BV2003-199

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 20 FEET TO 14 FEET FOR A PROPOSED FENCE RELOCATION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SERGIO & MARTHA MORA, APPLICANTS).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Rich Steiger **EXT.** 7936

Agenda Date 1-26-04 **Regular** ☒ **Consent** ☐ **Public Hearing – 6:00** ☐

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 20 FEET TO 14 FEET FOR A PROPOSED FENCE RELOCATION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SERGIO & MARTHA MORA, APPLICANTS); OR

2. **DENY** THE REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 20 FEET TO 14 FEET FOR A PROPOSED FENCE RELOCATION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (SERGIO & MARTHA MORA, APPLICANTS); OR

3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(District 4 – Henely) (Rich Steiger, Planner)

GENERAL INFORMATION	APPLICANTS: LOCATION: ZONING:	SERGIO & MARTHA MORA 514 HASSOCKS LOOP PUD (PLANNED UNIT DEVELOPMENT)
BACKGROUND/ REQUEST	• THE APPLICANTS PROPOSE TO RELOCATE A FENCE THAT WOULD ENCROACH 6 FEET INTO THE MINIMUM SIDE STREET SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.	
STAFF FINDINGS	• THE APPLICANTS HAVE FAILED TO DEMONSTRATE A HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES. • THE REQUEST IS NOT THE MINIMUM VARIANCE POSSIBLE, SINCE THE EXISTING PRIVACY FENCE	

	ALREADY PROVIDES REASONABLE USE OF THE PROPERTY. • THE REQUEST WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER LANDS IN THE PUD BY ALLOWING ENCROACHMENT INTO THE SIDE STREET SETBACK THAT EXCEEDS THE LIMITS OF NEIGHBORHOOD DEVELOPMENT TRENDS.
STAFF RECOMMENDATION	STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE VARIANCE REQUEST UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS: • ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED FENCE AS DEPICTED ON THE ATTACHED SITE PLAN. • ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.

SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX APPL.NO. BV2003-199

COPY

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

APPLICATION TYPE:

☑ **VARIANCE** Side street setback variance from 20 feet to 14 feet for a proposed fence relocation. (Existing fence to be moved outward by 6 feet to enclose an existing patio).

☐ **SPECIAL EXCEPTION** ↓ (SEE DRAWING)

(ALSO SEE 692 TOMLINSON RD SIMILAR VARIANCE)

☐ **MOBILE HOME SPECIAL EXCEPTION**

☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT
MOBILE HOME IS FOR
YEAR OF MOBILE HOME SIZE OF MOBILE HOME
ANTICIPATED TIME MOBILE HOME IS NEEDED
PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN
MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO

☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	SERGIO & MARTHA MORA	
ADDRESS	514 HASSOCKS LOOP	
	LAKE MARY FL 32746	
PHONE 1	407 474 4159 MOBIL	
PHONE 2	407 330 1312 HOME	
E-MAIL	mmora@us.IBM.Com	

PROJECT NAME: COVERED PATIO ADDITION

SITE ADDRESS: 514 HASSOCKS LOOP, LAKE MARY FL 32746

CURRENT USE OF PROPERTY: RESIDENCE

LEGAL DESCRIPTION: PLAT LEG LOT 63 LAKEWOOD AT THE CROSSINGS UNIT 4 PB PGS 58 TO 60

SIZE OF PROPERTY: acre(s) PARCEL I.D. 20-20-30-505-0000-0630

UTILITIES: ☑ WATER ☐ WELL ☐ SEWER ☐ SEPTIC TANK ☐ OTHER

KNOWN CODE ENFORCEMENT VIOLATIONS none - existing fence blocks enjoyment of area by blocking area adjacent and restricts air circulation (See attached)

IS PROPERTY ACCESSIBLE FOR INSPECTION ☑ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on 01-26-04 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Martha Mora 12/3/2003

SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.

ADDITIONAL VARIANCES

VARIANCE 2:

VARINACE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL

BCC PUBLIC HEARING DATE

FOR OFFICE USE ONLY

PROCESSING:

FEE: $150 COMMISSON DISTRICT 4 FLU / ZONING PUD

LOCATION FURTHER DESCRIBED AS Located at the SW corner of Tomlinson Terrace & Hassocks Loop

PLANNER ERM DATE 12-03-03

SUFFICIENCY COMMENTS

COMMISSION DISTRICT #:

GUI PROJ. # | ZONED: PUD | SEC: 20 | TWP: 20 | RNG: 30

DEVELOPMENT:	Lakewood at Crossings Unit 4	DEVELOPER:	General Homes
LOCATION:	W side of Lake Park Drive	98 lots	

FILE#: P&Z:		BA:		SP:		BCC:	09/22/86

PB	35	PG	58	Lot		Blk		Parcel		DBA		Comm Dist	

DEVEL. ORDER #:		TAX PAR. I.D. #:	

SIDEWALKS:

ROAD TYPE: (CURB & GUTTER OR SWALE)

COMMENTS OTHER:

SETBACK REQUIREMENTS

FY:	20'	SIDE ST.:		SY:	3'& 7'*	RY:	15'

MAIN STRUCTURE OTHER:
Min. Lot size: 5,000 sq. ft.
Min. Unit size: 750 sq. ft.
10' between buildings
20' corner from R/W

ACCESSORY STRUCTURE SETBACKS:

SY:	same as main structure	RY:	5'

ACCESSORY STRUCTURE OTHER:

IMPACT FEES

SCREEN:	
TRAFFIC ZONE:	
LAND USE:	
1. ROAD-CO. WIDE	$250.00
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	$10.00
5. PARK	
6. SCHOOL	$300.00
7. LAW	
8. DRAINAGE	
TOTAL	

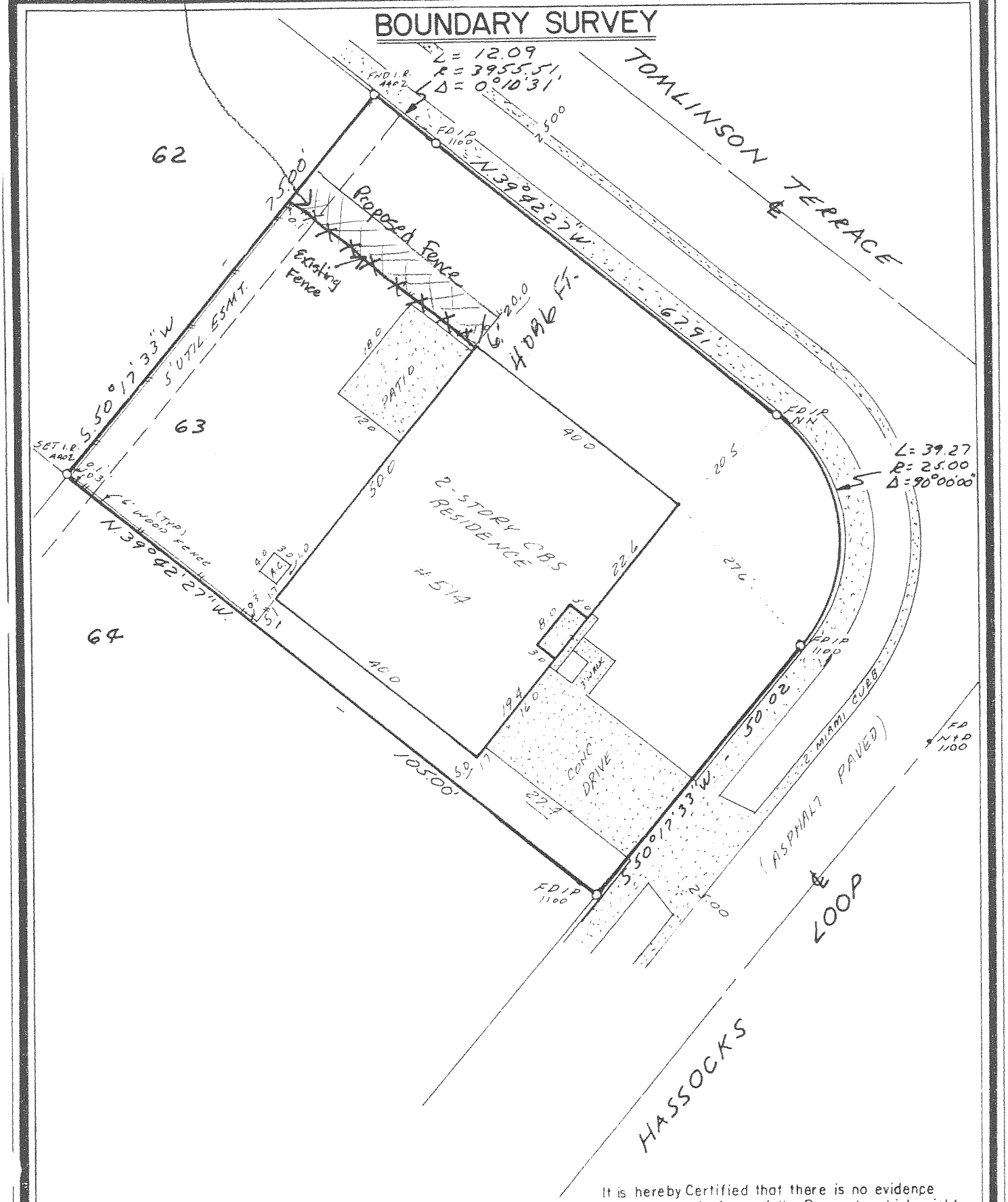
REMARKS: Curb and gutter

COMMITMENT CARD
Instructions: print two-sided on card stock and cut along the left and bottom border.

F 47606

PROPOSED VARIANCE 6'

BOUNDARY SURVEY



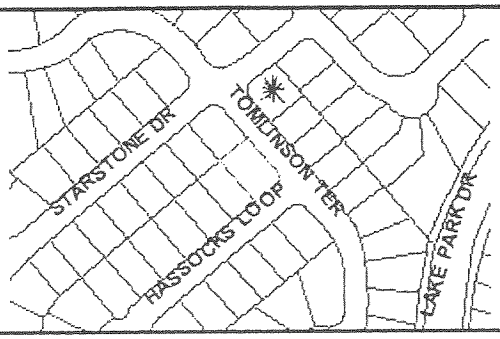
PREPARED FOR: GENERAL HOMES

This property is in flood zone "C" as shown on Community Panel No. 120289 0130B, SEMINOLE County, Florida. Dated 5-5-81

It is hereby Certified that there is no evidence on the ground of use of the Property which might suggest a possible claim of Easement other than those shown on the Survey, subject to qualificatications noted hereon.

PARCEL DETAIL | REAL ESTATE | PERSONAL PROP. | TAX ROLL | SALES SEARCH | Back

Seminole County
Property Appraiser Services
1101 E. First St.
Sanford FL 32771
407-665-7506



GENERAL

Parcel Id:	20-20-30-505-0000-0630	Tax District:	01-TX DIST 1 - COUNTY
Owner:	MORA SERGIO & MARTHA M	Exemptions:	00-HOMESTEAD
Address:	514 HASSOCKS LOOP		
City,State,ZipCode:	LAKE MARY FL 32746		
Property Address:	514 HASSOCKS LOOP LAKE MARY 32746		
Subdivision Name:	CROSSINGS UNIT 4 LAKEWOOD AT THE		
Dor:	01-SINGLE FAMILY		

2004 WORKING VALUE SUMMARY

Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	$113,479
Depreciated EXFT Value:	$1,150
Land Value (Market):	$24,000
Land Value Ag:	$0
Just/Market Value:	$138,629
Assessed Value (SOH):	$113,931
Exempt Value:	$25,000
Taxable Value:	$88,931

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
SPECIAL WARRANTY DEED	12/1987	**01919**	**1535**	$115,600	Improved

Find Comparable Sales within this Subdivision

2003 VALUE SUMMARY

2003 Tax Bill Amount:	$1,479
2003 Taxable Value:	$86,261

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	24,000.00	$24,000

LEGAL DESCRIPTION PLAT

LEG LOT 63 LAKEWOOD AT THE CROSSINGS UNIT 4 PB 39 PGS 58 TO 60

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1987	9	2,644	2,164	CB/STUCCO FINISH	$113,479	$120,722
	Appendage / Sqft		GARAGE FINISHED / 456					
	Appendage / Sqft		OPEN PORCH FINISHED / 24					
	Appendage / Sqft		UPPER STORY FINISHED / 644					

EXTRA FEATURE

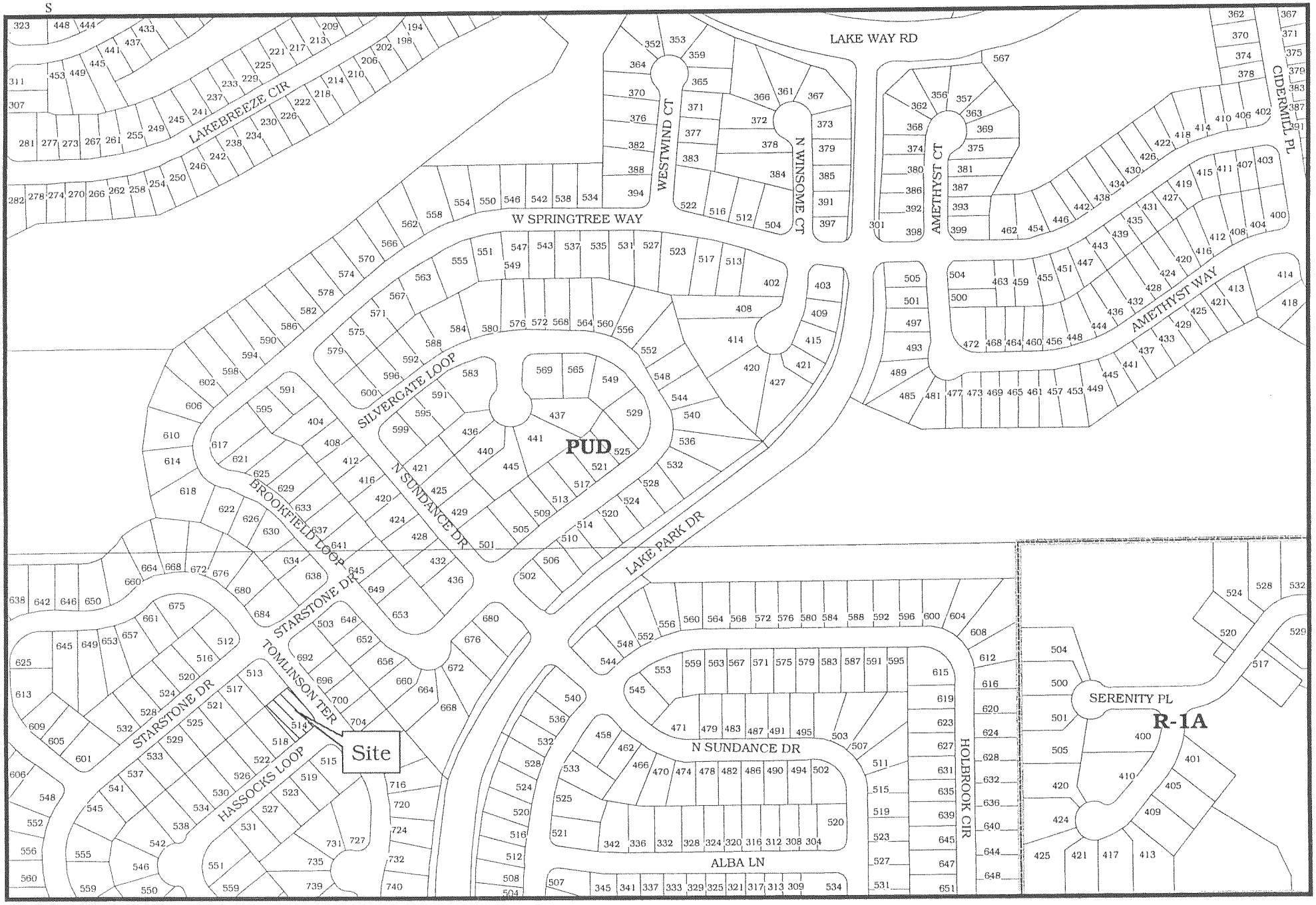
Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1987	1	$1,150	$2,000

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.*

BACK | PROPERTY APPRAISER HOME PAGE | CONTACT

Request variance to extend Tomlinson Terrace - side fence six feet toward sidewalk from its current 20'. We are building an enclosed patio and with the current fence placement there is no room between fence and covered patio
House at 692 Tomlinson (marked with * on map) also has similar variance

Sergio & Martha Mora
514 Hassocks Loop



Feet
0 150 300 600

Parcel: 20-20-30-505-0000-0630
L:\pl\projects\BOA\2004\GISfiles\January

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Attachment to variance request for 514 Hassocks Loop.

The existing fence is adjacent to the slab where the patio enclosure is to be built, causing a hardship by blocking air circulation in the area. Additionally the closeness of the fence is not conducive to a good aesthetic experience in the enclosure, causing a very claustrophobic environment.

Prior to requesting this variance we walked around the neighborhood to insure similar requests were aesthetically satisfactory to the neighborhood and found the neighbors at 692 Tomlinson had implemented a similar variance.

Regards,

Martha Mora

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 63 LAKEWOOD AT THE CROSSINGS UNIT 4 PB 35 PGS 58 TO 60

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

FINDINGS OF FACT

Property Owner: SERGIO & MARTHA MORA
514 HASSOCKS LOOP
LAKE MARY, FL 32746

Project Name: HASSOCKS LOOPS (514)

Requested Development Approval:

SIDE STREET SETBACK VARIANCE FROM 20 FEET TO 14 FEET FOR A PROPOSED FENCE RELOCATION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT).

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 aforedescribed property.

Prepared by: Rich Steiger, 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:

1. The variance granted will apply only to the proposed fence as shown on the attached site plan and elevation drawings.

(4) This Development Order touches and concerns the aforedescribed 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: _____
Matthew West
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 _____, 2004.

_____
Notary Public, in and for the County and State Aforementioned

My Commission Expires: