

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

SUBJECT: Request for a side yard (west) setback variance from 10 feet to 2 feet for a proposed replacement shed in the R-1AA (Single-Family Dwelling District); (Dean Collins, applicant).

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

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

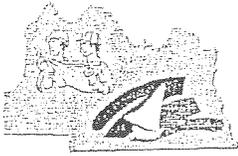
Agenda Date 6/26/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side yard (west) setback variance from 10 feet to 2 feet for a proposed replacement shed in the R-1AA (Single-Family Dwelling District); or
2. **DENY** the request for a side yard (west) setback variance from 10 feet to 2 feet for a proposed replacement shed in the R-1AA (Single-Family Dwelling District); or
3. **CONTINUE** the request to a time and date certain.

<p>GENERAL INFORMATION</p>	<p>Applicant: Dean Collins Owner: Dean Collins Location: 2331 Westwood Drive Zoning: R-1AA (Single-Family Dwelling District) Subdivision: Lake Brantley Isles</p>
<p>BACKGROUND / REQUEST</p>	<ul style="list-style-type: none"> • The applicant erected a shed that encroaches 8 feet into the minimum 10 side yard setback, respectively. The aforementioned variance is requested. • The applicant constructed an 8.5' x 12' shed without a building permit; a notice of violation from the Seminole County Building division was subsequently issued on April 5, 2006. • The applicant submitted plans for the shed to the Building Division on April 18, 2006.

	<ul style="list-style-type: none">• There is no record of prior variances for this property.
STAFF FINDINGS	<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">• 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.• 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.• 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.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• 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">• Any variance granted shall apply only to the proposed replacement shed as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.



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

COPY

RECEIVED APR 18 2006

APPL. NO. BV 2006-078

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** side yard setback VARIANCE from 10 ft. to 2 ft. for a proposed replacement shed
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	<u>DEAN COLLINS</u>	
ADDRESS	<u>2331 Westwood DR.</u>	
	<u>Longwood Fl 32779</u>	
PHONE 1	<u>(407) 862-5565</u>	
PHONE 2	<u>(407) 252-6783 (cell)</u>	
E-MAIL		

PROJECT NAME: _____
 SITE ADDRESS: 2331 Westwood DR.
 CURRENT USE OF PROPERTY: RESIDENCE
 LEGAL DESCRIPTION: Leg Lot 16 BIK A LAKE BRANTLEY ISLES 2ND Add PB 11 PG. 5
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 05-21-29-502-0A00-0160
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS CASE NO 06-184

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO
 This request will be considered at the Board of Adjustment regular meeting on 6/26/06 (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.

SIGNATURE OF OWNER OR AGENT: Dean Collins DATE: 4/15/06

819332

Curve	Radius	Delta	Length
C1	149.50'	30° 39' 36"	80.00



screen enclosure w/ screen roof only

Variance req'd.
Contact Planning Dept.

Boundary Survey for Lot 16, Block A, LAKE BRANTLEY ISLES SECTION ADDITION Plat Book 11, Page 5, Seminole County, Florida

REVIEWED
AUG 04 2004
SEMINOLE COUNTY PLANNING EXAMINER

10' min.
10' min.

25' min. from sea wall. If there is no sea wall then the 25 ft. will be measured from the edge of canal (aluminum roof = 30 ft. min.)

RECEIVED
AUG 03 2004
SEMINOLE COUNTY BUILDING DEPT.

- LEGEND
- = Recovered 4"x4" Concrete Monument
 - = Set 4"x4" Concrete Monument #LB6300
 - ▲ = Recovered 1" Iron Rod no.
 - × = Recovered X CUT in concrete
 - = Recovered 1 1/4" Iron Pipe no.
 - = Set 1/2" Iron Rod LB6300
 - = Light Pole as shown
 - = 6" Wood Fence
 - = 3" Iron Fence
 - = Concrete Slab
 - = 4" Chain link fence

This Survey Certified To:
Dean E. Collins
Kristen L. Collins

A-Central Angle L-Arc R-Radius R/W-Right of Way A/C-Air Conditioner (R)-Radial (NR)-Non-Radial (P)-Plat (M)-Measured (C)-Calculated (D)-Deed PDB-Point of Beginning POC-Point of Commencement POL-Point On Line

Bearings are based on the South line of Lot 16 as being N67°23'07"N. ASSUMED

Not valid without the signature and raised seal of a Florida licensed surveyor. Additions and deletions to sketches or reports by other than the party or parties is prohibited. This document is the property of Altamonte Surveying and Platting, Inc. (AS&P).

Michael W. Collins, PLS #4298
For The Firm of Altamonte Surveying and Platting, Inc. (AS&P)

SCALE: 1" = 40'

REVIEWED BY: HWS

DRAWN BY: SAW

DATE: July 28, 2004

JOB No.: 22150

Revised:

This survey is certified and prepared for the sole and exclusive benefit of the entitled and/or individuals listed and shall not be relied on by any other entity or individual whatsoever.

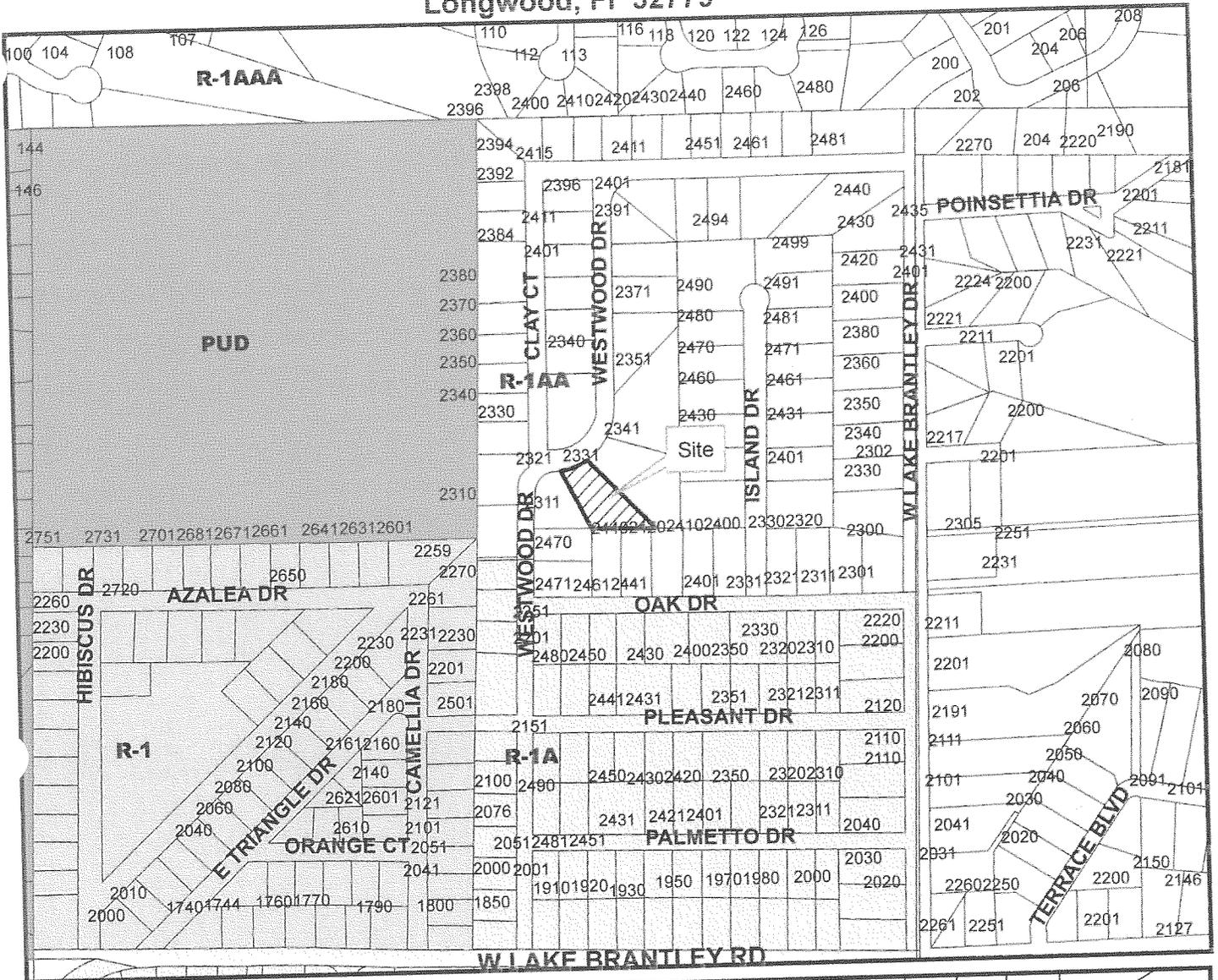
Underground foundations and/or improvements were not located as a part of this survey.

Lands shown hereon were not abstracted for rights of ways and/or easements of public records.

Legal Description furnished by client (unless otherwise noted)

This is to certify that I have reviewed the Flood Insurance Rating Map (FIRM), Panel Number 120289 810 E, Dated 4/17/95 and determined that the lands shown hereon lies in Flood Zone "X".

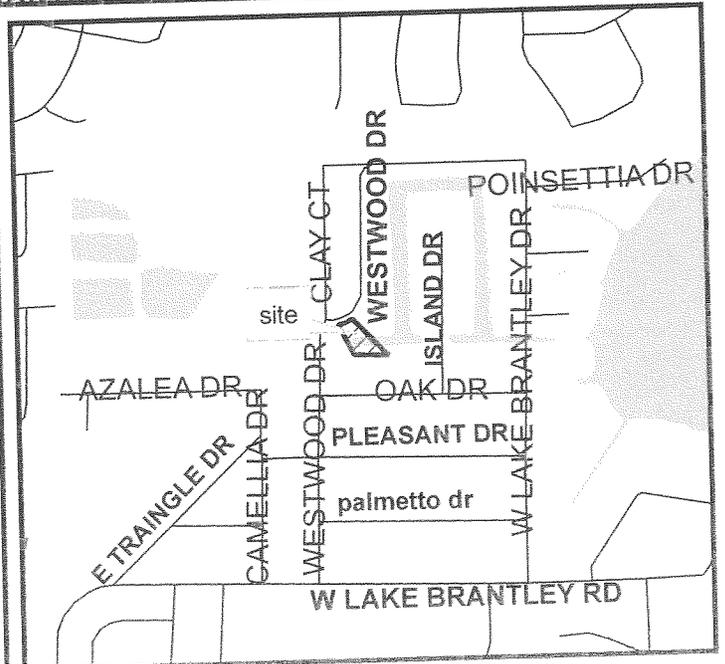
Kristen & Dean Collins
 2331 Westwood Dr
 Longwood, FL 32779



Seminole County Board of Adjustment
 June 26, 2006
 Case: BV2006-078
 Parcel No: 05-21-29-502-0A00-0160

Zoning

-  BV2006-078
-  A-1
-  R-1AAA
-  R-1AA
-  R-1A
-  R-1
-  PUD



<p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																														
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 05-21-29-502-0A00-0160 Owner: COLLINS DEAN E & KIRSTEN L Mailing Address: 2331 WESTWOOD DR City, State, Zip Code: LONGWOOD FL 32779 Property Address: 2331 WESTWOOD DR LONGWOOD 32779 Subdivision Name: LAKE BRANTLEY ISLES 2ND ADD Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$265,705 Depreciated EXFT Value: \$12,531 Land Value (Market): \$239,700 Land Value Ag: \$0 Just/Market Value: \$517,936 Assessed Value (SOH): \$218,463 Exempt Value: \$218,463 Taxable Value: \$0 Tax Estimator</p>																																																												
<p style="text-align: center;">SALES</p> <p>Deed Date Book Page Amount Vac/Imp Qualified Find Comparable Sales within this Subdivision</p>		<p style="text-align: center;">2005 VALUE SUMMARY</p> <p>Tax Value (without SOH): \$0 2005 Tax Bill Amount: \$0 Save Our Homes (SOH) Savings: \$0 2005 Taxable Value: \$0 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																																												
<p style="text-align: center;">LAND</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>FRONT FOOT & DEPTH</td> <td>170</td> <td>185</td> <td>.000</td> <td>1,500.00</td> <td>\$239,700</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	170	185	.000	1,500.00	\$239,700	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 16 BLK A LAKE BRANTLEY ISLES 2ND ADD PB 11 PG 5</p>																																																
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NOTICE OF CODE VIOLATION

LOCATION OF VIOLATION: 2331 West Wood Bl.

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF 5-5c CHAPTER/ARTICLE 4c SECTION 31.

DESCRIPTION OF VIOLATION: Roof on roller
decking 3x6 30mm thickness
same size

CORRECTIVE ACTION: Call Tom Helle
and verify building permit
in process.

THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY 4-30-06.

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE AUTHORITY TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.



For further information contact:
Building and Fire Inspection Division
Seminole County Services Building
1101 East First Street, Room 1020
Sanford, FL 32771
PHONE: (407) 665-7338 OR (407) 665-7423
Tom Helle

DATE: 4-17-06 **INSPECTOR:** Steve Brown

CASE NO: 076 1947

To Whom It May Concern:

I the undersigned am a member of the board of governors for the civic association of West ^{Lake} Brantley, Mr. Dean Collins 2331 Westwood Drive, and have been a member for over 30 years.

I see no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been in for the past 33 years (since 1973).

Signed

John Goring,
president C.A. W.L.B.
H.O.A.

Mr. Collins have lived at this address and had a shed that Mr. Dixon's constant watering rotted his old shed. Dean built a new shed right over the site of the old one.

Please overlook this code issue, as there are many blight issues more worthy of your time. I speak of the blight centered near Camellia Drive & Orange Ct.

Dean has owned his lot since 1962, had the shed there in 1973, & is retired Air Force, 100% disabled veteran. Please cut him some slack on this.
John Goring

05-15-06A10

To Whom It May Concern:

I the undersigned am a member of the board of governors for the civic association of West Brantley, Mr. Dean Collins 2331 Westwood Drive, and have been a member for over 30 years.

I see no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been in for the past 33 years (since 1973).

Signed

CAWLB Vice President

Charles H. Haley II

To Whom It May Concern:

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I see no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been in for the past 33 years (since 1973).

Signed

Linda L. Crockett
Board Member

05-15-06A10:30

To Whom It May Concern:

I the undersigned am a member of the board of governors for the civic association of West Brantley, Mr. Dean Collins 2331 Westwood Drive, and have been a member for over 30 years.

I see no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been in for the past 33 years (since 1973).

Signed

Bill Bursey
Board member

05-15-06A10:30

To Whom It May Concern:

I the undersigned am a member of the board of governors for the civic association of West Brantley, Mr. Dean Collins 2331 Westwood Drive, and have been a member for over 30 years.

I see no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been in for the past 33 years (since 1973).

Signed

Leroy Harrison
407-756-0324

05-15-06A10:31 RC

To Whom It May Concern:

I the undersigned am a member of the board of governors for the civic association of West Brantley, Mr. Dean Collins 2331 Westwood Drive, and have been a member for over 30 years.

I see no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been in for the past 33 years (since 1973).

Signed

Martha Kiser
Board member

To Whom It May Concern:

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Signed

Laurel Curberson
Board Member
CAULB.

05-15-06A10:31 RCV

To Whom It May Concern:

I the undersigned am a member of the board of governors for the civic association of West Brantley, Mr. Dean Collins 2331 Westwood Drive, and have been a member for over 30 years.

I see no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been in for the past 33 years (since 1973).

*Neighbor
Jaye Cole*
Signed

To Whom It May Concern:

I the undersigned, am a neighbor of Mr. Dean Collins at 2331 Westwood Drive Longwood, Fl. 32779.

I have no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been located for the previous 33 years (since 1973).

Signed



Chris Gibbons

2420 Oak Dr.

Lot 11

To Whom It May Concern:

I the undersigned, am a neighbor of Mr. Dean Collins at 2331 Westwood Drive Longwood, Fl. 32779.

I have no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been located for the previous 33 years (since 1973).



Signed

M VAN DUJVENBROEDE
2440 OAK DR
LONGWOOD, FL 32779
Set 12

To Whom It May Concern:

I the undersigned, am a neighbor of Mr. Dean Collins at 2331 Westwood Drive Longwood, Fl. 32779.

I have no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been located for the previous 33 years (since 1973).



Signed

JUAN F. HOFLE
2460 OAK DR.
LONGWOOD, FL
LOT 13

To Whom It May Concern:

I the undersigned, am a neighbor of Mr. Dean Collins at 2331 Westwood Drive Longwood, Fl. 32779.

I have no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been located for the previous 33 years (since 1973).

Signed

A handwritten signature in black ink, appearing to read "Joy Lot 14A". The signature is written in a cursive style with a large loop at the beginning and a long horizontal stroke extending to the right.

To Whom It May Concern:

I the undersigned, am a neighbor of Mr. Dean Collins at 2331 Westwood Drive Longwood, Fl. 32779.

I have no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been located for the previous 33 years (since 1973).

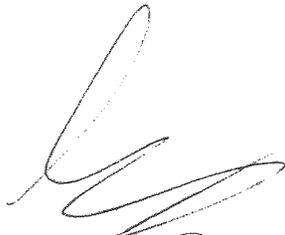
Signed

*John + Debbie
Rinehart
Lot 14 B*

To Whom It May Concern:

I the undersigned, am a neighbor of Mr. Dean Collins at 2331 Westwood Drive Longwood, Fl. 32779.

I have no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been located for the previous 33 years (since 1973).



Steve Pizzuti

Signed

Kristin A. Pizzuti



Lot #178

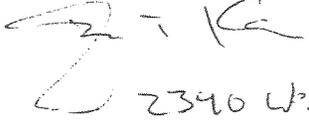
2341 WESTWOOD DR.
LONGWOOD, FL 32779

To Whom It May Concern:

I the undersigned, am a neighbor of Mr. Dean Collins at 2331 Westwood Drive Longwood, Fl. 32779.

I have no problem with Mr. Collins updating and improving the appearance of his utility shed in the same location that it has been located for the previous 33 years (since 1973).

Signed


2340 Westwood Dr
Longwood, FL 32779
Lot 51

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 26, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 16 BLK A LAKE BRANTLEY ISLES 2ND ADD PB 11 PG 5

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

FINDINGS OF FACT

Property Owner: Dean Collins
2331 Westwood Dr.
Longwood, FL 32779

Project Name: Westwood Drive (2331)

Requested Development Approval:

Request for a side yard (west) setback variance from 10 feet to 2 feet for a proposed replacement shed 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: 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 replacement shed 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: