



	<ul style="list-style-type: none"><li>• Both of the structures are located in an utility easement that will be required to be vacated.</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> <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 existing and proposed sheds 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

Fee: \$150.00 plus \$50.00 for each additional variance

Application # BU 2009-09  
Meeting Date 3-23-09



# 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: Alan Hubley  
Address: 107 OAK ST. City: Altamonte Zip code: 32714  
Project Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Tax Parcel number: 03-21-29-510-0000-0040  
Contact number(s): (407) 962-0609  
Email address: \_\_\_\_\_

RECEIVED JAN 29 2008

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 checked="" type="checkbox"/> Shed	Please describe: <u>1 20x30 &amp; 1 12x10</u>
<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 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>6ft. proposed</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 checked="" type="checkbox"/> <u>Rear</u> yard setback	Required setback:	<u>10ft.</u>	Proposed setback:	<u>6ft. existing</u>
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	

Total number of variances requested 2

Signed: Alan Hubley

Date: 1-29-9

**FOR OFFICE USE ONLY**

Date Submitted: 1-29-09 Reviewed By: P. Johnson's Joy Williams  
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: Both sheds are encroaching in the 7' utility easements. Applicant is aware + will go thru varate process.

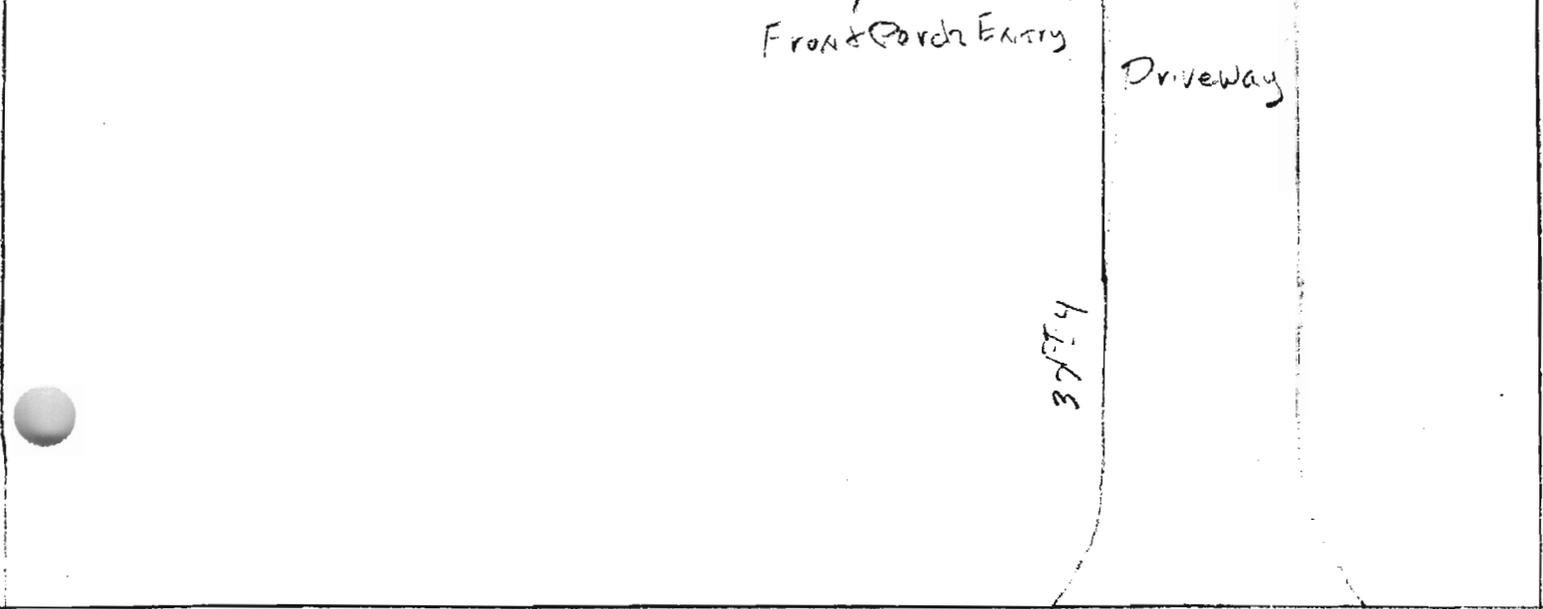
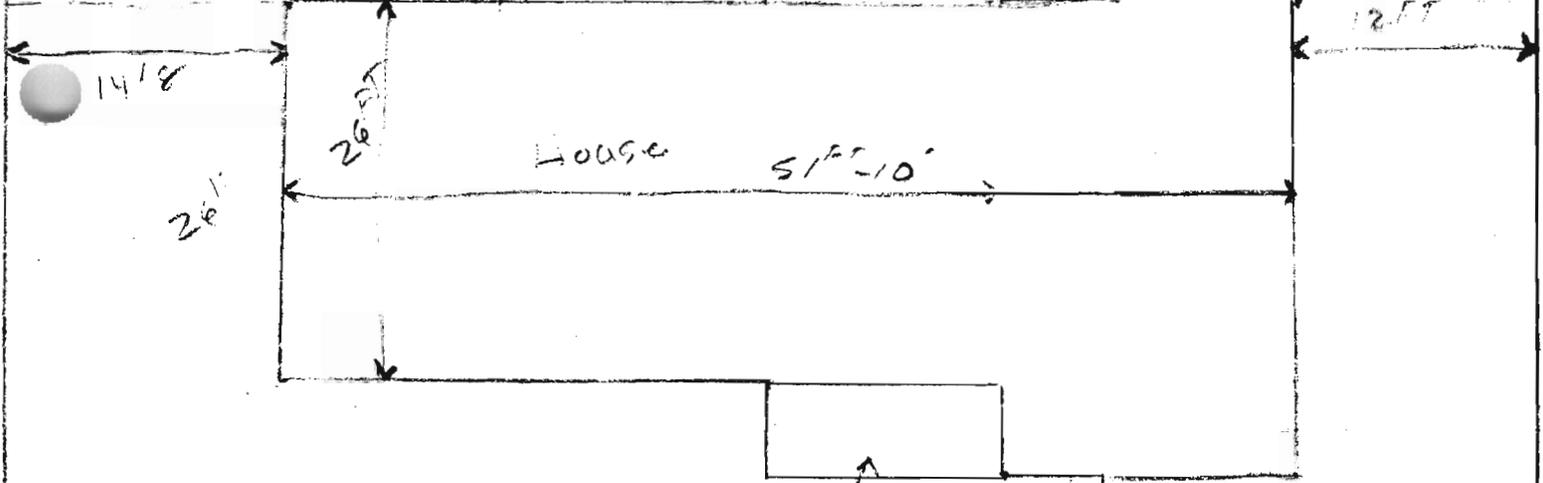
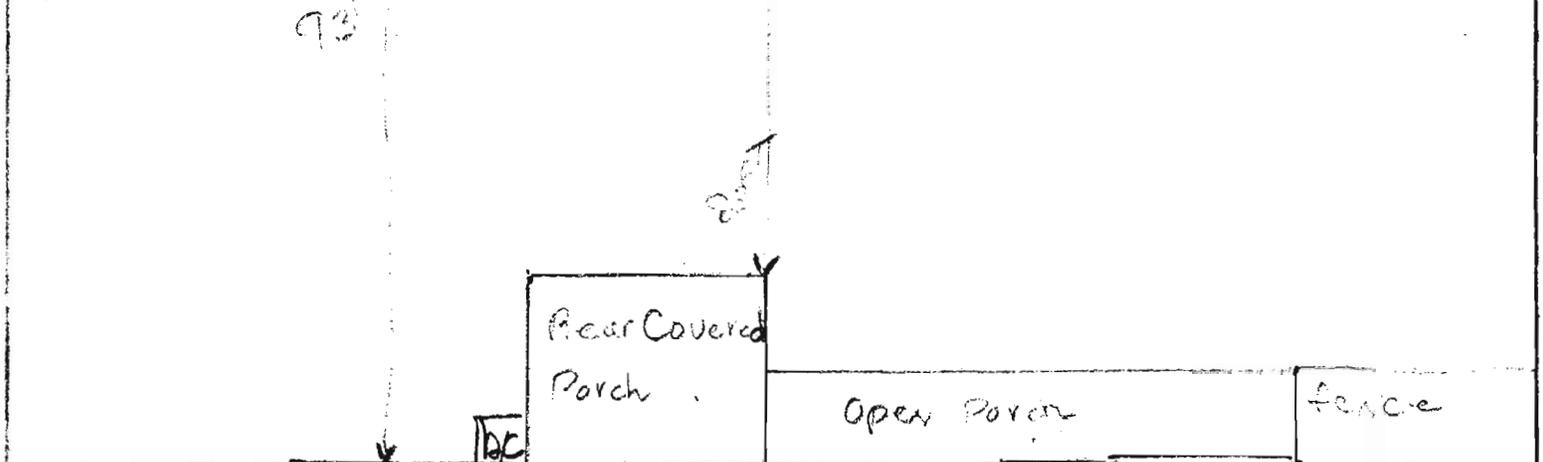
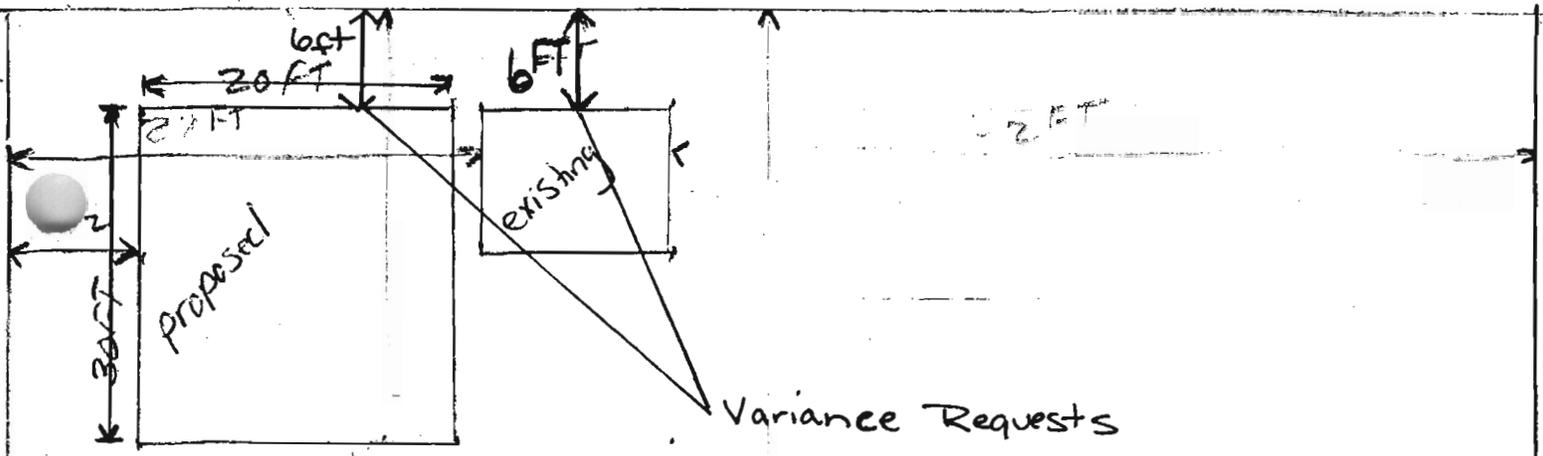
**VARIANCE SUBMITTAL CHECKLIST**

*Please return this checklist with your application!*

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist is provided to the Planning division.

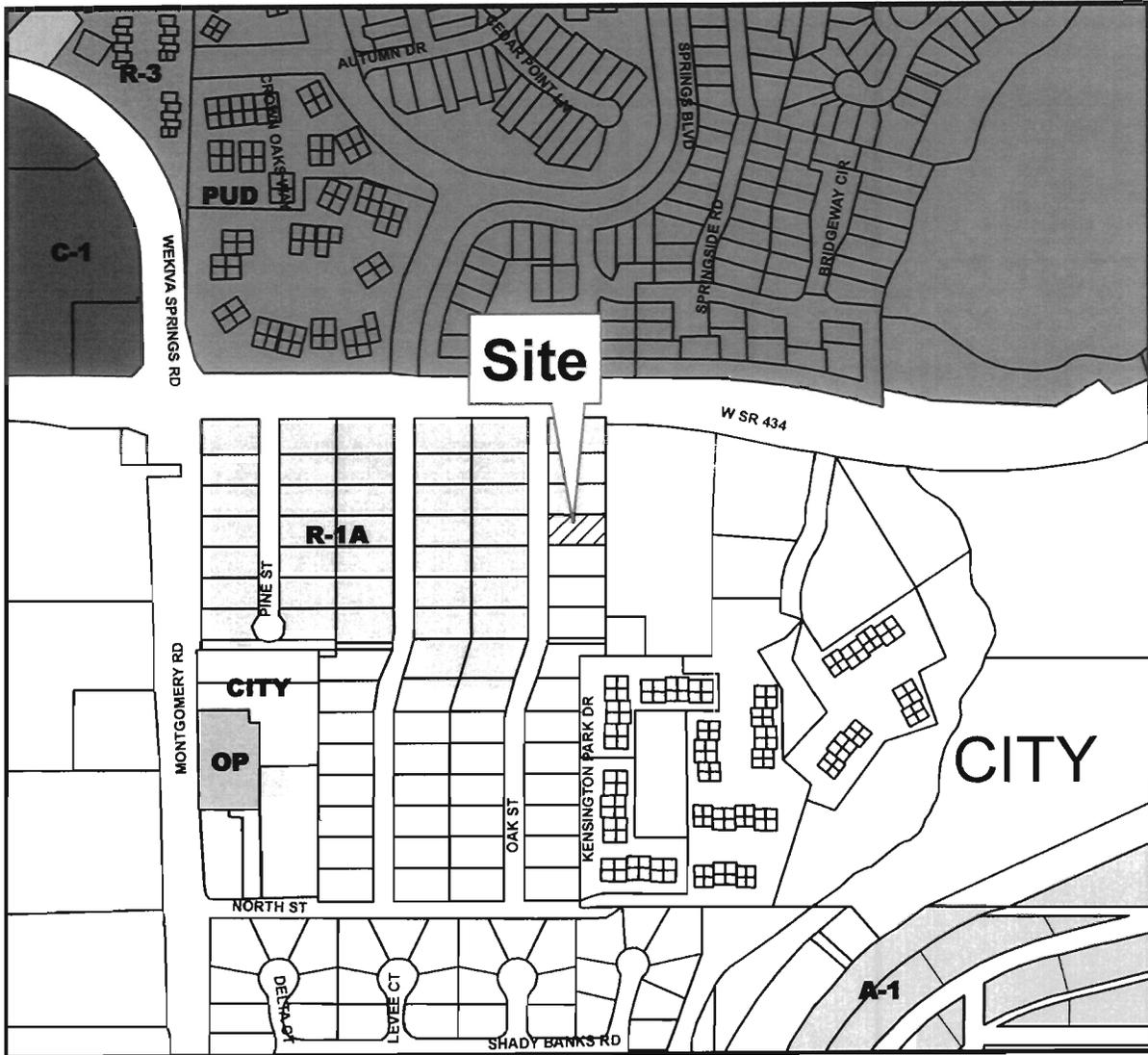
*After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.*

1. Completed application.
2. Ownership Disclosure Form (Seminole County Application & Affidavit).
3. 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>
4. 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, drain field and wells
<input type="checkbox"/> Location of all easements
<input type="checkbox"/> Existing or proposed house or addition <i>(Label existing, label proposed, and include square footage and dimensions of each )</i>
<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
<input type="checkbox"/> Building height
<input type="checkbox"/> Setbacks from each building to the property lines
<input type="checkbox"/> Location of proposed fence(s)
<input type="checkbox"/> Identification of available utilities (ex: water, sewer, well or septic)
5. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.



Oak St 197 Oak St

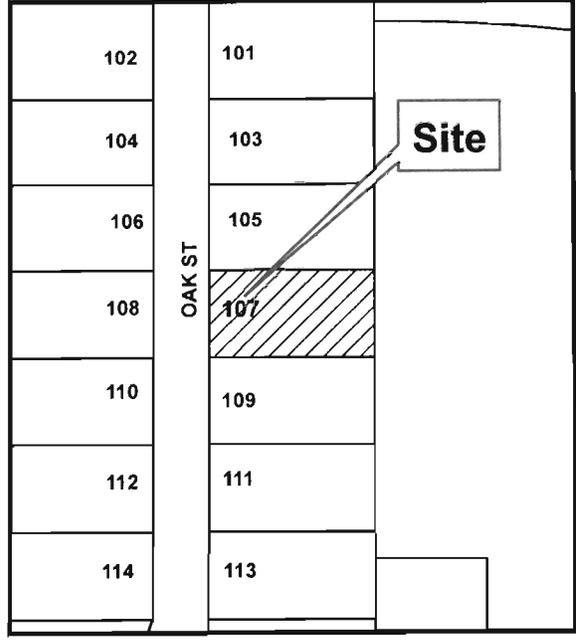
Alan Hubley  
 107 Oak Street  
 Altamonte Springs, Florida 32714



**Seminole County Board of Adjustment**  
 March 23, 2009  
 Case: BV2009-08 (Map 3155 Grid B4)  
 Parcel No: 03-21-29-510-0000-0040

**Zoning**

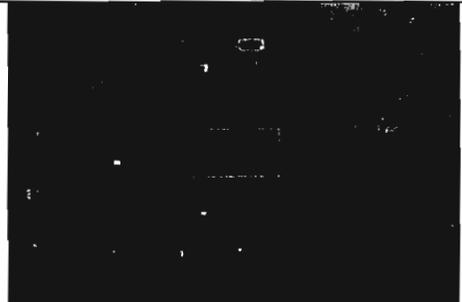
-  BV2009-08
-  A-1
-  R-1A
-  R-3
-  OP
-  C-1
-  PUD

**PARCEL DETAIL**

DAVID JOHNSON, CFA, ASA  
**PROPERTY APPRAISER**  
 SINGLE COUNTY FL  
 1101 E. FIRST ST  
 SANFORD, FL 32771-1468  
 407-665-7506

16	14	OAK ST	1	18
18	13		2	
17	12		3	
18	11		4	
19	10		5	
20	9		6	



**GENERAL**

Parcel Id: 03-21-29-510-0000-0040  
 Owner: HUBLEY ALAN P &  
 Own/Addr: HUBLEY S MARIE  
 Mailing Address: PO BOX 160695  
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32716  
 Property Address: 107 OAK ST ALTAMONTE SPRINGS 32714  
 Subdivision Name: SANLANDO ESTATES  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions: 00-HOMESTEAD (2009)  
 Dor: 01-SINGLE FAMILY

**VALUE SUMMARY**

VALUES	2009 Working	2008 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$77,666	\$86,584
Depreciated EXFT Value	\$0	\$0
Land Value (Market)	\$25,000	\$25,000
Land Value Ag	\$0	\$0
Just/Market Value	\$102,666	\$111,584
Portability Adj	\$0	\$0
Save Our Homes Adj	\$0	\$0
Assessed Value (SOH)	\$102,666	\$111,584

Tax Estimator

**2009 TAXABLE VALUE WORKING ESTIMATE**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$102,666	\$50,000	\$52,666
Schools	\$102,666	\$25,000	\$77,666
Fire	\$102,666	\$50,000	\$52,666
Road District	\$102,666	\$50,000	\$52,666
SJWM(Saint Johns Water Management)	\$102,666	\$50,000	\$52,666
County Bonds	\$102,666	\$50,000	\$52,666

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	11/2008	07095 0958	\$100	Improved	No
WARRANTY DEED	06/1979	01228 1619	\$100	Improved	No

Find Comparable Sales within this Subdivision

**2008 VALUE SUMMARY**

2008 Tax Bill Amount: \$1,680  
 2008 Certified Taxable Value and Taxes  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	25,000.00	\$25,000

**LEGAL DESCRIPTION**

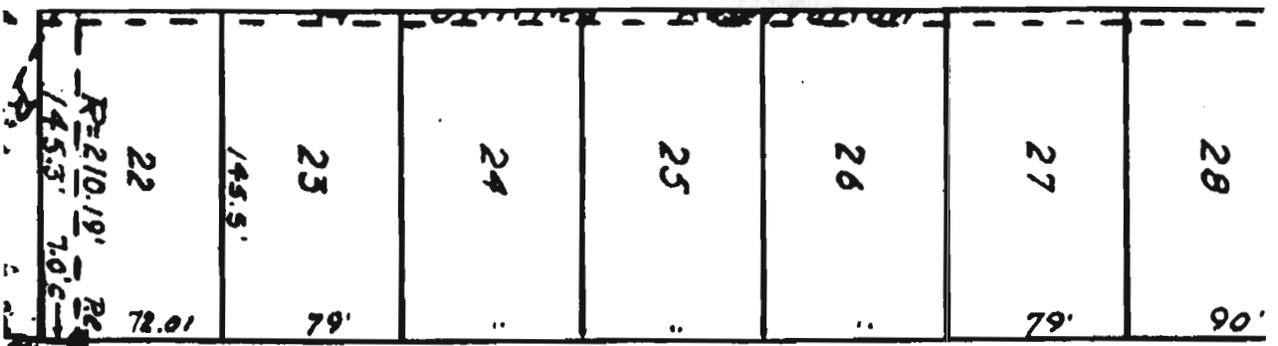
PLATS:   
 LEG LOT 4 SANLANDO ESTATES PB 12 PG 53

**BUILDING INFORMATION**

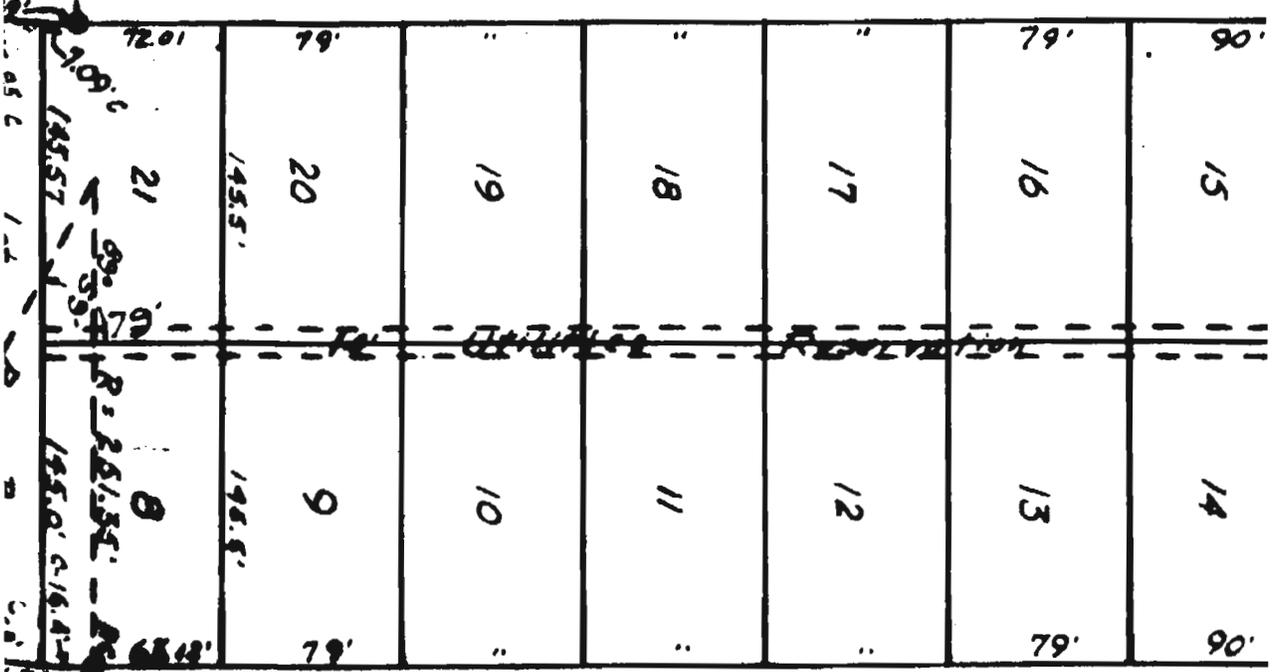
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1960	5	1,000	1,520	1,000	EW CONCRETE BLOCK	\$77,666	\$109,389
Appendage / Sqft		OPEN PORCH FINISHED / 52							
Appendage / Sqft		CARPORT FINISHED / 284							
Appendage / Sqft		UTILITY UNFINISHED / 64							
Appendage / Sqft		SCREEN PORCH UNFINISHED / 120							

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

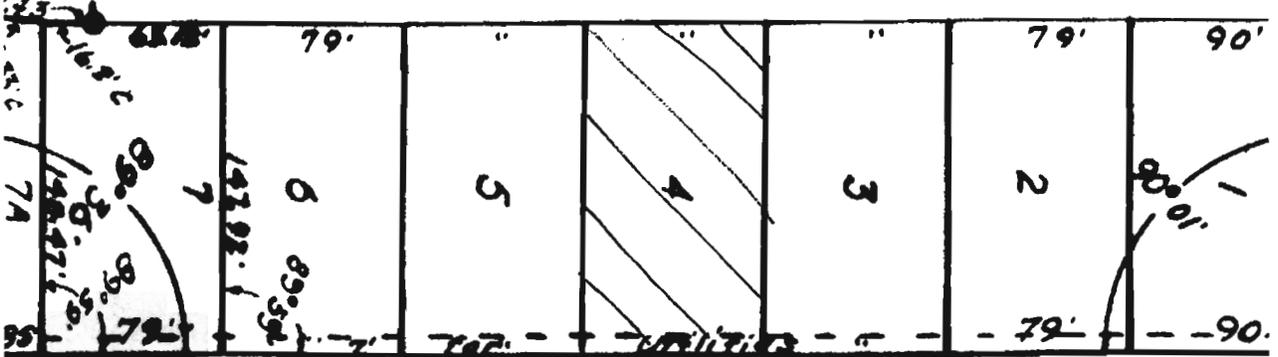
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.  
 \*\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.



Gum Street



Oak Street



609.85'

Acreage



**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

The owner of the real property associated with this application is a (check one)

Individual                       Corporation                       Land Trust

Limited Liability Company     Partnership

Other (describe): \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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	ADDRESS	PHONE NUMBER
ALAN P. Hubley	107 OAK St.	
MARIE Hubley		

(Use additional sheets for more space.)

2. For each **corporation**, list the name, address, and title of each officer; the name and address of each director of the corporation; and the name and address of each shareholder who owns two percent 2% or more of the stock of the corporation. Shareholders need not be disclosed if a corporation's stock are not traded publicly on any national stock exchange.

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST

(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 and the percentage of interest of each beneficiary. If any trustee or beneficiary of a trust is a corporation, please provide the information required in paragraph 2 above.

Trust Name: \_\_\_\_\_

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

4. For **partnerships**, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners. If any partner is a corporation, please provide the information required in paragraph 2 above.

NAME	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

5. In the circumstances of a **contract for purchase**, list the name and address of each contract purchaser. If the purchaser is a corporation, trust, or partnership, provide the information required for those entities in paragraphs 2, 3, and/or 4 above.

Name of Purchaser: \_\_\_\_\_

NAME	ADDRESS	% OF INTEREST

Date of Contract: \_\_\_\_\_

Please specify any contingency clause related to the outcome of the consideration of the application.

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.

1-29-09  
Date

*Alan Hubley*  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 29th day of JANUARY, 2009 by ALAN HUBLEY

*Patricia Johnson*  
Signature of Notary Public



Print, Type or Stamp Name of Notary Public  
Personally Known \_\_\_\_\_ OR Produced Identification   /    
Type of Identification Produced H140-015-52-003-D

<b>For Use by Planning &amp; Development Staff</b>	
Date: _____	Application Number: _____

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 28, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg lot 4 Sanlando Estates PB 12 PG 53

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

### FINDINGS OF FACT

**Property Owner:** Alan Hubley  
107 Oak Street  
Altamonte Springs, 32714

**Project Name:** Oak Street (107)

**Variance Approval:**

Rear yard setback variance from 30 feet to 6 feet for a proposed shed and 10 feet to 6 feet for an existing shed.

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: Kathy Fall, Principal 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 sheds 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:

**SEMINOLE COUNTY DENIAL DEVELOPMENT  
ORDER**

On March 28, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg lot 4 Sanlando Estates PB 12 PG 53

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

**FINDINGS OF FACT**

**Property Owner:** Alan Hubley  
107 Oak Street  
Altamonte Springs, 32714

**Project Name:** Oak Street (107)

**Requested Variance**

Rear yard setback variance from 30 feet to 6 feet for a proposed shed and 10 feet to 6 feet for an existing shed.

Approval was sought to bring an existing shed into compliance and request an additional shed. 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: Kathy Fall, Principal Planner  
1101 East First Street  
Sanford, Florida 32771

FILE NO.:

DEVELOPMENT ORDER #

**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: