

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

SUBJECT: 1510 Royal Circle – Robert & Karen Beck, applicants; Request a rear yard setback variance from 30 feet to 25 feet for a proposed addition in R-1AA (Single Family Dwelling District).

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

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

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

MOTION/RECOMMENDATION:

1. **DENY** the request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in R-1AA (Single Family Dwelling District); or
2. **APPROVE** the request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in R-1AA (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicants: Robert & Karen Beck Location: 1510 Royal Circle Zoning: R-1AA Subdivision: Royal Estates
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 22-foot 4-inch by 18-foot 4-inch addition to the rear of the existing home. • The proposed two story addition would encroach 5 feet into the required 30-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	<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

	<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.
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 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

COPY

Application # BV 2007-20
Meeting Date 3-26-07

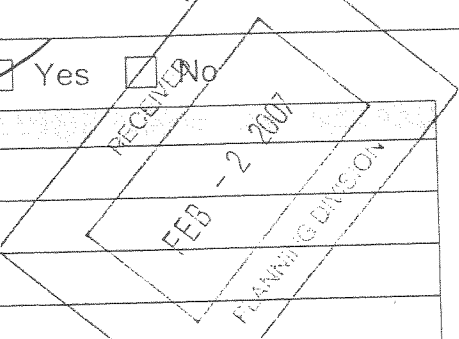


VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

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

Name: ROBERT + KAREN BECK
Address: 1510 ROYAL CIRCLE City: APOPKA Zip code: 32703
Project Address: 1510 ROYAL CIRCLE City: APOPKA Zip code: 32703
Contact number(s): 407-296-8733 cell (407) 448-5177
Email address: KB.SUNSHINESTARS@AOL.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>BED ROOM + GAME RM. + BATH</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>30'</u>	Proposed setback: <u>25'</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 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: Robert A. Beck

FOR OFFICE USE ONLY

Date Submitted: 2-2-07

Reviewed By: P. Johnson

Tax parcel number: 20-21-29-511-0000-0140

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!

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.

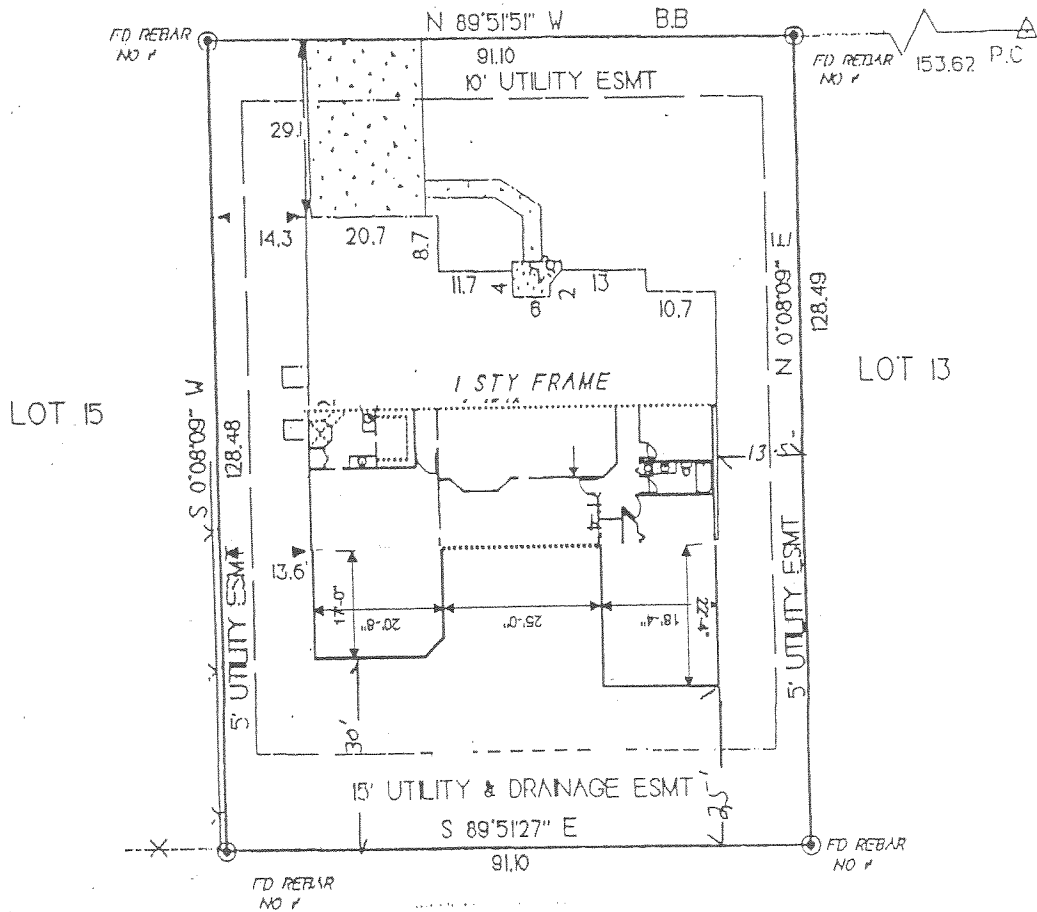
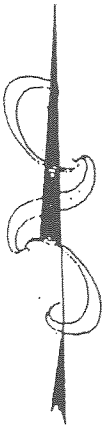
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if 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 <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.

PLAT OF SURVEY

DESCRIPTION LOT 14 ROYAL ESTATE

AS RECORDED IN PLAT BOOK 90 PAGE(S) 58-59 OF
THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

— (C) — ROYAL CIRCLE (50 R/W) — PAVED —



LOT 15

LOT 13

McNEL'S ORANGE VILLA
P.B. 2 PAGES 99-101

THIS PROPERTY LIES IN
ZONE "X" ACCORDING
TO FIRM MAP # J2112C
B115.F DATE APRIL 11, 1986

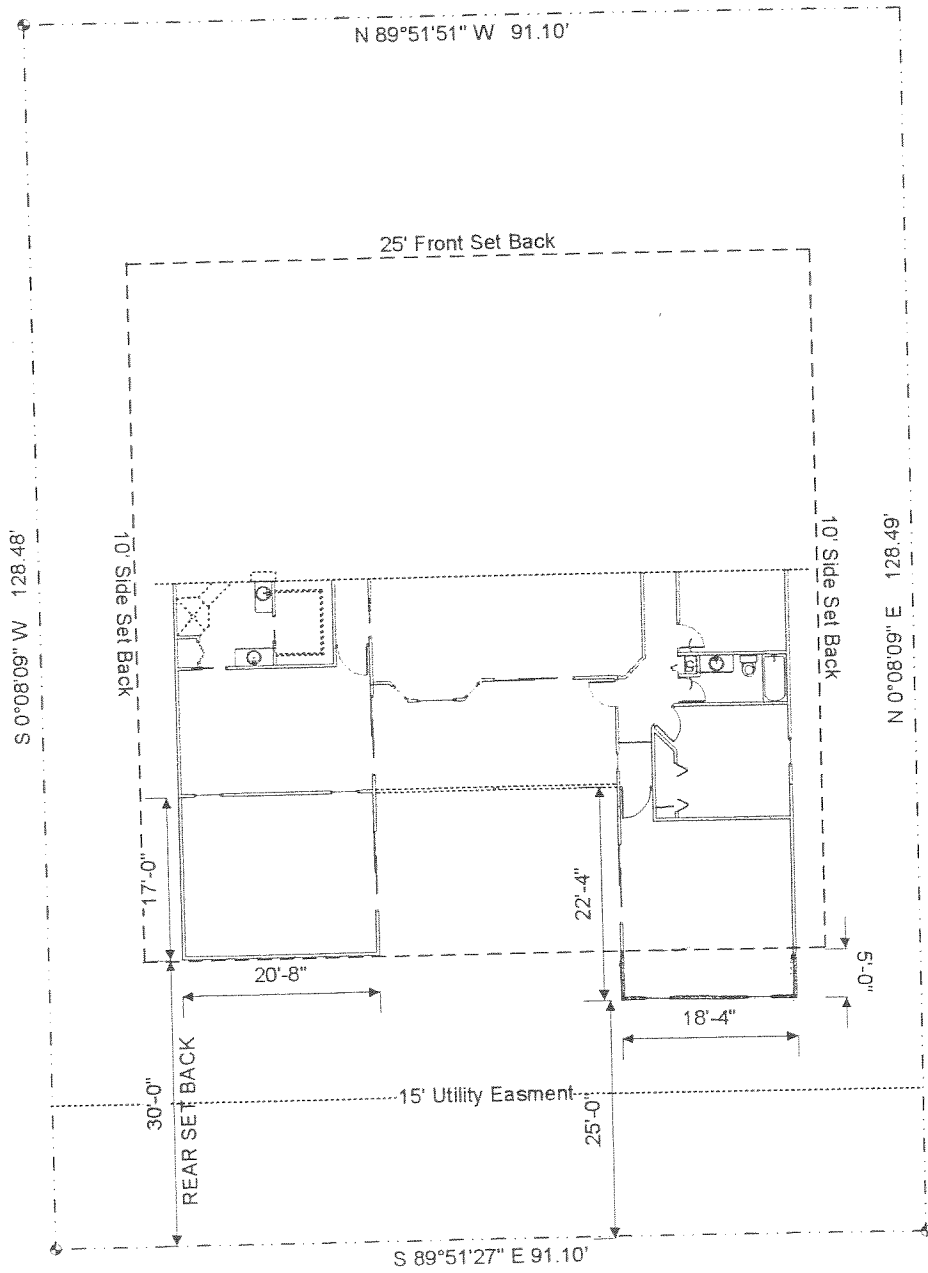
CERTIFIED TO:
TRANSLAND FINANCIAL SERVICES, INC.
ATTORNEYS' TITLE INSURANCE FUND, INC.
STANTON & GASDICK, P.A.
ROBERT A. BECK
KAREN S. BECK

NOTES:

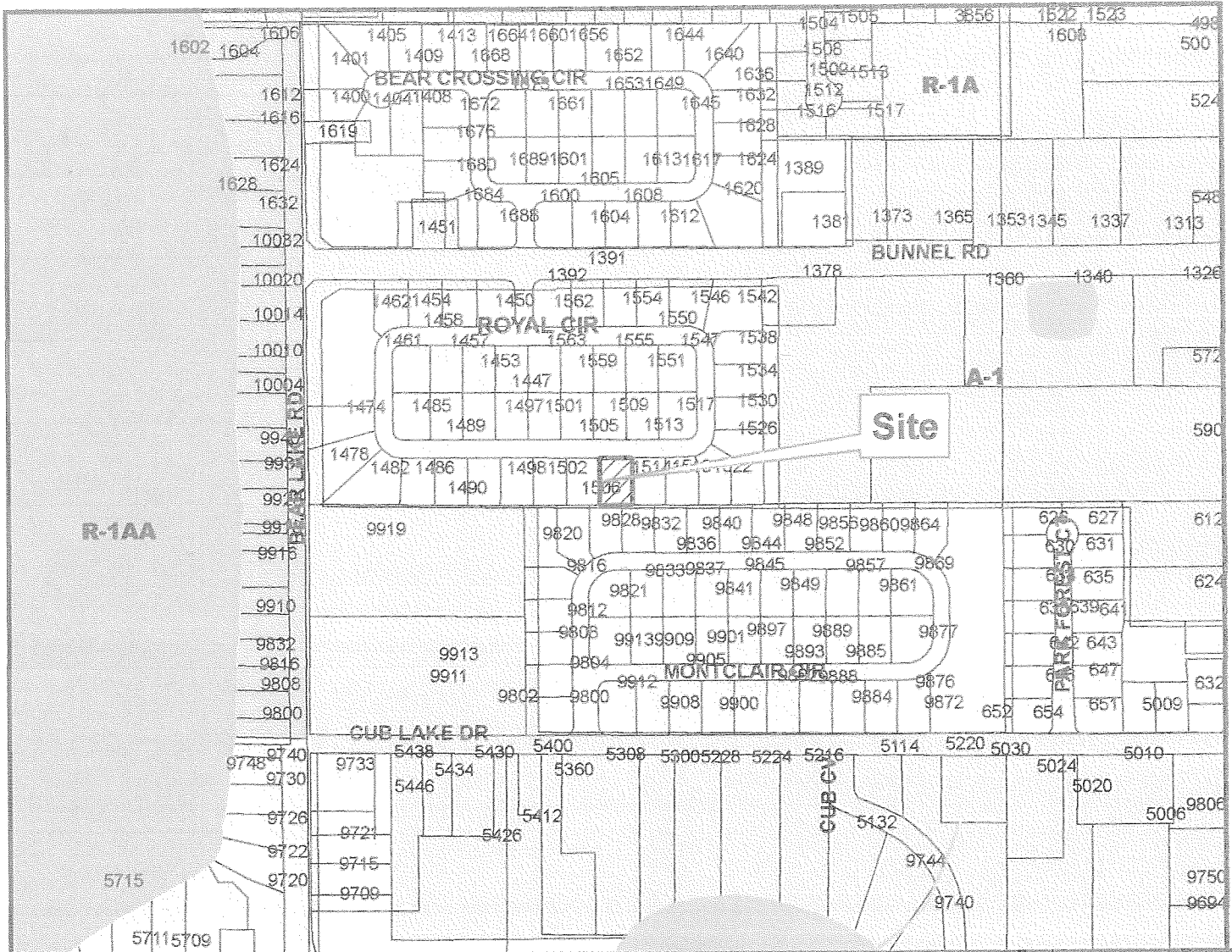
1. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THE SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.

LEGEND:

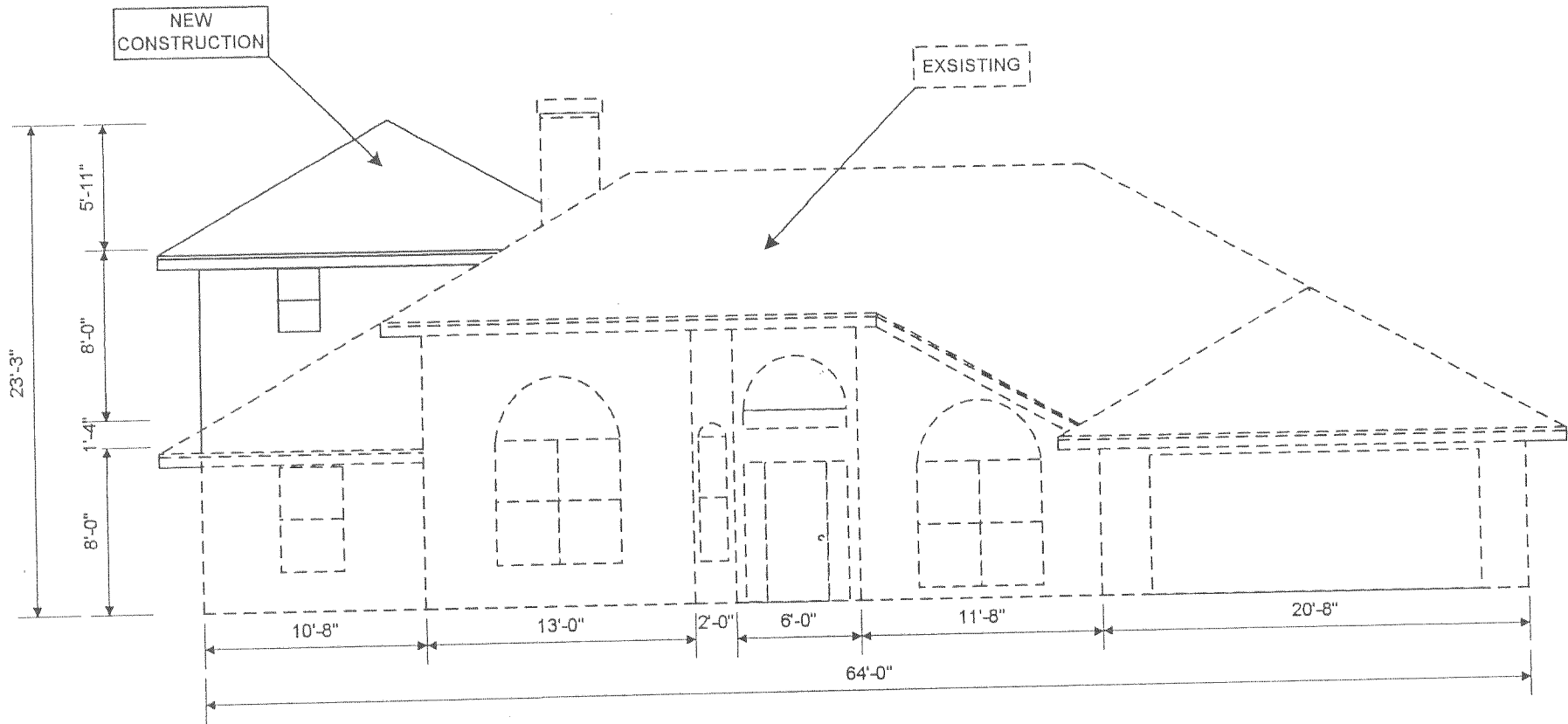
- | | | |
|------------------|-----------------------------|-----------------|
| ELFV - ELEVATION | N&D - NAIL AND DISK | BLK - BLOCK |
| FD - FOUND | POB - POINT OF BEGINNING | ESMT - EASEMENT |
| ESMT - EASEMENT | POC - POINT OF COMMENCEMENT | P - NON TYP |
| STY - STORY | CB - CIRCULAR BEARING | A - ADJACENT |



Karen & Robert Beck
 1510 Royal Circle
 Apopka, Florida 32703



<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><i>R-1AA</i></p> <p style="text-align: center;">GENERAL</p> <p>Parcel Id: 20-21-29-511-0000-0140 Owner: BECK ROBERT A & KAREN S Mailing Address: 1510 ROYAL CIR City,State,ZipCode: APOPKA FL 32703 Property Address: 1510 ROYAL CIR APOPKA 32703 Subdivision Name: ROYAL ESTATES Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1998) Dor: 01-SINGLE FAMILY</p>	<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$267,944 Depreciated EXFT Value: \$1,100 Land Value (Market): \$56,000 Land Value Ag: \$0 Just/Market Value: \$325,044 Assessed Value (SOH): \$163,668 Exempt Value: \$25,000 Taxable Value: \$138,668 Tax Estimator</p>																																			
<p style="text-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>WARRANTY DEED</td> <td>08/1997</td> <td>03289</td> <td>0407</td> <td>\$155,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>08/1997</td> <td>03289</td> <td>0404</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>08/1990</td> <td>02218</td> <td>0381</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1989</td> <td>02061</td> <td>1221</td> <td>\$29,900</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	08/1997	03289	0407	\$155,900	Improved	Yes	QUIT CLAIM DEED	08/1997	03289	0404	\$100	Improved	No	QUIT CLAIM DEED	08/1990	02218	0381	\$100	Improved	No	WARRANTY DEED	04/1989	02061	1221	\$29,900	Vacant	No	<p>2006 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$4,540 2006 Tax Bill Amount: \$2,170 Save Our Homes (SOH) Savings: \$2,370 2006 Taxable Value: \$134,676 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																														
WARRANTY DEED	08/1997	03289	0407	\$155,900	Improved	Yes																														
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<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>56,000.00</td> <td>\$56,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	56,000.00	\$56,000	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 14 ROYAL ESTATES PB 40 PGS 58 & 59</p>																							
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																															
LOT	0	0	1.000	56,000.00	\$56,000																															
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	1989	9	2,153	2,926	2,153	WD/STUCCO FINISH	\$267,944	\$286,571																											
Appendage / Sqft		SCREEN PORCH FINISHED / 259																																		
Appendage / Sqft		OPEN PORCH FINISHED / 30																																		
Appendage / Sqft		GARAGE FINISHED / 484																																		
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		1989	1	\$1,100	\$2,000																															
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.																																				



FRONT ELEVATION

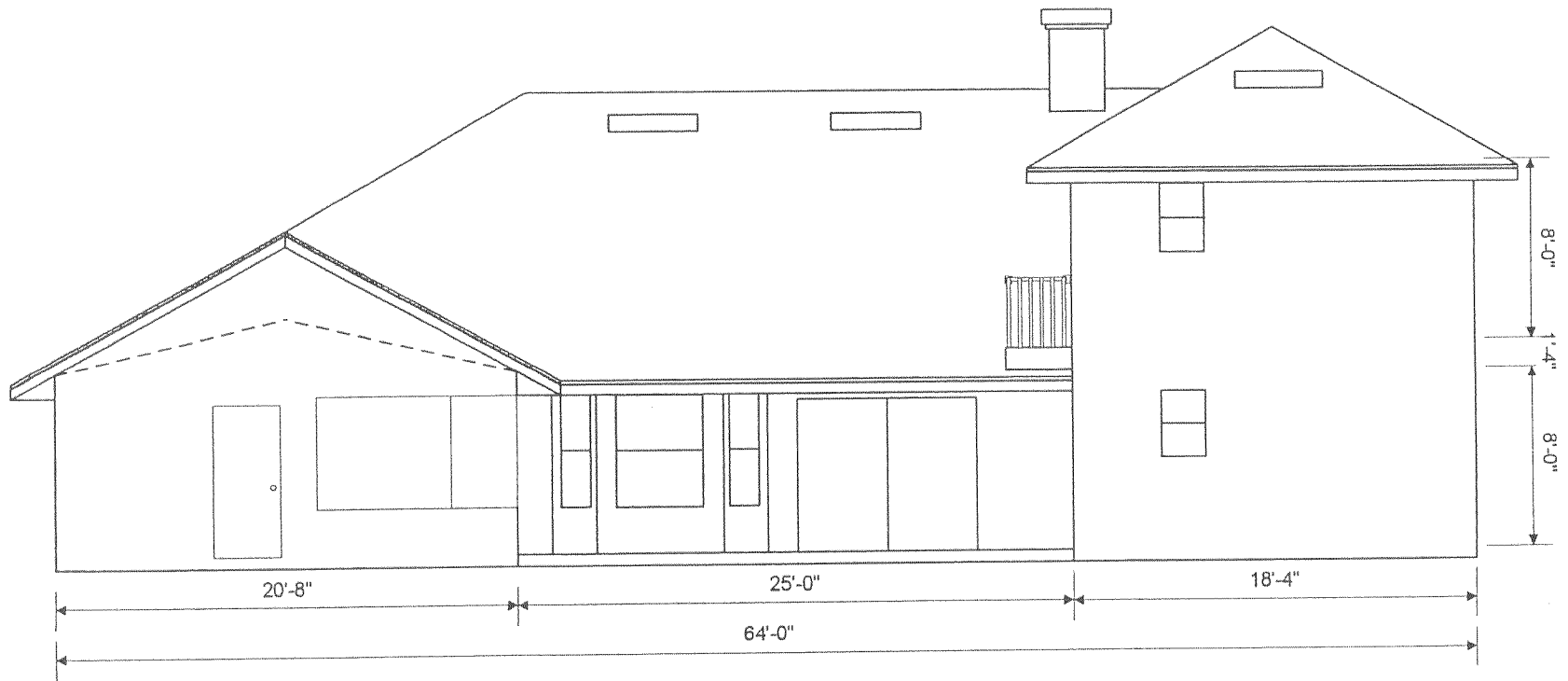
C&M Carpenter Construction Co., Inc.
 (407) 299-5379-Off (407) 299-5277

DESIGNED FOR:
 Karen & Bob [unclear]

LOCATION:
 1510 Royal Circle

Copyright
 United States Copyright Office
 NO. 980.6-1B MRC
 SCALE: 1/8" = 1' 0"





REAR ELEVATION

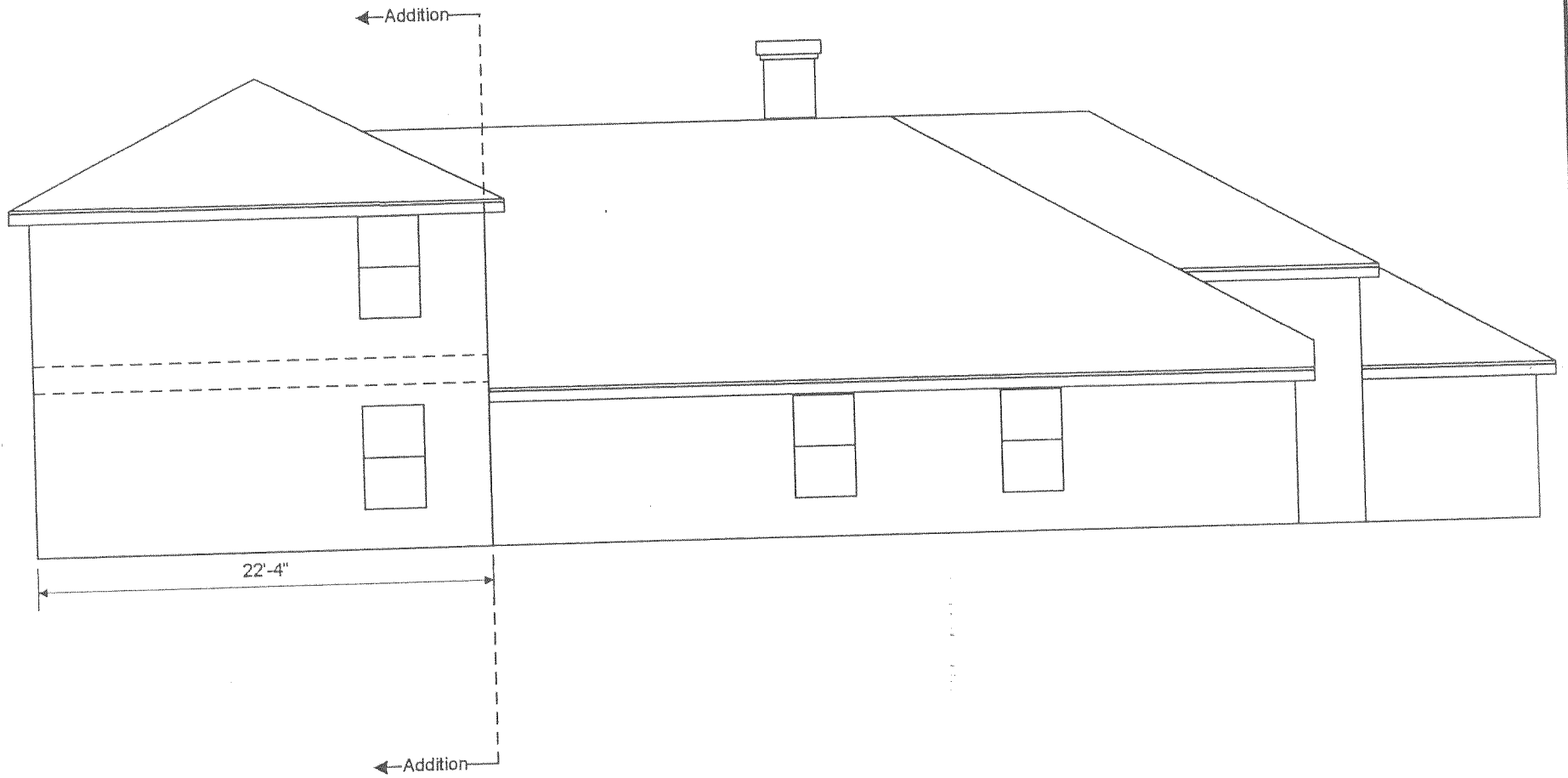
C&M Carpenter Construction Co., Inc.
 (407) 299-5379-Off (407) 299-5277

DESIGNED FOR:
 Karen & Bob Beck

LOCATION:
 1510 Royal Circle

Copyright
 United States Copyright Office
 NO. 980.6-1B MRC
 SCALE: 1/8" = 1' 0"





LEFT ELEVATION

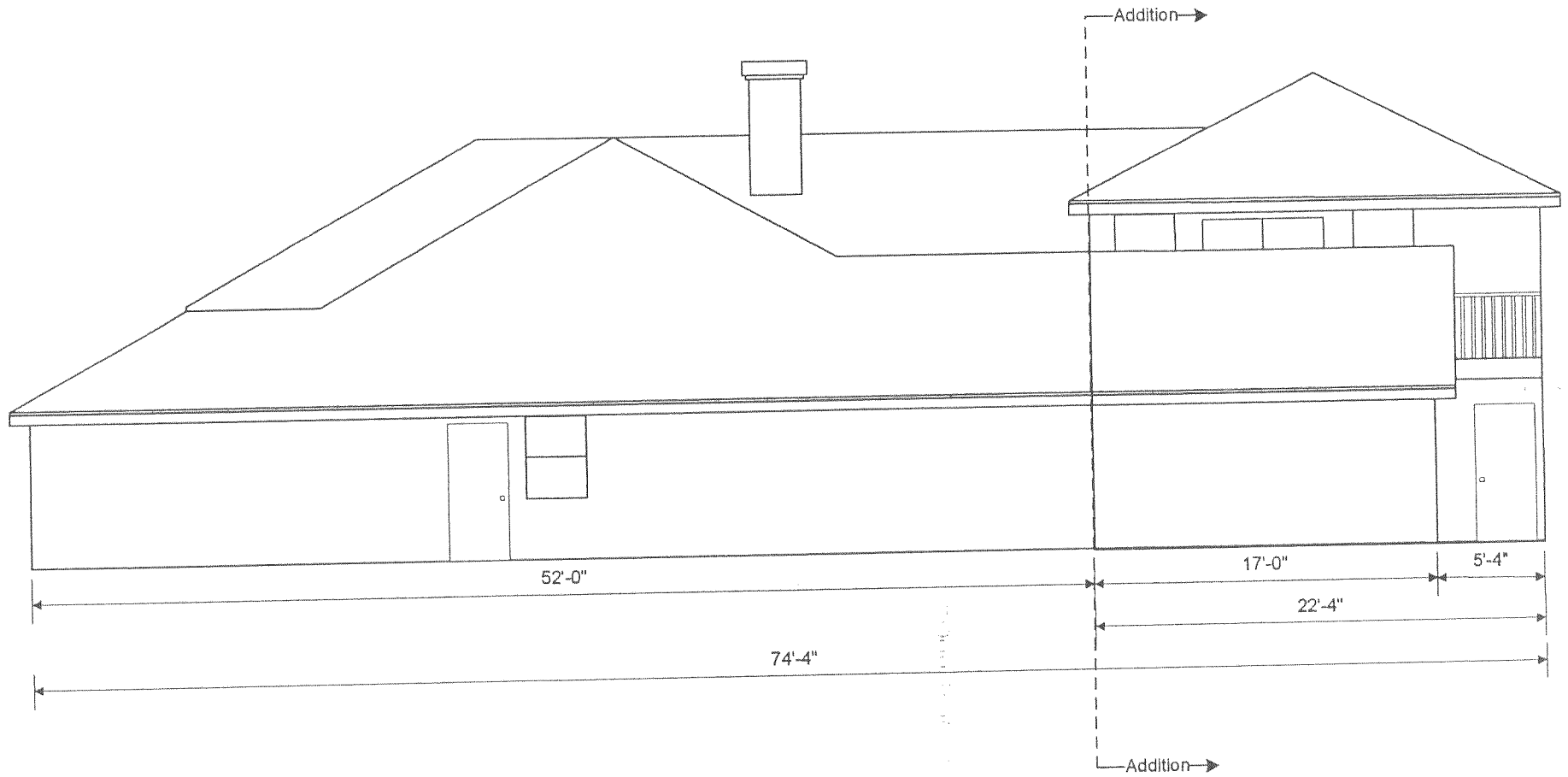
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 (407) 299-5379-Off (407) 299-5277

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LOCATION:
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 SCALE: 1/8" = 1' 0"





RIGHT ELEVATION

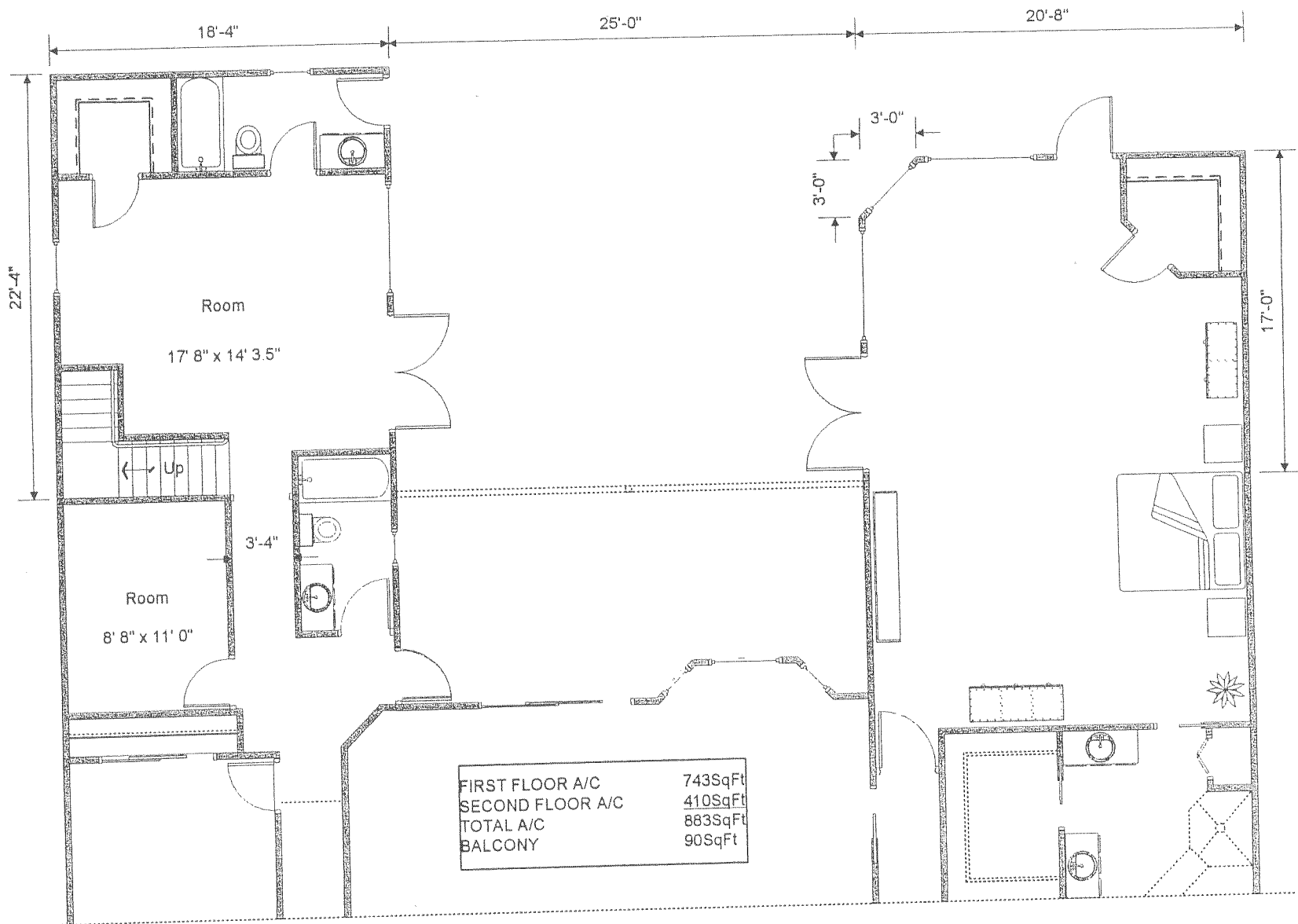
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 (407) 299-5379-Off (407) 299-5277

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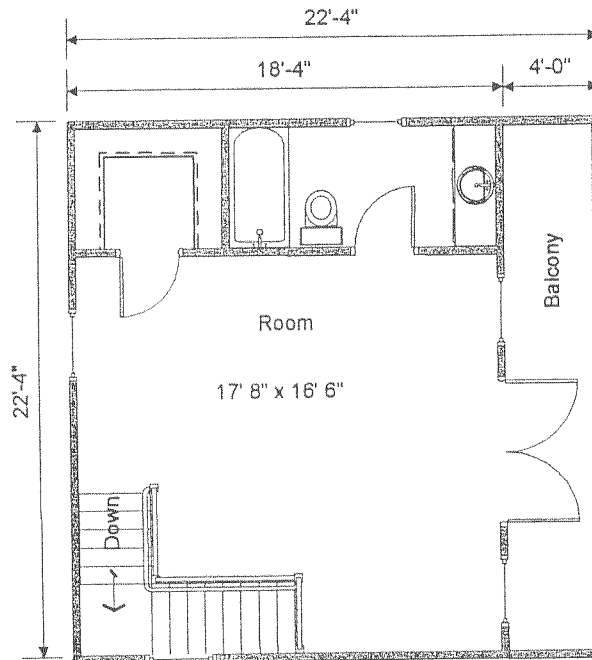
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 (407) 299-5379-Off (407) 299-5277

DESIGNED FOR:
Karen & Bob Beck

LOCATION:
1510 Royal Circle

Copyright
 United States Copyright Office
 NO. 980.6-1B MRC
 SCALE: 1/8" = 1' 0"





SECOND FLOOR

C&M Carpenter Construction Co., Inc.
 (407) 299-5379-Off (407) 299-5277

DESIGNED FOR:
Karen & Bob

LOCATION:
1510 Royal Circle

Copyright
 United States Copyright Office
 NO. 980.6-1B MRC
 SCALE: 1/8" = 1' 0"



SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

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

LOT 14 ROYAL ESTATES PLAT BOOK 40 PAGES 58 & 59

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

FINDINGS OF FACT

Property Owner: Robert & Karen Beck
1510 Royal Circle
Apopka, FL 32703

Project Name: Royal Circle (1510)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 25 feet for a proposed addition in R-1AA (Single Family Dwelling District).

The Development Approval was sought for a proposed addition that would encroach 5 feet 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 March 26, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 14 ROYAL ESTATES PLAT BOOK 40 PAGES 58 & 59

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

FINDINGS OF FACT

Property Owner: Robert & Karen Beck
1510 Royal Circle
Apopka, FL 32703

Project Name: Royal Circle (1510)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 25 feet for a proposed 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: 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 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: