

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 838 Lewis Place – Jeff Grimm, applicant; Request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room addition in PUD (Planned Unit Development).

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

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

Agenda Date 5/19/08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Deny** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room addition in PUD (Planned Unit Development); or
2. **Approve** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room addition in PUD (Planned Unit Development); or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Jeff Grimm Location: 838 Lewis Place Zoning: PUD (Planned Unit Development) Subdivision: Chelsea Place
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 16-foot by 18-foot screen room that would encroach 10 feet into the required 20-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 16-foot by 18-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

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

Application # BV 2008-35
Meeting Date 5-19-08



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: Jeff Grimm
Address: 838 Lewis Place City: Longwood Zip code: 32750
Project Address: 838 Lewis Place City: Longwood Zip code: 32750
Contact number(s): 407 323-8743
Email address: _____

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

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: RECEIVED MAR 28 2008
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: 16' x 18' screen porch
<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:	Proposed setback:	10ft.
<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>			

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: Jeff Grimm 3-28-08

FOR OFFICE USE ONLY

Date Submitted: 3-28-08 Reviewed By: P. Johnson
 Tax parcel number: 21-20-30-522-0000-0200 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: _____

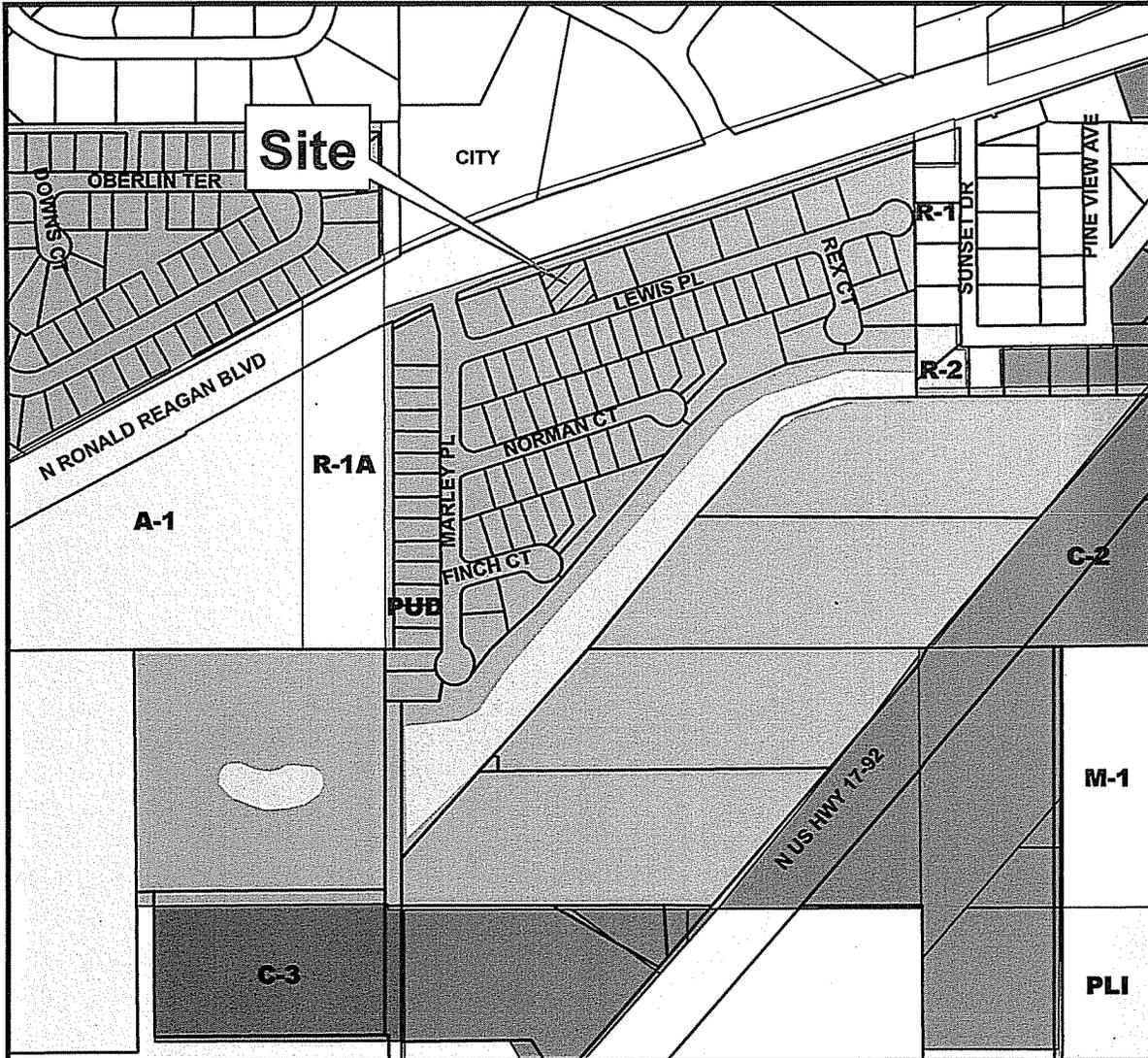
VARIANCE SUBMITTAL CHECKLIST

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). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
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. See the attached site plan 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 (Label existing, label proposed, and include square footage and dimensions of each)
o Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
o Building height
o Setbacks from each building to the property lines
o Location of proposed fence(s)
o 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.

Jeff Grimm
 838 Lewis Place
 Longwood, Florida 32750

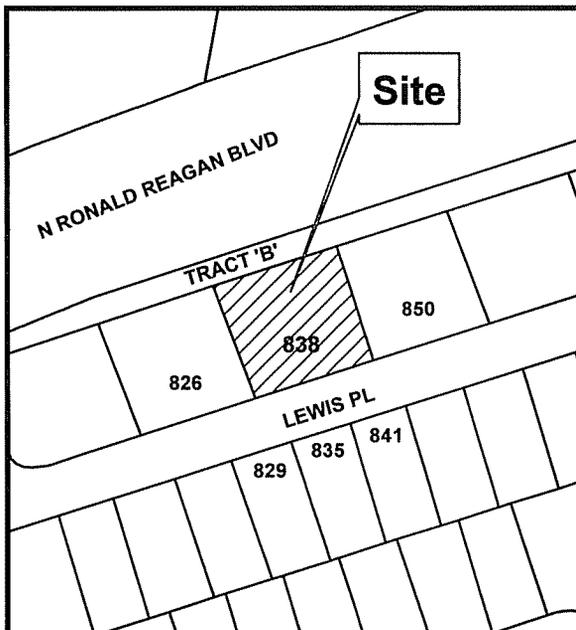


Seminole County Board of Adjustment
 April 28, 2008
 Case: BV2008-35 (Map 3210, Grid C1)
 Parcel No: 15-21-30-5FH-0H00-0050

Zoning

	Bv2008-35		R-2		M-1
	A-1		RP I		PUD
	R-1A		C-2		PLI
	R-1		C-3		

N



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: 21-20-30-522-0000-0200
 Owner: GRIMM JEFFREY P & DONNA L
 Mailing Address: 838 LEWIS PL
 City,State,ZipCode: LONGWOOD FL 32750
 Property Address: 838 LEWIS PL LONGWOOD 32750
 Subdivision Name: CHELSEA PLACE
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD (2005)
 Dor: 01-SINGLE FAMILY

2008 WORKING VALUE SUMMARY
 Amendment 1 impact not reflected.

Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	\$216,036
Depreciated EXFT Value:	\$0
Land Value (Market):	\$40,000
Land Value Ag:	\$0
Just/Market Value:	\$256,036
Assessed Value (SOH):	\$197,742
Exempt Value:	\$25,000
Taxable Value:	\$172,742

Tax Estimator
Portability Calculator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	07/2004	05415	1179	\$204,000	Improved	Yes
WARRANTY DEED	02/1997	03202	0338	\$131,700	Improved	Yes
WARRANTY DEED	08/1996	03118	1194	\$228,000	Vacant	No

Find Comparable Sales within this Subdivision.

2007 VALUE SUMMARY

Tax Amount(without SOH):	\$3,653
2007 Tax Bill Amount:	\$2,466
<u>Save Our Homes (SOH) Savings:</u>	<u>\$1,187</u>
2007 Taxable Value:	\$166,983

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	40,000.00	\$40,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 20 CHELSEA PLACE PB 47 PGS 75 & 76

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
Building Sketch	1 SINGLE FAMILY	1997	8	2,120	2,657	2,120	CB/STUCCO FINISH	\$216,036	\$225,625
Appendage / Sqft		OPEN PORCH FINISHED / 77							
Appendage / Sqft		OPEN PORCH FINISHED / 40							
Appendage / Sqft		GARAGE FINISHED / 420							

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

Permits:

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: 21, 28 TWP: 20 RNG: 30
PROJ. #

DEVELOPMENT:		Chelsea Place (Forest Green)			DEVELOPER:		Bovis Brunning Homes					
LOCATION:		S side of CR 427, W of Hwy 17-92			83 lots							
FILE#:		BA:		SP:		BCC:						
P&Z:												
PB	47	PG	75, 76	Lot		Blk		Parcel		DBA		Comm Dist
DEVEL. ORDER #:		88-22-78			TAX PAR. I.D. #:							
SIDEWALKS: 5' wide on CR 427, 4' wide on both sides of interior roads.					SETBACK REQUIREMENTS							
ROAD TYPE: (CURB & GUTTER OR SWALE)					FY:		SIDE ST.:		SY:		RY:	
					MAIN STRUCTURE OTHER: Lots 17-27: comply with R-1AA Dwelling Size SFR 700 sq. ft. All other lots: Comply with R1BB* except side yard that can be 0' with a minimum of 10' separation between buildings. *Rear Yard: 20' for lots 18-27 (Add. #1)							
COMMENTS OTHER: Not flood prone.					ACCESSORY STRUCTURE SETBACKS:							
					SY:		Same as main structure		RY:		10'	
					ACCESSORY STRUCTURE OTHER:							

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	150
LAND USE:	
1. ROAD-CO. WIDE	Ord
2. ROAD-COLL.	Ord
3. LIBRARY	Ord
4. FIRE	Ord
5. PARK	
6. SCHOOL	Ord
7. LAW	
8. DRAINAGE	
TOTAL	\$2,881.00
REMARKS: curb and gutter; sidewalks	

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: Jeff GYMM
Address: 838 Lewis Place
City/Zip: Longwood FL 32750
Phone #: 407 323-8743

Name: _____
Address: _____
City/Zip: _____
Phone #: _____

Name: Donna Grimm
Address: 838 Lewis Place
City/Zip: Longwood FL 32750
Phone #: 407 323-8743

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 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.

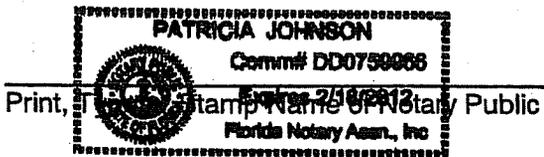
3-28-08
Date


Owner Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 28th day of MARCH, 2008 by Jeffrey Grimm

Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification ✓
Type of Identification Produced 650-435-60-286-D

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

**SEMINOLE COUNTY DENIAL DEVELOPMENT
ORDER**

On May 19, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 20
CHELSEA PLACE PB 47 PGS 75 & 76

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

FINDINGS OF FACT

Property Owner: Jeffrey & Donna Grimm
838 Lewis Pl
Longwood, Fl 32750

Project Name: Lewis Place (838)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 10 feet for a 16-foot by 18-foot screen room addition in PUD (Planned Unit Development).

The Development Approval was sought to allow for a screen room to encroach within the required 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.

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:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 19, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 20
CHELSEA PLACE PB 47 PGS 75 & 76

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

FINDINGS OF FACT

Property Owner: Jeffrey & Donna Grimm
838 Lewis Pl
Longwood, Fl 32750

Project Name: Lewis Place (838)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 10 feet for a 16-foot by 18-foot screen room addition 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 16-foot by 18-foot screen room addition 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:

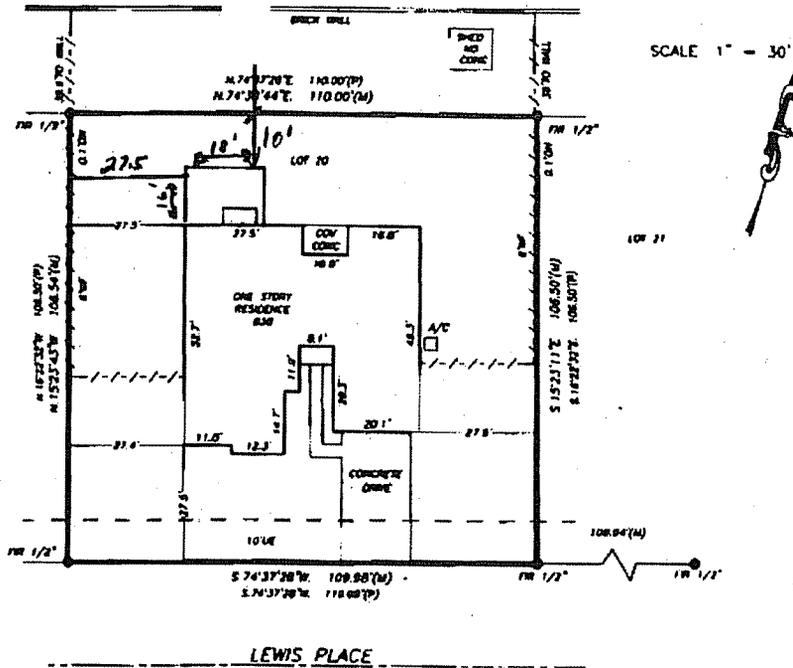
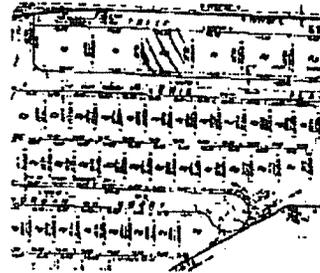
SWERDLOFF & LONG

Legal Description

Lot 20, CHELSEA PLACE OF SEMINOLE COUNTY, according to the plat thereof, as recorded in Plat Book 47, Page(s) 75 and 76, of the Public Records of Seminole County, FL.

Community number: 120289 Parcel: 0130
 Suffix: E.F.I.R.M. Date: 4/17/1995 Flood Zone: X
 Date of field work: 7/14/2004 Completion Date: 7/15/2004

Certified to:
 Jeffrey P. Grimm, Donna L. Grimm, Thoroughbred Title, LLC,
 Chicago Title Insurance Company, Nationwide Advantage Mortgage
 Company, its successors and/or assigns.



Property Address:
 838 Lewis Place
 Longwood, FL 32750

Survey number, SL 37875

LEGEND

W	Wood	100	100' Circle	200	200' Circle
W100	Wood 100'	W200	Wood 200'	N 200	N 200' Circle
100	100' Circle	200	200' Circle	200	200' Circle
R	Right of Way	BR	Boundary Reference	PR	Point of Beginning
SE	Setback	CH	Chimney	PC	Point of Commencement
FL	Flood Zone	RD	Right of Way	PDI	Point of Intersection
ENR	Encroachment	AC	Air Conditioning	PC	Point of Curvature
S	Survey	BM	Bench Mark	PRC	Point of Reference
A	Asymptote	C	Center	PT	Point of Tangency
CM	Center of Mass	W	Wall	R	Radius
TLR	Total Lot Area	D	Drainage	R100	Radius 100'
LFP	Lot Footprint	DR	Drill Hole	S100	Setback 100'
R/W	Right of Way	DW	Drainage	S200	Setback 200'
N&O	Natural Obstruction	EL	Elevation	S300	Setback 300'
DC	Drainage Channel	EL541	Elevation 541'	S400	Setback 400'
UC	Utility Channel	EL	Elevation	S500	Setback 500'
FD	Fence	EL	Elevation	S600	Setback 600'
P	Pipe	EL	Elevation	S700	Setback 700'
SE	Setback	EL	Elevation	S800	Setback 800'
CU	Curved Utility	EL	Elevation	S900	Setback 900'
PP	Power Pole	EL	Elevation	S1000	Setback 1000'
TL	Total	EL	Elevation	S1100	Setback 1100'

GENERAL NOTES

1. This survey was conducted in accordance with the Florida Surveying and Mapping Act, Chapter 461, Florida Statutes, and the rules and regulations of the Board of Professional Regulation, State of Florida.

2. The survey was conducted on the ground and the bearings and distances were measured in feet and inches.

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20. The survey was conducted on the ground and the bearings and distances were measured in feet and inches.