

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

**SUBJECT:** 602 Longmeadow Circle – Derrick Sims, applicant; Request for a rear yard setback variance from 30 feet to 11.5 feet for a proposed room addition in PUD (Planned Unit Development 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 30 feet to 11.5 feet for a proposed room addition in PUD (Planned Unit Development District); or
2. **APPROVE** the request for a rear yard setback variance from 30 feet to 11.5 feet for a proposed room addition in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Derrick Sims Location: 602 Longmeadow Circle Zoning: PUD (Planned Unit Development District) Subdivision: Sabal Glen at Sabal Point
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a room addition to the rear of the home that would encroach 18.5 feet into the required 30-foot rear yard setback.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances for this property.</li> </ul>
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> <li>• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands,</li> </ul>

	<p>structures or building in the same zoning district.</p> <ul style="list-style-type: none"><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<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"><li>• Any variance granted shall apply only to the room addition as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul>

**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 # BV2007-55  
 Meeting Date 6-25-07

**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: Derrick Sims  
 Address: 602 Longmeadow Circle City: LONGWOOD Zip code: 32779  
 Project Address: same City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
 Contact number(s): 407 733 5657 or 407 862 9570  
 Email address: dsims3@cfl.rr.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: <b>RECEIVED MAY 03 2007</b>
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>bed room + full 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:	<u>NA</u>	Actual lot size:
<input type="checkbox"/> Width at the building line	Required lot width:	<u>NA</u>	Actual lot width:
<del><input type="checkbox"/> Front yard setback</del>	Required setback:	<u>NA</u>	Proposed setback: <u>NA</u>
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>30 FT</u>	Proposed setback: <u>11 1/2 FT</u>
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> Side street setback	Required setback:	<u>NA</u>	Proposed setback:
<input type="checkbox"/> Fence height	Required height:	<u>NA</u>	Proposed height:
<input type="checkbox"/> Building height	Required height:	<u>NA</u>	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 _____			

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: [Signature] 5/3/07

**FOR OFFICE USE ONLY**

Date Submitted: 5-3-07 Reviewed By: D. Gibbs  
 Tax parcel number: 34-20-29-507-0000-0460 Zoning/FLU PUD/PD  
 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: \_\_\_\_\_  
 \_\_\_\_\_

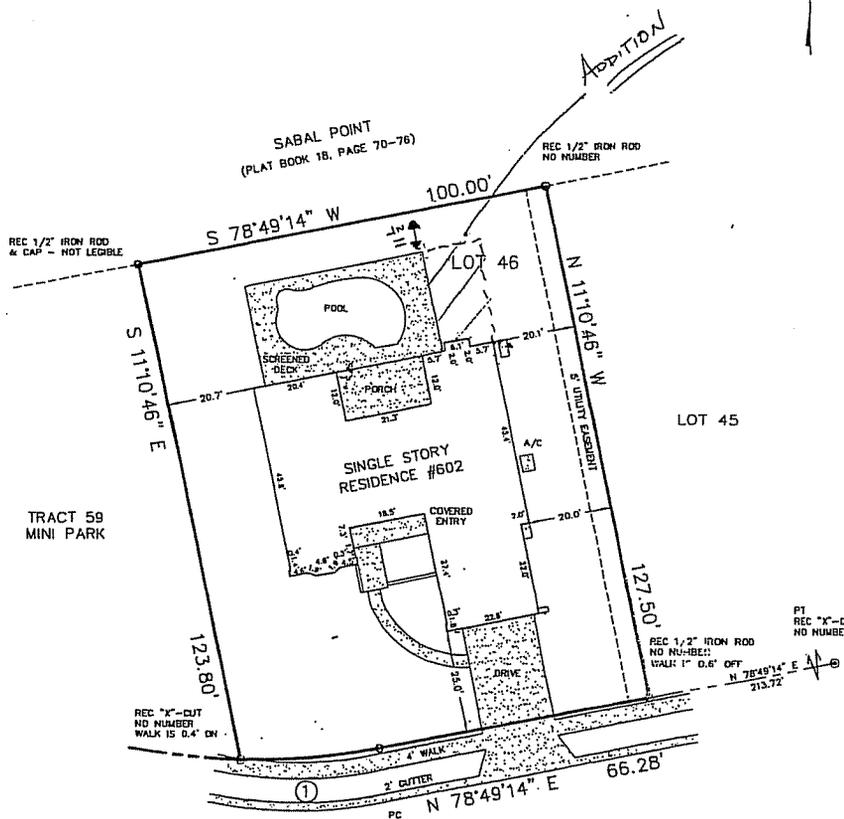
**VARIANCE SUBMITTAL CHECKLIST**

*Please return this checklist with your application!*

<p><i>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.</i></p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a></i>
	3. Provide a legible 8 ½ x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
	<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.

**BOUNDARY SURVEY  
FOR  
DERRICK L. SIMS**

LOT 46, SABAL GLEN, ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 27, PAGES 14-15,  
OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



I, the undersigned, hereby accepts this survey which shows encroachments as highlighted. We further understand that an exception will be made on our final owner's policy.

Dated \_\_\_\_\_  
Signed By \_\_\_\_\_  
Signed By \_\_\_\_\_  
**LAWRENCE R. STEINER, P.A.**

**LONGMEADOW CIRCLE**  
PLATTED RIGHT-OF-WAY  
ASPHALT ROADWAY

① R = 155.63'  
Δ = 12°30'59"  
L = 34.00'  
CB = N 85°04'43" E

THIS SURVEY CERTIFIED TO:  
DERRICK L. SIMS  
LAWRENCE R. STEINER, P.A.  
AMERICAN PIONEER TITLE INSURANCE COMPANY  
SOUTHSTAR FINANCIAL, LLC

BEARINGS ARE BASED ON THE  
NO. 270000 LINE OF LOT 46.  
BENCH: 78°49'14" W PER PLAT.  
LEGAL DESCRIPTION FURNISHED BY  
CLIENT (UNLESS OTHERWISE NOTED)  
THIS IS TO CERTIFY THAT I HAVE  
REVIEWED THE FLOOD INSURANCE RATING  
MAP (FIRM) PANEL #20289 D10 E  
DATED 4/17/95 AND DETERMINED THAT  
THE SUBJECT PROPERTY APPEARS TO BE IN ZONE X  
AREA OUTSIDE OF THE 100 YEAR FLOOD.

NOT VALID WITHOUT THE SIGNATURE AND  
THE ORIGINAL RAISED SEAL OF A  
FLORIDA LICENSED SURVEYOR AND  
MAPPER. ADDITIONS AND DELETIONS TO  
SURVEY MAPS, SKETCHES, OR REPORTS  
BY OTHER THAN THE SIGNING PARTY OR  
PARTIES IS PROHIBITED WITHOUT WRITTEN  
CONSENT OF THE SIGNING PARTY OR  
PARTIES.

SCALE: 1" = 30'  
REVIEWED BY: MWS  
DRAWN BY: RTH  
DATE: 10/1/03  
JOB NO.: 18983  
REVISED:

LEGEND	
■	RECOVERED 4"x4" CONCRETE MONUMENT NO#
▲	RECOVERED NAIL & DASH #
X	RECOVERED X CUT IN CONCRETE
⊙	RECOVERED 1/2" IRON ROD #
○	RECOVERED 1/2" IRON ROD NO #
⊖	RECOVERED 5/8" IRON ROD NO #
⊗	SET 1/2" IRON ROD #LB 6300
⊕	POWER POLE AS SHOWN
—	WOOD FENCE AS SHOWN
-X-	CHAIN LINK FENCE AS SHOWN
▭	CONCRETE SLAB AS SHOWN

D = CENTRAL ANGLE (DELTA), L = ARC, R = RADIUS, CB  
= CHORD BEARING, R/W = RIGHT OF WAY, A/C = AIR  
CONDITIONER, (R) = RADIAL, (NR) = NON-RADIAL, (P)  
= PLAT, (M) = MEASURED, (C) = CALCULATED, (D) = DEED,  
PDB = POINT OF BEGINNING, CONIC = CONCRETE,  
POC = POINT OF COMMENCEMENT, POL = POINT ON LINE  
PT = POINT OF TANGENCY, PC = POINT OF CURVATURE

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE  
SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR  
INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY  
ANY OTHER ENTITY OR INDIVIDUAL UNLESS SO  
UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS  
WERE NOT LOCATED AS PART OF THE SURVEY. LAND  
SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF  
WAYS AND/OR EASEMENTS OF PUBLIC RECORD.

**ALTAMONTE SURVEYING AND PLATTING, INC.**

445 DOUGLASS AVE SUITE 1006 ALTAMONTE SPRINGS, FL 32714  
PHONE: (407) 862-7555 FAX: (407) 862-8229

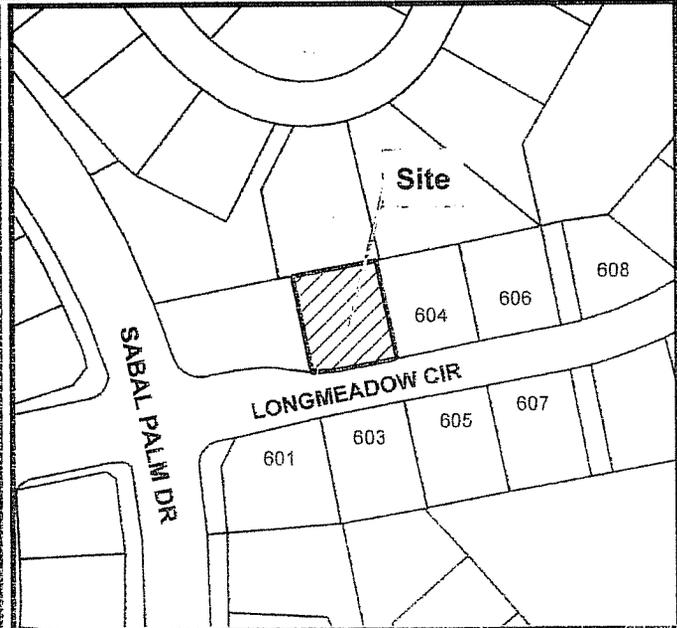
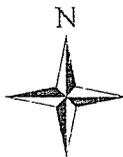
Derrick Sims  
602 Longmeadow Circle  
Longwood, Florida 32779



Seminole County Board of Adjustment  
June 25, 2007  
Case: BV2007-55 (Map 3155, Grid B1)  
Parcel No: 34-20-29-507-0000-0460

Zoning

-  BV2007-55
-  PUD



<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																											
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 34-20-29-507-0000-0460</p> <p>Owner: SIMS DERRICK L</p> <p>Mailing Address: 602 LONGMEADOW CIR</p> <p>City,State,ZipCode: LONGWOOD FL 32779</p> <p>Property Address: 602 LONGMEADOW CIR LONGWOOD 32779</p> <p>Subdivision Name: SABAL POINT SABAL GLEN AT</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (2005)</p> <p>Dor: 01-SINGLE FAMILY</p>		<p><b>2007 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$222,145</p> <p>Depreciated EXFT Value: \$8,234</p> <p>Land Value (Market): \$90,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$320,379</p> <p>Assessed Value (SOH): \$249,957</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$224,957</p> <p>Tax Estimator</p>																																																									
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<p><b>NOTE:</b> 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>																																																											

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 34 TWP: 20 RNG: 29  
PROJ. #

DEVELOPMENT:		Sabal Glen		DEVELOPER:		Sabal Point Development Corp.	
LOCATION:		56 Lots – 23.52 Acres PB: 27 PG: 14, 15					
FILE#:		BA:		SP:		BCC:	11/4/82
P&Z:							
DEVEL. ORDER #:			TAX PAR. I.D. #:				
SIDEWALKS:				SETBACK REQUIREMENTS			
				FY:	25	SIDE ST.:	
				SY:	10	RY:	30
ROAD TYPE:				MAIN STRUCTURE OTHER:			
(CURB & GUTTER OR SWALE)							
COMMENTS OTHER:				ACCESSORY STRUCTURE SETBACKS:			
1) School: \$300.00 per unit to be paid at time of issuance of permit as of 3/29/85.				SY:	10	RY:	10
2) Must convey an off-site drainage easement to the pond on the golf course.				ACCESSORY STRUCTURE OTHER:			

	IMPACT FEES	
	SCREEN:	
	TARAFFIC ZONE:	
	LAND USE:	
	1. ROAD-CO. WIDE	
	2. ROAD-COLL.	
	3. LIBRARY	
	4. FIRE	
	5. PARK	
	6. SCHOOL	
7. LAW		
8. DRAINAGE		
	TOTAL	
REMARKS:		

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.

**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 46  
SABAL GLEN AT SABAL POINT PB 27 PGS 14 & 15

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

**FINDINGS OF FACT**

**Property Owner:** Derrick Sims  
602 Longmeadow Cir  
Longwood, Fl 32779

**Project Name:** Longmeadow (602)

**Requested Development Approval:**

Request for a rear yard setback variance from 30 feet to 11.5 feet for a proposed room addition in PUD (Planned Unit Development 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 room 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 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: