

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

SUBJECT: 1367 Hampstead Terrace- Leonard Wilson, applicant; Request for a rear yard setback variance from 20 feet to 15 feet for a proposed addition in PUD (Planned Unit Development District).

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

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

Agenda Date 10/22/07 **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 proposed 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 proposed addition in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	<table border="0"> <tr> <td>Applicant:</td> <td>Leonard Wilson</td> </tr> <tr> <td>Location:</td> <td>1367 Hampstead Terrace</td> </tr> <tr> <td>Zoning:</td> <td>PUD (Planned Unit Development District)</td> </tr> <tr> <td>Subdivision:</td> <td>Westhampton at Carillon</td> </tr> </table>	Applicant:	Leonard Wilson	Location:	1367 Hampstead Terrace	Zoning:	PUD (Planned Unit Development District)	Subdivision:	Westhampton at Carillon
Applicant:	Leonard Wilson								
Location:	1367 Hampstead Terrace								
Zoning:	PUD (Planned Unit Development District)								
Subdivision:	Westhampton at Carillon								
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting a rear yard setback variance for a proposed 30-foot by 22-foot two story addition 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	<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 applicant could reduce the size of the proposed structure to minimize 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 additon 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 # BV 2007-117
Meeting Date 10-22-07

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: Leonard O. Wilson
Address: 1367 Hampstead Terrace City: Oviedo Zip code: 32765
Project Address: " City: " Zip code: "
Contact number(s): 407 971-2453 407 353-0878 (cell)
Email address: lwilson1@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: RECEIVED AUG 17 2007
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: 2 story, 30' x 20' Bedroom
<input type="checkbox"/> New Single Family Home	Please describe: Handicap access to 1st
<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:	20'	Proposed setback: 15'
<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>			

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: Leonard O. Wilson

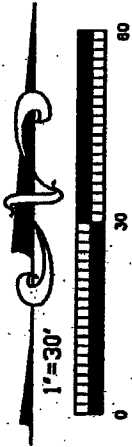
FOR OFFICE USE ONLY

Date Submitted: 8-17-07 Reviewed By: P. Johnson
 Tax parcel number: 35-21-31-505-0000-0360 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

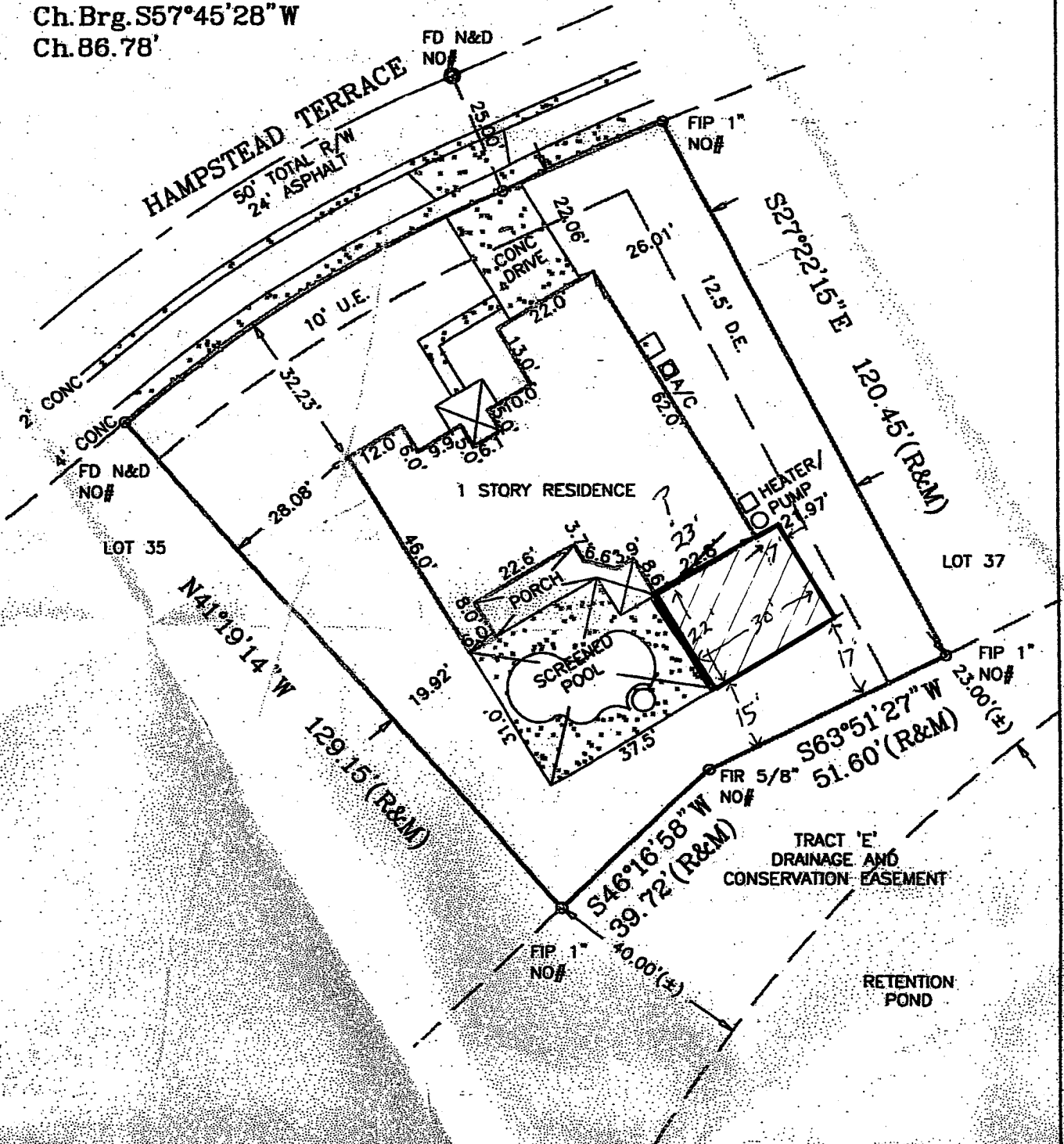
Please return this checklist with your application!

<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 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 <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.



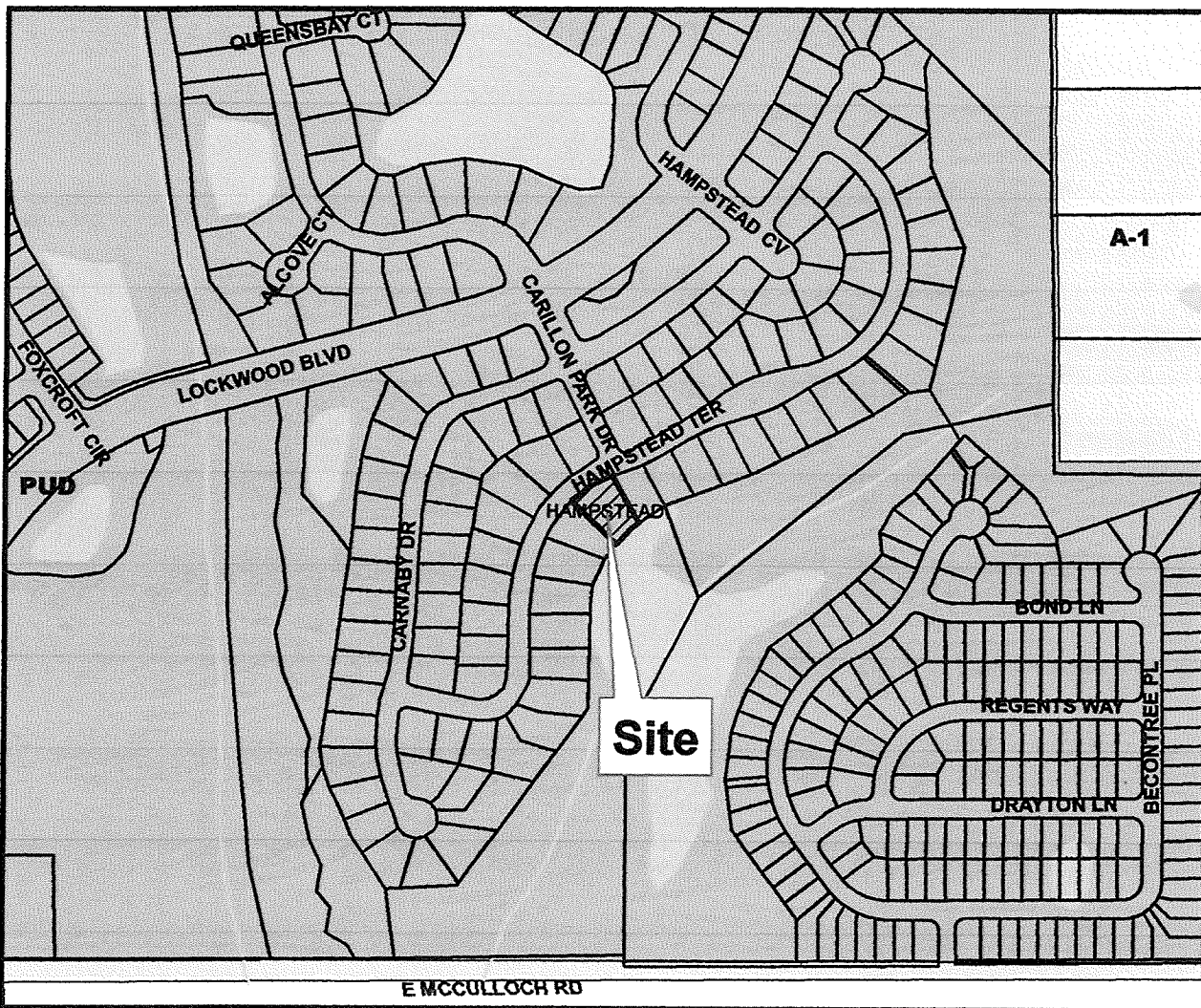
R=275.00'(R)
 L=87.14'(R)
 Tan=43.94'
 $\Delta=18^{\circ}09'23''$
 Ch. Brg. S57°45'28" W
 Ch. 86.78'

R=1740.83'(R)
 L=34.44'(R)
 Tan=17.22'
 $\Delta=1^{\circ}08'01''$
 Ch. Brg. S66°16'15" W
 Ch. 34.44'

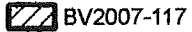
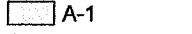



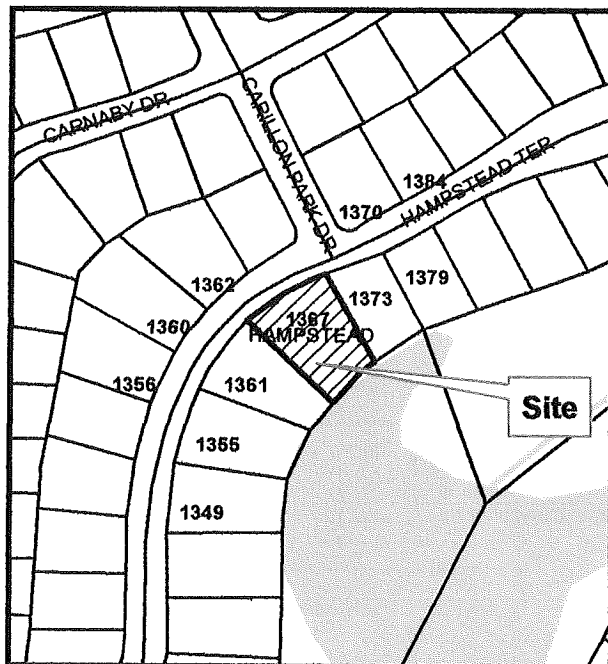
(R) RECORD	UE UTILITY EASEMENT	FIP FOUND IRON PIPE	NECP NEIGHBORHOOD CENSUS PROPERTY	X X X WIRE FENCE	CONCRETE	DWG	CHK
(M) MEASURED	DUE DRAINAGE & UTILITY EASEMENT	FIR FOUND IRON ROD	OSUB OFFICIAL SUBDIVISION	□ □ □ WOOD FENCE		BEC	JLB
A/C AIR	R/W RIGHT-OF-WAY	FN/D FOUND NAIL/DESK	SP SET POINT				

Leonard & Zaida Wilson
1367 Hampstead Terrace
Oviedo, Florida 32765



Seminole County Board of Adjustment
October 22, 2007
Case: BV2007-117 (Map 3213, Grid C6)
Parcel No: 35-21-31-505-0000-0360

- Zoning
-  BV2007-117
 -  A-1
 -  PUD



PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7506

GENERAL

Parcel Id: 35-21-31-505-0000-0360
 Owner: WILSON LEONARD O & ZAIDA D
 Mailing Address: 1367 HAMPSTEAD TERR
 City,State,ZipCode: OVIEDO FL 32765
 Property Address: 1367 HAMPSTEAD TER OVIEDO 32765
 Subdivision Name: WESTHAMPTON AT CARILLON PH 1
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD (2000)
 Dor: 01-SINGLE FAMILY

2007 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$249,761
 Depreciated EXFT Value: \$11,501
 Land Value (Market): \$65,000
 Land Value Ag: \$0
Just/Market Value: \$326,262
 Assessed Value (SOH): \$170,830
 Exempt Value: \$25,000
 Taxable Value: \$145,830

Tax Estimator
Tax Reform Analysis

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	04/1999	03639	0926	\$192,000	Improved	Yes
WARRANTY DEED	04/1992	02424	1225	\$148,100	Improved	Yes
WARRANTY DEED	01/1992	02378	0879	\$50,000	Vacant	No

[Find Comparable Sales within this Subdivision](#)

2006 VALUE SUMMARY

Tax Amount(without SOH): \$4,135
2006 Tax Bill Amount: \$2,283
Save Our Homes (SOH) Savings: \$1,852
 2006 Taxable Value: \$141,663
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	65,000.00	\$65,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 36 WESTHAMPTON AT CARILLON PH 1 PB 42 PGS 98 TO 103

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	1992	10	2,268	3,104	2,268	CB/STUCCO FINISH	\$249,761	\$263,600
			Appendage / Sqft	OPEN PORCH FINISHED / 272					
			Appendage / Sqft	GARAGE FINISHED / 484					
			Appendage / Sqft	OPEN PORCH FINISHED / 80					

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 Blt	Units	EXFT Value	Est. Cost New
POOL GUNITE	1994	450	\$6,075	\$9,000
COOL DECK PATIO	1994	364	\$860	\$1,274
SCREEN ENCLOSURE	1994	2,000	\$2,268	\$4,000
GAS HEATER	1994	1	\$440	\$1,100

SPA	1994	1	\$1,418	\$2,500
SOLAR HEATER	1994	1	\$440	\$1,100

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.

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 35 TWP: 21 RNG: 31
PROJ. #

DEVELOPMENT: Westhampton at Carillon Phase 1		DEVELOPER: First Dev. III	
LOCATION: E of SR 434, N of McCulloch Road - 57 lots			
FILE#:		BA:	
P&Z:		SP:	
BCC:			
PB	42	PG	98-103
Lot		Bik	
Parcel		DBA	
Comm Dist			
DEVEL. ORDER #: 88/314		TAX PAR. I.D. #:	
SIDEWALKS: 4' wide on both sides		SETBACK REQUIREMENTS	
		FY: 20'	SY: 7.5'
		SIDE ST.:	RY: 20'
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER:	
COMMENTS OTHER: Not flood prone		Min. House: 1,000 sq. ft	
		ACCESSORY STRUCTURE SETBACKS:	
		SY: 7.5'	RY: 10'
		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES	
SCREEN:	ORD
TRAFFIC ZONE:	78-E
LAND USE:	1
1. ROAD-CO. WIDE	ORD
2. ROAD-COLL.	ORD
3. LIBRARY	ORD
4. FIRE	ORD
5. PARK	
6. SCHOOL	ORD
7. LAW	
8. DRAINAGE	
TOTAL	
REMARKS: Curb and Gutter; Sidewalk	

Carillon Com. Res. Association
c/o Greystone Management Company, Inc.
1936 Lee Road, Suite 250
Winter Park FL 32789
407-645-4945

www.carillonhoa.com

NOTICE OF APPROVAL
Carillon Com. Res. Association

September 21, 2007

Leonard & Zaida Wilson
1367 Hampstead Terrace
Oviedo FL 32765

RE: 1367 Hampstead Terrace

Dear Owner:

Your Request for Architectural Change has been approved. Specifically, you have approval to proceed with the following:

ARB Request for an addition planned as show on attachments. We appear before the Seminole Variance Board October 22. Since our addition is fifteen (15) feet from the rear property line, we need a variance from the twenty (20) foot setback.

APPROVAL CONTINGENT ON COUNTY APPROVED VARIANCE AND PERMIT. THIS INFORMATION MUST BE COPIED AND MAILED TO GREYSTONE BEFORE POSTING.

We reserve the right to make a final inspection of the change to make sure it matches the Request you submitted for Approval. Please follow the plan you submitted or submit an additional Request form if you cannot follow the original plan.

You must follow all local building codes and setback requirements when making this change. A Building Permit may be needed. This can be applied for at the County offices.

Our approval here is only based on the aesthetics of your proposed change. This approval should not be taken as any certification as to the construction worthiness or structural integrity of the change you propose. Be aware that you are responsible for contacting the appropriate Utility Companies before digging.

We appreciate your cooperation in submitting this Request for Approval. An attractive Community helps all of us get the full value from our homes when we decide to sell.

Sincerely,

Carillon Com. Res. Association

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 22, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 36 WESTHAMPTON AT CARILLON PH 1 PB 42 PGS 98 TO 103

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

FINDINGS OF FACT

Property Owner: Leonard & Zaida Wilson
1367 Hampstead Terrace
Oviedo, FL 32765

Project Name: 1367 Hampstead Terrace (BV2007-117)

Requested Development Approval:

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