

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

SUBJECT: Request for a rear yard setback variance from 20 feet to 12 feet for a proposed covered porch addition in the PUD (Planned Unit Development District); (Campion Hawkins, applicant).

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

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

Agenda Date 8/28/06 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a rear yard setback variance from 20 feet to 12 feet for a proposed covered porch addition in the PUD (Planned Unit Development District); or
2. **DENY** the request for a rear yard setback variance from 20 feet to 12 feet for a proposed covered porch addition in the PUD (Planned Unit Development District); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Owner: Location: Zoning: Subdivision:	Campion Hawkins Jennifer B. Baker 1670 Canton Lane PUD (Planned Unit Development) Dunhill
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a covered porch addition that would encroach 8 feet into the minimum 20 foot rear yard setback; the aforementioned rear yard setback variance is thereby requested. • The applicant proposes to construct a 12' x 16' covered porch addition (approximately 200 square feet) to the rear of the existing single-family home. • There are currently no code enforcement or building violations for this property. 	

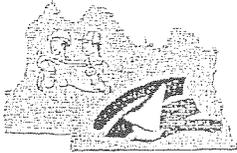
	<ul style="list-style-type: none">• There is no record of prior variances for this property.
STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which 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 covered porch addition 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.

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 21,22 TWP: 21 RNG: 31
 PROJ. #

DEVELOPMENT:		Dunhill Phase 1				DEVELOPER:		Mason Homes											
LOCATION:		S side of Red Bug Lake Road, W of SR 434																	
FILE#:		BA:		SP:		BCC:		02/10/87											
P&Z:		PB		PG		11-13		Lot		Blk		Parcel		DBA		Comm Dist			
DEVEL. ORDER #:						TAX PAR. I.D. #:													
SIDEWALKS: 5' sidewalk is required on SR 434. Sidewalks both sides						SETBACK REQUIREMENTS													
ROAD TYPE: (CURB & GUTTER OR SWALE)						<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>FY:</td> <td>20'</td> <td>SIDE ST.:</td> <td></td> <td>SY:</td> <td>2 & 8*</td> <td>RY:</td> <td>20'</td> </tr> </table>						FY:	20'	SIDE ST.:		SY:	2 & 8*	RY:	20'
FY:	20'	SIDE ST.:		SY:	2 & 8*	RY:	20'												
COMMENTS OTHER: *Intersection Improvements: Left and right turn lanes are required at entrance on SR 434. **Access Rights: Dedicate to Seminole County. Not flood prone.						MAIN STRUCTURE OTHER: *10' minimum between buildings. Min House size: 900 sq. ft.													
						ACCESSORY STRUCTURE SETBACKS:													
						<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>SY:</td> <td colspan="2">same as main structure</td> <td>RY:</td> <td colspan="2">5'</td> </tr> </table>						SY:	same as main structure		RY:	5'			
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						ACCESSORY STRUCTURE OTHER:													

IMPACT FEES	
SCREEN:	Ordinance
TRAFFIC ZONE:	75-N
LAND USE:	3
1. ROAD-CO. WIDE	V-394.00
2. ROAD-COLL.	V-91.00
3. LIBRARY	V-25.00
4. FIRE	V-150.00
5. PARK	C-25.00
6. SCHOOL	V-300.00
7. LAW	C-50.00
8. DRAINAGE	
TOTAL	\$1,035.00
REMARKS: Must show setbacks of prior lots that were built on.	



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

RECEIVED JUN 28 2006
 COPY
 APPL. NO. BU 2006-117

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 20 FEET TO 12 FEET FOR PROPOSED PORCH ADDITION
- 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	JENNIFER B. BAKER	CAMPION W. HAWKINS	
ADDRESS	1670 CANTON LN OUIDO, FL 32765	651 GRAND CYPRESS POINT SANFORD, FL 32771	
PHONE 1	407-971-0996	407-323-4037	
PHONE 2	321-303-9031	321-696-6575	
E-MAIL	brooklet@excite.com	cwh199@excite.com	

PROJECT NAME: REAR YARD SCREEN PORCH ADDITION

SITE ADDRESS: 1670 CANTON LN, OUIDO, FL 32765

CURRENT USE OF PROPERTY: SINGLE FAMILY DWELLING

LEGAL DESCRIPTION: LEGAL LOT 43 DUNHILL UNIT 1, PLAT BOOK 40, PAGES 11 TO 13.

SIZE OF PROPERTY: 50 x 100 1/12 of acre(s) PARCEL I.D. 21-21-31-5KL-0000-0430

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

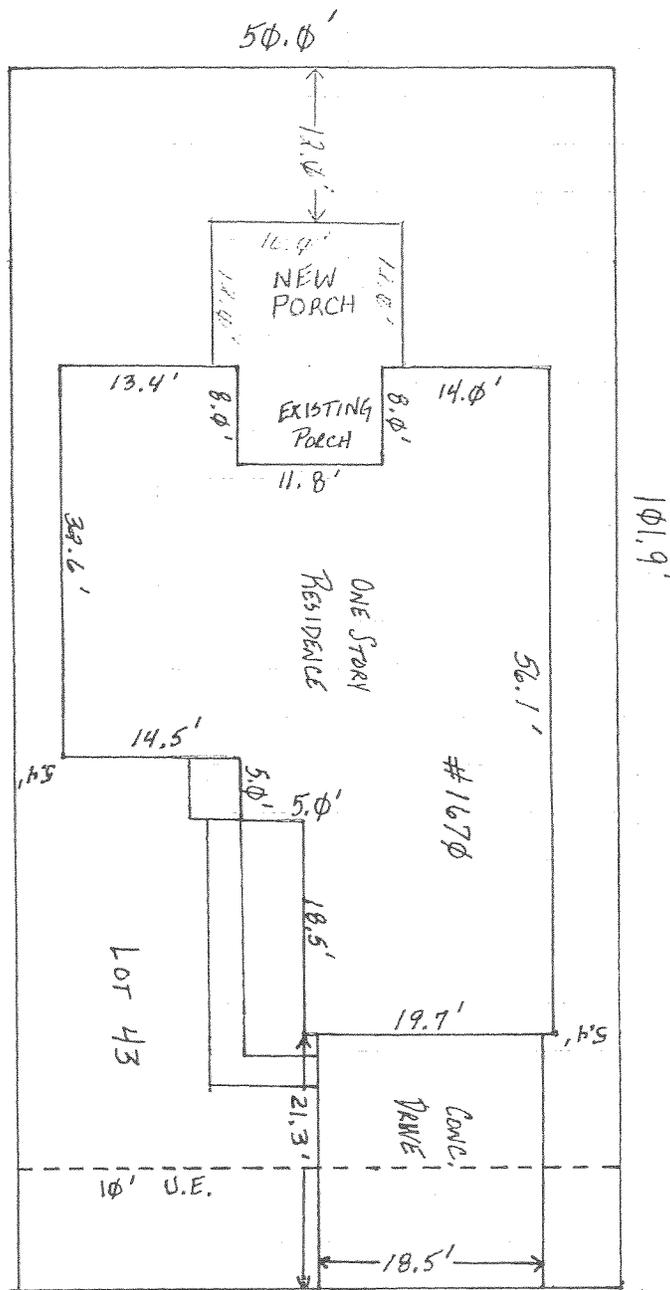
This request will be considered at the Board of Adjustment regular meeting on 08/28/06 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

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.

Jennifer B. Baker

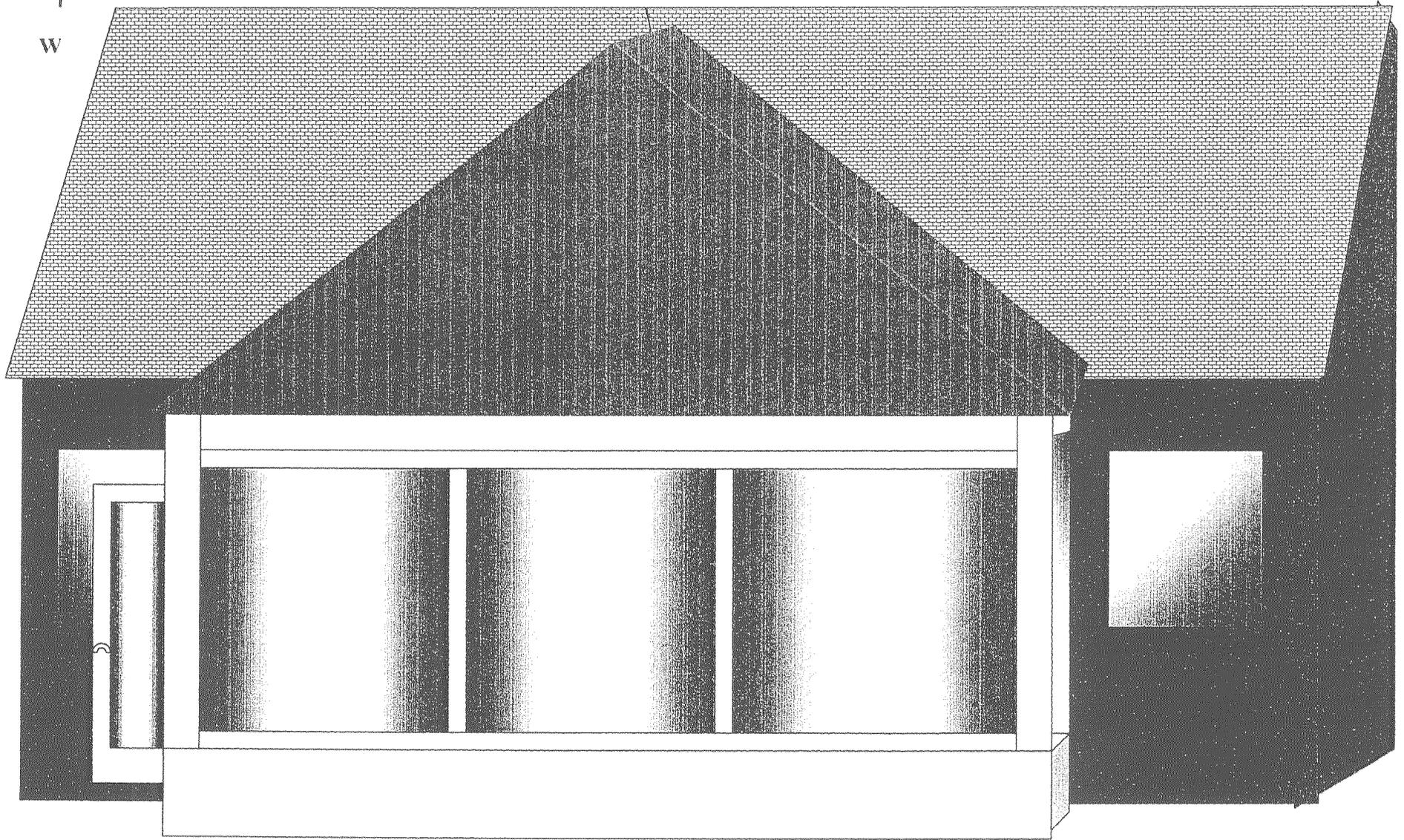
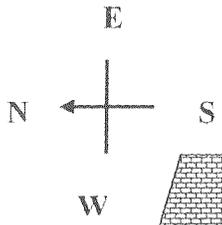
06-26-06

LOT 43, DUNHILL UNIT 1, PLAT BOOK 4φ, PAGES 11 TO 13



N →
SCALE: 1" = 16'

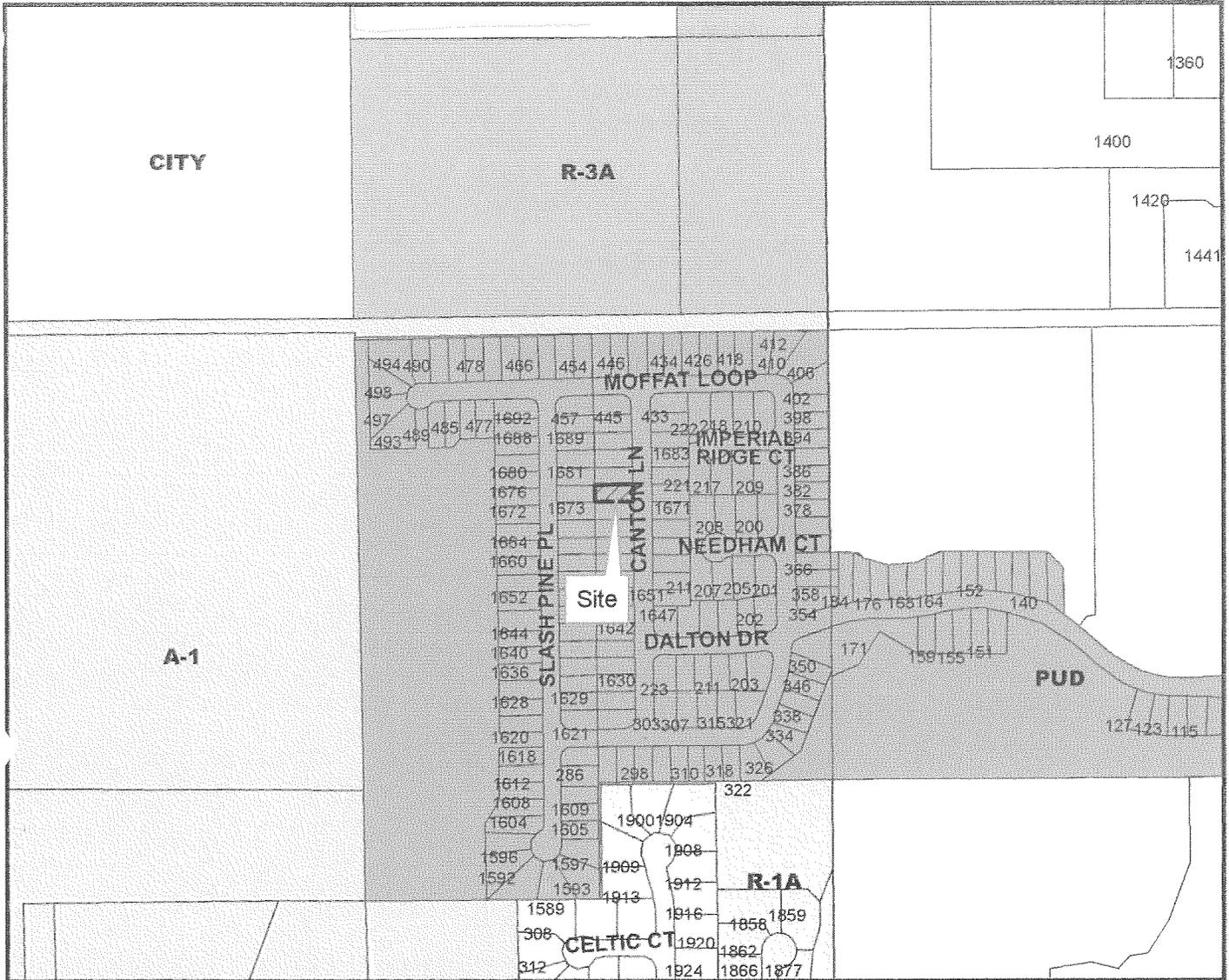
ASPHALT PAVEMENT
CANTON LANE



  New addition

 Existing Structure

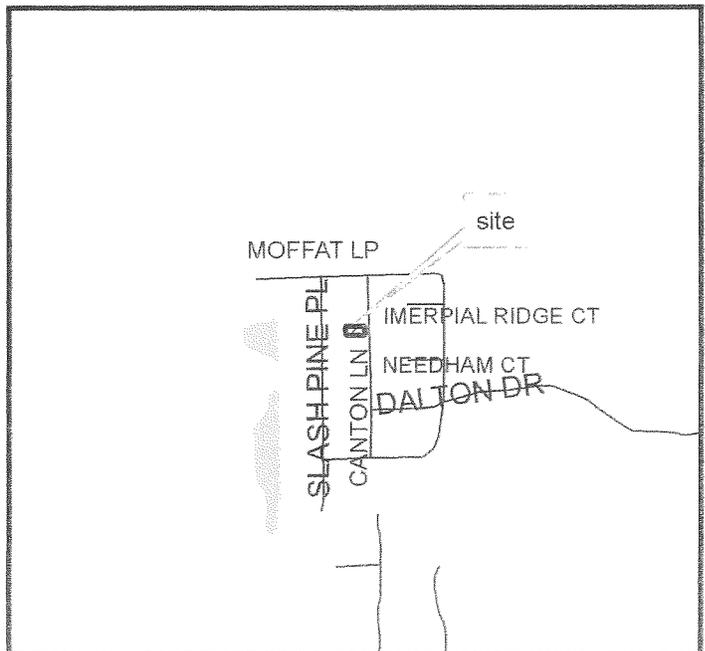
Campion Hawkins
 1670 Canton Ln
 Oviedo, FL 32765



Seminole County Board of Adjustment
 August 28, 2006
 Case: BV2006-117
 Parcel No: 21-21-31-5KL-0000-0430

Zoning

- | | | | |
|---|------------|---|------|
|  | BV2006-117 |  | R-1A |
|  | A-1 |  | R-3A |
|  | R-1AA |  | PUD |



<p>PARCEL 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>	<p>MAPPING DISABLED</p>		<p>MAPPING DISABLED</p>																																																								
<p>GENERAL</p> <p>Parcel Id: 21-21-31-5KL-0000-0430</p> <p>Owner: CONFIDENTIAL PER STATUTES</p> <p>Own/Addr: 119.071</p> <p>Mailing Address: 1101 E 1ST ST</p> <p>City,State,ZipCode: SANFORD FL 32771</p> <p>Property Address:</p> <p>Subdivision Name: DUNHILL UNIT 1</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 01-SINGLE FAMILY</p>			<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$129,672</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$39,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$168,672</p> <p>Assessed Value (SOH): \$129,163</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$104,163</p> <p>Tax Estimator</p>																																																								
<p>SALES</p> <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>01/2004</td> <td>05214</td> <td>1111</td> <td>\$140,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1992</td> <td>02512</td> <td>1957</td> <td>\$80,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>07/1991</td> <td>02317</td> <td>0376</td> <td>\$1,663,800</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1991</td> <td>02269</td> <td>1277</td> <td>\$2,424,900</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>			Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	01/2004	05214	1111	\$140,000	Improved	Yes	WARRANTY DEED	11/1992	02512	1957	\$80,900	Improved	Yes	SPECIAL WARRANTY DEED	07/1991	02317	0376	\$1,663,800	Vacant	No	WARRANTY DEED	02/1991	02269	1277	\$2,424,900	Vacant	No	<p>2005 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,645</p> <p>2005 Tax Bill Amount: \$1,645</p> <p>Save Our Homes (SOH) Savings: \$0</p> <p>2005 Taxable Value: \$100,401</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																					
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Seminole County Zoning Board
1101 East 1st street
Sanford, Fl.

June 26, 2006

To whom it may concern,

As the legal property owner, I hereby name Campion W. Hawkins to act as my authorized agent in all matters concerning the zoning setback variance application for 1670 Canton Lane, Oviedo, Fl.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer B. Baker".

Jennifer B. Baker
1670 Canton Lane
Dunhill subdivision
Oviedo, Fl. 32765

**Jennifer Baker
1670 Canton Lane
Dunhill subdivision
Screen Room Addition**

Specifications:

1. Footprint of screen room will be 12'D x 16'W (see attached plat footprint layout).
2. Roof will be gabled on west end, with shingles to match existing roof.
3. Walls will be 3 block high (2'), poured ½ block corner support posts, and lintel beams.
4. Gable and walls will be stucco to match existing exterior.
5. Soffit and fascia will be aluminum to match existing structure.
6. Existing gutter will be rerouted to include both sides of porch, with downspouts on each end.
7. Porch floor will be concrete, and sloped from east to west. Decca-drain will be installed at west end of porch floor for water run-off away from house.
8. Porch will be painted to match existing exterior paint.
9. A new GFCI breaker will be added for two outlets on west end of porch.
10. Aluminum screening and framework will be added in accordance to HOA color code deed restrictions (if applicable).
11. Ceiling will be 1" x 6" Cypress T&G (Tongue and Groove).
12. Porch will have one screen door, located on the Northwest corner of porch (see attached elevation drawing).
13. Any landscape damaged or destroyed (both owner's and adjoining property) will be replaced by owner within 30 days after completion of construction.
14. All permits, clean-up, and debris removal will be completed by the contractor.

Notes:

1. Porch addition is contingent upon setback variance approval by the Seminole County Zoning Board (SCZB). An Architectural Review Board (ARB) application has been submitted to the Dunhill HOA and is pending approval, based on the consensus reached by the SCZB (see attached). It is understood by the homeowner that even if the HOA approves the porch addition, no work will commence until approval is received from the SCZB.
2. All adjoining residents to said property have been notified and have agreed to this addition. A signed letter of consent from each adjoining resident for the addition of this porch is attached (3).
3. In researching the feasibility of the SCZB application for variance, it was noted that many of the homes in the Dunhill subdivision have similar porch structures, with setbacks varying from the twenty foot requirement to just a few feet from the property line. This would indicate that this application would neither set a precedent nor be unusual for this PUD.

DUNHILL
Alafaya Woods Homeowners Association
 Architectural Review Form

Request for Home Improvement	Date:	<i>06-27-06</i>	
	Name:	<i>JENNIFER "Brook" BAKER</i>	
	Address:	<i>16705 CANTON LN</i>	
	Phone:	<i>(H) 407-971-0996</i>	<i>(C) 321-303-9081</i>

In order to protect the community of Alafaya Woods, Home owner's rights and property values, it is required that any homeowner considering improvements or alterations to their home or property, submit a Request for Home Improvement form to the Architectural Review Committee PRIOR to beginning work. Receipt of city or county permits does not constitute approval by the association and should not be considered consent to begin work. The ARC reserves the right to investigate application and inspect material(s) prior to processing any request. If any change is made that has not been approved by the Association, The Board of Directors has the right to require REMOVAL of the improvements from the property. Please complete this form, including samples and drawings, and place in the drop box at the community park or deliver to an ARC meeting. All approved projects must be completed within six (6) months of receipt of approval. For details of what is and is not allowed can be found in the Official Rules and Regulations. You should have received a copy of the rules and regulations at your closing, if not please contact Sentry Management at 407-788-6700.

Describe proposed improvement: (attach additional sheets as required)	
<i>PLEASE SEE ATTACHED SHEETS FOR REAR YARD PORCH ADDITION</i>	

Please describe the proposed material(s) to be used:	
<i>PLEASE SEE ATTACHED SHEETS FOR REAR YARD PORCH ADDITION</i>	

Landscaping material to be used:							
Paint:	Main color	Garage door	Trim	Front Door			
Fence:	Style	Height	Wood	Finish			
Screen:	Location	Roof type	Material	Color			

Are Permits required? <input checked="" type="radio"/> YES / <input type="radio"/> NO	Permit Application Date: <i>CONTRACTOR WILL APPLY</i>	Date Permit Obtained: <i>PENDING SCZB APPROVAL FOR VARIANCE</i>
Who will perform the work? <i>BOB BAILEY OF BAILEY CONSTRUCTION, INC.</i>		

Note: Remember to attach a copy of your site plan and/or floor plan as necessary to help describe the intended work to be done. Drawings with measurements and samples of paint colors and or brochures showing the intention of the change are very helpful and will make the process faster if no research is necessary from the committee. Please refer to the Rules and Regulations and the Architectural Review Guidelines that are published in the Rule book for more information.

I agree not to begin working until I have received WRITTEN approval from the Architectural review committee.

Signature of Homeowner: *Jennifer Brook Baker*

HOA / ARC USE ONLY	Received by:		Date:		Approved Denied Pending (Circle one)
	Reviewed by:		Date:		
	Copied by:		Date:		
	Notified by:		Date:		

Explanation:

When the approved work is completed, please return this portion of form to the drop box located at the park or to an ARC meeting. An ARC member may inspect your completed work according to the approval.

Name:	Date:		
Address:	Phone:		
Would you recommend the services of your contractor/sub-contractor?			
Inspected by:	Date:	Filed by:	Date:

Date: JUNE 27, 2006

Subject: Agreement of Porch addition at 1670 Canton Lane, Oviedo, Fl. 32765

To whom it may concern,

We have been notified by the homeowner at 1670 Canton Lane of the proposed addition of a screened porch at the rear of the home. Based on the drawings, specifications, and plat plan we have seen, we are in agreement with the addition of this porch.

Also, as adjoining property owners, we understand that if there is any damage done to our property as a direct result of the construction of this porch, the homeowner (Jennifer B. Baker) takes full responsibility for the repair of said damage and that restoration will take place after construction is complete and approved by the Seminole County Building Inspector.

Sincerely,

Cindy Barson

Name (print) Cindy Barson

Address 1674 Canton Ln.

Oviedo, FL 32765

Contact Phone # (optional) 407-366-6553

Date: JUNE 27th, 2006

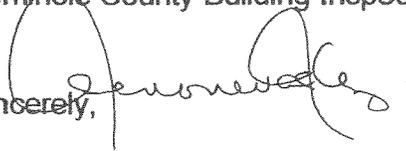
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Sincerely,



Name (print) Genoveva Gonzalez

Address 1666 Canton Ln.

Oviedo, FL 32765

Contact Phone # (optional) 407-243-4103 work phone.

Date: JUNE 27, 2006

Subject: Agreement of Porch addition at 1670 Canton Lane, Oviedo, Fl. 32765

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Sincerely,

Name (print) LOUIS + MIRIAM TRIZARRI

Address 1673 SLASH Pine Pl.

Oviedo Fl. 32765

Contact Phone # (optional) 407 | 359-3532

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 28, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 43 DUNHILL UNIT 1 PB 40 PGS 11 TO 13

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

FINDINGS OF FACT

Property Owner: Jennifer B. Baker
1670 Canton Lane
Oviedo, FL 32765

Project Name: Canton Lane (1670)

Requested Development Approval:

Request for a rear yard setback variance from 20 feet to 12 feet for a proposed covered porch addition 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 covered porch 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: