

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for minimum rear yard setback variance from 25 feet to 19 feet for a proposed screen enclosure in the PUD (Planned Unit Development district); (Alicia Burgos, applicant).

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

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

Agenda Date 12-19-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for minimum rear yard setback variance from 25 feet to 19 feet for a proposed room addition in the PUD (Planned Unit Development District); (Alicia Burgos, applicant); or
2. **DENY** the request for minimum rear yard setback variance from 25 feet to 19 feet for a proposed room addition in the PUD (Planned Unit Development District); (Alicia Burgos, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Alicia Burgos LOCATION: 8475 Anson Way ZONING: PUD (Trinity Bay)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a (12' x 33') screen enclosure that would encroach 6 feet into the 25 foot 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 granting of the requested variance would confer special privileges denied to other properties in the trinity bay neighborhood by allowing encroachment into the rear yard setback without the demonstration of special circumstances or hardship by the applicants. • The applicants would retain reasonable use of the

	<p>property without the requested variance.</p> <ul style="list-style-type: none">• 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 proposed screen enclosure will encroach into a 175 foot Florida Power easement.
STAFF RECOMMENDATION	<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 room addition 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 #:

GUI ZONED: PUD SEC: 36 TWP: 21 RNG: 30
 PROJ. #

DEVELOPMENT:		Trinity Bay Phases 1 and 2			DEVELOPER:		Lake Burkett, Ltd.					
LOCATION:		62 Lots - 30.28 Acres										
FILE#:		BA:			SP:		BCC: 6/25/84					
P&Z:												
PB	30	PG	45-48	Lot		Blk		Parcel				
								DBA	Comm Dist			
DEVEL. ORDER #:					TAX PAR. I.D. #:							
SIDEWALKS: On both sides of internal streets by builder prior to final building inspections. Sidewalk on S side of SR 426 prior to completion of development plan.					SETBACK REQUIREMENTS							
					FY:	25'	SIDE ST.:		SY:	7.5'	RY:	25'
ROAD TYPE:					MAIN STRUCTURE OTHER: Minimum Lot Size: 7,000 sq. ft. Maximum Building Height: 35'.							
COMMENTS OTHER: 1) No building permits until amended PUD agreement is received pertaining to water and sewer facilities. 2) Recreation facilities to be completed prior to 30 th unit being built. 3) Entrance to development must line up with Bear Gully Road at right angles. 4) Left and right turn lanes at entrance. 5) Lots 24-27 may be filled if compensating storage is created to accommodate the designer.					ACCESSORY STRUCTURE SETBACKS:							
					SY:	10'			RY:	10'		
					ACCESSORY STRUCTURE OTHER:							

	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	184-E
	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	
	REMARKS: curb and gutter; sidewalks.	

COMMITMENT CARD

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



COPY

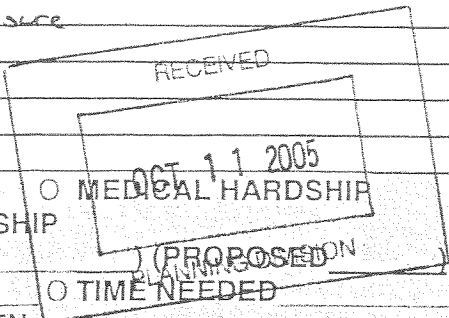
APPL. NO. BV 2005-170

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 Setback variance from 25ft to 19ft for a proposed screen enclosure
- SPECIAL EXCEPTION**
- LIMITED USE**
 - SF DWELLING UNDER CONSTRUCTION
 - NIGHT WATCHMAN
 - YEAR OF MOBILE HOME / RV (EXISTING)
 - SIZE OF MOBILE HOME / RV
 - PLAN TO BUILD YES NO IF SO, WHEN
- APEAL FROM DECISION OF THE PLANNING MANAGER**



PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>BLICIA Charmar Burdoo</u>	
ADDRESS	<u>8475 Anson way</u> <u>Winter Park FL 32792</u>	
PHONE 1	<u>321 303 4470</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: _____
 SITE ADDRESS: 8475 Anson Way
 CURRENT USE OF PROPERTY: Single-Family Residence
 LEGAL DESCRIPTION: Leg lot 25 Trinity Bay PH 2 PB 34 PGS 46 + 46
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 36-21-30-507-0000-0250
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 12 / 19 / 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.

Blacia Burdoo
 SIGNATURE OF OWNER OR AGENT*

10/11/05
 DATE

362 05-100005



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:

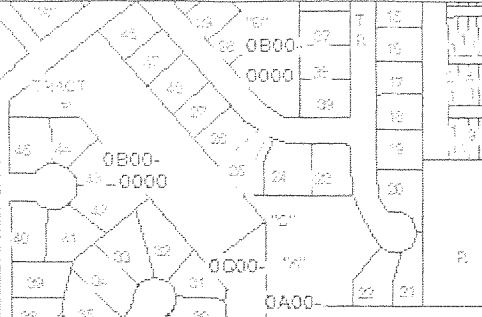

FEE(S): \$ 150.00 COMMISSION DISTRICT 1 FLU/ZONING PD/POD

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS South side of Anson Way 0.1 mi. S.E.
of the intersection of N. Lake Burkett Ln. + Anson Way

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS Ask Bldg Department about power entrance

<p>DAVID JOHNSON, CPA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-145B 407-665-7505</p>		
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GENERAL

Parcel Id: 36-21-30-507-0000-0250
 Owner: BURGOS ALICIA
 Mailing Address: 8475 ANSON WAY
 City,State,ZipCode: WINTER PARK FL 32792
 Property Address: 8475 ANSON WAY
 Subdivision Name: TRINITY BAY PH 2
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions:
 Dor: 01-SINGLE FAMILY

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$223,413
 Depreciated EXFT Value: \$0
 Land Value (Market): \$32,000
 Land Value Ag: \$0
 Just/Market Value: \$255,413
 Assessed Value (SOH): \$255,413
 Exempt Value: \$0
 Taxable Value: \$255,413
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	06/2004	05352	1074	\$250,000	Improved	Yes
WARRANTY DEED	01/2004	05172	0806	\$37,500	Vacant	Yes
WARRANTY DEED	04/1992	02413	1629	\$373,200	Vacant	No
WARRANTY DEED	12/1987	01919	0799	\$832,500	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

2005 Tax Bill Amount: \$4,204
 2005 Taxable Value: \$256,542
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	32,000.00	\$32,000

LEGAL DESCRIPTION

PLATS:

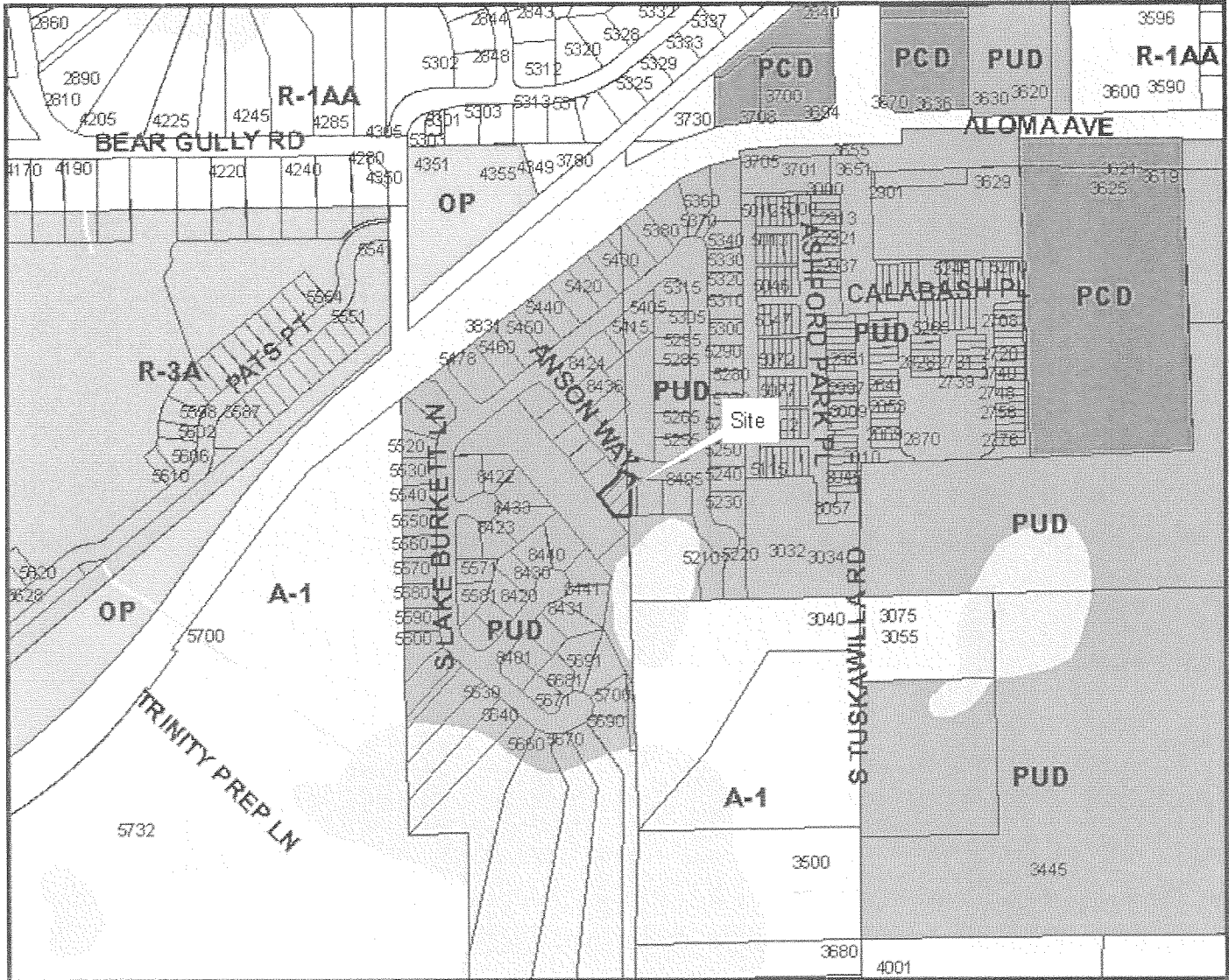
LEG LOT 25 TRINITY BAY PH 2 PB 34 PGS 45 & 46

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	2004	10	1,664	3,406	2,764	CB/STUCCO FINISH	\$223,413	\$225,670
			Appendage / Sqft OPEN PORCH FINISHED / 162						
			Appendage / Sqft GARAGE FINISHED / 480						
			Appendage / Sqft UPPER STORY FINISHED / 1100						

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.

Alicia Carman Burgos
 8745 Anson Way
 Winter Park, FL 32792

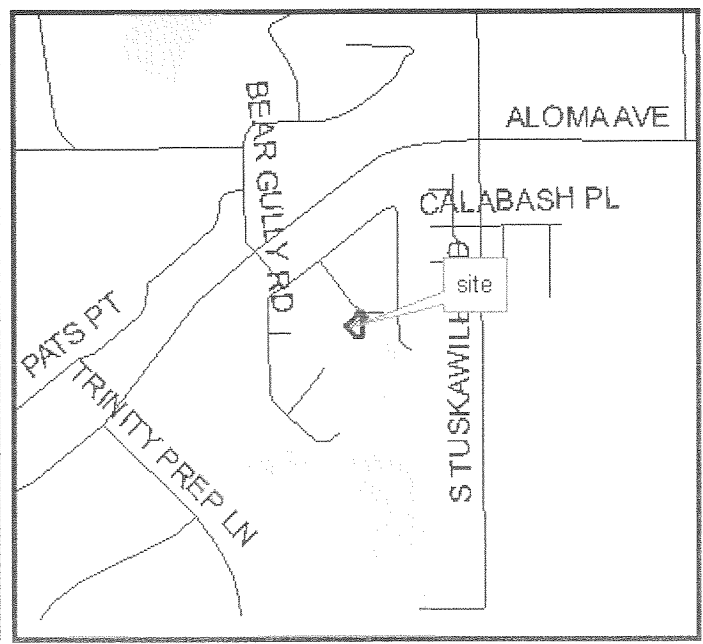


Seminole County Board of Adjustment
 December 19, 2005
 Case: BV2005-170
 Parcel No: 36-21-30-507-0000-0250

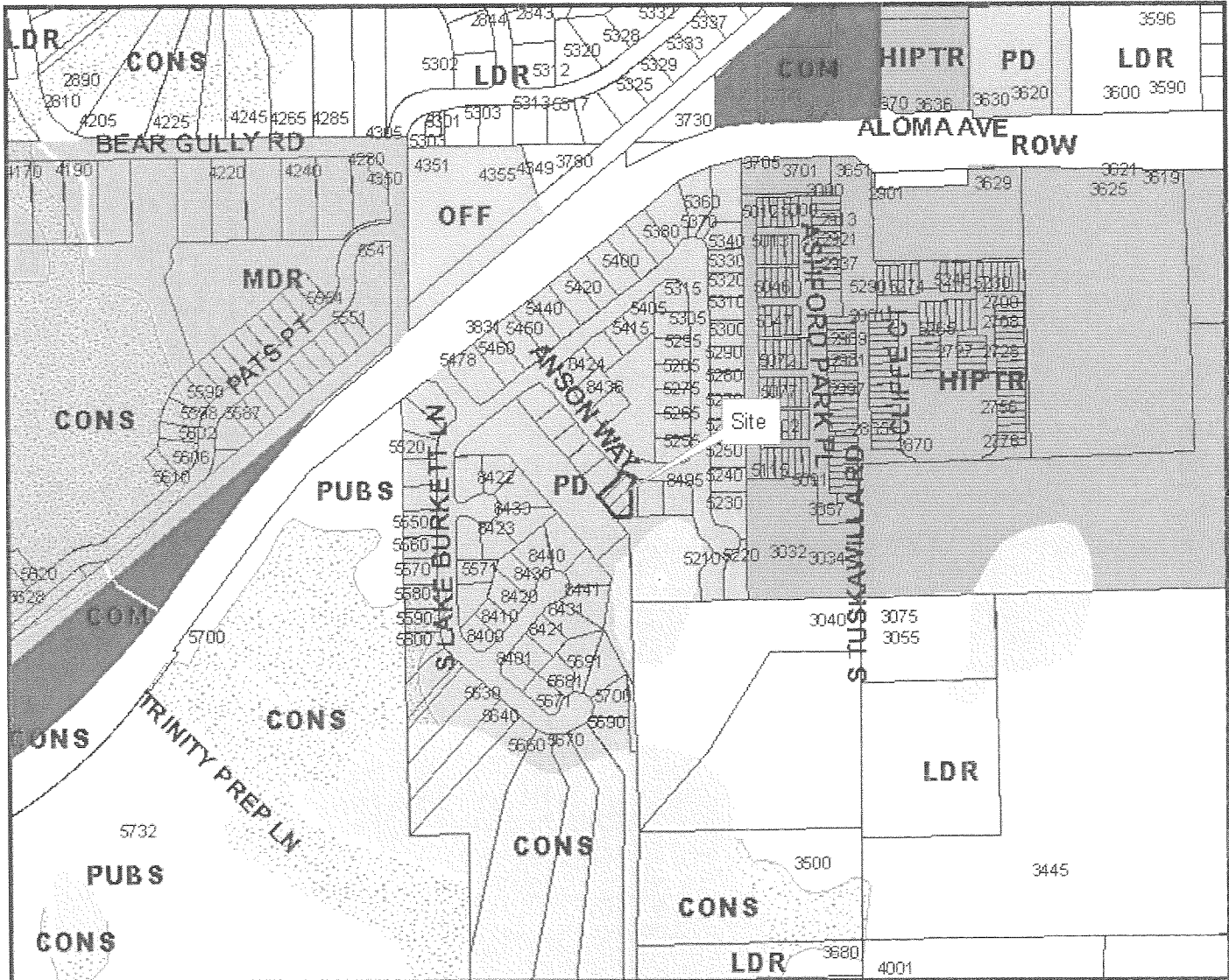
Zoning

- A-1
- R-1AA
- R-3A
- OP
- PUD
- PCD
- BV2005-170

0 95 190 380 570 760 Feet



Alicia Carman Burgos
 8745 Anson Way
 Winter Park, FL 32792



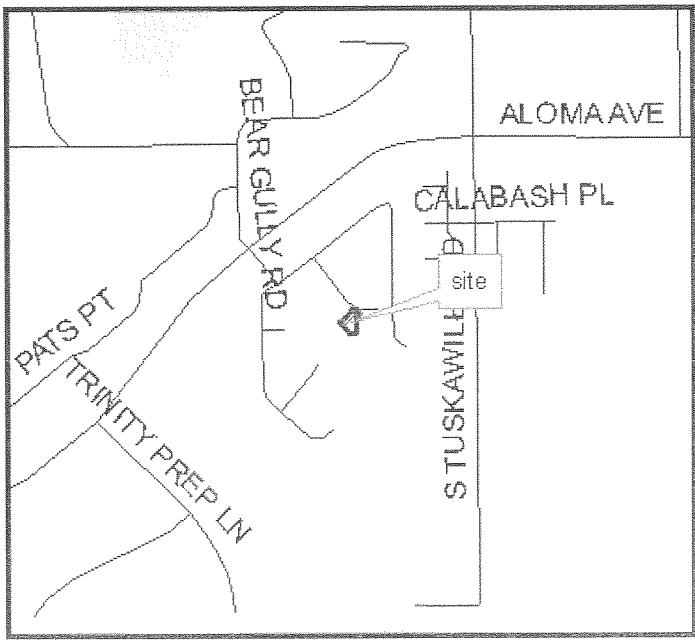
Seminole County Board of Adjustment
 December 19, 2005
 Case: BV2005-170
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Future Land Use

	CONS, PUBS		MDR
	CONS, LDR		PD
	CONS, MDR		OFF
	CONS, PD		COM
	CONS, COM		HIPTR
	CONS, HIPTR		BV2005-170

PUBS
LDR

0 95 190 380 570 760 Feet



TRINITY BAY HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL REVIEW BOARD (ARB) APPLICATION



Before work begins you must complete the following steps:

1. This request form must be completed by the Homeowner and submitted to the ARB for approval.
2. Allow one month for the ARB to return either an approval or denial.
3. Obtain any necessary permit(s).
4. Display your permit(s).

DATE: 8-18-05

The following must be completed by the Homeowner:

(407) 672-2828

NAME: ALICIA BURGOS PHONE NUMBER: 321-303-4470

ADDRESS: 8475 ANSON WAY LOT NUMBER: 24

Describe the work to be done (i.e. fence installation, repair exterior, siding, reroof porch/patio, etc.)

INSTALLATION OF SCREEN ROOM / SCREEN ENCLOSURE w/
CONCRETE
SUPERIOR ALUMINUM IS CONTRACTOR
LIC. # RX 0045740

LOCATION (Attach a copy of a plot plan showing where the addition/alteration or work will be located.)

SPECIFICATIONS (Attach copies of plans or pictures and describe the following:

Dimensions: 33 x 12

Materials: ALUMINUM & SCREEN

Color: Bronze

ARCHITECTURAL REVIEW BOARD WILL COMPLETE:

Approved <u>[Signature]</u>	Date <u>9/5/05</u>	Denied _____
Approved <u>[Signature]</u>	Date <u>9-5-05</u>	Denied _____
Approved _____	Date _____	Denied _____
Approved _____	Date _____	Denied _____

Homeowners to contact ARB for:

1. Additional Inspections
2. Substantial completion date
3. Final inspection date

TRINITY BAY HOMEOWNERS ASSN.
c/o DON ASHER AND ASSOCIATES, INC.
1801 COOK AVENUE
ORLANDO FL 32806-2913
407-425-4561

**NOTICE OF APPROVAL
TRINITY BAY HOMEOWNERS ASSN.**

September 07, 2005

ALICIA BURGOS
8475 ANSON WAY
WINTER PARK FL 32792

RE: 8475 ANSON WAY

Dear Owner:

Your Request for Architectural Change as been approved. Specifically, you have approval to proceed with the following:

Install screen room

We appreciate your cooperation in submitting this Request for Approval. An attractive Community helps all of us get the full value from our homes when we decide to sell.

Sincerely,
FOR THE BOARD OF DIRECTORS

Howard Morris

Howard Morris, LCAM
Community Association Manager
TRINITY BAY HOMEOWNERS ASSN.

1-800-247-6768

Licensed
Bonded
Insured



SUPERIOR ALUMINUM INSTALLATIONS, INC.

Local: (407) 678-0500
Fax: (407) 678-5560

Fla. County License: #RX0045740
Fla. State Cert.: SC C056770

3005 Forsyth Road • Winter Park, Florida 32789

CONCRETE

Lead Source: _____

Owner Alicia Burgos
Mailing Address 8475 ANSON Way
City Winter Park State Fl. Zip 32792
Subdivision TRINITY BAY
Directions _____
ALOMA (R) TRINITY Way (R)
N. LAKE BURKETT (R) ANSON (R)

Date 8-19-05
Phone: H 830-2222 B 321-303-4470
Municipality SEMINOLE
Permit # _____

For Office Use:

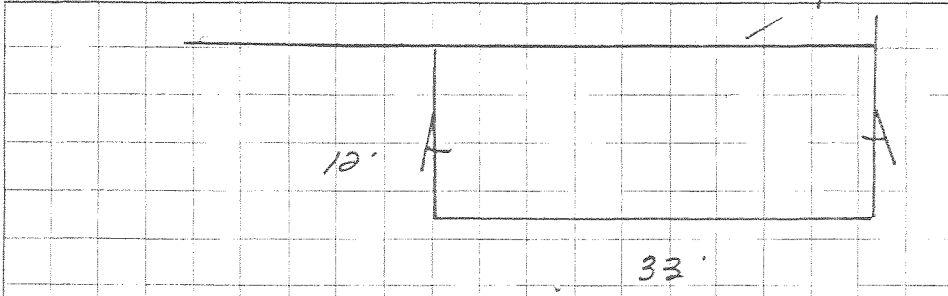
Job # 15-368 8/19
Date Installed _____
Installed By _____

Total Amount: \$ 10400.00 PD # 1086
Deposit: \$ 2080.00 PD # 1087
Balance Due At Completion of Concrete: \$ 2125.00
40% Due At Final Measurements: \$ 3310.00
20% Due At Framing: \$ 0
Balance Due To Installers On Completion of Room: \$ 2885.00
Balance Due On Completion of Electric: \$ 0
New Slab or Addition Required? Yes No
Finance? Yes No

We are not responsible for: Irregularities from existing slab and grade.
Surface cracks, curing cracks or settling cracks in concrete.

THIS AGREEMENT BECOMES YOUR INVOICE.

9' START AT



- 1) CONCRETE - POUR 21x12 SLAB, BUTT TO EXISTING SLAB. WE TREAT TERMITES
 - 2) ROOF - ELITE INSULATED ROOF w/ GUTTERS & 3 FAN BEAMS
 - 3) WALLS - 1 1/2" KICKPLATE 18x14 SCREEN.
 - 4) DOORS - 2 SCREEN DOORS.
- * STANDARD PERMIT & TAX INC

PRODUCT DESCRIPTION: SLR
Roof Style: Studio / Gable / Dome / Mansard
Roof Attached To: Fascia / Wall / Transit
Roof Type: Elite / Superior / Riser / Screen / Shingle / _____
Roof Insulation Thickness: 0' / 2' / 3' / 4' / 6'
Roof Panel Thickness: .024 / .032
Color: Inside WHT Outside WHT
Roof Size: Width 36 Projection 13
Roof Trim: Drip Edge Fascia / Roll Form
Color: White / Bronze
Gutter: Seamless: 5' or 6' / Roll Form / Super Extruded: 5' / 6' / 7'
Color: White / Bronze
Downspouts: 2x3 / 3x4
Color: White / Bronze
Fixture Beam: Yes / No
Fixture Beam Location: 3 EVENLY SPACE
Remove House Overhang: Yes / No
Wall Style: Superior / Elite Lifestyle / Elite Universal
Wall Type: Screen / Open Patio / Vinyl / Acrylic / Glass / Modular
Wall Color: White / Bronze / Almond
Screen Mesh Size: 20x20 / 18x14
Screen Color: Black / Silver
Kick Plate: Yes / No Insulated: Yes / No
Aluminum / Cement Board / DuraShield / Glass
Height: 12' - 16' / 18' - 24'
Chair Rail: Yes / No
Height: 12' - 16' / 18' - 24' / 32' - 36' / 36' - 44'
Door Size: 3-0' x 6-8' / 3-0' x 8-0'
Door Type: Screen / Pool / Vinyl / Glass
Door Style: Superior / Suntech Tasman / With Pet / Door S M L / Double / Prime Full Single Hung / Prime Full Picture
Door Location #1: Left / Front / Right / Centered / To House / To Corner / Custom
Swing: Out / In Hinge: Right / Left
Door Location #2: Left / Front / Right / Centered / To House / To Corner / Custom

NOTICE TO OWNER

- (1) Do not sign this Contract before you read it or if it contains any blank spaces.
- (2) You are entitled to a copy of this Contract at the time you sign. Keep it to protect your legal rights.
- (3) Superior Aluminum carries Workers Compensation and Public Liability Insurance.
- (4) If a Homeowner's Association approval is necessary it is customer's responsibility to obtain

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 19, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 25 TRINITY BAY PH 2 PB 34 PGS 45 & 46

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

FINDINGS OF FACT

Property Owner: ALICIA BURGOS
8475 ANSON COURT
WINTER PARK, FL 32792

Site Address: 8475 ANSON COURT

Requested Development Approval:

THE REQUEST FOR REAR YARD SETBACK FROM 25 FEET TO 19 FEET FOR A PROPOSED ROOM ADDITION.

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
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 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 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: