

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

SUBJECT: 1554 Antoinette Court – Robert Hays, applicant; Request for a rear yard setback variance from 30 feet to 21 feet for a proposed screen room in R-1AAA (Single Family Dwelling) district.

DEPARTMENT: Planning & Development DIVISION: Planning

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

Agenda Date 4/28/08 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a rear yard setback variance from 30 feet to 21 feet for a proposed screen room in R-1AAA (Single Family Dwelling) district; or
2. **Approve** the request for a rear yard setback variance from 30 feet to 21 feet for a proposed screen room in R-1AAA (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Robert Hays Location: 1554 Antoinette Court Zoning: R-1AAA (Single Family Dwelling) district Subdivision: Layfayette Forest
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a covered screen room that will encroach 9 feet into the required 30-foot rear yard setback.</li> <li>• The screen room will be constructed off a pool house addition that is under construction.</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>

Reviewed by:  
Co Atty: \_\_\_\_\_  
Pln Mgr: \_\_\_\_\_

<b>STAFF FINDINGS</b>	<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"><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, structures or building in the same zoning district.</li><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 that all six criteria under the Land Development Code for granting a variance have been satisfied. 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 covered screen room 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
- Applicant Authorization Form
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents
  
- Proposed Development Order

# PLAT OF SURVEY

## DESCRIPTION

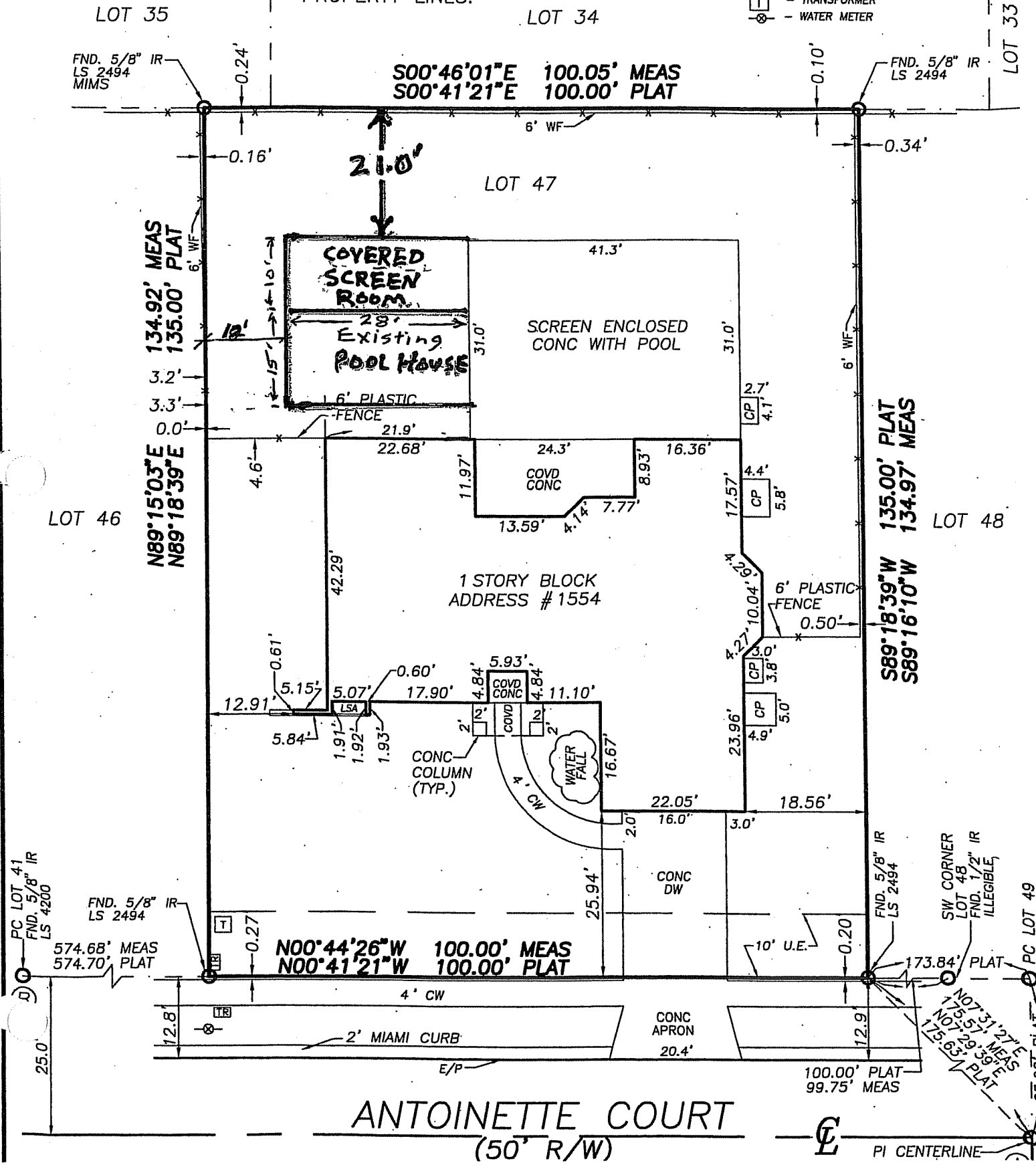
LOT 47, LAFAYETTE FOREST, AS RECORDED IN PLAT BOOK 33, PAGES 42 AND 43, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



NOTE: FENCES ARE EXAGGERATED TO SHOW RELATIONSHIP WITH THE PROPERTY LINES.

### SYMBOLS LEGEND

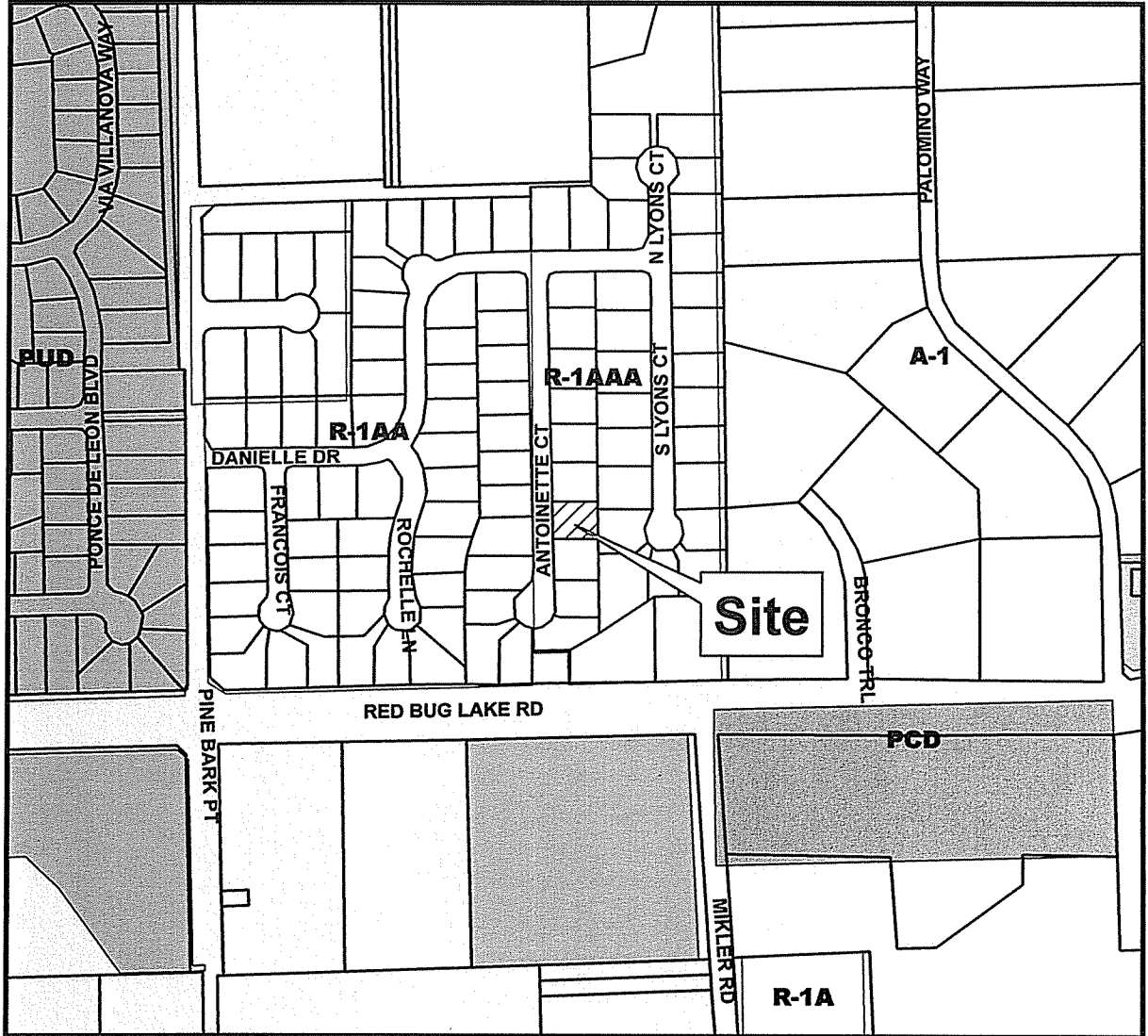
- TR - TELEPHONE RISER
- T - TRANSFORMER
- ⊗ - WATER METER



ANTOINETTE COURT  
(50' R/W)

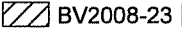
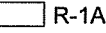
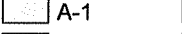

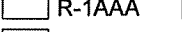

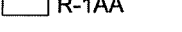
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Gretchen & Robert Hays  
 1554 Antoinette Court  
 Oviedo, Florida 32765

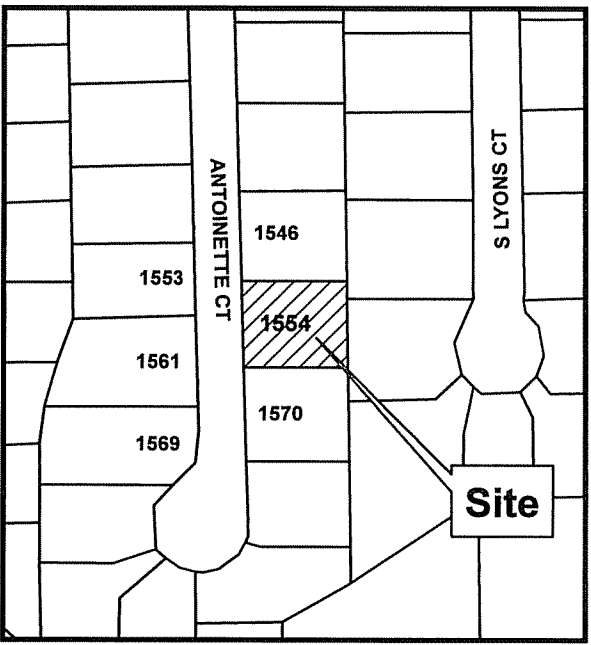


**Seminole County Board of Adjustment**  
 April 28, 2008  
 Case: BV2008-23 (Map 3211, Grid E2)  
 Parcel No: 19-21-31-507-0000-0470


**Zoning**

 BV2008-23	 R-1A
 A-1	 PUD
 R-1AAA	 PCD
 R-1AA	

N  




<b>PARCEL DETAIL</b>  DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508	67	58	ANTOINETTE CT STYONS CT	45	38	28
	68	57		46	35	29
	69	56		47	34	30
	70	55		48	33	31
	71	54		49	32	
		53				



**GENERAL**

Parcel Id: 19-21-31-507-0000-0470  
 Owner: HAYS ROBERT T JR & GRETCHEN B  
 Mailing Address: 1554 ANTOINETTE CT  
 City,State,ZipCode: OVIEDO FL 32765  
 Property Address: 1554 ANTOINETTE CT OVIEDO 32765  
 Subdivision Name: LAFAYETTE FOREST  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions: 00-HOMESTEAD (1994)  
 Dor: 01-SINGLE FAMILY

**2008 WORKING VALUE SUMMARY**  
 Amendment 1 impact not reflected.

Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	\$239,912
Depreciated EXFT Value:	\$9,422
Land Value (Market):	\$60,000
Land Value Ag:	\$0
Just/Market Value:	\$309,334
Assessed Value (SOH):	\$173,609
Exempt Value:	\$25,000
Taxable Value:	\$148,609

[Tax Estimator](#)  
[Portability Calculator](#)

**SALES**

Deed	Date	Book Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	07/1987	01867 0526	\$148,000	Improved	Yes
WARRANTY DEED	03/1987	01824 1116	\$30,300	Vacant	Yes

[Find Comparable Sales within this Subdivision](#)

**2007 VALUE SUMMARY**

Tax Amount(without SOH):	\$4,400
2007 Tax Bill Amount:	\$2,120
Save Our Homes (SOH) Savings:	\$2,280
2007 Taxable Value:	\$143,552

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	60,000.00	\$60,000

**LEGAL DESCRIPTION**

PLATS:

LEG LOT 47 LAFAYETTE FOREST PB 33 PGS 42 & 43

**BUILDING INFORMATION**

Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1987	11	2,303	3,152	2,303	CB/STUCCO FINISH	\$239,912	\$260,774
<b>Appendage / Sqft</b>		OPEN PORCH FINISHED / 261							
<b>Appendage / Sqft</b>		OPEN PORCH FINISHED / 60							
<b>Appendage / Sqft</b>		GARAGE FINISHED / 528							

**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 Bld	Units	EXFT Value	Est. Cost New
FIREPLACE	1987	1	\$950	\$2,000
POOL GUNITE	1987	512	\$4,864	\$10,240
COOL DECK PATIO	1987	759	\$1,262	\$2,657
SCREEN ENCLOSURE	1987	2,383	\$1,906	\$4,766
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.

SEMINOLE COUNTY  
**APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

Please provide the information as requested below in accordance with Ordinance No. 07-23:

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: Robert T. Hays  
Address: 1554 Antoinette Ct  
City/Zip: Oviedo 32765  
Phone #: 407 366 1812

Name: Gretchen B. Hays  
Address: 1554 Antoinette Ct.  
City/Zip: Oviedo 32765  
Phone #: 407 366 1812

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
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.

Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
Address: \_\_\_\_\_

Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
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.

Name of Trust: \_\_\_\_\_  
Trustees: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

Beneficiaries: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

(Use additional sheets for more space.)

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.

Name of Partnership: \_\_\_\_\_ Name of Partnership: \_\_\_\_\_  
Principal: \_\_\_\_\_ Principal: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_ City/Zip: \_\_\_\_\_  
(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.

Contract Vendee: \_\_\_\_\_ Contract Vendee: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_ City/Zip: \_\_\_\_\_  
(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 rezoning, 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.

2/22/2008  
Date

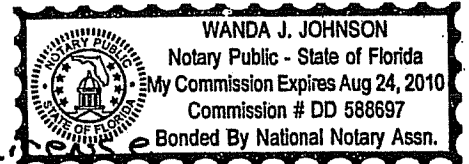
Robert J. Hays  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 22 day of Feb, 2008 by Robert T Hays Jr

Wanda J. Johnson  
Signature of Notary Public

Wanda J. Johnson  
Print, Type or Stamp Name of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification FL Drivers License  
Type of Identification Produced FDL H200778481800

**For Use by Planning & Development Staff**  
Date: \_\_\_\_\_ Application Number: \_\_\_\_\_



Seminole County Planning Division  
1101 East First Street  
Sanford, FL 32771

Re: Variance Application (# BV 2008-23)

Our neighbors, Robert (Bob) and Gretchen Hays, of 1554 Antoinette Court have requested a Rear Yard setback variance to add a covered screen room to their existing, non-covered screen enclosure.

We the undersigned do not object to this variance.

Rear yard neighbor:

Laura Haddock  
1579 S. Lyons Court  
Oviedo, FL 32765

Signature Laura Haddock Date 2/24/08

Side yard neighbor:

Ted Liocè  
1546 Antoinette Ct.  
Oviedo, FL 32765

Signature Ted Liocè Date 2/23/08



# LAFAYETTE FOREST

H O M E O W N E R S   A S S O C I A T I O N

December 14, 2007

Bob and Gretchen Hays  
1554 Antoinette Court  
Oviedo, FL 32765

Dear Bob and Gretchen:

Thank you for submitting the plans for your addition. The Board has approved the addition pending meeting all the county guidelines and obtaining proper permits.

If you have questions, please contact any member of the Board or use the address/email address at the bottom of the letter.

Sincerely,

Sharon K. Keeran  
Architecture Committee Member  
Lafayette Forest Homeowners Association

P.O. Box 620271  
Oviedo, FL 32762-0271  
Email: LFHOA@Yahoo.com

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 47 LAFAYETTE FOREST PB 33 PGS 42 & 43

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

### FINDINGS OF FACT

**Property Owner:** ROBERT T JR & GRETCHEN B HAYS  
1554 ANTOINETTE CT  
OVIEDO FL 32765

**Project Name:** Antoinette Court (1554)

**Requested Development Approval:**

Request for a rear yard setback variance from 30 feet to 21 feet for a proposed screen room in R-1AAA (Single Family Dwelling) district.

All six criteria for granting a variance under the Land Development Code have been satisfied.

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:

- a. 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: \_\_\_\_\_  
Alison C. Stettner  
Planning Manager

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 \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On April 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 47 LAFAYETTE FOREST PB 33 PGS 42 & 43

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

### FINDINGS OF FACT

**Property Owner:** ROBERT T JR & GRETCHEN B HAYS  
1554 ANTOINETTE CT  
OVIEDO FL 32765

**Project Name:** Antoinette Court (1554)

**Requested Development Approval:**

Request for a rear yard setback variance from 30 feet to 21 feet for a proposed screen room in R-1AAA (Single Family Dwelling) district.

The Development Approval was sought to construct a screen room within the rear yard setback. One or more of the six criteria under the Land Development Code for granting a variance have not been satisfied. The applicant still retains reasonable use of the property without the granting of the requested variance.

### ORDER

The requested development approval is hereby denied.

Prepared by: Denny Gibbs, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Alison C. Stettner  
Planning Manager

**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 \_\_\_\_\_, 2008.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:



# PLAT OF SURVEY

## DESCRIPTION

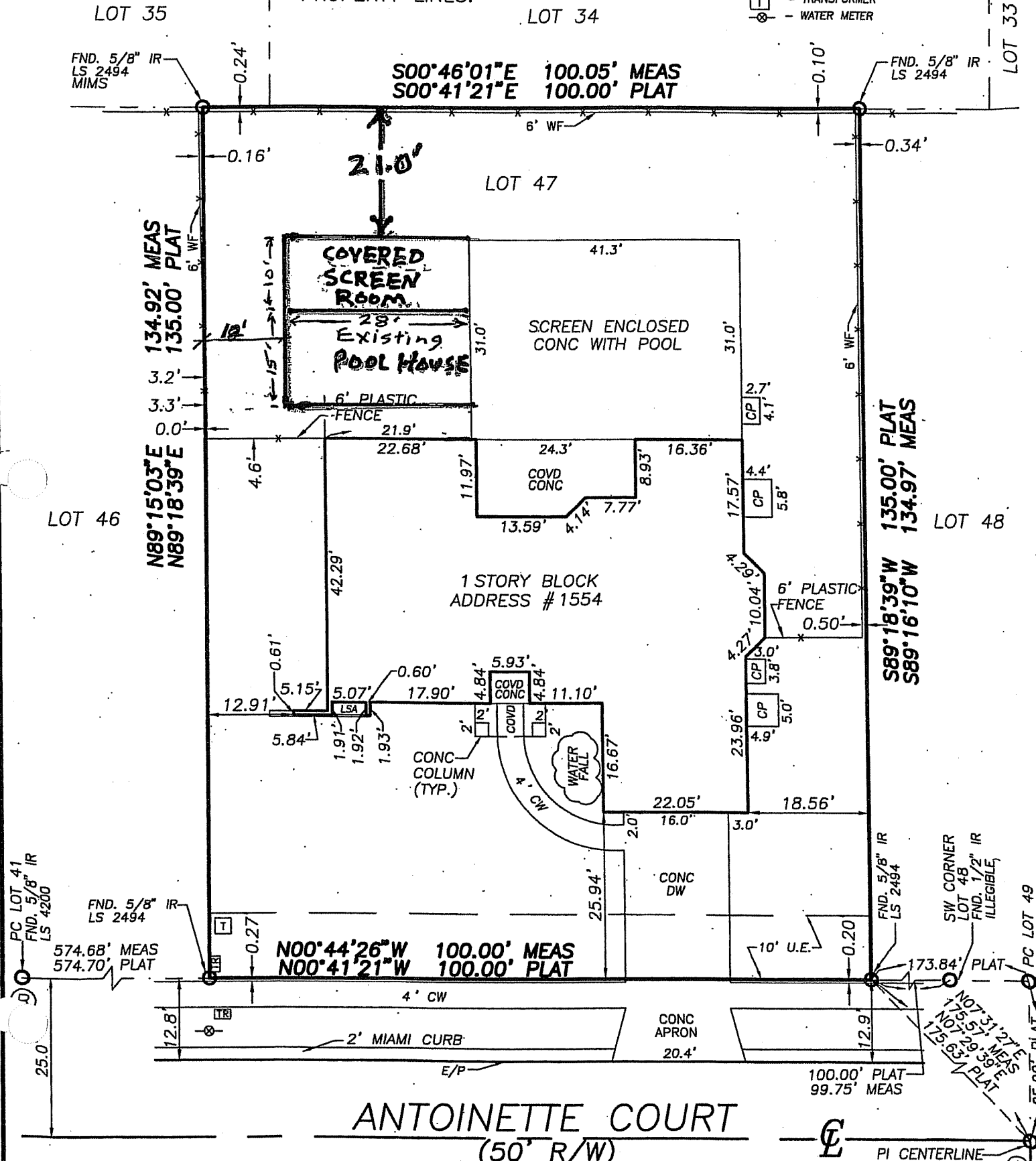
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### SYMBOLS LEGEND

- TR - TELEPHONE RISER
- T - TRANSFORMER
- ⊗ - WATER METER



ANTOINETTE COURT  
(50' R/W)

PI CENTERLINE