

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

SUBJECT: 5522 Cretan Way – Glen Hill, applicant; Request for a rear yard setback variance from 20 feet to 15 feet for a screen room addition in PUD (Planned Unit Development 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 rear yard setback variance from 20 feet to 15 feet for a screen room addition in PUD (Planned Unit Development District); or
2. **APPROVE** the request for a rear yard setback variance from 20 feet to 15 feet for a screen room addition in PUD (Planned Unit Development District);
or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Glen Hill Location: 5522 Cretan Way Zoning: PUD (Planned Unit Development District) Subdivision: Fernbrook Trails PH 3
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 12-foot by 18-foot screen room that would encroach 5 feet into the required 20-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,

	<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 applicant could reduce the size of the addition to meet the required rear yard setback.</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 screen room 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 # BU 2007-93
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: Glen Hill
Address: 5522 CRETAN WAY City: WINTER PARK Zip code: 32792
Project Address: SAME AS ABOVE City: _____ Zip code: _____
Contact number(s): (321) 689-9014
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 type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>SCREEN ROOM</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:		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>20 FT</u>	Proposed setback:	<u>15 FT</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: 7-17-07 Reviewed By: P. Johnson
 Tax parcel number: 35-21-30-523-0000-0550 Zoning/FLU PUD/PO
 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.

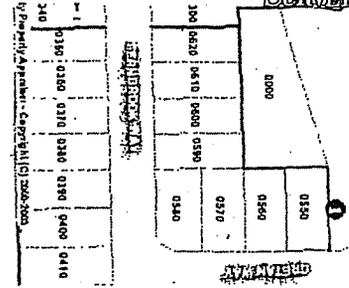
1. Completed application.
2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
3. Provide a legible 8 1/2 x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. 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 <u>or</u> 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.

SWERDLOFF & LONG SURVEYING, INC.

Lot 55, FERNBROOK TRAILS PHASE III, according to the plat thereof, as recorded in Plat Book 31, Page(s) 13, of the Public Records of Seminole County, FL.

Community number: 120289 Panel: 0210
 Suffix: E F.I.R.M. Date: 4/17/1995 Flood Zone: X
 Date of field work: 6/14/2004 Completion Date: 6/14/2004

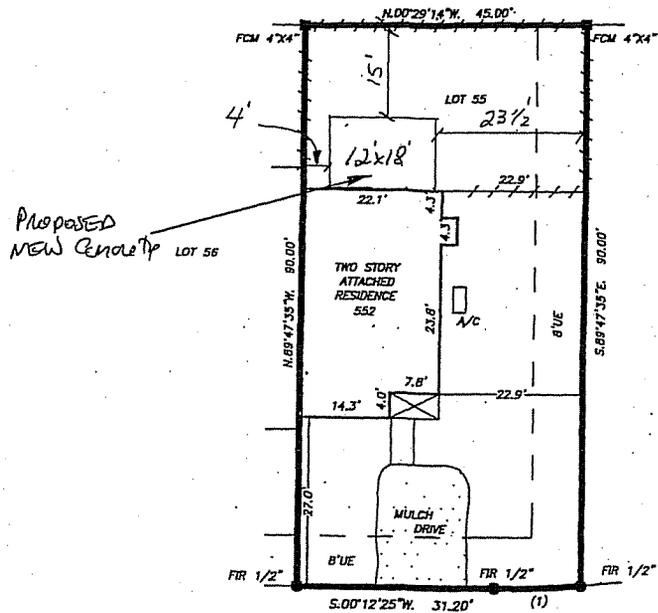
Certified to:
 Robert Marciano; The Closing Agent II, Inc.; Commonwealth Land Title Insurance Company; Countrywide Home Loans, Inc., its successors and/or assigns.



CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	175.00'	04°31'18"	13.81'	6.91'	13.81'	S.02°03'21"E

SCALE: 1" = 20'



CRETAN WAY
 50'R/W

Property Address:
 5522 Cretan Way
 Winter Park, FL 32792

LEGEND

W.F.	Wood Fence	CATV	Cable Riser	M.H.	Manhole
W.F.	Wire Fence	W.M.	Water Meter	N.T.S.	Not to Scale
FN.	Found Nail	Tel.	Telephone Facilities	O.R.	Official Records
PC	Property Corner	CC	Covered Area	O.R.J.	Official Records Book
R.	Record	B.R.	Bearing Reference	P.C.P.	Permanent Control Point
M	Field Measured	CH	Chord	P.R.M.	Permanent Reference Monument
CL	Clear	RAD	Radial	PG.	Page
ENCR	Encroachment	N.R.	Non Radial	PVMT.	Pavement
☉	Centerline	A/C	Air Conditioner	P.B.	Plat Book
▭	Concrete	B.M.	Bench Mark	P.O.B.	Point of Beginning
—	Property Line	C	Calculated	R.O.C.	Point of Commencement
C.M.	Concrete Monument	ZZZZ	Block Wall	P.O.L.	Point of Line
F.I.R.	Found Iron Rod	∠	Central Angle/Delta	P.C.	Point of Curvature
F.I.P.	Found Iron Pipe	D.B.	Deed Book	P.R.C.	Point of Reverse Curvature
R/W	Right Of Way	D.	Description or Deed	P.T.	Point of Tangency
N&D	Nail & Disk	D.H.	Drill Hole	R.	Radius (radial)
D.E.	Drainage Easement	D/W	Drive way	R.O.E.	Roof Overhang Easement
U.E.	Utility Easement	ESMT	Easement	S.I.R.	Set Iron Rod & Cap
FD.	Found	EL.	Elevation	S/W	Sidewalk
P	Plat	F.F.	Finished Floor	T.O.P.	Top of Bank

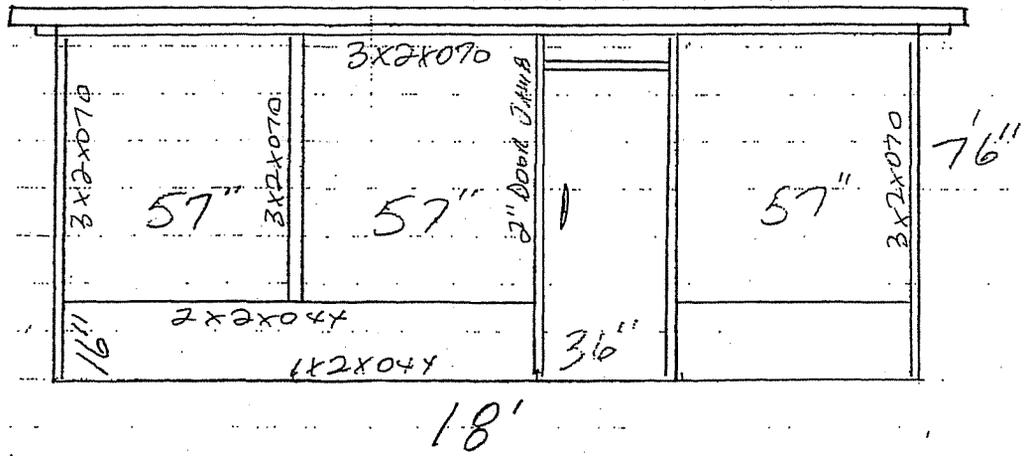
GENERAL NOTES

- Legal description provided by others.
 - The lands shown hereon were not shown on any recorded encumbrances not shown on the plat.
 - Underground portions of footings, foundations and walls are to the face of the wall, unless otherwise noted.
 - Only visible encroachments located.
 - No identification found on property corners unless noted.
 - Dimensions shown are plat and measured unless otherwise noted.
 - Elevations if shown are based upon N.C. M.D. 1979 unless otherwise noted.
 - Adjoining lots are within the same block, unless otherwise noted.
 - This is an AS-BUILT SURVEY unless noted.
 - Not valid unless sealed with the practicing surveyor's embossed seal.
 - Flood zone determinations are provided as a courtesy only, and are derived from the best sources available to the surveyor. This information should not be relied upon for flood insurance purposes, and may differ from information provided by other sources.
 - L.B. 7132
- I hereby certify that this survey is a true and correct representation of a survey prepared in my direction.

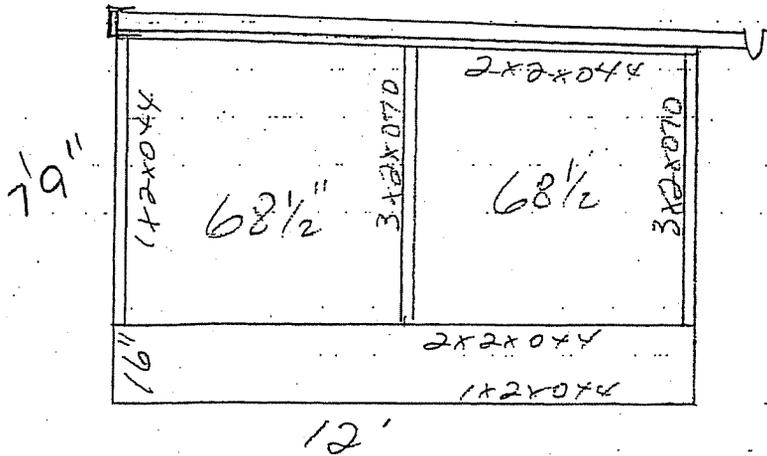
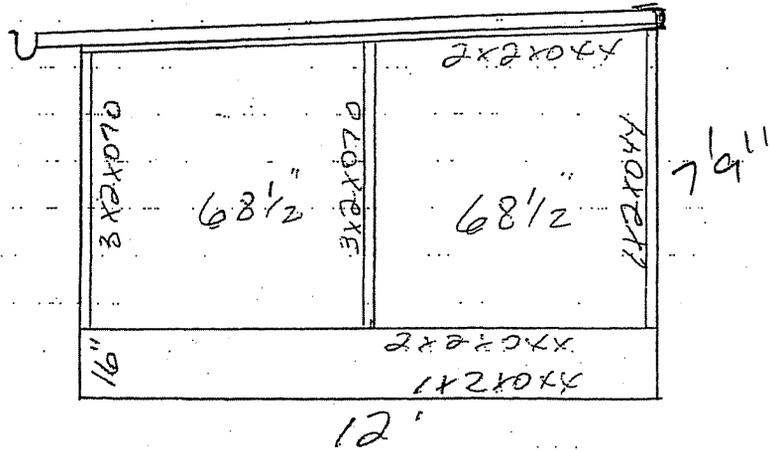
Survey number: SL 36281

HILL
 5522 CRETAN
 WAY
 WINTER PARK FL
 32796

$\frac{1}{4}'' = 1''$

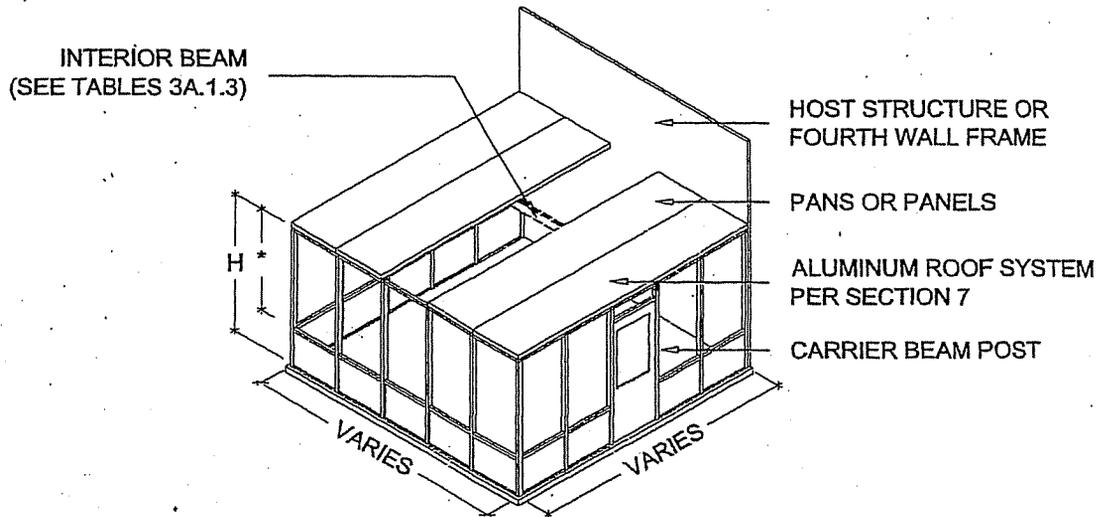


Eden Construction Corporation
 10151 University Blvd. Ste. 137
 Orlando, FL 32817
 (407) 671-9697



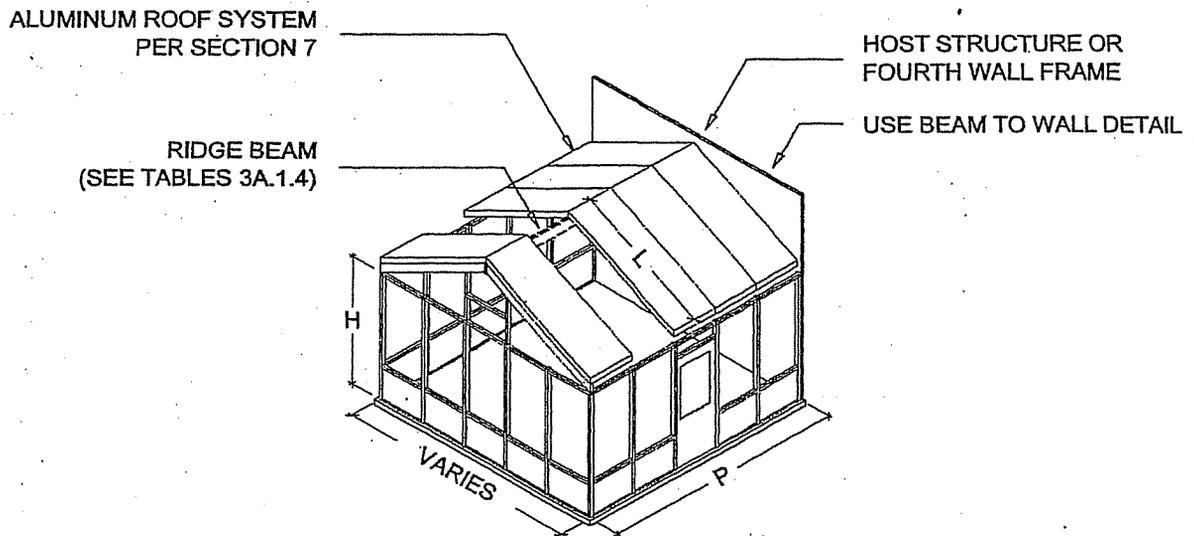
ROOF: 3" x .02" ALUM.
 COMPOSITE

BRONZE EXTRUSIONS
 BRONZE GUTTER + TRIM
 BRONZE ALUM. KICK PLATE



TYPICAL SLOPED SOLID ROOF ENCLOSURE

SCALE: N.T.S.

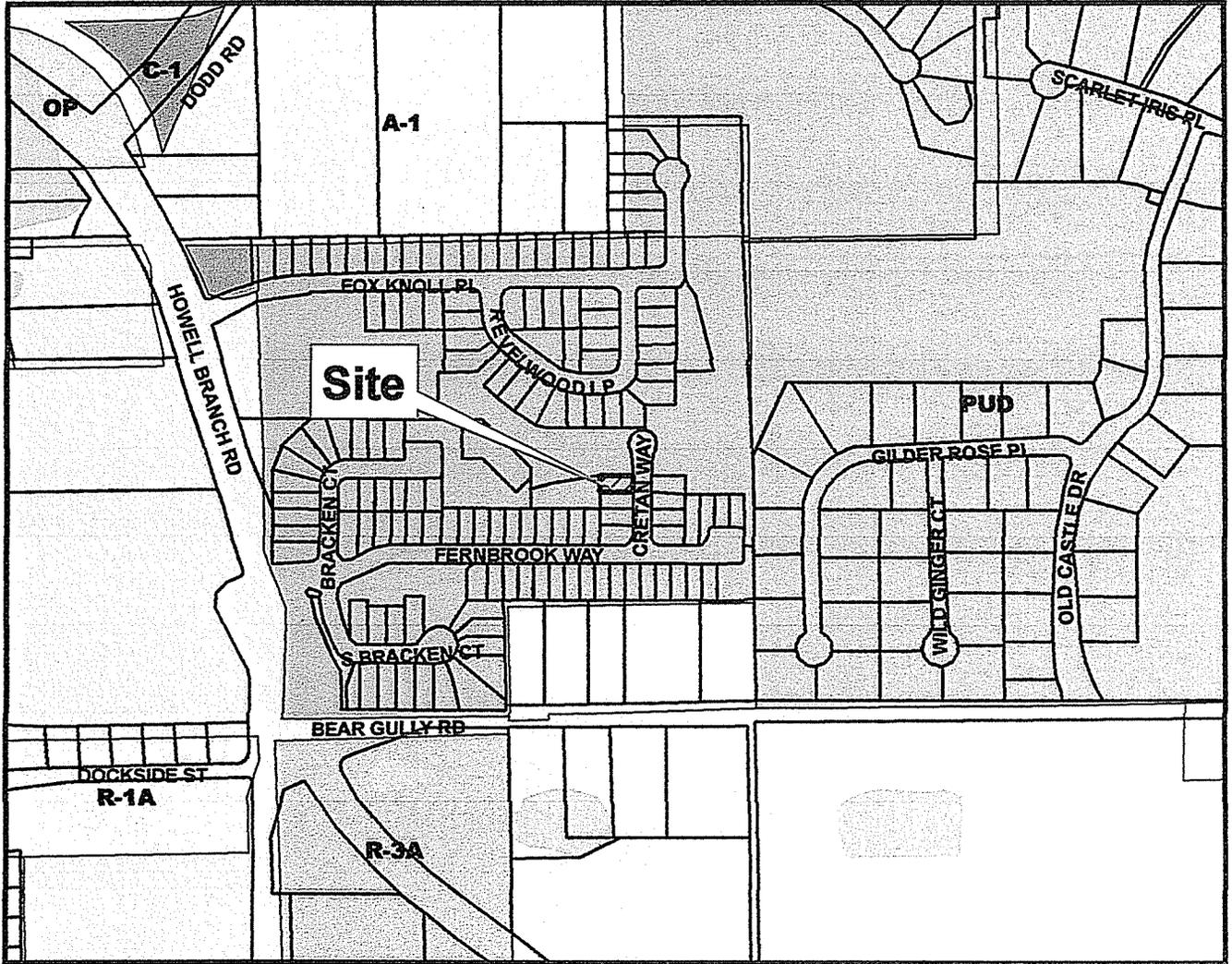


TYPICAL GABLE SOLID ROOF ENCLOSURE

SCALE: N.T.S.

Lawrence E. Bennett, P.E. FL # 16644
 CIVIL & STRUCTURAL ENGINEERING
 P.O. Box 214368, South Daytona, FL 32121
 Telephone #: (386) 767-4774 Fax #: (386) 767-6556
 Email: lebpe@bellsouth.net

Glen Hill
 5522 Cretan Way
 Winter Park, Florida 32792

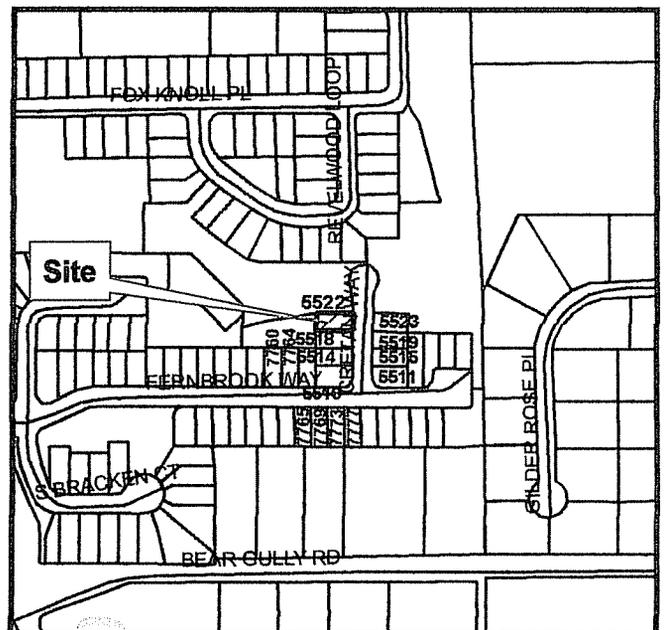


Seminole County Board of Adjustment
 September 24, 2007
 Case: BV2007-93 (Map 3211, Grid B6)
 Parcel No: 35-21-30-523-0000-0550

Zoning

	BV2007-93		R-1A		C-1
	A-1		R-3A		PUD
	R-1AA		OP		PCD

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>																																											
<p><i>PUD</i></p> <p style="text-align: center;">GENERAL</p> <p>Parcel Id: 35-21-30-523-0000-0550 Owner: HILL GLEN E & SHIRLEY Mailing Address: 5522 CRETAN WAY City,State,ZipCode: WINTER PARK FL 32792 Property Address: 5522 CRETAN WAY WINTER PARK 32792 Subdivision Name: FERNBROOK TRAILS PH 3 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2007) Dor: 0103-TOWNHOME</p>	<p style="text-align: center;">2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$107,484 Depreciated EXFT Value: \$675 Land Value (Market): \$28,000 Land Value Ag: \$0 Just/Market Value: \$136,159 Assessed Value (SOH): \$136,159 Exempt Value: \$136,159 Taxable Value: \$0 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>02/2006</td> <td>06123</td> <td>1295</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/2006</td> <td>06123</td> <td>1294</td> <td>\$160,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/2004</td> <td>05487</td> <td>1816</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/2004</td> <td>05464</td> <td>0356</td> <td>\$118,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1985</td> <td>01618</td> <td>0403</td> <td>\$63,700</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	02/2006	06123	1295	\$100	Improved	No	WARRANTY DEED	02/2006	06123	1294	\$160,000	Improved	Yes	WARRANTY DEED	06/2004	05487	1816	\$100	Improved	No	WARRANTY DEED	06/2004	05464	0356	\$118,500	Improved	Yes	WARRANTY DEED	02/1985	01618	0403	\$63,700	Improved	Yes	<p style="text-align: center;">2006 VALUE SUMMARY</p> <p>2006 Tax Bill Amount: \$1,808 2006 Taxable Value: \$112,188 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																					
WARRANTY DEED	02/2006	06123	1295	\$100	Improved	No																																					
WARRANTY DEED	02/2006	06123	1294	\$160,000	Improved	Yes																																					
WARRANTY DEED	06/2004	05487	1816	\$100	Improved	No																																					
WARRANTY DEED	06/2004	05464	0356	\$118,500	Improved	Yes																																					
WARRANTY DEED	02/1985	01618	0403	\$63,700	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>28,000.00</td> <td>\$28,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	28,000.00	\$28,000	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 55 FERNBROOK TRAILS PH 3 PB 31 PG 13</p>																														
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																						
LOT	0	0	1.000	28,000.00	\$28,000																																						
<p style="text-align: center;">BUILDING INFORMATION</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Bld</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1985</td> <td>6</td> <td>738</td> <td>1,210</td> <td>1,178</td> <td>WD/STUCCO FINISH</td> <td>\$107,484</td> <td>\$117,469</td> </tr> <tr> <td colspan="3">Appendage / Sqft</td> <td colspan="7">OPEN PORCH FINISHED / 32</td> </tr> <tr> <td colspan="3">Appendage / Sqft</td> <td colspan="7">UPPER STORY FINISHED / 440</td> </tr> </tbody> </table> <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>		Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1985	6	738	1,210	1,178	WD/STUCCO FINISH	\$107,484	\$117,469	Appendage / Sqft			OPEN PORCH FINISHED / 32							Appendage / Sqft			UPPER STORY FINISHED / 440								
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																		
1	SINGLE FAMILY	1985	6	738	1,210	1,178	WD/STUCCO FINISH	\$107,484	\$117,469																																		
Appendage / Sqft			OPEN PORCH FINISHED / 32																																								
Appendage / Sqft			UPPER STORY FINISHED / 440																																								
<p style="text-align: center;">EXTRA FEATURE</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Year Bld</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>FIREPLACE</td> <td>1985</td> <td>1</td> <td>\$675</td> <td>\$1,500</td> </tr> </tbody> </table>		Description	Year Bld	Units	EXFT Value	Est. Cost New	FIREPLACE	1985	1	\$675	\$1,500																																
Description	Year Bld	Units	EXFT Value	Est. Cost New																																							
FIREPLACE	1985	1	\$675	\$1,500																																							
<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>																																											

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:

LOT 55
FERNBROOK TRAILS PH 3 PB 31 PG 13

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

FINDINGS OF FACT

Property Owner: Glen & Shirley Hill
5522 Cretan Way
Winter Park, FL 32792

Project Name: Cretan Way (5522)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 15 feet for a screen 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 screen 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: