

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

SUBJECT: 100 Dahlia Drive – Al Beauchamp, applicant; Request for a side street setback variance from 25 feet to 17-feet-4-inches for a room addition in R-1A (Single Family Dwelling) district.

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

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

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

MOTION/RECOMMENDATION:

1. **Deny** the request for a side street setback variance from 25 feet to 17-feet-4-inches for a room addition in R-1A (Single Family Dwelling) district; or
2. **Approve** the request for a side street setback variance from 25 feet to 17-feet-4-inches for a room addition in R-1A (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Al Beauchamp Location: 100 Dahlia Drive Zoning: R-1A (Single Family Dwelling) Subdivision: Lake Harriet Estates
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant has renovated and expanded an existing covered porch into a family room addition. • The room addition is approximately 15-feet by 20-feet in size and is encroaching 7-feet-8-inches into the required 25-foot side street setback. • In February of 2008, the applicant received a notice of code violation for the un-permitted construction of the addition. • 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:

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

	<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 15-foot by 20-foot room addition 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 2008-71
Meeting Date 7-28-08



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: AL. BEAUCHAMP
Address: 100 DAHLIA DR. City: Altamonte Springs Zip code: 32714
Project Address: SAME AS ABOVE City: _____ Zip code: _____
Contact number(s): 407 579-6202
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: RECEIVED JUN 13 2008
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: Family Room permit # 08-5113
<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 type="checkbox"/> Rear yard setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Side yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Side street setback	Required setback:	Proposed setback:	25 ft. 17 ft. 4 inches
<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: Al Beauchamp

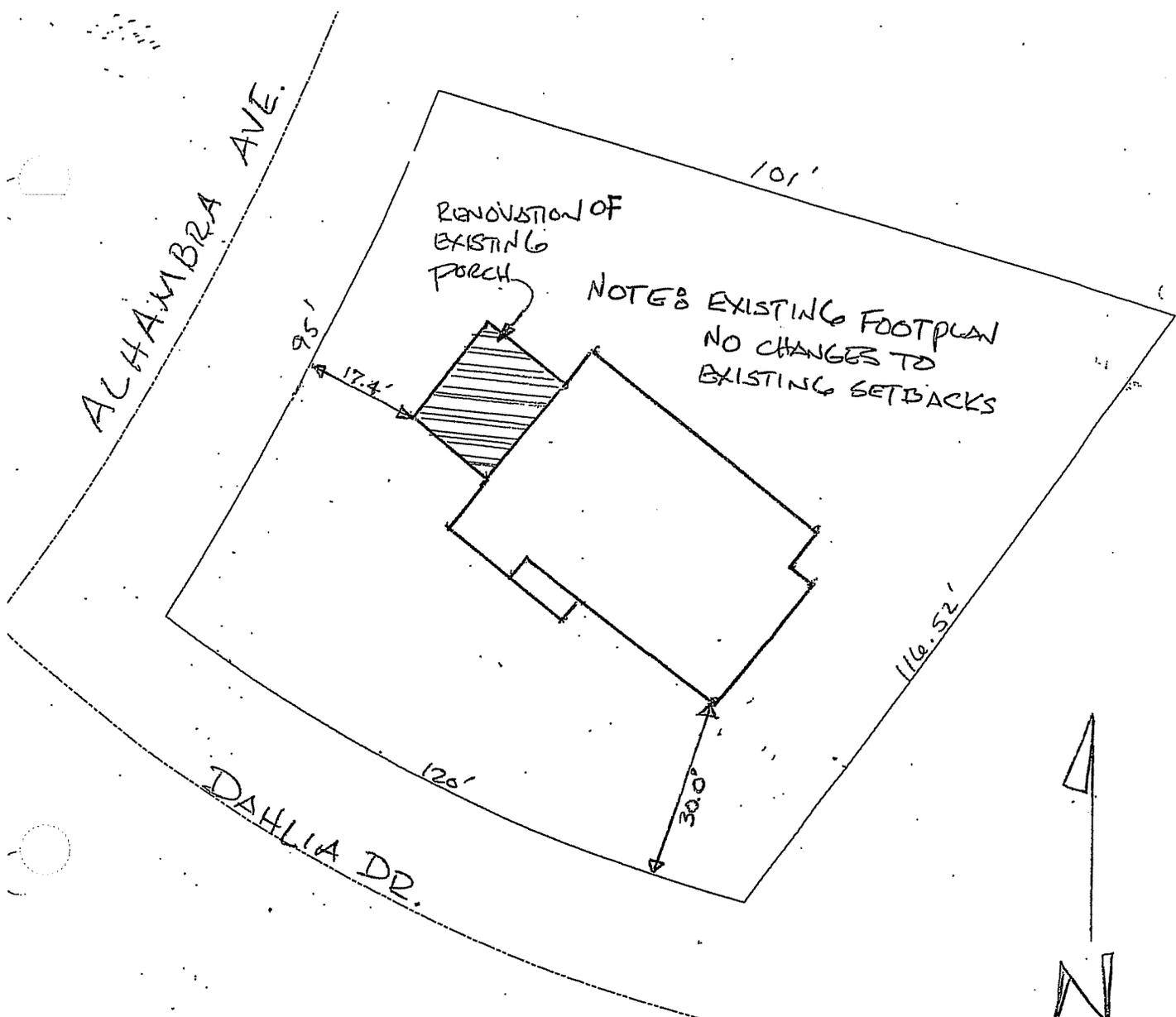
JW

FOR OFFICE USE ONLY

Date Submitted: 6-13-08 Reviewed By: f. Johnson
Tax parcel number: 09-21-29-503-0000-1310 zoning/FLU R-1A LOR

- 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: _____



ALHAMBRA AVE.

DAHLIA DR.

RENOVATION OF
EXISTING
PORCH

NOTES: EXISTING FOOTPRINT
NO CHANGES TO
EXISTING SETBACKS



1" = 20'

BEAUCHAMP RESIDENCE

100 DAHLIA DR.
ACTAMONTE SPRINGS, FL.

LOT 131 LAKE HARRIET ESTATES
P.B. 12 PAGES 15 & 16 SEMINOLE CTY., FL.

Alcides Beauchamp
 100 Dahlia Drive
 Altamonte Springs, Florida 32714

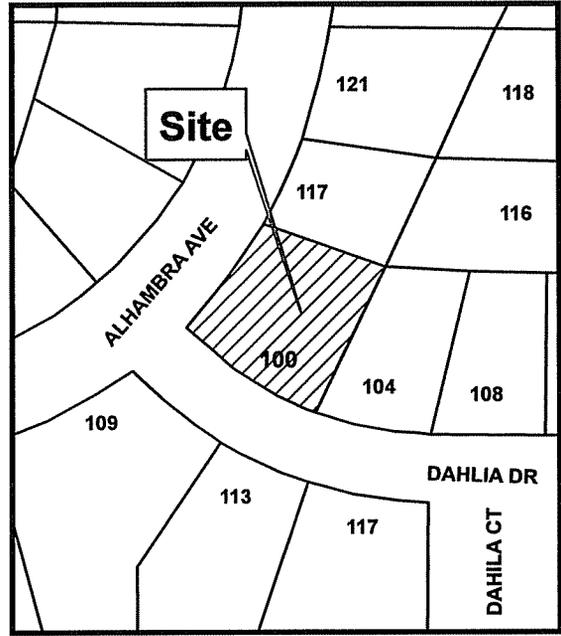


Seminole County Board of Adjustment
 July 28, 2008
 Case: BV2008-71 (Map 3154, Grid D6)
 Parcel No: 09-21-29-503-0000-1310

Zoning

	BV2008-71		R-1
	A-1		R-2
	R-1AA		RP I
	R-1A		C-2

N



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>		
---	--	--

GENERAL

Parcel Id: 09-21-29-503-0000-1310
 Owner: BEAUCHAMP ALCIDES
 Mailing Address: 100 DAHLIA DR
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32714
 Property Address: 100 DAHLIA DR ALTAMONTE SPRINGS 32714
 Subdivision Name: LAKE HARRIET ESTATES
 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: \$111,877
 Depreciated EXFT Value: \$600
 Land Value (Market): \$44,500
 Land Value Ag: \$0
 Just/Market Value: \$156,977
 Assessed Value (SOH): \$126,233
 Exempt Value: \$25,000
 Taxable Value: \$101,233

Tax Estimator
Portability Calculator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	12/2004	<u>05582</u>	<u>1129</u>	\$146,000	Improved	Yes
WARRANTY DEED	06/2001	<u>04131</u>	<u>1923</u>	\$125,000	Improved	Yes
WARRANTY DEED	04/2001	<u>04131</u>	<u>1922</u>	\$76,000	Improved	Yes
WARRANTY DEED	09/1994	<u>02834</u>	<u>1441</u>	\$82,000	Improved	No
WARRANTY DEED	11/1990	<u>02268</u>	<u>0603</u>	\$64,500	Improved	Yes
WARRANTY DEED	03/1990	<u>02160</u>	<u>0538</u>	\$75,000	Improved	Yes
QUIT CLAIM DEED	12/1985	<u>01694</u>	<u>0572</u>	\$100	Improved	No

Find Comparable Sales within this Subdivision

2007 VALUE SUMMARY

Tax Amount(without SOH): \$2,105
2007 Tax Bill Amount: \$1,441
Save Our Homes (SOH) Savings: \$664
2007 Taxable Value: \$97,556
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	44,500.00	\$44,500

LEGAL DESCRIPTION

PLATS:

LEG LOT 131 LAKE HARRIET ESTATES PB 12 PG 15

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	1959	5	950	1,959	1,223	CB/STUCCO FINISH	\$111,877	\$157,573
Appendage / Sqft		ENCLOSED PORCH UNFINISHED / 338							
Appendage / Sqft		UTILITY FINISHED / 104							
Appendage / Sqft		OPEN PORCH UNFINISHED / 246							
Appendage / Sqft		ENCLOSED PORCH FINISHED / 273							
Appendage / Sqft		OPEN PORCH UNFINISHED / 48							

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

EXTRA FEATURE

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: Alcides BEAUCHAMP
Address: 100 Dahlia Drive
Phone #: (407) 579-6202

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 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.

6/16/08
Date

[Signature]
Owner, Agent/Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 16th day of June, 2008 by Alcides

Beauchamp
Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification
Type of Identification Produced B251-000 52-408-0

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:

LOT 131
LAKE HARRIET ESTATES PB 12 PG 15

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

FINDINGS OF FACT

Property Owner: Alcides Beauchamp
100 Dahlia Dr.
Altamonte Springs, FL 32714

Project Name: Dahlia Drive (100)

Requested Development Approval:

Request for a side street setback variance from 25 feet to 17-feet-4-inches for a room addition in R-1A (Single Family Dwelling) district.

The Development Approval was sought to permit a room addition to encroach into the 25-foot west side street 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 July 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 131
LAKE HARRIET ESTATES PB 12 PG 15

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

FINDINGS OF FACT

Property Owner: Alcides Beauchamp
100 Dahlia Dr.
Altamonte Springs, Fl 32714

Project Name: Dahlia Drive (100)

Requested Development Approval:

Request for a side street setback variance from 25 feet to 17-feet-4-inches for a room 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: 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 west side family 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:

