

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

SUBJECT: Request for rear yard setback variance from 15 feet to 2 feet for a proposed screen enclosure in the PUD (Planned Unit Development district); (Jennifer Rehor, 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 15 feet to 2 feet for a proposed screen enclosure in the PUD (Planned Unit Development District); (Jennifer Rehor, applicant); or
2. **DENY** the request for rear yard setback variance from 15 feet to 2 feet for a proposed screen enclosure in the PUD (Planned Unit Development District); (Jennifer Rehor, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Jennifer Rehor LOCATION: 276 N. Wilderness Point ZONING: PUD (Deer Run)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a (8' x 30') screen enclosure that would encroach into the 15 foot minimum rear yard setback. • The existing town home contains a rear setback of 10 feet. • There is no record of prior variances having been granted for this property.
STAFF FINDINGS	<ul style="list-style-type: none"> • The Development Order for Unit 14 B of the Deer Run PUD state the rear setbacks are based on perimeter of the overall subdivision. • The applicant's rear property line is buffered by a 50 foot

	<p>buffer between adjacent property lines.</p> <ul style="list-style-type: none">• Staff feels the 50 foot buffer meets the intent of the conditions stated in the development order.• On June 22, 1992 staff approved of a variance on lot 147 that requested a variance from 15 feet to 0 feet for a screen enclosure.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• Based on the stated findings, staff recommends approval 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 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.

Off Run 14B
146 Lots - 30.19
4th
first
(Run)

Zoned: V-0

14-21-30-12
BCC7-31-84
PB 30/78-79

1. Red Bug Lake Road Improvement Fund: \$200.00 per unit.

2. Fire: \$10.00 per unit

V-0 (everything else)

500.00

3. Building REstrictions:

Type Bldg.	Min. Lot Size	Min. Home	Setbacks			Max Height
			FY	SY	RY	
Patio Home	2000 sq ft	700 sq ft	20'	0'	15'	35'

4. Muck area to utilized as detention area

ACCESSORY RIAR 10' BY 0'
***Roof overhang not to project beyond lot lines.*

5. Eight inch lines required

6. Flood prone areas may be modified as long as compensating storage can be accomodated.

Not Flood Prone

7. Water system must be looped.

** Rear setback based on SUBDIVISION on perimeter of overall project*
Curb - no sidewalks
No change for driveway per Basil Serney 3-13-95

Use 3

TZ 106



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

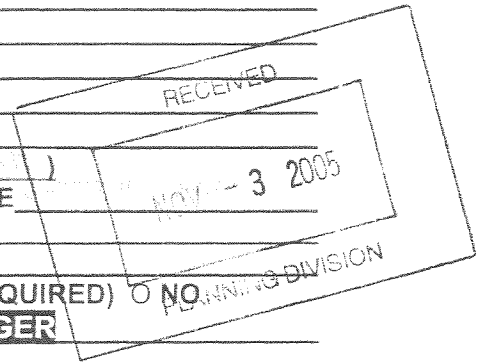
APPL. NO. 842005-179

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** Request for a minimum rear yard set back variance from 15 feet to 2 feet
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING (YEAR _____) PROPOSED (YEAR _____)
 - REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
 - ANTICIPATED TIME MOBILE HOME IS NEEDED _____
 - PLAN TO BUILD YES NO IF SO, WHEN ASAP.
 - MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**



PROPERTY OWNER		AUTHORIZED AGENT *
NAME	JENNIFER REHOR	
ADDRESS	276 N. WILDERNESS PT (ASSELBERRY, FL. 32707)	
PHONE 1	(407) 388-1734	
PHONE 2	(407) 277-6030 ext 10360	
E-MAIL	JREHOR@FAIRWINDS.ORG	

PROJECT NAME: N. Wilderness Pt.
 SITE ADDRESS: 276 N. Wilderness Pt.
 CURRENT USE OF PROPERTY: Single family residence
 LEGAL DESCRIPTION: LOT 156 (Less sly 5.5 ft) & sly 16.83 ft of lot 157 Deer Run Unit 14B
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 14-21-30-504-0000-1560
 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.

Jennifer Rehor 11/3/05
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's 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 1 FLU / ZONING PUD / PD

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS N. side of Campfire Way At intersection
of N. Wilderness Pt + Campfire Way

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____

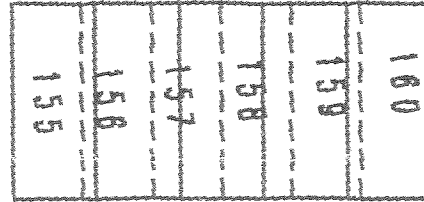
SWERDLOFF & LONG

SURVEYING, INC.

Legal Description

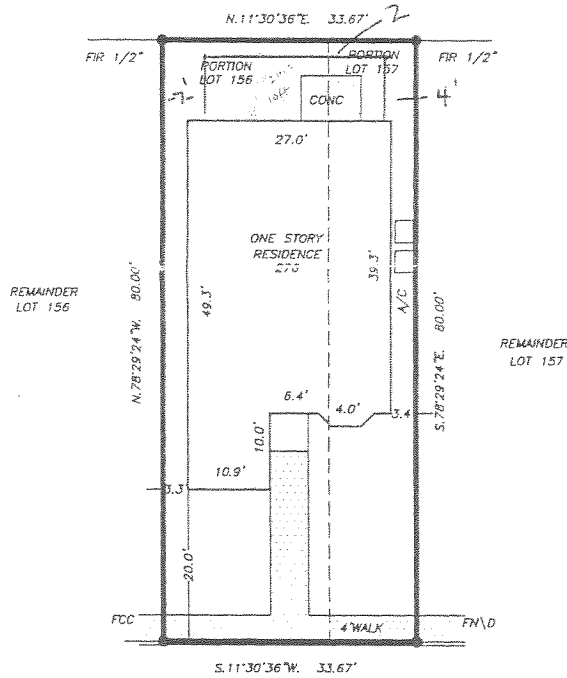
That part of Lot 156 being Northeasterly of a line 5.50 feet Northeasterly of and parallel with the Southwesterly line of Lot 156 and that part of Lot 157 being Southwesterly of a line 16.83 feet Southwesterly of and parallel with the Northeasterly line of said Lot 157, all being in DEER RUN, UNIT 14 "B". According to the Plat thereof as recorded in Plat Book 30, Pages 78 and 79 of the Public Records of Seminole County.

Community number: 120289 Panel: 0145
 Suffix: E.F.I.R.M. Date: 4/17/1995 Flood Zone: X
 Date of field work: 8/12/2004 Completion Date: 8/13/2004



Certified to:
 Patricia A. Sove; Brokers Title: American Pioneer Title Insurance Company; Chase Manhattan Mortgage Corporation, its' successors and/or assigns.

SCALE: 1" = 20'



N WILDERNESS POINT

Property Address:
 276 North Wilderness Point
 Casselberry, FL 32708

Survey number: SL 39261

EGEND

W	Wood Fence	CATV	Cable Riser	M.H.	Manhole
WF	Wire Fence	W.M.	Water Meter	N.T.S.	Not to Scale
N	Found Nail	Tel.	Telephone Facilities	O.R.	Official Records
PC	Property Corner	CR	Covered Area	O.R.B.	Official Records Book
R	Record	B.R.	Bearing Reference	P.C.P.	Permanent Control Point
FM	Field Measured	CH	Chord	P.R.M.	Permanent Reference Monument
C	Clear	RAD	Radial	PG.	Page
ENC	Encroachment	N.R.	Non Radial	P.V.M.T.	Pavement
CL	Centerline	A/C	Air Conditioner	P.B.	Plat Book
CON	Concrete	B.M.	Bench Mark	P.O.B.	Point of Beginning
PL	Property Line	C	Calculated	P.O.C.	Point of Commencement
M	Concrete Monument	ZZZZ	Block Wall	P.O.L.	Point of Line
I.R.	Found Iron Rod	CA	Central Angle/Delta	P.C.	Point of Curvature
F	Found Iron Pipe	D.B.	Deed Book	P.R.C.	Point of Reverse Curvature
W	Right Of Way	D	Description or Deed	P.T.	Point of Tangency
N&D	Nail & Disk	D.H.	Drill Hole	R	Radius(Radial)
E	Drainage Easement	D/W	Drive way	R.O.E.	Roof Overhang Easement
U	Utility Easement	ESMT	Easement	S.I.R.	Set Iron Rod & Cap
F	Found	EL	Elevation	S/W	Sidewalk
PL	Plat	F.F.	Finished Floor	T.O.P.	Top of Bank
AS	Asphalt	F.C.M.	Found Concrete Monument	TYP.	Typical
H.U.	Overhead Utilities	F.P.K.	Found Parker-Kalon Nail	W.C.	Witness Corner
P	Power Pole	L	Length	10.05	Existing Elevation
T	Transformer	L.A.E.	Limited Access Easement	E.O.W.	Edge of Water

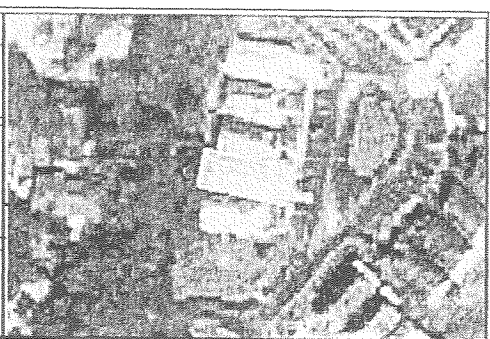
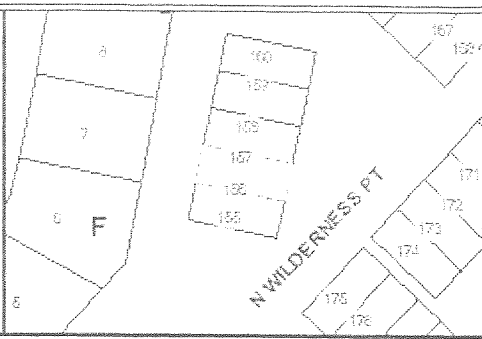
GENERAL NOTES

- Legal description provided by others
 - The lands shown hereon were not obstructed for easements or other recorded encumbrances not shown on the plat
 - Underground portions of footings, foundations or other improvements were not located
 - Wall ties are to the face of the wall.
 - Only visible encroachments located
 - No identification found on property corners unless noted.
 - Dimensions shown are plat and measured unless otherwise noted.
 - Elevations if shown are based upon N.G.V.D. 1929 unless otherwise noted.
 - Adjoining lots are within the same block, unless otherwise noted.
 - This is an AS-BUILT SURVEY unless noted.
 - Not valid unless sealed with the signature of the surveyor.
 - Flood zone determinations are provided as a courtesy only, and are derived from the best sources available to the surveyor. This information should not be relied upon for flood insurance purposes, and may differ from information provided by others.
 - L.B. 7132
- I hereby certify that this survey is a true and correct representation of a survey prepared under my direction.

Ralph Swerdlhoff Registered Land Surveyor No 3411

Swerdlhoff & Long Surveying, Inc.
 3525 W. Lake Mary Boulevard, Suite 301, Lake Mary, FL 32746
 Voice (407) 688 7631 Fax (407) 688 7691

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-655-7506



GENERAL

Parcel Id: 14-21-30-504-0000-1560
 Owner: REHOR JENNIFER
 Mailing Address: 276 N WILDERNESS PT
 City,State,ZipCode: CASSELBERRY FL 32707
 Property Address: 276 WILDERNESS PT N CASSELBERRY 32707
 Subdivision Name: DEER RUN UNIT 14B
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 0103-TOWNHOME

2006 WORKING VALUE SUMMARY

Value Method:	Market
Number of Buildings:	1
Depreciated Bldg Value:	\$82,402
Depreciated EXFT Value:	\$0
Land Value (Market):	\$20,000
Land Value Ag:	\$0
Just/Market Value:	\$102,402
Assessed Value (SOH):	\$102,402
Exempt Value:	\$25,000
Taxable Value:	\$77,402

Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	08/2004	05437	0692	\$133,000	Improved	Yes
WARRANTY DEED	02/1996	03029	1452	\$71,900	Improved	Yes
SPECIAL WARRANTY DEED	02/1995	02883	0545	\$285,000	Vacant	No
SPECIAL WARRANTY DEED	03/1993	02573	0355	\$670,900	Vacant	No
SPECIAL WARRANTY DEED	01/1992	02381	1163	\$975,000	Vacant	No
SPECIAL WARRANTY DEED	11/1987	01915	0453	\$173,500	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH):	\$1,272
2005 Tax Bill Amount:	\$1,272
Save Our Homes (SOH) Savings:	\$0
2005 Taxable Value:	\$77,616

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	20,000.00	\$20,000

LEGAL DESCRIPTION

PLATS:

LOT 156 (LESS SLY 5.5 FT) & SLY 16.83 FT OF LOT 157 DEER RUN UNIT 14B
 PB 30 PGS 78 & 79

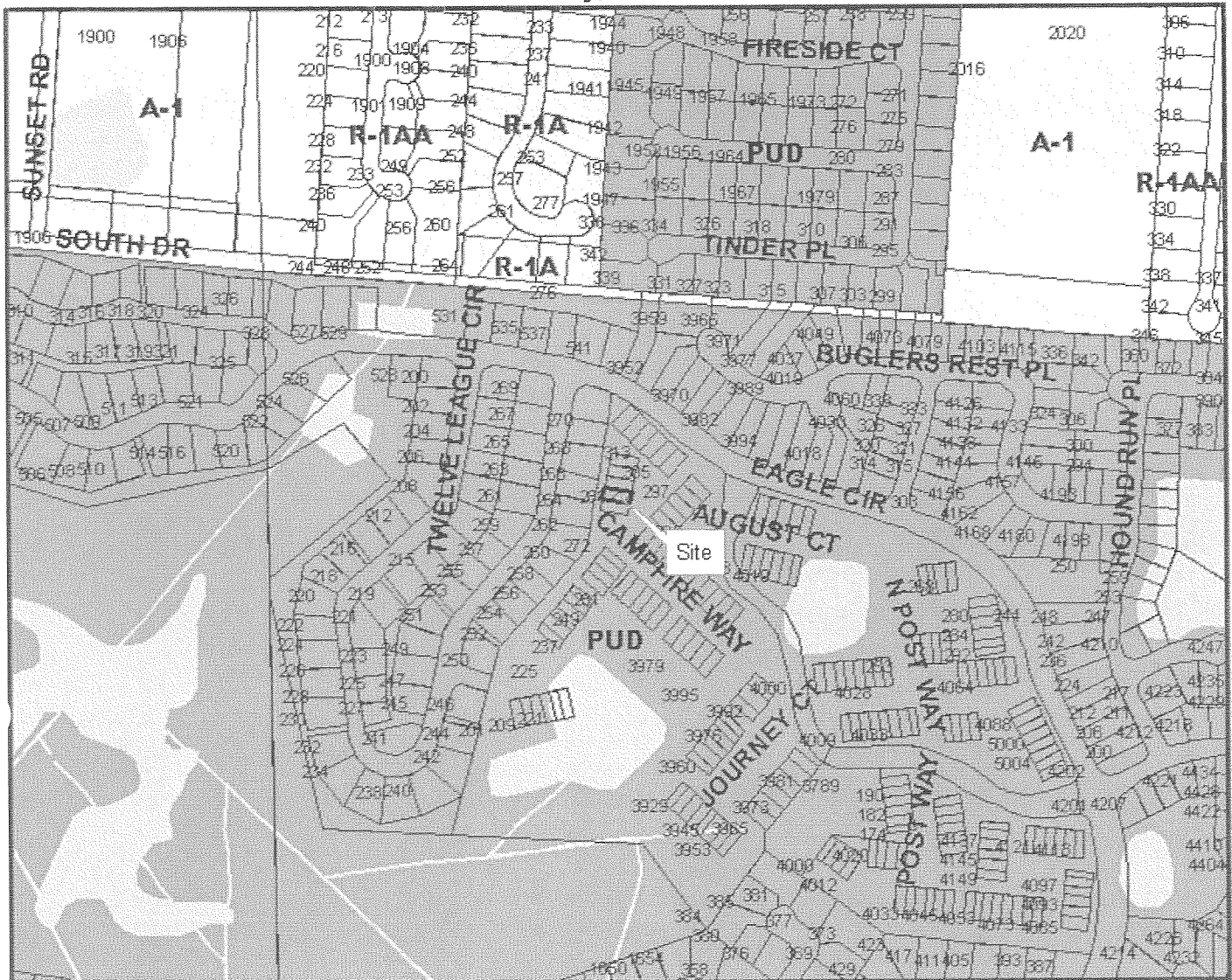
BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1996	7	1,185	1,205	1,185	CB/STUCCO FINISH	\$82,402	\$85,835

Appendage / Sqft OPEN PORCH FINISHED / 20






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.

Jennifer Rehor
 276 N. Wilderness Point
 Casselberry, FL 32707

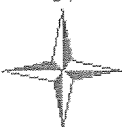


Seminole County Board of Adjustment
 December 19, 2005
 Case: BV2005-179
 Parcel No: 14-21-30-504-0000-1560

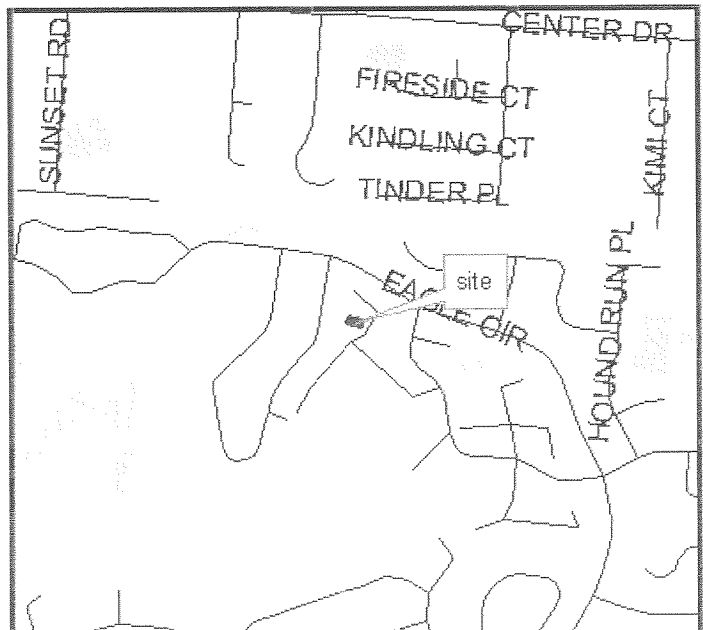
Zoning

-  A-1
-  R-1AA
-  R-1A
-  PUD
-  BV2005-179

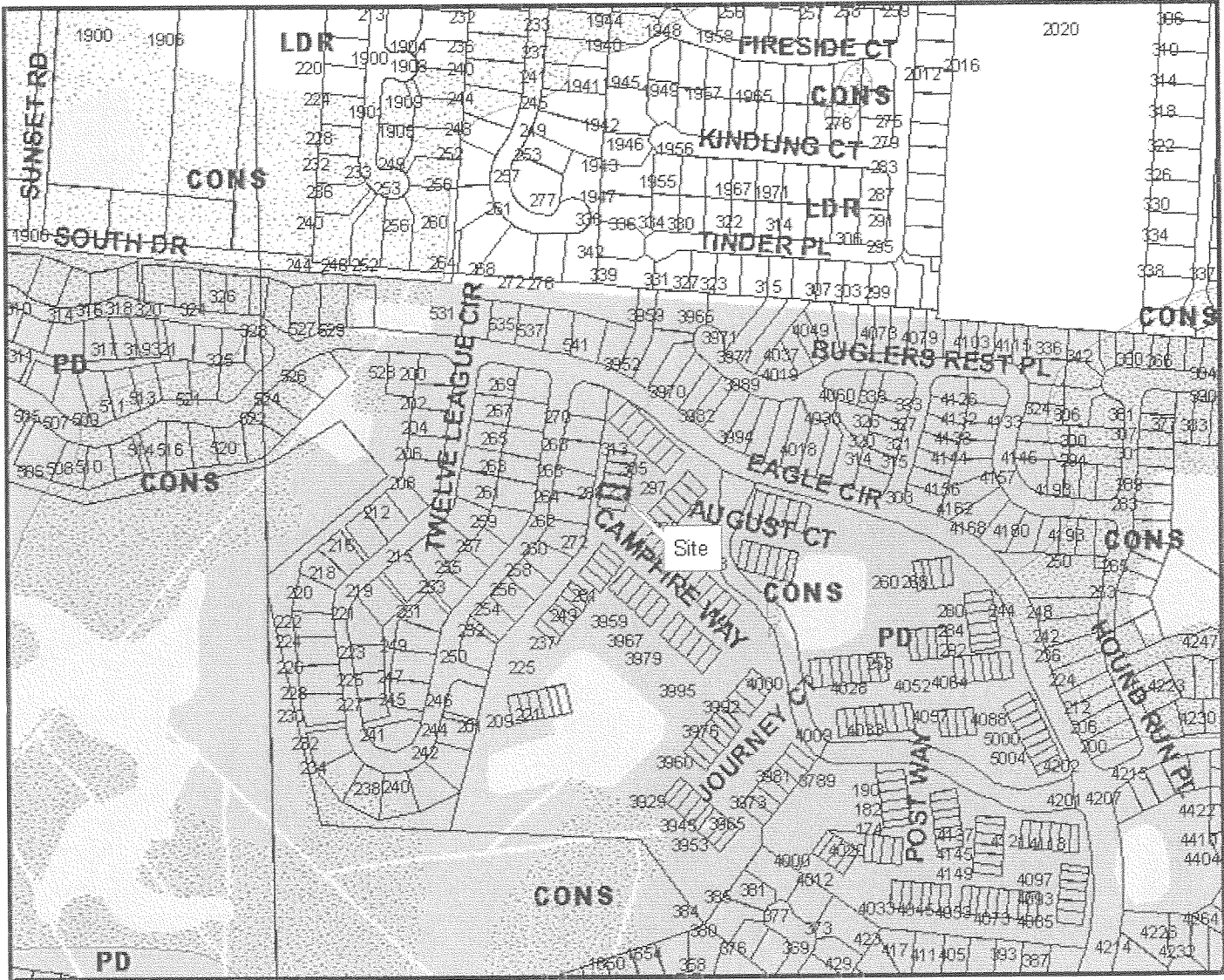
N



0 95 190 380 570 760 Feet








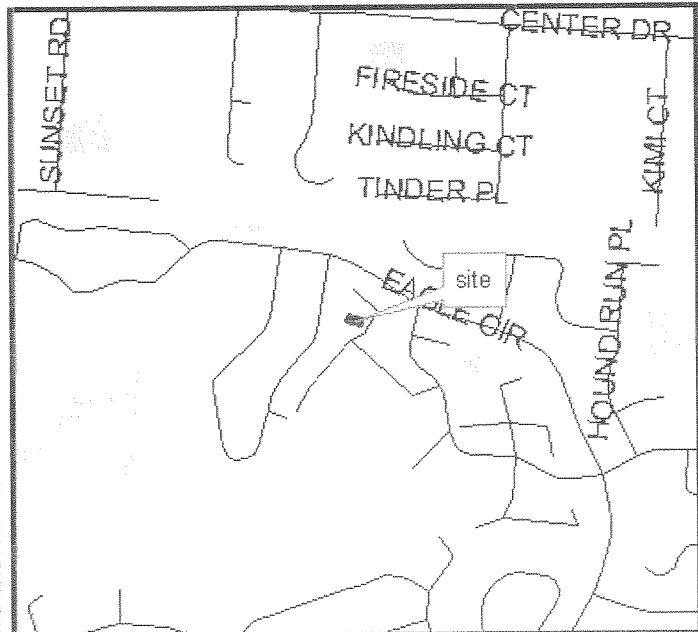
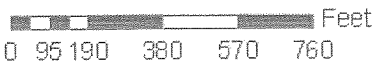
Jennifer Rehor
 276 N. Wilderness Point
 Casselberry, FL 32707



Seminole County Board of Adjustment
 December 19, 2005
 Case: BV2005-179
 Parcel No: 14-21-30-504-0000-1560

Future Land Use

-  CONS, LDR
-  CONS, PD
-  LDR
-  PD
-  BV2005-179



DEER RUN HOMEOWNERS ASSN. #14
1801 COOK AVENUE
ORLANDO FL 32806-2913
407-425-4561

NOTICE OF APPROVAL
DEER RUN HOMEOWNERS ASSN. #14

September 12, 2005

JENNIFER REHOR
276 WILDERNESS POINT NORTH
CASSELBERRY FL 32707

RE: 276 WILDERNESS POINT NORTH

Dear Owner:

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

You have been approved to install a screened patio in the back of your home.

We reserve the right to make a final inspection of the change to make sure it matches the Request you submitted for Approval. Please follow the plan you submitted or submit an additional Request form if you cannot follow the original plan.

You must follow all local building codes and setback requirements when making this change. A Building Permit may be needed. This can be applied for at the County offices.

Our approval here is only based on the aesthetics of your proposed change. This approval should not be taken as any certification as to the construction worthiness or structural integrity of the change you propose. Be aware that you are responsible for contacting the appropriate Utility Companies before digging.

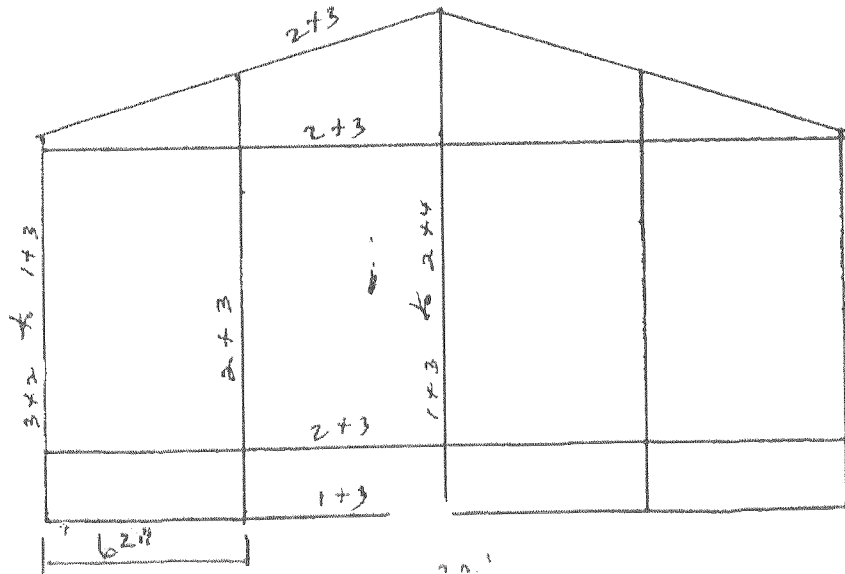
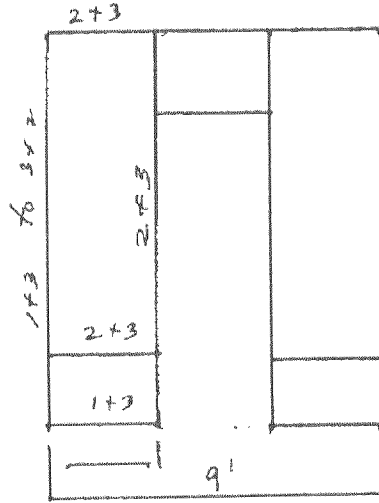
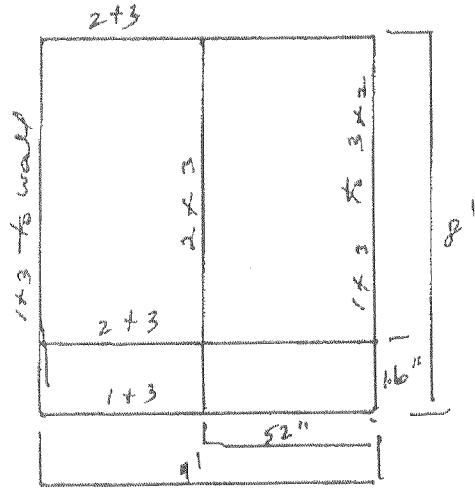
We appreciate your cooperation in submitting this Request for Approval. An attractive Community helps all of us get the full value from our homes when we decide to sell.

Sincerely,
DANA JOHNSON
Dana Johnson, LCAM



2
S/R

Job name: Rehoi
 Job number: _____
 Date: 8/19/01
 Drawn by: _____
 Scale: 1/4" = 1"



November 26, 2005

Mr. Ian Sikonia, Planner
1101 East First Street
Sanford, FL. 32771-1468

Re: **Case # BV2005-179**

Mr. Sikonia,

I have talked with neighbors in my subdivision and all of those who I was able to meet with did not object to the building of my screen patio. Most importantly, my immediate next door neighbors (those who will be able to view it) not only do not object but one has a permit pending for the building of her new screen patio as well. Attached is a list of names, addresses, telephone numbers and signatures.

In addition, I have included photos of both my property and those in my subdivision:

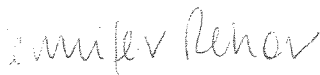
#1: This is a view of my back yard. The patio would only extend 2 feet out from the existing slab. As you can see, a screen patio will not encroach on the property of my rear neighbor due to the remaining 10 feet of grass and then the wooded common area that separates our properties.

#2 and #3: These are photos of my neighbor's house across the street. As you can see, his patio does not meet the 15 foot set back requirement and is very close to the house behind him.

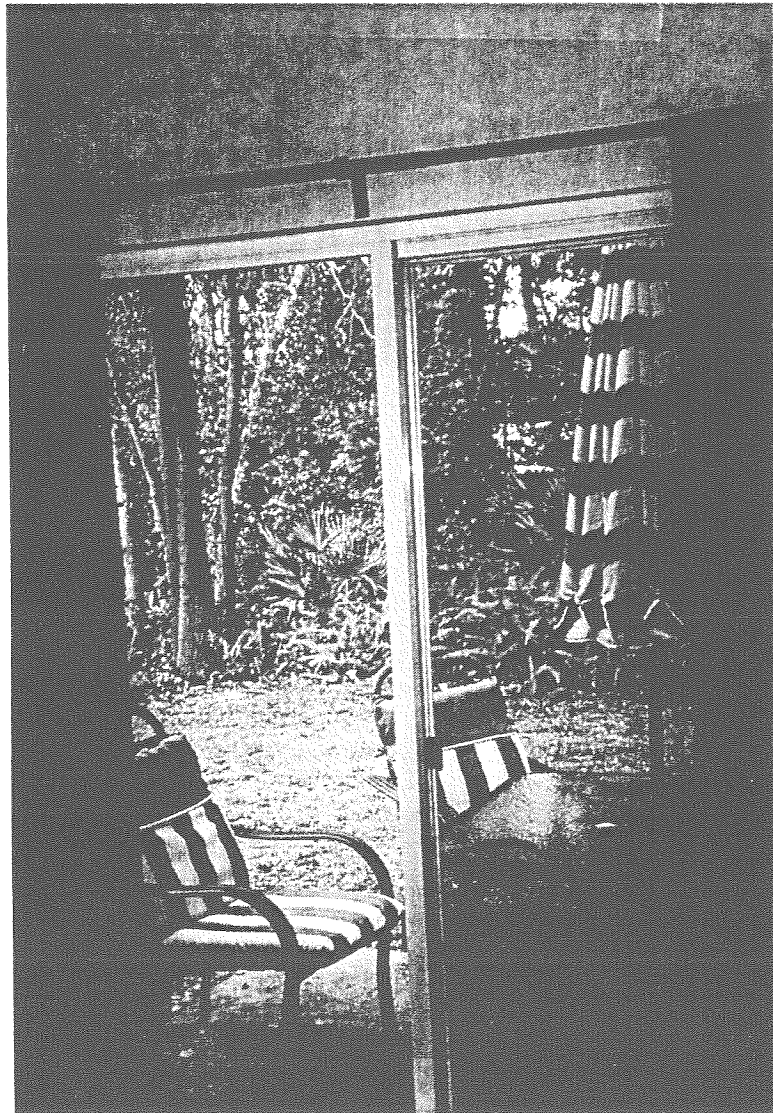
#4 and #5: These are photos of properties at the end of my cul-de-sac that have screen patios. I have been advised by a property owner that their property line is also only 10 feet from the back of their homes so they also do not meet the 15 foot set back requirement. The rest of the grassy area is common area belonging to the association.

Thank you for your time and consideration regarding this matter. If there is anything else I can do to improve the likelihood of my variance being approved, please do not hesitate to get in touch.

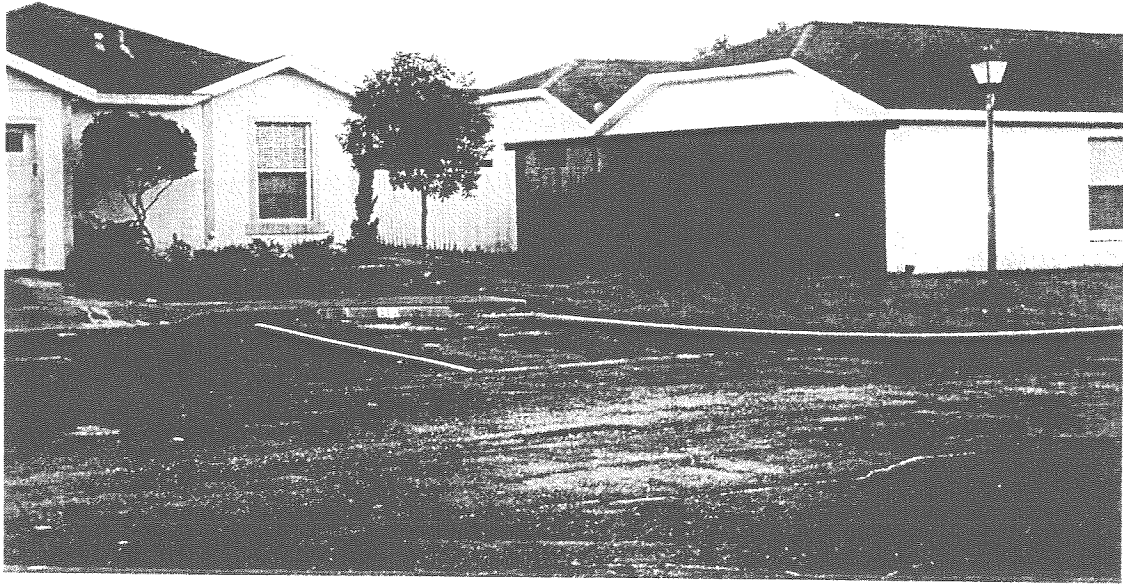
Sincerely,



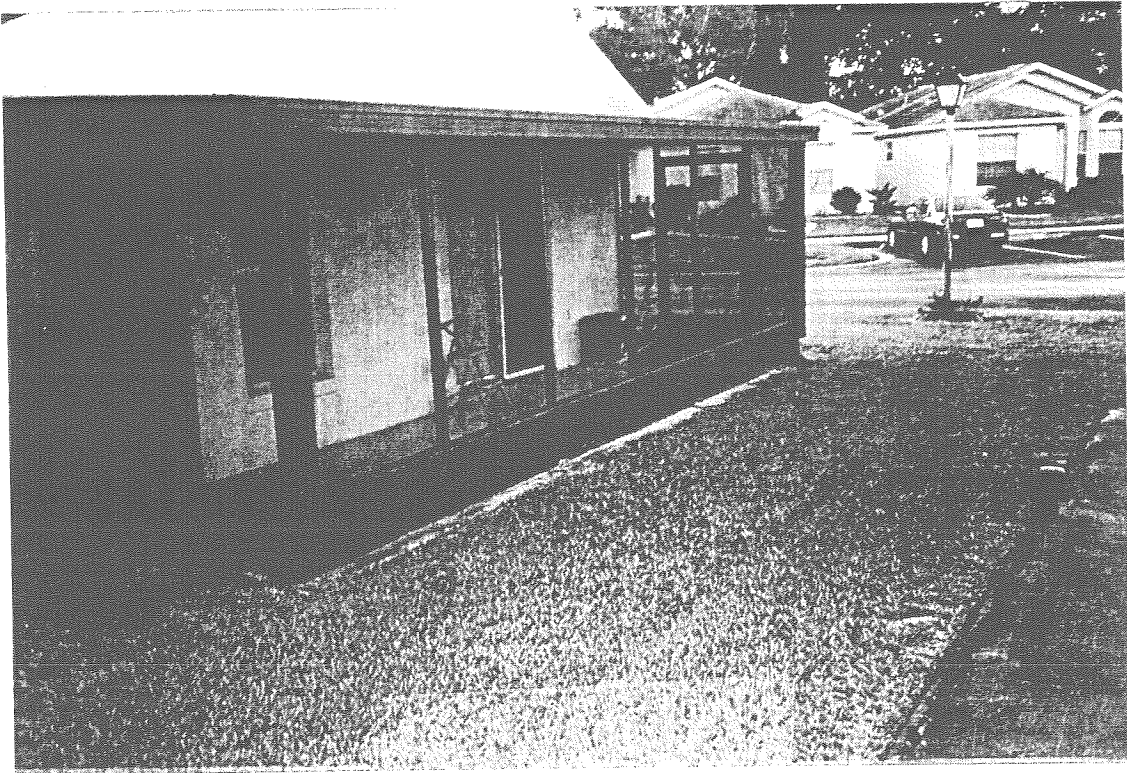
Jennifer Rehor
276 N. Wilderness Pt.
Casselberry, FL. 32707
Home: (407) 388-1734
Work: (407) 277-6030 ext 10360



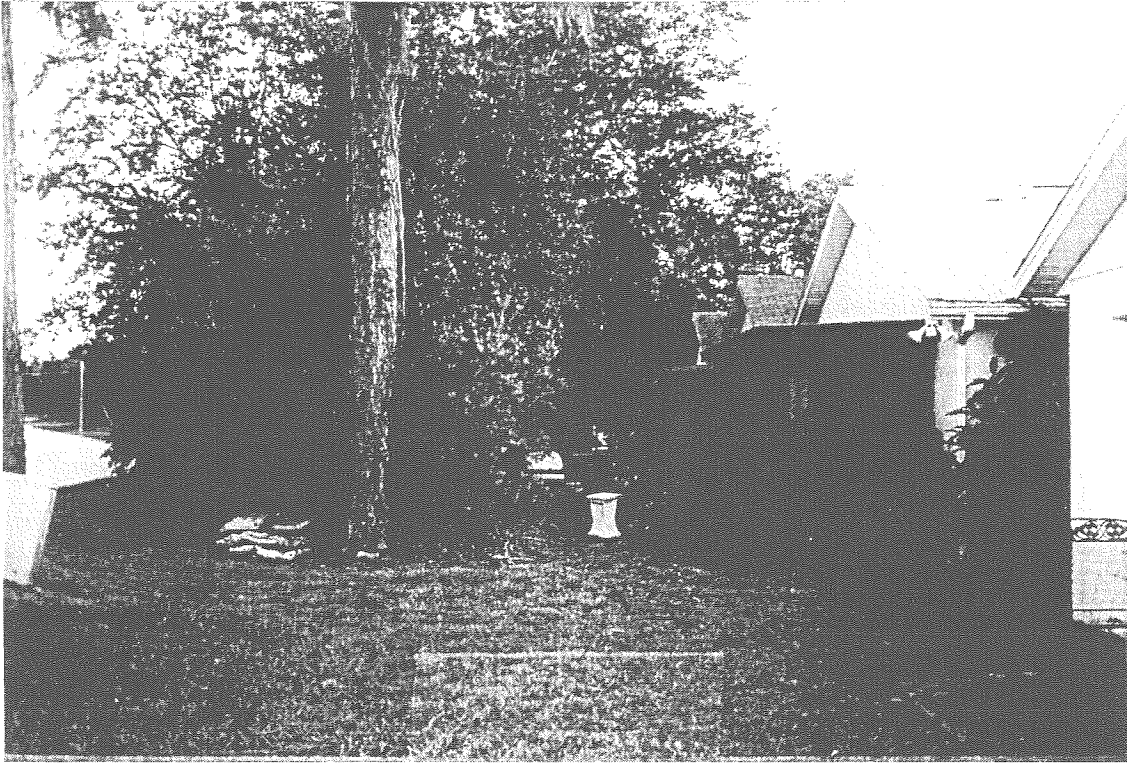
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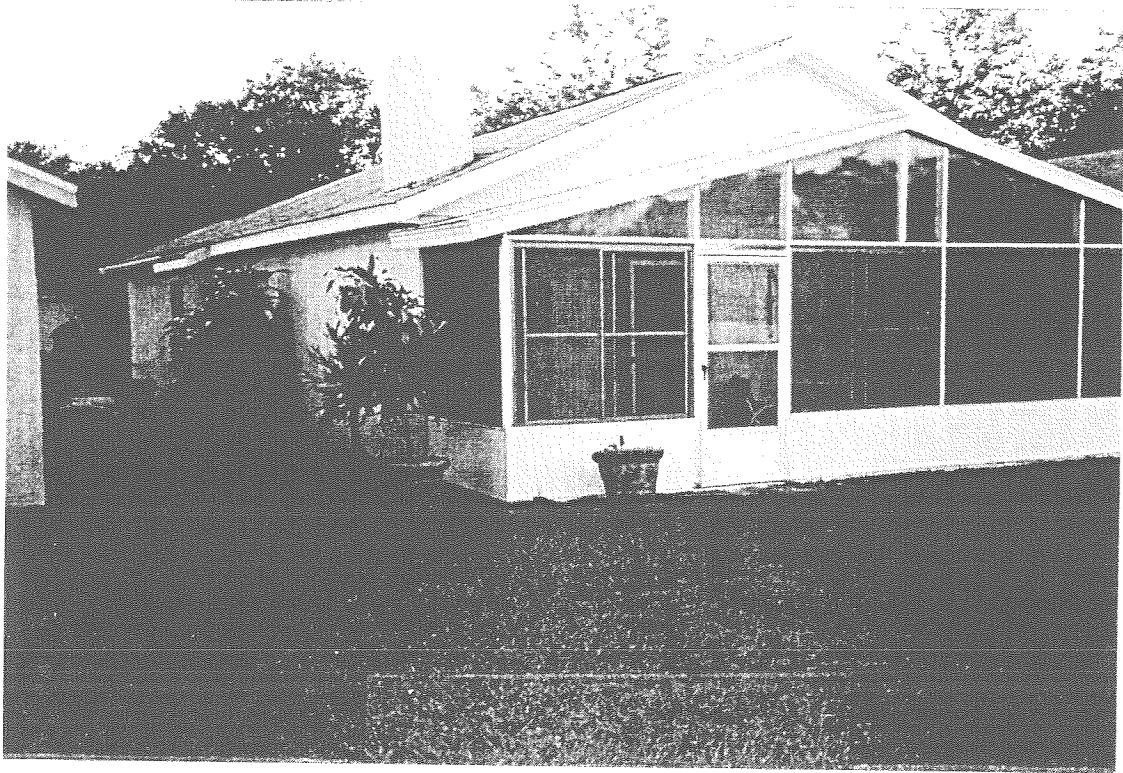
2



3



4



5

Total: 48.57 FEET Segment: 0 FEET

Layers

- Refresh Map
- County Boundary
- Townships
- Sections
- Major Roads
- Streets
- Vacated Streets
- Hydrology
- Subdivision Lines
- Parcels
- Parcel Anno
- City Limits
- County Zoning
- Future Land Use
- Natural Lands
- Sails
- FEMA
- CONTOURS
- 7IP

Measure Parcel Themes: Normal Scale Factor:

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 156 (LESS SLY 5.5 FT) & SLY 16.83 FT OF LOT 157 DEER RUN UNIT
14B PB 30 PGS 78 & 79

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

FINDINGS OF FACT

Property Owner: JENNIFER REHOR
276 N WILDERNESS POINT
CASSELBERRY, FL 32707

Site Address: 276 N WILDERNESS POINT

Requested Development Approval:

THE REQUEST FOR REAR YARD SETBACK FROM 15 FEET TO 2 FEET FOR A PROPOSED SCREEN ENCLOSURE.

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
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: _____
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: