

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

**SUBJECT:** REQUEST FOR (1) MINIMUM (SOUTH) FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 21.9 FEET FOR A PROPOSED GARAGE ADDITION; AND (2) MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.6 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE FAMILY DWELLING DISTRICT); (BILL & DONNA THRIFT, APPLICANTS).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Michael Rumer **EXT.** 7387

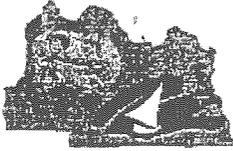
**Agenda Date** 08/22/05 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR (1) MINIMUM (SOUTH) FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 21.9 FEET FOR A PROPOSED GARAGE ADDITION; AND (2) MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.6 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (BILL & DONNA THRIFT, APPLICANTS); OR
2. **DENY** REQUEST FOR (1) MINIMUM (SOUTH) FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 21.9 FEET FOR A PROPOSED GARAGE ADDITION; AND (2) MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.6 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT); (BILL & DONNA THRIFT, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	<b>APPLICANT:</b> <b>LOCATION:</b> <b>ZONING:</b>	BILL & DONNA THRIFT 1256 MARTY BLVD R-1AA (SINGLE-FAMILY DWELLING DISTRICT)
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANTS PROPOSE TO CONSTRUCT AN 18 FOOT WIDE TWO CAR GARAGE ADDITION ON THE EAST END OF THE EXISTING HOME THAT WILL ENCROACH 7.5 FEET INTO THE MINIMUM 10 FEET SIDE YARD SETBACK AND WILL ENCROACH 3.3 FEET INTO THE</li> </ul>	

	<ul style="list-style-type: none"> <li>• MINIMUM 25 FOOT FRONT YARD SETBACK. THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED.</li> <li>• THE HOUSE WAS ORIGINALLY BUILT IN 1984 WITH A ONE CAR GARAGE. THE GARAGE WAS ENCLOSED IN 1988-1989 AND BECAME A BEDROOM.</li> <li>• A SEPTIC AND DRAIN FIELD HAS SUBSEQUENTLY BEEN PLACED IN FRONT OF THE OLD GARAGE. CHANGING THE BEDROOM INTO A GARAGE WOULD REQUIRE THE SEPTIC AND DRAIN FIELD TO BE REMOVED.</li> <li>• THE FRONT YARD SETBACK VARIANCE IS REQUESTED TO ALIGN THE ADDITION WITH THE EXISTING FRONT PORCH TO MAKE THE HOUSE LOOK ESTHETICALLY CORRECT.</li> <li>• IN THEIR APPLICATION, THE APPLICANT SUGGESTS THEIR REAR YARD CONTAINS A CHANGE IN ELEVATION THAT WOULD MAKE POSITIONING THE GARAGE ADDITION FURTHER TO THE REAR NOT FEASIBLE AND WOULD BE COST PROHIBITIVE.</li> <li>• THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.</li> </ul>
<p><b>STAFF FINDINGS</b></p>	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCES. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"> <li>• THE SPECIAL CIRCUMSTANCES THE APPLICANT HAS STATED DO NOT MEET THE CRITERIA OF SEC. 40.43 OF THE LAND DEVELOPMENT CODE.</li> <li>• THE ORIGINAL HOME WAS CONSTRUCTED WITH A GARAGE.</li> <li>• THE REAR OF THE PROPERTY DOES SLOPE TOWARDS THE HOUSE MAKING IT DIFFICUL TO CONSTRUCT ANYTHING IN THAT LOCATION.</li> <li>• THE REQUEST WOULD CONFER ON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHER PROPERTIES IN THE PALM PARK SUBDIVISION, BY ALLOWING ENCROACHMENT INTO THE FRONT AND SIDE YARDS WITHOUT THE DEMONSTRATION OF A SPECIAL CIRCUMSTANCE OR HARDSHIP.</li> </ul>
<p><b>STAFF RECOMMENDATION</b></p>	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUEST. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"> <li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED GARAGE ADDITION, 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>



**SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT**  
**PLANNING DIVISION**  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

JUN 28 2005

APPL. NO. BV2005-098

**APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT**

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

**APPLICATION TYPE:**

- VARIANCE** ① Front yard setback variance from 25 feet to 21'9"
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION**     **MEDICAL HARDSHIP**
- NIGHT WATCHMAN**     **FAMILY HARDSHIP**
- YEAR OF MOBILE HOME / RV (EXISTING)**     **(PROPOSED)**
- SIZE OF MOBILE HOME / RV**     **TIME NEEDED**
- PLAN TO BUILD**  **YES**  **NO IF SO, WHEN**
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	Bill & Donna Thrift	
ADDRESS	1256 MARTY BLVD Altamonte Spgs, FL 32714	
PHONE 1	407 862-2448	
PHONE 2	407 595 8881	
E-MAIL	DGThrift@aol.com	

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 1256 MARTY BLVD

CURRENT USE OF PROPERTY: Residence

LEGAL DESCRIPTION: \_\_\_\_\_

SIZE OF PROPERTY: .51 acre(s) PARCEL I.D. 08-21-29-510-0000-0080

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS \_\_\_\_\_

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 06/22/05 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Donna Thrift  
 SIGNATURE OF OWNER OR AGENT\*

6/28/05  
 DATE

\* Proof of owner's authorization is required with submittal if signed by agent.

COPY

me

**ADDITIONAL VARIANCES**

VARIANCE 2:  
Side yard setback variance from 10 feet to 2.5 feet

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

**APPEAL FROM BOA DECISION TO BCC**

**APPELLANT INFORMATION**

NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL \_\_\_\_\_

\_\_\_\_\_

APPELLANT SIGNATURE \_\_\_\_\_

**FOR OFFICE USE ONLY**

PROCESSING:

FEE(S): \$200.00 COMMISSION DISTRICT 3 FLU/ZONING LDR/R-1AA

BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS NORTH OF MARKET BLVD. THE CORNER  
west of the intersection of W Lake Bentley & Market Blvd

PLANNING ADVISOR MR DATE 6/28/05

SUFFICIENCY COMMENTS \_\_\_\_\_

## **PLANNING & DEVELOPMENT**

**Bill & Donna Thrift**  
1256 Marty Blvd  
Altamonte Springs, FL 32714  
(407) 862-2448 - home, (407) 595-8881 - cell  
Application # BV 2005-098

**Attention: Michael W. Rumer**  
Planner

**Here are the questions answered per the planning department's request:**

- a. What special conditions and circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same zoning district; and  
\*This house is equally spaced on both sides. Placement of the garage on the west side would prohibit any access to the well located in the rear of the property. The rear elevation increases severely so placement of a garage to the rear of the property is not feasible and would be cost prohibited. Donna has been diagnosed with Post Polio Syndrome or also known as Post Polio Sequelae which may in the future limit her mobility and possibly into a wheelchair. If this condition occurs, I, as the homeowner, would like to plan for this handicap now while I am working and can afford to make the necessary changes to my house. A detached garage would not allow her the accessibility and ease entering into the house from a vehicle during inclement weather.
- b. That the special conditions and circumstances do not result from the actions of the applicant, and  
\*No.
- c. That granting the variance requested would not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district, and

\*No.

d. That literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant; and

\*The house was originally built with a one car garage, the garage was enclosed in 1988-1989 and it became a bedroom for my mother because of illness. At that time we had a son, age 16 and a daughter, age 6 and the bedrooms of the children would not accommodate an adult.

The septic and drain field is now located directly in front of that room, so to utilize that room as a garage again we would have to move our septic system and drain field and place it where our existing driveway is located in order to keep a 75 foot distance between the septic system and the well.

e. That the variance granted is the minimum variance that would make possible the reasonable use of the land, building or structure; and

\*This request for an 18 foot wide garage is the minimum size available for a two car garage.

f. That the grant of the variance would be in harmony with the general intent of Chapter 30, would not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

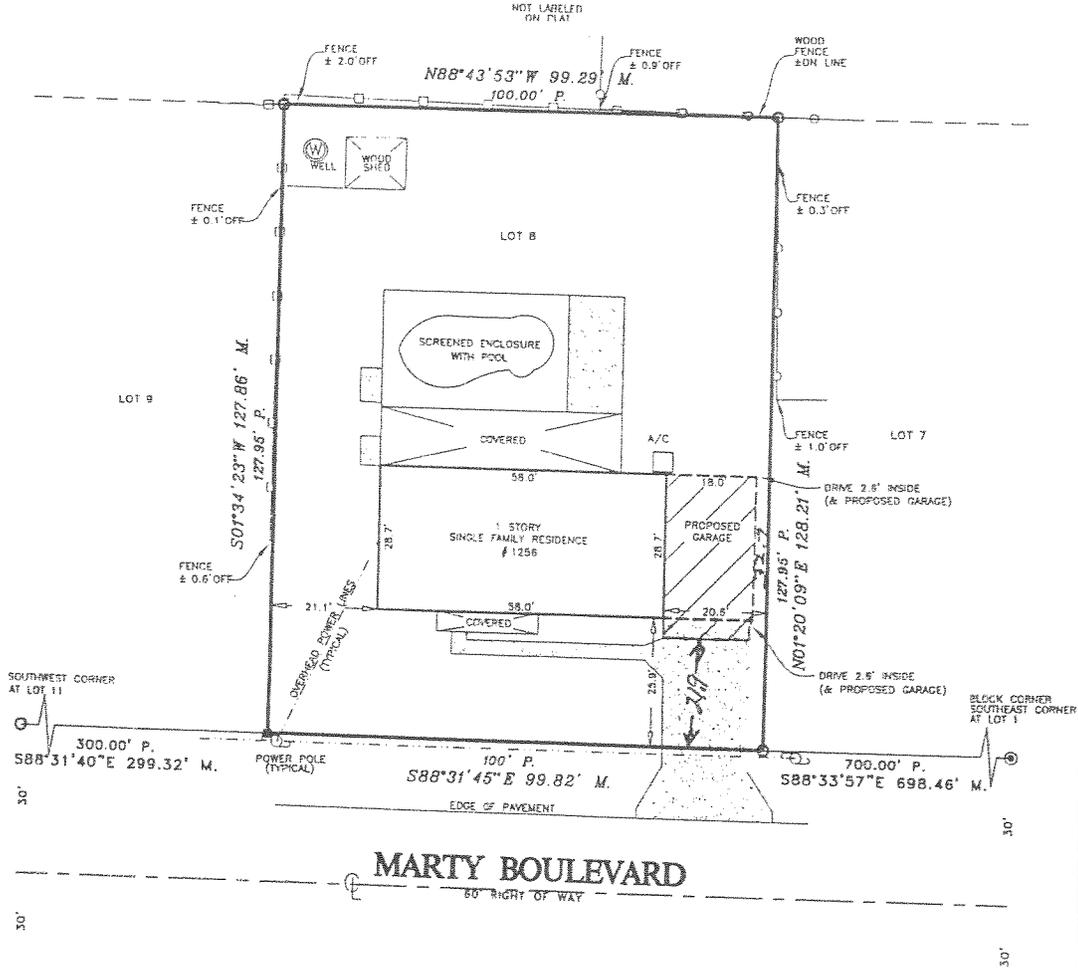
\*Of the 36 houses in our development, 33 houses have two car garages. The property located directly to the east and the side of the proposed addition increases in elevation steeply and would not create any runoff issues. The owner, Janet Keezer, of this property has given written consent of this addition. Letter from Janet Keezer is enclosed with application.

The four foot front set-back variance requested with this application would be to align the garage front with the front porch to make the house look esthetically correct.

# BOUNDARY SURVEY FOR DONNA THRIFT

LOT 8  
PALM PARK  
PLAT BOOK 11, PAGE 4  
SEMINOLE COUNTY, FLORIDA

## SITE PLAN



THIS SURVEY CERTIFIED TO:  
DONNA THRIFT

SURVEYOR NOTES:  
1) OTHER MATTERS NOT KNOWN TO THIS SURVEYOR AT THE TIME OF THIS SURVEY MAY AFFECT THE BOUNDARY LINES SHOWN HEREIN.  
2) HOUSE AND FENCE TIES SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.

BEARINGS ARE BASED ON THE CENTERLINE OF MARTY BOULEVARD AS BEING 44°45'00" E, PER PLAT LEGAL DESCRIPTION FURNISHED BY CLIENT (UNLESS OTHERWISE NOTED). THIS IS TO CERTIFY THAT I HAVE REVIEWED THE FLOOD INSURANCE RATING MAP (FIRM) PANEL #120289 0120 E DATED 4/17/95 AND DETERMINED THAT THE LANDS SHOWN HEREON ARE IN ZONE "X".

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS AND DELETIONS TO SURVEY MAPS, SKETCHES, OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

*(Signature)*  
MICHAEL W. SOLITRO, PSW #4458  
FOR THE FIRM OF ALTAMONTE SURVEYING AND PLATTING, INC. #LB 6306

SCALE: 1"=30'

REVIEWED BY: MWS

DRAWN BY: DLEE

DATE: 6/18/05

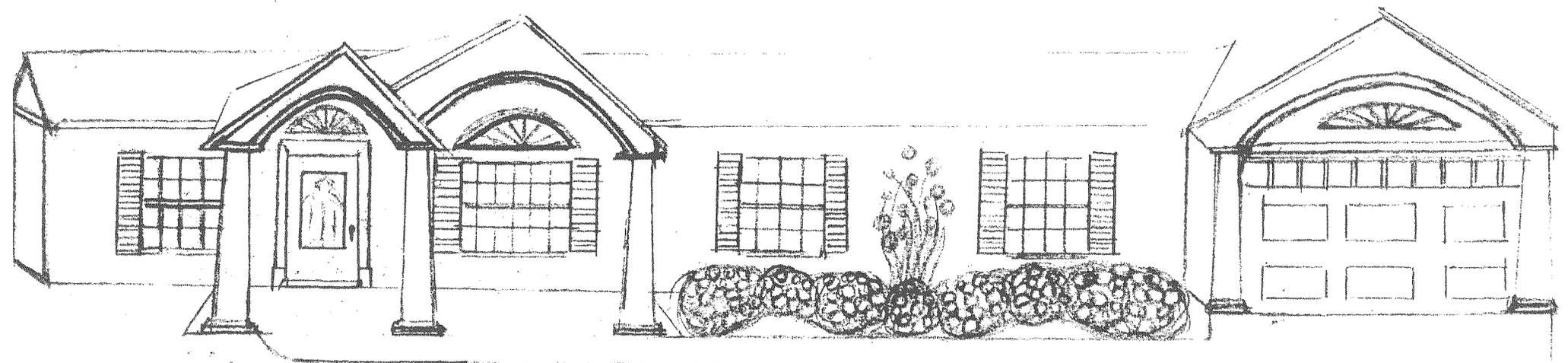
JOB No.: 24065

REVISED:

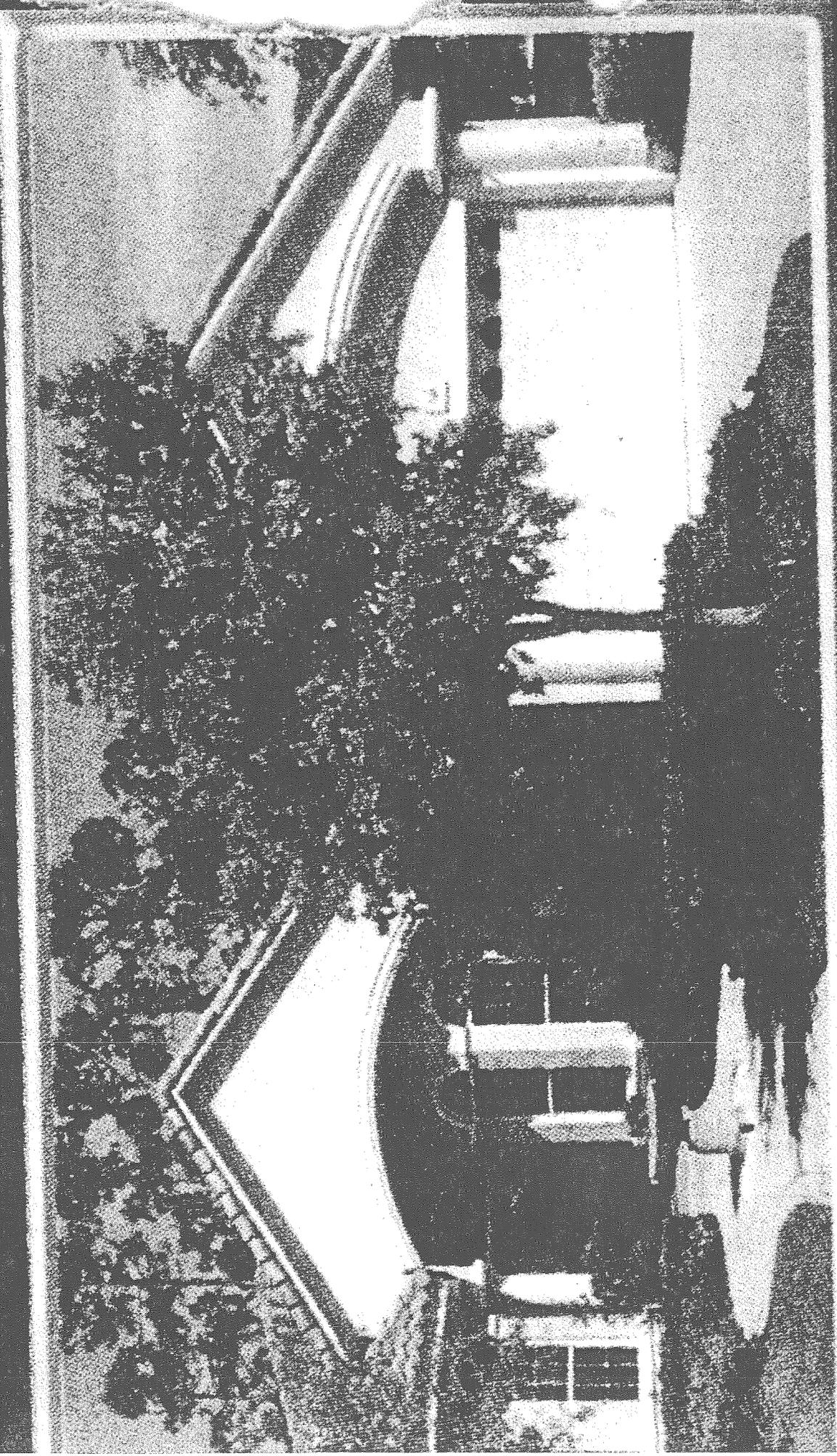
LEGEND	
■	RECOVERED 4"x4" CONCRETE MONUMENT NO #
▲	RECOVERED NAIL & DISK #
×	RECOVERED X CUT IN CONCRETE
⊙	RECOVERED 1/2" IRON ROD #LS2897
⊖	RECOVERED 2" IRON PIPE NO #
⊕	RECOVERED 5/8" IRON ROD NO #
⊗	SET 1/2" IRON ROD #LB 6300
⊙	POWER POLE AS SHOWN
⊖	WOOD FENCE AS SHOWN
⊕	CHAIN LINK FENCE AS SHOWN
■	CONCRETE SLAB AS SHOWN

D = CENTRAL ANGLE (DELTA), L = ARC, R = RADIUS, R/W = RIGHT OF WAY, A/C = ASR CONVEYOR, (R) = RADIAL, (NR) = NON-RADIAL, (P) = PLAT, (M) = MEASURED, (C) = CALCULATED, (D) = DEED, PCB = POINT OF BEGINNING, CONC. = CONCRETE, POC = POINT OF COMMENCEMENT, POL = POINT ON LINE

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITY OR INDIVIDUAL WHATSOEVER. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAYS AND/OR EASEMENTS OF PUBLIC RECORD.



the luxury! MLS# 04589746 / 04589781 (407)333-1000

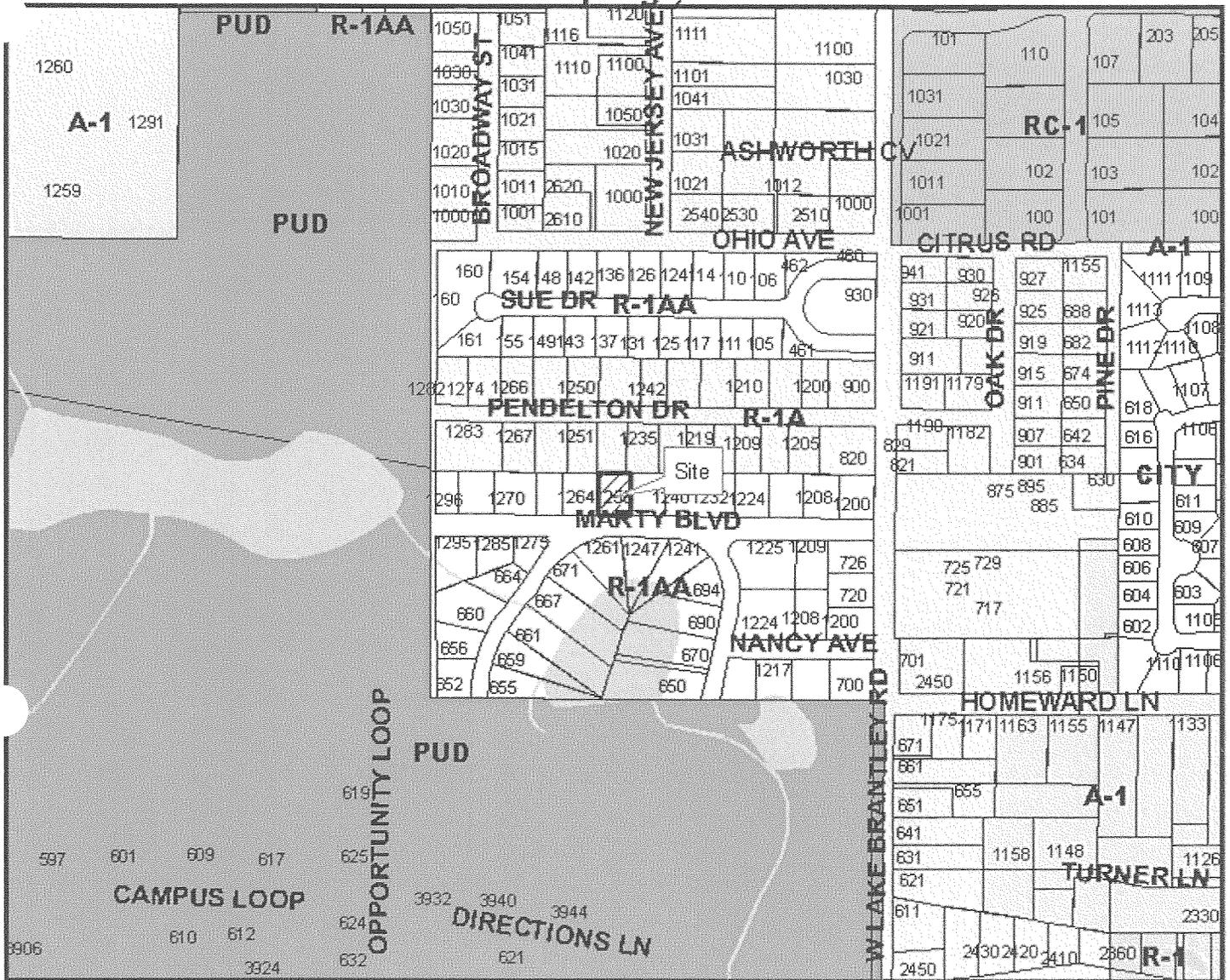


**OLF AND COUNTRY CLUB HOME, \$497,500**

with golf front pool home was Cacioppo's 1999 Parade

<b>PARCEL DETAIL</b> DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508																																							
<b>GENERAL</b> Parcel Id: 08-21-29-510-0000-0080      Tax District: 01-COUNTY-TX DIST 1 Owner: THRIFT BILL D & DONNA G      Exemptions: 00-HOMESTEAD Address: 1256 MARTY BLVD City,State,ZipCode: ALTAMONTE SPRINGS FL 32714 Property Address: 1256 MARTY BLVD ALTAMONTE SPRINGS 32714 Subdivision Name: PALM PARK Dor: 01-SINGLE FAMILY		<b>2005 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$129,997 Depreciated EXFT Value: \$8,441 Land Value (Market): \$23,500 Land Value Ag: \$0 Just/Market Value: \$161,938 Assessed Value (SOH): \$102,461 Exempt Value: \$25,000 Taxable Value: \$77,461 Tax Estimator																																					
<b>SALES</b> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>11/1986</td> <td>01795</td> <td>0323</td> <td>\$64,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1984</td> <td>01535</td> <td>1574</td> <td>\$12,000</td> <td>Vacant</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	11/1986	01795	0323	\$64,000	Improved	WARRANTY DEED	03/1984	01535	1574	\$12,000	Vacant	<b>2004 VALUE SUMMARY</b> Tax Value(without SOH): \$1,547 2004 Tax Bill Amount: \$1,259 Save Our Homes (SOH) Savings: \$288 2004 Taxable Value: \$74,477 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS																			
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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.																																							

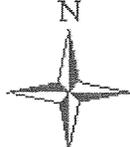
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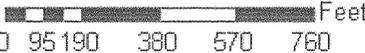


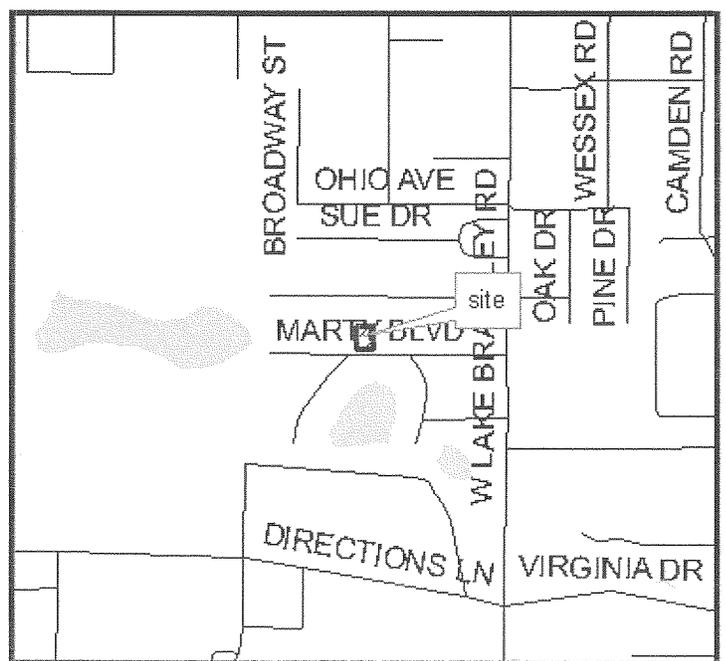
**Seminole County Board of Adjustment  
August 22, 2005  
Case: BV2005-098  
Parcel No: 08-21-29-510-0000-0080**

**Zoning**

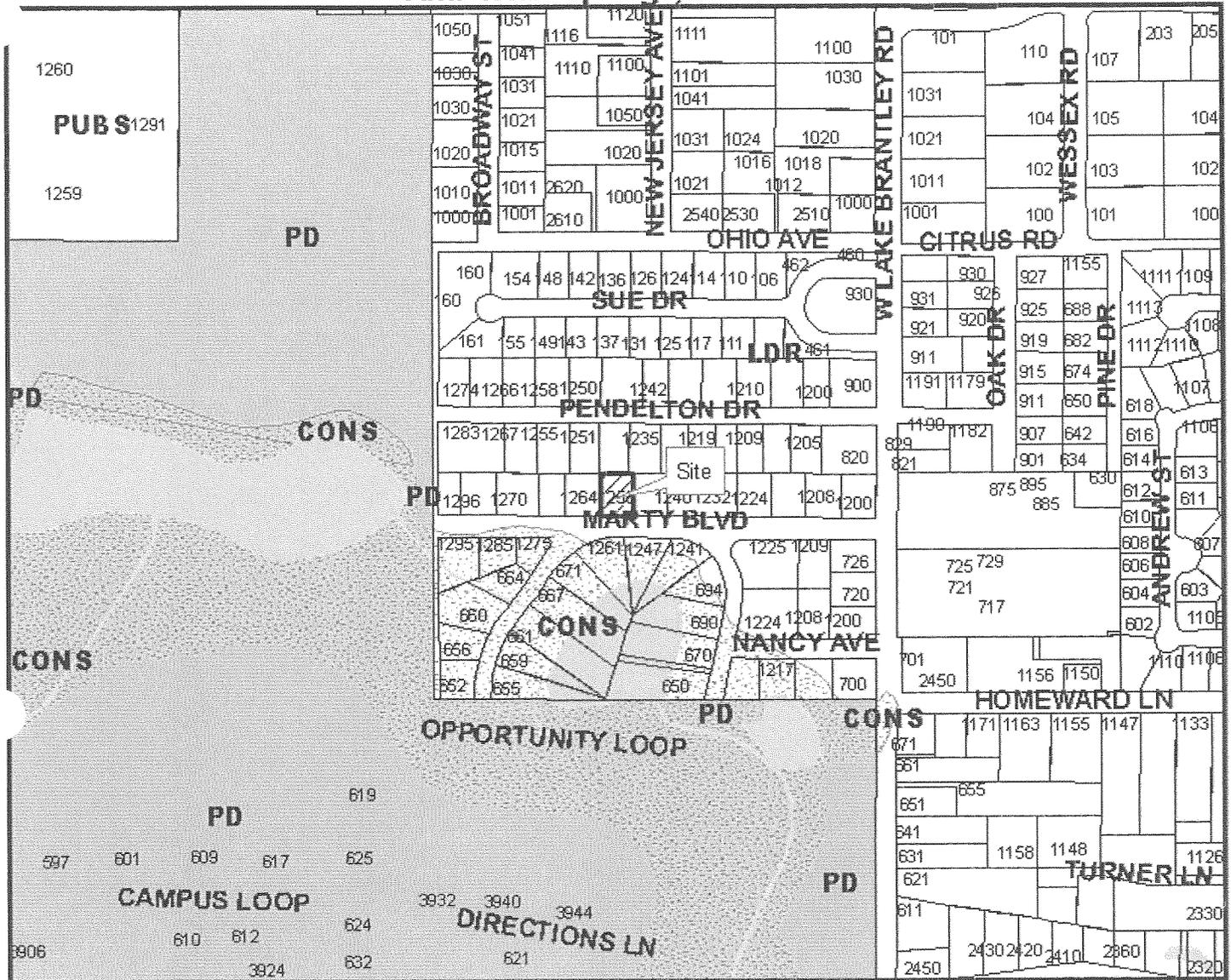
-  RC-1 Country Homes-1Ac
-  A-1
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  R-1 Single Fam-8400
-  PUD Planned Unit Dev.
-  BV2005-098

N  


 Feet  
0 95 190 380 570 760



**Bill & Donna Thrift  
1256 Marty Blvd  
Altamonte Springs, FL 32714**



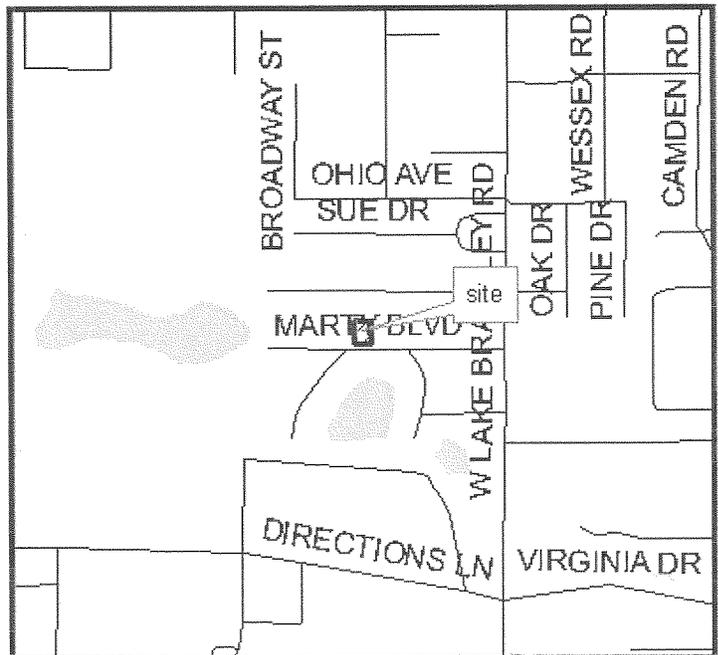
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**Future Land Use**

- CONS, LDR
- CONS, PD
- PUBS, NONE
- LDR, NONE
- PD, NONE
- OFF, NONE
- BV2005-098

N

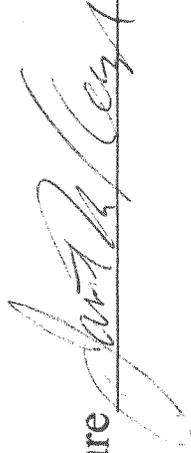
0 95 190 380 570 760 Feet



To the Seminole County Board of Adjustments,

I, Janet M. Keezer, property owner and resident of 1248 Marty Blvd., Altamonte Springs, FL., 32714, have no objections to Bill and Donna Thrift, property owners and residents of 1256 Marty Blvd., Altamonte Springs, FL., 32714, in adding an addition, a garage, to their existing structure, which will encroach into the county's setbacks. Therefore, we have no objections in the county granting an approval of a variance to allow construction of this structure.

Signature



Dated

6-21-05

To the Seminole County Board of Adjustments,

We, Randy and Luanne Gaston, property owners and residents of 1264 Marty Blvd., Altamonte Springs, FL., 32714, have no objections to Bill and Donna Thrift, property owners and residents of 1256 Marty Blvd., Altamonte Springs, FL., 32714, in adding an addition, a garage, to their existing structure, which will encroach into the county's setbacks. Therefore, we have no objections in the county granting an approval of a variance to allow construction of this structure.

Signature Luanne Gaston Dated 6/21/05

Signature Randy Thrift Dated 6/21/05

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 8 PALM PARK PB 11 PG 4

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

### FINDINGS OF FACT

**Property Owner:** BILL & DONNA THRIFT  
1256 MARTY BLVD  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** MARTY BLVD (1256)

**Requested Development Approval:**

REQUEST FOR (1) MINIMUM (SOUTH) FRONT YARD SETBACK VARIANCE FROM 25 FEET TO 21.9 FEET FOR A PROPOSED GARAGE ADDITION; AND (2) MINIMUM (EAST) SIDE YARD SETBACK VARIANCE FROM 10 FEET TO 2.6 FEET FOR A PROPOSED GARAGE ADDITION IN THE R-1AA (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: Michael Rumer, 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 proposed garage addition 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: \_\_\_\_\_  
Matthew West  
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 \_\_\_\_\_, 2005.

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

My Commission Expires: