

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

SUBJECT: 1963 Kindling Court – Daniel Scrima, applicant; Request for a rear yard setback variance from 25 feet to 20 feet for a proposed room addition in PUD (Planned Unit Development District).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7359

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

MOTION/RECOMMENDATION:

1. **DENY** the request for a rear yard setback variance from 25 feet to 20 feet for a proposed room addition in PUD (Planned Unit Development District); or
2. **APPROVE** the request for a rear yard setback variance from 25 feet to 20 feet for a proposed room addition in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Daniel Scrima Location: 1963 Kindling Court Zoning: PUD (Planned Unit Development District) Subdivision: Hearth Place
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting a rear yard setback in order to construct a 12 foot by 15 foot addition. This addition would encroach 5 feet into the required 25 foot rear yard setback. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> • No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved

	<p>and which are not applicable to other lands, structures or building in the same zoning district.</p> <ul style="list-style-type: none">• 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 RECOMMENDATION</p>	<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 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.

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 # BV 2007-18
Meeting Date 3-26-07

COPY

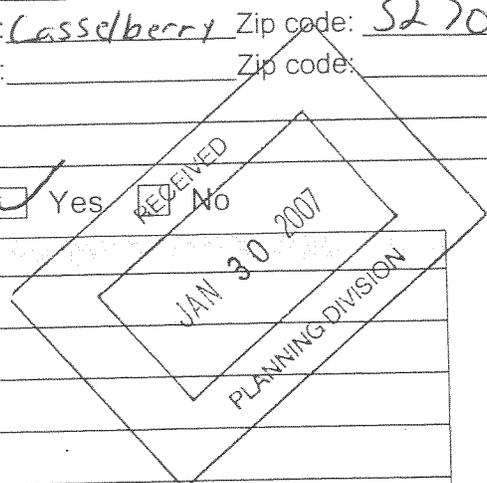
VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444



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

Name: Daniel M Scrima
Address: 1963 Kindling Ct City: Casselberry Zip code: 32707
Project Address: _____ City: _____ Zip code: _____
Contact number(s): 407 383-9830
Email address: DScrima@CFLRR.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>12x15 Additions</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 type="checkbox"/> Front yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Rear yard setback	Required setback: <u>25 ft.</u>	Proposed setback: <u>20 ft.</u>	
<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] 1-30-07

FOR OFFICE USE ONLY

Date Submitted: 1-30-07 Reviewed By: P. Johnson
 Tax parcel number: 14-21-30-512-0000-0400 zoning/FLU PUD/PD

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

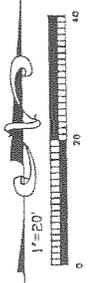
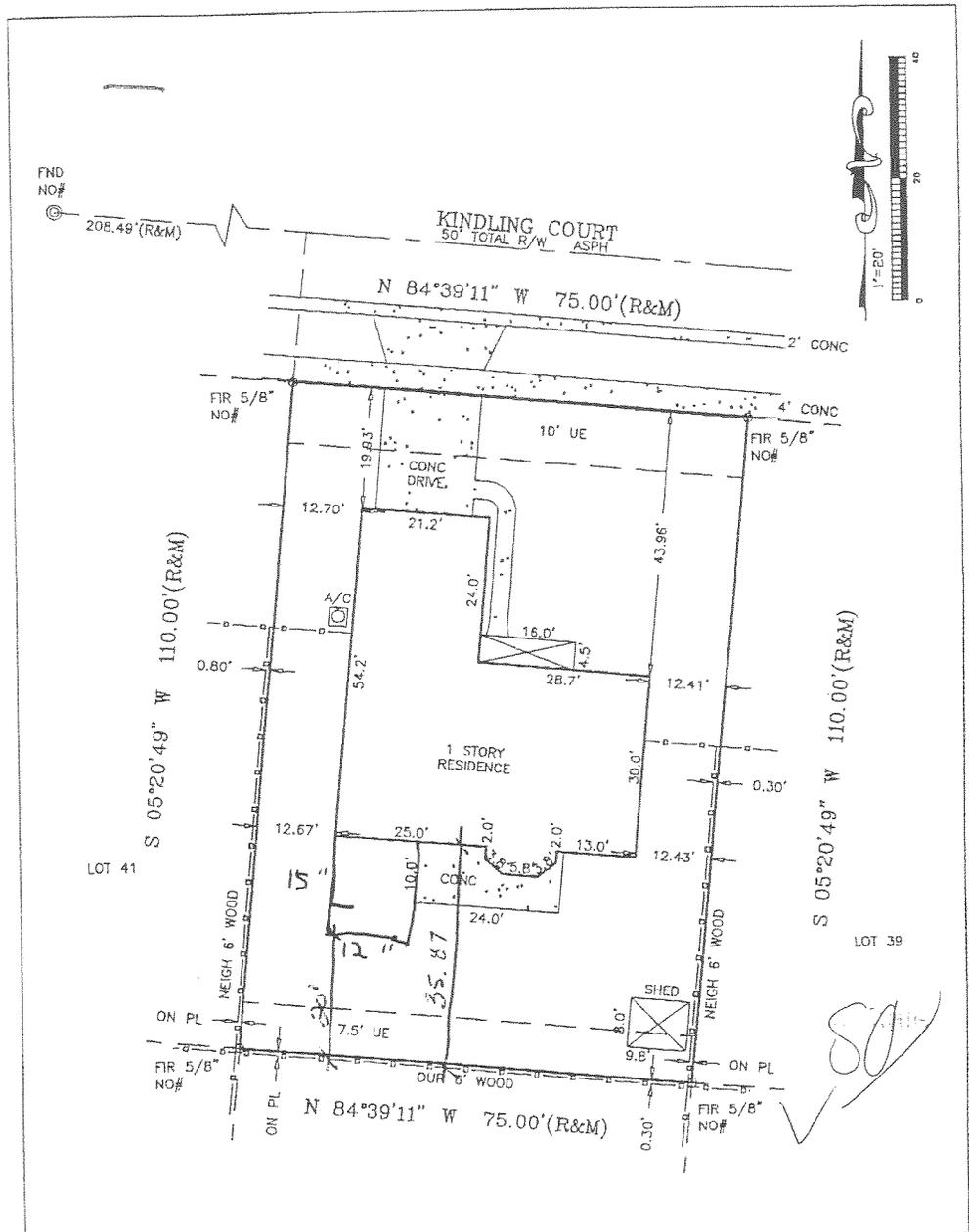
Notes: _____

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). 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.



FND NO#

208.49' (R&M)

KINDLING COURT
50' TOTAL R/W ASPH

N 84°39'11" W 75.00' (R&M)

S 05°20'49" W 110.00' (R&M)

S 05°20'49" W 110.00' (R&M)

LOT 41

LOT 39

[A] RECORDED	UE LUTELY EASEMENT	FF FOUND R/W PIPE	NEIGH MEASUREMENT PROPERTY	X X WIRE FENCE	CONCRETE
[B] MEASURED	SEE DRAWING & UTILITY EASEMENT	FE FOUND R/W ROD	DUK SUBJECT PROPERTY	W WOOD FENCE	
[C] A/C	R/W RIGHT-OF-WAY	FW/D FOUND HALLWAY	OW OVERLAP W/RES	ON ON PROPERTY CORNER	
[D] CONSIDERED		FCM FOUND CONCRETE FOUNDAMENT	SP SET R/W PIPE		
			SR SET R/W ROD		

- NOTES:
- 1) NOT VALID UNLESS COPIES CONFORM TO SEMINOLE AND DATE CERTIFICATION.
 - 2) LEGAL DESCRIPTION PROVIDED BY OTHERS.
 - 3) PROPERTIES SHOWN HEREIN WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PROPERTY PLAT OF RECORD.
 - 4) BEARINGS WHERE SHOWN ARE PER RECORD UNLESS OTHERWISE NOTED.
 - 5) UNDESIGNATED UTILITIES (TELEPHONE, AND/OR OTHER IMPROVEMENTS, IF ANY) WERE NOT LOCATED.
 - 6) ELEVATIONS, IF SHOWN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.
 - 7) FENCE OWNERSHIP NOT DETERMINED UNLESS OTHERWISE NOTED.
 - 8) MEASUREMENTS TO WIRE FENCES ARE TO CENTER OF WIRE.
 - 9) MEASUREMENTS TO WOOD FENCES ARE TO OUTSIDE OF WOOD.
 - 10) WALL MEASURES ARE TO/FROM FACE OF WALL.
 - 11) DRAWING DISTANCE BETWEEN WALLS AND/OR FENCES AND PROPERTY LINES MAY BE EXAGGERATED FOR CLARITY.
 - 12) FLOOD ZONE INFORMATION WAS DERIVED FROM FEDERAL DISTRICT MANAGEMENT AGENCY FLOOD INFORMATION RATE MAPS.

ADDRESS:
1863 KINDLING COURT
CASSELBERRY, FLORIDA 32707

LEGAL DESCRIPTION:
LOT 40, HEARTH PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 42, PAGES 67 AND 68, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

FLOOD INFORMATION:
FLOOD ZONE X
COMMUNITY NO. 120289
PANEL NO. 0145
SUFFIX
DATE OF FIRM 11/17/05

DATE OF SURVEY 1/5/06
SURVEY NO. 260178

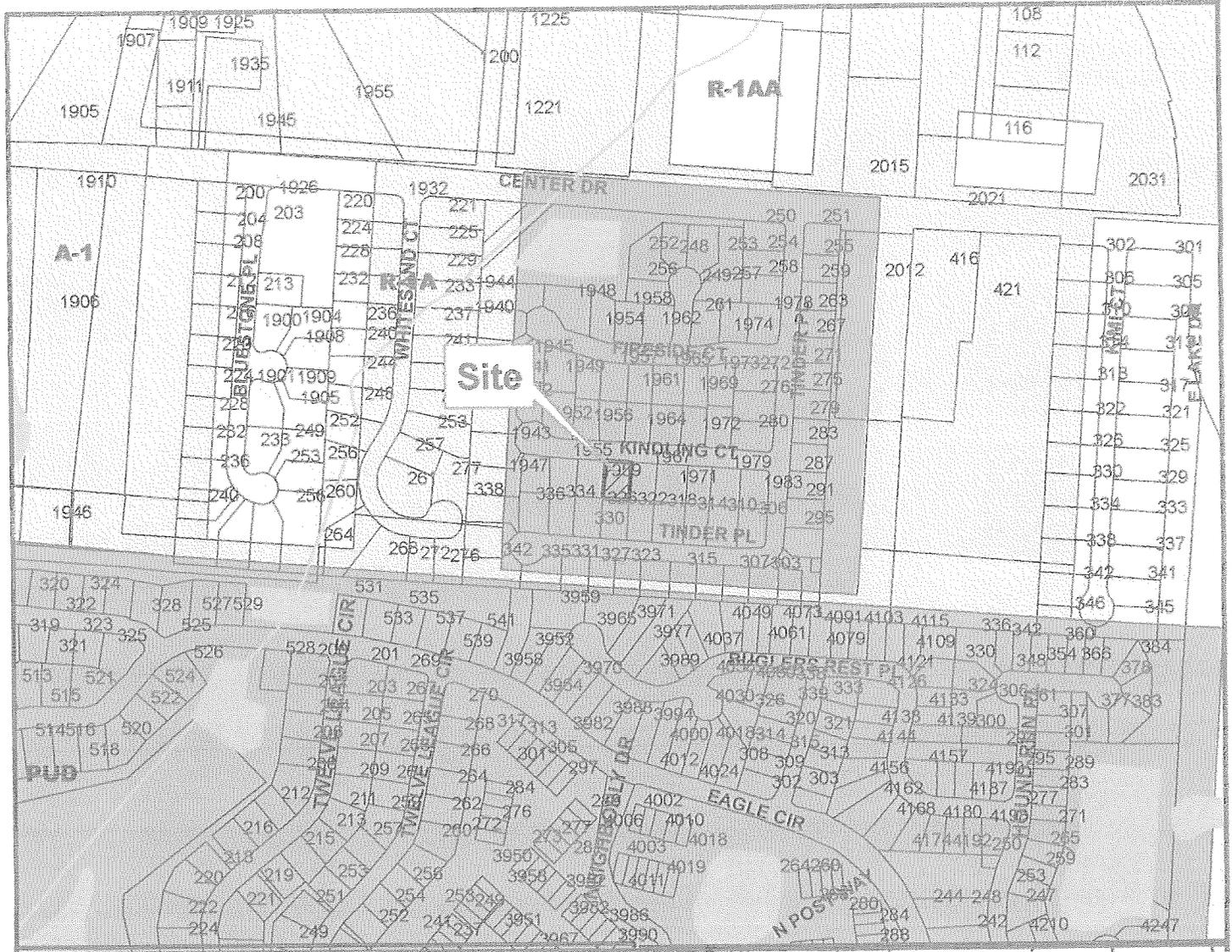
CLOSING SERVICES BY: ORLANDO TITLE AND ABSTRACT OF FLORIDA, INC. 407-629-7804

THIS IS A DIGITALLY SIGNED AND SEALED SKETCH OF A BOUNDARY SURVEY PERFORMED UNDER THE DIRECTION OF THE UNDERSIGNED & EDGES ARE AUTHORIZED ON OR ABOUT THE DATE OF SURVEY SHOWN HEREON AND CERTIFIED ONLY TO THOSE PERSONS AND/OR ENTITIES LISTED PERIODICALLY IN THE BOUNDARY SURVEY MEETS THE MINIMUM TECHNIQUE STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 17F, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472-007, FLORIDA STATUTES.

L. BEALE SMITH IV, P.S.
PROFESSIONAL SURVEYOR, FLORIDA REG. NO. 0226

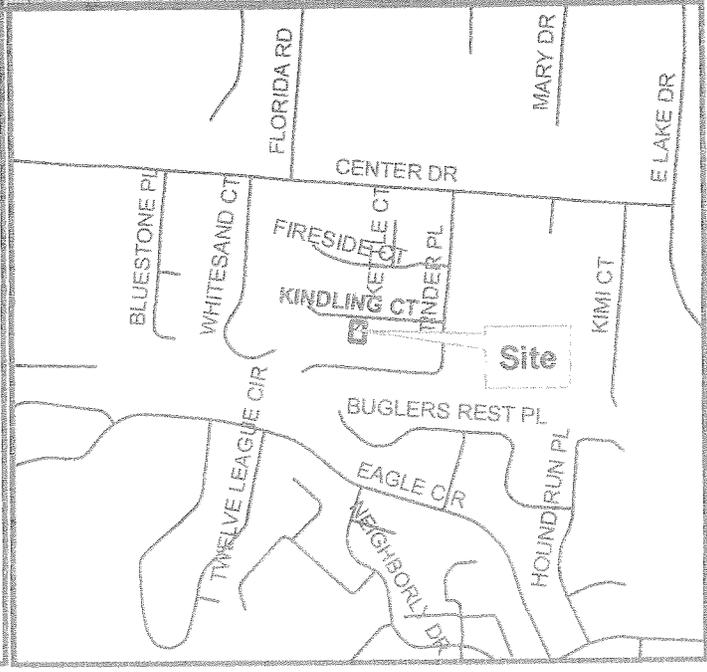
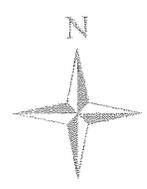
PROFESSIONAL SURVEYOR
BEALE SMITH ASSOCIATES
282 SHORT AVENUE, SUITE 124 LONGWOOD, FLORIDA 32750
PHONE: 407-331-5577 FAX: 407-331-9188

Sarah & Dan Scrima
 1963 Kindling Court
 Casselberry, Florida 32707



Seminole County Board of Adjustment
 March 26, 2007
 Case: BV2007-18 (Map 3157, Grid E7)
 Parcel No: 14-21-30-512-0000-0400

- Zoning**
-  BV2007-18
 -  A-1
 -  R-1AA
 -  R-1A
 -  PUD



<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: 14-21-30-512-0000-0400</p> <p>Owner: SCRIMA DAN M & SARAH</p> <p>Mailing Address: 1963 KINDLING CT</p> <p>City,State,ZipCode: CASSELBERRY FL 32707</p> <p>Property Address: 1963 KINDLING CT CASSELBERRY 32707</p> <p>Subdivision Name: HEARTH PLACE</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (2007)</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: \$158,366</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$38,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$196,366</p> <p>Assessed Value (SOH): \$196,366</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$171,366</p> <p>Tax Estimator</p>																																			
<p align="center">SALES</p> <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>01/2006</td> <td>06121</td> <td>0524</td> <td>\$252,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/2000</td> <td>03857</td> <td>0256</td> <td>\$117,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1991</td> <td>02342</td> <td>1471</td> <td>\$91,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1991</td> <td>02319</td> <td>0350</td> <td>\$57,200</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	01/2006	06121	0524	\$252,000	Improved	Yes	WARRANTY DEED	05/2000	03857	0256	\$117,900	Improved	Yes	WARRANTY DEED	09/1991	02342	1471	\$91,900	Improved	Yes	WARRANTY DEED	07/1991	02319	0350	\$57,200	Vacant	No	<p>2006 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,578</p> <p>2006 Tax Bill Amount: \$1,277</p> <p>Save Our Homes (SOH) Savings: \$1,301</p> <p>2006 Taxable Value: \$79,249</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																					

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 14 TWP: 21 RNG: 30
PROJ. #

DEVELOPMENT:		Hearth Place (Deer Run Unit 29)			DEVELOPER:		Amerifirst Development Corp.			
LOCATION:		S side of Center Drive, W of Lake Drive					84 lots			
FILE#:		BA:		SP:		BCC:				
P&Z:		PG		67, 68 Lot		Blk		Parcel	DBA	Comm Dist

DEVEL. ORDER #:	88-002	TAX PAR. I.D. #:	
-----------------	--------	------------------	--

SIDEWALKS: 4' wide on both sides	SETBACK REQUIREMENTS							
	FY:	20'	SIDE ST.:		SY:	7.5'	RY:	*25'
ROAD TYPE: (CURB & GUTTER OR SWALE)	MAIN STRUCTURE OTHER: *20' if abutting a greenbelt area or lake Max. Height: 35' Min. House: 1,300 sq. ft.							
COMMENTS OTHER: *Signalization: \$3,000 toward signal at Center Road and East Lake Drive. 1) Construct a 6' high concrete block wall along East property line, 6' wood fence along South property line, 6' brick wall along center road where adjacent to lots.	ACCESSORY STRUCTURE SETBACKS:							
	SY:	7.5'			RY:	10'		
	ACCESSORY STRUCTURE OTHER:							

IMPACT FEES	
SCREEN:	ORD
TRAFFIC ZONE:	104-SC
LAND USE:	
1. ROAD-CO. WIDE	ORD
2. ROAD-COLL.	ORD
3. LIBRARY	ORD
4. FIRE	ORD
5. PARK	ORD IF APPLIC.
6. SCHOOL	ORD IF APPLIC.
7. LAW	ORD IF APPLIC.
8. DRAINAGE	
TOTAL	
REMARKS:	

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 LOT 40 HEARTH PLACE PB 42 PGS 67 & 68

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

FINDINGS OF FACT

Property Owner: Dan & Sarah Scrima
1963 Kindling Court
Casselberry FL 32707

Project Name: Kindling Court (1963)

Requested Development Approval:

Request for a rear yard setback variance from 25 feet to 20 feet for a proposed room addition in PUD (Planned Unit Development 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 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: