

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 pool 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

COPY

Application # BV2008-98
Meeting Date 10/27/08



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: ISLAM (JOHN) & MATAPE KAPRIU

Address: 120 LAKE BREEZE CIR

City: LAKE MARY Zip code: 32746

Project Address: SAME

City: _____ Zip code: _____

Contact number(s): 407-340-4163

OUTDOOR LIVING POOL & PATIO

Email address: _____

386-957-4184

BLUCE McFAULIN

Is the property available for inspection without an appointment?

Yes

No

If gated please provide a gate code to staff.

(2 WOOD GATES, NO LOCKS)

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input checked="" type="checkbox"/> Pool	Please describe: <u>10'x28' INGROUND CONCR. POOL, NO SCR.N.</u>
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	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.	

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 <u>TO POOL</u>	Required setback:	<u>10'</u>	Proposed setback: <u>2'-3"</u>
<input checked="" type="checkbox"/> Side yard setback <u>TO POOL</u>	Required setback:	<u>10'</u>	Proposed setback: <u>6'-6"</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>2</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:

John Leeper

PLAT OF BOUNDARY SURVEY

DESCRIPTION (As Furnished)

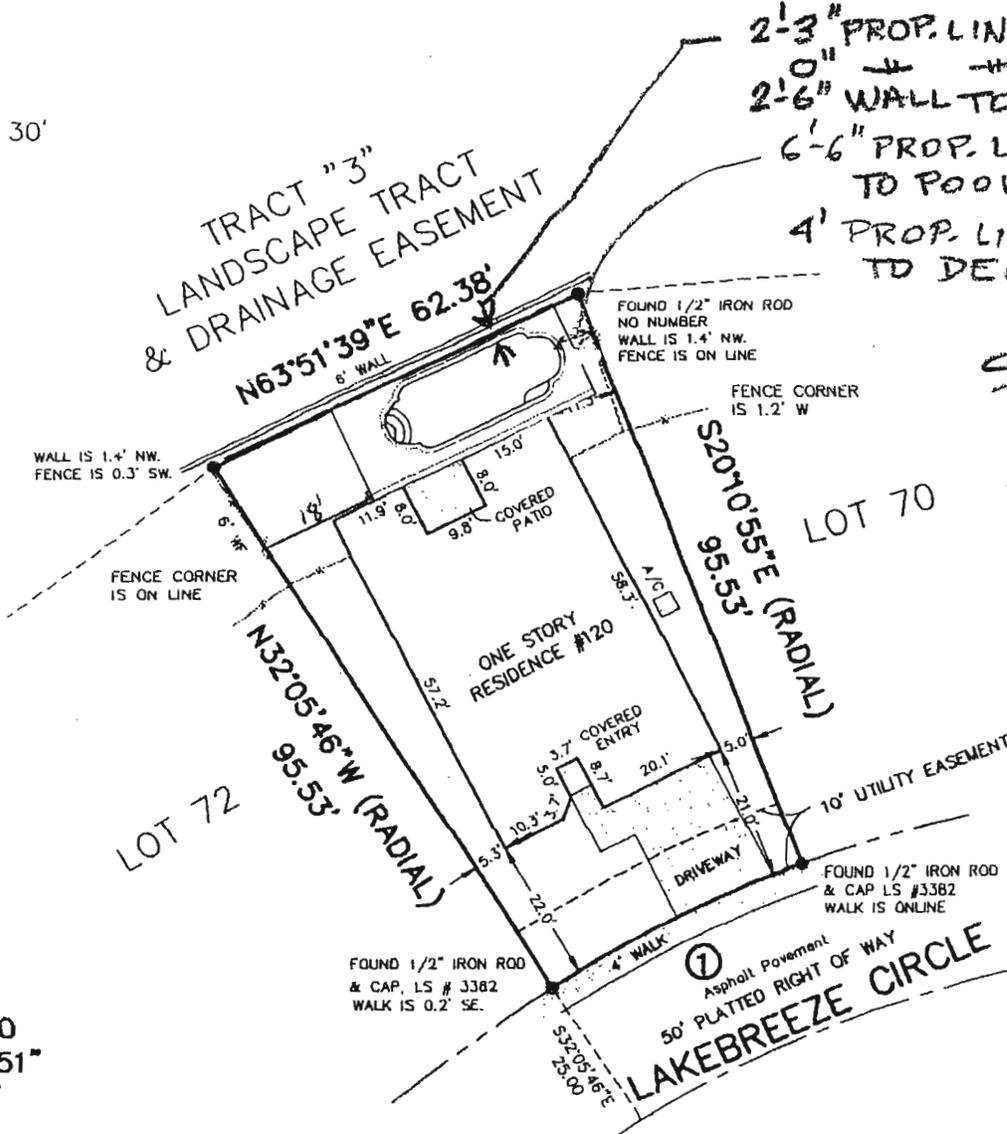
LOT 71, LAKEMEW VILLAGE, according to the plat thereof as recorded in Plat Book 38, Pages 86-89 of the Public Records of Seminole County, Florida,

SCALE: 1" = 30'

TRACT "3"
LANDSCAPE TRACT
& DRAINAGE EASEMENT

2'-3" PROP. LINE TO POOL
0" — — — TO DECK
2'-6" WALL TO POOL
6'-6" PROP. LINE TO POOL
4' PROP. LINE TO DECK

SCALE
1" = 30'



①
R=205.00
Δ=11°54'51"
L=42.63'

FOUND 1/2" IRON ROD
& CAP, LS # 3382
WALK IS 0.2' SE.

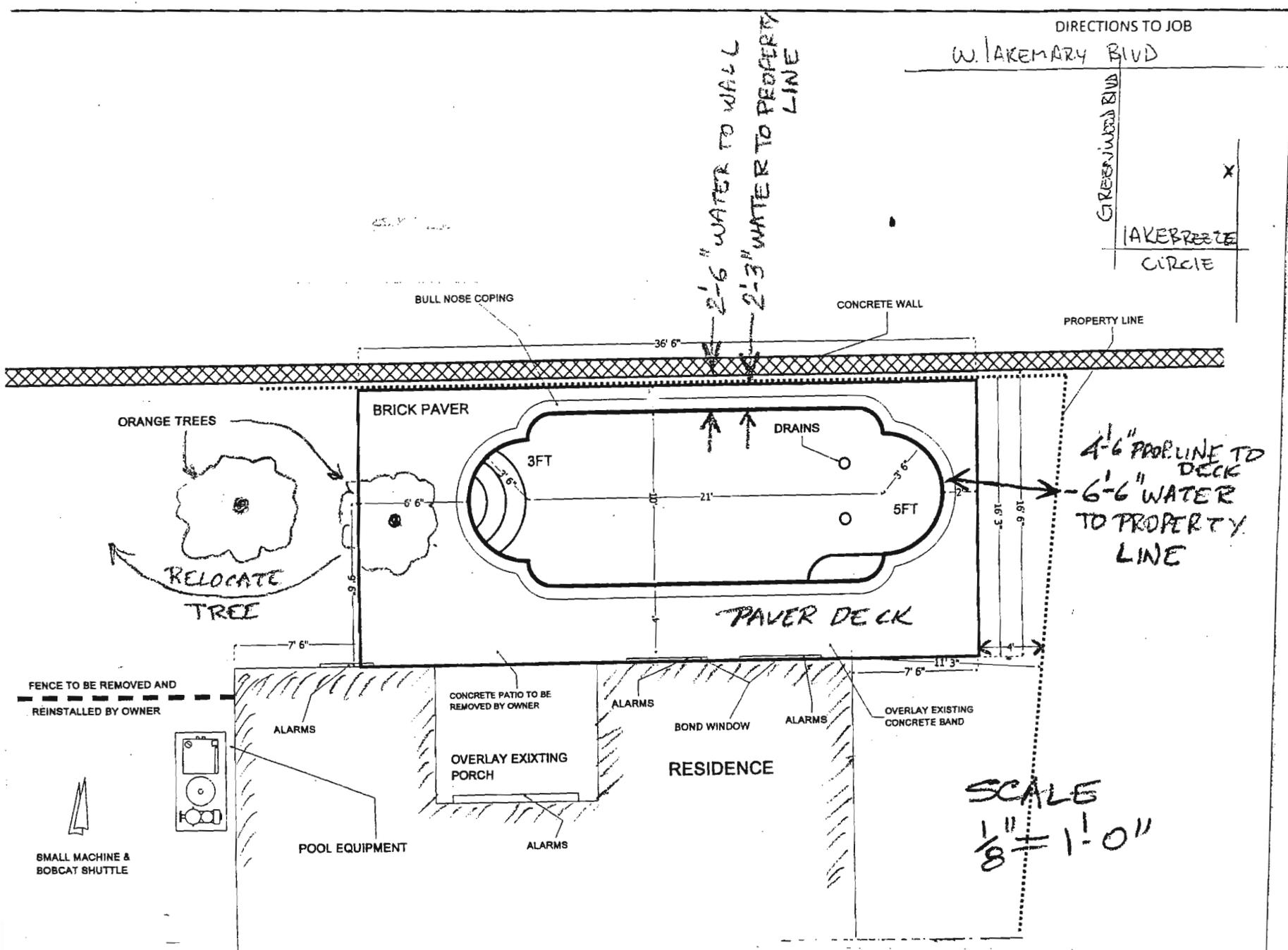
⑦
Asphalt Pavement
50' PLATTED RIGHT OF WAY
LAKEBREEZE CIRCLE

L=62.88'
R=180.00'
Δ=20°00'53"

CENTERLINE PRC
FOUND MAIL &
DISK LS # 2700

NOTE: A TITLE COMMITMENT, WHICH MAY OR MAY NOT REFLECT ADDITIONAL DOCUMENTATION, HAS NOT BEEN FURNISHED TO THIS FIRM, THEREFORE, NO ADDITIONAL DOCUMENTATION WHICH MAY OR MAY NOT AFFECT THIS SURVEY HAS BEEN REFLECTED ON THIS SURVEY. IF ADDITIONAL DOCUMENTATION IS FURNISHED, THIS SURVEY MAY BE SUBJECT TO CHANGE.

CERTIFIED TO:
ISLAM KADRIU & MATAPE KADRIU
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
SUNBELT TITLE AGENCY
PARAMOUNT FINANCIAL, INC.



ADDITIONAL NOTES FOR CONSTRUCTION:
 TILE: ONX - RUBY6 / NPT

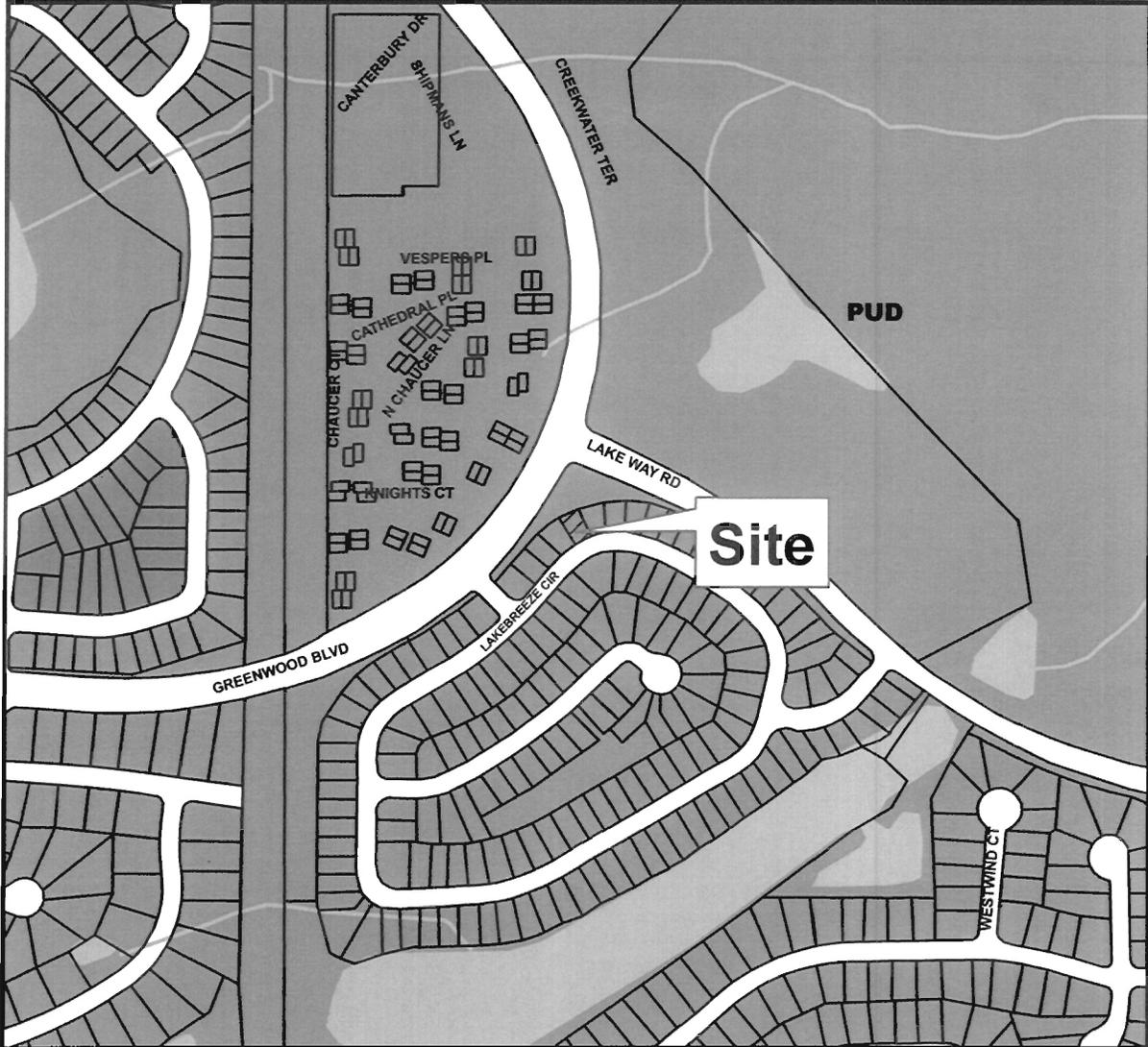
Elevation _____
 Benchmark _____
 CONSTRUCTION REVIEW AND APPROVALS:
 Permit _____
 Manager _____
 Revision _____

CLIENT APPROVAL - This design, specifications and elevation are approved for construction.

Signature _____ Date _____

Haul	Shuttle	Sm Mach	DBL Steel
------	---------	---------	-----------

Islam (John) and Matape Kadriu
120 Lakebreeze Circle
Lake Mary, Florida 32746



Seminole County Board of Adjustment
October 27, 2008
Case: BV2008-98 (Map 3103, Grid D3)
Parcel No: 17-20-30-505-0000-0710

Zoning

-  BV2008-98
-  PUD



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																		
<p align="center">GENERAL</p> <p>Parcel Id: 17-20-30-505-0000-0710 Owner: KADRIU ISLAM & MATAPE Mailing Address: 120 LAKEBREEZE CIR City,State,ZipCode: LAKE MARY FL 32746 Property Address: 120 LAKEBREEZE CIR LAKE MARY 32746 Subdivision Name: LAKEVIEW VILLAGE Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2005) Dor: 01-SINGLE FAMILY</p>		<p align="center">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>VALUES</th> <th>2008 Working</th> <th>2007 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td>Cost/Market</td> <td>Cost/Market</td> </tr> <tr> <td>Number of Buildings</td> <td align="center">1</td> <td align="center">1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td align="right">\$154,199</td> <td align="right">\$181,693</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Land Value (Market)</td> <td align="right">\$34,000</td> <td align="right">\$37,000</td> </tr> <tr> <td>Land Value Ag</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Just/Market Value</td> <td align="right">\$188,199</td> <td align="right">\$218,693</td> </tr> <tr> <td>Portability Adj</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td align="right">\$24,703</td> <td align="right">\$59,959</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td align="right">\$163,496</td> <td align="right">\$158,734</td> </tr> </tbody> </table> <p align="center">Tax Estimator Portability Calculator 2008 Notice of Proposed Property Tax</p>	VALUES	2008 Working	2007 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$154,199	\$181,693	Depreciated EXFT Value	\$0	\$0	Land Value (Market)	\$34,000	\$37,000	Land Value Ag	\$0	\$0	Just/Market Value	\$188,199	\$218,693	Portability Adj	\$0	\$0	Save Our Homes Adj	\$24,703	\$59,959	Assessed Value (SOH)	\$163,496	\$158,734															
VALUES	2008 Working	2007 Certified																																																
Value Method	Cost/Market	Cost/Market																																																
Number of Buildings	1	1																																																
Depreciated Bldg Value	\$154,199	\$181,693																																																
Depreciated EXFT Value	\$0	\$0																																																
Land Value (Market)	\$34,000	\$37,000																																																
Land Value Ag	\$0	\$0																																																
Just/Market Value	\$188,199	\$218,693																																																
Portability Adj	\$0	\$0																																																
Save Our Homes Adj	\$24,703	\$59,959																																																
Assessed Value (SOH)	\$163,496	\$158,734																																																
<p>2008 Taxes and Taxable Value Estimate</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Taxing Authority</th> <th>Assessment Value</th> <th>Exempt Values</th> <th>Taxable Value</th> <th>Millage</th> <th>Taxes</th> </tr> </thead> <tbody> <tr> <td>Cnty County</td> <td align="right">\$163,496</td> <td align="right">\$50,000</td> <td align="right">\$113,496</td> <td align="right">4.5153</td> <td align="right">\$512.47</td> </tr> <tr> <td>Schools</td> <td align="right">\$163,496</td> <td align="right">\$25,000</td> <td align="right">\$138,496</td> <td align="right">7.5430</td> <td align="right">\$1,044.68</td> </tr> <tr> <td>Fire</td> <td align="right">\$163,496</td> <td align="right">\$50,000</td> <td align="right">\$113,496</td> <td align="right">2.3299</td> <td align="right">\$264.43</td> </tr> <tr> <td>Road District</td> <td align="right">\$163,496</td> <td align="right">\$50,000</td> <td align="right">\$113,496</td> <td align="right">.1107</td> <td align="right">\$12.56</td> </tr> <tr> <td>SJWM(Saint Johns Water Management)</td> <td align="right">\$163,496</td> <td align="right">\$50,000</td> <td align="right">\$113,496</td> <td align="right">.4158</td> <td align="right">\$47.19</td> </tr> <tr> <td>Natural Lands/Trails I/S Debt</td> <td align="right">\$163,496</td> <td align="right">\$50,000</td> <td align="right">\$113,496</td> <td align="right">.1451</td> <td align="right">\$16.47</td> </tr> <tr> <td>Total</td> <td></td> <td></td> <td></td> <td align="right">15.0598</td> <td align="right">\$1,897.80</td> </tr> </tbody> </table>			Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes	Cnty County	\$163,496	\$50,000	\$113,496	4.5153	\$512.47	Schools	\$163,496	\$25,000	\$138,496	7.5430	\$1,044.68	Fire	\$163,496	\$50,000	\$113,496	2.3299	\$264.43	Road District	\$163,496	\$50,000	\$113,496	.1107	\$12.56	SJWM(Saint Johns Water Management)	\$163,496	\$50,000	\$113,496	.4158	\$47.19	Natural Lands/Trails I/S Debt	\$163,496	\$50,000	\$113,496	.1451	\$16.47	Total				15.0598	\$1,897.80
Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes																																													
Cnty County	\$163,496	\$50,000	\$113,496	4.5153	\$512.47																																													
Schools	\$163,496	\$25,000	\$138,496	7.5430	\$1,044.68																																													
Fire	\$163,496	\$50,000	\$113,496	2.3299	\$264.43																																													
Road District	\$163,496	\$50,000	\$113,496	.1107	\$12.56																																													
SJWM(Saint Johns Water Management)	\$163,496	\$50,000	\$113,496	.4158	\$47.19																																													
Natural Lands/Trails I/S Debt	\$163,496	\$50,000	\$113,496	.1451	\$16.47																																													
Total				15.0598	\$1,897.80																																													
<p>Potential Portability Amount is \$24,703 The taxable values and taxes are calculated using the current years working values and the proposed millage rates.</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>07/2004</td> <td>05410</td> <td>1061</td> <td>\$169,900</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/2001</td> <td>04150</td> <td>1883</td> <td>\$125,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1993</td> <td>02579</td> <td>1209</td> <td>\$92,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1989</td> <td>02093</td> <td>1988</td> <td>\$1,392,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	07/2004	05410	1061	\$169,900	Improved	Yes	WARRANTY DEED	07/2001	04150	1883	\$125,500	Improved	Yes	WARRANTY DEED	04/1993	02579	1209	\$92,000	Improved	Yes	WARRANTY DEED	08/1989	02093	1988	\$1,392,000	Vacant	No	<p align="center">2007 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$2,861 2007 Tax Bill Amount: \$1,975 Save Our Homes (SOH) Savings: \$886 2007 Taxable Value: \$133,734 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>														
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																												
WARRANTY DEED	07/2004	05410	1061	\$169,900	Improved	Yes																																												
WARRANTY DEED	07/2001	04150	1883	\$125,500	Improved	Yes																																												
WARRANTY DEED	04/1993	02579	1209	\$92,000	Improved	Yes																																												
WARRANTY DEED	08/1989	02093	1988	\$1,392,000	Vacant	No																																												
<p 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 align="center">0</td> <td align="center">0</td> <td align="center">1.000</td> <td align="right">34,000.00</td> <td align="right">\$34,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	34,000.00	\$34,000	<p align="center">LEGAL DESCRIPTION</p> <p>PLATS: Pick... LEG LOT 71 LAKEVIEW VILLAGE PB 38 PGS 86 TO 89</p>																																					
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																													
LOT	0	0	1.000	34,000.00	\$34,000																																													
<p>BUILDING INFORMATION</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <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>1</td> <td>SINGLE FAMILY</td> <td>1993</td> <td align="center">7</td> <td align="right">1,575</td> <td align="right">2,111</td> <td align="right">1,575</td> <td>CB/STUCCO FINISH</td> <td align="right">\$154,199</td> <td align="right">\$162,743</td> </tr> </tbody> </table> <p>Appendage / Sqft: OPEN PORCH FINISHED / 80 Appendage / Sqft: OPEN PORCH FINISHED / 20 Appendage / Sqft: GARAGE FINISHED / 436</p> <p><small>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</small></p> <p>Permits</p> <p><small>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.</small></p>			Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1993	7	1,575	2,111	1,575	CB/STUCCO FINISH	\$154,199	\$162,743																												
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																									
1	SINGLE FAMILY	1993	7	1,575	2,111	1,575	CB/STUCCO FINISH	\$154,199	\$162,743																																									

COMMISSION DISTRICT #:

GUI
PROJ. #

ZONED: PUD

SEC: 17

TWP: 20

RNG: 30

DEVELOPMENT: Lakeview Village		DEVELOPER: Del American Properties	
LOCATION: S side of Greenwood Boulevard and Lake Way Road, Tract J1 158 lots			
FILE#:	BA:	SP:	BCC: 2/24/87
P&Z:			
PB	38	PG	86-89
Lot		Bik	
		Parcel	
		DBA	
		Comm Dist	

DEVEL. ORDER #:	TAX PAR. I.D. #:
SIDEWALKS: Lake Emma Road – 5' wide.	SETBACK REQUIREMENTS
	FY: 20' SIDE ST.: SY: *0' RY: 15'
ROAD TYPE: (CURB & GUTTER OR SWALE)	MAIN STRUCTURE OTHER: *7' Min between structures Max. Height: 35' Min. House size: 650 sq. ft.
COMMENTS OTHER: 1) Must meet all of the requirements of the developer's agreement.	ACCESSORY STRUCTURE SETBACKS: SY: same as main structure RY: 5'
	ACCESSORY STRUCTURE OTHER: Note: Fireplaces and sidewalks may encroach setbacks a maximum of 30".

IMPACT FEES	
SCREEN:	Ordinance
TRAFFIC ZONE:	12
LAND USE:	1
1. ROAD-CO. WIDE	V-\$250.00
2. ROAD-COLL.	
3. LIBRARY	
4. FIRE	V-\$10.00
5. PARK	
6. SCHOOL	V-\$300.00
7. LAW	
8. DRAINAGE	
TOTAL	\$560.00
REMARKS: Write "Greenwood Lakes/Lake Mary Boulevard" at the top of the application.	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.



WELCOME TO STAY

WELCOME

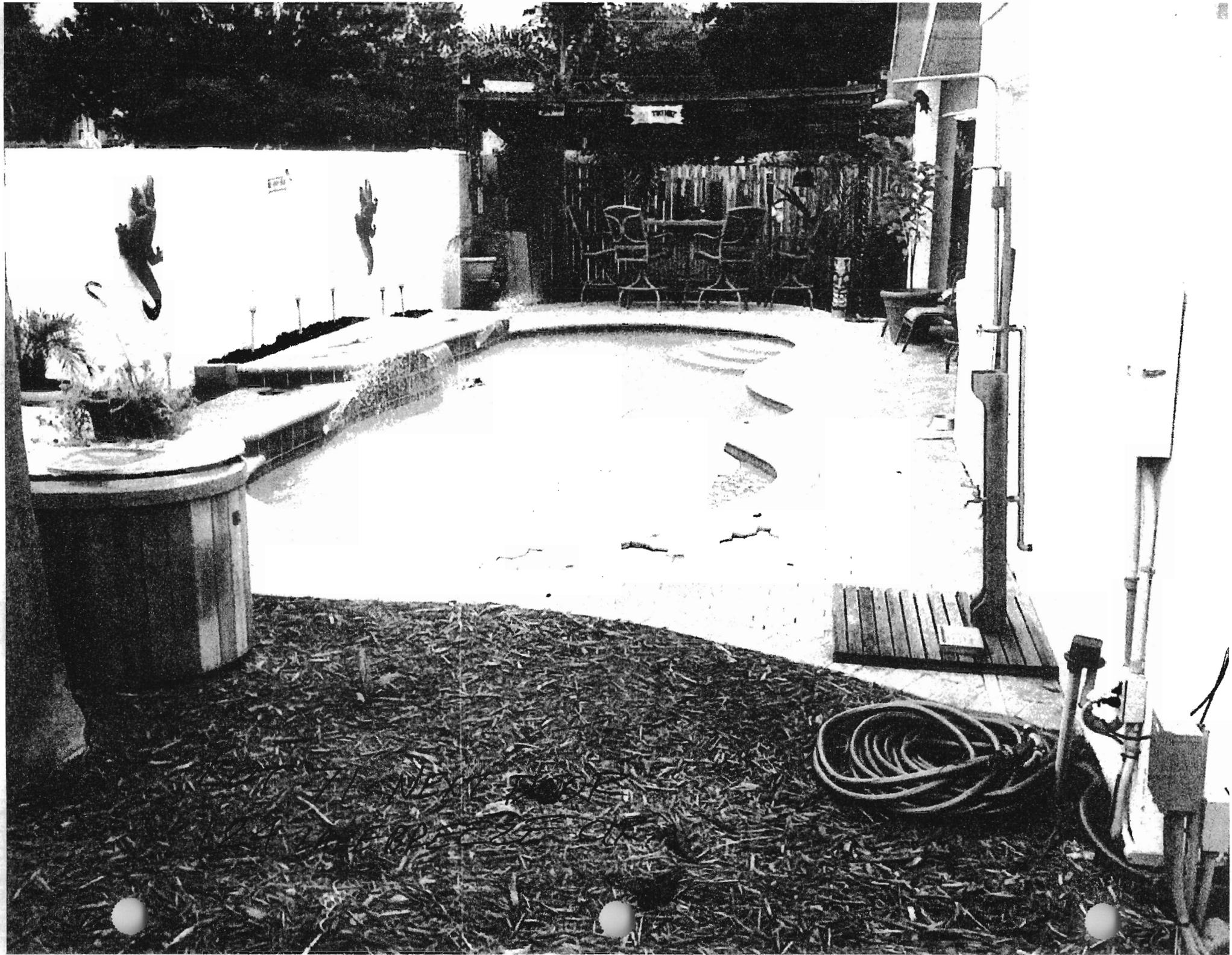
POOL & DECK
IN THIS AREA

TO BE
RELOCATED





VIEW IN BACK OF WALL



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: ISLAM (JOHN) KADRIU Name: _____
Address: 120 LAKEBREEZE CIR Address: _____
City/Zip: LAKE MARY FL 32746 City/Zip: _____
Phone #: 407-340-4163 Phone #: _____

Name: MATAPE KADRIU Name: _____
Address: 120 LAKEBREEZE CIR Address: _____
City/Zip: LAKE MARY FL 32746 City/Zip: _____
Phone #: 407-340-4163 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: _____
City/Zip: _____ City/Zip: _____
Directors: _____ Directors: _____
Address: _____ Address: _____
City/Zip: _____ City/Zip: _____
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: _____
Trustees: _____ Beneficiaries: _____
Address: _____ Address: _____
City/Zip: _____ 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.

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.

9/4/08
Date
x John Pedra
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF SEMINOLE

Sworn to (or affirmed) and subscribed before me this 4 day of SEPTEMBER, 2008 by ISLAM KADRIU

Kristina MacFarlane _____
Signature of Notary Public Print, Type or Stamp Name of Notary Public



Personally Known _____ OR Produced Identification FLDL# K360-400-63-230-0
Type of Identification Produced FL Driver's License

For Use by Planning & Development Staff
Date: _____ Application Number: _____

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 27, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 71 LAKEVIEW VILLAGE PB 38 PGS 86 TO 89

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

FINDINGS OF FACT

Property Owner: Islam & Matape Kadriu
120 Lakebreeze Cir
Lake Mary FL 32746

Project Name: Lakebreeze Circle (120)

Variance Approval:

Rear yard setback variance from 10 feet to 2 feet – 3 inches.

Side yard (east) setback variance from 10 feet to 6 feet – 6 inches for a proposed pool in PUD (Planned Unit Development) 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 pool 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

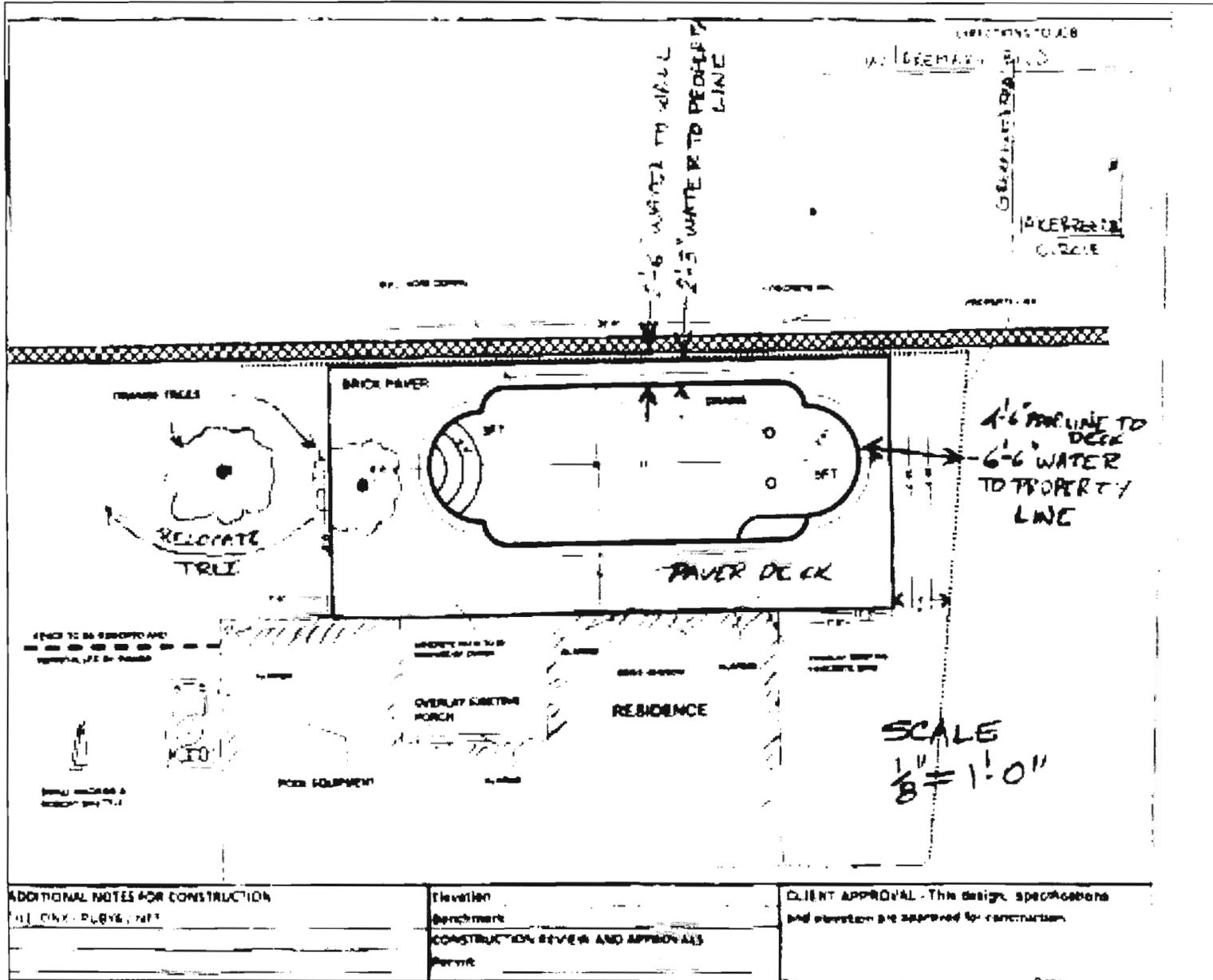
**STATE OF FLORIDA)
COUNTY OF SEMINOLE)**

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 October 27, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 71 LAKEVIEW VILLAGE PB 38 PGS 86 TO 89

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

FINDINGS OF FACT

Property Owner: Islam & Matape Kadriu
120 Lakebreeze Cir
Lake Mary FL 32746

Project Name: Lakebreeze Circle (120)

Requested Variance:

Rear yard setback variance from 10 feet to 2 feet – 3 inches.

Side yard (east) setback variance from 10 feet to 6 feet – 6 inches for a proposed pool in PUD (Planned Unit Development) district.

Approval was sought to construct a pool within the rear and side 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.

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: