

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (CLYDE BELL, APPLICANT).

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

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

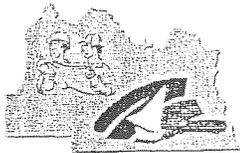
Agenda Date 09/26/05 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (CLYDE BELL, APPLICANT); OR
2. **DENY** REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED ROOM ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (CLYDE BELL, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT: LOCATION: ZONING:	CLYDE BELL 938 EL LAGO TERRACE PUD (SUNRISE ESTATES UNIT 5)
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO CONSTRUCT A SCREEN ROOM ADDITION (APPROXIMATELY 28' X 12') TO AN EXISTING HOME.</li> </ul>	
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"> <li>• THE PROPOSED ADDITION WOULD ENCROACH 5 FEET INTO THE MINIMUM 25 FOOT REAR YARD SETBACK.</li> <li>• THE REQUEST WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE SUNRISE ESTATES PUD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP.</li> <li>• THE APPLICANT WOULD RETAIN REASONABLE USE OF THE SUBJECT PROPERTY WITHOUT THE REQUESTED VARIANCE.</li> </ul>	

<b>STAFF RECOMMENDATION</b>	<p>BASED ON THE STATED FINDINGS, 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"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED SCREEN ROOM ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>
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**COPY**

APPL. NO. BV2005-120

**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:**

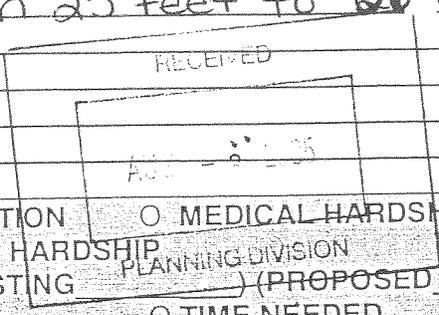
**VARIANCE** Setback From 25 feet to 20 feet for a G/room.

**SPECIAL EXCEPTION**

**LIMITED USE**

- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING)
- SIZE OF MOBILE HOME / RV
- PLAN TO BUILD
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED

**APPEAL FROM DECISION OF THE PLANNING MANAGER**



5861 Alanna L. K...

Redo Blurb 257.20 For 28x12

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	<u>Clyde Bell</u>	NAME	<u>Jessie Santiago</u>
ADDRESS	<u>938 EL Lago Terr. Winter Springs, FL 32708</u>	ADDRESS	<u>3005 Forsythe Rd. Winter Park, FL 32792</u>
PHONE 1	<u>407-359-8817</u>	PHONE	<u>407-678-0500</u>
PHONE 2	<u>407-221-3989</u>		
E-MAIL			

PROJECT NAME: Bell  
 SITE ADDRESS: 938 EL Lago Terr.  
 CURRENT USE OF PROPERTY: Home  
 LEGAL DESCRIPTION: Lot 134 Sunrise Estates Unit 5 PB40 PG56

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 13-21-30-5KN-0000-1340

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

KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 9/26/2005 (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.

Clyde E. Bell  
 SIGNATURE OF OWNER OR AGENT

8-3-05  
 DATE

\* Proof of ownership or authorization is required with submittal if signed by agent.

MRC

**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 1 FLU / ZONING POD/PD

BCC HEARING DATE (FOR APPEAL)

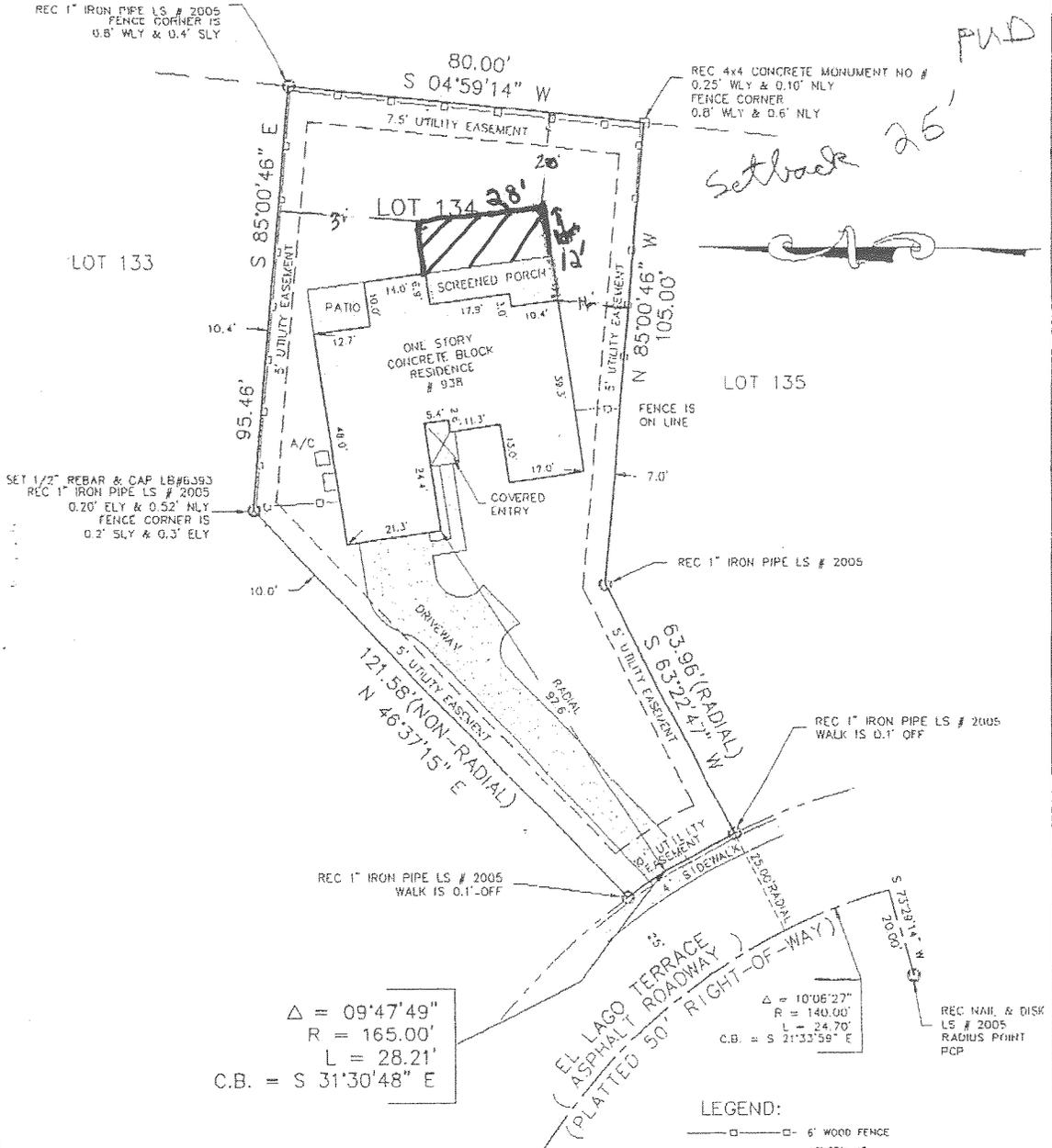
LOCATION FURTHER DESCRIBED AS west side of 26 Lago Ter - 15 m. from the intersection of Corder PL + 21 Lago Ter

PLANNING ADVISOR DATE

SUFFICIENCY COMMENTS

# PLAT OF SURVEY

of  
LOT 134, SUNRISE ESTATES UNIT 5, ACCORDING TO THE PLAT THEREOF AS RECORDED  
IN PLAT BOOK 40, PAGE 56 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



CERTIFIED TO:  
 FIDELITY NATIONAL TITLE  
 CLYDE E. BELL, Jr. & SUN HUI BELL  
 RANDALL MORTGAGE, Inc.

I HAVE EXAMINED THE F.I.R.M. COMMUNITY PANEL  
 NO. 120289 0145 B DATED 05/05/81 AND FOUND  
 THE SUBJECT PROPERTY LIES IN ZONE C, AREA OF  
 MINIMAL FLOODING.

BEARINGS SHOWN HEREON ARE BASED ON  
 THE EASTERLY LINE OF LOT 134,  
 AS BEING SOUTH 04°59'14\"/>

(DATE): 8/19/94  
 SCALE: 1"=30 FEET  
 APPROVED BY: TAO  
 JOB NO.: ASM5427  
 DRAWN BY: JLR/TAD

REVISED:



AMERICAN SURVEYING & MAPPING  
 300 NORTH PARK AVENUE SUITE 202  
 WINTER PARK, FLORIDA  
 32789- (407) 539-2274

1. THE SURVEYOR HAS NOT ABSTRACTED THE  
 LAND SHOWN HEREON FOR EASEMENTS, RIGHT  
 OF WAY, RESTRICTIONS OF RECORD WHICH  
 MAY AFFECT THE TITLE OR USE OF THE LAND  
 2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN  
 LOCATED EXCEPT AS SHOWN.  
 3. REPRODUCTIONS OF THIS SURVEY ARE NOT  
 VALID UNLESS SEALED WITH THE EMBOSSED  
 SURVEYOR'S SEAL.

This is to certify that we have performed  
 a field survey of the persons described  
 properly, for the purpose herein described,  
 that this drawing is a representation of  
 that survey and preparation therefrom.  
 TECHNICAL SURVEYOR'S SIGNATURE to Section  
 472.027, CHAPTER 472, FLORIDA STATUTES  
 BRETT A. MOSCOVITZ, PLS # 5011

<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 style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 13-21-30-5KN-0000-1340      Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: BELL CLYDE E JR &amp; SUN HUI      Exemptions: 00-HOMESTEAD</p> <p>Address: 938 EL LAGO TER</p> <p>City,State,ZipCode: WINTER SPRINGS FL 32708</p> <p>Property Address: 938 EL LAGO TER WINTER SPRINGS 32708</p> <p>Subdivision Name: SUNRISE ESTATES UNIT 5</p> <p>Dor: 01-SINGLE FAMILY</p>		<p><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$127,536</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$24,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$151,536</p> <p>Assessed Value (SOH): \$97,242</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$72,242</p> <p>Tax Estimator</p>																																																									
<p style="text-align: center;"><b>SALES</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>08/1994</td> <td>02816</td> <td>0639</td> <td>\$89,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1990</td> <td>02195</td> <td>0826</td> <td>\$93,500</td> <td>Improved</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	08/1994	02816	0639	\$89,000	Improved	WARRANTY DEED	06/1990	02195	0826	\$93,500	Improved	<p><b>2004 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$1,849</p> <p>2004 Tax Bill Amount: \$1,173</p> <p>Save Our Homes (SOH) Savings: \$676</p> <p>2004 Taxable Value: \$69,410</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																							
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<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																											

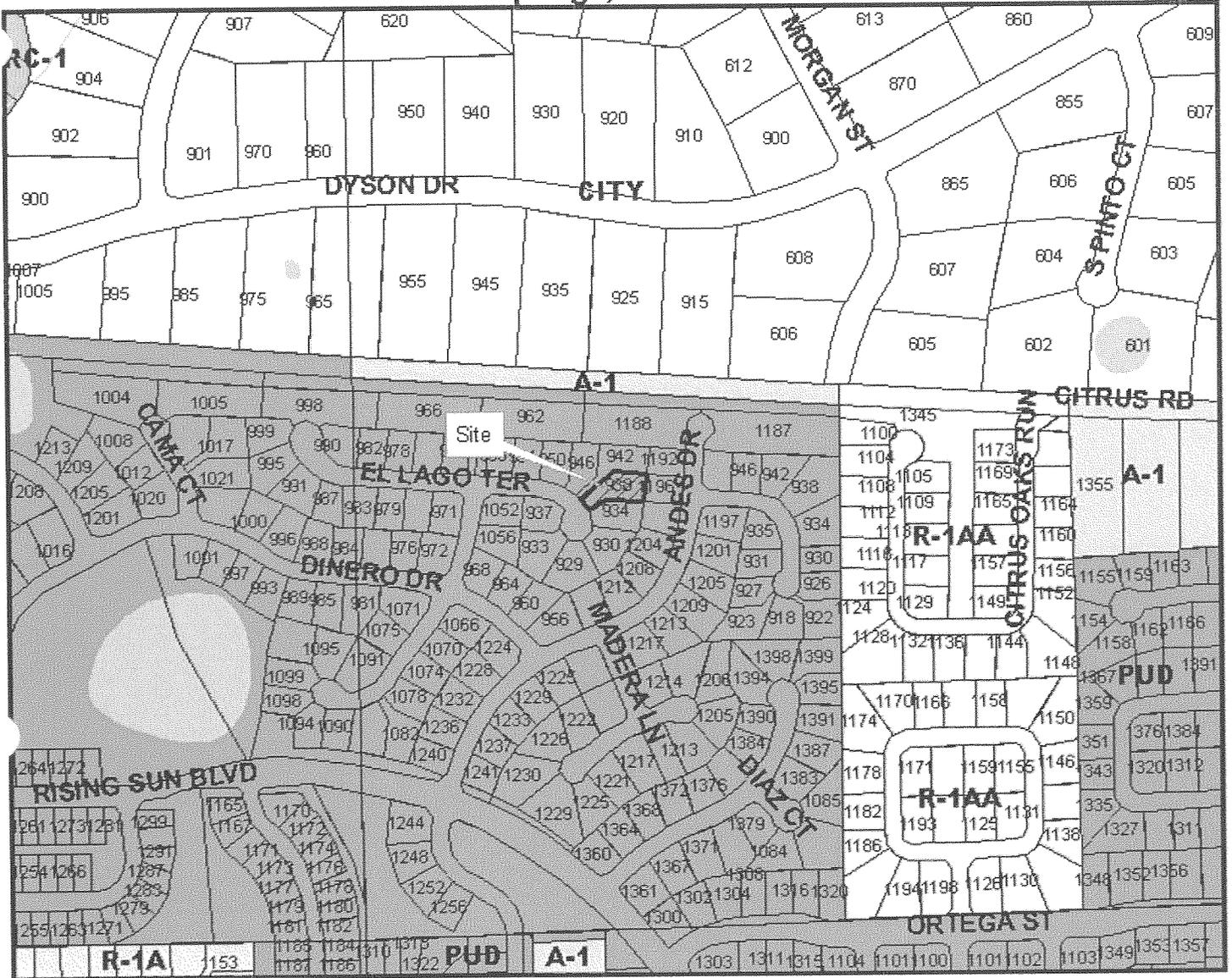
COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 13 TWP: 21 RNG: 31  
 PROJ. #

DEVELOPMENT:		Sunrise Estates Unit 5				DEVELOPER:		Arden Group				
LOCATION:		S side of South Citrus Road, at the end of condor plan							29 Lots			
FILE#:		BA:		SP:		BCC:						
P&Z:												
PB	40	PG	56	Lot		Blk		Parcel		DBA		Comm Dist
DEVEL. ORDER #:				TAX PAR. I.D. #:								
SIDEWALKS:						<b>SETBACK REQUIREMENTS</b>						
						FY:	20'	SIDE ST.:		SY:	0'*	RY:
ROAD TYPE:				MAIN STRUCTURE OTHER: Minimum Living Area: 900 sq. ft.								
COMMENTS OTHER:						<b>ACCESSORY STRUCTURE SETBACKS:</b>						
						SY:	6'	RY:	10'			
						ACCESSORY STRUCTURE OTHER:						

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	81
LAND USE:	1
1. ROAD-CO. WIDE	
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	\$10.00
5. PARK	
6. SCHOOL	\$300.00
7. LAW	
8. DRAINAGE	
TOTAL	\$310.00
REMARKS: curb and gutter	

Jessie Santiago  
 938 El Lago Terrace  
 Winter Springs, FL 32708



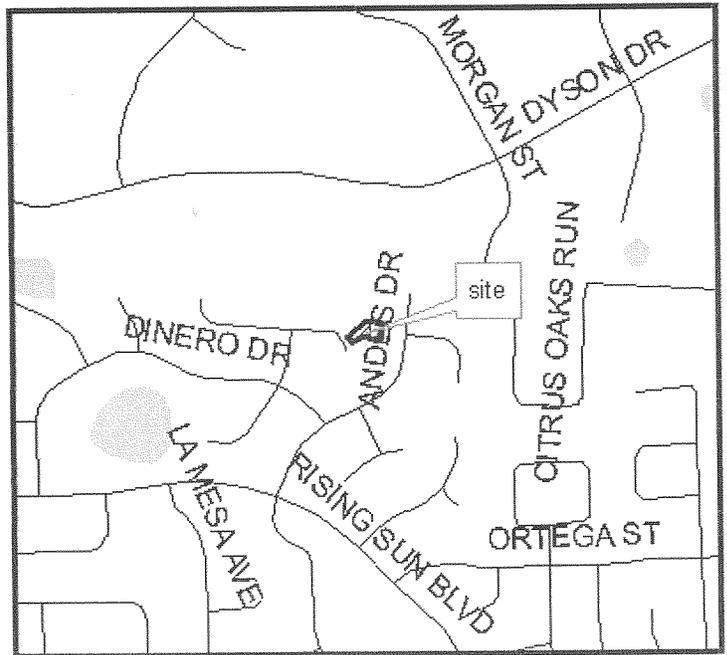
Seminole County Board of Adjustment  
 September 26, 2005  
 Case: BV2005-120  
 Parcel No: 13-21-30-5KN-0000-1340

**Zoning**

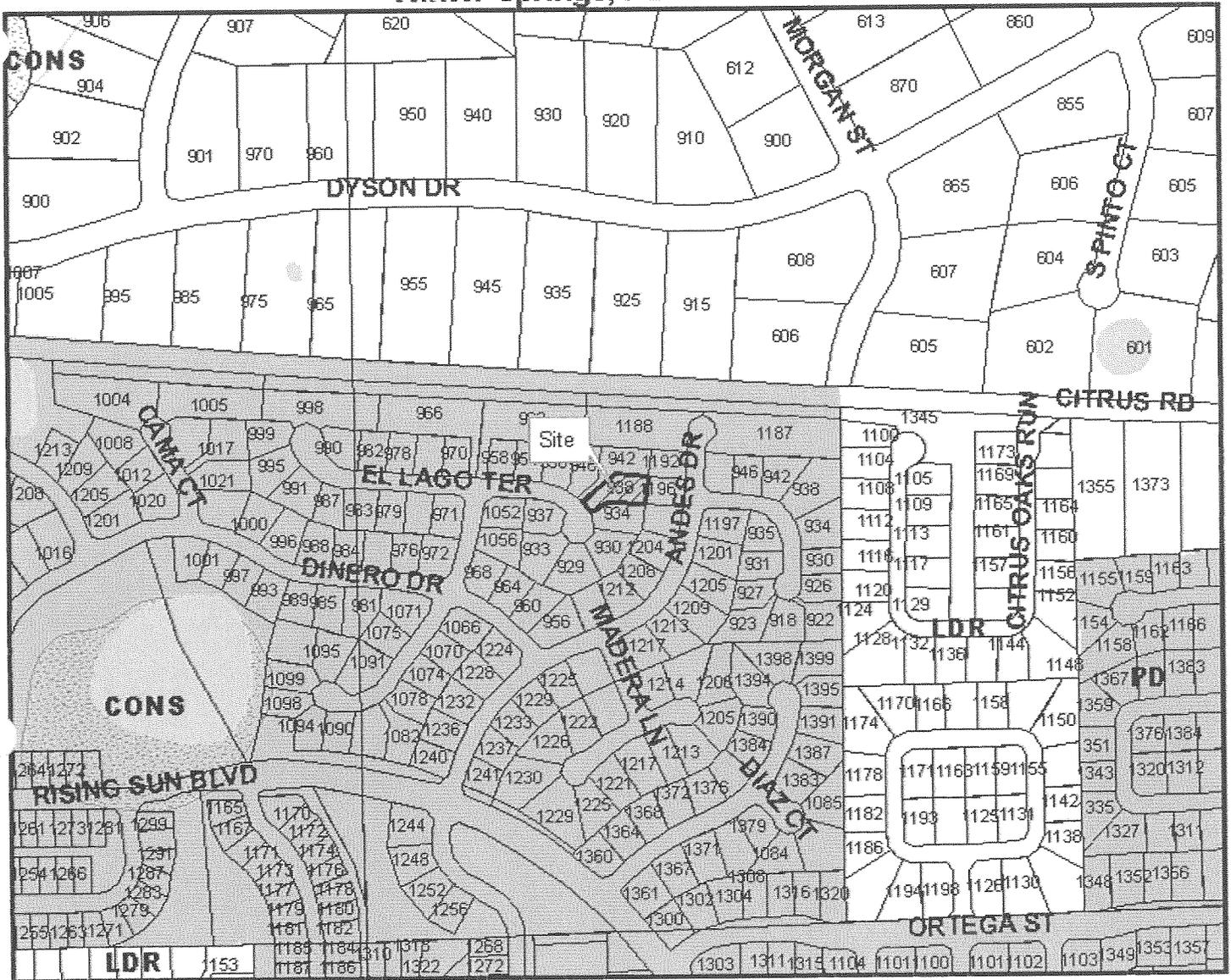
-  A-1 Agricultural-1Ac
-  RC-1 Country Homes-1Ac
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  PUD Planned Unit Dev.
-  BV2005-120



 Feet  
 0 87.5 175 350 525 700



Jessie Santiago  
 938 El Lago Terrace  
 Winter Springs, FL 32708



Seminole County Board of Adjustment  
 September 26, 2005  
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 Parcel No: 13-21-30-5KN-0000-1340

**Future Land Use**

- CONS, LDR
- CONS, PD
- LDR, NONE
- PD, NONE
- BV2005-120



0 87.5 175 350 525 700 Feet



Vinyl Enclosures  
Glass Enclosures  
Aluminum Awnings  
Solar Screens  
Carports

  
**SUPERIOR**  
**ALUMINUM INSTALLATIONS, INC.**  
3005 Forsyth Road • Winter Park, Florida 32792  
(407) 678-0500

Hurricane Storm Panels  
Aluminum and Vinyl Siding  
Soffit and Fascia  
Replacement Windows  
Mobile Home Roofovers

August 8, 2005

Variance Information:  
938 El Lago Terr  
Winter Springs, FL 32708

Contact Info: Jessie Santiago (407)678-0500  
3005 Forsythe Rd. Winter Park, FL 32792

To Whom It May Concern:

We are writing to request a variance for the above address. We are requesting that the rear yard set back to be changed from 25'ft. to 20'ft. We are trying to build a Screen Room with glass windows. (Glass Room) The structure will be (28x12) when complete.

If you have any questions please feel free to contact me or the homeowner.

Homeowner- Clyde Bell  
938 El Lago Terr. Winter Springs  
(407) 359-8817 or (407) 221-3989

Sincerely,



**Jessie Santiago**  
**Superior Aluminum**  
**Permitting Dept.**



ALUMINUM ASSOCIATION AWARD OF EXCELLENCE

# Sunrise Owners' Group, Inc.

## Exterior Improvement Approval Form

### Section 1: Name and Location DO NOT USE BLUE INK

Name: <u>Clyde E. Bell Jr.</u>	
Property Address: <u>938 FL Lago Terrace</u>	Lot:
Mailing Address: <u>Same</u>	Day Phone: <u>407-359-8817</u>
City: <u>Winter Springs, FL</u> Zip: <u>32708</u>	Eve. Phone: <u>Same</u>

### Section 2: Change Description (include all dimensions, materials, color, finish, location, etc.)

Extend The patio out 12 foot and completely enclosed with glass windows making a sun room.

Plot attached.

### Section 3: Request For Approval

"I request approval to make the above changes. I understand that some types of changes require county permits and I will acquire any required permits prior to making the above changes."

Signed: Clyde E. Bell Jr. Dated: 5-26-05

### Section 4: Approval or Denial

Approved.

Approved Subject To The Following:

Denied - Comments:

Received: 5/31/05

Signed (SUNRISE ARC): Debbie D. Baurin 6/11/05

Instructions: Please fill out sections 1, 2 & 3. Attach a plot survey showing location of changes. If construction is to occur in an easement an additional form is also required. Changes must be completed within 120 days. For paint color changes, please attach "color chips" with the colors desired clearly marked (larger samples may be requested). We will return this form either approved or denied within 31 days from the day we receive it.

Please return this form and required information to:

## SEMINOLE COUNTY DEVELOPMENT ORDER

On September 26, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 34 SUNRISE ESTATES UNIT 5 PB 40 PG 56

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

### FINDINGS OF FACT

**Property Owner:** CLYDE BELL  
938 EL LAGO TER  
WINTER SPRINGS, FL 32708

**Project Name:** EL LAGO TER (938)

**Requested Development Approval:**

REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 25 FEET TO 20 FEET FOR A PROPOSED ROOM ADDITION 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. The variance granted will 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 written above.

By: \_\_\_\_\_  
Tony Walter  
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: