

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for rear yard setback variance from 20 feet to 9 feet for a proposed sunroom addition in the R-1BB (Single-Family Dwelling District); (Melissa Kulik, applicant).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Ian Sikonia **EXT.** 7398

Agenda Date 4/24/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for rear yard setback variance from 20 feet to 9 feet for a proposed sunroom addition in the R-1BB (Single-Family Dwelling District); or
2. **DENY** the request for rear yard setback variance from 20 feet to 9 feet for a proposed sunroom addition in the R-1BB (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Melissa Kulik LOCATION: 4181 Shadow Creek Cir. ZONING: R-1BB (Single-Family Dwelling District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a sunroom addition that would encroach 11 feet into the minimum 20 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant proposes to construct a 224 square foot addition to the existing 1,900 square foot single-family home. • The applicant has received approval from the Creekwood Architectural Review Committee for the proposed sunroom addition on February 28, 2006. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances having been granted for this property.

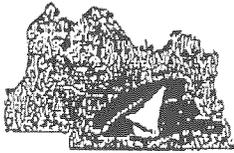
STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The applicant would still retain reasonable use of the land, building or structure without the granting of the 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 sunroom 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: R-1BB SEC: 34 TWP: 21 RNG: 31
 PROJ. #

DEVELOPMENT: Creekwood Unit 2		DEVELOPER: Lefkowitz, Howard	
LOCATION: N of Mcculloch Road, E of SR 434		38 lots	
FILE#:	BA:	SP:	BCC: 12/10/91
P&Z:			01/14/92
PB 48	PG 62	Lot	Blk
		Parcel	DBA
			Comm Dist
DEVEL. ORDER #: 91-375		TAX PAR. I.D. #:	
SIDEWALKS: 4' wide both sides		SETBACK REQUIREMENTS	
		FY: 20	RY: 20
		SIDE ST.:	SY: 5
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER:	
COMMENTS OTHER: 1) Install 2 trees per lot. Each tree must be at least 7" high with a 2" caliper. Tree must be installed prior to Certificate of Occupancy. 2) Install 6' high wooden fence along Palm Valley Drive. Not flood prone		ACCESSORY STRUCTURE SETBACKS:	
		SY:	RY:
		ACCESSORY STRUCTURE OTHER:	

IMPACT FEES	
SCREEN:	
TRAFFIC ZONE:	78
LAND USE:	
1. ROAD-CO. WIDE	Ordinance
2. ROAD-COLL.	Ordinance
3. LIBRARY	Ordinance
4. FIRE	Ordinance
5. PARK	
6. SCHOOL	Ordinance
7. LAW	
8. DRAINAGE	
TOTAL	\$2,550.00
REMARKS: curb and gutter; sidewalks.	



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

COPY

RECEIVED FEB 28 2007

APPL. NO. BV2006-042

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 20ft. to 9 ft. for a proposed Addition.
- SPECIAL EXCEPTION**
- LIMITED USE**

RECEIVED FEB 28 2007

USE DWELLING UNDER CONSTRUCTION
 NIGHT WATCHMAN
 YEAR OF MOBILE HOME / RV EXISTING
 SIZE OF MOBILE HOME / RV
 PLAN TO BUILD HOMES OR MORE SO WHEN

MEDICAL HARDSHIP
 FAMILY HARDSHIP
 (PROPOSED)
 TIME NEEDED

APPEAL FROM DECISION OF THE PLANNING MANAGER

PROPERTY OWNER		AUTHORIZED AGENT *
NAME:	<u>AURELIO Maldonado</u>	<u>Melissa Kulik</u>
ADDRESS:	<u>4181 Shadow Creek Circle</u>	<u>4608 Millenia Plaza way</u>
	<u>Oriedo FL 32765</u>	<u>Orlando FL 32839</u>
PHONE:	<u>(407) 365-8431</u>	<u>407-206-3776 (work)</u>
PHONE:	<u>(407) 595-3260</u>	<u>407-325-5882 (cell)</u>
E-MAIL:	<u>maldo31313@yahoo.com</u>	<u>407-206-3797 (fax)</u>

PROJECT NAME: MALDONADO
 SITE ADDRESS: 4181 Shadow Creek Circle Oriedo FL 32765
 CURRENT USE OF PROPERTY: Residential Home
 LEGAL DESCRIPTION: lot 50, Creekwood, Unit 2, PB 48, PG 62

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 34-21-31-510-0000-0500
 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 04/24/2006 (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.

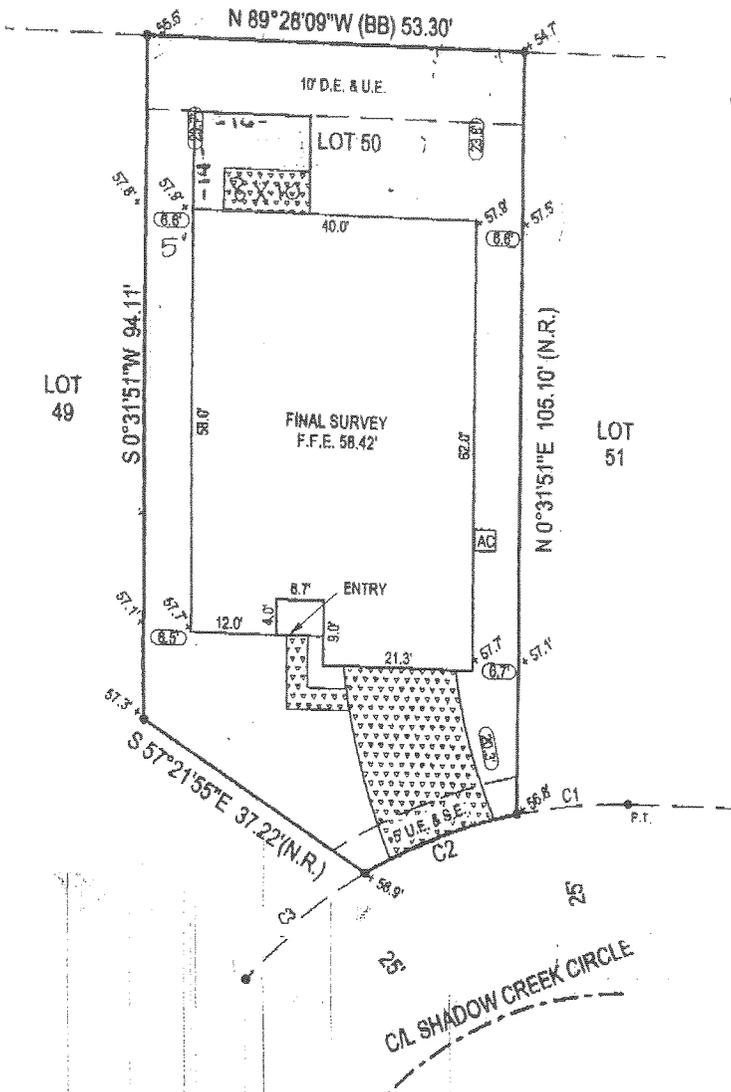
Melissa Kulik
 SIGNATURE OF OWNER OR AGENT*

2/28/06
 DATE

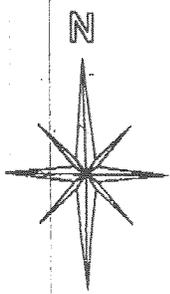
* Proof of owner's authorization is required with submittal if signed by agent.

- 1. UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
- 2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
- 3. THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
- 4. DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
- 5. BEARINGS ARE BASED ON RECORD PLAT DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
- 6. PROPERTY HEREON LOCATED IN ZONE "X" PER F.I.R.M. COMMUNITY PANEL NO. 120289 0230 E DATED 04-17-95.

NOT PLATTED



20
RIBB



SCALE 1" = 20'

Curve	Delta Angle	Radius	Arc
1	12°24'42"	75.00	18.25
2(M)	18°00'39"	75.00	23.58
3(P)	30°23'32"	75.00	39.38
3	16°19'45"	75.00	21.24

CERTIFIED TO:
 AURELIO MALDONADO & MARIBEL MALDONADO
 SUNBELT TITLE AGENCY
 CLAIR GROUP DESIGNS, INC.
 FIELDSTONE MORTGAGE CORP.
 OLD REPUBLIC NATIONAL TITLE INSURANCE CO.

DESCRIPTION: LOT 50, CREEKWOOD UNIT III ACCORDING TO THE PLAT THEREOF,
 AS RECORDED IN PLAT BOOK 48, PAGE(S) 62, OF THE PUBLIC RECORDS
 OF SEMINOLE COUNTY, FLORIDA

FINAL SURVEY: 12-23-03
 FOUNDATION SURVEY: 02-11-03
 CHANGED LENDER: 01-08-04

JOB NO.: 99390-50
 DATE:
 FIELD: 01-14-03
 SIGNED: 02-17-03
 DRAWN BY: RWJ
 P.C.:

LEGEND
 REC. - RECOVERED
 I.P. - IRON PIPE
 I.C. - IRREGULAR CAP #
 C.M. - CONCRETE MONUMENT
 RB - REBAR
 RAD. - RADIAL
 N.R. - NOT RADIAL
 (P) - PER PLAT
 (M) - NOT MEASURED
 (D) - PER DESCRIPTION
 P.O.L. - POINT ON LINE
 P.C. - POINT OF CURVATURE
 P.T. - POINT OF TANGENCY

CONCRETE
 L.E. - LANDSCAPE EASEMENT
 P.O. - POINT OF REVERSE CURVE
 R.P. - RADIUS POINT
 R - RADIUS
 L - LENGTH OF ARC
 CA - CENTRAL ANGLE
 U.E. - UTILITY EASEMENT
 O.E. - ORANGE EASEMENT
 L.E. - LANDSCAPE EASEMENT
 P.E. - POOL EASEMENT
 P.P. - POWER POLE
 C. - CHAIN LINK FENCE
 W.F. - WOODEN FENCE

Boundary And Mapping Associates, Inc.
 109 WEST ORANGE STREET
 ALTAMONTE SPRINGS, FL 32714
 PH: (407) 698-1155

LAND SURVEYORS LB 4565
 Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Additions and deletions to survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
 JIMMY W. JACKSON, PSM 4243
 RODNEY W. JACKSON, PSM 6281

CREEKWOOD UNIT II

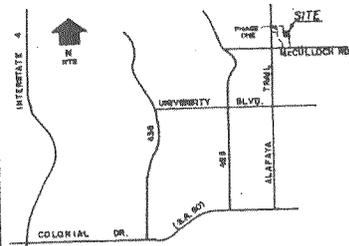
SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST SEMINOLE COUNTY, FLORIDA

DESCRIPTION

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 31 EAST, RUN N00°01'20"W ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 34, A DISTANCE OF 825.00 FEET TO A POINT OF BEGINNING SAID POINT ALSO BEING THE NORTHEAST CORNER OF CREEKWOOD UNIT I, AS RECORDED IN PLAT BOOK 46, PAGES 10-11. PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE DEPARTING THE EAST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 34, RUN THE FOLLOWING COURSES AND DISTANCES ALONG SAID NORTH LINE OF CREEKWOOD UNIT I: THENCE S89°58'40"W, A DISTANCE OF 150.00 FEET; THENCE S00°01'20"E, A DISTANCE OF 13.45 FEET; THENCE S89°58'40"W, A DISTANCE OF 233.00 FEET; THENCE N00°01'20"W, A DISTANCE OF 16.93 FEET; THENCE S89°58'40"W, A DISTANCE OF 150.00 FEET TO A POINT ON THE EAST LINE OF TRACT C OF SAID CREEKWOOD UNIT I; THENCE DEPARTING SAID NORTH LINE, RUN N00°01'20"W, ALONG SAID EAST LINE, A DISTANCE OF 498.01 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 34; THENCE DEPARTING SAID EAST LINE, RUN S89°28'09"E, A DISTANCE OF 539.02 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE S00°01'20"E, A DISTANCE OF 496.34 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.165 ACRES, MORE OR LESS.

LOCATION MAP



- ABBREVIATIONS
- DRAIN - DRAINAGE
 - UTIL - UTILITY
 - EASEM - EASEMENT
 - F.P.C. - FLORIDA POWER CORPORATION
 - P.O.B. - POINT OF BEGINNING
 - P.B. - PLAT BOOK
 - P.S. - PAGE(S)
 - CIR - CURVE
 - S/W - SIDEWALK

CREEKWOOD UNIT I
P.B. 46 PGS. 10-11

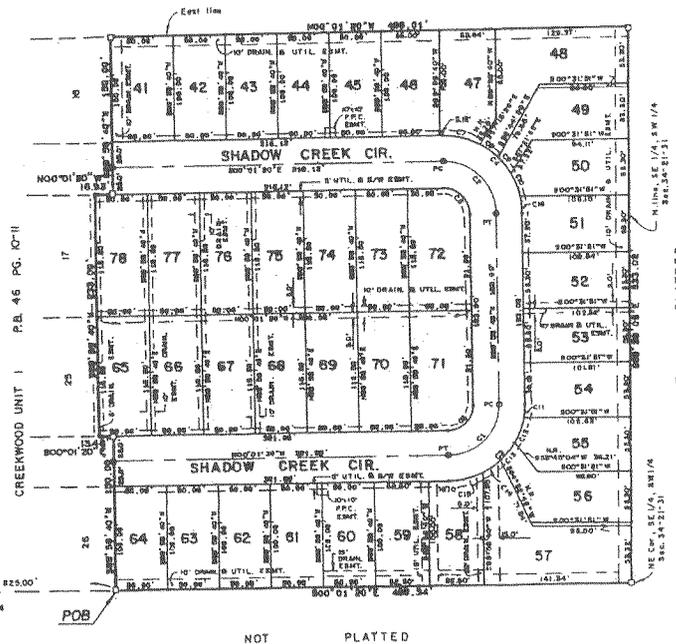
TRACT C



CURVE DATA				
NO.	BEARING	CHORD	DELTA	TAN
C1	N45°01'51"W	72.71	90°00'00"	30.00
C2	S44°58'40"W	70.71	90°00'00"	30.00
C3	N45°01'51"W	106.07	90°00'00"	75.00
C4	S44°58'40"W	106.07	90°00'00"	75.00
C5	N44°58'40"E	33.38	90°00'00"	30.27
C6	S45°01'20"E	35.38	90°00'00"	30.27
C7	N15°58'48"E	36.26	28°00'12"	36.88
C8	S89°58'18"W	20.04	18°45'40"	20.09
C9	S81°58'40"W	31.17	18°13'26"	21.94
C10	N74°48'34"E	36.36	36°58'30"	20.39
C11	S84°58'21"E	14.18	18°50'54"	7.11
C12	S88°14'48"E	89.80	18°33'03"	13.15
C13	S50°31'22"E	28.89	17°33'30"	20.90
C14	S34°56'22"E	18.94	18°18'44"	20.03
C15	S13°14'42"E	34.31	88°58'42"	17.62
C16	S83°46'16"W	18.22	18°24'47"	8.16

NOTES:

1. D DENOTES P.R.M. (454 C.N.) P.L.S. #3421
2. O DENOTES P.C.P. P.L.S. #3421
3. * DENOTES CHANGE IN DIRECTION NOT PERMANENTLY STAKED.
4. BEARING STRUCTURE IS BASED ON THE SOUTH LINE OF THE SW 1/4 OF SECTION 34-21-31.
5. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.



bowyer-singleton & associates
INCORPORATED
630 So. Maguire Avenue
Orlando, Florida 32801
407-841-6150

CREEKWOOD UNIT II DEDICATION

KNOW ALL MEN BY THESE PRESENTS, That the Partnership named below, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed and dedicates the streets and easements shown hereon to the perpetual use of the public, and

IN WITNESS WHEREOF, the said Partnership has caused these presents to be signed by the Partner named below

on NOVEMBER 14, 1994

L.B.S. 114, a Florida Limited Partnership,
By Howard Lefkowitz
HOWARD LEFKOWITZ
Managing General Partner

Signed and sealed in the presence of:
Nancy C. Johnson
NANCY C. JOHNSON
Robert W. Leckie
ROBERT W. LECKIE
STATE OF FLORIDA COUNTY OF SEMINOLE

THIS IS TO CERTIFY, That on _____ before me, an officer duly authorized to take acknowledgments in the State and County aforesaid, personally appeared _____ Howard Lefkowitz, Managing General Partner

of the above named Partnership, incorporated under the laws of the State of Florida, who did not take an oath and who is personally known to be the individual and officers described in and who executed the foregoing Dedication and severally acknowledged the execution thereof to be their free act and deed, as such officers therunto duly authorized, that the official seal of said corporation is duly affixed thereto and that the said Dedication is the act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the above date.

Nancy C. Johnson
NANCY C. JOHNSON
NOTARY PUBLIC
My Commission Expires 6/16/98

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a licensed and registered Professional Surveyor, do hereby certify that on _____ the survey of the lands shown in the foregoing plat or plan, that said plat is a correct representation of the facts therein described and plotted or subdivided, that permanent reference monuments have been placed as shown thereon as required by Chapter 177, Florida Statutes, and that the same is located in Seminole County, Florida.

Dennis L. Deal
DENNIS L. DEAL Registration No. 33041

CERTIFICATE OF APPROVAL PLANNING & ZONING COMMISSION

Examined and Approved: Richard L. Harris 1-13-95
Chairman Date

CERTIFICATE OF APPROVAL BY BOARD OF COUNTY COMMISSIONERS

THIS IS TO CERTIFY, that on JANUARY 17, 1995 the foregoing plat was approved by the Board of County Commissioners of Seminole County, Florida.

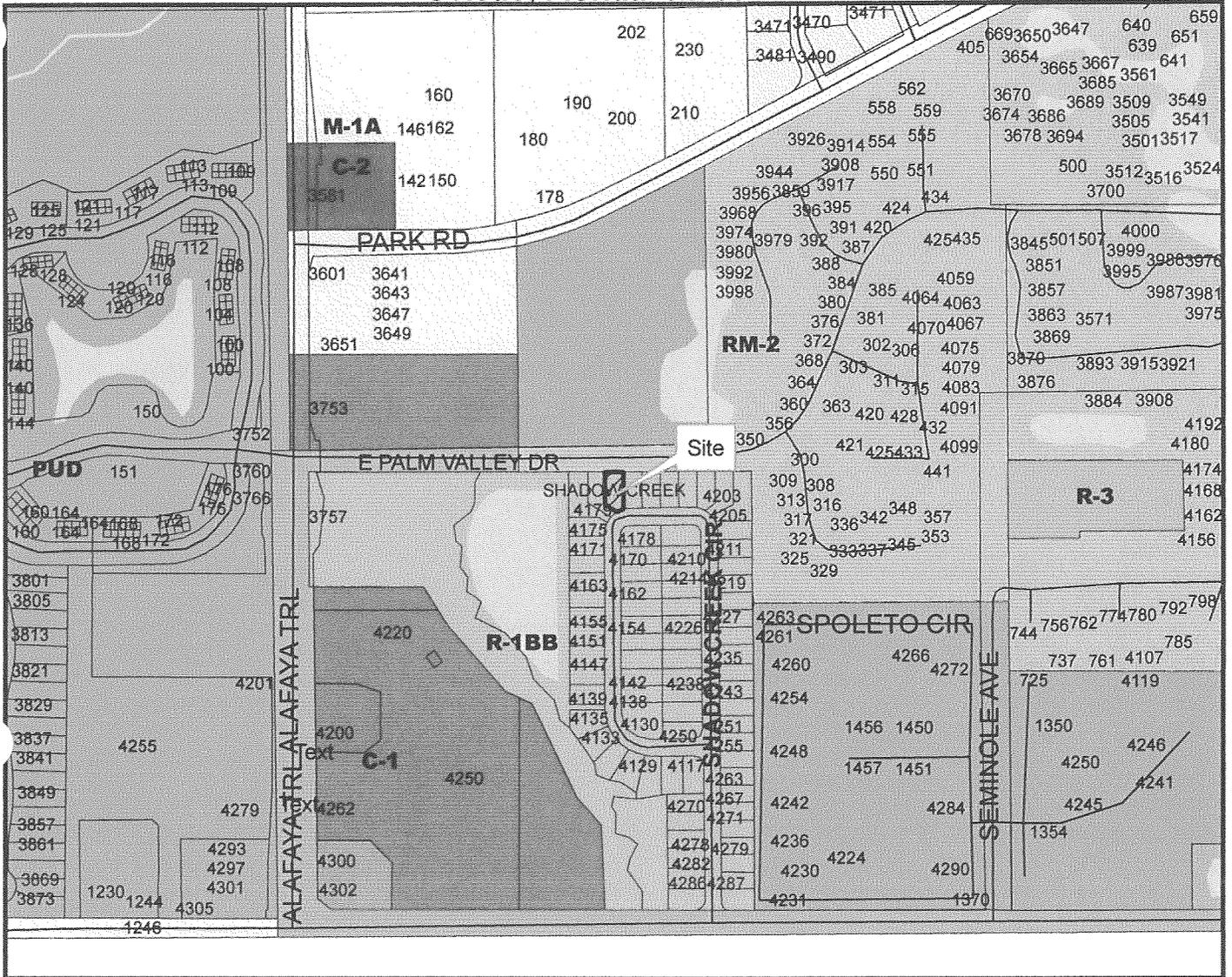
Richard L. Harris
Chairman of the Board

CERTIFICATE OF COUNTY COMPTROLLER

I HEREBY CERTIFY, That I have examined the foregoing plat and find that it complies in form with all the requirements of Chapter 122, Florida Statutes, and was filed hereon on 1-17-95 at 1:23 pm File No. 66-2930

County Comptroller Richard L. Harris
and for Seminole County, Florida

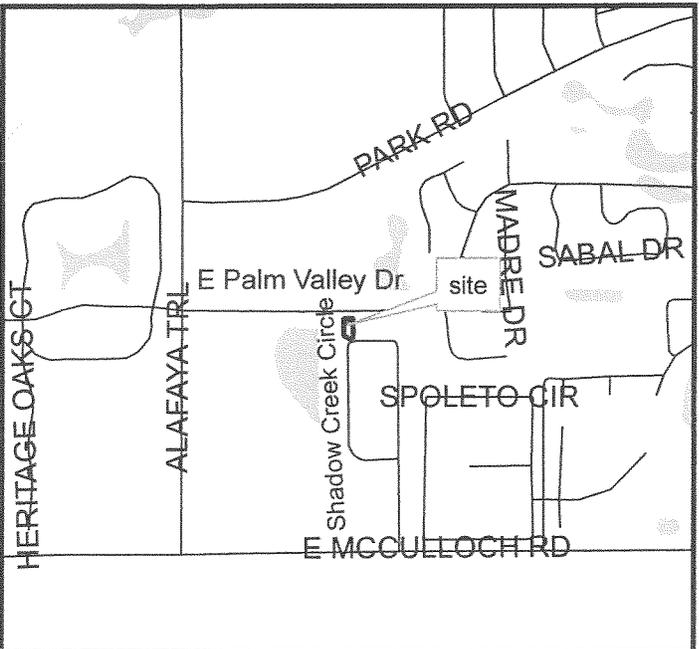
**Melissa Kulik
4181 Shadow Creek Circle
Oviedo, Florida 32765**



**Seminole County Board of Adjustment
April 24, 2006
Case: BV2006-042
Parcel No: 34-21-31-510-0000-0500**

Zoning

- | | | | | | |
|---|------------|---|------|---|--------|
|  | BV2006-042 |  | R-3 |  | PUD |
|  | A-1 |  | RM-2 |  | PCD |
|  | R-1A |  | C-1 |  | UC |
|  | R-1BB |  | C-2 |  | semstr |
| | |  | M-1A |  | semstr |



0 70 140 280 420 560 Feet



County - not certified Oviedo

DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506	E PALM VALLEY DR			
	TRACT "C" 48 49 50 51 52 53 54 55 56 57 SHADOW CREEK CIR 47 48 49 50 51 52 53 54 55 56 57 72 71 68 69 60 61			

GENERAL

Parcel Id: 34-21-31-510-0000-0500
 Owner: MALDONADO AURELIO & MARIBEL
 Mailing Address: 4181 SHADOW CREEK CIR
 City,State,ZipCode: OVIEDO FL 32765
 Property Address: 4181 SHADOW CREEK CIR OVIEDO 32765
 Subdivision Name: CREEKWOOD UNIT 2
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2006 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$134,978
 Depreciated EXFT Value: \$0
 Land Value (Market): \$22,700
 Land Value Ag: \$0
 Just/Market Value: \$157,678
 Assessed Value (SOH): \$157,678
 Exempt Value: \$30,000
 Taxable Value: \$127,678
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	01/2004	05168	1931	\$185,000	Improved	Yes
WARRANTY DEED	07/2002	04469	1605	\$54,000	Vacant	No
WARRANTY DEED	10/1995	02989	0049	\$141,500	Vacant	No

Find Comparable Sales within this Subdivision

2005 VALUE SUMMARY

Tax Value(without SOH): \$2,103
 2005 Tax Bill Amount: \$2,103
 Save Our Homes (SOH) Savings: \$0
 2005 Taxable Value: \$128,363
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	22,700.00	\$22,700

LEGAL DESCRIPTION

PLATS: Pick...
 LOT 50 CREEKWOOD UNIT 2 PB 48 PG 62

BUILDING INFORMATION

Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	2003	8	1,907	2,390	1,907	CB/STUCCO FINISH	\$134,978	\$137,033
			Appendage / Sqft	OPEN PORCH FINISHED / 21					
			Appendage / Sqft	GARAGE FINISHED / 462					

NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

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.

BV 200Q-042

CREEKWOOD ARCHITECTURAL REVIEW APPLICATION

This request form is to be completed by the homeowner and submitted to the Architectural Review Committee. The Committee must approve the request before any work commences. If approved, no further modifications or other alterations may be made without further approval of the Committee. Please refer to the Declaration of Covenants, Conditions and Restrictions for a detailed description of the requirements and process.

MAIL COMPLETED FORM TO:
Creekwood ARC
PO Box 205
4250 Alafaya Trail Suite 212
Oviedo, FL 32765

PROPERTY OWNER: Aurelio Maldonado DATE: 2-23-06

PROPERTY ADDRESS: Lot #50 - 4181 Shadow Creek Cir ZIP 32765

MAILING ADDRESS (IF DIFFERENT) _____

PHONE(S) (407) 365-8431 (407) 595-3260 FAX _____ E-MAIL _____

DESCRIBE THE ADDITION, CHANGE OR INSTALLATION TO BE REVIEWED BY THE ARCHITECTURAL REVIEW COMMITTEE:

SWIMMING POOL LANDSCAPING FENCE (DESIGN, HEIGHT, COLOR) _____

SCREENED PORCH (Sun room)

PAINTING - COLOR(S): _____

ATTACH PAINT SAMPLES FOR ALL COLORS TO BE USED

OTHER _____

COMMENTS See Attached Plans

Please attach a property survey copy locating exterior construction projects. Attach paint/color samples, plans, or photos as needed to describe modification. Requests and alterations must conform to all local zoning and building regulations. You are required to obtain required permits if your request is approved. Any alterations made to the property must not extend past the legal property line of the owner. Owner assumes all responsibility for maintenance of the alteration/modification to the unit/lot.

Aurelio Maldonado
Signature of Owner

FOR USE BY ARCHITECTURAL REVIEW COMMITTEE

DATE RECEIVED 2-25-06 DATE TO ARC 2-26-06 DATE TO HOMEOWNER 3-7-06

APPROVED DISAPPROVED

APPROVED WITH THE FOLLOWING CONDITION _____

PLANS INCOMPLETE, INFORMATION WE NEED _____

Please resubmit plans to the ARC within fourteen (14) days of receipt of this notice. Work cannot be performed until the ARC has rendered a written approval. Thank you for your cooperation.

COMMENTS The plans look great. Congratulations! Thanks for your co-operation with the ARC

BY: D. Keegan for P.O.D. DATE: 2-28-06

ARCHITECTURAL REVIEW COMMITTEE

AGENT AUTHORIZATION

SEMINOLE COUNTY
1101 EAST FIRST STREET
SANFORD, FL 32771

I, Aurelio Maldonado, HEREBY AUTHORIZE, MELISSA KULIK OF FOUR SEASONS SUNROOMS, TO BE MY AGENT IN THE VARIANCE PROCEDURE. SAID AGENT HAS MY PERMISSION TO MAKE ANY NECESSARY DECISIONS AND PRESENT ANY NECESSARY DOCUMENTATION AS NEEDED FOR THIS VARIANCE HEARING.

PROPERTY LOCATED:

AURELIO & MARIBEL MALDONADO
4181 SHADOW CREEK CIRCLE
OVIEDO, FL 32765
407-365-8431


Applicant's Signature

FEB 23, 2006
Date

AURELIO MALDONADO
 LOT#50 4181 SHADOW CREEK CIRCLE
 CREEKWOOD SUBDIVISION
 (407) 365-8431 HM
 (407) 595-3260 CELL
 (407) 384-5347 WK
aurelio_maldonado@pcostri.army.mil

February 23, 2006

Resident of
 4185 Shadow Creek Circle
 Oviedo Florida, 32765
 Phone # (321) 239-0907

Subject: Agreement with Proposed Addition

I Jessica Shay, a resident of Shadow Creek Subdivision and
Print First and Last Name
 Neighbor of Mr. Aurelio Maldonado do not have any objection with Mr. Maldonado's
 proposed Sunroom addition.

Respectfully,

Jessica Shay

AURELIO MALDONADO
LOT#50 4181 SHADOW CREEK CIRCLE
CREEKWOOD SUBDIVISION
(407) 365-8431 HM
(407) 595-3260 CELL
(407) 384-5347 WK
aurelio_maldonado@peostri.army.mil

February 23, 2006

Resident of
4179 Shadow Creek Circle
Oviedo Florida, 32765
Phone # (407) 366-4368

Subject: Agreement with Proposed Addition

I Scott Pilkington, a resident of Shadow Creek Subdivision and
Print First and Last Name
Neighbor of Mr. Aurelio Maldonado do not have any objection with Mr. Maldonado's
proposed Sunroom addition.

Respectfully,

Scott Pilkington

AURELIO MALDONADO
LOT#50 4181 SHADOW CREEK CIRCLE
CREEKWOOD SUBDIVISION
(407) 365-8431 HM
(407) 595-3260 CELL
(407) 384-5347 WK
aurelio_maldonado@peostri.army.mil

February 21, 2006

Planning and Development Division
Attn: Members of Seminole County Board of Adjustment (BOA)
1101 East First Street
Sanford, FL 32771

Subject: Request for Variance

Enclosed please find my Application for Variance on the above listed property located in Seminole County.

I Aurelio (Al) Maldonado an US Army Desert Storm Retired veteran, resident of Seminole County since 2004 am requesting a rear yard setback variance from 23 feet to 9 feet for a proposed Sunroom. This room will be used as an exercise room to assist me with a back injury suffered while in the Military. I currently have Military disability for this injury (Disability Letter Attached).

Thank you for your attention and time with this endeavor. I am prepared to answer any of your questions in order to facilitate the process of this request.

Very Respectfully



AL

Aurelio Maldonado
US Army Retired



"Once a Soldier, Always a Soldier"





DEPARTMENT OF VETERANS AFFAIRS
Regional Office
P.O. Box 1437
St. Petersburg, FL 33731-1437

11-1-04

Aurelio Maldonado
4181 Shadow Creek Circle
Oviedo, FL 32765

In Reply Refer To: 317/VSC/21PU/cnw
C# 064 505 579

TO WHOM IT MAY CONCERN:

This is to certify that the records of the above-named honorably discharged veteran show that the veteran has a service connected disability evaluated by the U. S. Department of Veterans Affairs (VA) to a degree of ten percent or more.

B. C. Gibbard

B. C. Gibbard
Veterans Service Center Manager

Email us at: <https://iris.va.gov>

A veteran seeking real estate tax exemption and/or License Fee Exemption should remember that statements obtained from the U. S. Department of Veterans Affairs in such matters are simply statements of fact taken from VA records. The determination as to eligibility for the benefit sought rests with the appropriate Municipal, County or State official, not VA.

VAFL 27-125(317)
JUNE 1995 (R)



DEPARTMENT OF VETERANS AFFAIRS

Atlanta Regional Office
PO Box 100021
Decatur GA 30031-7021

APR 22 2002

AURELIO MALDONADO
109 BRISKHAVEN CT
HINESVILLE GA 31313

In Reply Refer To: 316/211/REB
CSS 064 50 5579
MALDONADO, A

Dear Mr. Maldonado:

We made a decision on your claim for service connected compensation received on January 22, 2002.

This letter tells you about your entitlement amount and payment start date and what we decided. It includes a copy of our rating decision that gives the evidence used and reasons for our decision. We have also included information about additional benefits, what to do if you disagree with our decision, and who to contact if you have questions or need assistance.

What Is Your Entitlement Amount And Payment Start Date?

Your monthly entitlement amount is shown below:

Total Award Amount	Amount Withheld	Monthly Entitlement Amount	Payment Start Date	Reason For Change
\$199.00	\$199.00	\$0.00	Feb 1, 2002	Retired Pay
199.00	0.00	199.00	May 1, 2002	Retired Pay Adjusted

When Can You Expect Payment?

Your payment begins the first day of the month following your effective date. You will receive a payment covering the initial amount due under this award, minus any withholdings, in approximately 15 days. Payment will then be made at the beginning of each month for the prior month. For example, benefits due for May are paid on or about June 1.

Why Have We Withheld Benefits?

You are not allowed to receive full military retired pay and full VA compensation at the same time. The following will provide an explanation of how this works:

2

CSS 064 50 5579

Maldonado, A

- *If your VA compensation is less than your retired pay*, you will receive compensation payments. The military service department will pay you the difference between your compensation and your retired pay.
- *If your VA compensation is greater than your retired pay*, we will pay you compensation, and you will not receive retired pay.

For now, we must withhold all of your compensation until May 1, 2002. We must do this to prevent a double payment. By working together with the military service department, we will make sure you get your full combined payment.

Important Information: VA compensation isn't taxable. Please contact the Internal Revenue Service for tax information.

What Did We Decide?

We determined that the following condition(s) was/were related to your military service, so service connection has been granted:

Medical Description	Percent (%) Assigned	Effective Date
Degenerative Joint Disease, Lumbosacral Spine, L4-5 and L5-S1	20%	Jan 1, 2002
Patellofemoral Syndrome, Right Knee	0%	Jan 1, 2002
Hemorrhoids, Postoperative	0%	Jan 1, 2002

We determined that the following condition(s) was/were not related to your military service, so service connection couldn't be granted:

Medical Description
Gulf War Illness

We have enclosed a copy of your Rating Decision for your review. It provides a detailed explanation of our decision, the evidence considered and the reasons for our decision. You can find the decision discussed in the section titled "Decision." The evidence we considered

3

CSS 064 50 5579

Maldonado, A

is discussed in the section titled "*Evidence*." The reasons for our decision can be found in the portion of the rating titled "*Reasons for Decision*" or "*Reasons and Bases*."

We enclosed a VA Form 21-8764, "Disability Compensation Award Attachment-Important Information," which explains certain factors concerning your benefits.

How Do You Start Direct Deposit?

Your money may be deposited directly into your checking or savings account. This is the safest and most reliable way to get your money. For more information about Direct Deposit, please call us toll free by dialing 1-877-838-2778.

Are You Entitled To Additional Benefits?

You may be able to receive vocational rehabilitation employment services. The enclosed VA Form 28-8890, "Important Information About Vocational Rehabilitation Benefits," explains this benefit completely. To apply for this benefit, complete and return the enclosed VA Form 28-1900, "Disabled Veterans Application for Vocational Rehabilitation."

You are entitled to medical care by the VA health care system for any service connected disability. You may apply for medical care or treatment at the nearest medical facility. If you apply in person, present a copy of this letter. If you apply by writing a letter, include your VA file number and a copy of this letter.

What You Should Do If You Disagree With Our Decision.

If you do not agree with our decision, you should write and tell us why. You have *one year from the date of this letter to appeal the decision*. The enclosed VA Form 4107, "*Your Rights to Appeal Our Decision*," explains your right to appeal.

Do You Have Questions Or Need Assistance?

If you have any questions or need assistance with this claim, please call us at 1-800-827-1000. If you use a Telecommunications Device for the Deaf (TDD), the number is 1-800-829-4833.

If you call, please refer to your VA file number 064 50 5579. If you write to us, put your full name and VA file number on the letter. Please send all correspondence to the address at the top of this letter. You can visit our web site at www.va.gov for more information about veterans' benefits.

We have no record of you appointing a service organization or representative to assist you with your claim. You can contact us for a listing of the recognized veterans' service

4

CSS 064 50 5579

Maldonado, A

organizations and/or representatives. Veterans' service organizations, which are recognized or approved to provide services to the veteran community, can also help you with any questions.

If you do not agree with our decision, you should write and tell us why. You have *one year from the date of this letter to appeal the decision*. The enclosed *VA Form 4107, "Your Rights to Appeal Our Decision,"* explains your right to appeal.

Do You Have Questions Or Need Assistance?

If you have any questions, call us toll-free by dialing 1-800-827-1000. Our TDD number for the hearing impaired is 1-800-829-4833. *If you call, please have this letter with you.*

Sincerely,

C. Moore

C. MOORE
VETERANS SERVICE CENTER MANAGER

Enclosure(s): Rating Decision
VA Form 21-8764
VA Form 28-1900
VA Form 28-8890
VA Form 4107

Rating Decision		<i>Department of Veterans Affairs Atlanta Regional Office</i>		Page 1 04/16/2002
NAME OF VETERAN A. MALDONADO	VA FILE NUMBER 064 50 5579	SOCIAL SECURITY NR 064-50-5579	POA none	

ISSUE:

1. Service connection for degenerative joint disease, lumbosacral spine, L4-5 and L5-S1.
2. Service connection for patellofemoral syndrome, right knee.
3. Service connection for hemorrhoids, postoperative.
4. Service connection for Gulf War illness.

EVIDENCE:

Service medical records for the period June 1979 to December 2001

VA examination dated March 6, 2002 at VA Medical Center Dublin GA

A letter dated February 16, 2002 was sent to the veteran requesting information regarding his claim for Gulf War illness. As of this date, no reply to this request for information has been received by our office.

DECISION:

1. Service connection for degenerative joint disease, lumbosacral spine, L4-5 and L5-S1 is granted with an evaluation of 20 percent effective January 1, 2002.
2. Service connection for patellofemoral syndrome, right knee is granted with an evaluation of 0 percent effective January 1, 2002.
3. Service connection for hemorrhoids, postoperative is granted with an evaluation of 0 percent effective January 1, 2002.
4. Service connection for Gulf War illness is denied.

REASONS AND BASES:

1. Service medical records for the period June 1979 to December 2001 show veteran was seen on July 29, 1991 for low back pain for three days after carrying wall lockers. Veteran's retirement examination dated September 20, 2001 noted a decreased range of motion of the lower back with muscle spasms. He was shown as having chronic low back pain following a lifting injury.

VA examination dated March 6, 2002 at VA Medical Center Dublin GA has been reviewed. Veteran states he continues to have low back pain after any type of lifting. Physical examination noted mild muscle spasms in the lumbar back area. The musculature of the lower extremities was normal with no atrophy noted. Range of motion of the lumbosacral back was forward flexion of 90 degrees and backward extension of 20 degrees. Left and right lateral flexion was 25 degrees. X-ray examination of the lumbosacral spine revealed mild degenerative joint disease of the facet joints at L4-5 and L5-S1, bilaterally.

Rating Decision		<i>Department of Veterans Affairs Atlanta Regional Office</i>		Page 2 04/16/2002
NAME OF VETERAN A. MALDONADO	VA FILE NUMBER 064 50 5579	SOCIAL SECURITY NR 064-50-5579	POA None	

Service connection for degenerative joint disease, lumbosacral spine, L4-5 and L5-S1 has been established as directly related to military service. This condition is evaluated as 20 percent disabling from January 1, 2002. An evaluation of 20 percent is granted for recurring attacks of moderate intervertebral disc syndrome. A higher evaluation of 40 percent is not warranted unless the record shows severe intervertebral disc syndrome with only intermittent relief from recurring attacks.

The effective date of service connection for degenerative joint disease of the lumbosacral spine is established as January 1, 2002, the day following separation from service, in accordance with 38 CFR 3.400 (b)(2)(i).

2. Service medical records for the period June 1979 to December 2001 show veteran was seen on August 4, 1980 following a motorcycle accident in which he fell on his right knee. There was a 4 cm x 2 cm abrasion with swelling, effusion, tenderness to palpation and reduced range of motion. The clinical impression was traumatic effusion of the right knee. Veteran's retirement examination dated September 20, 2001 noted decreased range of motion of the right knee. Veteran was shown as having chronic right knee pain following a fall in 1980.

VA examination dated March 6, 2002 at VA Medical Center Dublin GA shows statement by veteran that he has right knee pain after running. Physical examination showed no increased heat, effusion or erythema of the right knee. There was no Baker's cyst. There was a full range of motion of the right knee. McMurray's test and the anterior drawer test were both negative for the right knee. There was no significant medial or lateral laxity. X-ray examination of the right knee was within normal limits. A diagnosis was made of patellofemoral syndrome, right knee.

Service connection for patellofemoral syndrome, right knee has been established as directly related to military service. This condition is evaluated as 0 percent disabling from January 1, 2002. A noncompensable evaluation is assigned unless there is recurrent subluxation or lateral instability of the knee which is slight.

The effective date of service connection for patellofemoral syndrome of the right knee is established as January 1, 2002, the day following separation from service, in accordance with 38 CFR 3.400 (b)(2)(i).

Rating Decision		<i>Department of Veterans Affairs Atlanta Regional Office</i>		Page 3 04/16/2002
NAME OF VETERAN A. MALDONADO	VA FILE NUMBER 064 50 5579	SOCIAL SECURITY NR 064-50-5579	POA none	

3. Service medical records for the period June 1979 to December 2001 show veteran was seen on June 29, 1979 for thrombosed hemorrhoids. Veteran was seen again on October 2, 1988 for thrombosed hemorrhoids. On November 28, 1988, veteran underwent a hemorrhoidectomy with no complications. Veteran's retirement examination dated September 20, 2001 noted a history of hemorrhoids.

VA examination dated March 6, 2002 at VA Medical Center Dublin GA shows statement by veteran that he has occasional pain and bleeding from hemorrhoids. He has not had any repeat surgery or treatment for this condition. Physical examination noted a hemorrhoid skin tag was present with no sign of thrombosis. Digital examination showed what appeared to be a rectal fissure. No internal hemorrhoids were found.

Service connection for hemorrhoids, postoperative has been established as directly related to military service. This condition is evaluated as 0 percent disabling from January 1, 2002. A noncompensable evaluation is assigned for mild or moderate hemorrhoids. A higher evaluation of 10 percent is not warranted unless there are large or thrombotic hemorrhoids which are irreducible with evidence of frequent recurrences.

The effective date of service connection for hemorrhoids is established as January 1, 2002, the day following separation from service, in accordance with 38 CFR 3.400 (b)(2)(i).

4. Veteran has filed a claim for service connection for "Gulf War illness". A letter dated February 16, 2002 was sent to the veteran requesting information regarding his claim for Gulf War illness. As of this date, no reply to this request for information has been received by our office.

Gulf War illness is not a ratable disability, in and of itself. In the absence of a claim for specific disabilities attributable to Gulf War service, service connection may not be established for Gulf War illness.

Compensation is payable for a disease or injury which causes a disabling physical or mental limitation. The evidence regarding Gulf War illness fails to show a disability for which compensation may be established.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On April 24, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 50 CREEKWOOD UNIT 2 PB 48 PG 62

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

FINDINGS OF FACT

Property Owner: Aurelio & Maribel Maldonado
4181 Shadow Creek Cir.
Oviedo, FL 32765

Project Name: Shadow Creek Circle (4181)

Requested Development Approval:

Request for rear yard setback variance from 20 feet to 9 feet for a proposed sunroom addition in the R-BB (Single-Family Dwelling 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: Ian Sikonia, 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 sunroom 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: