

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR MAXIMUM FENCE HEIGHT VARIANCE FROM 6.5 FEET TO 8 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (TERESA HOES, APPLICANT).

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

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

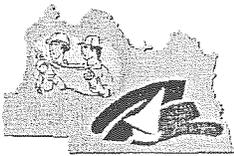
Agenda Date 5-23-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR MAXIMUM FENCE HEIGHT VARIANCE FROM 6.5 FEET TO 8 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (TERESA HOES, APPLICANT); OR
2. **DENY** REQUEST FOR MAXIMUM FENCE HEIGHT VARIANCE FROM 6.5 FEET TO 8 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (TERESA HOES, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: TERESA HOES LOCATION: 116 VALENCIA LOOP ZONING: R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
BACKGROUND/ REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT AN 8 FOOT PRIVACY WOOD FENCE THAT EXCEEDS THE MAXIMUM ALLOWABLE FENCE HEIGHT BY 1.5 FEET; THE AFOREMENTIONED VARIANCE IS THEREBY REQUESTED. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCE. STAFF HAS DETERMINED THAT: <ul style="list-style-type: none"> • NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE LOT OR PROPOSED FENCE HAVE BEEN DEMONSTRATED. THE PROPOSED FENCE COULD BE CONSTRUCTED AT 6.5 FEET TO COMPLY WITH DISTRICT REQUIREMENTS; AND

	<ul style="list-style-type: none">• THE REQUESTED VARIANCE WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE R-1AA DISTRICT.• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE PROPERTY WITHOUT THE REQUESTED VARIANCE.
STAFF RECOMMENDATION	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED VARIANCE. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none">• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED 8 FOOT FENCE AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY
 APPL. NO. BV2005-30

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** fence height variance from 6ft to 8ft
- 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	<u>Teresa Hoes</u>	
ADDRESS	<u>116 Valencia Loop</u>	
	<u>Altamonte Springs, FL 32714</u>	
PHONE 1	<u>407 722 2397</u>	
PHONE 2	<u>407 257 6677</u>	
E-MAIL	<u>hoes.florida@earthlink.net</u>	

PROJECT NAME: Replace ~~base~~ existing 2' fence w/ 8' fence

SITE ADDRESS: 116 Valencia Loop

CURRENT USE OF PROPERTY: Single-owner residential

LEGAL DESCRIPTION: Lot 10, Block P, Spring Valley Farms Section Nine

SIZE OF PROPERTY: 1/3 acre(s) PARCEL I.D. 22-21-29-510-0100-0100

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NA

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 5/23/05 (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.

[Signature] 3/18/05
 SIGNATURE OF OWNER OR AGENT* DATE

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

JV

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

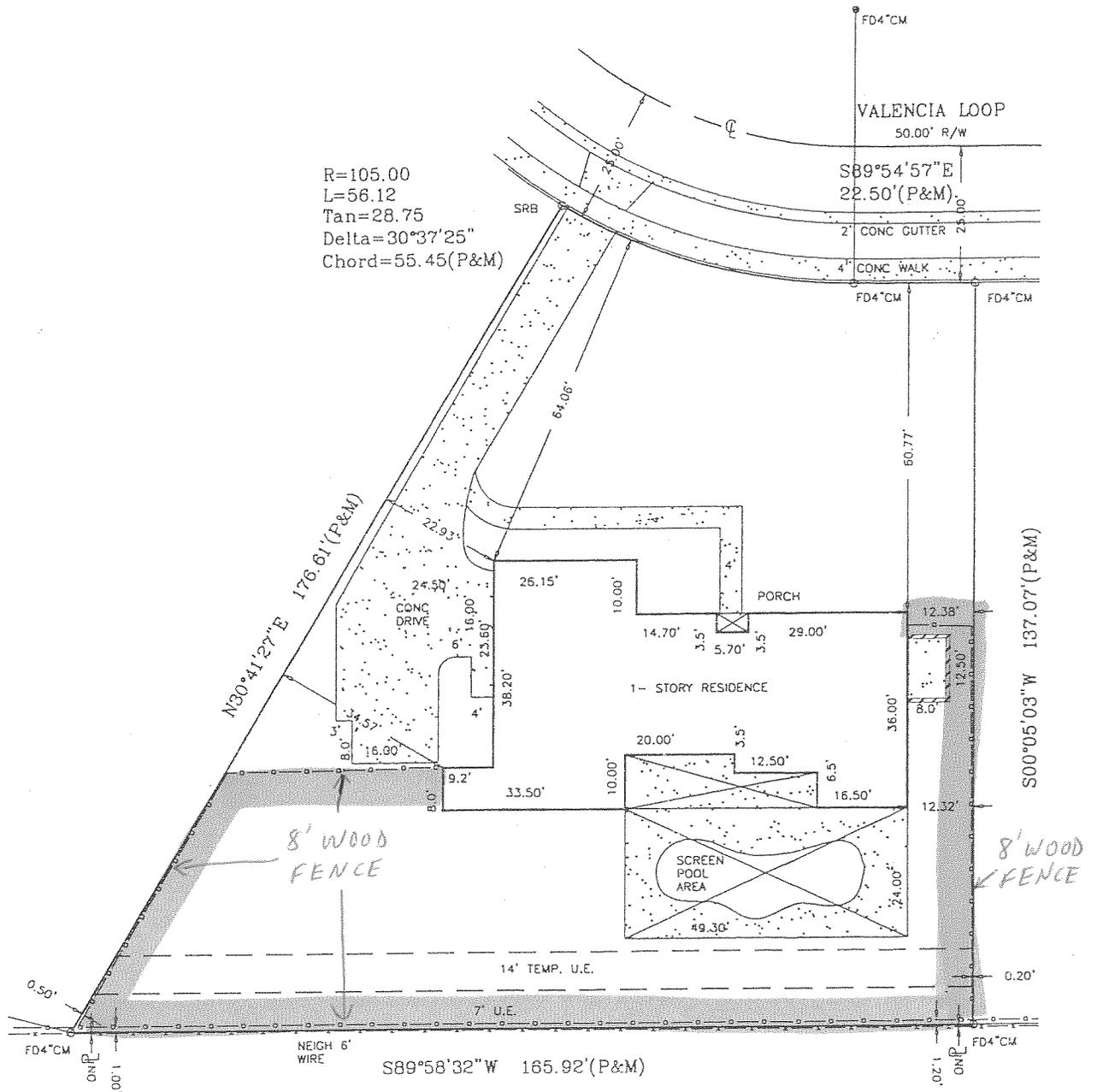
APPELLANT INFORMATION	
NAME	_____
ADDRESS	_____
PHONE 1	_____
PHONE 2	_____
E-MAIL	_____

NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:
FEE(S): 150.00 COMMISSION DISTRICT _____ FLU / ZONING RIAA- / LDR
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS north of Hillview Dr. less than
1/2 mile east of the intersection of Hillview Dr & McVinton Dr.
PLANNING ADVISOR Patty Johnson DATE 3/18/05
SUFFICIENCY COMMENTS _____



$R=105.00$
 $L=56.12$
 $\text{Tan}=28.75$
 $\text{Delta}=30^{\circ}37'25''$
 $\text{Chord}=55.45(\text{P\&M})$

VALENCIA LOOP
 50.00' R/W
 $S89^{\circ}54'57''E$
 22.50'(P&M)

$N30^{\circ}41'27''E$ 176.61'(P&M)

$S00^{\circ}05'03''W$ 137.07'(P&M)

$S89^{\circ}58'32''W$ 165.92'(P&M)

	CONCRETE	CH	CHORD	PRM	PERMANENT REFERENCE MONUMENT	CM	CONCRETE MONUMENT
	WIRE FENCE	TAN	TANGENT	PCP	PERMANENT CONTROL POINT	FD	FOUND
	WOOD FENCE	Δ	DELTA	POB	POINT OF BEGINNING	R/W	RIGHT-OF-WAY
	PROPERTY CORNER	Δ	ARC LENGTH	POC	POINT OF COMMENCEMENT	ORB	OFFICIAL RECORD BOOK
	CENTERLINE	R	RADIUS	POCV	POINT ON CURVE	FF	FINISHED FLOOR
	RECORD	N/D	NAIL AND DISC	PC	POINT OF CURVATURE	EL	ELEVATION
	FIELD MEASURED	CL	CLEAR	PI	POINT OF INTERSECTION	NTS	NOT TO SCALE
	FOUND 4\"/>	ENCR	ENCROACHMENT	PT	POINT OF TANGENCY	W/	WITH
	SET 1/2\"/>	FIP	FOUND IRON PIPE	PRC	POINT OF REVERSE CURVE	N	NORTH
	TYPICAL	FRB	FOUND REBAR	PCC	POINT OF COMPOUND CURVE	S	SOUTH
	MORE OR LESS	NEIGH	NEIGHBORING PROPERTY	D.U.E.	DRAINAGE & UTILITY EASEMENT	E	EAST
		CUR	CURVATURE	U.E.	UTILITY EASEMENT	W	WEST

NOTES:
 1) NOT VALID UNLESS SIGNATURE IS EMBOSSED WITH THE REGISTERED LAND SURVEYORS SEAL.
 2) LEGAL DESCRIPTION PROVIDED BY OTHERS.
 3) PROPERTIES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PROPERTY PLAT OF RECORD.
 4) BEARINGS WHERE SHOWN ARE PER PLAT UNLESS OTHERWISE NOTED.
 5) UNDERGROUND UTILITIES, FOUNDATIONS, OR OTHER IMPROVEMENTS, IF ANY, WERE NOT LOCATED.
 6) ELEVATIONS, IF SHOWN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM 1929.

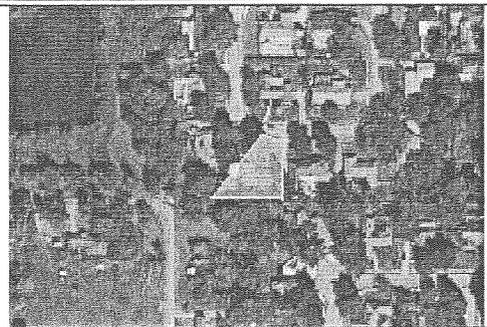
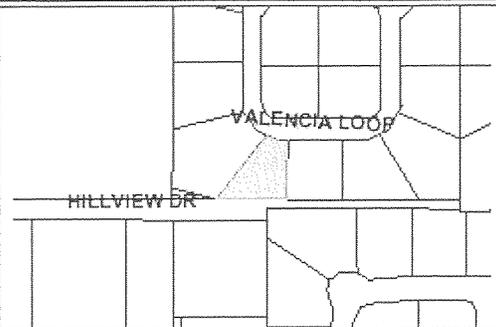
PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

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



GENERAL

Parcel Id: 22-21-29-510-0P00-0100 Tax District: 01-COUNTY-TX DIST 1

Owner: HOES FRANK & TERESA Exemptions: 00-HOMESTEAD

Address: 116 VALENCIA LOOP

City,State,ZipCode: ALTAMONTE SPRINGS FL 32714

Property Address: 116 VALENCIA LOOP ALTAMONTE SPRINGS 32714

Subdivision Name: SPRING VALLEY FARMS SEC 09

Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market

Number of Buildings: 1

Depreciated Bldg Value: \$165,957

Depreciated EXFT Value: \$7,759

Land Value (Market): \$45,000

Land Value Ag: \$0

Just/Market Value: \$218,716

Assessed Value (SOH): \$208,120

Exempt Value: \$25,000

Taxable Value: \$183,120

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	07/2002	04465	0796	\$231,900	Improved
WARRANTY DEED	03/1991	02284	0286	\$100	Improved
QUIT CLAIM DEED	08/1990	02213	0331	\$100	Improved
QUIT CLAIM DEED	12/1985	01699	1189	\$100	Improved
WARRANTY DEED	01/1980	01263	0639	\$107,000	Improved
WARRANTY DEED	01/1977	01141	0207	\$16,000	Vacant

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Amount(without SOH): \$2,992

2004 Tax Bill Amount: \$2,992

Save Our Homes (SOH) Savings: \$0

2004 Taxable Value: \$177,058

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	45,000.00	\$45,000

LEGAL DESCRIPTION PLAT

LEG LOT 10 BLK P SPRING VALLEY FARMS SEC 9 PB 19 PG 89

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	1978	7	1,980	2,960	1,980	SIDING AVG	\$165,957	\$186,469
			Appendage / Sqft	OPEN PORCH FINISHED / 460					
			Appendage / Sqft	GARAGE FINISHED / 520					

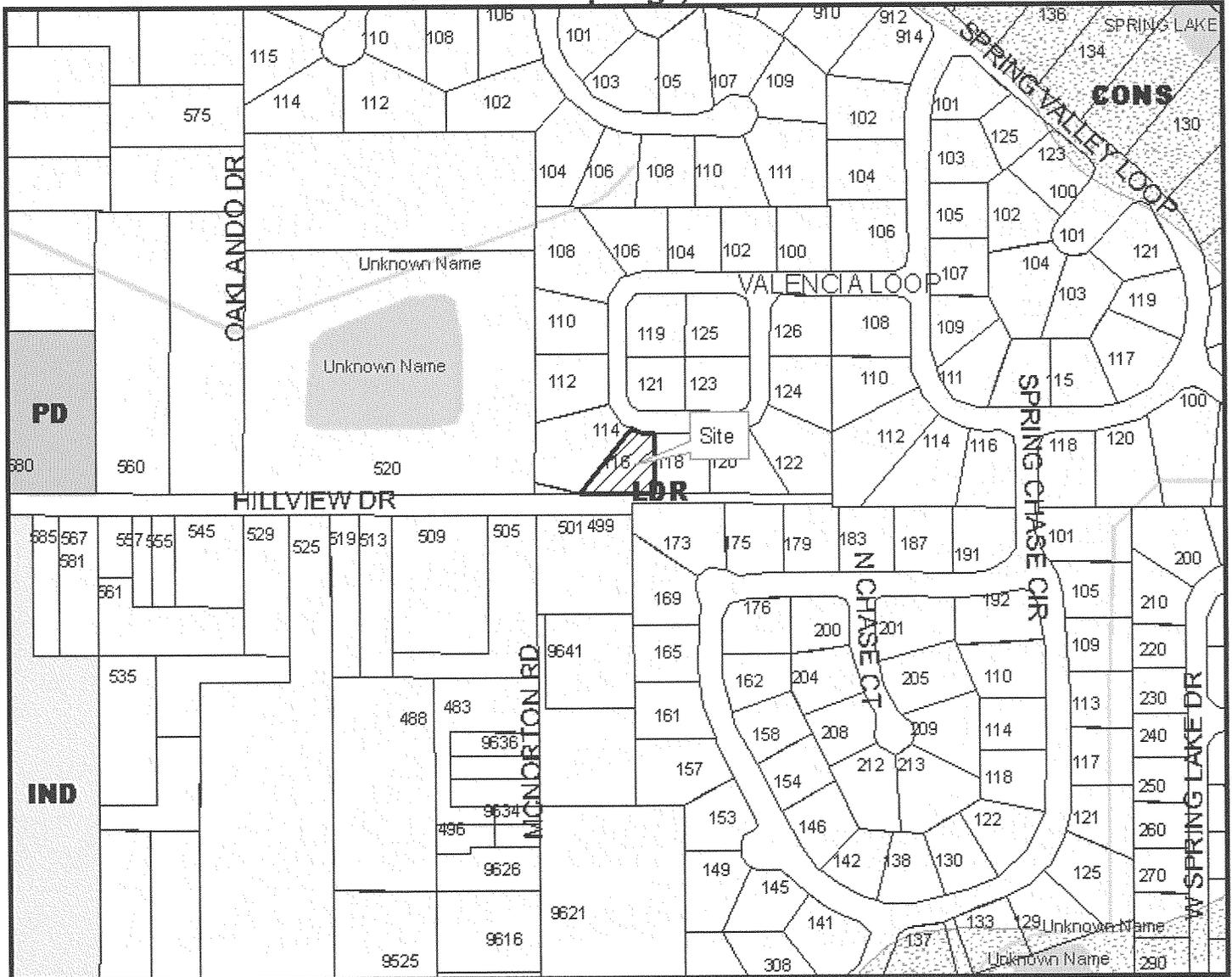
EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1978	1	\$800	\$2,000
POOL GUNITE	1978	512	\$4,096	\$10,240
COOL DECK PATIO	1978	566	\$792	\$1,981
SCREEN ENCLOSURE	1978	2,039	\$1,631	\$4,078
SOLAR HEATER	1994	1	\$440	\$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.

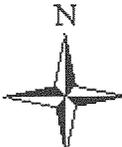
**Teresa Hoes
116 Valencia Loop
Altamonte Springs, FL 32714**

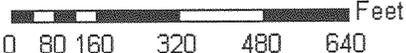


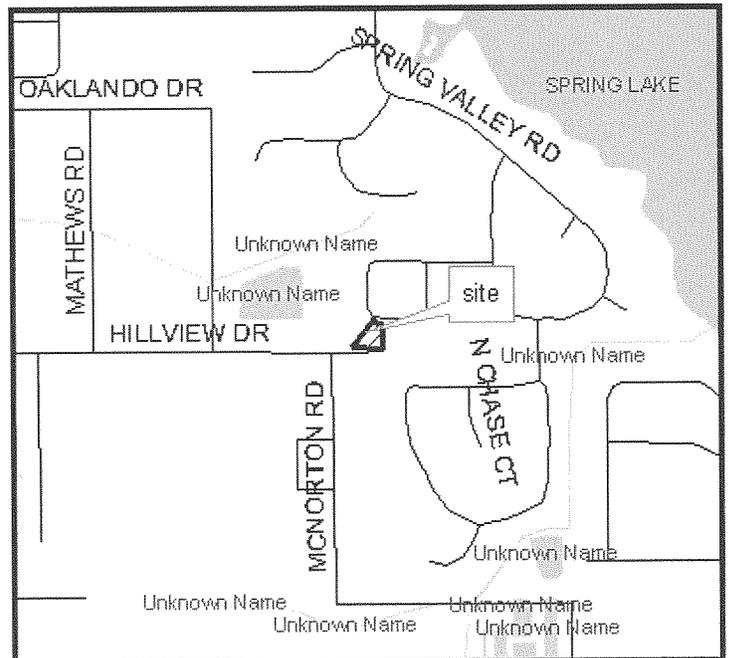
**Seminole County Board of Adjustment
May 23, 2005
Case: BV2005-030
Parcel No: 22-21-29-510-0P00-0100**

Future Land Use

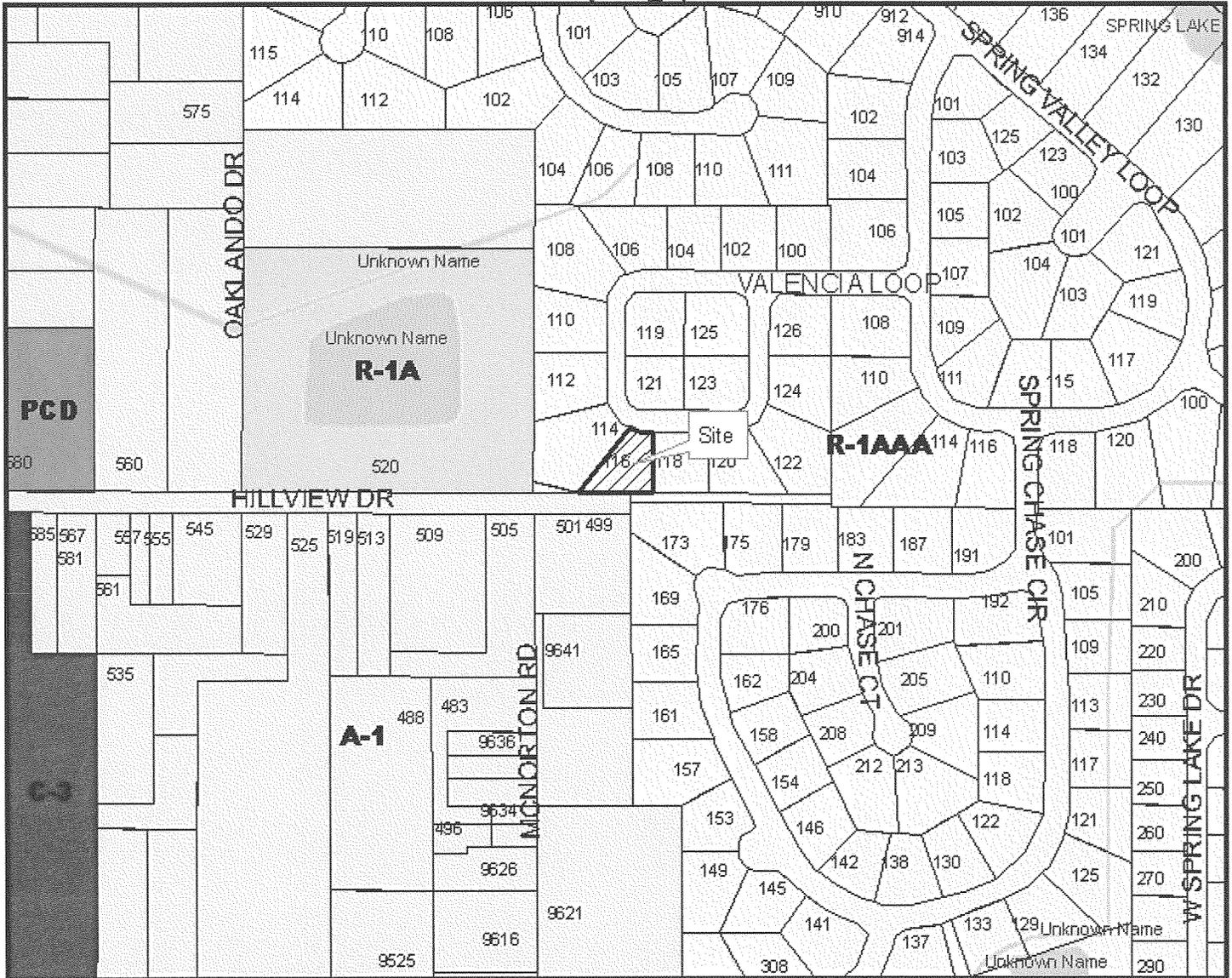
- CONS, LDR
- LDR, NONE
- PD, NONE
- IND, NONE
- BV2005-030







**Teresa Hoes
116 Valencia Loop
Altamonte Springs, FL 32714**

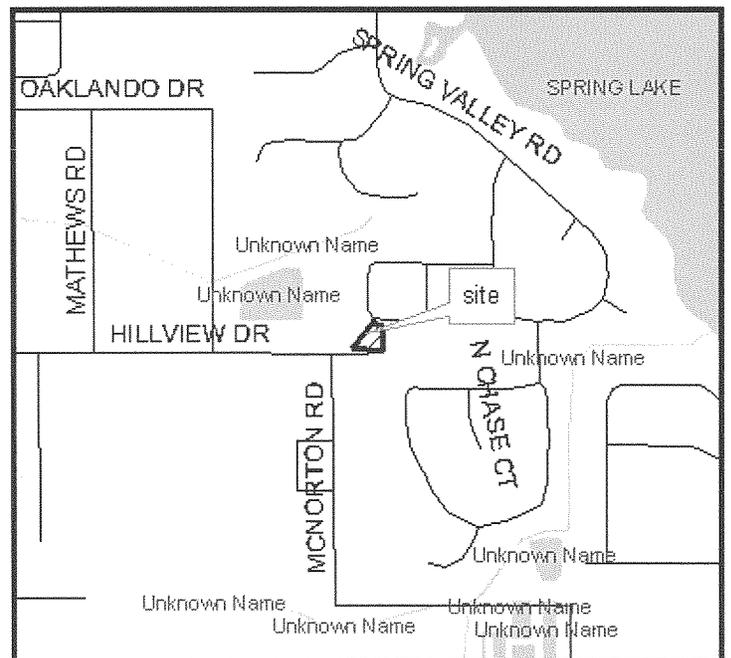


**Seminole County Board of Adjustment
May 23, 2005
Case: BV2005-030
Parcel No: 22-21-29-510-0P00-0100**

Zoning

- A-1 Agricultural-1Ac
- R-1AAA Single Fam-13500
- R-1A Single Fam-9000
- C-3 Gen Commercial & Wholesale
- PCD Planned Commercial Dist.
- BV2005-030

0 80 160 320 480 640 Feet



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 23, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 10 BLK P SPRING VALLEY FARMS SEC 9 PB 19 PG 89

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

FINDINGS OF FACT

Property Owner: TERESA HOES
116 VALENCIA LOOP
ALTAMONTE SPRINGS, FL 32714

Project Name: VALENCIA LOOP (116)

Requested Development Approval:

MAXIMUM FENCE HEIGHT VARIANCE FROM 6.5 FEET TO 8 FEET FOR A PROPOSED FENCE 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 variances granted will apply only to the proposed fence 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: _____
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: