

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 377 Sugar Sand Lane – Request for a front yard (west) setback variance from 25 feet to 22 feet for a front entry addition in R-1 (Single Family Dwelling District); Steven Wagner; 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 front yard (west) setback variance from 25 feet to 22 feet for a front entry addition in R-1 (Single Family Dwelling District); or
2. **DENY** the request for a front yard (west) setback variance from 25 feet to 22 feet for a front entry addition in R-1 (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning: Subdivision:	Steven Wagner 377 Sugar Sand Lane R-1 (Single Family Dwelling District) Allen's 1 st Add to Washington Heights
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a front entry addition that would encroach 3 feet into the required 25-foot front yard set back. • The proposed front entry addition will be approximately 78 square feet. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property. 	

<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. • 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 FINDINGS</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 front entry addition 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. 	<p>STAFF RECOMMENDATION</p>

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

COPY

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

Application # BV2006-224
Meeting Date 1-22-06



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

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

Name: STEVEN D. WAGNER
Address: 377 SUGAR SAND LN City: QUIEDO Zip code: 32765
Project Address: SAME City: _____ Zip code: _____
Contact number(s): (407) 619-6633 - CELL (321) 853-0960 - WORK
Email address: STEVEN.WAGNER@PATRICK.AF.MIL / SDW@B7@YAHOO.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>78 SF FRONT ENTRY ADDITION</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 checked="" type="checkbox"/> Front yard setback	Required setback:	<u>25'</u>	Proposed setback: <u>22'</u>
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:
<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:
<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: [Signature]

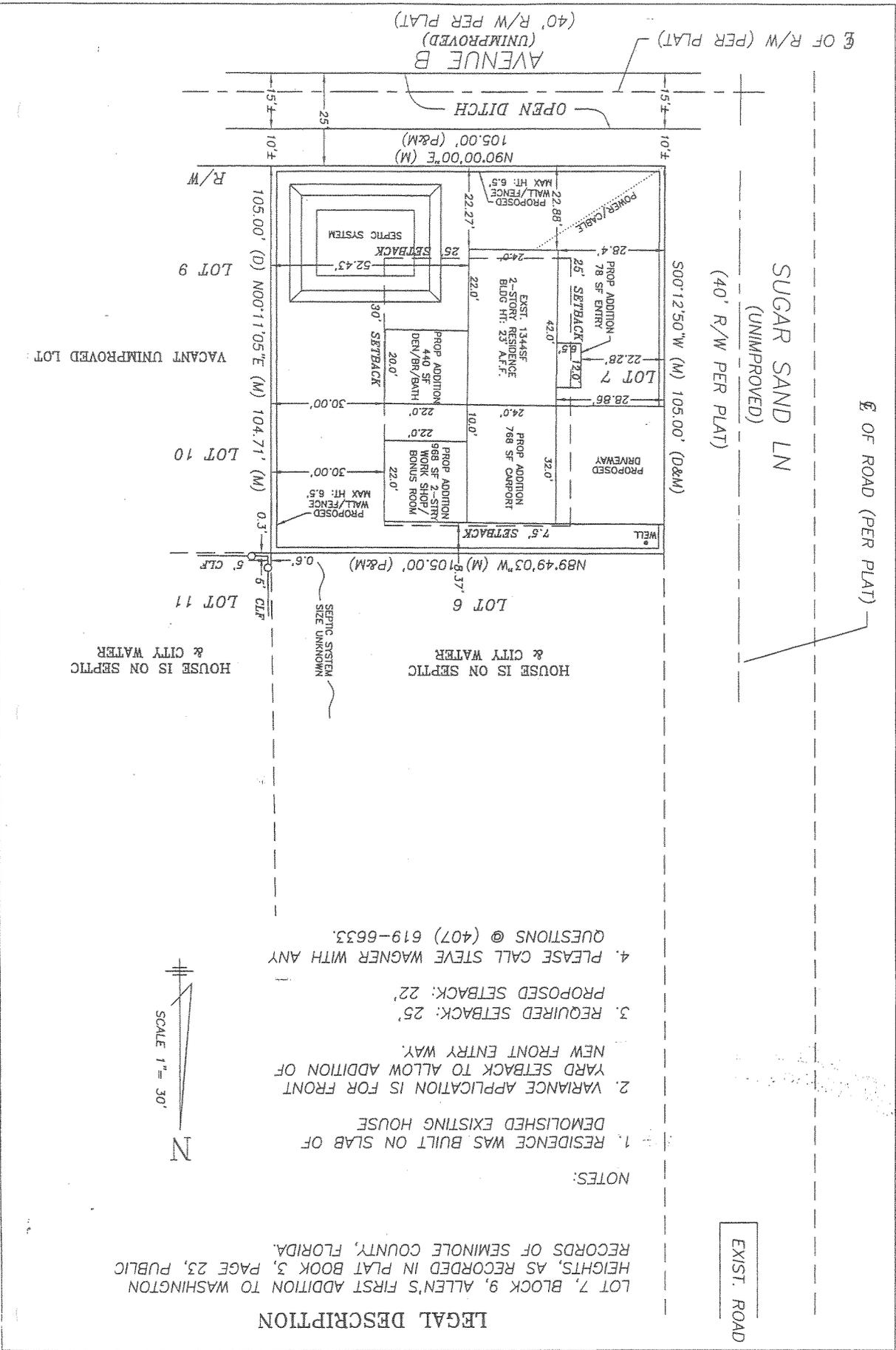
FOR OFFICE USE ONLY

Date Submitted: 12-1-06 Reviewed By: P. Johnson
 Tax parcel number: 11-21-31-508-0900-0070 Zoning/FLU R-1/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: see on site plan

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 online.</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. <u>View a sample site plan online as an example of the information needed; please draw to scale and note the scale used on the plan.</u>
	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 <u>or</u> 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.

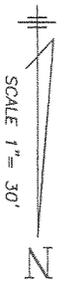


LEGAL DESCRIPTION

LOT 7, BLOCK 9, ALLEN'S FIRST ADDITION TO WASHINGTON HEIGHTS, AS RECORDED IN PLAT BOOK 3, PAGE 23, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

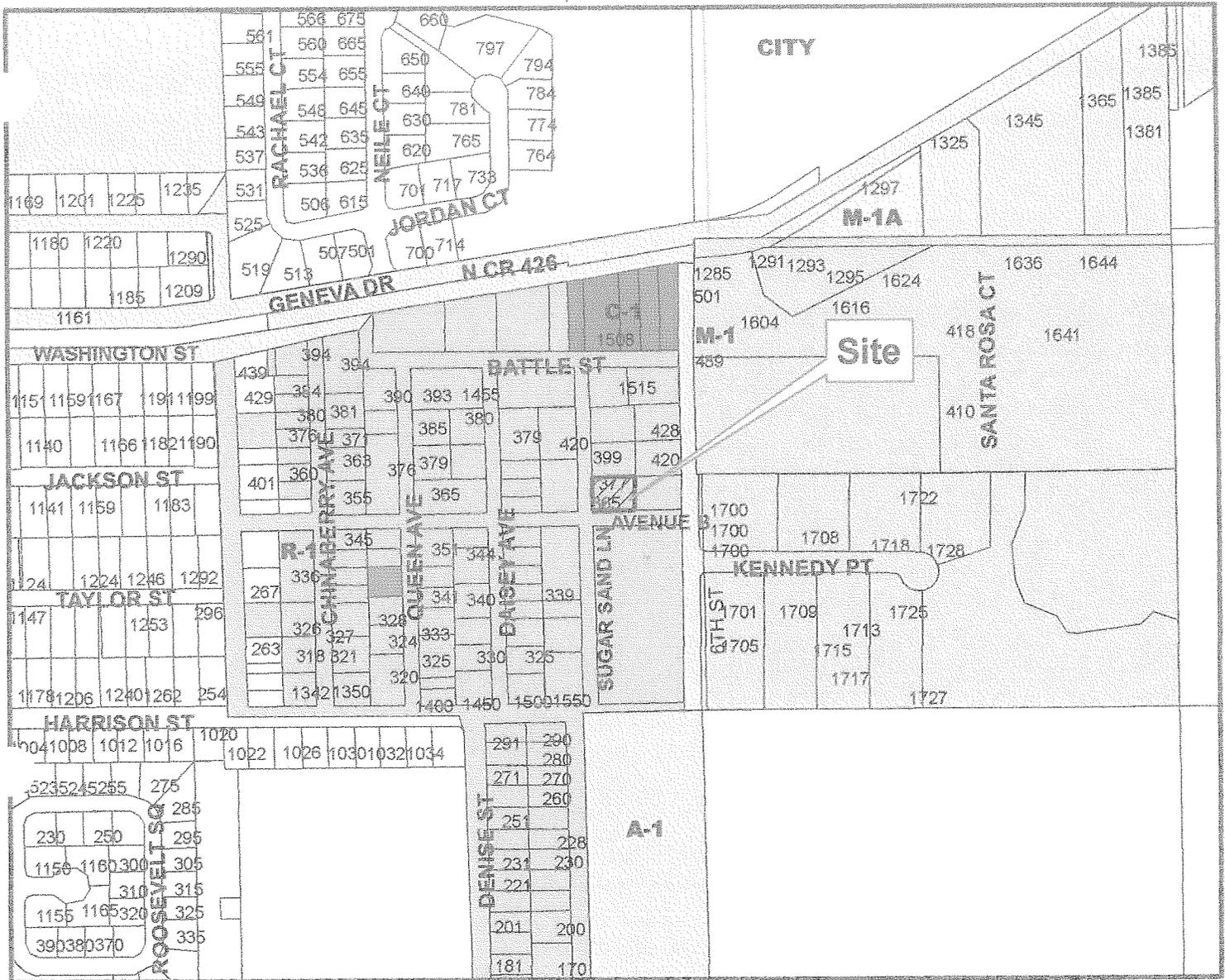
NOTES:

1. RESIDENCE WAS BUILT ON SLAB OF DEMOLISHED EXISTING HOUSE
2. VARIANCE APPLICATION IS FOR FRONT YARD SETBACK TO ALLOW ADDITION OF NEW FRONT ENTRY WAY.
3. REQUIRED SETBACK: 25'
PROPOSED SETBACK: 22'
4. PLEASE CALL STEVE WAGNER WITH ANY QUESTIONS @ (407) 619-6633.



Wagner Residence	Site Plan	11/30/06
377 Sugar Sand Ln, Oviedo FL	Scale: 1" = 30'	Drawn: SDW

Steven Wagner
 377 Sugar Sand Lane
 Oviedo, Florida 32765

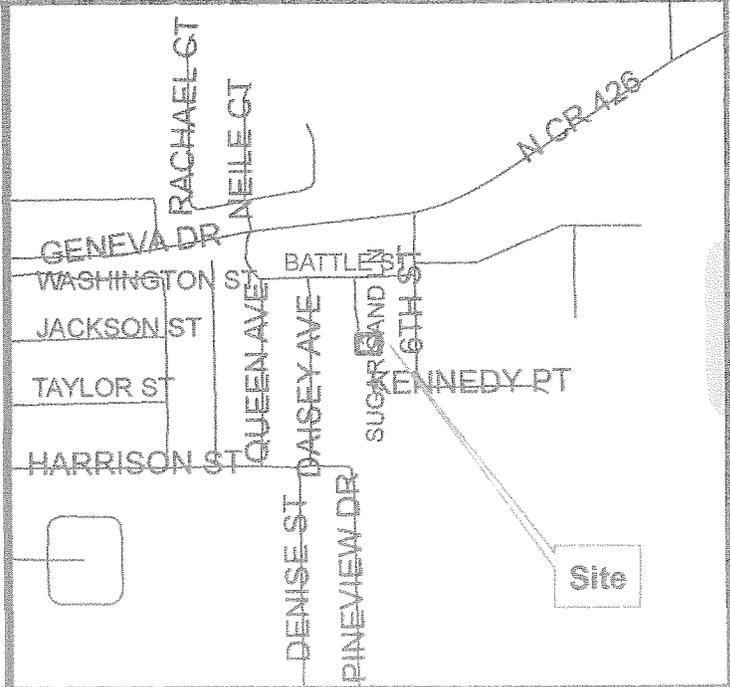
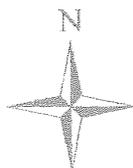


Seminole County Board of Adjustment
 January 22, 2007

Case: BV2006-224 (Map 3160, Grid C5)
 Parcel No: 11-21-31-508-0900-0070

Zoning

- | | |
|--|--|
|  BV2006-224 |  C-1 |
|  A-1 |  M-1A |
|  R-1 |  M-1 |
|  CN | |



PARCEL DETAIL		3 12.0		3 14		
DAVID JOHNSON, CFA, ASA		4 8 15		4 9 13		
PROPERTY APPRAISER		3.0 5 12		5.0 8 11.0		
SEMINOLE COUNTY FL		8 11		8 11		
1101 E. FIRST ST		7 9.0		7 9.0		
SANFORD, FL 32771-1468		9 9		9 9		
407-665-7506		1 17.0		1 20		
		2 19		2 19		
		3 18		3 18		

GENERAL

Parcel Id: 11-21-31-508-0900-0070
 Owner: WAGNER STEVEN D
 Mailing Address: 377 SUGAR SAND LN
 City,State,ZipCode: OVIEDO FL 32765
 Property Address: 377 SUGAR SAND LN OVIEDO 32765
 Subdivision Name: ALLENS 1ST ADD TO WASHINGTON HEIGHTS
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD (2006)
 Dor: 01-SINGLE FAMILY

2007 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$100,967
 Depreciated EXFT Value: \$0
 Land Value (Market): \$6,615
 Land Value Ag: \$0
 Just/Market Value: \$107,582
 Assessed Value (SOH): \$107,582
 Exempt Value: \$25,000
 Taxable Value: \$82,582
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	09/2002	04546	0606	\$11,800	Vacant	No
WARRANTY DEED	04/2001	04051	0449	\$8,000	Vacant	No
WARRANTY DEED	03/1997	03207	1511	\$1,700	Vacant	No
WARRANTY DEED	11/1995	03001	0565	\$3,000	Vacant	No
CERTIFICATE OF TITLE	05/1991	02296	0732	\$100	Vacant	No
WARRANTY DEED	09/1987	01888	1054	\$3,800	Vacant	No

Find Comparable Sales within this Subdivision

2006 VALUE SUMMARY

Tax Value(without SOH): \$1,339
 2006 Tax Bill Amount: \$1,339
 Save Our Homes (SOH) Savings: \$0
 2006 Taxable Value: \$83,092
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	105	105	.000	150.00	\$6,615

LEGAL DESCRIPTION

PLATS:

LOTS 7 & 8 BLK 9 ALLENS 1ST ADD TO WASHINGTON HEIGHTS
 PB 3 PG 23

BUILDING INFORMATION

Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	2005	6	960	1,510	1,326	CB/STUCCO FINISH	\$100,967	\$101,987
			Appendage / Sqft	OPEN PORCH FINISHED / 160					
			Appendage / Sqft	OPEN PORCH FINISHED / 24					
			Appendage / Sqft	UPPER STORY FINISHED / 366					

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

Permits

NOTE: 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.

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:

LOTS 7 & 8 BLK 9 ALLENS 1ST ADD TO WASHINGTON HEIGHTS
PB 3 PG 23

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

FINDINGS OF FACT

Property Owner: Steven Wagner
377 Sugar Sand Lane
Oviedo Fl 32765

Project Name: Sugar Sand Lane (377)

Requested Development Approval:

Request for a front yard (west) setback variance from 25 feet to 22 feet for a front entry addition in R-1 (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 entry 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: