

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 7316 Sylvan Drive- Glenn Walker, applicant; Request for a rear yard setback variance from 30 feet to 10 feet for a proposed garage addition in R-1A (Single Family Dwelling 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 rear yard setback variance from 30 feet to 10 feet for a proposed garage addition in R-1A (Single Family Dwelling District); or
2. **APPROVE** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed garage addition in R-1A (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Glenn Walker Owner: Kenneth Broudy Location: 7316 Sylvan Drive Zoning: R-1A (Single Family Dwelling District) Subdivision: Lake Sylvan Estates
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 27-foot by 36-foot garage addition to the rear of the home. • The proposed 972 square foot addition would encroach 20 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	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 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 # BV 2007-40
Meeting Date 5-21-07



VARIANCE APPLICATION

SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 328-1444

COPY

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

Name: GLENN R. WALKER
Address: 7316 SYLVAN DR. City: SANFORD Zip code: 32771
Project Address: 7316 SYLVAN DR. City: SANFORD Zip code: 32771
Contact number(s): 407-947-1036
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 checked="" 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>27x36 GARAGE (ATTACHED)</u>
<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 type="checkbox"/> Front yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>30'</u>	Proposed setback: <u>10'</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>			

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]

FOR OFFICE USE ONLY

Date Submitted: 3-30-07 Reviewed By: P. Johnson
 Tax parcel number: 26-19-29-503-0000-1060 Zoning/FLU R-1A/LDR
 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: _____

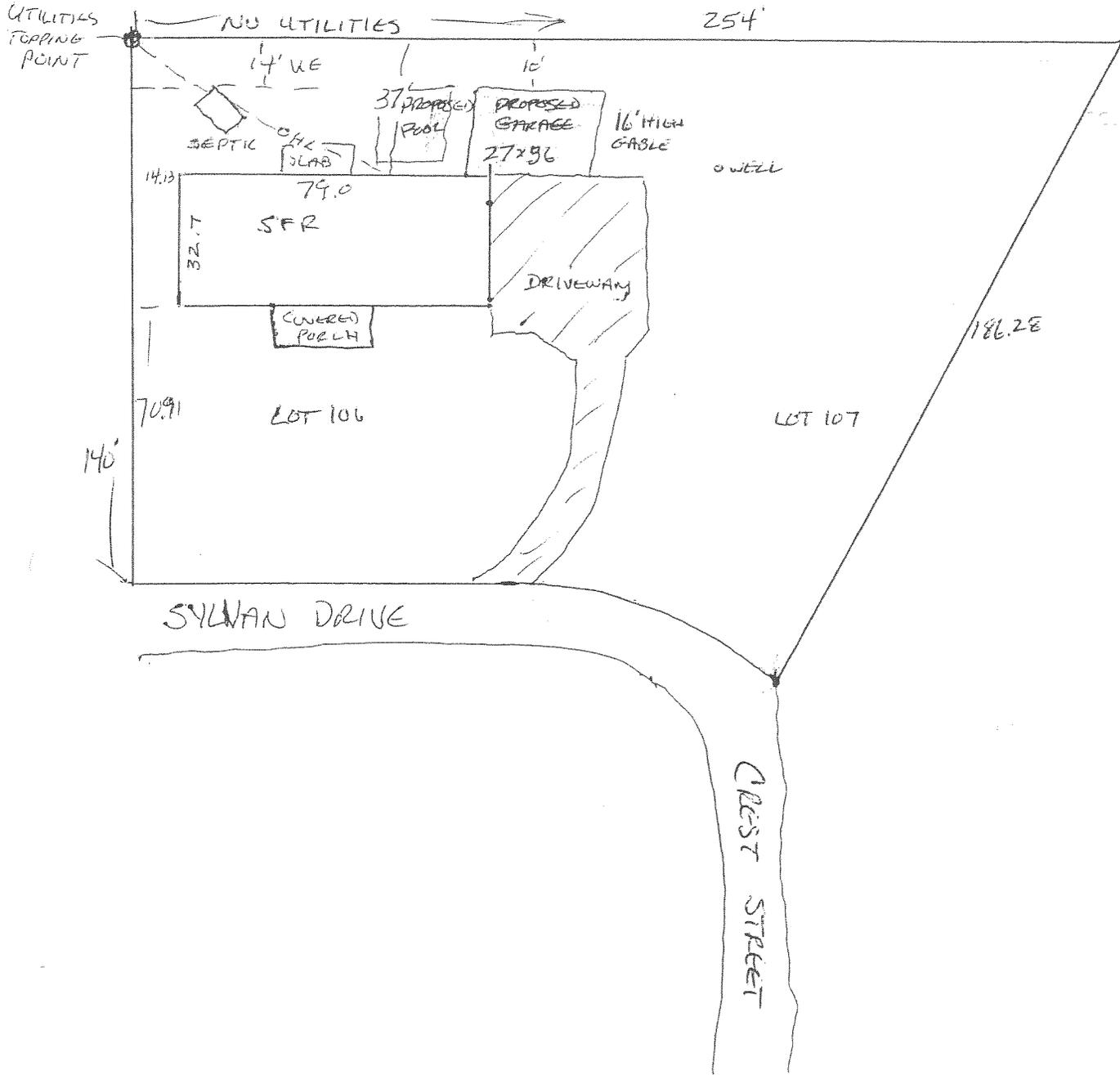
VARIANCE SUBMITTAL CHECKLIST

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.
✓	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 (Label existing, label proposed, and include square footage and dimensions of each)
✓	o Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
✓	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 (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.

OPEN FIELD



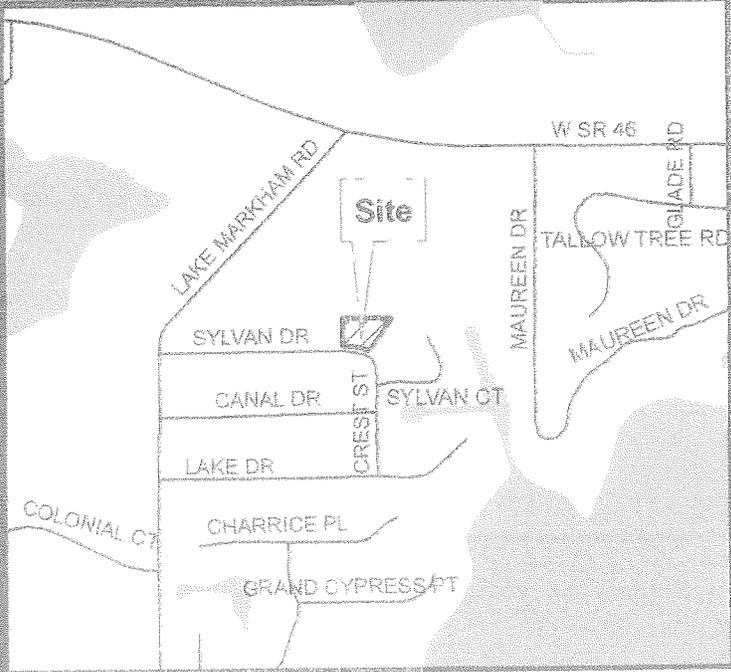
Kenneth Broudy/Glenn Walker
7316 Sylvan Drive
Sanford, Florida 32771



Seminole County Board of Adjustment
May 21, 2007
Case: BV2007-40 (Map 3050, Grid C1)
Parcel No: 26-19-29-503-0000-1060

Zoning

	BV2007-40		R-1AA
	A-1		R-1A
	RC-1		C-1



<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: 26-19-29-503-0000-1060</p> <p>Owner: BROUDY KENNETH</p> <p>Mailing Address: 7316 SYLVAN DR</p> <p>City,State,ZipCode: SANFORD FL 32771</p> <p>Property Address: 7316 SYLVAN DR SANFORD 32771</p> <p>Subdivision Name: LAKE SYLVAN ESTATES</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$195,063</p> <p>Depreciated EXFT Value: \$1,600</p> <p>Land Value (Market): \$28,100</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$224,763</p> <p>Assessed Value (SOH): \$224,763</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$224,763</p> <p>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>03/2006</td> <td>06175</td> <td>1167</td> <td>\$220,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1987</td> <td>01916</td> <td>0134</td> <td>\$60,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>06/1987</td> <td>01859</td> <td>1736</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>06/1981</td> <td>01341</td> <td>1470</td> <td>\$100</td> <td>Improved</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	03/2006	06175	1167	\$220,000	Improved	Yes	WARRANTY DEED	12/1987	01916	0134	\$60,000	Improved	No	QUIT CLAIM DEED	06/1987	01859	1736	\$100	Improved	No	QUIT CLAIM DEED	06/1981	01341	1470	\$100	Improved	No	<p style="text-align: center;">2006 VALUE SUMMARY</p> <p>2006 Tax Bill Amount: \$1,349</p> <p>2006 Taxable Value: \$83,713</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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<p><i>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</i></p>																																					

POWER OF ATTORNEY

Date: 5/30/07

I hereby name and appoint GLENN R. WALKER
of SEMINOLE COUNTY to be my lawful attorney
in fact to act for me and apply to the SEMINOLE COUNTY
~~Building Department~~ for a VARIANCE REQUEST permit

for work to be performed at a location described as:

Section _____ Township _____ Range _____ Lot _____ Block _____

Subdivision _____

7316 SYLVAN DRIVE SANFORD, FL. 32771
(Address of Job)

Ken Browdy 808 Eagle Claw Ct, Lakeland FL 32744
(Owner of Property and Address)

and to sign my name and do all things necessary to this appointment.

KEN BROWDY
Type or Print Name of Certified Contractor and Contractor's License Number

[Signature]
Signature of Certified Contractor

The foregoing instrument was acknowledged before me this 30th March day of 20 07

by Ken Browdy

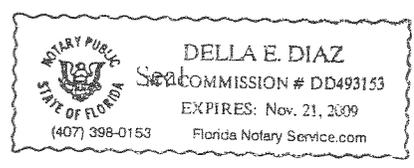
who is personally known to me/who produced _____

as identification and who did not take oath.

State of Florida

County of Seminole

Della E. Diaz
Notary Public, Orange County, Florida



**SEMINOLE COUNTY APPLICANT AUTHORIZATION FORM
(ORIGINAL ONLY)**

An authorized applicant is defined as:

- The property owner of record; or
- An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I Ken Brady, the fee simple owner of the following
(Owner's Name)
described property (Provide Legal Description or Tax Parcel ID Number(s))
26-19-29-50.3-0000-1060

hereby petition Seminole County to amend the Comprehensive Plan, Future Land Use Map, Official Zoning Map (circle one or more) from _____ to _____ and affirm that _____
Glen R. Walker is hereby designated to act as my / our authorized agent and to file the attached application for the stated amendment and make binding statements and commitments regarding the amendment request.

Owner's Signature

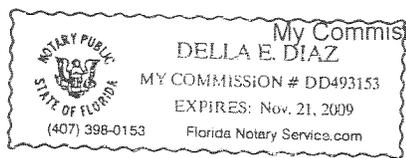
I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Seminole County, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 30th day of March, 2007.

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Ken Brady, who is personally known to me or who has produced _____ has identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 30th day of March, 2007.

Della E. Diaz
Notary Public in and for the County and State
Aforementioned



My Commission Expires: 11/21/2009

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 LOTS 106 + 107 (LESS BEG NW COR LOT 108 RUN N 18 DEG 35 MIN 38 SEC W 40.50 FT S 28 DEG 58 MIN 17 SEC W 186.26 FT N 39 DEG 37 MIN 17 SEC E 161.74 FT TO BEG)
LAKE SYLVAN ESTATES PB 12 PG 13

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

FINDINGS OF FACT

Property Owner: Kenneth Broudy
7316 Sylvan Dr
Sanford, FL 32771

Project Name: Sylvan Drive (7316)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 10 feet for a proposed garage addition in R-1A (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: _____
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: