

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 1394 Bridlebrook Drive – John & Stacy Gumula, applicants; Request for a side street setback variance from 20 feet to 12 feet for a privacy fence in PUD (Planned Unit Development) district.

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

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

Agenda Date 9/22/08 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **Deny** the request a side street setback variance from 20 feet to 12 feet for a privacy fence in PUD (Planned Unit Development) district; or
2. **Approve** the request a side street setback variance from 20 feet to 12 feet for a privacy fence in PUD (Planned Unit Development) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: John & Stacy Gumula Location: 1394 Bridlebrook Drive Zoning: PUD (Planned Unit Development) Subdivision: Deer Run Unit 7 A
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting a variance for a privacy fence to encroach 8 feet into the required 20-foot side street 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>

Reviewed by:  
Co Atty: AKC  
Pln Mgr: AS

	<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 that all six criteria under the Land Development Code for granting a variance have been satisfied. 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 privacy fence on the east side of property 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
- Applicant Authorization Form
- 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 2008-84  
Meeting Date 9-22-08



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

**COPY**

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

Name: John & Stacy Gumula  
Address: 1394 Bridlebrook Drive City: Casselberry Zip code: 32707  
Project Address: 1394 Bridlebrook Drive City: Casselberry Zip code: 32707  
Contact number(s): 407-436-4661 321-207-3410  
Email address: jjgumula@yahoo.com

Is the property available for inspection without an appointment?

Yes

No

If gated please provide a gate code to staff

RECEIVED AUG 01 2008

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input checked="" type="checkbox"/> Fence	Please describe: <u>6 ft wooden privacy fence</u>
<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.	

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 checked="" type="checkbox"/> Side street setback	Required setback:	<u>20'</u>	Proposed setback: <u>12'</u>
<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 _____			

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: John Gumula

**FOR OFFICE USE ONLY**

Date Submitted: 8/1/08 Reviewed By: D. McGuire  
 Tax parcel number: 15-21-30-5 GD-0000 Zoning/FLU PUD/PP  
 Legally created parcel (1971 tax roll, 5-acre dev, lot split) 0220  
 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). 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.

August 1<sup>st</sup> 2008

To Whom it May Concern,

My wife and I are submitting this request for a couple of reasons. The primary reason is to cover a set of sliding glass doors which lead into our Master Bedroom. As residents or visitors to the neighborhood turn onto Dashergreen Drive from either direction, their headlights shine into our bedroom. We do have thick curtains on the doors to minimize the light coming in as well as the vehicle noise, but that only does so much. Secondly, we would like the fence for some security. Along with the traffic on Dashergreen Drive, there is a lot of foot traffic going up and down the sidewalk right outside of our bedroom doors. We are expecting parents and would like to feel secure.

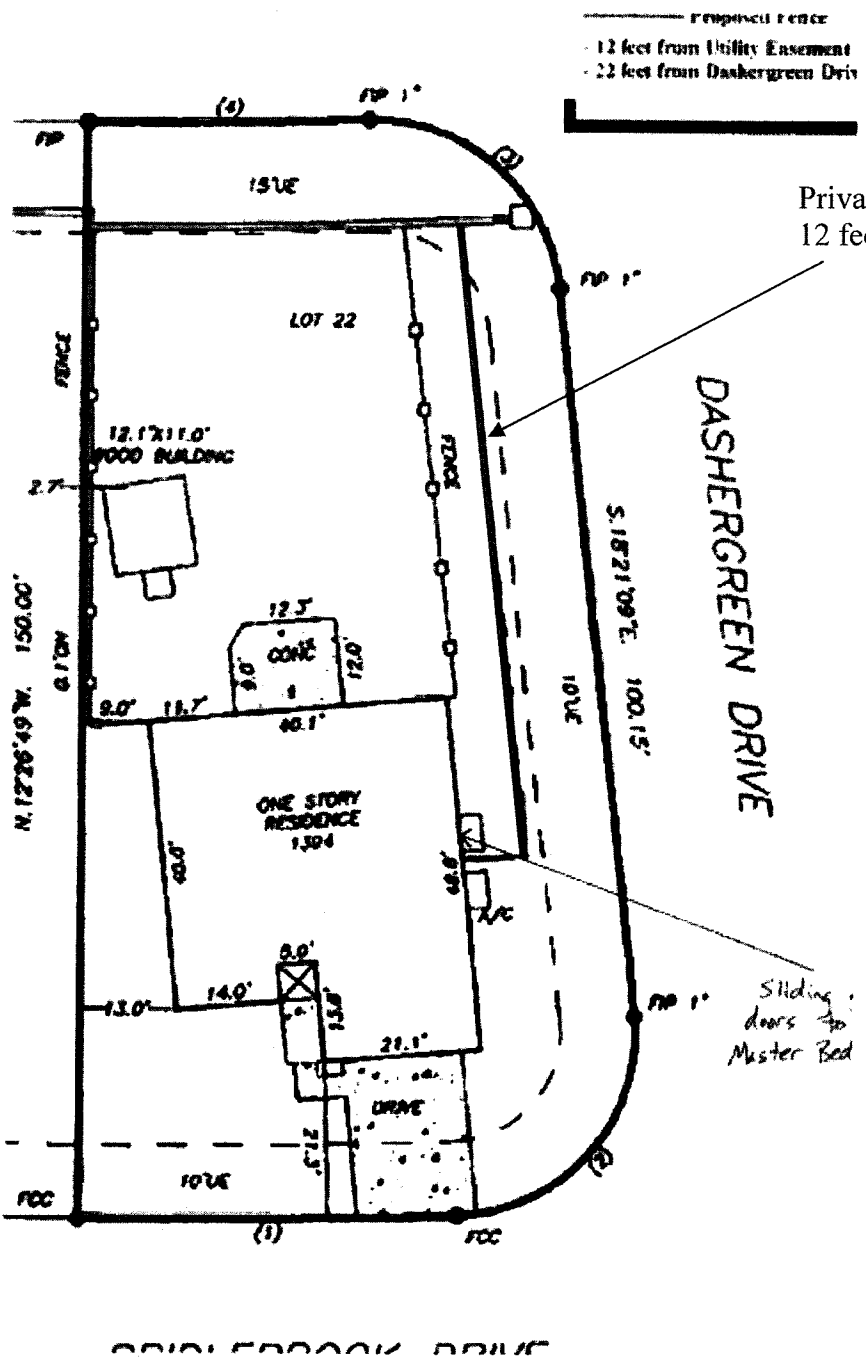
The fence will be a standard <sup>6</sup> foot wooden privacy fence. I have spoken with Melissa Gazaway, who is the president of our HOA. She and the rest of the board have approved the fence as long as it is approved by the county/city. The placement of the fence will be 22 feet from road, which will not effect the line of sight for drivers coming from either direction.

Thank you for your time and consideration,

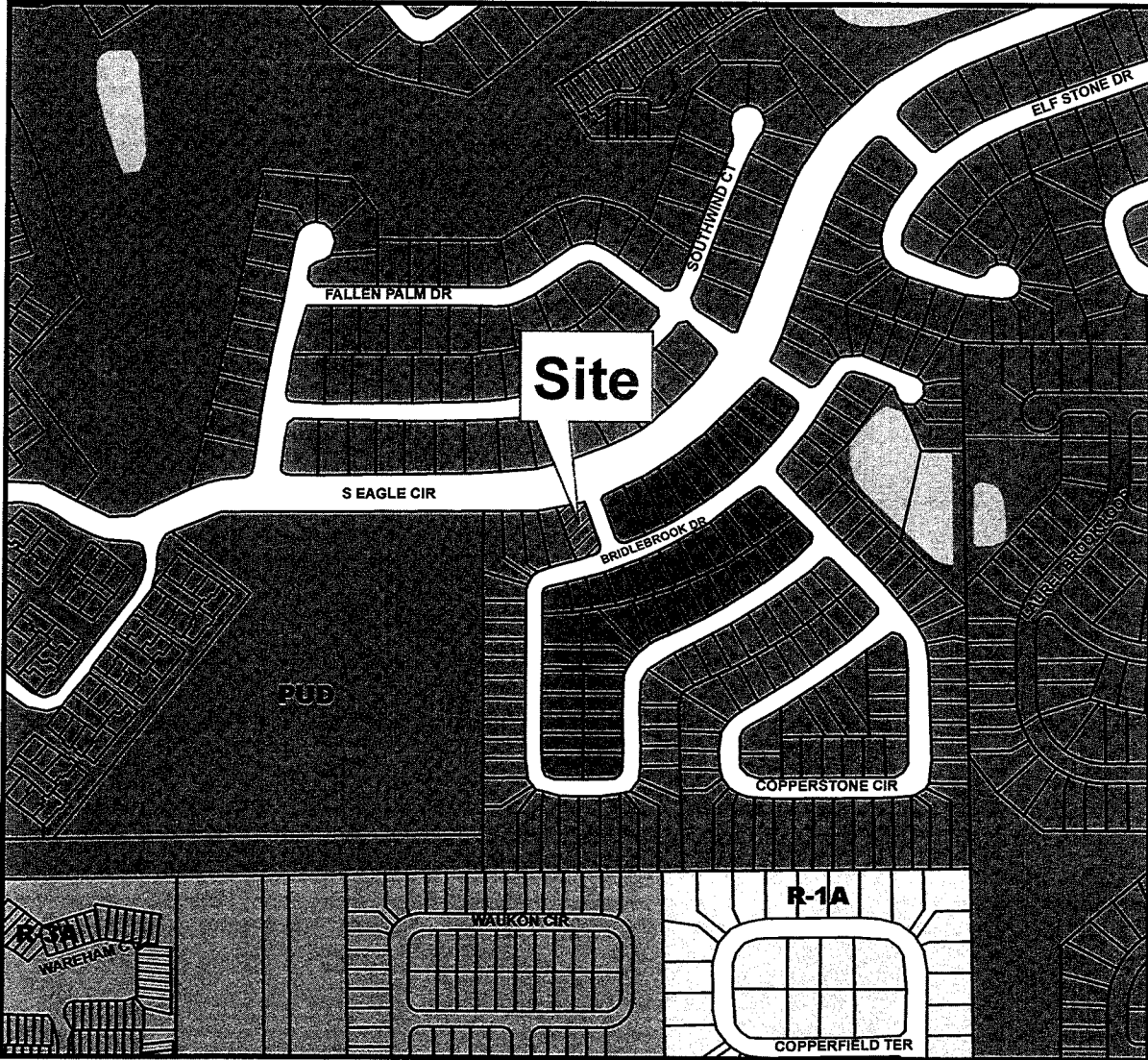
John and Stacy Gumula

407-436-4661

1394 Bridlebrook Drive, Casselberry







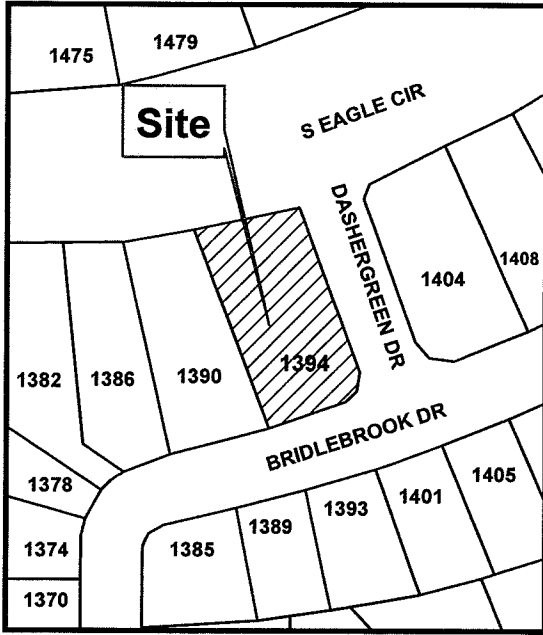

John & Stacy Gumula  
1394 Bridlebrook Drive  
Casselberry, Florida 32707



Seminole County Board of Adjustment  
September 22, 2008  
Case: BV2008-84 (Map3210, Grid D1)  
Parcel No: 15-21-30-5GD-0000-0220

**Zoning**

-  BV2008-84
-  R-1A
-  R-3A
-  PUD





<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 407-653-7505</p>		
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<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 15-21-30-5GD-0000-0220                  Owner: GUMULA JOHN W                  Mailing Address: 1394 BRIDLEBROOK DR                  City, State, Zip Code: CASSELBERRY FL 32707                  Property Address: 1394 BRIDLEBROOK DR CASSELBERRY 32707                  Subdivision Name: DEER RUN UNIT 07A                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions: 00-HOMESTEAD (2006)                  Dor: 01-SINGLE FAMILY</p>	<p style="text-align: center;"><b>VALUE SUMMARY</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">VALUES</th> <th style="text-align: center;">2008 Working</th> <th style="text-align: center;">2007 Certified</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Value Method</td> <td style="text-align: center;">Market</td> <td style="text-align: center;">Market</td> </tr> <tr> <td style="text-align: center;">Number of Buildings</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">Depreciated Bldg Value</td> <td style="text-align: right;">\$128,819</td> <td style="text-align: right;">\$140,925</td> </tr> <tr> <td style="text-align: center;">Depreciated EXFT Value</td> <td style="text-align: right;">\$374</td> <td style="text-align: right;">\$403</td> </tr> <tr> <td style="text-align: center;">Land Value (Market)</td> <td style="text-align: right;">\$40,000</td> <td style="text-align: right;">\$40,000</td> </tr> <tr> <td style="text-align: center;">Land Value Ag</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;"><b>Just/Market Value</b></td> <td style="text-align: right;"><b>\$169,193</b></td> <td style="text-align: right;"><b>\$181,328</b></td> </tr> <tr> <td style="text-align: center;">Portability Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Save Our Homes Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$10,520</td> </tr> <tr> <td style="text-align: center;"><b>Assessed Value (SOH)</b></td> <td style="text-align: right;"><b>\$169,193</b></td> <td style="text-align: right;"><b>\$170,808</b></td> </tr> </tbody> </table> <p style="text-align: center;"><a href="#">Tax Estimator</a> <a href="#">Portability Calculator</a></p>	VALUES	2008 Working	2007 Certified	Value Method	Market	Market	Number of Buildings	1	1	Depreciated Bldg Value	\$128,819	\$140,925	Depreciated EXFT Value	\$374	\$403	Land Value (Market)	\$40,000	\$40,000	Land Value Ag	\$0	\$0	<b>Just/Market Value</b>	<b>\$169,193</b>	<b>\$181,328</b>	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$10,520	<b>Assessed Value (SOH)</b>	<b>\$169,193</b>	<b>\$170,808</b>
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2008 Taxes and Taxable Value Estimate					
Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes
County General Fund	\$169,193	\$50,000	\$119,193	4.3578	\$519.42
Schools	\$169,193	\$25,000	\$144,193	7.4130	\$1,068.90
Fire	\$169,193	\$50,000	\$119,193	2.3299	\$277.71
Road District	\$169,193	\$50,000	\$119,193	.1068	\$12.73
SJWM(Saint Johns Water Management)	\$169,193	\$50,000	\$119,193	.4158	\$49.56
County Bonds	\$169,193	\$50,000	\$119,193	.1451	\$17.29
<b>Total</b>				<b>14.7684</b>	<b>\$1,945.61</b>

The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.

<p style="text-align: center;"><b>SALES</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Deed</th> <th style="text-align: left;">Date</th> <th style="text-align: left;">Book</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Amount</th> <th style="text-align: left;">Vac/Imp</th> <th style="text-align: left;">Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>12/2005</td> <td>06042</td> <td>0268</td> <td>\$220,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/2002</td> <td>04465</td> <td>1725</td> <td>\$110,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/2000</td> <td>03902</td> <td>1420</td> <td>\$84,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>04/1989</td> <td>02070</td> <td>0792</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1989</td> <td>02059</td> <td>1501</td> <td>\$69,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1985</td> <td>01611</td> <td>1440</td> <td>\$67,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1983</td> <td>01479</td> <td>1542</td> <td>\$63,300</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;"><a href="#">Find Comparable Sales within this Subdivision</a></p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	12/2005	06042	0268	\$220,000	Improved	Yes	WARRANTY DEED	07/2002	04465	1725	\$110,000	Improved	Yes	WARRANTY DEED	07/2000	03902	1420	\$84,000	Improved	Yes	QUIT CLAIM DEED	04/1989	02070	0792	\$100	Improved	No	WARRANTY DEED	04/1989	02059	1501	\$69,000	Improved	Yes	WARRANTY DEED	01/1985	01611	1440	\$67,500	Improved	Yes	WARRANTY DEED	07/1983	01479	1542	\$63,300	Improved	Yes	<p style="text-align: center;"><b>2007 VALUE SUMMARY</b></p> <p>Tax Amount(without SOH): \$2,309                  2007 Tax Bill Amount: \$2,153                  Save Our Homes (SOH) Savings: \$156                  2007 Taxable Value: \$145,808</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value								
LOT	0	0	1.000	40,000.00	\$40,000								

BUILDING INFORMATION									
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bid Value	Est. Cost New
1	SINGLE FAMILY	1983	6	1,099	1,768	1,239	CB/STUCCO FINISH	\$128,819	\$143,132
		Appendage / Sqft		BASE SEMI FINISHED / 140					
		Appendage / Sqft		OPEN PORCH FINISHED / 25					
		Appendage / Sqft		GARAGE FINISHED / 504					

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

**Permits**

EXTRA FEATURE				
Description	Year Blt	Units	EXFT Value	Est. Cost New
WOOD UTILITY BLDG	1996	120	\$374	\$720

**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  
PROJ. #

ZONED: PUD

SEC: 15,22

TWP: 21

RNG: 30

<b>DEVELOPMENT:</b>		Deer Run Unit 7A				<b>DEVELOPER:</b>		Amerifirst Development Corp.									
<b>LOCATION:</b>		88 units – 17 plus acres															
<b>FILE#:</b>		<b>BA:</b>		<b>SP:</b>		<b>BCC:</b>		9/15/82									
<b>P&amp;Z:</b>		<b>PB</b>		<b>PG</b>		<b>91</b>		<b>Lot</b>		<b>Bik</b>		<b>Parcel</b>		<b>DBA</b>		<b>Comm Dist</b>	
<b>DEVEL. ORDER #:</b>				<b>TAX PAR. I.D. #:</b>													
<b>SIDEWALKS:</b>						<b>SETBACK REQUIREMENTS</b>											
						<b>FY:</b> 20'		<b>SIDE ST.:</b>		<b>SY:</b> *0'		<b>RY:</b> 15'					
<b>ROAD TYPE:</b> (CURB & GUTTER OR SWALE)				<b>MAIN STRUCTURE OTHER:</b> Min. Home size: 700 sq ft. Min width at building line: 30' Max Height: 35' *Roof overhang not to extend beyond side lot line.													
<b>COMMENTS OTHER:</b>						<b>ACCESSORY STRUCTURE SETBACKS:</b>											
1) Lots 11, 12, 21 and 22 must <u>not</u> have driveway entrance on either Fallen Palm Drive or Dashergreen Drive.						<b>SY:</b>		0'		<b>RY:</b>		10'					
2) Double frontage lots required wall at rear (Lots 9-26).						<b>ACCESSORY STRUCTURE OTHER:</b>											
3) Dedication of access rights to Seminole County. (See Plat 26-91)																	
4) Pavement width must be widened to 30' through the curves.																	

IMPACT FEES	
<b>SCREEN:</b>	
<b>TRAFFIC ZONE:</b>	
<b>LAND USE:</b>	
1. ROAD-CO. WIDE	200.00/unit
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	10.00/unit
5. PARK	
6. SCHOOL	
7. LAW	
8. DRAINAGE	
<b>TOTAL</b>	
<b>REMARKS:</b>	

COMMITMENT CARD

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

SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-23:

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: <u>John Gumula</u>	Name: _____
Address: <u>1394 Bridlebrook Drive</u>	Address: _____
City/Zip: <u>Casselberry, FL 32707</u>	City/Zip: _____
Phone #: <u>407-436-4661</u>	Phone #: _____
<u>321-207-3410</u>	
Name: _____	Name: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Phone #: _____	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: _____	Name of Corporation: _____
Officers: _____	Officers: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
City/Zip: _____	City/Zip: _____
Shareholders: _____	Shareholders: _____
Address: _____	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: _____	Beneficiaries: _____
Trustees: _____	Address: _____
Address: _____	City/Zip: _____
City/Zip: _____	

(Use additional sheets for more space.)

**SEMINOLE COUNTY  
APPLICATION AND AFFIDAVIT**

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

Name of Partnership: \_\_\_\_\_ 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: \_\_\_\_\_ 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.

9-03-08

Date

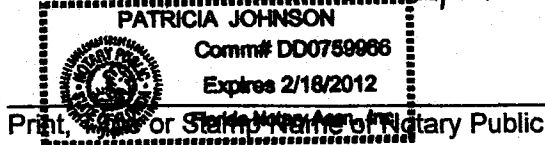
*John Gumula*  
Owner, Agent, Applicant Signature

STATE OF FLORIDA

COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 3<sup>rd</sup> day of September, 2008 by John Gumula

*Patricia Johnson*  
Signature of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification ✓

Type of Identification Produced G540-479-79-321-0

<b>For Use by Planning &amp; Development Staff</b>	
Date: _____	Application Number: _____

**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On September 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 22 DEER RUN UNIT 7A PB 26 PGS 91

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

**FINDINGS OF FACT**

**Property Owner:** John Gumula  
1394 Bridlebrook Dr  
Casselberry, Fl 32707

**Project Name:** Bridlebrook Drive (1394)

**Requested Development Approval:**

Request for a side street (east) setback variance from 20 feet to 12 feet for a privacy fence in PUD (Planned Unit Development) district.

The Development Approval was sought to allow a fence to encroach within the side street setback. One or more of the six criteria under the Land Development Code for granting a variance have not been satisfied. The applicant still retains reasonable use of the property without the granting of the requested variance.

The requested development approval is hereby denied.

Prepared by: Joy Williams, Planner  
1101 East First Street  
Sanford, Florida 32771

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Alison C. Stettner  
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 \_\_\_\_\_, 2008.

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

My Commission Expires:

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 22, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 22 DEER RUN UNIT 7A PB 26 PGS 91

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

### FINDINGS OF FACT

**Property Owner:** John Gumula  
1394 Bridlebrook Dr  
Casselberry, FL 32707

**Project Name:** Bridlebrook Drive (1394)

**Requested Development Approval:**

Request for a side street (east) setback variance from 20 feet to 12 feet for a privacy fence in PUD (Planned Unit Development) district.

All six criteria for granting a variance under the Land Development Code have been satisfied.

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



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**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:
  - a. The variance granted will apply only to the privacy fence located on the east side of property 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: \_\_\_\_\_  
Alison C. Stettner  
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 \_\_\_\_\_, 2008.

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

My Commission Expires:

