

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 334 Lakebreeze Cir – Melissa Harbin, applicant; Request for a rear yard setback variance from 15 feet to 5 feet for a proposed screen room in PUD (Planned Unit Development).

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

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

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

MOTION/RECOMMENDATION:

1. **Deny** the request for a rear yard setback variance from 15 feet to 5 feet for a proposed screen room in PUD (Planned Unit Development); or
2. **Approve** the request for a rear yard setback variance from 15 feet to 5 feet for a proposed screen room in PUD (Planned Unit Development); or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Melissa Harbin Location: 334 Lakebreeze Cir Zoning: PUD (Planned Unit Development) Subdivision: Lakeview Village
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 12-foot by 20-foot screen room that would encroach 10 feet into the required 15-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	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <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,

Reviewed by: _____
Co Atty: _____
Pln Mgr: _____

	<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.• 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 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">• Any variance granted shall apply only to the 12-foot by 20-foot screen room 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
- Applicant Authorization Form
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents

- Proposed Development Order



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: Melissa HARRIN
Address: 334 LAKE Breeze Circle City: Lake Mary Zip code: 32746
Project Address: same City: _____ Zip code: _____
Contact number(s): 407-687-7531
Email address: m.harrin-225@hotmail.com

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:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Covered screen room	Please describe: <u>12x20</u>
<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.	

RECEIVED MAR 10 2008

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>15ft.</u>	Proposed setback: <u>5ft.</u>
<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: [Signature]

FOR OFFICE USE ONLY

Date Submitted: 3-10-09 Reviewed By: P. Johnson
 Tax parcel number: 17-20-30-505-0000-0090 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!

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.

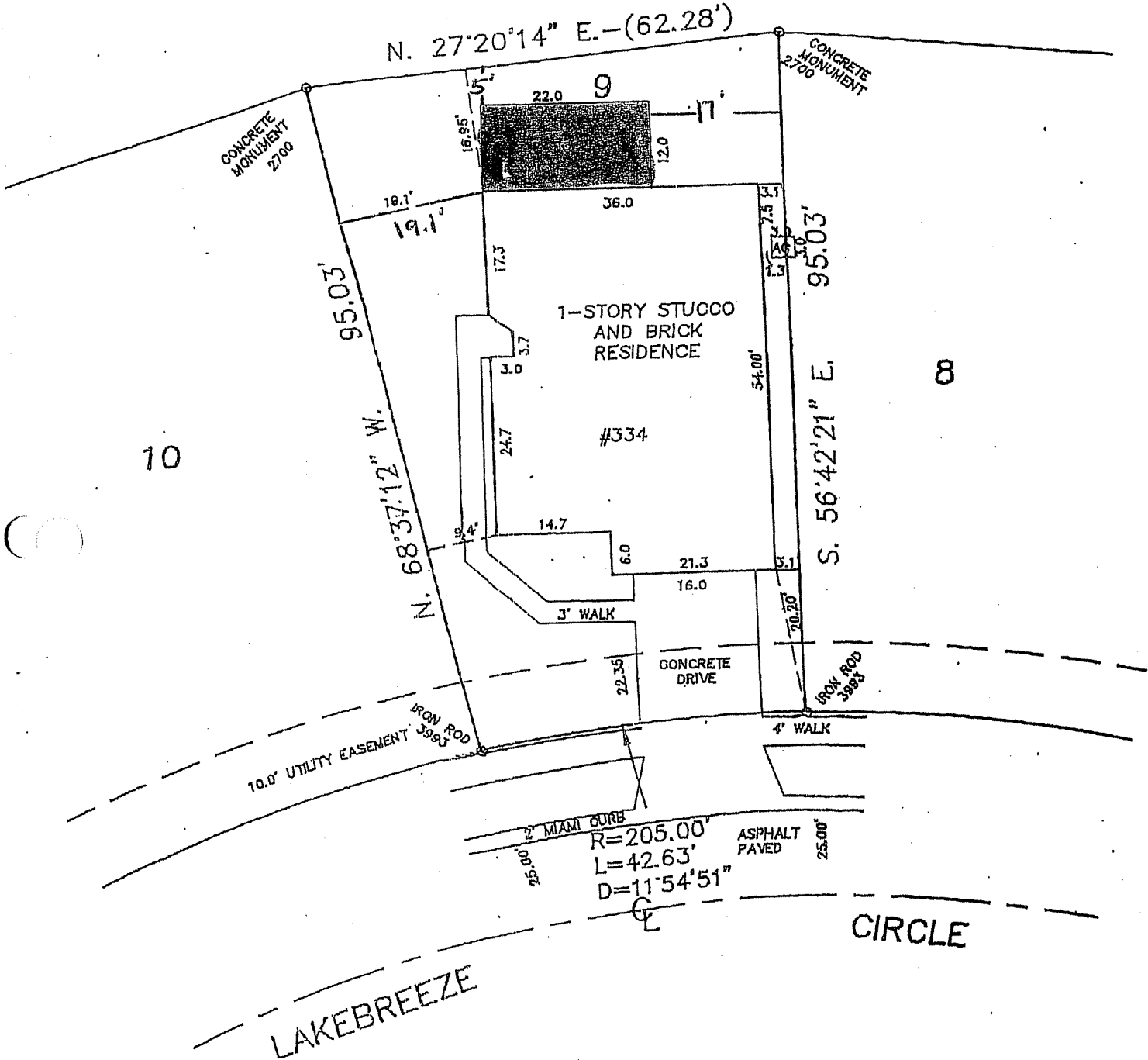
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if 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.
	<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 <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.

BOUNDARY SURVEY

ORDER No. 88028-009

REVISIONS

NOT PLATTED



LEGAL DESCRIPTION: LOT 9, LAKEVIEW VILLAGE, PLAT BOOK 38, PAGES 86-89, SEMINOLE COUNTY, FLORIDA.

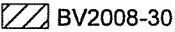

CERTIFIED TO:

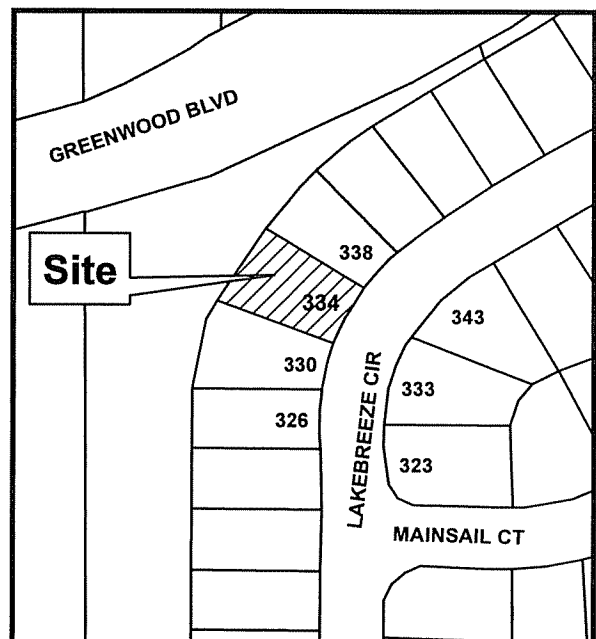

Melissa Harbin
334 Lakebreeze Circle
Lake Mary, Florida 32746



Seminole County Board of Adjustment
April 28, 2008
Case: BV2008-30 (Map 3103, Grid D3)
Parcel No: 17-20-30-505-0000-0090

Zoning

-  BV2008-30
-  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: 17-20-30-505-0000-0090
Owner: HARBIN MELISSA A
Mailing Address: 334 LAKEBREEZE CIR
City,State,ZipCode: LAKE MARY FL 32746
Property Address: 334 LAKEBREEZE CIR LAKE MARY 32746
Subdivision Name: LAKEVIEW VILLAGE
Tax District: 01-COUNTY-TX DIST 1
Exemptions: 00-HOMESTEAD (2001)
Dor: 01-SINGLE FAMILY

2008 WORKING VALUE SUMMARY

Amendment 1 impact not reflected.

Value Method: Market
Number of Buildings: 1
Depreciated Bldg Value: \$152,325
Depreciated EXFT Value: \$825
Land Value (Market): \$37,000
Land Value Ag: \$0
Just/Market Value: \$190,150
Assessed Value (SOH): \$107,717
Exempt Value: \$25,000
Taxable Value: \$82,717

Tax Estimator
Portability Calculator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
CORRECTIVE DEED	05/2001	04078	0060	\$100	Improved	No
WARRANTY DEED	07/2000	03910	0900	\$103,500	Improved	Yes
WARRANTY DEED	12/1990	02252	1735	\$88,000	Improved	Yes
WARRANTY DEED	08/1989	02093	1988	\$1,392,000	Vacant	No

Find Comparable Sales within this Subdivision

2007 VALUE SUMMARY

Tax Amount(without SOH): \$2,562
2007 Tax Bill Amount: \$1,175
Save Our Homes (SOH) Savings: \$1,387
2007 Taxable Value: \$79,580

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	37,000.00	\$37,000

LEGAL DESCRIPTION

PLATS: Pick...

LEG LOT 9 LAKEVIEW VILLAGE PB 38 PGS 86 TO 89

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	1990	7	1,379	1,854	1,379	CB/STUCCO FINISH	\$152,325	\$162,914

Appendage / Sqft OPEN PORCH FINISHED / 13
Appendage / Sqft GARAGE FINISHED / 462

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	1990	1	\$825	\$1,500

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 #:

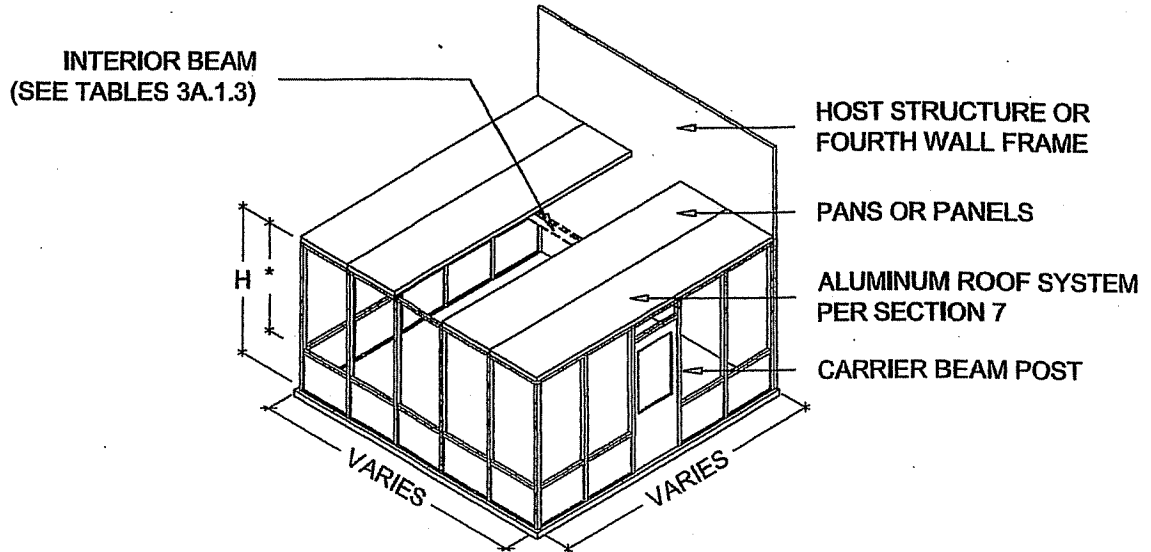
GUI ZONED: PUD SEC: 17 TWP: 20 RNG: 30
 PROJ. #

DEVELOPMENT: Lakeview Village		DEVELOPER: Del American Properties	
LOCATION: S side of Greenwood Boulevard and Lake Way Road, Tract J1		158 lots	
FILE#:	BA:	SP:	BCC: 2/24/87
P&Z:			
PB	38	PG	86-89
	Lot		Blk
		Parcel	
		DBA	
			Comm Dist
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS: Lake Emma Road – 5' wide.		SETBACK REQUIREMENTS	
		FY: 20'	SY: *0'
		SIDE ST.:	RY: 15'
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER: *7' Min between structures Max. Height: 35' Min. House size: 650 sq. ft.	
COMMENTS OTHER: 1) Must meet all of the requirements of the developer's agreement.		ACCESSORY STRUCTURE SETBACKS:	
		SY:	RY: 5'
		same as main structure	
		ACCESSORY STRUCTURE OTHER: Note: Fireplaces and sidewalks may encroach setbacks a maximum of 30".	

IMPACT FEES	
SCREEN:	Ordinance
TRAFFIC ZONE:	12
LAND USE:	1
1. ROAD-CO. WIDE	V-\$250.00
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	V-\$10.00
5. PARK	
6. SCHOOL	V-\$300.00
7. LAW	
8. DRAINAGE	
TOTAL	\$560.00
REMARKS: Write "Greenwood Lakes/Lake Mary Boulevard" at the top of the application.	

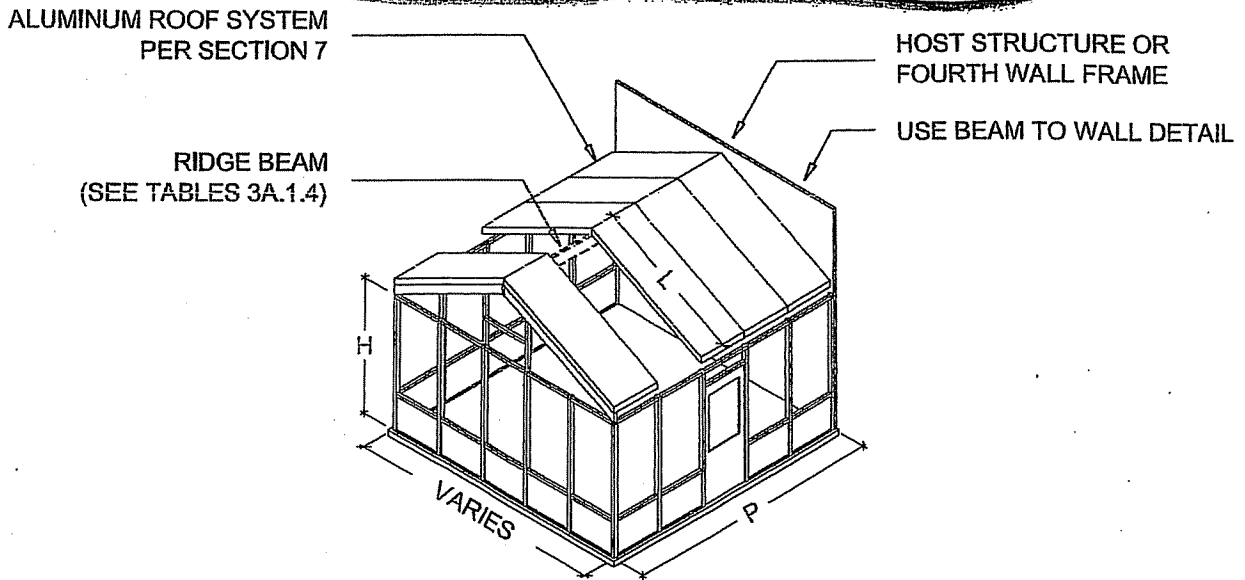
COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



TYPICAL SLOPED SOLID ROOF ENCLOSURE

SCALE: N.T.S.



TYPICAL GABLE SOLID ROOF ENCLOSURE

SCALE: N.T.S.

Lawrence E. Bennett, P.E. FL # 16644

CIVIL & STRUCTURAL ENGINEERING

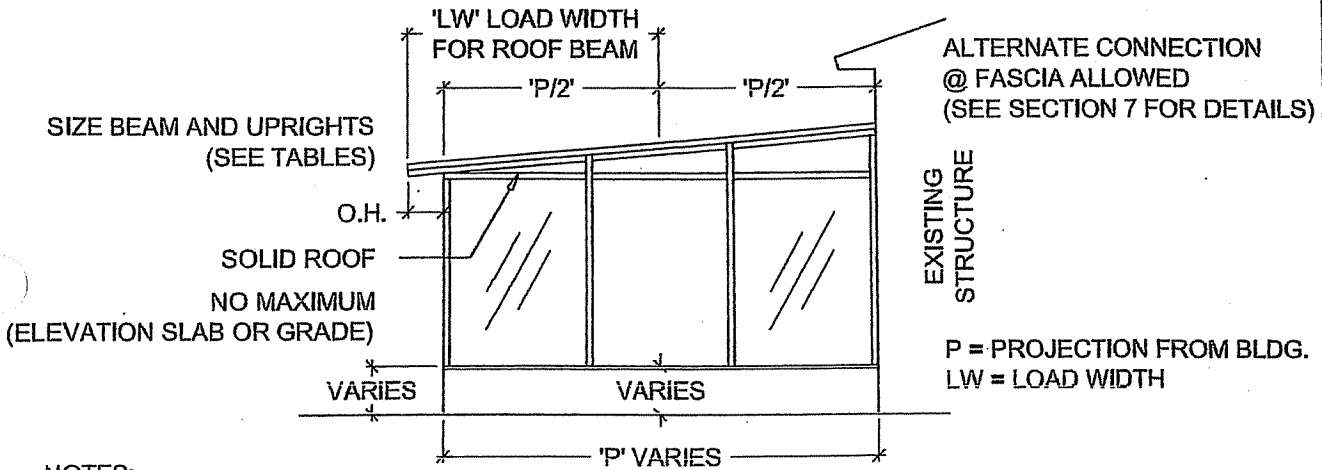
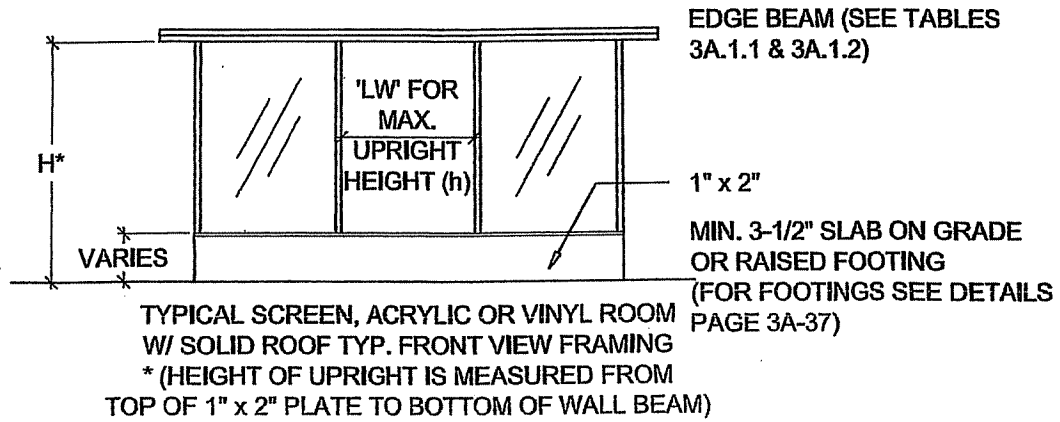
P.O. Box 214368, South Daytona, FL 32121

Telephone #: (386) 767-4774 Fax #: (386) 767-6556

Email: labpe@bellsouth.net

SECTION 3A

SCREEN, ACRYLIC & VINYL ROOMS



NOTES:

1. ANCHOR 1" x 2" OPEN BACK EXTRUSION W/ 1/4" x 2-1/4" CONCRETE FASTENER MAX. OF 2'-0" O.C. AND W/ IN 6" EACH SIDE OF UPRIGHT ANCHOR 1" x 2" TO WOOD WALL W/ #10 x 2-1/2" S.M.S. W/ WASHERS OR #10 x 2-1/2" WASHER HEADED SCREW 2'-0" O.C.. ANCHOR BEAM AND COLUMN INTERNALLY OR W/ ANCHOR CLIPS AND (2) #8 SCREWS W/ WASHERS @ EACH POINT OF CONNECTION.
2. SELECT FRONT WALL BEAM FROM TABLE USING LARGER LOAD WIDTH VALUE OF P/2 OR P/2 + O.H.
3. SELECT SCREEN ROOM FORTH WALL BEAM FROM TABLES 3A.1.3
4. ANCHORS BASED ON 123 MPH WIND VELOCITY. FOR HIGHER WIND ZONES USE THE FOLLOWING CONVERSION:

100 -123	130	140	150
#8	#10	#12	#12

TYPICAL SCREEN ROOM
SCALE: 3/16" = 1'-0"

Lawrence E. Bennett, P.E. FL # 16644
CIVIL & STRUCTURAL ENGINEERING
 P.O. Box 214368, South Daytona, FL 32121
 Telephone #: (386) 767-4774 Fax #: (386) 767-6556
 Email: lebpe@bellsouth.net

**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: Melissa HARBIN
Address: 334 Lake Breeze Circle
Phone #: 407-687-7531

Name: _____
Address: _____
Phone #: _____

Name: _____
Address: _____
Phone #: _____

Name: _____
Address: _____
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: _____
Directors: _____
Address: _____
Shareholders: _____
Address: _____

Name of Corporation: _____
Officers: _____
Address: _____
Directors: _____
Address: _____
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: _____

Beneficiaries: _____
Address: _____

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT**

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: _____

(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: _____

(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.

2-25-08
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 25 day of February, 2008 by _____

Nelissa Hobin

[Signature]
Signature of Notary Public

Jessie Santiago
Print, Type or Stamp Name of Notary Public

Personally Known _____
Type of Identification Produced OR Produced Identification

NOTARY PUBLIC-STATE OF FLORIDA
Jessie Santiago
Commission # DD448562
Expires: AUG. 13, 2009
Bonded Thru Atlantic Bonding Co., Inc.

For Use by Planning & Development Staff	
Date: _____	Application Number: _____

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:

LOT 9
LAKEVIEW VILLAGE PB 38 PGS 86 TO 89

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

FINDINGS OF FACT

Property Owner: Melissa Harbin
334 Lakebreeze Cir
Lake Mary, FL 32746

Project Name: Lakebreeze Cir (334)

Requested Development Approval:

Request for a rear yard setback variance from 15 feet to 5 feet for a screen room in PUD (Planned Unit Development).

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: 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:
 - a. The variance granted will apply only to the 12-foot by 20-foot 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.

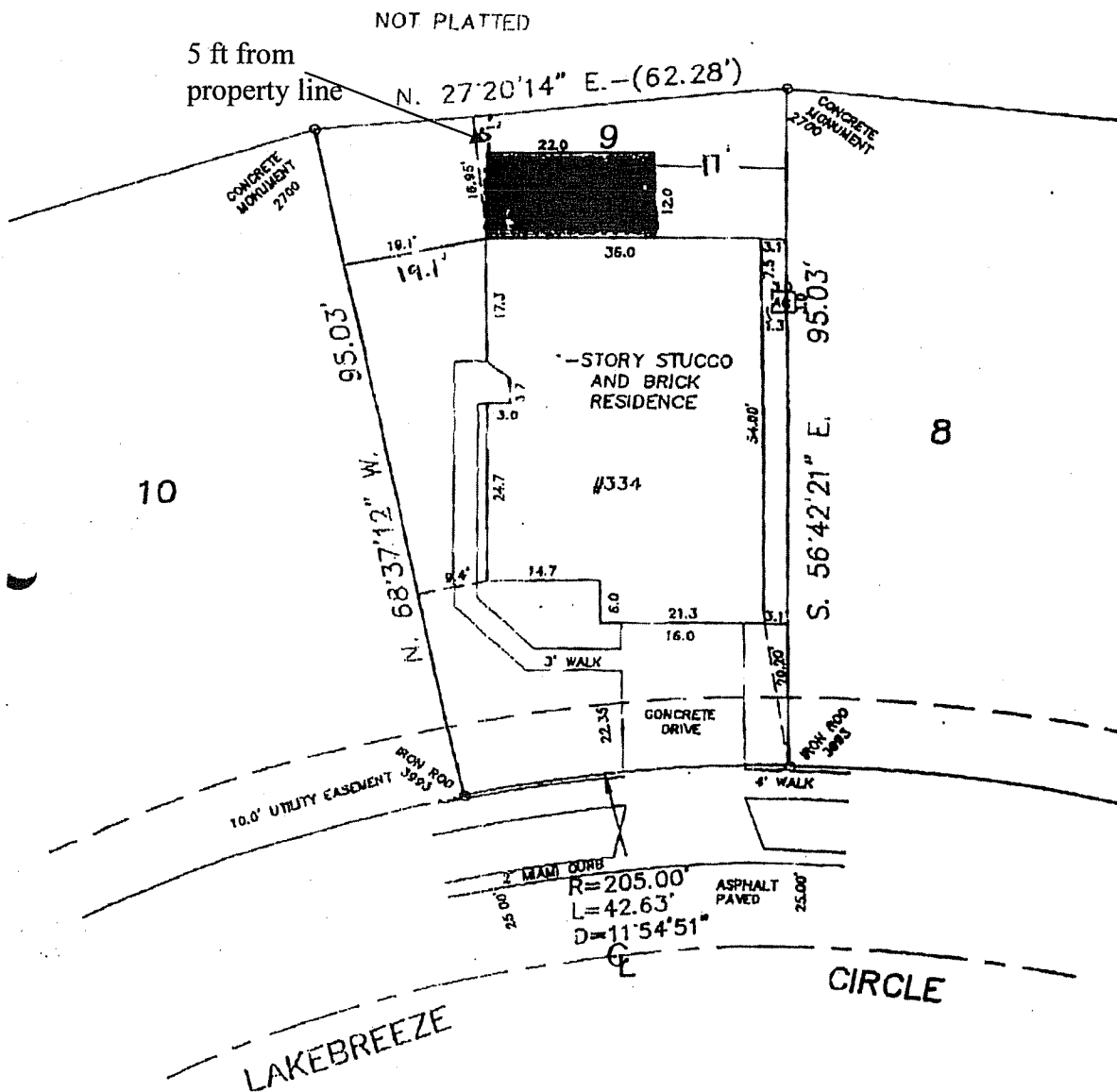
WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

BOUNDARY SURVEY

ORDER No. 88028-009
REVISIONS



LEGAL DESCRIPTION: LOT 9, LAKEVIEW VILLAGE,
 PLAT BOOK 38, PAGES 86-89, SEMINOLE COUNTY, FLORIDA.

CERTIFIED TO:

**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:

LOT 9
LAKEVIEW VILLAGE PB 38 PGS 86 TO 89

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

FINDINGS OF FACT

Property Owner: Melissa Harbin
334 Lakebreeze Cir
Lake Mary, Fl 32746

Project Name: Lakebreeze Cir (334)

Requested Development Approval:

Request for a rear yard setback variance from 15 feet to 5 feet for a screen room in PUD (Planned Unit Development).

The Development Approval was sought to permit a screen room to encroach into 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: Joy Williams, 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

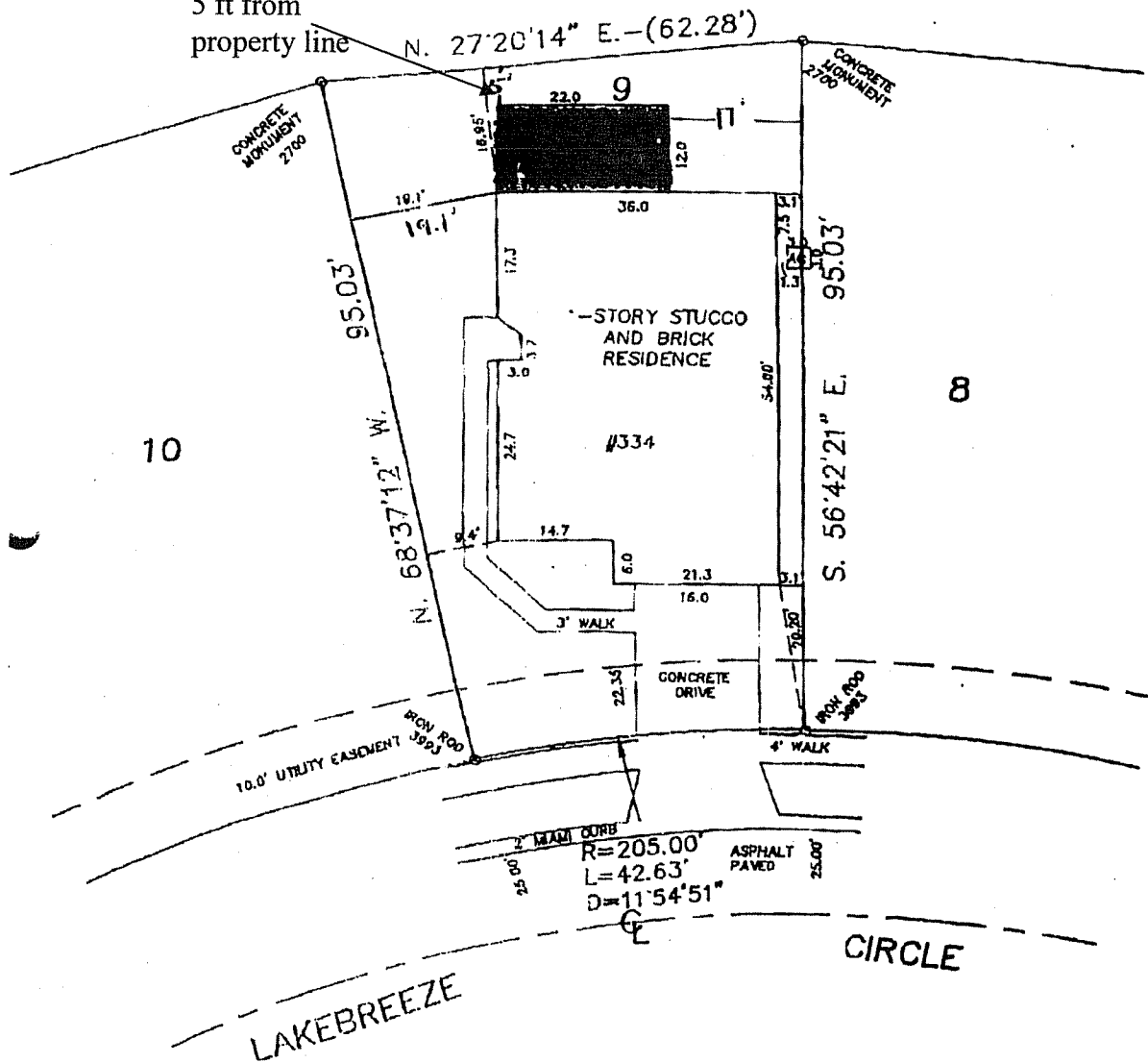
My Commission Expires:

BOUNDARY SURVEY

ORDER No. 88028-009
REVISED

NOT PLATTED

5 ft from
property line



LEGAL DESCRIPTION: LOT 9, LAKEVIEW VILLAGE,
PLAT BOOK 38, PAGES 86-89, SEMINOLE COUNTY, FLORIDA.

CERTIFIED TO: