

Bruce A. Smith

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2205 Winnebago Trl. Fern Park

May 3, 2023

RE: Fence Variance Application for setback at 2205 Winnebago Trl. Fern Park

To Whom it May Concern:

First, thank you in advance for reviewing this file and (hopefully) providing a variance approval considering the following:

My name is Bruce Smith and I just purchased my dream home on April 20, 2023. A few days before closing, it seems a neighbor (possibly 2515 Osage Trl.) called to complain about this property's fence being on their lot line. The same day is when I received the land survey (attached) showing that about 2.5-3 panels are 6 inches off. To rectify the problem, immediately and not to impede my closing, I arranged to have a licensed and insured fencing company move the fence so it's no longer six inches on their property. I am happy to report that this was immediately taken care of, and now the fence is on my property. I have also attached the invoice and photos of the completed work for verification of the work. As you note on the photo, the survey company came back out and did use orange spray paint to show the property line.

It was also brought to the previous owner's attention the same day, that the left side fence, facing Osage Trl. is supposed to have a 25' setback, that could be approved for 15'. The previous seller had no idea, as the fence was already in place for over 17 years, following when they bought the home in 2004. A 25' setback would put this fence about in the middle of the pool and 15' would be against the pool deck with nearly no usable backyard.

I am hopeful that Seminole County would consider a fence variance because of the following:

- It has been in the same location for **over 17 years** and wasn't an issue until the neighbor saw 6"x8' of fence on their lot – which has been rectified
- Osage Trail is a cul-de-sac dead end street and not heavily-trafficked or used, other than the 8 residential addresses/neighbors
- Even though my property line goes to the sidewalk, there is already a space in between the fence and the property line: 14.3" at the front corner and 7.1" feet and the closest point/back corner
- Even though there is a utility easement at the back property line, there are ZERO drainage, utility, or access easements on the side of the property – where the fence setback is in question

- The side fence does not impede the sidewalk traffic, does not create an obstruction of view, impeding line of sight from the roadway, etc.

To make matters more cumbersome, there are multiple other owners in the direct community who also have their fences closer to their property line. Of course, some of these owners may already have a variance/exception/approval prior to my request but I am not able to see those notes in a public view. I am hoping that if there are other variances granted in the neighborhood, hopefully this will make this variance request much easier to approve. And if there are no other variances, does that mean all of these neighbors would be forced to move their fencing as well? I've attached a list of other properties in Indian Hills, along with photos and estimated measurements so that you can see the impact this decision may have on my community and neighbors.

Due to me JUST closing and not even moved into my new home yet, I have not been able to complete a neighborhood petition by the May 5th request deadline. It is certainly on my agenda once I am all moved in and settled, and I will send it as soon as introduce myself to the neighborhood. I can forward this as soon as it is completed.

In addition to this explanation letter, I have included a few other items for your review:

1. notarized variance application with Seminole county
2. invoice to move the fence and after photo showing it was moved back to my property line
3. land survey (prior to the back fence being moved)
4. executed deed (since my name likely hasn't been updated with Seminole County as owner yet)
5. list and photos of other corner lot neighbors with fencing less than 25' from the sidewalk

As the campus president for a university here in Seminole County, a proud member of the Seminole County Chamber of Commerce, and as a Seminole County resident, I truly appreciate your time and consideration in approving this fence variance. I'd love to get this issue behind me, enjoy my homeownership in my dream home, and enjoy my property to the fullest! Your approval would certainly get me in the right direction. Please feel free to contact me anytime with any questions or concerns.

Respectfully,

A handwritten signature in black ink that reads "Bruce A. Smith". The signature is written in a cursive, flowing style.

Bruce A. Smith, DBA