

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

SUBJECT: 582 Whittingham Place – Charles Waugh, applicant; Request for a 1) rear yard setback variance from 5 feet to 2 feet and a 2) side yard setback variance from 5 feet to 2 feet for a storage shed in PUD (Planned Unit Development).

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

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

Agenda Date 12/03/07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Deny** the request for a 1) rear yard setback variance from 5 feet to 2 feet and a 2) side yard setback variance from 5 feet to 2 feet for a storage shed in PUD (Planned Unit Development); or
2. **Approve** the request for a 1) rear yard setback variance from 5 feet to 2 feet and a 2) side yard setback variance from 5 feet to 2 feet for a storage shed in PUD (Planned Unit Development); or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning: Subdivision:	Charles Waugh 582 Whittingham Place PUD (Planned Unit Development) Greenwood Lakes Unit D-3A
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to install an 8-foot by 12-foot storage shed that would encroach 3 feet into the rear and 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 	

	<p>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.</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.• 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 # BV 2007-135
Meeting Date 12-3-07

COPY



VARIANCE APPLICATION

SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 665-7444

RECEIVED SEP 14 2007

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: CHARLES B. WAUGH
Address: 582 WHITTINGHAM PLACE City: LAKE MARY Zip code: 32746
Project Address: SAME City: _____ Zip code: _____
Contact number(s): 407-402-1902
Email address: _____

Is the property available for inspection without an appointment?

Yes No If gated please provide a gate code to staff.

What type of structure is this request for?	
<input checked="" type="checkbox"/> Shed	Please describe: <u>8'x12' STORAGE 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.	

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>5'</u>	Proposed setback:	<u>2'</u>
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>3-7' (5)</u>	Proposed setback:	<u>2'</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>2</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: C. Brim Waugh

FOR OFFICE USE ONLY

Date Submitted: 9-14-07 Reviewed By: P. Johnson
 Tax parcel number: 19-20-30-507-0100-0180 Zoning/FLU PUD/RD
 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 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 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.

Charles Waugh
 582 Whittingham Place
 Lake Mary, Florida 32746

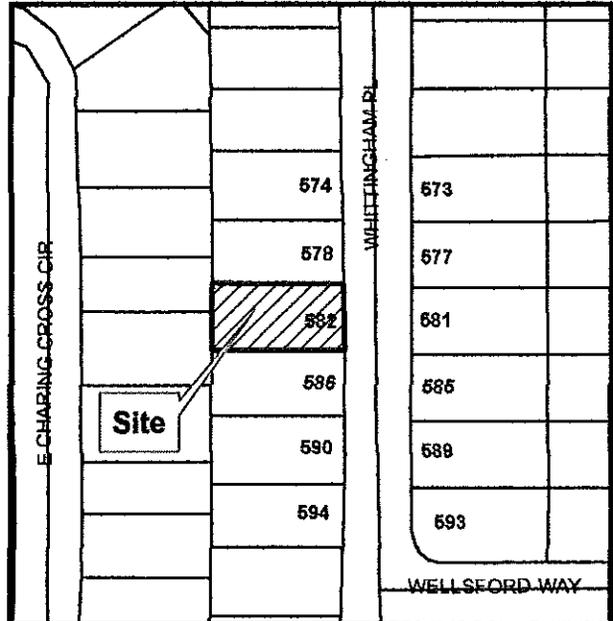


Seminole County Board of Adjustment
 December 3, 2007
 Case: BV2007-132 (Map 3103, Grid C4)
 Parcel No: 19-20-30-507-0100-0180

Zoning

-  BV2007-132
-  PUD





PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY, FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-885-7808		9 10 11 12 13 14	E CHAMBER CROSS CIR 30 28 26 27 28 25	21 20 19 18 17 16 15	WHITTINGHAM PL 7 8 5 4 3 2 3	18 17 16 15 14 13 12																																																															
GENERAL Parcel Id: 19-20-30-507-0100-0180 Owner: WAUGH CHARLES B & DAWN & Own/Addr: WAUGH CHARLES & FRANCES I Mailing Address: 582 WHITTINGHAM PL City,State,ZipCode: LAKE MARY FL 32746 Property Address: 582 WHITTINGHAM PL LAKE MARY 32746 Subdivision Name: GREENWOOD LAKES UNIT D-3A Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1999) Dor: 01-SINGLE FAMILY						2007 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$201,897 Depreciated EXFT Value: \$1,100 Land Value (Market): \$43,000 Land Value Ag: \$0 Just/Market Value: \$245,997 Assessed Value (SOH): \$114,112 Exempt Value: \$25,000 Taxable Value: \$89,112 Tax Estimator Tax Reform Analysis 2007 Notice of Proposed Property Tax																																																															
SALES <table border="1"> <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>QUIT CLAIM DEED</td> <td>06/1998</td> <td>03596</td> <td>0384</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1998</td> <td>03443</td> <td>0255</td> <td>\$111,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1993</td> <td>02587</td> <td>0648</td> <td>\$107,700</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1989</td> <td>02047</td> <td>1900</td> <td>\$93,600</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1986</td> <td>01800</td> <td>1650</td> <td>\$935,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision						Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	06/1998	03596	0384	\$100	Improved	No	WARRANTY DEED	06/1998	03443	0255	\$111,000	Improved	Yes	WARRANTY DEED	05/1993	02587	0648	\$107,700	Improved	Yes	WARRANTY DEED	02/1989	02047	1900	\$93,600	Improved	Yes	WARRANTY DEED	11/1986	01800	1650	\$935,000	Vacant	No	2006 VALUE SUMMARY Tax Amount(without SOH): \$3,025 2006 Tax Bill Amount: \$1,391 Save Our Homes (SOH) Savings: \$1,634 2006 Taxable Value: \$86,329 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS																					
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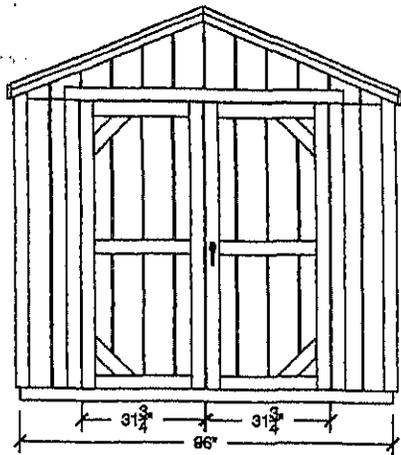
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad

COMMISSION DISTRICT #:

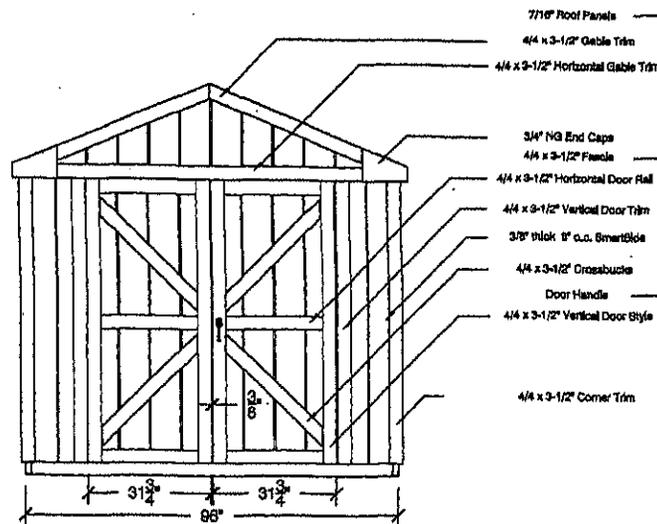
GUJ ZONED: PUD SEC: 19 TWP: 20 RNG: 30
 PROJ. #

DEVELOPMENT:		Greenwood Lakes D-3 A				DEVELOPER:		Mobley Homes of FL Inc.									
LOCATION:		N side of Greenway Boulevard, E of Lake Emma Road						122 lots									
FILE#:		BA:		SP:		BCC:		12/3/86									
P&Z:		PB		PG		18-22		Lot		Blk		Parcel		DBA		Comm Dist	
DEVEL. ORDER #:						TAX PAR. I.D. #:											
SIDEWALKS:						SETBACK REQUIREMENTS											
						FY: 20'		SIDE ST.:		SY: *3'-7'		RY: 10'					
						ROAD TYPE: (CURB & GUTTER OR SWALE)						MAIN STRUCTURE OTHER: Patio/Cluster *Must maintain 10' between structures Min. Lot size: 2,800 sq. ft. Min. Unit size: 650 sq. ft.					
						COMMENTS OTHER:						ACCESSORY STRUCTURE SETBACKS:					
						SY:		same as main structure				RY: 5'					
						ACCESSORY STRUCTURE OTHER:											

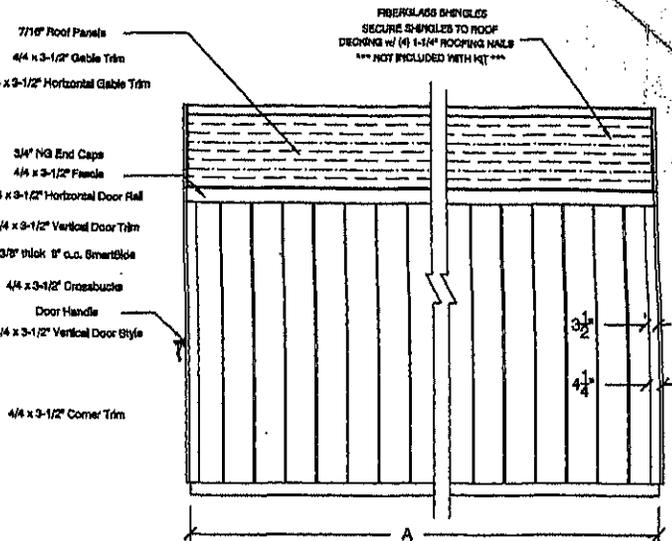
IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	12-N
LAND USE:	1
1. ROAD-CO. WIDE	\$250.00
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	\$10.00
5. PARK	
6. SCHOOL	\$300.00
7. LAW	
8. DRAINAGE	
TOTAL	
REMARKS:	



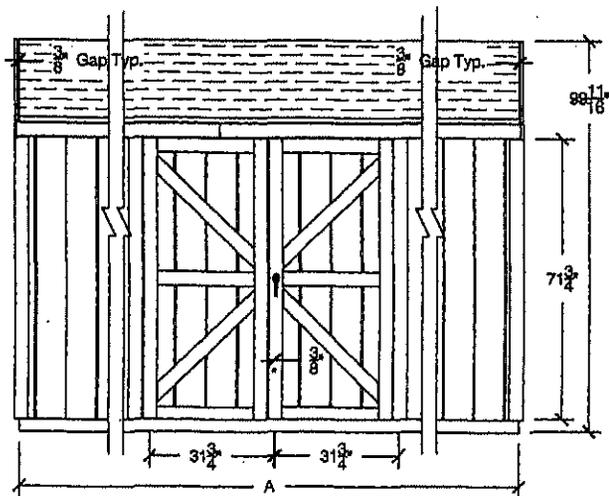
A GABLE ELEV. w/ TRIM OPTION #1
SCALE: 1/4" = 1'-0"



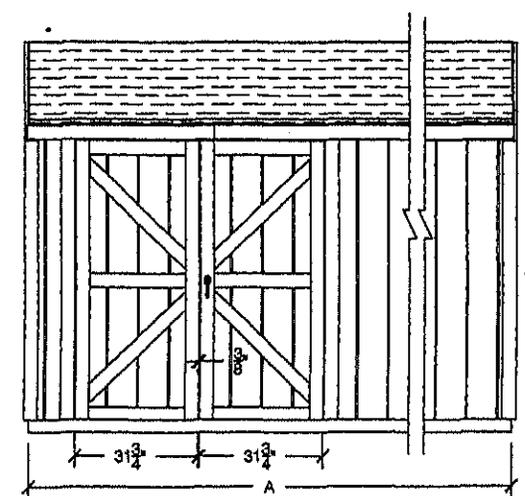
B GABLE ELEV. w/ TRIM OPTION #2
SCALE: 1/4" = 1'-0"



C EAVE ELEVATION w/o DOOR
SCALE: 1/4" = 1'-0"



D EAVE ELEVATION with DOOR CENTERED
SCALE: 1/4" = 1'-0"



E EAVE ELEVATION with DOOR OFFSET
SCALE: 1/4" = 1'-0"

- 7/16" Roof Panels
- 4/4 x 3-1/2" Gable Trim
- 4/4 x 3-1/2" Horizontal Gable Trim
- 3/4" NG End Caps
- 4/4 x 3-1/2" Frieze
- 4/4 x 3-1/2" Horizontal Door Rail
- 4/4 x 3-1/2" Vertical Door Trim
- 3/8" Thick 1" o.c. SmartBlae
- 4/4 x 3-1/2" Crossbuck
- Door Handle
- 4/4 x 3-1/2" Vertical Door Style
- 4/4 x 3-1/2" Corner Trim

FIBERGLASS SHINGLES
SECURE SHINGLES TO ROOF
DECORING w/ (4) 1-1/4" ROOFING NAILS
*** NOT INCLUDED WITH KIT ***

Depth Dim. "A"	8'-0" Base	10'-0" Base	12'-0"	14'-0"	16'-0"	18'-0"
Gable Style 8'-0" wide by:						

8'-0" GABLE STYLE ELEVATIONS

REV: D ADDRESS: 6400 E. 11 Mile Road Maroon, MI 48859-6101 DWG BY: Scott Erickson LIST NUMBER: May 02, 2008

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 3, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 18 BLK 1
GREENWOOD LAKES UNIT D-3A PB 36 PGS 18 TO 22

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

FINDINGS OF FACT

Property Owner: Charles B. Waugh
582 Whittingham Place
Lake Mary, Fl 32746

Project Name: Whittingham Place (582)

Requested Development Approval:

Request for a 1) rear yard setback variance from 5 feet to 2 feet and a 2) side yard setback variance from 5 feet to 2 feet for a storage shed in PUD (Planned Unit Development).

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

FILE NO.: BV2007-132

DEVELOPMENT ORDER #

07-300

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: