

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

**SUBJECT:** 2251 Charlotte Drive - Request for a side street (west) setback variance from 25 feet to 5 feet for a proposed room addition in R-1AA (Single Family Dwelling District); Earline Cintron, applicant.

**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 side street (west) setback variance from 25 feet to 5 feet for a proposed room addition in R-1AA (Single Family Dwelling District); or
2. **DENY** the request for a side street (west) setback variance from 25 feet to 5 feet for a proposed room addition in R-1AA (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Earline Cintron Location: 2251 Charlotte Drive Zoning: R-1AA (Single Family Dwelling District) Subdivision: Lloyds Terrace
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a room addition that would encroach 20 feet into the required 25-foot side street (west) setback.</li> <li>• The proposed room addition will be approximately 907 square feet (18 feet-9 inches by 48 feet), to be located on the west side of home.</li> <li>• The applicant intends to vacate the uncut platted right of way (Nola Road) to the west of the property.</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 addition as depicted on the attached site plan; and</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

Application # BA/2006-218  
Meeting Date 11-30-06



### 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: EARLINE CINTRON  
Address: 2251 CHARLOTTE DRIVE City: Longwood Zip code: 32779  
Project Address: 2251 CHARLOTTE DRIVE City: Longwood Zip code: 32779  
Contact number(s): (407) 862-6103(H) (407) 690-1032(CELL)  
Email address: earlinecinttron@hotmail.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 checked="" type="checkbox"/> Addition	Please describe: <u>Kitchen/Dining Rm / Office/Laundry Rm / GARAGE</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 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:	<u>25'</u>	Proposed setback:	<u>5'</u>
<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: Earline Cinttron

**FOR OFFICE USE ONLY**

Date Submitted: \_\_\_\_\_ Reviewed By: DG

Tax parcel number: 04-21-29-508-0300-0010 Zoning/FLU R1AP / UDR

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: uncut Row - NOT CASE

near yard very wooded.

**VARIANCE SUBMITTAL CHECKLIST**

*Please return this checklist with your application!*

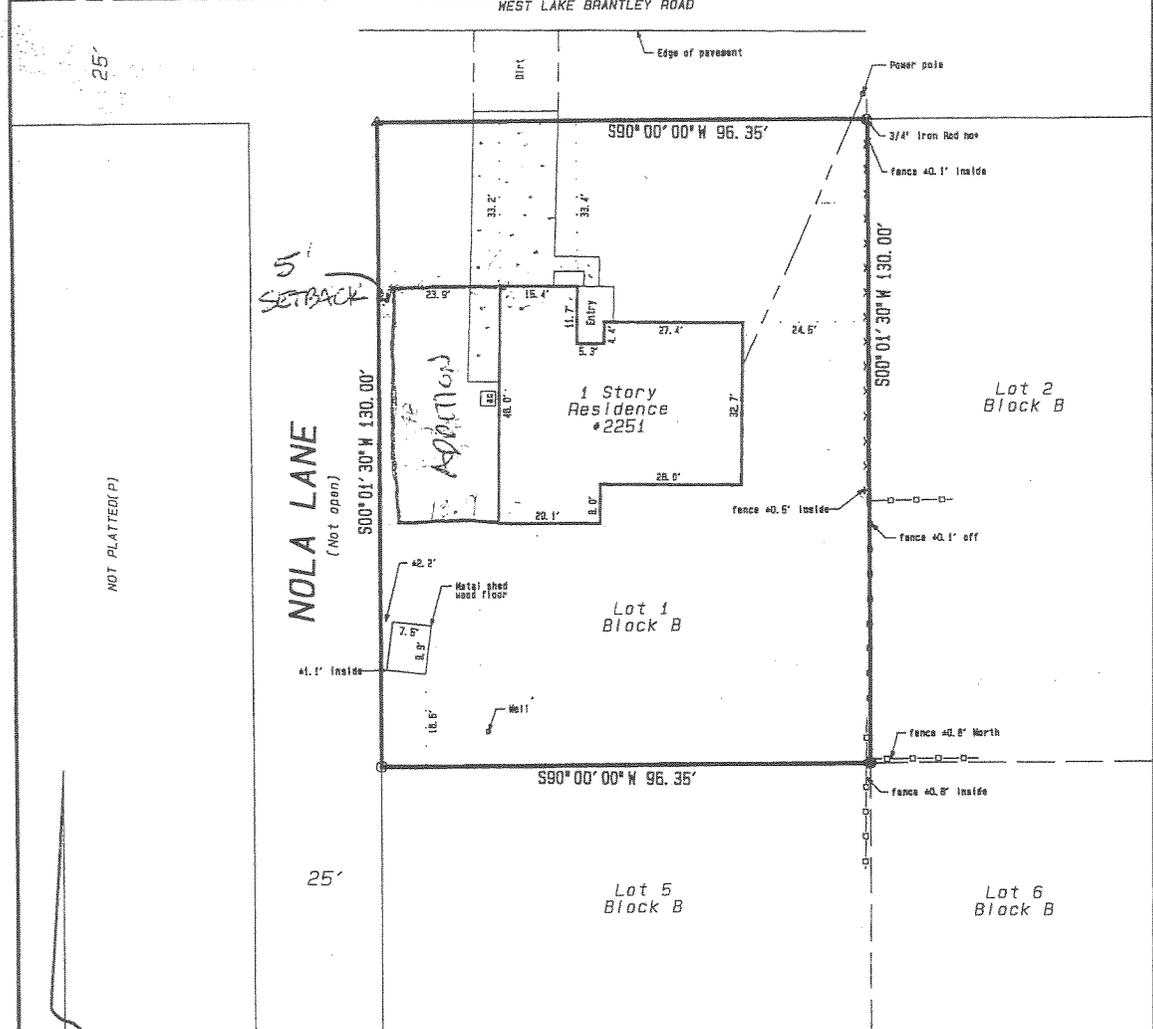
<p>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at <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 ½ 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>
	<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 (Label existing, label proposed, and include square footage and dimensions of each )
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
	<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 (ex: water, sewer, well or septic)
	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 for Raymond & Earlene Cintron

Lot 1, Block B,  
LLOYD'S TERRACE  
Plat Book B, Page 95,  
Seminole County, Florida

**CHARLOTTE DRIVE**

WEST LAKE BRANTLEY ROAD



NOT PLATTED(P)

- Legend
- = Recovered 4" x 4" Concrete Monument.
  - = Set 4" x 4" Concrete Monument #LB6300
  - △ = Recovered 1 1/4" Iron Pipe no#
  - × = Recovered X Cut in concrete
  - = Recovered 1/2" Iron Rod no#
  - = Set 1/2" Iron Rod #LB6300
  - = Light Pole as shown
  - ◇ = 6" Wood Fence
  - = Fence as shown
  - = Concrete Slab
  - = 4" Chain link fence

This Survey Certified To:  
Raymond Cintron  
Earlene Cintron

Bearings are based on the North line of Lot 1 as being East, per plat

△=Central Angle L=Arc R=Radius R/W=Right of Way  
A/C=Air Conditioner (R)=Radial (NR)=Non-Radial  
(P)=Plat (M)=Measured (C)=Calculated (D)=Deed  
POB=Point of Beginning POC=Point of Commencement  
POL=Point On Line

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions and deletions to survey maps, sketches or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

*[Signature]*  
Michael K. Sellitto, P.S.M. #4458  
For the Firm of Altamonte Surveying  
and Platting, Inc. #LB6300

SCALE: 1" = 30'
REVIEWED BY: MWS
DRAWN BY: SAW
DATE: June 16, 2005
JOB No.: 24027
Revised:

This survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals listed and shall not be relied on by any other entity or individual whatsoever.

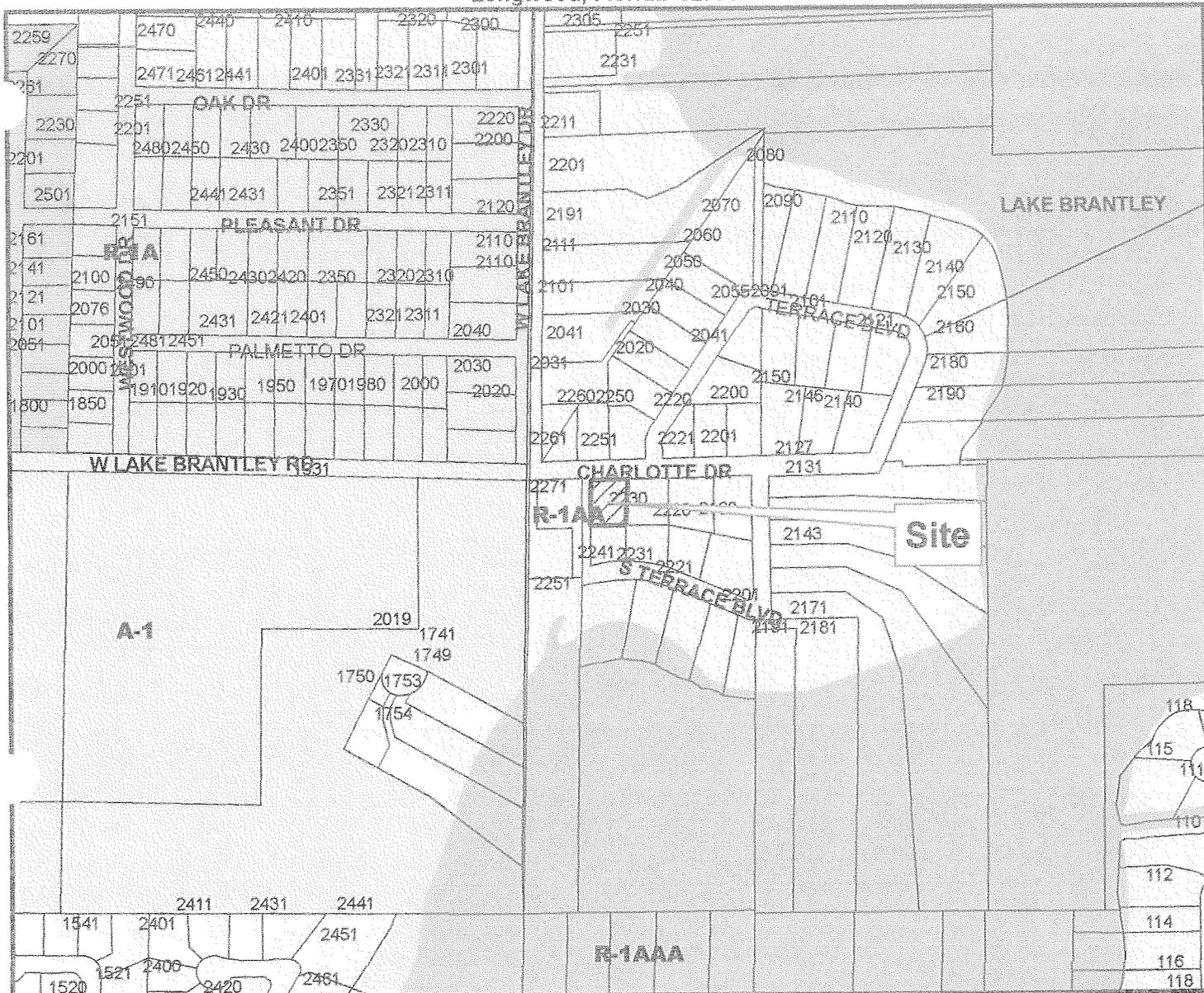
Underground foundations and/or improvements were not located as a part of this survey.

Lands shown hereon were not abstracted for rights of ways and/or easements of public records.

Legal Description furnished by client (unless otherwise noted)

This is to certify that I have reviewed the Flood Insurance Rating Map (FIRM), Panel Number 120289 0110 E, Dated 4/17/95 and determined that the lands shown hereon lies in Flood Zone "X".

Earlene & Raymond Cintron  
 2251 Charlotte Drive  
 Longwood, Florida 32779



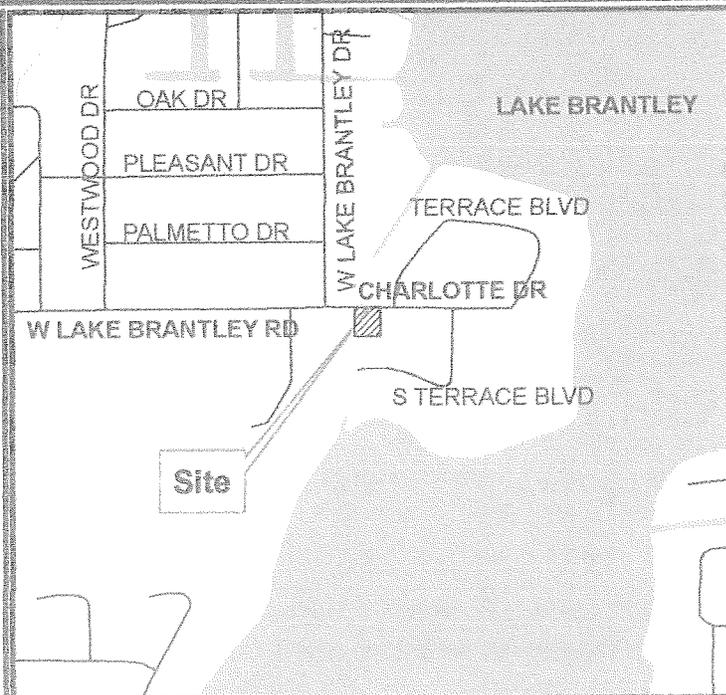
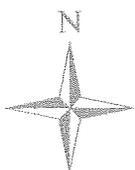
Seminole County Board of Adjustment  
 January 22, 2007

Case: BV2006-218 (Map 3154, Grid D3)

Parcel No: 04-21-29-508-0B00-0010

**Zoning**

 BV2006-218	 R-1AA
 A-1	 R-1A
 R-1AAA	 R-1



<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 407-665-7508</p>																																																											
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 04-21-29-508-0B00-0010</p> <p>Owner: CINTRON RAYMOND &amp; EARLENE</p> <p>Mailing Address: 2251 CHARLOTTE DR</p> <p>City,State,ZipCode: LONGWOOD FL 32779</p> <p>Property Address: 2251 CHARLOTTE DR LONGWOOD 32779</p> <p>Subdivision Name: LLOYDS TERRACE</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (1994)</p> <p>Dor: 01-SINGLE FAMILY</p>		<p><b>2007 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$111,779</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$25,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$136,779</p> <p>Assessed Value (SOH): \$88,882</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$63,882</p> <p>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>12/1980</td> <td>01313</td> <td>1801</td> <td>\$50,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01132</td> <td>1104</td> <td>\$5,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	12/1980	01313	1801	\$50,000	Improved	Yes	WARRANTY DEED	01/1977	01132	1104	\$5,000	Vacant	No	<p><b>2006 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$1,811</p> <p>2006 Tax Bill Amount: \$988</p> <p>Save Our Homes (SOH) Savings: \$823</p> <p>2006 Taxable Value: \$61,293</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																				
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																																					
WARRANTY DEED	12/1980	01313	1801	\$50,000	Improved	Yes																																																					
WARRANTY DEED	01/1977	01132	1104	\$5,000	Vacant	No																																																					
<p align="center"><b>LAND</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>25,000.00</td> <td>\$25,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	25,000.00	\$25,000	<p align="center"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 1 BLK B LLOYDS TERRACE PB 8 PG 95</p>																																													
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																						
LOT	0	0	1.000	25,000.00	\$25,000																																																						
<p align="center"><b>BUILDING INFORMATION</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1980</td> <td>6</td> <td>1,335</td> <td>1,891</td> <td>1,495</td> <td>CB/STUCCO FINISH</td> <td>\$111,779</td> <td>\$125,594</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">OPEN PORCH FINISHED / 66</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">GARAGE FINISHED / 330</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">ENCLOSED PORCH FINISHED / 160</td> </tr> </tbody> </table> <p><i>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</i></p> <p><b>Permits</b></p> <p><i>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</i></p> <p><i>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</i></p>										Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1980	6	1,335	1,891	1,495	CB/STUCCO FINISH	\$111,779	\$125,594				Appendage / Sqft	OPEN PORCH FINISHED / 66									Appendage / Sqft	GARAGE FINISHED / 330									Appendage / Sqft	ENCLOSED PORCH FINISHED / 160					
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																		
1	SINGLE FAMILY	1980	6	1,335	1,891	1,495	CB/STUCCO FINISH	\$111,779	\$125,594																																																		
			Appendage / Sqft	OPEN PORCH FINISHED / 66																																																							
			Appendage / Sqft	GARAGE FINISHED / 330																																																							
			Appendage / Sqft	ENCLOSED PORCH FINISHED / 160																																																							

## 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 BLK B LLOYDS TERRACE PB 8 PG 95

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

### FINDINGS OF FACT

**Property Owner:** Raymond & Earlene Cintron  
2251 Charlotte Drive  
Longwood 32779

**Project Name:** Charlotte Drive (2251)

**Requested Development Approval:**

Request for a side street (west) setback variance from 25 feet to 5 feet for a proposed room addition 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: 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 addition 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: