

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 1600 Rutledge Road – Scott Lincoln, Applicant; Request for a front yard setback variance from 50 feet to 26 feet for a proposed porte-cochere in A-1 (Agriculture District).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7389

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

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a front yard setback variance from 50 feet to 26 feet for a proposed porte-cochere in A-1 (Agriculture District); or
2. **Approve** the request for a front yard setback variance from 50 feet to 26 feet for a proposed porte-cochere in A-1 (Agriculture District); or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Scott Lincoln Location: 1600 Rutledge Road Zoning: A-1 Subdivision: Mandarin
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting to construct a porte-cochere (covered entry) onto the front of an existing home. This open structure will encroach 24 feet into the front yard setback.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances for this property.</li> </ul>
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> <li>• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands,</li> </ul>

	<p>structures or building in the same zoning district.</p> <ul style="list-style-type: none"><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<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"><li>• Any variance granted shall apply only to the porte-cochere as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul>

**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 # BV2007-141  
Meeting Date 12-3-07



**VARIANCE APPLICATION**  
**SEMINOLE COUNTY PLANNING DIVISION**  
1101 East First Street Sanford FL 32771 (407) 665-7444

**COPY**

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

Name: SCOTT LINCOLN  
Address: 1600 RUTLEDGE RD City: LEWISWOOD Zip code: 32779  
Project Address: SAME City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Contact number(s): 407-628 1848  
Email address: \_\_\_\_\_

Is the property available for inspection without an appointment?  Yes  No

<input type="checkbox"/> Shed	Please describe:	
<input type="checkbox"/> Fence	Please describe:	
<input type="checkbox"/> Pool	Please describe:	RECEIVED OCT 12 2007
<input type="checkbox"/> Pool screen enclosure	Please describe:	
<input type="checkbox"/> Addition	Please describe:	
<input type="checkbox"/> New Single Family Home	Please describe:	
<input checked="" type="checkbox"/> Other	Please describe:	PORTE COCHERE COVERED ENTRY
<input type="checkbox"/> This request is for a structure that has already been built.		

<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 checked="" type="checkbox"/> Front yard setback	Required setback:	50	Proposed setback:	26
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:	
<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:	

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: \_\_\_\_\_

**FOR OFFICE USE ONLY**

Date Submitted: 10-12-07 Reviewed By: A. Johnson  
 Tax parcel number: 20-20-29-507-0000-0540 Zoning/FLU A-1/SE  
 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 <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
	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 FOR SCOTT LINCOLN

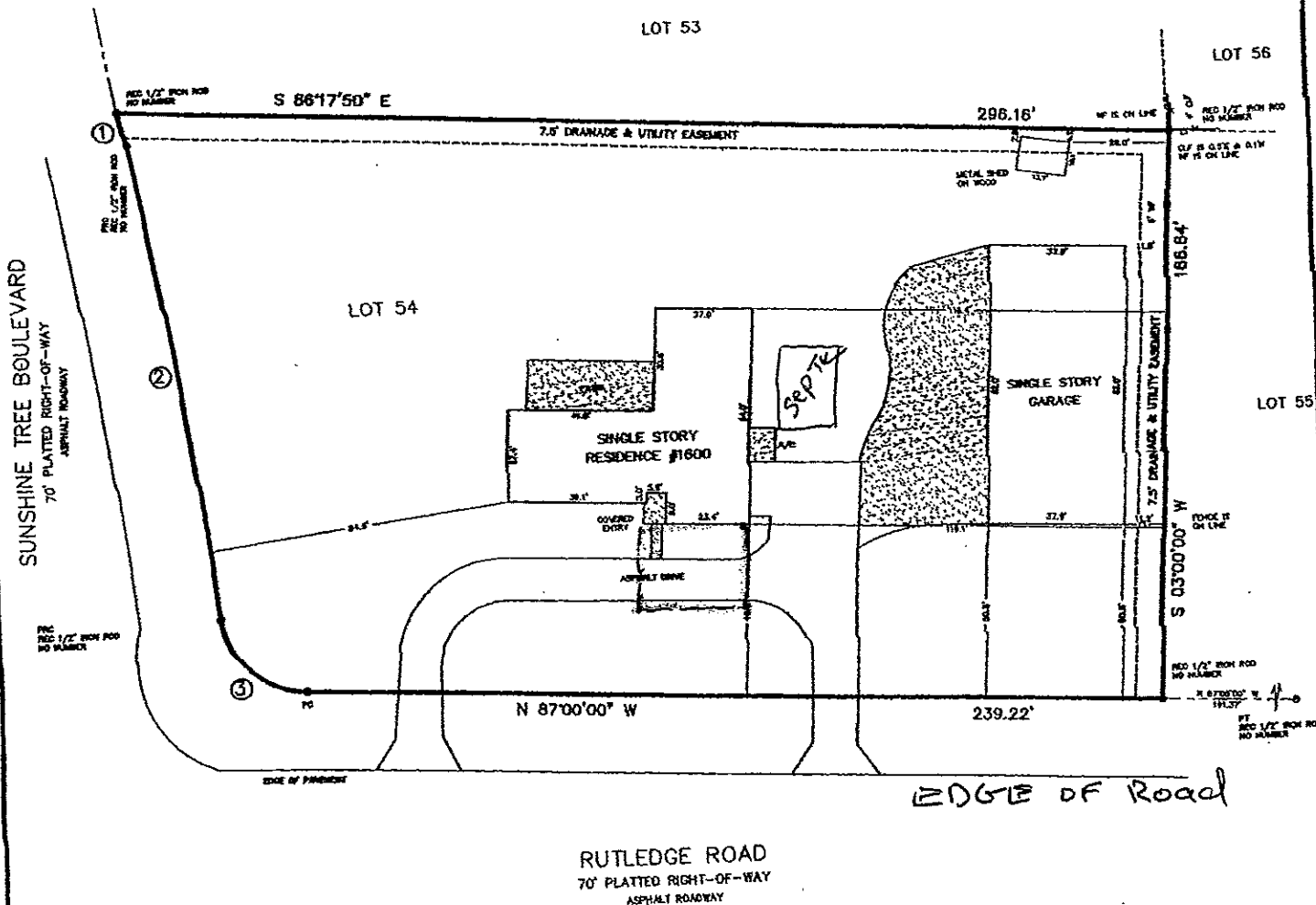
LOT 54, MANDARIN SECTION TWO, ACCORDING TO THE PLAT THEREOF,  
AS RECORDED IN PLAT BOOK 24, PAGES 12-14,  
OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



① R = 1710.13'  
Δ = 0°20'48"  
L = 10.35'  
CB = S 11°14'38" E

② R = 1716.49'  
Δ = 4°45'37"  
L = 142.61'  
CB = N 09°02'13" W

③ R = 25.00'  
Δ = 80°20'35"  
L = 35.06'  
CB = S 46°49'42" E

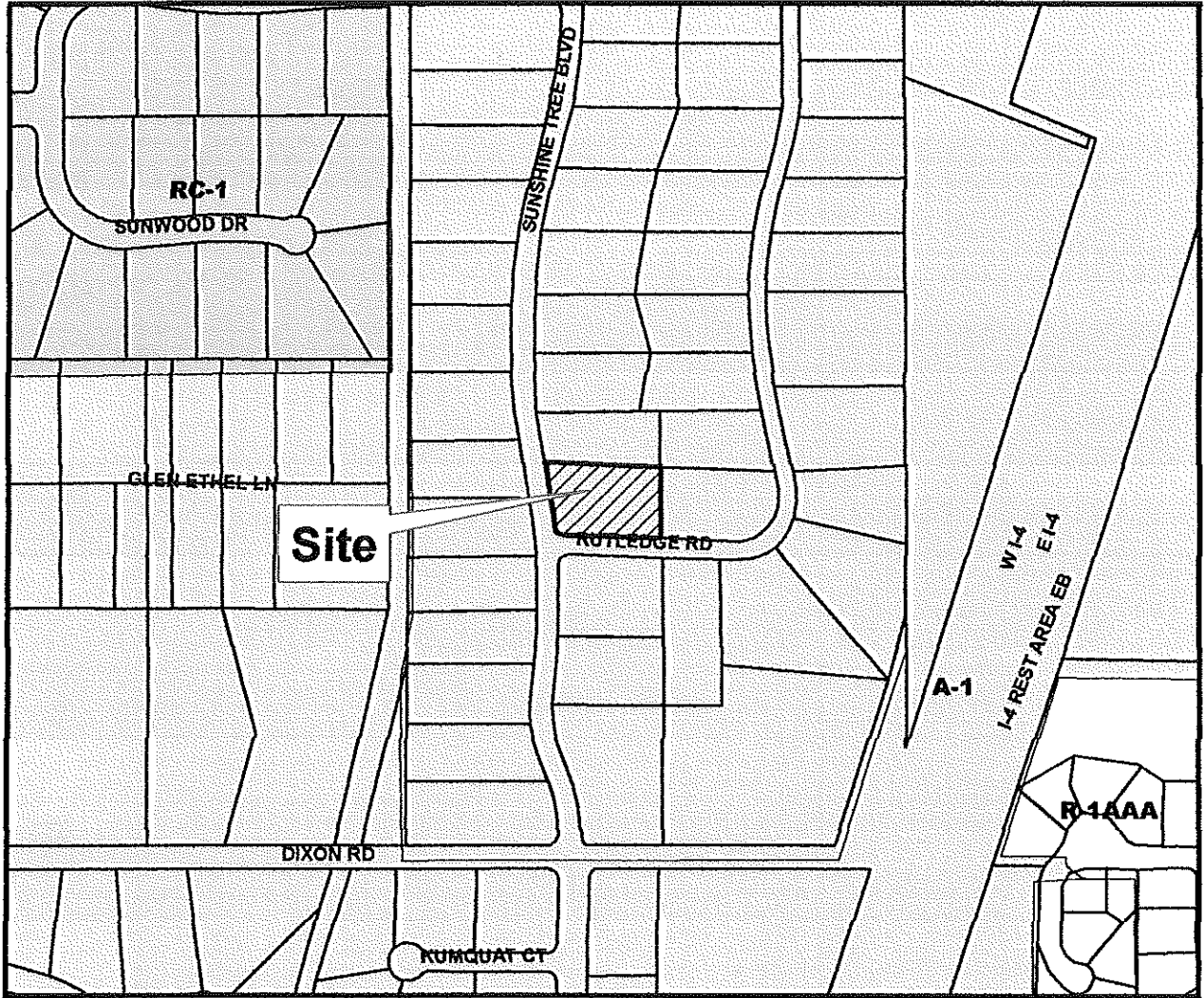


PROPOSED PORT-COCHERE COVERED ENTRY  
24X33

BEARINGS ARE BASED ON THE  
SOUTHERLY LINE OF LOT 54  
BEING N 87°00'00" E PER PLAT  
LEGAL DESCRIPTION FURNISHED BY  
CLIENT (UNLESS OTHERWISE NOTED)





THIS SURVEY CERTIFIED TO:


Scott Lincoln  
 1600 Rutledge Road  
 Longwood, Florida 32750

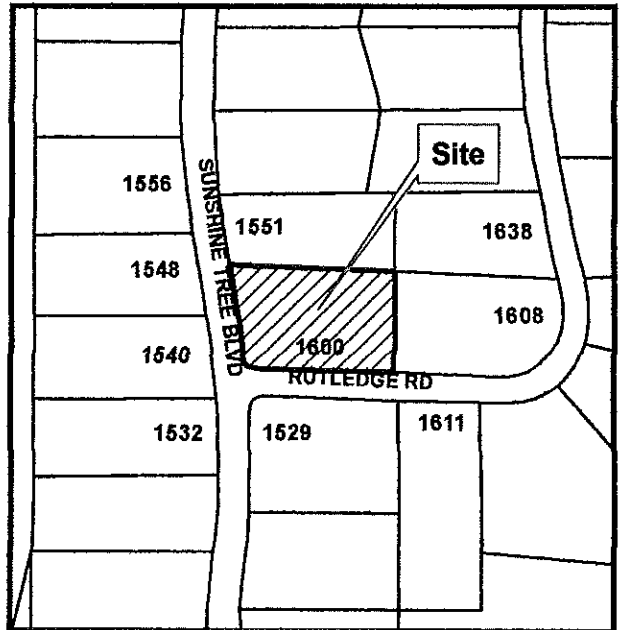


Seminole County Board of Adjustment  
 December 3, 2007  
 Case: BV2007-141 (Map 3102, Grid E5)  
 Parcel No: 26-20-29-507-0000-0540

**Zoning**

-  BV2007-141
-  A-1
-  RC-1
-  R-1AAA





<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA  <b>PROPERTY APPRAISER</b>                  SEMINOLE COUNTY FL                  1101 E. FIRST ST                  SANFORD, FL 32771-1468                  407-665-7508</p>																																																																					
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 26-20-29-507-0000-0540                  Owner: LINCOLN SCOTT                  Mailing Address: 1600 RUTLEDGE RD                  City,State,ZipCode: LONGWOOD FL 32750                  Property Address: 1600 RUTLEDGE RD LONGWOOD 32750                  Subdivision Name: MANDARIN SEC 2                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions: 00-HOMESTEAD (2005)                  Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;"><b>2008 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market                  Number of Buildings: 1                  Depreciated Bldg Value: \$291,510                  Depreciated EXFT Value: \$800                  Land Value (Market): \$60,000                  Land Value Ag: \$0                  Just/Market Value: \$352,310                  Assessed Value (SOH): \$280,267                  Exempt Value: \$25,000                  Taxable Value: \$255,267</p> <p style="text-align: center;"><b>Tax Estimator</b>                  Tax Reform Analysis</p>																																																																			
<p style="text-align: center;"><b>SALES</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>05/2003</td> <td>05016 0685</td> <td>\$245,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1997</td> <td>03355 0208</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1981</td> <td>01340 0708</td> <td>\$85,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;"><u>Find Comparable Sales within this Subdivision</u></p>		Deed	Date	Book Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	05/2003	05016 0685	\$245,000	Improved	Yes	WARRANTY DEED	11/1997	03355 0208	\$100	Improved	No	WARRANTY DEED	06/1981	01340 0708	\$85,000	Improved	Yes	<p style="text-align: center;"><b>2007 VALUE SUMMARY</b></p> <p>Tax Amount(without SOH): \$4,858                  2007 Tax Bill Amount: \$3,669                  Save Our Homes (SOH) Savings: \$1,189                  2007 Taxable Value: \$248,431                  DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																											
Deed	Date	Book Page	Amount	Vac/Imp	Qualified																																																																
WARRANTY DEED	05/2003	05016 0685	\$245,000	Improved	Yes																																																																
WARRANTY DEED	11/1997	03355 0208	\$100	Improved	No																																																																
WARRANTY DEED	06/1981	01340 0708	\$85,000	Improved	Yes																																																																
<p style="text-align: center;"><b>LAND</b></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>60,000.00</td> <td>\$60,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	60,000.00	\$60,000	<p style="text-align: center;"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 54 MANDARIN SEC 2 PB 24 PGS 12 TO 14</p>																																																							
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																																
LOT	0	0	1.000	60,000.00	\$60,000																																																																
<p style="text-align: center;"><b>BUILDING INFORMATION</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</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>1981</td> <td>7</td> <td>2,219</td> <td>6,002</td> <td>2,219</td> <td>CB/STUCCO FINISH</td> <td>\$291,510</td> <td>\$327,539</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">UTILITY FINISHED / 84</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">UTILITY FINISHED / 529</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">OPEN PORCH FINISHED / 54</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">DETACHED GARAGE UNFINISHED / 3116</td> </tr> </tbody> </table> <p><i>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</i></p> <p><b>Permits</b></p>										Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1981	7	2,219	6,002	2,219	CB/STUCCO FINISH	\$291,510	\$327,539		Appendage / Sqft		UTILITY FINISHED / 84								Appendage / Sqft		UTILITY FINISHED / 529								Appendage / Sqft		OPEN PORCH FINISHED / 54								Appendage / Sqft		DETACHED GARAGE UNFINISHED / 3116						
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																												
1	SINGLE FAMILY	1981	7	2,219	6,002	2,219	CB/STUCCO FINISH	\$291,510	\$327,539																																																												
	Appendage / Sqft		UTILITY FINISHED / 84																																																																		
	Appendage / Sqft		UTILITY FINISHED / 529																																																																		
	Appendage / Sqft		OPEN PORCH FINISHED / 54																																																																		
	Appendage / Sqft		DETACHED GARAGE UNFINISHED / 3116																																																																		
<p style="text-align: center;"><b>EXTRA FEATURE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>FIREPLACE</td> <td>1981</td> <td>1</td> <td>\$800</td> <td>\$2,000</td> </tr> </tbody> </table>										Description	Year Blt	Units	EXFT Value	Est. Cost New	FIREPLACE	1981	1	\$800	\$2,000																																																		
Description	Year Blt	Units	EXFT Value	Est. Cost New																																																																	
FIREPLACE	1981	1	\$800	\$2,000																																																																	
<p><i>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</i></p> <p><i>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</i></p>																																																																					



**Propose Porte-cochere**

**Purpose is to enhance the overall look of the property by tying together the house and the large garage.**

**This will also provide shelter in bad weather, to get from the car to the house.**

SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-\_\_\_\_\_:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: SCOTT LINCOLN Name: \_\_\_\_\_  
Address: 1600 RUTLEDGE RD Address: \_\_\_\_\_  
Phone #: 407 628 1848 Phone #: \_\_\_\_\_  
  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Phone #: \_\_\_\_\_

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

*N/A*  
Name of Corporation: \_\_\_\_\_ Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_ Officers: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
Directors: \_\_\_\_\_ Directors: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
Shareholders: \_\_\_\_\_ Shareholders: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

*N/A*  
Name of Trust: \_\_\_\_\_  
Trustees: \_\_\_\_\_ Beneficiaries: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

Form #  
Date

SEMINOLE COUNTY  
APPLICATION AND AFFIDAVIT

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

NA

Name of Partnership: \_\_\_\_\_ Name of Partnership: \_\_\_\_\_  
Principal: \_\_\_\_\_ Principal: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

NK

Contract Vendee: \_\_\_\_\_ Contract Vendee: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_

(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

10-11-07

Date

Owner / Agent / Applicant Signature

STATE OF FLORIDA  
COUNTY OF SEMINOLE

Sworn to (or affirmed) and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_ by \_\_\_\_\_

Signature of Notary Public

Print, Type or Stamp Name of Notary Public

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

**For Use by Planning & Development Staff**

Date: \_\_\_\_\_

Application Number: \_\_\_\_\_



**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 54 MANDARIN SEC 2 PB 24 PGS 12 TO 14

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

**FINDINGS OF FACT**

**Property Owner:** Scott Lincoln  
1600 Rutlege Road  
Longwood, Fl. 32750

**Project Name:** Rutlege Road (1600)

**Requested Development Approval:**

Request for a front yard setback variance from 50 feet to 26 feet for a proposed porte-cochere in A-1 (Agriculture 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: Kathy Fall, Principal 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 porte-cochere 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: