

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 9208 Longfellow Place – Steve & Teresa Zurkuhlen, applicant; Request for a fence height variance from 6.5 feet to 10 feet for a proposed fence in R-1A (Single Family Dwelling District).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

Agenda Date 12/03/07 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a fence height variance from 6.5 feet to 10 feet for a proposed fence in R-1A (Single Family Dwelling District); or
2. **Approve** the request for a fence height variance from 6.5 feet to 10 feet for a proposed fence in R-1A (Single Family Dwelling District); or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Steve & Teresa Zurkuhlen Location: 9208 Longfellow Place Zoning: R-1A (Single Family Dwelling District) Subdivision: Bear Lake Woods
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting a fence height variance from 6.5 feet to 10 feet in order to reduce the visual and noise impacts of an adjacent industrial park.</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><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 fence 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 # BV 2007-146  
Meeting Date 12-3-07



**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: Steve Zurkukhan & Teresa Roy-Zurkukhan  
Address: 9208 Longfellow Place City: Apopka Zip code: 32703  
Project Address: 9208 Longfellow Place City: Apopka Zip code: 32703  
Contact number(s): (407) 294-4855 Home (407) 256-8470 Teresa's cell  
Email address: TEZ48@aol.com

Is the property available for inspection without an appointment?  
 Yes  No If gated please provide a gate code to staff.

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input checked="" type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input 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.	

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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 type="checkbox"/> Rear yard setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Side yard setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Side street setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Fence height	Required height:	Proposed height:	<u>10 FT.</u>
<input type="checkbox"/> Building height	Required height:	Proposed height:	
<b>Use below for additional yard setback variance requests:</b>			
<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 _____			

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: Steve Roy-Zurkukhan

**FOR OFFICE USE ONLY**

Date Submitted: 10-22-07 Reviewed By: \_\_\_\_\_  
 Tax parcel number: 19-21-29-5LZ-0000-0190 Zoning/FLU R-1A / LOR  
 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!*

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.

✓	1. Completed application.
	2. Owner's authorization letter (if needed). 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>
	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> <b>View a site plan online as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
	o Please start with a clean survey (ex: white out old approval stamps)
	o Size and dimension of the parcel
	o Location and name of all abutting streets
	o Location of driveways
	o Location, size and type of any septic systems, drainfield and wells
	o Location of all easements
	o Existing or proposed house or addition (Label existing, label proposed, and include square footage and dimensions of each )
	o Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
	o Building height
	o Setbacks from each building to the property lines
	o Location of proposed fence(s)
	o Identification of available utilities (ex: water, sewer, well or septic)
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07- \_\_\_\_\_:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: Teresa Ray-Zurkuhlen  
Address: 9208 Longfellow Place, Apopka, FL 32703  
Phone #: (407) 294-4855

Name: Steve Zurkuhlen  
Address: 9208 Longfellow Place, Apopka, FL 32703  
Phone #: (407) 294-4855

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
Address: \_\_\_\_\_

Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
Address: \_\_\_\_\_

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: N/A  
Trustees: \_\_\_\_\_  
Address: \_\_\_\_\_

Beneficiaries: \_\_\_\_\_  
Address: \_\_\_\_\_

(Use additional sheets for more space.)

SEMINOLE COUNTY  
APPLICATION AND AFFIDAVIT

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: N/A Name of Partnership: \_\_\_\_\_  
Principal: \_\_\_\_\_ Principal: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee: N/A Contract Vendee: \_\_\_\_\_  
Name: \_\_\_\_\_ Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Address: \_\_\_\_\_  
(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

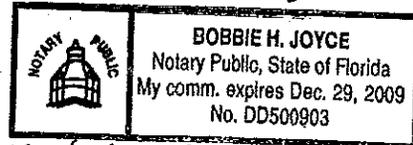
10/25/07  
Date

Teresa Ray-Zurkule  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 25 day of October, 2007 by Teresa Ray-Zurkule  
And Stephen Zurkule

Bobbie H Joyce Signature of Notary Public  
Bobbie H Joyce Print, Type or Stamp Name of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification FLDL 630-0 X 4-10-10  
Type of Identification Produced \* FLDL 302-0 X 8-22-10

**For Use by Planning & Development Staff**  
Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

10-20-07

To Whom It May Concern:

Re: Variance Application for 9208 Longfellow Place, Apopka, FL 32703

We are submitting this letter along with the application for a variance .

We are requesting to erect a rather tall fence in our backyard. This fence is to hopefully obscure the unsightly view that we have had to endure for the past two to three years. Along with a lot of noise and bright lights and a complete disruption of our "home life" as we knew it. The fence will hopefully block out a lot of noise as well as an unpleasant view . We used to have beautiful trees and tranquility when we looked out our family room, kitchen and master bedroom. Now it is nothing but huge metal buildings, concrete, fences, cars and stop signs and lights. I feel like there is this little "city" behind us. The buildings tower over our residence.

We have enclosed pictures to give you and idea of what we see from our home. Fortunately, a fence will hide probably 90% of what we have to look at on a daily basis. The fence was approved by our Home Owner's Association (see the attached form). There are only two neighbors who will be able to see the fence and they both agree that it would not be a problem. I have also enclosed a site plan of our home. There is currently a six foot concrete wall that belongs to our neighborhood. This wall is simply not tall enough to act as a barrier to our property. Our proposed fence will be along that wall only. We do not want to put any other structures up between our home and neighbor's homes. There are several other homes who this industrial park effects, but none are exposed as much as we are. We never thought that these very large and noisy buildings /businesses would be allowed in the first place. We are asking you to please make an exception and allow this fence. We even talked with the business owner, Robert Reading of Reading Plumbing who owns the warehouse directly behind us and he has no objections to the fence.

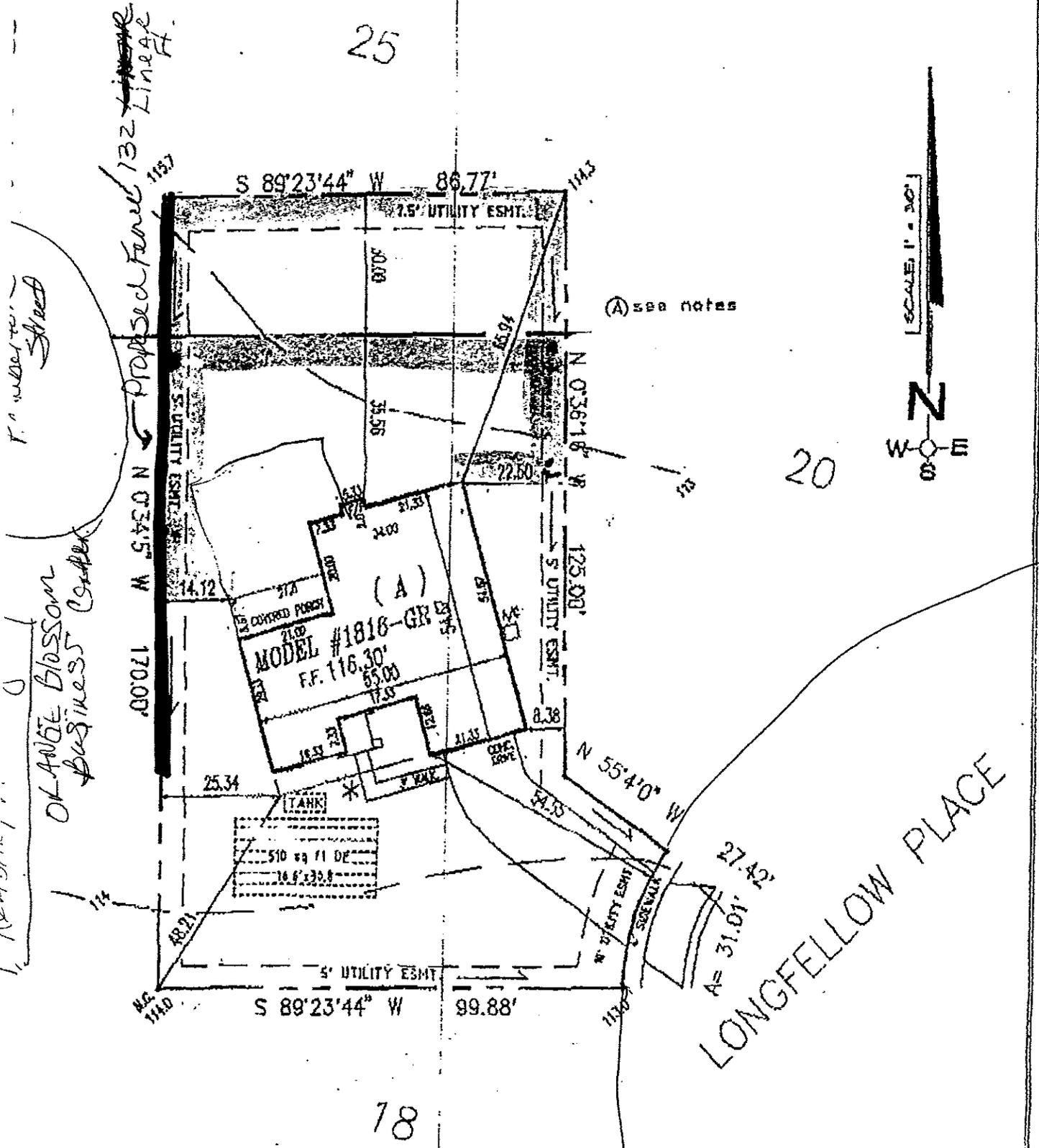
You are welcome to come to our home and see for yourself what we have to live with. Please let me know if there is anything else that you need.  
Sincerely,

Teresa Ray-Zurkuhlen and  
Steve Zurkuhlen  
9208 Longfellow Place  
Apopka., FL 32703

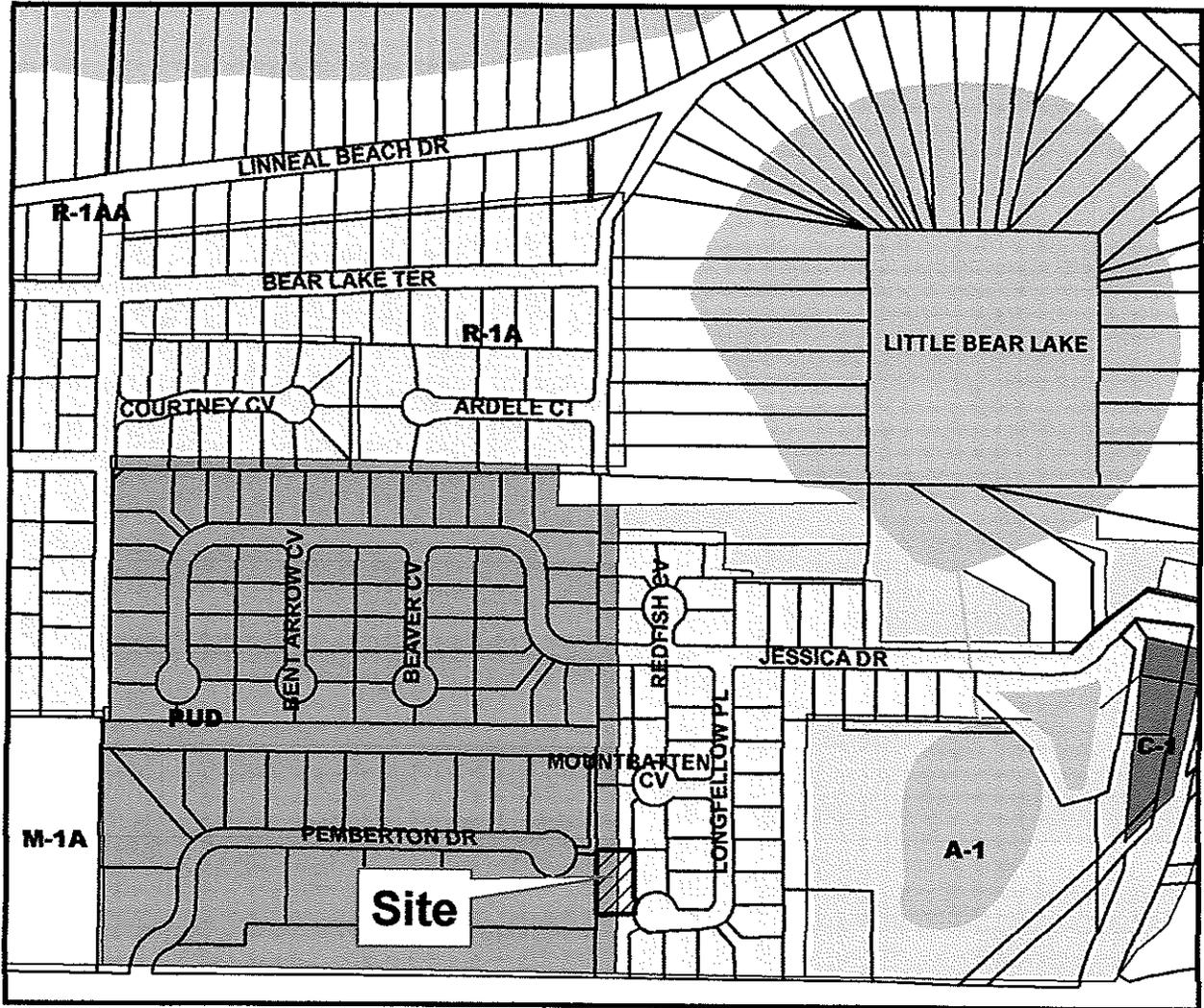
Area: 15402  
 Use / conc. area: 3428 (22.3) %  
 (i. drive & leadwalk)  
 Permiabie area: 11974

Notes:

(A) Screen porch cannot go beyond this line  
 (this is the structure set-back line)

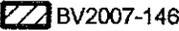
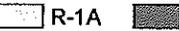
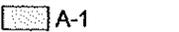
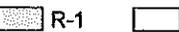
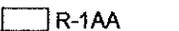


Teresa and Stephen Zurkuhlen  
 9208 Longfellow Place  
 Apopka, Florida 32703

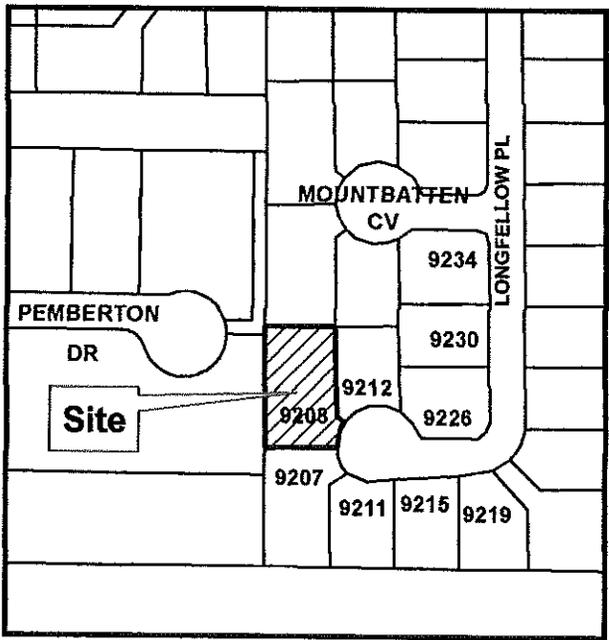


Seminole County Board of Adjustment  
 December 3, 2007  
 Case: BV2007-146 (Map 3207, Grid B3)  
 Parcel No: 19-21-29-5LZ-0000-0190

Zoning

 BV2007-146	 R-1A	 C-1
 A-1	 R-1	 M-1A
 R-1AA	 R-1BB	 PUD

N  

<p><b>PARCEL DETAIL</b></p> <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 407-665-7508</p>																
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 19-21-29-5LZ-0000-0190</p> <p>Owner: ZURKUHLN STEPHEN L &amp; TERESA R</p> <p>Mailing Address: 9208 LONGFELLOW PL</p> <p>City,State,ZipCode: APOPKA FL 32703</p> <p>Property Address: 9208 LONGFELLOW PL APOPKA 32703</p> <p>Subdivision Name: BEAR LAKE WOODS PH 1</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (1996)</p> <p>Dor: 01-SINGLE FAMILY</p>		<p><b>2008 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$198,534</p> <p>Depreciated EXFT Value: \$1,300</p> <p>Land Value (Market): \$65,000</p> <p>Land Value Ag: \$0</p> <p><b>Just/Market Value:</b> \$264,834</p> <p>Assessed Value (SOH): \$141,762</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$116,762</p> <p><b>Tax Estimator</b></p> <p><b>Tax Reform Analysis</b></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>07/1994</td> <td>02801</td> <td>1675</td> <td>\$122,100</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;"><u>Find Comparable Sales within this Subdivision</u></p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	07/1994	02801	1675	\$122,100	Improved	Yes	<p><b>2007 VALUE SUMMARY</b></p> <p>Tax Amount(without SOH): \$3,550</p> <p><b>2007 Tax Bill Amount:</b> \$1,673</p> <p><b>Save Our Homes (SOH) Savings:</b> \$1,877</p> <p>2007 Taxable Value: \$113,304</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified										
WARRANTY DEED	07/1994	02801	1675	\$122,100	Improved	Yes										
<p style="text-align: center;"><b>LAND</b></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>65,000.00</td> <td>\$65,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	65,000.00	\$65,000	<p style="text-align: center;"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 19 BEAR LAKE WOODS PH 1 PB 47 PG 11</p>		
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value											
LOT	0	0	1.000	65,000.00	\$65,000											
<b>BUILDING INFORMATION</b>																
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New							
1	SINGLE FAMILY	1994	9	1,824	2,526	1,824	CB/STUCCO FINISH	\$198,534	\$208,983							
			Appendage / Sqft	OPEN PORCH FINISHED / 189												
			Appendage / Sqft	OPEN PORCH FINISHED / 48												
			Appendage / Sqft	GARAGE FINISHED / 465												
<p><b>NOTE:</b> Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p><b>Permits</b></p>																
<b>EXTRA FEATURE</b>																
		Description	Year Blt	Units	EXFT Value	Est. Cost New										
		FIREPLACE	1994	1	\$1,300	\$2,000										
<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																

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BEAR LAKE WOODS HOMEOWNERS ASSOCIATION, INC.  
APPLICATION TO THE ARCHITECTURAL REVIEW BOARD

This application form is to be completed by the homeowner and submitted to the Architectural Review Board for review and action before any work commences. Please refer to your Declaration of Covenants, Conditions and Restrictions for a detailed description of the Architectural Review Committee and the section applicable to your request. NOTE: In addition to the requirements recorded in the Declaration of Covenants, Conditions and Restrictions, all applications must conform to any applicable County zoning or building regulations. It is the responsibility of the homeowner to obtain all necessary permits when your application is approved by the Association. Approval by the Association does not imply approval or conformity to any Seminole County regulation.

THIS SECTION TO BE COMPLETED BY PROPERTY OWNER:

PROPERTY OWNER NAME: Stephen & Teresa Zurkuhlen PROPERTY ADDRESS: 9208 Longfellow Place

MAIL ADDRESS: 9208 Longfellow Place.

HOME #: (407)522-1066 WORK #: ( )

DESCRIPTION OF EXTERIOR CHANGE: (i.e., Fence, Pool, Paint, etc.) FENCE  
Wood or vinyl 10 FEET TALL. OR 4 FEET TO BE  
ADDED TO EXISTING WALL.

LOCATION OF INSTALLATION: (Please attach a copy of your site plan to show the precise location of the installation on your lot.) BE SURE TO FOLLOW SET BACK REQUIREMENTS.  
IN FRONT OF EXISTING CONCRETE WALL / OR ON TOP. 132 FEET  
STARTING ON THE SIDE OF OUR HOME TO THE END OF OUR BACKYARD.

SPECIFICATIONS OF IMPROVEMENT: (Follow requirements in Covenants and Restrictions.) IF ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH ON SHEET OF PAPER.

DIMENSIONS: N/A

MATERIALS:

COLOR: (INCLUDE PAINT CHIPS OR CANNOT BE PROCESSED)  
VINYL FENCE & BEIGE OR WOOD FENCE STAINED.

APPROXIMATE COMPLETION DATE: 10-1-07

I hereby submit to the Architectural Review Board for consideration, and agree to obtain necessary building permits and adhere to building setbacks as specified.

DATE: 9-5-07 SIGNATURE Teresa Zurkuhlen  
Robert & Patricia Curfen (MUST BE PROPERTY OWNER)

THIS SECTION TO BE COMPLETED BY ARCHITECTURAL REVIEW BOARD

APPROVED       DENIED      DATE 10/15/07

COMMENTS/SIGNATURES OF ARCHITECTURAL REVIEW BOARD:

Approved for 10 feet wood fence with the  
county approval. ~~the 5 foot spacing from our~~  
~~community wall.~~

*Krista [Signature]*  
*John W. [Signature]*  
*Lauren [Signature]*  
*[Signature]*

Return to: Bear Lake Woods Homeowners Association, Inc.  
c/o EPM Services  
PO Box 197043  
Winter Springs, FL 32719

**Bear Lake Woods HOA, Inc.**

*EPM Services*

PO Box 197043

Winter Springs, FL 32719

Office: 407-327-5824; Fax: 407-327-5816;

E-mail: [Richard.Martel@epmservices.com](mailto:Richard.Martel@epmservices.com)

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October 16, 2007

BL

Stephen & Teresa Zurkuhlen

9208 Longfellow Place

Apopka FL 32703

RE: 9208 Longfellow Place

ACC Application Approval 09/04/2007

Dear Stephen & Teresa Zurkuhlen

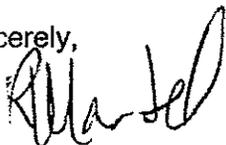
This is to advise you that your request as submitted on your Architectural Review Application for the above-referenced property address has been **APPROVED** by the Architectural Review Committee and the Board of Directors. I have enclosed a copy of the application along with this letter for your records.

- Request for 10 foot fence approved with following conditions: Fence must be wood, cannot be attached to the community wall and must obtain all necessary county variance requirements and permitting.

The Association makes no determination as to whether the proposed improvement meets with local building or zoning regulations, and you will need to obtain any required governmental permits.

If you have any questions regarding this information, please do not hesitate to contact me at (407) 327-5824.

Sincerely,



Richard Martel, LCAM

Community Association Manager

For: Bear Lake Woods HOA, Inc.

enclosure

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 3, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 19 BEAR LAKE WOODS PH 1 PB 47 PG 11

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

### FINDINGS OF FACT

**Property Owner:** Stephen L & Teresa R Zurkuhlen  
9208 Longfellow Pl  
Apopka FL 32703

**Project Name:** Longfellow Place (9208)

**Requested Development Approval:**

Request for a fence height variance from 6.5 feet to 10 feet for a proposed fence in R-1A (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: Denny Gibbs, Senior Planner  
1101 East First Street  
Sanford, Florida 32771

### Order

#### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
  1. The variance granted will apply only to the 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: \_\_\_\_\_  
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:

11-10-07

Seminole County Planning Division  
Attn: Denny Gibbs  
1101 East First Street  
Sanford, FL 32771

RE: Application for variance of fence at 9208 Longfellow Place.

Dear Ms. Gibbs:

As per the request of our neighbors, Teresa Ray-Zurkuhlen and Steve Zurkuhlen, we are writing this letter to advise you that we do not oppose the construction of the 10 foot wooden fence on their property. This will hopefully help the Zurkuhlen's in diminishing noise as well as to create a greater barrier between them and the Industrial Park and the unsightly buildings.

If you have any further concerns or questions please advise.

Sincerely,



Tom & Karol Vastrick  
9207 Longfellow Place  
Apopka, FL 32703

11-10-07

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Sincerely,

*Stu and Nancy Saunders*  
Stu and Nancy Saunders  
9212 Longfellow Place  
Apopka, FL 32703