

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 424 W Crystal Drive – Roland Buhrow, applicant; Request for a front yard setback variance from 25 feet to 20 feet for a proposed carport addition in R-1A (Single Family Dwelling) district.

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

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

Agenda Date 10/27/08 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Deny** the request for a front yard setback variance from 25 feet to 20 feet for a proposed carport addition in R-1A (Single Family Dwelling) district; or
2. **Approve** the request for a front yard setback variance from 25 feet to 20 feet for a proposed carport addition in R-1A (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Roland Buhrow Location: 424 W Crystal Drive Zoning: R-1A (Single Family Dwelling) district Subdivision: Loch Arbor-Phillips Sec
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to extend an existing carport by approximately 13 feet. • The carport addition would encroach 5 feet into the required 25-foot front 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

Reviewed by: [Signature]
Co Atty: [Signature]
Pln Mgr: [Signature]

	<p>and which are not applicable to other lands, 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 front yard setback for the carport 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

COPY

Application # BV2008-96
Meeting Date 10-27-08



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: ROLAND BURROW
Address: 424 W CRYSTAL DR City: SANFORD Zip code: 32773
Project Address: 424 W CRYSTAL DR City: SANFORD Zip code: 32773
Contact number(s): 407 766 3178
Email address: RHBURROW@GMAIL.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:	RECEIVED SEP 03 2008
<input type="checkbox"/> Fence	Please describe:	
<input type="checkbox"/> Pool	Please describe:	
<input type="checkbox"/> Pool screen enclosure	Please describe:	
<input type="checkbox"/> Covered screen room	Please describe:	
<input checked="" type="checkbox"/> Addition	Please describe:	Carport
<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 checked="" type="checkbox"/> Front yard setback	Required setback:	25	Proposed setback:	20
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:	
<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:	

Total number of variances requested 1

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: _____

NOTES:

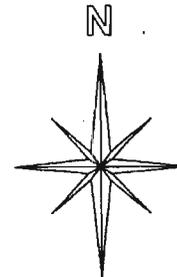
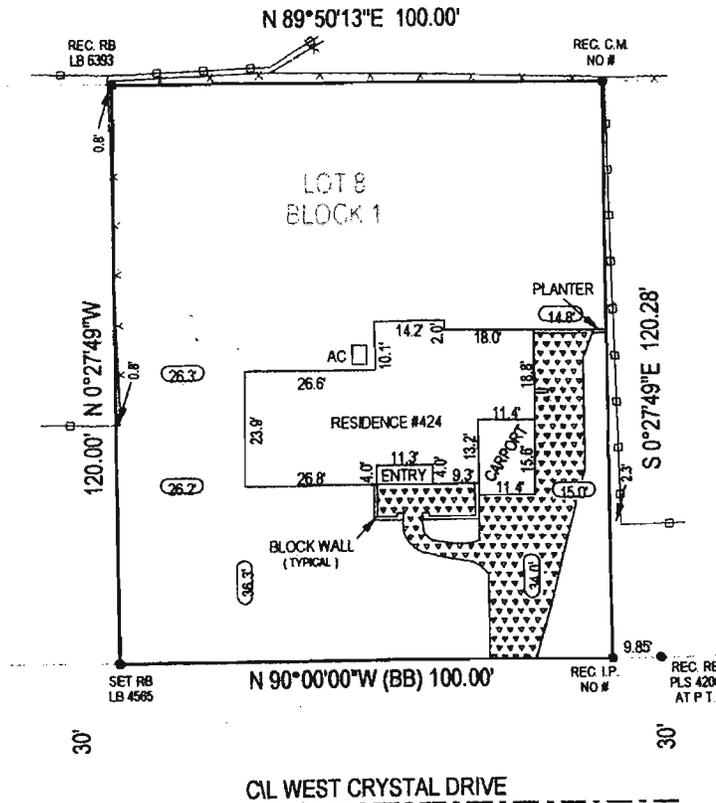
1. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
3. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
4. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
5. BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
6. BUILDING SITE HEREON LOCATED IN ZONE "X" PER F.J.R.M. COMMUNITY PANEL NO. 120294 0040 E DATED 04-17-95.



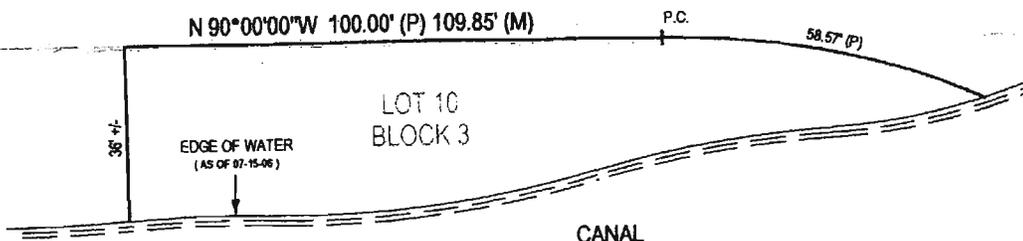
**Boundary
And
Mapping
Associates, Inc.**

LAND
SURVEYORS
LB 4565
109 WEST ORANGE STREET
ALTA MONTE SPRINGS, FL
32714
PH. (407) 686-1155

NOT PLATTED



SCALE 1" = 30'



CERTIFIED TO:
ROLAND AND RENEE BUHROW
VISION TITLE OF SEMINOLE COUNTY, LLC
WASHINGTON MUTUAL BANK, F.A.
STEWART TITLE GUARANTY COMPANY

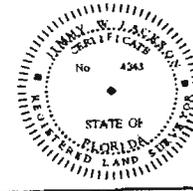
DESCRIPTION: LOTS 8 AND 10, BLOCKS 1 AND 3, LOCHARBOR-PHILLIPS SECTION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 66, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

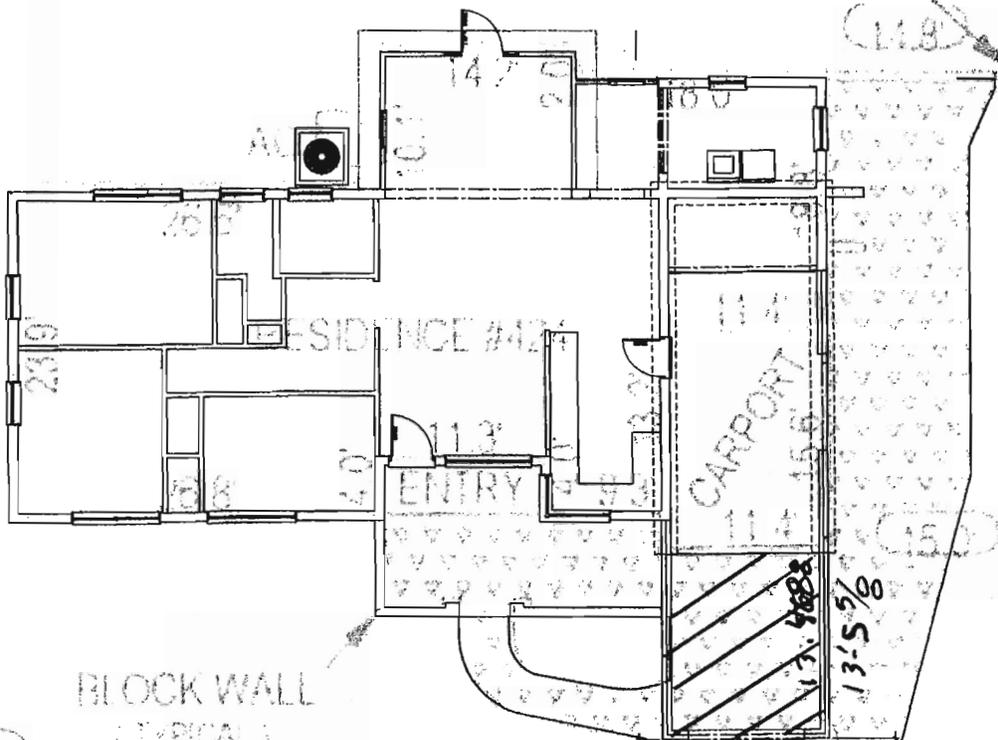
JOB NO.: 06-2193
DATE: 07-15-06
FIELD: 07-15-06
SIGNED: 07-18-06
DRAWN BY: JWJ/CMS
P.C.: SM

LEGEND	
REC - RECOVERED	CONCRETE
I.P. - IRON PIPE	PRC - POINT OF REVERSE CURVE
I.C. - ILLIGIBLE CAP #	R.P. - RADIUS POINT
C.M. - CONCRETE MONUMENT	R - RADIUS
RB - REBAR	L - LENGTH OF ARC
RAD. - RADIAL	CA - CENTRAL ANGLE
N.R. - NOT RADIAL	U.E. - UTILITY EASEMENT
NAD - NAIL & DISC	D.E. - DRAINAGE EASEMENT
(P) - PER PLAT	L.E. - LANDSCAPE EASEMENT
(M) - AS MEASURED	P.E. - POOL EQUIPMENT
(D) - PER DESCRIPTION	P.P. - POWER POLE
O.L. - ON LINE	J. - CHAIN LINK FENCE
P.C. - POINT OF CURVATURE	W.F. - WOODEN FENCE
P.T. - POINT OF TANGENCY	

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions and deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.

Jimmy W. Jackson
JIMMY W. JACKSON, PSM 4243





36.3'

BLOCK WALL
(TYPICAL)

20'-5 13/16"

20'-6 3/8"

9.85'

N 90°00'00"W (BB) 100.00'

REC LP
NO #

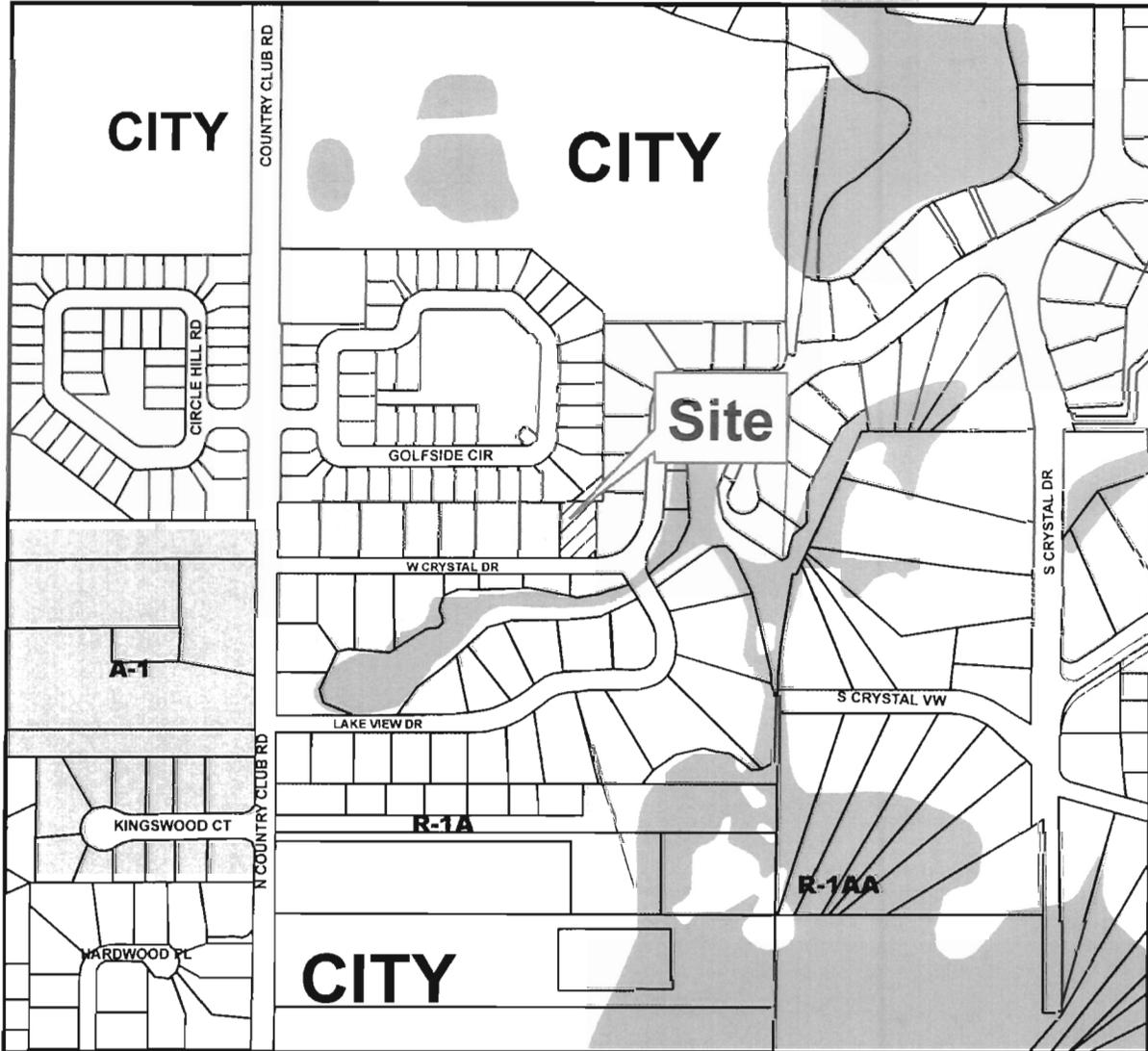
REC
PLS
AT

30'

OIL WEST CRYSTAL DRIVE

S 0°27'49"E 120.2'

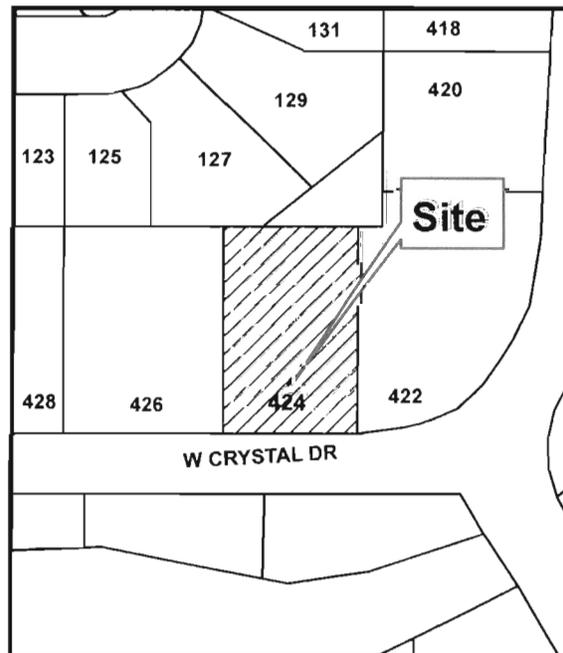
Roland Buhrow
424 West Crystal Drive
Sanford, Florida 32773



Seminole County Board of Adjustment
October 27, 2008
Case: BV2008-96 (Map 3052, Grid C4)
Parcel No: 04-20-30-506-0100-0080

Zoning

-  BV2008-96
-  A-1
-  R-1AA
-  R-1A



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-655-7506</p>																																																				
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 04-20-30-506-0100-0080 Owner: BUHROW ROLAND H & RENA M Mailing Address: 424 W CRYSTAL DR City, State, Zip Code: SANFORD FL 32773 Property Address: 424 CRYSTAL DR W SANFORD 32773 Subdivision Name: LOCH ARBOR-PHILLIPS SEC Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 01-SINGLE FAMILY</p>	<p>VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:60%;">VALUES</th> <th style="width:20%;">2008 Working</th> <th style="width:20%;">2007 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td>Cost/Market</td> <td>Cost/Market</td> </tr> <tr> <td>Number of Buildings</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td style="text-align: right;">\$82,427</td> <td style="text-align: right;">\$97,998</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Land Value (Market)</td> <td style="text-align: right;">\$45,500</td> <td style="text-align: right;">\$45,500</td> </tr> <tr> <td>Land Value Ag</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Just/Market Value</td> <td style="text-align: right;">\$127,927</td> <td style="text-align: right;">\$143,498</td> </tr> <tr> <td>Portability Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td style="text-align: right;">\$127,927</td> <td style="text-align: right;">\$143,498</td> </tr> <tr> <td colspan="3" style="text-align: center;">Tax Estimator</td> </tr> <tr> <td colspan="3" style="text-align: center;">Portability Calculator</td> </tr> <tr> <td colspan="3" style="text-align: center;">2008 Notice of Proposed Property Tax</td> </tr> </tbody> </table>		VALUES	2008 Working	2007 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$82,427	\$97,998	Depreciated EXFT Value	\$0	\$0	Land Value (Market)	\$45,500	\$45,500	Land Value Ag	\$0	\$0	Just/Market Value	\$127,927	\$143,498	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$0	Assessed Value (SOH)	\$127,927	\$143,498	Tax Estimator			Portability Calculator			2008 Notice of Proposed Property Tax										
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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: ROLAND BUTROW
Address: 424 W CRYSTAL DR
City/Zip: SANFORD FL 32773
Phone #: 407.766.3178

Name: RENA BUTROW
Address: 424 W. CRYSTAL DR.
City/Zip: SANFORD FL 32773
Phone #: 407.435.9455

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

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**

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.

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 SEPT 2008

Date


Owner, Agent, Applicant Signature

STATE OF FLORIDA

COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 3rd day of September, 2008 by Roland Buhrow

Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification
Type of Identification Produced B 600-728-53-013-0

For Use by Planning & Development Staff

Date: _____ Application Number: _____

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On October 27, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 8 BLK 1
LOCH ARBOR-PHILLIPS SEC PB 9 PG 66

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

FINDINGS OF FACT

Property Owner: Roland & Rena Buhrow
424 W Crystal Drive
Sanford, FL 32773

Project Name: W. Crystal Drive (424)

Requested Variance

Request for Front yard setback variance from 25 feet to 20 feet for a proposed carport addition in R-1A (Single Family Dwelling) district.

Approval was sought to allow a carport addition to encroach into the front 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 October 27, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 8 BLK 1
LOCH ARBOR-PHILLIPS SEC PB 9 PG 66

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

FINDINGS OF FACT

Property Owner: Roland & Rena Buhrow
424 W Crystal Drive
Sanford, FL 32773

Project Name: W. Crystal Drive (424)

Variance Approval:

Front yard setback variance from 25 feet to 20 feet for a proposed carport 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 front yard setback for the carport 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:

