

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 5590 Lake Avenue – Kenneth & Pauline Snyder, applicant; Request for a side street (south) setback variance from 100 feet to 18 feet for an existing storage building in A-1 (Agricultural District).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

Agenda Date 3/26/07 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **DENY** the request for a side street (south) setback variance from 100 feet to 18 feet for an existing storage building in A-1 (Agricultural District); or
2. **APPROVE** the request for a side street (south) setback variance from 100 feet to 18 feet for an existing storage building in A-1 (Agricultural District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Kenneth & Pauline Snyder Location: 5590 Lake Avenue Zoning: A-1 (Agricultural District) Subdivision: Eureka Hammock
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting a variance for an existing storage building (approximately 24 feet by 40 feet) that encroaches 82 feet into the required 100 foot setback.</li> <li>• According to the applicant this storage building was constructed in 1994 to replace an existing shed.</li> <li>• This property is used as an Assisted Living Facility. A Special Exception was granted in 1998 increasing the number of beds to 14. The storage building is used for laundry facility and storage for the ALF.</li> <li>• There currently is a building violation for this storage building. The applicant is working with the Building Department to rectify this matter.</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>	<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"><li>• Any variance granted shall apply only to the storage building 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>

**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

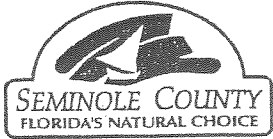
Fee: \$150.00 plus \$50.00 for each additional variance



Application # BV2007-06

Meeting Date 2-26-07

3-26-07



# VARIANCE APPLICATION

## SEMINOLE COUNTY PLANNING DIVISION

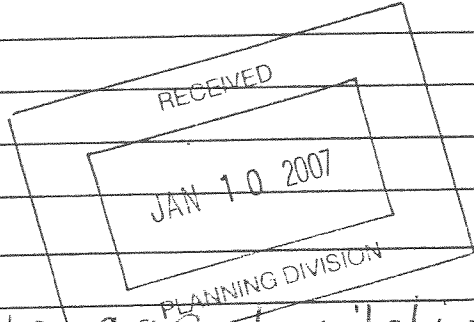
1101 East First Street Sanford FL 32771 (407) 665-7444

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

Name: Kenneth + Pauline Snyder  
Address: 5415 LAKE AVE City: Sanford Zip code: 32773  
Project Address: 5590 LAKE AVE City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Contact number(s): 407-324-0741  
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 checked="" type="checkbox"/> Other	Please describe: <u>Storage building</u>
<input checked="" 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:	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>100 Ft</u>	Proposed setback: <u>18' ft.</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: Kenneth E. Snyder 1-10-07

**FOR OFFICE USE ONLY**

Date Submitted: 1-10-07 Reviewed By: P. Johnson  
 Tax parcel number: 23-26-30-5A0-6000-0410 Zoning/FLU A-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**

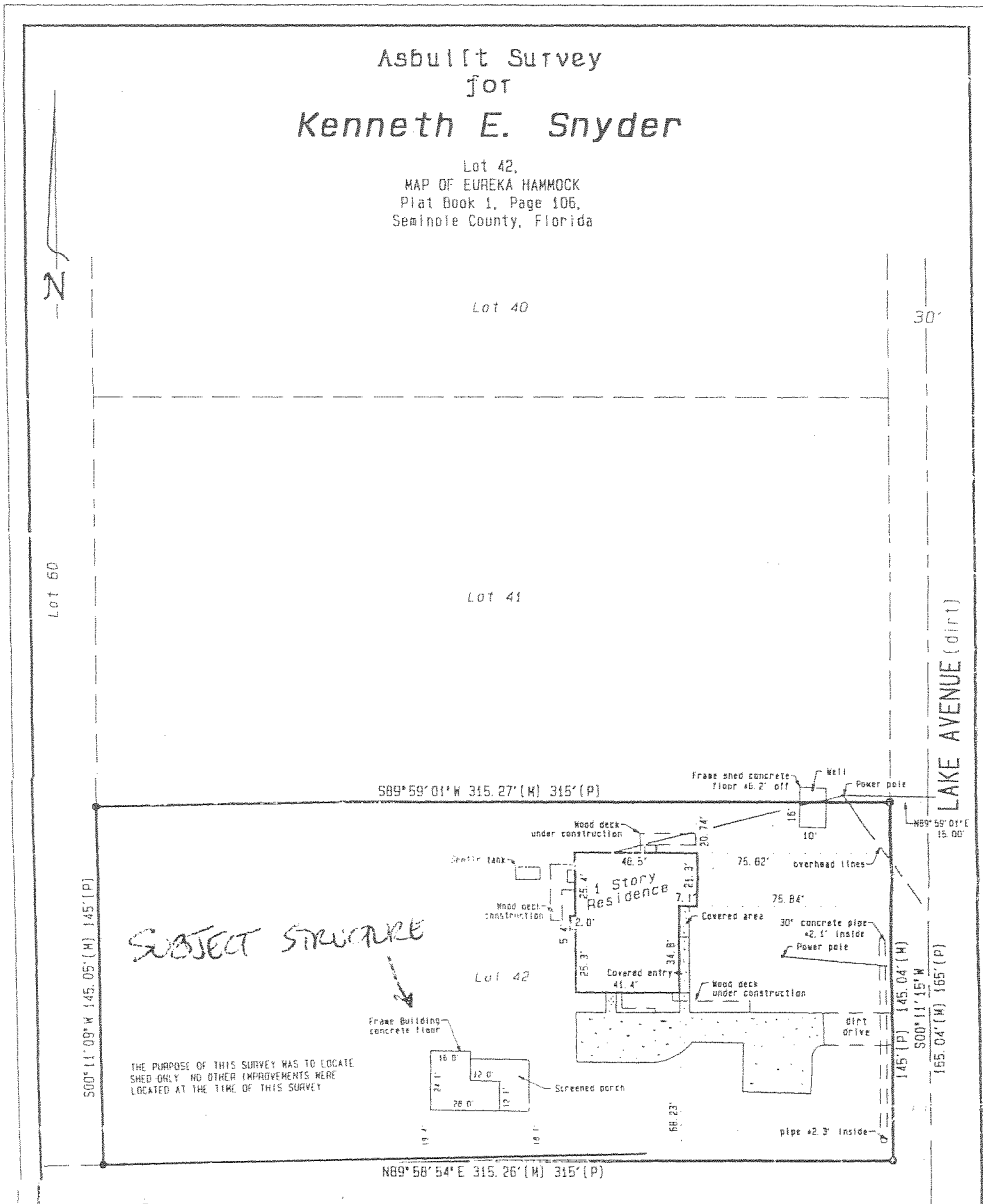
*Please return this checklist with your application!*

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). <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 checked="" type="checkbox"/>	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
<input checked="" type="checkbox"/>	<input type="checkbox"/> Size and dimension of the parcel
<input checked="" type="checkbox"/>	<input type="checkbox"/> Location and name of all abutting streets
<input checked="" type="checkbox"/>	<input type="checkbox"/> Location of driveways
<input checked="" type="checkbox"/>	<input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
<input checked="" type="checkbox"/>	<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 checked="" type="checkbox"/>	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
<input checked="" type="checkbox"/>	<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.

# Asbuilt Survey for Kenneth E. Snyder

Lot 42,  
MAP OF EUREKA HAMMOCK  
Plat Book 1, Page 106,  
Seminole County, Florida



THE PURPOSE OF THIS SURVEY WAS TO LOCATE  
SHED ONLY. NO OTHER IMPROVEMENTS WERE  
LOCATED AT THE TIME OF THIS SURVEY.

Well to Property line=5.0'  
Well to Septic=113.1'  
Septic to House=14.1'  
Well to House=52.7'

**CERTIFICATION**

This is to certify that I have performed a field survey of the above described property, for the purposes hereon represented, and that this drawing is a representation of that survey, and meets the Minimum Technical Standards pursuant to Section 497.027, Florida Statutes (Chapter 61G17, F.A.C.).

*Michael W. Solitro*  
Michael W. Solitro,  
Certificated #4458  
Not valid unless signed and sealed

Legend

- Recovered 4"x4" Concrete Monument
- Set 4"x4" Concrete monument #LS4458
- Recovered 1 1/2" Iron Pipe (old) No.
- Set 1/2" Iron Rod #LB6300
- 4" Wood Fence
- 4" Post & Wire Fence
- 4" Chain link fence
- Concrete Slab

SCALE: 1" = 50'

REVIEWED BY: MWS

DRAWN BY: L.J.G.

DATE: June 3, 1994

LOCAL No. 945024

Final Survey: 2/5/96

This Survey Certified To:  
Kenneth E. Snyder  
First Seminole Bank  
Kampf Title & Guaranty Corporation  
Chicago Title Insurance Company

Bearings are based on the centerline of Lake Avenue as being 500' 11' 15" W, assumed

This is to certify that I have reviewed the Flood Insurance Rating Map (FIRM), Panel Number 120205 0135 B, Dated 5/3/1991 and determined that the areas shown hereon lies in Flood Zone 'C'.

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.

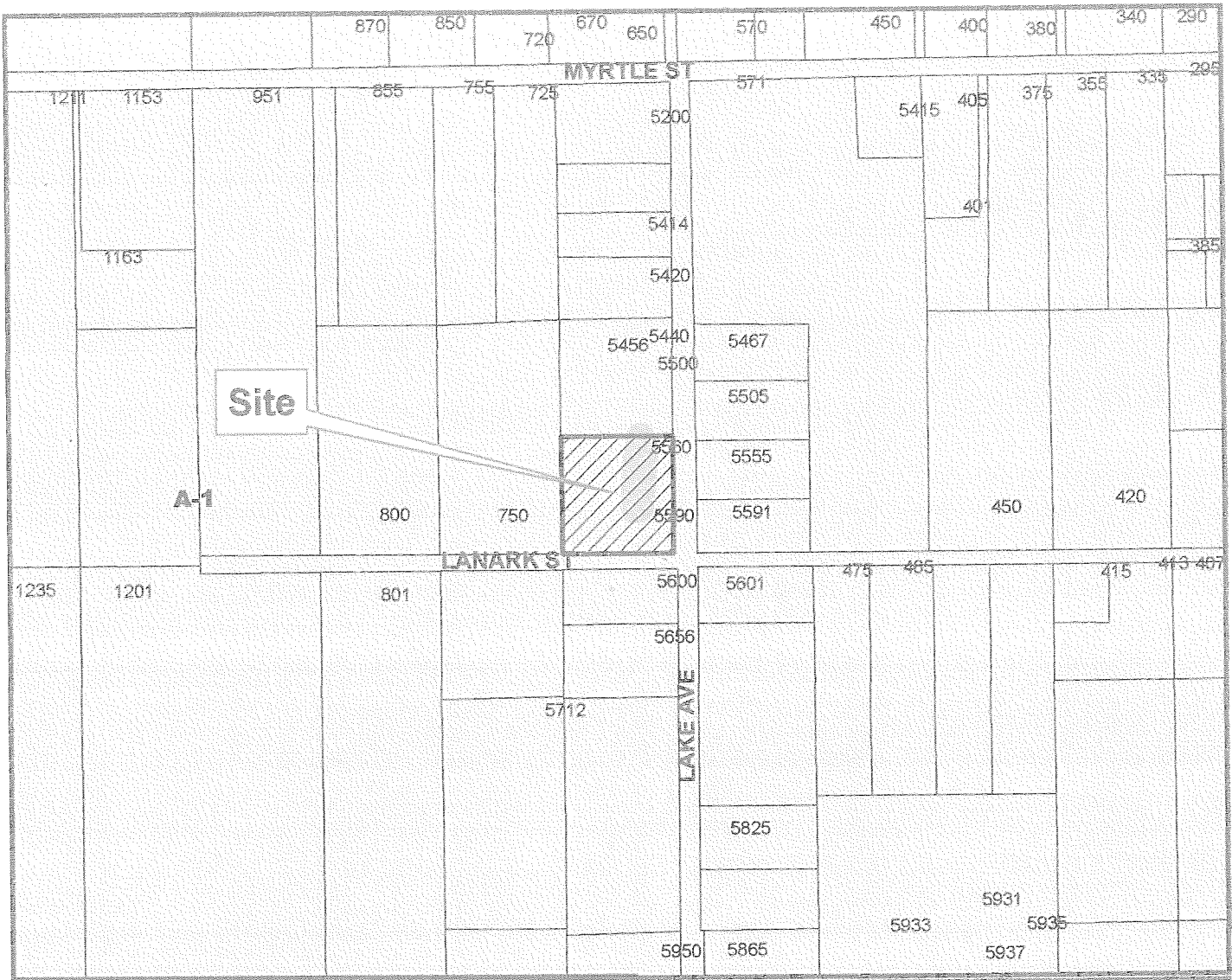
Lands shown hereon were not abstracted for rights of ways and/or easements of public records.

**ALTAMONTE SURVEYING AND PLATTING, INC.**

375 Douglas Avenue, Suite 2001  
Altamonte Springs, Florida 32714

Phone (407) 862-7555 Fax (407) 862-6225

Pauline & Kenneth Snyder  
5590 Lake Avenue  
Sanford, Florida 32773

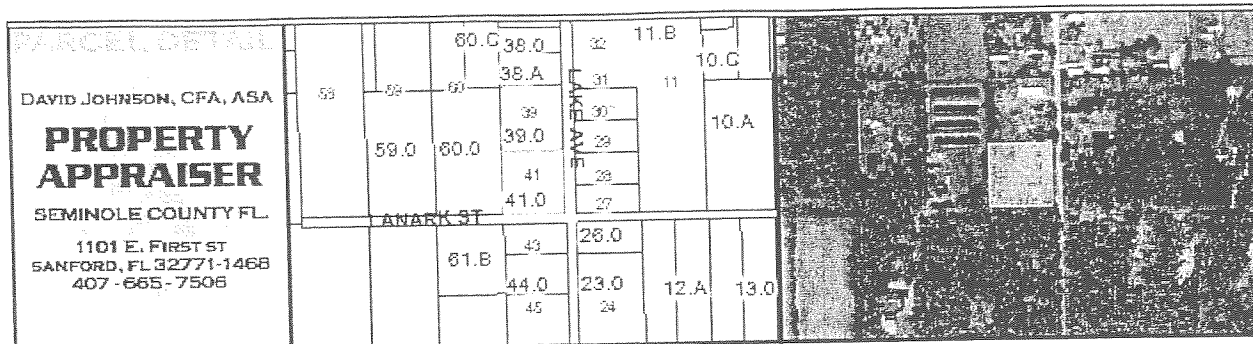


Seminole County Board of Adjustment  
March 26, 2007  
Case: BV2007-06 (Map 3105, Grid C4)  
Parcel No: 23-20-30-5AQ-0000-0410

Zoning

-  BV2007-06
-  A-1





**GENERAL**  
 Parcel Id: 23-20-30-5AQ-0000-0410  
 Owner: SNYDER KENNETH E & PAULINE  
 Mailing Address: 5415 LAKE AVE  
 City,State,ZipCode: SANFORD FL 32773  
 Property Address: 5590 LAKE AVE SANFORD 32773  
 Subdivision Name: EUREKA HAMMOCK  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 01-SINGLE FAMILY

**2007 WORKING VALUE SUMMARY**  
 Value Method: Market  
 Number of Buildings: 2  
 Depreciated Bldg Value: \$322,758  
 Depreciated EXFT Value: \$2,499  
 Land Value (Market): \$89,600  
 Land Value Ag: \$0  
 Just/Market Value: \$414,857  
 Assessed Value (SOH): \$414,857  
 Exempt Value: \$0  
 Taxable Value: \$414,857  
 Tax Estimator

**SALES**  
 Deed Date Book Page Amount Vac/Imp Qualified  
 ARTICLES OF AGREEMENT 06/1987 01875 1328 \$12,000 Vacant No  
 Find Comparable Sales within this Subdivision

**2006 VALUE SUMMARY**  
 2006 Tax Bill Amount: \$6,755  
 2006 Taxable Value: \$419,138  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
ACREAGE	0	0	2.240	40,000.00	\$89,600

**LEGAL DESCRIPTION**  
 PLATS:   
 LEG LOTS 41 & 42 EUREKA HAMMOCK PB 1 PG 106

**BUILDING INFORMATION**

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1965	9	2,123	2,535	2,443	CONC BLOCK	\$185,624	\$237,980
			Appendage / Sqft ENCLOSED PORCH FINISHED / 320						
			Appendage / Sqft OPEN PORCH FINISHED / 92						
NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished									
2	SINGLE FAMILY	1965	9	1,336	1,972	1,752	CONC BLOCK	\$137,134	\$175,813
			Appendage / Sqft OPEN PORCH FINISHED / 65						
			Appendage / Sqft BASE / 416						
			Appendage / Sqft SCREEN PORCH FINISHED / 155						
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 Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1965	1	\$600	\$1,500
WOOD UTILITY BLDG	1994	128	\$369	\$768
WOOD WALKWAY	1995	232	\$603	\$1,160
WOOD WALKWAY	1995	148	\$385	\$740
WOOD WALKWAY	1995	120	\$312	\$600
GAZEEBO	2000	64	\$230	\$320



PLANNING AND DEVELOPMENT DEPARTMENT

BUILDING AND FIRE INSPECTIONS



November 15, 2006

CERTIFIED 7005 0390 0001 9300 1857

Kenneth & Pauline Snyder  
5415 Lake Ave  
Sanford, FL 32773

RE: PARCEL ID 23 20 30 5AQ 0000 0410, 5415 LAKE AVE, SANFORD, FL,  
CASE NO 06-336

Dear Property Owner and all Interested Parties:

Despite previous notification, our records indicate that the following violation(s) continue(s) to exist at the above mentioned property.

"Construction of a Storage/laundry building with out permits."

Each violation shall be corrected within 7 days of receipt of this letter. Failure to comply will 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 [

MC

PLANNING AND DEVELOPMENT DEPARTMENT  
BUILDING AND FIRE INSPECTION DIVISION

Permit Information



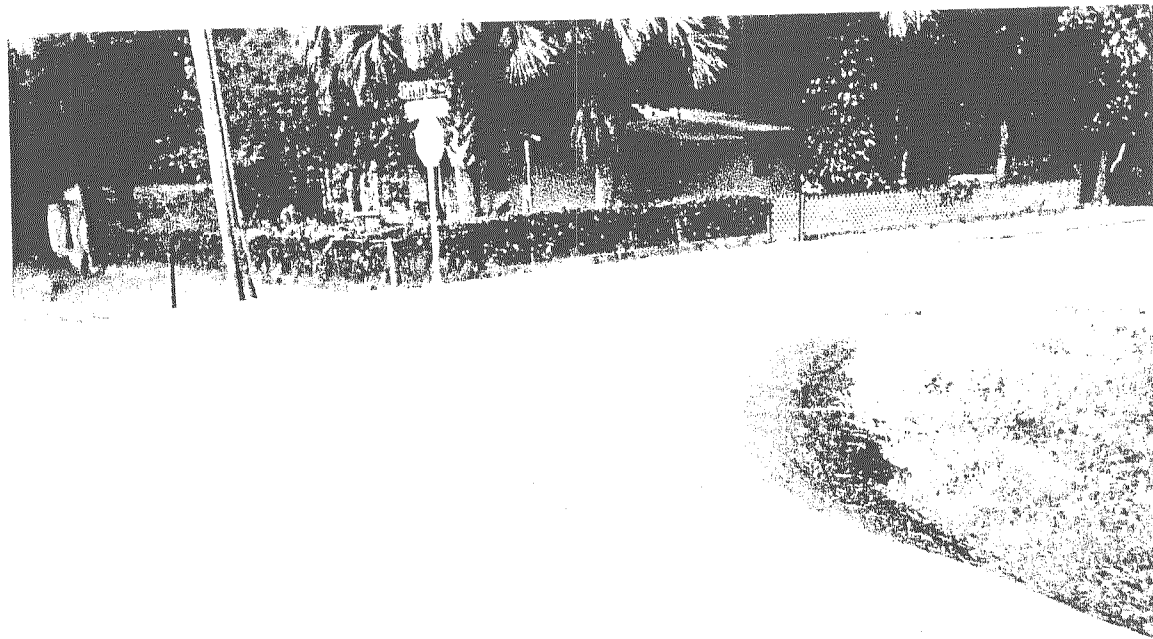
06-10290

1101 EAST FIRST STREET  
SANFORD FL 32771-1468

(407) 665-7080  
FAX (407) 665-7486

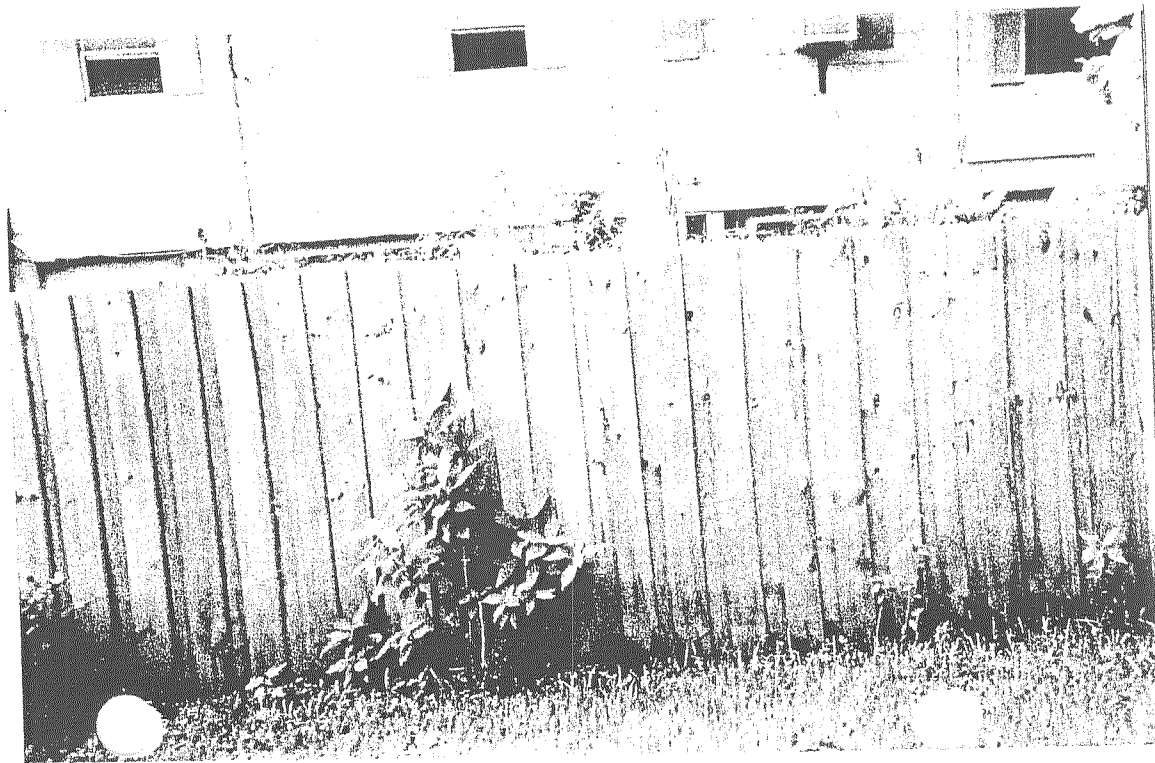
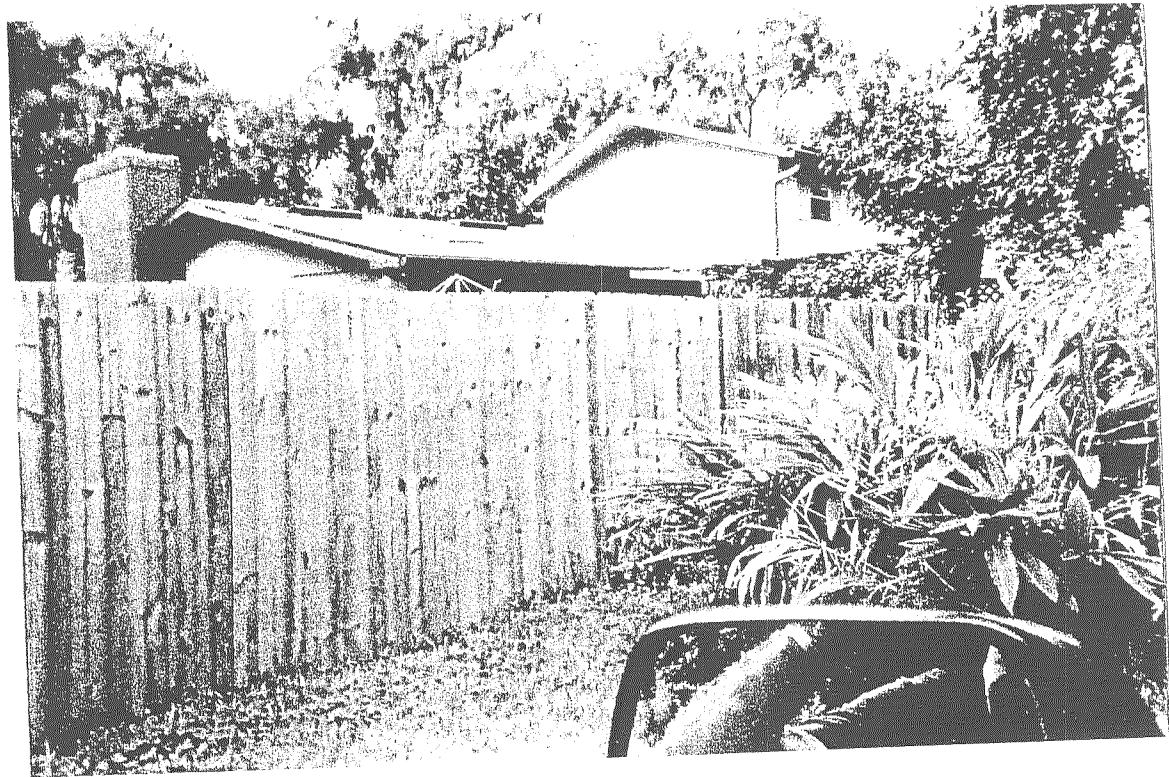
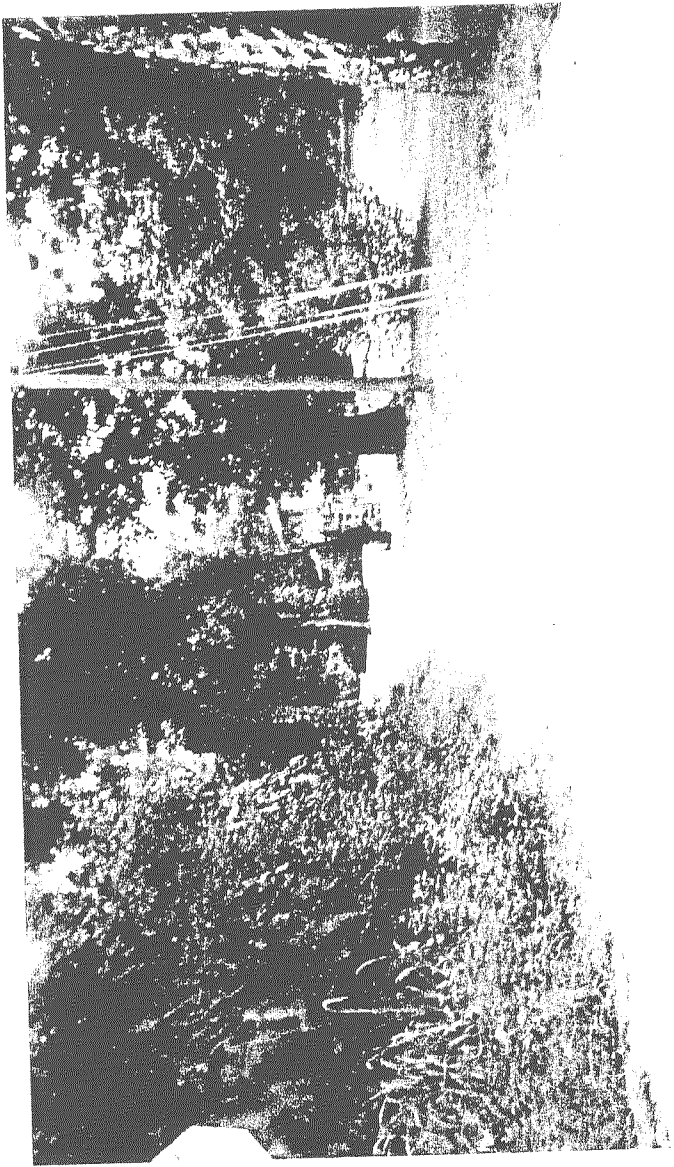
www.seminolecountyfl.gov

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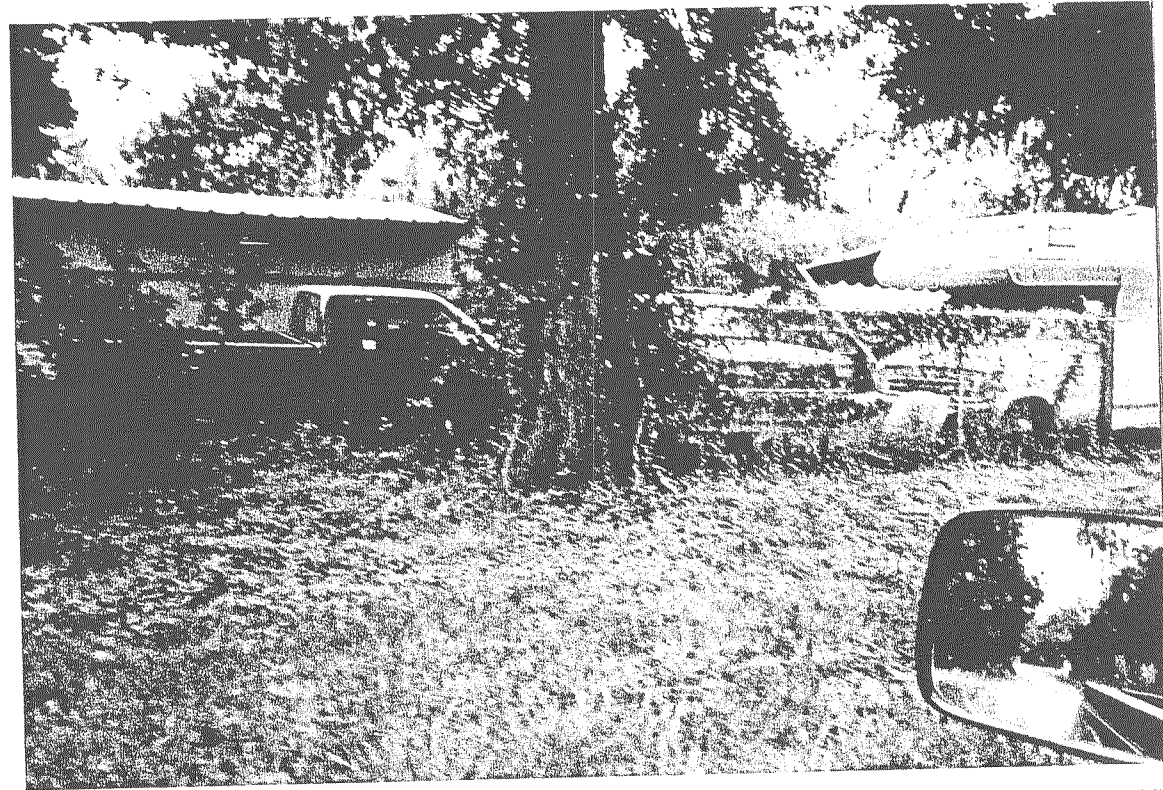
Corner  
50 Sanford Ave  
Myrtle Street West  
Add 125 Myrtle Street West

(2)



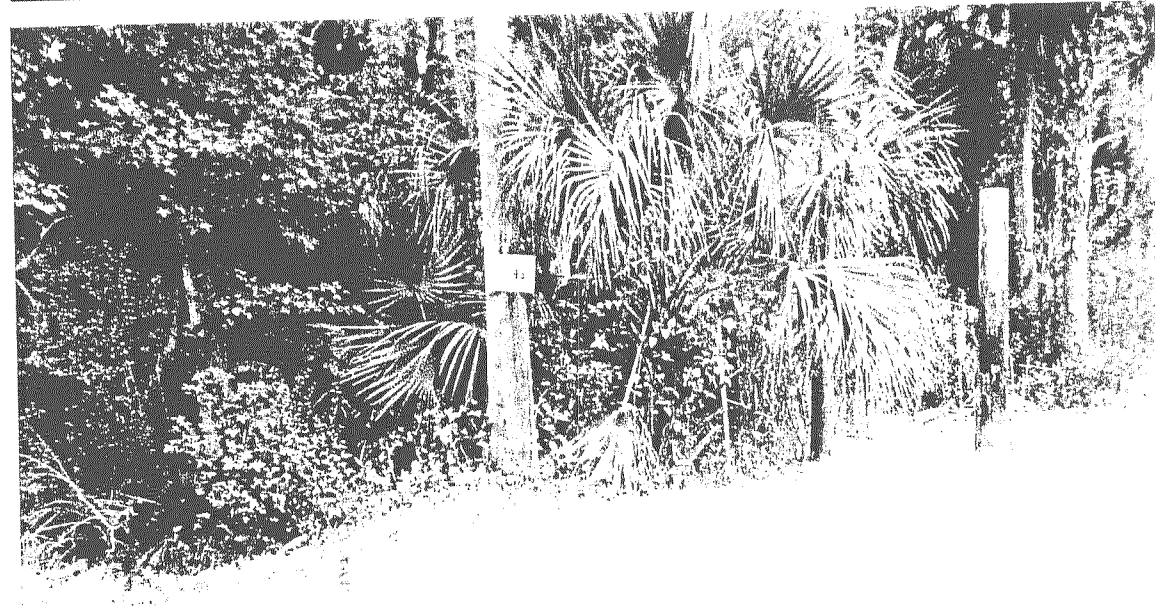
Corner Lake Avenue  
Frank Street East

3



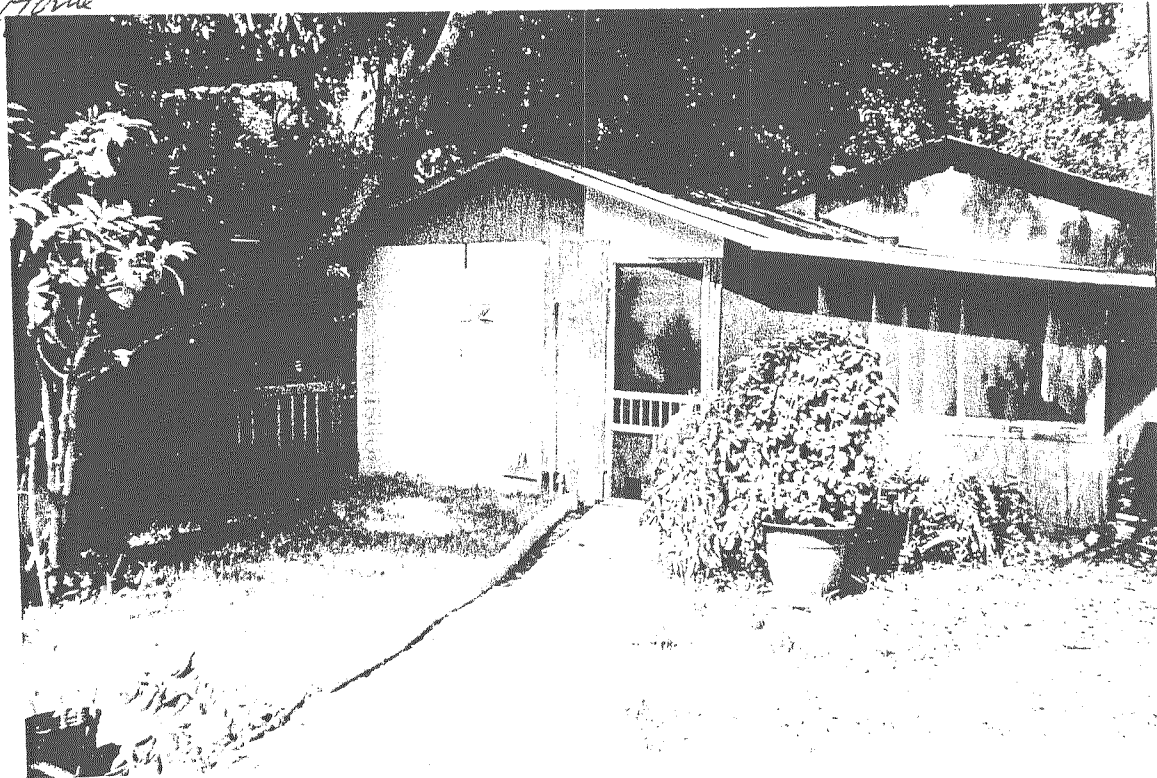
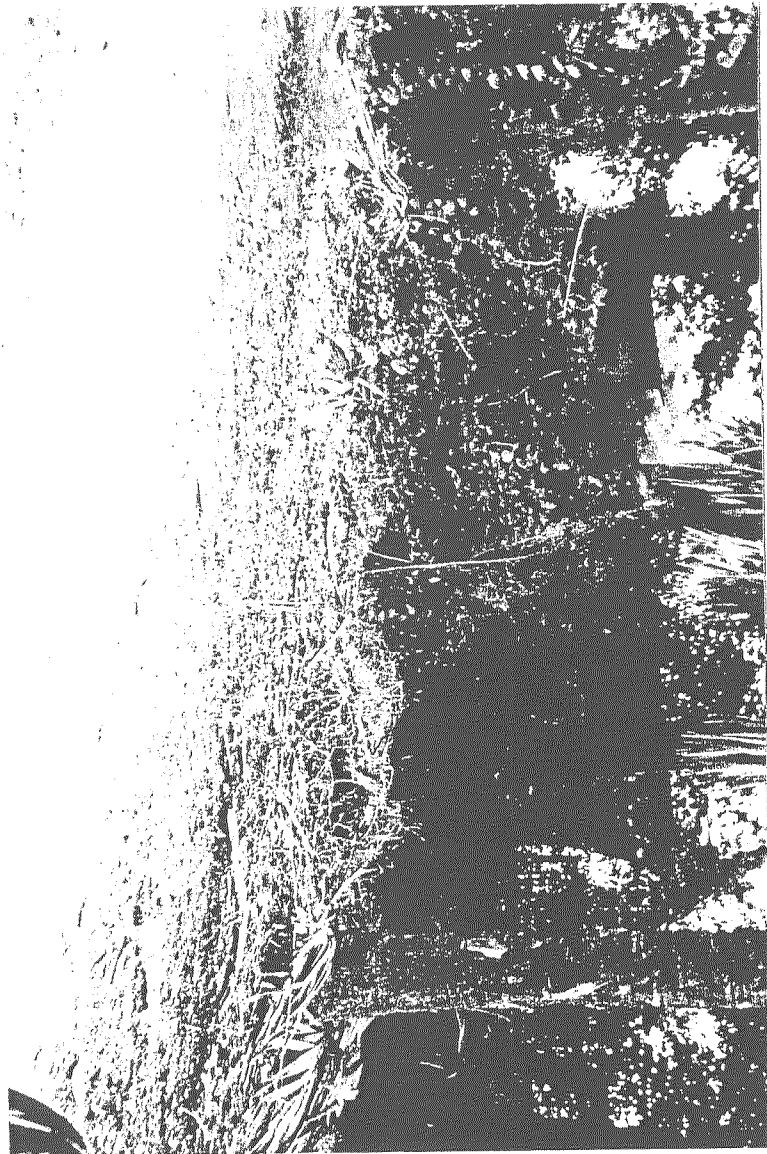
Corner

So. Sanford Ave  
Myrtle Street East  
(93 Myrtle Street)



#4

Lake Jessup Retirement Home  
5590 Lake Ave  
Sanford FL 32773



## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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

LEG LOTS 41 & 42 EUREKA HAMMOCK PB 1 PG 106

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

### FINDINGS OF FACT

**Property Owner:** Kenneth & Pauline Snyder  
5415 Lake Ave  
Sanford FL 32773

**Project Name:** Lake Avenue (5590)

**Requested Development Approval:**

Request for a side street (south) setback variance from 100 feet to 18 feet for an existing storage building in A-1 (Agricultural 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 storage building 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: