

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 21 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN A PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (BRYAN FENNER, APPLICANT).

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

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Michael Rumer **EXT.** 7398

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

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 21 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (BRYAN FENNER, APPLICANT);  
OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 30 FEET TO 21 FEET FOR A PROPOSED SCREEN ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (BRYAN FENNER, APPLICANT);  
OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT: BRYAN FENNER LOCATION: 105 DUBLIN DRIVE ZONING: PUD (GREENWOOD LAKES)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT A SCREEN ROOM ADDITION (APPROXIMATELY 14' X 42') TO AN EXISTING HOME.</li> <li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li> </ul>
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE PROPOSED ADDITION WOULD ENCROACH 9 FEET INTO THE MINIMUM 30 FOOT REAR YARD SETBACK.</li> <li>• THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE GREENWOOD LAKES PUD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL</li> </ul>

	<p>CIRCUMSTANCES OR HARDSHIP.</p> <ul style="list-style-type: none"><li>• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED ADDITION HAVE BEEN DEMONSTRATED.</li></ul>
<p><b>STAFF RECOMMENDATION</b></p>	<ul style="list-style-type: none"><li>• 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"><li>• ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED SCREEN ROOM ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul></li></ul>

COMMISSION DISTRICT #:

GUI  
PROJ. #

ZONED: PUD

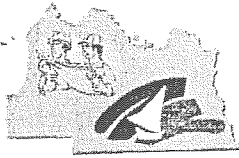
SEC: 18

TWP: 20

RNG: 30

<b>DEVELOPMENT:</b>		Greenwood Lakes Unit 1			<b>DEVELOPER:</b>		Florida Land Co. & Wilco Development Corp					
<b>LOCATION:</b>		135 Units - 54.51 Acres										
<b>FILE#:</b>		<b>BA:</b>		<b>SP:</b>		<b>BCC:</b>		12/27/77				
<b>P&amp;Z:</b>												
<b>PB</b>	21	17, 18	19	Lot	Blk	Parcel	DBA	Comm	Dist			
<b>DEVEL. ORDER #:</b>					<b>TAX PAR. I.D. #:</b>							
<b>SIDEWALKS:</b>					<b>SETBACK REQUIREMENTS</b>							
					<b>FY:</b>	25'	<b>SIDE ST.:</b>		<b>SY:</b>	7.5'	<b>RY:</b>	30'
<b>ROAD TYPE:</b> (CURB & GUTTER OR SWALE)					<b>MAIN STRUCTURE OTHER:</b> Min. Lot size: 6500 sq. ft. Min. Dwelling size: 800 sq. ft. Maximum height: 35'							
<b>COMMENTS OTHER:</b> 1) Lake Emma Road will be paved from Lake Mary Boulevard to its intersection with Greenwood Boulevard prior to the issuance of the first Certificate of Occupancy. 2) Developer agrees to construct Greenway Boulevard to align with the intersection of Rinehart Road and Lake Mary Boulevard. 3) Lots 1-9A and 53-57A are double front lots and require fencing along Greenwood Boulevard. 4) County Engineer requested, whenever possible that the developer not place water and sewer lines under pavement. No flood prone lots.					<b>ACCESSORY STRUCTURE SETBACKS:</b>							
					<b>SY:</b>	7.5'		<b>RY:</b>	5'			
					<b>ACCESSORY STRUCTURE OTHER:</b>							

<b>IMPACT FEES</b>	
SCREEN:	
TRAFFIC ZONE:	
LAND USE:	
1. ROAD-CO. WIDE	
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	\$10.00
5. PARK	
6. SCHOOL	\$300.00
7. LAW	
8. DRAINAGE	
<b>TOTAL</b>	
<b>REMARKS:</b>	



**COPY**

APPL. NO. BV 2005-061

**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 rear yard setback variance from 30' to 21' for a proposed screen room addition
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING \_\_\_\_\_) (PROPOSED \_\_\_\_\_)
- SIZE OF MOBILE HOME / RV \_\_\_\_\_
- PLAN TO BUILD  YES  NO IF SO, WHEN \_\_\_\_\_
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

MAY 02 2005

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>BRYAN FENNER</u>	
ADDRESS	<u>105 DUBLIN DRIVE</u>	
	<u>LAKE MARY, FL 32746</u>	
PHONE 1	<u>407-328-5351</u>	
PHONE 2	<u>407-443-2481</u>	
E-MAIL	<u>BRYAN.F@BROOKE.COM</u>	

PROJECT NAME: DUBLIN DRIVE (105)

SITE ADDRESS: 105 DUBLIN DRIVE, LAKE MARY, FL 32746

CURRENT USE OF PROPERTY: \_\_\_\_\_

LEGAL DESCRIPTION: LE6 LOT 2 BLK B GREENWOOD LAKES UNIT 1 AB21 PGS 17 to 19

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 19-20-30-501-0800-0620

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

KNOWN CODE ENFORCEMENT VIOLATIONS NO

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.

Bryan Fenner  
 SIGNATURE OF OWNER OR AGENT\*

05/02/05  
 DATE

**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 4 FLU/ZONING PD/PUD

BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

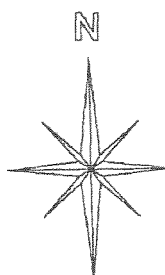
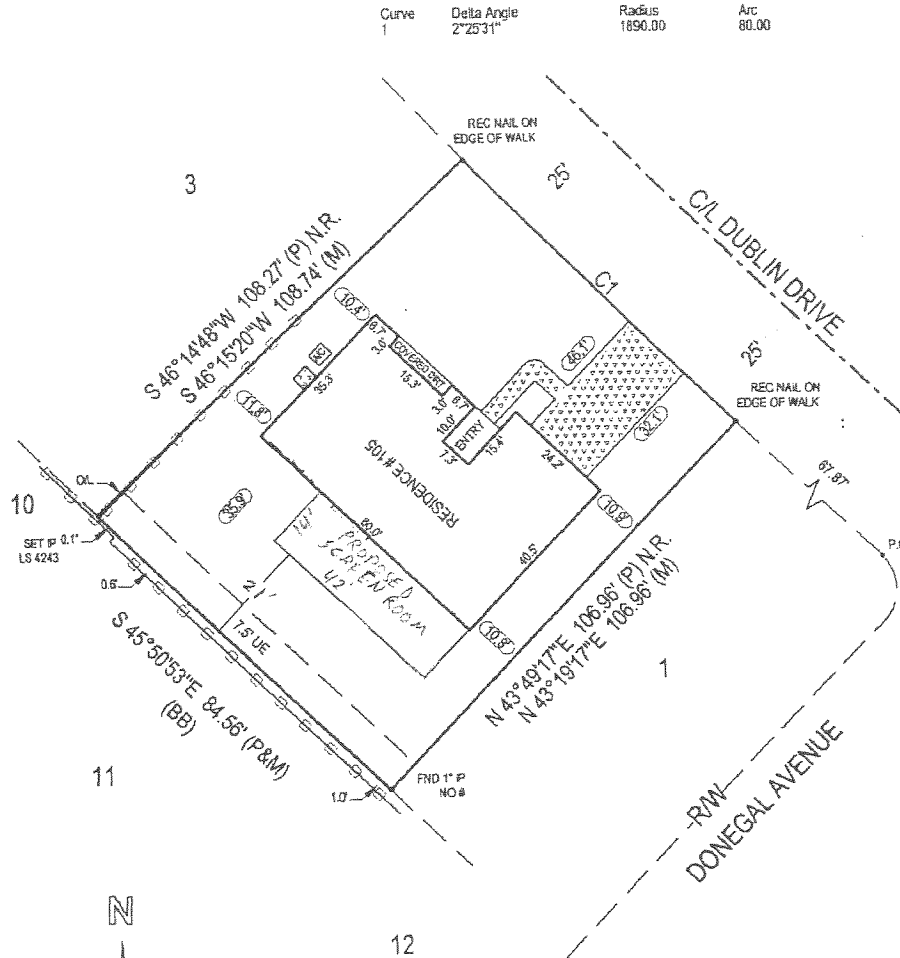
LOCATION FURTHER DESCRIBED AS on the S side of Dublin Rd approx. 100' W. of intersection of Donegal Av. & Dublin Rd.

PLANNING ADVISOR JV DATE 5/2/05

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 0130 E DATED 4-17-95.



SCALE 1" = 30'

CERTIFIED TO:  
 BRYAN FENNER  
 REALTY TITLE, INC.  
 IRWIN MORTGAGE CORPORATION  
 AMERICAN PIONEER TITLE INSURANCE COMPANY

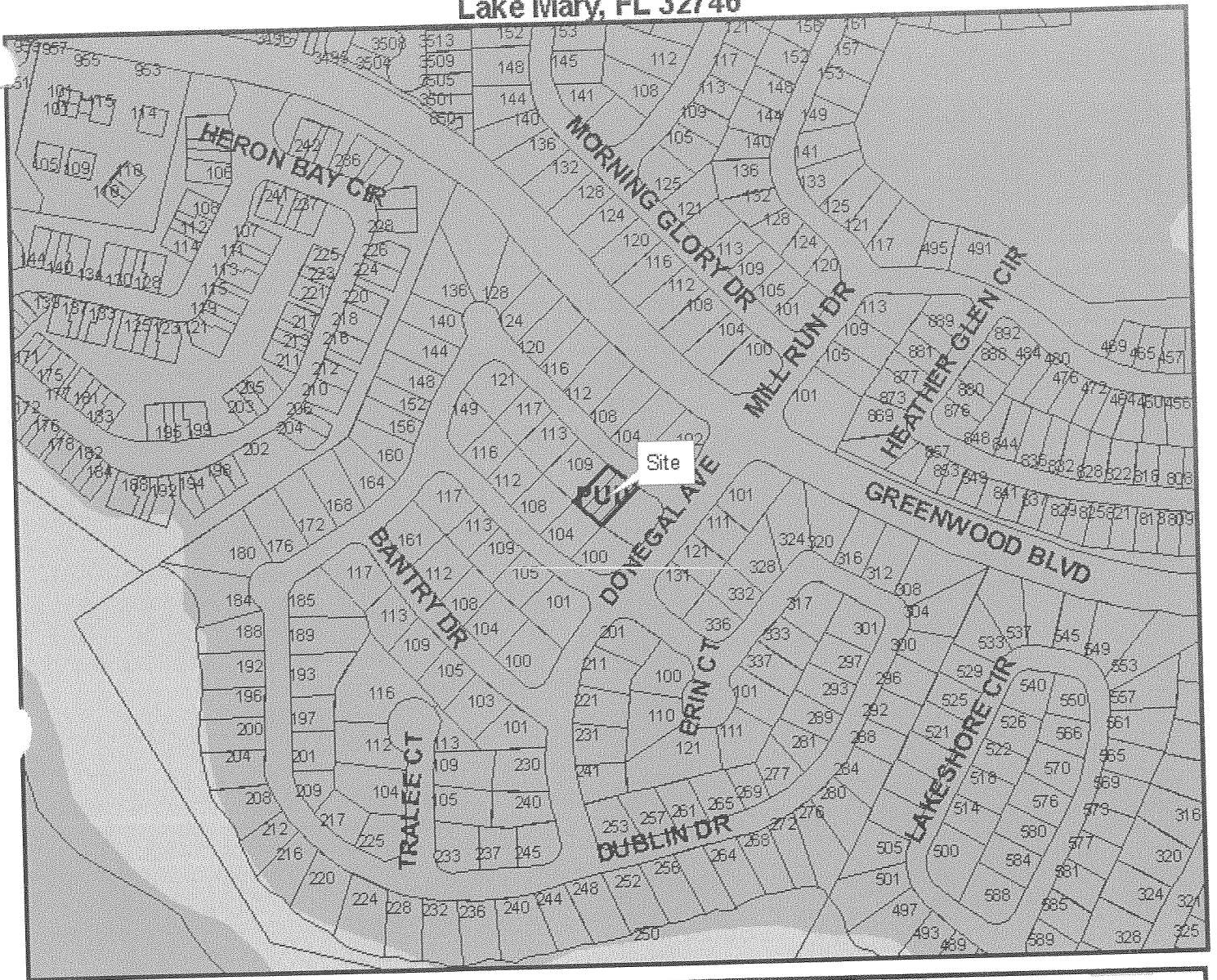
DESCRIPTION: LOT 2, BLOCK B, GREENWOOD LAKES UNIT 1  
 AS RECORDED IN PLAT BOOK 21, PAGE(S) 17-19, OF THE PUBLIC  
 RECORDS OF SEMINOLE COUNTY, FLORIDA.

JOB NO.: 98-797 DATE: FIELD: 10-1-98 SIGNED: 10-5-98 DRAWN BY: SGA P.C.: JJJ	<b>LEGEND</b> REC. - RECOVERED I.P. - IRON PIPE I.C. - ELEGIBLE CAP C.M. - CONCRETE MONUMENT RB - REBAR RAD. - RADIAL N.R. - NOT RADIAL (P) - PER PLAT (M) - AS MEASURED (D) - PER DESCRIPTION P.O.L. - POINT ON LINE P.C. - POINT OF CURVATURE P.T. - POINT OF TANGENCY O.L. - ON LINE	CONCRETE P.R.C. - POINT OF REVERSE CURVE R.P. - RADIUS POINT R - RADIUS L - LENGTH OF ARC CA - CENTRAL ANGLE U.E. - UTILITY EASEMENT D.E. - DRAINAGE EASEMENT L.E. - LANDSCAPE EASEMENT S.E. - SIDEWALK EASEMENT P.P. - POWER POLE X - CHAIN LINK FENCE □ - WOODEN FENCE	Boundary And Mapping Associates, Inc. 955 S.R. 434 WEST WINTER SPRINGS, FL. 32708 PH. (407) 696-1155	LAND SURVEYORS I HEREBY CERTIFY THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS OF FLORIDA ADMINISTRATIVE CODE 61B-17-6. SUBJECT TO NOTES HEREON. JIMMY W. JACKSON PSM 4243 not valid unless sealed
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<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																			
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 18-20-30-501-0B00-0020      Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: FENNER BRYAN K &amp; CHALLANDORE A      Exemptions: 00-HOMESTEAD</p> <p>Address: 105 DUBLIN DR</p> <p>City,State,ZipCode: LAKE MARY FL 32746</p> <p>Property Address: 105 DUBLIN DR LAKE MARY 32746</p> <p>Subdivision Name: GREENWOOD LAKES UNIT 1</p> <p>Dor: 01-SINGLE FAMILY</p>	<p align="center"><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$108,954</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$28,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$136,954</p> <p>Assessed Value (SOH): \$92,117</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$67,117</p> <p>Tax Estimator</p>																																																		
<p align="center"><b>SALES</b></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>QUIT CLAIM DEED</td> <td>07/2003</td> <td>04913</td> <td>1030</td> <td>\$46,800</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1998</td> <td>03512</td> <td>1625</td> <td>\$89,300</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1979</td> <td>01255</td> <td>0968</td> <td>\$54,100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1979</td> <td>01230</td> <td>0952</td> <td>\$205,800</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	07/2003	04913	1030	\$46,800	Improved	WARRANTY DEED	10/1998	03512	1625	\$89,300	Improved	WARRANTY DEED	11/1979	01255	0968	\$54,100	Improved	WARRANTY DEED	06/1979	01230	0952	\$205,800	Vacant	<p align="center"><b>2004 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$1,673</p> <p>2004 Tax Bill Amount: \$1,089</p> <p>Save Our Homes (SOH) Savings: \$584</p> <p>2004 Taxable Value: \$64,434</p> <p>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. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																			





Bryan Genner  
105 Dublin Drive  
Lake Mary, FL 32746

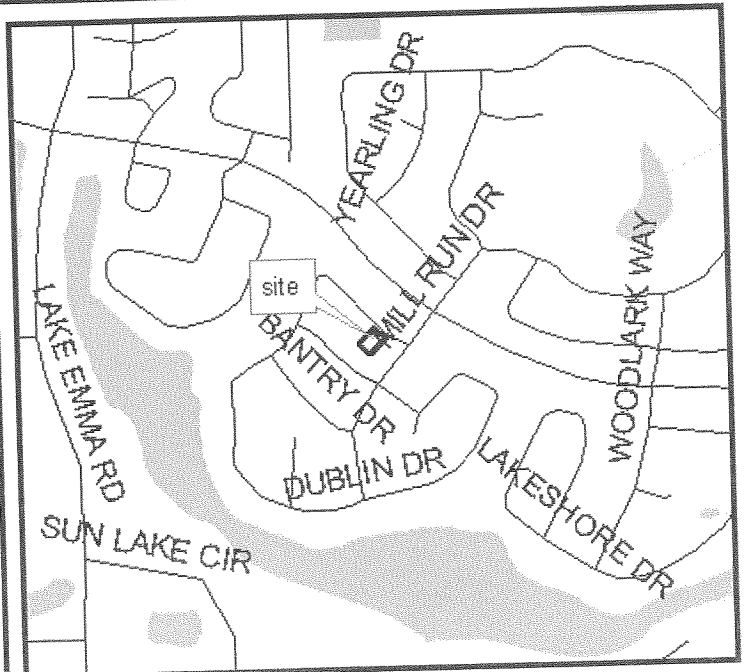


Seminole County Board of Adjustment  
June 27, 2005  
Case: BV2005-061  
Parcel No: 18-20-30-501-0B00-0020

### Zoning

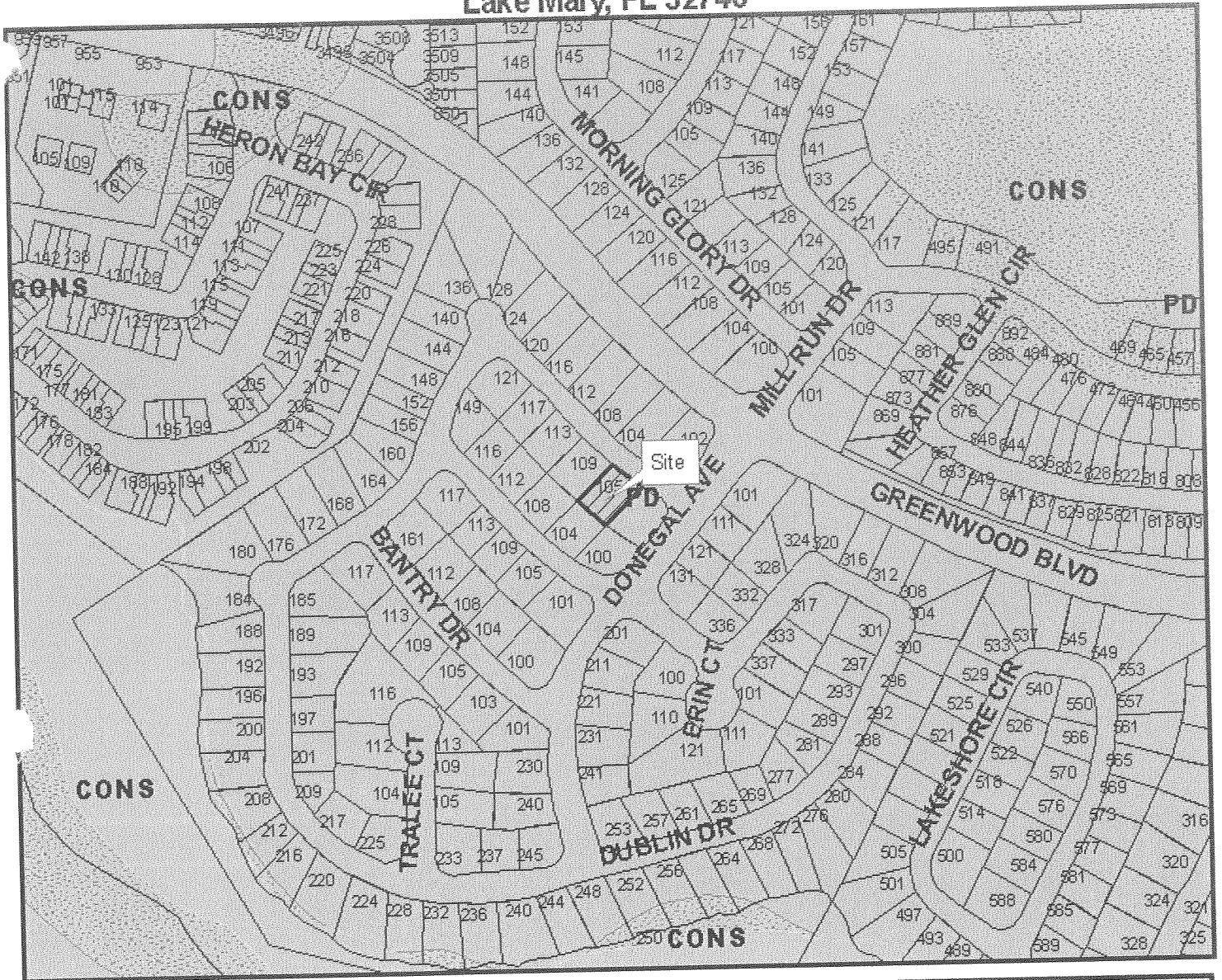
-  PUD Planned Unit Dev.
-  BV2005-061

0 75 150 300 450 600 Feet








Bryan Genner  
 105 Dublin Drive  
 Lake Mary, FL 32746

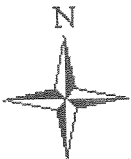
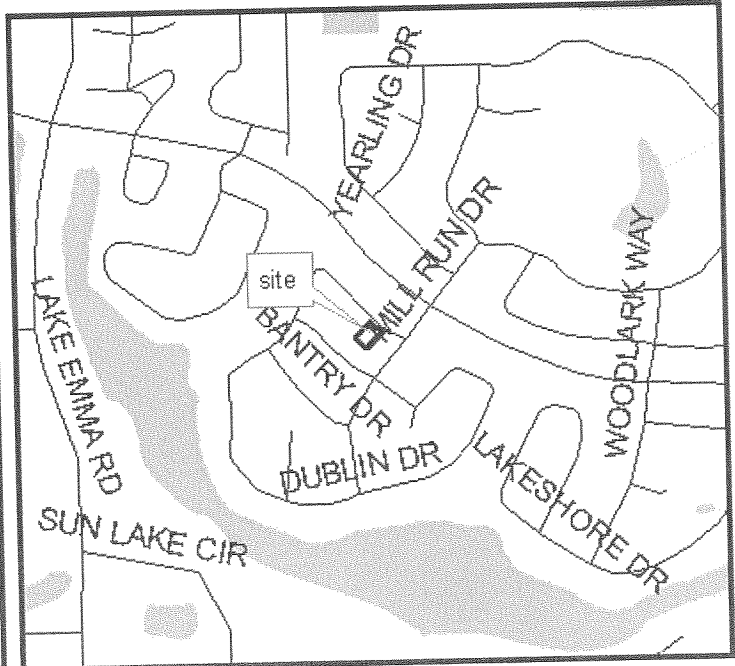


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**Future Land Use**

-  CONS, PD
-  PD, NONE
-  BV2005-061

0 75 150 300 450 600 Feet

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On June 27, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 2 BLK B GREENWOOD LAKES UNIT 1 PB 21 PGS 17 TO 19

**FINDINGS OF FACT**

**Property Owners:** BRYAN FENNER  
105 DUBLIN DR  
LAKE MARY, FL 32746

**Project Name:** DUBLIN DRIVE (105)

**Requested Development Approval:**

REAR YARD SETBACK VARIANCE FROM 30 FEET TO 21 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: