

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 5457 Endicott Place – Kristen A Greenish, applicant; request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room enclosure in R-1BB (Single Family Dwelling District).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

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

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room enclosure in R-1BB (Single Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room enclosure in R-1BB (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Kristen A Greenish Location: 5457 Endicott Place Zoning: R-1BB (Single Family Dwelling District) Subdivision: Lake of Aloma
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a 17 feet by 10 feet (170 square feet) screen room enclosure that would encroach 9 feet into the minimum 20-foot rear yard setback.</li> <li>• Proposed structure will also encroach 4 feet into an existing 15-foot drainage and utility easement which is required to be vacated if the structure is constructed.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances for this property.</li> </ul>

<b>STAFF FINDINGS</b>	<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"><li>• 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.</li><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• 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"><li>• Any variance granted shall apply only to the screen room enclosure as depicted on the attached site plan; and</li><li>• The affected drainage and utility easement is required to be vacated.</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul></li></ul>

**INDEX OF ATTACHMENTS**

*Items that are checked are included in the packet*

- PUD Commitment Card, *if applicable*
- Application**
- Authorization letter
- Applicant statement of request
- Proposed Development Order**
- Proposed Site Plan**
- Proposed elevation drawings, renderings, floor plans, etc
- Property Appraiser data sheet**
- Location map**

Support information:

- Aerials, *if warranted*
- Plat, *if warranted*
- Code Enforcement information
- Building Permit information
- Correspondence
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents

Fee: \$150.00 plus \$50.00 for each additional variance **COPY** Application # BU2006-215  
 Meeting Date 7-22-07



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

29-06A01:33 RC

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

Name: Kristen A. Greenish  
 Address: 5457 Endicott Place City: Oviedo Zip code: 32765  
 Project Address: Same as above City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
 Contact number(s): 407-756-4436 (cell)  
 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"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>Screen Room Enclosure</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.	

REC'D  
 NOV 29 2005  
 PLANNING DIVISION

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:	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: [Signature]

**FOR OFFICE USE ONLY**

Date Submitted: 11-29-06 Reviewed By: P-Johnson  
 Tax parcel number: 31-21-31-509-0000-0730 Zoning/FLU R-18B/ MOR  
 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: None to be provided

**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 <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a></i>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
✓	o Please start with a clean survey (ex: white out old approval stamps)
✓	o Size and dimension of the parcel
✓	o Location and name of all abutting streets
	o Location of driveways
	o Location, size and type of any septic systems, drainfield and wells
	o Location of all easements
	o Existing or proposed house or addition <i>(Label existing, label proposed, and include square footage and dimensions of each )</i>
✓	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	o Building height
✓	o Setbacks from each building to the property lines
	o Location of proposed fence(s)
	o 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.

# SWERDLOFF & BERRY

SURVEYING, INC.

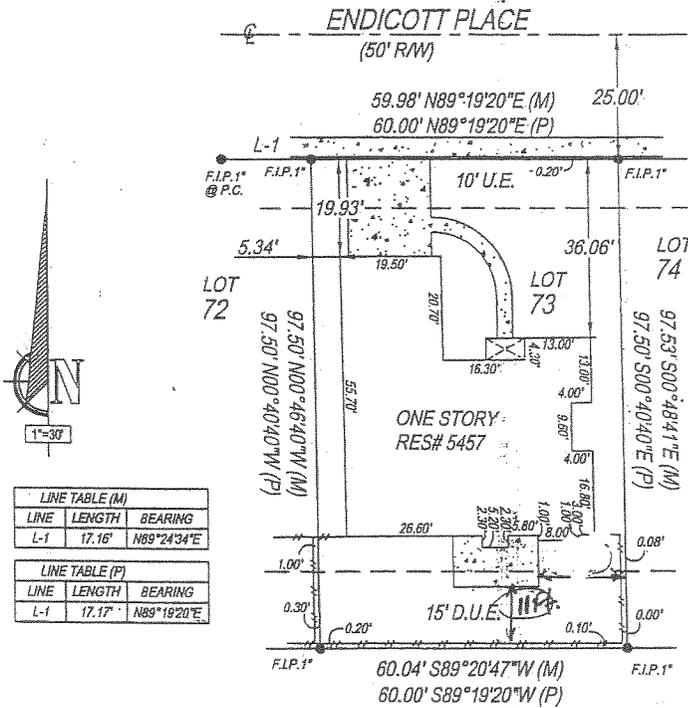
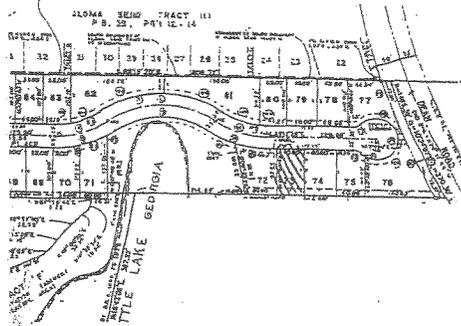
3525 W. Lake Mary Boulevard, Suite 301 · Lake Mary, FL 32746 · Voice 407.688.7631 · Fax 407.688.7691

## Legal Description

Lot 73, LAKES OF ALOMA, according to the plat thereof, as recorded in Plat Book 41, Page(s) 31 through 33, of the Public Records of Seminole County, FL.

Community number: 120289 Panel: 0230  
 Suffix: E.F.L.R.M. Date: 4/17/1995 Flood Zone: X  
 Date of field work: 10/13/2004 Completion Date: 10/14/2004

Certified to:  
 Kristen A. Greenish; Innovative Title Services, Inc.; Commonwealth Land Title Insurance Company; Wells Fargo Bank, NA, its' successors and/or assigns.



Property Address:  
 5457 Endicott Place  
 Oviedo, FL 32765

Survey number: SL 41812

## LEGEND

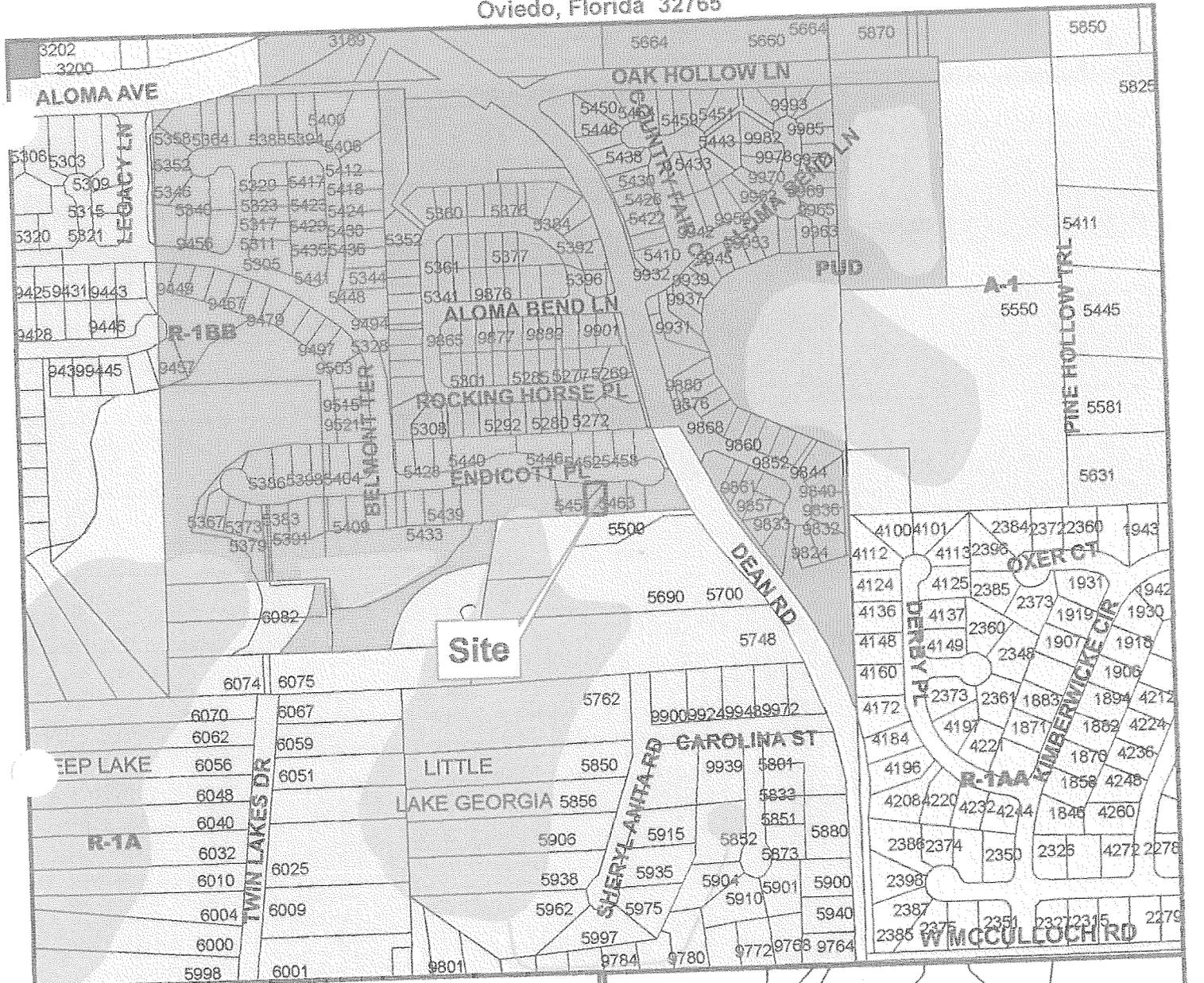
-//-	Wood Fence	CATV	Cable Riser	M.H.	Manhole
-x-x-	Wire Fence	W.M.	Water Meter	N.T.S.	Not to Scale
FN.	Found Nail	TEL.	Telephone Facilities	O.R.	Official Records
*	Property Corner	▨	Covered Area	O.R.B.	Official Records Book
R.	Record	B.R.	Bearing Reference	R.C.P.	Permanent Control Point
M	Field Measured	CH	Chord	PR.M.	Permanent Reference Monument
CL	Clear	RAD	Radial	PG.	Page
ENCR	Encroachment	N.R.	Non Radial	PVMT.	Pavement
└	Centerline	A/C	Air Conditioner	P.B.	Plat Book
▬	Line	B.M.	Bench Mark	P.O.B.	Point of Beginning
C.M.	Monument	C.	Calculated	P.O.C.	Point of Commencement
FLR.	Iron Rod	ZZZZ	Block Wall	P.O.L.	Point on Line
F.I.P.	Found Iron Pipe	△	Central Angle/Delta	P.C.	Point of Curvature
RW	Right of Way	D.B.	Deed Book	P.R.C.	Point of Reverse Curvature
N&D	Nail & Disk	D.	Description or Deed	P.T.	Point of Tangency
D.E.	Drainage Easement	D.H.	Drill Hole	R.	Radius (Radial)
U.E.	Utility Easement	DAW	Driveway	R.O.E.	Roof Overhang Easement
FD.	Found	ESMT	Easement	S.I.R.	Set Iron Rod & Cap
P	Plat	EL	Elevation	SW	Sidewalk
ASPH	Asphalt	F.F.	Finished Floor	T.O.P.	Top of Bank
O.H.U.	Overhead Utilities	F.C.M.	Found Concrete Monument	TYP.	Typical
30		F.P.K.	Found Parker-Kalon Nail	W.C.	Witness Corner

## GENERAL NOTES

- Legal description provided by others.
- The lands shown hereon were not abstracted for easements or other recorded encumbrances not shown on the plat.
- Underground portions of footings, foundations or other improvements were not located.
- Wall ties are to the face of the wall.
- Only visible encroachments located.
- No identification found on property corners unless noted.
- Dimensions shown are plat and measured unless otherwise noted.
- Elevations if shown are based upon N.G.M.D. 1929 unless otherwise noted.
- Adjoining lots are within the same block, unless otherwise noted.
- This is an AS-BUILT SURVEY unless otherwise noted.
- Not valid unless sealed with the signing surveyors embossed seal.
- Flood zone determinations are provided as a courtesy only, and are derived from the best sources available to the surveyor. This information should not be relied upon for flood insurance purposes and may differ from information provided by others.
- L.B. 7132



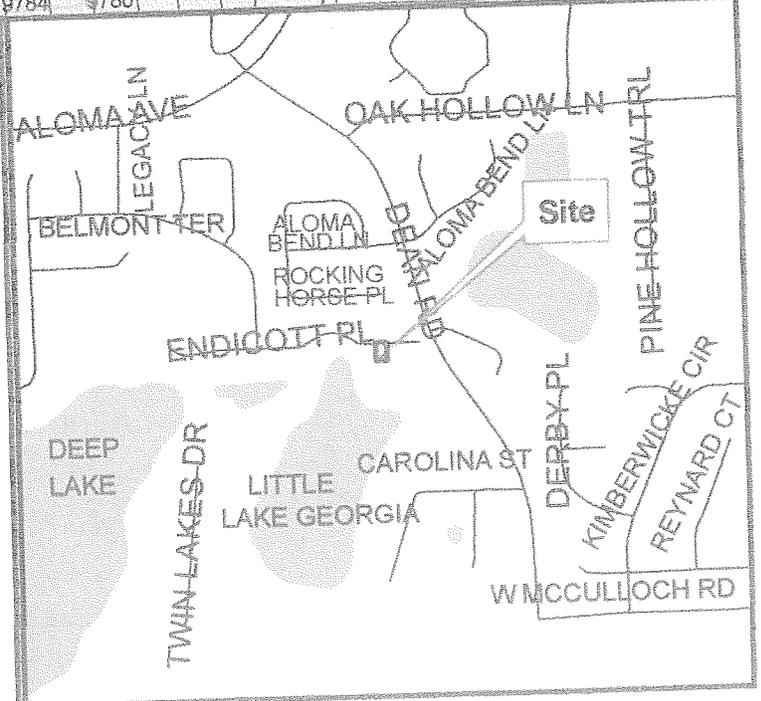
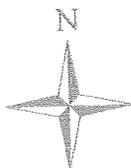
Kristen Greenish  
 5457 Endicott Place  
 Oviedo, Florida 32765



Seminole County Board of Adjustment  
 January 22, 2007  
 Case: BV2006-215 (Map 3212, Grid A6)  
 Parcel No: 31-21-31-509-0000-0730

**Zoning**

	BV2006-215		R-1BB
	A-1		C-2
	R-1AA		PUD
	R-1A		PCD



<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY, FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-666-7506</p>																														
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 31-21-31-509-0000-0730                  Owner: GREENISH KRISTEN A                  Mailing Address: 5457 ENDICOTT PL                  City, State, Zip Code: OVIEDO FL 32765                  Property Address: 5457 ENDICOTT PL OVIEDO 32765                  Subdivision Name: LAKES OF ALOMA                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions: 00-HOMESTEAD (2005)                  Dor: 01-SINGLE FAMILY</p>		<p><b>2007 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market                  Number of Buildings: 1                  Depreciated Bldg Value: \$171,827                  Depreciated EXFT Value: \$1,150                  Land Value (Market): \$45,000                  Land Value Ag: \$0                  Just/Market Value: \$217,977                  Assessed Value (SOH): \$177,496                  Exempt Value: \$25,000                  Taxable Value: \$152,496                  Tax Estimator</p>																												
<p align="center"><b>SALES</b></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>10/2004</td> <td>05501</td> <td>1783</td> <td>\$190,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/2001</td> <td>04173</td> <td>0336</td> <td>\$152,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1990</td> <td>02243</td> <td>0058</td> <td>\$107,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	10/2004	05501	1783	\$190,000	Improved	Yes	WARRANTY DEED	09/2001	04173	0336	\$152,000	Improved	Yes	WARRANTY DEED	11/1990	02243	0058	\$107,000	Improved	Yes	<p><b>2006 VALUE SUMMARY</b></p> <p>Tax Value (without SOH): \$3,125                  2006 Tax Bill Amount: \$2,374                  Save Our Homes (SOH) Savings: \$751                  2006 Taxable Value: \$147,326                  DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																									
LOT	0	0	1.000	45,000.00	\$45,000																									
<b>BUILDING INFORMATION</b>																														
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																					
1	SINGLE FAMILY	1990	9	1,695	2,164	1,695	WD/STUCCO FINISH	\$171,827	\$182,795																					
			Appendage / Sqft: OPEN PORCH FINISHED / 32 Appendage / Sqft: GARAGE FINISHED / 437																											
<p><b>NOTE:</b> Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p>																														
<b>EXTRA FEATURE</b>																														
Description	Year Bld	Units	EXFT Value	Est. Cost New																										
FIREPLACE	1990	1	\$1,150	\$2,000																										
<p><b>NOTE:</b> 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.</p>																														

ARCHITECTURE REVIEW COMMITTEE APPLICATION FOR REVIEW

NAME DENTLER LOT NUMBER 73

ADDRESS 5457 ENOICOTT PL

PHONE NUMBER AND TIME YOU CAN BE REACHED 407-741-8612

BRIEFLY DESCRIBE THE PROPOSED IMPROVEMENT  
Adding screen room porch on back on existing patio slab

DATE OF ANTICIPATED START 11/6/06 COMPLETION DATE 11/23/06 <sup>NA</sup>

Who will perform the actual work on this improvement Accurate Screen Enclosures

INCLUDE A SKETCH, INCLUDING MEASUREMENTS, ON A COPY OF YOUR PROPERTY SURVEY AND ATTACH TO APPLICATION (for installing or moving fence draw plans on copy of your boundary survey)

Jan 67 - 10/2006

Location of improvement		Material Used for Improvement		
<input type="checkbox"/> Front of house	<input type="checkbox"/> Patio	<input type="checkbox"/> Paint color(s) attach color sample	<input type="checkbox"/> Brick Type(s)	<input type="checkbox"/> Fence Type(s)
<input type="checkbox"/> Roof on House	<input type="checkbox"/> Fence	<input type="checkbox"/> Stain color(s) attach color sample	<input type="checkbox"/> Screen Type(s)	<input type="checkbox"/> Height
<input checked="" type="checkbox"/> Back of House	<input type="checkbox"/> Other	<input type="checkbox"/> Pipe	<input type="checkbox"/> Electrical	<input type="checkbox"/> Other
<input type="checkbox"/> Side of House				
<input type="checkbox"/> Garage Area				

I understand the Architectural committee will act on this request as quickly as possible and contact me in writing regarding their decisions. I agree not to begin property improvement(s) until the Architectural Committee notifies me of their approval

Signature Kris Dentler Date 10/31/06

Approved  Rejected  Need further Information

COMMENTS is this wood or aluminum? aluminum  
creeping to match framing.

LID)

Mary Gusselman DATE 11-14-06  
Susan [unclear] DATE 11-14-06  
DATE \_\_\_\_\_

## 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 73 LAKES OF ALOMA PB 41 PGS 31 TO 33

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

### FINDINGS OF FACT

**Property Owner:** Kristen A Greenish  
5457 Endicott Pl  
Oviedo FL 32765

**Project Name:** Endicott Place (5457)

**Requested Development Approval:**

Request for a rear yard setback variance from 20 feet to 11 feet for a proposed screen room enclosure in R-1BB (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: Denny Gibbs, Senior Planner  
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 screen room as depicted on the attached site plan.
2. The affected drainage and utility easement is required to be vacated.

(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: