

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

**SUBJECT:** 1866 East Crowley Circle – Request for a (1) rear yard setback variance from 35 feet to 3 feet; and a (2) side yard setback variance from 20 feet to 4 feet for an existing shed in the RC-1 (Country Home District); (Carol Yandell, applicant).

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

**AUTHORIZED BY:** Kathy Fall      **CONTACT:** Kathy Fall      **EXT.** 7433

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

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request a (1) rear yard setback variance from 35 feet to 3 feet; and a (2) side yard setback variance from 20 feet to 4 feet for an existing shed in the RC-1 (Country Home District); (Carol Yandell, applicant); or
2. **DENY** the request a (1) rear yard setback variance from 35 feet to 3 feet; and a (2) side yard setback variance from 20 feet to 4 feet for an existing shed in the RC-1 (Country Home District); (Carol Yandell, applicant); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Location: Zoning: Subdivision:	Carol Yandell 1866 East Crowley Circle RC-1 Mandarin
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant has constructed a shed that encroaches into the rear and side yard setbacks. Since the size of the shed is more than 200 square feet it is required to meet the 35 rear yard setback.</li> <li>• The applicant received a code enforcement violation for the un-permitted construction of the shed on October 9, 2006.</li> <li>• There is no record of prior variances for this property.</li> </ul>	
<b>STAFF FINDINGS</b>	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"><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. <i>The applicant has the ability to place a shed on their property without encroaching into the required setbacks or decrease the size of the shed.</i></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>
<p><b>STAFF RECOMMENDATION</b></p>	<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 existing shed 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>

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

**COPY**

Application # BV 2006-198  
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: CAROL C. VANDALL  
Address: 1866 E. CROWLEY CIRCLE City: LONGWOOD Zip code: 32779  
Project Address: LONGWOOD, FL. 32779 City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Contact number(s): 407-444-2714  
Email address: TFVCCY@AOL.COM

Is the property available for inspection without an appointment?  Yes  No

What type of structure is this request for?	
<input checked="" 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 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 checked="" type="checkbox"/> Rear yard setback	Required setback:	35 Ft.	Proposed setback:	3 Ft. 4 inches
<input checked="" type="checkbox"/> Side yard setback	Required setback:	20 Ft.	Proposed setback:	4 Ft. 6 inches
<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 type="checkbox"/> 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: Carol C. Vandall 10-20-06

**FOR OFFICE USE ONLY**

Date Submitted: 10-20-06 Reviewed By: \_\_\_\_\_  
 Tax parcel number: 24-20-29-501-0000-1760 Zoning/FLU RC-1/SE  
 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**

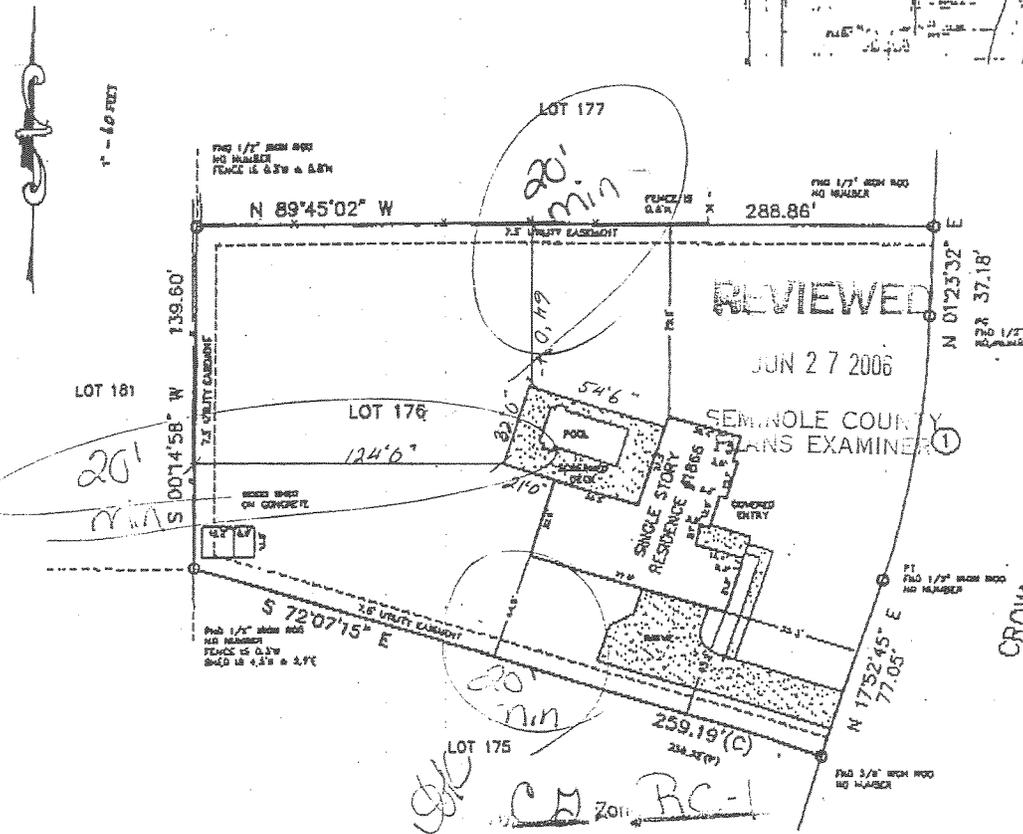
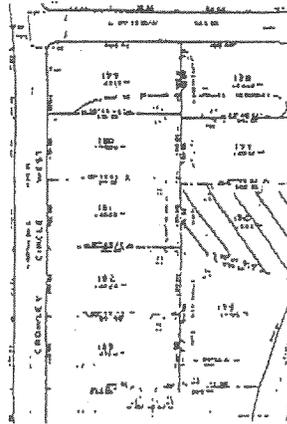
*Please return this checklist with your application!*

<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 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>
	<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.

Lot 176, MANDARIN SECTION FIVE, according to the plat thereof, as recorded in Plat Book 28, Page(s) 45-47, of the Public Records of Seminole County, FL

Community number: 120289 Panel: 0130  
 Suffix: E.F.I.R.M. Date: 4/17/95 Flood Zone: X  
 Date of field work: 5/14/02 Completion Date: 5/14/02

Certified to:  
 Thomas F. Yandell; Carol C. Yandell; Benchmark Title Agency, Inc.;  
 Commonwealth Land Title Insurance Company; Decision One  
 Mortgage Company, LLC, its successors and/or assigns.



① R = 379.93' LOT 182  
 Δ = 18°29'13"  
 L = 109.33'  
 CB = N 09°38'09" E

JUN 27 2006

SEMINOLE COUNTY  
 ZONING - APPROVED  
 PERMIT # 12-1222

Property Add.  
 1366 East Cr  
 Longwood, FL

- LEGEND**
- WOOD FENCE
  - WIRE FENCE
  - FOUNDATIONAL
  - PROPERTY CORNER
  - RECORD
  - FIELD BOUNDARY
  - CALCULATED
  - ENCROACHMENT
  - CENTERLINE
  - CONCRETE
  - PROPERTY LINE
  - CONCRETE MONUMENT
  - FOUND IRON ROD
  - FOUND IRON PIPE
  - RIGHT OF WAY
  - NAIL & COAK
  - CARRIAGE EASEMENT
  - UTILITY EASEMENT
  - ROUND
  - FLAT
  - ADJACENT
  - OVERHEAD LINES
  - POWER POLE
  - TRANSFORMER
  - CABLE NUMBER
  - WATER METER
  - TELEPHONE FACILITIES
  - COVERED AREA
  - BEARING REFERENCE
  - CHORD
  - RADIAL
  - NON RADIAL
  - AN CONCRETE
  - BENCHMARK
  - CATCH BASIN
  - CE
  - CALCULATED

- WOOD WALL
- CENTRAL ANGLE OR M
- DEED BOOK
- DESCRIPTION OR DEED
- DRILL HOLE
- CONCRETE
- EASEMENT
- ELEVATION
- FINISHED FLOOR
- ROUND CONCRETE MONUMENT
- FOUND IRON ROD
- FOUND IRON PIPE
- LENGTH
- LAND ACCESS EASEMENT
- MANHOLE
- NOT TO SCALE
- OFFICIAL RECORDS
- OFFICIAL RECORDS BOOK
- PERMANENT CONTROL POINT
- PERMANENT REFERENCE MONUMENT
- PAGE
- PAVEMENT
- FLAT BOOK
- POINT OF BEGINNING
- POINT OF COMMENCEMENT
- POINT OF CURVATURE
- POINT OF REVERSE CURVATURE
- POINT OF TANGENCY
- RADIUS (RADIAL)
- ROOF OVERHANG EASEMENT
- SET IRON ROD & CAP
- SIDEWALK
- TEMPORARY BENCHMARK
- TOP OF BANK
- TYPICAL
- WITNESS CORNER
- EXISTING ELEVATION
- EDGE OF WATER

Pool Enclosure

- GENERAL NOTES**
- 1) LEGAL DESCRIPTION PROVIDED BY OTHERS
  - 2) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR E OR OTHER RECORDED BOUNDARIES NOT SHOWN ON THIS SURVEY
  - 3) UNDERGROUND PORTALS OF ADJACENT POLYGRAPHIC OR CONCRETE IMPROVEMENTS WERE NOT LOCATED
  - 4) WALL TIES ARE TO THE FACE OF THE WALL
  - 5) ONLY VISIBLE ENCROACHMENTS LOCATED
  - 6) NO CENTERLINE FOUND ON PROPERTY CORNERS UNLESS OTHERWISE SHOWN
  - 7) DIMENSIONS SHOWN ARE BEST FITTING AND 1928 UNLESS OTHERWISE SHOWN
  - 8) ALL DIMENSIONS ARE WITHIN THE SAME BLOCK UNLESS OTHERWISE SHOWN
  - 9) THIS IS A SURVEY UNLESS OTHERWISE SHOWN
  - 10) NOT ALL DIMENSIONS SEALED WITH THE SURVEYOR'S SEAL
  - 11) FLOOD ZONE DETERMINATIONS ARE PROVIDED AS A COURTESY DERIVED FROM THE BEST SOURCES AVAILABLE TO THE SURVEYOR INFORMATION SHOULD BE RECORDED FOR FLOOD ZONE PURPOSES, AND MAY DIFFER FROM INFORMATION PROVIDED

Survey number

HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND CORRECT COPY AS FILED AND RECORDED UNDER MY SUPERVISION

RALPH SWERLOFF REGISTERED LAND SURVEYOR

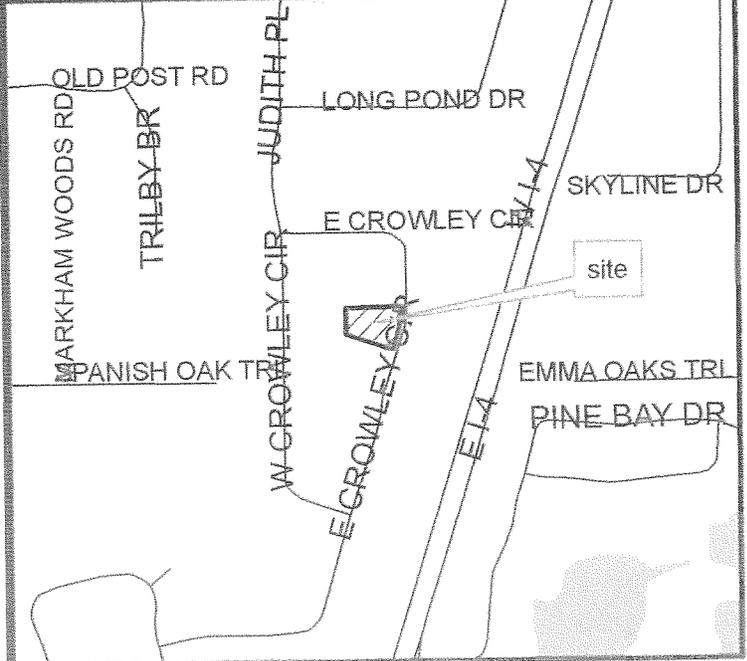
**SWERLOFF & LONG SURVEYING**  
 365 Waymont Ct., Ste. 109, Lake Mary, FL  
 Voice (407) 688-7631 Fax (407) 688-7632

Carol & Thomas Yandell  
 1866 E Crowley Circle  
 Longwood, Florida 32779



Seminole County Board of Adjustment  
 January 22, 2007  
 Case: BV2006-198 (Map 3102, Grid E4)  
 Parcel No: 24-20-29-501-0000-1760

- Zoning**
-  BV2006-198
  -  A-1
  -  RC-1
  -  R-1BB



<b>PARCEL DETAIL</b> DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508	E CROWLEY CIR			9	
	159	179	178	151	
	160	180	177	150	
	161	181	176	149	
	162	182	175	148	
	163	183	174	147	
	184		146		

*PC-1 SE*

**GENERAL**  
 Parcel Id: 24-20-29-501-0000-1760  
 Owner: YANDELL THOMAS F & CAROL C  
 Mailing Address: 1866 E CROWLEY CIR  
 City, State, Zip Code: LONGWOOD FL 32779  
 Property Address: 1866 CROWLEY CIR E LONGWOOD 32779  
 Subdivision Name: MANDARIN SEC 5  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions: 00-HOMESTEAD  
 Dor: 01-SINGLE FAMILY

**2007 WORKING VALUE SUMMARY**

Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	\$256,485
Depreciated EXFT Value:	\$10,180
Land Value (Market):	\$60,000
Land Value Ag:	\$0
Just/Market Value:	\$326,665
Assessed Value (SOH):	\$220,787
Exempt Value:	\$25,000
Taxable Value:	\$195,787
Tax Estimator	

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	05/2002	04423	0614	\$252,300	Improved	Yes
WARRANTY DEED	03/1995	02900	1460	\$141,000	Improved	Yes
QUIT CLAIM DEED	06/1991	02307	0383	\$120,000	Improved	No
CERTIFICATE OF TITLE	12/1990	02250	0449	\$100,800	Improved	No
WARRANTY DEED	12/1984	01603	0099	\$125,900	Improved	Yes

Find Comparable Sales within this Subdivision

**2006 VALUE SUMMARY**

Tax Value (without SOH):	\$4,891
2006 Tax Bill Amount:	\$3,052
Save Our Homes (SOH) Savings:	\$1,839
2006 Taxable Value:	\$189,356

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	60,000.00	\$60,000

**LEGAL DESCRIPTION**

PLATS:

LEG LOT 176 MANDARIN SEC 5 PB 28 PGS 45 TO 47

**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	1984	11	2,742	3,350	2,742	CB/STUCCO FINISH	\$256,485	\$281,852
Appendage / Sqft			GARAGE FINISHED / 552						
Appendage / Sqft			OPEN PORCH FINISHED / 56						

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

**Permits**

**EXTRA FEATURE**

Description	Year Bld	Units	EXFT Value	Est. Cost New
FIREPLACE	1984	1	\$850	\$2,000
POOL GUNITE	1985	512	\$4,608	\$10,240
COOL DECK PATIO	1985	1,270	\$2,000	\$4,445
SCREEN ENCLOSURE	1985	2,852	\$2,282	\$5,704
ELECTRIC HEATER	1985	1	\$440	\$1,100

PLANNING AND DEVELOPMENT DEPARTMENT

BUILDING AND FIRE INSPECTIONS



October 9, 2006

CERTIFIED 7005 2570 0001 2808 0757

Thomas & Carol Yandell  
1866 E. Crowley Cir  
Longwood, FL 32779

RE: PARCEL ID 24 20 29 501 0000 1760, 1866 E. CROWLEY CIR, LONGWOOD,  
FL, CASE NO 06-503

Dear Property Owner and all Interested Parties:

This is to advise you that the above described property has been inspected and the following violation(s) of the Seminole County Code have been identified.

"Installing a shed, LP gas tank and generator without permits."

Each violation shall be corrected within 7 days of receipt of this letter. Failure to comply may result in formal charges brought before the Seminole County Code Enforcement Board. The Board has been granted the authority to levy fines in an amount up to \$250.00 per day for every day the violation(s) exists.

Please contact Tom Helle at 407.665.7338 for any further information. Thank you for your cooperation in this matter.

Sincerely,

Seminole County,  
Building & Fire Inspection Division

MC

*LM - For Tom Helle  
10/16/06  
3:52 PM / CH*

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 22, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lot 176 Mandarin Sec 5 PB 28 PGS 45 to 47

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

### FINDINGS OF FACT

**Property Owner:** Carol Yandall  
1866 East Crowley Circle  
Longwood, Fl. 32779

**Project Name:** 1866 East Crowley Circle

#### **Requested Development Approval:**

Request for a (1) rear yard setback variance from 35 feet to 3 feet and (2) side yard (south)setback from 20 feet to 4 feet for an existing shed in RC-1 (Country Home 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: Kathy Fall, Principal 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 existing shed 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: