

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 3764 Okeechobee Circle – Loren Wadsworth, Applicant; Request for 1) a side street setback variance from 20 feet to 6 feet and 2) a fence height variance from 6 feet – 6 inches to 7 feet – 6 inches for an existing fence in PUD (Planned Unit Development District).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

Agenda Date 2/25/08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Deny** the request for 1) a side street setback variance from 20 feet to 6 feet and 2) a fence height variance from 6 feet – 6 inches to 7 feet – 6 inches for an existing fence in PUD (Planned Unit Development District); or
2. **Approve** the request for 1) a side street setback variance from 20 feet to 6 feet and 2) a fence height variance from 6 feet – 6 inches to 7 feet – 6 inches for an existing fence in PUD (Planned Unit Development District); or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning: Subdivision:	Loren Wadsworth, Applicant 3764 Okeechobee Circle PUD (Planned Unit Development District) Hollowbrook West
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant received a code violation for an existing fence which is non-conforming for fence height and side street setback. • The fence encroaches approximately 14 feet into the required 20-foot side street setback and the height is 7 feet – 6 inches. • 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.• Special conditions and circumstances result from the actions of the applicant.• 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 variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>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:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the fence 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.

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
- Applicant Authorization Form
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents

- Proposed Development Order



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: LOREN WADSWORTH
 Address: 3764 OKEE @ HORSE CR. City: CASS Zip code: 32707
 Project Address: SAME City: _____ Zip code: _____
 Contact number(s): 407-402-4000
 Email address: SGCP-93 @ YAHOO.COM

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 checked="" type="checkbox"/> Fence	Please describe: <u>FENCE IS 6'10" NEEDS TO BE 6'6"</u>
<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 type="checkbox"/> Other	Please describe:
<input type="checkbox"/> This request is for a structure that has already been built.	

RECEIVED DEC 19 2007

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 type="checkbox"/> Side yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Side street setback	Required setback:	<u>20 ft.</u>	Proposed setback: <u>6</u>
<input checked="" type="checkbox"/> Fence height	Required height:	<u>6' 6"</u>	Proposed height: <u>7 ft. - 6"</u>
<input type="checkbox"/> Building height	Required height:		Proposed height:
Use below for additional yard setback variance requests:			
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> Total number of variances requested <u>1</u>			

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: _____

FOR OFFICE USE ONLY

Date Submitted: 12-19-07 Reviewed By: P. Johnson
 Tax parcel number: 23-21-30-611-0000-0010 Zoning/FLU PUD/ PD

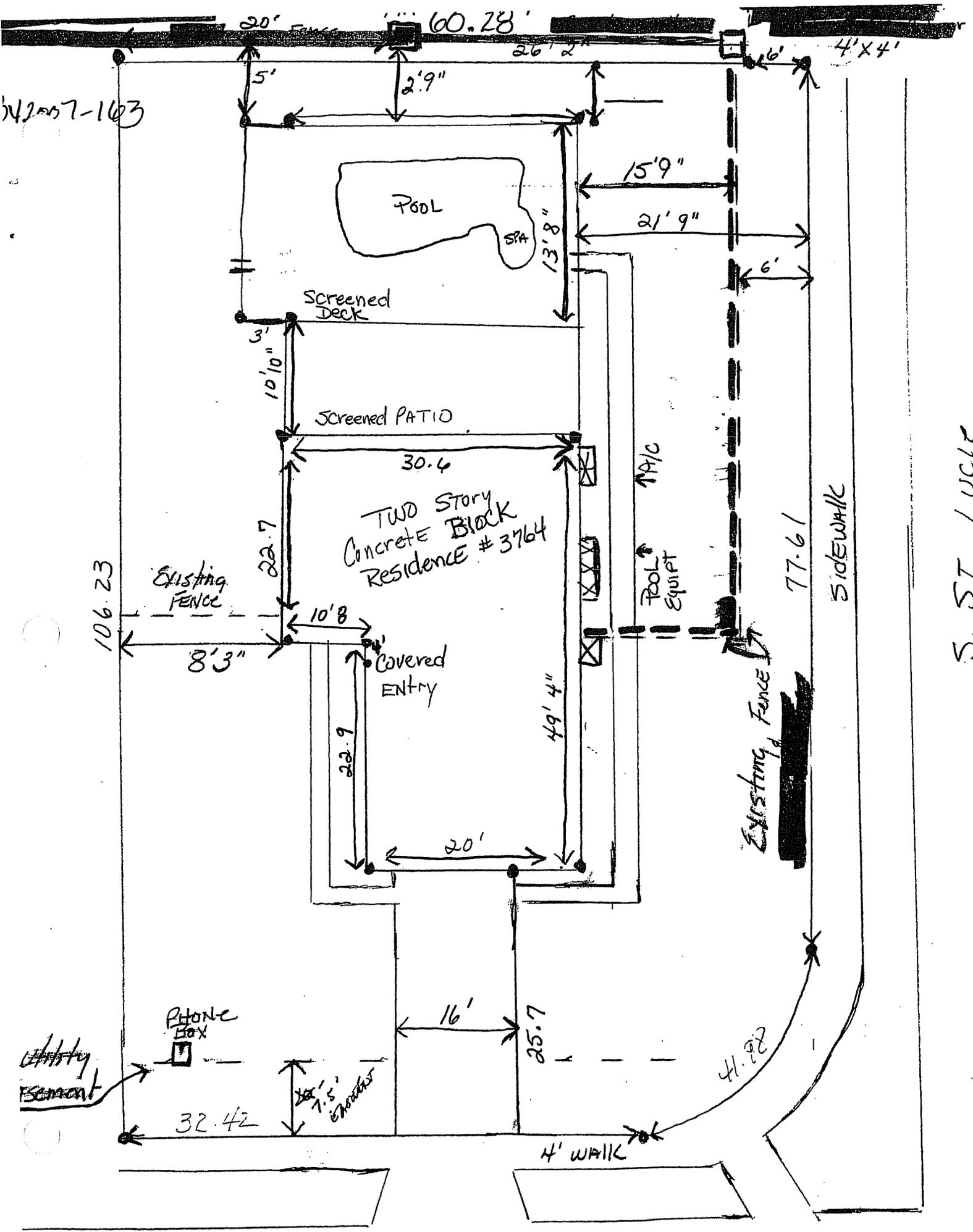
Legally created parcel (1971 tax roll, 5-acre dev, lot split)
 Platted Lot (check easements as shown on lots, in notes or in dedication)
 Lot size _____ Meets minimum size and width
 Application and checklist complete

Notes: _____

VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

<p><i>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</i></p>	
	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp</i>
	3. Provide a legible 8 ½ x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	o Please start with a clean survey (ex: white out old approval stamps)
	o Size and dimension of the parcel
	o Location and name of all abutting streets
	o Location of driveways
	o Location, size and type of any septic systems, drainfield and wells
	o Location of all easements
	o Existing or proposed house <u>or</u> addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	o Building height
	o Setbacks from each building to the property lines
	o Location of proposed fence(s)
	o Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.



42007-103

106.23

Existing FENCE

TWO STORY
Concrete Block
Residence # 3764

Screened PATIO

Screened Deck

POOL

SPA

Covered Entry

PA/C

POOL
EQUIPT

Existing FENCE

SIDEWALK

UTILITY

PHONE BOX

32.42

7.5' CHOKER

16'

25.7

4' WALK

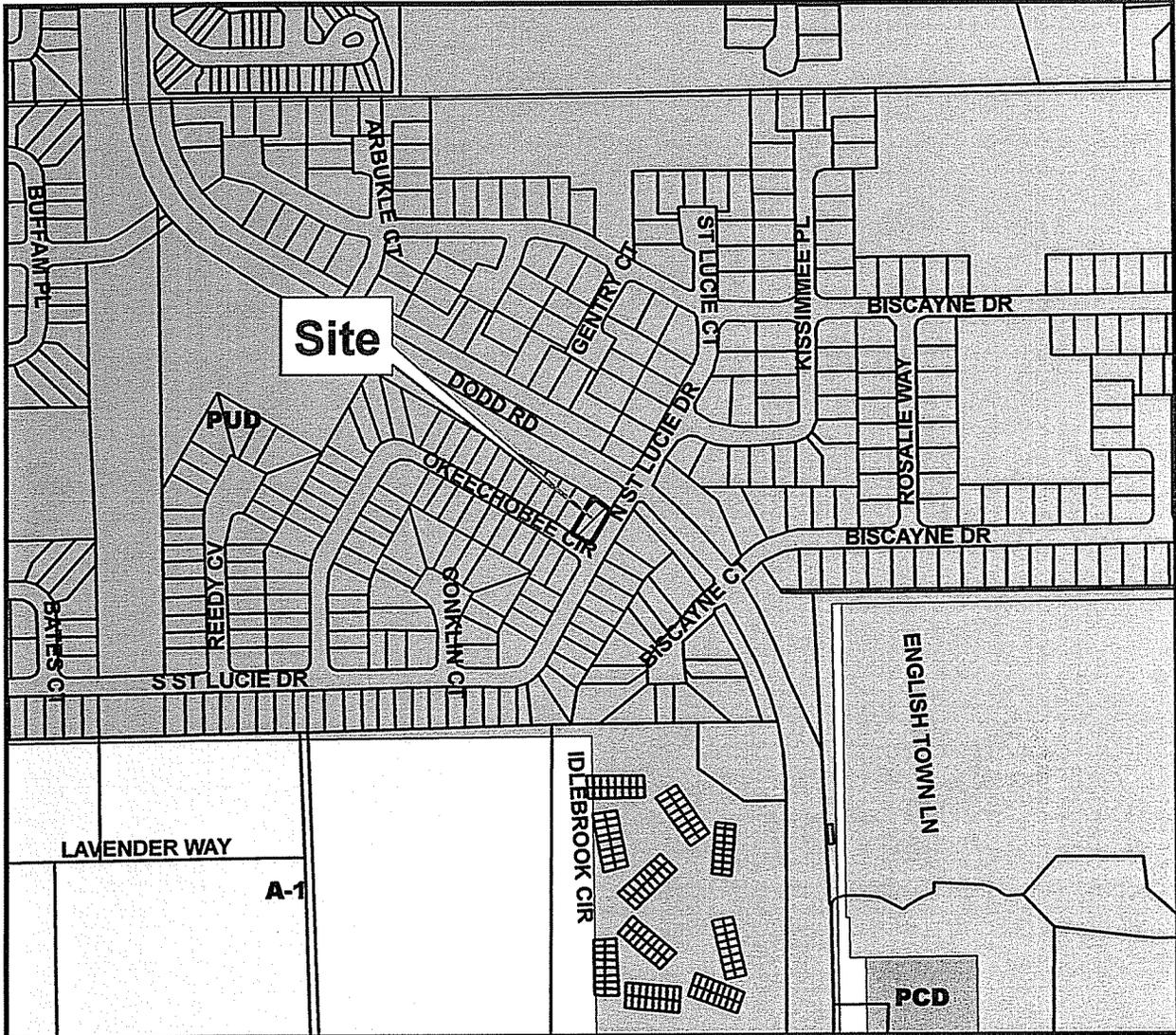
4.98

77.61

Northlake Circle

S. ST LUCIE

Loren Wadsworth
3764 Okeechobee Circle
Casselberry, Florida 32707

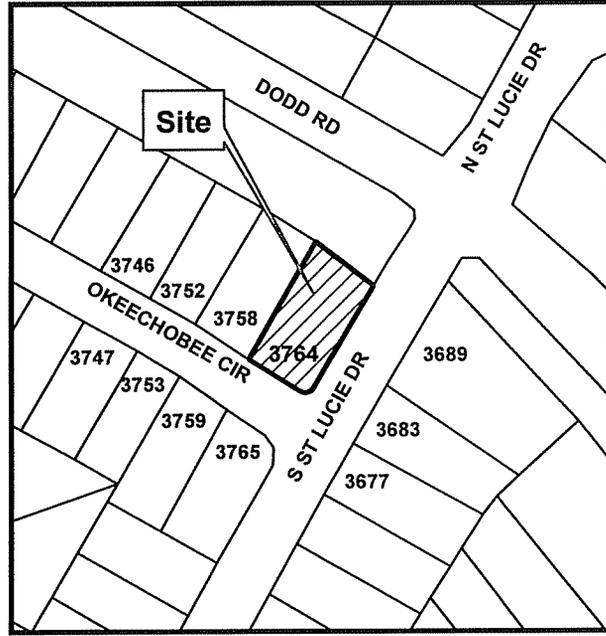


Seminole County Board of Adjustment
February 25, 2008
Case: BV2007-163 (Map 3211, Grid A2)
Parcel No: 23-21-30-511-0000-0010

Zoning

-  BV2007-163
-  A-1
-  PUD
-  PCD

N

Personal Property

<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 407-665-7508</p>																																																																					
<p align="center">GENERAL</p> <p>Parcel Id: 23-21-30-511-0000-0010 Owner: WADSWORTH LOREN J Mailing Address: 3764 OKEECHOBEE CIR City,State,ZipCode: CASSELBERRY FL 32707 Property Address: 3764 OKEECHOBEE CIR CASSELBERRY 32707 Subdivision Name: HOLLOWBROOK WEST Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY</p>		<p>2008 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$159,415 Depreciated EXFT Value: \$4,938 Land Value (Market): \$40,000 Land Value Ag: \$0 Just/Market Value: \$204,353 Assessed Value (SOH): \$103,878 Exempt Value: \$25,000 Taxable Value: \$78,878</p> <p align="center"><u>Tax Estimator</u> <u>Tax Reform Calculator</u></p>																																																																			
<p 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>06/1988</td> <td><u>01972</u></td> <td><u>0350</u></td> <td>\$92,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>SPECIAL WARRANTY DEED</td> <td>10/1986</td> <td><u>01788</u></td> <td><u>0808</u></td> <td>\$80,500</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p align="center"><u>Find Comparable Sales within this Subdivision</u></p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	06/1988	<u>01972</u>	<u>0350</u>	\$92,000	Improved	Yes	SPECIAL WARRANTY DEED	10/1986	<u>01788</u>	<u>0808</u>	\$80,500	Improved	Yes	<p>2007 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$2,664 2007 Tax Bill Amount: \$1,127 Save Our Homes (SOH) Savings: \$1,537 2007 Taxable Value: \$76,344</p> <p align="center">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																														
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POOL GUNITE	1987	192	\$1,824	\$3,840
COOL DECK PATIO	1987	168	\$279	\$588
SCREEN ENCLOSURE	1987	900	\$720	\$1,800
SPA	1987	1	\$1,000	\$2,500
GAS HEATER	1987	1	\$440	\$1,100

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.

PROJECT LOG

SEMINOLE COUNTY - Case Text Inquiry			2/05/2008 12:57:44 PM
<div style="display: flex; justify-content: space-between; align-items: center;"> Functions Help </div>			
Case number	06 00000639		
Property address, ID	3764 OKEECHOBEE CIR	198406	
Parcel ID	23-21-30-511-0000-0010		
Subdivision Name	HOLLOWBROOK WEST		
Tenant name and number			
Case narrative			
Fence without a permit.tb			11/30/06
N.O.V. issued for erecting a new fence without a permit (on south side of the property). Must comply by 122706. #154/tb			12/13/06
Owner stated fence is not new, he paints and maintains it very well. There is no evidence to the contrary, fence may have been permitted prior to 1984.case closed.12-27-06th.			12/13/06
Violation comments			12/27/06
UNPERMITTED CONSTRUCTION - COMPLIED			12/27/06
Fence without a permit.tb			12/27/06
<div style="display: flex; justify-content: space-around; margin-top: 10px;"> OK Exit Cancel </div>			

SEMINOLE COUNTY - Case Text Inquiry			2/05/2008 12:58:46 PM
<div style="display: flex; justify-content: space-between; align-items: center;"> Functions Help </div>			
Case number	07 00000530		
Property address, ID	3764 OKEECHOBEE CIR	198406	
Parcel ID	23-21-30-511-0000-0010		
Subdivision Name	HOLLOWBROOK WEST		
Tenant name and number			
Case narrative			
Installation of a 7 ft. high fence without a permit. tb			10/25/07
ISSUED N.O.V. AND POSTED ON FRONT DOOR. INSTALLED A WOOD PRIVACY FENCE WITHOUT A PERMIT. FENCE NEEDS TO MEET THE 6' - 6" REQUIREMENT PER THE LAND DEVELOPMENT CODE. A PERMIT HAS NEVER BEEN ISSUED FOR A FENCE AT THIS ADDRESS. (FENCE IS 7' - 5" HIGH) AND DOES NOT MEET CODE. MUST COMPLY BY 111407.			10/31/07
#134			10/31/07
Sent 1st letter to respondent on 121107. tb			10/31/07
7006 2760 0000 6227 7824			12/11/07
			12/11/07
<div style="display: flex; justify-content: space-around; margin-top: 10px;"> OK Exit Cancel </div>			

**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07- _____:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: <u>LOREN WADSWORTH</u>	Name: _____
Address: <u>3764 OKEECHOBEE CR.</u>	Address: _____
Phone #: <u>407-402-4000</u> <small>Casselberry, FL 32707</small>	Phone #: _____

Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: _____	Name of Corporation: _____
Officers: _____	Officers: _____
Address: _____	Address: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
Shareholders: _____	Shareholders: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____	Beneficiaries: _____
Trustees: _____	Address: _____
Address: _____	_____

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT**

For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: _____ Name of Partnership: _____
Principal: _____ Principal: _____
Address: _____ Address: _____
(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee: _____ Contract Vendee: _____
Name: _____ Name: _____
Address: _____ Address: _____
(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

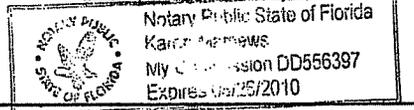
12-19-07
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 19 day of December, 2007 by _____

[Signature]
Signature of Notary Public



Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification yes
Type of Identification Produced Fla drivers license

For Use by Planning & Development Staff

Date: _____ Application Number: _____

BV 2007-163

To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

His property is a corner lot near the entrance to our neighborhood. It is always properly maintained and serves as an example to how some residents should strive to maintain the exterior of their homes.

The fence has been in the same position since the home was originally built. It has never posed a safety hazard while entering or exiting the neighborhood. There are two stop signs near the property, and the fence poses no visibility restrictions.

I have also noticed that there are several homes in our subdivision with corner lots, and also have their fence in the same position as Mr. Wadsworth.

Sincerely,

Dr. Janice K. Lomness

Signature of homeowner

DR. JANICE K. LOMNESS

Printed name of homeowner

3746 OKGECHOBEE CIR CASSELBERRY FL

Address of homeowner

I have lived in Hollowbrook for 20 years.

BV 2007-163

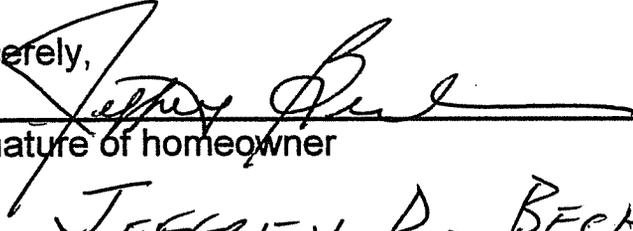
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I have also noticed that there are several homes in our subdivision with corner lots, and also have their fence in the same position as Mr. Wadsworth.

Sincerely,



Signature of homeowner

JEFFREY D. BECHER

Printed name of homeowner

3658 S. ST. LUCIE DR, CASSELLBERRY FL

Address of homeowner

I have lived in Hollowbrook for 12 years.

BU 2007-163

To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

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Sincerely,

Maurice M. Norris

Signature of homeowner

MAURICE M. NORRIS

Printed name of homeowner

3659 So ST LUCIE DR

Address of homeowner

I have lived in Hollowbrook for 3 1/2 years.

BU2007-163

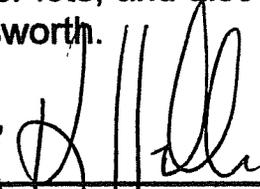
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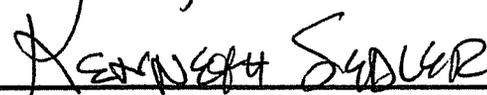
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I have also noticed that there are several homes in our subdivision with corner lots, and also have their fence in the same position as Mr. Wadsworth.

Sincerely,



Signature of homeowner



Printed name of homeowner



Address of homeowner

I have lived in Hollowbrook for 17 years.

BV 2007-163

To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

His property is a corner lot near the entrance to our neighborhood. It is always properly maintained and serves as an example to how some residents should strive to maintain the exterior of their homes. The fence has been in the same position since the home was originally built. It has never posed a safety hazard while entering or exiting the neighborhood. There are two stop signs near the property, and the fence poses no visibility restrictions.

I have also noticed that there are several homes in our subdivision with corner lots, and also have there fence in the same position as Mr. Wadsworth.

Sincerely



Signature of homeowner

MARK TAMMIN'S

Printed name of homeowner

3683 S. ST LUCIE DR CASSABEE FL. 32707

Address of homeowner

I have lived in Hollowbrook for 17 years.

BU 2007-163

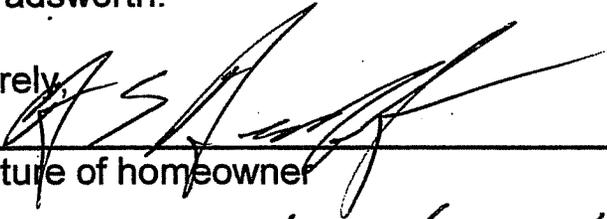
To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

His property is a corner lot near the entrance to our neighborhood. It is always properly maintained and serves as an example to how some residents should strive to maintain the exterior of their homes. The fence has been in the same position since the home was originally built. It has never posed a safety hazard while entering or exiting the neighborhood. There are two stop signs near the property, and the fence poses no visibility restrictions.

I have also noticed that there are several homes in our subdivision with corner lots, and also have there fence in the same position as Mr. Wadsworth.

Sincerely,



Signature of homeowner

Robert Heaslop

Printed name of homeowner

833 Reedy Cove

Address of homeowner

I have lived in Hollowbrook for 13 years.

BV2007-163

To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

His property is a corner lot near the entrance to our neighborhood. It is always properly maintained and serves as an example to how some residents should strive to maintain the exterior of their homes. The fence has been in the same position since the home was originally built. It has never posed a safety hazard while entering or exiting the neighborhood. There are two stop signs near the property, and the fence poses no visibility restrictions.

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Sincerely,



Signature of homeowner

THOMAS J. Doyle

Printed name of homeowner

3740 OKEECHOBEE Circle Russellberry FL 32707

Address of homeowner

I have lived in Hollowbrook for 15 years.

BU 2007-163

To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

His property is a corner lot near the entrance to our neighborhood. It is always properly maintained and serves as an example to how some residents should strive to maintain the exterior of their homes. The fence has been in the same position since the home was originally built. It has never posed a safety hazard while entering or exiting the neighborhood. There are two stop signs near the property, and the fence poses no visibility restrictions.

I have also noticed that there are several homes in our subdivision with corner lots, and also have there fence in the same position as Mr. Wadsworth.

Sincerely,



Signature of homeowner



Printed name of homeowner



Address of homeowner

I have lived in Hollowbrook for 10 mos ~~years~~.

BV2007-163

To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

His property is a corner lot near the entrance to our neighborhood. It is always properly maintained and serves as an example to how some residents should strive to maintain the exterior of their homes. The fence has been in the same position since the home was originally built. It has never posed a safety hazard while entering or exiting the neighborhood. There are two stop signs near the property, and the fence poses no visibility restrictions.

I have also noticed that there are several homes in our subdivision with corner lots, and also have there fence in the same position as Mr. Wadsworth.

Sincerely,


Signature of homeowner

Nicole Leclair
Printed name of homeowner

3759 Okeechobee Cir.
Address of homeowner

I have lived in Hollowbrook for 3 years.

BV 2007-163

To Whom It May Concern:

I am currently a Hollowbrook Homeowner, and would like to express my support for my fellow resident, Loren Wadsworth, and his efforts to be granted a variance concerning his fence.

His property is a corner lot near the entrance to our neighborhood. It is always properly maintained and serves as an example to how some residents should strive to maintain the exterior of their homes. The fence has been in the same position since the home was originally built. It has never posed a safety hazard while entering or exiting the neighborhood. There are two stop signs near the property, and the fence poses no visibility restrictions.

I have also noticed that there are several homes in our subdivision with corner lots, and also have there fence in the same position as Mr. Wadsworth.

Sincerely,

Jennifer B Zalk

Signature of homeowner

Jennifer B Zalk

Printed name of homeowner

3765 Okeechobee Circle Casselberry FL 32707

Address of homeowner

I have lived in Hollowbrook for 4 years.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On February 25, 2008 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 1 HOLLOWBROOK WEST PB 32 PGS 88 TO 90

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

FINDINGS OF FACT

Property Owner: LOREN J WADSWORTH
3764 OKEECHOBEE CIR
CASSELBERRY FL 32707

Project Name: OKEECHOBEE CIR (3764)

Requested Development Approval:

Request for 1) a side street setback variance from 20 feet to 6 feet and 2) a fence height variance from 6 feet – 6 inches to 7 feet – 6 inches for an existing fence in PUD (Planned Unit Development District).

The Development Approval was sought to bring into compliance an existing fence within the side street setback. The applicant still retains reasonable use of the property without the granting of the requested variance.

The requested development approval is hereby denied.

Prepared by: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Done and Ordered on the date first written above.

By: _____
Alison C. Stettner
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 _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 25, 2008 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 1 HOLLOWBROOK WEST PB 32 PGS 88 TO 90

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

FINDINGS OF FACT

Property Owner: LOREN J WADSWORTH
3764 OKEECHOBEE CIR
CASSELBERRY FL 32707

Project Name: OKEECHOBEE CIR (3764)

Requested Development Approval:

Request for 1) a side street setback variance from 20 feet to 6 feet and 2) a fence height variance from 6 feet – 6 inches to 7 feet – 6 inches for an existing fence in 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: 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:
 - a. The variance granted will apply only to the fence 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: _____
Alison C. Stettner
Planning Manager

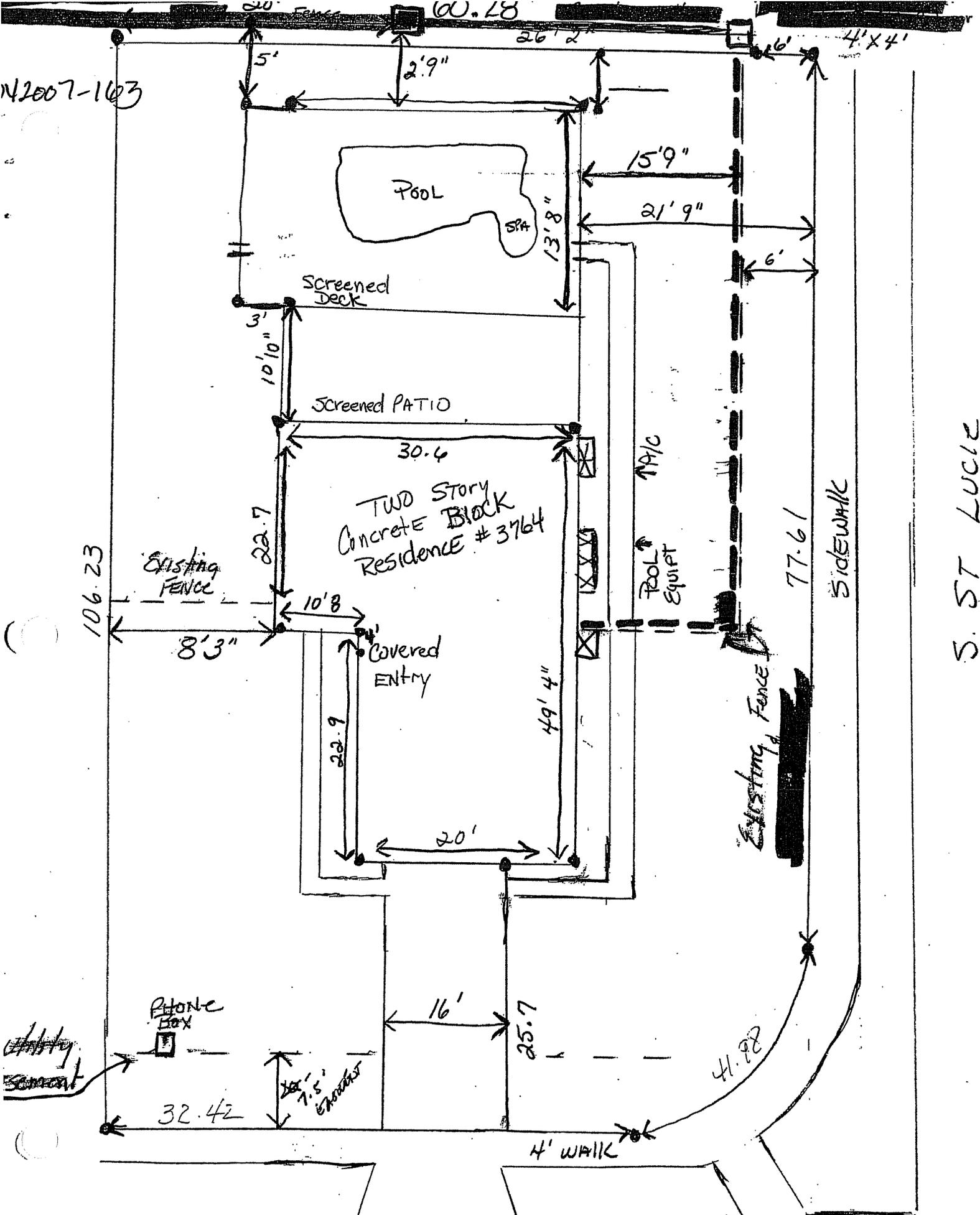
**STATE OF FLORIDA)
COUNTY OF SEMINOLE)**

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 _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:



S. ST LUCIE

OKEchober Circle