

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

SUBJECT: 576 Clemson Drive – Alberto Sosa, applicant; Request for 1) a side yard (west) variance from 7.5 feet to 6 feet-3 inches for an existing car port and 2) a rear yard variance from 30 feet to 27 feet-7 inches for an addition to an existing sunroom in R-1 (Single Family Dwelling District).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Joy Williams **EXT.** 7399

Agenda Date 02/26/07 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **DENY** the request for 1) a side yard (west) variance from 7.5 feet to 6 feet-3 inches for an existing car port and 2) a rear yard variance from 30 feet to 27 feet-7 inches for an addition to an existing sunroom in R-1 (Single Family Dwelling District); or
2. **APPROVE** the request for 1) a side yard (west) variance from 7.5 feet to 6 feet-3 inches for an existing car port and 2) a rear yard variance from 30 feet to 27 feet-7 inches for an addition to an existing sunroom in R-1 (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	<p>Applicant: Alberto Sosa</p> <p>Location: 576 Clemson Dr</p> <p>Zoning: R-1 (Single Family Dwelling District)</p> <p>Subdivision: Weathersfield 2nd Add</p>
BACKGROUND / REQUEST	<ul style="list-style-type: none"> The applicant is requesting a 1) side yard (west) variance for an existing carport that encroaches 1-foot-2 inches into the required 7.5-foot side yard setback and 2) a rear yard variance for an addition to an existing sunroom that encroaches 2 feet-3 inches into the required 30-foot rear yard setback. The applicant intends to 1) enclose the existing carport to create additional living space for the 1180 square foot

	<p>home and 2) extend the existing sunroom 3.5 feet west to align with the building line of the home.</p> <ul style="list-style-type: none">• There are currently no code enforcement or building violations for this property.• There is no record of prior variances for this property.
STAFF FINDINGS	<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.
STAFF RECOMMENDATION	<p>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:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the existing car port and sunroom 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.

INDEX OF ATTACHMENTS

Items that are checked are included in the packet


- ☒ Staff Report
- ☒ Application
- ☐ Applicant statement of request
- ☒ Proposed Site Plan
- ☒ Location map
- ☒ Property Appraiser data sheet
- ☐ PUD Commitment Card, *if applicable*

Support information:

- ☒ Proposed elevation drawings, renderings, floor plans, etc
- ☐ Aerials, *if warranted*
- ☐ Plat, *if warranted*
- ☐ Code Enforcement information
- ☐ Building Permit information
- ☐ Correspondence
- ☐ Authorization letter
- ☐ Supporting documentation
- ☐ Letters of support
- ☐ HOA approval letter
- ☐ Pictures provided by applicant
- ☐ Other miscellaneous documents

- ☒ Proposed Development Order

COPY



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

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 checked="" type="checkbox"/> Other	Please describe: <u>ENCLOSE CARPORT, ENLARGE PORCH</u>
<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 checked="" type="checkbox"/> Side yard setback	Required setback:	7.5'	Proposed setback:	6'
<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>				

Signed:

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FOR OFFICE USE ONLYDate Submitted: Jan 12, 2007Reviewed By: D. GibbsTax parcel number: 15-21-29-509-1700-0310 Zoning/FLU R-1/ 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 completeNotes: pool and deck is in a utility easement**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). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	<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 (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.

DESCRIPTION: (AS FURNISHED)

LOT 3
BLOCK 17

LOT 5
BLOCK 17

LDT 5
DLOCK 17

FBI / 7-11-68
 A CAR IN PHOENIX
 HANCL K. O'B'S & O O

1. M. S. B. ROY AND
S. C. P. IN 1920
P. 100 IS C. S. B. IN 1920

N 89°20'46" W 65.00

UTILITY CAMOUFLAGE

LOT 32
BLOCK 17

BLOCK 17

1000 LT
1000 LT

THIS 1/2" NON
A CAN IN 1243
WASH M. D. 1951

BLOCK 17

S 89°20'46" E 65.00

CLEMSON DRIVE
66' PLATTED RIGHT-OF-WAY
ASPHALT ROADWAY

② UNNOTES (IN 1/2" FROM BOTTOM)
 NO. 123456
 2 BOWTIE RADAR
 3 DOWNTON BILLIA AHOIT
 1 DOWNOTS ARE UNNOTES!
 (IN) UNNOTES BEARING
 (IN) (IN) MAY JUMP
 (IN) P.W. PLAT
 (IN) MEASURING
 (IN) 1.0000
 (IN) LONGITUDE

JJ (LAND SURVEYING BUSINESS
 LL LAND SURVEYING
 MM MANAGEMENT REFERRING DOCUMENT
 NN PORTFOLIO CONTROL POINT
 PP POINT OF INTERSECTION
 RR POINT OF TANGENCY
 EE POINT OF CURVATURE
 CC CHAIN LINK FENCE
 WW WIND FANAL
 TT TYPICAL
 A/C AIR CONDITIONER
 CONCR CONCRETE BLOCK WALL
 RADIUS POINT
 UTILITY UTILITY LINE

I HAVE EXAMINED THE F.H.W. COMMUNITY DATA NO 120289 0120 DATED 4/1/80 AND FOUND THE SUBJECT PROPERTY APPEARS TO BE IN ZONE X AREA OUTSIDE OF THE 100 YEAR FLOOD.

BEARINGS SHOWN HEREON ARE BASED ON
THE SOUTHERLY LINE OF LOT 31, BLOCK 17
BEING N 80° 00' 48" W PER MAP

(FIELD DATE) 8/4/19

SCALE: 1" = 30 FEET

APPROVED BY: PLM

REVISOR

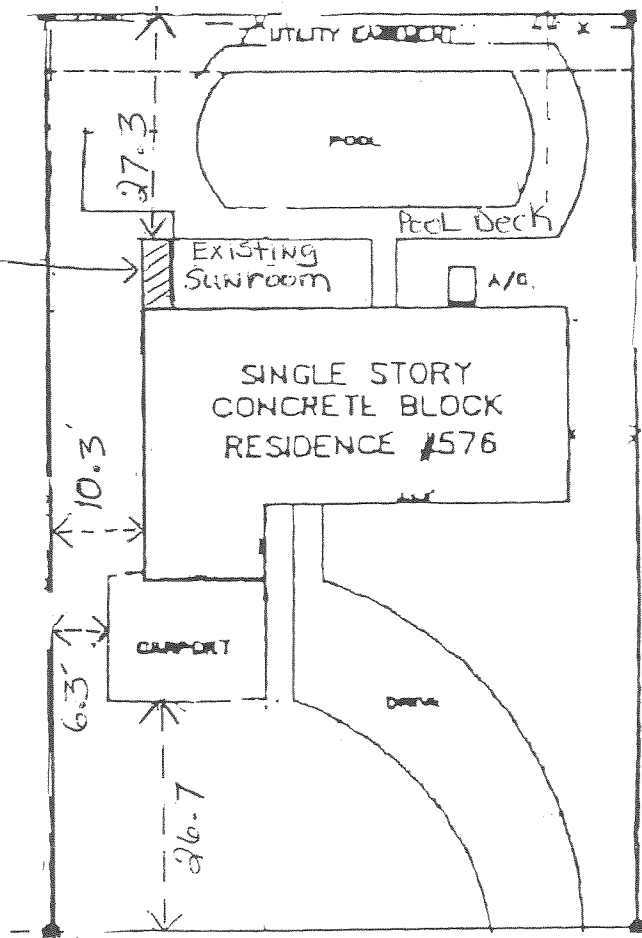


AMERICAN SURVEYING & MAPPING
CERTIFICATION IN AUTOMATED REMOTE SENSING
100 EAST 20TH STREET SUITE 100

7. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREIN FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND AND UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.

8. NOT VALID WITHOUT THE SIGNATURE AND THE OFFICIAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPLER.

Proposed
Sunroom
Addition



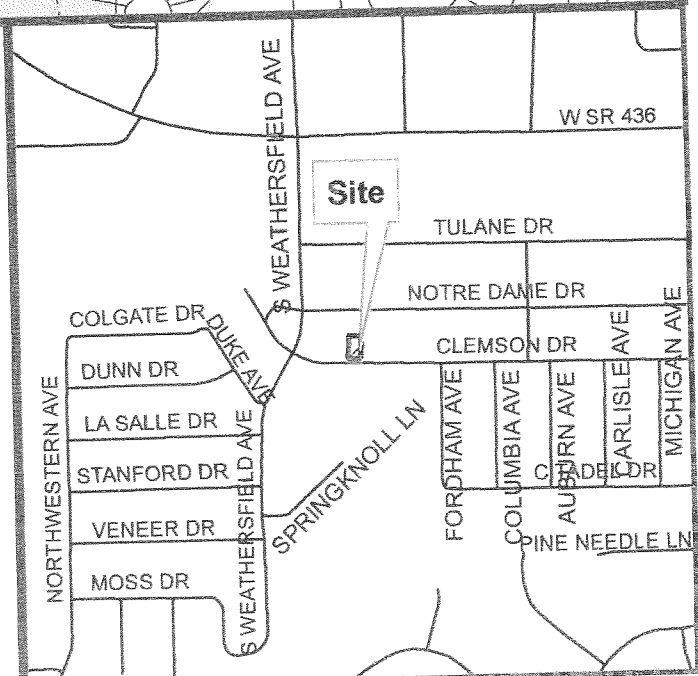
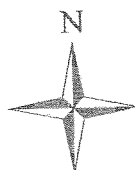
Alberto Sosa
576 Clemson Drive
Altamonte Springs, Florida 32714

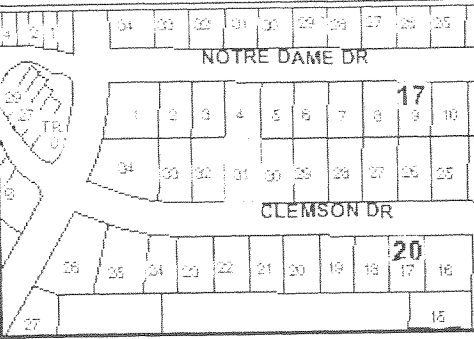
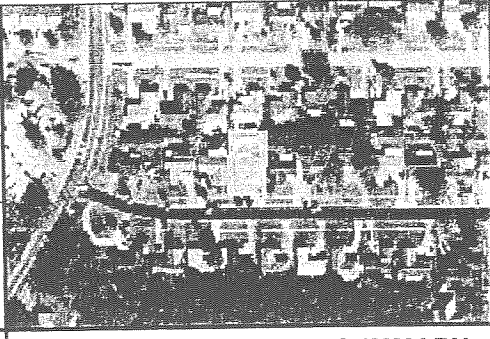


Seminole County Board of Adjustment
February 26, 2007
Case: BV2007-08 (Map 3155, Grid A7)
Parcel No: 15-21-29-509-1700-0310

Zoning

	BV2007-08		R-1
	A-1		R-3A
	R-1AAA		C-2
	R-1A		



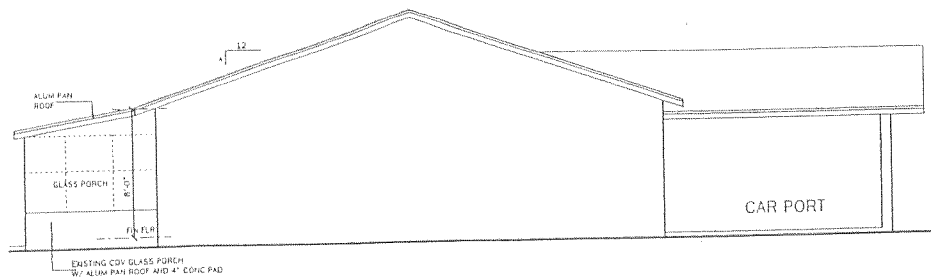
<p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																																																									
<p align="center">GENERAL</p> <p>Parcel Id: 15-21-29-509-1700-0310</p> <p>Owner: SOSA ALBERTO G</p> <p>Mailing Address: 576 CLEMSON DR</p> <p>City, State, Zip Code: ALTAMONTE SPRINGS FL 32714</p> <p>Property Address: 576 CLEMSON DR ALTAMONTE SPRINGS 32714</p> <p>Subdivision Name: WEATHERSFIELD 2ND ADD</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (2001)</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$102,882</p> <p>Depreciated EXFT Value: \$5,496</p> <p>Land Value (Market): \$33,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$141,378</p> <p>Assessed Value (SOH): \$81,337</p> <p>Exempt Value: \$30,000</p> <p>Taxable Value: \$51,337</p> <p>Tax Estimator</p>																																																																																							
<p align="center">SALES</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>SPECIAL WARRANTY DEED</td> <td>08/2000</td> <td>03908</td> <td>0025</td> <td>\$75,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>04/2000</td> <td>03848</td> <td>1701</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>04/2000</td> <td>03838</td> <td>1094</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1997</td> <td>03205</td> <td>0338</td> <td>\$76,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>10/1996</td> <td>03154</td> <td>1890</td> <td>\$52,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>08/1996</td> <td>03121</td> <td>0680</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>09/1982</td> <td>01415</td> <td>0679</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1978</td> <td>01157</td> <td>1589</td> <td>\$32,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01123</td> <td>0423</td> <td>\$30,000</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	SPECIAL WARRANTY DEED	08/2000	03908	0025	\$75,000	Improved	No	SPECIAL WARRANTY DEED	04/2000	03848	1701	\$100	Improved	No	CERTIFICATE OF TITLE	04/2000	03838	1094	\$100	Improved	No	WARRANTY DEED	02/1997	03205	0338	\$76,900	Improved	Yes	SPECIAL WARRANTY DEED	10/1996	03154	1890	\$52,000	Improved	No	CERTIFICATE OF TITLE	08/1996	03121	0680	\$100	Improved	No	QUIT CLAIM DEED	09/1982	01415	0679	\$100	Improved	No	WARRANTY DEED	02/1978	01157	1589	\$32,500	Improved	Yes	WARRANTY DEED	01/1977	01123	0423	\$30,000	Improved	Yes	<p>2006 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,686</p> <p>2006 Tax Bill Amount: \$795</p> <p>Save Our Homes (SOH) Savings: \$891</p> <p>2006 Taxable Value: \$49,353</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																	
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EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
ALUM GLASS PORCH	1971	198	\$1,109	\$2,772
POOL VINYL LINER	1971	495	\$3,960	\$9,900
COOL DECK PATIO	1971	305	\$427	\$1,068

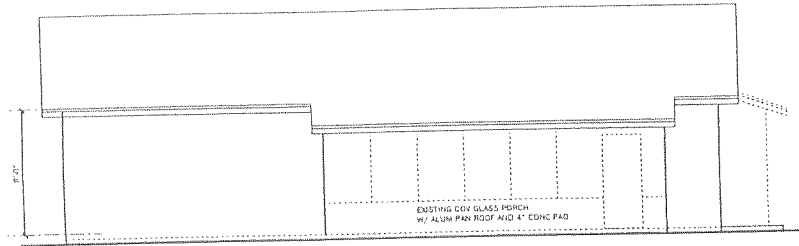
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.

*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.



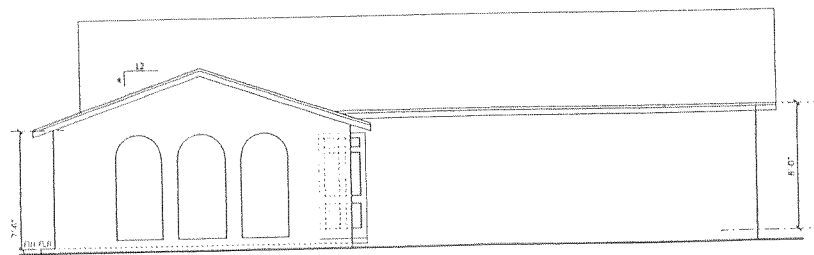
EXISTING LEFT ELEVATION

SCALE 1/4" = 1'-0"



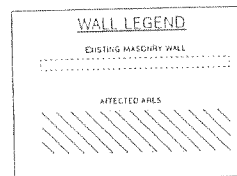
EXISTING REAR ELEVATION

SCALE 1/4" = 1'-0"



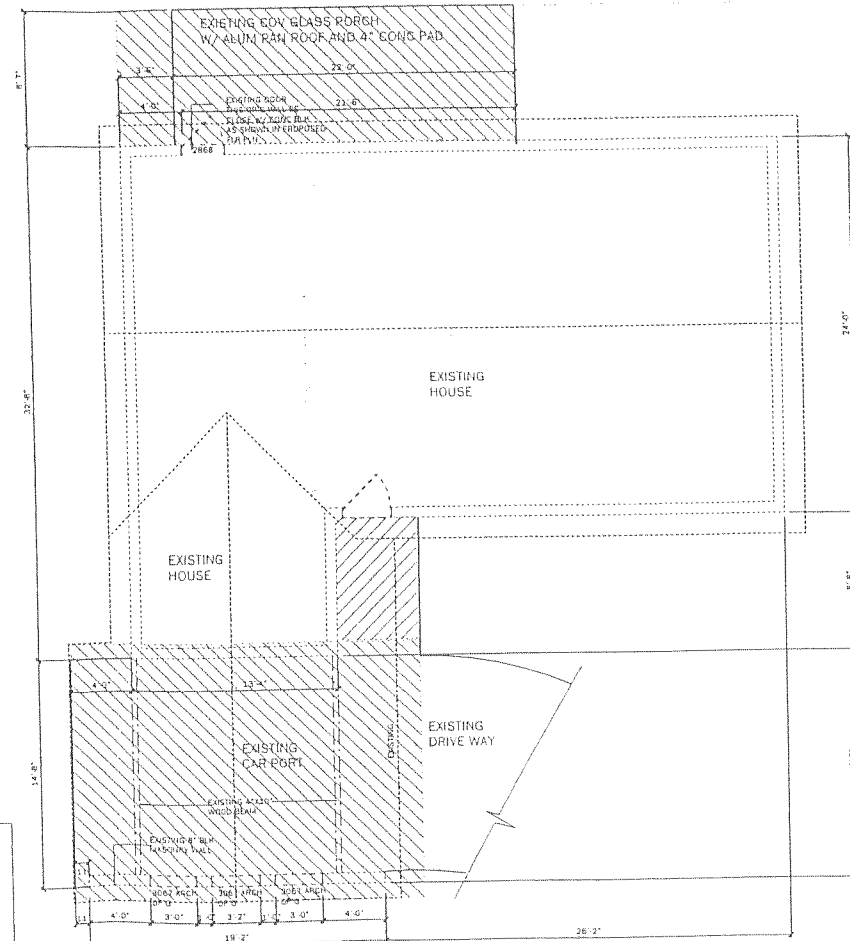
EXISTING FRONT ELEVATION

SCALE 1/4" = 1'-0"



EXISTING
POOL DECK

EXISTING
POOL



AS-BUILT FLOOR PLAN

SCALE 1/4" = 1'-0"

Carlos A Mejia
Professional Designer

576 CLEMSON DRIVE ALTAMONTE SPRINGS, FL 32714-4029
TEL: 321-402-9000
FAX: 321-402-9001
EMAIL: carlos@carlosmejia.com

DESIGNED BY:
CARLOS A MEJIA

JOB NUMBER:
05-011

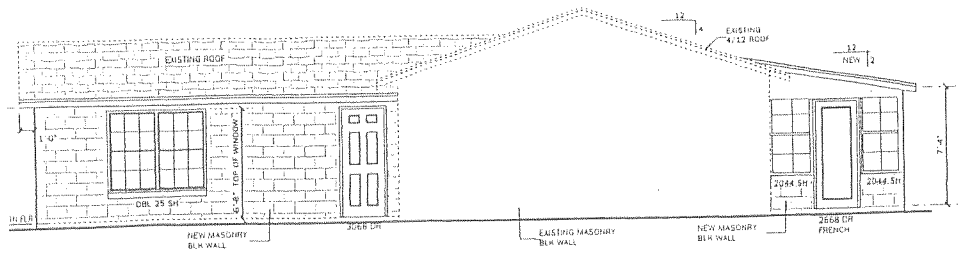
LAST PLOT
DATE: 8-3-05

SHEET NO.
1 of 5

AS-BUILT FLR PLN

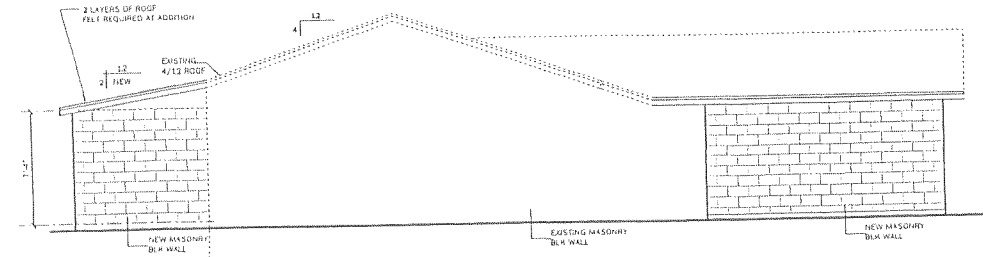
Residence of
Alberto and Nelda Sosa
576 Clemson Drive Altamonte Springs,
FL 32714-4029

576 CLEMSON DRIVE ALTAMONTE SPRINGS, FL 32714-4029
TEL: 321-402-9000
FAX: 321-402-9001
EMAIL: carlos@carlosmejia.com



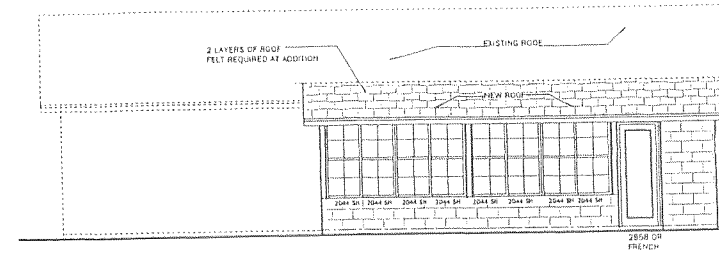
PROPOSED RIGHT ELEVATION

SCALE 1/4" = 1'-0"



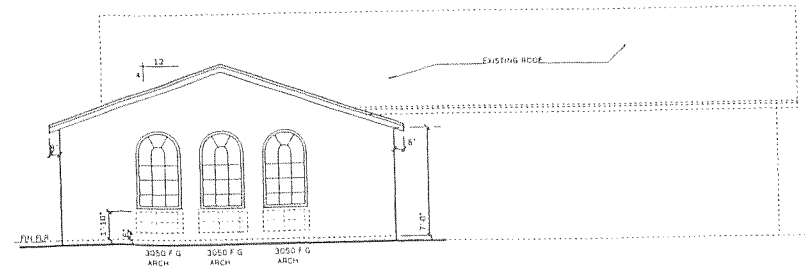
PROPOSED LEFT ELEVATION

SCALE 1/4" = 1'-0"



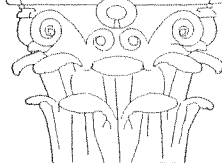
PROPOSED REAR ELEVATION

SCALE 1/4" = 1'-0"



PROPOSED FRONT ELEVATION

SCALE 1/4" = 1'-0"



Carlitos Design
 PROFESSIONAL
 DESIGNER
 180 PLEASANT AVE. APT. 101
 MIAMI, FL 33134
 305-555-1100
 DATE: MARCH 16, 2006

THIS PLAN IS THE PROPERTY OF CARLOS A. MEJIA. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CARLOS A. MEJIA.

Residence of
Alberto and Nelda Sosa
 576 Clemon Drive Altamonte Springs,
 FL 32714-4029

DESIGNED BY:
CARLOS A. MEJIA

JOB NUMBER:
05-011

LAST PLOT
 DATE: 8/3/05

SHEET NO.
3 of 5

PROPOSED ELEV

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On February 26, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 31 BLOCK 17, WEATHERSFIELD 2ND ADD PB 12 PG 103

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

FINDINGS OF FACT

Property Owner: Alberto G. Sosa
576 Clemson Dr
Altamonte Springs, FL 32714

Project Name: Clemson Drive (576)

Requested Development Approval:

Request for 1) a side yard (west) setback variance from 7.5 feet to 6 feet-3 inches for an existing car port and 2) a rear yard setback variance from 30 feet to 27 feet-7 inches for an addition to an existing sunroom in R-1 (Single Family Dwelling District).

The Development Approval was sought for an existing carport that is encroaching 1-foot-2-inches into the side yard setback and 2) extension of an existing sunroom that encroaches 2 feet-3 inches into the rear yard setback. The applicant still retains reasonable use of the property without the granting of the requested variance.

The requested development approval is hereby denied.

Prepared by: Joy Williams, Planner
1101 East First Street
Sanford, Florida 32771

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:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 26, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 31 BLOCK 17, WEATHERSFIELD 2ND ADD PB 12 PG 103

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

FINDINGS OF FACT

Property Owner: Alberto G. Sosa
576 Clemson Dr
Altamonte Springs, FL 32714

Project Name: Clemson Drive (576)

Requested Development Approval:

Request for 1) a side yard (west) variance from 7.5 feet to 6 feet-3 inches for an existing car port and 2) a rear yard variance from 30 feet to 27 feet-7 inches for an addition to an existing sunroom 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: Joy Williams, 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 carport and addition to existing sunroom 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: