

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 2220 Poinsettia Drive – Joseph DePaulis, applicant; Request for 1) a rear yard setback variance from 30 feet to 0 feet and 2) a side yard (west) setback variance from 10 feet to 0 feet for an existing carport/playhouse structure in R-1AA (Single Family Dwelling) district.

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

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

Agenda Date 4/28/08 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **Deny** the request for 1) a rear yard setback variance from 30 feet to 0 feet and 2) a side yard (west) setback variance from 10 feet to 0 feet for an existing carport/playhouse structure in R-1AA (Single Family Dwelling) district; or
2. **Approve** the request for 1) a rear yard setback variance from 30 feet to 0 feet and 2) a side yard (west) setback variance from 10 feet to 0 feet for an existing carport/playhouse structure in R-1AA (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Joseph DePaulis Location: 2220 Poinsettia Drive Zoning: R-1AA (Single Family Dwelling) district Subdivision: Lake Brantley Isles
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant received a notice of violation for the unpermitted construction of a carport type structure with a play house on top that encroaches 30 feet into the required 30-foot rear yard setback and 10 feet into the required 10-foot side yard setback.</li> <li>• The playhouse is over 12 feet which requires the rear yard setback to be 30 feet.</li> <li>• There is no record of prior variances for this property.</li> </ul>

Reviewed by:  
Co Atty: \_\_\_\_\_  
Pln Mgr: \_\_\_\_\_

<b>STAFF FINDINGS</b>	<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"><li>• 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.</li><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate that all six criteria under the Land Development Code for granting a variance have been satisfied. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none"><li>• Any variance granted shall apply only to the playhouse as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul>

**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*

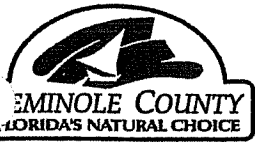
**Support information:**

- 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

Fee: \$150.00 plus \$50.00 for each additional variance

**COPY**

Application # BU 2008-24  
Meeting Date 4-28-08



**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: Joseph DePaulis  
Address: 2220 Poinsetta DR City: Longwood Zip code: 32779  
Project Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Contact number(s): (407) 448-4839  
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"/> Fence	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>Play House</u>
<input checked="" type="checkbox"/> This request is for a structure that has already been built.	

RECEIVED FEB 27 2008

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 checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>30ft.</u>	Proposed setback:	<u>0ft.</u>
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>10ft.</u>	Proposed setback:	<u>0ft.</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 type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Total number of variances requested <u>2</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: Joseph DePaulis

**FOR OFFICE USE ONLY**

Date Submitted: 2-27-08 Reviewed By: P. Johnson  
 Tax parcel number: 04-21-29-501-0000-0070 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: Check height & size  
The playhouse is greater than 12' therefore the rear yard setback is 30 feet.

**VARIANCE SUBMITTAL CHECKLIST**

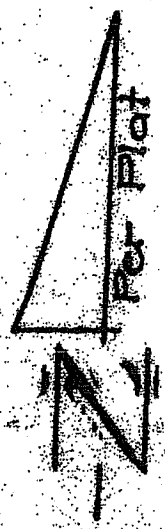
Please return this checklist with your application!

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.

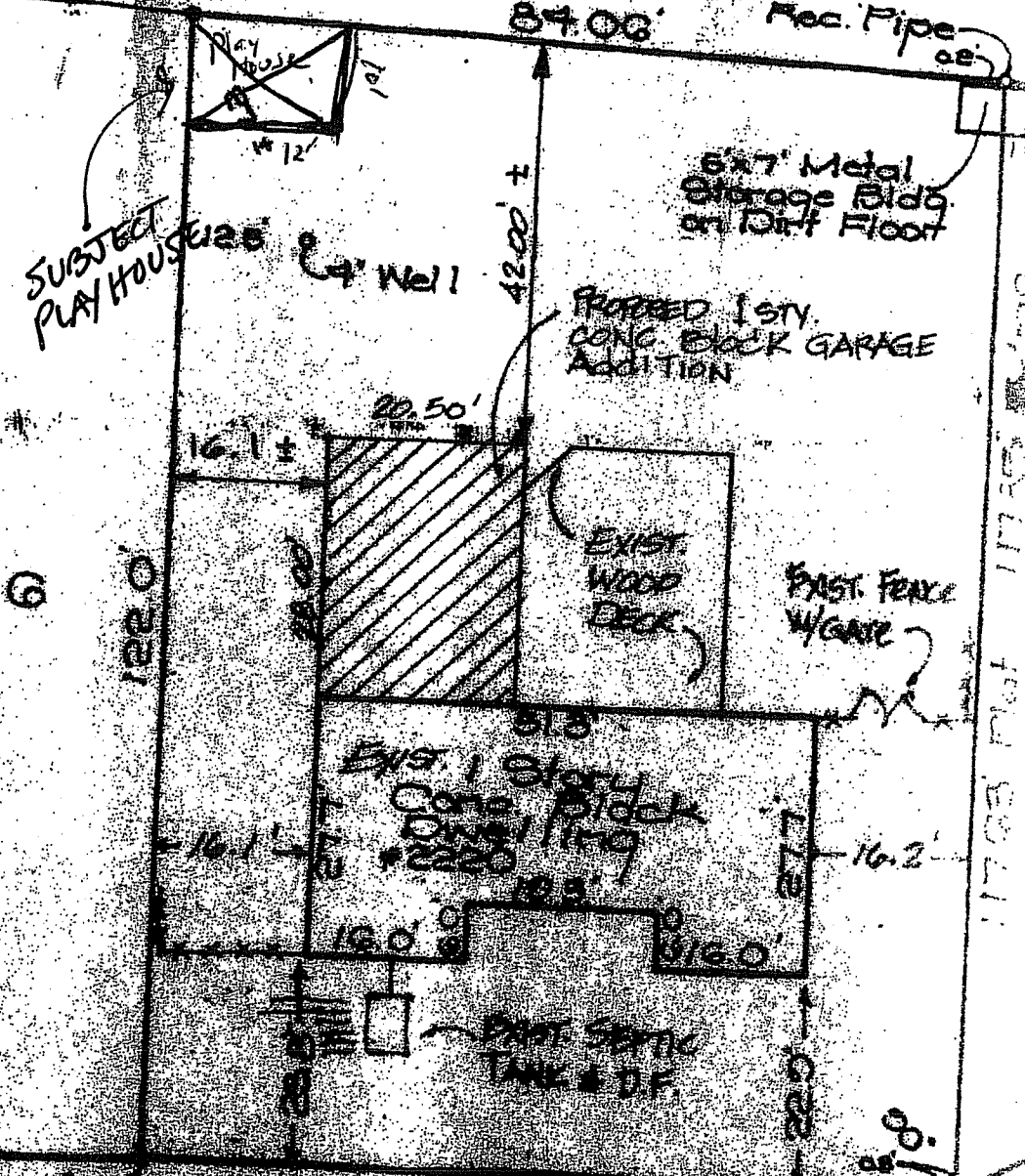
1. Completed application.
2. Owner's authorization letter (if needed). <i>This form can be obtained at <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a></i>
3. Provide a legible 8 1/2 x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
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 or 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.

Iron Rod  
w/ Cap 2108

NOT PLATTED



Not Plat



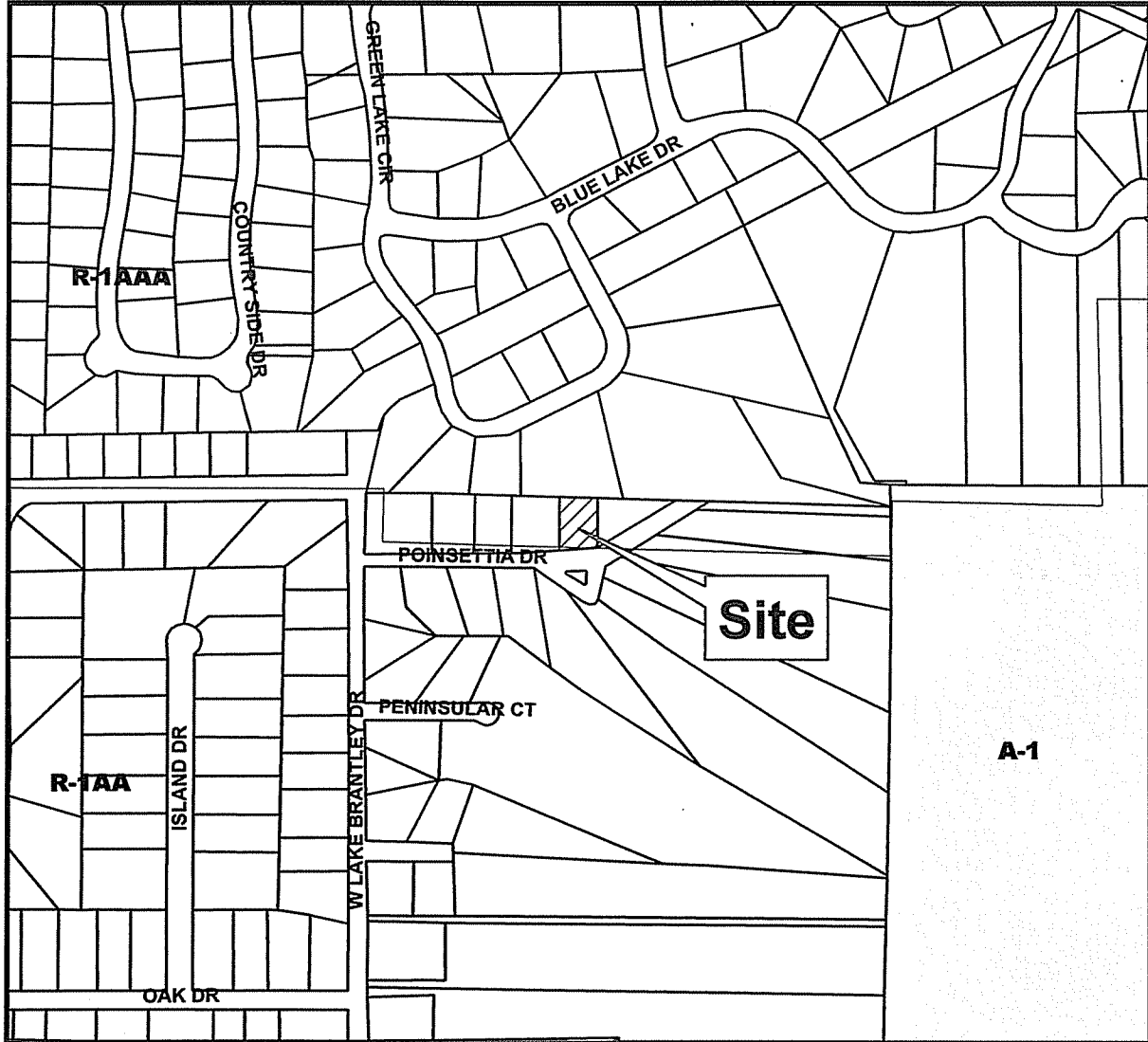
45° 23' P  
90° 02' M

POINSETTIA DRIVE  
50' R/W

5' PVC Mailbox  
not filled w/ concrete





7  
E-WIRE  
20


Joseph Depaulis  
2220 Poinsettia Drive  
Longwood, Florida 32779

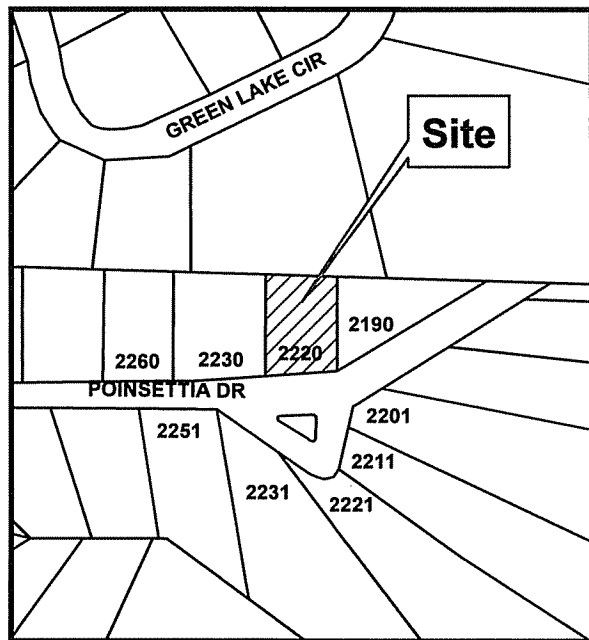


Seminole County Board of Adjustment  
April 28, 2008  
Case: BV2008-24 (Map 3154, Grid D2)  
Parcel No: 04-21-29-501-0000-0070

**Zoning**

-  BV2008-24
-  A-1
-  R-1AAA
-  R-1AA

N  




<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-865-7508</p>																																																																													
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 04-21-29-501-0000-0070</p> <p>Owner: DEPAULIS JOSEPH F</p> <p>Mailing Address: 2220 POINSETTA DR</p> <p>City,State,ZipCode: LONGWOOD FL 32779</p> <p>Property Address: 2220 POINSETTIA DR LONGWOOD 32779</p> <p>Subdivision Name: LAKE BRANTLEY ISLES AMENDED PLAT</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (1994)</p> <p>Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;"><b>2008 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$227,133</p> <p>Depreciated EXFT Value: \$2,060</p> <p>Land Value (Market): \$38,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$267,193</p> <p>Assessed Value (SOH): \$107,178</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$82,178</p> <p style="text-align: center;"><a href="#">Tax Estimator</a> <a href="#">Portability Calculator</a></p>																																																																											
<p style="text-align: center;"><b>SALES</b></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>QUIT CLAIM DEED</td> <td>09/1986</td> <td>01790</td> <td>0846</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;"><a href="#">Find Comparable Sales within this Subdivision</a></p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	09/1986	01790	0846	\$100	Improved	No	<p style="text-align: center;"><b>2007 VALUE SUMMARY</b></p> <p>Tax Amount(without SOH): \$3,766</p> <p><b>2007 Tax Bill Amount:</b> \$1,175</p> <p><b>Save Our Homes (SOH) Savings:</b> \$2,591</p> <p><b>2007 Taxable Value:</b> \$79,564</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																																													
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																																																							
QUIT CLAIM DEED	09/1986	01790	0846	\$100	Improved	No																																																																							
<p style="text-align: center;"><b>LAND</b></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>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>38,000.00</td> <td>\$38,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	38,000.00	\$38,000	<p style="text-align: center;"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 7 LAKE BRANTLEY ISLES AMENDED PLAT</p> <p>PB 9 PG 67</p>																																																															
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																																								
LOT	0	0	1.000	38,000.00	\$38,000																																																																								
<p style="text-align: center;"><b>BUILDING INFORMATION</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Bld</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1985</td> <td>6</td> <td>1,292</td> <td>2,465</td> <td>1,880</td> <td>CB/STUCCO. FINISH</td> <td>\$227,133</td> <td>\$249,597</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">BASE SEMI FINISHED / 388</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">BASE / 200</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">OPEN PORCH FINISHED / 85</td> </tr> <tr> <td colspan="3"></td> <td>Appendage / Sqft</td> <td colspan="6">DETACHED GARAGE FINISHED / 500</td> </tr> </tbody> </table> <p><b>NOTE:</b> Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p><b>Permits</b></p>		Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1985	6	1,292	2,465	1,880	CB/STUCCO. FINISH	\$227,133	\$249,597				Appendage / Sqft	BASE SEMI FINISHED / 388									Appendage / Sqft	BASE / 200									Appendage / Sqft	OPEN PORCH FINISHED / 85									Appendage / Sqft	DETACHED GARAGE FINISHED / 500						<p style="text-align: center;"><b>EXTRA FEATURE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Year Bld</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>FIREPLACE</td> <td>1985</td> <td>1</td> <td>\$850</td> <td>\$2,000</td> </tr> <tr> <td>WOOD DECK</td> <td>1995</td> <td>504</td> <td>\$1,210</td> <td>\$2,520</td> </tr> </tbody> </table>	Description	Year Bld	Units	EXFT Value	Est. Cost New	FIREPLACE	1985	1	\$850	\$2,000	WOOD DECK	1995	504	\$1,210	\$2,520
Bld Num	Bld Type	Year Bld	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																																				
1	SINGLE FAMILY	1985	6	1,292	2,465	1,880	CB/STUCCO. FINISH	\$227,133	\$249,597																																																																				
			Appendage / Sqft	BASE SEMI FINISHED / 388																																																																									
			Appendage / Sqft	BASE / 200																																																																									
			Appendage / Sqft	OPEN PORCH FINISHED / 85																																																																									
			Appendage / Sqft	DETACHED GARAGE FINISHED / 500																																																																									
Description	Year Bld	Units	EXFT Value	Est. Cost New																																																																									
FIREPLACE	1985	1	\$850	\$2,000																																																																									
WOOD DECK	1995	504	\$1,210	\$2,520																																																																									
<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad</p>																																																																													



**PLANNING AND DEVELOPMENT DEPARTMENT**

**BUILDING AND FIRE INSPECTIONS**



January 23, 2008

**HAND DELIVERY**

Joseph F. Depaulis  
2220 Poinsettia Drive  
Longwood, FL 32779

**RE: Parcel ID #04-21-29-501-0000-0070/ 2220 Poinsettia Drive, Longwood, FL  
Case #07-359**

Dear Property Owner and all Interested Parties:

This is to advise you that Case #07-359, at the above described property, has yet to be resolved and the following violation(s) of the Florida Building Code have been identified.

**“Construction of a carport type structure and adding a play house to the top of the structure without permits”**

Each violation shall be corrected by February 3, 2008. Failure to comply will result in formal charges being brought before the Seminole County Code Enforcement Board. The Board has been granted the authority to levy fines in an amount up to \$250.00 per day for every day the violation(s) exists.

Please contact Tom Helle at 407-665-7338 for any further information. Thank you for your cooperation in this matter.

Sincerely,

Tom Helle,  
Deputy Building Official

TH/tb

**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

Please provide the information as requested below in accordance with Ordinance No. 07-23:

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: Joseph DePaulis  
Address: 2220 Poinsettia DR  
City/Zip: Longwood 32799  
Phone #: 407-448-4838

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
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: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
Address: \_\_\_\_\_

Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
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: \_\_\_\_\_  
Trustees: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

Beneficiaries: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

(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: \_\_\_\_\_  
City/Zip: \_\_\_\_\_ City/Zip: \_\_\_\_\_

(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: \_\_\_\_\_  
City/Zip: \_\_\_\_\_ City/Zip: \_\_\_\_\_

(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 rezoning, 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.

2-27-08  
Date

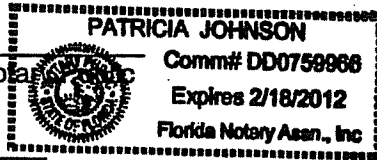
*Joseph [Signature]*  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 27<sup>th</sup> day of February, 2008 by \_\_\_\_\_

*Patricia Johnson*  
Signature of Notary Public

Print, Type or Stamp Name of Notary Public



Personally Known \_\_\_\_\_ OR Produced Identification   
Type of Identification Produced FLA. DRIVER LICENSE

**For Use by Planning & Development Staff**

Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On April 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 7 LAKE BRANTLEY ISLES AMENDED PLAT PB 9 PG 67

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

**FINDINGS OF FACT**

**Property Owner:** JOSEPH F DEPAULIS  
2220 POINSETTIA DR  
LONGWOOD FL 32779

**Project Name:** Poinsettia Drive (2220)

**Requested Development Approval:**

Request for 1) a rear yard setback variance from 30 feet to 0 feet and 2) a side yard (west) setback variance from 10 feet to 0 feet for an existing carport/playhouse structure in R-1AA (Single Family Dwelling) district.

All six criteria for granting a variance under the Land Development Code have been satisfied.

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 playhouse 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:

**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On April 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 7 LAKE BRANTLEY ISLES AMENDED PLAT PB 9 PG 67

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

**FINDINGS OF FACT**

**Property Owner:** JOSEPH F DEPAULIS  
2220 POINSETTIA DR  
LONGWOOD FL 32779

**Project Name:** Poinsettia Drive (2220)

**Requested Development Approval:**

Request for 1) a rear yard setback variance from 30 feet to 0 feet and 2) a side yard (west) setback variance from 10 feet to 0 feet for an existing carport/playhouse structure in R-1AA (Single Family Dwelling) district.

The Development Approval was sought to bring into compliance the construction of a playhouse within the side and rear yard setbacks. One or more of the six criteria under the Land Development Code for granting a variance have not been satisfied. The applicant still retains reasonable use of the property without the granting of the requested variance.

**ORDER**

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 DENIAL DEVELOPMENT ORDER

On April 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 7 LAKE BRANTLEY ISLES AMENDED PLAT PB 9 PG 67

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

### FINDINGS OF FACT

**Property Owner:** JOSEPH F DEPAULIS  
2220 POINSETTIA DR  
LONGWOOD FL 32779

**Project Name:** Poinsettia Drive (2220)

### Requested Development Approval:

Request for 1) a rear yard setback variance from 30 feet to 0 feet and 2) a side yard (west) setback variance from 10 feet to 0 feet for an existing carport/playhouse structure in R-1AA (Single Family Dwelling) district.

The Development Approval was sought to bring into compliance the construction of a playhouse within the side and rear yard setbacks. One or more of the six criteria under the Land Development Code for granting a variance have not been satisfied. The applicant still retains reasonable use of the property without the granting of the requested variance.

### ORDER

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

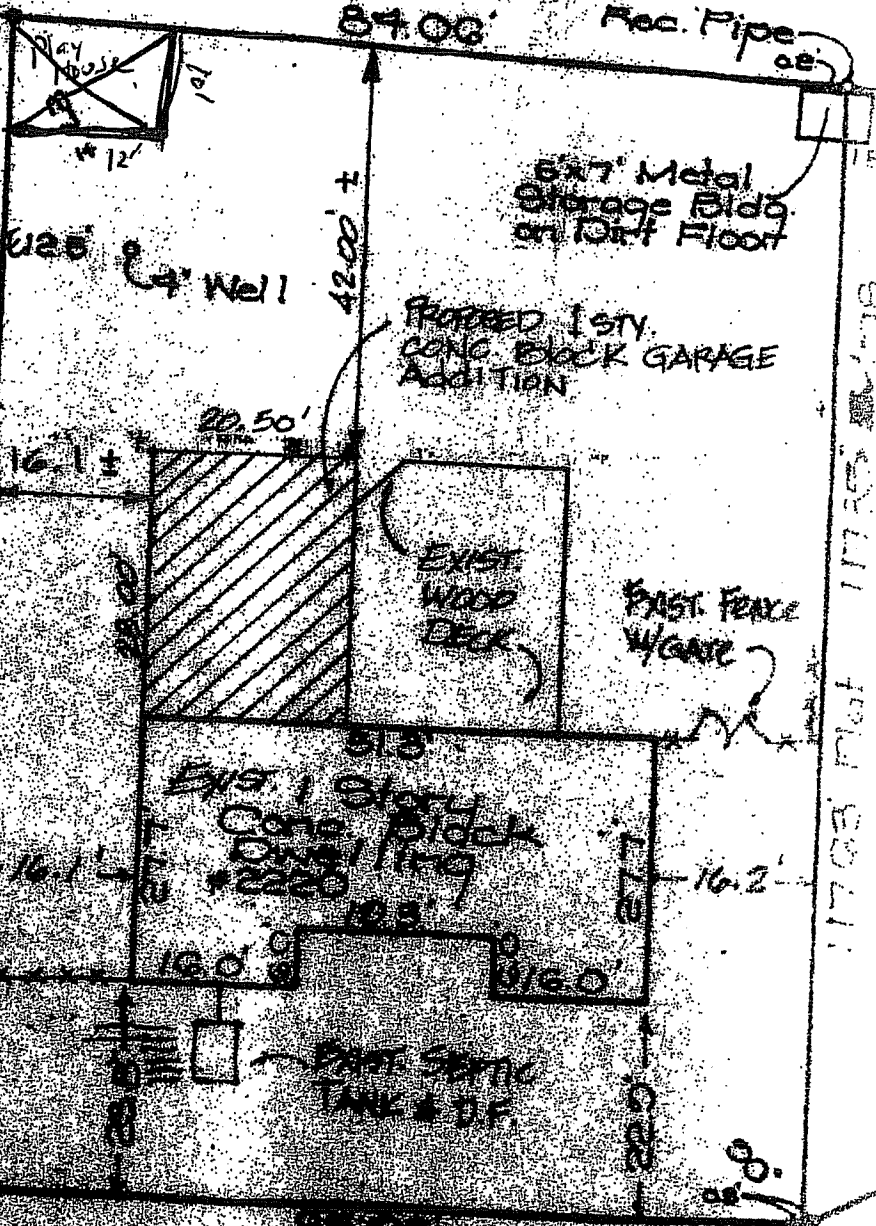
My Commission Expires:

Iron Rod  
w/ Cap 2108

NOT PLATTED



SUBJECT  
PLAY HOUSE



510

40' 23" P  
90' 02" A

POINSETTIA DRIVE

5' PVC Mailbox  
Post 11' 00" w/ Cap

7  
WIRE