

BV2005-200

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for side street setback from 20 feet to 3 feet for a proposed fence in the PUD (Planned Unit Development District); (Lauretta Carpino, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7444

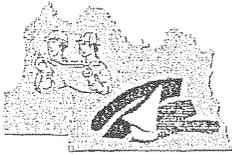
Agenda Date 01-23-06 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** the request for side street setback from 20 feet to 3 feet for a proposed fence in the PUD (Planned Unit Development District); (Lauretta Carpino, applicant).
2. **DENY** the request for side street setback from 20 feet to 3 feet for a proposed fence in the PUD (Planned Unit Development District); (Lauretta Carpino, applicant).
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Property Owner: Lauretta Carpino Location: 310 Maple Tree Lane Zoning: PUD (The Trails)
BACKGROUND REQUEST	/ <ul style="list-style-type: none"> • The applicant proposes to construct a privacy fence that would encroach 17 feet into the 20 foot side street setback. • There have been no prior variances granted to this property.
STAFF FINDINGS	<ul style="list-style-type: none"> • The applicant would retain reasonable use of their property without the granting of the variance. • The granting of the side street setback would grant the applicant special privileges that is denied to others in The Trails neighborhood. This would be the first variance granted in The Trails PUD for a side street setback. • No special conditions exist that are not applicable to other lots in the PUD.
STAFF RECOMMENDATION	Based on the stated findings staff recommends denial of the request, subject to the following conditions: <ol style="list-style-type: none"> 1. Any variance granted should apply only to the proposed fence, as depicted on the attached site plan.

	2. Any additional conditions deemed appropriate, based on information presented at the public hearing.
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COPY

APPL. NO. BV 2005-200

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** Side Street setbacks variance from 20' to 3' for proposed fence
- 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**

RECEIVED
 DEC - 9 2005
 PLANNING DIVISION

PROPERTY OWNER AUTHORIZED AGENT *

NAME	<u>LAURETTA A. CARPINO</u>
ADDRESS	<u>310 MAPLE TREE LN CHULUOTA, FL 32766</u>
PHONE 1	<u>407-312-9108</u>
PHONE 2	<u>407-206-6500 X1147</u>
E-MAIL	<u>Laurie@arcadecorp.com</u>

RECEIVED
 DEC - 9 2005
 PLANNING DIVISION

PROJECT NAME: _____

SITE ADDRESS: 310 Maple Street Chulokta, FL 32766

CURRENT USE OF PROPERTY: Single-Family Residence

LEGAL DESCRIPTION: Lot 134 Trails UNIT 1 PB 62 PGS 59-64

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 21-21-32-505-0000-1340

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 12/23/06 (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.

Laurie A. Carpio

SIGNATURE OF OWNER OR AGENT*

12.9.05

DATE

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): B 150 COMMISSION DISTRICT 1 FLU/ZONING PUD/PD

BCC HEARING DATE _____ (FOR APPEAL)

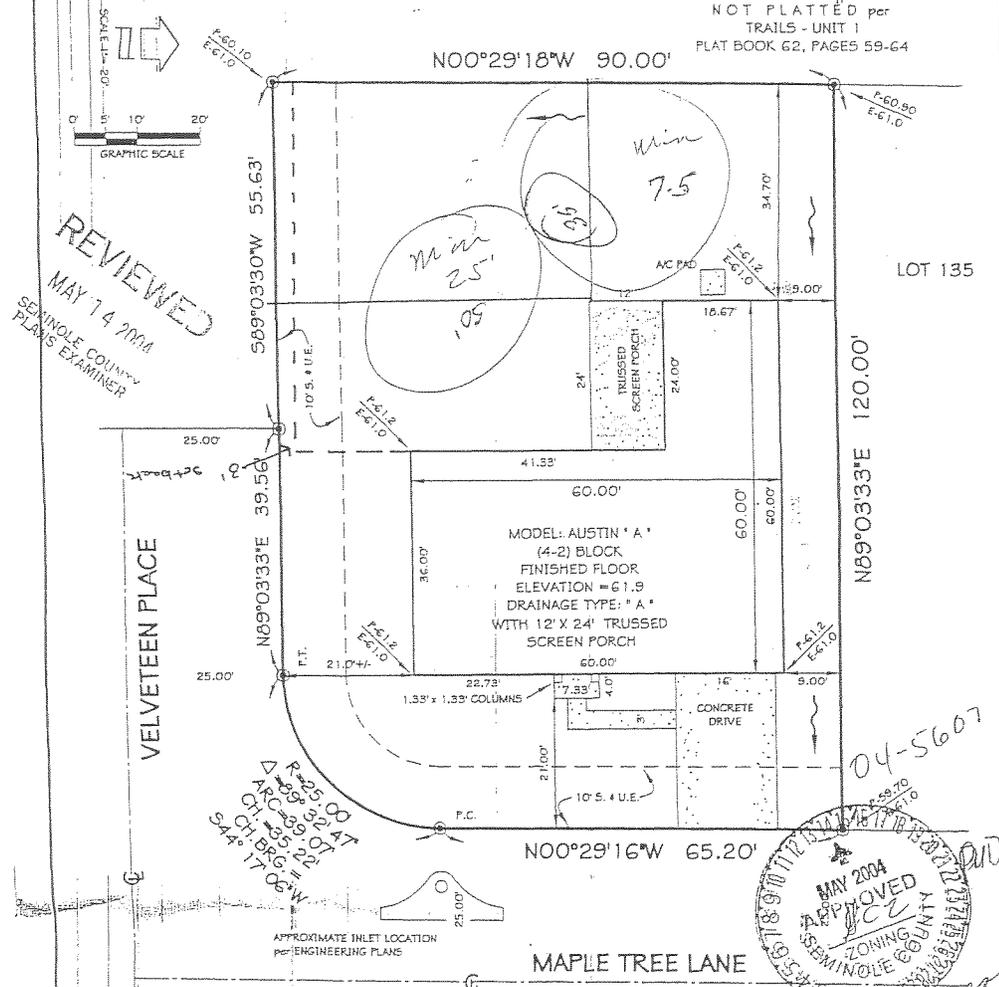
LOCATION FURTHER DESCRIBED AS west side of Maple Tree Ln @ intersection
of Maple Tree Ln + Velvetreen Place.

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____

TO: MARONDA HOMES, INC. 4-6-04
 DESCRIPTION: LOT 134, TRAILS - UNIT 1
 RECORDED IN PLAT BOOK 62 PAGE(S) 59 thru 64 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

NOT PLATTED per
 TRAILS - UNIT 1
 PLAT BOOK 62, PAGES 59-64



REVIEWED
 MAY 14 2004
 SEMINOLE COUNTY
 PLANS EXAMINER

04-5607
 MAY 2004
 APPROVED
 ZONING
 SEMINOLE COUNTY

F.H.A. PLOT PLAN
 P - DENOTES PROPOSED ELEVATION PER ENGINEERING PLANS.
 E - DENOTES EXISTING ELEVATION PER ENGINEERING PLANS.

- NOTES:
- BEARINGS ARE BASED ON THE CENTERLINE OF MAPLE TREE LANE BEING N00°29'16\"/>

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. 120285 0180 D EFFECTIVE DATE: APRIL 17, 1995 MAP REVISION DATE: (SUBJECT TO CHANGE)

BUILDING SETBACKS
 FRONT: 20'
 REAR: 20'
 SIDE: 5'
 SIDE STREET: 20'
 BUILDING LINE: 70'

THE UNDERSIGNED AND CAVONE, INC. LAND SURVEYORS AND MAPPERS MAKE NO RESERVATIONS OR 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	CONC - CONCRETE	W.E. - WALL EASEMENT
R - RADIUS	P.I. - POINT OF INTERSECTION	L.S. - LAND SURVEYOR	P.R.C. - POINT OF REVERSE CURVATURE
CH - CHORD	P.C. - POINT OF CURVATURE	O.R. - OFFICIAL RECORDS	P.C.C. - POINT OF COMPOUND CURVATURE
ARC - ARC LENGTH	L.B. - LICENSED BUSINESS	CH.BRG. - CHORD BEARING	S.W.U.E. - SIDEWALK & UTILITY EASEMENT
C - CENTERLINE	A/C - AIR CONDITIONER PAD	Δ - DELTA (CENTRAL ANGLE)	D.U.&S.E. - DRAINAGE, UTILITY & SIDEWALK EASEMENT

CAVONE, INC.
 LAND SURVEYORS AND MAPPERS
 300 SOUTH RONALD REAGAN BOULEVARD
 LONGWOOD, FLORIDA 32750-5499
 TELEPHONE (407) 830-8080
 FAX No. (407) 339-3636
 E-MAIL: CAVONE @ CFLRR.COM

THIS SURVEY NOT VALID UNLESS EMBOSSED WITH THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
Donna F. Cavone
 DONNA F. CAVONE - PRESIDENT
 FLORIDA SURVEYOR & MAPPER NUMBER 2005
 LICENSED BUSINESS NUMBER 5073

REVISION	DATE	DRAWN

PLOT PLAN 1-23-2004 NK

<p>PARCELS DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																				
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 21-21-32-505-0000-1340</p> <p>Owner: CARPINO LAURETTA A</p> <p>Mailing Address: 310 MAPLE TREE LN</p> <p>City,State,ZipCode: CHULUOTA FL 32766</p> <p>Property Address: 310 MAPLE TREE LN CHULUOTA 32766</p> <p>Subdivision Name: TRAILS UNIT 1</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$145,149</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$24,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$169,149</p> <p>Assessed Value (SOH): \$169,149</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$144,149</p> <p>Tax Estimator</p>																																																		
<p style="text-align: center;">SALES</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> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>SPECIAL WARRANTY DEED</td> <td>07/2004</td> <td>05401</td> <td>1538</td> <td>\$185,700</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	SPECIAL WARRANTY DEED	07/2004	05401	1538	\$185,700	Improved	Yes	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,374</p> <p>2005 Tax Bill Amount: \$2,374</p> <p>Save Our Homes (SOH) Savings: \$0</p> <p>2005 Taxable Value: \$144,882</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																				
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<p>NOTE: 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>																																																				

THE TRAILS OF SEMINOLE HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL REVIEW BOARD

DATE: 11.16.05 LOT # 134 PHASE # _____

PROPERTY OWNER: LAURETTA CARPINO

PROPERTY ADDRESS: 310 MAPLE TREE LN

MAILING ADDRESS (if different): _____

TELEPHONE 407.312.9108 FAX _____

Architectural Review application for:

- Swimming pool
- Landscaping
- Other: _____
- Exterior paint colors
- Fencing

ATTACHMENTS FROM PROPERTY OWNER:

- written request describing addition, change or installation
- property survey showing where addition or installation is to be located
- specifications (copies of plans indicating dimensions, materials made of, color, etc.)
- other (i.e., paint chip color samples, pictures, brochure)

NOTE: Please be advised that work cannot be started until the ARC has provided a written approval of the application.

FOR USE BY THE ARCHITECTURAL REVIEW BOARD

request rec'd _____ forwarded to ARB _____ to owner _____

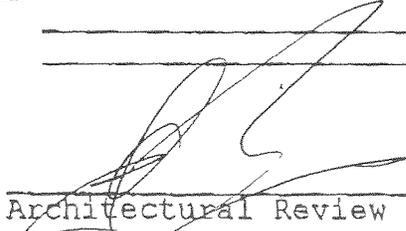
The ARB's decision on the plans submitted is as follows:

APPROVED with the following comments:

- 1) must conform to all local zoning and building regulations. And you must obtain any permits that are required.
- 2) _____

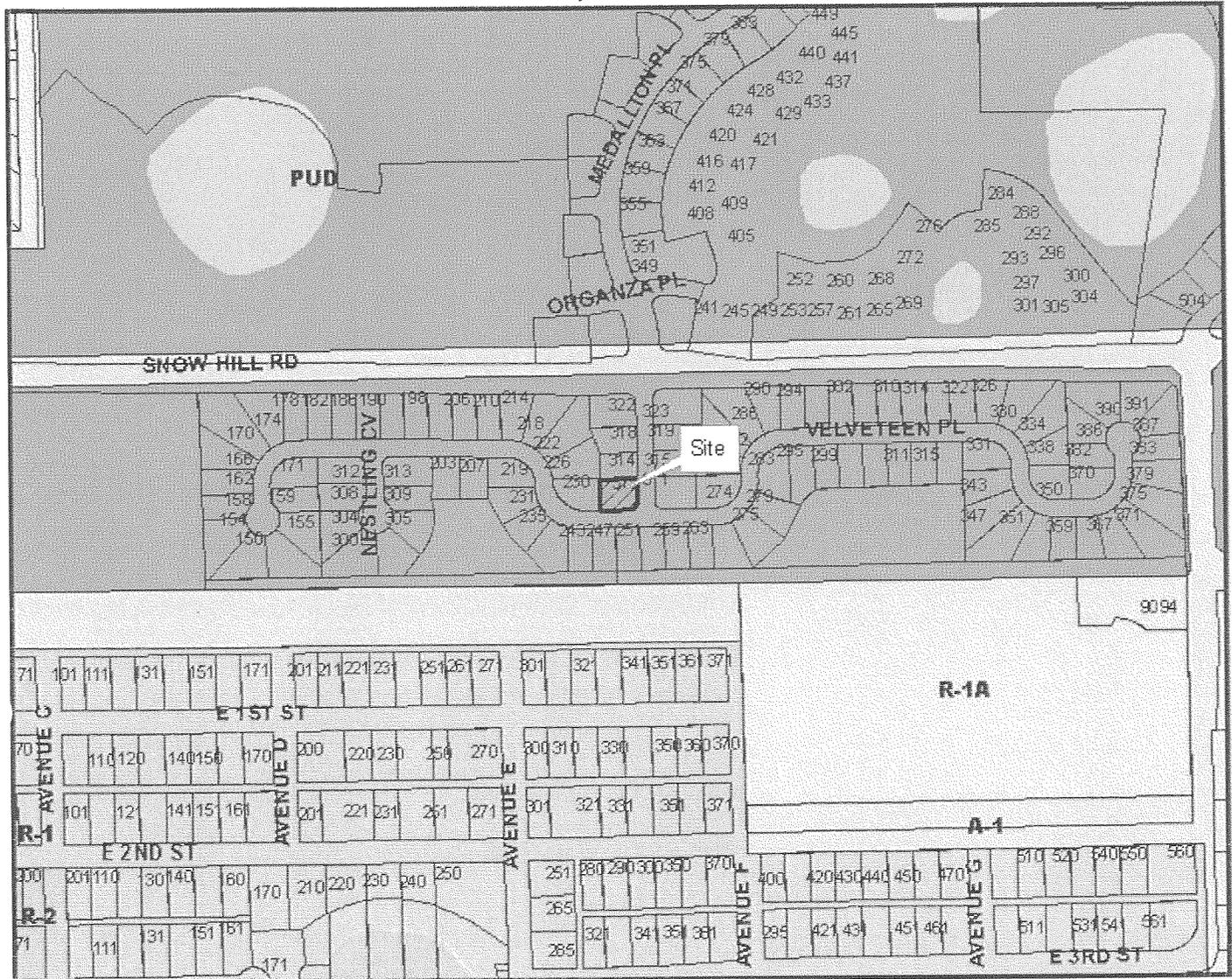
DENIED

INFORMATION RECEIVED IS INCOMPLETE--required information is:

BY:  Architectural Review Board

11/23/05
date

Lavretta Carpino
 310 Maple Street
 Chuluota, FL 32766

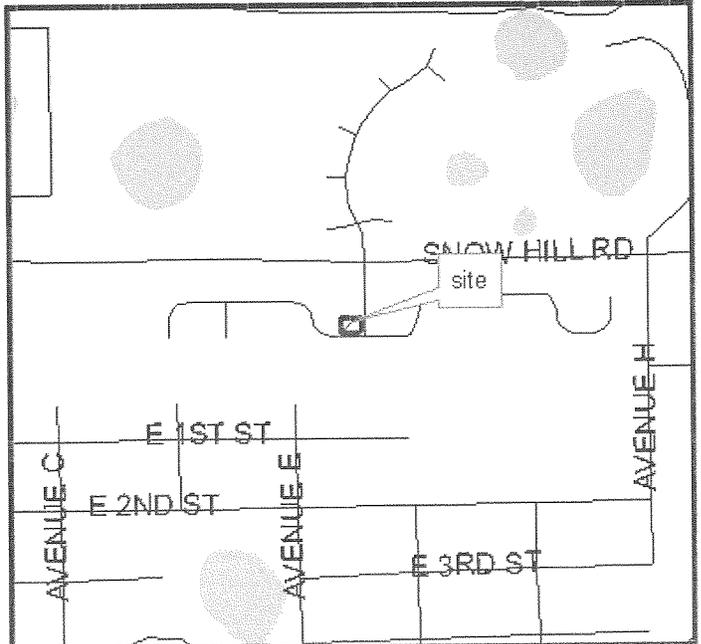


Seminole County Board of Adjustment
 January 23, 2005
 Case: BV2005-200
 Parcel No: 21-21-32-505-0000-1340

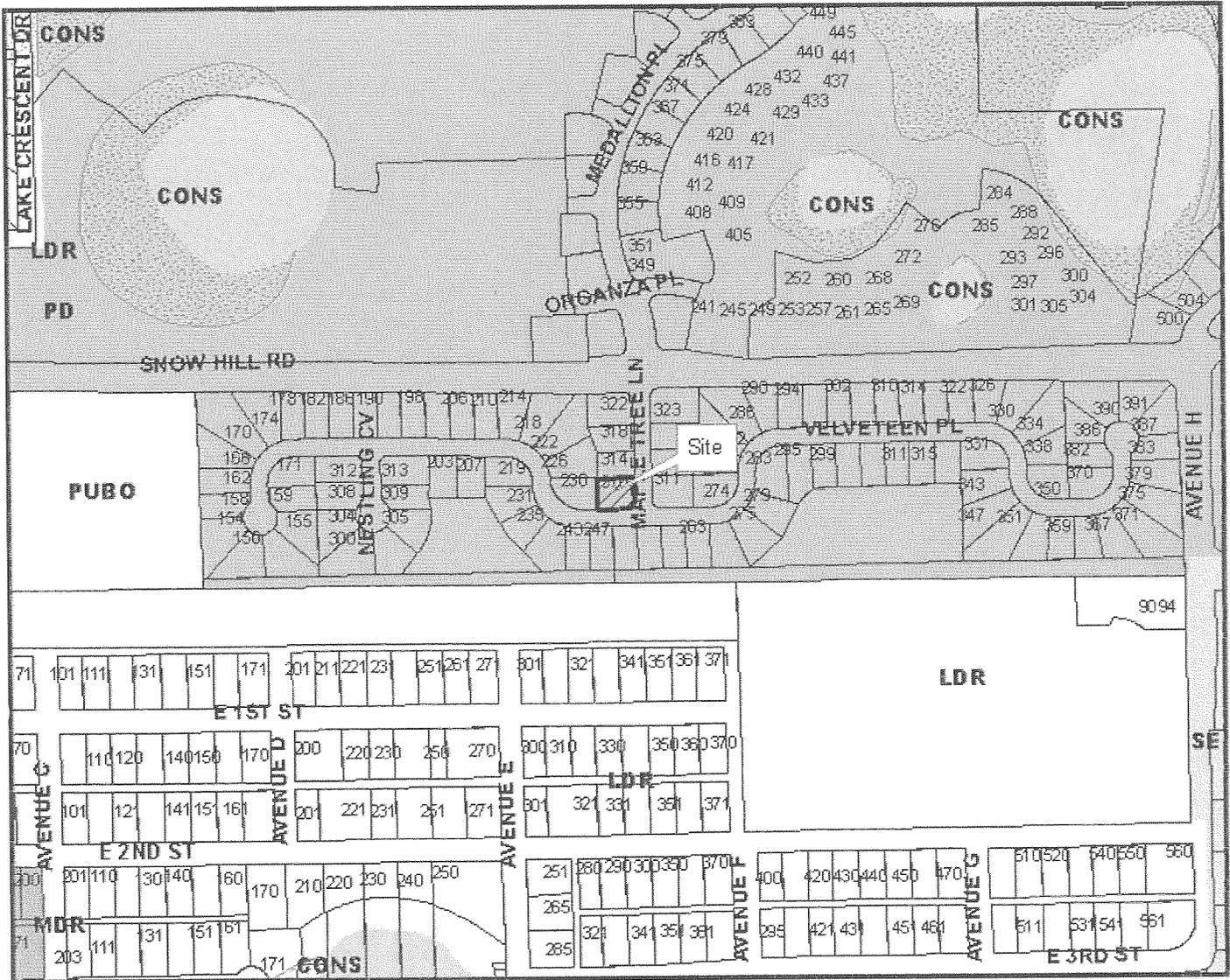
Zoning

- A-1
- R-1A
- R-1
- R-2
- PUD
- BV2005-200

0 85 170 340 510 680 Feet



Lavretta Carpino
 310 Maple Street
 Chuluota, FL 32766

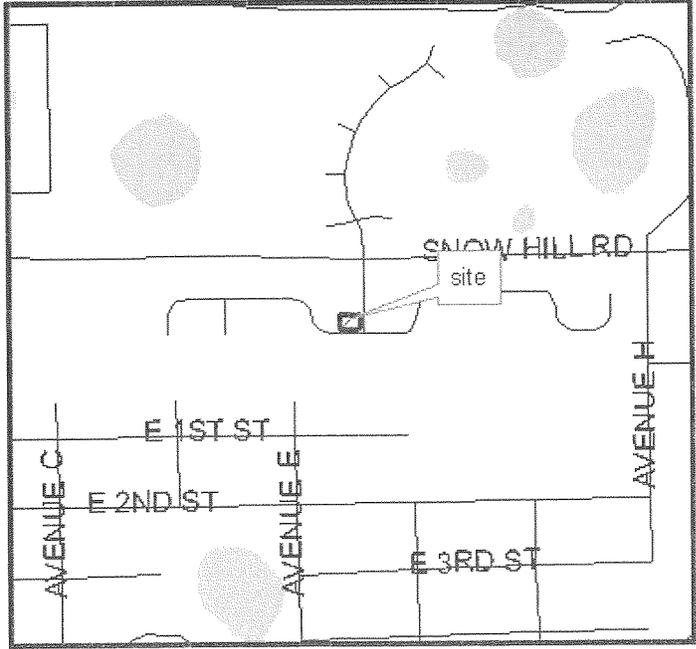


Seminole County Board of Adjustment
 January 23, 2005
 Case: BV2005-200
 Parcel No: 21-21-32-505-0000-1340

Future Land Use

	CONS, LDR		SE
	CONS, MDR		LDR
	CONS, HDR		MDR
	CONS, PD		PD
	PUBO		BV2005-200

0 85 170 340 510 680 Feet



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 23, 2006, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 134 TRAILS UNIT 1 PB 62 PGS 59 & 64

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

FINDINGS OF FACT

Property Owner: LAURETTA CARPINO
310 MAPLE TREE LANE
CHULUOTA, FL 32766

Site Address: 310 MAPLE TREE LANE

Requested Development Approval:

Request for side street setback from 20 feet to 3 feet for a proposed fence in the Trails 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: Kathy Fall
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 FENCE, 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, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: