

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

SUBJECT: 1192 West Osceola Road – Stephanie Roberts, applicant; Request for a front yard setback variance from 50 feet to 35 feet for a proposed home in the A-5 (Rural District).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7433

Agenda Date 05/21/07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **DENY** the request for a front yard setback variance from 50 feet to 35 feet for a proposed home in the A-5 (Rural District); or
2. **APPROVE** the request for a front yard setback variance from 50 feet to 35 feet for a proposed home in the A-5 (Rural District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning:	Stephanie Roberts 1192 West Osceola Road A-5
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposed to construct a single family home that will encroach 15 feet into the 50 feet front yard setback. • Permanent placement of a mobile home was granted in 1974 and has since been removed from the property. • There are currently no code enforcement or building violations for this property. 	
STAFF FINDINGS	<p>The applicant has satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"> • 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. 	

	<p><i>The applicant's property is a deficient parcel that was created prior to 1970 and the 1991 Comprehensive Plan amendments that required a minimum of 5 acres.</i></p> <ul style="list-style-type: none"> • Special conditions and circumstances did not result from the actions of the applicant. <p><i>The lot was created prior to the adoption of our Land Development Code and the requirement of the 50 foot front yard setback.</i></p> <ul style="list-style-type: none"> • The granting of the variance requested would not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district. <p><i>The property has been granted the permanent placement of a mobile home therefore the applicant</i></p> <ul style="list-style-type: none"> • The literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification. <p><i>Without the granting of the variance the applicant would be unable to develop the lot with a home that is consistent with other homes in the area.</i></p> <ul style="list-style-type: none"> • The variance requested is the minimum variance that will make possible reasonable use of the land, building or structure. <p><i>Given the size of the property and the decreasing depth along Osceola Road the variance requested will allow reasonable use of the land.</i></p> <ul style="list-style-type: none"> • The applicant would still retain reasonable use of the land, building or structure without the granting of the variance. <p><i>Without the granting of the variance the applicant would not be able to construct a home (1637 square feet) that would be comparable to other homes in the area.</i></p>
<p>STAFF RECOMMENDATION</p>	<p>Based on the stated findings, staff recommends approval of the request based upon the following conditions of approval:</p> <ul style="list-style-type: none"> • Any variance granted shall apply only to the proposed home 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 # BV2007-36
Meeting Date 5-21-07



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: Stephanie Roberts
Address: 1008 Nightingale Point City: Geneva Zip code: 32732
Project Address: 1192 West Osceola Road City: Geneva Zip code: 32732
Contact number(s): 407-625-3175, 407-349-3080, 407-625-3018
Email address: wenglendy@cf1-cr.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: RECEIVED MAR 30 2007
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input checked="" 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 checked="" type="checkbox"/> Front yard setback	Required setback:	50'	Proposed setback: 35'
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:
<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>			

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: Stephanie Roberts

FOR OFFICE USE ONLY

Date Submitted: 3-30-07 Reviewed By: P. Johnson D. Dibbs
 Tax parcel number: 09-20-32-300-0038-0000 Zoning/FLU A-5/R-5
 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!

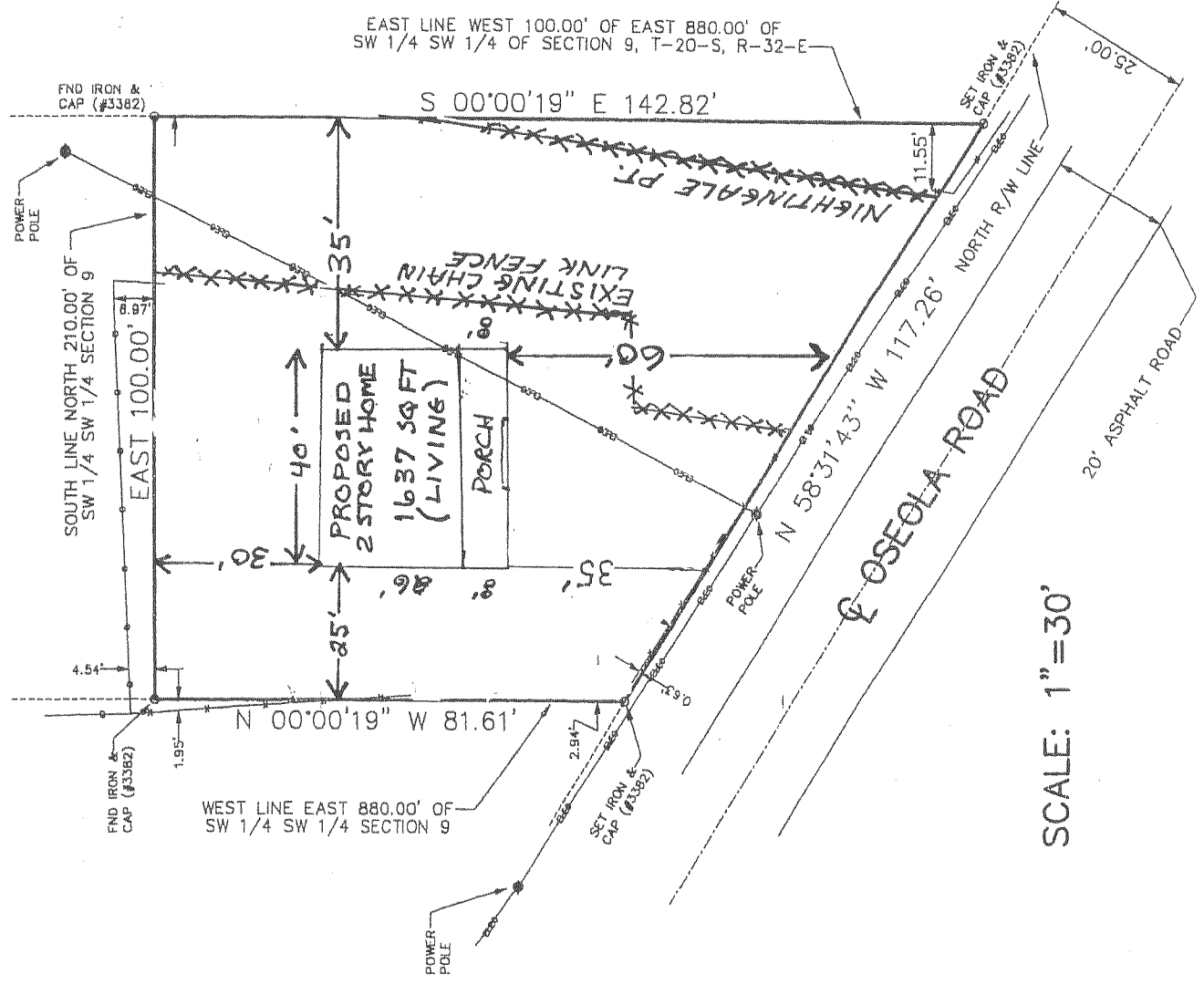
<p>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</p>	
✓	1. Completed application.
N/A	2. Owner's authorization letter (if needed). <u>This form can be obtained online.</u>
✓	3. Provide a legible 8 ½ x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. <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>
✓	o Please start with a clean survey (ex: white out old approval stamps)
✓	o Size and dimension of the parcel
✓	o Location and name of all abutting streets
✓	o Location of driveways
✓	o Location, size and type of any septic systems, drainfield and wells
✓	o Location of all easements
✓	o Existing or proposed house or addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
✓	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
✓	o Building height
✓	o Setbacks from each building to the property lines
N/A	o Location of proposed fence(s)
✓	o Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
N/A	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 BOUNDARY SURVEY

for
GLEN and STEPHANIE ROBERTS
Legal Description:

THE WEST 100.00 FEET OF THE EAST 880.00 FEET LYING NORTH OF OLD SANFORD GENEVA ROAD
(NOW OSCEOLA ROAD), LESS THE NORTH 210.00 FEET OF THE SW 1/4 OF SECTION 9,
TOWNSHIP 20 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA.

SCALE AS NOTED



SCALE: 1"=30'

1192 W. OSCEOLA RD.

POWER POLE

EAST
100'

30'

25'

40'

35'

PROPOSED
2 STORY HOUSE

1637 SQ FT.
(LIVING)

COVERED PORCH.

26'

8'

60'

GATE

35'

POWER
POLE

117.26

OSCEOLA RD.

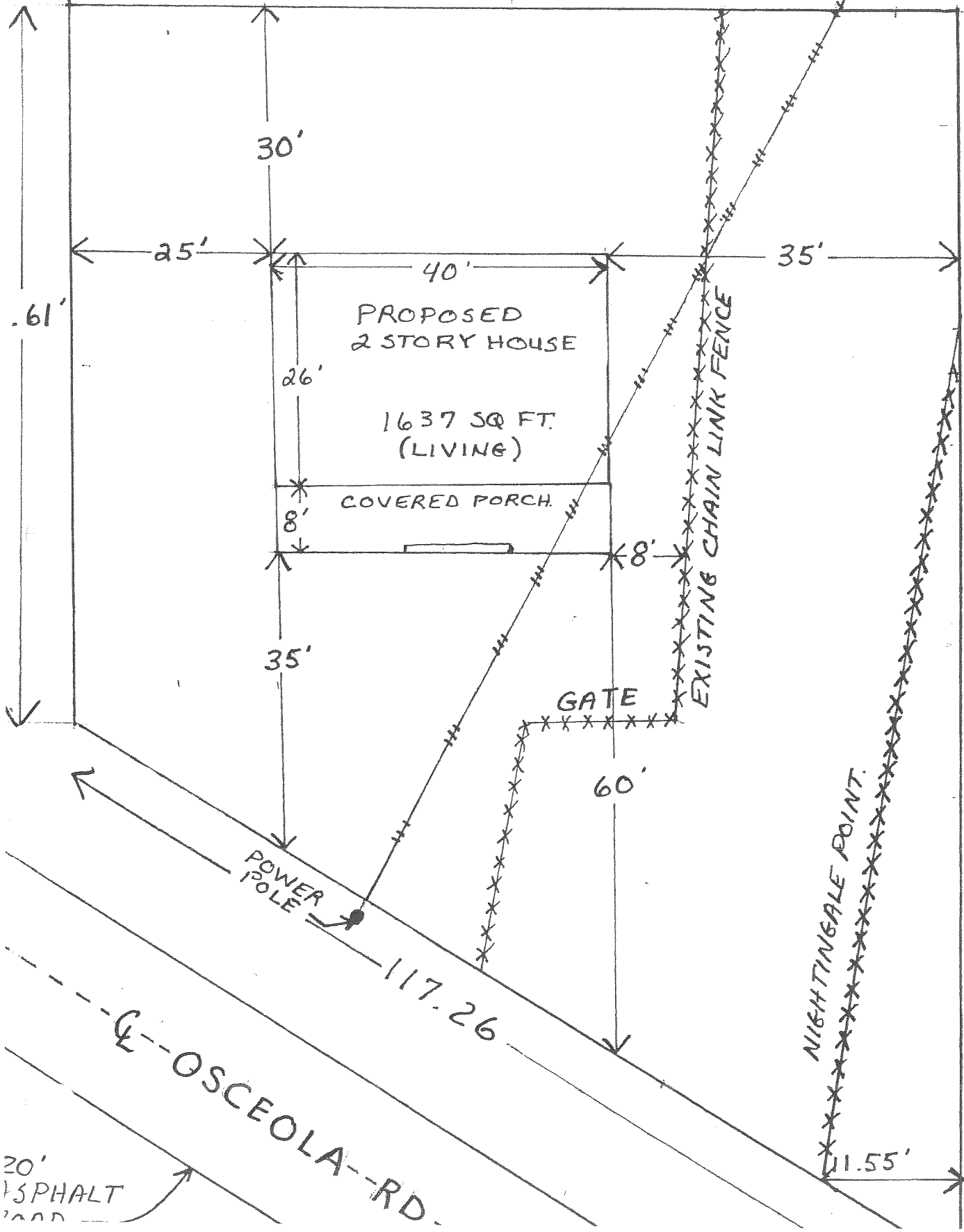
20'
ASPHALT
ROAD

142.8i

EXISTING CHAIN LINK FENCE

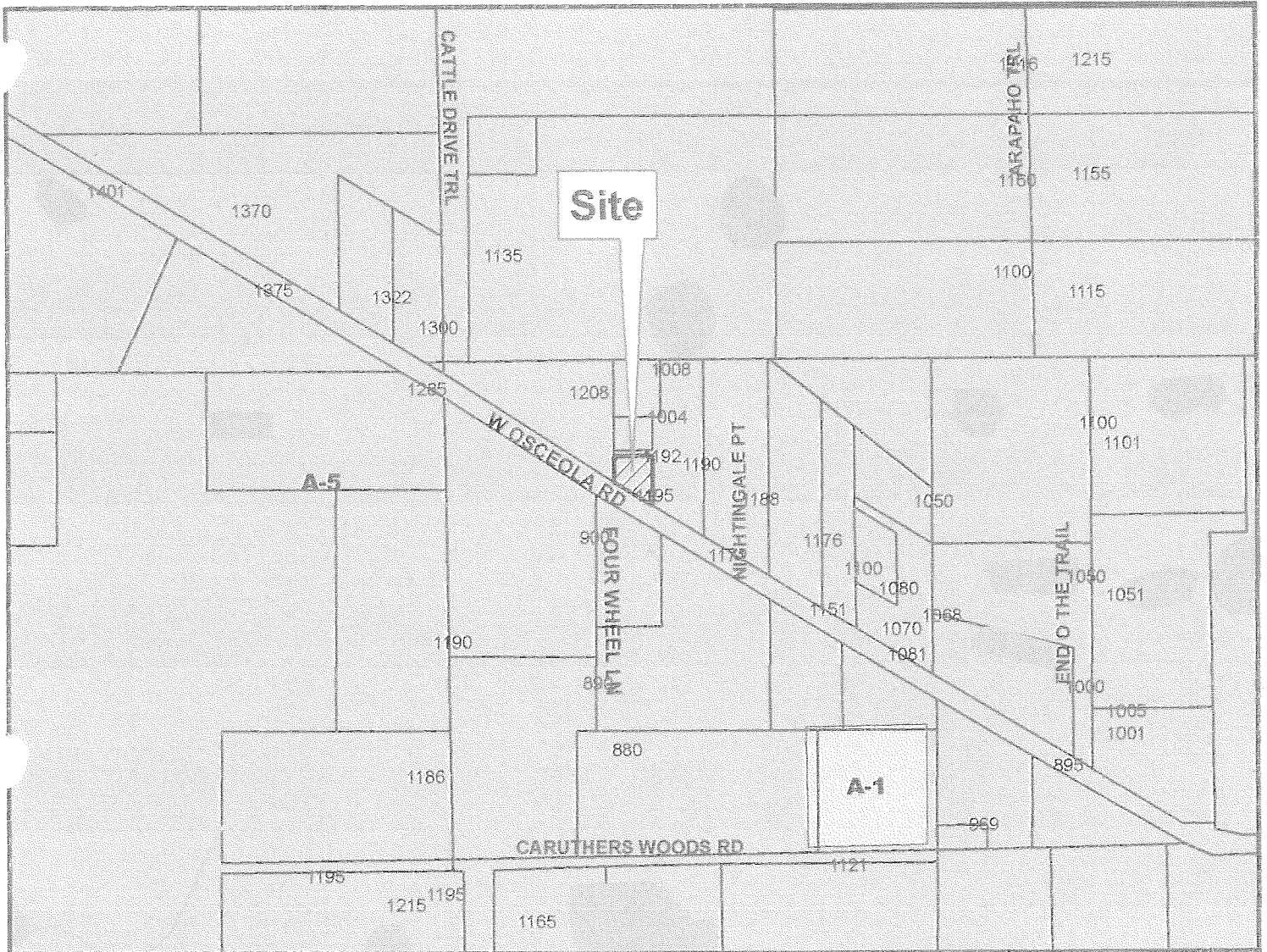
NIGHTINGALE POINT.

11.55'



<p>PARCEL DETAILS</p> <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: 09-20-32-300-003B-0000</p> <p>Owner: ROBERTS STEPHANIE & GLEN R</p> <p>Mailing Address: 1008 NIGHTINGALE POINT</p> <p>City,State,ZipCode: GENEVA FL 32732</p> <p>Property Address: 1192 OSCEOLA RD W GENEVA 32732</p> <p>Facility Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 99-ACREAGE NOT AGRICULT</p>	<p align="center">2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$20,500</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$20,500</p> <p>Assessed Value (SOH): \$20,500</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$20,500</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>05/2006</td> <td>06272</td> <td>0515</td> <td>\$35,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>11/2002</td> <td>04607</td> <td>0645</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>08/2002</td> <td>04502</td> <td>0391</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1998</td> <td>03476</td> <td>0372</td> <td>\$18,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1994</td> <td>02712</td> <td>1830</td> <td>\$10,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>11/1993</td> <td>02672</td> <td>0784</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>05/1982</td> <td>01396</td> <td>0716</td> <td>\$21,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1981</td> <td>01360</td> <td>1484</td> <td>\$26,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1979</td> <td>01227</td> <td>0370</td> <td>\$15,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Sales within this DOR Code</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	05/2006	06272	0515	\$35,000	Vacant	Yes	QUIT CLAIM DEED	11/2002	04607	0645	\$100	Improved	No	QUIT CLAIM DEED	08/2002	04502	0391	\$100	Improved	No	WARRANTY DEED	08/1998	03476	0372	\$18,000	Improved	Yes	WARRANTY DEED	01/1994	02712	1830	\$10,000	Improved	No	CERTIFICATE OF TITLE	11/1993	02672	0784	\$100	Improved	No	QUIT CLAIM DEED	05/1982	01396	0716	\$21,000	Improved	Yes	WARRANTY DEED	10/1981	01360	1484	\$26,000	Improved	Yes	WARRANTY DEED	05/1979	01227	0370	\$15,000	Improved	Yes	<p align="center">2006 VALUE SUMMARY</p> <p>2006 Tax Bill Amount: \$379</p> <p>2006 Taxable Value: \$23,494</p> <p align="center">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>																																																																							

Stephanie & Glen Roberts
1192 W Osceola Road
Geneva, Florida 32732



Seminole County Board of Adjustment
May 21, 2007
Case: BV2007-36 (Map 3056, Grid E7)
Parcel No: 09-20-32-300-003B-0000

Zoning

-  BV2007-36
-  A-1
-  A-5

