILLCREST ST E ALTAMONTE SPRINGS 32701</p> <p>Subdivision Name: SANLANDO</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (2004)</p> <p>Dor: 01-SINGLE FAMILY</p>																																																		<p style="text-align: center;">2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$79,131</p> <p>Depreciated EXFT Value: \$816</p> <p>Land Value (Market): \$32,819</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$112,766</p> <p>Assessed Value (SOH): \$92,074</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$67,074</p> <p>Tax Estimator</p>																																																																																																																																																																																																					
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																																																																																																																																																																																																																							



SEMINOLE COUNTY - Application Inquiry

Instructions Help

12/21/2006 11:13:02 AM

Application number	06 00012710
Application status, date	REJECTED 11/13/06
Property	552 E HILLCREST ST
Parcel ID	12-21-29-58D-5500-0010
Subdivision Name	SANLANDO
Subdivision	SANLANDO
Zoning	R1AA SINGLE-FAMILY DWELLING
Application type	A996 FENCEAWALL
Application date	11/13/06
Tenant number, name	SANLANDO/FENCE
Master plan number, reviewed by	TP1
Estimated valuation	700
Total square footage	0
Public building	NO
Work description, quantity	
Pin number	681426

OK Exit Cancel Fees Receipts

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:

LEG LOT 1 + E 16 FT OF LOT 2 BLK 55 SANLANDO
PB 3 PG 65 1/2

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

FINDINGS OF FACT

Property Owner: ANDREA COSTANTINE
552 E HILLCREST STREET
ALTAMONTE SPRINGS, FL 32701

Project Name: HILLCREST STREET EAST (552)

Requested Development Approval:

Request for a side yard (east) setback variance from 25 feet to 12.4 feet for a proposed 6 foot high fence in R-1AA (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 proposed fence 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: