

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 902 Spring Valley Road – David & Rebecca Scott, applicant; Request for a side yard setback variance from 10 feet to 6 feet for a replacement screen enclosure in R-1AAA (Single Family Dwelling District).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

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

MOTION/RECOMMENDATION:

1. **Deny** the request for a side yard setback variance from 10 feet to 6 feet for a replacement screen enclosure in R-1AAA (Single Family Dwelling District); or
2. **Approve** the request for a side yard setback variance from 10 feet to 6 feet for a replacement screen enclosure in R-1AAA (Single Family Dwelling District); or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: David & Rebecca Scott Location: 902 Spring Valley Road Zoning: R-1AAA (Single Family Dwelling District) Subdivision: Spring Valley Farms
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to replace a screen enclosure that was damaged. • The existing screen enclosure encroaches into the required side yard setback and the new screen enclosure will encroach 6 feet into the required 10-foot setback. • A building permit for the screen enclosure is under review. • 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 enclosure 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*

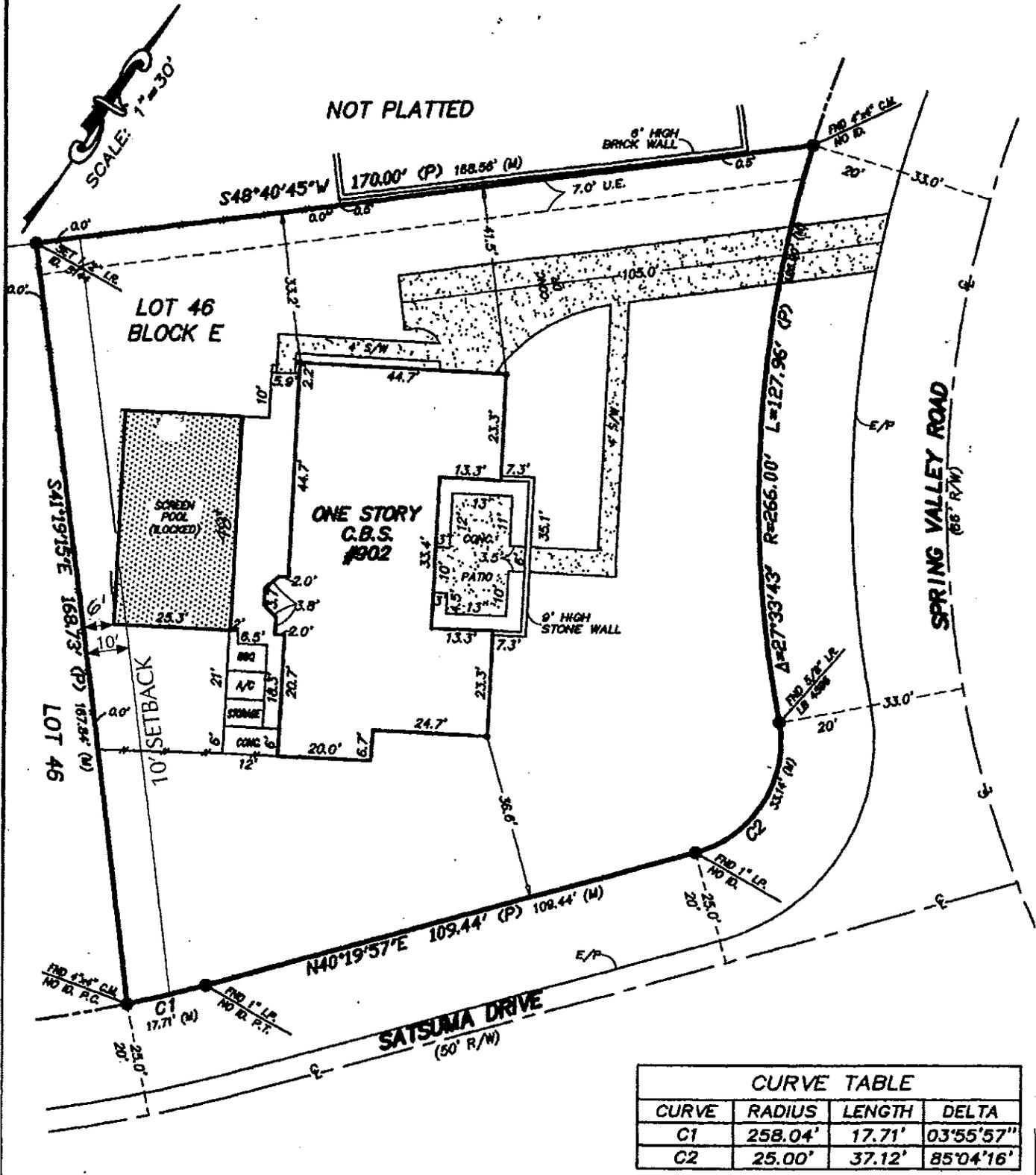
Support information:

- 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

BOUNDARY SURVEY

LEGAL DESCRIPTION: LOT 46, BLOCK E, SPRING VALLEY FARMS, SECTION SEVEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE(S) 20, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



The Survey of the POOL PATIO and ENCLOSURE area is incorrect on the drawing. I personally measured this morning after talking with you. The correct dimensions are seen above in RED and should read 25'3" on both sides of the pool area. The offending corner of the pool area is 7'3" from the property line as it exists today. Our contractor, U.S. Aluminum will pour a 12" footer outside the pool area to comply with new codes for the replacement ENCLOSURE. That should leave approximately 6'3" of separation between the property line and the replacement enclosure.

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

Application # BV 2007-142
Meeting Date 12-3-07



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: David D. & Rebecca C. Scott
Address: 902 Spring Valley Rd City: Altamonte Spgs Zip code: 32714
Project Address: Same City: _____ Zip code: _____
Contact number(s): 407-389-0314 OR 407-925-6218
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 type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe: RECEIVED OCT 10 2007
<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 checked="" 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 type="checkbox"/> Rear yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Side yard setback	Required setback:	Proposed setback:	<u>6'</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 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: David D. Scott Rebecca C. Scott

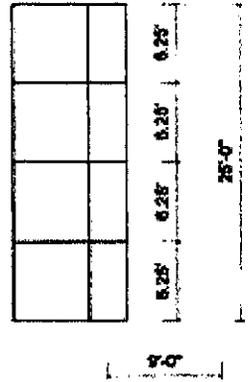
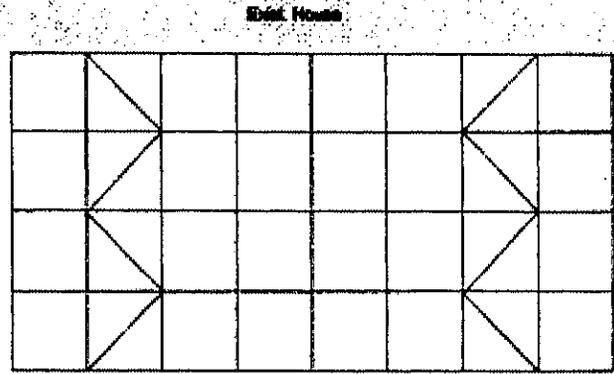
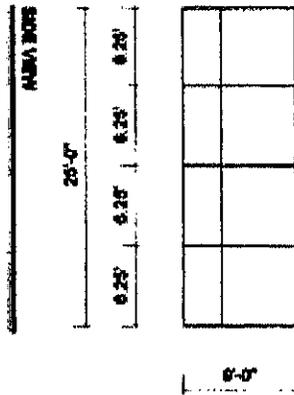
FOR OFFICE USE ONLY

Date Submitted: 10-10-07 Reviewed By: D. Gibbs
 Tax parcel number: 22-21-29-505-0E00-0460 Zoning/FLU R-1AAA/LDR
 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: _____

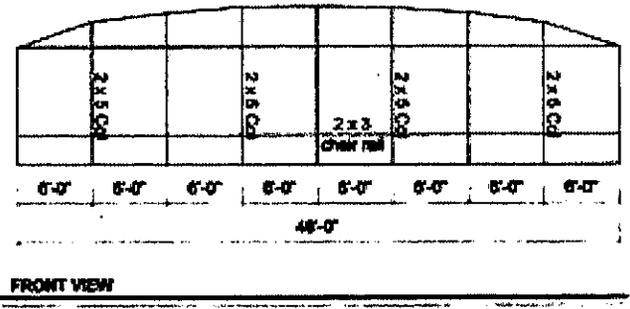
VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

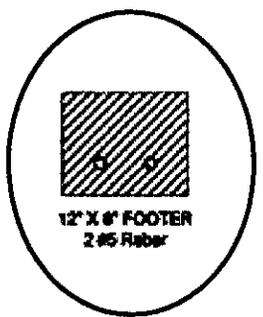
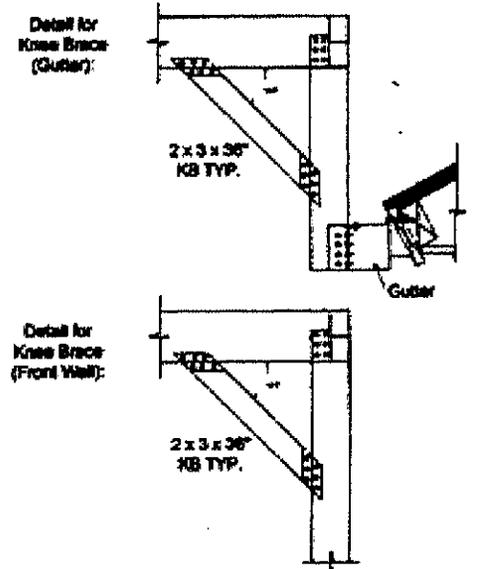
<p>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. View a site plan online 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.



TOP VIEW



FRONT VIEW



12" X 6" FOOTER
2x6 Fiber

General Notes

1. Contractor to Verify all Dimensions.
2. See Attached Specification Sheets for Additional Details.
3. Florida Building Code 2004

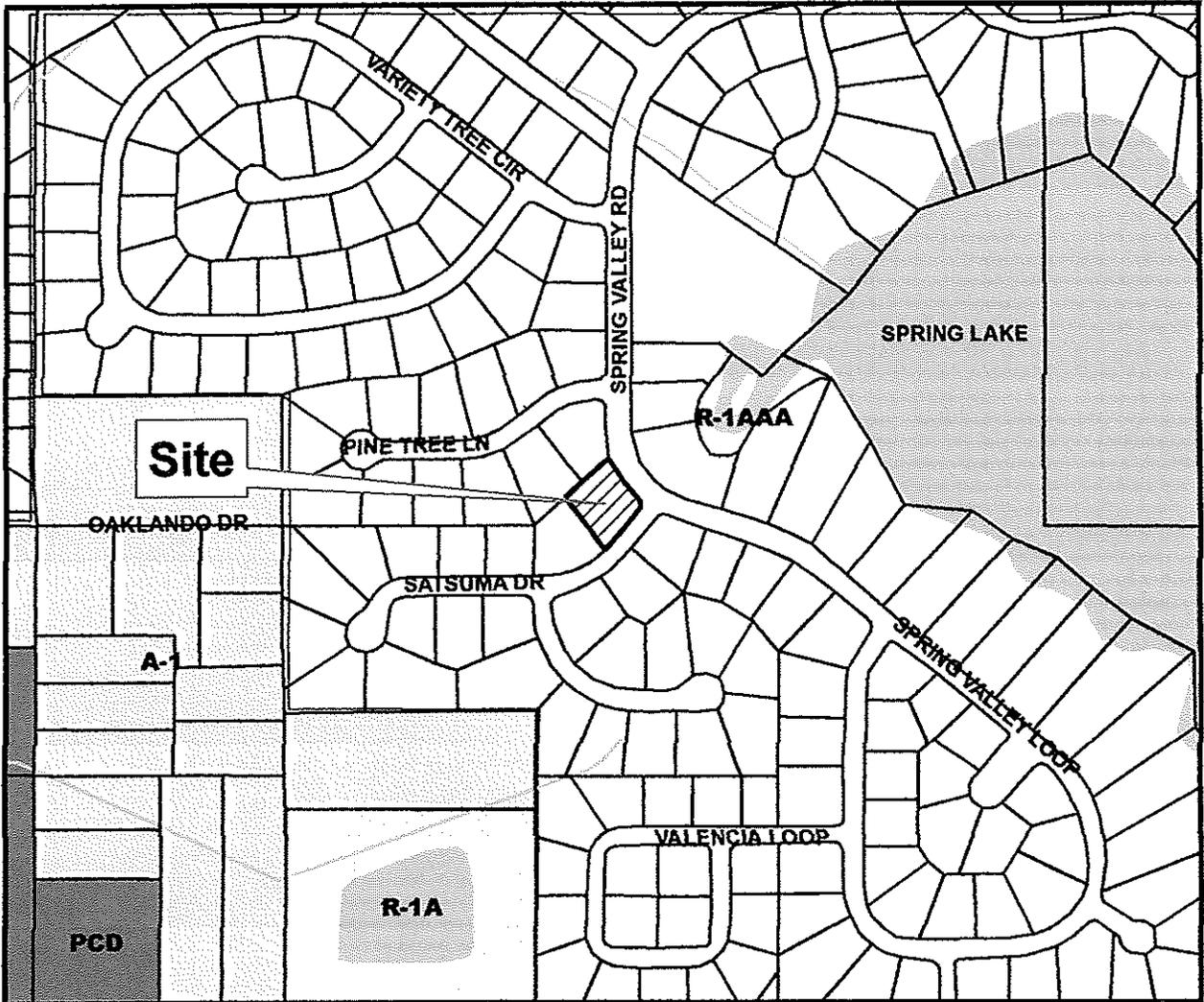
Scott Residence
902 Spring Valley Rd
Altamonte Springs, FL 32714

Comments:

PAGE

1 of 1

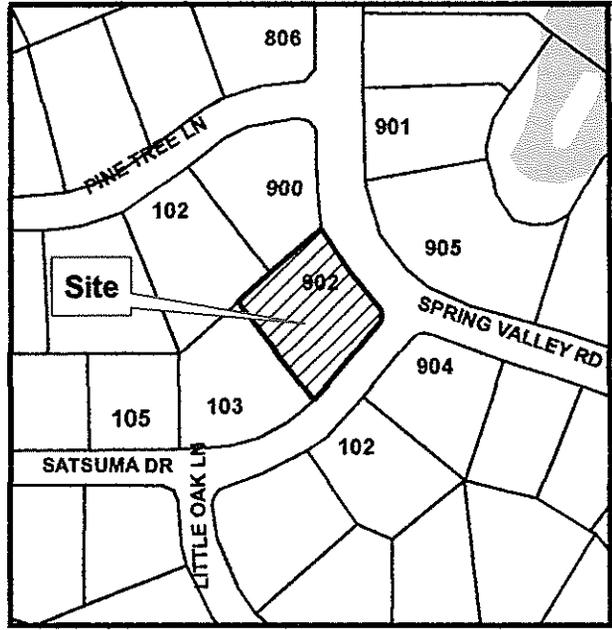
David & Rebecca Scott
902 Spring Valley Road
Altamonte Springs, Florida 32714



Seminole County Board of Adjustment
December 3, 2007
Case: BV2007-142 (Map 3208, Grid B1)
Parcel No: 22-21-29-505-0E00-0460

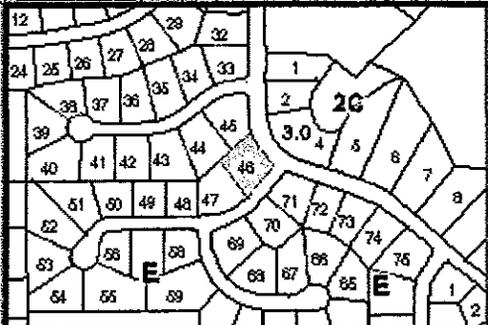
Zoning

- BV2007-142
- A-1
- R-1AAA
- R-1A
- PCD



PARCEL DETAIL

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1488
 407-665-7508



GENERAL

Parcel Id: 22-21-29-505-0E00-0460
 Owner: SCOTT DAVID D & REBECCA C
 Mailing Address: 5114 CONTOURA DR
 City,State,ZipCode: ORLANDO FL 32810
 Property Address: 902 SPRING VALLEY RD ALTAMONTE SPRINGS 32714
 Subdivision Name: SPRING VALLEY FARMS SEC 07
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions:
 Dor: 01-SINGLE FAMILY

2008 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$322,337
 Depreciated EXFT Value: \$8,811
 Land Value (Market): \$90,000
 Land Value Ag: \$0
 Just/Market Value: \$421,148
 Assessed Value (SOH): \$421,148
 Exempt Value: \$0
 Taxable Value: \$421,148

Tax Estimator
Tax Reform Analysis

SALES

Deed	Date	Book	Page	Amount	Vac/imp	Qualified
WARRANTY DEED	08/2004	05412	0439	\$310,000	Improved	Yes
WARRANTY DEED	08/1996	03125	1261	\$168,500	Improved	Yes
WARRANTY DEED	04/1987	01841	0510	\$177,000	Improved	Yes
WARRANTY DEED	04/1981	01328	0962	\$169,000	Improved	Yes
WARRANTY DEED	04/1979	01218	0857	\$124,000	Improved	Yes

Find Comparable Sales within this Subdivision

2007 VALUE SUMMARY

2007 Tax Bill Amount: \$6,264
 2007 Taxable Value: \$424,142
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	90,000.00	\$90,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 46 BLK E SPRING VALLEY FARMS SEC 7 PB 15 PG 20

BUILDING INFORMATION

Bid Num	Bid Type	Year Bt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bid Value	Est. Cost New
1	SINGLE FAMILY	1969	9	2,745	4,052	2,745	CB/STUCCO FINISH	\$322,337	\$399,179
	Appendage / Sqft		OPEN PORCH FINISHED / 738						
	Appendage / Sqft		OPEN PORCH FINISHED / 12						
	Appendage / Sqft		GARAGE FINISHED / 557						

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 Bt	Units	EXFT Value	Est. Cost New
FIREPLACE	1969	1	\$800	\$2,000
POOL GUNITE	1969	648	\$5,184	\$12,960
SCREEN ENCLOSURE	1969	2,180	\$1,744	\$4,360
PEBBLE DECK	1969	552	\$883	\$2,208
BBQ GRILL	1969	1	\$200	\$500

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 46 BLK E SPRING VALLEY FARMS SEC 7 PB 15 PG 20

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

FINDINGS OF FACT

Property Owner: David D & Rebecca C Scott
902 Spring Valley Rd
Altamonte Springs Fl 32714

Project Name: Spring Valley Rd (902)

Requested Development Approval:

Request for a side yard setback variance from 10 feet to 6 feet for a replacement screen enclosure in R-1AAA (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: Denny Gibbs, Senior 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 enclosure 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: