

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

**SUBJECT:** 405 Palms Springs Road – Request for a side street setback variance from 25 feet to 13.7 feet for an existing addition in the R-1AA (Single Family Dwelling District); (Tony Coleman, 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 for a side street setback variance from 25 feet to 13.7 feet for an existing addition in the R-1AA (Single Family Dwelling District); (Tony Coleman, applicant); or
2. **DENY** the request for a side street setback variance from 25 feet to 13.7 feet for an existing addition in the R-1AA (Single Family Dwelling District); (Tony Coleman, applicant); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Tony Coleman Owner: Ryan Holland Location: 405 Palms Springs Road Zoning: R-1AA Subdivision: Sanlando Springs
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting to replace the screening in an existing structure with glass windows. The structure encroaches 11.3 feet into the side street setback.</li> <li>• The structure requires a variance no matter if it has screen or glass windows because it is a covered addition.</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.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance. <i>The applicant currently retains reasonable use of the property without the granting of the variance.</i></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 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>

**COPY**

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

Application # BV 2006-206  
Meeting Date 1-22-07



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

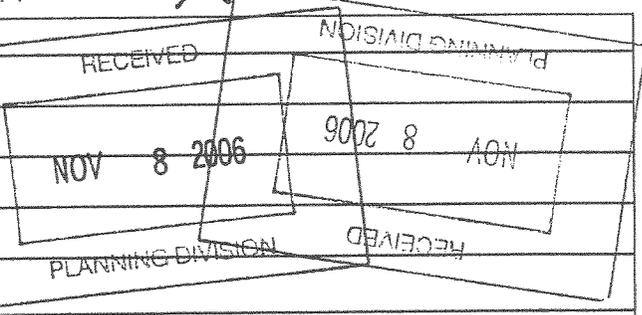
PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Ryan P Holland Tony Coleman  
Address: 405 Palm Springs Drive City: Longwood Zip code: 32750  
Project Address: SAME City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Contact number(s): 407-474-9649  
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 type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:



This request is for a structure that has already been built. Screen enclosure  
JUST CHANGING SCREEN TO GLASS

**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>25ft</u>	Proposed setback:	<u>13.7ft</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:	

Total number of variances requested 1

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: Tony Coleman 11-8-06

**FOR OFFICE USE ONLY**

Date Submitted: 11-8-06 Reviewed By: \_\_\_\_\_  
 Tax parcel number: 01-21-29-5CK-110A-0070 Zoning/FLU R-1AA / LOR  
 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!*

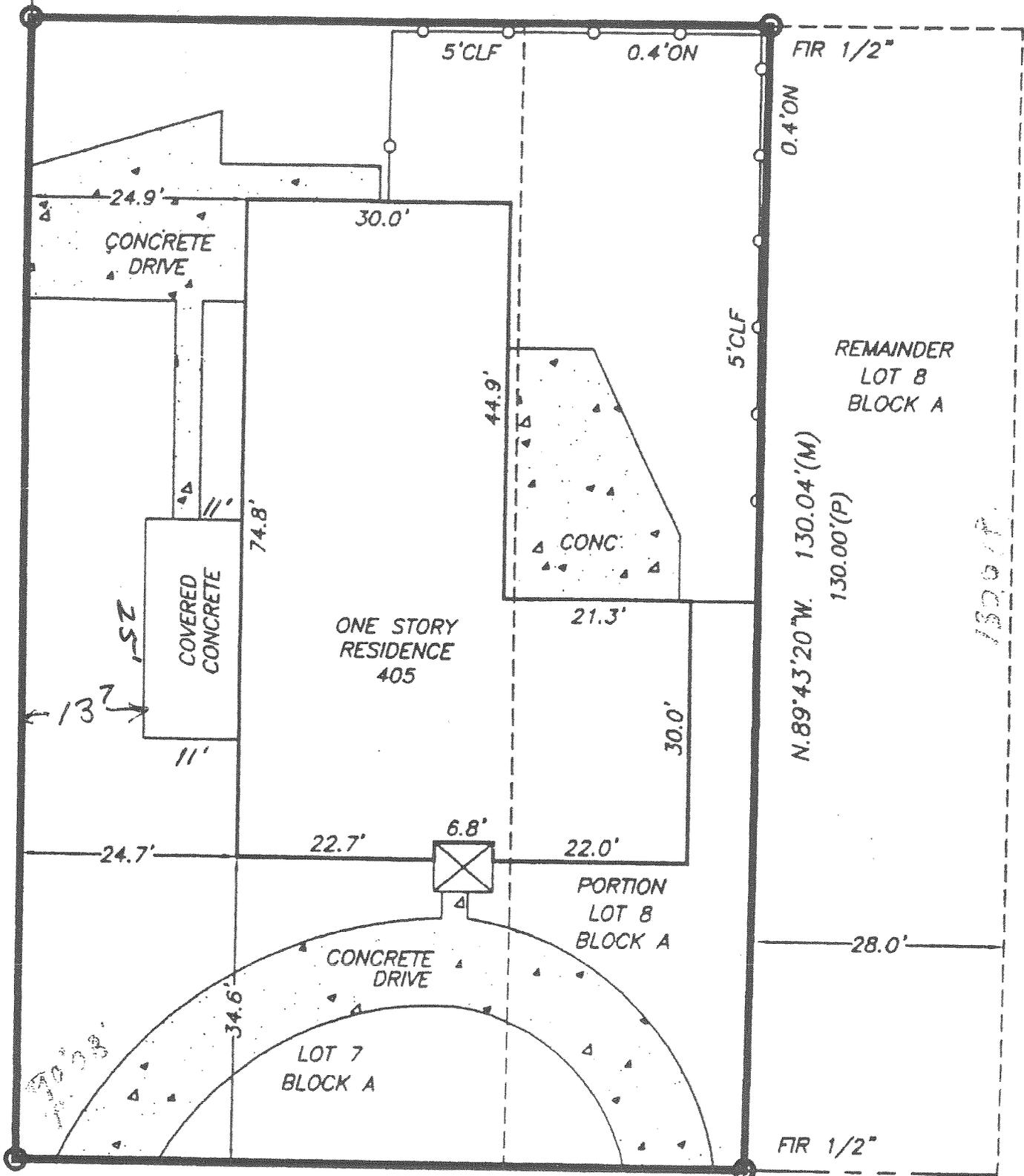
<p>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained online.</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> <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>
	<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 or 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.

25'  
FIP 1"

N.89°53'0"

84.00'(D)  
S.00°07'39"E. 84.01'(M)

130.00'(P)  
N.89°59'10"E. 129.85'(M)



REMAINDER  
LOT 8  
BLOCK A

ONE STORY  
RESIDENCE  
405

CONCRETE  
DRIVE

COVERED  
CONCRETE

PORTION  
LOT 8  
BLOCK A

LOT 7  
BLOCK A

CONCRETE  
DRIVE

FIP 1"  
BLOCK CORNER

NORTH 83.35'(M)  
NORTH 84.00'(D)(BR)(ASSUMED)

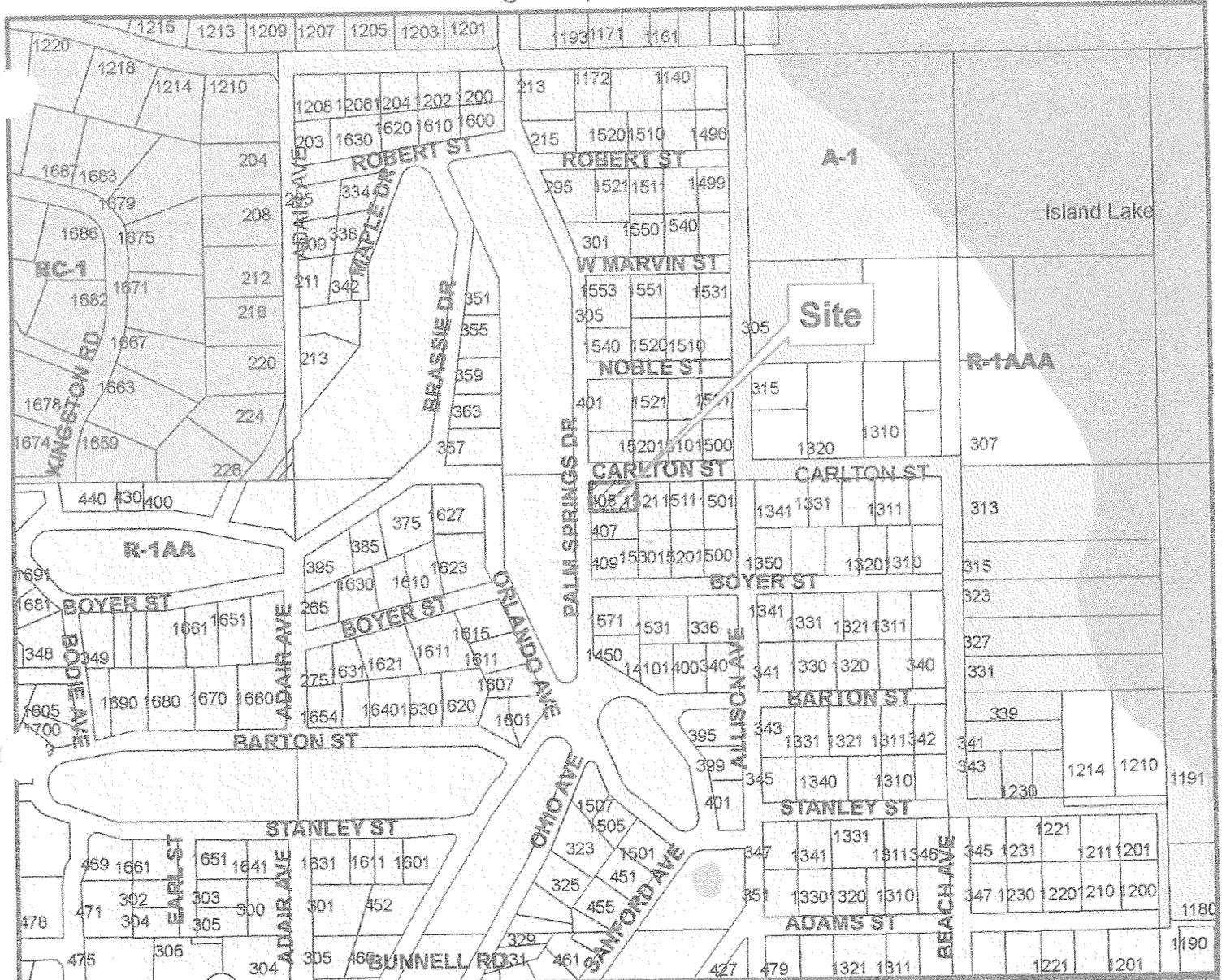
PALM SPRINGS DRIVE

(IMPROVED)

50'0" AN

130.00'(P)

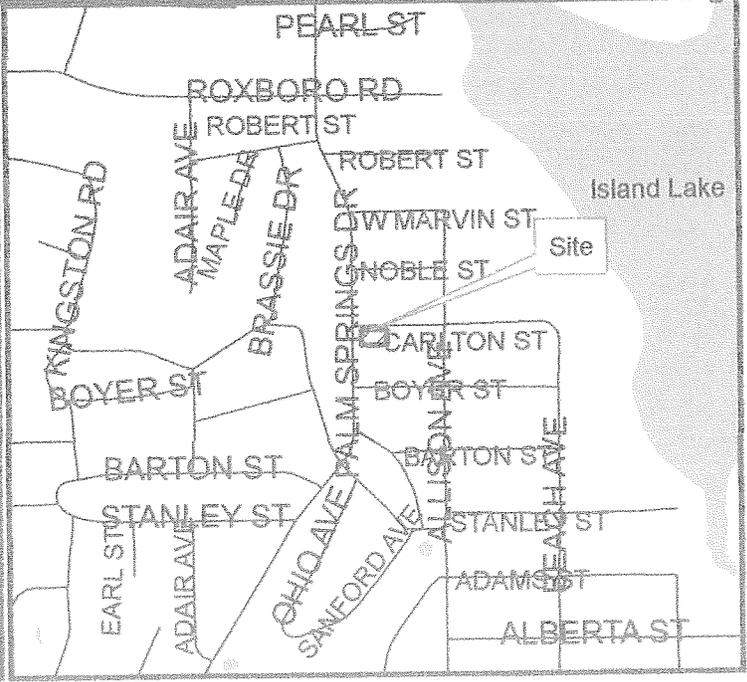
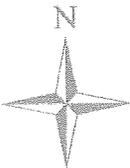
Ryan Holland/Tony Coleman  
 405 Palm Springs Drive  
 Longwood, Florida 32750



Seminole County Board of Adjustment  
 January 22, 2007  
 Case: BV2006-206 (Map 3156, Grid A3)  
 Parcel No: 01-21-29-5CK-110A-0070

**Zoning**

-  BV2006-206
-  A-1
-  RC-1
-  R-1AAA
-  R-1AA
-  R-1A



<b>PARCEL DETAIL</b> DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506		9 10 10.0 12.0 14.0 16.0 11 12 13 14 15 16 <b>CARLTON ST</b>																																						
00G0 <b>PALM SPRINGS DR</b>		7 8 5 4 3 2 1 7.0 5.0 A 3.0 1.0 8 8.0 10 12.0 14.0 18.0																																						
<b>GENERAL</b> Parcel Id: 01-21-29-5CK-110A-0070 Owner: HOLLAND RYAN P Mailing Address: 275 W HIGHLAND AVE City,State,ZipCode: ALTAMONTE SPRINGS FL 32714 Property Address: 405 PALM SPRINGS DR LONGWOOD 32750 Subdivision Name: SANLANDO SPRINGS Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY				<b>2007 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$170,332 Depreciated EXFT Value: \$0 Land Value (Market): \$72,000 Land Value Ag: \$0 Just/Market Value: \$242,332 Assessed Value (SOH): \$116,800 Exempt Value: \$25,000 Taxable Value: \$91,800 Tax Estimator																																				
<b>SALES</b> <table border="1"> <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>09/2006</td> <td>06412</td> <td>1543</td> <td>\$275,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>09/1998</td> <td>03802</td> <td>0602</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1978</td> <td>01178</td> <td>0625</td> <td>\$55,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1978</td> <td>01154</td> <td>1101</td> <td>\$60,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision				Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	09/2006	06412	1543	\$275,000	Improved	Yes	SPECIAL WARRANTY DEED	09/1998	03802	0602	\$100	Improved	No	WARRANTY DEED	07/1978	01178	0625	\$55,000	Improved	Yes	WARRANTY DEED	01/1978	01154	1101	\$60,000	Improved	Yes	<b>2006 VALUE SUMMARY</b> Tax Value(without SOH): \$3,528 2006 Tax Bill Amount: \$1,425 Save Our Homes (SOH) Savings: \$2,103 2006 Taxable Value: \$88,398 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	
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<b>LAND</b> <table border="1"> <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>80,000.00</td> <td>\$72,000</td> </tr> </tbody> </table>				Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	80,000.00	\$72,000	<b>LEGAL DESCRIPTION</b> PLATS: <input type="button" value="Pick..."/> LEG LOT 7 & N 1/2 OF LOT 8 BLK A TRACT 11 SANLANDO SPRINGS PB 5 PG 48																								
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<b>BUILDING INFORMATION</b> <table border="1"> <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>1969</td> <td>6</td> <td>2,466</td> <td>3,155</td> <td>2,466</td> <td>CONC BLOCK</td> <td>\$170,332</td> <td>\$208,996</td> </tr> <tr> <td colspan="3"></td> <td colspan="7">                     Appendage / Sqft GARAGE FINISHED / 400                      Appendage / Sqft SCREEN PORCH FINISHED / 275                      Appendage / Sqft OPEN PORCH FINISHED / 14                 </td> </tr> </tbody> </table> NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished <b>Permits</b> 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.										Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1969	6	2,466	3,155	2,466	CONC BLOCK	\$170,332	\$208,996				Appendage / Sqft GARAGE FINISHED / 400 Appendage / Sqft SCREEN PORCH FINISHED / 275 Appendage / Sqft OPEN PORCH FINISHED / 14							
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ATT PATTIE S. JOHNSON



Limited Power of Attorney

Date: 11-9-06

I hereby name and appoint Tony Coleman (Name)  
of Beethoven in Law (Company Name) to be my lawful

attorney in fact to act for me and apply to Seminole County Building and Fire Division for a Building my Home (Type of Permit) permit for

work to be performed at the location described as:

Parcel ID#: 01-21-29-5CK-110A-0070

Address of Job: 405 Palm Springs Dr 32750

Property Owner: Ryan P Holland.

and to sign my name and do all things necessary to this appointment.

Tony Coleman (Contractor's Company and License)  
(Signature of Contractor)

RYAN HOLLAND [Signature] 11/9/06

State of FL  
County of  
Seminole

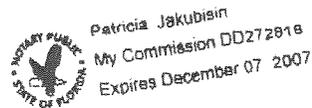
Acknowledged:

Sworn to and subscribed before me this 9th day of Nov A.D. 2006

Notary Public

[Signature]

(Seal)



My Commission expires on: Dec 7, 2007

## 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 7 & N ½ of Lot 8 Blk A Tract 11 Sanlando Springs PB 5 PG 48

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

### FINDINGS OF FACT

**Property Owner:** Ryan Holland  
275 West Highland Avenue  
Altamonte Springs, FL. 32714

**Project Name:** 405 Palm Springs Road

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

Request for a side street (north) setback variance from 25 feet to 13.7 feet for an existing 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: 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 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: