

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 3275 Sunset Valley Court – Jon & Julie Vandendreissche, applicant; Request for a rear yard setback variance from 30 feet to 10 feet for a proposed single story detached addition in R-1AAAA (Single Family Dwelling) district.

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

Agenda Date 7/27/09 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Deny** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed single story detached addition in R-1AAAA (Single Family Dwelling) district; or
2. **Approve** the request for a rear yard setback variance from 30 feet to 10 feet for a proposed single story detached addition in R-1AAAA (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning: Subdivision:	Jon & Julie Vandendreissche 3275 Sunset Valley Court R-1AAAA (Single Family Dwelling) Sandy Lane Reserve
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 28 foot by 34 foot (952 square feet) detached addition that will encroach 20 feet into the required 30-foot rear yard setback • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property. 	

Reviewed by: _____
Co Atty: ALC
Pln Mgr: _____

STAFF FINDINGS	<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">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• Special conditions and circumstances result from the actions of the applicant.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate that all six criteria under the Land Development Code for granting a variance have been satisfied. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the detached addition as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.

INDEX OF ATTACHMENTS

Items that are checked are included in the packet

- Staff Report
- Application
- Applicant statement of request
- Proposed Site Plan
- Location map
- Property Appraiser data sheet
- PUD Commitment Card, *if applicable*

Support information:

- Proposed elevation drawings, renderings, floor plans, etc
- Aerials, *if warranted*
- Plat, *if warranted*
- Code Enforcement information
- Building Permit information
- Correspondence
- Authorization letter
- Applicant Authorization Form
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents

- Proposed Development Order

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

Application # BV 2009-59
Meeting Date 7-27-09

COPY



VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION ROOM 2201
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: Jana Julie Vandendriessche
Address: 3275 Sunset Valley Ct. City: Longwood Zip code: 32779
Project Address: 3275 Sunset Valley Ct. City: Longwood Zip code: 32779
Tax Parcel number: 07-21-29-521-0000-0060
Contact number(s): 407-862-5223 (407) 312-1593 cell
Email address: juvandendriessch@sprintmail.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>General Purpose Addition</u>
<input type="checkbox"/> This request is for a structure that has already been built.	

RECEIVED JUN 05 2009

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>30ft</u>	Proposed setback:	<u>10ft.</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>				

Signed: Julie Vandendriessche

Date: 6-3-09

FOR OFFICE USE ONLY

Date Submitted: 6-5-09 Reviewed By: F. Johnson
 Zoning/FLU R-1AAA / 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: _____

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.

<p><i>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.</i></p>	
✓	1. Completed application.
	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
	3. Owner's authorization letter (if needed). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
	4. Provide a legible 8 ½ x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	o Please start with a clean survey (ex: white out old approval stamps)
	o Size and dimension of the parcel
	o Location and name of all abutting streets
	o Location of driveways
	o Location, size and type of any septic systems, drain field and wells
	o Location of all easements
	o Existing or proposed house <u>or</u> addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	o Building height
	o Setbacks from each building to the property lines
	o Location of proposed fence(s)
	o 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.

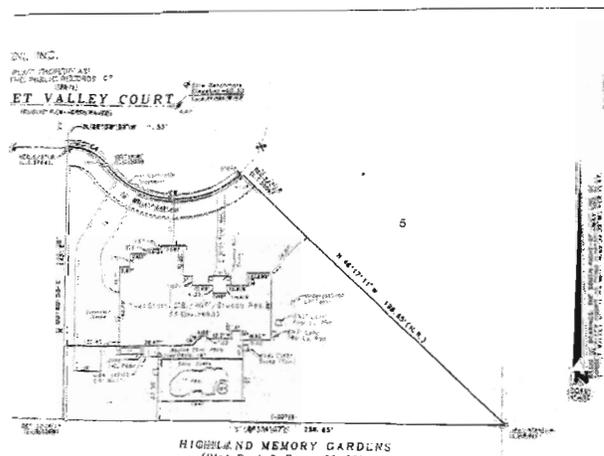
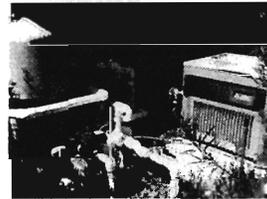
Description of General Purpose Addition:

- Single story detached addition. The addition to be used as a spare room for guests (including visiting parents & family) as well as a family recreation room.
- The proposed structure will be a concrete block structure with foundation and a tile roof.
- The proposed structure will be approximately 28 X 34 feet. A total of 952 sq. feet.
- The proposed structure will be located just east of the pool area as a stand alone structure. The proposed new structure will connect to the pool area via the pool screen enclosure and an enlarged pool deck.
- The proposed structure will be located in the vacant area between our pool and the existing playground/mulch area shown to the right. The play ground will need to be pushed east about 15-20 feet.



Reason Variance Needed:

- Our lot is an odd shaped lot. It is not square or rectangular. It is pie shaped on the east side.
- On the North side of our lot is the Sunset Valley Court cul-de-sac. The house was placed at the front limit of 25 feet from the road. There is also a 10' easement on the front of the property as shown in the survey.
- The house was placed at the west most point of the lot as well where the driveway is located. The septic tank and drain field is located between the pool area and the west side of the property directly behind the driveway & garage.
- The south side of our property is adjacent to a property owned by the Highland Memory Garden and has been left as a woods area with no development for more than 20 years.
- The area to the east of the house is where all of the pool equipment, electrical box, water softener, cable hookups, solar system connection, satellite system, and propane tank (which is sunk in the ground) are located as well as a large sycamore tree and several other trees in the side yard. It is also where the lot is not square.



Neighboring Properties:

- West property line: Harold & Riet Zwart at 3271 Sunset Valley Ct.
- East property line: Bob & Kristi Work at 3269 Sunset Valley Ct.
- South property line: Highland Memory Gardens (wooded area)
- North property line: Sunset Valley Ct cul-de-sac. The neighbors across the cul-de-sac are Lora & Ed Wentzel at 3278 Sunset Valley Ct. and Mike & Debbie Owens at 3272 Sunset Valley Ct.

Other interested Party:

- Sandy Lane Reserve Homeowners' Association with Larry Fleming as the Sandy Lane Reserve Homeowner's Association ARB Director.

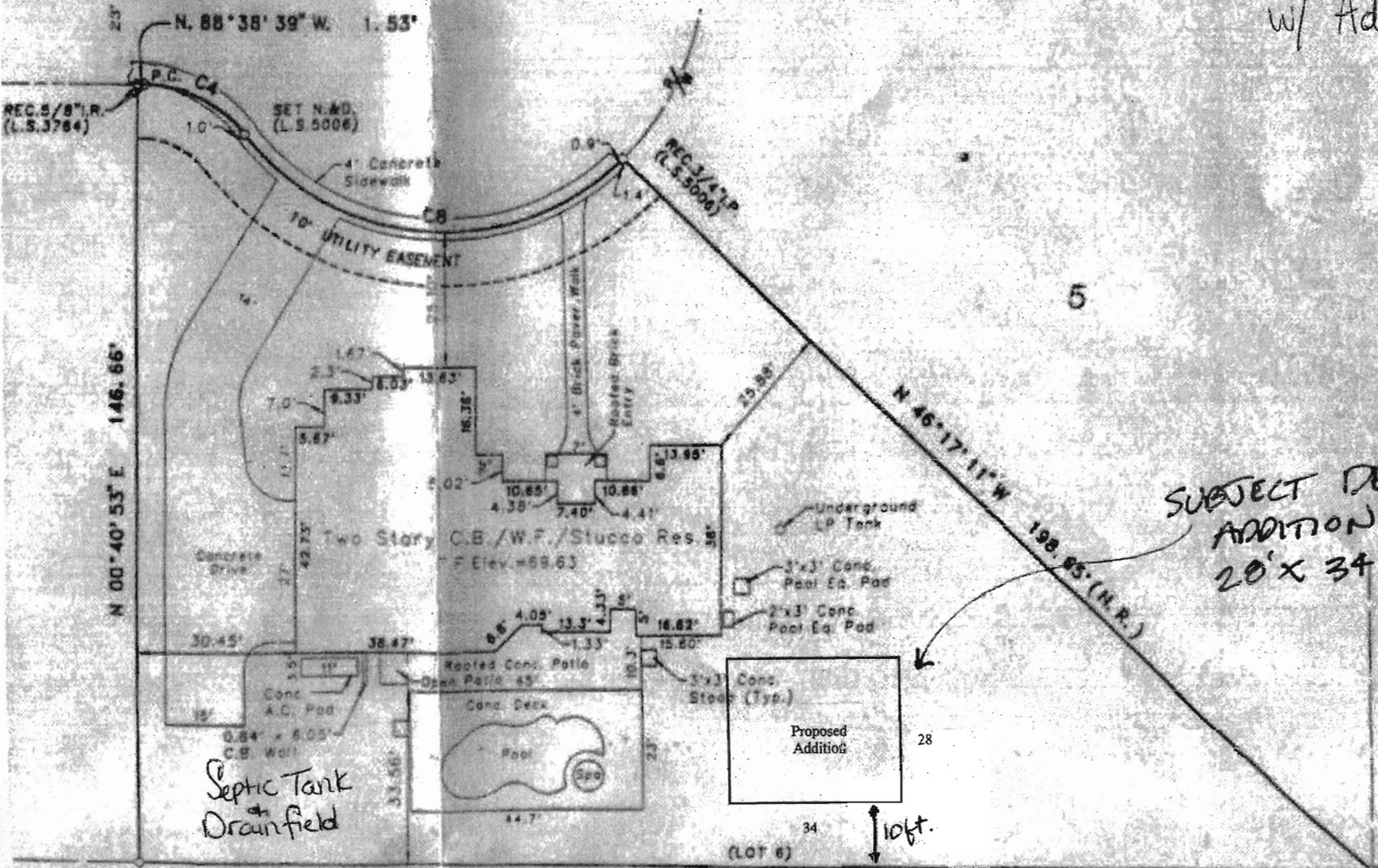
L, INC.
AT THEREOF AS
E PUBLIC RECORDS OF
(#3275)

SUNSET VALLEY COURT

(PUBLIC R/W-OPEN, PAVED)

Site Benchmark
Elevation = 65.30
Top of Nail @ R.P.

→ Proposed
Layout
w/ Addition



SUBJECT DETACHED
ADDITION
20' x 34'

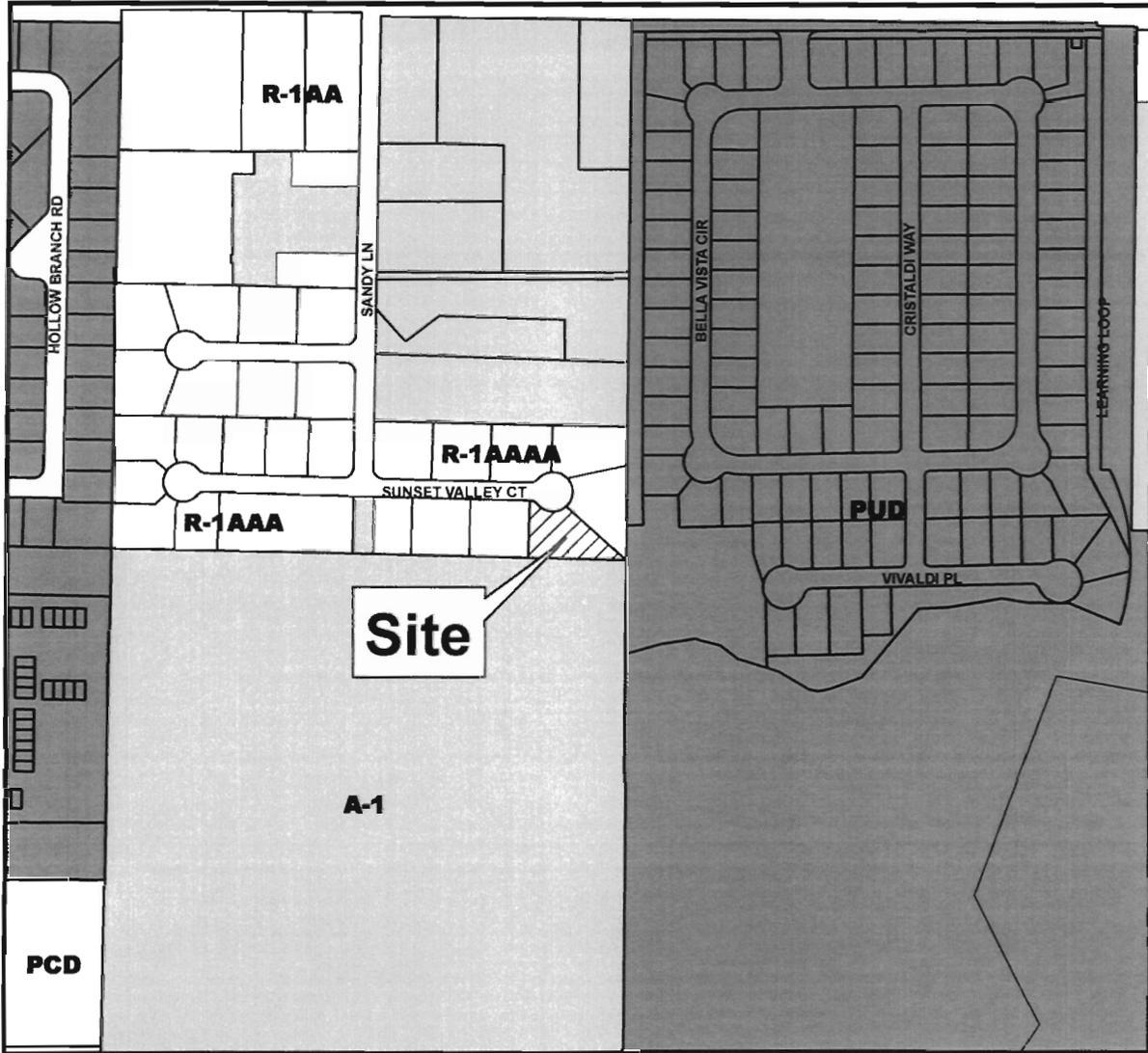
SCALE:
1" = 30'

BASIS OF BEARINGS: THE SOUTH RIGHT-OF-WAY LINE OF
SUNSET VALLEY COURT AS BEING N. 88° 38' 39" W., PER PLAT.

SET 3/4" P
(L.S. 5006)

REC. 47
(L.B. 22)

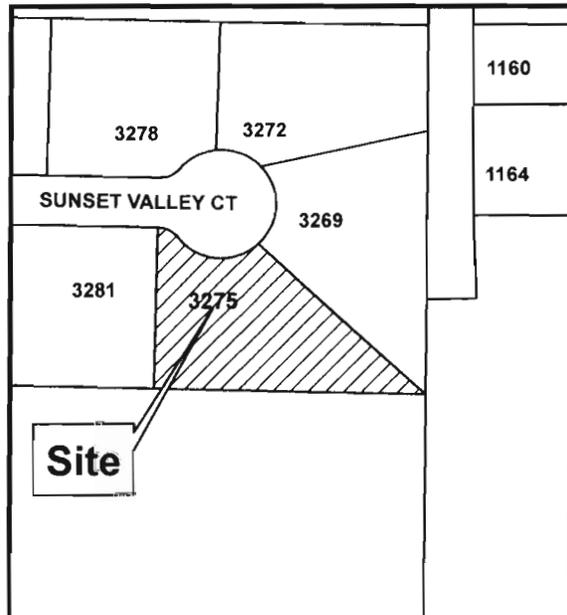
Jon & Julie Vandendriessche
 3275 Sunset Valley Court
 Longwood, Florida 32779



Seminole County Board of Adjustment
 July 27, 2009
 Case: BV2009-59 (Map 3154 Grid B5)
 Parcel No: 07-21-29-521-0000-0060

Zoning

-  BV2009-59
-  A-1
-  R-1AAAA
-  R-1AAA
-  R-1AA
-  PUD



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-565-7506</p>																																																																															
<p align="center">GENERAL</p> <p>Parcel Id: 07-21-29-521-0000-0060 Owner: VANDENDRIESSCHE JON & JULIE Mailing Address: 3275 SUNSET VALLEY CT City,State,ZipCode: LONGWOOD FL 32779 Property Address: 3275 SUNSET VALLEY CT LONGWOOD 32779 Subdivision Name: SANDY LANE RESERVE Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2005) Dor: 01-SINGLE FAMILY</p>		<p align="center">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>VALUES</th> <th>2009 Working</th> <th>2008 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 align="center">1</td> <td align="center">1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td align="right">\$440,813</td> <td align="right">\$487,952</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td align="right">\$15,862</td> <td align="right">\$16,568</td> </tr> <tr> <td>Land Value (Market)</td> <td align="right">\$150,000</td> <td align="right">\$175,000</td> </tr> <tr> <td>Land Value Ag</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Just/Market Value</td> <td align="right">\$606,675</td> <td align="right">\$679,520</td> </tr> <tr> <td>Portability Adj</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td align="right">\$0</td> <td align="right">\$50,306</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td align="right">\$606,675</td> <td align="right">\$629,214</td> </tr> </tbody> </table> <p align="center">Tax Estimator</p>	VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$440,813	\$487,952	Depreciated EXFT Value	\$15,862	\$16,568	Land Value (Market)	\$150,000	\$175,000	Land Value Ag	\$0	\$0	Just/Market Value	\$606,675	\$679,520	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$50,306	Assessed Value (SOH)	\$606,675	\$629,214																																												
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COOL DECK PATIO	2004	632	\$1,936	\$2,212
SCREEN ENCLOSURE	2004	2,213	\$3,689	\$4,426
SPA	2004	1	\$2,084	\$2,500
ELECTRIC HEATER	2004	1	\$550	\$1,100
SOLAR HEATER	2004	1	\$550	\$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

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
Jon Vandendriessche	3275 Sunset Valley Ct.	407-862-5223
Solie Vandendriessche	3275 Sunset Valley Ct.	407-862-5223

(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.

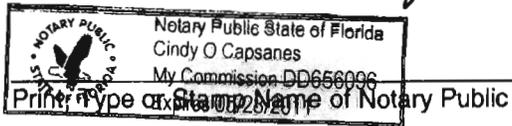
6/5/09
Date

Jon Vandenberg
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 5 day of June, 2009 by Cindy Capsnes

Cindy Capsnes
Signature of Notary Public



Personally Known OR Produced Identification _____
Type of Identification Produced _____

For Use by Planning & Development Staff	
Date: _____	Application Number: _____

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On July 27, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 6 SANDY LANE RESERVE PB 62 PGS 32 & 33

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

FINDINGS OF FACT

Property Owner: Jon & Julie Vandendriessche
3275 Sunset Valley Ct
Longwood FI 32779

Project Name: Sunset Valley Court (3275)

Requested Variance:

A rear yard setback variance from 30 feet to 10 feet for a proposed single story detached addition in R-1AAAA (Single Family Dwelling) district.

Approval was sought to construct an addition 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: Denny Gibbs, Senior 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 July 27, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 6 SANDY LANE RESERVE PB 62 PGS 32 & 33

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

FINDINGS OF FACT

Property Owner: Jon & Julie Vandendriessche
3275 Sunset Valley Ct
Longwood FL 32779

Project Name: Sunset Valley Court (3275)

Variance Approval:

A rear yard setback variance from 30 feet to 10 feet for a proposed single story detached addition in R-1AAAA (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: Denny Gibbs, Senior 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 detached 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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

