

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for rear yard setback variance from 5 feet to 0 feet for a proposed pool screen enclosure in the PUD (Planned Unit Development District); (Aimee Gonzalez, Applicant).

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

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

Agenda Date 02/27/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** Request for rear yard setback variance from 5 feet to 0 feet for a proposed pool screen enclosure in the PUD (Planned Unit Development District); (Aimee Gonzalez, applicant); or
2. **DENY** Request for rear yard setback variance from 5 feet to 0 feet for a proposed pool screen enclosure in the PUD (Planned Unit Development District); (Aimee Gonzalez, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Aimee Gonzalez LOCATION: 651 Queensbridge Drive ZONING: PUD (Planned Development District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a pool screen enclosure that would encroach 5 feet into the 5 foot minimum rear yard setback for an existing pool. The existing pool deck lies within inches of the rear property line. • The applicant has received approval from the Greenwood Lakes D3C Homeowners Association for the proposed pool on January 13, 2006. • There is no record of prior variances having been granted for this property.

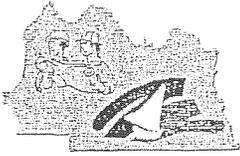
STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district. An existing concrete deck does not justify a hardship. Building permits are not required for concrete decking. Only when the deck is covered or walled is it considered a structure.• The applicant would retain reasonable use of the property without the requested variance.
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 pool 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.

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 18, 19 TWP: 20 RNG: 30
 PROJ. #

DEVELOPMENT: Greenwood Lakes Unit D-3C		DEVELOPER: Catalina Homes	
LOCATION: N side of Green Way Boulevard, W side of F.P.C. easement		150 lots	
FILE#:	BA:	SP:	BCC: 11/25/86
P&Z:			
PB	39	PG	70-76 Lot
		Bik	Parcel
		DBA	Comm Dist
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS:		SETBACK REQUIREMENTS	
		FY: 20'	SY: *0'
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER: *7' min. between buildings. Minimum dwelling size: 650 sq. ft.	
COMMENTS OTHER: *Intersection Improvements: Greenway Boulevard, left turn lanes required. 1) The wall adjacent to unit D-3A must be continued adjacent to this subdivision. Not flood prone.		ACCESSORY STRUCTURE SETBACKS:	
		SY: same as main structure	RY: 5'
		ACCESSORY STRUCTURE OTHER: Note: Fireplaces or walls may encroach setbacks a maximum of 30'	

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	12
LAND USE:	1
1. ROAD-CO. WIDE	V-\$250.00
2. ROAD-COLL.	V-0
3. LIBRARY	V-\$25.00
4. FIRE	V-\$10.00
5. PARK	C-\$25.00
6. SCHOOL	V-\$300.00
7. LAW	C-\$50.00
8. DRAINAGE	
TOTAL	\$660.00
REMARKS: curb and gutter; sidewalks	
<div style="font-size: 2em; font-family: cursive;"> BY Fri Feb 27th meeting </div>	



COPY

APPL. NO. BV2006-016

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 Set Back Variance 5' to 0' for a pool screen enclosure
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- MEDICAL HARDSHIP
- NIGHT WATCHMAN
- FAMILY HARDSHIP
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV _____
- TIME NEEDED _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *	
NAME	<u>Timee Gonzalez</u>	<u>All My Sons Aluminum</u>	
ADDRESS	<u>1251 Queensbridge Dr Lake Mary FL 32746</u>	<u>* Doreen Thompson* (contact person) 1513 W. Broadway St Orlando FL 32765</u>	
PHONE 1	<u>407 3126348</u>	<u>407 9770602</u>	
PHONE 2		<u>977 0614 Fax</u>	
E-MAIL			

PROJECT NAME: Gonzalez 2
 SITE ADDRESS: 1251 Queensbridge Dr LAKE Mary FL 32746
 CURRENT USE OF PROPERTY: leisure
 LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 19-20-30-511-0300-0010
 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 2, 28, 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.

 SIGNATURE OF OWNER OR AGENT* 1/11/06
DATE

PLAT OF SURVEY

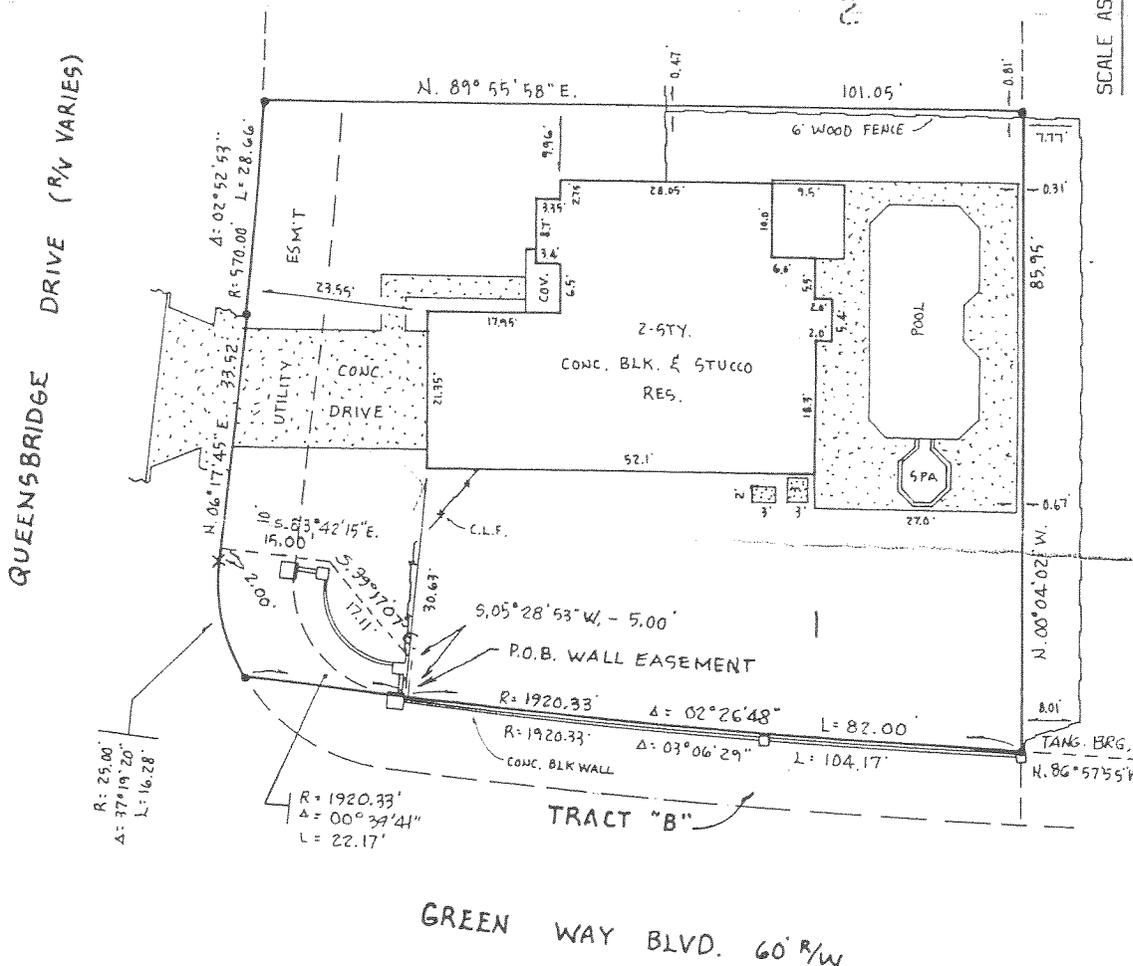
for

AIMEE GONZALEZ
Legal Description

Lot 1, Block 3, GREENWOOD LAKES UNIT D-3 "C", according to the plat thereof recorded in Plat Book 39, Pages 70 through 76, of the Public Records of Seminole County, Florida

PROPOSED WALL EASEMENT:

From the Southeast Corner of Lot 1, Block 3, GREENWOOD LAKES UNIT D-3 "C", according to the plat thereof as recorded in Plat Book 39, Pages 70 through 76, of the Public Records of Seminole County, Florida, said point being on a curve concave Northerly, having a radius of 1920.33 feet and a tangent bearing of N.86°57'55"W. at said point, thence run Westerly, along the arc of said curve and along the South Line of said Lot 1, Block 3, 82.00 feet through a central angle of 02°26'48" for a POINT OF BEGINNING; thence continue Westerly, along the arc of said curve and said South Line, 22.17 feet through a central angle of 00°39'41" to the Southwest Corner of said Lot 1, Block 3; thence run Northerly, along the West Line of said Lot 1, Block 3, and along a curve concave Easterly and having a radius of 25.00 feet, 16.28 feet through a central angle of 37°19'20" to the Point of Tangency; thence run N.06°17'45"E., along said West Line, 2.00 feet; thence run S.83°42'15"E. 15.00 feet; thence run S.39°17'07"E. 17.11 feet; thence run S.05°28'53"W. 5.00 feet to the Point of Beginning.



SCALE AS NOTED

GREEN WAY BLVD. 60' R/W

1" = 20'

● - INDICATES IRON & CAP # 3382 (SET)
X - INDICATES "X" SET IN CONC.

SURVEY NOTES:

- 1) The street address of the above described property is 651 QUEENSBRIDGE DRIVE.
- 2) The above described property lies in a Flood Zone X.

SURVEYOR'S CERTIFICATE

This is to certify that I have made a Survey of the above described property and that the plat hereon delineated is an accurate representation of the same. I further certify that this Survey meets the Minimum Technical Standards set forth by the Florida Board of Land Surveyors pursuant to Section 427.027 of the Florida Statutes.

REVISIONS:	 KITNER SURVEYING, INC. R. BLAIR KITNER - P.L.S. NO. 3382 Post Office Box 823, Sanford, Fl. 32772-0823 (407) 322-2000	CERTIFIED CORRECT TO:
PROJECT NO: 99-233		AIMEE GONZALEZ ABSOLUTE TITLE AGENCY FIDELITY NATIONAL TITLE INS. CO. OF NEW YORK NATIONSBANC MORTGAGE CORPORATION
SURVEY DATE: 12 MAY 1999		

<p>PARCEL 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: 19-20-30-511-0300-0010 Owner: GONZALEZ AIMEE & Own/Addr: VALENCIA JULIO P Mailing Address: 651 QUEENSBRIDGE DR City,State,ZipCode: LAKE MARY FL 32746 Property Address: 651 QUEENSBRIDGE DR LAKE MARY 32746 Subdivision Name: GREENWOOD LAKES UNIT D-3C Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$140,892 Depreciated EXFT Value: \$9,760 Land Value (Market): \$29,000 Land Value Ag: \$0 Just/Market Value: \$179,652 Assessed Value (SOH): \$130,074 Exempt Value: \$25,000 Taxable Value: \$105,074 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>WARRANTY DEED</td> <td>02/2005</td> <td>05650</td> <td>0760</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1999</td> <td>03672</td> <td>0142</td> <td>\$135,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1997</td> <td>03201</td> <td>0282</td> <td>\$127,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1990</td> <td>02167</td> <td>0768</td> <td>\$102,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1989</td> <td>02095</td> <td>1330</td> <td>\$626,600</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	02/2005	05650	0760	\$100	Improved	No	WARRANTY DEED	05/1999	03672	0142	\$135,000	Improved	Yes	WARRANTY DEED	02/1997	03201	0282	\$127,000	Improved	Yes	WARRANTY DEED	03/1990	02167	0768	\$102,500	Improved	Yes	WARRANTY DEED	08/1989	02095	1330	\$626,600	Vacant	No	<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,547 2005 Tax Bill Amount: \$1,660 Save Our Homes (SOH) Savings: \$887 2005 Taxable Value: \$101,285 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																									
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Lot 83 - side street so Toll for Price

Doreen Thompson
 1513 W. Broadway St.
 Oviedo, FL 32765



Seminole County Board of Adjustment
February 27, 2006
Case: BV2006-016
Parcel No: 19-20-30-511-0300-0010

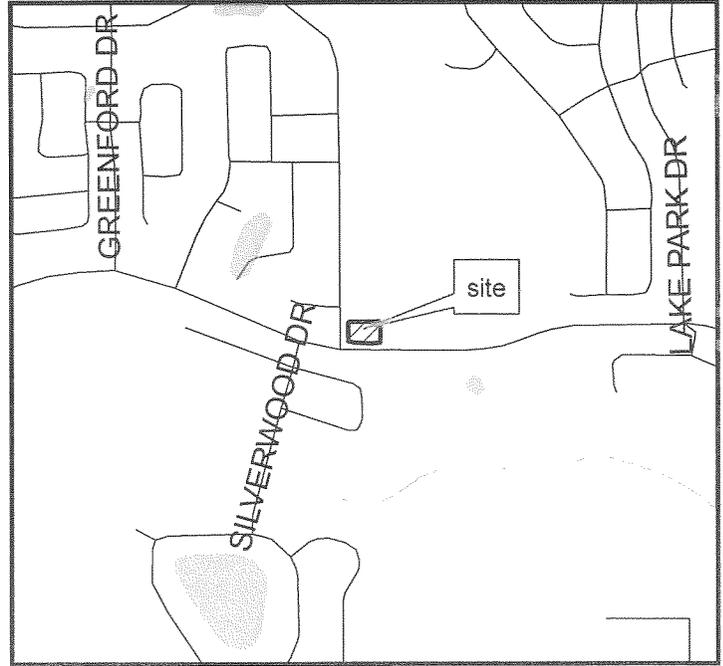
Zoning

-  BV2006-016_Zon
-  PUD

N



0 85 170 340 510 680 Feet



January 20,2006

To whom it may concern:

I, Aimee Gonzalez residing at 651 Queensbridge Dr. Lake Mary, Fl. 32746, authorize Doreen , from "All my son's aluminum, Inc." to pick up the placement card for the construction of my new pool enclosure

Sincerely



Aimee Gonzalez
651 Queensbridge Dr.
Lake Mary, fl. 32746

Application # Variance:
BV200616

Attention: Ms. Patricia Jonhson
Fax: (407) 665-7385

GREENWOOD LAKES D3C H.O.A. INC.
P.O. Box 950513, Lake Mary, FL. 32795-0513

January 13, 2006

Re: Approval for screen enclosure over pool, 651 Queensbridge Dr.

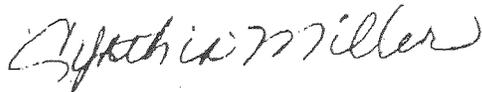
Dear Julio Valencia & Aimee Gonzalez,

The Board appreciates your effort to work within the Covenants, Conditions, and Restrictions of the Greenwood Lakes D3C Homeowner's Association.

Your proposed Screen Enclosure over your pool, has been approved by the Board of Directors.

We greatly appreciate all your efforts.

Respectfully Yours,



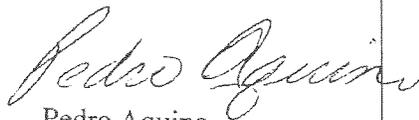
Board of Directors D3C Homeowner's Association

January 20,2006

To whom it may concern:

I am the neighbor, of the Valencia's family at 651
Queensbridge Dr. Lake Mary, fl. 32746., and they informed me, about a construction of
their new pool enclosure, for which I feel happy about their new home improvement and
wish them the best .

Sincerely



Pedro Aquino
647 Queensbridge Dr.
Lake Mary, fl. 32746

GREENWOOD LAKES UNIT D-3 "C"

A SUBDIVISION IN SECTION 18 & 19, TOWNSHIP 20 SOUTH,
RANGE 30 EAST, SEMINOLE COUNTY, FLORIDA

UNPLATTED LAND

UNPLATTED LAND

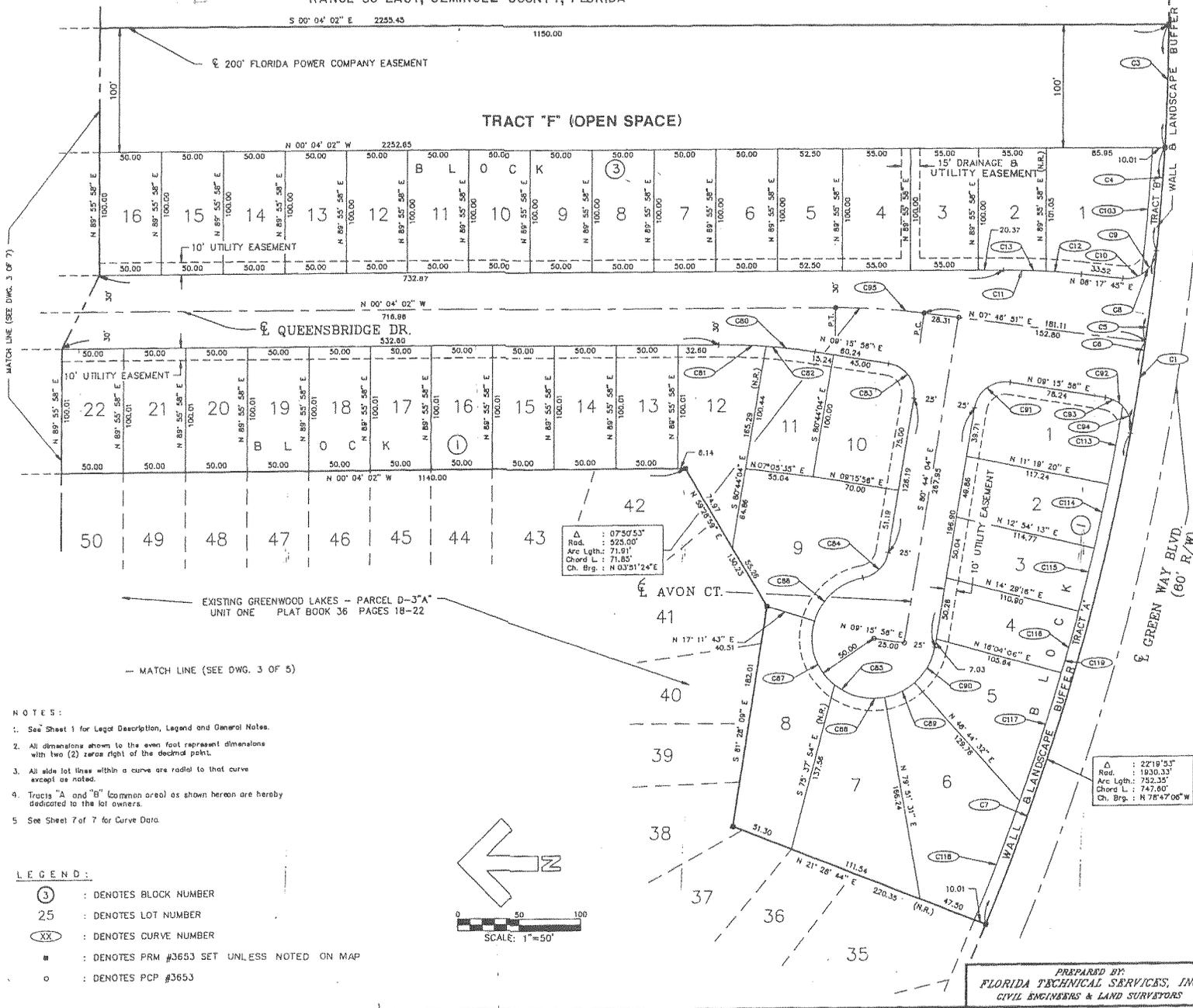
NORTH R/W

S 00° 04' 02" E 2252.85
1150.00

200' FLORIDA POWER COMPANY EASEMENT

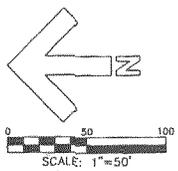
TRACT "F" (OPEN SPACE)

LANDSCAPE BUFFER
WALL



- NOTES:
1. See Sheet 1 for Legal Description, Legend and General Notes.
 2. All dimensions shown to the even foot represent dimensions with two (2) zeros right of the decimal point.
 3. All side lot lines within a curve are radial to that curve except as noted.
 4. Tracts "A" and "B" (common area) as shown hereon are hereby dedicated to the lot owners.
 5. See Sheet 7 of 7 for Curve Data.

- LEGEND:
- ③ : DENOTES BLOCK NUMBER
 - 25 : DENOTES LOT NUMBER
 - XX : DENOTES CURVE NUMBER
 - : DENOTES PRM #3653 SET UNLESS NOTED ON MAP
 - : DENOTES PCP #3653



Δ : 22°19'53"
Rad.: 1930.33'
Arc Lgh.: 752.35'
Chord L.: 747.60'
Ch. Brg.: N 78°47'06" W

PREPARED BY:
FLORIDA TECHNICAL SERVICES, INC.
CIVIL ENGINEERS & LAND SURVEYORS

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 27, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 1 BLK 3 GREENWOOD LAKES UNIT D-3C PB 39 PGS 70 TO 76

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

FINDINGS OF FACT

Property Owner: Aimee Gonzalez
651 Queensbridge Drive
Lake Mary, FL 32746

Project Name: Queensbridge Drive 651

Requested Development Approval:

REQUEST FOR REAR YARD SETBACK VARIANCE FROM 5 FEET TO 0 FEET FOR A PROPOSED POOL SCREEN ENCLOSURE 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, Senior 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 _____, 2006.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: