

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

**SUBJECT:** 1231 St. Albans Loop – Paul & Marcia Hanover, applicants; Request for a rear yard setback variance from 20 feet to 16 feet for a proposed single story addition in PUD (Planned Unit Development) district.

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

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

**Agenda Date** 9/22/08    **Regular**     **Consent**     **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a rear yard setback variance from 20 feet to 16 feet for a proposed single story addition in PUD (Planned Unit Development) district; or
2. **Approve** the request for a rear yard setback variance from 20 feet to 16 feet for a proposed single story addition in PUD (Planned Unit Development) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<p>Applicant: Paul &amp; Marcia Hanover          Location: 1231 St. Albans Loop          Zoning: PUD (Planned Unit Development)          Subdivision: Heron Ridge</p>
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a 192 square foot room addition to the rear of the home.</li> <li>• The addition will encroach 4 feet into the required 20-foot rear yard setback.</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>
<b>STAFF FINDINGS</b>	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p>

Reviewed by:  
 Co Atty: ALC  
 Pln Mgr: AS

	<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 rear yard 192 square foot room addition 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



**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: Paul and Marcia Hanover  
Address: 1231 St. Albans Loop City: Heathrow Zip code: 32746  
Project Address: same City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Contact number(s): 407.833.9458 (O) 407.833.0955 (H)  
Email address: phanover@cfl.rr.com

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>Rear bedroom wall bump out (10')</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.	

RECEIVED JUL 28 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>20'</u>	Proposed setback:	<u>16'</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: Paul E. Hanover

# 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 <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a>
	3. Provide a legible 8 ½ x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
	<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 <u>or</u> addition ✓ (Label existing, label proposed, and include square footage and dimensions of each)
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each) ✓
	<input type="checkbox"/> Building height ✓
	<input type="checkbox"/> Setbacks from each building to the property lines ✓
	<input type="checkbox"/> Location of proposed fence(s) <i>N/A</i>
	<input type="checkbox"/> 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.

**FOR OFFICE USE ONLY**

Date Submitted: 7-28-08 Reviewed By: P. Johnson

Tax parcel number: 36-19-29-507-0000-0100 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: \_\_\_\_\_

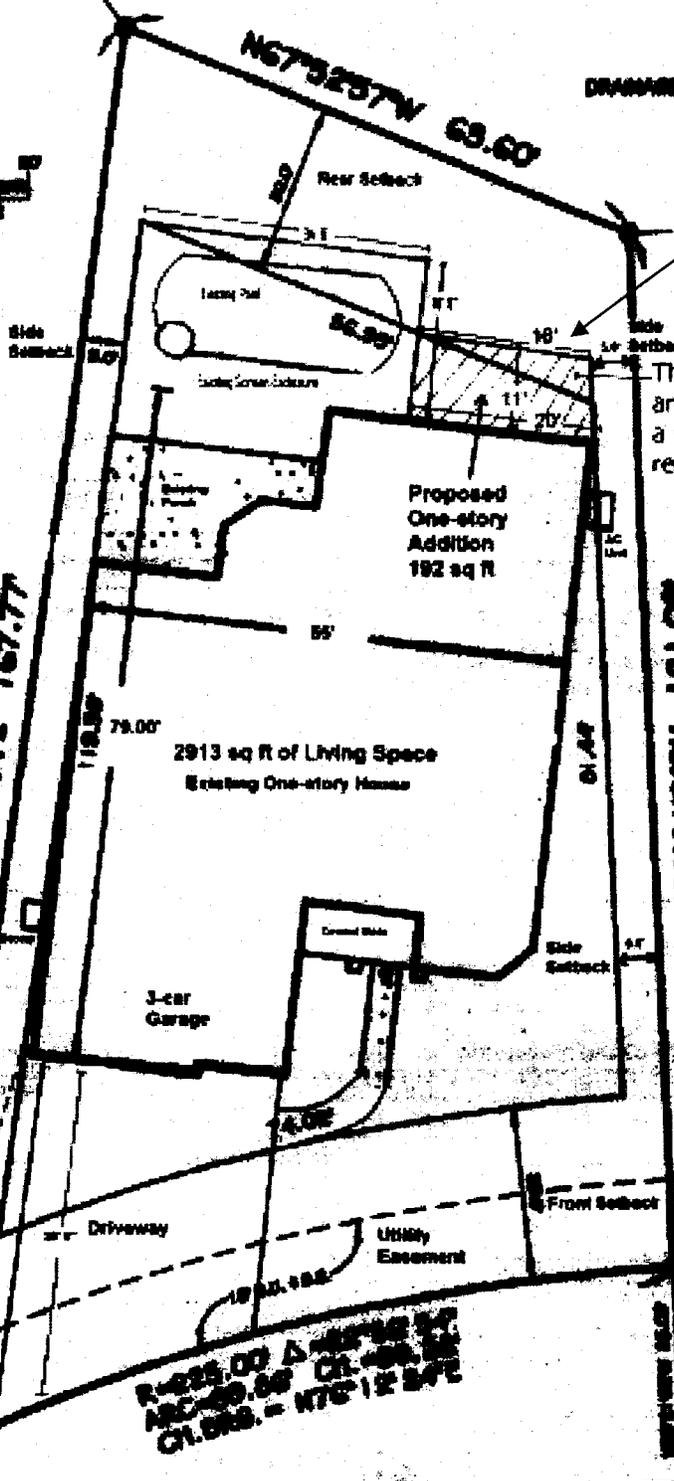
\_\_\_\_\_

\_\_\_\_\_

PLOT PLAN for: MORRISON HOMES, INC.

DESCRIPTION: LOT 10, HERON RIDGE PHASE 3

SHOWN IN PLAT BOOK 58 PAGE(S) 40 and 41 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



TRACT 'D'  
DRAINAGE, RETENTION, and OPEN SPACE

Proposed addition  
16 feet from rear lot  
line

This is the  
area for which  
a variance is  
requested

House is on County  
Sewer and Water  
Services

**TRUCK STORAGE**  
FROM 20'  
FROM 20'  
SIDE SETBACK OF  
DRIVING LANE

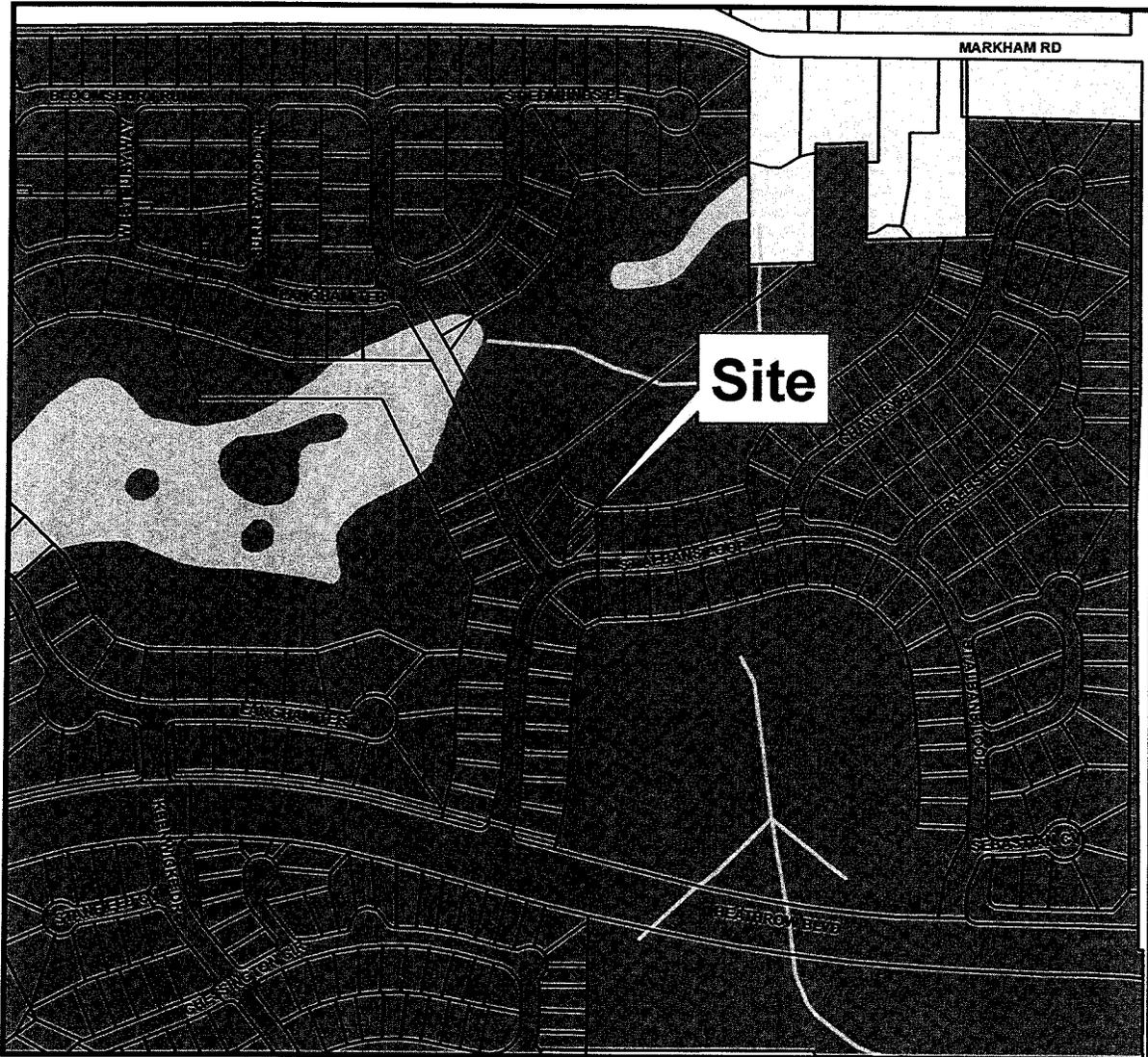
LOT IS CENTER  
ROAD DRIVE PAST/BEH AGED +/-

**PLANNED DEVELOPMENT**  
THIS IS A PLANNED DEVELOPMENT  
PROJECT AND THE PROPERTY  
IS SUBJECT TO THE PLANNED  
DEVELOPMENT ACT AND THE  
PLANNED DEVELOPMENT  
ORDINANCE OF THE COUNTY.  
THE PLANNED DEVELOPMENT  
ORDINANCE IS A PUBLIC  
UTILITY AND IS SUBJECT TO  
THE PLANNED DEVELOPMENT  
ACT AND THE PLANNED  
DEVELOPMENT ORDINANCE  
OF THE COUNTY.

ST. ALBANS LOOP  
PRIVATE ROAD

**NOTES**  
1. ALL DIMENSIONS ARE BASED ON THE EXISTING  
2. THE PROPOSED ADDITION IS TO BE BUILT  
3. THE PROPOSED ADDITION IS TO BE BUILT  
4. THE PROPOSED ADDITION IS TO BE BUILT

Paul & Marcia Hanover  
1231 St. Albans Loop  
Lake Mary, Florida 32746

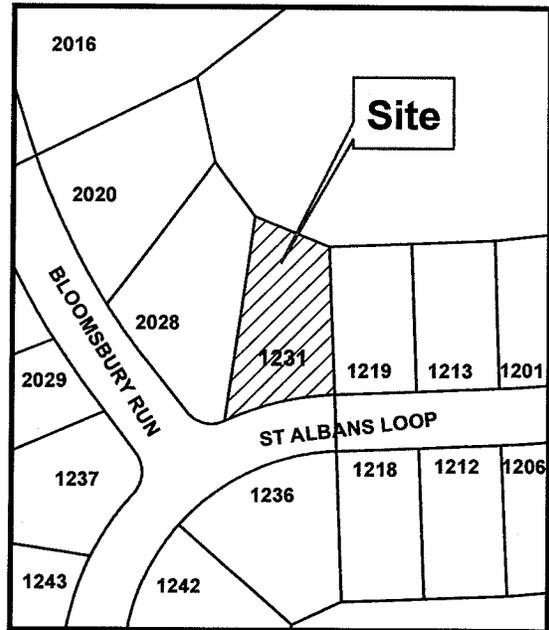


Seminole County Board of Adjustment  
September 22, 2008  
Case: BV2008-81 (Map3051, Grid A4)  
Parcel No: 36-19-29-507-0000-0100

**Zoning**

-  BV2008-81
-  A-1
-  PUD

N  

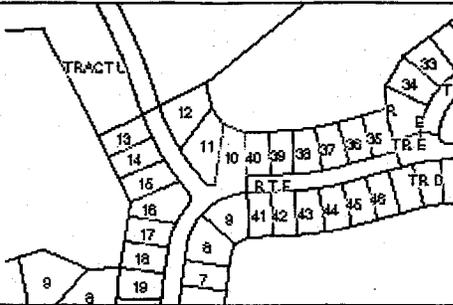
**PARCEL DETAIL**

DAVID JOHNSON, CFA, ASA

**PROPERTY APPRAISER**

EMINOLE COUNTY FL

1101 E. FIRST ST  
GAINESVILLE, FL 32771-1468  
407-655-7508



**GENERAL**

Parcel Id: 36-19-29-507-0000-0100  
 Owner: HANOVER PAUL E & MARCIA F  
 Mailing Address: 1231 ST ALBANS LOOP  
 City,State,ZipCode: HEATHROW FL 32746  
 Property Address: 1231 ST ALBANS LOOP LAKE MARY 32746  
 Subdivision Name: HERON RIDGE PH 3  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions: 00-HOMESTEAD (2002)  
 Dor: 01-SINGLE FAMILY

**VALUE SUMMARY**

VALUES	2008 Working	2007 Certified
Value Method	Market	Market
Number of Buildings	1	1
Depreciated Bldg Value	\$367,470	\$386,732
Depreciated EXFT Value	\$14,529	\$15,104
Land Value (Market)	\$95,000	\$95,000
Land Value Ag	\$0	\$0
Just/Market Value	\$476,999	\$496,836
Portability Adj	\$0	\$0
Save Our Homes Adj	\$108,316	\$138,891
Assessed Value (SOH)	\$368,683	\$357,945

**Tax Estimator**

**Portability Calculator**

**2008 Taxes and Taxable Value Estimate**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes
County General Fund	\$368,683	\$50,000	\$318,683	4.3578	\$1,388.76
Schools	\$368,683	\$25,000	\$343,683	7.4130	\$2,547.72
Fire	\$368,683	\$50,000	\$318,683	2.3299	\$742.50
Road District	\$368,683	\$50,000	\$318,683	.1068	\$34.04
SJWM(Saint Johns Water Management)	\$368,683	\$50,000	\$318,683	.4158	\$132.51
County Bonds	\$368,683	\$50,000	\$318,683	.1451	\$46.24
<b>Total</b>				<b>14.7684</b>	<b>\$4,891.77</b>

**Potential Portability Amount is \$108,316**

The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	09/2001	04209	1194	\$379,200	Improved	Yes
SPECIAL WARRANTY DEED	05/2001	04124	1542	\$378,000	Vacant	No

Find Comparable Sales within this Subdivision

**2007 VALUE SUMMARY**

Tax Amount(without SOH):	\$6,968
2007 Tax Bill Amount:	\$4,917
Save Our Homes (SOH) Savings:	\$2,051
2007 Taxable Value:	\$332,945

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	95,000.00	\$95,000

**LEGAL DESCRIPTION**

PLATS:  Pick...   
 LOT 10 HERON RIDGE PH 3 PB 58 PGS 40 & 41

**BUILDING INFORMATION**

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	2001	12	2,848	3,806	2,848	CB/STUCCO FINISH	\$367,470	\$379,814
Appendage / Sqft		OPEN PORCH FINISHED / 268							
Appendage / Sqft		GARAGE FINISHED / 599							
Appendage / Sqft		OPEN PORCH FINISHED / 91							

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	Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	2001		1	\$2,063	\$2,500
POOL GUNITE	2001		312	\$5,148	\$6,240
SPA	2001		1	\$1,917	\$2,500
GAS HEATER	2001		1	\$440	\$1,100
COOL DECK PATIO	2001		408	\$1,178	\$1,428
SCREEN ENCLOSURE	2001		1,893	\$2,903	\$3,786
SOLAR HEATER	2006		1	\$880	\$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- \_\_\_\_\_:

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: Paul E. Hanover  
Address: 1231 St. Albans Loop, Heathrow  
Phone #: 407. 833. 0955

Name: Marcia F. Hanover  
Address: 1231 St. Albans Loop, Heathrow  
Phone #: 407. 833. 0955

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: N/A  
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: N/A  
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: N/A 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: Name: N/A Contract Vendee: 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.

7/26/08  
Date

Paul E. Hanover  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 26<sup>th</sup> day of July, 2008 by PAUL HANOVER

Patricia Johnson  
Signature of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification             
Type of Identification Produced H510-695-46-333-0

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

**SEMINOLE COUNTY DENIAL DEVELOPMENT  
ORDER**

On September 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 10 HERON  
RIDGE PH 3 PB 58 PGS 40 & 41

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

**FINDINGS OF FACT**

**Property Owner:** Paul & Marcia Hanover  
1231 St. Albans Loop  
Lake Mary, Fl 32746

**Project Name:** St. Albans Loop (1231)

**Requested Development Approval:**

Request for a rear yard setback variance from 20 feet to 16 feet for a proposed single story addition in PUD (Planned Unit Development) district.

The Development Approval was sought to allow a room addition to encroach 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: 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 September 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 10 HERON  
RIDGE PH 3 PB 58 PGS 40 & 41

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

### FINDINGS OF FACT

**Property Owner:** Paul & Marcia Hanover  
1231 St. Albans Loop  
Lake Mary, FL 32746

**Project Name:** St. Albans Loop (1231)

**Requested Development Approval:**

Request for a rear yard setback variance from 20 feet to 16 feet for a proposed single story addition in PUD (Planned Unit Development) 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 rear yard 192 square foot 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:

