

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

SUBJECT: Request for a side street (north) setback from 20 feet to 9 feet for a proposed fence in the PUD (Planned Unit Development District); (Beatrice Myers, applicant).

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

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

Agenda Date 6/26/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side street (north) setback from 20 feet to 9 feet for a proposed fence in the PUD (Planned Unit Development District); or
2. **DENY** the request for a side street (north) setback from 20 feet to 9 feet for a proposed fence in the PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

| | | |
|-----------------------------|--|--|
| GENERAL INFORMATION | Applicant: Owner: Location: Zoning: Subdivision: | Beatrice Myers Beatrice Myers 101 Bilsdale Court PUD (Planned Unit Development) Wekiva Hunt Club |
| BACKGROUND / REQUEST | <ul style="list-style-type: none"> • The applicant proposes to construct a fence that would encroach 11 feet into the minimum 20 foot side street setback; the aforementioned side street yard setback variance is thereby requested. • The applicant proposes to extend the existing fence on the northern side 17 feet closer to the property line. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances 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 fence 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. |

FOX HUNT SECTION I (WEKIVA HUNT CLUB ROAD)
214 LOTS - 75 ACRES
THE GREATER CONSTRUCTION CORP.

SEC. 5-21-29
APPROVED BCC, JUNE 19, 1973
PAGE 33

18/79 to 83

18/79 to 83

- \$10.00 per residential building permit to Forest-City-Bear Lake Fire District at time of issuance of building permits (Para VII-2b).
- School committment: \$300.00 single family unit, \$200.00 per multi-family unit due at time of issuance of building permits. Value of two-15 acre school sites to be applied against payment of individual units. (Para VII-1a & b, Committment Agreement)

| 3. <u>Type of Building</u> | <u>Minimum Lot Size</u> | <u>Minimum Setback</u> | | | <u>Maximum Height</u> | |
|----------------------------|-------------------------|------------------------|------|------|-----------------------|-----------|
| | | F.Y. | S.Y. | B.Y. | | |
| Single-Family | 8,400 Sq. Ft. | 20' | 10' | 30' | 35 Ft. | ACCESSORY |
| Multiple-Family Sales | 2,700 Sq. Ft. | 20' | 10' | 30' | 35 Ft. | REAR 10' |
| Multiple-Family Rental | N/A | 20' | 10' | 30' | 35 Ft. | Side 10' |

- SA - lots 101, 172-174 + 182-194 have been cleared by County Engr. - See Flood Prems. See atchd memo. let Bldgng Dept know when Appl is received on lots so they can check grading plan.
- No minimum size for dwellings.

5) Vacated & abandoned drainage, utility and sidewalk easements in park located in Fox Hunt I & dedicated easements to Seminole County. Commitment made to place at least one sign at each park stating "this property has been dedicated as a park area for the use and benefit of the residents of Wekiva Hunt Club. Portions of this property are subject to drainage, utility, & sidewalk easements." Signs cannot exceed 48 sq. ft. & cannot be located closer than 25' from any road intersection. (BCC 9/17/74 & Ltr, County Planner, 9/26/74).

empty and unusable

FOR
PATTY JOHNSON

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): 100.00 COMMISSION DISTRICT _____ FLU / ZONING PUD 180

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS _____

PLANNING ADVISOR _____ DATE _____

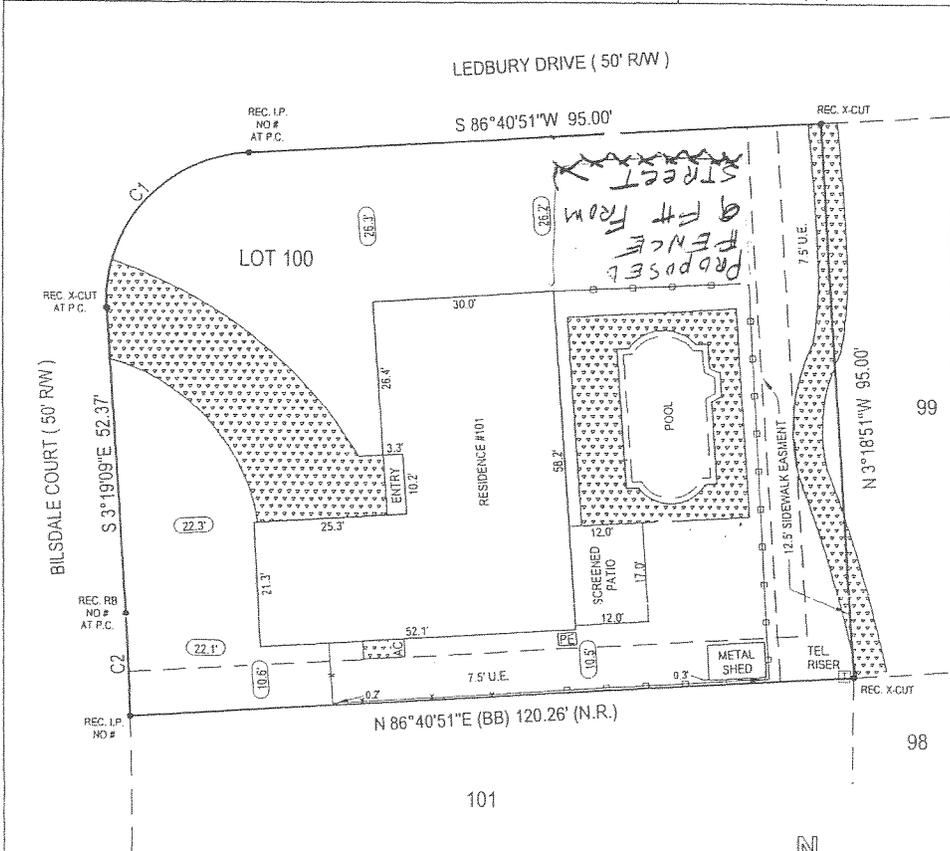
SUFFICIENCY COMMENTS _____

- NOTES:
1. THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OR 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 0105 E DATED 04-17-95.

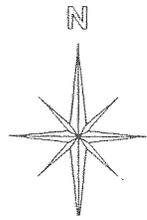
Boundary
And
Mapping
Associates, Inc.

LAND
SURVEYORS
LB 4565

109 WEST ORANGE STREET
ALTA MONTE SPRINGS, FL
32714
PH (407) 696-1155

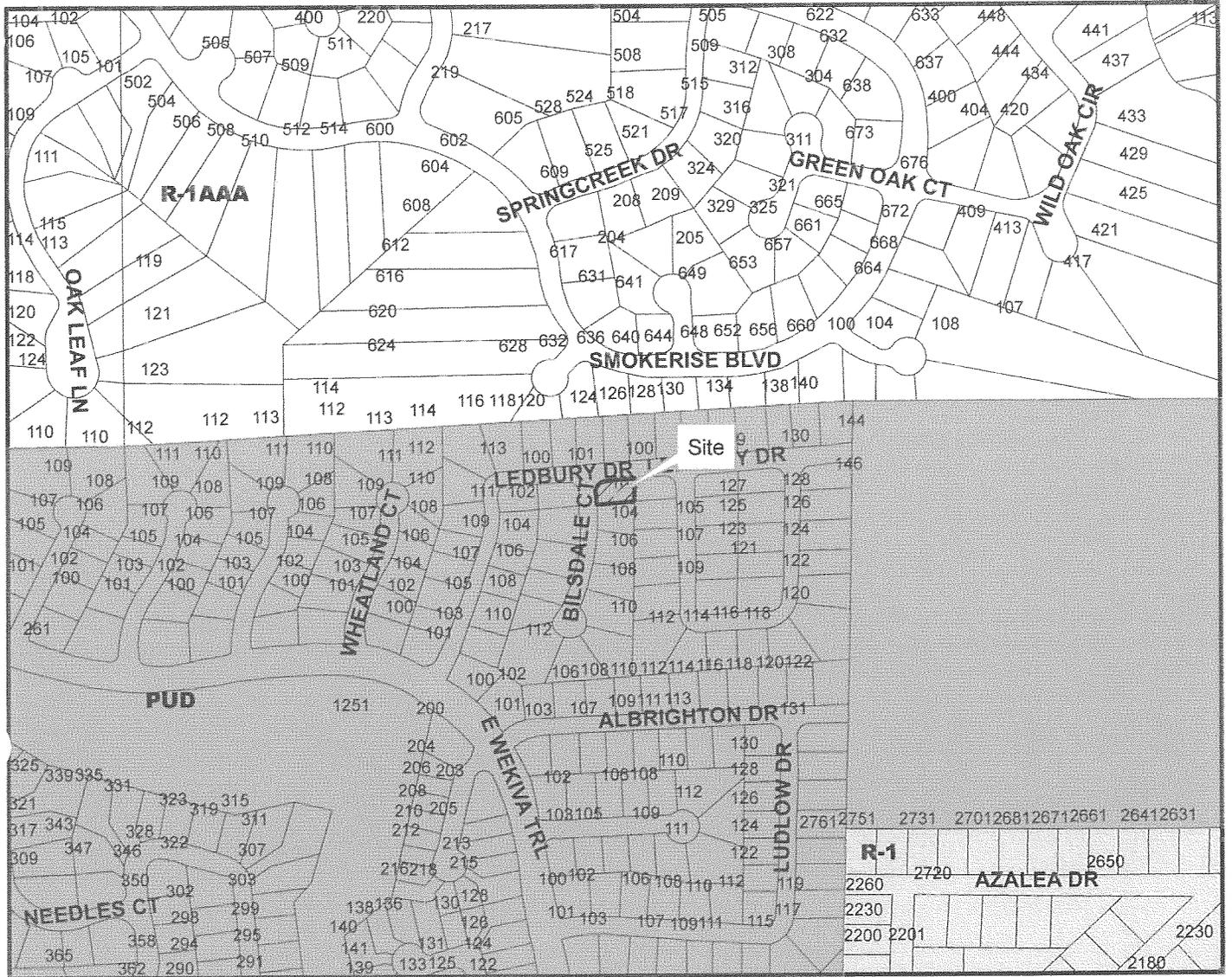


| Curve | Delta Angle | Radius | Arc |
|-------|-------------|--------|-------|
| 1 | 90°00'00" | 25.00 | 39.27 |
| 2 | 1°44'42" | 578.88 | 17.63 |



CERTIFIED TO:
FRANCINE LAWIER
WATSON TITLE SERVICES, INC.

**Beatrice Myers
101 Bilsdale Ct
Longwood, FL 32779**

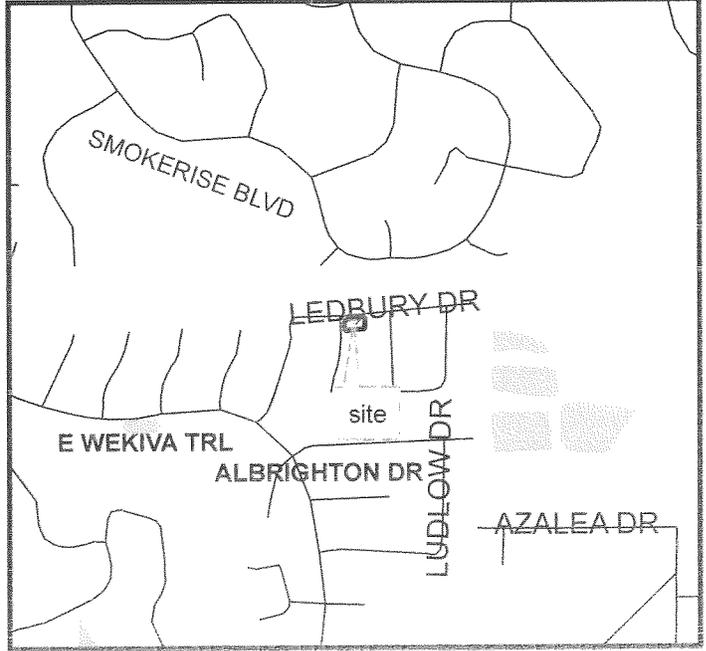


Seminole County Board of Adjustment
June 26, 2006
Case: BV2006-077
Parcel No: 05-21-29-507-0000-1000

Zoning

-  BV2006-077
-  R-1AAA
-  R-1
-  PUD

N

| <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---------------|--|------------------|--------------------------|------------|---------------|------------|-----------|-----------------|---------|-------|-----------|-----------|---|----|---------------|---------|-------|------|-----------|----------|-----|---------------|---------|-------|------|----------|----------|-----|---------------|---------|-------|------|----------|----------|-----|--|
| <p style="text-align: center;">GENERAL</p> <p>Parcel Id: 05-21-29-507-0000-1000 Owner: MYERS BEATRICE Mailing Address: 3937 SUMMER CHASE CT City,State,ZipCode: LAKE WORTH FL 33467 Property Address: 101 BILSDALE CT Subdivision Name: WEKIVA HUNT CLUB 1 FOX HUNT SEC 1 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p> | | <p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$160,111 Depreciated EXFT Value: \$4,877 Land Value (Market): \$41,600 Land Value Ag: \$0 Just/Market Value: \$206,588 Assessed Value (SOH): \$100,634 Exempt Value: \$25,500 Taxable Value: \$75,134 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>QUIT CLAIM DEED</td> <td>03/2006</td> <td>06186</td> <td>0899</td> <td>\$225,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/2006</td> <td>06119</td> <td>0475</td> <td>\$250,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1981</td> <td>01354</td> <td>0774</td> <td>\$87,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1974</td> <td>01035</td> <td>1749</td> <td>\$38,800</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 | QUIT CLAIM DEED | 03/2006 | 06186 | 0899 | \$225,000 | Improved | No | WARRANTY DEED | 01/2006 | 06119 | 0475 | \$250,000 | Improved | Yes | WARRANTY DEED | 08/1981 | 01354 | 0774 | \$87,000 | Improved | Yes | WARRANTY DEED | 01/1974 | 01035 | 1749 | \$38,800 | Improved | Yes | <p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,115 2005 Tax Bill Amount: \$1,183 Save Our Homes (SOH) Savings: \$932 2005 Taxable Value: \$72,203 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p> |
| Deed | Date | Book | Page | Amount | Vac/Imp | Qualified | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| QUIT CLAIM DEED | 03/2006 | 06186 | 0899 | \$225,000 | Improved | No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 01/2006 | 06119 | 0475 | \$250,000 | Improved | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 08/1981 | 01354 | 0774 | \$87,000 | Improved | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 01/1974 | 01035 | 1749 | \$38,800 | Improved | Yes | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>41,600.00</td> <td>\$41,600</td> </tr> </tbody> </table> | | Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | LOT | 0 | 0 | 1.000 | 41,600.00 | \$41,600 | <p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 100 WEKIVA HUNT CLUB FOX HUNT SEC 1 PB 18 PGS 79 TO 83</p> | | | | | | | | | | | | | | | | | | | | | | | |
| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| LOT | 0 | 0 | 1.000 | 41,600.00 | \$41,600 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| BUILDING INFORMATION | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Bid Num | Bld Type | Year Blt | Fixtures | Base SF | Gross SF | Living SF | Ext Wall | Bld Value | Est. Cost New | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1 | SINGLE FAMILY | 1974 | 6 | 1,644 | 2,224 | 1,644 | CONC BLOCK | \$160,111 | \$186,175 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | Appendage / Sqft | OPEN PORCH FINISHED / 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | Appendage / Sqft | GARAGE FINISHED / 550 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| EXTRA FEATURE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Description | Year Blt | Units | EXFT Value | Est. Cost New | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | POOL GUNITE | 1974 | 420 | \$3,360 | \$8,400 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | COOL DECK PATIO | 1974 | 588 | \$823 | \$2,058 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | ALUM SCREEN PORCH W/CONC FL | 1974 | 204 | \$694 | \$1,734 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>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.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Please click anywhere on this form and then print as usual...

Wekiva Hunt Club Community Association Architectural Control Committee Exterior Improvement Approval Form

Section 1: Name and Location

Name:

Francine Lawler / Beatrice Myers
Mailing Address (if different from property):

Property Address:

101 Bilsdale Court
City:

Longwood

State:

FL

Zip:

32779

Day Phone:

561-434-3694 / 407-288-0243

Evening Phone:

same as listed

Cell Phone

561-385-7453

Section 2: Change Descriptions (include dimensions, materials, color finish, location, etc.)

Moving Fence & repairs 1 Tree next to Garage

Section 3: Request for Approval

I request approval to make the above changes. I understand that some types of changes require County Permits and I will acquire any required permits prior to making the above changes.

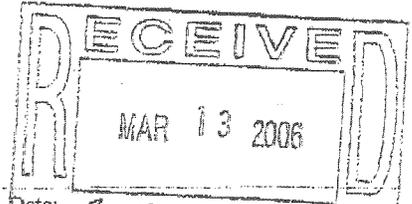
Francine Lawler / Beatrice Myers
Signed

Date 3/13/06

Section 4: Approval or Denial (WHCCA ONLY)

- Approved
- Approved - subject to the following:
- Denied - comments:

Received

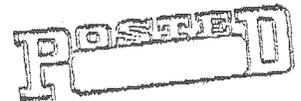


Signed (WHCCA ACC): C. Hess

Date: 3-22-06

Instructions: Changes must be completed within 120 days from the date of approval. If more time is needed you must submit a written request for an extension. Please fill out sections 1, 2 and 3. Attach a plot survey showing locations of changes. For paint color, please attach "color chips" with the colors desired clearly marked (larger samples may be requested). If construction is to occur in an easement, an additional form is also required. This form will be returned via U.S. Mail either approved or denied within 30 days from the date received. You may contact the association office at (407) 774-6111 if you have any questions. Please return this form and required attachments to:

Wekiva Hunt Club Community Association, Inc.-ACC
239 Hunt Club Blvd. Suite 101
Longwood, FL 32779-7115



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 26, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 100 WEKIVA HUNT CLUB FOX HUNT SEC 1 PB 18 PGS 79 TO 83

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

FINDINGS OF FACT

Property Owner: Beatrice Myers
101 Bilsdale Ct.
Longwood, FL 32779

Project Name: Bilsdale Court (101)

Requested Development Approval:

Request for a side street (north) setback from 20 feet to 9 feet for a proposed fence 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: 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 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, 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: