

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

SUBJECT: 2219 King Alpines Court – Darryl & Gay Alice Taylor, applicants;
Request for a rear yard setback variance from 10 feet to 7 feet for an
existing shed in R-1A (Single Family Dwelling District).

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

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

Agenda Date 6/25/07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **DENY** the request for a rear yard setback variance from 10 feet to 7 feet for an existing shed in R-1A (Single Family Dwelling District); or
2. **APPROVE** the request for a rear yard setback variance from 10 feet to 7 feet for an existing shed in R-1A (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Darryl & Gay Alice Taylor Location: 2219 King Alpines Ct Zoning: R-1A (Single Family Dwelling District) Subdivision: Winter Woods Unit 3
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicants are requesting a variance for an existing 10-foot by 12-foot shed to encroach 3 feet into the required 10-foot rear yard setback. • The 120 square foot shed is currently located 2 feet from the rear property line; the applicants propose to move the shed south, placing it 7 feet from the rear property line. • On May 5, 2007 the applicants received a notice of violation for the un-permitted construction of the shed. • There is no record of prior variances for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a

	<p>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.
<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 shed 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 # BV2007-53
Meeting Date 6-25-07



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

COPY

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

Name: DARRYL & GAY ALICE TAYLOR
Address: 2219 KING ALPINES CT. City: WINTER PARK Zip code: 32792
Project Address: SAME City: _____ Zip code: _____
Contact number(s): (407) 678-7719 / 407 339 8854
Email address: SUNNIE FA @ AOL.COM

Is the property available for inspection without an appointment? Yes No

What type of structure is this request for?	
<input checked="" type="checkbox"/> Shed	Please describe: <u>10 X 12' FRAME SHED</u>
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Addition	Please describe: <u>RECEIVED APR 30 2007</u>
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input checked="" 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:	Proposed setback:	<u>7.5'</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>ONE</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: Darryl Taylor for Gay Alice Taylor

FOR OFFICE USE ONLY

Date Submitted: 4/30/07 Reviewed By: Len Sironia
 Tax parcel number: 33-21-30-511-0A00-0740 Zoning/FLU R-1A

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

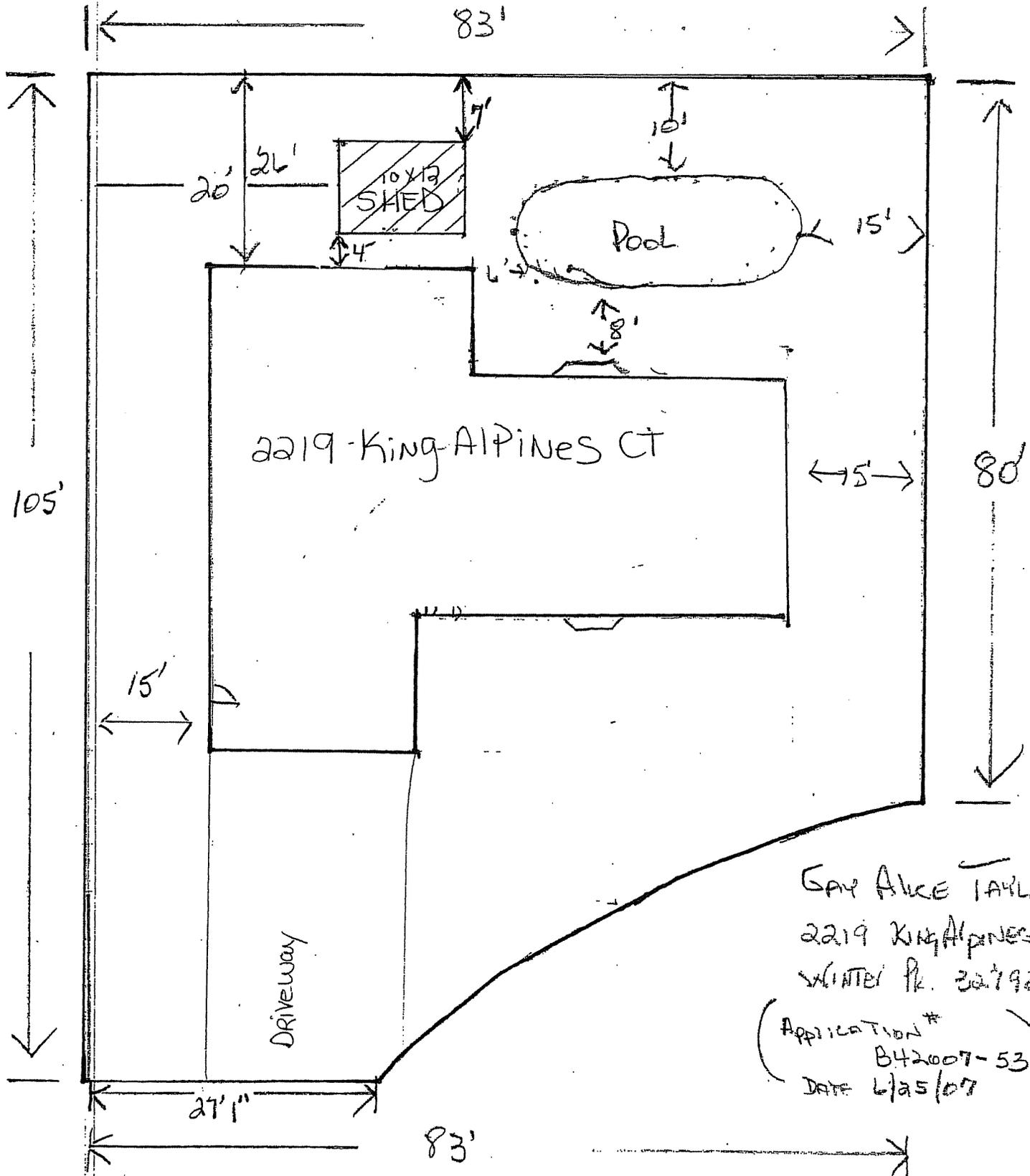
Notes: Other sheds in setback on aerial within subdivision.

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 ½ 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.

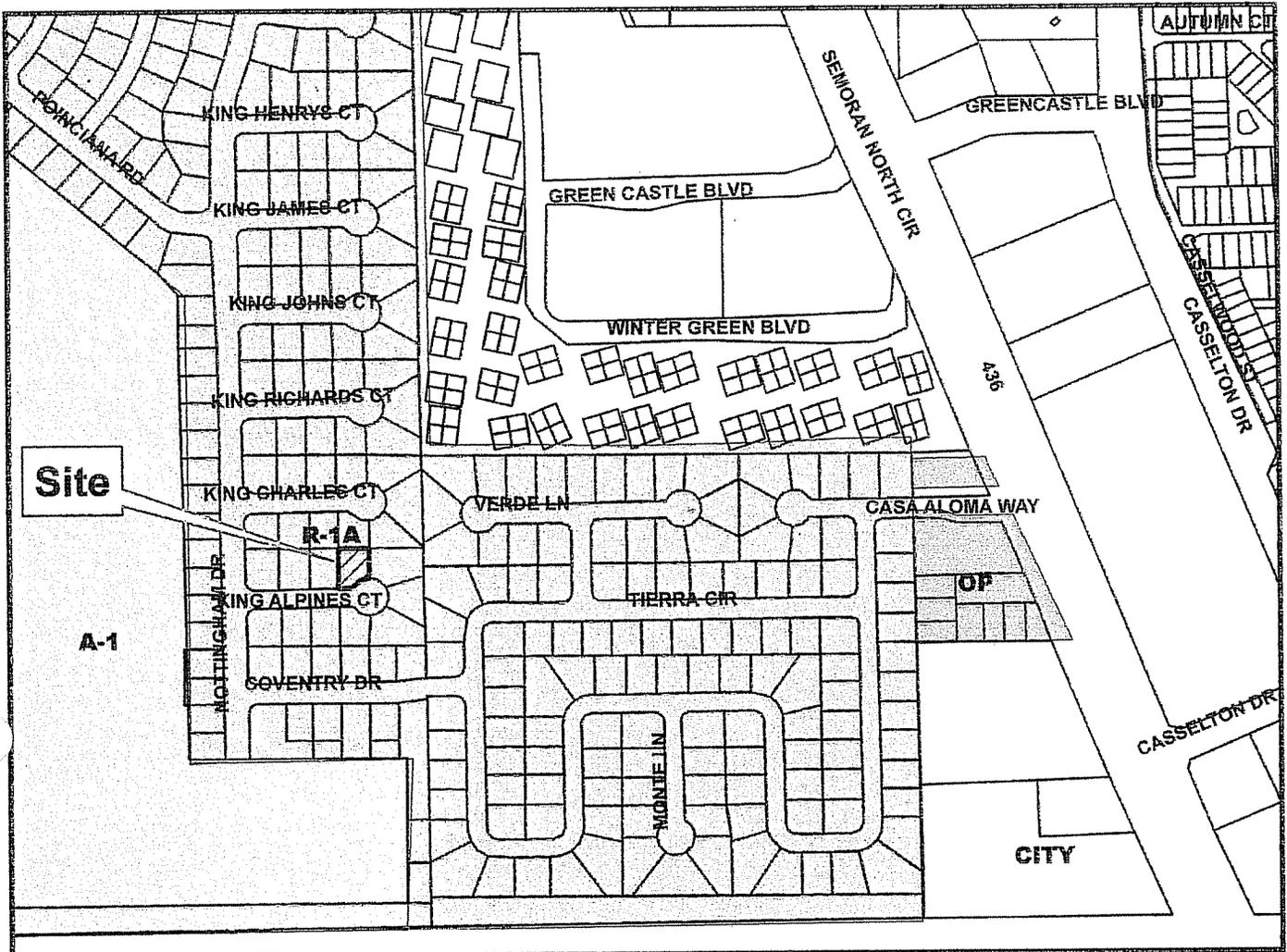
SITE PLAN FOR 10'x12' (120 sq ft) SHED
 Application for VARIANCE APPLIED



GAY ALICE TAYLOR
 2219 KING ALPINES
 WINTER PK. 32793
 (APPLICATION #
 B42007-53
 DATE 6/25/07)

APPLIED for variance on rear set back from 10
 ft 7' are also should be in accordance within Cd

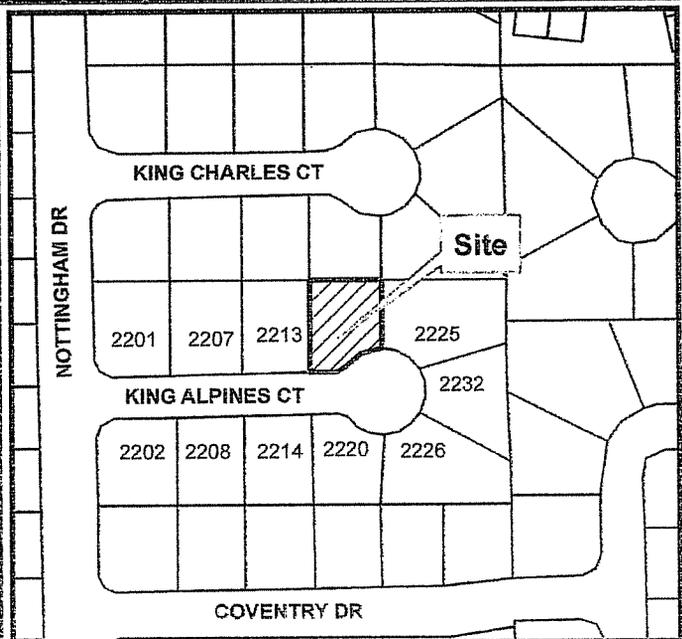
Gay & Arthur Duncan
 2219 King Alpines Court
 Winter Park, Florida 32792



Seminole County Board of Adjustment
 June 25, 2007
 Case: BV2007-53 (Map 3210, Grid B7)
 Parcel No: 33-21-30-511-0A00-0740

Zoning

-  BV2007-53
-  A-1
-  R-1A
-  OP



<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																							
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 33-21-30-511-0A00-0740 Owner: DUNCAN GAY A & Own/Addr: DUNCAN ARTHUR O Mailing Address: 2219 KING ALPINES CT City,State,ZipCode: WINTER PARK FL 32792 Property Address: 2219 KING ALPINES CT WINTER PARK 32792 Subdivision Name: WINTER WOODS UNIT 03 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$172,157 Depreciated EXFT Value: \$5,697 Land Value (Market): \$41,000 Land Value Ag: \$0 Just/Market Value: \$218,854 Assessed Value (SOH): \$115,392 Exempt Value: \$25,000 Taxable Value: \$90,392 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>01/1976</td> <td>01084</td> <td>1413</td> <td>\$35,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1971</td> <td>00850</td> <td>0482</td> <td>\$26,900</td> <td>Improved</td> <td>Yes</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	01/1976	01084	1413	\$35,000	Improved	Yes	WARRANTY DEED	01/1971	00850	0482	\$26,900	Improved	Yes	<p style="text-align: center;">2006 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$3,383 2006 Tax Bill Amount: \$1,411 Save Our Homes (SOH) Savings: \$1,972 2006 Taxable Value: \$87,578 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																	
WARRANTY DEED	01/1976	01084	1413	\$35,000	Improved	Yes																	
WARRANTY DEED	01/1971	00850	0482	\$26,900	Improved	Yes																	
<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>41,000.00</td> <td>\$41,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	41,000.00	\$41,000	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/> LEG LOT 74 BLK A WINTER WOODS UNIT 3 PB 15 PG 57</p>									
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																		
LOT	0	0	1.000	41,000.00	\$41,000																		
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	1991	6	1,645	2,516	1,645	SIDING AVG	\$172,157	\$182,177														
			Appendage / Sqft	GARAGE FINISHED / 462																			
			Appendage / Sqft	OPEN PORCH FINISHED / 124																			
			Appendage / Sqft	OPEN PORCH FINISHED / 285																			
<p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p>Permits</p>																							
EXTRA FEATURE																							
		Description	Year Blt	Units	EXFT Value	Est. Cost New																	
		FIREPLACE	1991	1	\$900	\$1,500																	
		POOL GUNITE	1985	450	\$4,050	\$9,000																	
		COOL DECK PATIO	1985	474	\$747	\$1,659																	
<p>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.</p>																							

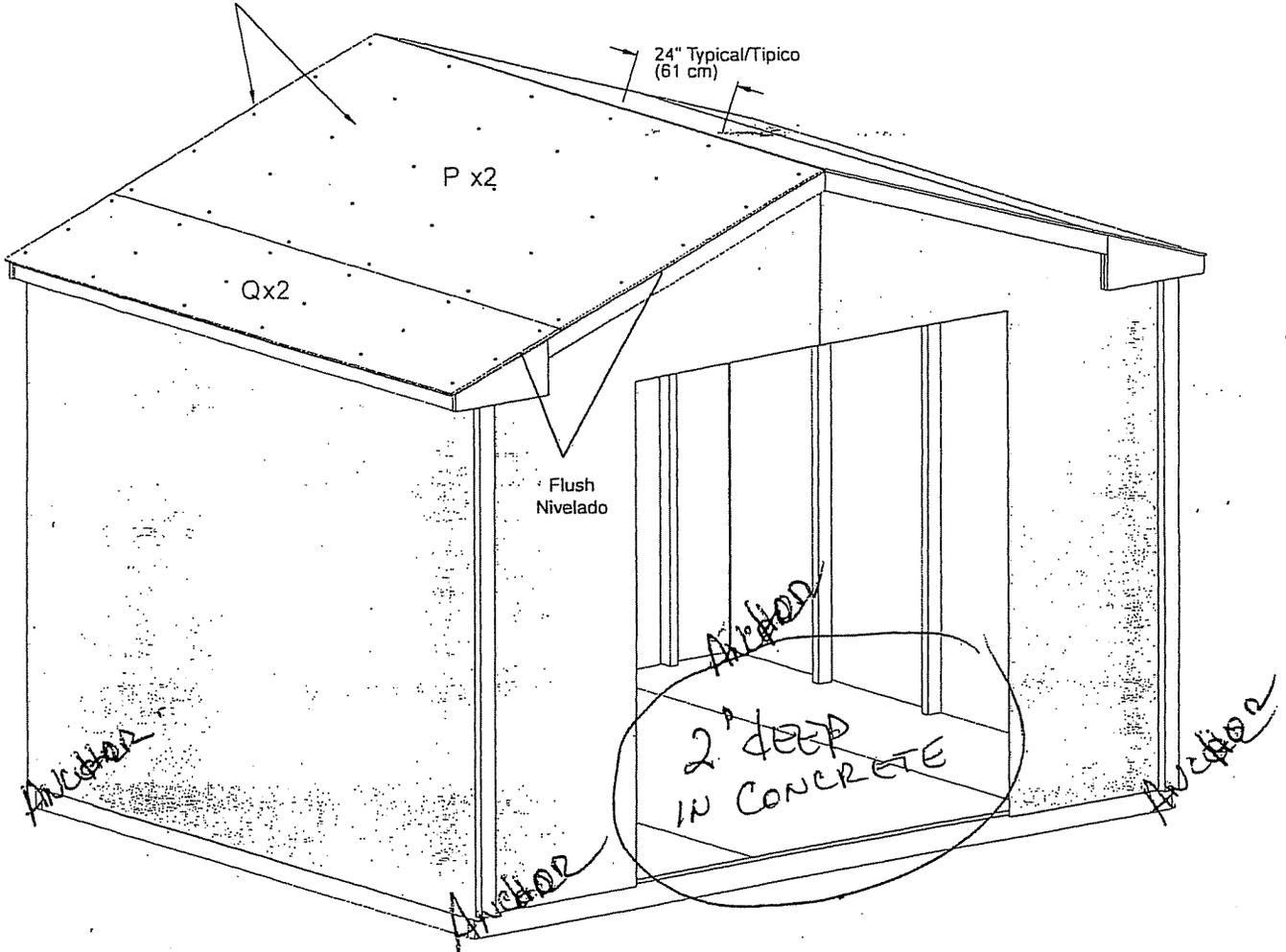
ROOF

TECHO

2" (5 cm)

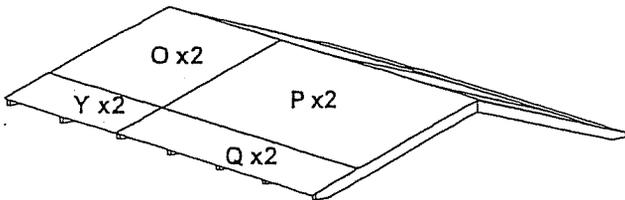
x96

Maintain truss dimension
Mantenga las dimensiones del armazón



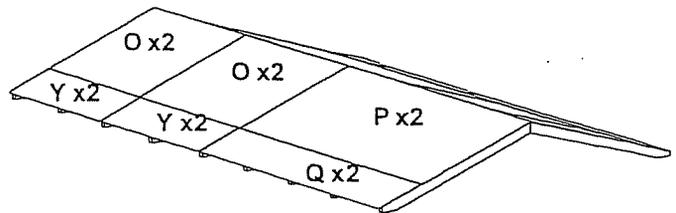
10'x7'8-5/8" (305 x 235 cm) Shown / Indicado

10'x11'8-5/8" (305 x 357 cm)



x144

10'x15'8-5/8" (305 x 479 cm)



x192

**SEMINOLE COUNTY APPROVAL DEVELOPMENT
ORDER**

On June 25, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 74 BLK A
WINTER WOODS UNIT 3 PB 15 PG 57

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

FINDINGS OF FACT

Property Owner: Darryl & Gay Alice Taylor
2219 King Alpines Ct
Winter Park, FL 32792

Project Name: King Alpines Ct (2219)

Requested Development Approval:

Request for a rear yard setback variance from 10 feet to 7 feet for an existing shed 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 shed 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 L. 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: