

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

**SUBJECT:** 212 Soldiers Creek Place – Haitian Hu, applicant; Request for a rear yard setback variance from 30 feet to 28 feet for a screen room addition in PUD (Planned Unit Development District).

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

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

Agenda Date 9/24/07    Regular     Consent     Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **DENY** the request for a rear yard setback variance from 30 feet to 28 feet for a screen room addition in PUD (Planned Unit Development District); or
2. **APPROVE** the request for a rear yard setback variance from 30 feet to 28 feet for a screen room addition in PUD (Planned Unit Development District);  
or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Haitian Hu Location: 212 Soldiers Creek Place Zoning: PUD (Planned Unit Development District) Subdivision: Crystal Creek Unit 1
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a 10-foot by 23-foot screen room addition that would encroach 2 feet into the required 30-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 are peculiar to the land, structure, or building involved and which are not applicable to other lands,</li> </ul>

	<p>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></ul> <p><i>The applicant could reduce the size of the screen room to meet the required setback.</i></p> <ul style="list-style-type: none"><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

**COPY**

Application # B112007-102  
Meeting Date 9-24-07



**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: Haitian Hu  
Address: 212 Soldiers Creek PL City: Longwood Zip code: 32750  
Project Address: 212 Soldiers Creek PL City: Longwood Zip code: 32750  
Contact number(s): (407) 529-4575 (Kaibo)  
Email address: \_\_\_\_\_

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 checked="" type="checkbox"/> Covered screen room	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input type="checkbox"/> This request is for a structure that has already been built.	

RECEIVED JUL 31 2007

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>30 ft.</u>	Proposed setback: <u>28 ft.</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 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: Haitian Hu

**FOR OFFICE USE ONLY**

Date Submitted: 7-31-07 Reviewed By: P. Johnson  
Tax parcel number: 21-20-30-515-0000-0580 Zoning/FLU PUD / RD

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!*

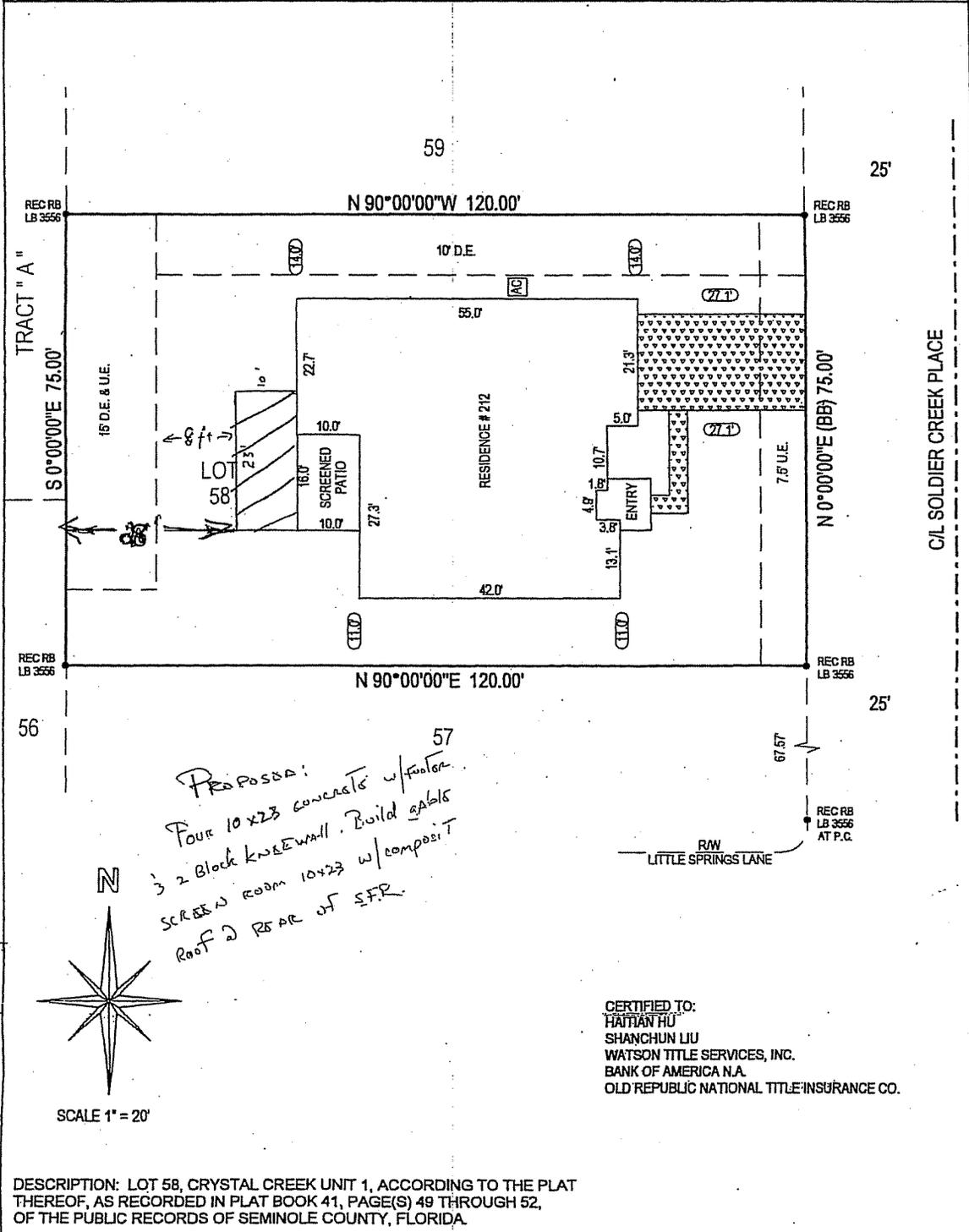
<p><i>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</i></p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a></i>
	3. Provide a legible 8 ½ x 11 inch site plan with the following information <p><b>NOTE: Please use your property survey for your site plan, if available.</b>  <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)</li> <li><input type="checkbox"/> Size and dimension of the parcel</li> <li><input type="checkbox"/> Location and name of all abutting streets</li> <li><input type="checkbox"/> Location of driveways</li> <li><input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells</li> <li><input type="checkbox"/> Location of all easements</li> <li><input type="checkbox"/> Existing or proposed house or addition  <i>(Label existing, label proposed, and include square footage and dimensions of each)</i></li> <li><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></li> <li><input type="checkbox"/> Building height</li> <li><input type="checkbox"/> Setbacks from each building to the property lines</li> <li><input type="checkbox"/> Location of proposed fence(s)</li> <li><input type="checkbox"/> Identification of available utilities  <i>(ex: water, sewer, well or septic)</i></li> </ul>
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

**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 0130 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



CERTIFIED TO:  
HAITIAN HU  
SHANCHUN LIU  
WATSON TITLE SERVICES, INC.  
BANK OF AMERICA N.A.  
OLD REPUBLIC NATIONAL TITLE INSURANCE CO.

DESCRIPTION: LOT 58, CRYSTAL CREEK UNIT 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, PAGE(S) 49 THROUGH 52, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

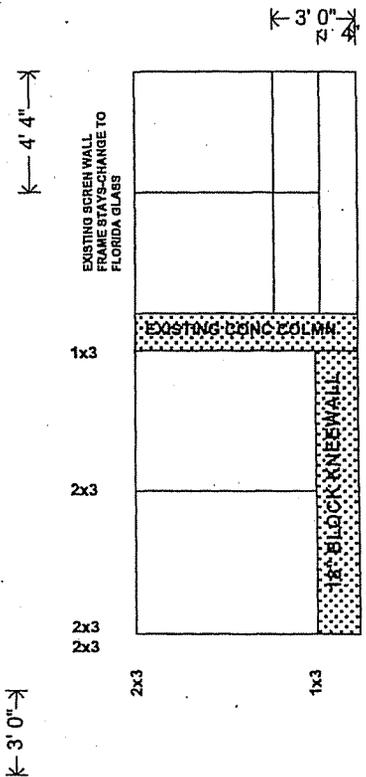
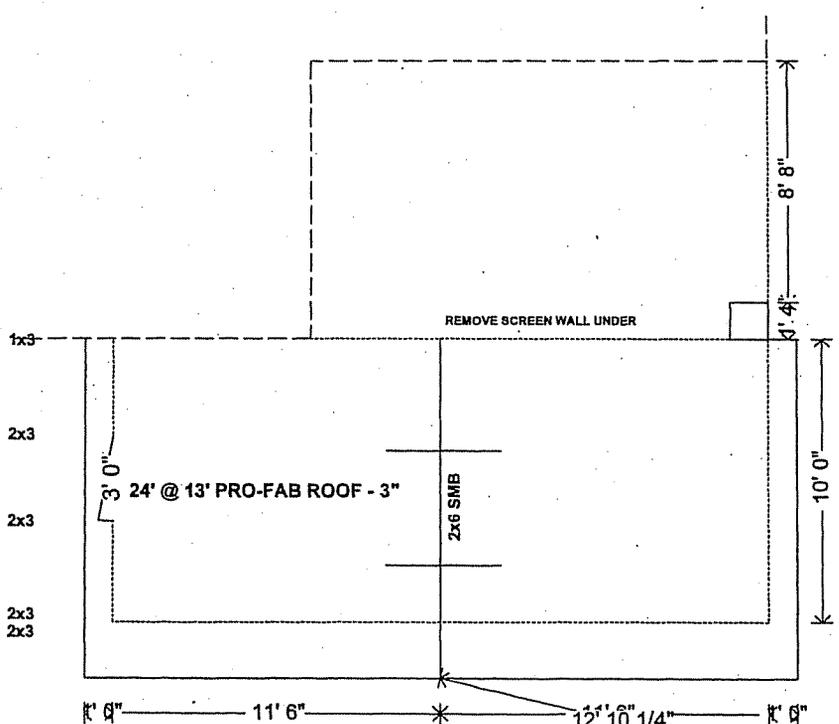
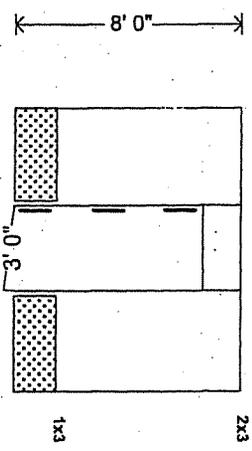
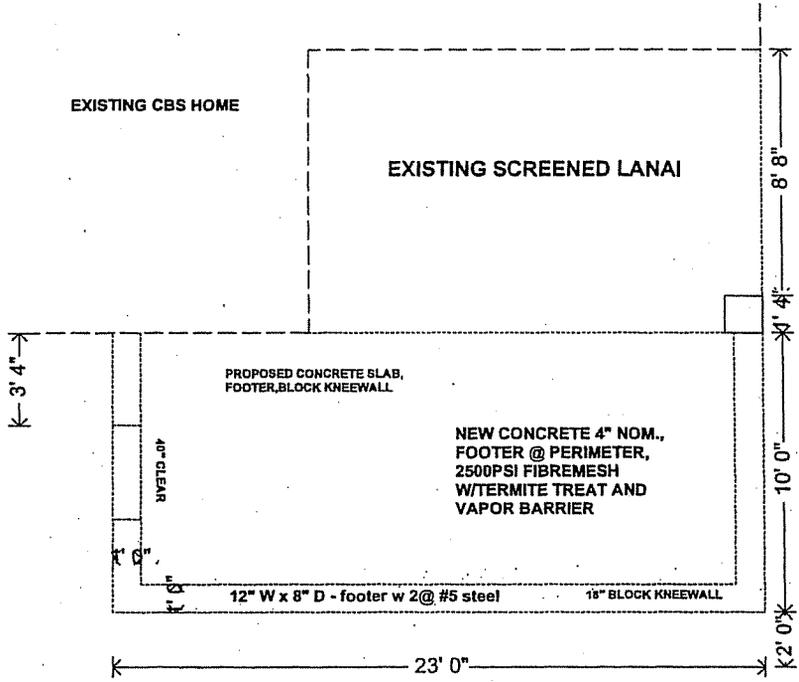
JOB NO.: 05-352  
DATE FIELD: 02-09-05  
SIGNED: 02-10-05  
DRAWN BY: RWJ/SJ  
P.C.: P.N.

LEGEND	
REC - RECOVERED	CONCRETE
LP - IRON PIPE	PRC - POINT OF REVERSE CURVE
LC - ILLEGIBLE CAP #	RP - RADIUS POINT
C.M. - CONCRETE MONUMENT	R - RADIUS
RB - REBAR	LA - LENGTH OF ARC
RAD. - RADIAL	CA - CENTRAL ANGLE
N.R. - NOT RADIAL	U.E. - UTILITY EASEMENT
N&D - NAIL & DISC	D.E. - DRAINAGE EASEMENT
(P) - PER PLAT	L.E. - LANDSCAPE EASEMENT
(M) - AS MEASURED	P.E. - POOL EQUIPMENT
(D) - PER DESCRIPTION	P.P. - POWER POLE
P.O.L. - POINT ON LINE	-X- - CHAIN LINK FENCE
P.C. - POINT OF CURVATURE	-□- - WOODEN FENCE
P.T. - POINT OF TANGENCY	

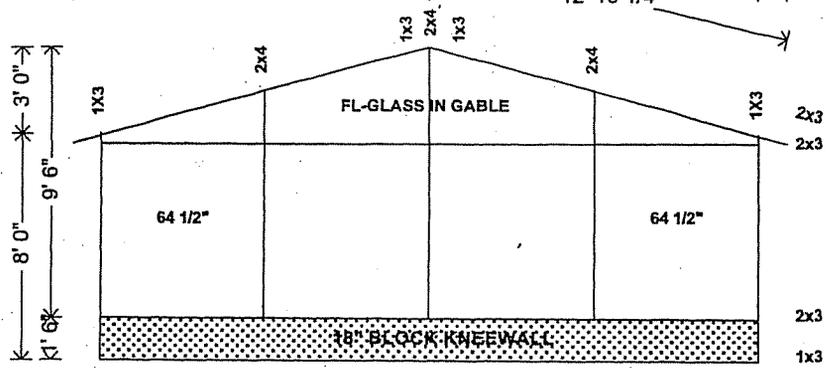
Not valid without the signature and the original record of a Florida licensed surveyor and mapper. Additions and deletions to survey maps or reports by other than the signing party or parties is prohibited without their consent of the signing party or parties.

*Rooney W. Jackson*  
ROONEY W. JACKSON, PSM 6281



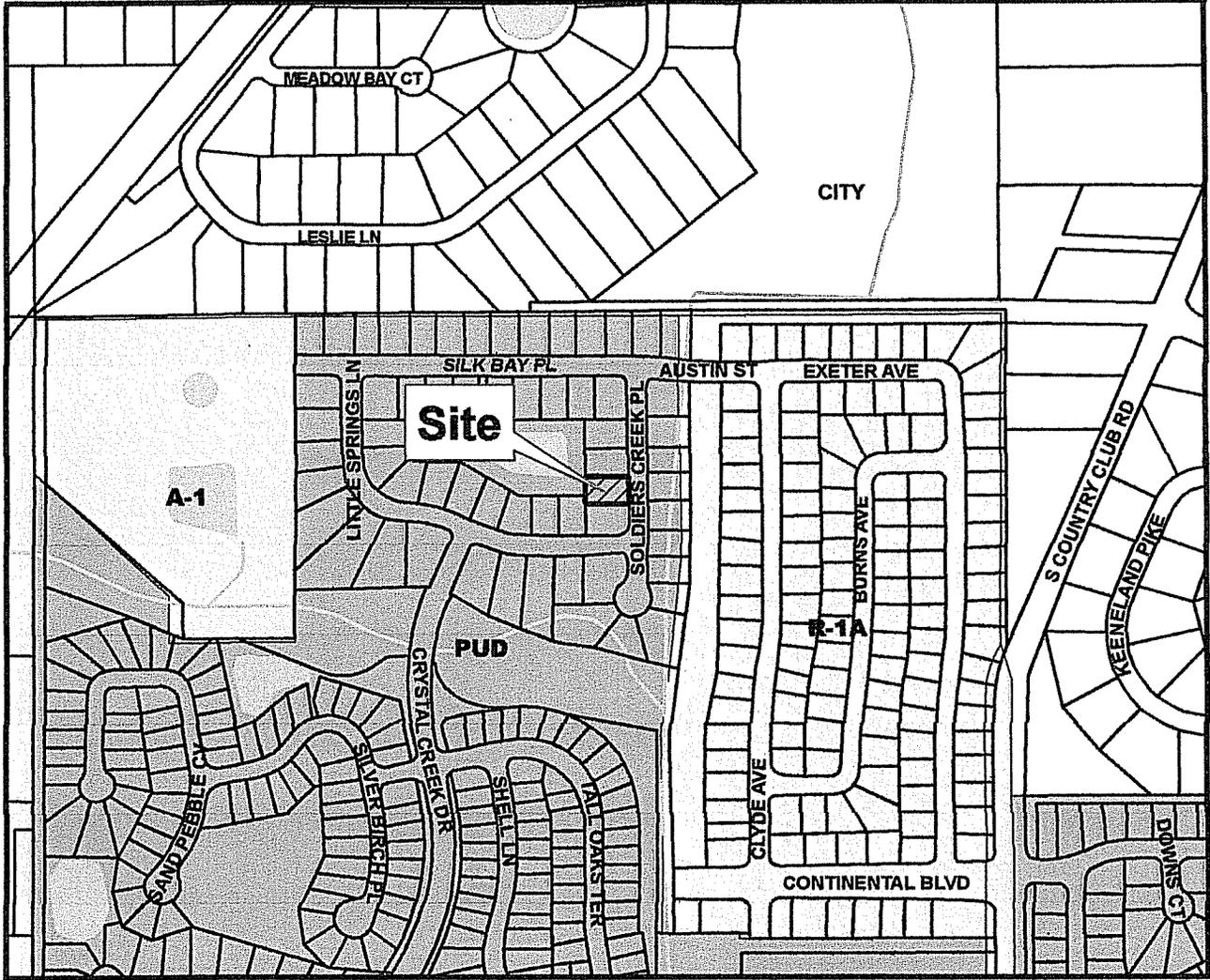


**WHITE**  
GABLE SCREEN ROOM  
ON KNEEWALL



Mr Haitian Hu  
212 Soldiers Creek Place  
Crystal Creek  
Longwood FI 32750

Haitian Hu  
 212 Soldiers Creek Place  
 Longwood, Florida 32750



**Seminole County Board of Adjustment**  
 September 24, 2007  
 Case: BV2007-102 (Map 3104, Grid A4)  
 Parcel No: 21-20-30-515-0000-0580

**Zoning**

-  BV2007-102
-  A-1
-  R-1A
-  PUD



N





1	FAMILY	1993	8	1,893	2,526	1,893	FINISH	\$210,383	\$221,456
	<b>Appendage / Sqft</b>						SCREEN PORCH FINISHED / 160		
	<b>Appendage / Sqft</b>						OPEN PORCH FINISHED / 25		
	<b>Appendage / Sqft</b>						UTILITY FINISHED / 36		
	<b>Appendage / Sqft</b>						GARAGE FINISHED / 412		

**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.

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 21,28 TWP: 20 RNG: 30  
 PROJ. #

<b>DEVELOPMENT:</b> Crystal Creek Unit 1		<b>DEVELOPER:</b> Florida Homecrafters	
<b>LOCATION:</b> W side of C-15, N of C-427		168 lots	
<b>FILE#:</b>	<b>BA:</b>	<b>SP:</b>	<b>BCC:</b> 7/23/85
<b>P&amp;Z:</b>			
<b>PB</b>	41	<b>PG</b>	49-52
<b>Lot</b>		<b>Blk</b>	
<b>Parcel</b>		<b>DBA</b>	
<b>Comm Dist</b>			
<b>DEVEL. ORDER #:</b> 88-0016		<b>TAX PAR. I.D. #:</b>	
<b>SIDEWALKS:</b> Required		<b>SETBACK REQUIREMENTS</b>	
		<b>FY:</b>	<b>RY:</b>
		<b>SIDE ST.:</b>	
<b>ROAD TYPE:</b> (CURB & GUTTER OR SWALE)		<b>MAIN STRUCTURE OTHER:</b>	
<b>COMMENTS OTHER:</b> On 4/16/00, Board of Adjustments approved setback variances which are as follows: 1) BA90-4-58V: Side Street setback variance from 20' to 10' for Lot 61. 2) BA90-4-59V Side street setback variance from 20' to 10' for Lot 71. 3) BA90-4-57V: Rear yard setback variance from 30' to 15' for Lot 29. 4) BA90-4-60V: Rear yard setback variance from 30' to 5' for Lot 100. 5) BA90-4-61V: Side street setback variance from 20' to 10' for Lot 121.		Lots 1-60 - Minimum House: 1,000 sq. ft Setbacks: FY: 25', SY: 7.5', RY: 30' Lots 61-188 - Min. House: 800 sq. ft. Setbacks: FY:20', SY: 0' one side (10 ft. between bldg.), RY: 10'	
		<b>ACCESSORY STRUCTURE SETBACKS:</b>	
		<b>SY:</b> Same as main structure	<b>RY:</b> 10'
		<b>ACCESSORY STRUCTURE OTHER:</b>	

IMPACT FEES			
<b>SCREEN:</b>			
<b>TRAFFIC ZONE:</b>	14		
<b>LAND USE:</b>	Lots 1-60: 1	Rem.: 3	
1. ROAD-CO. WIDE	V-705.00	V-394.00	
2. ROAD-COLL.	V-142.00	V-79.00	
3. LIBRARY	V-0.00	V-0.00	
4. FIRE	V-10.00	V-10.00	
5. PARK			
6. SCHOOL	V-300.00	V-200.00	
7. LAW			
8. DRAINAGE			
<b>TOTAL</b>		<b>\$1,157.00</b>	<b>\$683.00</b>
<b>REMARKS:</b> Curb and gutter; sidewalks			

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.

**CRYSTAL CREEK NEIGHBORHOOD ASSOCIATION, INC**  
**2180 WEST STATE ROAD 434, SUITE 5000**  
**LONGWOOD, FL 32779**  
**407-788-6700 EXT 337**

July 24, 2007

Haitian & Shanchun Liu Hu  
2112 Soldiers Creek Pl.  
Longwood, Fl 32750

**Re: Architectural Review Board (ARB) Approval**

Dear Homeowner:

Thank you for submitting your request.

The Architectural Review Board has approved your request to install a screen room pending county permits.

Please be advised that you must conform to all local zoning and building regulations and must obtain all necessary permits.

Please feel free to contact me at (407) 788-6700, ext. 336 should you have any questions or concerns.

Sincerely,

**CRYSTAL CREEK NEIGHBORHOOD ASSOCIATION, INC.**



Tony Languzzi  
Community Association Manager

/enclosures

001058

### CRYSTAL CREEK NEIGHBORHOOD ASSOCIATION, INC. APPLICATION FOR ARCHITECTURAL REVIEW COMMITTEE APPROVAL

To protect each homeowner's rights and property values, we require that any homeowner considering improvements or alterations, (i.e., patio enclosures, fences, pools, exterior color changes) to their home or property submit a Request for Home Improvement Approval to the Architectural Review Committee PRIOR to beginning work. Receipt of county approvals does not constitute approval by the Association and is not approval for you to begin work. The Architectural Review Committee reserves the right to investigate applications and inspect material prior to processing the request. If any change is made that has not been approved by the Association, the Board of Directors has the right to require you to remove the improvement from your property. Please complete this form in detail and send or deliver to: Sentry Management, Inc., 2180 W. SR 434, Suite 5000, Longwood, Florida 32779.

Owner's Name: Haitian Hu Home Phone: (407) 529-4575  
Address: 212 Soldiers Creek Pl. Longwood, FL 32759 Lot #: 58  
(include: street, city, state, zip)

Brief description of improvement which you propose:

10' x 23' x 10' Screen Room with 18/14 charcoal color mesh, 16" high with plate over (1) screen door, 2" x 3" aluminum framing, white color staining.  
See attached literature.

Material to be used for improvement (briefly describe):

Paint Color (s) \_\_\_\_\_  
Stain Color (s) \_\_\_\_\_  
Screen Type (s) 18/14 charcoal color mesh  
Cement/Stucco new concrete slab 10' x 23'  
Pipe/Electrical \_\_\_\_\_  
Wood Type (s) \_\_\_\_\_  
Fence Type (s) \_\_\_\_\_  
Height 12' height @ peak - A-Frame  
Other \_\_\_\_\_

Who will perform the work on this improvement? White Aluminum Inc.

Are Seminole County permits required?  Y  N Date Obtained: HOA approved

Attach a survey showing all proposed additions and/or changes, including all measurements. If you are proposing exterior color change, you must attach color chips or samples. If you need additional space, use the reverse of this form.

I agree not to begin work until I have received written approval.

Signature of Homeowner: Haitian Hu Date: 06-10-07

Received By/Date: \_\_\_\_\_ Approval By/Date: [Signature] 7/15/07

Disapproved By/Date: \_\_\_\_\_ Notified By/Date: [Signature] 7-15-07

*\*Pending county permits*

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On September 24<sup>th</sup>, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 58  
CRYSTAL CREEK UNIT 1 PB 49 PG 52

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

**FINDINGS OF FACT**

**Property Owner:** Haitian Hu & Shanchun Liu  
212 Soldiers Creek Pl  
Longwood, FL 32750

**Project Name:** Soldiers Creek Place (212)

**Requested Development Approval:**

Request for a rear yard setback variance from 30 feet to 28 feet for a screen room addition 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 L. 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: