

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

SUBJECT: 2990 Harbour Landing Way – Mary Ann Lucas, applicant; Request for a side street setback from 25 feet to 0 feet for an existing privacy fence in the R-1AA (single family dwelling) district;

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date 12/01/08 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Deny** the request for a side street setback variance from 25 feet to 0 feet for an existing fence in the R-1AA zoning district; or
2. **Approve** the request for a side street setback variance from 25 feet to 0 feet for an existing fence in the R-1AA zoning district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Owner: Mary Ann Lucas Location: 2990 Harbour Landing Way Zoning: R-1AA Subdivision: Harbour Landing
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant constructed a privacy fence that connects from the entrance sign of the Harbour Landing and then runs diagonally towards the existing single family home. • The fence was cited by the Seminole County Building Department for construction without a permit but needs to be granted a variance for the portion of the fence located within the 25 foot side street setback. • There is no record of prior variances for this property.
STAFF FINDINGS	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <ul style="list-style-type: none"> • No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved

Reviewed by: _____
 Co Atty: alc
 Pln Mgr: HS

	<p>and which are not applicable to other lands, structures or building in the same zoning district.</p> <ul style="list-style-type: none">• 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.
<p>STAFF RECOMMENDATION</p>	<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 existing 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

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

Application # BV 2008-101
Meeting Date Dec 1, 09



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: MARY ANN LUCAS
Address: 2990 HARBOUR LANDING WAY City: Casselberry Zip code: 32707
Project Address: _____ City: _____ Zip code: _____
Contact number(s): (321) 303-3952
Email address: mlucas3@aol.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 checked="" type="checkbox"/> Fence	Please describe: <u>6 Foot Stockade Wood</u>
<input type="checkbox"/> Pool	Please describe:
<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 checked="" 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 type="checkbox"/> Side yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Side street setback	Required setback:	<u>25 ft</u>	Proposed setback: <input checked="" type="checkbox"/>
<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>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: [Signature]

FOR OFFICE USE ONLY

Date Submitted: 9-29-08 Reviewed By: P. Johnson
 Tax parcel number: 22-21-30-504-0000-0380 Zoning/FLU R-1AA/CDR
 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

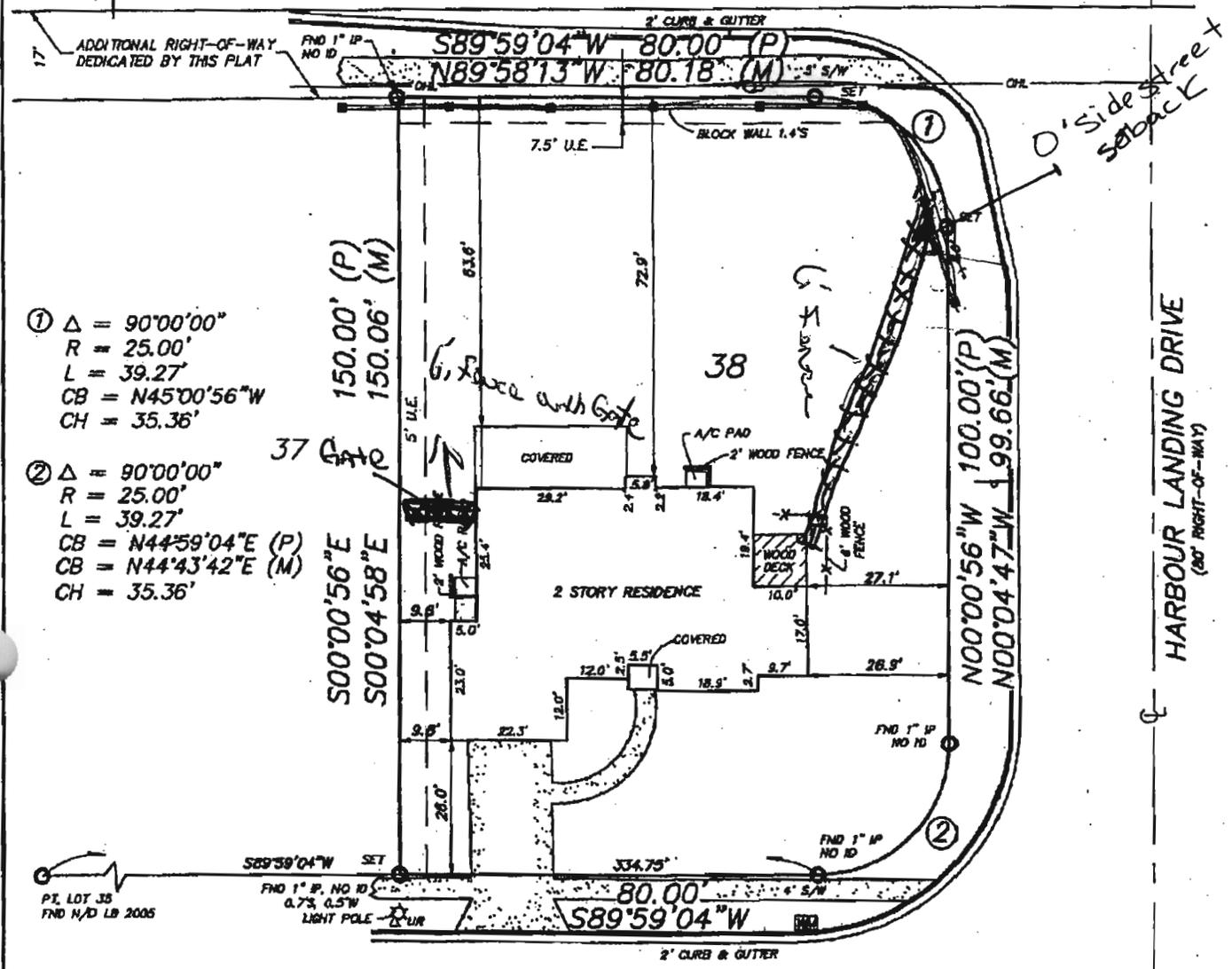
Please return this checklist with your application!

<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. 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.

LOT 38 HARBOUR LANDING

ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24,
PAGE 78 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

RED BUG LAKE ROAD



- ① Δ = 90°00'00"
R = 25.00'
L = 39.27'
CB = N45°00'56"W
CH = 35.36'
- ② Δ = 90°00'00"
R = 25.00'
L = 39.27'
CB = N44°59'04"E (P)
CB = N44°43'42"E (M)
CH = 35.36'

NOTES:

ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SYMBOLS NOT TO SCALE
OWNERSHIP OF SUBJECT PROPERTY AND IMPROVEMENTS UNDETERMINED.

THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 30'.

ROOF OVERHANGS & FOOTERS HAVE NOT BEEN LOCATED
NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.
BUILDING TIES ARE NOT TO BE USED TO CONSTRUCT DEED OR PLATTED LINES

THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, USES, OWNERSHIP OR MATTERS OF RECORD BY THIS FIRM.

THE RELATIVE ACCURACY OF FIELD MEASURED CONTROL EXCEEDS 1 FOOT IN 10,000 FEET.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BEARINGS ARE BASED UPON THE NORTH RIGHT-OF-WAY LINE HARBOUR LANDING WAY PER RECORD PLAT, HAVING A BEARING OF S 89°59'04" W.

BEARINGS AND DISTANCES SHOWN HEREON ARE UNLESS OTHERWISE NOTED.

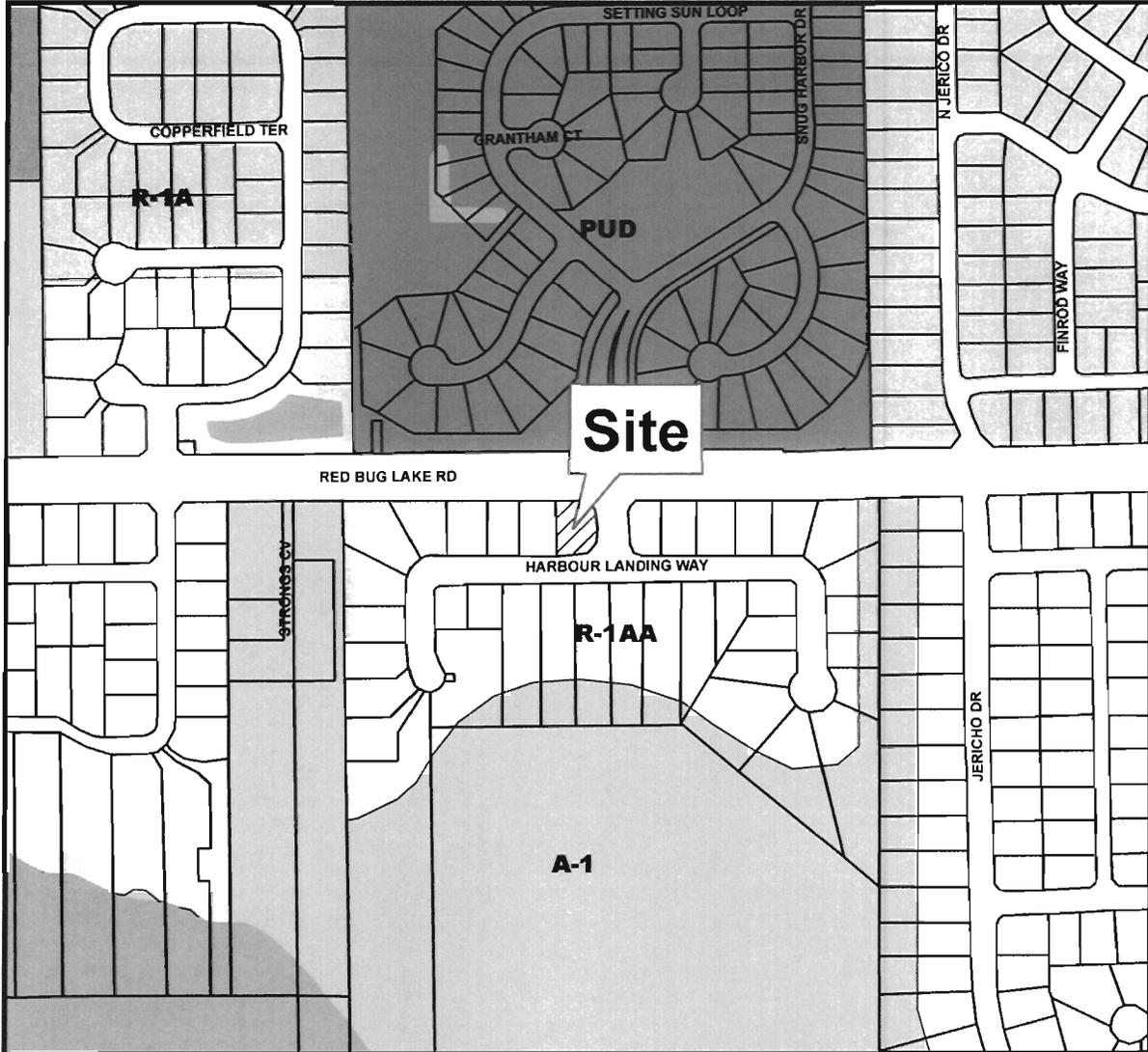
HARBOUR LANDING WAY (50' RIGHT-OF-WAY)

- - INDICATES 18" - 5/8" REBAR & CAP (LB. 6767) UNLESS NOTED OTHERWISE
- - INDICATES PERMANENT CONTROL POINT
- - INDICATES CONC. MON. / PRM

LEGEND	
S/B	BUILDING SETBACK
MANT	MAINTENANCE
UTIL	UTILITY
CONC.	CONCRETE
CM	CONCRETE MONUMENT
F.FLR.	FINISHED FLOOR
BLK	BLOCK
WM	WATER METER
ESMT.	EASEMENT
MON.	MONUMENT
TRANS.	TRANSFORMER
I.D.	IDENTIFICATION
SQ.FT.	SQUARE FEET
TYR.	TYPICAL
PLB.	PLAT BOOK
PG.	PAGE
PLD.	PLAT DISTANCE
M	MEASURED DISTANCE
I.P.	IRON PIPE
R/C	ROD AND CAP
I.R.	IRON ROD
N/D	NAIL & DISK
FND.	FOUND
P.E.	PEDESTRIAN EASEMENT
R/W	RIGHT OF WAY
R.	RADIAL
N.R.	NON-RADIAL
CL.	CENTERLINE
PC	POINT OF CURVATURE
PT.	POINT OF TANGENCY
PI	POINT OF INTERSECTION
A	ARC
L	LENGTH
CB	CHORD BEARING
S.E.	SIDEWALK EASEMENT
L.E.	LANDSCAPE EASEMENT
D.E.	DRAINAGE EASEMENT

Find out when Harbour is

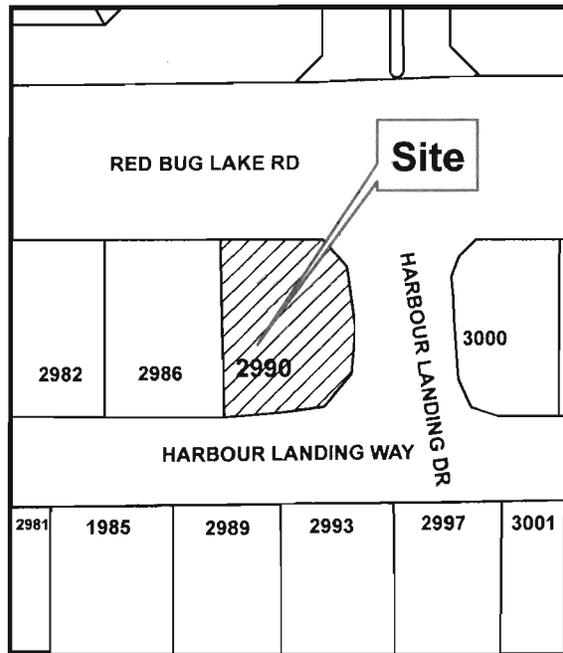
Mary Ann Lucas
 2990 Harbour Landing Way
 Casselberry, Florida 32707



Seminole County Board of Adjustment
 December 1, 2008
 Case: BV2008-101 (Map 3210, Grid D2)
 Parcel No: 22-21-30-504-0000-0380

Zoning

-  BV2008-101
-  A-1
-  R-1AA
-  R-1A
-  R-3A
-  PUD

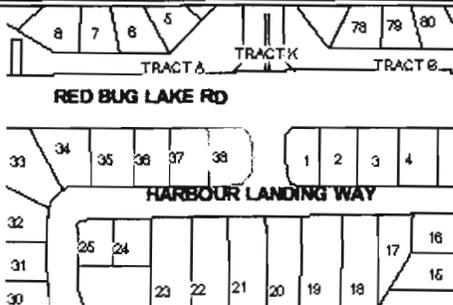
PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

DADE COUNTY FL.

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7505



GENERAL

Parcel Id: 22-21-30-504-0000-0380

Owner: LUCAS MARY A & STEPHEN

Mailing Address: 2990 HARBOUR LANDING WAY

City, State, Zip Code: CASSELBERRY FL 32707

Property Address: 2990 HARBOUR LANDING WAY CASSELBERRY 32707

Subdivision Name: HARBOUR LANDING

Tax District: 01-COUNTY-TX DIST 1

Exemptions: 00-HOMESTEAD (1994)

Dor: 01-SINGLE FAMILY

VALUE SUMMARY

VALUES	2008 Working	2007 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$188,433	\$230,681
Depreciated EXFT Value	\$1,100	\$1,100
Land Value (Market)	\$40,000	\$40,000
Land Value Ag	\$0	\$0
Just/Market Value	\$229,533	\$271,781
Portability Adj	\$0	\$0
Save Our Homes Adj	\$62,749	\$109,855
Assessed Value (SOH)	\$166,784	\$161,926
Tax Estimator		
Portability Calculator		
2008 Notice of Proposed Property Tax		

2008 Taxes and Taxable Value Estimate

Taxing Authority	Assessment Value	Exempt Values	Taxable Value	Millage	Taxes
Cnty County	\$166,784	\$50,000	\$116,784	4.5153	\$527.31
Schools	\$166,784	\$25,000	\$141,784	7.5430	\$1,069.48
Fire	\$166,784	\$50,000	\$116,784	2.3299	\$272.10
Road District	\$166,784	\$50,000	\$116,784	.1107	\$12.93
SJWM(Saint Johns Water Management)	\$166,784	\$50,000	\$116,784	.4158	\$48.56
Natural Lands/Trails I/S Debt	\$166,784	\$50,000	\$116,784	.1451	\$16.95
Total				15.0598	\$1,947.33

Potential Portability Amount is \$62,749

The taxable values and taxes are calculated using the current years working values and the proposed millage rates.

SALES

Deed	Date	Book Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	05/2008	07001 1533	\$100	Improved	No
WARRANTY DEED	03/2008	06953 1802	\$235,000	Improved	Yes
WARRANTY DEED	03/2000	03871 0818	\$100	Improved	No
WARRANTY DEED	08/1981	01352 1339	\$129,500	Improved	Yes
WARRANTY DEED	12/1980	01312 1565	\$35,900	Vacant	No

Find Comparable Sales within this Subdivision

2007 VALUE SUMMARY

Tax Amount(without SOH):	\$3,645
2007 Tax Bill Amount:	\$2,022
Save Our Homes (SOH) Savings:	\$1,623
2007 Taxable Value:	\$136,926

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	40,000.00	\$40,000

LEGAL DESCRIPTION

PLATS:
LEG LOT 38 HARBOUR LANDING PB 24 PG 78

BUILDING INFORMATION

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1981	9	1,914	3,468	2,639	SIDING AVG	\$188,433	\$211,722
Appendage / Sqft		SCREEN PORCH FINISHED / 308							
Appendage / Sqft		GARAGE FINISHED / 506							
Appendage / Sqft		OPEN PORCH FINISHED / 15							
Appendage / Sqft		UPPER STORY FINISHED / 725							

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	1981	1	\$800	\$2,000
WOOD DECK	1981	150	\$300	\$750

**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. 07-23:

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: <u>MARY ANNE LUCAS</u>	Name: _____
Address: <u>2000 Harbor Landing Way</u>	Address: _____
City/Zip: <u>Casselberry, FL 32707</u>	City/Zip: _____
Phone #: <u>321-303-3952</u>	Phone #: _____

Name: <u>Stephen Gary Lucas</u>	Name: _____
Address: <u>2000 Harbor Landing Way</u>	Address: _____
City/Zip: <u>Casselberry, FL 32707</u>	City/Zip: _____
Phone #: <u>321-303-3952</u>	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: _____	Beneficiaries: _____
Trustees: _____	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: <u>MARY ANNE LUCAS</u>	Name of Partnership: _____
Principal: <u>MARY ANNE LUCAS</u>	Principal: <u>STEPHEN ROY LUCAS</u>
Address: <u>2990 Harbor Landing Way</u>	Address: <u>2990 Harbor Landing Way</u>
City/Zip: <u>Casselberry, FL 32707</u>	City/Zip: <u>Casselberry, FL 32707</u>

(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.

9-29-08
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 29 day of September, 2008 by _____



[Signature]
Signature of Notary Public

Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification

Type of Identification Produced Florida Drivers License

For Use by Planning & Development Staff

Date: _____ Application Number: _____

NOTICE OF CODE VIOLATION

LOCATION OF VIOLATION: 2990 HARBOUR LANDING WAY
IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT
THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF Florida Building Code
CHAPTER/ARTICLE ONE SECTION 105.1

DESCRIPTION OF VIOLATION: INSTALLING ~~PERMIT~~ FENCE WITHOUT PERMIT

CORRECTIVE ACTION: OBTAIN REQUIRED PERMITS FOR ALL WORK BEING DONE

THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY 10/01/08

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE AUTHORITY TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.

IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.



For further information contact:
Building and Fire Inspection Division
Seminole County Services Building
1101 East First Street, Room 1020
Sanford, FL 32771
PHONE: (407) 665-7338 OR (407) 665-7423

DATE: 9-17-08 **INSPECTOR:** Bill Lucas
CASE NO: 00225

BV2008-101

HARBOUR LANDING HOMEOWNERS' ASSOCIATION

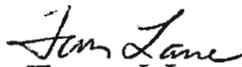
April 6, 2008

Steve and Annie Lucas
2990 Harbour Landing Way
Casselberry, FL 32707

Dear Steve and Annie,

The Architectural Review Committee of the Harbour Landing Homeowners' Association has reviewed your request to install a fence extending from approximately the end of the brick wall at the subdivision front entrance to the northeastern corner of your house, as shown on the plan which you presented to us. The ARC approves your plan as so described, provided that the fence otherwise conforms to the HLHA Covenants. Also, this approval is conditioned on a gate being available for entrance to your back yard should the homeowners' association require access to service the front entrance lighting or sprinkler system.

Please note that this approval does not imply that your plans conform to state and municipal codes, regulations, laws, etc.; conformance to such is the responsibility of the homeowner.


Thomas J. Lane
President



PAUL STANLEY WEST, P.A.
ATTORNEYS AT LAW

600 S. Orlando Ave., Suite 301, Maitland, Florida 32751

Paul S. West, Esq.
Matthew West, Esq.
Phone: (407) 678-9111
Fax: (407) 679-9911
pswest@PaulWestLaw.com
mwest@PaulWestLaw.com

November 14, 2008

Building Permits
Seminole County Building Department
Sanford, Florida

Re: Application for Fence Permit and Variance
Applicant Name and Address:
Steven Lucas and Mary Anne Lucas
2990 Harbour Landing Way
Casselberry, FL 32707

To Whom It May Concern:

Please find attached a copy of a petition signed by all property owners in Harbour Landing Subdivision supporting the issuance of the above referenced fence permit and accompanying variance with only one exception, Mr. Lou Digiovanni.

I personally visited Mr. Digiovanni's home last night but he wasn't home. Rather than wait to catch up with him, Mr. and Mrs. Lucas wanted to submit for your consideration the attached copy of the petition demonstrating universal enthusiastic support from our entire homeowners' association. We will bring the petition with original signatures at the hearing the first week in December. Hopefully, by that time, we will catch up with Mr. Digiovanni to make it unanimous.

Please also find attached a copy of a letter from our association's president, Mr. Thomas J. Lane, indicating approval of the *Architectural Review Committee* of the *Harbour Landing Homeowners' Association*.

As you can see, Mr. and Mrs. Lucas have universal support from the entire community and we have yet to come across anyone who opposes the fence, and/or the requisite variance. Thank you for your consideration in this matter.

If our law firm can be of any assistance to you please don't hesitate to contact me personally.

Sincerely,

Paul S. West
Attorney At Law

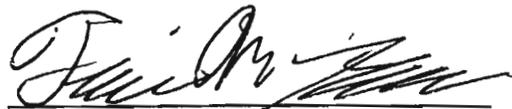
PSW/law

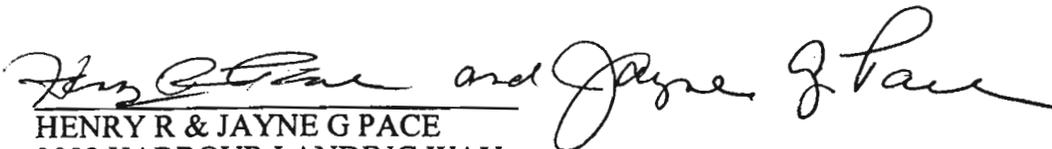
Petition of Homeowners in Favor of Variance

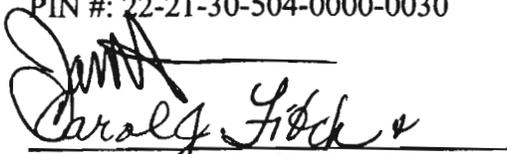
We, the undersigned homeowners of homes located in the HARBOUR LANDING subdivision, Seminole County, Florida, hereby petition the Building Department of Seminole County, Florida to ACCEPT AND APPROVE Stephen Gary Lucas' and Mary Anne Lucas' VARIANCE APPLICATION to SEMINOLE COUNTY PLANNING DIVISION to install a fence as per the attached Exhibit "A" on the property located at 2990 Harbour Landing Way, Casselberry, Florida 32707, being more specifically described as:

Lot 38, HARBOUR LANDING, according to the Map or Plat thereof, as recorded in Plat Book 24, at Page 78, of the Public Records of Seminole County, Florida


MARY B MACKEY
3000 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0010


TRAVIS M BURKE
3004 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0020


HENRY R & JAYNE G PACE
3008 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0030

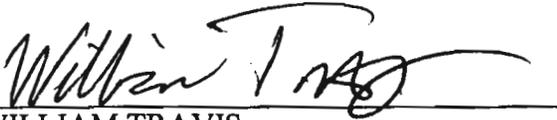

JAMES R & CAROL J FITCH
3012 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0040


PAUL D PENNEL
3016 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0050

Petition of Homeowners in Favor of Variance

We, the undersigned homeowners of homes located in the HARBOUR LANDING subdivision, Seminole County, Florida, hereby petition the Building Department of Seminole County, Florida to ACCEPT AND APPROVE Stephen Gary Lucas' and Mary Anne Lucas' VARIANCE APPLICATION to SEMINOLE COUNTY PLANNING DIVISION to install a fence as per the attached Exhibit "A" on the property located at 2990 Harbour Landing Way, Casselberry, Florida 32707, being more specifically described as:

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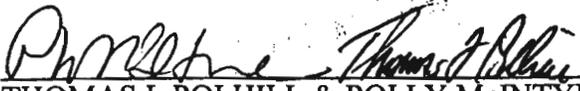
WILLIAM TRAVIS
3020 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0060



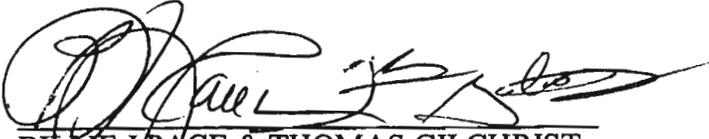
WILLIAM S POOLE
3024 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0070



W HOWARD & JEANNENE H EDWARDS
3028 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0080



THOMAS L POLHILL & POLLY McINTYRE
3032 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0090



BILLIE J PACE & THOMAS GILCHRIST
3036 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0100

Petition of Homeowners in Favor of Variance

We, the undersigned homeowners of homes located in the HARBOUR LANDING subdivision, Seminole County, Florida, hereby petition the Building Department of Seminole County, Florida to ACCEPT AND APPROVE Stephen Gary Lucas' and Mary Anne Lucas' VARIANCE APPLICATION to SEMINOLE COUNTY PLANNING DIVISION to install a fence as per the attached Exhibit "A" on the property located at 2990 Harbour Landing Way, Casselberry, Florida 32707, being more specifically described as:

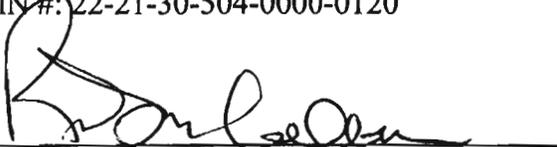
Lot 38, HARBOUR LANDING, according to the Map or Plat thereof, as recorded in Plat Book 24, at Page 78, of the Public Records of Seminole County, Florida



DEREK B & KYLE M FUCHS
22-21-30-504-0000-0110
3040 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0110



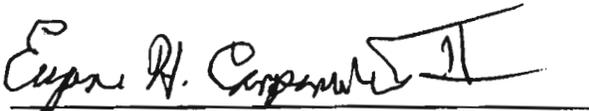
ALBERT & PATRICIA A KAMHI
3044 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0120



ROCKY A & MARY B McCOLLOM
3037 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0130



EDWARD T & FAYE TUDOR
3033 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0140



EUGENE H & CHARLENE CARPENTER
3029 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0150

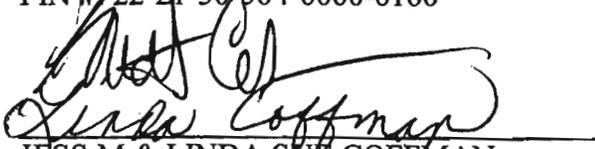
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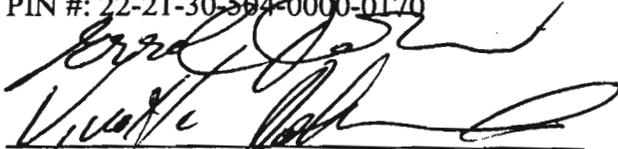
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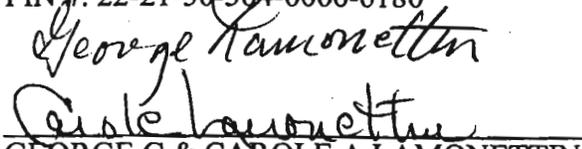
MICHAEL & LYNN E ROSE
3013 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0160



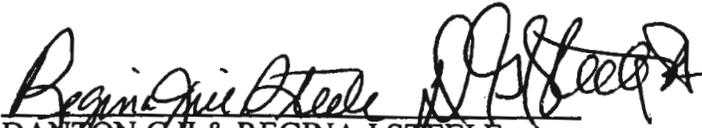
JESS M & LINDA SUE COFFMAN
3009 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0170



ERROL B & VIVETTE JOHNSON
3005 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0180



GEORGE C & CAROLE A LAMONETTIN
3001 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0190



DANTON C II & REGINA J STEELE
2997 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0200

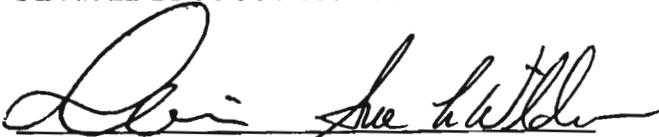
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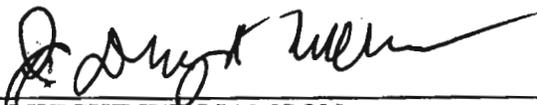
HANS & BONNIE M LUTZ
2993 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0210



DAVID A & SUE L WILDER
2989 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0220



PETER G & CAROLYN G ABDALLA
2985 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0230



J DWIGHT WILLIAMSON
2981 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0240



AMANDA & NAPPI MICHAEL JACOBSON
2977 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0250

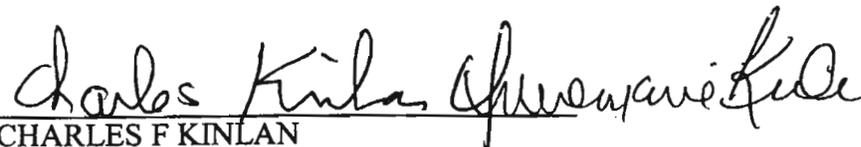
Petition of Homeowners in Favor of Variance

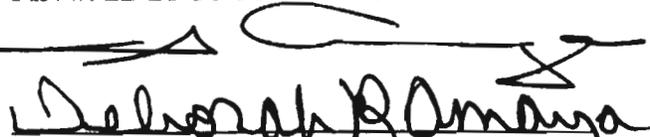
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CHAD & BETHA YUSK
2959 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0260

* 
GLENN S DAVIS
2946 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0270


CHARLES F KINLAN
2950 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0280

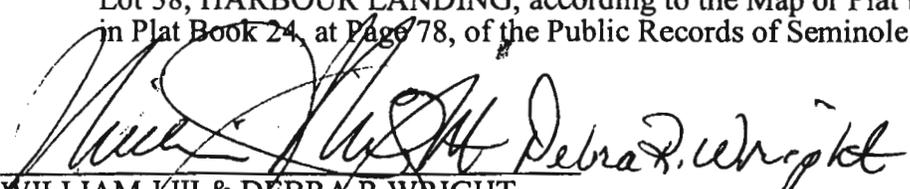

JUAN A & DEBORAH AMAYA, CO-TRS
2954 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0290

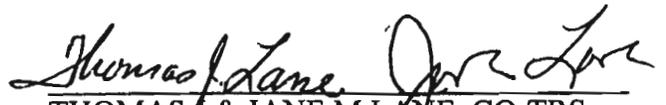

JAMES W & RUTH A WEIKE
2958 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0300

Petition of Homeowners in Favor of Variance

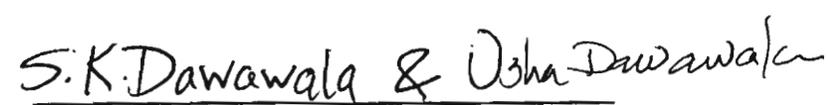
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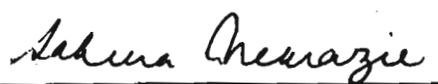
Lot 38, HARBOUR LANDING, according to the Map or Plat thereof, as recorded in Plat Book 24, at Page 78, of the Public Records of Seminole County, Florida


WILLIAM J. III & DEBRA R. WRIGHT
2962 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0310


THOMAS & JANE M. LANE, CO-TRS
2966 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0320

LOUIS DIGIOVANNI
2970 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0330

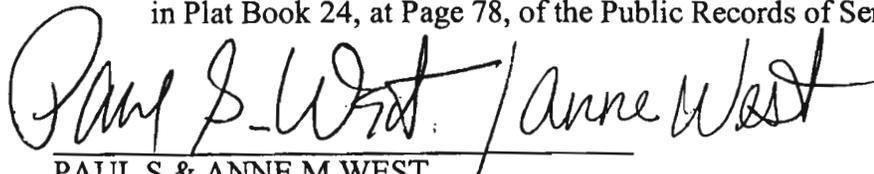

SURYAKANT K & USHA S DAWAWALA
2974 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0340


ALI A & SAKINA NEMAZIE
2978 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0350

Petition of Homeowners in Favor of Variance

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PAUL S & ANNE M WEST
2982 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0360



JOHN D & DONNA W CHAMBLISS
2986 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0370



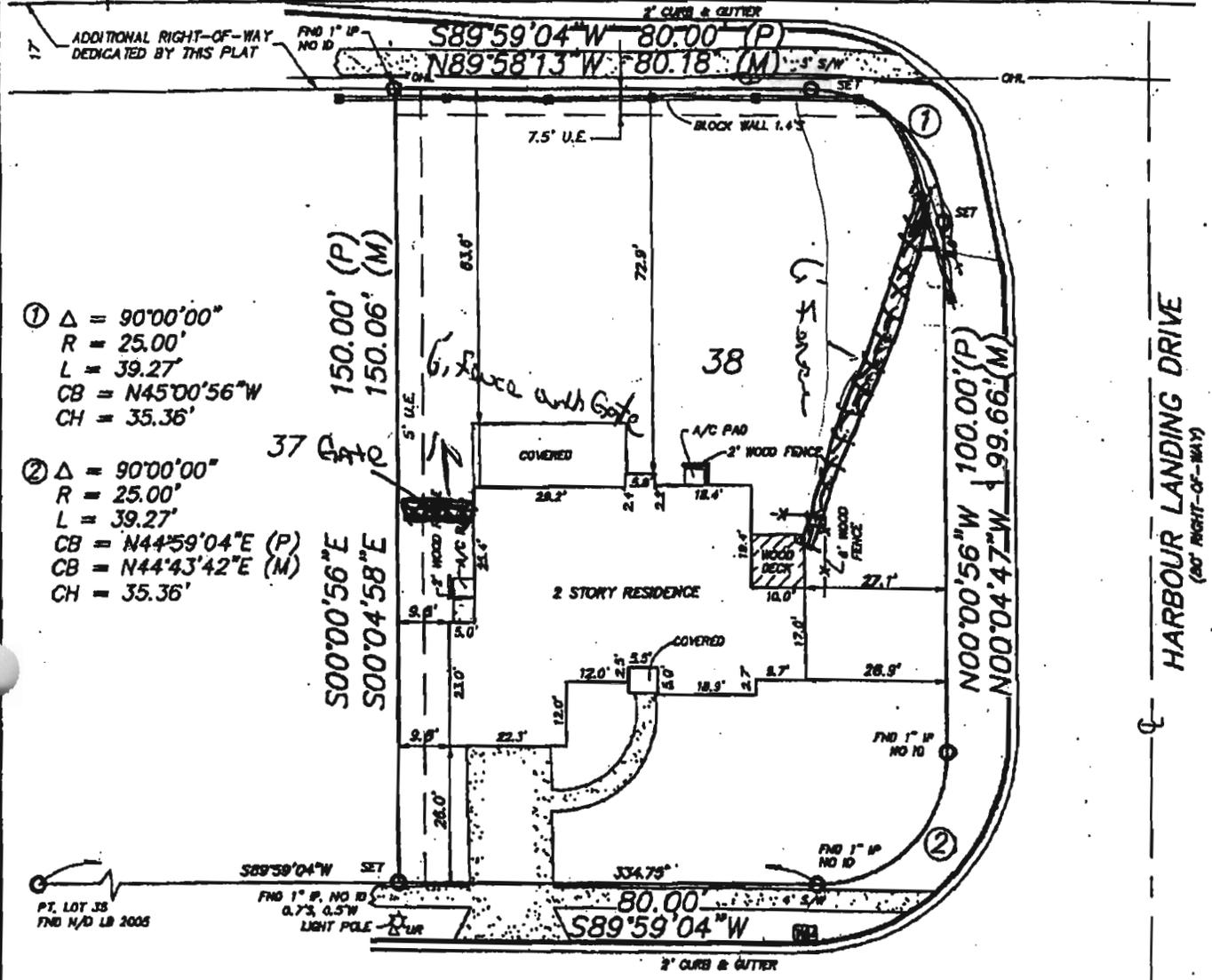
MARY A & STEPHEN LUCAS
2990 HARBOUR LANDING WAY
CASSELBERRY, FL 32707
PIN #: 22-21-30-504-0000-0380

EXHIBIT "A"

LOT 38 HARBOUR LANDING

ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 24,
PAGE 78 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA

RED BUG LAKE ROAD



① Δ = 90°00'00"
 R = 25.00'
 L = 39.27'
 CB = N45°00'56"W
 CH = 35.36'

② Δ = 90°00'00"
 R = 25.00'
 L = 39.27'
 CB = N44°59'04"E (P)
 CB = N44°43'42"E (M)
 CH = 35.36'

NOTES:

ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SYMBOLS NOT TO SCALE

OWNERSHIP OF SUBJECT PROPERTY AND IMPROVEMENTS UNDETERMINED.

THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 30'.

ROOF OVERHANGS & FOOTERS HAVE NOT BEEN LOCATED

NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED.

BUILDING THIS ARE NOT TO BE USED TO CONSTRUCT DEED OR PLATTED LINES

THE LANDS SHOWN HEREIN WERE NOT ABSTRACTED FOR EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, USES, OWNERSHIP OR MATTERS OF RECORD BY THIS FIRM.

THE RELATIVE ACCURACY OF FIELD MEASURED CONTROL EXCEEDS 1 FOOT IN 10,000 FEET.

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BEARINGS ARE BASED UPON THE NORTH RIGHT-OF-WAY LINE HARBOUR LANDING WAY PER RECORD PLAT, HAVING A BEARING OF S 89°59'04" W.

BEARINGS AND DISTANCES SHOWN HEREIN ARE UNLESS OTHERWISE NOTED

HARBOUR LANDING WAY (50' RIGHT-OF-WAY)

- - INDICATES 18" - 5/8" REBAR & CAP (L.B. 8787) UNLESS NOTED OTHERWISE
- - INDICATES PERMANENT CONTROL POINT
- - INDICATES CONC. MON. / PRM

LEGEND

S/B	= BUILDING SETBACK	LP	= IRON PIPE
MAINT	= MAINTENANCE	R/C	= ROD AND CAP
UTIL	= UTILITY	LA	= IRON ROD
CONC.	= CONCRETE	R/D	= MAIL & DISK
CM	= CONCRETE MONUMENT	FND.	= FOUND
F/FLR	= FINISHED FLOOR	P.E.	= PEDESTRIAN EASEMENT
BLK	= BLOCK	R/W	= RIGHT OF WAY
WM	= WATER METER	R.	= RADIAL
EASMT.	= EASEMENT	N.R.	= NON-RADIAL
MON.	= MONUMENT	CL	= CENTERLINE
TRANS.	= TRANSFORMER	PC	= POINT OF CURVATURE
I.D.	= IDENTIFICATION	PT	= POINT OF TANGENCY
SQ.FT.	= SQUARE FEET	PI	= POINT OF INTERSECTION
TYP.	= TYPICAL	A	= ARC
PR.	= PLAT BOOK	L	= LENGTH
PG.	= PAGE	CB	= CROWD BEARING
P	= PLAT DISTANCE	S.E.	= SIDEWALK EASEMENT
L	= LENGTH	L.E.	= LANDSCAPE EASEMENT
		D.E.	= DRAINAGE EASEMENT

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 1, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lot 38 Harbour Landing PB 24 PG 78

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

FINDINGS OF FACT

Property Owner: Mary Ann Lucas
2990 Harbour Landing Way
Casselberry, Fl. 32707

Project Name: Harbour Landing Way (2990)

Variance Approval:

Side street setback variance from 25 feet to 0 feet for a privacy fence.

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: Kathy Fall, Principal 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 side street setback 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 December 1, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lot 38 Harbour Landing PB 24 PG 78

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

FINDINGS OF FACT

Property Owner: Mary Ann Lucas
2990 Harbour Landing Way
Casselberry, Fl. 32707

Project Name: Harbour Landing Way (2990)

Requested Variance :

Side street setback variance from 25 feet to 0 feet for a privacy fence.

Approval was sought to bring into compliance the construction of an existing fence within the side street 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: Kathy Fall, Planner
1101 East First Street
Sanford, Florida 32771

FILE NO.:

DEVELOPMENT ORDER #

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: