

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

SUBJECT: 2677 Tierra Circle – Jeanne Arnett, applicant; Request for a rear yard setback variance from 30 feet to 14.9 feet for the renovation of an existing screen room in R-1A (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 rear yard setback variance from 30 feet to 14.9 feet for the renovation of an existing screen room in R-1A (Single Family Dwelling District ; or
2. **APPROVE** the request for a rear yard setback variance from 30 feet to 14.9 feet for the renovation of an existing screen room in R-1A (Single Family Dwelling District ; or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Jeanne Arnett Location: 2677 Tierra Circle Zoning: R-1A (Single Family Dwelling District) Subdivision: Casa Aloma
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to renovate an existing screen room that is currently encroaching 15.1 feet into the required 30-foot rear yard setback. • The screen enclosure has existed since 2000; however, a building permit was never issued. • 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, 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 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

RECEIVED JUL 24 2007

Fee: \$150.00 plus \$50.00 for each additional variance

Application # BV 2007-99
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: JEANNE A. ARNETT
Address: 2677 TIERRA CIRCLE City: WINTER PARK Zip code: 32992
Project Address: SAME City: _____ Zip code: _____
Contact number(s): (407) 691-7429 (407) 321-841-8577
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"/> Covered screen room	Please describe: <u>Renovate existing Screen room</u>
<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.	

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RECEIVED JUL 24 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>15</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 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: Jeanne A. Arnett

FOR OFFICE USE ONLY

Date Submitted: 7-24-07 Reviewed By: P. Johnson
 Tax parcel number: 33-21-30-509-0000-0980 Zoning/FLU R-1A/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

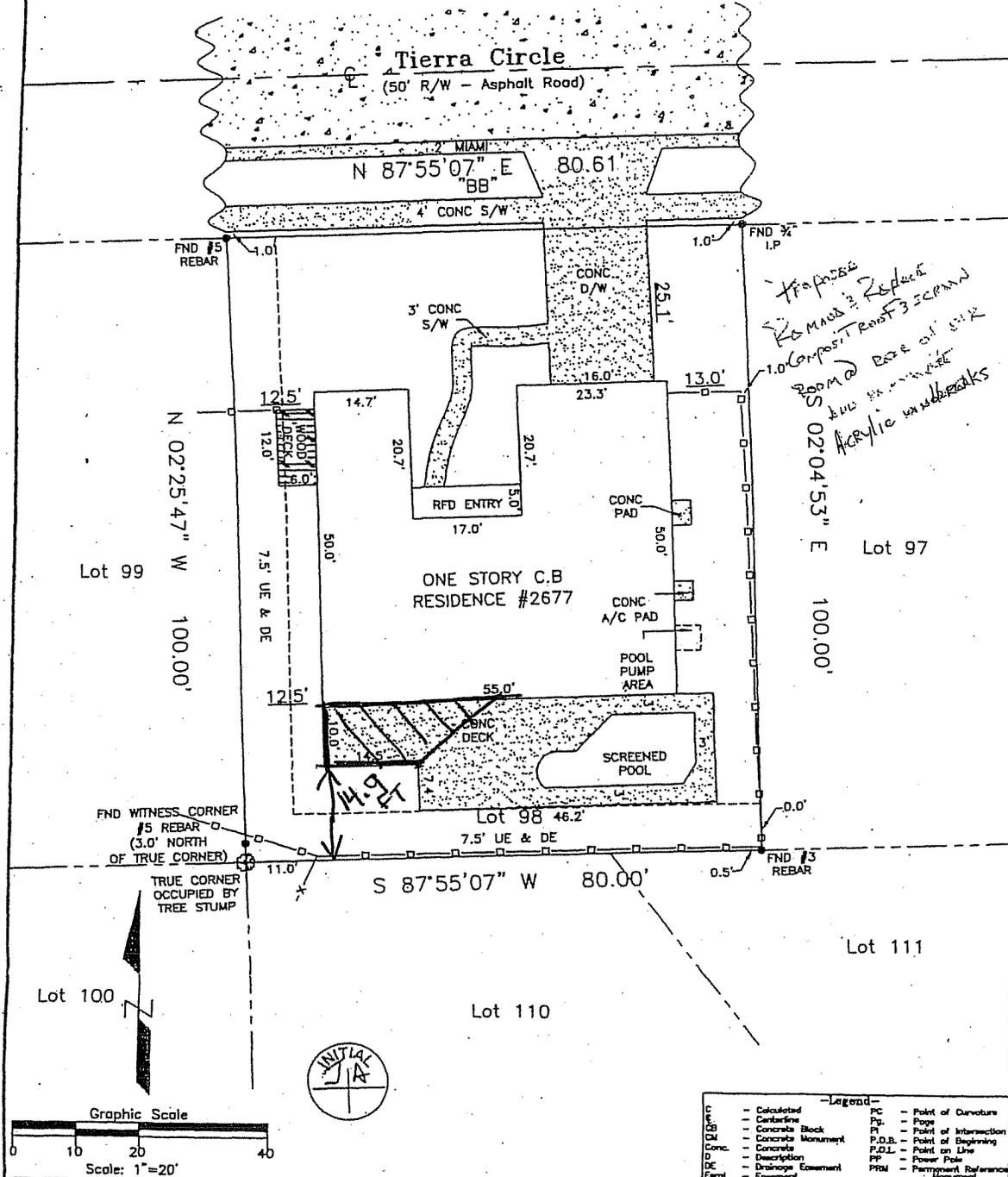
Please return this checklist with your application!

<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). <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.
	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 <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	o Building height
	o Setbacks from each building to the property lines
	o Location of proposed fence(s)
	o 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

Legal Description:

Lot 98, CASA ALOMA, according to the Plat thereof,
as recorded in Plat Book 15, Page(s) 7, Public Records of Seminole County, Florida.



Legend	
C	Calculated
E	Centerline
CB	Concrete Block
CM	Concrete Monument
Conc.	Concrete
D	Description
DE	Drainage Easement
Easmt.	Easement
F.E.M.A.	Federal Emergency Management Agency
F.F.E.	Finished Floor Elevation
Fnd.	Found
F	Iron Pipe
L	Length (And)
M	Measured
N&D	Nail & Disk
N.R.	Non-Radial
ORB	Official Records Book
P	Plot
P.B.	Plot Book
W	Wood/Fence
PC	Point of Curvature
Pg.	Page
P	Point of Intersection
P.D.B.	Point of Beginning
P.O.L.	Point on Line
PP	Power Pole
PRM	Permanence Reference Monument
PT	Point of Tangency
R	Radius
Rod.	Rodded
R&C	Rod & Cap
R&C	Recessed
Rfd.	Rodded
Set.	Set 5/8" Rebar & Cap "FLS 4200"
Typ.	Typical
UE	Utility Easement
WM	Water Meter
Δ	Delta (Control Angle)
—X—	Chain Link Fence

Boundary Survey Prepared For: **Jeanne Arnett**
 Boundary Survey Certified To: **Fidelity National Title**
 Citizens Trust Mortgage Corporation; Countrywide Correspondent Division
 Jeann Arnett

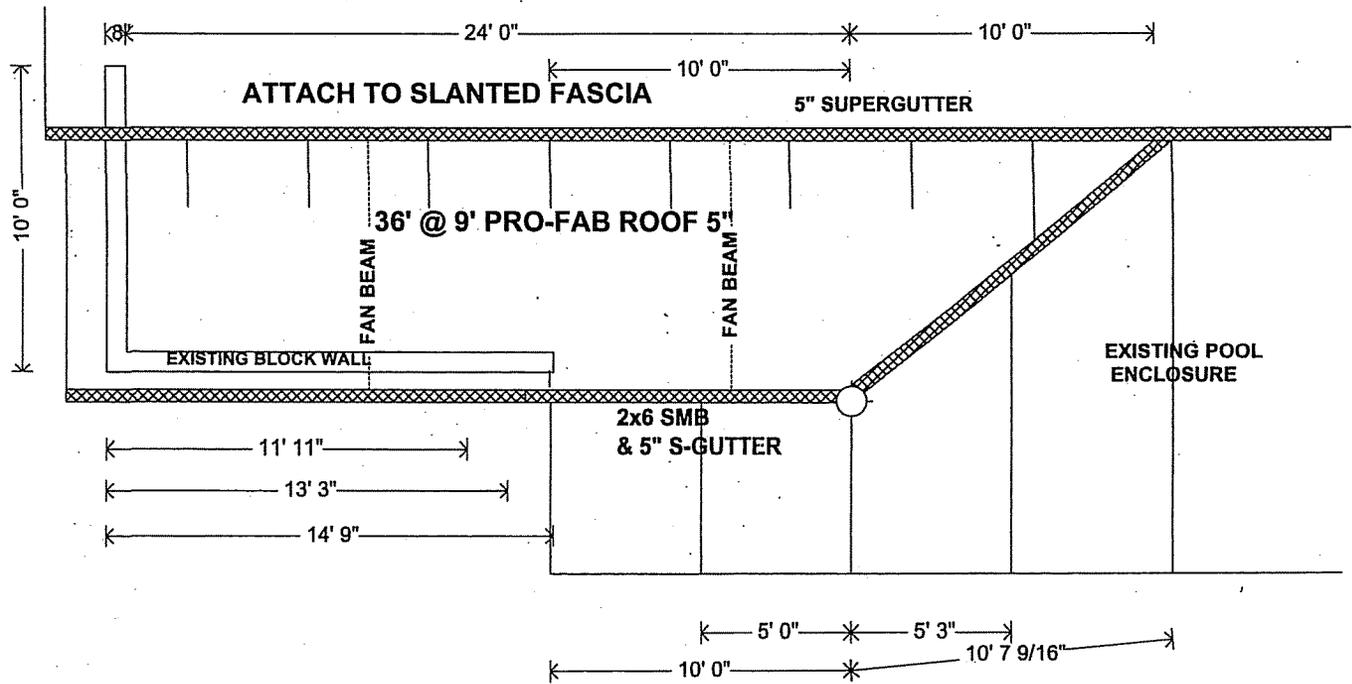
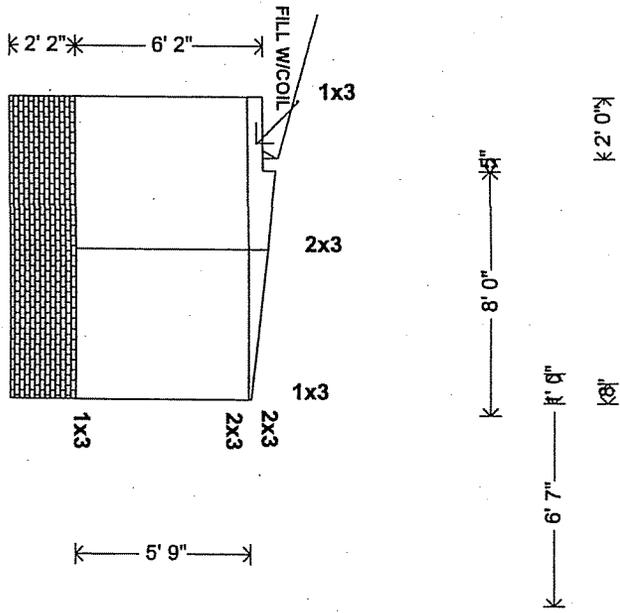
Field Date: 03-30-05
 Drawn By: SP
 Approved By: JPI
 Field:

Ireland Surveying, Inc.
 6001 Brick Court
 Suite 117
 Winter Park, Florida
 32792
 Office-407.678.3366
 Fax-407.671.6678

>Survey is Based upon the Legal Description Supplied by Client.
 >Underground Utilities and Footers have NOT been located UNLESS otherwise noted.
 >Subject to any Easements and/or Restrictions of Record.
 >Bearing Beads shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
 >Building Lines are NOT to be used to reconstruct Property Lines.
 >Fence Ownership is NOT determined.
 >Subdividing Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Mistakes.
 >Survey is NOT VALID for any other Transaction AFTER 90 days from the Latest Date shown hereon.
 >Use of This Survey for Purpose other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Constructed to Give ANY Rights or Benefits to Anyone Other than those Certified.

Survey Certified that the Boundary Survey of the above described Property is True and Accurate to the Best of my Knowledge and Belief as recently Surveyed and Under my Direction on the Date Shown, Based on Information furnished to me as factored and conforms to the Minimum Technical Specifications for Land Surveying in the State of Florida in accordance with Chapter 11017-8, Florida Administrative Codes, Pursuant to Sections 11017.02 and 11017.03, Florida Statutes.

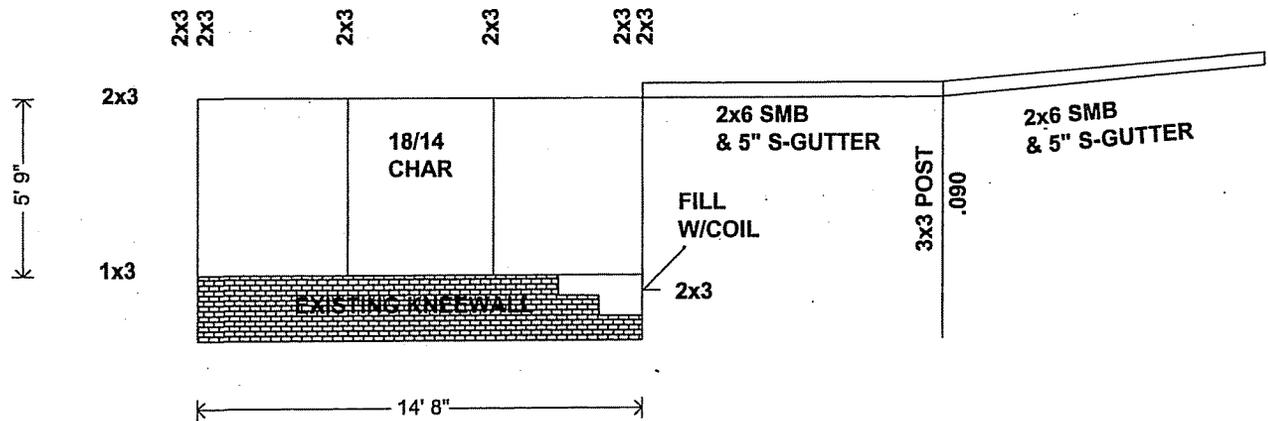
Jeanne P. Ireland - NCS-4200 LB 5687
 Date: 03-31-05
 This Survey is Intended for the Use of Said Certified Parties.
 The Survey NOT VALID UNLESS Signed and Stamped with Surveyor's Seal.
 FILED IN 405 (05)
 CAD File: \\C:\Users\jpi\My Documents\Drawings\Scott\Drawings\March\CASA ALOMA-100(05)



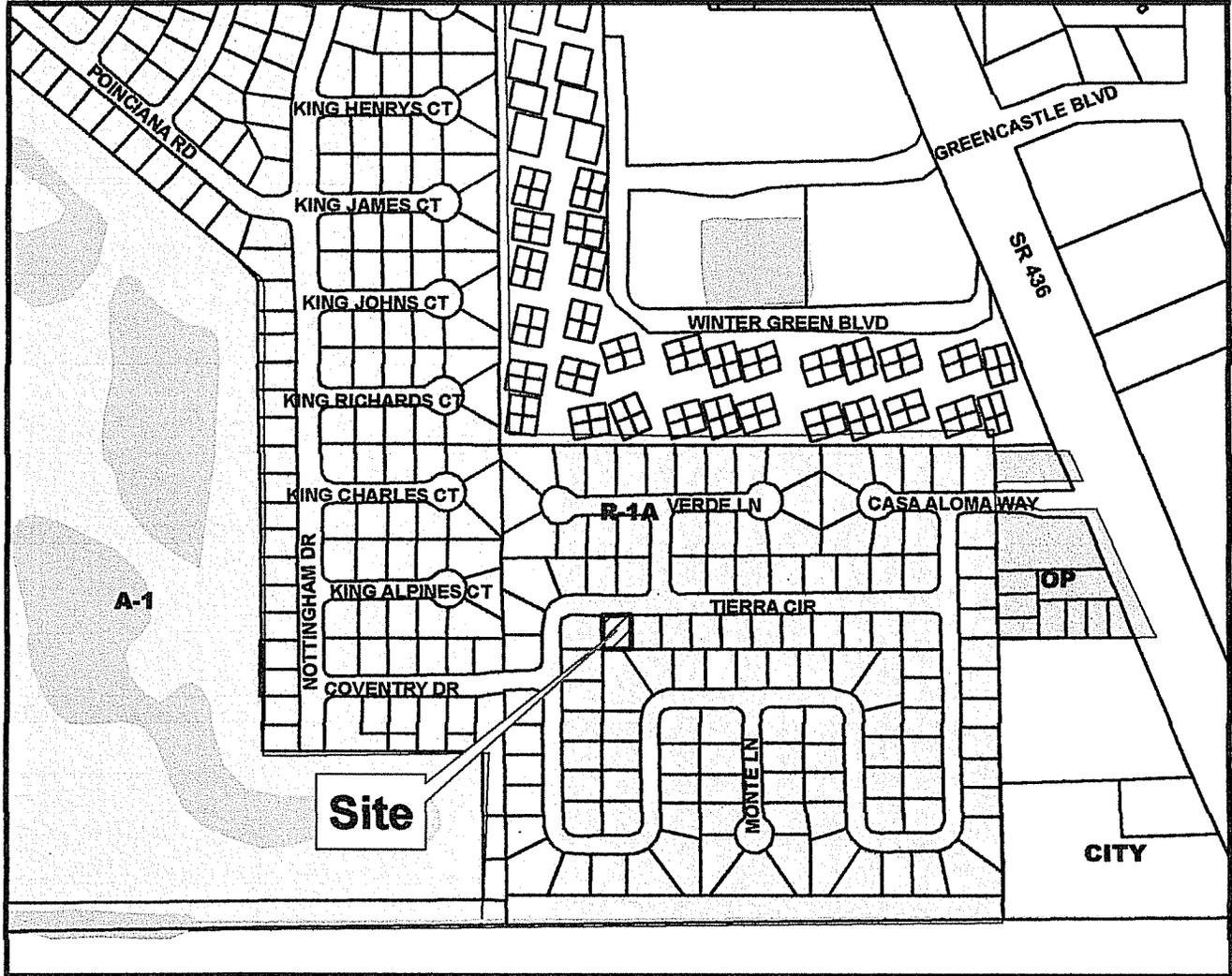
WHITE

REBUILD SCREEN ROOM (NEW ROOF)
 ADD ACRYLIC WINDBREAKS

Ms Jeanne Arnett
 2677 Tierra Circle
 Winter Park Fl 32792



Jeanne Arnett
2677 Tierra Circle
Winter Park, Florida 32792

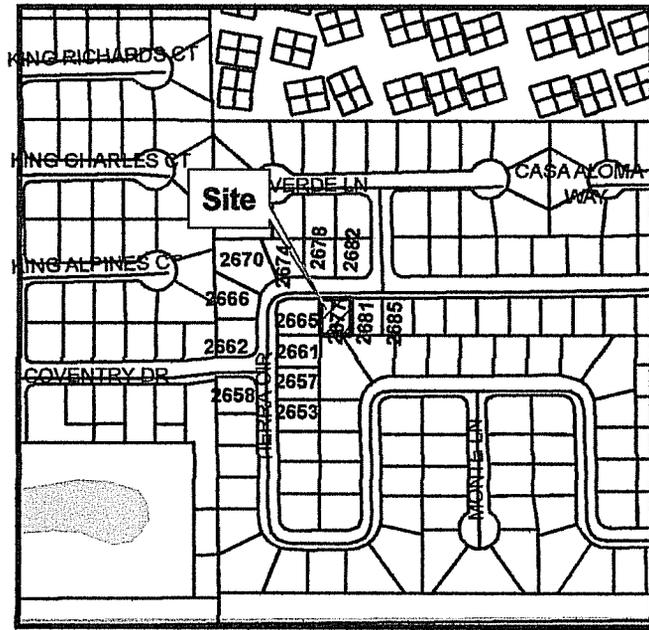


Seminole County Board of Adjustment
September 24, 2007
Case: BV2007-99 (Map 3210, Grid C7)
Parcel No: 33-21-30-509-0000-0980

Zoning

- BV2007-99
- A-1
- R-1A
- OP

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 407-665-7508</p>																																																										
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 33-21-30-509-0000-0980 Owner: ARNETT, JEANNE A Mailing Address: 2677 TIERRA CIR City,State,ZipCode: WINTER PARK FL 32792 Property Address: 2677 TIERRA CIR WINTER PARK 32792 Subdivision Name: CASA ALOMA Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2006) Dor: 01-SINGLE FAMILY</p>		<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$188,200 Depreciated EXFT Value: \$9,421 Land Value (Market): \$41,000 Land Value Ag: \$0 Just/Market Value: \$238,621 Assessed Value (SOH): \$238,621 Exempt Value: \$25,000 Taxable Value: \$213,621 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>GUARDIAN DEED</td> <td>04/2005</td> <td>05714</td> <td>0976</td> <td>\$259,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1996</td> <td>03162</td> <td>0017</td> <td>\$96,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1995</td> <td>02975</td> <td>0950</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1994</td> <td>02743</td> <td>1851</td> <td>\$25,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1992</td> <td>02496</td> <td>0318</td> <td>\$14,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1984</td> <td>01584</td> <td>0305</td> <td>\$74,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01139</td> <td>0742</td> <td>\$39,900</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	GUARDIAN DEED	04/2005	05714	0976	\$259,000	Improved	No	WARRANTY DEED	11/1996	03162	0017	\$96,000	Improved	Yes	WARRANTY DEED	10/1995	02975	0950	\$100	Improved	No	WARRANTY DEED	03/1994	02743	1851	\$25,000	Improved	No	WARRANTY DEED	10/1992	02496	0318	\$14,000	Improved	No	WARRANTY DEED	10/1984	01584	0305	\$74,900	Improved	Yes	WARRANTY DEED	01/1977	01139	0742	\$39,900	Improved	Yes	<p>2006 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$3,381 2006 Tax Bill Amount: \$3,381 Save Our Homes (SOH) Savings: \$0 2006 Taxable Value: \$209,783 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																	
1	SINGLE FAMILY	1969	7	1,874	2,478	1,874	CONC BLOCK	\$188,200	\$230,920																																																	
			Appendage / Sqft GARAGE FINISHED / 519 Appendage / Sqft OPEN PORCH FINISHED / 85																																																							
<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																																																				
		ALUM PORCH W/CONC FL	2000	240	\$1,196	\$1,560																																																				
		POOL GUNITE	2000	298	\$4,917	\$5,960																																																				
		COOL DECK PATIO	2000	384	\$1,109	\$1,344																																																				
		SCREEN ENCLOSURE	2000	1,434	\$2,199	\$2,868																																																				

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 98
CASA ALOMA PB 15 PG 7

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

FINDINGS OF FACT

Property Owner: Jeanne A. Arnett
2677 Tierra Circle
Winter Park, FL 32792

Project Name: Tierra Circle (2677)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 14.9 feet for a screen room 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 screen room 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: