

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

SUBJECT: 9722 Bear Lake Road – Mike White, Florida’s Boat Docks, applicant; Request for side yard setback variances from 10 feet to 0 feet for a replacement dock in R-1AA (Single Family Dwelling District).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7359

Agenda Date 3/26/07 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for a side yard setback variances from 10 feet to 0 feet for a replacement dock in R-1AA (Single Family Dwelling District);
2. **DENY** the request for a side yard setback variances from 10 feet to 0 feet for a replacement dock in R-1AA (Single Family Dwelling District);
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	<p>Applicant: Mike White, Florida’s Boat Docks</p> <p>Owners: Robert Dominica and Richard Dominica</p> <p>Location: 9722 Bear Lake Road</p> <p>Zoning: R-1AA (Single Family Dwelling District)</p> <p>Subdivision: McNeils Orange Villa</p>
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicants propose to replace an existing boat dock. According to the Property Appraiser, the existing dock was constructed in 1979. The proposed dock will be the same length lakeward as the existing dock but they propose to extend the boat slip landward 10 feet. • The overall dimensions of the proposed dock are approximately 75 feet by 21 feet. • The applicant cannot move the existing boat dock to meet the side yard setbacks due to the dimension of the subject property at the lake edge. • In order to meet provisions of the Land Development Code for width of property at lake front, SCLDC

	<p>30.1372(1), and the requirement that a dock be subordinate to a principle residence, SCLDC 30.182(d), the applicant must execute a quit claim deed to transfer a portion of the property at the waters edge from Property B to Property A.</p> <ul style="list-style-type: none"> • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.
<p>STAFF FINDINGS</p>	<p>The applicant has satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"> • 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. • Special conditions and circumstances do not result from the actions of the applicant. • The granting of the variance requested would not 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 deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification. <i>The applicant has an existing boat dock they wish to replace.</i> • The variance requested is the minimum variance that will make possible reasonable use of the land, building or structure. • The applicant would not still retain reasonable use of the land, building or structure without the granting of the variance. • The grant of the variance would be in harmony with the general intent of Chapter 30.
<p>STAFF RECOMMENDATION</p>	<p>Based on the stated findings, staff recommends approval of the request. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none"> • In order to meet the minimum code requirements of SCLDC 30.182(d) and 30.1372(1), prior to permitting the property underlying the dock on the vacant parcel (the southern parcel) must be conveyed to the property that contains the primary residence: 9722 Bear Lake Road. • Any variance granted shall apply only to the boat dock

	<p>as depicted on the attached site plan; and</p> <ul style="list-style-type: none">• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.
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INDEX OF ATTACHMENTS

Items that are checked are included in the packet

- Staff Report
- Application
- Applicant statement of request
- Proposed Site Plan
- Location map
- Property Appraiser data sheet
- PUD Commitment Card, *if applicable*

Support information:

- Proposed elevation drawings, renderings, floor plans, etc
- Aerials, *if warranted*
- Plat, *if warranted*
- Code Enforcement information
- Building Permit information
- Correspondence
- Authorization letter
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents

- Proposed Development Order

Fee: \$50.00 plus \$50.00 for each additional variance

Application # BV2007-21
Meeting Date 3-26-07

COPY



VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

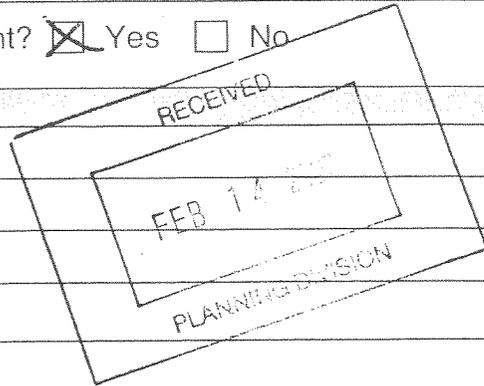
PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Robert Dominica Mike White
Address: 9777 BEAR LAKE Rd. City: APOPKA Zip code: 32703
Project Address: SAME City: _____ Zip code: _____
Contact number(s): 321-778-6444 - 407-302-0045
Email address: _____

Is the property available for inspection without an appointment? Yes No

What type of structure is this request for?

<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other	Please describe: <u>BOAT DOCK</u>
<input type="checkbox"/> This request is for a structure that has already been built.	



What type of variance is this request?

<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>10'</u>	Proposed setback:	<u>0</u>
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input checked="" type="checkbox"/> <u>SIDE</u> yard setback	Required setback:	<u>10'</u>	Proposed setback:	<u>0</u>
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Total number of variances requested <u>1</u>				

PROPERTY A

PROPERTY B

APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED UNLESS ALL OF THE INFORMATION IN THE VARIANCE APPLICATION AND SUBMITTAL CHECKLIST ARE PROVIDED TO THE PLANNING DIVISION.

Signed: Mike White

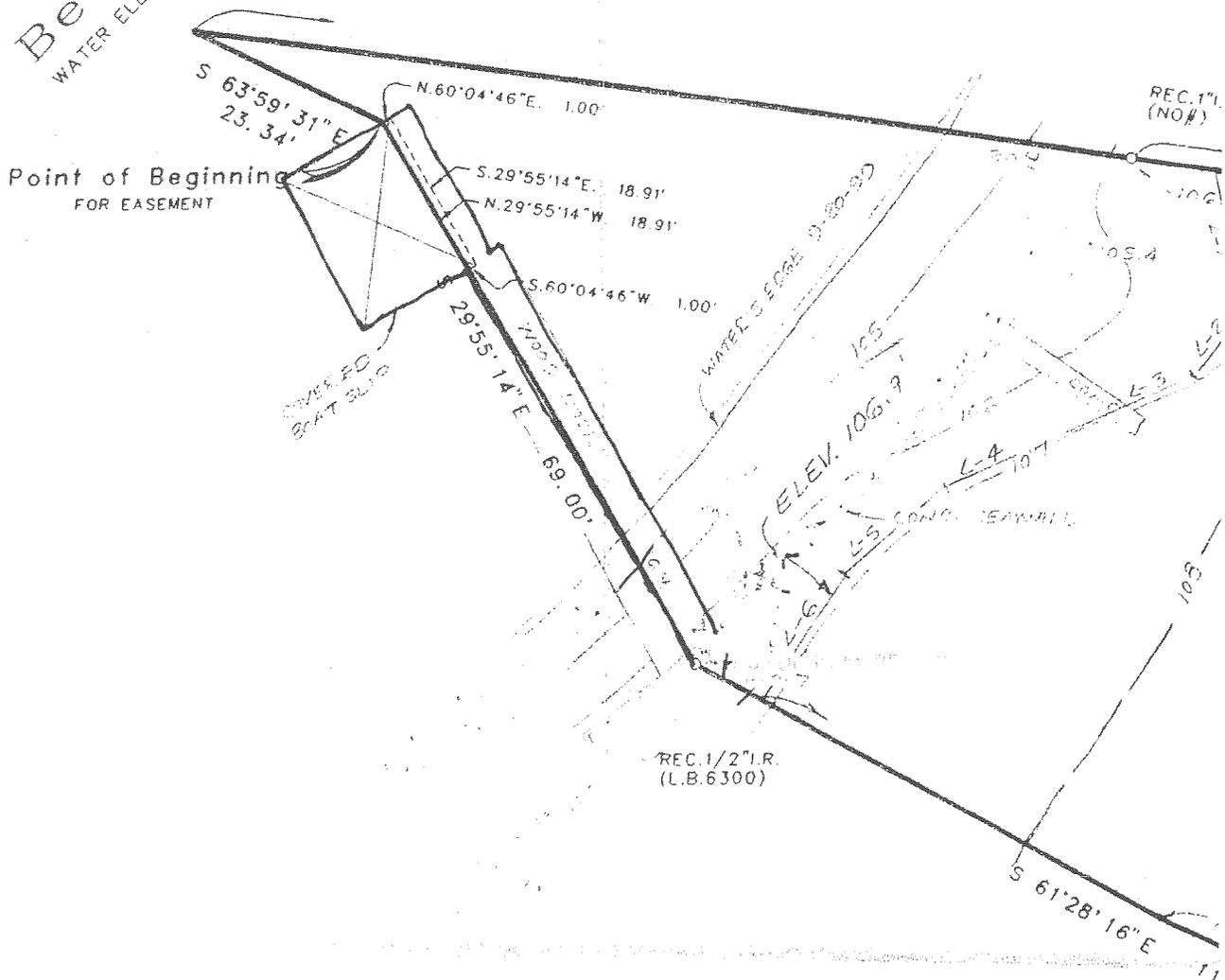
FOR OFFICE USE ONLY

Date Submitted: 2-14-07 Reviewed By: R Johnson
Tax parcel number: 17-21-29-58G-0000-0800 Zoning/FLU R-1AA / LOR
 Legally created parcel (1971 tax roll, 5-acre dev, lot split)
 Platted Lot (check easements as shown on lots, in notes or in dedication)
 Lot size _____ Meets minimum size and width
 Application and checklist complete
Notes: both property owners are a party to this application (father & son)
o amend support letters to say "less than 10'
o this is for a replacement dock

SECT 7

Bear Lake
WATER ELEVATION 104.09 (9-20-99)

EXISTING DOCK

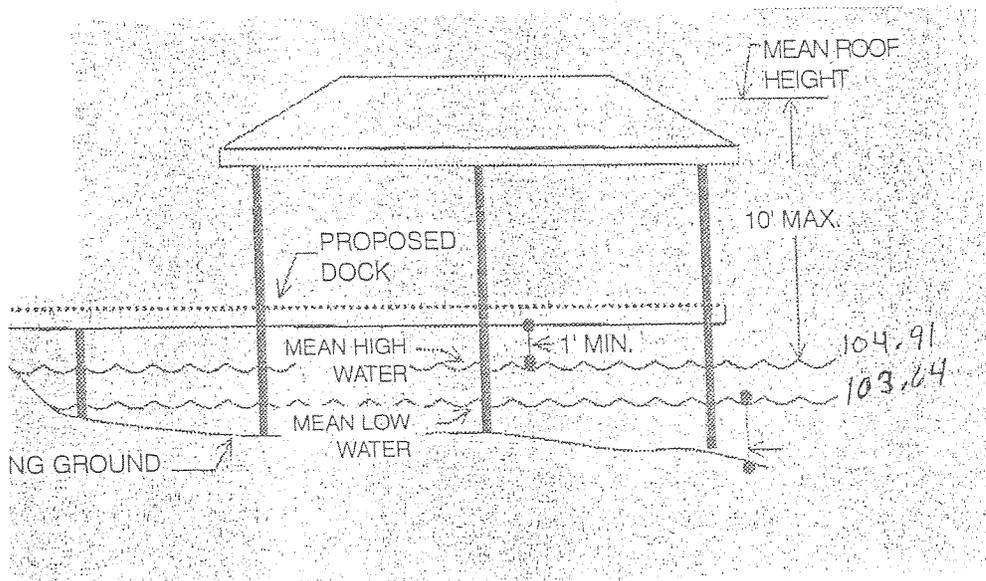


PROPERTY DESCRIPTION:

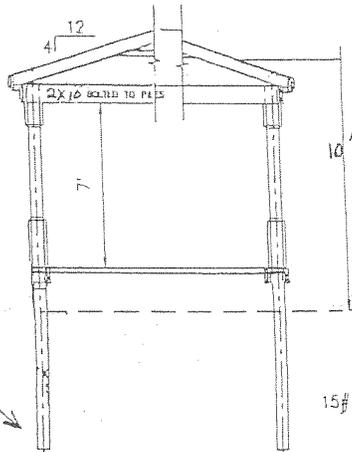
A PORTION OF LOT 80, MCNEILS ORANGE VILLA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 99-100 INCLUSIVE, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN 228.00 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 80, MCNEILS ORANGE VILLA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 99-100 INCLUSIVE IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN

LOT



BEAR LAKE



5/8" T-11 PLYWOOD
 Roof Deck #8 NAILS
 6" Field
 4" Edge

Piles to be
 Embedded
 72" min.

15# ROOFING FELT
 Shingles

2-2X10 BEAMS NAILED AND BOLTED TO POST
 6X6 .60 CCA PT PILES 2-7/8" GALV. CARRIAGE
 BOLTS EA. PILE
 CORNERS - AWAY

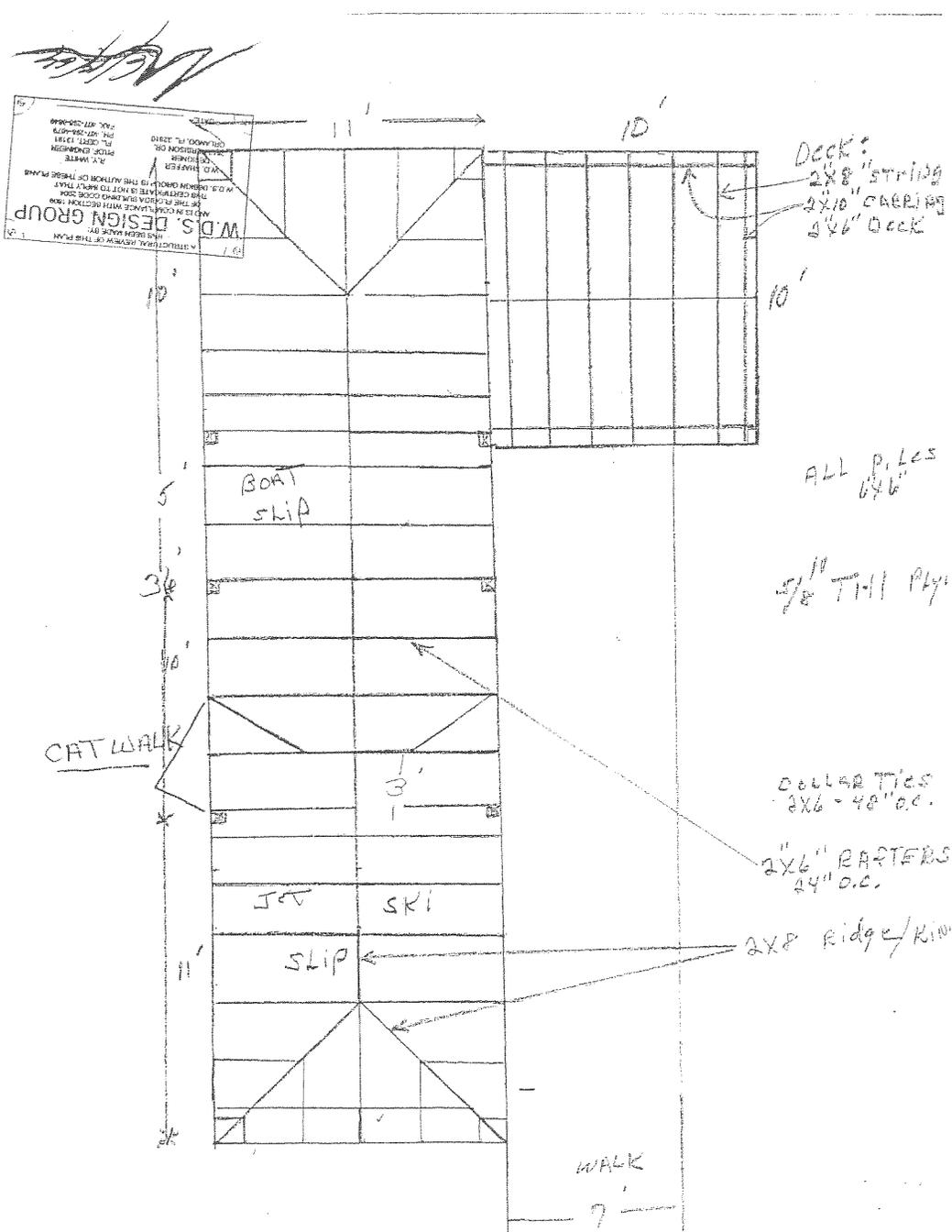
NOTES:
 STRUCTURAL MEMBERS SHALL
 BE MINIMUM SP #2
 PROVIDE HURRICANE CLIPS AT
 EACH RAFTER/BREAM CONNECTION
 (SIMPSON H 2.5

HIP ROOF

A STRUCTURAL REVIEW OF THIS PLAN
 HAS BEEN MADE BY:
W.D.S. DESIGN GROUP
 AND IS IN COMPLIANCE WITH SECTION 1605
 OF THE FLORIDA BUILDING CODE 2004
 THIS CERTIFICATE IS NOT TO APPLY THAT
 W.D.S. DESIGN GROUP IS THE AUTHOR OF THESE PLANS

W.D. SHAFER DESIGNER 2012 HERRISON DR. ORLANDO, FL 32810	R.V. WHITE PROFESSIONAL ENGINEER FL. CERT. 13191 P.O. BOX 296487 TAMPA, FL 33629
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DATE: *[Signature]*



A STRUCTURAL REVIEW OF THIS PLAN
 HAS BEEN MADE BY
W.D.S. DESIGN GROUP
 AND IS CONSIDERED TO BE A PROFESSIONAL
 ENGINEERING DESIGN. THE DESIGNER
 ACCEPTS RESPONSIBILITY FOR THE DESIGN
 AND IS NOT RESPONSIBLE FOR THE
 CONSTRUCTION OF THIS PLAN.
 W.D.S. DESIGN GROUP
 1000 N. W. 10th St.
 Ft. Lauderdale, FL 33304
 TEL: (305) 555-1111
 FAX: (305) 555-1111

Deck:
 2x8" stringers
 2x10" carrying
 2x6" Deck

ALL PILES
 6x6"

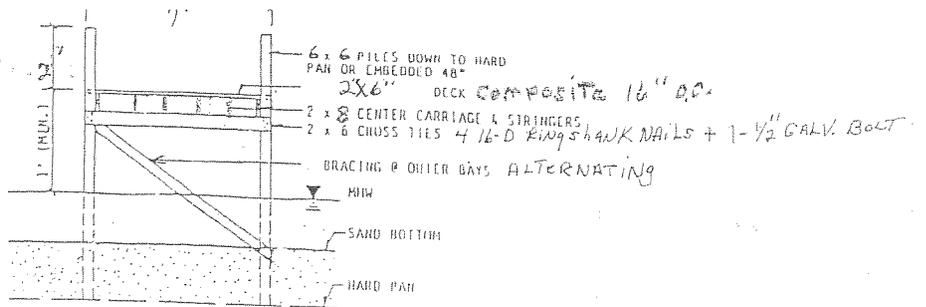
5/8" T-11 PLY

COLLARS
 2x6-40" o.c.

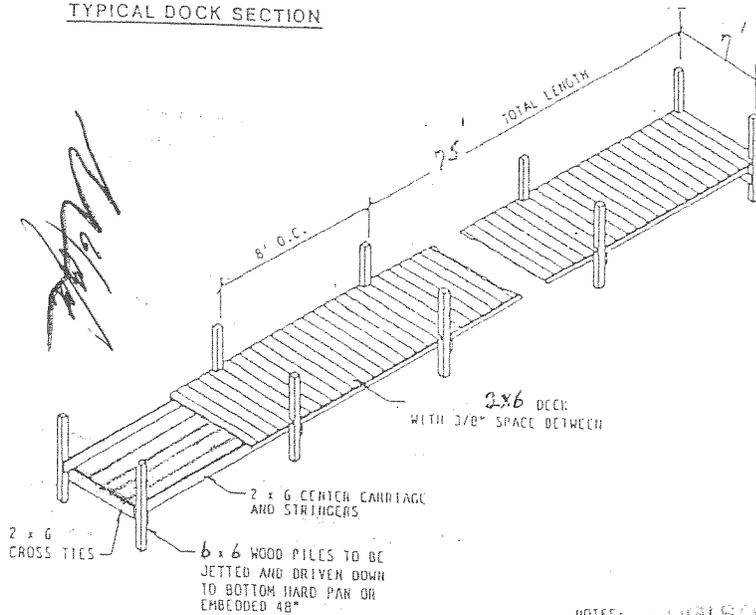
2x6" RAFTERS
 24" o.c.

2x8 RIDGE/KING

WALK
 7'



TYPICAL DOCK SECTION



- NOTES:
1. ALL SPIRES AND NAILS TO BE GALVANIZED.
 2. ALL LUMBER TO BE TREATED TO AHIA STDS.

ISOMETRIC VIEW

SMALL CRAFT DOCK

A STRUCTURAL REVIEW OF THE PLAN HAS BEEN MADE BY:

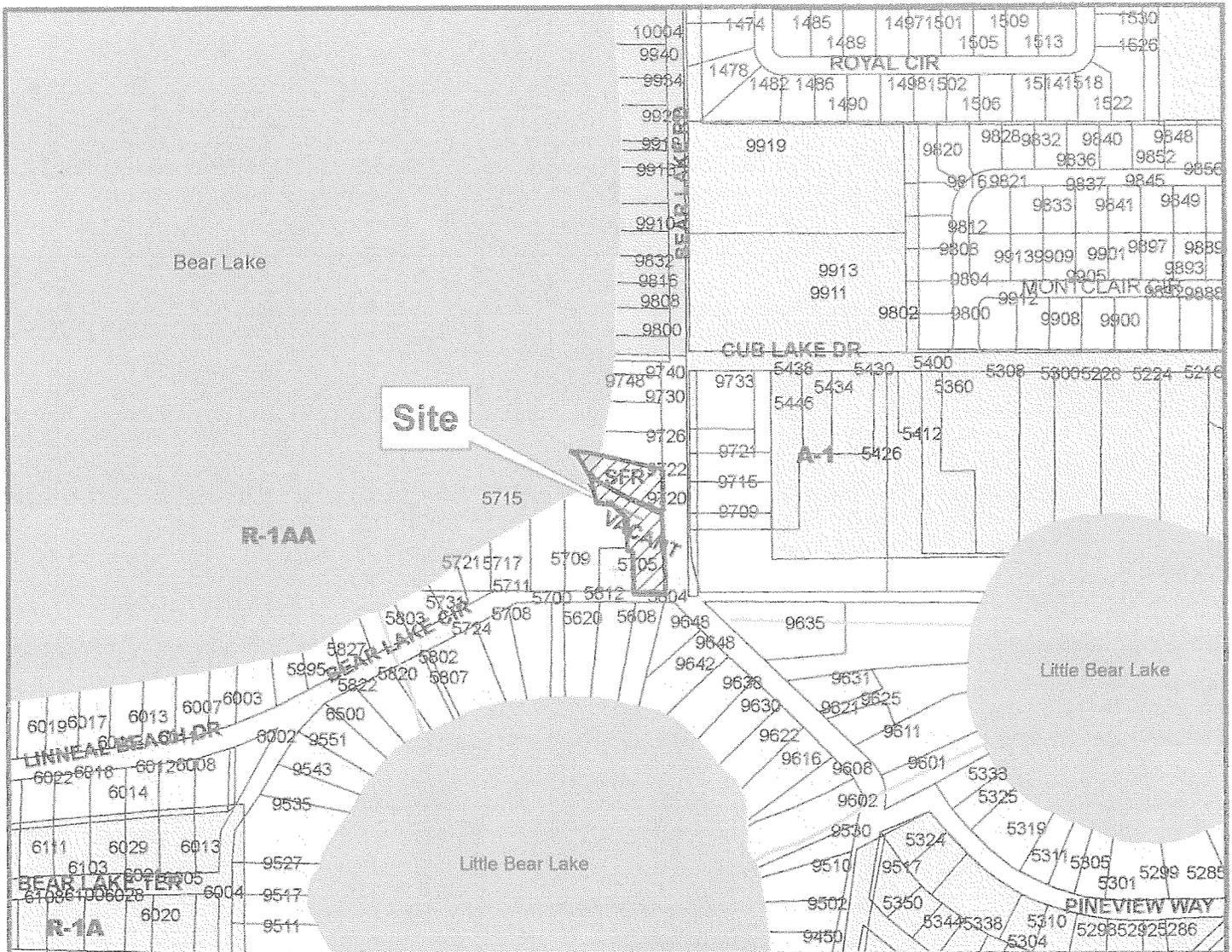
W.D.S. DESIGN GROUP

AND IS IN COMPLIANCE WITH SECTION 1009 OF THE FLORIDA BUILDING CODE 2004. THIS CERTIFICATE IS NOT TO IMPLY THAT W.D.S. DESIGN GROUP IS THE AUTHOR OF THESE PLANS.

W.D. SHAFER DESIGNER 2612 HERRISON DR. ORLANDO, FL 32816	R.Y. WHITE PROF. ENGINEER FL. CERT. 13191 P.E. NO. 2864678 FAX: 407-266-8868
---	--

DATE _____

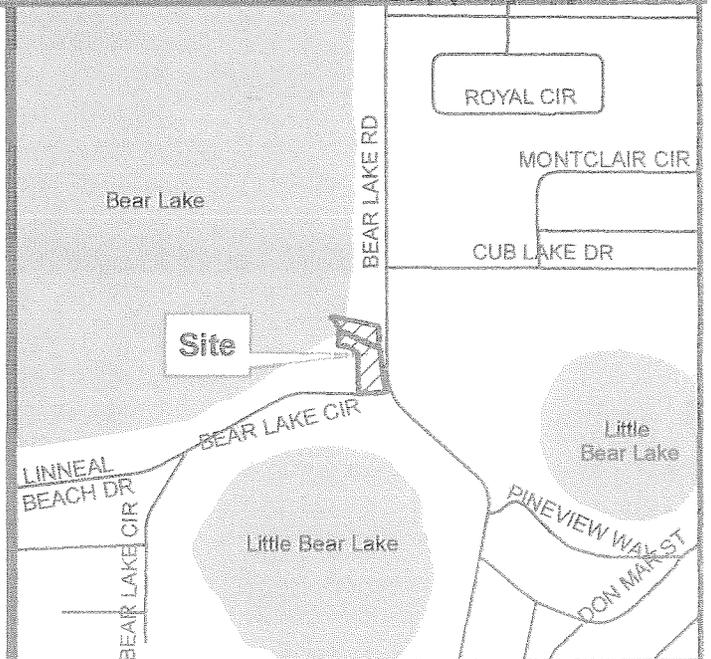
Robert Dominica
 9722 Bear Lake Road
 Apopka, Florida 32703



Seminole County Board of Adjustment
 March 26, 2007
 Case: BV2007-21 (Map 3207, Grid B2)
 Parcel No: 17-21-29-5EG-0000-080D

Zoning

-  BV2007-21
-  A-1
-  R-1AA
-  R-1A
-  R-1



<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																																																															
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 17-21-29-5BG-0000-080D Owner: DOMINICA ROBERT Mailing Address: 9722 BEAR LAKE RD City,State,ZipCode: APOPKA FL 32703 Property Address: 9722 BEAR LAKE RD APOPKA 32703 Subdivision Name: MC NEILS ORANGE VILLA Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2001) Dor: 01-SINGLE FAMILY</p>		<p>2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$379,517 Depreciated EXFT Value: \$19,678 Land Value (Market): \$296,400 Land Value Ag: \$0 Just/Market Value: \$695,595 Assessed Value (SOH): \$477,025 Exempt Value: \$25,000 Taxable Value: \$452,025 Tax Estimator</p>																																																																													
<p style="text-align: center;">SALES</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>09/1999</td> <td>03727</td> <td>1947</td> <td>\$250,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1985</td> <td>01620</td> <td>0599</td> <td>\$145,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01129</td> <td>0559</td> <td>\$40,000</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	09/1999	03727	1947	\$250,000	Improved	Yes	WARRANTY DEED	03/1985	01620	0599	\$145,000	Improved	Yes	WARRANTY DEED	01/1977	01129	0559	\$40,000	Improved	Yes	<p>2006 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$10,385 2006 Tax Bill Amount: \$7,097 Save Our Homes (SOH) Savings: \$3,288 2006 Taxable Value: \$440,390 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																																	
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EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
POOL GUNITE	2000	462	\$7,623	\$9,240
COOL DECK PATIO	2000	849	\$2,452	\$2,972
SCREEN ENCLOSURE	2000	3,907	\$5,993	\$7,814
SPA	2000	1	\$1,917	\$2,500
GAS HEATER	2000	1	\$440	\$1,100
SOLAR HEATER	2001	1	\$440	\$1,100
BOAT DOCK	1979	200	\$400	\$1,000
BBQ GRILL	2000	1	\$413	\$500

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.

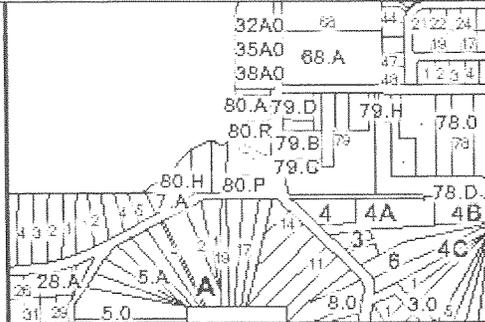
PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7506



GENERAL

Parcel Id: 17-21-29-5BG-0000-0800
 Owner: DOMINICA RICHARD & ANN
 Mailing Address: 3109 CECELIA DR
 City,State,ZipCode: APOPKA FL 32703
 Property Address: BEAR LAKE CIR APOPKA 32703
 Subdivision Name: MC NEILS ORANGE VILLA
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions:
 Dor: 07-MISCELLANEOUS RESIDE

2007 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 0
 Depreciated Bldg Value: \$0
 Depreciated EXFT Value: \$1,350
 Land Value (Market): \$274,108
 Land Value Ag: \$0
 Just/Market Value: \$275,458
 Assessed Value (SOH): \$275,458
 Exempt Value: \$0
 Taxable Value: \$275,458
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
CORRECTIVE DEED	11/2003	05107	0399	\$100	Improved	No
WARRANTY DEED	02/2002	04713	0937	\$22,000	Vacant	No
WARRANTY DEED	01/2002	04305	0762	\$172,500	Vacant	Yes
WARRANTY DEED	02/2000	03824	1199	\$160,000	Vacant	Yes
WARRANTY DEED	11/1993	02690	0818	\$30,000	Vacant	Yes

Find Comparable Sales within this Subdivision

2006 VALUE SUMMARY

2006 Tax Bill Amount: \$4,439
 2006 Taxable Value: \$275,458
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	58	325	.000	4,250.00	\$274,108

LEGAL DESCRIPTION

PLATS:

PT OF LOT 80 DESC AS BEG SE COR RUN N 228 FT N 74 DEG 43 MIN 19 SEC W 151.61 FT N 61 DEG 28 MIN 16 SEC W
 118.32 FT N 29 DEG 55 MIN 14 SEC W 69 FT N 63 DEG 59 MIN 31 SEC W 23.34 FT S 28 DEG 51 MIN E 161.63 FT E 37.97 FT S 45 DEG E 58.08 FT S 86.48 FT E 20 FT S 125 FT E TO BEG MC NEILS ORANGE VILLA
 PB 2 PG 99

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
BOAT DOCK	1979	272	\$544	\$1,360
BOAT HOUSE	1979	252	\$806	\$2,016

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.

http://simon03.scpaff.org/website/scpa/viewer.htm?PARCEL=1721295BG0000080D

SEMINOLE COUNTY FL PROPERTY APPRAISER DAVID JOHNSON, CFA, ASA

80 R 79 D
80 D 79 B
80 E 80 S 80 Q 79 C
80 P
BEAR LAKE RD
BEAR LAKE CIR

Major Roads
Streets
Vacated R/W
Hydrology
Lot Lines
Subdivision Lines
Parcels
Parcel Anno
Institutional
Environmental
School Zones
Aerials
1999 Aerials
2004 Aerials
2006 Aerials

ZONING
FLU
OSIA
RESTART

Select Parcel Themes: Normal Scale Factor: [dropdown]
Point

ScaleFactor: 1.1256 Trusted sites

http://simon03.scpaff.org/website/scpa/viewer.htm?PARCEL=1721295BG0000080D

SEMINOLE COUNTY FL PROPERTY APPRAISER DAVID JOHNSON, CFA, ASA

80 R 79 D
80 D 79 B
80 E 80 S 80 Q 79 C
80 P
BEAR LAKE RD
BEAR LAKE CIR

Major Roads
Streets
Vacated R/W
Hydrology
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Subdivision Lines
Parcels
Parcel Anno
Institutional
Environmental
School Zones
Aerials
1999 Aerials
2004 Aerials
2006 Aerials

ZONING
FLU
OSIA
RESTART

Select Parcel Themes: Normal Scale Factor: [dropdown]
Point

ScaleFactor: 1.1256 Trusted sites

This letter is to certify that Robert J. Dominica and Richard J. Dominica are allowing Mr. Mike White of Florida's Boat Docks and Seawalls to act as our agent on all matters at the variance hearing for the construction of a boat dock on Bear Lake Road.



Robert J. Dominica

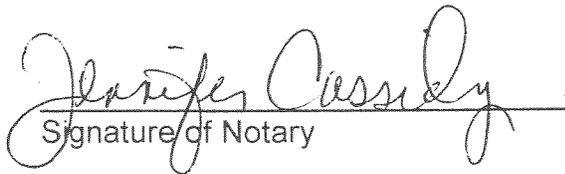
2/14/07
Date



Richard J. Dominica

2/14/07
Date

Sworn to and subscribed before me this 14th of February, 2007 by Robert J. Dominica and Richard J. Dominica who personally are known to me.



Signature of Notary

NOTARY PUBLIC - STATE OF FLORIDA
 Jennifer Cassidy
Commission # DD632831
Expires: JAN. 24, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

J. Todd South, Esq.
Miller, South & Milhausen, P.A.
Gateway Center
1000 Legion Place, Suite 1200
Orlando, Florida 32801

DOCK AGREEMENT

THIS DOCK AGREEMENT (the "Agreement"), is made and entered into this 8th day of Dec., 2006, by and between RICHARD DOMINICA and ANN DOMINICA, husband and wife, whose address for purposes of this Agreement is 3109 Cecelia Drive, Apopka, Florida 32703 (hereinafter referred to as the "Owner") and ROBERT DOMINICA AND JULIE DOMINICA, husband and wife, whose address for purposes of this Agreement is 972 Bearlake Road, Apopka, Florida 32703 (hereinafter referred to as the "Neighbor").

W I T N E S S E T H: .

WHEREAS, Owner is the owner of lands described on Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter referred to as "Owner's Property"); and

WHEREAS, Neighbor is the owner of lands described on Exhibit "B" attached hereto and incorporated herein by this reference (hereinafter referred to as "Neighbor's Property"); and

WHEREAS, Owner intends to reconstruct a dock on Owner's Property (hereinafter referred to as the "Dock") in a location substantially similar to Owner's existing dock; and

WHEREAS, Owner's planned location for the Dock does not meet the setbacks set forth by Seminole County and other jurisdictional agencies; and

WHEREAS, Owner is seeking the acknowledgement and approval from Neighbor of the planned Dock location.

NOW, THEREFORE, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) in hand paid, the covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.
2. Approval of Setback Encroachment. Subject to the terms and conditions provided herein Neighbor hereby approves and agrees that Owner may reconstruct the Dock immediately adjacent to Neighbor's Property line and within the setbacks set forth by Seminole County and other jurisdictional agencies. Further Neighbor agrees that in the event it is determined that the Dock as constructed encroaches on Neighbor's Property in an amount less than 1.5 feet, Neighbor agrees to grant to Owner and easement for said encroachment.
3. Agreement for the Benefit of Owner's Property. This Agreement created herein is solely for the benefit of the Owner's Property and the owners, mortgagees, and successors in title thereof, subject to and in accordance with the terms and conditions hereof, and no third party beneficiary rights are created or implied hereby.
4. Agreement Runs with the Land. This Agreement and the conditions herein shall run with and be appurtenant to the lands herein described and, except as hereinafter set forth, shall run with said lands forever and be binding on and inure to the benefit of and be enforceable by the heirs, legal representatives, successors and assigns of the parties hereto. All obligations of the respective parties hereunder shall be binding on their respective successors in title and assigns.
5. Entire Agreement. This Agreement constitutes the entire agreement and understanding between the parties relating to the subject matter hereof and may not be amended, waived, or discharged, except by instrument in writing executed by the party against which enforcement of such amendment, waiver or discharge is sought.
6. Termination of Easement. Owner and Neighbor hereby acknowledge and agree to terminate the existing agreement recorded in Official Records Book 3727 , Page 1952 , in the Public Records of Seminole County.

7. Attorney's Fees. In the event that the Owner and Neighbor, or any of their respective successors in title, institutes legal proceedings against any other party, or its successors in title, to enforce any terms of this Agreement, the party prevailing in said legal proceedings shall be entitled to recover reasonable attorney's fees (including those incurred on appeal) and court costs incurred incidental thereto, from the party not prevailing in said legal proceedings.

8. Severability. The invalidity of any one of the covenants, agreements, conditions, or provisions of this Agreement, or any portion thereof, shall not affect the remaining portions thereof, and this Agreement shall be construed as if such covenant, agreement, condition or provision had not been included herein.

IN WITNESS WHEREOF, the parties hereby have caused these presents to be executed in their names for the purposes herein expressed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Shelley M. Budke
 Witness
 Print Name: Shelley M. Budke

Shelley M. Budke
 Witness
 Print Name: Shelley M. Budke

Shelley M. Budke
 Witness
 Print Name: Shelley M. Budke

Shelley M. Budke
 Witness
 Print Name: Shelley M. Budke

Richard Dominica
 RICHARD DOMINICA

Ann Dominica
 ANN DOMINICA

Robert Dominica
 ROBERT DOMINICA

Julie Dominica
 JULIE DOMINICA

STATE OF FLORIDA *Seminole*
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me
this 8th day of December, 2006, by Richard Dominica, who is
either (a) X personally known to me, or (b) _____ has produced
_____ as identification.

(SEAL)



Sandra L. Veenhuis
Commission # DD358384
Expires: NOV 12, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Sandra L. Veenhuis
NOTARY PUBLIC, State of Florida
Print Name: Sandra L. Veenhuis
My Commission Expires: 11-12-2008

STATE OF FLORIDA
COUNTY OF ORANGE *Seminole*

The foregoing instrument was acknowledged before me
this 8th day of December, 2006, by Ann Dominica, who is either
(a) X personally known to me, or (b) _____ has produced
_____ as identification.

(SEAL)



Sandra L. Veenhuis
Commission # DD358384
Expires: NOV 12, 2008
Bonded Thru
Atlantic Bonding Co., Inc.

Sandra L. Veenhuis
NOTARY PUBLIC, State of Florida
Print Name: Sandra L. Veenhuis
My Commission Expires: 11-12-2008

EXHIBIT "A"

PART OF LOT 80, MCNEILS ORANGE VILLA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 99 THROUGH 101, INCLUSIVE, IN THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A POINT 315.81 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST 350.00 FEET OF SAID LOT 80, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF BEAR LAKE ROAD, THENCE RUN NORTH ALONG THE RIGHT-OF-WAY LINE OF BEAR LAKE ROAD, A DISTANCE OF 228.00 FEET; THENCE LEAVING SAID WEST RIGHT-OF-WAY LINE RUN N. 74°43'19"W. 151.61 FEET; THENCE RUN N.61°28'16"W. 118.32 FEET; THENCE N.29°55'14"W. 69.00 FEET; THENCE RUN N.63°59'31"W. 23.34 FEET; THENCE RUN S.28°51'00"E. 161.63 FEET; THENCE RUN EAST 80.78 FEET; THENCE RUN SOUTH 127.48 FEET; THENCE RUN EAST 20.00 FEET; THENCE RUN SOUTH 125.00 FEET; THENCE RUN EAST 125.81 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

A PORTION OF LOT 80, MCNEILS ORANGE VILLA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 99, 100 AND 101 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN 228.00 FEET NORTH OF THE SOUTHEAST CORNER OF LOT 80, MCNEILS ORANGE VILLA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 99, 100 AND 101, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA; THENCE RUN NORTH 125 FEET; THENCE NORTH 82 DEGREES 16 MINUTES 00 SECONDS WEST 308.4 FEET; THENCE SOUTH 63 DEGREES 59 MINUTES 31 SECONDS EAST 23.34 FEET; THENCE SOUTH 29 DEGREES 55 MINUTES 14 SECONDS EAST 69.00 FEET; THENCE SOUTH 61 DEGREES 28 MINUTES 16 SECONDS EAST 118.32 FEET; THENCE SOUTH 74 DEGREES 43 MINUTES 19 SECONDS EAST 151.61 FEET TO THE POINT OF BEGINNING.

BV2007-21

Dock Agreement for Dominica Residence

I understand and allow my neighbors, Rob & Julie Dominica and Richard & Ann Dominica, to modify and build a newly constructed dock at the location of the now existing dock shared by both properties. While the dock will be ~~more~~ ^{less} than 10' from both outside property lines, it will be split down the middle of Rob & Julie Dominica's and Richard & Ann Dominica's property line. This dock will have a written legal contract between both Dominica parties regarding ownership and liability.

2/19/07

Name: James E.L. + Sarah Sety

If further consents are needed, please call Jim Sety at 407-244-1111

Address: 5757 Bear Lake Circle
Apopka FL 32703

Signature

10/1/06
Date

Signature

10/2/06
Date

BV2007-21

Dock Agreement for Dominica Residence

I understand and allow my neighbors, Rob & Julie Dominica and Richard & Ann Dominica, to modify and build a newly constructed dock at the location of the now existing dock shared by both properties. While the dock will be more than 10' from both outside property lines, it will be split down the middle of Rob & Julie Dominica's and Richard & Ann Dominica's property line. This dock will have a written legal contract between both Dominica parties regarding ownership and liability.

Less MS
2-17-07

Name: Mike & June STAGGS
Address: 9726 Bear Lake Rd
Apopka, FL 32703

Mike Stagg
Signature

10-2-06
Date

June H. Stagg
Signature

10-2-06
Date



Existing Boat Dock

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 26, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

PT OF LOT 80 DESC AS BEG 228 FT N OF SE COR RUN N 125 FT N 82 DEG 16 MIN W 308.4 FT S 63 DEG 59 MIN 31 SEC E 23.24 FT S 29 DEG 55 MIN 14 SEC E 69 FT S 61 DEG 28 MIN 16 SEC E 118.32 FT S 74 DEG 43 MIN 19 SEC E 151.61 FT TO BEG MC NEILS ORANGE VILLA PB 2 PG 99 **AND**

PT OF LOT 80 DESC AS BEG SE COR RUN N 228 FT N 74 DEG 43 MIN 19 SEC W 151.61 FT N 61 DEG 28 MIN 16 SEC W 118.32 FT N 29 DEG 55 MIN 14 SEC W 69 FT N 63 DEG 59 MIN 31 SEC W 23.34 FT S 28 DEG 51 MIN E 161.63 FT E 37.97 FT S 45 DEG E 58.08 FT S 86.48 FT E 20 FT S 125 FT E TO BEG MC NEILS ORANGE VILLA PB 2 PG 99

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

FINDINGS OF FACT

Property Owner: Robert Dominica
9722 Bear Lake Road
Apopka FL 32703

Project Name: Bear Lake Road (9722)

Requested Development Approval:

Request for side yard setback variances from 10 feet to 0 feet for a replacement dock in 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: Denny Gibbs, Senior 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. In order to meet the minimum code requirements of SCLDC 30.182(d) and 30.1372(1), prior to permitting, the property underlying the dock on the vacant parcel (the southern parcel) must be conveyed to the property that contains the primary residence: 9722 Bear Lake Road.
 2. The variance granted will apply only to the dock 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: _____
April Boswell, AICP
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 _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: