

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 114 Pine Needle Lane – Sandra Hay Bell, applicant; Request for a side yard (west) setback variance from 10 feet to 0 feet for a 12-foot by 24-foot covered boat port in R-1AAA (Single Family Dwelling) district.

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

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

**Agenda Date** 01/26/09 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a side yard (west) setback variance from 10 feet to 0 feet for a 12-foot by 24-foot covered boat port in R-1AAA (Single Family Dwelling) district; or
2. **Approve** the request for a side yard (west) setback variance from 10 feet to 0 feet for a 12-foot by 24-foot covered boat port in R-1AAA (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Sandra Hay Bell Location: 114 Pine Needle Lane Zoning: R-1AAA (Single Family Dwelling) district Subdivision: Spring Valley Farms
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting a side yard setback variance for a 288 square foot boat port that will be encroaching 10 feet into the required 10-foot side yard setback.</li> <li>• On October 30<sup>th</sup>, 2008, the applicant received a notice of code violation for construction without a permit.</li> <li>• There is no record of prior variances for this property.</li> </ul>
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> <li>• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved</li> </ul>

Reviewed by: \_\_\_\_\_  
Co Atty: RLC  
Pln Mgr: AS

	<p>and which are not applicable to other lands, structures or building in the same zoning district.</p> <ul style="list-style-type: none"><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>
<p><b>STAFF RECOMMENDATION</b></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"><li>• Any variance granted shall apply only to the side yard (west) setback for the boat port 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



**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: SANDRA HAY BELL and STEPHEN W. BELL  
Address: 114 Pine Needle Lane City: Alt. Springs Zip code: 32714  
Project Address: same City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Tax Parcel number: 15-21-29-511-0A00-6180  
Contact number(s): 407-682-4890 cell: 407-712-3030  
Email address: lithialady4@yahoo.com

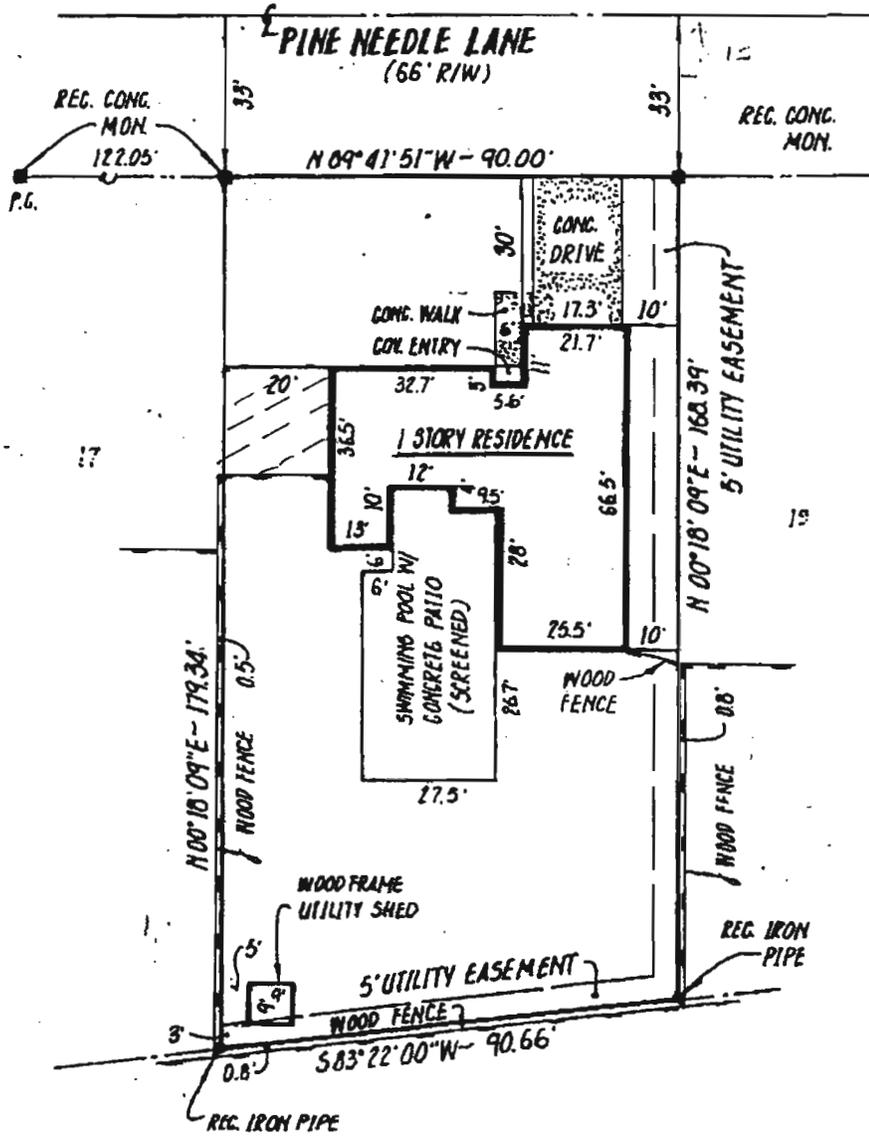
Is the property available for inspection without an appointment?  
 Yes  No If gated please provide a gate code to staff.

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<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 type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other	Please describe: <u>low profile carport for bass boat (Tan)</u>
<input checked="" type="checkbox"/> This request is for a structure that has already been built. <u>Under construction</u>	

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 checked="" type="checkbox"/> Side yard setback	Required setback:	<u>10 ft</u>	Proposed setback: <u>0 ft.</u>
<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:	
<b>Use below for additional yard setback variance requests:</b>			
<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>			

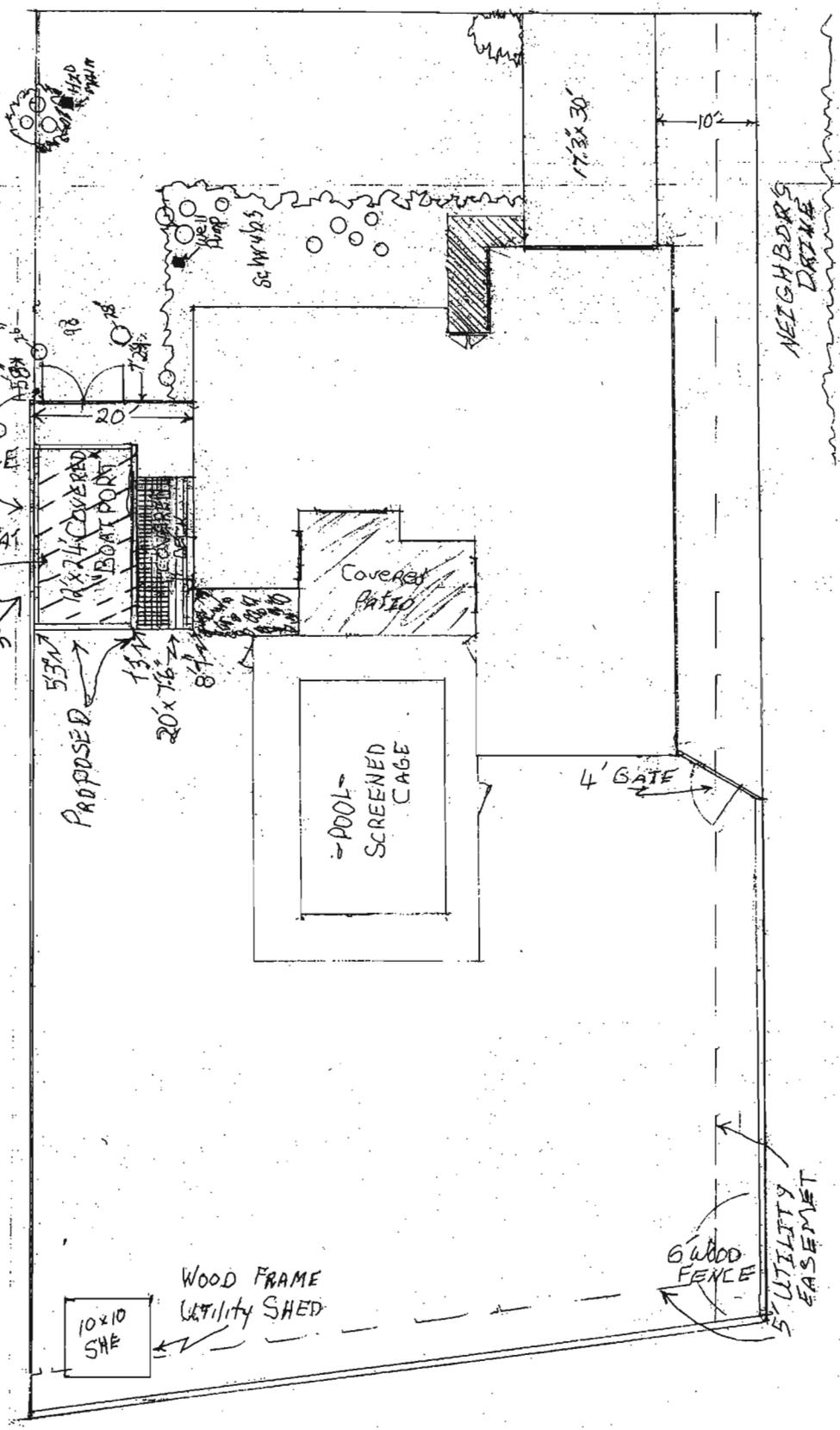
Signed: Sandra Hay Bell Date: 11/11/08

LOT 18 - BLOCK "A"  
 SPRING VALLEY FARMS SECTION TWO  
 AS RECORDED IN  
 PLAT BOOK 14, PAGE 59  
 PUBLIC RECORDS OF  
 SEMINOLE COUNTY, FLORIDA



114 PINE NEEDLE LN  $\rightarrow$  TO INTERSECTION  
SPRING VALLEY RD

OR TREE



NEIGHBORS DRAINAGE

POOL-SCREENED CAGE

4' GATE

WOOD FRAME UTILITY SHED  
10x10 SHE

6' WOOD FENCE

UTILITY EASEMENT

6' WOOD FENCE

EXHIBIT A

0' Setback

PROPOSED

55'

13'

20' x 7'6"

20'

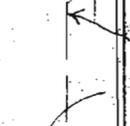
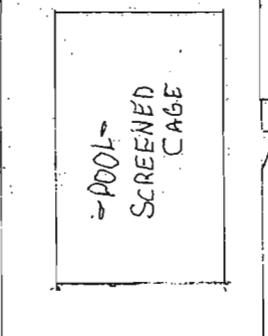
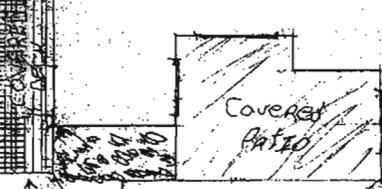
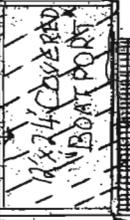
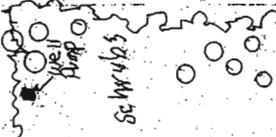
15'8"

9'8"

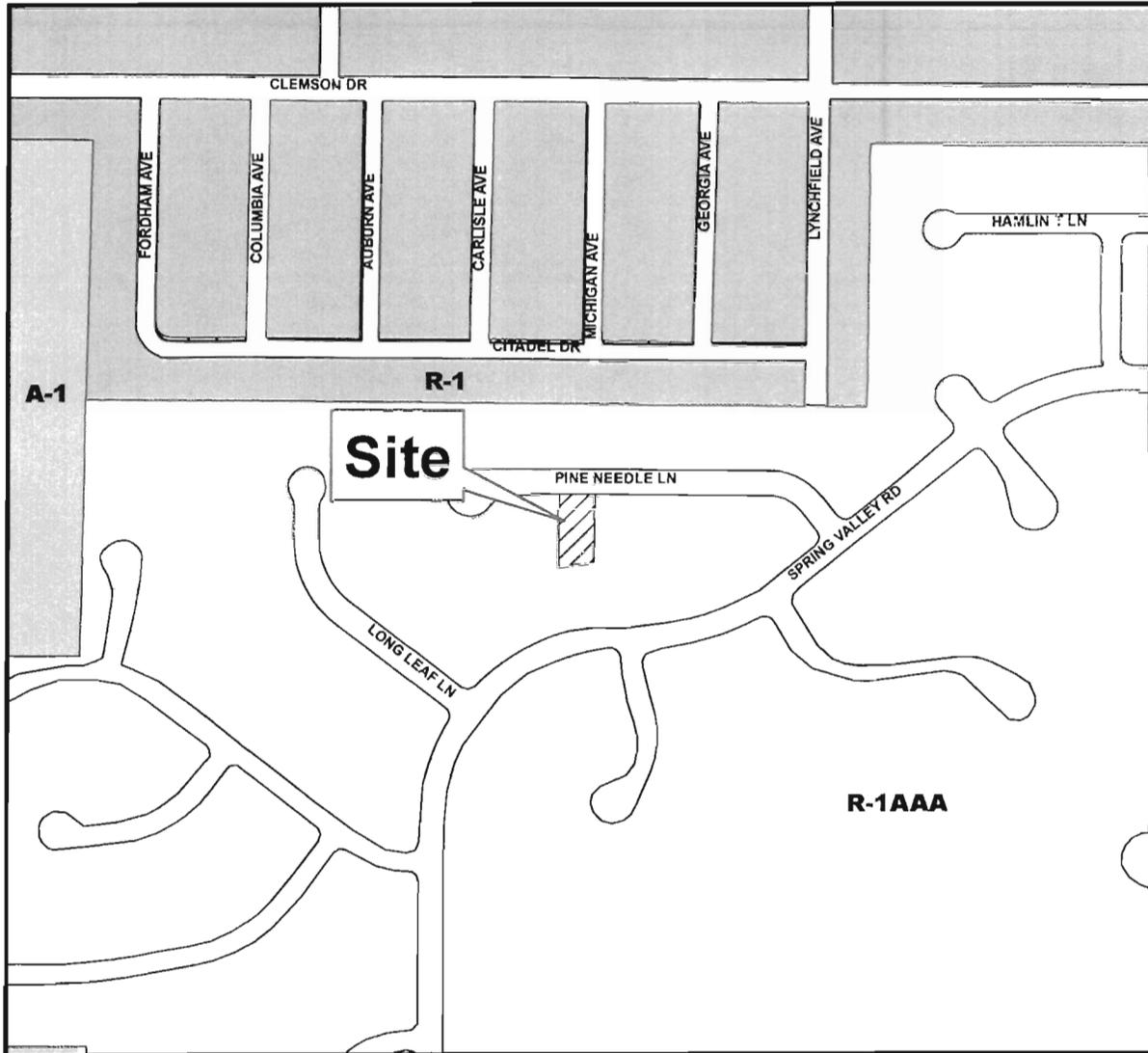
7'2"

17'3" x 30'

10'



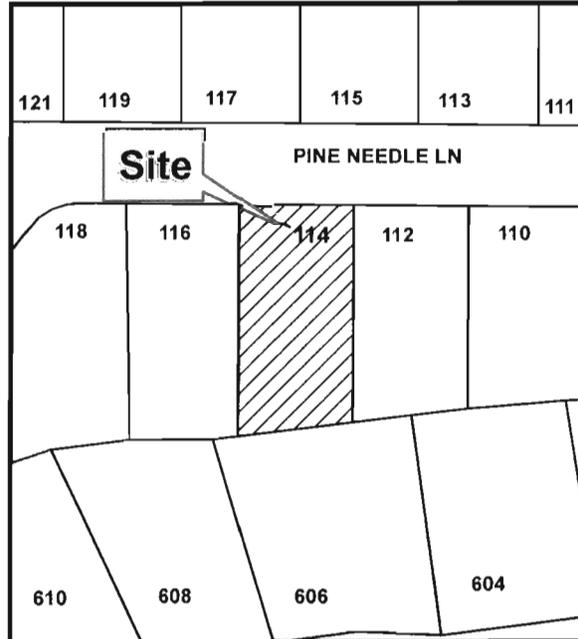
Sandra and Stephen Bell  
 114 Pine Needle Lane  
 Altamonte Springs, Florida 32714



Seminole County Board of Adjustment  
 January 26, 2009  
 Case: BV2008-115 (Map 3208 Grid B1)  
 Parcel No: 15-21-29-511-0A00-0180

**Zoning**

-  BV2008-115
-  A-1
-  R-1AAA
-  R-1

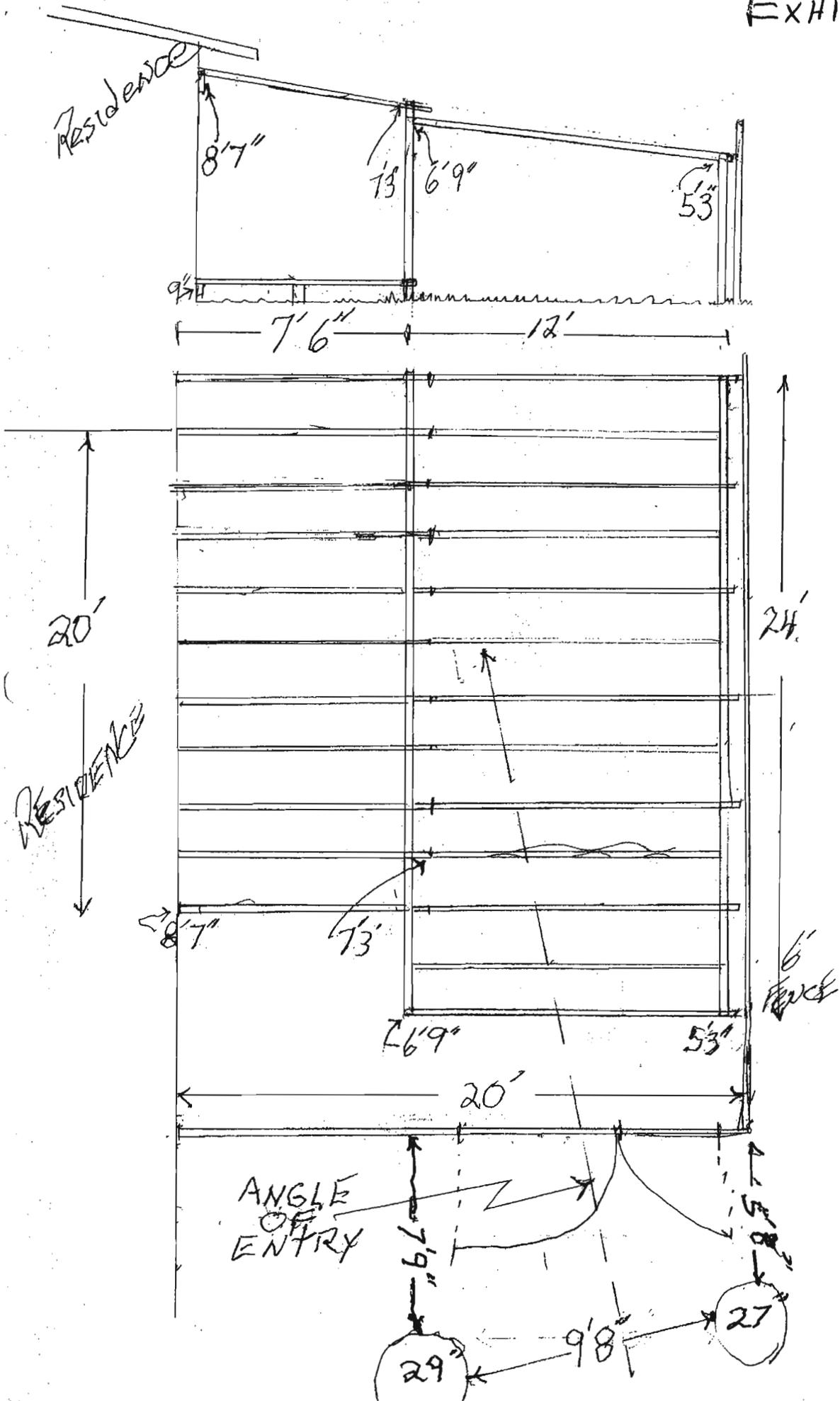



<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA  <b>PROPERTY APPRAISER</b>          SEMINOLE COUNTY FL.          1101 E. FIRST ST          SANFORD, FL 32771-1468          407-663-7508</p>																																			
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 15-21-29-511-0A00-0180          Owner: HAY SANDRA M          Mailing Address: 114 PINENEEDLE LN          City,State,ZipCode: ALTAMONTE SPRINGS FL 32714          Property Address: 114 PINE NEEDLE LN ALTAMONTE SPRINGS 32714          Subdivision Name: SPRING VALLEY FARMS SEC 02          Tax District: 01-COUNTY-TX DIST 1          Exemptions: 00-HOMESTEAD (1994)          Dor: 01-SINGLE FAMILY</p>	<p><b>VALUE SUMMARY</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">VALUES</th> <th style="text-align: center;">2009 Working</th> <th style="text-align: center;">2008 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td style="text-align: center;">Cost/Market</td> <td style="text-align: center;">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;">\$181,943</td> <td style="text-align: right;">\$200,195</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td style="text-align: right;">\$7,976</td> <td style="text-align: right;">\$7,976</td> </tr> <tr> <td>Land Value (Market)</td> <td style="text-align: right;">\$70,000</td> <td style="text-align: right;">\$70,000</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><b>Just/Market Value</b></td> <td style="text-align: right;"><b>\$259,919</b></td> <td style="text-align: right;"><b>\$278,171</b></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;">\$101,172</td> <td style="text-align: right;">\$124,048</td> </tr> <tr> <td><b>Assessed Value (SOH)</b></td> <td style="text-align: right;"><b>\$158,747</b></td> <td style="text-align: right;"><b>\$154,123</b></td> </tr> </tbody> </table> <p style="text-align: center;"><a href="#">Tax Estimator</a>  <a href="#">Portability Calculator</a></p>		VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$181,943	\$200,195	Depreciated EXFT Value	\$7,976	\$7,976	Land Value (Market)	\$70,000	\$70,000	Land Value Ag	\$0	\$0	<b>Just/Market Value</b>	<b>\$259,919</b>	<b>\$278,171</b>	Portability Adj	\$0	\$0	Save Our Homes Adj	\$101,172	\$124,048	<b>Assessed Value (SOH)</b>	<b>\$158,747</b>	<b>\$154,123</b>
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<p><b>NOTE:</b> Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p><b>Permits</b></p>																																			
<p><b>EXTRA FEATURE</b></p>																																			

Description	Year Blt	Units	EXFT Value	Est. Cost New
POOL GUNITE	1989	522	\$4,176	\$10,440
SCREEN ENCLOSURE	1969	2,194	\$1,755	\$4,388
PEBBLE DECK	1969	682	\$1,091	\$2,728
WOOD UTILITY BLDG	1969	64	\$154	\$384
FIREPLACE	1966	1	\$800	\$2,000

**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.

EXHIBIT "A"



# NOTICE OF CODE VIOLATION

LOCATION OF VIOLATION: 114 PINENEEDLE LN

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF THE FLORIDA BUILDING CODE CHAPTER ONE, SECTION 105.1, PERMITS REQUIRED.

**DESCRIPTION OF VIOLATION:**

**CONSTRUCTING AN ADDITION TO THE SIDE OF HOUSE WITHOUT PERMITS.**

*cost engineer drawing apply for variance \$150.00*

**CORRECTIVE ACTIONS:**

**\*\* OBTAIN REQUIRED PERMITS FOR ALL WORK THAT IS BEING DONE. \*\***

**THE ABOVE CORRECTIVE ACTIONS MUST BE TAKEN BY: 11-13-08**

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS AUTHORITY TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS



For further information contact:

Building and Fire Inspection Division  
Seminole County Services Building  
1101 East First Street, Room 1020  
Sanford, FL 32771  
PHONE: (407) 665-7465 OR (407) 665-7423

DATE: 10-30-08

CASE NO: 08-453

INSPECTOR: Jason Rucker, (407) 665-7465

Cell Number, (407) 463-7638

*Handwritten signature*

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 HAY BELL  
Address: 114 Pine Needle Lane  
Phone #: 407-682-4890

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 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.

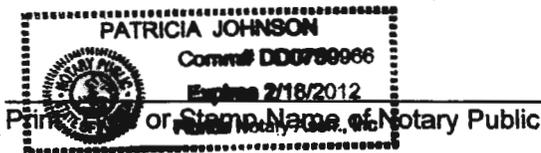
11-20-08  
Date

Sandra Hay Bell  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 20<sup>th</sup> day of November, 2008 by Sandra Hay Bell

Patricia Johnson  
Signature of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification         
Type of Identification Produced B400-789-40-044-0

**For Use by Planning & Development Staff**

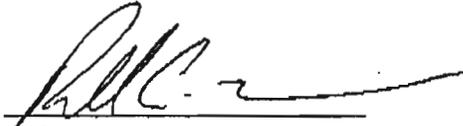
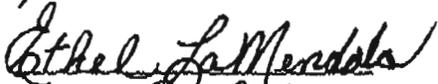
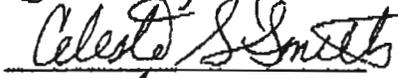
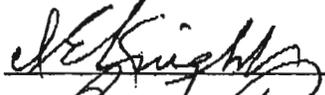
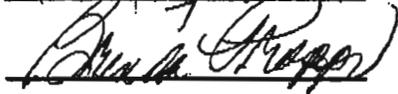
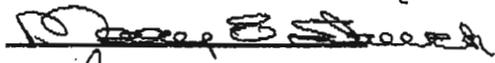
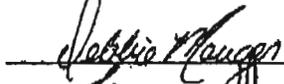
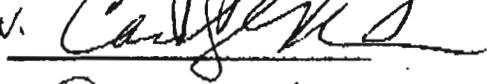
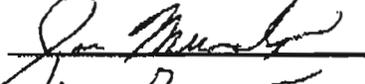
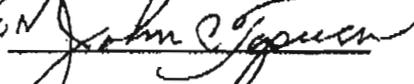
Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

# PETITION FOR VARRIANCE

BELOW ARE THE INDIVIDUAL HOME OWNERS THAT APPROVE OF MY REQUEST FOR VARRIANCE FOR THE CONSTRUCTION OF A LOW PROFILE "BOATPORT".

HOMEOWNER: SANDRA HAY BELL & STEPHEN W. BELL

ADDRESS: 114 PINE NEEDLE LN, 32714

DATE/NAME	ADDRESS	SIGNATURE
11/23/08, Russell Maynard	116 Pine Needle Ln 32714	
11/23/08 Ethel LaMendola	119 Pine Needle Lane	
11/23/08 Celeste Smith	117 Pine Needle Ln	
11-22-08 Ed Knight	115 PINE NEEDLE	
11/22/08 (Brenda Hopper)	114 Pine Needle Ln	
11/22/08 <del>Doreen Strickland</del>	115 Pine Needle Ln	<del></del>
11-22-08 Jordis Manger	120 Pine Needle Lane	
11/22/08	122 Pine Needle Ln	
11/22/08	125 Pine Needle Ln.	
1/22/08	123 Pine Needle	
11/22 John Toppin	111 Pine Needle Ln	
11/22 Carleen Newell	108 Pine Needle Ln	
_____	_____	_____
_____	_____	_____

**SEMINOLE COUNTY DENIAL DEVELOPMENT  
ORDER**

On January 26, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 18 BLK A  
SPRING VALLEY FARMS SEC 2 PB 14 PG 59

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

**FINDINGS OF FACT**

**Property Owner:** Sandra Hay Bell  
114 Pine Needle Ln  
Altamonte Springs, FL 32714

**Project Name:** Pine Needle Lane (114)

**Requested Variance:**

Request for a side yard (west) setback variance from 10 feet to 0 feet for a boat enclosure in R-1AAA (Single Family Dwelling) district.

Approval was sought to allow an addition to encroach into the side 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 \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 26, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 18 BLK A  
SPRING VALLEY FARMS SEC 2 PB 14 PG 59

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

### FINDINGS OF FACT

**Property Owner:** Sandra Hay Bell  
114 Pine Needle Ln  
Altamonte Springs, FL 32714

**Project Name:** Pine Needle Lane (114)

**Variance Approval:**

Request for a side yard (west) setback variance from 10 feet to 0 feet for a boat enclosure in R-1AAA (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 side yard (west) setback for the covered boat enclosure 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

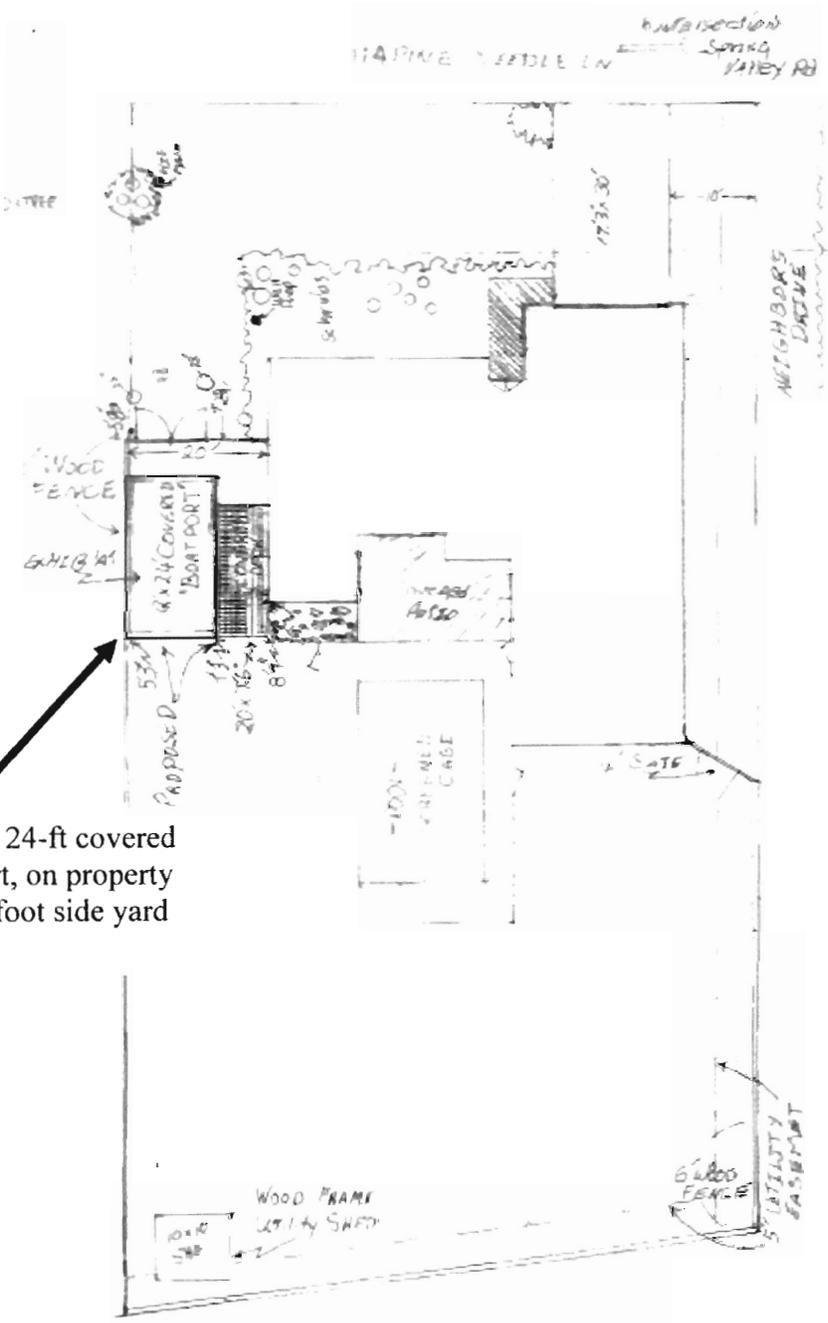
**STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )**

**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 \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:



12-ft by 24-ft covered boat port, on property line. 0-foot side yard setback