

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

SUBJECT: Request for limited use for the one year placement of a recreational vehicle while in the A-10 (Rural Zoning District), while a single-family home is under construction at Stone Street (Lot 302A); (Kathy Dregne & Emile Jammal, applicants).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT** 7444

Agenda Date 06-26-06 **Regular** **Consent** **Public Hearing – 6:00**

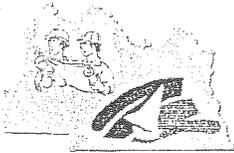
MOTION/RECOMMENDATION:

1. **APPROVE** the request for limited use for the one year placement of a recreational vehicle while in the A-10 (Rural Zoning District), while a single-family home is under construction at Stone Street (Lot 302A); (Kathy Dregne & Emile Jammal, applicants); or
2. **DENY** the request for limited use for the one year placement of a recreational vehicle while in the A-10 (Rural Zoning District), while a single-family home is under construction at Stone Street (Lot 302A); (Kathy Dregne & Emile Jammal, applicants); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning:	Kathy Dregne & Emile Jammal Stone Street (Lot 302A) A-10 (Black Hammock)														
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicants are requesting one year placement of a recreational vehicle for one year in the A-10 district, while a permanent single-family dwelling is under construction. • The temporary occupancy of a recreational home while a single-family structure is under construction is permitted only by limited use in the A-10 district. 															
ZONING & FLU	<table border="1"> <thead> <tr> <th data-bbox="544 1780 755 1858">Direction</th> <th data-bbox="755 1780 917 1858">Existing Zoning</th> <th data-bbox="917 1780 1096 1858">Existing FLU</th> <th data-bbox="1096 1780 1429 1858">Use of Property</th> </tr> </thead> <tbody> <tr> <td data-bbox="544 1858 755 1890">Site</td> <td data-bbox="755 1858 917 1890">A-10</td> <td data-bbox="917 1858 1096 1890">Rural - 10</td> <td data-bbox="1096 1858 1429 1890">Vacant</td> </tr> <tr> <td data-bbox="544 1890 755 1921">North</td> <td data-bbox="755 1890 917 1921">A-10</td> <td data-bbox="917 1890 1096 1921">Rural - 10</td> <td data-bbox="1096 1890 1429 1921">Single family home</td> </tr> </tbody> </table>				Direction	Existing Zoning	Existing FLU	Use of Property	Site	A-10	Rural - 10	Vacant	North	A-10	Rural - 10	Single family home
Direction	Existing Zoning	Existing FLU	Use of Property													
Site	A-10	Rural - 10	Vacant													
North	A-10	Rural - 10	Single family home													

	South	A-10	Rural - 10	Mobile home
	East	A-10	Rural - 10	Mobile home
	West	A-10	Rural - 10	Vacant
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)</p>	<p><u>Is not detrimental to the character of the area or neighborhood or inconsistent with trends of development in the area:</u></p> <p>Along Stone Street there is a mixture of mobile homes and “conventional” single family homes. There are both permanently and temporary approved mobile homes. Therefore, the temporary occupancy of the same on a lot where a single-family home is under construction would be compatible with the trend of development on nearby and adjacent properties within this zoning category.</p> <p><u>Does not have an unduly adverse effect on existing traffic patterns, movements and volumes:</u></p> <p>Since the recreational vehicle would be temporarily utilized as a single-family dwelling that would not be highly intensive in nature, staff does not believe it would adversely impact adjoining transportation facilities.</p> <p><u>Is consistent with the Seminole County Vision 2020 Comprehensive Plan:</u></p> <p>The request is for the temporary approval of a use, which would be used for single-family purposes; the same would be consistent with the comprehensive plan’s designation of Rural-5 future land use for the subject property.</p> <p><u>Meets any additional requirements specified in the code section authorizing the use in a particular zoning district or classification:</u></p> <p>The subject property meets the minimum size and yard requirements of the A-10 district.</p> <p><u>Will not adversely affect the public interest:</u></p> <p>At present, the trend of development in the immediate area includes mobile homes, conventional single-family homes and vacant properties. Therefore, the temporary occupancy of the proposed recreational vehicle, while a permanent home is constructed on the subject property, would not be detrimental to the public interest.</p>			

<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-10 (AGRICULTURE DISTRICT); LDC SECTION 30.104</p>	<p>The BOA may permit any use allowed by special exception in the A-10 (Rural Zoning) upon making findings of fact, in addition to those required by section 30.43(b)(2) of the Land Development Code, that the use:</p> <p><u>Is compatible with the concept of low-density rural land use:</u></p> <p>The proposed use would be consistent with the concept of surrounding single-family, rural land use since the comprehensive plan describes Rural-10 as an appropriate FLU category for the temporary placement of a recreational vehicle by limited use.</p> <p><u>Has access to an adequate level of urban services such as sewer, water, police, schools and related services.</u></p> <p>The proposed use would be served by septic and well and would have access to other county services, including schools and emergency services, which are available to the site.</p>
<p>STAFF FINDINGS</p>	<p>The applicant has satisfied the standards for the grant of a limited use for temporary occupancy of a recreational vehicle as a single-family dwelling. based on the findings presented, staff recommends approval of this request, conditioned upon the site plan submitted, conformity with the comprehensive plan, and adherence to the following Land Development Code standards</p> <ul style="list-style-type: none">• The appropriate building permit shall be secured for placement and occupancy of the proposed recreational vehicle as a temporary single-family dwelling on the subject property.• A permanent single-family home shall be actively under construction and inspection during the period the recreational vehicle is used as a temporary dwelling.• The placement & occupancy of the recreational vehicle shall not exceed one (1) year & shall be renewable for an additional period of one (1) year upon approval by the Board of Adjustment.• Prior to final inspection of the residence, the property owner shall furnish the planning division with acceptable evidence as to the date & method that the recreational vehicle will be removed.• The recreational vehicle shall be removed within thirty (30) days, following the issuance of the final certificate of occupancy for the permanent single-family home.



COPY

APPL. NO. BM 2006-014

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:

RECEIVED MAY 04 2006

- VARIANCE**
- SPECIAL EXCEPTION** Temporary placement of an RV for 1 year while building our single family home
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV _____
- PLAN TO BUILD
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED _____
- YES
- NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Kathy Dregne and Emile Jammal</u>	
ADDRESS	<u>3333 Orange St. Oviedo, FL 32765</u>	
PHONE 1	<u>407-737-0706 (home)</u>	
PHONE 2	<u>407-924-7643 (Emile cell)</u>	
E-MAIL	<u>emile.jammal@lmco.com</u>	

PROJECT NAME: Dregne/Jammal Site

SITE ADDRESS: _____

CURRENT USE OF PROPERTY: Vacant

LEGAL DESCRIPTION: See attached property appraiser page

SIZE OF PROPERTY: 4.83 acre(s) PARCEL I.D. 25-20-31-5BA-0000-302A

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO Call 407-356-2731 for gate lock combination.

This request will be considered at the Board of Adjustment regular meeting on 5/26/06 (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.

Kathy Dregne
 SIGNATURE OF OWNER OR AGENT* DATE 5/4/06

* 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): 195 COMMISSION DISTRICT FLU / ZONING A-10

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS IS temporary placement 1 year

PLANNING ADVISOR JS DATE _____

SUFFICIENCY COMMENTS _____

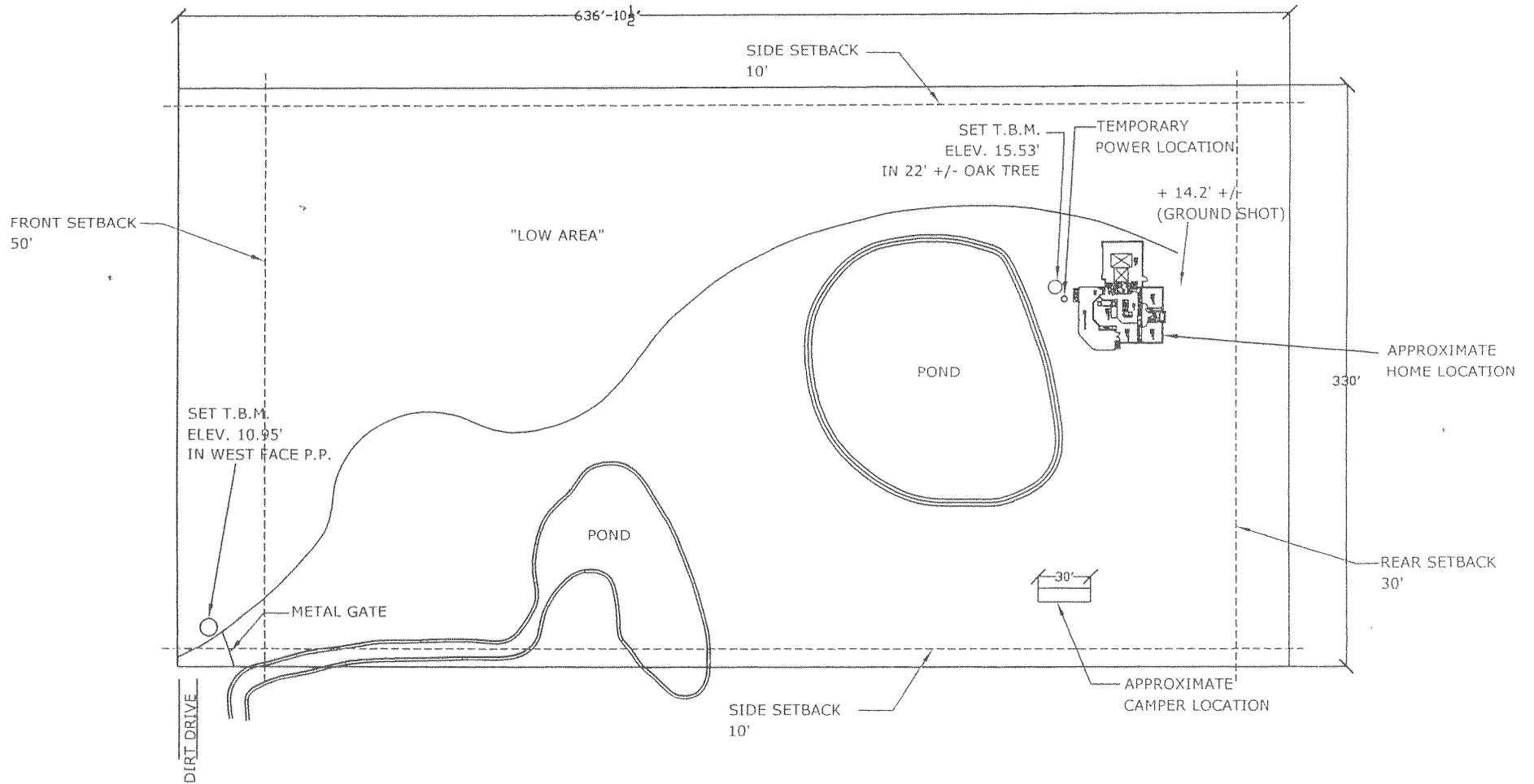
Temp Camper Info:

Power:

Camper will be located approximately 175' from Temp power.

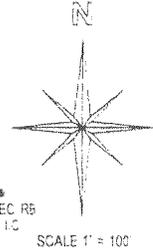
Sewage:

Will dump approximately once a week.

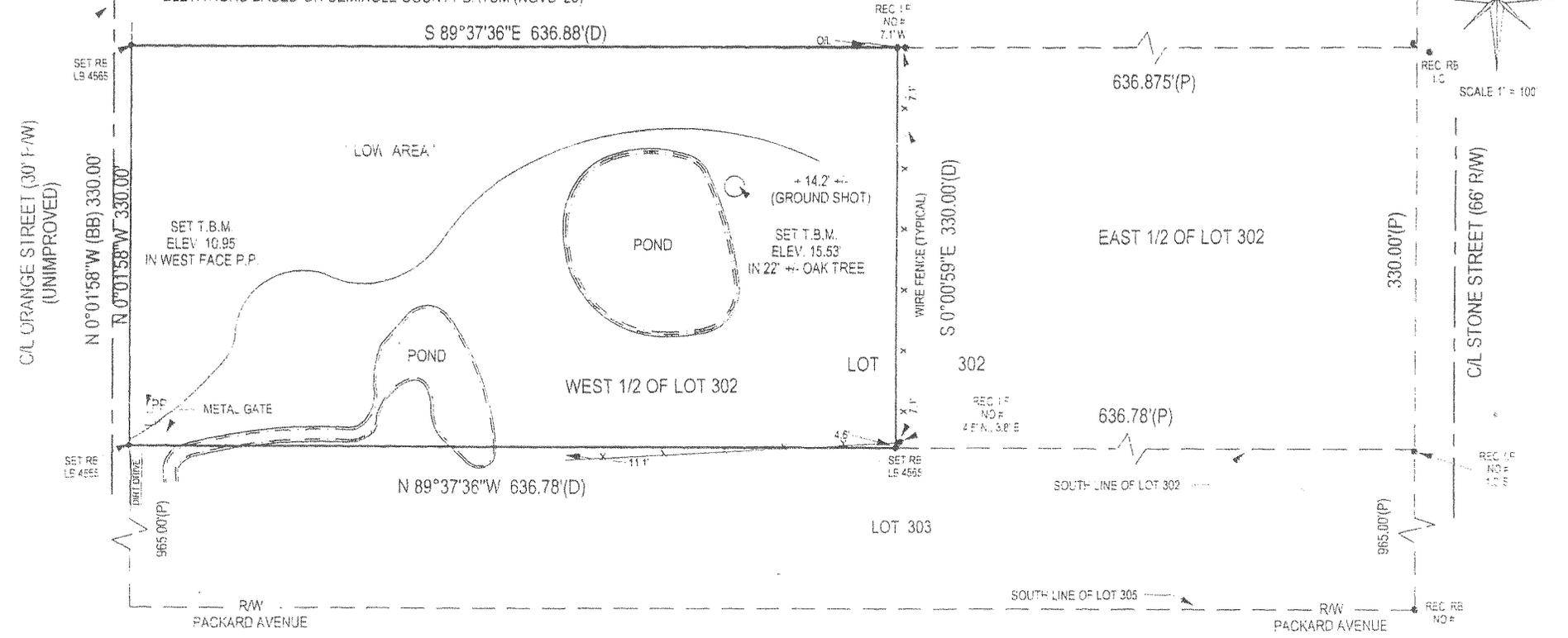


NOTES:
 THIS SURVEY WAS PREPARED FROM TITLE INFORMATION FURNISHED TO THIS SURVEYOR. THERE MAY BE OTHER RESTRICTIONS OF UNRECORDED EASEMENTS THAT AFFECT THIS PROPERTY.
 NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE SHOWN.
 THIS SURVEY IS PREPARED FOR THE SOLE BENEFIT OF THOSE CERTIFIED TO AND SHOULD NOT BE RELIED UPON BY ANY OTHER ENTITY.
 DIMENSIONS SHOWN FOR THE LOCATION OF IMPROVEMENTS HEREON SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
 BEARINGS ARE BASED ON ASSUMED DATUM AND ON THE LINE SHOWN AS BASE BEARING (BB).
 PROPERTY HEREON LOCATED IN ZONE "SHADED X" (500 YEAR FLOOD) PER F.I.R.M. COMMUNITY PANEL NO. 120289 0180 E DATED 04-17-98.

DESCRIPTION: WEST HALF OF LOT 302, O.P. SWOPE LAND COMPANY'S PLAT OF BLACK HAMMOCK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 110 AND 111, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



ELEVATIONS BASED ON SEMINOLE COUNTY DATUM (NGVD '29)



JOB NO.: 05-3312
 DATE: 08-29-05
 FIELD: 08-29-05
 SIGNED: 10-04-05
 DRAWN BY: RWJ/CMS
 PLOT: RP

LEGEND	
REC - RECORDED	CONCRETE
LF - IRON PIPE	TRC - POINT OF REVERSE CURVE
CM - CONCRETE MONUMENT	R - RADIUS POINT
RB - REBAR	R - RADIUS
RA - RAIL	CA - CENTRAL ANGLE
NS - NOT RAIL	LE - LOTTY EASEMENT
W - WIRE FENCE	CE - CENTRAL EASEMENT
MS - AS MEASURED	LE - LANDSCAPE EASEMENT
PD - PER DESCRIPTION	SE - SIDEWALK EASEMENT
PL - POINT ON LINE	PK - POWER POLE
PC - POINT OF CURVATURE	WF - WOODEN FENCE
PT - POINT OF TANGENCY	

Boundary
 And
 Mapping
 Associates, Inc.

109 W. ORANGE ST
 ALTAMONTE SPRINGS, FL
 32714
 PH (407) 695-1155

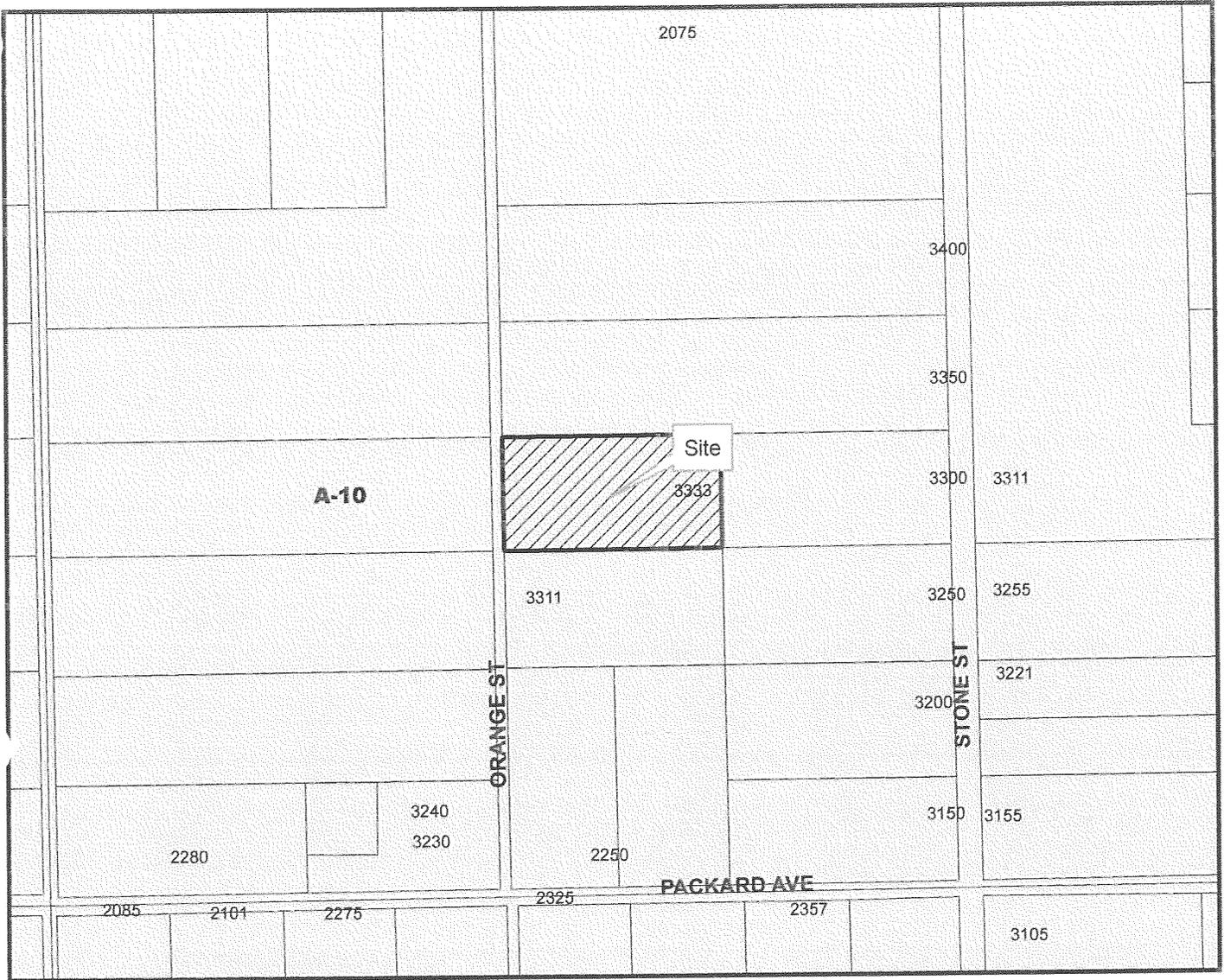
LANC SURVEYORS
 LB 4565

CERTIFIED TO:
 EMILE E. JAMMAL, JR.
 KATHY J. DREGNE
 FIRST SOUTHWESTERN TITLE COMPANY OF FLORIDA
 SUNTRUST MORTGAGE CORPORATION
 FIRST AMERICAN TITLE INSURANCE COMPANY

Not valid without the signature and the original record seal of a Florida Licensed Surveyor and Mason. Assists and decisions to survey made or records to other than the signing party or parties is prohibited without written consent of the signing party or parties.

Rodney W. Jackson
 RODNEY W. JACKSON, PSM 6281

Kathy Dregne & Emile Jammal Jr
West 1/2 of Lot 302, Orange Street
Oviedo, FL 32762

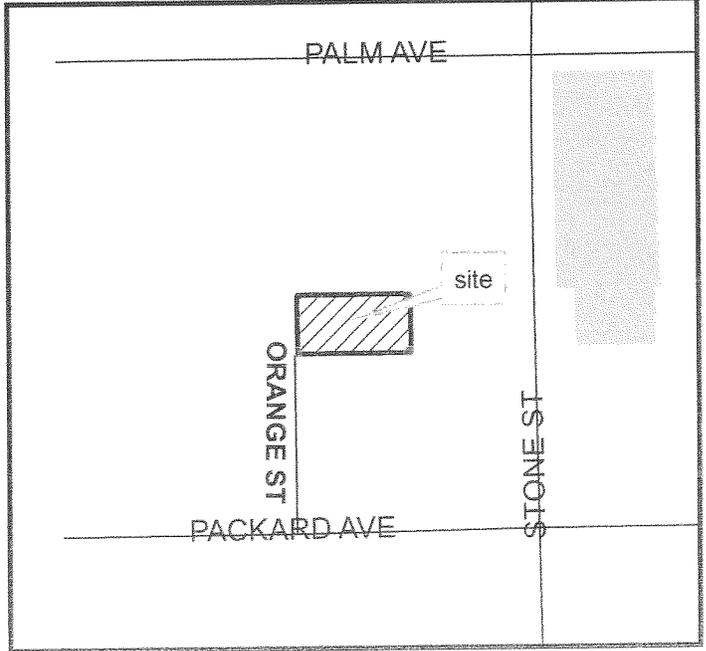
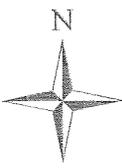


Seminole County Board of Adjustment
June 26, 2006
Case: BM2006-014
Parcel No: 25-20-31-5BA-0000-302A

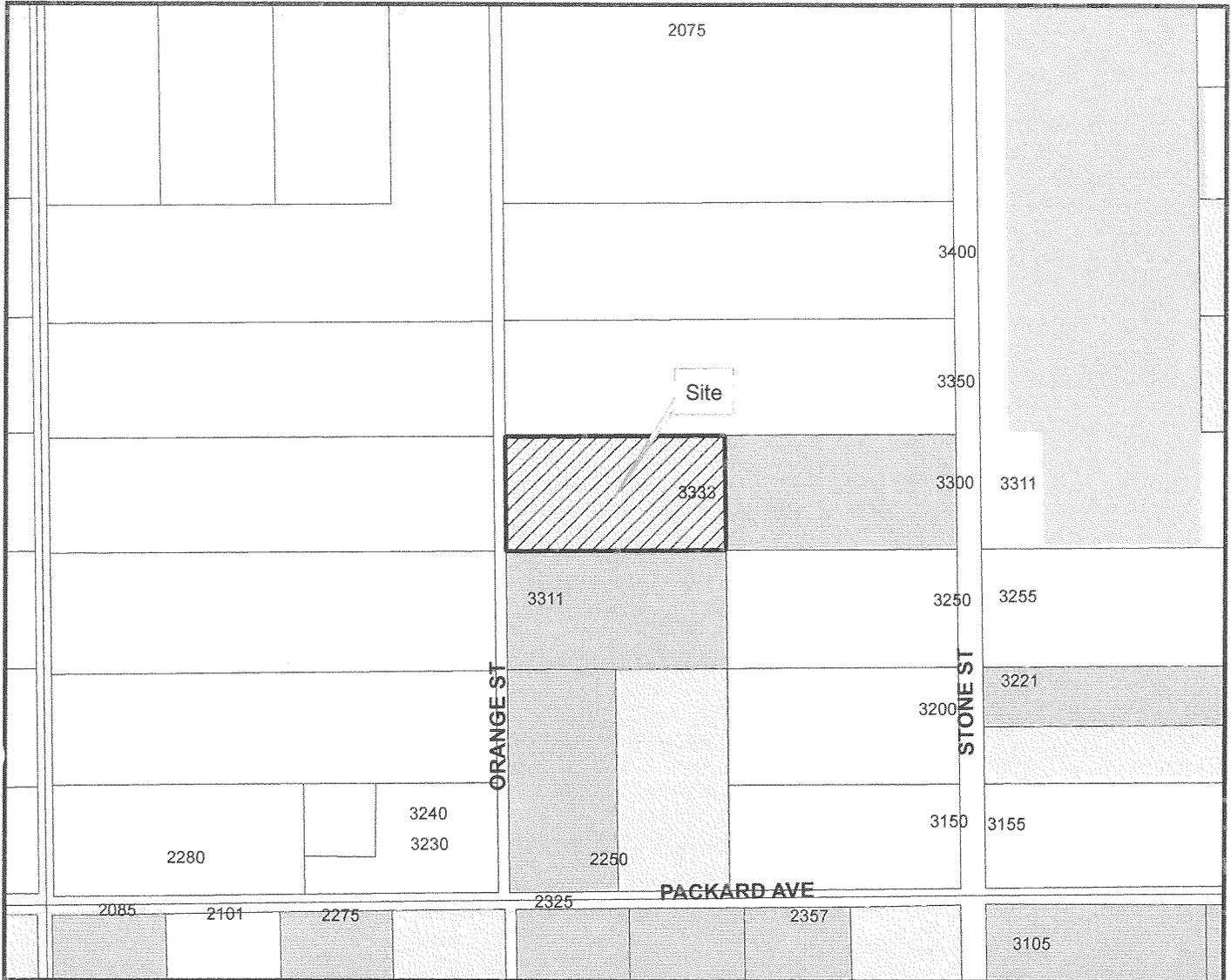
Zoning

-  BM2006-014
-  A-10

0 75 150 300 450 600 Feet



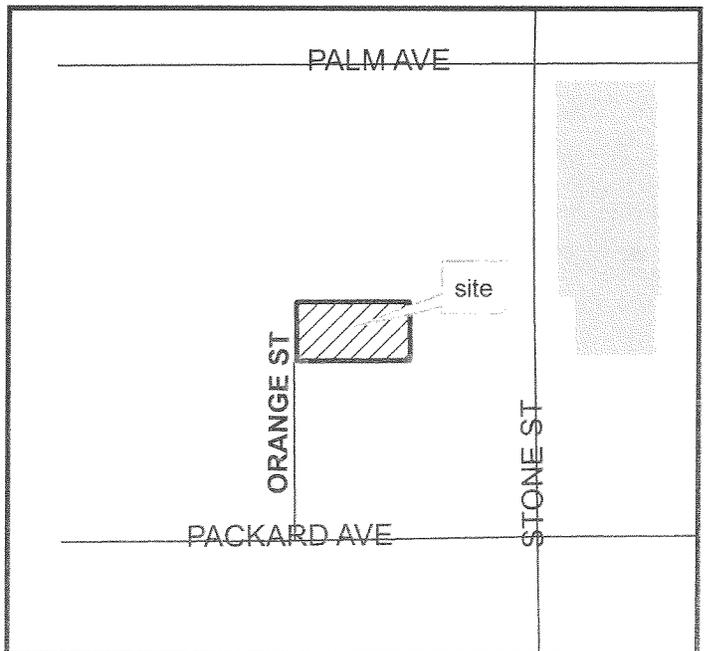
Kathy Dregne & Emile Jammal Jr
 West 1/2 of Lot 302, Orange Street
 Oviedo, FL 32762

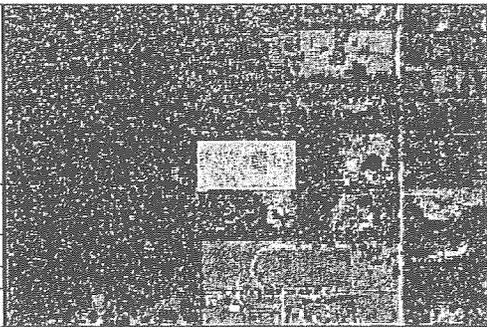


Seminole County Board of Adjustment
 June 26, 2006
 Case: BM2006-014
 Parcel No: 25-20-31-5BA-0000-302A

Zoning

-  BM2006-014
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home



DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407 - 665 - 7508	278.0	300	373.0	STONE ST 																																																	
	277	301																																																			
	275.A	302.A 302	302.0																																																		
	275.0	303.A 303	303.0																																																		
	273.0	304.A	304.0																																																		
	274.A 305.0	305	305.A																																																		
GENERAL Parcel Id: 25-20-31-5BA-0000-302A Owner: DREGNE KATHY J & Own/Addr: JAMMAL EMILE E JR Mailing Address: 10221 WINDING CREEK LN City,State,ZipCode: ORLANDO FL 32825 Property Address: Subdivision Name: BLACK HAMMOCK Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 00-VACANT RESIDENTIAL				2006 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$120,750 Land Value Ag: \$0 Just/Market Value: \$120,750 Assessed Value (SOH): \$120,750 Exempt Value: \$0 Taxable Value: \$120,750 Tax Estimator																																																	
SALES <table border="1"> <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>10/2005</td> <td>05964</td> <td>0404</td> <td>\$245,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1992</td> <td>02526</td> <td>0535</td> <td>\$39,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1986</td> <td>01762</td> <td>1076</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1985</td> <td>01610</td> <td>1293</td> <td>\$220,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1981</td> <td>01361</td> <td>0376</td> <td>\$14,400</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1981</td> <td>01050</td> <td>0986</td> <td>\$15,000</td> <td>Vacant</td> <td>Yes</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision				Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	10/2005	05964	0404	\$245,000	Vacant	Yes	WARRANTY DEED	12/1992	02526	0535	\$39,000	Vacant	Yes	WARRANTY DEED	07/1986	01762	1076	\$100	Vacant	No	WARRANTY DEED	01/1985	01610	1293	\$220,000	Vacant	Yes	WARRANTY DEED	10/1981	01361	0376	\$14,400	Vacant	Yes	WARRANTY DEED	06/1981	01050	0986	\$15,000	Vacant	Yes	2005 VALUE SUMMARY 2005 Tax Bill Amount: \$791 2005 Taxable Value: \$48,300 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS
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LAND <table border="1"> <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>ACREAGE</td> <td>0</td> <td>0</td> <td>4.830</td> <td>25,000.00</td> <td>\$120,750</td> </tr> </tbody> </table>				Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	4.830	25,000.00	\$120,750	LEGAL DESCRIPTION PLATS: <input type="text" value="Pick..."/> LEG W 1/2 OF LOT 302 BLACK HAMMOCK PB 2 PG 110																																					
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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.																																																					

A-10 zoning

LOT RESEARCH REQUEST

Building & Fire Inspection Division; Seminole County's Planning & Development Department 1101 E. First Street, Sanford, FL 32771 Phone: (407)665-7050 Fax: (407)665-7047				Permit # Application	05-16489
APPLICANT NAME:		Emile Jammal or Kathleen Dregne		Date:	9/2/05
Billing Address:		10221 Winding Creek Lane		Phone:	407-737-0706
Oviedo, Florida 32825				Fax:	
Parcel ID:	25-20-31-5BA-0000-302A	Email:	emile.jammal@lmco.com		
NOTE: There is a \$50.00 fee for <u>platted</u> lot research. There is a \$110.00 fee for <u>unplatted</u> lot research. Please complete the above information, and submit a check or money order payable to Seminole County.					
DO NOT FILL OUT ANY FURTHER - BELOW FOR OFFICE USE ONLY					
Platted: PB 2 PG 110		Plat Name: Black Hammock			
5-acre parcel or Unrecorded Plat Name:					
ZONING REVIEW					Date sent:
Zoning District:	A-10	Is parcel a parcel/lot of record prior to 7/28/70?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minimum lot size:	10 acres	Does the parcel/lot meet the minimum lot size and width requirements for the zoning district?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Minimum width at building line:	150 feet	If less than 5 acres in size, does the parcel/lot have frontage on a public road Right-of-Way?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there existing structures on the property				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Comments: This platted parcel appears to be buildable. There may be additional requirements from Wetland and Water & Sewer review, please see those comments below. Setbacks are as follows: Front - 50 feet, Side - 10 feet, Rear - 30 feet					
Reviewed by: Michelle Cahill				Date: 9/8/05	
DEVELOPMENT REVIEW DEPARTMENT REVIEW					Date sent: 9/8/05
Property appears to meet the basic requirements to be officialized via:		Lot Split <input checked="" type="checkbox"/>	This parcel is an illegal lot split.		<input type="checkbox"/> Yes <input type="checkbox"/> No
		Minor Plat <input type="checkbox"/>			
Is this property subdivided via Plat Waiver or Lot Split process?				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Comments: This property shows as is today (the W 1/2 of lot 302) in ORB 1610/1293 filed 1/25/85. It is not clear if the parent parcel was subdivided at that time or before but, in any case, it met our regulation for subdividing via the one time lot split in 1985 and can be officialized and issued a building permit.					
Reviewed by: Denny Gibbs				Date: 9/8/05	
FLOOD PRONE REVIEW					Date sent:
Is the property flood prone?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Flood Zone:		BFE:	Community #	120289	Panel #:
Comments:					
Reviewed by:				Date:	
WETLAND REVIEW					Date sent: 9/8/05
Any wetlands or protection areas on the property?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		In WRPA? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Comments: According to the County's wetland maps, wetlands are possibly located in the property. Prior to a building permit being issued, a wetland determination may be required to be identified, and then verified by the Florida Department of Environmental Protection (FDEP). Any wetland impacts will require a state permit. Contact Jim Carr and/or Jim Lee of FDEP at (407) 893-3311 concerning state permit requirements. It is the county's requirement to minimize impacts to wetlands which can be demonstrated in the placement of proposed permanent structures, such as a house and driveway. ***Please be advised the county wetland maps can be used only as guidelines and cannot be used to make a jurisdictional wetlands determination.*** The county wetland maps can be viewed at: http://gis_arc.co.seminole.fl.us/website/info/viewer.htm					
NOTE: Listed species are plant or animal species that are protected by Federal and/or State laws. These include Endangered, Threatened, and Species of Special Concern. When impacts to listed species are unavoidable, permits are required from the Florida Fish and Wildlife Conservation Commission prior to issuance of County permits. You may contact FFWCC Listed Species Permitting office at (352)732-1225 concerning state permit requirements.					
Reviewed by: Wendy Meyer				Date: 9/9/05	
WATER AND SEWER REVIEW					Date sent: 9/8/05
Is property on County/City water?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

Is property on County/City sewer?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is property on well/septic?*	<input checked="" type="checkbox"/> Yes*	
*If on well/septic, lot must meet minimum lot required by the Seminole County Health Dept.		
*Please call (407)665-3600 for further information.		
Comments: There is a 4-inch water line approx. 1000-feet to the south on Packard Ave.		
Reviewed by: Alan Willis		Date: 09/08/05
Applicant has been notified by:	<input type="checkbox"/> Phone	<input type="checkbox"/> Fax
	<input type="checkbox"/> Mail	<input checked="" type="checkbox"/> Email
		Date: 9/12/05
NOTE: This research is based on the best available data and does not guarantee that a permit will be issued; therefore, does not create a liability on the part of the County, or any officer or employee thereof, for any damage that results from reliance on this determination. In addition to above references, property shall comply with all applicable federal, state and local rules and regulations.		