

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

**SUBJECT:** Request for a rear yard setback variance from 30 feet to 12 feet for a proposed sunroom addition in the R-1A (Single-Family Dwelling District); (Naval & Vijayalaxmi Modani, applicants).

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

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

**Agenda Date** 5/22/06 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a rear yard setback variance from 30 feet to 12 feet for a proposed sunroom addition in the R-1A (Single-Family Dwelling District); or
2. **DENY** the request for a rear yard setback variance from 30 feet to 12 feet for a proposed sunroom addition in the R-1A (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

|                             |  |
|-----------------------------|--|
| <b>GENERAL INFORMATION</b>  | <b>APPLICANT:</b> Naval & Vijayalaxmi Modani<br><b>LOCATION:</b> 709 Boysenberry Court<br><b>ZONING:</b> R-1A (Single-Family Dwelling District)  |
| <b>BACKGROUND / REQUEST</b> | <ul style="list-style-type: none"> <li>• The applicant proposes to construct a sunroom addition to the rear of an existing single-family home that would encroach 18 feet into the minimum 30 foot rear yard setback; the aforementioned variance is thereby requested.</li> <li>• The applicant has received approval from the Tuskawilla Point Homeowners Association for the proposed sunroom addition on March 22, 2006.</li> <li>• The adjacent property to the rear received approval from the Board of Adjustment for a rear yard setback variance from 30 feet to 12 feet at the February 27, 2006 meeting. (BV2006-012)</li> <li>• There are currently no code enforcement or building violations for this property.</li> </ul> |

|                             |   |
|-----------------------------|---|
| <b>STAFF FINDINGS</b>       | <p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <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, structures or building in the same zoning district.</li><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 applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li></ul> |
| <b>STAFF RECOMMENDATION</b> | <ul style="list-style-type: none"><li>• 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:<ul style="list-style-type: none"><li>• Any variance granted shall apply only to the proposed sunroom 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></li></ul>  |



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET (ROOM 1028)  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX

**COPY**

RECEIVED MAR 31 2006

RECEIVED MAR 31 2006

APPL. NO. BV 2006-065

**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 30 feet to 12 feet
- SPECIAL EXCEPTION** \_\_\_\_\_
- MOBILE HOME SPECIAL EXCEPTION** \_\_\_\_\_
- EXISTING (YEAR \_\_\_\_\_)  PROPOSED (YEAR \_\_\_\_\_)
- REPLACEMENT (YEAR \_\_\_\_\_) SIZE OF MOBILE HOME \_\_\_\_\_
- ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_
- PLAN TO BUILD  YES  NO IF SO, WHEN \_\_\_\_\_
- MEDICAL HARDSHIP  YES (LETTER FROM DOCTOR REQUIRED)  NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER** \_\_\_\_\_

| PROPERTY OWNER |   | AUTHORIZED AGENT * |
|----------------|---|--------------------|
| NAME           | NAVAL K. & VIJAYALAXMI N. MODANI                  |                    |
| ADDRESS        | 709 BOYSEN BERRY COURT<br>WINTER SPRINGS FL 32708 |                    |
| PHONE 1        | 407-823-2804 (work)                               |                    |
| PHONE 2        | 407-699-5394 (Home)                               |                    |
| E-MAIL         | nmodani@cfl.hr.com                                |                    |

PROJECT NAME: Sunroom addition

SITE ADDRESS: 709 Boysenberry Court, Winter Springs FL 32708

CURRENT USE OF PROPERTY: Single family residence

LEGAL DESCRIPTION: LEG LOT 18 TUSKAWILLA POINT PB 23 PGS 81 & 82

SIZE OF PROPERTY: Approx. 0.125 acre(s) PARCEL I.D. 24-21-30-501-0000-0180

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

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 5/22/06 (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.

N. Modani SIGNATURE OF OWNER OR AGENT\* March 30, 2006 DATE

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

**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): 150.00 COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING R-1A / LDR

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

LOCATION FURTHER DESCRIBED AS \_\_\_\_\_

PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_

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

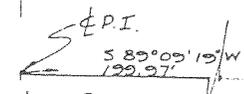
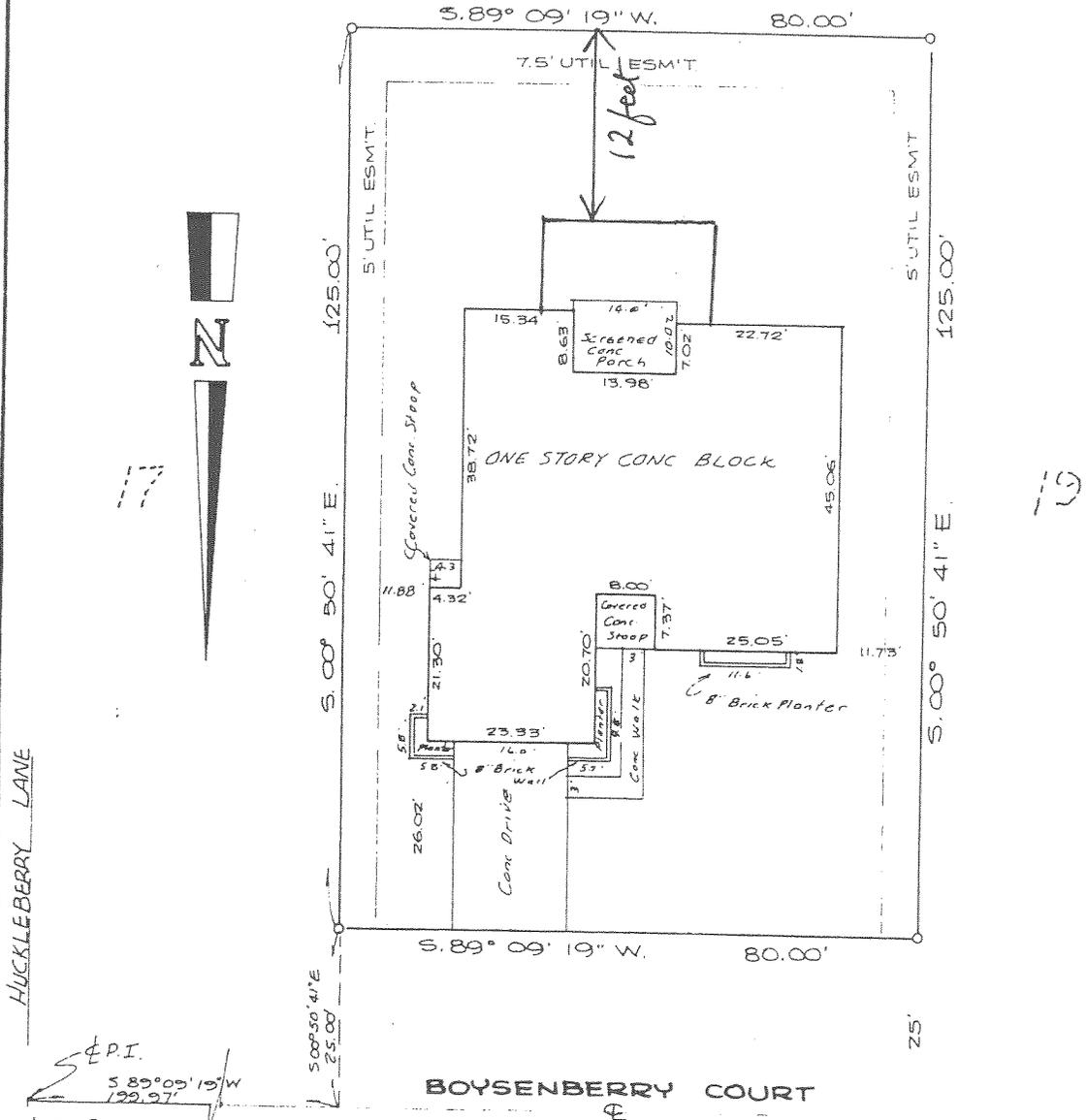
PLAT of SURVEY for H. MILLER & SONS OF FLORIDA, INC.  
 DESCRIPTION LOT 18, TUSKAWILLA POINT

RECORDED IN PLAT BOOK 23 PAGES 81 & 82 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

Based on the Federal Insurance Administration Flood Hazard Boundary Maps, it is my opinion that the area described herein does not lie within the flood hazard area.

I hereby certify that the location of the building, the finished grades and the elevation of the drainage facilities pertaining thereto, are in substantial agreement with the approved plans and specifications and adequately accomplish the objectives of the V.A. minimum property standards.

13



- NOTES:
1. PLAT OF BOUNDARY SURVEY.
  2. BEARINGS ARE BASED ON PLAT.
  3. O - DENOTES SET 1 1/4\"/>

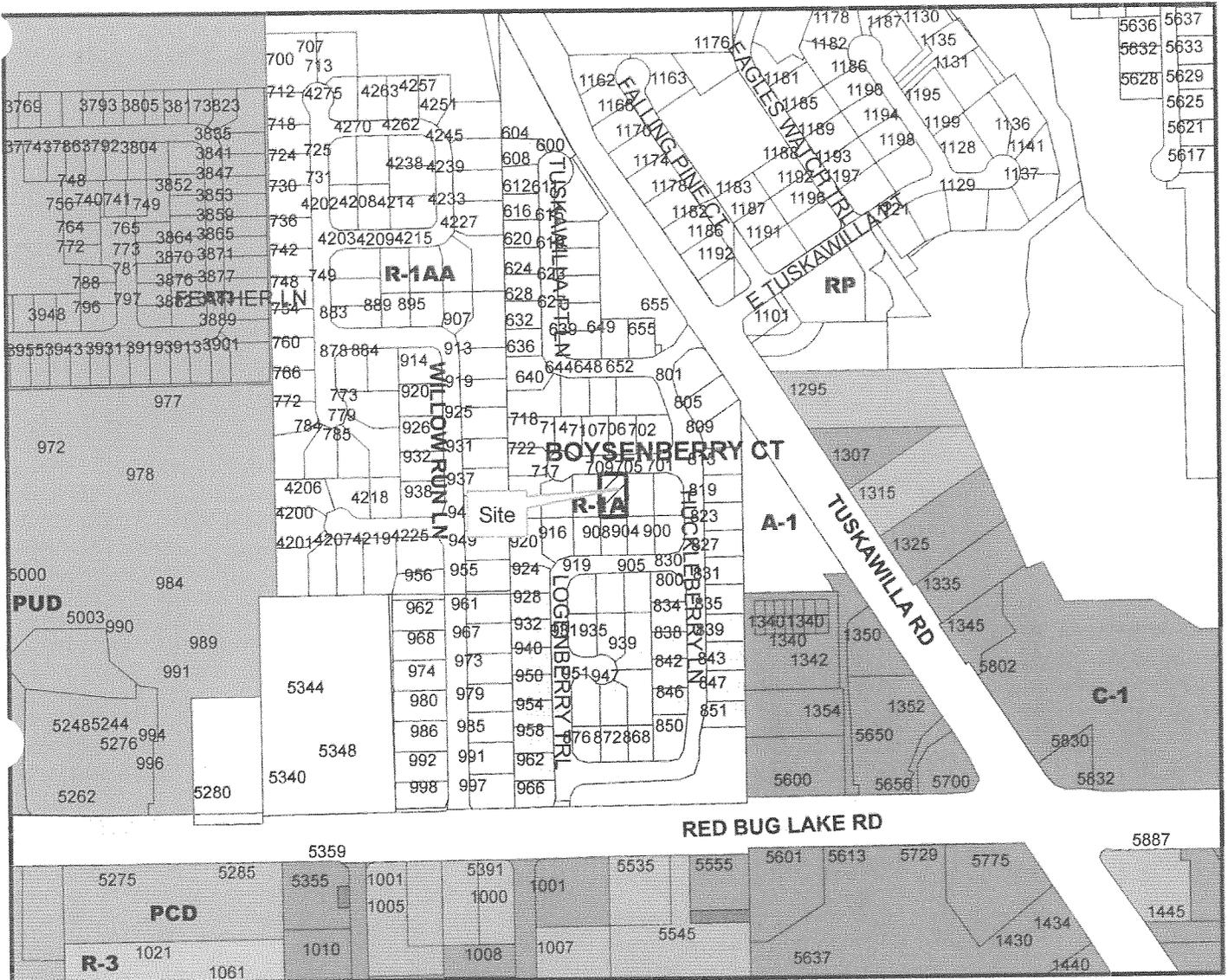
This survey meets the minimum technical standards set forth by the Florida Board of Land Surveyors, pursuant to Section 472.027, Florida Statutes.

**LAND CAVONE INC.**  
 848 E. LAKE STREET (S.R. 427)  
 LONGWOOD, FLORIDA 32750  
 TELEPHONE: (305) 831-3633

LAND SURVEYORS  
 CERTIFICATE NOTE:  
 Not valid unless sealed with an embossed Surveyors seal.

8-15-83 FINAL  
 5-20-83 FOUNDATION  
 5-10-83 STAKED  
 DATE \_\_\_\_\_ SCALE 1" = 20'  
 CERTIFIED CORRECT  
*Dominick F. Cavone*  
 DOMINICK F. CAVONE  
 REGISTRATION No 2005

Naval K & Vijayalaxmi N Modani  
 709 Boysenberry Ct  
 Winter Springs, FL 32708



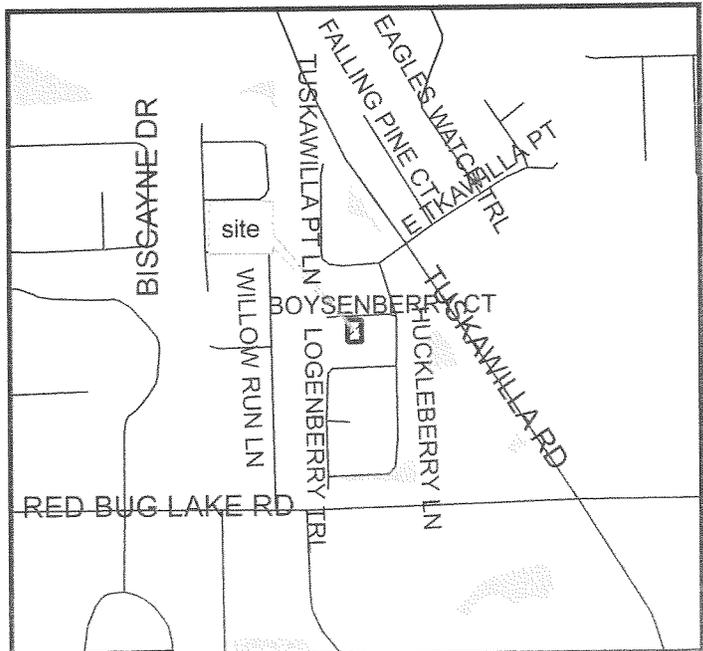
**Seminole County Board of Adjustment**  
 May 22, 2006  
 Case: BV2006-065  
 Parcel No: 24-21-30-501-0000-0180

**Zoning**

|  |            |  |      |  |     |
|--|------------|--|------|--|-----|
|  | BV2006-065 |  | R-1A |  | C-2 |
|  | A-1        |  | R-3  |  | PUD |
|  | R-1AAA     |  | RP I |  | PCD |
|  | R-1AA      |  | C-1  |  |     |

N

0 105210 420 630 840 Feet



| <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<br/>SANFORD, FL 32771-1468<br/>407-665-7505</p>   |               |  |                  |                             |            |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
|--|---------------|--|------------------|-----------------------------|------------|------------|------------------|-----------|---------------|-------------|----------|-----------|------------|---|-----------|--|----------|-----------|---------------|---|---------------|------|---|-------|-------|-------|------------------|-----------|-----------|--|--|--|------------------|-----------------------------|--|--|--|--|--|--|--|--|------------------|--------------------------|--|--|--|--|--|--|--|--|------------------|-----------------------|--|--|--|--|--|--|--|--|------------------|--------------------------|--|--|--|--|--|
| <p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 24-21-30-501-0000-0180</p> <p>Owner: MODANI NAVAL K &amp; VIJAYALAXMI N</p> <p>Mailing Address: 709 BOYSENBERRY CT</p> <p>City,State,ZipCode: WINTER SPRINGS FL 32708</p> <p>Property Address: 709 BOYSENBERRY CT WINTER SPRINGS 32708</p> <p>Subdivision Name: TUSKAWILLA POINT</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>   |               | <p style="text-align: center;"><b>2006 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$158,058</p> <p>Depreciated EXFT Value: \$850</p> <p>Land Value (Market): \$40,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$198,908</p> <p>Assessed Value (SOH): \$112,334</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$87,334</p> <p>Tax Estimator</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>08/1983</td> <td>01483</td> <td>1150</td> <td>\$95,500</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>  |               | Deed   | Date             | Book                        | Page       | Amount     | Vac/Imp          | Qualified | WARRANTY DEED | 08/1983     | 01483    | 1150      | \$95,500   | Improved  | Yes       | <p style="text-align: center;"><b>2005 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$2,362</p> <p>2005 Tax Bill Amount: \$1,377</p> <p>Save Our Homes (SOH) Savings: \$985</p> <p>2005 Taxable Value: \$84,062</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p> |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| Deed   | Date          | Book   | Page             | Amount                      | Vac/Imp    | Qualified  |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| WARRANTY DEED  | 08/1983       | 01483  | 1150             | \$95,500                    | 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>40,000.00</td> <td>\$40,000</td> </tr> </tbody> </table>  |               | Land Assess Method   | Frontage         | Depth                       | Land Units | Unit Price | Land Value       | LOT       | 0             | 0           | 1.000    | 40,000.00 | \$40,000   | <p style="text-align: center;"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 18 TUSKAWILLA POINT PB 23 PGS 81 &amp; 82</p> |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| Land Assess Method   | Frontage      | Depth  | Land Units       | Unit Price                  | Land Value |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| LOT  | 0             | 0  | 1.000            | 40,000.00                   | \$40,000   |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| <p style="text-align: center;"><b>BUILDING INFORMATION</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1983</td> <td>7</td> <td>2,053</td> <td>2,820</td> <td>2,053</td> <td>CB/STUCCO FINISH</td> <td>\$158,058</td> <td>\$173,690</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">SCREEN PORCH FINISHED / 150</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">OPEN PORCH FINISHED / 16</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">GARAGE FINISHED / 537</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">OPEN PORCH FINISHED / 64</td> </tr> </tbody> </table> <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> |               |  |                  |                             |            |            |                  |           |               | Bld Num     | Bld Type | Year Blt  | Fixtures   | Base SF   | Gross SF  | Living SF  | Ext Wall | Bld Value | Est. Cost New | 1 | SINGLE FAMILY | 1983 | 7 | 2,053 | 2,820 | 2,053 | CB/STUCCO FINISH | \$158,058 | \$173,690 |  |  |  | Appendage / Sqft | SCREEN PORCH FINISHED / 150 |  |  |  |  |  |  |  |  | Appendage / Sqft | OPEN PORCH FINISHED / 16 |  |  |  |  |  |  |  |  | Appendage / Sqft | GARAGE FINISHED / 537 |  |  |  |  |  |  |  |  | Appendage / Sqft | OPEN PORCH FINISHED / 64 |  |  |  |  |  |
| Bld Num  | Bld Type      | Year Blt   | Fixtures         | Base SF                     | Gross SF   | Living SF  | Ext Wall         | Bld Value | Est. Cost New |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| 1  | SINGLE FAMILY | 1983   | 7                | 2,053                       | 2,820      | 2,053      | CB/STUCCO FINISH | \$158,058 | \$173,690     |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
|  |               |  | Appendage / Sqft | SCREEN PORCH FINISHED / 150 |            |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
|  |               |  | Appendage / Sqft | OPEN PORCH FINISHED / 16    |            |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
|  |               |  | Appendage / Sqft | GARAGE FINISHED / 537       |            |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
|  |               |  | Appendage / Sqft | OPEN PORCH FINISHED / 64    |            |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| <p style="text-align: center;"><b>EXTRA FEATURE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>FIREPLACE</td> <td>1983</td> <td>1</td> <td>\$850</td> <td>\$2,000</td> </tr> </tbody> </table>  |               |  |                  |                             |            |            |                  |           |               | Description | Year Blt | Units     | EXFT Value | Est. Cost New   | FIREPLACE | 1983   | 1        | \$850     | \$2,000       |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| Description  | Year Blt      | Units  | EXFT Value       | Est. Cost New               |            |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |
| FIREPLACE  | 1983          | 1  | \$850            | \$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>   |               |  |                  |                             |            |            |                  |           |               |             |          |           |            |   |           |  |          |           |               |   |               |      |   |       |       |       |                  |           |           |  |  |  |                  |                             |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |  |  |  |                  |                       |  |  |  |  |  |  |  |  |                  |                          |  |  |  |  |  |

**TUSKAWILLA POINT HOMEOWNERS' ASSOCIATION  
5840 Red Bug Lake Road, Suite PMB 305  
Winter Springs, Florida 32708**

March 22, 2006

Attention: Seminole County , Code Enforcement

Re: Sunroom addition  
Naval & Vijaya Modani  
709 Boysenberry Court  
Winter Springs, FL 32708

To Whom It May Concern:

The Tuskawilla Point Homeowners' Association is in favor of the above noted sunroom proposed by the Modanis contingent upon the county's approval of the applicable variance.

*Jon Nawrocki*

Jon Nawrocki  
President

Board of Directors

TUSKAWILLA POINT HOMEOWNERS' ASSOCIATION

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 22, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 18 TUSKAWILLA POINT PB 23 PGS 81 & 82

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

### FINDINGS OF FACT

**Property Owner:** Naval & Vijayalaxmi Modani  
709 Boysenberry Ct.  
Winter Springs, FL 32708

**Project Name:** Boysenberry Court (709)

**Requested Development Approval:**

Request for a rear yard setback variance from 30 feet to 12 feet for a proposed sunroom addition in the 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: 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 sunroom 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: \_\_\_\_\_  
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 \_\_\_\_\_, 2006.

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

My Commission Expires: