

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (VIMAL DESAI, APPLICANT).

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Earnest McDonald CONTACT: Francisco Torregrosa EXT. 7387

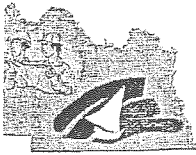
Agenda Date 11-15-04 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (VIMAL DESAI, APPLICANT); OR
2. **DENY** REQUEST FOR (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (VIMAL DESAI, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

|                            |  |  |
|----------------------------|--|--|
| <b>GENERAL INFORMATION</b> | APPLICANT:<br>LOCATION:<br>ZONING:   | VIMAL DESAI<br>482 ZUREIQ POINT<br>R-1AA (SINGLE-FAMILY DWELLING DISTRICT) |
| <b>BACKGROUND/ REQUEST</b> | <ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT A POOL SCREEN ENCLOSURE THAT WOULD ENCROACH 4 FEET INTO THE (NORTH) SIDE YARD SETBACK.</li> <li>• THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED.</li> <li>• A (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 TO 9.6 FEET AND A FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 13.32 FEET WERE GRANTED FOR THE PROPOSED HOME AT THE JUNE 2004 REGULAR MEETING OF THE BOARD OF ADJUSTMENT.</li> </ul> |  |
| <b>STAFF FINDINGS</b>      | <p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF A VARIANCE. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> <li>• ALTHOUGH THE LOT IS ASYMMETRICAL IN SHAPE, THE PROPOSED POOL SCREEN ENCLOSURE COULD BE</li> </ul>   |  |

|                                    |   |
|------------------------------------|---|
|                                    | <p>MODIFIED TO ADHERE TO THE MINIMUM SETBACKS OF THE R-1AA DISTRICT.</p> <ul style="list-style-type: none"><li>• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.</li><li>• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.</li></ul>   |
| <p><b>STAFF RECOMMENDATION</b></p> | <p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUEST. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED POOL SCREEN ENCLOSURE AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul> |



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

APPL. NO. BV 2004-152

**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. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

**VARIANCE** Side yard setback variance from 10' to 6.0' for a pool screen enclosure

**SPECIAL EXCEPTION**

**MOBILE HOME SPECIAL EXCEPTION**

|   |                                   |                                      |
|---|-----------------------------------|--------------------------------------|
| <input type="checkbox"/> EXISTING   | <input type="checkbox"/> PROPOSED | <input type="checkbox"/> 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) |                                      |
| <input checked="" type="checkbox"/> <b>APPEAL FROM DECISION OF THE PLANNING MANAGER</b> |                                   |                                      |

RECEIVED

|         | PROPERTY OWNER          | AUTHORIZED AGENT * |
|---------|-------------------------|--------------------|
| NAME    | <u>Vimal Desai</u>      |                    |
| ADDRESS | <u>482 Zureig Point</u> |                    |
|         | <u>Oviedo, FL 32765</u> |                    |
| PHONE 1 | <u>(407) 701-7017</u>   |                    |
| PHONE 2 | <u>(407) 482-8390</u>   |                    |
| E-MAIL  |                         |                    |

PROJECT NAME: Zureig Point (482)

SITE ADDRESS: 482 Zureig Pt.

CURRENT USE OF PROPERTY: SFR

LEGAL DESCRIPTION: LOT 14 GREYSTONE PB 59 PGS 98 & 99

SIZE OF PROPERTY: Approx. 1/3 acre(s) PARCEL I.D. 33-21-31-506-0000-0140

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS NA

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

11/15/04

OK  
10/26/04

This request will be considered at the Board of Adjustment regular meeting on 12/13/04 (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.

*[Signature]*

SIGNATURE OF OWNER OR AGENT\*

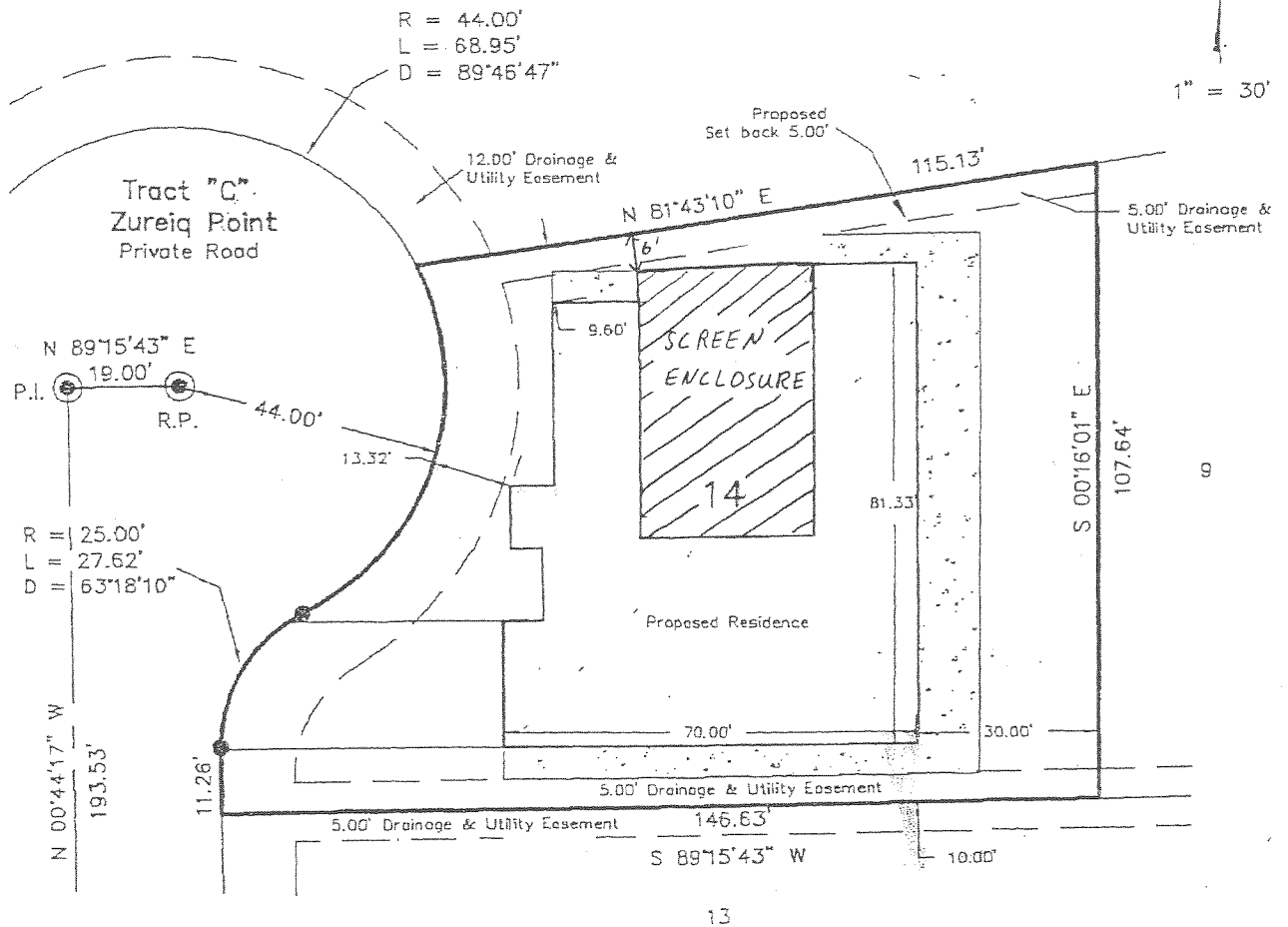
10/1/04  
DATE

*[Circular stamp]*



# Plot Plan

Lot 14, GREYSTONE, according to the plat thereof as recorded in Plat Book 59, Pages 98 and 99, Public Records of Seminole County, Florida.




Minimum Building  
 Setback Dimensions  
 Front: 25.0 feet  
 Rear: 30.0 feet  
 Side: 10.0 feet

6-7-04 Changed proposed setback and bldg. dimension

## Notes

1. Bearings shown hereon are based on the South line of Lot 14, GREYSTONE, being assumed as South  $89^{\circ}15'43''$  West.
2. Subject property lies in Zone "X", area outside the 500-year floodplain, according to the Flood Insurance Rate Map community panel/map number 12117C0230 E, dated April 17, 1995.
3. THIS IS NOT A SURVEY.

Benchmark Surveying & Mapping Consultants, Inc.  
 Certificate of Authorization Number - LB 6796


 Post Office Box 771065, Winter Garden, Florida 34777-1065  
 557 West Plant Street, Winter Garden, Florida 34787  
 (407) 654-6183 Fax (407) 654-6184

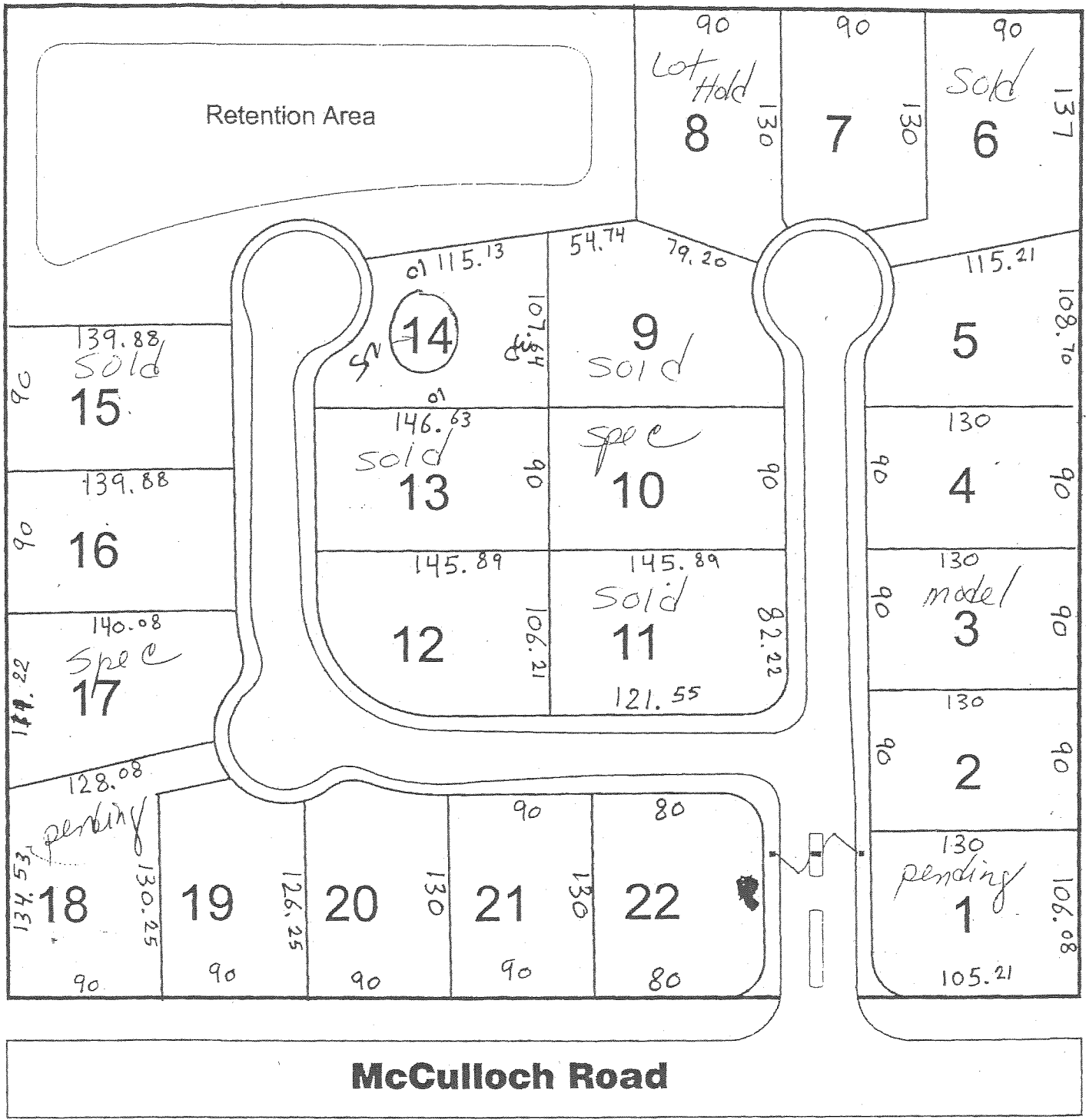
321.01-14P

Project #

3/30/04

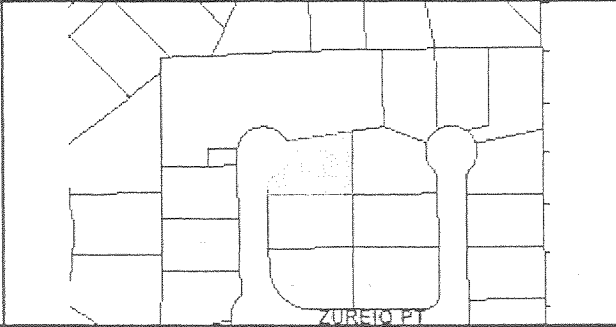
Field Date

Prepared For:  
 Tropical Builders



**(Greystone)**  
**Gated Community**  
**Executive Custom Homes**

\$ 290,000  
 \$ 340,  
 14 X  
 30  
 420



**GENERAL**

Parcel Id: 33-21-31-506-0000-0140 Tax District: 01-TX DIST 1 - COUNTY  
 Owner: DESAI VIMAL & Exemptions:  
 Own/Addr: CHAITANYA AMRUTA  
 Address: 2868 UNIVERSITY ACRES DR  
 City,State,ZipCode: ORLANDO FL 32817  
 Property Address: 482 ZUREIQ PT  
 Subdivision Name: GREYSTONE  
 Dor: 00-VACANT RESIDENTIAL

**2004 WORKING VALUE SUMMARY**

Value Method: Market  
 Number of Buildings: 0  
 Depreciated Bldg Value: \$0  
 Depreciated EXFT Value: \$0  
 Land Value (Market): \$76,400  
 Land Value Ag: \$0  
 Just/Market Value: \$76,400  
 Assessed Value (SOH): \$76,400  
 Exempt Value: \$0  
 Taxable Value: \$76,400  
 2004 Notice of Proposed Property Tax

**SALES**

| Deed          | Date    | Book  | Page | Amount   | Vac/Imp |
|---------------|---------|-------|------|----------|---------|
| WARRANTY DEED | 03/2004 | 05257 | 0133 | \$90,000 | Vacant  |

Find Comparable Sales within this Subdivision

**2003 VALUE SUMMARY**

2003 Tax Bill Amount: \$1,310  
 2003 Taxable Value: \$76,400  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

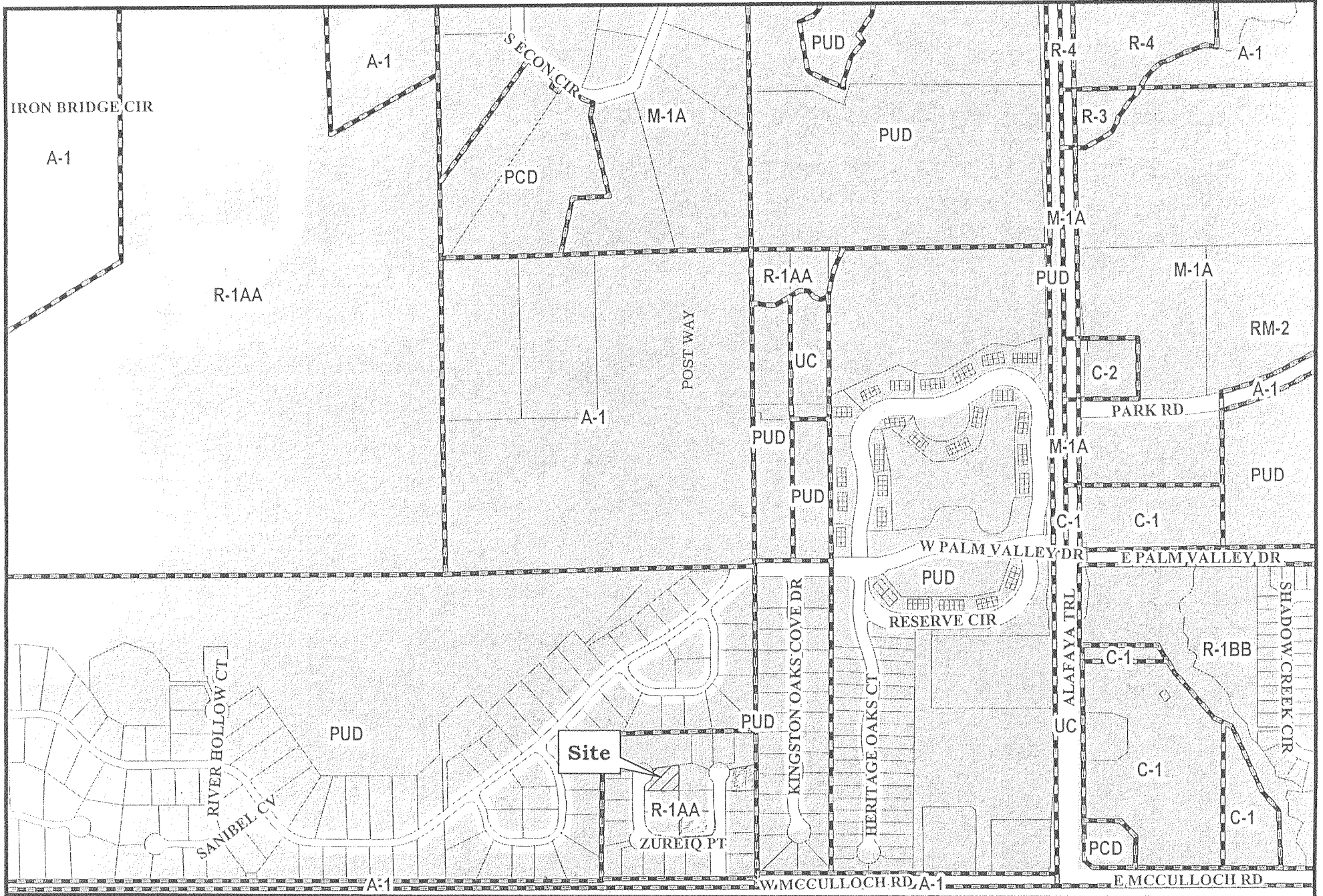
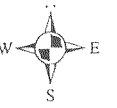
| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value |
|--------------------|----------|-------|------------|------------|------------|
| LOT                | 0        | 0     | 1.000      | 76,400.00  | \$76,400   |

**LEGAL DESCRIPTION PLAT**

LOT 14 GREYSTONE PB 59 PGS 98 & 99

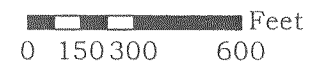
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.  
 \*\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

# Vimal Desai 482 Zureiq Point



Parcel: 33-21-31-506-0000-0140 / District: 1

**BV2004-152**  
**NOVEMBER 15, 2004**





**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On November 15, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 14 GREYSTONE PB 59 PGS 98 & 99

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

**FINDINGS OF FACT**

**Property Owner:** VIMAL DESAI  
482 ZUREIQ POINT  
OVIEDO, FL 32765

**Project Name:** ZUREIQ POINT (482)

**Requested Development Approval:**

1. (NORTH) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 6 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE IN THE R-1AA (SINGLE-FAMILY DWELLING 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 aforescribed property.

Prepared by: Francisco Torregrosa, 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 pool screen enclosure as shown 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: \_\_\_\_\_  
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: