

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

SUBJECT: REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (DEBORAH SENTELL-JOHNSON, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

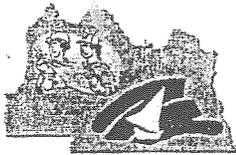
Agenda Date 06-27-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (DEBORAH SENTELL-JOHNSON, APPLICANT); OR
2. **DENY** THE REQUEST FOR MINIMUM SIDE STREET SETBACK VARIANCE FROM 25 FEET TO 10 FEET FOR A PROPOSED FENCE IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (DEBORAH SENTELL-JOHNSON, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: DEBORAH SENTELL-JOHNSON, APPLICANT LOCATION: 2909 LAGOON COVE ZONING: R-1AA (STILLWATER)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A FENCE, THAT WOULD ENCROACH 15 FEET INTO THE 25 FOOT SIDE STREET SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE STILLWATER NEIGHBORHOOD BY ALLOWING ENCROACHMENT INTO THE SIDE STREET SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR

	<p>HARDSHIP BY THE APPLICANT.</p> <ul style="list-style-type: none">• THE OPPORTUNITY EXISTS TO CONSTRUCT A COMPLIANT FENCE. THEREFORE, THE REQUESTED VARIANCE WOULD NOT BE THE MINIMUM THAT WOULD MAKE POSSIBLE THE REASONABLE USE OF THE PROPERTY.• THE REQUESTED VARIANCE WOULD NOT BE COMPLIANT WITH THE LAND DEVELOPMENT CODE AND WOULD POTENTIALLY ALLOW DEVELOPMENT THAT IS INCONSISTENT WITH THE TREND OF NEIGHBORHOOD DEVELOPMENT.
<p>STAFF RECOMMENDATION</p>	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANTS 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 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.



COPY

APPL. NO. BV 2005-054

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** Minimum side street setback variance from 25' to 10' for a proposed fence
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION** **MEDICAL HARDSHIP**
- NIGHT WATCHMAN** **FAMILY HARDSHIP**
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)**
- SIZE OF MOBILE HOME / RV _____** **TIME NEEDED _____**
- PLAN TO BUILD** **YES** **NO IF SO, WHEN _____**
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Deborah Sentell-Johnson	
ADDRESS	2909 Lagoon Cove	
	Oviedo FL 32765	
PHONE 1	407-435-8276 (cell)	
PHONE 2	407-346-2193 (husband cell)	
E-MAIL	sentell2002@gmail.com	

PROJECT NAME: _____

SITE ADDRESS: 2909 Lagoon Cove, Oviedo, FL 32765

CURRENT USE OF PROPERTY: primary residence

LEGAL DESCRIPTION: LEG LOT 122 STILLWATER PH 1 P13 33 PGS 45 TO 48

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 27-21-31-508-0000-1220

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS none

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 6/27/05 (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.

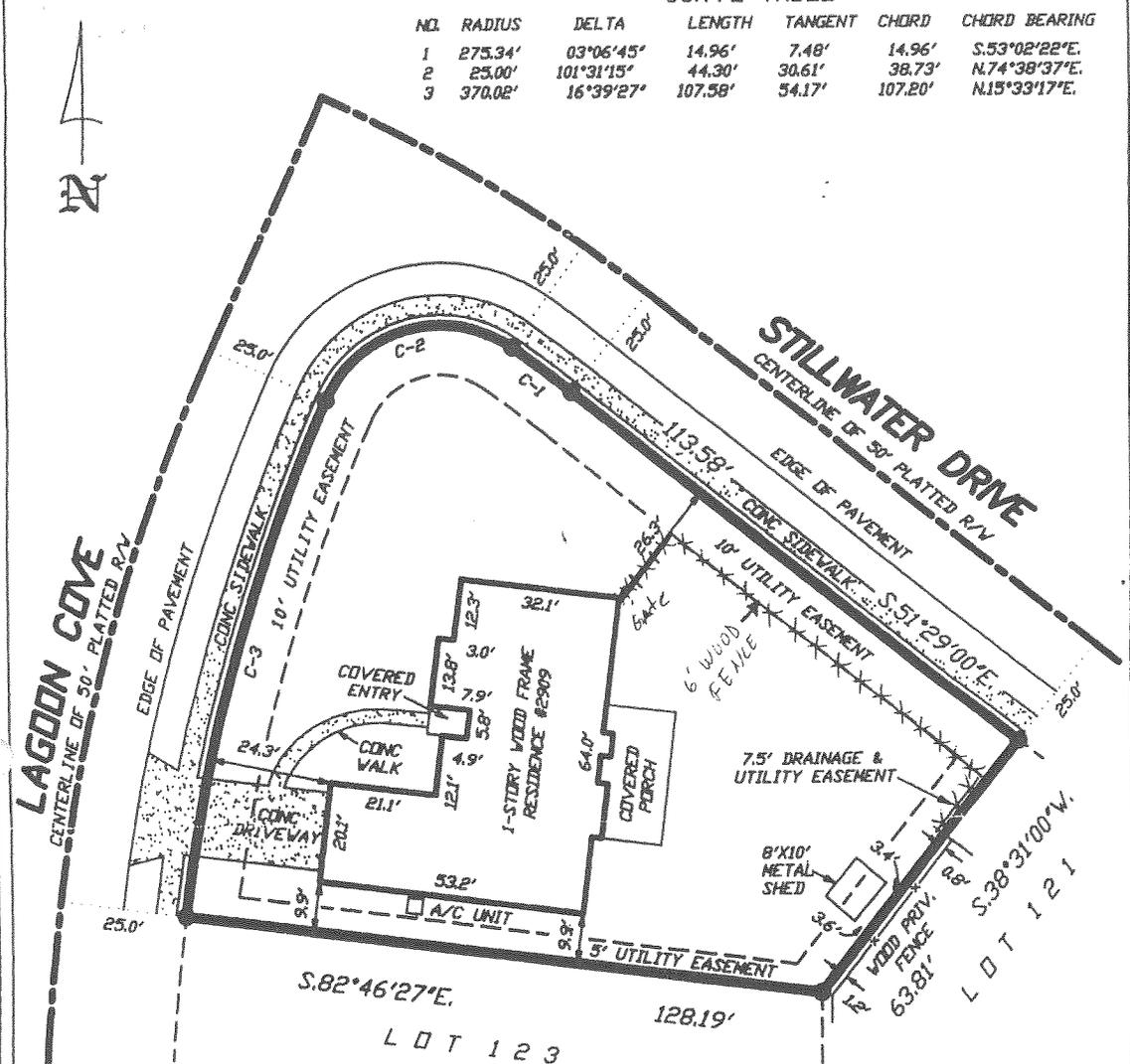
I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Deborah Sentell-Johnson
 SIGNATURE OF OWNER OR AGENT* 4/29/05
 DATE

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

CURVE TABLE

NO.	RADIUS	DELTA	LENGTH	TANGENT	CHORD	CHORD BEARING
1	275.34'	03°06'45"	14.96'	7.48'	14.96'	S.53°02'22"E.
2	25.00'	101°31'15"	44.30'	30.61'	38.73'	N.74°38'37"E.
3	370.02'	16°39'27"	107.58'	54.17'	107.20'	N.15°33'17"E.



NOTES :

1. BEARINGS BASED ON THE N. LINE OF LOT 122 AS BEING S.51°29'00"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: 4/20/04.

LEGEND

- CONC = CONCRETE
- R/W = RIGHT-OF-WAY
- PC = POINT OF CURVATURE
- = FOUND 1/2" IRON ROD #3382

BOUNDARY SURVEY

DESCRIPTION:
 LOT 122, STILLWATER PHASE 1, AS RECORDED IN PLAT BOOK 33, PAGES 45-48, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

CERTIFIED TO:
 DEBORAH SENTELL-JOHNSON
 DECISION ONE MORTGAGE CO., LLC
 THE TITLE GROUP OF CENTRAL FLORIDA, INC.
 AMERICAN PIONEER TITLE INSURANCE COMPANY

I HEREBY CERTIFY:
 THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS IN CHAPTER 61G17 - 6, FLORIDA ADMINISTRATIVE CODE.
 THOMAS J. MCMAHON
 FL REG LAND SURVEYOR #4887

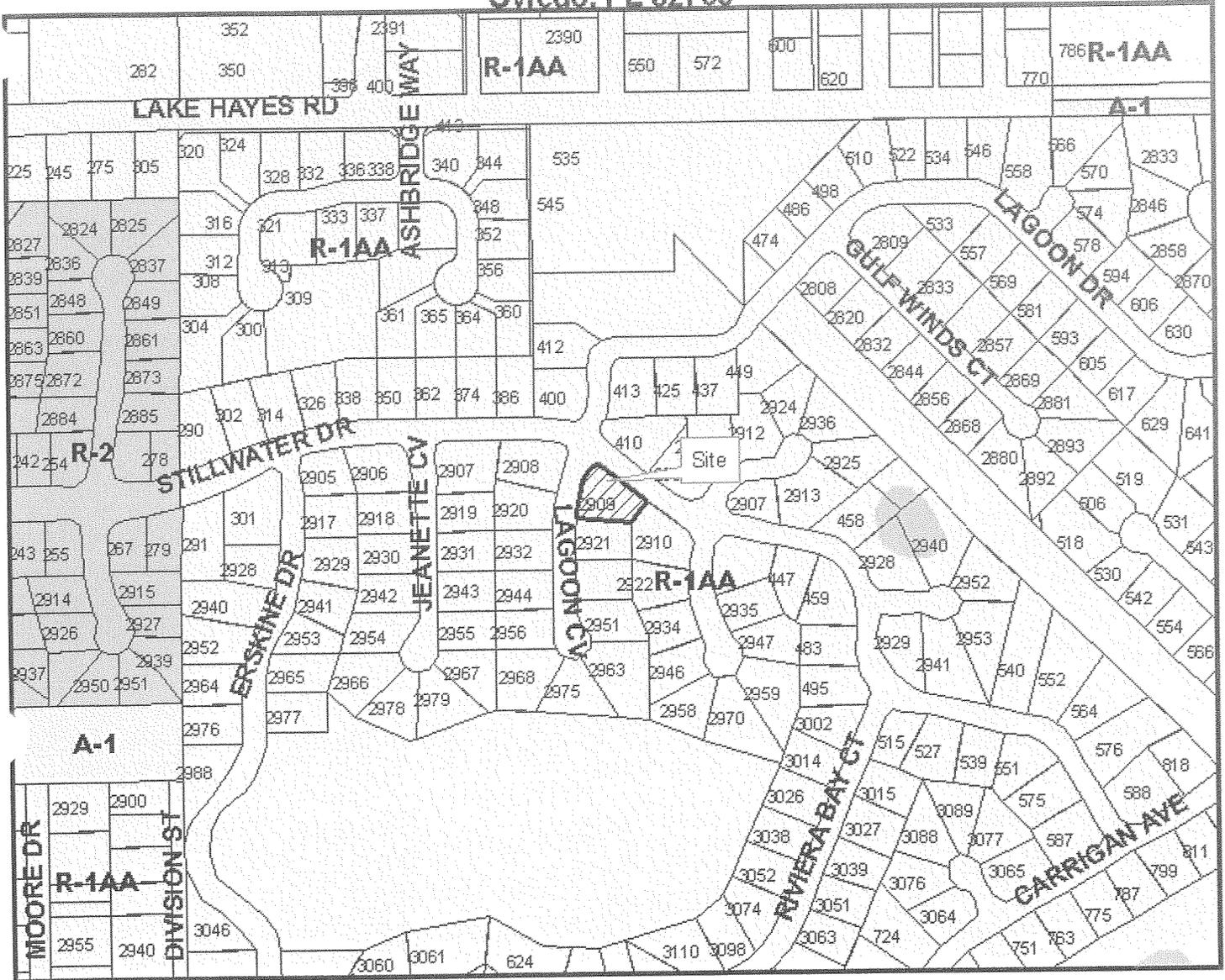
DATE: 4/20/04
SCALE: 1" = 30'
JOB NO. 04-TG553

MCMAHON SURVEYING AND MAPPING
 1690 TALL OAKS ROAD
 DELAND, FLORIDA
 32720 (407) 399-2044

NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

<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: 27-21-31-508-0000-1220 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: SENTELL-JOHNSON Exemptions:</p> <p> DEBORAH</p> <p>Address: 2929 LAGOON CV</p> <p>City,State,ZipCode: OVIEDO FL 32765</p> <p>Property Address: 2909 LAGOON CV OVIEDO 32765</p> <p>Subdivision Name: STILLWATER PH 1</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: \$151,873</p> <p>Depreciated EXFT Value: \$788</p> <p>Land Value (Market): \$28,400</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$181,061</p> <p>Assessed Value (SOH): \$181,061</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$181,061</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>05/2004</td> <td>05299</td> <td>0996</td> <td>\$193,000</td> <td>Improved</td> </tr> <tr> <td>CORRECTIVE DEED</td> <td>02/1999</td> <td>03591</td> <td>1365</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>08/1998</td> <td>03491</td> <td>1419</td> <td>\$110,000</td> <td>Improved</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>02/1998</td> <td>03363</td> <td>1173</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>11/1996</td> <td>03160</td> <td>1716</td> <td>\$123,000</td> <td>Improved</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>02/1996</td> <td>03031</td> <td>0085</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1990</td> <td>02228</td> <td>0978</td> <td>\$129,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1986</td> <td>01760</td> <td>1733</td> <td>\$99,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1986</td> <td>01705</td> <td>0979</td> <td>\$752,200</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	05/2004	05299	0996	\$193,000	Improved	CORRECTIVE DEED	02/1999	03591	1365	\$100	Improved	SPECIAL WARRANTY DEED	08/1998	03491	1419	\$110,000	Improved	CERTIFICATE OF TITLE	02/1998	03363	1173	\$100	Improved	SPECIAL WARRANTY DEED	11/1996	03160	1716	\$123,000	Improved	CERTIFICATE OF TITLE	02/1996	03031	0085	\$100	Improved	WARRANTY DEED	10/1990	02228	0978	\$129,000	Improved	WARRANTY DEED	08/1986	01760	1733	\$99,000	Improved	WARRANTY DEED	01/1986	01705	0979	\$752,200	Vacant	<p align="center">2004 VALUE SUMMARY</p> <p>2004 Tax Bill Amount: \$2,667</p> <p>2004 Taxable Value: \$157,828</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp																																																								
WARRANTY DEED	05/2004	05299	0996	\$193,000	Improved																																																								
CORRECTIVE DEED	02/1999	03591	1365	\$100	Improved																																																								
SPECIAL WARRANTY DEED	08/1998	03491	1419	\$110,000	Improved																																																								
CERTIFICATE OF TITLE	02/1998	03363	1173	\$100	Improved																																																								
SPECIAL WARRANTY DEED	11/1996	03160	1716	\$123,000	Improved																																																								
CERTIFICATE OF TITLE	02/1996	03031	0085	\$100	Improved																																																								
WARRANTY DEED	10/1990	02228	0978	\$129,000	Improved																																																								
WARRANTY DEED	08/1986	01760	1733	\$99,000	Improved																																																								
WARRANTY DEED	01/1986	01705	0979	\$752,200	Vacant																																																								
<p align="center">LAND</p> <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>28,400.00</td> <td>\$28,400</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	28,400.00	\$28,400	<p align="center">LEGAL DESCRIPTION PLAT</p> <p>LEG LOT 122 STILLWATER PH 1 PB 33 PGS 45 TO 48</p>																																																
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																								
LOT	0	0	1.000	28,400.00	\$28,400																																																								
<p align="center">BUILDING INFORMATION</p> <table border="1"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Heated SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1986</td> <td>8</td> <td>2,082</td> <td>2,920</td> <td>2,082</td> <td>WD/STUCCO FINISH</td> <td>\$151,873</td> <td>\$163,304</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">SCREEN PORCH FINISHED / 370</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">OPEN PORCH FINISHED / 48</td> </tr> <tr> <td></td> <td>Appendage / Sqft</td> <td></td> <td colspan="7">GARAGE FINISHED / 420</td> </tr> </tbody> </table>		Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1986	8	2,082	2,920	2,082	WD/STUCCO FINISH	\$151,873	\$163,304		Appendage / Sqft		SCREEN PORCH FINISHED / 370								Appendage / Sqft		OPEN PORCH FINISHED / 48								Appendage / Sqft		GARAGE FINISHED / 420																
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New																																																				
1	SINGLE FAMILY	1986	8	2,082	2,920	2,082	WD/STUCCO FINISH	\$151,873	\$163,304																																																				
	Appendage / Sqft		SCREEN PORCH FINISHED / 370																																																										
	Appendage / Sqft		OPEN PORCH FINISHED / 48																																																										
	Appendage / Sqft		GARAGE FINISHED / 420																																																										
<p align="center">EXTRA FEATURE</p> <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>FIREPLACE</td> <td>1986</td> <td>1</td> <td>\$788</td> <td>\$1,500</td> </tr> </tbody> </table>		Description	Year Blt	Units	EXFT Value	Est. Cost New	FIREPLACE	1986	1	\$788	\$1,500																																																		
Description	Year Blt	Units	EXFT Value	Est. Cost New																																																									
FIREPLACE	1986	1	\$788	\$1,500																																																									
<p>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.</p>																																																													

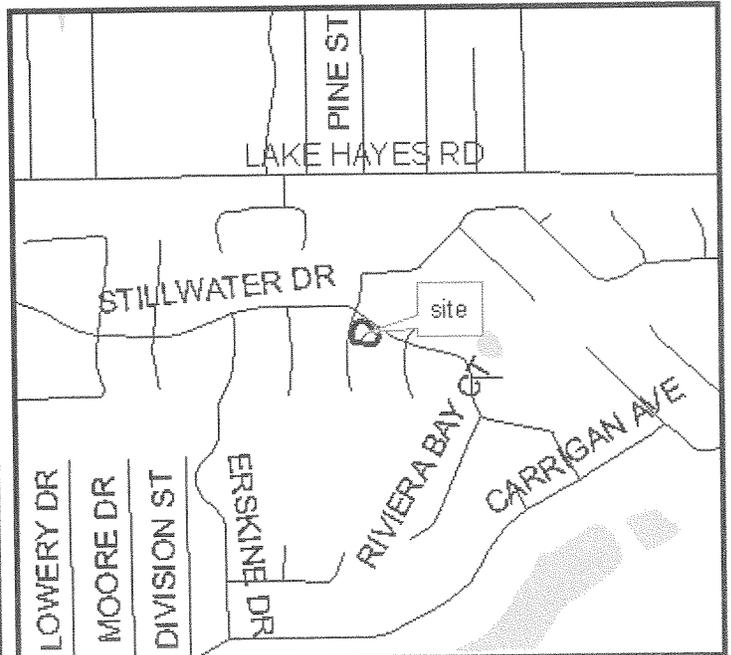
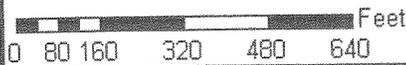
Deborah Sentell-Johnson
 2909 Lagoon Cove
 Oviedo, FL 32765



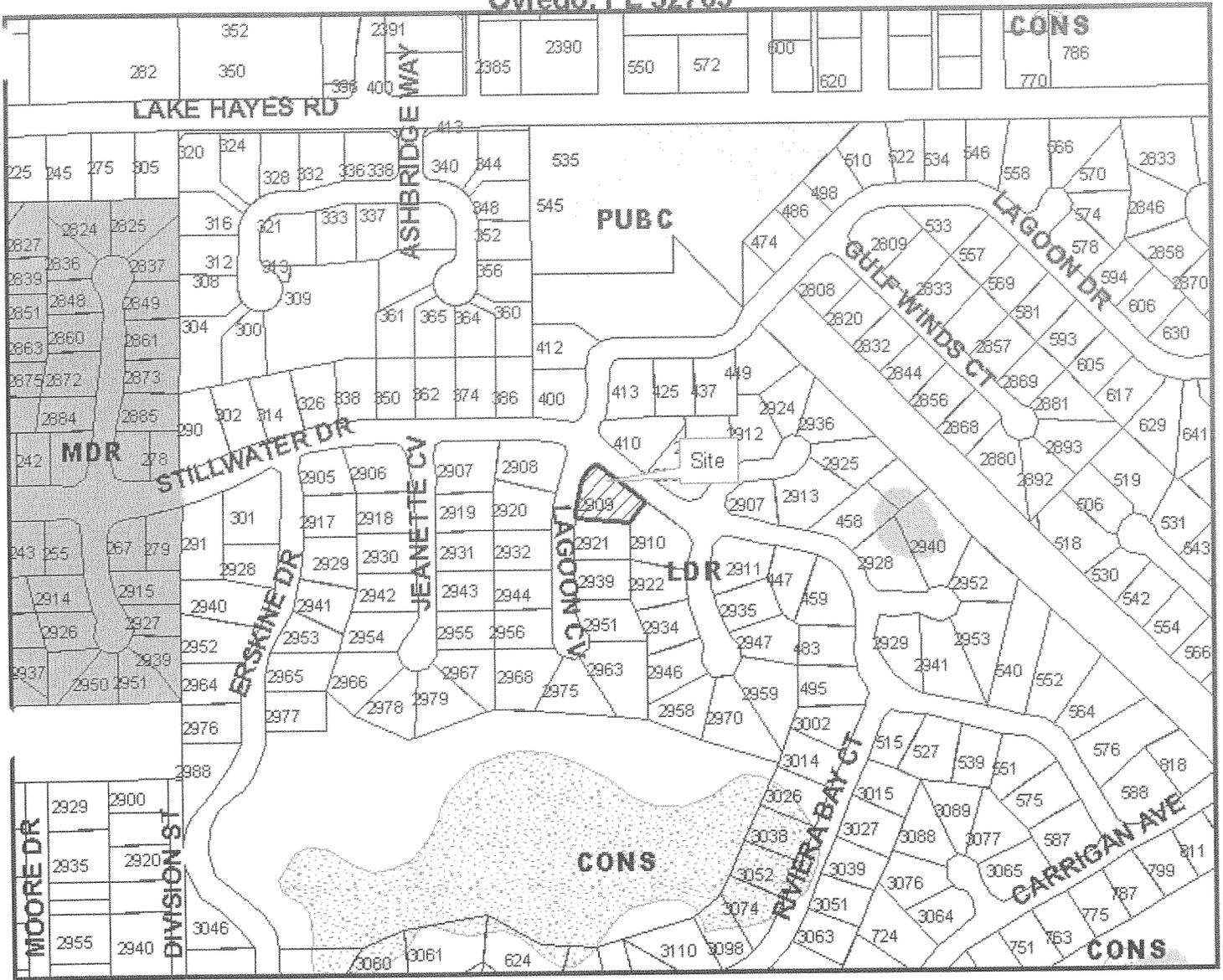
Seminole County Board of Adjustment
 June 27, 2005
 Case: BV2005-054
 Parcel No: 27-21-31-508-0000-1220

Zoning

-  A-1 Agricultural-1Ac
-  R-1AA Single Fam-11700
-  R-2 One and Two-Family-9000
-  EV2005-054



Deborah Sentell-Johnson
 2909 Lagoon Cove
 Oviedo, FL 32765

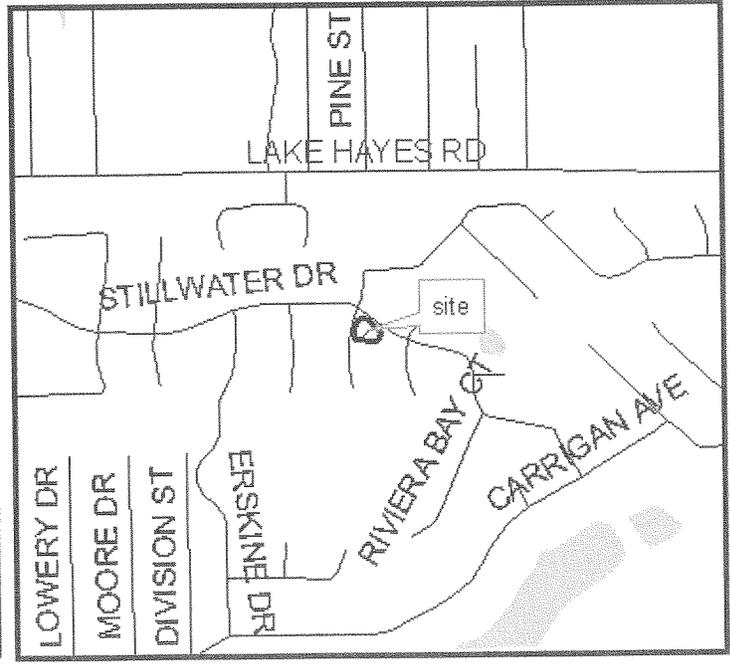


Seminole County Board of Adjustment
 June 27, 2005
 Case: BV2005-054
 Parcel No: 27-21-31-508-0000-1220

Future Land Use

	CONS, LDR		BV2005-054
	CONS, MDR		
	PUBC, NONE		
	LDR, NONE		
	MDR, NONE		

0 80 160 320 480 640 Feet

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

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

LEG LOT 12 BLK GARDEN LAKE ESTATES UNIT 1 PB 19 PGS 14 &15

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

FINDINGS OF FACT

Property Owner: DEBRORAH SENTELL-JOHNSON
2909 LAGOON COVE
OVIEDO, FL 33765

Site Address: 2909 LAGOON COVE

Requested Development Approval:

THE REQUEST FOR MINIMUM SIDE STREET SETBACK FROM 25 FEET TO 10 FEET FOR A PROPOSED 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: Kathy Fall
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 VARIANCE GRANTED SHALL 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 Matthew West 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: