

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: 4274 Shades Crest Lane – Sandra McCready, applicant; Request for a rear yard setback variance from 30 feet to 25 feet for a proposed single story addition in R-1A (Single Family Dwelling) district.

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

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

Agenda Date 7/28/08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Deny** the request for a rear yard setback variance from 30 feet to 25 feet for a proposed single story addition in R-1A (Single Family Dwelling) district; or
2. **Approve** the request for a rear yard setback variance from 30 feet to 25 feet for a proposed single story addition in R-1A (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Sandra McCready Location: 4274 Shades Crest Lane Zoning: R-1A (Single Family Dwelling) district Subdivision: Woodbine
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a single story addition, replacing an existing screened patio, that will encroach 5 feet into the required 30-foot rear yard setback. • The addition is one story and approximately 13 feet x 35 feet (455 ± square feet). • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.

Reviewed by:
 Co Atty: ATC
 Pln Mgr: AS

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 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 single story addition to the rear of the property 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 # BN2008-105
Meeting Date 7-28-08



VARIANCE APPLICATION **COPY**

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: SANDRA McCREADY
Address: 4274 SHADES CREST LANE City: SANFORD Zip code: 32773
Project Address: _____ City: _____ Zip code: _____
Contact number(s): (407) 321-4762 (407) 474-0876 cell
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"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>Bedroom & Family Room</u>
<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:	<u>30 ft.</u>	Proposed setback:	<u>25 ft.</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: Sandra D. McCready

DG7

FOR OFFICE USE ONLY

Date Submitted: 6-6-08 Reviewed By: P. Johnson
Tax parcel number: 13-20-30-507-0000-0120 Zoning/FLU R-1A / 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

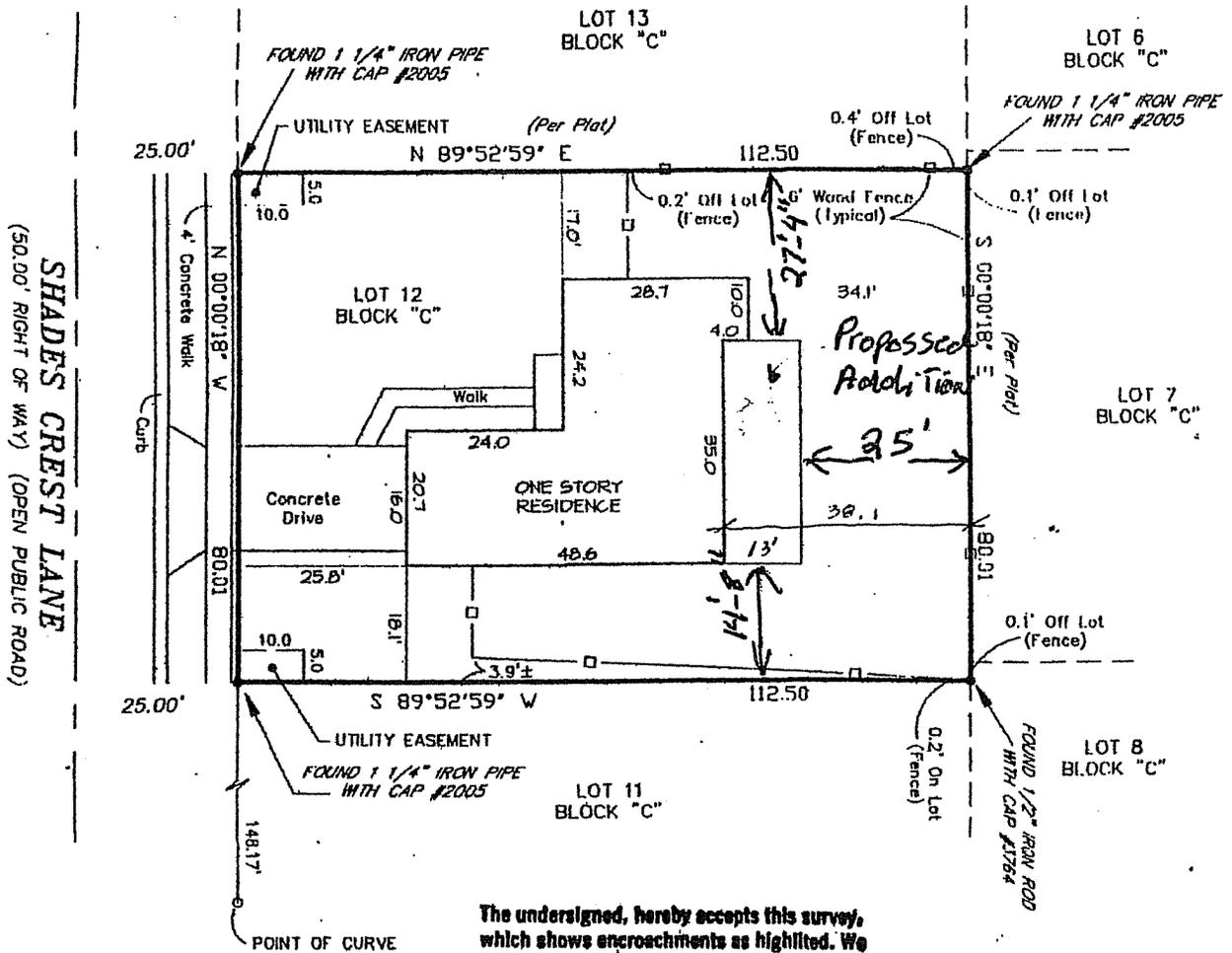
Notes: _____

PLAT OF SURVEY

LAND DESCRIPTION:
 LOT 12, BLOCK "C", WOODBINE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 41, PAGES 22 -23,
 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

ADDRESS: #4274 SHADES CREST LANE

*ONE STORY HOME
 ONE STORY ADDITION
 13' x 35'*



The undersigned, hereby accepts this survey, which shows encroachments as highlighted. We further understand that an exception will be made on our final owner's policy.

Dated _____

Signed by _____

Signed by _____

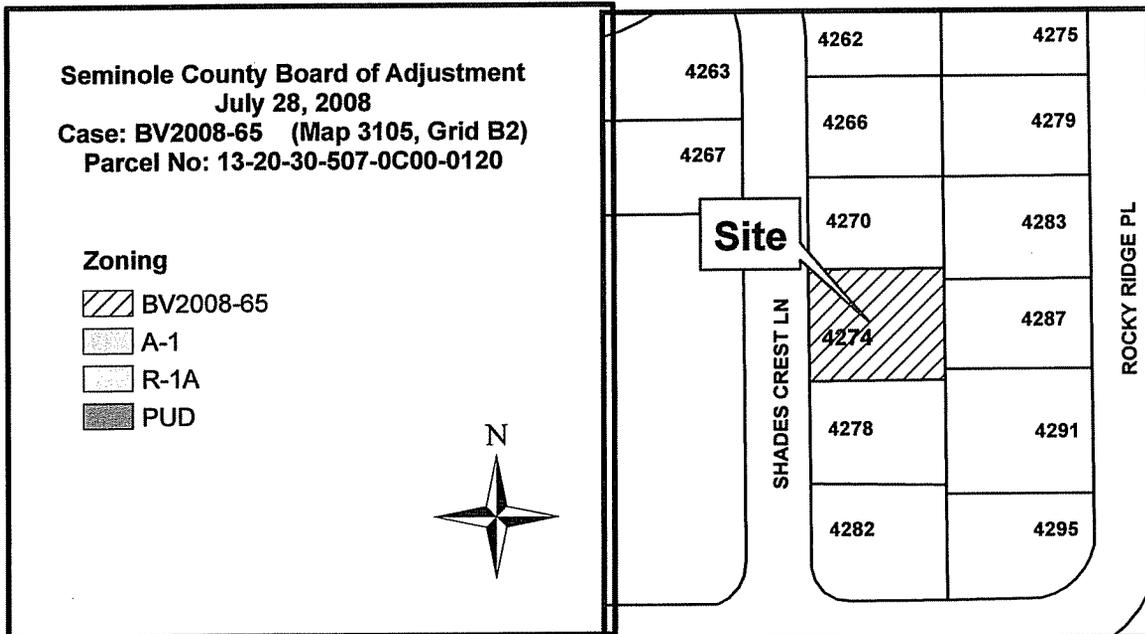
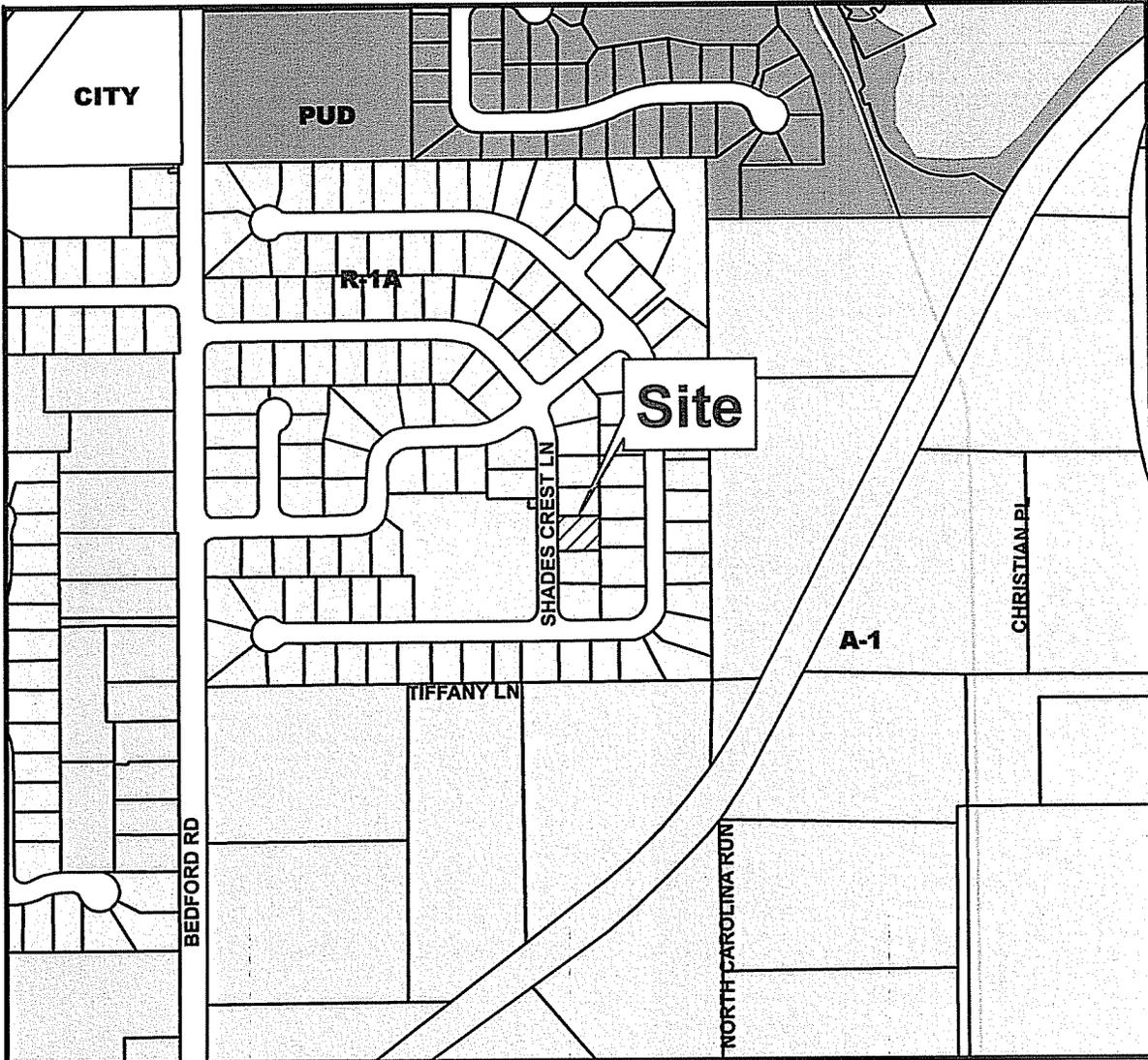
First American Title Company

SURVEYORS NOTES:

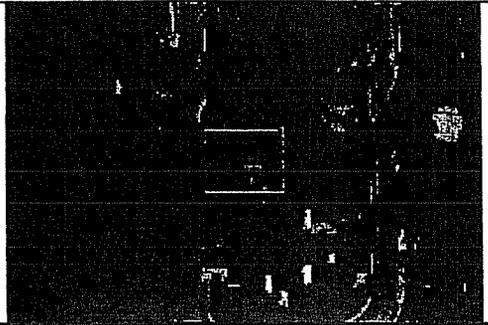
1. Unless it bears the signature and the original raised seal of a Florida Licensed Surveyor and Mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.
2. Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
3. Underground portions of footings, foundations, or other improvements were not located.
4. Bearings are based on Shades Crest Lane as being N 00°00'18" N.
5. I have reviewed the Flood Insurance Rate Map and determined that this property does not lie within the 100 year flood zone.
6. House ties are not to be used to reconstruct property lines.

SCALE: 1" = 30'
 NORTH

Sandra Mc Cready
 4274 Shades Crest Lane
 Sanford, Florida 32773



PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508	78	77	14	5	49
	TRACT 3	78	13	C 6	50
TRACT 1		12	7	51	
		11	8	52	
		10	9	53	



GENERAL

Parcel Id: 13-20-30-507-0C00-0120
 Owner: MC CREADY SANDRA D
 Mailing Address: 4274 SHADES CREST LN
 City,State,ZipCode: SANFORD FL 32773
 Property Address: 4274 SHADES CREST LN SANFORD 32773
 Subdivision Name: WOODBINE
 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: \$124,079
 Depreciated EXFT Value: \$2,562
 Land Value (Market): \$33,000
 Land Value Ag: \$0
Just/Market Value: \$159,641
 Assessed Value (SOH): \$157,045
 Exempt Value: \$25,000
 Taxable Value: \$132,045

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

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
QUIT CLAIM DEED	09/2007	<u>06817</u>	<u>1284</u>	\$39,000	Improved	No
WARRANTY DEED	01/2000	<u>03791</u>	<u>0684</u>	\$91,900	Improved	Yes
WARRANTY DEED	03/1999	<u>03615</u>	<u>1679</u>	\$84,000	Improved	Yes
WARRANTY DEED	05/1995	<u>02919</u>	<u>1005</u>	\$83,300	Improved	Yes
WARRANTY DEED	10/1991	<u>02354</u>	<u>0603</u>	\$83,500	Improved	Yes
WARRANTY DEED	01/1991	<u>02262</u>	<u>0878</u>	\$133,700	Vacant	No

[Find Comparable Sales within this Subdivision](#)

2007 VALUE SUMMARY

Tax Amount(without SOH): \$2,089
2007 Tax Bill Amount: \$1,883
Save Our Homes (SOH) Savings: \$206
2007 Taxable Value: \$127,471
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	33,000.00	\$33,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 12 BLK C WOODBINE PB 41 PGS 22 & 23

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
<u>Building Sketch</u> 1	SINGLE FAMILY	1991	7	1,207	1,717	1,207	SIDING AVG	\$124,079	\$131,999
Appendage / Sqft		GARAGE FINISHED / 462							
Appendage / Sqft		OPEN PORCH FINISHED / 48							

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

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
SCREEN ENCLOSURE	1997	1,180	\$1,496	\$2,360
COOL DECK PATIO	1997	420	\$1,066	\$1,470

NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.

**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: Sandra McCready Name: _____
Address: 4274 Shades Crest Ln., Sanford Address: _____
Phone #: (407) 321-4762 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.

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.

Name of Trust: _____	Beneficiaries: _____
Trustees: _____	Address: _____
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.

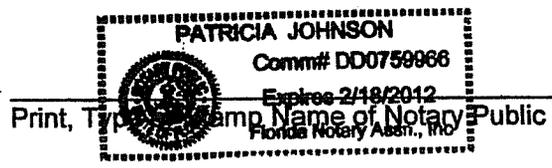
6/6/08
Date

Sandra D. McCready
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 6th day of June, 2008 by Sandra

McCready
Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification
Type of Identification Produced M203-784-60-757-0

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

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

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

LEG LOT 12 BLK C WOODBINE PB 41 PGS 22 & 23

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

FINDINGS OF FACT

Property Owner: Sandra D Mc Cready
4274 Shades Crest Ln
Sanford 32773

Project Name: Shades Crest Lane (4274)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 25 feet for a proposed single story addition in R-1A (Single Family Dwelling) district.

The Development Approval was sought to construct an addition 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.

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:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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

LEG LOT 12 BLK C WOODBINE PB 41 PGS 22 & 23

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

FINDINGS OF FACT

Property Owner: Sandra D McCready
4274 Shades Crest Ln
Sanford 32773

Project Name: Shades Crest Lane (4274)

Requested Development Approval:

Request for a rear yard setback variance from 30 feet to 25 feet for a proposed single story addition in R-1A (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 single story addition to the rear of the property 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:

