

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

**SUBJECT:** Request for rear yard setback variance from 7.5 feet to 5 feet for a proposed pool in the PUD (Planned Unit Development District); (Randy Terranova, applicant)

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

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

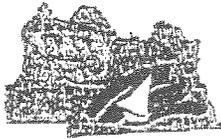
**Agenda Date** 12/19/05 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for rear yard setback variance from 7.5 feet to 5 feet for a proposed pool in the PUD (Planned Unit Development District); (Randy Terranova, applicant), or
2. **DENY** the request for rear yard setback variance from 7.5 feet to 5 feet for a proposed pool in the PUD (Planned Unit Development District); (Randy Terranova, applicant), or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<b>APPLICANTS:</b> Randy Terranova <b>LOCATION:</b> 6313 Bordeaux Circle <b>ZONING:</b> PUD (Buckingham Estates)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a pool that would encroach 2.5 feet into the 7.5 foot minimum rear yard setback.</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 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.</li> <li>• The granting of the requested variance would confer special privileges denied to other properties in the</li> </ul>

	<p>Buckingham Estates PUD by allowing encroachment into the rear yard setback without the demonstration of special circumstances or hardship by the applicants.</p> <ul style="list-style-type: none"><li>• 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.</li><li>• The adjacent property is a platted drainage easment (Tract "Q"), which would remain undeveloped.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• 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"><li>• Any variance granted shall apply only to the proposed pool 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>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

APPL. NO. BV 2005-178

**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** Back Yard 7 1/2 FT to 5 FT for Pool PROPOSED
  - SPECIAL EXCEPTION**
  - LIMITED USE**
  - SE DWELLING UNDER CONSTRUCTION**
  - NIGHT WATCHMAN**
  - YEAR OF MOBILE HOME / RV (EXISTING)**
  - SIZE OF MOBILE HOME / RV**
  - PLANT TO BUILD**
  - APPEAL FROM DECISION OF THE PLANNING MANAGER**
- MEDICAL HARDSHIP**
- FAMILY HARDSHIP**
- PROPOSED**
- TIME NEEDED**
- YES**  **NO IF SO WHEN**

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME:	Randy + Rita Terranova		
ADDRESS:	6313 Bordeaux Circle		
PHONE 1:	407-322-4605		
PHONE 2:	407-448-5236		
E-MAIL:	RTerranova@CFI.RE.COM		

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 6313 Bordeaux Circle

CURRENT USE OF PROPERTY: NEW Home Construction - SE

LEGAL DESCRIPTION: Lot 153 Buckingham Estate's Phase 2  
PLAT Book 66 page 1 Seminole

SIZE OF PROPERTY: 1/4 acre(s) PARCEL I.D. 30-19-29-511-0000-1530

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.

Randy Terranova  
SIGNATURE OF OWNER OR AGENT\*

11/3/05  
DATE

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

**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 5 FLU/ZONING RD/POD

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

LOCATION FURTHER DESCRIBED AS N. side of Bortman Cir. 0.5 mi.

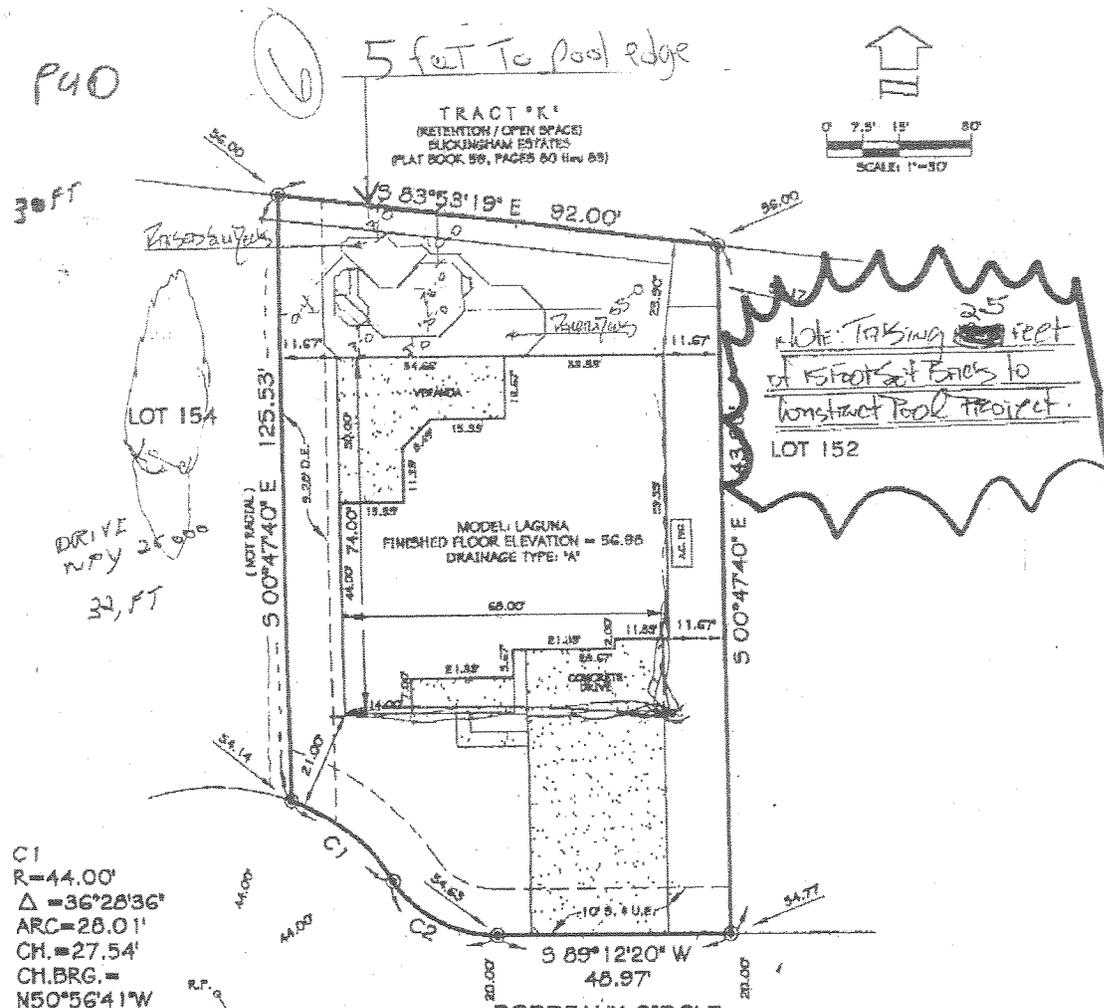
West of the intersection of Bortman Cir + Mendot Dr.

PLANNING ADVISOR MK

DATE 11-2-05

SUFFICIENCY COMMENTS \_\_\_\_\_

PLOT PLAN for: ARLINGTON HOMES, LLC **RANDY TEORANGWA**  
 DESCRIPTION: **LOT 153, BUCKINGHAM ESTATES PHASE 2**  
 RECORDED IN PLAT BOOK 66 PAGE(S) 1 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



**C1**  
 R=44.00'  
 $\Delta = 36^{\circ}28'36''$   
 ARC=28.01'  
 CH.=27.54'  
 CH.BRG.=  
 N50°56'41"W

**C2**  
 R=25.00'  
 $\Delta = 58^{\circ}05'16''$   
 ARC=25.35'  
 CH.=24.27'  
 CH.BRG.=  
 S61°45'02"E

**NOTES:**  
 1. BEARINGS ARE BASED ON THE CENTERLINE OF BORDEAUX CIRCLE BEING N89°12'20"E.  
 2. ELEVATIONS AND LOT DRAINAGE TYPE SHOWN HEREON ARE BASED ON SITE ENGINEERING PLANS FOR THE PROJECT.  
 3. BUILDING TIES ARE TO FOUNDATION.  
 4. LOT HAS NOT BEEN STAKED IN THE FIELD. IMPROVEMENTS SHOWN HEREON ARE PROPOSED. THIS IS NOT A SURVEY.

**FLOOD CERTIFICATION**  
 BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, THE STRUCTURE SHOWN HEREON DOES NOT LIE WITHIN THE 100 YEAR FLOOD HAZARD AREA. THIS STRUCTURE LIES IN ZONE "X" COMMUNITY PANEL NO. 120288 0040 E EFFECTIVE DATE: APRIL 17, 1995 MAP REVISION DATE: (SUBJECT TO CHANGE)

**BUILDING SETBACKS**  
 FRONT: 20'  
 REAR: 15'  
 SIDE: 7.5'  
 SIDE STREET: 15'

LOT 153 CONTAINS  
 13,000 SQUARE FEET/0.30 ACRES +/-

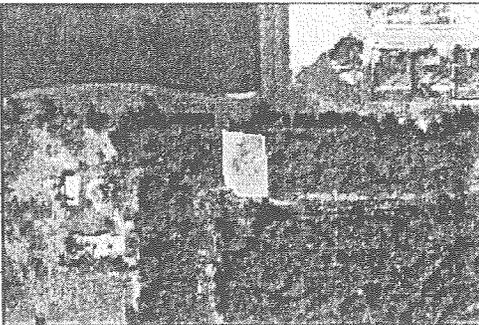
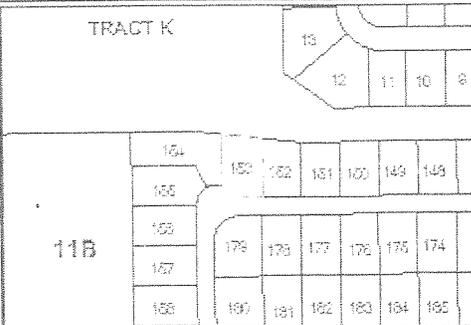
THE UNDERSIGNED AND CAYONE, INC. LAND SURVEYORS AND MAPPERS MAKE NO RESERVATIONS OF GUARANTEES AS TO THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS AND OTHER MATTERS, AND FURTHER THIS INSTRUMENT IS NOT INTENDED TO REFLECT OR SET FORTH ALL SUCH MATTERS. SUCH INFORMATION SHOULD BE OBTAINED AND CONFIRMED BY OTHERS THROUGH APPROPRIATE TITLE VERIFICATION.

**ABBREVIATIONS/LEGEND:**

NO. - NUMBER	P.T. - POINT OF TANGENCY	CONG. - CONCRETE	SQ. FEET - SQUARE FEET	D.E. - DRAINAGE EASEMENT
R. - RADIUS	P.I. - POINT OF INTERSECTION	L.S. - LAND SURVEYOR	P.R.C. - POINT OF REVERSE CURVATURE	U.E. - UTILITY EASEMENT
CH. - CHORD	P.C. - POINT OF CURVATURE	O.R. - OFFICIAL RECORDS	P.C.C. - POINT OF COMBOUND CURVATURE	D.U.E. - DRAINAGE, UTILITY & SIDEWALK EASEMENT
ARC - ARC LENGTH	L.B. - LICENSED BUSINESS	CH.BRG. - CHORD BEARING	S.A.U.E. - SIDEWALK & UTILITY EASEMENT	
C - CENTERLINE	A/C - AIR CONDITIONER PAD	$\Delta$ DELTA (CENTRAL ANGLE)	D.A.U.E. - DRAINAGE & UTILITY EASEMENT	

**Att: Randy - Fax:**

DAVID JOHNSON, CFA, ASA  
**PROPERTY APPRAISER**  
 SEMINOLE COUNTY FL  
 1101 E. FIRST ST  
 SANFORD, FL 32771-1468  
 407-665-7506



**GENERAL**  
 Parcel Id: 36-19-29-511-0000-1530  
 Owner: TERRANOVA RANDY R & RITA  
 Mailing Address: 775 MUSAGO RUN  
 City,State,ZipCode: LAKE MARY FL 32746  
 Property Address: 6313 BORDEAUX CIR  
 Subdivision Name: BUCKINGHAM ESTATES PHASE 2  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 00-VACANT RESIDENTIAL

**2006 WORKING VALUE SUMMARY**

Value Method:	Market
Number of Buildings:	0
Depreciated Bldg Value:	\$0
Depreciated EXFT Value:	\$0
Land Value (Market):	\$123,000
Land Value Ag:	\$0
Just/Market Value:	\$123,000
Assessed Value (SOH):	\$123,000
Exempt Value:	\$0
Taxable Value:	\$123,000
Tax Estimator	

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	12/2004	05549	1583	\$145,000	Vacant	Yes

Find Comparable Sales within this Subdivision

**2005 VALUE SUMMARY**

2005 Tax Bill Amount:	\$2,016
2005 Taxable Value:	\$123,000

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	123,000.00	\$123,000

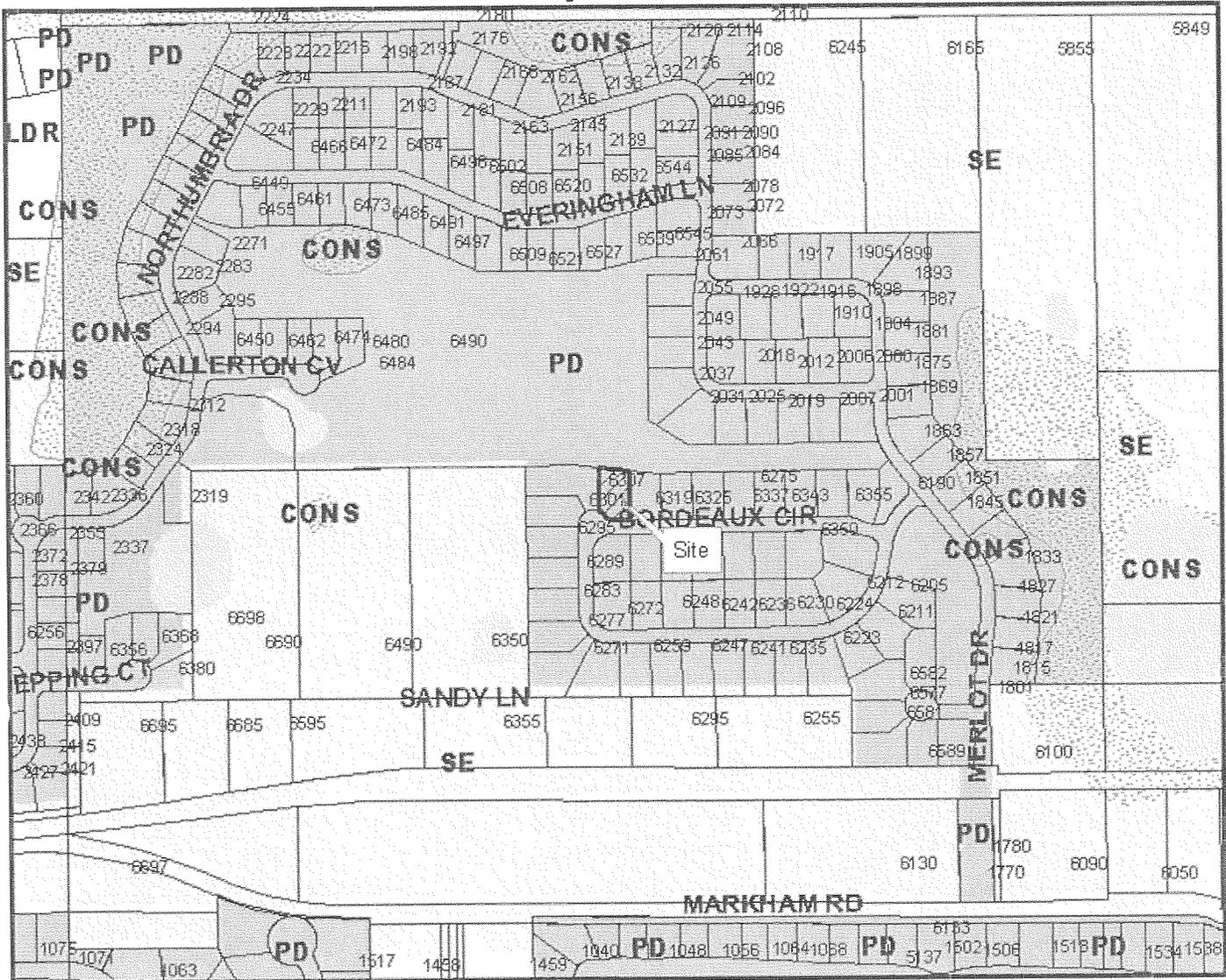
**LEGAL DESCRIPTION**

PLATS:

LOT 153 BUCKINGHAM ESTATES PHASE 2  
 PB 66 PG 1

**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.

Randy & Rita Terranova  
 6313 Bordeaux Circle  
 Lake Mary, FL 32746

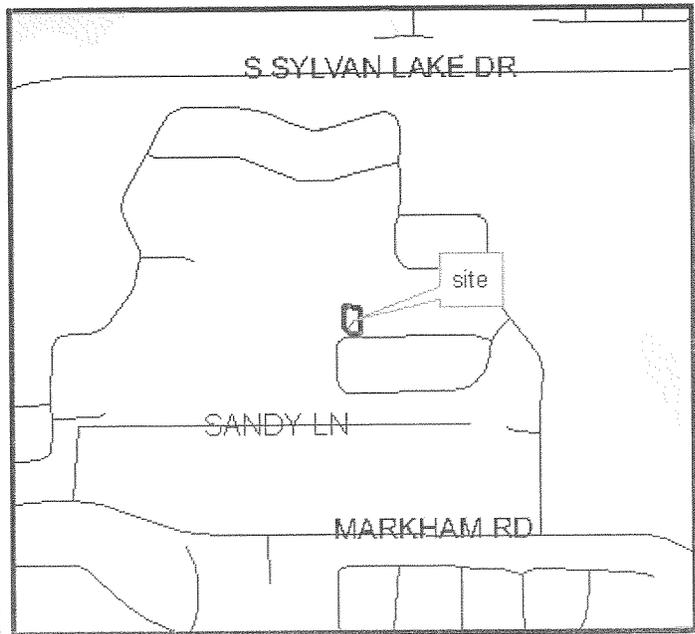


Seminole County Board of Adjustment  
 December 19, 2005  
 Case: BV2005-178  
 Parcel No: 36-19-29-511-0000-1530

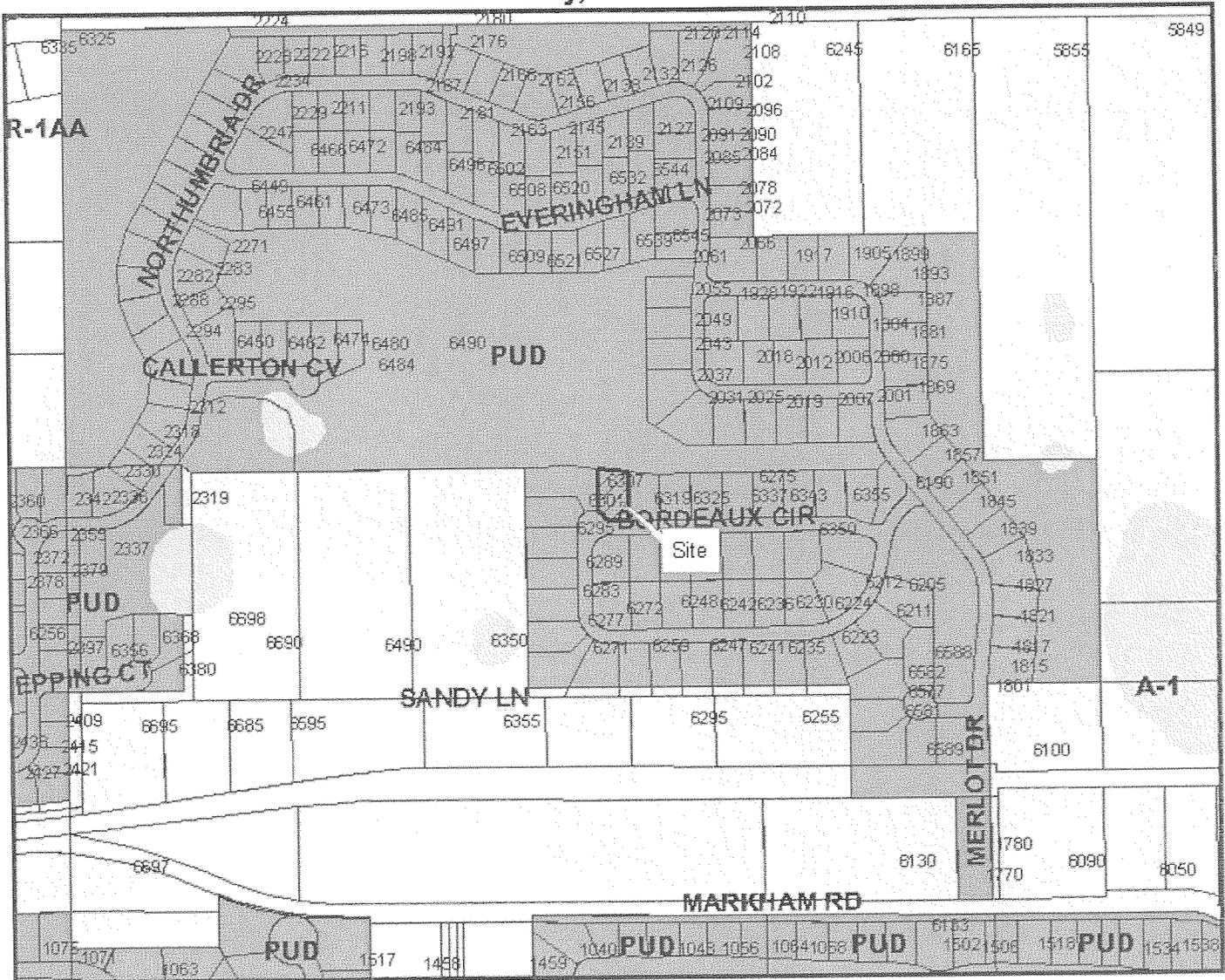
**Future Land Use**

- CONS, SE
- CONS, LDR
- CONS, PD
- SE
- LDR
- PD
- BV2005-178

0 85 170 340 510 680 Feet



Randy & Rita Terranova  
 6313 Bordeaux Circle  
 Lake Mary, FL 32746

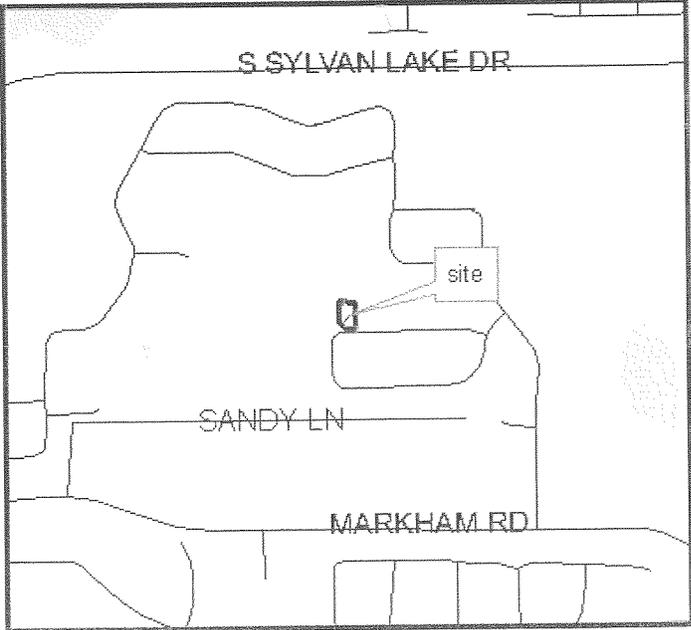


Seminole County Board of Adjustment  
 December 19, 2005  
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 Parcel No: 36-19-29-511-0000-1530

**Zoning**

- A-1
- R-1AA
- PUD
- BV2005-178

0 85 170 340 510 680 Feet



**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:

LOT 153 BUCKINGHAM ESTATES PHASE 2 PB 66 PG 1

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

**FINDINGS OF FACT**

**Property Owner:** RANDY & RITA TERRANOVA  
775 MUSAGO RUN  
LAKE MARY, FL 32746

**Site Address:** 6313 BORDEAUX CIRCLE

**Requested Development Approval:**

REQUEST FOR REAR YARD SETBACK VARIANCE FROM 7.5 FEET TO 5 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  
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 POOL 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: