

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

SUBJECT: REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 2 FEET FOR A PROPOSED POOL IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (EDMOND ST. PIERRE, APPLICANT)

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Michael Rumer **EXT.** 7387

Agenda Date 07/25/05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 2 FEET FOR A PROPOSED POOL IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (EDMOND ST. PIERRE, APPLICANT), OR
2. **DENY** REQUEST FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 2 FEET FOR A PROPOSED POOL IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (EDMOND ST. PIERRE, APPLICANT), OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANTS: EDMOND ST. PIERRE LOCATION: 2499 NORTHUMBRIA ZONING: PUD (BUCKINGHAM ESTATES)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A POOL SCREEN ENCLOSURE THAT WOULD ENCROACH 7.5 FEET INTO THE 7.5 FOOT MINIMUM REAR YARD SETBACK AND A POOL THAT WOULD ENCROACH 5.5 FEET INTO THE 7.5 MINIMUM REAR YARD SETBACK. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE ATTACHED SITE PLAN INDICATES THE FRONT OF THE PROPOSED HOME IS CURRENTLY BEING

	<p>CONSTRUCTED 70 FEET OFF THE FRONT PROPERTY LINE. THE OPPORTUNITY EXISTED TO CONSTRUCT THE PROPOSED HOME 7.5 FEET CLOSER TO THE MINIMUM FRONT YARD SETBACK, THEREFORE NEGATING THE REQUESTED VARIANCE.</p> <ul style="list-style-type: none">• THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVED THE SUBDIVISION PLAT FOR THIS LOT ON JULY 13, 2004. THE PUD DEVELOPERS COMMITMENT AGREEMENT WAS RECORDED ON MARCH 12, 2001.• THE GRANTING OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE BUCKINGHAM ESTATES PUD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP BY THE APPLICANTS.• 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.• THE ADJACENT PROPERTY IS A PLATTED DRAINAGE EASEMENT (TRACT "Q"), WHICH WOULD REMAIN UNDEVELOPED.
<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 POOL AND SCREEN ENCLOSURE 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 #: 5

GUI
PROJ. #

ZONED: PUD

SEC: 36

TWP: 19

RNG: 29

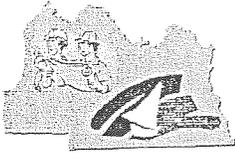
DEVELOPMENT: Buckingham Estates Ph 1,2,&3		DEVELOPER: Karen Spillina, Eng. Homes	
LOCATION: Markham Road West off of Orange Boulevard			
DEVEL. ORDER #: 00-21000004		TAX PAR. I.D. #:	
SIDEWALKS: Required		SETBACK REQUIREMENTS	
		FY: 20'	SST: 15'
		SY: 7.5'	RY: 15'
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER:	
COMMENTS OTHER: (Phase 1) Plant/retain 2 trees, 8' high, 2" caliper min. prior to C.O.		ACCESSORY STRUCTURE SETBACKS: CORNER LOTS: The accessory structure may not be located closer to the property line than the established SFR	
(Phase 2) 50% of existing trees must be retained on each lot. An arbor permit is required with each building permit.		SY: 10'	RY: 10'
		ACCESSORY STRUCTURE OTHER: Pool & pool screen enclosure	
		SY: 7.5 RY: 7.5'	

IMPACT FEES	
TRAFFIC ZONE:	003
LAND USE:	
1. ROAD-CO. WIDE	ord
2. ROAD-COLL.	ord
3. LIBRARY	ord
4. FIRE	ord
5. PARK	N/A
6. SCHOOL	ord
7. LAW	N/A
TOTAL	\$2457.00
REMARKS:	

S-0'
P-2'

COMMITMENT CARD

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



COPY

APPL. NO. BV 2005-080

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** Rear yard set back variance from 7.5 feet to 0 feet for a pool screen enclosure
- 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 26 2005

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	<u>Tennis Perez / Susan Hamill LP</u>	NAME	<u>Edmond St. Pierre</u>
ADDRESS		ADDRESS	<u>336 Still Forest Ter. Sanford FL 32771</u>
PHONE 1	<u>407 673 3934</u>	PHONE	<u>407-321-7834</u>
PHONE 2		PHONE	<u>843-424-0513</u>
E-MAIL			

PROJECT NAME: Buckingham Estates 3x4
 SITE ADDRESS: 2499 North Umbria Dr.
 CURRENT USE OF PROPERTY: Single Family
 LEGAL DESCRIPTION: Lot 276 Buckingham Estates phases 3 & 4 PB 65 PGs 65-69
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 35-19-29-SRW-0000-276
 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 7/25/2005 (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 OF OWNER OR AGENT: _____ DATE: 5-26-2005

ADDITIONAL VARIANCES

VARIANCE 2:

rear yard pool edge setback variance from 7.5 feet To 2 feet.

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): \$ 200 COMMISSION DISTRICT 5 FLU/ZONING PUD

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS East of Northumbria Dr 1/10 mi south of the intersection of Northumbria Dr + Hedgerow Ln.

PLANNING ADVISOR MR DATE 5/26/05

SUFFICIENCY COMMENTS Check DD. for settlement agreement

DESCRIPTION AS FURNISHED: Lot 276, BUCKINGHAM ESTATES PHASES 3 AND 4, as recorded in Plat Book 65, Pages 65 through 68 of the Public Records of Seminole County, Florida.

LOT PLAN FOR/CERTIFIED TO: Engineered Homes

TRACT "Q"
(OPEN SPACE / RETENTION)

S 05°10'23" E (B.D.)
75.00'

Proposed Pool
Screen Enclosure

COMMITMENT
INSPECTION
REQUIRED

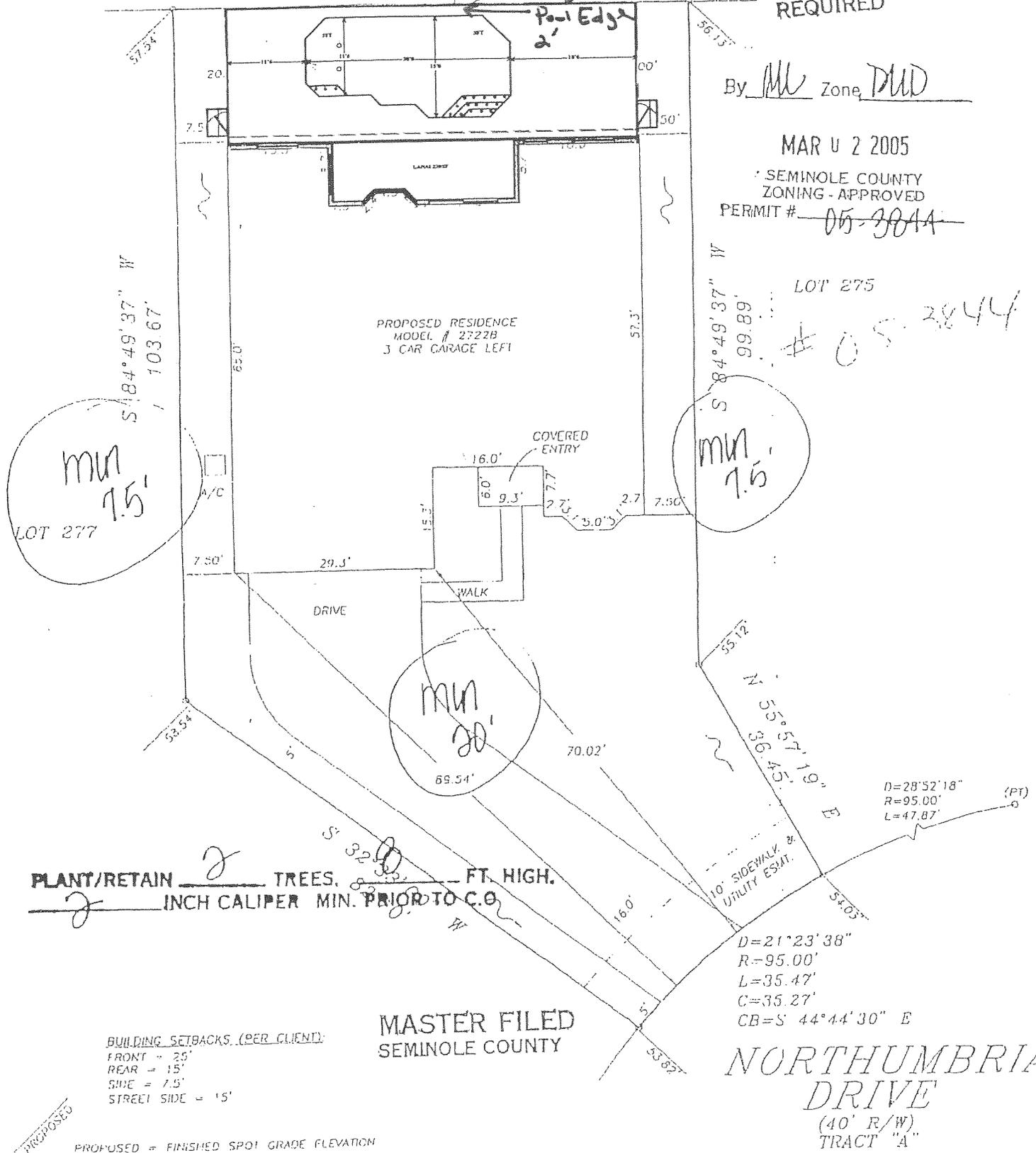
By ML Zone DUD

MAR 12 2005

SEMINOLE COUNTY
ZONING - APPROVED
PERMIT # 05-3844

LOT 275

05-3844



BUILDING SETBACKS (PER CLIENT):
FRONT = 25'
REAR = 15'
SIDE = 7.5'
STREET SIDE = 15'

MASTER FILED
SEMINOLE COUNTY

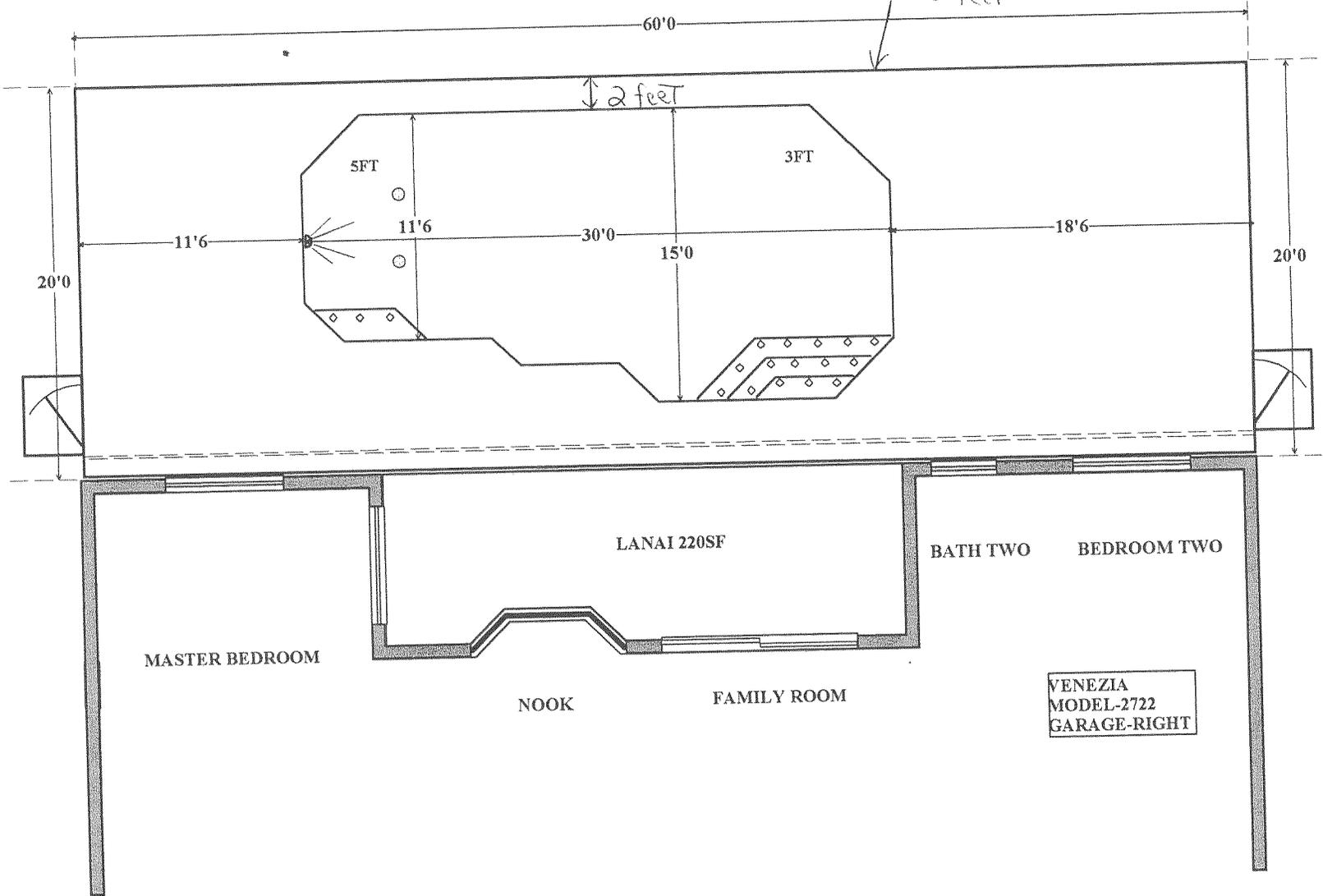
NORTHUMBRIA
DRIVE
(40' R/W)
TRACT "A"

PROPOSED = FINISHED SPOI GRADE ELEVATION
PER DRAINAGE PLANS
~ = PROPOSED DRAINAGE FLOW
LOT GRADING TYPE "B"
PROPOSED F.F. PER PLANS = 59.54'

TOTAL LOT SQUARE FOOTAGE: 10,248± SQUARE FEET
TOTAL IMPERVIOUS AREA: 5,252± SQUARE FEET

PLOT PLAN ONLY
(NOT A SURVEY)

Pool Screen Enclosure
0.0 feet



MASTER BEDROOM

NOOK

FAMILY ROOM

LANAI 220SF

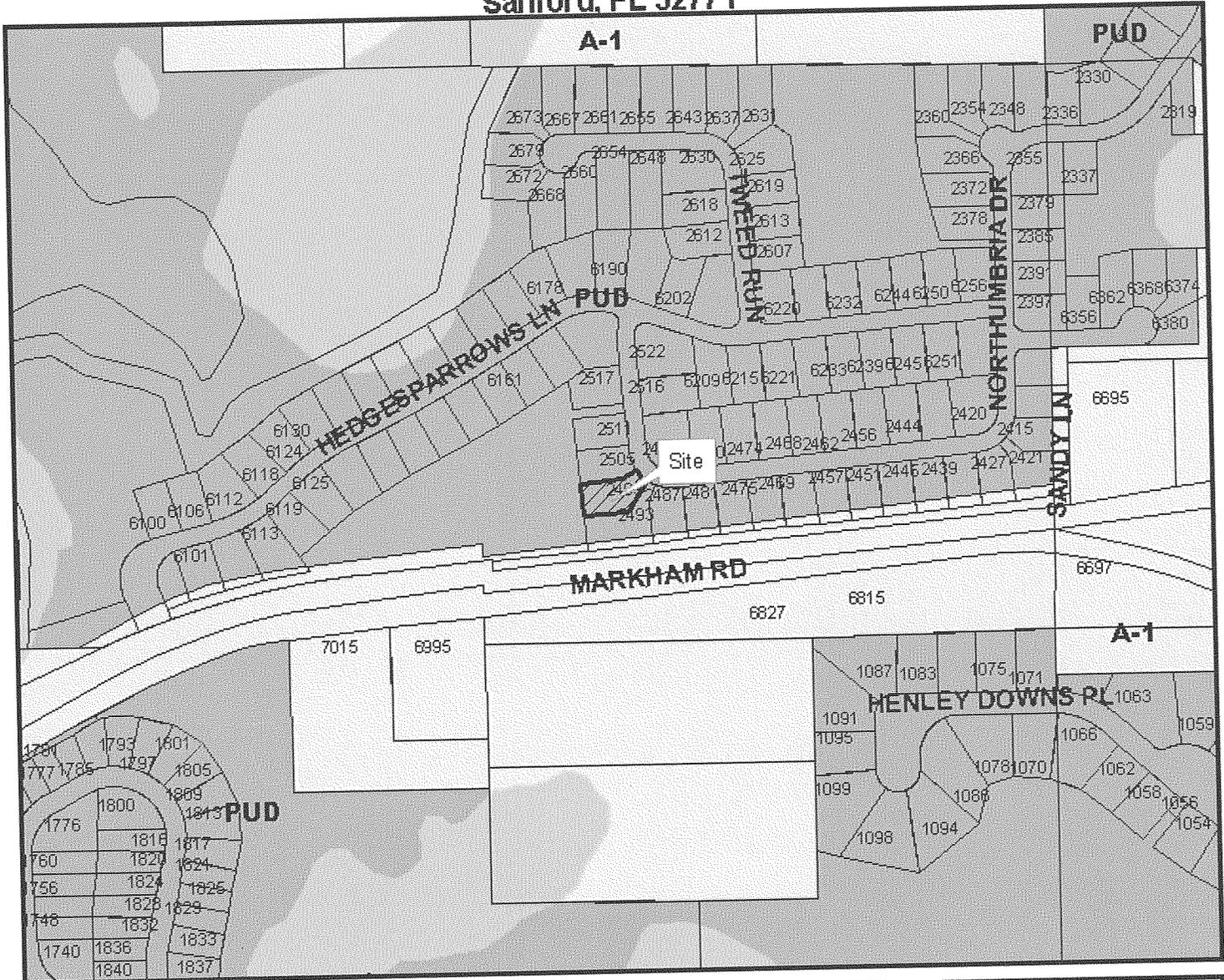
BATH TWO

BEDROOM TWO

VENEZIA
MODEL-2722
GARAGE-RIGHT

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7505</p>	<p>MARKHAM RD</p>													
<p align="center">GENERAL</p> <p>Parcel Id: 35-19-29-5RN-0000-2760 Tax District: 01-COUNTY-TX DIST 1 Owner: BUCKINGHAM-LAKE MARY LP Exemptions: Own/Addr: C/O HEARTHSTONE Address: 16133 VENTURA BLVD STE 1400 City,State,ZipCode: ENCINO CA 91436 Property Address: 2499 NORTHUMBRIA DR SANFORD 32771 Subdivision Name: BUCKINGHAM ESTATES PH 3 & 4 Dor: 00-VACANT RESIDENTIAL</p> <p align="right">PUD</p>		<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$74,000 Land Value Ag: \$0 Just/Market Value: \$74,000 Assessed Value (SOH): \$74,000 Exempt Value: \$0 Taxable Value: \$74,000 Tax Estimator</p>												
<p align="center">SALES</p> <p>Deed Date Book Page Amount Vac/Imp Find Comparable Sales within this Subdivision</p>		<p align="center">2004 VALUE SUMMARY</p> <p>2004 Tax Bill Amount: \$676 2004 Taxable Value: \$40,000 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>												
<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>74,000.00</td> <td>\$74,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	74,000.00	\$74,000	<p align="center">LEGAL DESCRIPTION PLAT</p> <p>LOT 276 BUCKINGHAM ESTATES PHASES 3 AND 4 PB 65 PGS 65 - 68</p>
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value									
LOT	0	0	1.000	74,000.00	\$74,000									
<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>														

**Edmond St. Pierre
2499 Northumbria Drive
Sanford, FL 32771**



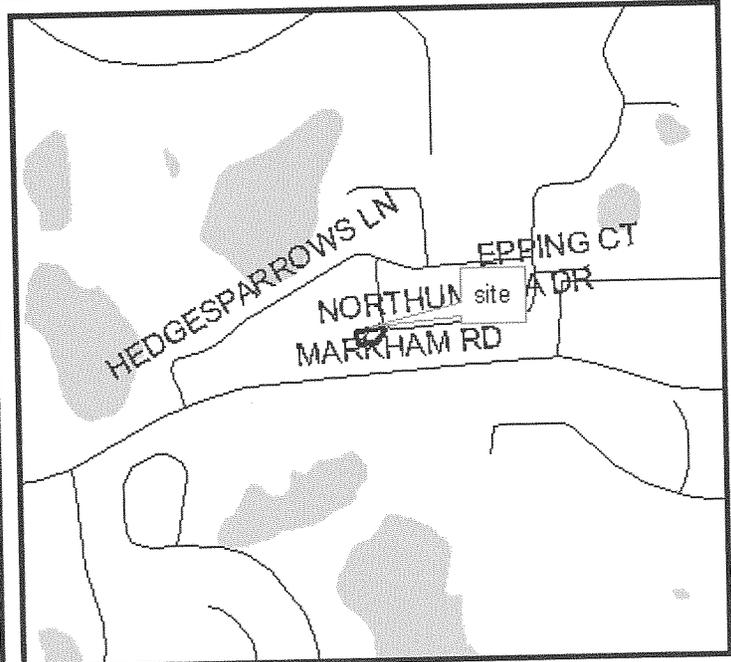
**Seminole County Board of Adjustment
July 25, 2005
Case: BV2005-080
Parcel No: 35-19-29-5RN-0000-2760**

Zoning

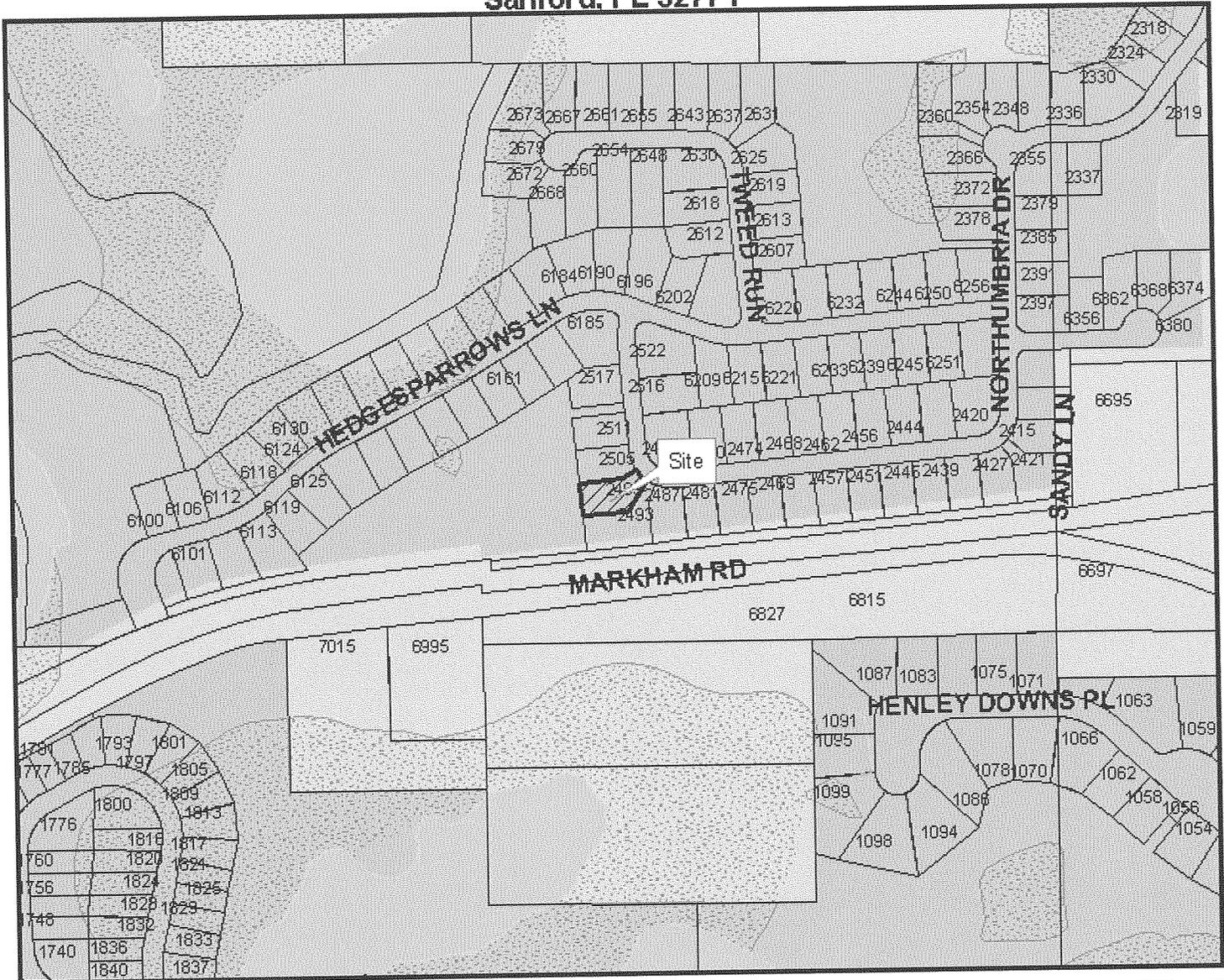
- A-1 Agricultural-1Ac
- PUD
- R-1A Single Fam-9000
- BV2005-080

N

Feet
0 75 150 300 450 600



**Edmond St. Pierre
2499 Northumbria Drive
Sanford, FL 32771**

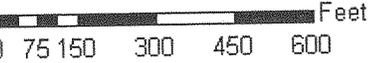


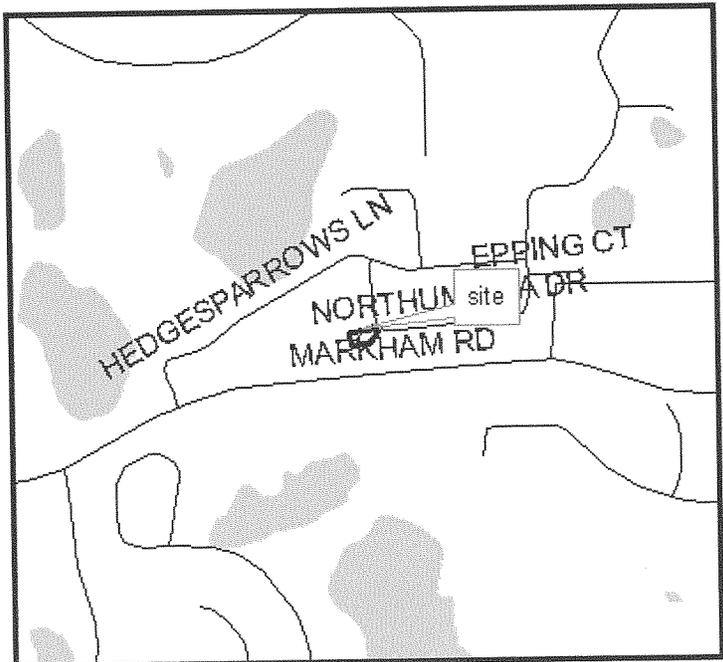
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July 25, 2005
Case: BV2005-080
Parcel No: 35-19-29-5RN-0000-2760**

Future Land Use

-  CONS, SE
-  CONS, PD
-  SE, NONE
-  PD, NONE
-  BV2005-080

N


 Feet
0 75 150 300 450 600



BUCKINGHAM ESTATES PHASES 3 AND 4

Part of the Northwest Quarter of Section 36 and the North Half of the Northeast Quarter of Section 35, Township 19 South, Range 29 East, Seminole County, Florida

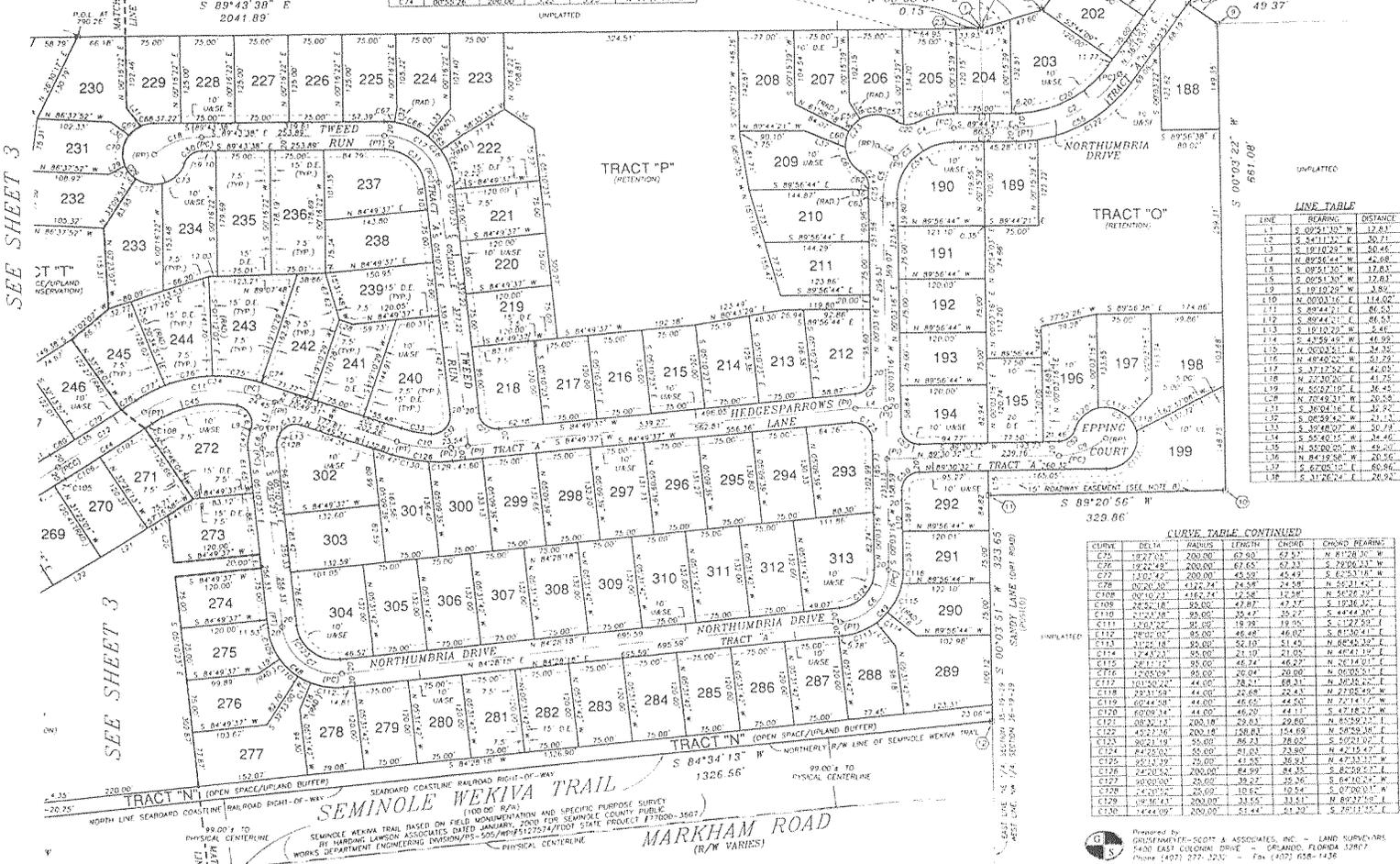
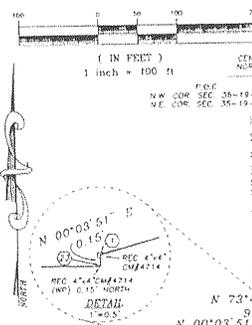
PLAT BOOK 65 PAGE 66

SHEET 2 OF 4

GRAPHIC SCALE

CURVE	DELTA	RADIUS	CHORD	CHORD BEARING
C1	272.721	160.00	83.22	N 230.140° E
C2	53.5948	160.00	169.61	N 63.154° E
C3	202.242	100.00	122.44	N 41.000° E
C4	147.711	100.00	92.64	N 31.900° E
C5	105.452	100.00	62.46	N 21.500° E
C6	64.2602	25.00	110.50	N 42.154° E
C7	202.119	25.00	118.27	N 50.900° E
C8	147.2052	25.00	78.42	N 31.500° E
C9	102.079	160.00	21.45	N 89.277° E
C10	24.2952	160.00	76.49	N 29.272° E
C11	124.1902	160.00	185.63	N 16.120° E
C12	84.3374	25.00	118.68	N 30.911° E
C13	40.0728	100.00	114.42	N 39.807° E
C14	26.7421	160.00	73.74	N 23.019° E
C15	14.3248	160.00	150.26	N 14.432° E
C16	10.0728	100.00	114.42	N 39.807° E
C17	6.7421	160.00	73.74	N 23.019° E
C18	4.3248	160.00	150.26	N 14.432° E
C19	2.0728	100.00	114.42	N 39.807° E
C20	1.3248	160.00	73.74	N 23.019° E
C21	0.3248	160.00	150.26	N 14.432° E
C22	0.0728	100.00	114.42	N 39.807° E
C23	0.0374	160.00	73.74	N 23.019° E
C24	0.0190	160.00	150.26	N 14.432° E
C25	0.0095	160.00	73.74	N 23.019° E
C26	0.0048	160.00	150.26	N 14.432° E
C27	0.0024	100.00	114.42	N 39.807° E
C28	0.0012	160.00	73.74	N 23.019° E
C29	0.0006	160.00	150.26	N 14.432° E
C30	0.0003	160.00	73.74	N 23.019° E
C31	0.0001	160.00	150.26	N 14.432° E
C32	0.0000	160.00	73.74	N 23.019° E
C33	0.0000	160.00	150.26	N 14.432° E

CURVE	DELTA	RADIUS	CHORD	CHORD BEARING
C34	25.4202	200.00	104.32	N 122.911° E
C35	44.0337	160.00	123.04	N 120.000° E
C36	39.4825	25.00	42.00	N 12.000° E
C37	24.0728	65.00	22.62	N 21.411° E
C38	20.2119	25.00	149.81	N 14.277° E
C39	82.5282	25.00	193.97	N 22.000° E
C40	69.2119	25.00	193.01	N 15.119° E
C41	25.1654	44.00	193.74	N 10.212° E
C42	22.1632	25.00	115.47	N 24.499° E
C43	20.1144	25.00	105.11	N 25.522° E
C44	20.1222	80.00	125.95	N 112.341° E
C45	22.5948	200.00	104.32	N 122.911° E
C46	22.1632	25.00	115.47	N 24.499° E
C47	20.1144	25.00	105.11	N 25.522° E
C48	24.2134	25.00	10.84	N 20.561° E
C49	69.2119	25.00	193.97	N 22.000° E
C50	20.1144	25.00	105.11	N 25.522° E
C51	24.2134	25.00	10.84	N 20.561° E
C52	24.2134	25.00	10.84	N 20.561° E
C53	24.2134	25.00	10.84	N 20.561° E
C54	24.2134	25.00	10.84	N 20.561° E
C55	24.2134	25.00	10.84	N 20.561° E
C56	24.2134	25.00	10.84	N 20.561° E
C57	24.2134	25.00	10.84	N 20.561° E
C58	24.2134	25.00	10.84	N 20.561° E
C59	24.2134	25.00	10.84	N 20.561° E
C60	24.2134	25.00	10.84	N 20.561° E
C61	24.2134	25.00	10.84	N 20.561° E
C62	24.2134	25.00	10.84	N 20.561° E
C63	24.2134	25.00	10.84	N 20.561° E
C64	24.2134	25.00	10.84	N 20.561° E
C65	24.2134	25.00	10.84	N 20.561° E
C66	24.2134	25.00	10.84	N 20.561° E
C67	24.2134	25.00	10.84	N 20.561° E
C68	24.2134	25.00	10.84	N 20.561° E
C69	24.2134	25.00	10.84	N 20.561° E
C70	24.2134	25.00	10.84	N 20.561° E
C71	24.2134	25.00	10.84	N 20.561° E
C72	24.2134	25.00	10.84	N 20.561° E
C73	24.2134	25.00	10.84	N 20.561° E
C74	24.2134	25.00	10.84	N 20.561° E



LINE	BEARING	DISTANCE
1.1	S 09°51'30" W	12.81
1.2	S 24°11'00" E	20.71
1.3	S 10°10'00" W	58.46
1.4	N 89°56'44" W	42.68
1.5	S 09°51'30" W	12.81
1.6	S 09°51'30" W	12.81
1.7	S 19°12'28" W	3.89
1.8	N 09°01'30" E	114.00
1.9	S 09°51'30" W	12.81
2.1	S 09°51'30" W	12.81
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13.9	S 09°51'30" W	12.81

CURVE	DELTA	RADIUS	CHORD	CHORD BEARING
C75	187.775	200.00	62.50	N 81.283° E
C76	182.248	200.00	67.65	N 78.926° E
C77	130.542	200.00	43.50	N 63.154° E
C78	100.000	412.74	24.58	N 55.314° E
C79	80.1073	412.74	12.58	N 48.262° E
C80	62.2418	25.00	29.87	N 43.877° E
C81	48.1848	25.00	10.47	N 34.444° E
C82	34.1278	25.00	19.78	N 28.195° E
C83	20.0708	25.00	46.88	N 20.000° E
C84	12.4173	25.00	56.10	N 14.432° E
C85	6.2087	25.00	66.21	N 10.000° E
C86	3.1044	25.00	76.22	N 6.250° E
C87	1.5522	25.00	86.23	N 3.125° E
C88	0.7761	25.00	96.24	N 1.562° E
C89	0.3881	25.00	106.25	N 0.781° E
C90	0.1940	25.00	116.26	N 0.391° E
C91	0.0970	25.00	126.27	N 0.195° E
C92	0.0485	25.00	136.28	N 0.098° E
C93	0.0243	25.00	146.29	N 0.049° E
C94	0.0122	25.00	156.30	N 0.024° E
C95	0.0061	25.00	166.31	N 0.012° E
C96	0.0030	25.00	176.32	N 0.006° E
C97	0.0015	25.00	186.33	N 0.003° E
C98	0.0008	25.00	196.34	N 0.001° E
C99	0.0004	25.00	206.35	N 0.000° E
C100	0.0002	25.00	216.36	N 0.000° E

Prepared by: GUYSON & ASSOCIATES, INC. - LAND SURVEYORS
 7400 EAST CORDONA DRIVE - ORLANDO, FLORIDA 32807
 Phone (407) 277-3231 Fax (407) 658-1436

SEMINOLE COUNTY DEVELOPMENT ORDER

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

LOT 276 BUCKINGHAM ESTATES PHASES 3 AND 4 PB 65 PGS 65-68

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

FINDINGS OF FACT

Property Owner: BUCKINGHAM-LAKE MARY LP
C/O HEARTHSTONE
16133 VENTURA BLVD STE 1400
ENCINO, CA 91436

Project Name: NORTHUMBRIA (2499)

Requested Development Approval:

FOR (1) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 0 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE; AND (2) MINIMUM REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 2 FEET FOR A PROPOSED POOL IN THE PUD (PLANNED UNIT DEVELOPMENT 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: 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:

1. ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED POOL AND SCREEN ENCLOSURE 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: