

Item #BV2005-156

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: Request for a minimum rear yard setback variance from 10 feet to 6 feet for a proposed pool in the PUD (Planned Unit Development District); (Constance Shields & Lisa Fulginiti, applicants).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Ian Sikonia **EXT.** 7398

Agenda Date 11/28/05 Regular Consent Public Hearing - 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** Request for a minimum rear yard setback variance from 10 feet to 6 feet for a proposed pool in the PUD (Planned Unit Development District); (Constance Shields & Lisa Fulginiti, applicants); or
2. **DENY** Request for a minimum rear yard setback variance from 10 feet to 6 feet for a proposed pool in the PUD (Planned Unit Development District); (Constance Shields & Lisa Fulginiti, applicants); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	APPLICANTS: Constance Shields & Lisa Fulginiti LOCATION: 412 Sand Pebble Cove ZONING: PUD (Planned Unit Development District)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a pool in the rear yard setback of the existing single-family residence. • The proposed pool would encroach 4 feet into the minimum 10 foot rear yard setback; the aforementioned rear yard setback variance from 10 feet to 6 feet is thereby requested. • There is no record of prior variances having been granted for this property.
STAFF FINDINGS	<p>The applicant has failed to satisfy the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"> • The request would confer upon the applicant special privileges that would be denied to others in the PUD (Planned Unit Development District), without the demonstration of a hardship. • The applicant would retain reasonable use of the subject property without the requested variance.

	<ul style="list-style-type: none">• No special circumstances applicable to the property or proposed pool have been demonstrated.• The applicant could design the proposed pool to comply with the zoning regulations of the PUD District.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends the Board of Adjustment deny the requested variance. If the board should decide to grant a variance, staff recommends the following conditions:</p> <ul style="list-style-type: none">• Any variance granted should apply only to the proposed pool as depicted on the attached site plan; and• Any additional conditions deemed appropriate by the board, based on information presented at the public hearing.

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 21,28

TWP: 20

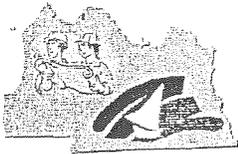
RNG: 30

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

IMPACT FEES			
SCREEN:			
TRAFFIC ZONE:		14	
LAND USE:		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			
TOTAL		\$1,157.00	\$683.00
REMARKS: Curb and gutter; sidewalks			

COMMITMENT CARD

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



COPY

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** rear yard setback variance from 10' to 6'
- SPECIAL EXCEPTION** for a proposed pool
- 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	<u>Constance Shields Lisa Fulginiti</u>	
ADDRESS	<u>412 Sand Pebble Cove Longwood, FL 32750</u>	
PHONE 1	<u>407 324 4097</u>	
PHONE 2	<u>407 562 2265 / 562-2288</u>	
E-MAIL		

PROJECT NAME: Backyard setback variance from 10 feet to 6 feet

SITE ADDRESS: 412 Sand Pebble Cove Longwood, FL 32750

CURRENT USE OF PROPERTY: Residential R-1 Single family Residence

LEGAL DESCRIPTION: Lot 90 Crystal Creek unit 1 according to the plat thereof, AB recorded in plat book 41, page 49-52 of the public records of Seminole County,

SIZE OF PROPERTY: 5.406 SQ FT ^{53 x 103.85} 1 acre(s) PARCEL I.D. 21-20-30-515-0000-0900

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 11 / 28 / 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.

Constance Shields Lisa Fulginiti
 SIGNATURE OF OWNER OR AGENT*

9/28/05
 DATE

ADDITIONAL VARIANCES

VARIANCE 2:

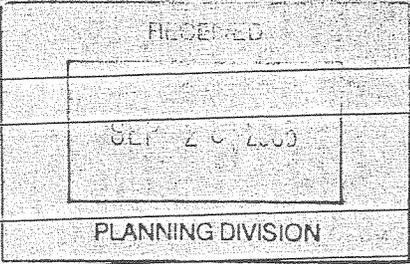
VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:



APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME	_____
ADDRESS	_____
PHONE 1	_____
PHONE 2	_____
E-MAIL	_____

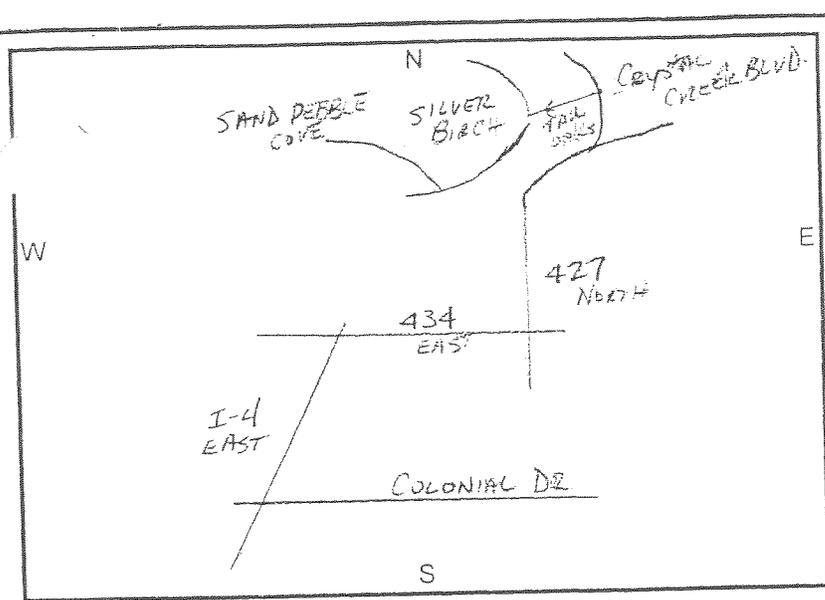
NATURE OF THE APPEAL _____

APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

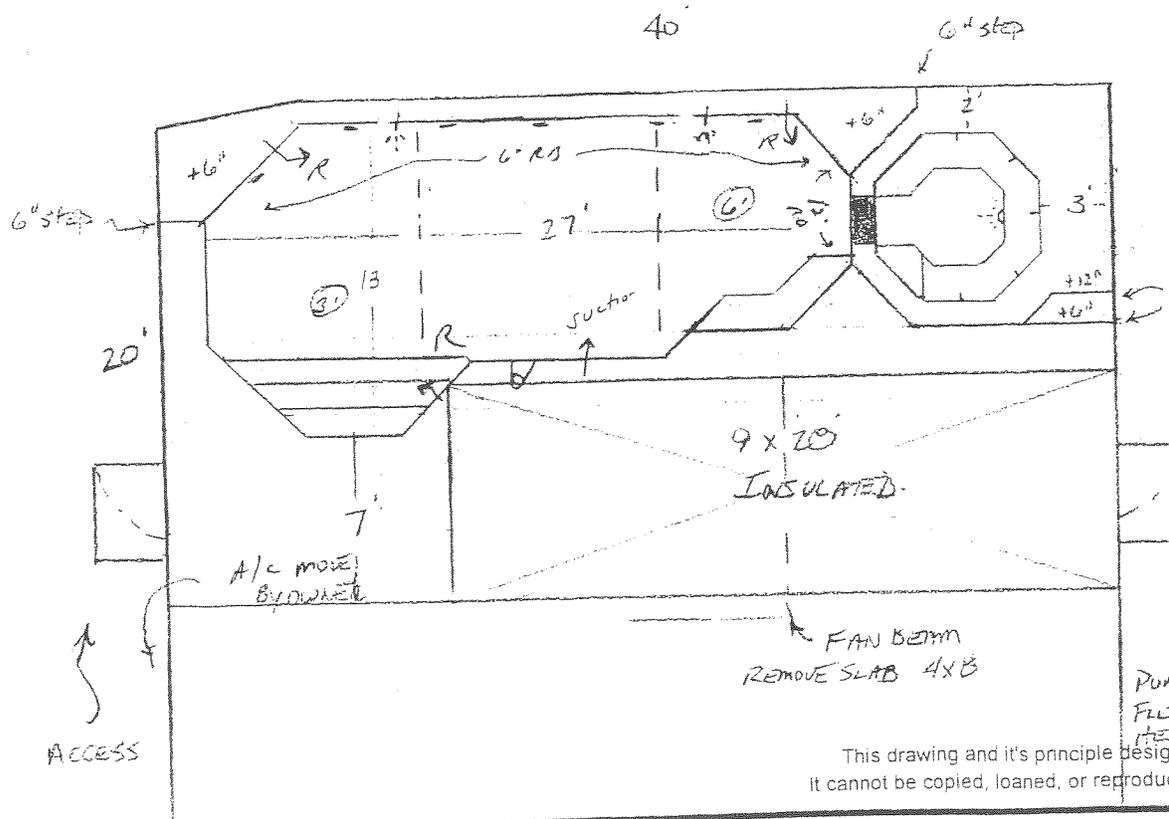
PROCESSING:
 FEE(S): \$ 150 COMMISSION DISTRICT 2 FLU/ZONING PD/POD
 BCC HEARING DATE _____ (FOR APPEAL)
 LOCATION FURTHER DESCRIBED AS West side of Sand Pebble Cr.
0.1 mi. south of the intersection of Sand Pebble Cr.
 PLANNING ADVISOR _____ DATE _____
 SUFFICIENCY COMMENTS _____

→ Silver Birch PL.



BLOWER
 2 FAN SPRAYERS
 H.O. TERMITE - TERMINEX
 ALARMS BY H.O.
 E 1-5

Layout Elevation:



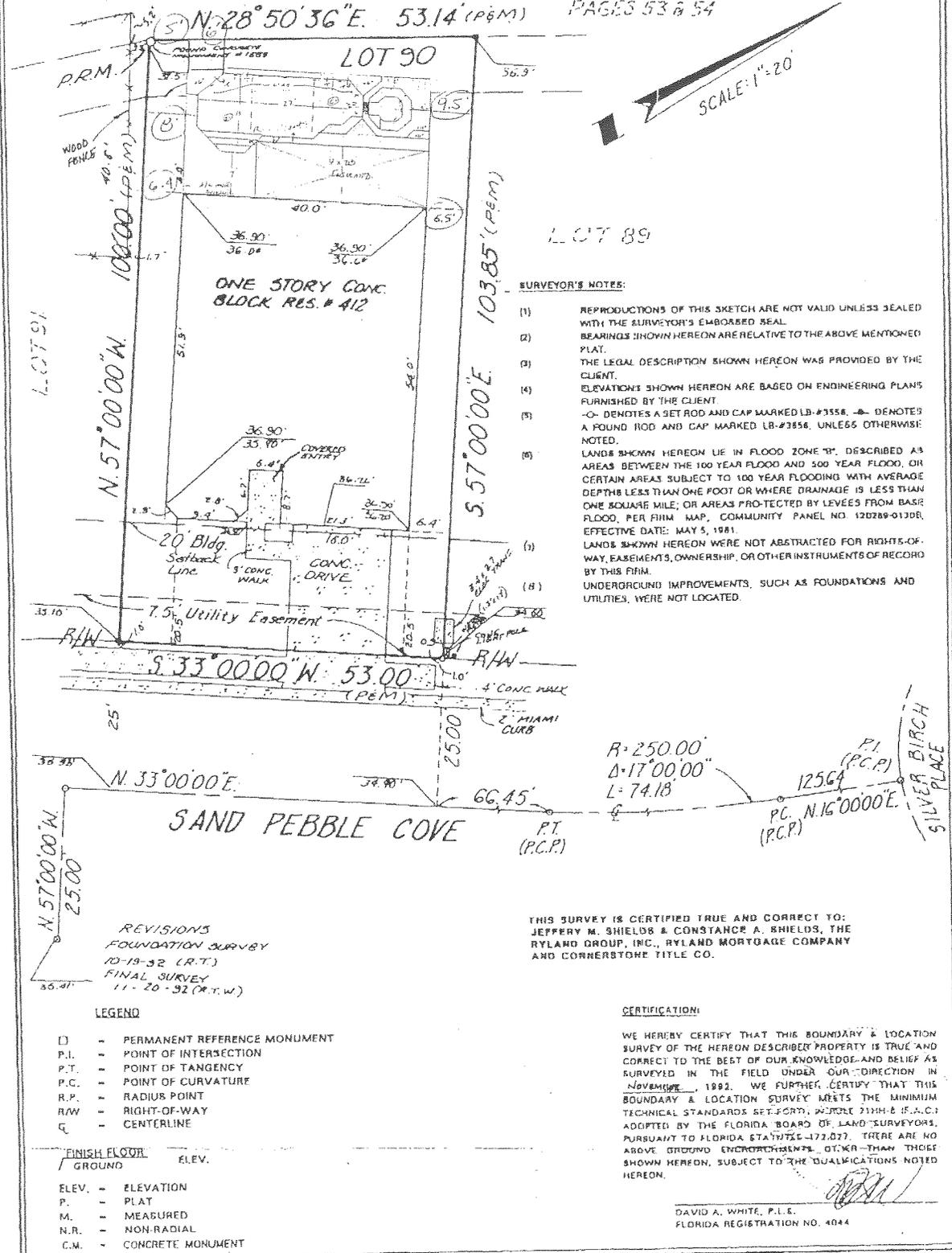
POOL PLAN
 SCALE 1/8" = 1' 0"

This drawing and its principle design
 It cannot be copied, loaned, or reproduced

LEGAL DESCRIPTION: FINAL SURVEY

LOT 90, CRYSTAL CREEK UNIT 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 41, PAGES 49-52 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

CRYSTAL CREEK UNIT 2 LOT 199 PLAT BOOK 41 PAGES 53 & 54



- SURVEYOR'S NOTES:**
- REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH THE SURVEYOR'S EMBOSSED SEAL.
 - BEARINGS SHOWN HEREON ARE RELATIVE TO THE ABOVE MENTIONED PLAT.
 - THE LEGAL DESCRIPTION SHOWN HEREON WAS PROVIDED BY THE CLIENT.
 - ELEVATIONS SHOWN HEREON ARE BASED ON ENGINEERING PLANS FURNISHED BY THE CLIENT.
 - ⊙ DENOTES A SET ROD AND CAP MARKED LB-#3558. ⊙ DENOTES A FOUND ROD AND CAP MARKED LB-#3858, UNLESS OTHERWISE NOTED.
 - LANDS SHOWN HEREON LIE IN FLOOD ZONE "B", DESCRIBED AS AREAS BETWEEN THE 100 YEAR FLOOD AND 500 YEAR FLOOD, OR CERTAIN AREAS SUBJECT TO 100 YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE FOOT OR WHERE DRAINAGE IS LESS THAN ONE SQUARE MILE; OR AREAS PROTECTED BY LEVEES FROM BASE FLOOD, PER FIRM MAP, COMMUNITY PANEL NO. 120289-0130R, EFFECTIVE DATE: MAY 5, 1981.
 - LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD BY THIS FIRM.
 - UNDERGROUND IMPROVEMENTS, SUCH AS FOUNDATIONS AND UTILITIES, WERE NOT LOCATED.

REVISIONS
FOUNDATION SURVEY
10-18-92 (R.T.)
FINAL SURVEY
11-20-92 (R.T.W.)

- LEGEND**
- - PERMANENT REFERENCE MONUMENT
 - P.I. - POINT OF INTERSECTION
 - P.T. - POINT OF TANGENCY
 - P.C. - POINT OF CURVATURE
 - R.P. - RADIUS POINT
 - R/W - RIGHT-OF-WAY
 - C - CENTERLINE

FINISH FLOOR ELEV.
GROUND ELEV.
ELEV. - ELEVATION
P. - PLAT
M. - MEASURED
N.R. - NON-RADIAL
C.W. - CONCRETE MONUMENT

THIS SURVEY IS CERTIFIED TRUE AND CORRECT TO:
JEFFERY M. SHIELDS & CONSTANCE A. SHIELDS, THE
RYLAND GROUP, INC., RYLAND MORTGAGE COMPANY
AND CORNERSTONE TITLE CO.

CERTIFICATION:

WE HEREBY CERTIFY THAT THIS BOUNDARY & LOCATION SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF AS SURVEYED IN THE FIELD UNDER OUR DIRECTION IN November, 1992. WE FURTHER CERTIFY THAT THIS BOUNDARY & LOCATION SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF LAND SURVEYORS, PURSUANT TO FLORIDA STATUTE 473.07. THERE ARE NO ABOVE GROUND ENCROACHMENTS, OTHER THAN THOSE SHOWN HEREON, SUBJECT TO THE QUALIFICATIONS NOTED HEREON.

DAVID A. WHITE, P.L.E.
FLORIDA REGISTRATION NO. 4044

PEC PROFESSIONAL ENGINEERING CONSULTANTS, INC.
engineers planners surveyors

Sully 1380 Cole Park Centre 300 East Robinson Street Orlando, Florida 32801 407/422-8062

Section 21, Township 20 South; Range 30 East

DATE: 9-18-92 PREP. BY: S.E.J. DRAWN BY: R.L.W./BAJ JOB NO: T8926A

<p>FARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>		
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GENERAL

Parcel Id: 21-20-30-515-0000-0900
 Owner: SHIELDS CONSTANCE A &
 Own/Addr: FULGINITI LISA
 Mailing Address: 412 SAND PEBBLE CV
 City,State,ZipCode: LONGWOOD FL 32750
 Property Address: 412 SAND PEBBLE CV LONGWOOD 32750
 Subdivision Name: CRYSTAL CREEK UNIT 1
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD
 Dor: 01-SINGLE FAMILY

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 1
 Depreciated Bldg Value: \$116,272
 Depreciated EXFT Value: \$1,350
 Land Value (Market): \$25,000
 Land Value Ag: \$0
 Just/Market Value: \$142,622
 Assessed Value (SOH): \$102,872
 Exempt Value: \$25,000
 Taxable Value: \$77,872
 Tax Estimator
 2005 Notice of Proposed Property Tax

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
CORRECTIVE DEED	06/2004	05363	0051	\$100	Improved	No
CORRECTIVE DEED	12/2003	05153	0260	\$100	Improved	No
QUIT CLAIM DEED	12/2003	05133	1685	\$100	Improved	No
QUIT CLAIM DEED	12/2003	05133	0087	\$25,000	Improved	No
WARRANTY DEED	12/1992	02520	1685	\$95,200	Improved	Yes
WARRANTY DEED	10/1992	02497	0969	\$77,200	Vacant	No
SPECIAL WARRANTY DEED	12/1989	02132	0803	\$3,962,700	Vacant	No

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$1,786
 2004 Tax Bill Amount: \$1,266
 Save Our Homes (SOH) Savings: \$520
 2004 Taxable Value: \$74,876
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	25,000.00	\$25,000

LEGAL DESCRIPTION

PLATS:

LEG LOT 90 CRYSTAL CREEK UNIT 1 PB 41
PGS 49 TO 52

BUILDING INFORMATION

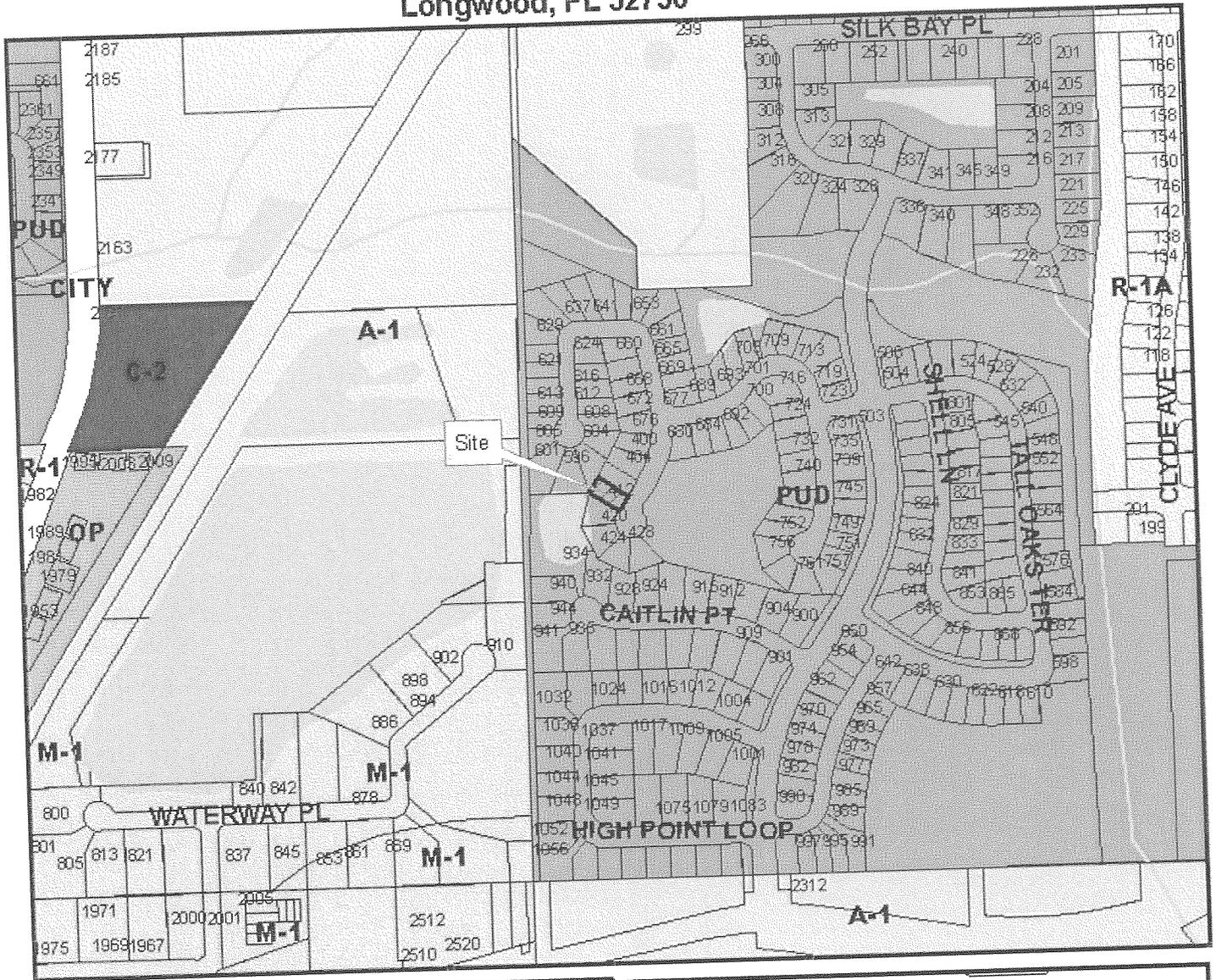
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Heated SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1992	7	1,644	2,148	1,644	CB/STUCCO FINISH	\$116,272	\$122,070
			Appendage / Sqft GARAGE FINISHED / 462						
			Appendage / Sqft OPEN PORCH FINISHED / 42						

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1992	1	\$1,350	\$2,000

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.

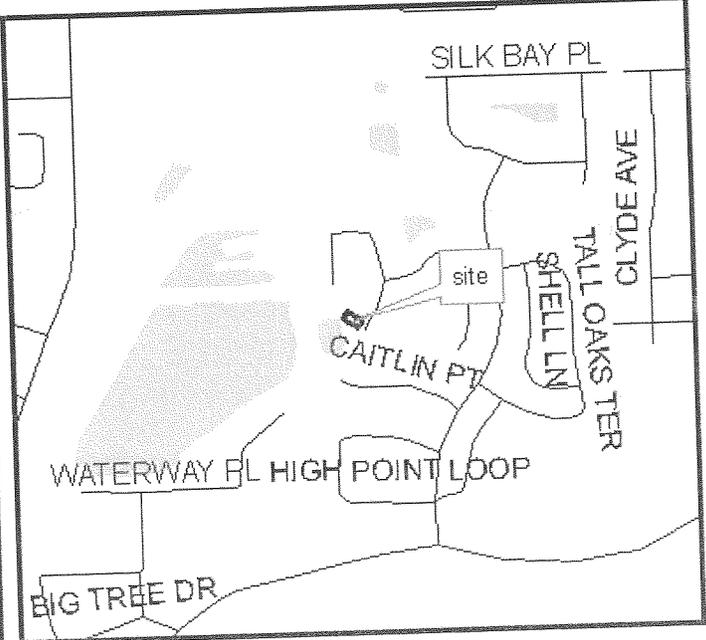
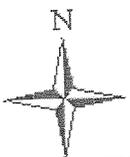
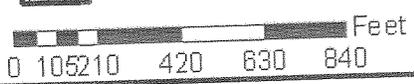
**Constance Shields
412 Sand Pebble Cove
Longwood, FL 32750**



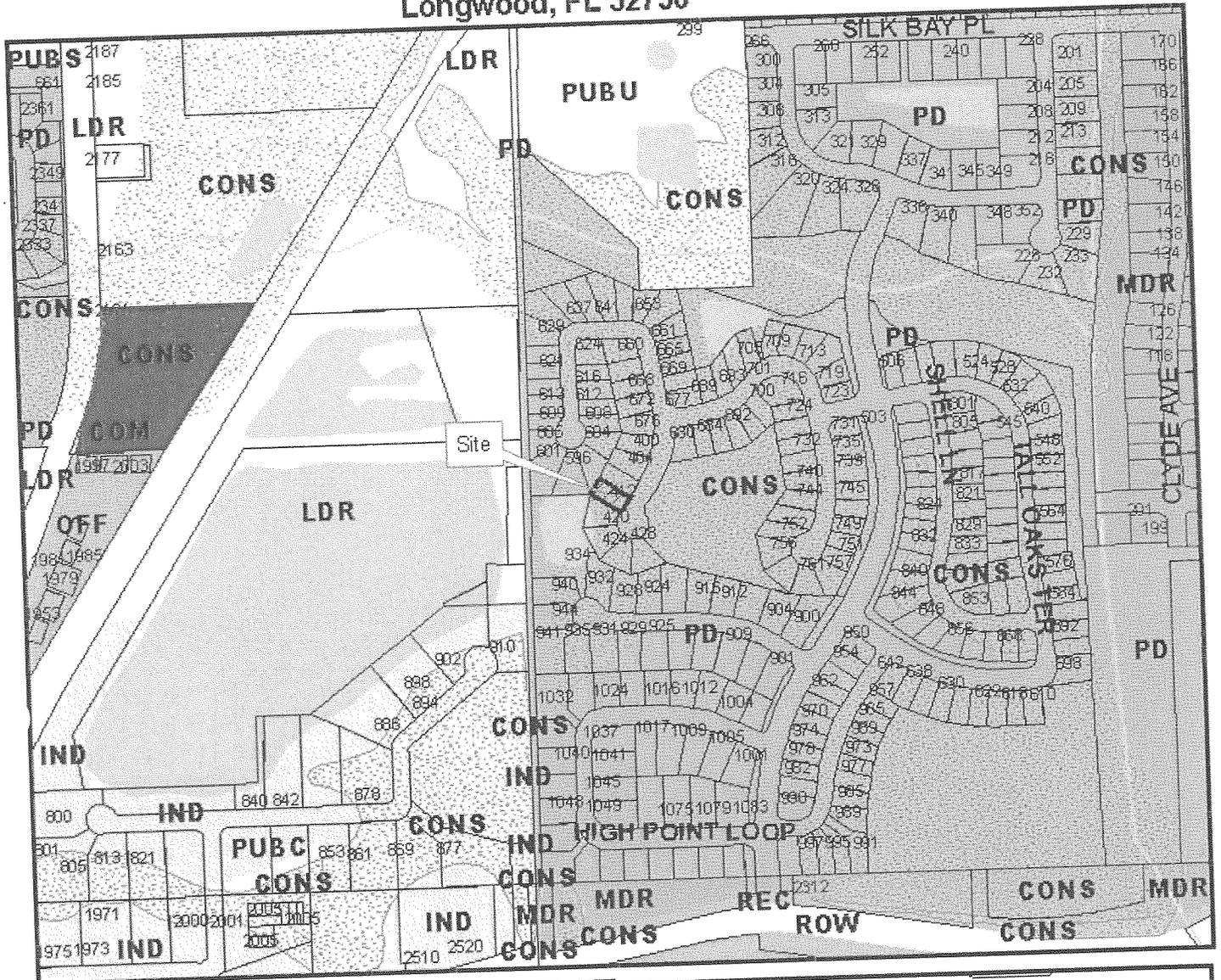
**Seminole County Board of Adjustment
November 28, 2005
Case: BV2005-156
Parcel No: 21-20-30-515-0000-0900**

Zoning

- A-1 Agricultural-1Ac
- R-1A Single Fam-9000
- R-1 Single Fam-8400
- OP Office
- C-2 Retail Commercial
- M-1 Industrial
- PUD Planned Unit Dev.
- BV2005-156

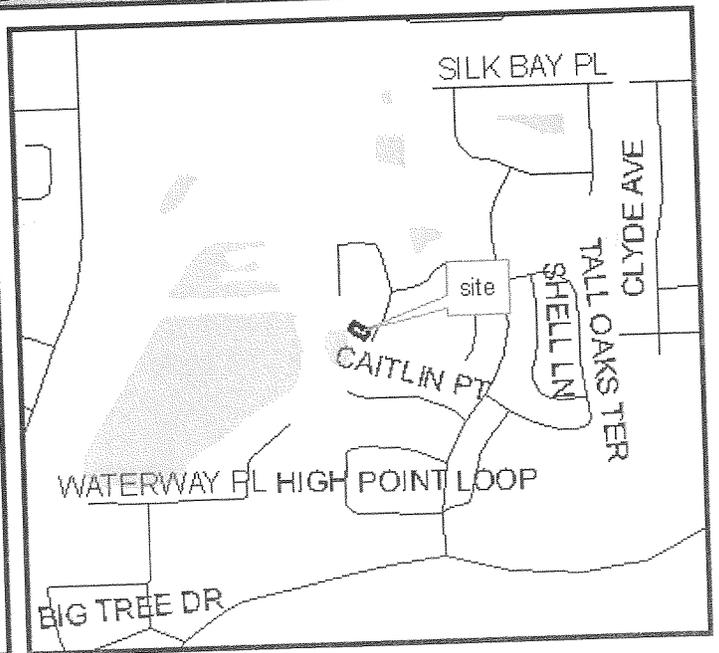
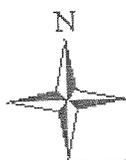
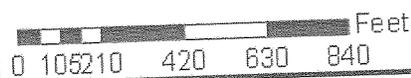


**Constance Shields
412 Sand Pebble Cove
Longwood, FL 32750**



**Seminole County Board of Adjustment
November 28, 2005
Case: BV2005-156
Parcel No: 21-20-30-515-0000-0900**

Future Land Use



Dear Neighbor,

We would like to have a pool put in our back yard. As you know our back yards are tiny so we are going to request from Seminole County that our easement from the back fence to the pool be changed from 10 ft to 6 ft – a 4 foot difference. We are also respectfully asking for your approval on this. The pool will be screened and the easement for the screen will not change – just for the pool itself. We know that we have a wonderful neighborhood and we want to take all of you into the consideration of this.

We ask that you please give us a yea or neigh on this so that we know how to proceed. You can respond right on the bottom of this letter and just stick it in our mail box at your convenience.

Fondly,

Your neighbors at 412 Sand Pebble Cove

Connie, Lisa, Caitlin and Betty

OK Cheri Macher
408 Sand Pebble Cove
Longwood, FL 32750
Cheri Macher

Dear Neighbor,

We would like to have a pool put in our back yard. As you know our back yards are tiny so we are going to request from Seminole County that our easement from the back fence to the pool be changed from 10 ft to 6 ft – a 4 foot difference. We are also respectfully asking for your approval on this. The pool will be screened and the easement for the screen will not change – just for the pool itself. We know that we have a wonderful neighborhood and we want to take all of you into the consideration of this.

We ask that you please give us a yea or neigh on this so that we know how to proceed. You can respond right on the bottom of this letter and just stick it in our mail box at your convenience.

Fondly,

Your neighbors at 412 Sand Pebble Cove

Connie, Lisa, Caitlin and Betty

I have absolutely no
objection.

Karen Crosby
Karen E. Crosby
416 Sand Pebble Cove
Longwood, FL.
32750

Dear Neighbor,

We would like to have a pool put in our back yard. As you know our back yards are tiny so we are going to request from Seminole County that our easement from the back fence to the pool be changed from 10 ft to 6 ft – a 4 foot difference. We are also respectfully asking for your approval on this. The pool will be screened and the easement for the screen will not change – just for the pool itself. We know that we have a wonderful neighborhood and we want to take all of you into the consideration of this.

We ask that you please give us a yea or neigh on this so that we know how to proceed. You can respond right on the bottom of this letter and just stick it in our mail box at your convenience.

Fondly,

Your neighbors at 412 Sand Pebble Cove

Connie, Lisa, Caitlin and Betty

A large, stylized handwritten signature in black ink, appearing to be a cursive name.

9 25 - 05

100 Silver Birch

September 26, 2005

Seminole County Planning & Development Department
Planning Division
1101 East First Street
Sanford, FL 32771

Enclosed is an application for a variance (Backyard set back variance from 10 feet to 6 feet). We would like to place a pool in our backyard (lot 90). We would greatly appreciate your consideration. We have enclosed a copy of the proposed pool, a site plan including the pool, our snap shot of our surrounding neighbor's lots, our neighbor's blessings to move forward and a copy of the application which we submitted to our Home Owners Association's Architectural Review Committee for approval. Please let us know if you need any additional information.

The pool company and contact which we are using is as follows:

Tony Allo
Artesian Pools
7347 East Colonial Drive
Orlando, FL 32807
407-957-4077 Home Office
407-249-1764, ext 118 Work Office
407-277-1783 Fax

Thank you so much for all of your help and consideration.

Sincerely,



Connie Shields
412 Sand Pebble Cove
Longwood, FL 32750
407-324-4097 Home
407-562-2265 Work



Lisa Fulginiti

407-562-2288 Work

September 26, 2005

Leigh Quinn
Sentry Management Inc.
Crystal Creek Neighborhood Association
2180 State Road 434 W Suite 5000
Longwood, FL 32779-5044

Dear Leigh,

Enclosed is an application for the Architectural Review Committee approval. We would like to place a pool in our backyard (lot 90). We would greatly appreciate your consideration. We have enclosed a copy of the proposed pool, a site plan including the pool, our snap shot of our surrounding neighbor's lots, and our neighbor's blessings to move forward. Please let us know if you need any additional information.

Also enclosed are copies of the "Quit Claim Deeds" which represent our property transferred from Jeffrey Michael Shields to Constance Ann Shields. And then the addition of Lisa Fulginiti as co-owner. These have been recorded in Seminole County. Could you please update the Crystal Creek Neighborhood Association records?

Thank you so much for all of your help and consideration.

Sincerely,



Connie Shields
412 Sand Pebble Cove
Longwood, FL 32750
407-324-4097 Home
407-562-2265 Work



Lisa Fulginiti

407-562-2288 Work

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 Connie Shields / Lisa Fukwint. Home Phone 407 324 4097
Address 412 Sand Pebble Cove Longwood FL 32750 Co # 90
(include: street, city, state & zip)

Brief description of improvement which you propose: install a pool & screen

Material to be used for improvement (briefly describe):

Paint Color(s) _____
Stain Color(s) _____
Screen Type(s) _____
Cement/Stucco _____
Pipe/Electrical _____
Wood Type(s) _____
Fence Type(s) _____
Height _____
Other _____

Who will perform the work on this improvement? Artesian Pools 7347 East Colonial Drive Orlando, FL 32807
407-249-1764 ext 118 Tony M110

Are Seminole County permits required? Yes No Date Obtained _____

Attach a survey showing all proposed additions and/or changes, including all measurements. If you are proposing exterior color changes, 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 Connie Shields Date: 9/26/05

Received by/date: _____ Approved by/date: _____

Disapproved by/date: _____ Notified by/date: _____

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On November 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 90 CRYSTAL CREEK UNIT 1 PB 41 PGS 49 TO 52

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

FINDINGS OF FACT

Property Owner: Constance Sheilds & Lisa Fulginiti
412 Sand Pebble Cove
Longwood, FL 32750

Project Name: Sand Pebble Cove (412)

Requested Development Approval:

Request for a minimum rear yard setback variance from 10 feet to 6 feet for a proposed pool in the 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: Ian Sikonia, 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 pool 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: _____
Tony Walter
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: