

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED 6 FOOT PRIVACY FENCE REPLACEMENT IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (RICHARD TORRES, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

Agenda Date 05-23-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED 6 FOOT PRIVACY FENCE REPLACEMENT IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (RICHARD TORRES, APPLICANT).
2. **DENY** THE REQUEST FOR SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED 6 FOOT PRIVACY FENCE REPLACEMENT IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (RICHARD TORRES, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Earnest McDonald, Principal Coordinator)

| | | |
|-----------------------------|--|--|
| GENERAL INFORMATION | RICHARD TORRES, APPLICANT 1280 REGAL OAK COURT OVIEDO, FL 32765 | PUD (PLANNED UNIT DEVELOPMENT DISTRICT); CHAPMAN LAKES |
| BACKGROUND / REQUEST | <ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO REPLACE AN EXISTING (OPEN) PICKET FENCE WITH A 6 FOOT TALL BOARD-ON-BOARD FENCE THAT WOULD ENCROACH 15 FEET INTO THE MINIMUM 25 FOOT SIDE STREET SETBACK. • ON PROPERTY ASSIGNED A RESIDENTIAL ZONING CLASSIFICATION, A CLOSED FENCE IN EXCESS OF THREE (3) FEET IN HEIGHT SHALL MAINTAIN THE SAME FRONT YARD (OR SIDE STREET) SETBACK AS THE PRINCIPAL DWELLING STRUCTURE. • THE APPLICANT ASSERTS THAT THE PROPOSED FENCE WILL PROVIDE GREATER SECURITY AND PRIVACY TO THE SIDE AND REAR OF THE HOME FROM THE ADJOINING WEMBLY PLACE RIGHT-OF-WAY. | |

| | |
|-----------------------------|---|
| | <ul style="list-style-type: none">• THERE IS NO RECORD OF VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY. |
| STAFF FINDINGS | <ul style="list-style-type: none">• PHASE 2 OF THE CHAPMAN LAKES PUD ESTABLISHES A MINIMUM SIDE STREET SETBACK OF 25 FEET. NO SPECIAL CIRCUMSTANCES HAVE BEEN IDENTIFIED TO SUPPORT THE REQUESTED VARIANCE. A PRIVACY FENCE COULD BE ERECTED TO COMPLY WITH THE MINIMUM SIDE STREET SETBACK, WHILE OBSERVING SECURITY AND PRIVACY TO THE PORTION OF THE PROPERTY ABUTTING WEMBLY PLACE.• FOR THESE REASONS, STAFF BELIEVES THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE CHAPMAN LAKES PUD BY ALLOWING ENCROACHMENT INTO THE SIDE YARD WITHOUT THE DEMONSTRATION OF A HARDSHIP.• THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY. REASONABLE USE OF THE PROPERTY WOULD BE RETAINED WITHOUT THE GRANT OF THE REQUESTED VARIANCE AS PREVIOUSLY STATED.• STAFF HAS DETERMINED THERE ARE OTHER NEARBY CORNER LOTS WITH FENCES THAT ENCROACH INTO THE SIDE STREET SETBACK. THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY ALLOW A FENCE THAT WOULD FURTHER A TREND OF SETBACK ENCROACHMENT IN THE SUBDIVISION.• THE TRAFFIC ENGINEERING DIVISION HAS REVIEWED THE REQUEST FOR POTENTIAL IMPACTS TO THE INTERSECTION OF REGAL OAK COURT AND WEMBLY PLACE AND THE DRIVEWAY OF THE ADJOINING PROPERTY TO THE NORTH. AS STATED IN THE ATTACHED ELECTRONIC MEMORANDUM, TRAFFIC ENGINEERING STAFF BELIEVES THERE WOULD BE NO ADVERSE IMPACT TO SIGHT DISTANCE, SHOULD THE REQUESTED VARIANCE BE GRANTED BY THE BOARD. |
| STAFF RECOMMENDATION | <ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE VARIANCE REQUEST, UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP APPLICABLE TO THE PROPERTY. 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 FENCE 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. |

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 28 TWP: 21 RNG: 31
 PROJ. #

| | | | |
|--|------------|--------------------------------------|-----------------|
| DEVELOPMENT: Chapman Lakes Phase 2 | | DEVELOPER: U.S. Home Corp | |
| LOCATION: S of Chapman Road; 3/4 mile E of SR 426 | | 21 lots | |
| FILE#: | BA: | SP: | BCC: |
| P&Z: | | | |
| PB | 53 | PG | 83 |
| Lot | | Blk | |
| | | Parcel | |
| | | DBA | |
| | | Comm Dist | |
| DEVEL. ORDER #: | | TAX PAR. I.D. #: | |
| SIDEWALKS: 4' both sides internal streets | | SETBACK REQUIREMENTS | |
| | | FY: 25' | RY: 30' |
| | | SIDE ST.: 25' | SY: 7.5' |
| ROAD TYPE: (CURB & GUTTER OR SWALE) | | MAIN STRUCTURE OTHER: | |
| COMMENTS OTHER: Minimum Lot Size: 12,600 sq. ft. (90' x 140') Minimum House Size: 2,400 sq. ft. No D.O. for Plat; Plat Recorded 5/8/98 | | ACCESSORY STRUCTURE SETBACKS: | |
| | | SY: 5' | RY: 5' |
| | | ACCESSORY STRUCTURE OTHER: | |

| IMPACT FEES | |
|---|------------------|
| SCREEN: | |
| TRAFFIC ZONE: | 79 |
| LAND USE: | 1 |
| 1. ROAD-CO. WIDE | 705.00 |
| 2. ROAD-COLL. | 235.00 |
| 3. LIBRARY | 54.00 |
| 4. FIRE | 172.00 |
| 5. PARK | |
| 6. SCHOOL | 1,384.00 |
| 7. LAW | |
| 8. DRAINAGE | |
| TOTAL | \$2550.00 |
| REMARKS: 4' both sides internal streets Miami Curb Private streets | |
| | |
| | |
| | |
| | |
| | |
| | |

Fence**Sec. 30.1349. Fence requirements in residential dwelling districts.**

(a) On property assigned a residential zoning classification, a closed fence or wall in excess of three (3) feet in height shall maintain the same district front yard setback requirement as the main or principal dwelling structure except where backing up to a limited access highway or where regulations require such fences. In the case of corner lots, the lot shall be considered to have a front yard or yards on any side or sides abutting a road right-of-way.

(b) No closed fence or wall in excess of six (6) feet six (6) inches shall be erected on any property assigned a residential zoning classification without approval of the Board of Adjustment after public hearing. Nor shall such fence or wall be erected closer than five (5) feet to any existing adjacent neighborhood dwelling structure.

(c) Entrance walls to a subdivision may be erected closer to streets or roads only on approval of the Board of County Commissioners.

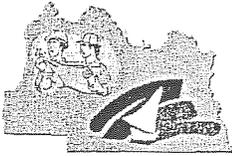
(d) No barbed-wire fence shall be erected in any residential district. Barbed wire may be used on security fences erected in any commercial or industrial district, provided such use is limited to three (3) strands, a minimum of six (6) feet above the ground. Such fences may be permitted in estate areas, on approval of the Board of Adjustment, after public hearing.

(e) All fences shall be maintained in their original upright condition.

(f) Fences and walls designed for painting or similar surface finish shall be maintained in their original condition as designed. Any walls or fences which have been defaced shall be promptly restored to their original condition.

(g) Missing boards, pickets, posts or bricks shall be promptly replaced with material of the same type and quality.

(§ 5.1028, LDC, through Supp 16; Part XVII, § 1, Ord. No. 92-5, 3-30-92; Ord. No. 97-18, § 34, 5-13-97; Ord. No. 02-53, § 52, 12-10-02).



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO BVA2005-021

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 ON MAINROAD FROM 25' TO (10'-15') FOR PROPOSED 6' PRIVACY FENCE
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING (YEAR _____) PROPOSED (YEAR _____)
 - REPLACEMENT (YEAR _____) 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 | JANOUSKY, STUART | TORRES, RICHARD |
| ADDRESS | 1280 REGAL OAK CT. OULDO, FL 32765 | 2649 STANMORE CT ORLANDO, FL 32817 |
| PHONE 1 | 407 366 1974 | 407 970 7339 |
| PHONE 2 | 407 384 1028 | 407 916 3088 |
| E-MAIL | | rtorres4@cfi.vn.com |

PROJECT NAME: 6' PRIVACY FENCE
 SITE ADDRESS: 1280 REGAL OAK CT., OULDO, FL 32765
 CURRENT USE OF PROPERTY: RESIDENTIAL
 LEGAL DESCRIPTION: LOT 30 CHAPMAN LAKES PH2 PB53 PG 83
 SIZE OF PROPERTY: 0.45 acre(s) PARCEL I.D. 28-21-31-508-0000-0300
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 03/28/2005 (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] 3/2/05
 SIGNATURE OF OWNER OR AGENT* DATE

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

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

| APPELLANT INFORMATION | |
|-----------------------|-------|
| NAME | _____ |
| ADDRESS | _____ |
| PHONE 1 | _____ |
| PHONE 2 | _____ |
| E-MAIL | _____ |

NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:
FEE(S): 150 COMMISSION DISTRICT 1 FLU/ZONING LDR/PUD
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS East of Wembly at the intersection
of Wembly & Regal Oak
PLANNING ADVISOR _____ DATE _____
SUFFICIENCY COMMENTS _____

NOTES:

1. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
3. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
4. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
5. BEARINGS ARE BASED ON RECORD PLAT DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
6. PROPERTY HEREON LOCATED IN ZONE "X" PER F.I.R.M. COMMUNITY PANEL NO. 120289 0165 E DATED 04-17-95.

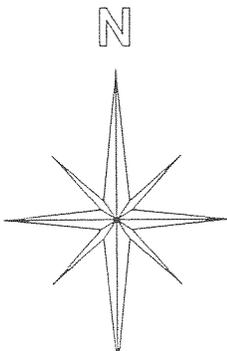
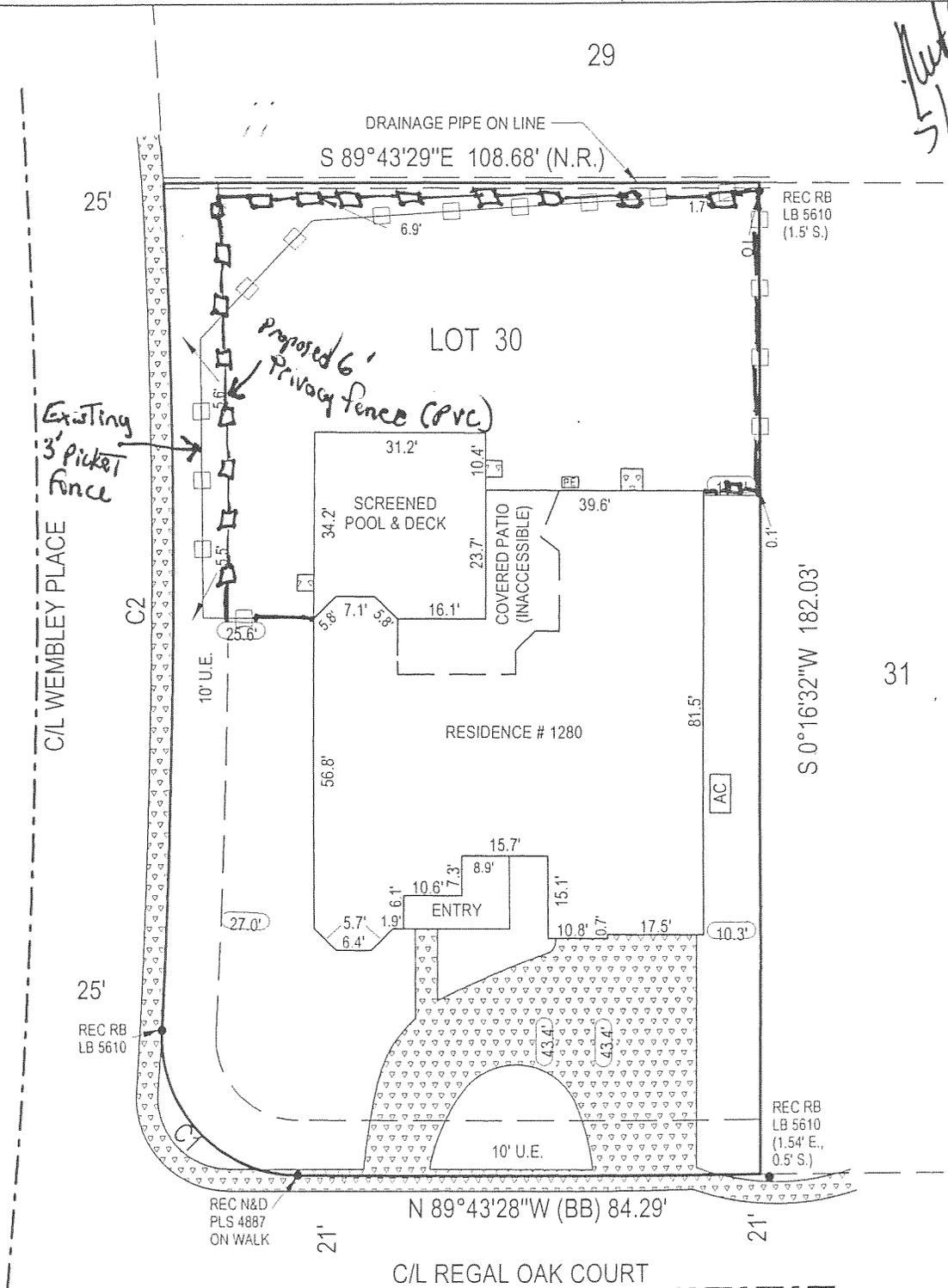


Boundary
And
Mapping
Associates, Inc.

LAND
SURVEYORS
LB 4565

109 WEST ORANGE STREET
ALTAMONTE SPRINGS, FL.
32714
PH. (407) 696-1155

Handwritten: 5/5/05



| Curve | Delta Angle | Radius | Arc |
|-------|-------------|---------|--------|
| 1 | 93°08'14" | 25.00 | 40.64 |
| 2 | 5°51'03" | 1525.00 | 155.73 |

CERTIFIED TO:

February 28, 2005

From: Richard Torres
2649 Stanmore Ct., Orlando, FL
Tel. 407 970 7339 (cell), 407 916 3088 (work)

To: Earnest McDonald, AICP
Principal Coordinator
Planning and Development Department, Planning Division
Seminole County
Tel. 407 665 7430

Dear Sir:

I have offered a contract to purchase a property with the address of:
1280 Regal Oak Court, Oviedo, FL 32765 (Parcel No. 28-21-31-508-000-0300)

The property is a house on corner lot located in a gated subdivision called Chapman Lakes. The house faces Regal Oak Court and its left side faces the main road Wembley Place. There is currently a 25 mph speed limit in all of the roads and there are stop signs in all intersections leading to Wembley Place.

The property currently has picket fence around its back yard. The picket fence is about 5' from the sidewalk.

I want to replace the picket fence with a 6' privacy fence on the property that faces Wembley Place in order to provide more security for my children from running to the main road, and as well as having privacy. Without the privacy fence, one can actually see through the pool, the family and formal rooms and even the master's bedroom as one walks by the side walk or drive by the main road.

I was hoping that I could put the privacy fence 10' or 15' from the side walk, starting from the pool deck and around the backyard.

Currently, there are two other corner house properties in the same subdivision with a 6' privacy fence.(see also attached documents).

1. 1282 OAKFORD PL (Parcel 28-21-31-507-0000-0240). The fence is about 12' from the sidewalk. Its fence is also about 10 feet from the right corner of the house.

2. 1283 OAKFORD PL (Parcel 28-21-31-507-0000-0160). The fence is about 15' from the sidewalk. Its fence is also about 10 feet from the left corner of the house.

Please consider my plea to put a 6' privacy fence on the property that I am about to purchase. If I can not put the privacy fence, then I will most likely not pursue with the purchase of this property.

Hoping for your kind consideration,

A handwritten signature in black ink, appearing to read 'Richard Torres', written in a cursive style.

Richard Torres

Attachments:

1. Survey of property: 1280 Regal Oak Court
2. 1280 Regal Oak Court pictures from road
3. Existing 6' fence on a corner lot, 1282 OAKFORD PL (Parcel 28-21-31-507-0000-0240). The fence is about 12' from the sidewalk
4. Existing 6' fence on a corner lot, 1283 OAKFORD PL (Parcel 28-21-31-507-0000-0160). The fence is about 15' from the sidewalk.

Attachment 2: 1280 Regal Oak Court pictures from road – Wembley Pl.

Back of property as you drive by the main road. Note existing picket fence.



Front of property as you drive by the main road – Wembley Pl.



Attachment 3: Existing 6' fence on a corner lot, 1282 OAKFORD PL (Parcel 28-21-31-507-0000-0240). The fence is about 12' from the sidewalk



Attachment 4: Existing 6' fence on a corner lot, 1283 OAKFORD PL (Parcel 28-21-31-507-0000-0160). The fence is about 15' from the sidewalk.



Curve number 1

Radius= 1525.00
Delta= 05°51'04"
Arc= 153.73
Tangent= 77.93
Chord= 155.66
Chord Brg. S.00°29'15"W.

Curve number 2

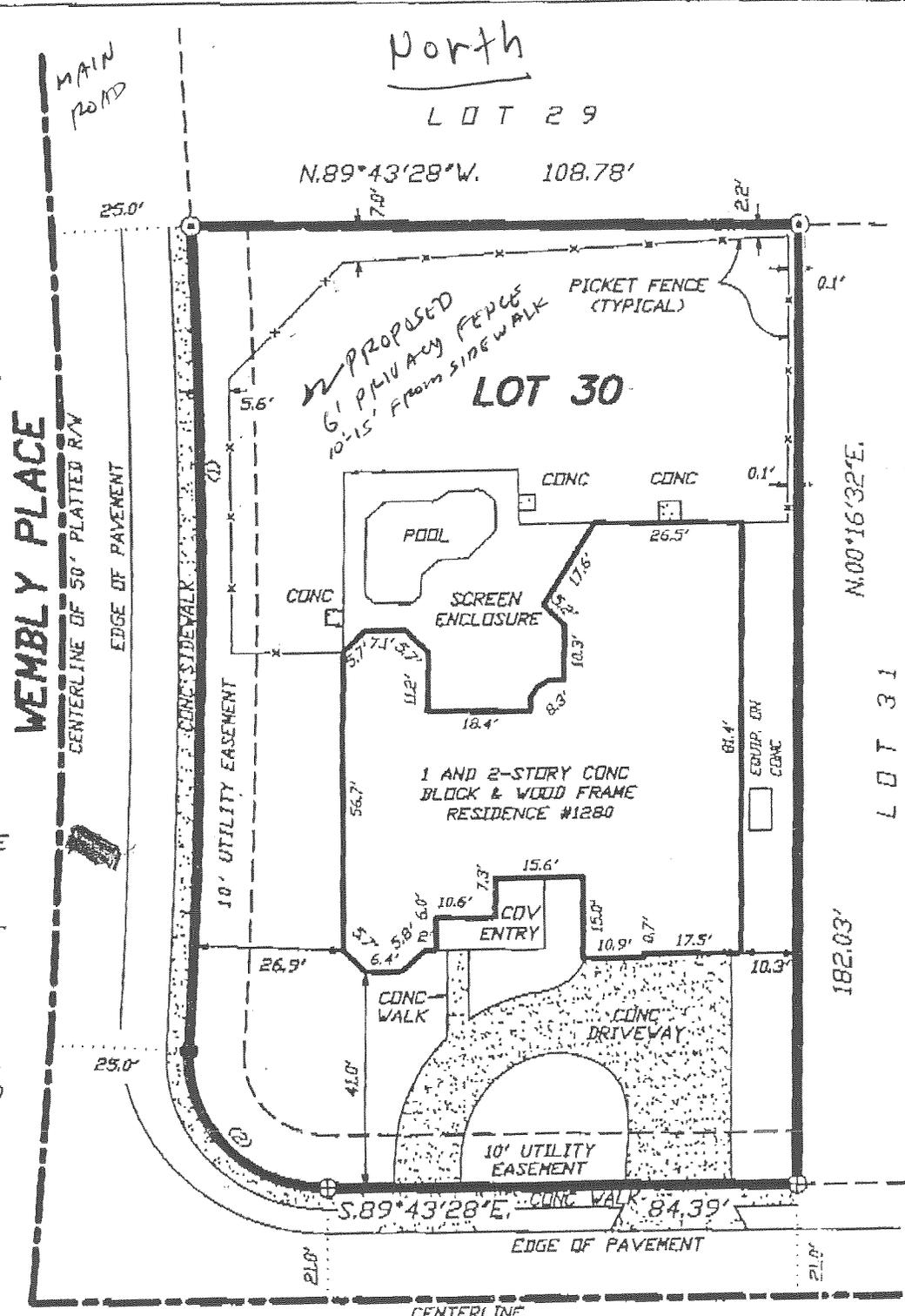
Radius= 25.00
Delta= 93°08'15"
Arc= 40.64
Tangent= 26.41
Chord= 36.31
Chord Brg. N.43°09'21"W.

LEGEND

- CONC = CONCRETE
- R/W = RIGHT-OF-WAY
- PC = POINT OF CURVATURE
- = FOUND 1/2" IRON ROD
- ⊙ = SET 5/8" IRON ROD #4887
- ⊕ = SET NAIL & DISC #4887

NOTES :

1. BEARINGS BASED ON THE S. LINE OF LOT 30 AS BEING S.89°43'28"E.
2. UNDERGROUND IMPROVEMENTS NOT LOCATED.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. SUBJECT PROPERTY LIES IN ZONE "X", PER FLOOD INSURANCE RATE MAP PANEL #120289 0165 E, DATED 4/17/95, AND LIES OUTSIDE THE 500-YEAR FLOOD PLAIN.
5. DATE OF FIELD SURVEY: 1/8/03.



REGAL OAKS COURT

(FRONT OF HOUSE)

BOUNDARY SURVEY

DESCRIPTION:

LOT 30, CHAPMAN LAKES PHASE 2,
AS RECORDED IN PLAT BOOK 53, PAGE 83,
PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7508



GENERAL

Parcel Id: 28-21-31-508-0000-0300 Tax District: 01-COUNTY-TX DIST 1
 Owner: JANOUSKY STUART H & PEGGY D Exemptions: 00-HOMESTEAD
 Address: 1280 REGAL OAK CT
 City,State,ZipCode: OVIEDO FL 32765
 Property Address: 1280 REGAL OAK CT OVIEDO 32765
 Subdivision Name: CHAPMAN LAKES PH 2
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$345,207
 Depreciated EXFT Value: \$14,772
 Land Value (Market): \$60,000
 Land Value Ag: \$0
 Just/Market Value: \$419,979
 Assessed Value (SOH): \$301,201
 Exempt Value: \$25,000
 Taxable Value: \$276,201
 Tax Estimator

SALES

Deed Date Book Page Amount Vac/Imp
 WARRANTY DEED 03/1999 03632 1488 \$286,000 Improved
 Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Amount(without SOH): \$6,097
 2004 Tax Bill Amount: \$4,520
 Save Our Homes (SOH) Savings: \$1,577
 2004 Taxable Value: \$267,428
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value |
|--------------------|----------|-------|------------|------------|------------|
| LOT | 0 | 0 | 1.000 | 60,000.00 | \$60,000 |

LEGAL DESCRIPTION PLAT

LOT 30 CHAPMAN LAKES PH 2 PB 53 PG 83

BUILDING INFORMATION

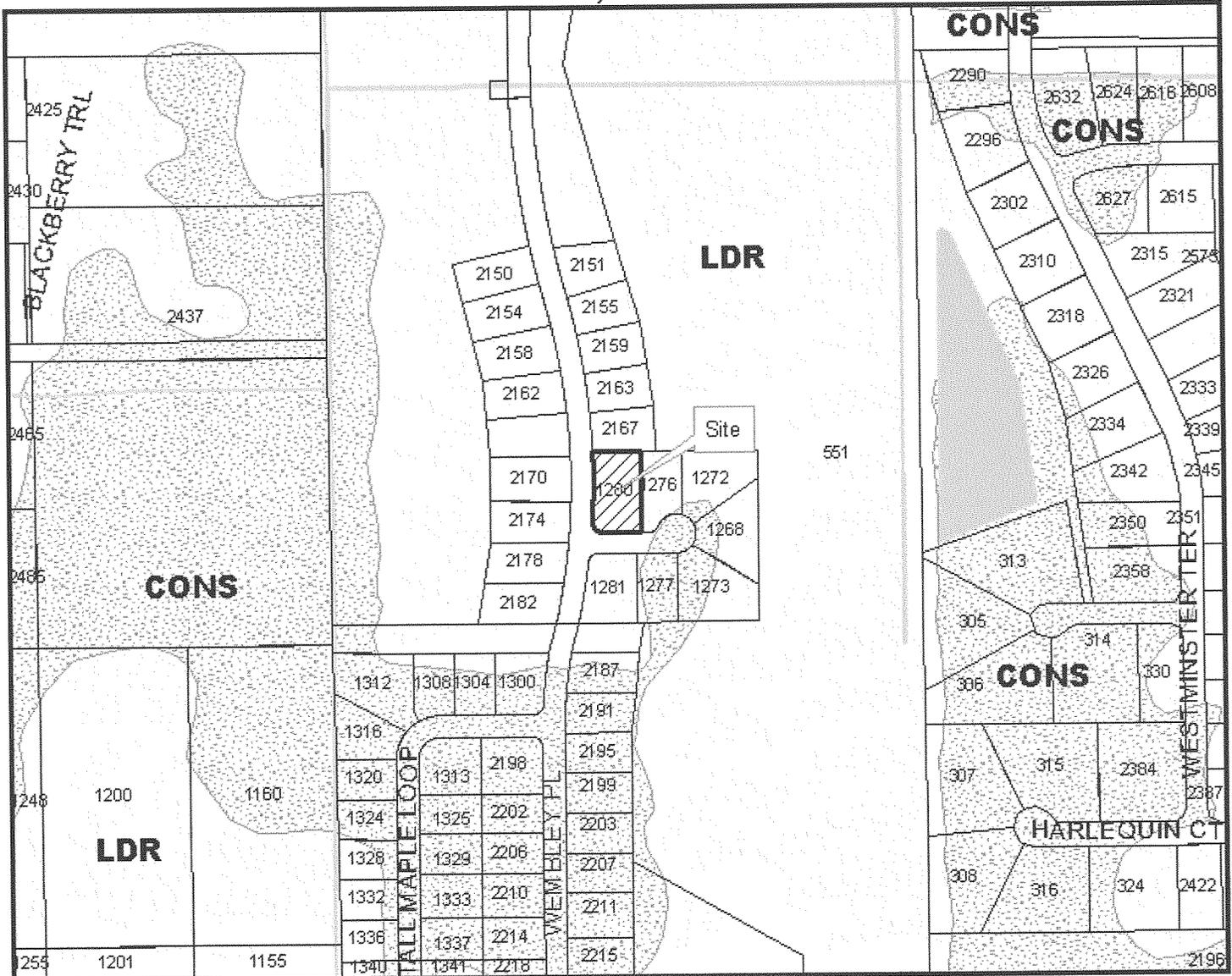
| Bld Num | Bld Type | Year Blt | Fixtures | Base SF | Gross SF | Heated SF | Ext Wall | Bld Value | Est. Cost New |
|---------|------------------|----------|-----------------------------|---------|----------|-----------|------------------|-----------|---------------|
| 1 | SINGLE FAMILY | 1999 | 15 | 3,601 | 5,756 | 4,353 | CB/STUCCO FINISH | \$345,207 | \$355,883 |
| | Appendage / Sqft | | SCREEN PORCH FINISHED / 426 | | | | | | |
| | Appendage / Sqft | | OPEN PORCH FINISHED / 183 | | | | | | |
| | Appendage / Sqft | | GARAGE FINISHED / 794 | | | | | | |
| | Appendage / Sqft | | UPPER STORY FINISHED / 752 | | | | | | |

EXTRA FEATURE

| Description | Year Blt | Units | EXFT Value | Est. Cost New |
|------------------|----------|-------|------------|---------------|
| FIREPLACE | 1999 | 1 | \$2,125 | \$2,500 |
| POOL GUNITE | 2002 | 346 | \$6,401 | \$6,920 |
| COOL DECK PATIO | 2002 | 677 | \$2,192 | \$2,370 |
| SCREEN ENCLOSURE | 2002 | 1,763 | \$3,174 | \$3,526 |
| SOLAR HEATER | 2003 | 1 | \$880 | \$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.

Richard Torres
 1280 Regal Oak Ct.
 Ovideo, FL 32765

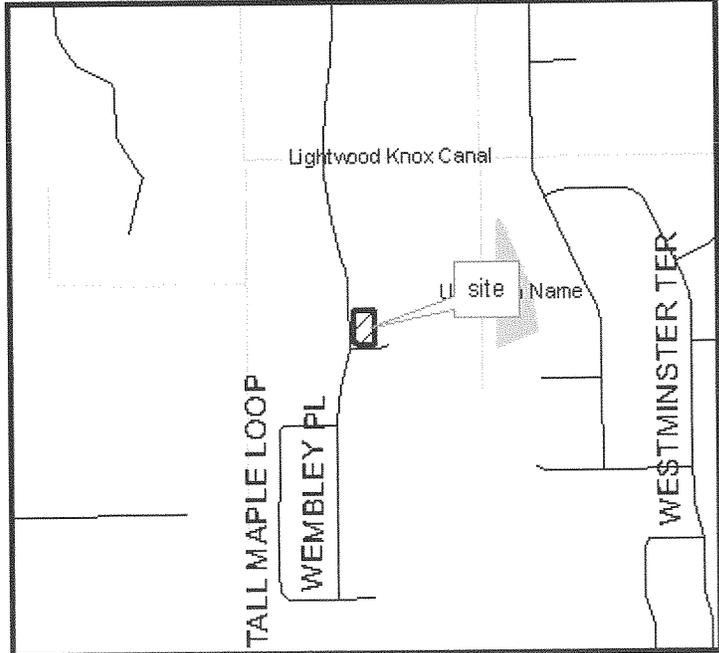


Seminole County Board of Adjustment
 May 23, 2005
 Case: BV2005-021
 Parcel No: 28-21-31-508-0000-0300

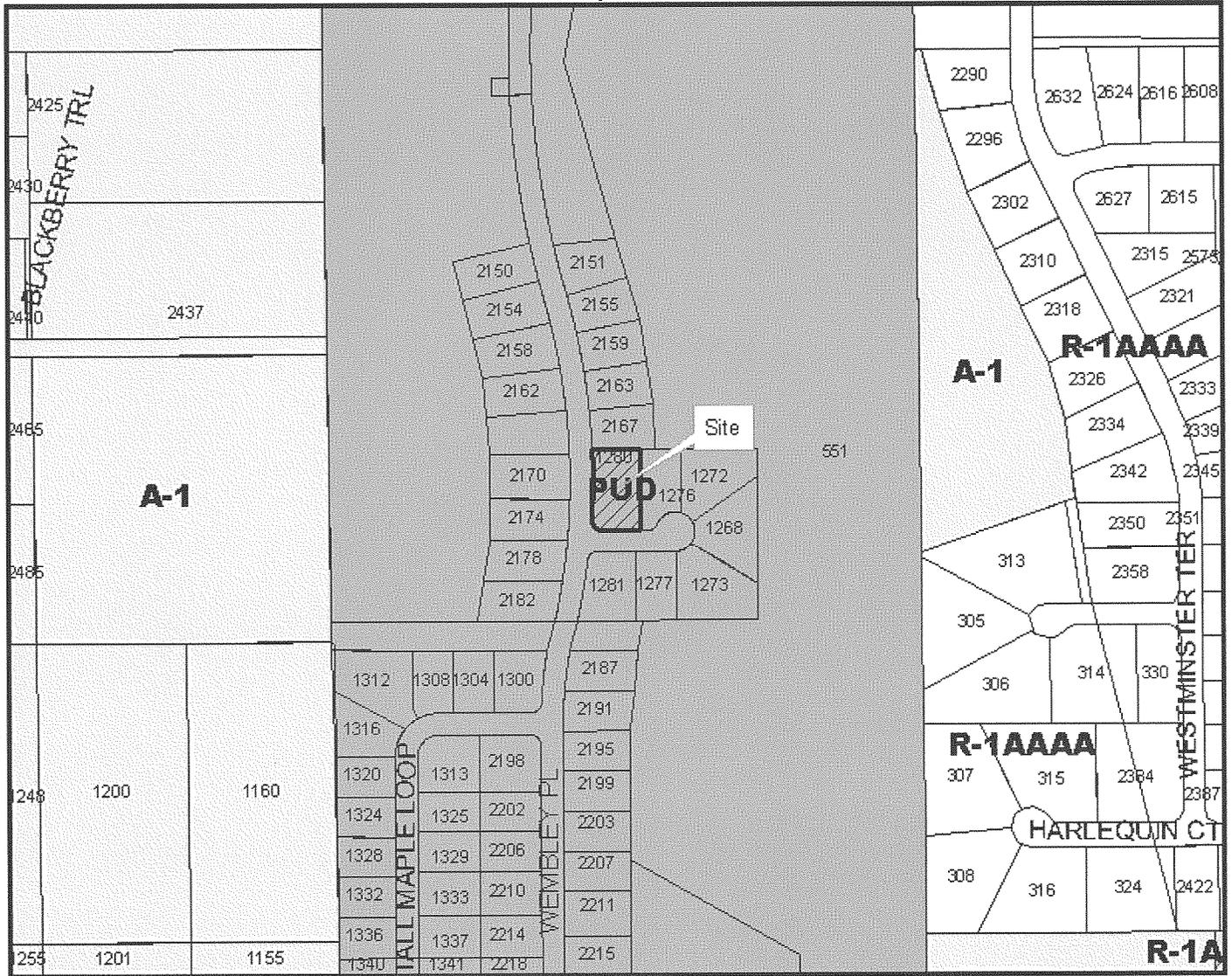
Future Land Use

- CONS, LDR
- LDR, NONE

0 80 160 320 480 640 Feet



Richard Torres
 1280 Regal Oak Ct.
 Ovideo, FL 32765



Seminole County Board of Adjustment
 May 23, 2005
 Case: BV2005-021
 Parcel No: 28-21-31-508-0000-0300

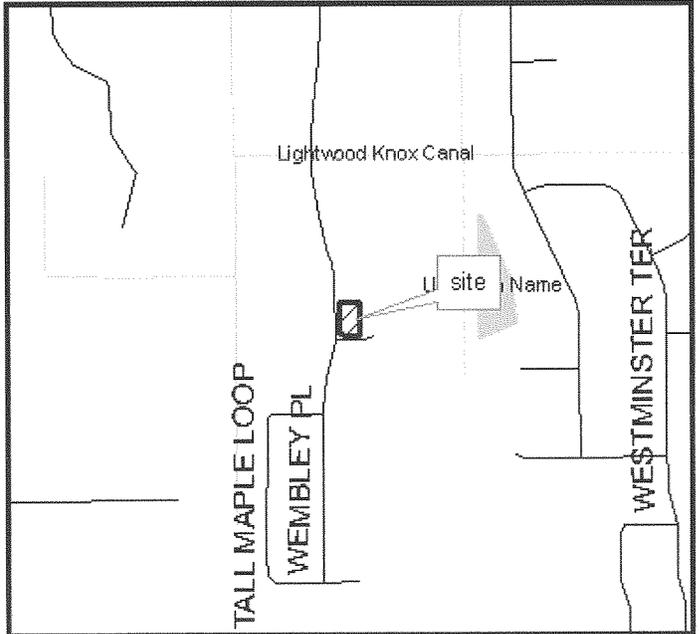
Zoning

-  A-1 Agricultural-1Ac
-  R-1AAAA Single Fam-21780
-  R-1A Single Fam-9000
-  PUD Planned Unit Dev.

N



0 80 160 320 480 640 Feet





Marcia Haeffner /Seminole
03/08/2005 10:07 AM

To Earnest McDonald/Seminole@Seminole
cc Steven Douglas/Seminole@Seminole
bcc
Subject 1280 Regal Oaks Court Parcel #28-21-31-508-000-0300

History:  This message has been replied to.

Good morning,

We have reviewed the above referenced location in which a citizen wishes to apply for a variance for a privacy fence. I currently see no problem as it relates to vehicular sight distance with approving the 10'-15' side yard setback as requested.

Marcia Haeffner, Sr. Coordinator
Seminole County Traffic Engineering
140 Bush Loop
Sanford, Florida 32773
Phone: 407-665-5682
Fax: 407-665-5623
email: mhaeffner@seminolecountyfl.gov

--****Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. Seminole County policy does not differentiate between personal and business emails. E-mail sent on the County system will be considered public and will only be withheld from disclosure if deemed confidential pursuant to State Law.****

| | | | |
|--------|------------|---------------------|------------|
| FILE # | BV2005-021 | DEVELOPMENT ORDER # | 05-3000020 |
|--------|------------|---------------------|------------|

SEMINOLE COUNTY CORRECTIVE DEVELOPMENT ORDER

On March 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 30 CHAPMAN LAKES PH 2 PB 53 PG 83

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

FINDINGS OF FACT

Property Owner: STUART H. & PEGGY D. JANOUSKY
1280 REGAL OAK COURT
OVIEDO, FL 32765

Project Name: 1280 REGAL OAK COURT

Requested Development Approval:

SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED PRIVACY FENCE

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: Earnest McDonald,
Principal Coordinator
1101 East First Street
Sanford, Florida 32771

| | | | |
|--------|------------|---------------------|-------------|
| FILE # | BV2004-021 | DEVELOPMENT ORDER # | 05-30000020 |
|--------|------------|---------------------|-------------|

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 proposed FENCE 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 _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: