

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR (WEST) REAR YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET; FOR A SCREEN ROOM ADDITION IN A PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (KIM LE, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Michael Rumer ^{*MR*} **EXT.** 7398

Agenda Date 04/25/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

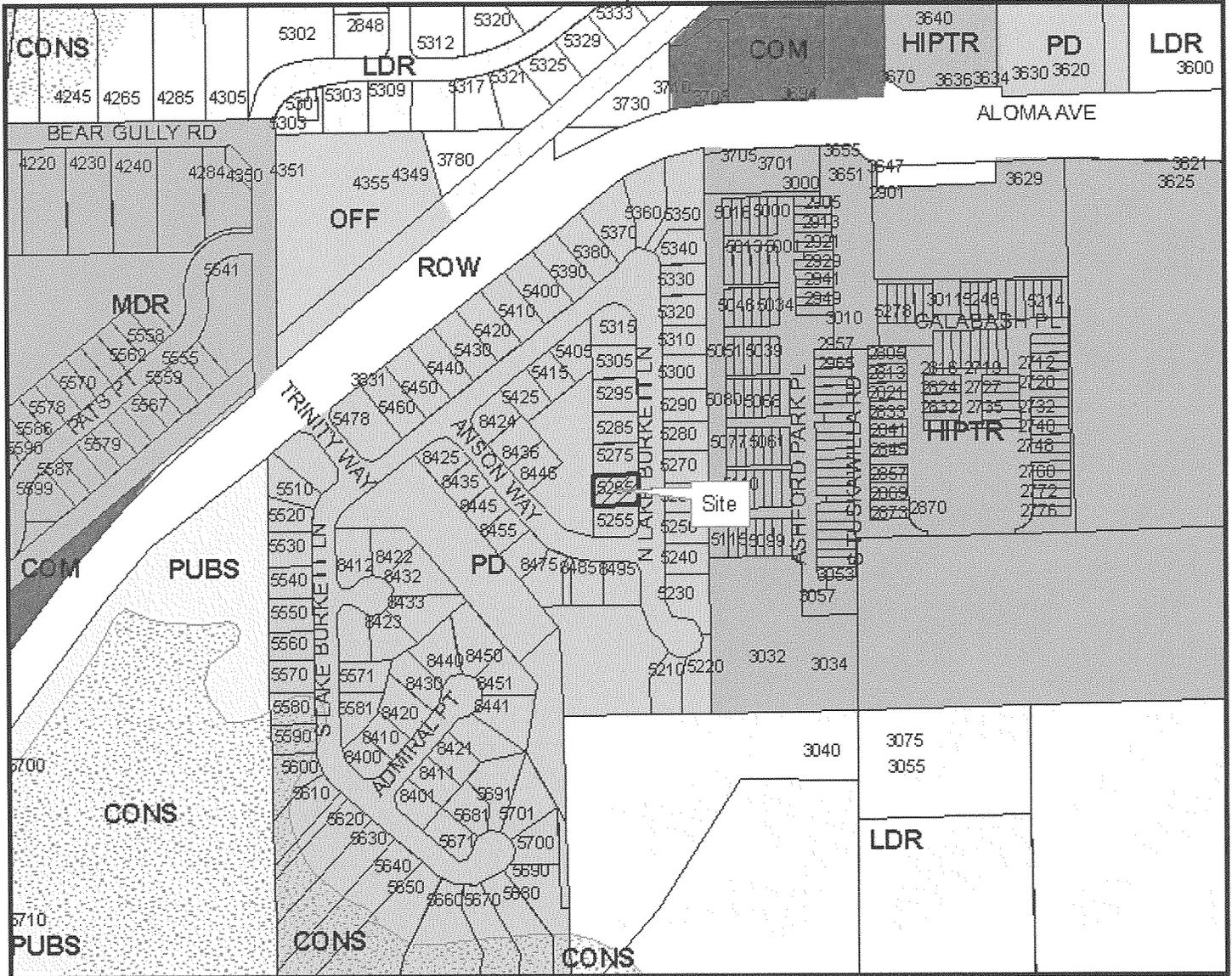
1. **APPROVE** THE REQUEST FOR (WEST) REAR YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (KIM LE, APPLICANT); OR
2. **DENY** THE REQUEST FOR (WEST) REAR YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A PROPOSED ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (KIM LE, APPLICANT)OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: KIM LE LOCATION: 5265 NORTH LAKE BURKETT ZONING: PUD (TRINITY BAY)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A SUNROOM ADDITION (APPROXIMATELY 11' X 18') TO AN EXISTING HOME. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE PROPOSED ADDITION WOULD ENCROACH 10 FEET INTO THE MINIMUM 25 FOOT REAR YARD SETBACK. • THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE TRINITY BAY PUD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP. • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE

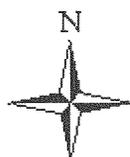
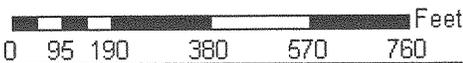
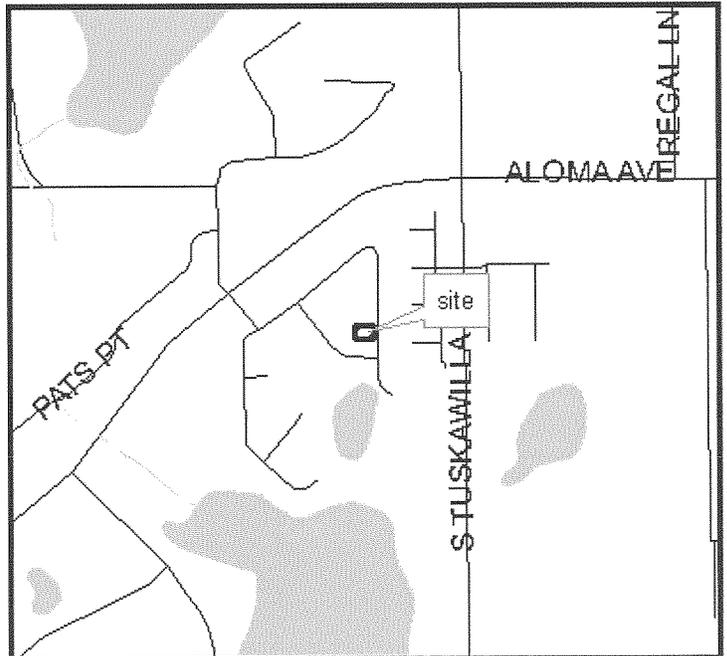
	PROPERTY OR PROPOSED ADDITION HAVE BEEN DEMONSTRATED.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:<ul style="list-style-type: none">• ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED 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.

Kim Le

5265 N. Lake Burkett Ln
Winter Park, FL 32792

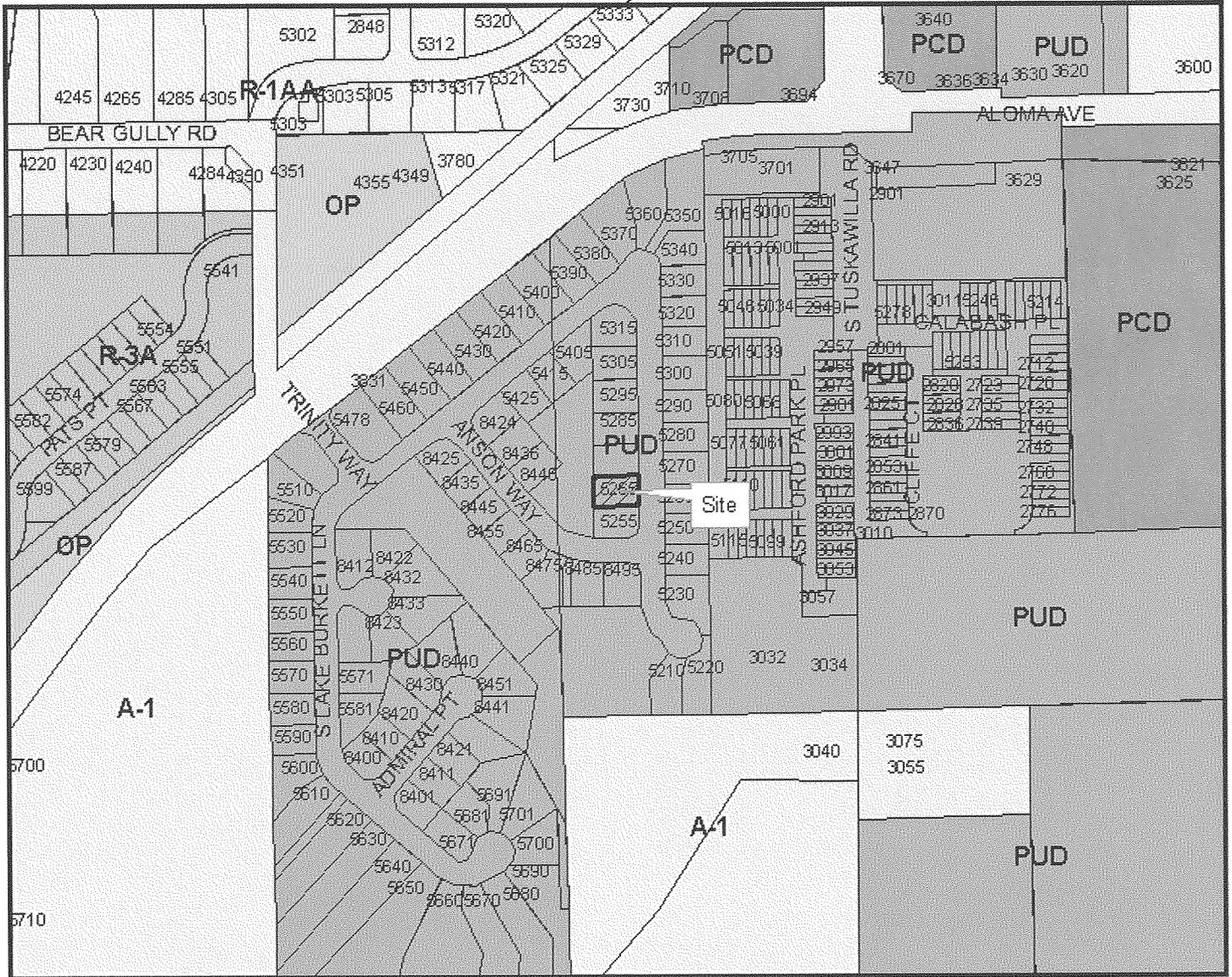


Seminole County Board of Adjustment
April 25, 2005
Future Land Use Map
Case: BV2005-017
Parcel No: 36-21-30-507-0000-0380

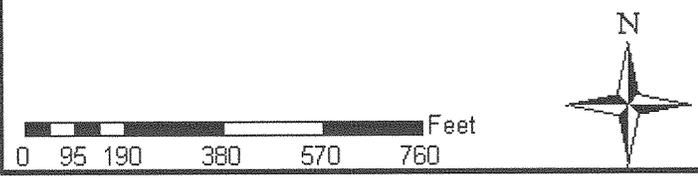
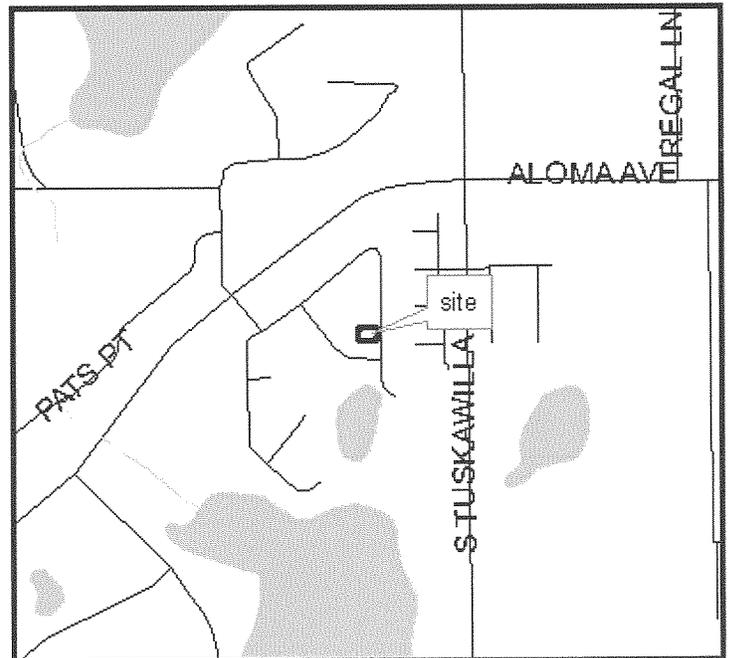


Kim Le

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Winter Park, FL 32792



Seminole County Board of Adjustment
April 25, 2005
Zoning Map
Case: BV2005-017
Parcel No: 36-21-30-507-0000-0380



COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 36

TWP: 21

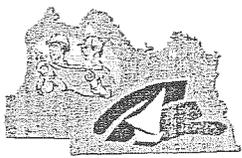
RNG: 30

DEVELOPMENT: Trinity Bay Phases 1 and 2		DEVELOPER: Lake Burkett, Ltd.	
LOCATION: 62 Lots – 30.28 Acres			
FILE#:	BA:	SP:	BCC: 6/25/84
P&Z:			
PB	30	PG	45-48 Lot
		Blk	Parcel
		DBA	Comm Dist
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS: On both sides of internal streets by builder prior to final building inspections. Sidewalk on S side of SR 426 prior to completion of development plan.		SETBACK REQUIREMENTS	
		FY: 25'	SIDE ST.: SY: 7.5' RY: 25'
ROAD TYPE:		MAIN STRUCTURE OTHER: Minimum Lot Size: 7,000 sq. ft. Maximum Building Height: 35'.	
COMMENTS OTHER: 1) No building permits until amended PUD agreement is received pertaining to water and sewer facilities. 2) Recreation facilities to be completed prior to 30 th unit being built. 3) Entrance to development must line up with Bear Gully Road at right angles. 4) Left and right turn lanes at entrance. 5) Lots 24-27 may be filled if compensating storage is created to accommodate the designer.		ACCESSORY STRUCTURE SETBACKS:	
		SY: 10'	RY: 10'
		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	184-E
LAND USE:	1
1. ROAD-CO. WIDE	
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	\$10.00
5. PARK	
6. SCHOOL	\$300.00
7. LAW	
8. DRAINAGE	
TOTAL	
REMARKS: curb and gutter; sidewalks.	

COMMITMENT CARD

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



COPY

RECEIVED
 FEB 10 2005

APPL. NO. BV 2005-010

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** Rear yard setback from 25' to 15'
- SPECIAL EXCEPTION**
- 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	Kim Le	Jessie Santiago
ADDRESS	5205 N Lake Burkett WSP FL 32792	3005 Forsyth Rd WSP FL 32792
PHONE 1	671-0736	(407) 678-0500
PHONE 2		
E-MAIL		

PROJECT NAME: Kim Le
 SITE ADDRESS: 5205 N Lake Burkett
 CURRENT USE OF PROPERTY: SFR
 LEGAL DESCRIPTION: Leg Lot 38 Trinity Bay Ph2
PB 34 PGS 45 & 46
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 36-21-30-507-0000-0380
 UTILITIES: WATER WELL **SEWER** SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION **YES** **NO**

This request will be considered at the Board of Adjustment regular meeting on April 25, 05
 (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.

Kim Le _____ DATE 2/8/2005
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.
 I:\pl\projects\boa\master forms & lists\boa applications\boa application.doc

MR

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 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: 150⁰⁰ COMMISSION DISTRICT 1 FLU / ZONING PP/PUD

LOCATION FURTHER DESCRIBED AS west of north Lake Burkett Ln

1/2 mile north of the intersection of N Lake Burkett Ln and Baker Way

PLANNER _____ DATE _____

SUFFICIENCY COMMENTS _____

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																									
<p align="center">GENERAL</p> <p>Parcel Id: 36-21-30-507-0000-0380 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: LE LINH D & KIM Exemptions: 00-HOMESTEAD</p> <p>Address: 5265 N LAKE BURKETT LN</p> <p>City,State,ZipCode: WINTER PARK FL 32792</p> <p>Property Address: 5265 LAKE BURKETT LN N WINTER PARK 32792</p> <p>Subdivision Name: TRINITY BAY PH 2</p> <p>Dor: 01-SINGLE FAMILY</p>		<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$110,802</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$25,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$135,802</p> <p>Assessed Value (SOH): \$99,450</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$74,450</p> <p>Tax Estimator</p>																																							
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>03/1994</td> <td>02745</td> <td>1366</td> <td>\$106,900</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1992</td> <td>02413</td> <td>1629</td> <td>\$373,200</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1987</td> <td>01919</td> <td>0799</td> <td>\$832,500</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	03/1994	02745	1366	\$106,900	Improved	WARRANTY DEED	04/1992	02413	1629	\$373,200	Vacant	WARRANTY DEED	12/1987	01919	0799	\$832,500	Vacant	<p align="center">2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,878</p> <p>2004 Tax Bill Amount: \$1,227</p> <p>Save Our Homes (SOH) Savings: \$651</p> <p>2004 Taxable Value: \$72,596</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>															
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																									

Pool Enclosures
Vinyl Enclosures
Glass Enclosures
Aluminum Awnings
Solar Screens
Carports



Screen Rooms
Hurricane Storm Panels
Aluminum and Vinyl Siding
Soffit and Fascia
Replacement Windows
Mobile Home Roofovers

2-09-05

Variance Information:

Mrs. Kim Le
5265 North Lake Burkett Lane.
Winter Park, Fl. 32792

Contact Information:

Jessie Santiago
3005 Forsyth Rd
Winter Park, FL. 32792
(407)678-0500

To Whom It May Concern:

We are writing to request a variance for the above address. We are requesting that the rear yard setback be changed from 25' to 15' in order to build a screen room with glass windows. The house currently sits 25' from the property line. Leaving the homeowner no space to build a room. The room will be made with an aluminum roof and walls of aluminum with glass windows. The structure will be 11x18 (198 sq. feet) when complete. The homeowner is in the process of obtaining letters of no objection from her neighbors. These letters will be submitted as soon as possible. If you have any questions please feel free to call me. I can be reached at (407)678-0500. Thank you for your time and consideration in this matter.

Sincerely,

Jessie Santiago
Superior Aluminum
Permitting



ALUMINUM ASSOCIATION AWARD OF EXCELLENCE

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 25, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 38 TRINITY BAY PH 2 PB 34 PGS 45 & 46

FINDINGS OF FACT

Property Owners: KIM LE
5265 NORTH LAKE BURKETT LN
WINTER PARK, FL 32792

Project Name: 5265 NORTH LAKE BURKETT LN

Requested Development Approval:

REAR YARD SETBACK VARIANCE FROM 25 FEET TO 15 FEET FOR A
SCREEN ROOM ADDITION IN A PUD (PLANNED UNIT DEVELOPMENT)

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: Michael Rumer, 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:

THE VARIANCES GRANTED SHALL APPLY ONLY TO THE PROPOSED SCREEN ROOM 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 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 _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: