

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 3781 Becontree Place – Michael Moreschi, applicant; Request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room in PUD (Planned Unit Development District).

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

**AUTHORIZED BY:** Kathy Fall      **CONTACT:** Joy Williams      **EXT.** 7399

Agenda Date 5/21/07 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **DENY** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room in PUD (Planned Unit Development District); or
2. **APPROVE** the request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room in PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Michael Moreschi Location: 3781 Becontree Place Zoning: PUD (Planned Unit Development District) Subdivision: Tract 301 at Carillon
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a 10-foot by 20-foot screen room.</li> <li>• The 200 square foot screen room would encroach 10 feet into the required 20-foot rear yard setback.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances for this property.</li> </ul>
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> <li>• No special conditions or circumstances exist, which</li> </ul>

	<p>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.</p> <ul style="list-style-type: none"><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<p><b>STAFF RECOMMENDATION</b></p>	<p>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:</p> <ul style="list-style-type: none"><li>• Any variance granted shall apply only to the screen room as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul>

**INDEX OF ATTACHMENTS**

*Items that are checked are included in the packet*

- Staff Report
- Application
- Applicant statement of request
- Proposed Site Plan
- Location map
- Property Appraiser data sheet
- PUD Commitment Card, *if applicable*

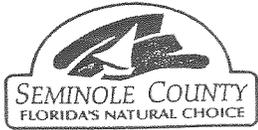
Support information:

- Proposed elevation drawings, renderings, floor plans, etc
- Aerials, *if warranted*
- Plat, *if warranted*
- Code Enforcement information
- Building Permit information
- Correspondence
- Authorization letter
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents
  
- Proposed Development Order

Fee: \$150.00 plus \$50.00 for each additional variance

Application # BV 2007-22  
Meeting Date 4-23-07

**COPY**



**VARIANCE APPLICATION**  
**SEMINOLE COUNTY PLANNING DIVISION**  
1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Michael Moreschi

Address: 3781 Beantree Place City: Oviedo Zip code: 32765

Project Address: 3781 Beantree Place City: Oviedo Zip code: 32765

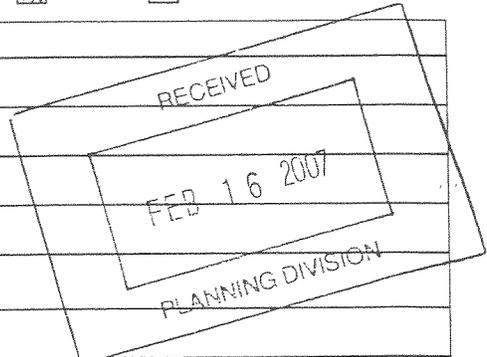
Contact number(s): 407-359-5232

Email address: mjvn@bellsouth.net

Is the property available for inspection without an appointment?  Yes  No

**What type of structure is this request for?**

<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other	Please describe: <u>SCREEN ROOM</u>
<input type="checkbox"/> This request is for a structure that has already been built.	



**What type of variance is this request?**

<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>20</u>	Proposed setback:	<u>10</u>
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Total number of variances requested <u>1</u>				

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist are provided to the planning division.

Signed: [Signature] 2/16/07

**FOR OFFICE USE ONLY**

Date Submitted: 2-16-07 Reviewed By: P. Johnson  
 Tax parcel number: 35-21-31-509-0000-0960 Zoning/FLU RUO / PD  
 Legally created parcel (1971 tax roll, 5-acre dev, lot split)  
 Platted Lot (check easements as shown on lots, in notes or in dedication)  
 Lot size \_\_\_\_\_  Meets minimum size and width  
 Application and checklist complete  
 Notes: \_\_\_\_\_  
 \_\_\_\_\_

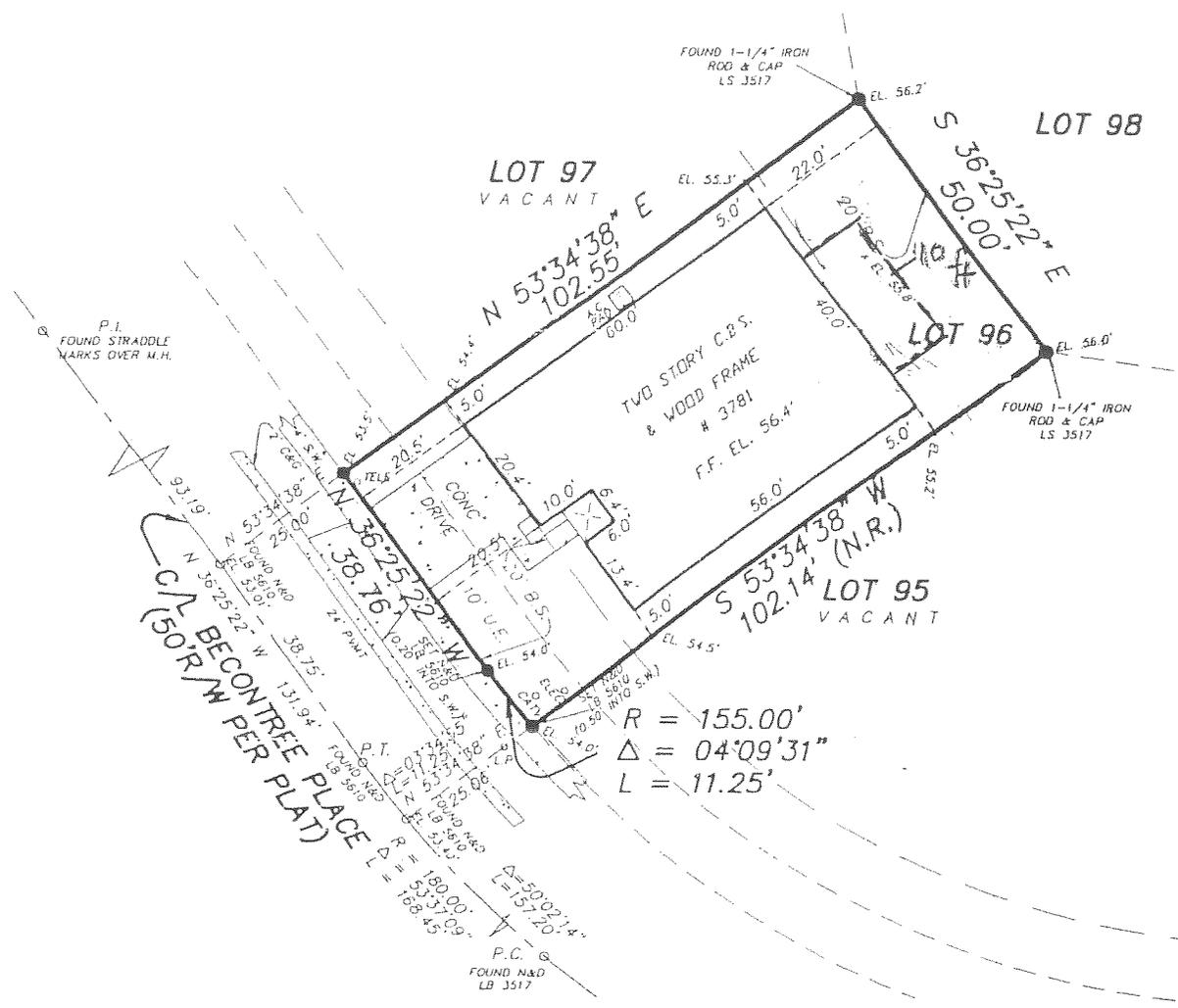
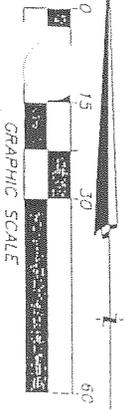
**VARIANCE SUBMITTAL CHECKLIST**

*Please return this checklist with your application!*

<p>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <u>This form can be obtained online.</u>
	3. Provide a legible 8 ½ x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <u>View a sample site plan online as an example of the information needed; please draw to scale and note the scale used on the plan.</u>
	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
	<input type="checkbox"/> Size and dimension of the parcel
	<input type="checkbox"/> Location and name of all abutting streets
	<input type="checkbox"/> Location of driveways
	<input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
	<input type="checkbox"/> Location of all easements
	<input type="checkbox"/> Existing or proposed house <u>or</u> addition <i>(Label existing, label proposed, and include square footage and dimensions of each )</i>
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	<input type="checkbox"/> Building height
	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
	<input type="checkbox"/> Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

LOT 96, TRACT 301 AT CARILLON, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 45, PAGES 31 - 37, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

"BOUNDARY AND AS-BUILT SURVEY"



$R = 155.00'$   
 $\Delta = 04^{\circ}09'31''$   
 $L = 11.25'$

THIS BOUNDARY SURVEY MEETS OR EXCEEDS THE HORIZONTAL CONTROL ACCURACY OF 1/7500 FEET FOR A SUBURBAN SURVEY.

NOTE: ALL LOT CORNERS FOUND 5/8" IRON ROD & CAP L.B. 5610 (UNLESS OTHERWISE SHOWN).

ABBREVIATIONS

P.R.M. - PERMANENT REFERENCE MONUMENT	C.M. - CONCRETE MONUMENT	EL. - ELEVATION	CONC. - CONCRETE	W.M. - WATER METER
P.O.C. - POINT OF COMMENCEMENT	P.B. - PLAT BOOK	A/C - AIR CONDITIONER	C.L.F. - CHAIN LINK FENCE	F.H. - FIRE HYDRANT
P.C. - POINT OF CURVATURE	P <sub>g</sub> - PAGE	TYP. - TYPICAL	W.F. - WOOD FENCE	N & D - NAIL AND DISC
P.R.C. - POINT OF REVERSE CURVATURE	N.R. - NON-RADIAL	U.E. - UTILITY EASEMENT	C & G - CURB & GUTTER	B.M. - BENCH MARK
P.C.C. - POINT OF COMPOUND CURVATURE	RAD. - RADIAL	D.E. - DRAINAGE EASEMENT	CATV - CABLE TELEVISION RISER	P.V.M.T. - PAVEMENT
P.T. - POINT OF TANGENCY	R. - RADIUS	F.F. - FINISHED FLOOR	TELE - TELEPHONE RISER	C.S.E. - CITY SERVICES EASEMENT
P.I. - POINT OF INTERSECTION	A. - ARC LENGTH	B.S. - BUILDING SETBACK	TRANS. - TRANSFORMER PAD	SQ. FT. - SQUARE FEET
P.C.P. - PERMANENT CONTROL POINT	Δ - DELTA (CENTRAL ANGLE)	C.B.S. - CONCRETE BLOCK STRUCTURE	L.P. - LIGHT POLE	PROP. - PROPOSED
P.O.L. - POINT ON LINE	R.P. - RADIUS POINT	(P) - PLAT	P.P. - POWER POLE	D.F. - DRAINFIELD
C.B. - CHORD BEARING	R/W - RIGHT-OF-WAY	(M) - MEASURED	M.H. - MANHOLE	O.S. - OPEN SPACE
T.B. - TANGENT BEARING	C/L, C - CENTER LINE	(C) - CALCULATED	F.B. - FIELD BOOK	W.S. - WATER SERVICE
SURVEY NOTES:	MAX. - MAXIMUM		S.W. - SIDEWALK	S.T. - SEPTIC TANK

- THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- THE "LAND DESCRIPTION" HEREON IS IN ACCORD WITH THE DESCRIPTION PROVIDED BY THE CLIENT. ALL BEARINGS AND DISTANCES SHOWN HEREON ARE PER THE DESCRIPTION AND ARE CORRECT AND IN AGREEMENT WITH THE FOUND AND SET MONUMENTS AS MEASURED IN THE FIELD, UNLESS OTHERWISE NOTED.
- SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OR OPINION OF TITLE. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS NOTED.
- NO UNDERGROUND UTILITIES, FOUNDATIONS, OR IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED EXCEPT AS SHOWN.
- BASIS OF BEARINGS: ASSUMED N89°57'29"E ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 31 EAST. (PER PLAT)

CERTIFIED CORRECT TO: MICHAEL AND JANE MORESCHI ENCL. HOMES/ ORLANDO, INC. UNIVERSAL LAND TITLE, INC./COMMONWEALTH PREFERRED HOMES MORTGAGE COMPANY ITS SUCCESSORS AND/OR ASSIGNS

CERTIFICATE: I HEREBY CERTIFY THAT THE ATTACHED "SKETCH OF SURVEY" OF OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER MY DIRECTION IN FEBRUARY, 1999. I FURTHER CERTIFY THAT THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING IN THE STATE OF FLORIDA ADOPTED BY CHAPTER 51G17-6 OF THE FLORIDA ADMINISTRATIVE CODE. ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP NUMBER 12117C0275, EFFECTIVE DATE: APRIL 17, 1995, THIS PROPERTY LIES IN ZONE "X".

Jane & Michael Moreschi  
3781 Becontree Place  
Oviedo, Florida 32765



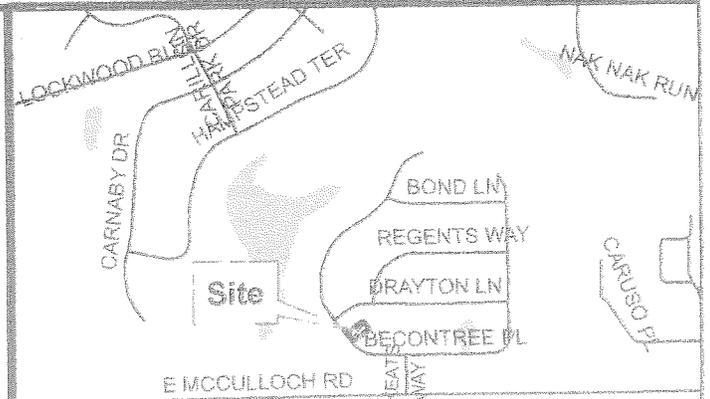
E MCCULLOCH RD

ORANGE COUNTY

Seminole County Board of Adjustment  
April 23, 2007  
Case: BV2007-22 (Map 3213, Grid C7)  
Parcel No: 35-21-31-509-0000-0960

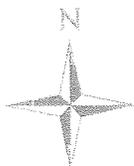
Zoning

-  BV2007-22
-  A-1
-  PUD



E MCCULLOCH RD

ORANGE COUNTY



<p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																											
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 35-21-31-509-0000-0960                  Owner: MORESCHI MICHAEL J &amp; JANE E                  Mailing Address: 3781 BECONTREE PL                  City,State,ZipCode: OVIEDO FL 32765                  Property Address: 3781 BECONTREE PL OVIEDO 32765                  Subdivision Name: CARILLON TRACT 301 AT                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions: 00-HOMESTEAD (2000)                  Dor: 01-SINGLE FAMILY</p>		<p><b>2007 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market                  Number of Buildings: 1                  Depreciated Bldg Value: \$258,968                  Depreciated EXFT Value: \$0                  Land Value (Market): \$42,000                  Land Value Ag: \$0                  Just/Market Value: \$300,968                  Assessed Value (SOH): \$148,823                  Exempt Value: \$25,000                  Taxable Value: \$123,823                  Tax Estimator</p>																																																									
<p style="text-align: center;"><b>SALES</b></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>02/1999</td> <td>03603</td> <td>0676</td> <td>\$138,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1996</td> <td>03048</td> <td>1654</td> <td>\$135,200</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	02/1999	03603	0676	\$138,000	Improved	Yes	WARRANTY DEED	03/1996	03048	1654	\$135,200	Vacant	No	<p><b>2006 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$4,151                  2006 Tax Bill Amount: \$1,937                  Save Our Homes (SOH) Savings: \$2,214                  2006 Taxable Value: \$120,193                  DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																				
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COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 35 TWP: 21 RNG: 31  
 PROJ. #

DEVELOPMENT:		Carillon Tract 301				DEVELOPER:		Rich, Wayne					
LOCATION:		N side of McCulloch Road, E end of the Carillon PUD						174 lots					
FILE#:		BA:		SP:		BCC:	3/24/92						
P&Z:													
PB	46	PG	31-37	Lot		Blk		Parcel		DBA	Comm Dist		
DEVEL. ORDER #:		88-314				TAX PAR. I.D. #:							
SIDEWALKS:						<b>SETBACK REQUIREMENTS</b>							
						FY:	20'	SIDE ST.:		SY:	0-10'	RY:	20'
ROAD TYPE:						MAIN STRUCTURE OTHER:							
(CURB & GUTTER OR SWALE)						10' minimum between buildings.							
COMMENTS OTHER: *Intersection Improvements: McCulloch Road, left and right turn lanes required. 1) Dedicate all areas below the 100-year flood prone elevation as a Conservation Easement. 2) Provide pedestrian access between Lots 39 and 40.  lot flood prone.						<b>ACCESSORY STRUCTURE SETBACKS:</b>							
						SY:	0-10'			RY:	10'		
						ACCESSORY STRUCTURE OTHER:						Min. D/U: 1,000 sq. ft.	

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

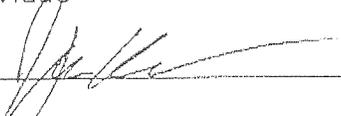
To Whom it may concern,

The following Neighbors have given permission for Jane and Michael Moreschi at 3781 Becontree Pl Oviedo Florida to build a 10X12 screened porch onto the back of their home.

Helen and Mike Morrisey  
4493 Drayton Ln  
Oviedo



John Kolb  
3785 Becontree Pl  
Oviedo



Ted Freycent  
3769 Becontree Pl  
Oviedo



Carillon Com. Res. Association  
c/o Greystone Management Company, Inc.  
1936 Lec Road, Suite 250  
Winter Park FL 32789  
407-645-4945

**NOTICE OF APPROVAL**  
**Carillon Com. Res. Association**

April 25, 2007

Michael & Jane Moreschi  
3781 Becontree Place  
Oviedo FL 32765

RE: 3781 Becontree Place

Dear Owner:

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

**ARB Request to install a 10' X 20' with footers and an aluminium screen porch.**

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

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

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

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

Sincerely,

Carillon Com. Res. Association

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 21, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Lot 96  
Tract 301 at Carillon Plat Book 46 Pages 31 - 37

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

### FINDINGS OF FACT

**Property Owner:** Michael & Jane Moreschi  
3781 Becontree Place  
Oviedo, FL 32765

**Project Name:** Becontree Place (3781)

**Requested Development Approval:**

Request for a rear yard setback variance from 20 feet to 10 feet for a proposed screen room in 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: Joy Williams, 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 screen room 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: \_\_\_\_\_  
Dori Debord,  
Planning & Development Director

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 \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: