

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 1118 North Black Acre Court – Scott Phillips, applicant; Request for a side yard (east) setback variance from 20 feet to 10.76 feet for a proposed addition in RC-1 (Country Homes) district.

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

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

Agenda Date 5/19/08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Deny** the request for a side yard (east) setback variance from 20 feet to 10.76 feet for a proposed addition in RC-1 (Country Homes) district; or
2. **Approve** the request for a side yard (east) setback variance from 20 feet to 10.76 feet for a proposed addition in RC-1 (Country Homes) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning: Subdivision:	Scott Phillips 1118 North Black Acre Court RC-1 (Country Homes) Winter Springs
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is proposing to construct an addition that will encroach 9.24 feet into the 20-foot required side yard setback. • In 1971 when the house was constructed the side setbacks for RC-1 Country Homes zoning classification were 10 feet. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property. 	

Reviewed by:
Co Atty: _____
Pln Mgr: _____

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 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">• Any variance granted shall apply only to the addition as depicted on the attached site plan; and• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.

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

Application # BV 2008-44
Meeting Date 5-19-08



2201
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: Scott L. Phillips
Address: 1118 N- Black Acrc Ct. City: Winter Springs Zip code: 32708
Project Address: ↑ City: _____ Zip code: _____
Contact number(s): (407) 718-7520 (321) 228-3630
Email address: POOLMAN93@CFL.RR.COM

Is the property available for inspection without an appointment?

Yes No If gated please provide a gate code to staff.

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe: RECEIVED APR 10 2008
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>MASTER Bedroom + BATH</u>
<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.	

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:	Proposed setback:	<u>16.76'</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 type="checkbox"/> Total number of variances requested <u>1</u>			

NO 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: Scott L. Phillips

FOR OFFICE USE ONLY

Date Submitted: 4-10-08 Reviewed By: P. Johnson / DG
 Tax parcel number: 13-21-30-502-0800-0110 Zoning/FLU RC-1 / LDR
 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: Side setback was 10' in 1971 when house was constructed.

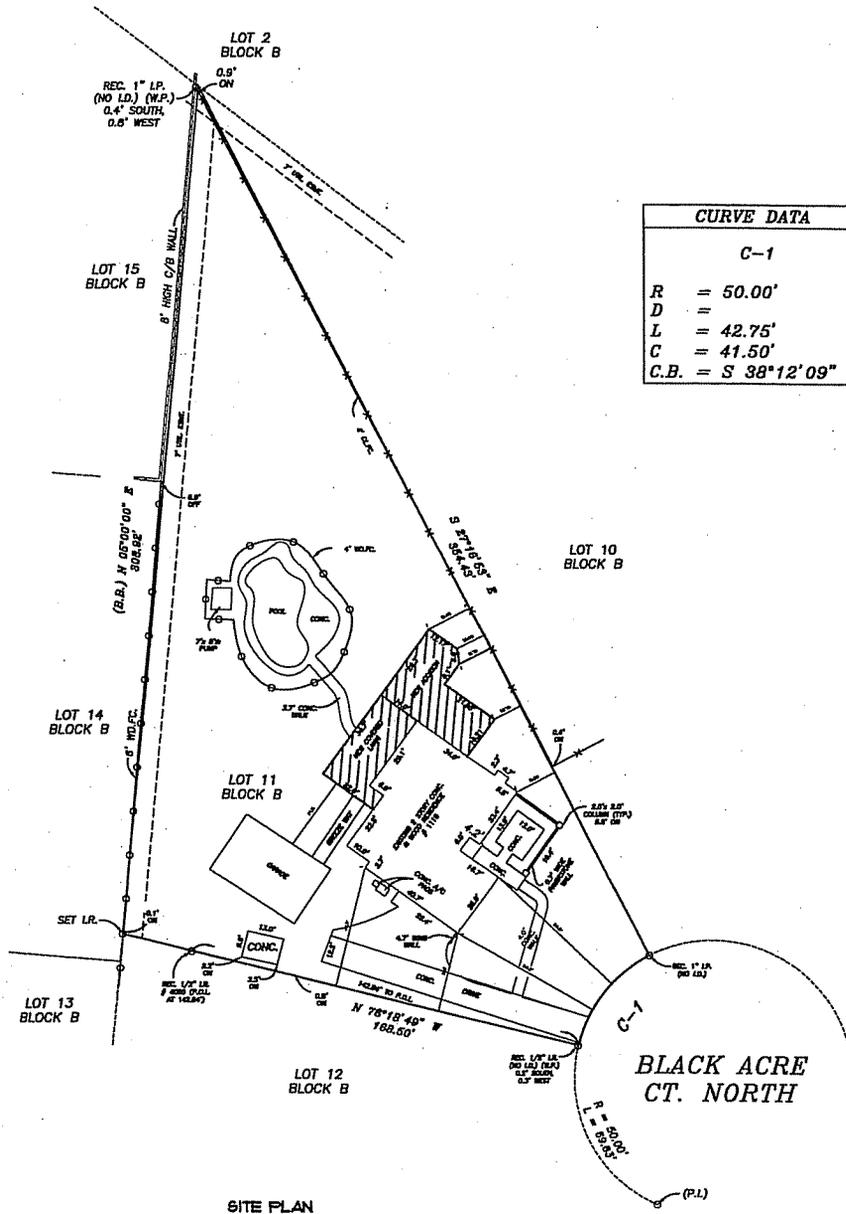
VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

<p>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.</p>	
✓	1. Completed application.
X	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. View a site plan online 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 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.

DESCRIPTION AS FURNISHED: Lot 11, Block B, WINTER SPRINGS, according to the plat thereof as recorded in Plat Book 15, Pages 81 and 82 of the Public Records of Seminole County, Florida.

BOUNDARY SURVEY FOR / CERTIFIED TO: Commonwealth Land Title Insurance Company; Ohio Savings Bank; Scott L. Phillips and Thyra Phillips; The Closing Agent, Inc.



CURVE DATA	
C-1	
R	= 50.00'
D	=
L	= 42.75'
C	= 41.50'
C.B.	= S 38°12'09" W

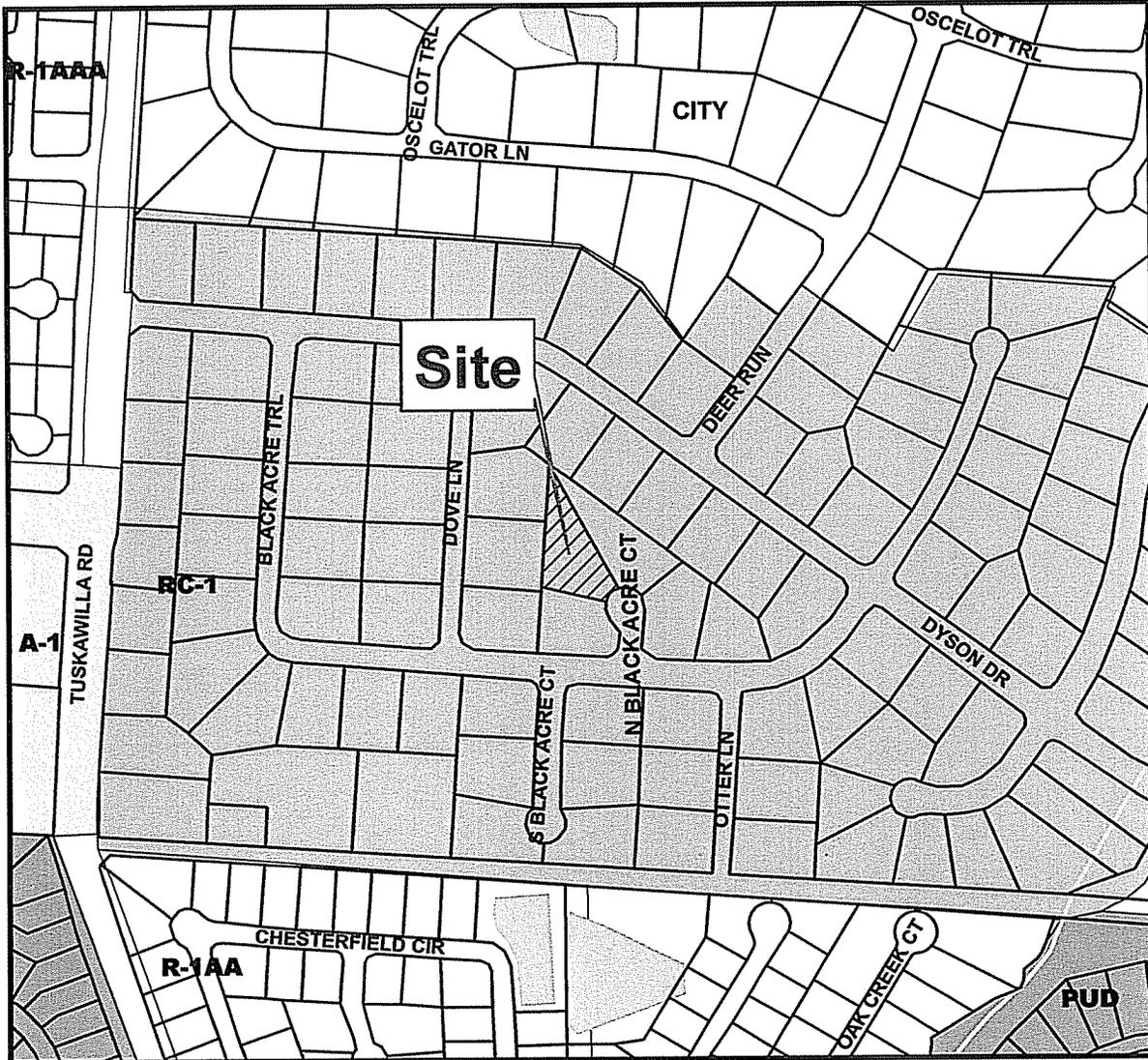


SITE PLAN

NOTE: THIS PLAN IS FOR LOCATION OF NEW ADDITION ONLY

SHT. NO. 87-1	HOUSE ADDITION PLAN	SCALE:	DATE: 3-13-08	SHEET TITLE
	1118 BLACK ACRE CT. WINTER SPRINGS, FLORIDA	1" = 20'	DRAWN BY:	SITE PLAN
			REVISED:	
			REVISED:	
			REVISED:	
				HMD ENTERPRISES INC DESIGN & CONSTRUCTION PO BOX 951842 LAKE MARY, FL 32795-1842 (407) 805-0809

Scott Phillips
 1118 N. Black Acre Court
 Winter Springs, Florida 32708

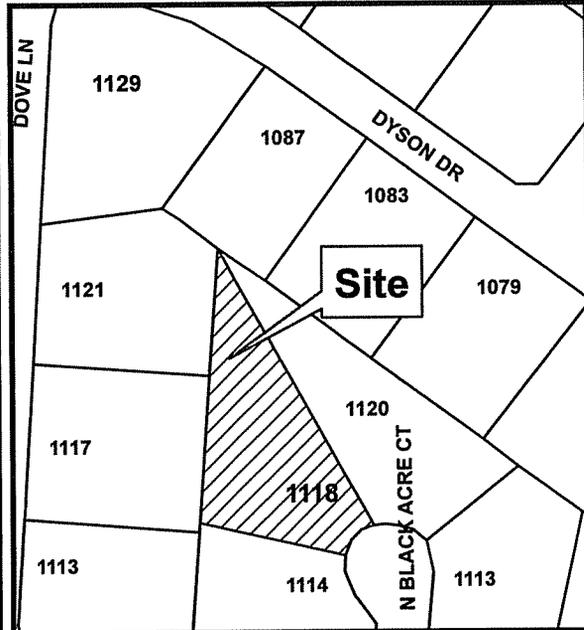


Seminole County Board of Adjustment
 May 19, 2008
 Case: BV2008-44 (Map 3158, Grid C7)
 Parcel No: 13-21-30-502-0B00-0110

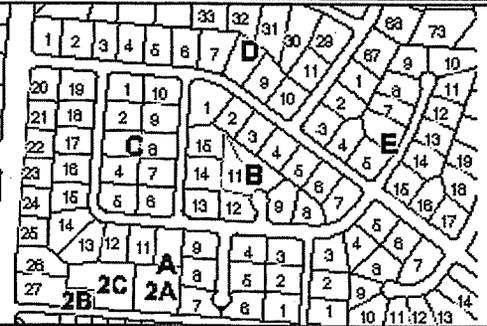
Zoning

BV2008-44	R-1AA	C-1
A-1	R-1A	PUD
RC-1	RP1	PCD
R-1AAA	OP	

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 style="text-align: center;">GENERAL</p> <p>Parcel Id: 13-21-30-502-0B00-0110</p> <p>Owner: PHILLIPS SCOTT L & THYRA</p> <p>Mailing Address: 1118 N BLACK ACRE CT</p> <p>City,State,ZipCode: WINTER SPRINGS FL 32708</p> <p>Property Address: 1118 BLACK ACRE CT N WINTER SPRINGS 32708</p> <p>Subdivision Name: WINTER SPRINGS</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (2007)</p> <p>Dor: 01-SINGLE FAMILY</p>	<p style="text-align: center;">2008 WORKING VALUE SUMMARY</p> <p>Amendment 1 impact not reflected.</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$279,330</p> <p>Depreciated EXFT Value: \$7,980</p> <p>Land Value (Market): \$100,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$387,310</p> <p>Assessed Value (SOH): \$387,310</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$362,310</p> <p style="text-align: center;">Tax Estimator</p> <p style="text-align: center;">Portability Calculator</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>04/2006</td> <td><u>06224</u></td> <td><u>1507</u></td> <td>\$532,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1998</td> <td><u>03455</u></td> <td><u>1777</u></td> <td>\$175,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1997</td> <td><u>03197</u></td> <td><u>0375</u></td> <td>\$170,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1996</td> <td><u>03096</u></td> <td><u>1203</u></td> <td>\$153,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1991</td> <td><u>02350</u></td> <td><u>1711</u></td> <td>\$150,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1991</td> <td><u>02314</u></td> <td><u>0073</u></td> <td>\$154,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1983</td> <td><u>01493</u></td> <td><u>0469</u></td> <td>\$110,300</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td><u>01111</u></td> <td><u>0078</u></td> <td>\$54,500</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	04/2006	<u>06224</u>	<u>1507</u>	\$532,000	Improved	Yes	WARRANTY DEED	06/1998	<u>03455</u>	<u>1777</u>	\$175,000	Improved	Yes	WARRANTY DEED	02/1997	<u>03197</u>	<u>0375</u>	\$170,000	Improved	Yes	WARRANTY DEED	06/1996	<u>03096</u>	<u>1203</u>	\$153,000	Improved	Yes	WARRANTY DEED	10/1991	<u>02350</u>	<u>1711</u>	\$150,000	Improved	No	WARRANTY DEED	06/1991	<u>02314</u>	<u>0073</u>	\$154,000	Improved	No	WARRANTY DEED	09/1983	<u>01493</u>	<u>0469</u>	\$110,300	Improved	Yes	WARRANTY DEED	01/1977	<u>01111</u>	<u>0078</u>	\$54,500	Improved	Yes	<p style="text-align: center;">2007 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$4,598</p> <p>2007 Tax Bill Amount: \$4,598</p> <p>Save Our Homes (SOH) Savings: \$0</p> <p>2007 Taxable Value: \$311,344</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>														
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																																																								
WARRANTY DEED	04/2006	<u>06224</u>	<u>1507</u>	\$532,000	Improved	Yes																																																																								
WARRANTY DEED	06/1998	<u>03455</u>	<u>1777</u>	\$175,000	Improved	Yes																																																																								
WARRANTY DEED	02/1997	<u>03197</u>	<u>0375</u>	\$170,000	Improved	Yes																																																																								
WARRANTY DEED	06/1996	<u>03096</u>	<u>1203</u>	\$153,000	Improved	Yes																																																																								
WARRANTY DEED	10/1991	<u>02350</u>	<u>1711</u>	\$150,000	Improved	No																																																																								
WARRANTY DEED	06/1991	<u>02314</u>	<u>0073</u>	\$154,000	Improved	No																																																																								
WARRANTY DEED	09/1983	<u>01493</u>	<u>0469</u>	\$110,300	Improved	Yes																																																																								
WARRANTY DEED	01/1977	<u>01111</u>	<u>0078</u>	\$54,500	Improved	Yes																																																																								
<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td>0</td> <td>0</td> <td>1.000</td> <td>100,000.00</td> <td>\$100,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	100,000.00	\$100,000	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/> </p> <p>LEG LOT 11 BLK B WINTER SPRINGS PB 15 PG 81</p>																																																																	
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																																									
LOT	0	0	1.000	100,000.00	\$100,000																																																																									
<p style="text-align: center;">BUILDING INFORMATION</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Building Sketch</th> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</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></td> <td>1</td> <td>SINGLE FAMILY</td> <td>1971</td> <td>9</td> <td>1,216</td> <td>5,552</td> <td>2,341</td> <td>CONC BLOCK</td> <td>\$279,330</td> <td>\$339,611</td> </tr> <tr> <td></td> <td></td> <td>Appendage / Sqft</td> <td colspan="8">GARAGE FINISHED / 675</td> </tr> <tr> <td></td> <td></td> <td>Appendage / Sqft</td> <td colspan="8">OPEN PORCH FINISHED / 24</td> </tr> <tr> <td></td> <td></td> <td>Appendage / Sqft</td> <td colspan="8">SCREEN PORCH FINISHED / 684</td> </tr> <tr> <td></td> <td></td> <td>Appendage / Sqft</td> <td colspan="8">OPEN PORCH FINISHED / 100</td> </tr> <tr> <td></td> <td></td> <td>Appendage / Sqft</td> <td colspan="8">UPPER STORY FINISHED / 1125</td> </tr> </tbody> </table>		Building Sketch	Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New		1	SINGLE FAMILY	1971	9	1,216	5,552	2,341	CONC BLOCK	\$279,330	\$339,611			Appendage / Sqft	GARAGE FINISHED / 675										Appendage / Sqft	OPEN PORCH FINISHED / 24										Appendage / Sqft	SCREEN PORCH FINISHED / 684										Appendage / Sqft	OPEN PORCH FINISHED / 100										Appendage / Sqft	UPPER STORY FINISHED / 1125							
Building Sketch	Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																																				
	1	SINGLE FAMILY	1971	9	1,216	5,552	2,341	CONC BLOCK	\$279,330	\$339,611																																																																				
		Appendage / Sqft	GARAGE FINISHED / 675																																																																											
		Appendage / Sqft	OPEN PORCH FINISHED / 24																																																																											
		Appendage / Sqft	SCREEN PORCH FINISHED / 684																																																																											
		Appendage / Sqft	OPEN PORCH FINISHED / 100																																																																											
		Appendage / Sqft	UPPER STORY FINISHED / 1125																																																																											

Appendage / Sqft DETACHED GARAGE FINISHED / 864
Appendage / Sqft UTILITY FINISHED / 864

NOTE: *Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished*

Permits

EXTRA FEATURE				
Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1971	1	\$800	\$2,000
POOL GUNITE	1984	800	\$6,400	\$16,000
COOL DECK PATIO	1984	306	\$428	\$1,071
WOOD DECK	1984	176	\$352	\$880

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.*

**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: Scott L. Phillips
Address: 1118 N. Black Acre Ct.
Phone #: (407) 718-7520

Name: Thyra Phillips
Address: 1118 N. Black Acre Ct.
Phone #: (407) 699-4843

Name: _____
Address: _____
Phone #: _____

Name: _____
Address: _____
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: _____
Directors: _____
Address: _____
Shareholders: _____
Address: _____

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

Beneficiaries: _____
Address: _____

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT**

4. 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.

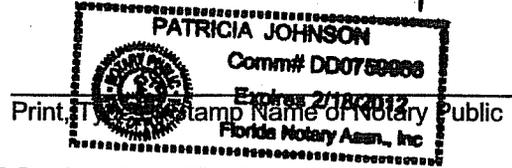
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezoning, future land use amendment, special exception, or variance involved with 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.

4/10/08
Date _____ Scott J. Phillips
Owner, Agent, Applicant Signature _____

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 10th day of April, 2008 by Scott Phillips

Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification
Type of Identification Produced P412-792-67-288-D

For Use by Planning & Development Staff

Date: _____ Application Number: _____

April 10, 2008
The Seminole County Planning and Development Department
Seminole County, Florida

Re: Scott & Thyra Phillips House Addition

To Whom It May Concern:

I Walter J. Barrett *Wilma H. Barrett* am aware of the house addition the Phillips family is proposing at their home whose address is, 1118 North Black Acre Court. I am the neighbor whose property is directly adjoining the Phillips property. My property is Lot #10 Block B, 1120 North Black Acre Court. I have seen the plans for this addition and am not apposed to it in anyway.

Sincerely,

Walter J. Barrett
Wilma H. Barrett

**SEMINOLE COUNTY DENIAL DEVELOPMENT
ORDER**

On May 19, 1998, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 11 BLK B WINTER SPRINGS PB 15 PG 81

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

FINDINGS OF FACT

Property Owner: SCOTT L & THYRA PHILLIPS
1118 BLACK ACRE CT N
WINTER SPRINGS FL 32708

Project Name: North Black Acre (1118)

Requested Development Approval:

Request for a side yard (east) setback variance from 20 feet to 10.76 feet for a proposed addition in RC-1 (Country Homes) district.

The Development Approval was sought to construct an addition within the side yard setback. 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.

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 May 19, 2998, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 11 BLK B WINTER SPRINGS PB 15 PG 81

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

FINDINGS OF FACT

Property Owner: SCOTT L & THYRA PHILLIPS
1118 BLACK ACRE CT N
WINTER SPRINGS FL 32708

Project Name: North Black Acre (1118)

Requested Development Approval:

Request for a side yard (east) setback variance from 20 feet to 10.76 feet for a proposed addition in RC-1 (Country Homes) 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 addition as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
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:

