

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 workshop 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 # BV2010-09
Meeting Date 3.22.10



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: John & Pamela Kacerosky
Address: 1315 Windsor Ave City: Longwood Zip code: 32750
Project Address: 1315 Windsor Ave City: Longwood Zip code: 32750
Tax Parcel number: 02-21-29-515-0A00-0220
Contact number(s): 403-339-0308 (home)
Email address: jkacerosky@csfl.net & pam@kacerosky.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 workshop/garage	Please describe: <u>Designed architecturally to match existing home.</u>
<input type="checkbox"/> This request is for a structure that has already been built.	

RECEIVED FEB 09 2010

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:		Proposed setback:
<input checked="" type="checkbox"/> Side yard setback (2)	Required setback:	<u>20'</u>	Proposed setback: <u>10'</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:

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 2

Signed: John & Pamela Kacerosky Date: 2/8/10

FOR OFFICE USE ONLY

FOR OFFICE USE ONLY

Date Submitted: 3-9-10

Reviewed By: F. Johnson

Zoning/FLU RC-1/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: _____

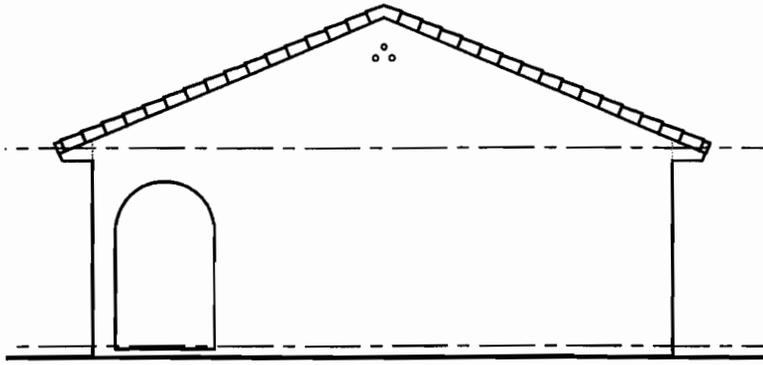
VARIANCE SUBMITTAL CHECKLIST

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.

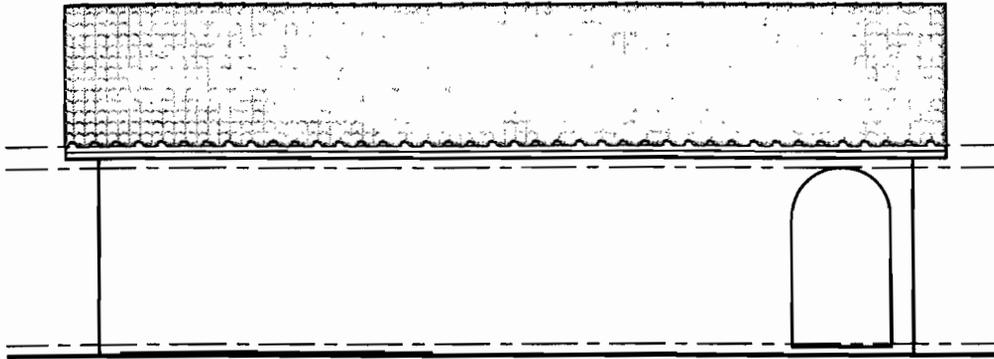
After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.

	1. Completed application.
	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
	3. Owner's authorization letter (if needed). This form can be obtained at 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.
	<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.



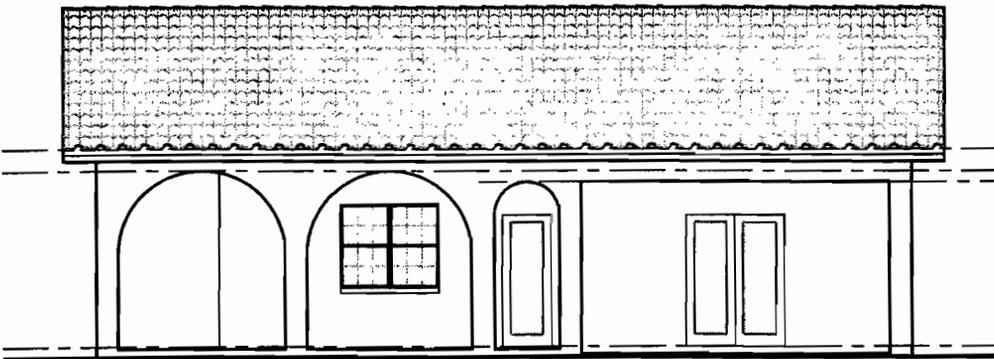
4 REAR ELEVATION

3/16"=1'-0"



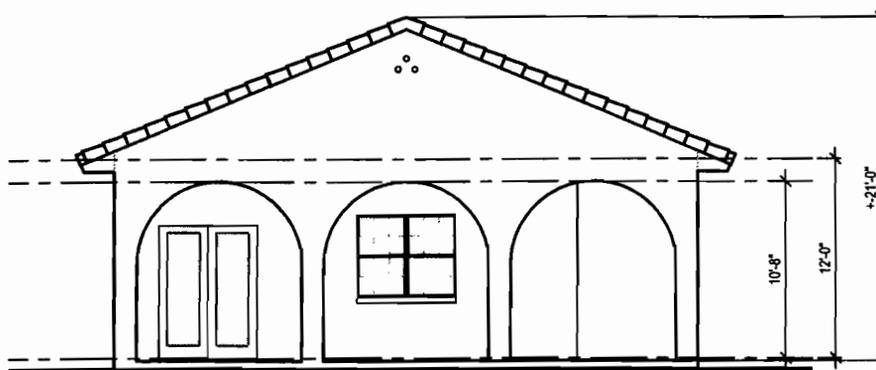
3 LEFT SIDE ELEVATION

3/16"=1'-0"



2 RIGHT SIDE ELEVATION

3/16"=1'-0"



1 FRONT ELEVATION

3/16"=1'-0"

ROXBORO ROAD
100' SOUTH OF WALK

TING, PLUMBING
CLOSET SHELVING
BY OTHER MATERIALS

GS MUST BE

SECTION OF PROPERTY
TAKEN BY THE STATE
FOR ROUTE 434 R.O.W.

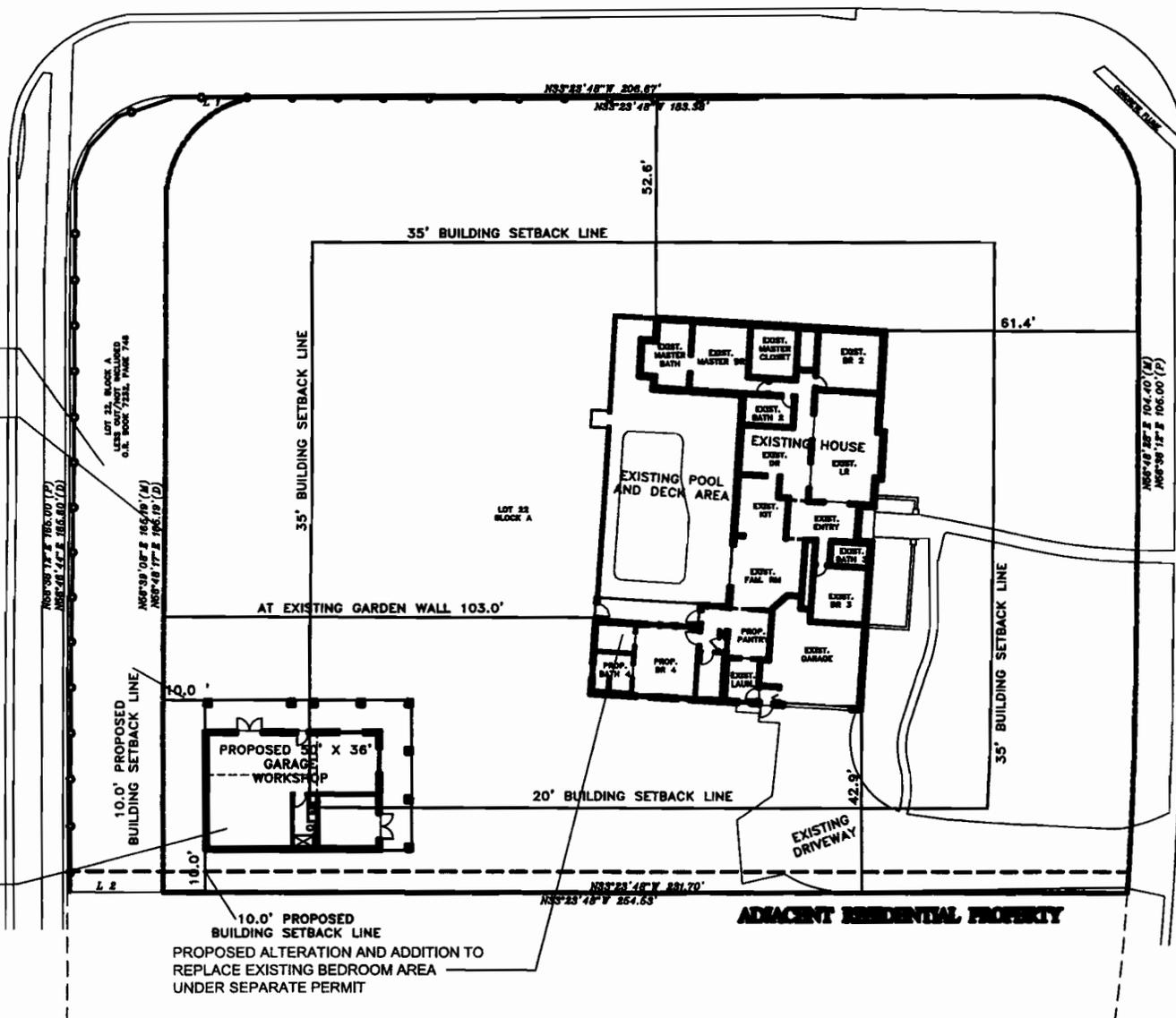
NEW PROPERTY LINE
AS A RESULT

STATE ROAD NO. 434
100' SOUTH OF WALK

PROPOSED GARAGE LOCATION
REQUIRES A ZONING VARIANCE
FOR LOCATION SHOWN

1 ARCHITECTURAL SITE PLAN

1"=20'



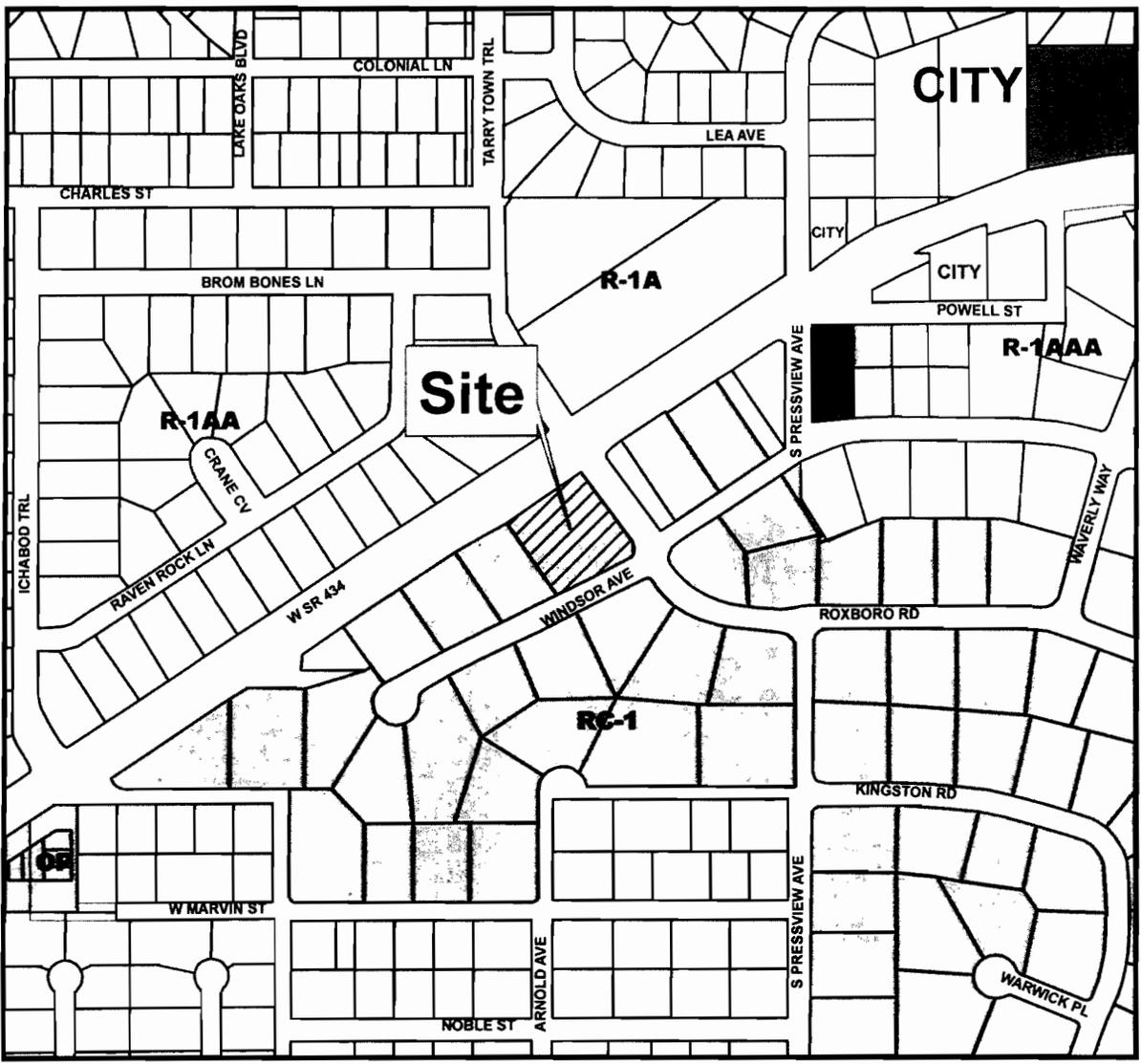
WINDOR AVENUE
100' SOUTH OF WALK

INFORMATION ON THIS ARCHITECTURAL SITE PLAN HAS BEEN PROVIDED BY:

ALTAMONTE SURVEYING
435 DOUGLAS AVE
ALTAMONTE SPRINGS, FL 32714
PHONE: (407) 862-7555

SURVEY DATED 12/23/09 FOR MORE INFORMATION SEE SURVEY.

John & Pamela Kacerosky
 1315 Windsor Avenue
 Longwood, FL 32750

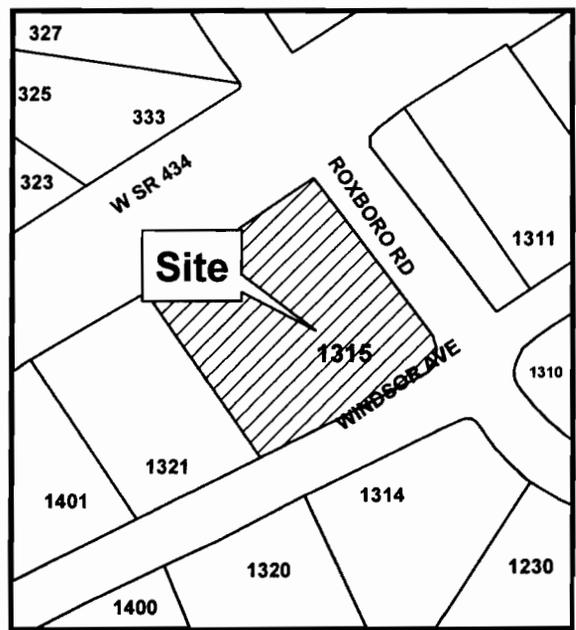


Seminole County Board of Adjustment
 March 22, 2010
 Case: BV2010-09 (Map 3155 Grid E2)
 Parcel No: 02-21-29-515-0A00-0220

Zoning

	BV2010-09		R-1A
	RC-1		OP
	R-1AAA		CN
	R-1AA		C-1

N

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-568-7508</p>																																																																								
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 02-21-29-515-0A00-0220 Owner: KACEROSKY JOHN J & PAMELA Mailing Address: 1315 WINDSOR AVE City,State,ZipCode: LONGWOOD FL 32750 Property Address: 1315 WINDSOR AVE LONGWOOD FL 32750 Subdivision Name: KNOLLWOOD Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2004) Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">VALUES</th> <th style="text-align: center;">2010 Working</th> <th style="text-align: center;">2009 Certified</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Value Method</td> <td style="text-align: center;">Cost/Market</td> <td style="text-align: center;">Cost/Market</td> </tr> <tr> <td style="text-align: center;">Number of Buildings</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">Depreciated Bldg Value</td> <td style="text-align: right;">\$276,546</td> <td style="text-align: right;">\$302,299</td> </tr> <tr> <td style="text-align: center;">Depreciated EXFT Value</td> <td style="text-align: right;">\$7,294</td> <td style="text-align: right;">\$7,294</td> </tr> <tr> <td style="text-align: center;">Land Value (Market)</td> <td style="text-align: right;">\$60,000</td> <td style="text-align: right;">\$60,000</td> </tr> <tr> <td style="text-align: center;">Land Value Ag</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Just/Market Value</td> <td style="text-align: right;">\$343,840</td> <td style="text-align: right;">\$369,593</td> </tr> <tr> <td style="text-align: center;">Portability Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Save Our Homes Adj</td> <td style="text-align: right;">\$28,212</td> <td style="text-align: right;">\$54,280</td> </tr> <tr> <td style="text-align: center;">Assessed Value (SOH)</td> <td style="text-align: right;">\$315,628</td> <td style="text-align: right;">\$315,313</td> </tr> </tbody> </table> <p style="text-align: center;">Tax Estimator Portability Calculator</p>	VALUES	2010 Working	2009 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$276,546	\$302,299	Depreciated EXFT Value	\$7,294	\$7,294	Land Value (Market)	\$60,000	\$60,000	Land Value Ag	\$0	\$0	Just/Market Value	\$343,840	\$369,593	Portability Adj	\$0	\$0	Save Our Homes Adj	\$28,212	\$54,280	Assessed Value (SOH)	\$315,628	\$315,313																																					
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<p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base</p>																																																																								

Semi Finished

Permits

EXTRA FEATURE					
Description	Year Blt	Units	EXFT Value	Est. Cost New	
FIREPLACE	1969	1	\$600	\$1,500	
POOL GUNITE	1969	581	\$4,648	\$11,620	
COOL DECK PATIO	1969	968	\$1,355	\$3,388	
STUCCO WALL	1969	432	\$691	\$1,728	

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
Pamela Kacerosky	1315 Windsor Ave, Longwood 32750	407 339 0308
John Kacerosky	1315 Windsor Ave, Longwood 32750	407 339 0308

(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
N/A			

(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
N/A			

(Use additional sheets for more space.)

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
N/A		

(Use additional sheets for more space.)

5. For each **limited liability company**, list the name, address, and title of each manager or managing member; and the name and address of each additional member with two percent (2%) or more membership interest. If any member with two percent (2%) or more membership interest, manager, or managing member is a corporation, trust or partnership, please provide the information required in paragraphs 2, 3 and/or 4 above.

NAME	TITLE	ADDRESS	% OF INTEREST
N/A			

(Use additional sheets for more space.)

6. 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: N/A

NAME	ADDRESS	% OF INTEREST
N/A		

Date of Contract: N/A

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.

2.8.10
Date

John & Pamela Kacerosky
Owner, Agent, Applicant Signature

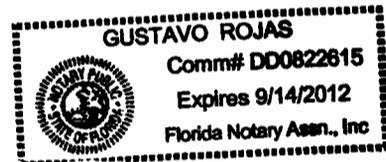
STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 8th day of February, 2010 by John & Pamela Kacerosky

[Signature]
Signature of Notary Public

Gustavo Rojas
Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification _____
Type of Identification Produced



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

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 22, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 22 (LESS ROAD) BLK A KNOLLWOOD PB 14 PG 58

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

FINDINGS OF FACT

Property Owner: John and Pamela Kacerosky
1315 Windsor Avenue
Longwood, Fl. 32750

Project Name: Windsor Avenue (1315)

Variance Approval:

Request for side yard setback variances from 20 feet to 10 feet for a proposed workshop.

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 workshop 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 & Development 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 _____, 2010.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

ROCKWOOD ROAD
100' RIGHT OF WAY

TING, PLUMBING
CLOSET SHELVING
BY OTHER MATERIALS

GS MUST BE

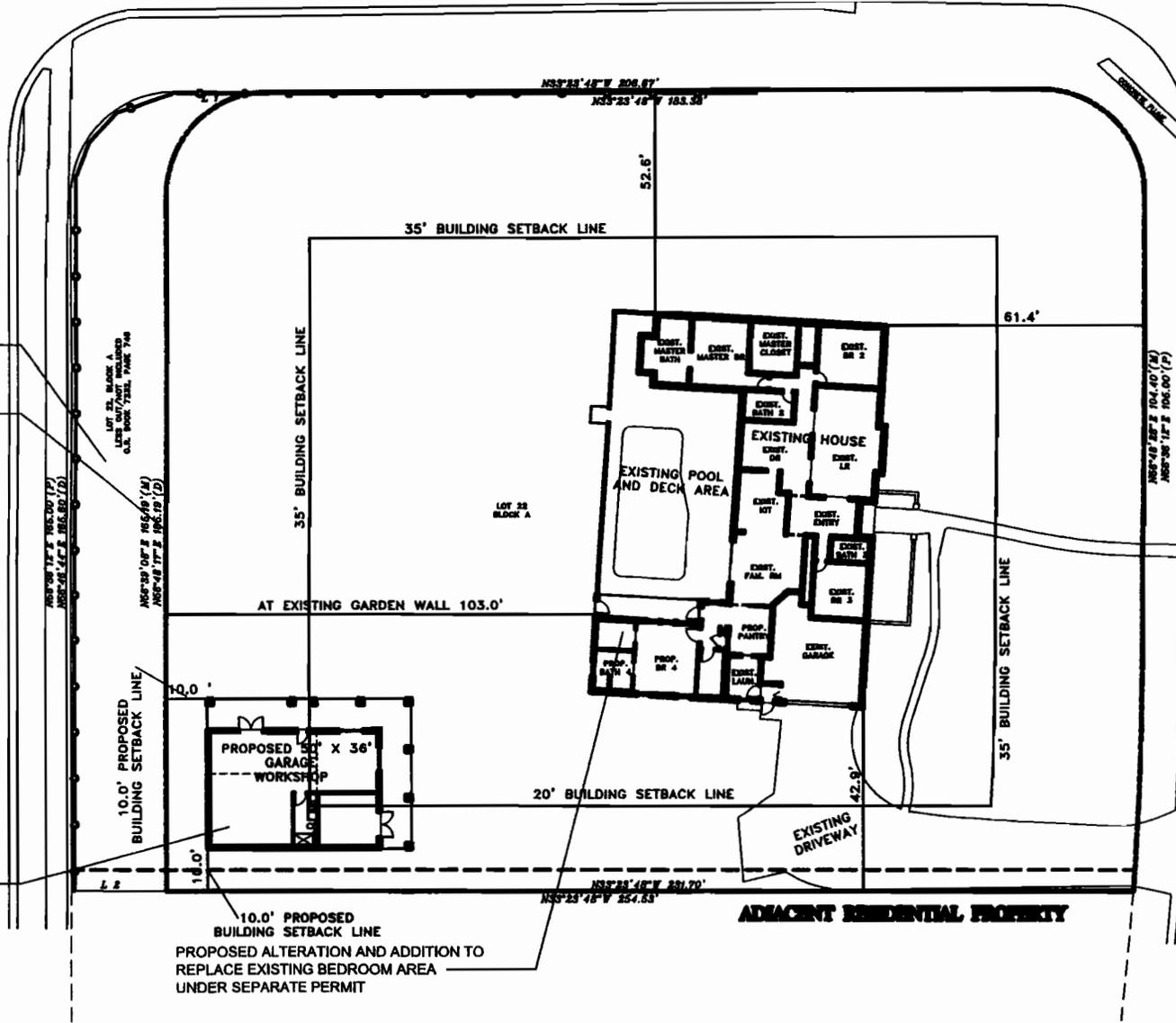
SECTION OF PROPERTY
TAKEN BY THE STATE
FOR ROUTE 434 R.O.W.

NEW PROPERTY LINE
AS A RESULT

STATE ROAD NO. 434
RIGHT OF WAY WIDTH MUST REMAIN

PROPOSED GARAGE LOCATION
REQUIRES A ZONING VARIANCE
FOR LOCATION SHOWN

10.0' PROPOSED
BUILDING SETBACK LINE
PROPOSED ALTERATION AND ADDITION TO
REPLACE EXISTING BEDROOM AREA
UNDER SEPARATE PERMIT



WINDSOR AVENUE
50' RIGHT OF WAY

INFORMATION ON THIS
ARCHITECTURAL SITE PLAN
HAS BEEN PROVIDED BY:

ALAMONTE SURVEYING
435 DOUGLAS AVE
ALAMONTE SPRINGS, FL 32714
PHONE: (407) 862-7555

SURVEY DATED 12/23/09 FOR
MORE INFORMATION SEE
SURVEY.

1 ARCHITECTURAL SITE PLAN

1"=20'



SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 22, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 22 (LESS ROAD) BLK A KNOLLWOOD PB 14 PG 58

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

FINDINGS OF FACT

Property Owner: John and Pamela Kacerosky
1315 Windsor Avenue
Longwood, Fl. 32750

Project Name: Windsor Avenue (1315)

Variance Request:

Request for side yard setback variances from 20 feet to 10 feet for a proposed workshop.

Approval was sought to construct a workshop that encroaches 10 feet into the side yard setbacks. 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

Done and Ordered on the date first written above.

By: _____
Alison C. Stettner
Planning & Development 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 _____, 2010.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

ROXBORO ROAD
100' NORTH OF WAY

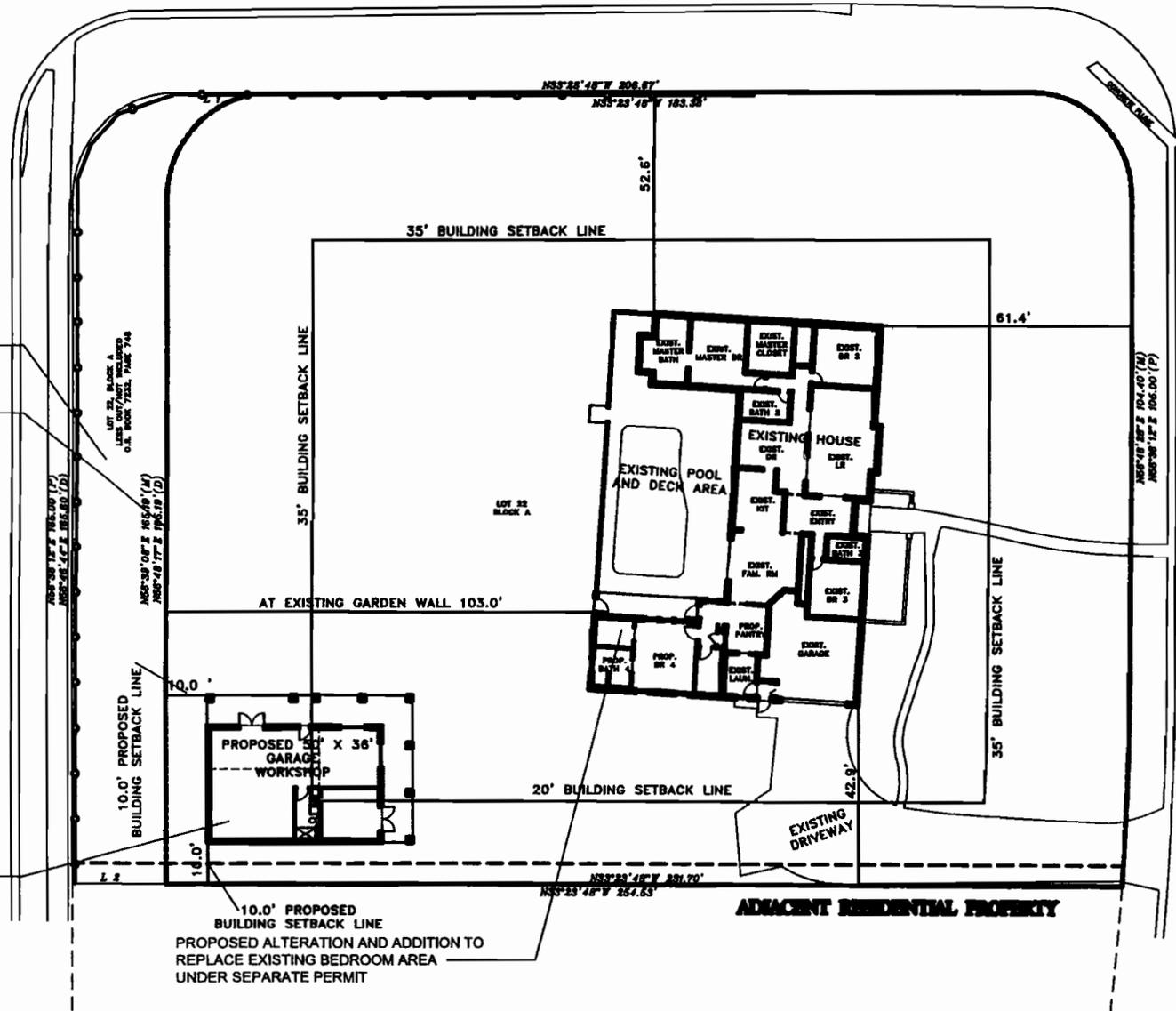
ING, PLUMBING
CLOSET SHELIVING
BY OTHER MATERIALS

SS MUST BE

SECTION OF PROPERTY
TAKEN BY THE STATE
FOR ROUTE 434 R.O.W.

NEW PROPERTY LINE
AS A RESULT

STATE ROAD NO. 434
RIGHT OF WAY NORTH AND SOUTH



WINDSOR AVENUE
100' NORTH OF WAY

PROPOSED GARAGE LOCATION
REQUIRES A ZONING VARIANCE
FOR LOCATION SHOWN

10.0' PROPOSED
BUILDING SETBACK LINE
PROPOSED ALTERATION AND ADDITION TO
REPLACE EXISTING BEDROOM AREA
UNDER SEPARATE PERMIT

INFORMATION ON THIS
ARCHITECTURAL SITE PLAN
HAS BEEN PROVIDED BY:

ALAMONTE SURVEYING
435 DOUGLAS AVE
ALAMONTE SPRINGS, FL 32714
PHONE: (407) 862-7555

SURVEY DATED 12/23/09 FOR
MORE INFORMATION SEE
SURVEY.

1 ARCHITECTURAL SITE PLAN

1"=20' 

BV 2010-09

DATE: March 3, 2010

**To: Mr. and Mrs. Kacerowsky,
1315 Windsor Ave.
Longwood, Florida 32750**

RE: Detached Shop

Dear John and Pam,

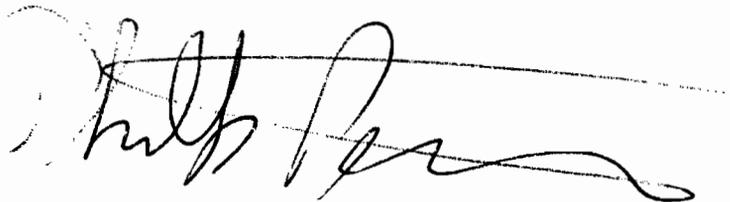
It was a pleasure meeting with you and reviewing your plans for your home renovation.

My family and I have been living at 1320 Windsor Avenue since 1973. We have no objections to the out-parcel building placement on the back portion of your property.

It's looks very nice on the drawings and will be an asset to the neighborhood.

Very Truly Yours,

Phillip Peatross

A handwritten signature in black ink, appearing to read "Phillip Peatross", written over a horizontal dotted line.

BU 2010-09

2/11/10

TO: JOHN KACEROSKY and PAMELA KACEROSKY
property owners of 1315 Windsor Ave. Longwood, Florida
Knollwood Subdivision in Seminole County

RE: WORK SHOP ADDITION to 1315 Windsor Ave. Longwood, Florida

Addition of WORK SHOP to have a 10 foot set back from
north side rear of 1321 Windsor Ave. property, Longwood
Florida according to DEED RESTRICTIONS recorded in
Seminole County Florida.

This addition is to be used solely as a WORK SHOP ^{garage} and will
not be used as a rental now or in the future.

Elena Duffy property owner of 1321 Windsor Ave.
Longwood, Florida

Elena Duffy

*Sam Kacerosky
John J. Kacerosky*