

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 420 Baker Avenue – Daniel & Dori Hicks, applicants; Request for a front yard setback variance from 50 feet to 42 feet for a proposed addition in A-1 (Agriculture District).

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

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

Agenda Date 5/21/07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **DENY** the request for a front yard setback variance from 50 feet to 42 feet for a proposed addition in A-1 (Agriculture District); or
2. **APPROVE** the request for a front yard setback variance from 50 feet to 42 feet for a proposed addition in A-1 (Agriculture District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Daniel & Dori Hicks Location: 420 Baker Avenue Zoning: A-1(Agriculture District) Subdivision: Twin Pines
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicants propose to construct an addition that would encroach 8 feet into the required 50-foot front yard setback. • The proposed construction would involve the extension of the existing garage and entry way, along with an additional bathroom. • There are currently no code enforcement or building violations for this property. • This property was granted a lot size variance in 1981. Due to the adoption of the Land Development Code in 1960, the lots within the Twin Pines Subdivision

	<p>(Platted in 1957) became non-conforming lots; therefore, requiring a lot size variance prior to building.</p>
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 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 # BU2007-39
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: Daniel & Dori Hicks
Address: 420 Baker Ave City: Alt. Spr. Zip code: 32714
Project Address: 420 Baker Ave City: Alt. Spr. Zip code: 32714
Contact number(s): 407-869-7234 hm, 407-252-5601(c)
Email address: hicks1310@earthlink.net

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>extend garage, new entrance and new bathroom</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.	

RECEIVED MAR 30 2007

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:	<u>50'</u>	Proposed setback: <u>42'</u>
<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 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: Dori Hicks

FOR OFFICE USE ONLY

Date Submitted: 3-30-07 Reviewed By: P. Johnson
 Tax parcel number: 17-21-29-515-0000-0100 Zoning/FLU A-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 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.
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 or 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.

House is currently on well & septic - but is scheduled for sewer & water this year.

well

157.144'

30' easement

10' easement

10' easement

136.15'

8' VARIANCE NEEDED

EXISTING ONE STORY RESIDENCE

powerline

NEW AREAS (one-story)

Existing one-story House (1496 sq ft)

50' SETBACK

42.5'

DRIVEWAY

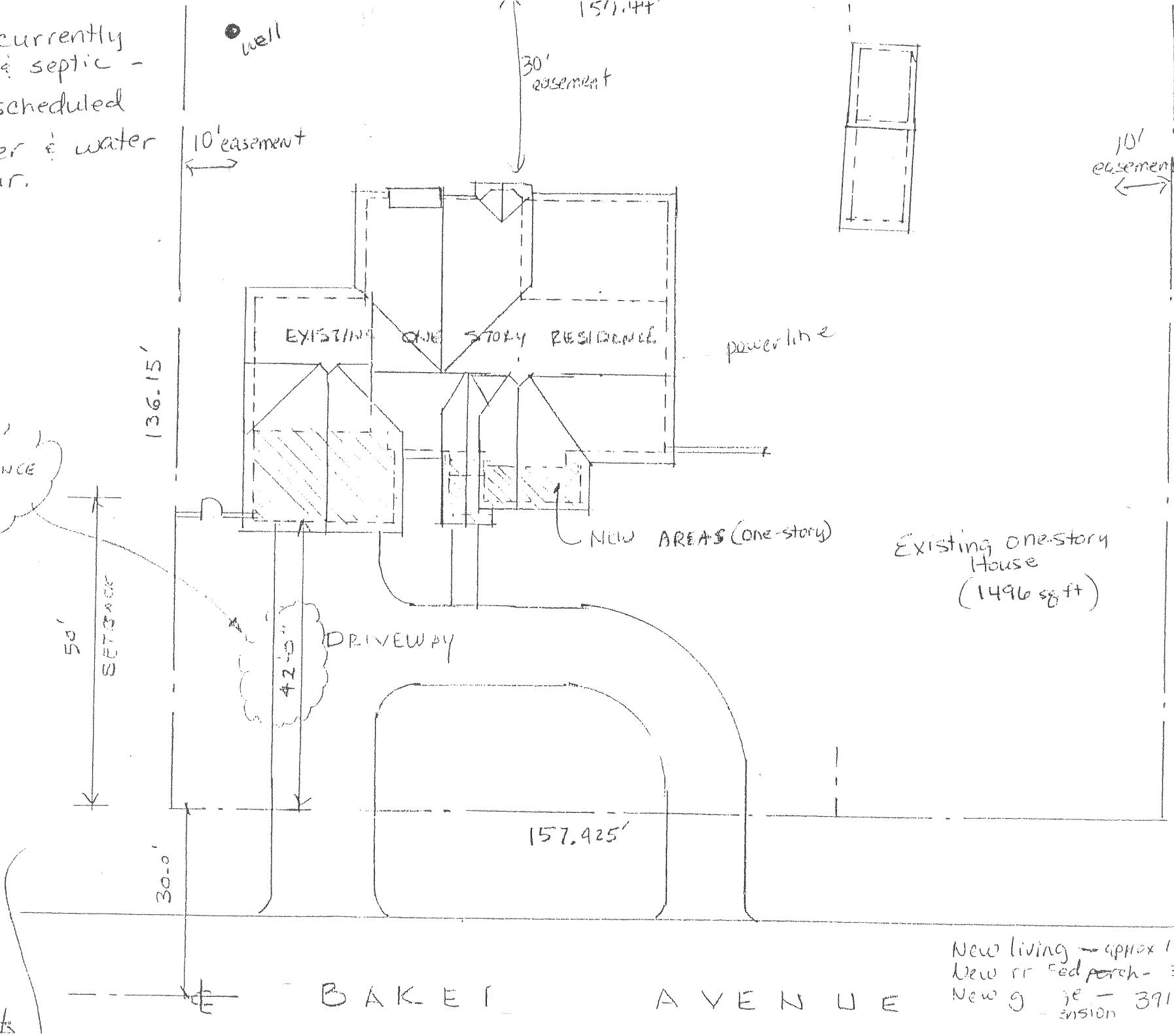
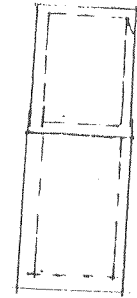
157.425'

30.0'

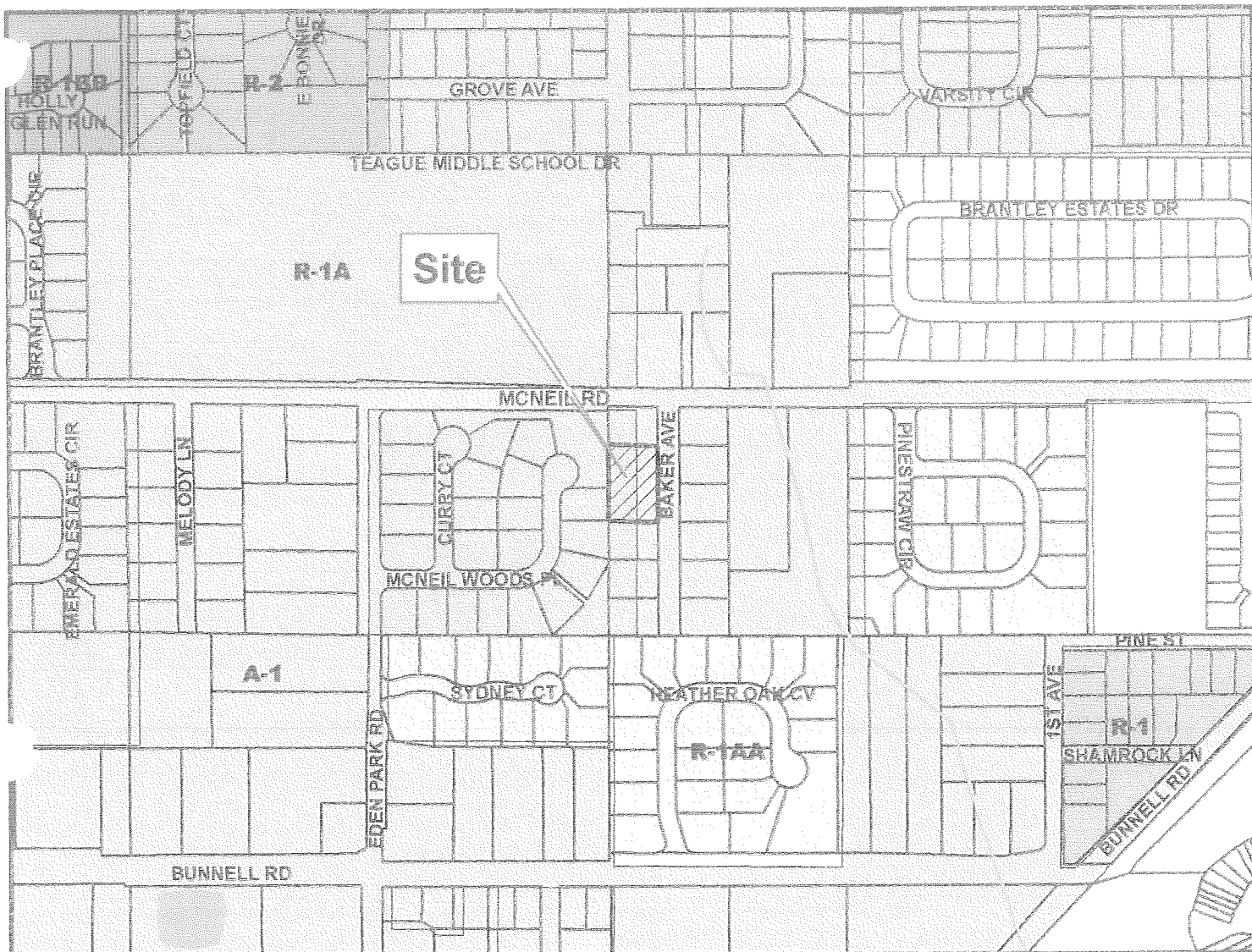
BAKET AVENUE

New living - approx 17
New rr. red porch - 3
New garage - 391
- extension

175 ds










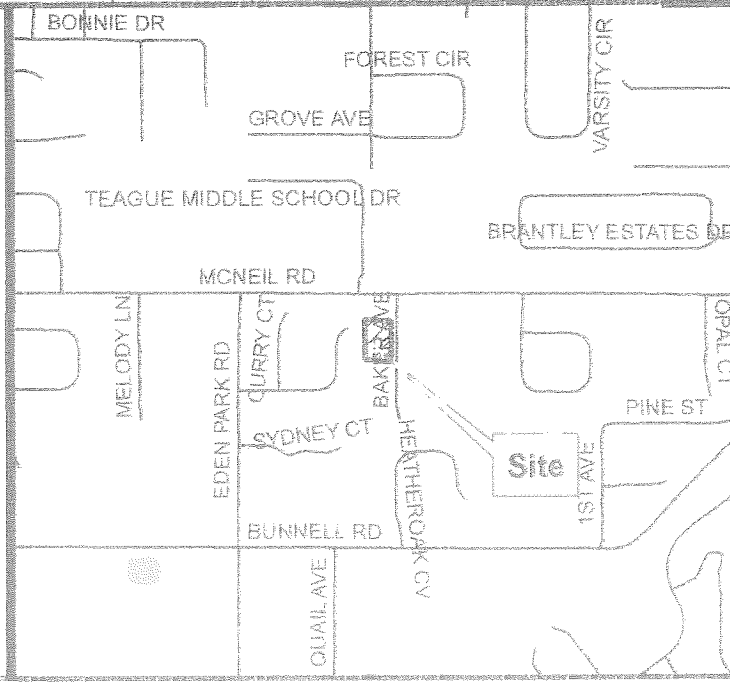
Dori & Daniel Hicks
 420 Baker Avenue
 Altamonte Springs, Florida 32714



Seminole County Board of Adjustment
 May 21, 2007
 Case: BV2007-39 (Map 3207, Grid C1)
 Parcel No: 17-21-29-515-0000-0100

Zoning

 BV2007-39	 R-1
 A-1	 R-1BB
 R-1AA	 R-2
 R-1A	



<p>PARCEL DETAIL</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 style="text-align: center;">GENERAL</p> <p>Parcel Id: 17-21-29-515-0000-0100 Owner: HICKS DANIEL S & DORI L Mailing Address: 420 BAKER AVE City,State,ZipCode: ALTAMONTE SPRINGS FL 32714 Property Address: 420 BAKER AVE ALTAMONTE SPRINGS 32714 Subdivision Name: TWIN PINES SUBD Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY</p>		<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$132,434 Depreciated EXFT Value: \$3,297 Land Value (Market): \$75,000 Land Value Ag: \$0 Just/Market Value: \$210,731 Assessed Value (SOH): \$98,784 Exempt Value: \$25,000 Taxable Value: \$73,784 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>04/1981</td> <td>01334</td> <td>1068</td> <td>\$8,500</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1978</td> <td>01167</td> <td>0677</td> <td>\$2,000</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	04/1981	01334	1068	\$8,500	Vacant	Yes	WARRANTY DEED	01/1978	01167	0677	\$2,000	Vacant	No	<p>2006 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$2,849 2006 Tax Bill Amount: \$1,150 Save Our Homes (SOH) Savings: \$1,699 2006 Taxable Value: \$71,375 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>										
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SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 21, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 10 + S 1/2 OF 11
TWIN PINES SUBD PB 11 PG 58

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

FINDINGS OF FACT

Property Owner: Daniel & Dori Hicks
420 Baker Ave
Altamonte Springs, FL 32714

Project Name: Baker Avenue (420)

Requested Development Approval:

Request for a front yard setback variance from 50 feet to 42 feet for a proposed addition in A-1 (Agriculture 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: _____
Dori Debord,
Planning & Development Director

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: