

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

SUBJECT: 431 Daytona Avenue – Harry & Mary Carls, applicants; Request for a side yard setback variance from 10 feet to 0 feet for a shed in R-1AA (Single Family Dwelling District).

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

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

Agenda Date 9/24/07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **DENY** the request for a side yard setback variance from 10 feet to 0 feet for a shed in R-1AA (Single Family Dwelling District); or
2. **APPROVE** the request for a side yard setback variance from 10 feet to 0 feet for a shed in R-1AA (Single Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	<table border="0"> <tr> <td>Applicant:</td> <td>Harry & Mary Carls</td> </tr> <tr> <td>Location:</td> <td>431 Daytona Avenue</td> </tr> <tr> <td>Zoning:</td> <td>R-1AA (Single Family Dwelling District)</td> </tr> <tr> <td>Subdivision:</td> <td>Sanlando Springs</td> </tr> </table>	Applicant:	Harry & Mary Carls	Location:	431 Daytona Avenue	Zoning:	R-1AA (Single Family Dwelling District)	Subdivision:	Sanlando Springs
Applicant:	Harry & Mary Carls								
Location:	431 Daytona Avenue								
Zoning:	R-1AA (Single Family Dwelling District)								
Subdivision:	Sanlando Springs								
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicants are requesting a variance for a 10-foot by 12-foot wood frame shed that would encroach 10 feet into the required 10-foot side 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	<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, 								

	<p>structures or building in the same zoning district.</p> <ul style="list-style-type: none">• 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. <p><i>The shed could be placed further north to minimize the setback encroachment.</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.• 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 # BV2007-112
Meeting Date 9-24-07

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: HARRY W. CARLS III and MARY M CARLS
Address: 431 DAYTONA AVE. City: LONGWOOD Zip code: 32750
Project Address: (SAME) City: _____ Zip code: _____
Contact number(s): 407-339-6127, 407-491-9319
Email address: marycarls@cfl.net.com

Is the property available for inspection without an appointment? Yes No (BUT I WOULD APPRECIATE BEING NOTIFIED)

What type of structure is this request for?	
<input checked="" type="checkbox"/> Shed	Please describe: <u>10x12 (120 #) WOOD FRAME SHED ON GALVANIZED STEEL FLOOR JOISTS, WOOD SIDING, ASPHALT SHINGLES, (TUFF 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"/> Covered screen room	Please describe: _____
<input type="checkbox"/> Addition	Please describe: _____
<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 AUG 03 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 type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>10'</u>	Proposed setback: <u>0'</u>
<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>			

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: Mary M. Carls

FOR OFFICE USE ONLY

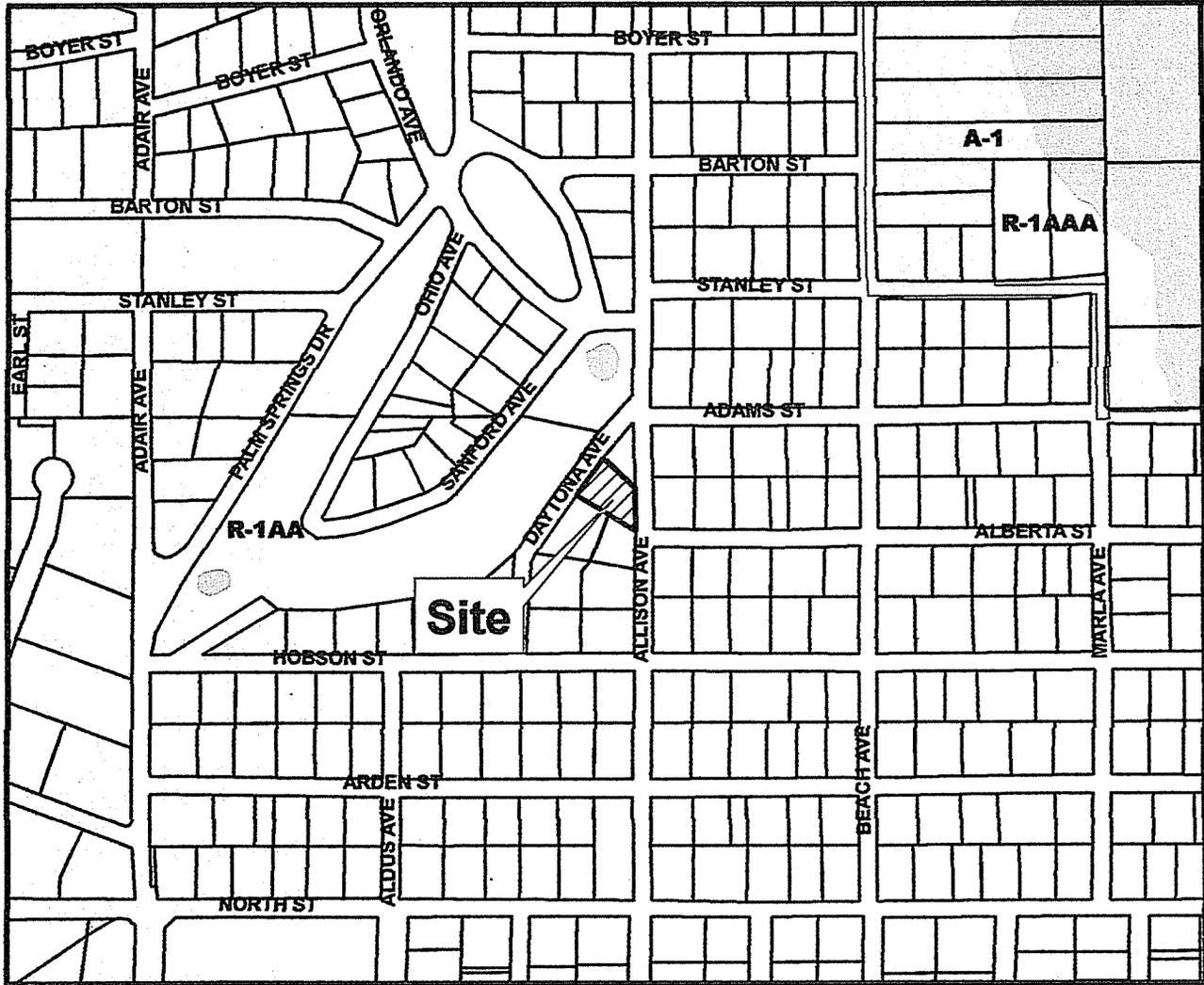
Date Submitted: 8-3-07 Reviewed By: P. Johnson
Tax parcel number: 01-21-29-5CK-140D-0020 Zoning/FLU R-1AA / LOR
 Legally created parcel (1971 tax roll, 5-acre dev, lot split)
 Platted Lot (check easements as shown on lots, in notes or in dedication)
 Lot size _____ Meets minimum size and width
 Application 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). 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.
	<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 (Label existing, label proposed, and include square footage and dimensions of each)
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
	<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 (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.

Harry & Mary Carls
 431 Daytona Avenue
 Longwood, Florida 32750

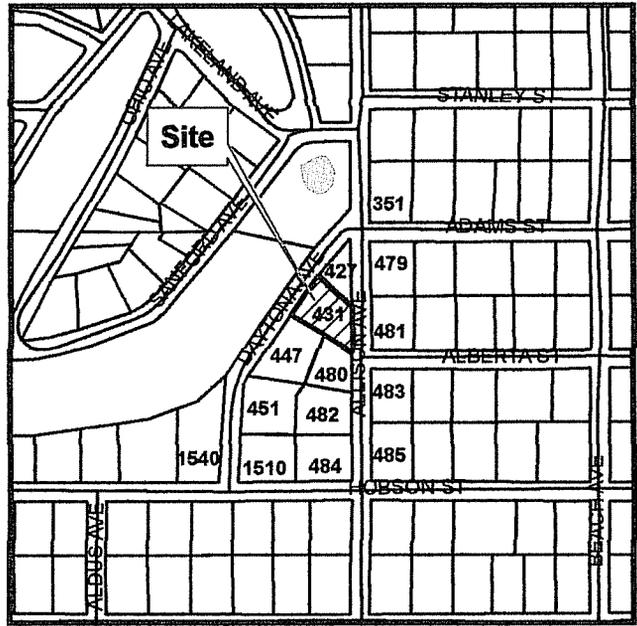


Seminole County Board of Adjustment
 September 24, 2007
 Case: BV2007-112 (Map 3156, Grid A4)
 Parcel No: 01-21-29-5CK-140D-0020

Zoning

-  BV2007-112
-  A-1
-  R-1AAA
-  R-1AA

N

<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>		
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GENERAL

Parcel Id: 01-21-29-5CK-140D-0020
 Owner: CARLS HARRY W III & MARY M
 Mailing Address: 431 DAYTONA AVE
 City,State,ZipCode: LONGWOOD FL 32750
 Property Address: 431 DAYTONA AVE LONGWOOD 32750
 Subdivision Name: SANLANDO SPRINGS
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD (1994)
 Dor: 01-SINGLE FAMILY

2007 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$254,143
 Depreciated EXFT Value: \$600
 Land Value (Market): \$95,000
 Land Value Ag: \$0
Just/Market Value: \$349,743
 Assessed Value (SOH): \$171,662
 Exempt Value: \$25,000
 Taxable Value: \$146,662

Tax Estimator
Tax Reform Analysis

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	01/1977	01119	1484	\$15,000	Vacant	No

Find Comparable Sales within this Subdivision

2006 VALUE SUMMARY

Tax Amount(without SOH): \$5,037
2006 Tax Bill Amount: \$2,296
Save Our Homes (SOH) Savings: \$2,741
 2006 Taxable Value: \$142,475
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	95,000.00	\$95,000

LEGAL DESCRIPTION

PLATS:

LEG LOTS 2 & 3 & BEG NE COR LOT 16 RUN S 63.33 FT N 61 DEG 11 MIN W 42.65 FT N 43 1/2 DEG E TO BEG BLK D TRACT 14 SANLANDO SPRINGS
 PB 5 PG 58

BUILDING INFORMATION

Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1979	9	2,739	3,866	3,173	SIDING AVG	\$254,143	\$287,167
	Appendage / Sqft		BASE SEMI FINISHED / 434						
	Appendage / Sqft		GARAGE FINISHED / 575						
	Appendage / Sqft		OPEN PORCH FINISHED / 118						

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

Permits

EXTRA FEATURE

Description	Year Bld	Units	EXFT Value	Est. Cost New
FIREPLACE	1979	1	\$600	\$1,500

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 24th, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOTS 2 & 3 & BEG NE COR LOT 16 RUN S 63.33 FT N 61 DEG 11
MIN W 42.65 FT N 43 1/2 DEG E TO BEG BLK D TRACT 14
SANLANDO SPRINGS PB 5 PG 58

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

FINDINGS OF FACT

Property Owner: Harry W. & Mary M. Carls
431 Daytona Avenue
Longwood Fl, 32750

Project Name: Daytona Avenue (431)

Requested Development Approval:

Request for a side yard setback variance from 10 feet to 0 feet for a shed in R-1AA (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: