

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

SUBJECT: 3627 W Supreme Court – Richard Cohen, applicant; Request for a rear yard setback variance from 30 feet to 21 feet for a covered porch in R-1A (Single Family Dwelling) district.

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Joy Williams **EXT.** 7399

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

MOTION/RECOMMENDATION:

1. **Deny** the request for a rear yard setback variance from 30 feet to 21 feet for a covered porch in R-1A (Single Family Dwelling) district ; or
2. **Approve** the request for a rear yard setback variance from 30 feet to 21 feet for a covered porch in R-1A (Single Family Dwelling) district ; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Richard Cohen Location: 3627 W Supreme Court Zoning: R-1A (Single Family Dwelling) district Subdivision: Ballentyne
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a 23-foot by 8.5-foot covered porch that would encroach 9 feet into the required 30-foot rear yard setback. • There are currently no code enforcement or building violations for this property. • 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 and which are not applicable to other lands,

Reviewed by: ALC
 Co Atty: _____
 Pln Mgr: AS

	<p>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 23-foot by 8.5-foot covered porch 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 # BV2008-107
Meeting Date 12-1-08



VARIANCE APPLICATION COPY

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: Richard Cohen / Mike Healy (407) 448-9253
Address: 3627 W. Supreme Court City: Apopka Zip code: 32703
Project Address: 3627 W. Supreme Court City: Apopka Zip code: 32703
Contact number(s): Work: 407-246-5499
Email address: RICHARD.COHEN@AXA ADVISORS.COM

Is the property available for inspection without an appointment?

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

call Mike for gate code

RECEIVED OCT 17 2008

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:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>Patio Build out (covered)</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 checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>30ft</u>	Proposed setback: <u>21ft</u>
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:
<input type="checkbox"/> Fence height	Required height:		Proposed height:
<input type="checkbox"/> Building height	Required height:		Proposed height:

Use below for additional yard setback variance requests:

<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Total number of variances requested <u>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: _____

FOR OFFICE USE ONLY

Date Submitted: 10-17-09 Reviewed By: P. Johnson
 Tax parcel number: 17-21-29-532-0000-0310 zoning/FLU R-1A/LOR
 Legally created parcel (1971 tax roll, 5-acre dev, lot split)
 Platted Lot (check easements as shown on lots, in notes or in dedication)
 Lot size _____ Meets minimum size and width
 Application and checklist complete
 Notes: _____

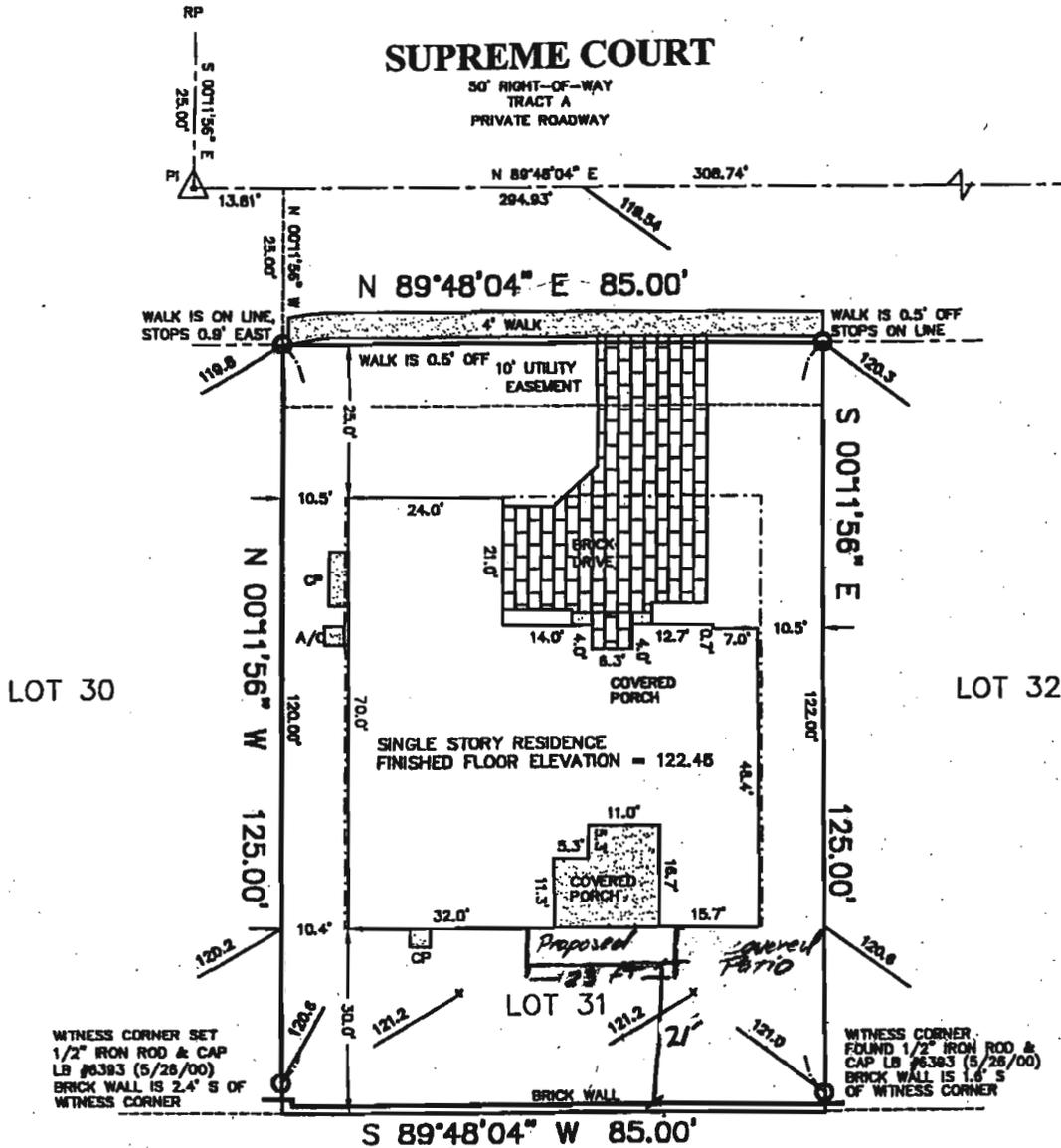
VARIANCE SUBMITTAL CHECKLIST

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.
	<input type="checkbox"/> Please start with a clean survey (ex: white out old approval stamps)
	<input type="checkbox"/> Size and dimension of the parcel
	<input type="checkbox"/> Location and name of all abutting streets
	<input type="checkbox"/> Location of driveways
	<input type="checkbox"/> Location, size and type of any septic systems, drainfield and wells
	<input type="checkbox"/> Location of all easements
	<input type="checkbox"/> Existing or proposed house or addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	<input type="checkbox"/> Building height
	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
	<input type="checkbox"/> 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.

PLAT OF SURVEY

LOT 31, BALLENTYNE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 57, PAGE 24, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



CERTIFIED TO:

RICHARD COHEN
MI HOMES
MI TITLE AGENCY, LTD
MI FINANCIAL
LAWYER'S TITLE INSURANCE

TE:

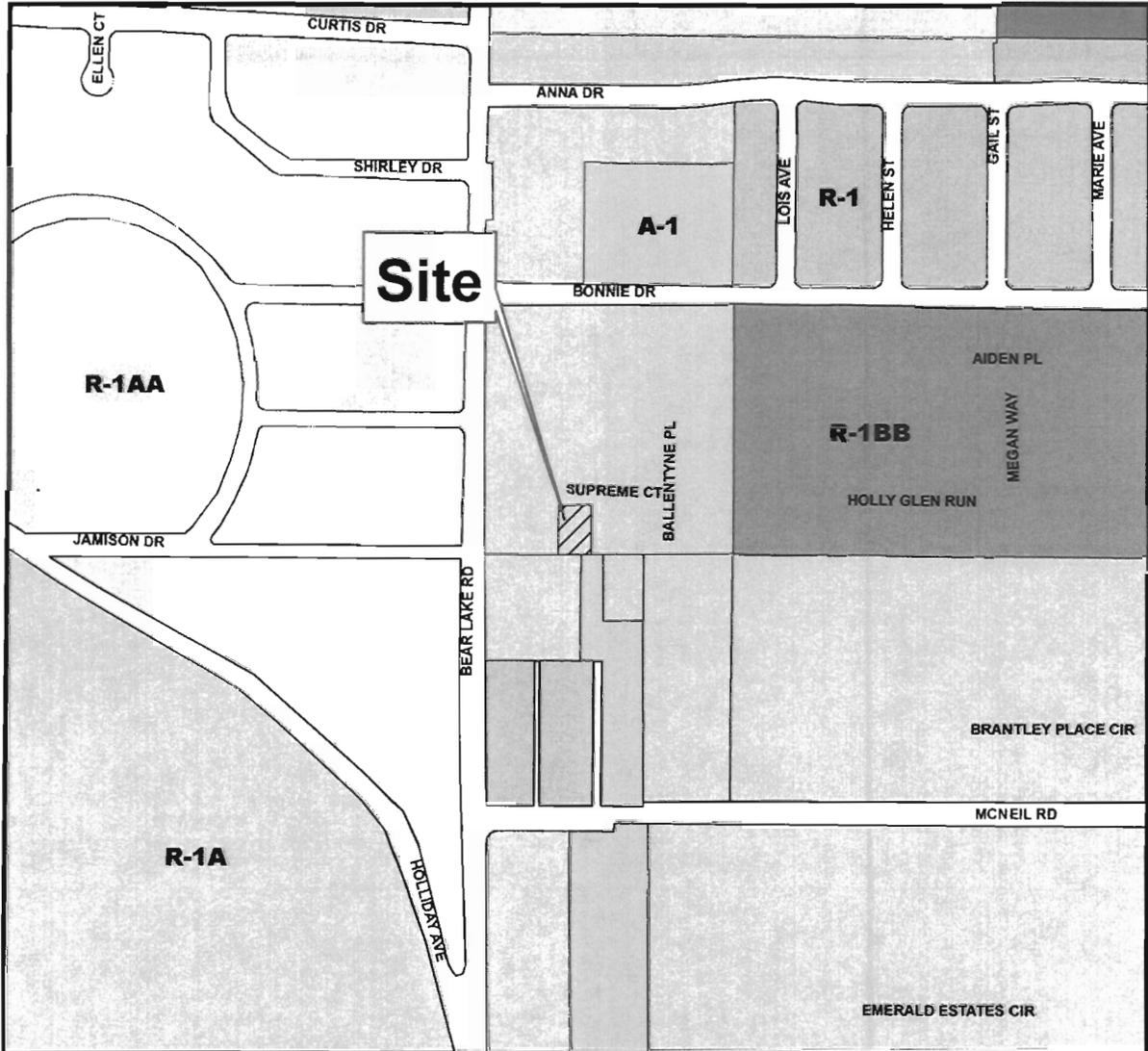
THIS IS AN AS-BUILT SURVEY DELINEATING CONSTRUCTED IMPROVEMENTS ONLY AND COMPLIES WITH SECTION 61G17-6.005 OF THE FLORIDA ADMINISTRATIVE CODE FOR AN AS-BUILT SURVEY.

LEGEND:

- BUILDING SETBACK LINE
- CENTERLINE
- RIGHT OF WAY LINE
- 99.8' ELEVATION
- CONCRETE
- LB LAND SURVEYING BUSINESS

- FOUND NAIL & DISC LB #6205
- FOUND 1/2" IRON ROD & CAP LB #6383 (5/28/00)
- CORNER NOT ACCESSIBLE
- DELTA ANGLE
- ARC LENGTH
- CHORD BEARING
- POINT OF CURVATURE
- POINT OF INTERSECTION
- POINT OF REVERSE CURVATURE
- POINT OF CURVATURE

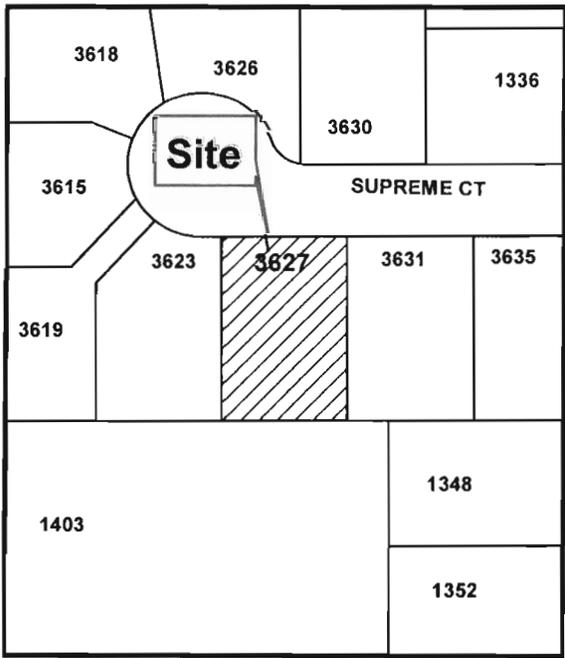
Mike Devane
 3627 Supreme Court
 Apopka, Florida 32703



Seminole County Board of Adjustment
 December 1, 2008
 Case: BV2008-107 (Map 3154 Grid B7)
 Parcel No:17-21-29-532-0000-0310

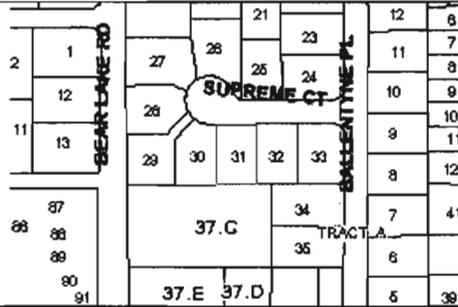
Zoning

	BV2008-107		R-1
	A-1		R-1BB
	R-1AA		PUD
	R-1A		

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SINGLE COUNTY FL
 1101 E. FIRST ST
 APOPKA, FL 32771-1468
 407-665-7506



VALUE SUMMARY

VALUES	2009 Working	2008 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$270,150	\$270,851
Depreciated EXFT Value	\$1,550	\$1,600
Land Value (Market)	\$76,000	\$76,000
Land Value Ag	\$0	\$0
Just/Market Value	\$347,700	\$348,451
Portability Adj	\$0	\$0
Save Our Homes Adj	\$71,645	\$80,436
Assessed Value (SOH)	\$276,055	\$268,015
Tax Estimator		
Portability Calculator		

GENERAL

Parcel Id: 17-21-29-532-0000-0310
 Owner: COHEN RICHARD L & ESTHER L
 Mailing Address: 3627 SUPREME CT
 City,State,ZipCode: APOPKA FL 32703
 Property Address: 3627 SUPREME CT APOPKA 32703
 Subdivision Name: BALLENTYNE
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD (2001)
 Dor: 01-SINGLE FAMILY

2009 TAXABLE VALUE WORKING ESTIMATE

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$276,055	\$50,000	\$226,055
Schools	\$276,055	\$25,000	\$251,055
Fire	\$276,055	\$50,000	\$226,055
Road District	\$276,055	\$50,000	\$226,055
SJWM(Saint Johns Water Management)	\$276,055	\$50,000	\$226,055
County Bonds	\$276,055	\$50,000	\$226,055

Potential Portability Amount is \$71,645

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

SALES

Deed	Date	Book Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	06/2001	04127 0608	\$100	Improved	No
WARRANTY DEED	06/2000	03879 1338	\$263,900	Improved	Yes

Find Comparable Sales within this Subdivision

2008 VALUE SUMMARY

Tax Amount (without SOH):	\$5,248
2008 Tax Bill Amount:	\$3,472
Save Our Homes (SOH) Savings:	\$1,776
2008 Certified Taxable Value and Taxes	
DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	76,000.00	\$76,000

LEGAL DESCRIPTION

PLATS:
 LOT 31 BALLENTYNE PB 57 PG 24

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	2000	11	2,887	3,657	2,887	CBS+WOOD COMBO	\$270,150	\$280,675
Appendage / Sqft		OPEN PORCH FINISHED / 242							
Appendage / Sqft		OPEN PORCH FINISHED / 48							
Appendage / Sqft		GARAGE FINISHED / 480							

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

BALLENTYNE

HOMEOWNERS ASSOCIATION, INC.

September 18, 2008

Richard & Esther Cohen
3627 W. Supreme Court
Apopka, FL 32703

Dear Richard & Esther:

As managing agent for Ballentyne Homeowners Association, the AC (Architectural Committee) has requested that I write you in response to your application for the roof extension of your home.

Your plans dated September 15, 2008 have been approved as submitted. A copy of the approved application is being returned for your files.

Thank you for your compliance under the Covenants & Restrictions for Ballentyne HOA. If you should have any questions, please let me know in writing at one of the address options listed below.

Sincerely,



Meridythe Kanaga, LCAM, CPM
Managing Agent-President

Cc: AC
Owner File

BALLENTYNE HOA AC
APPLICATION FORM

DATE: 8-21-08 resubmitted 9/15/08

NAME: RICHARD & ESTHER COHEN

ADDRESS: 3627 W. SUPREME COURT, APOPKA, FL 32703

LOT #: 31 PHONE: (home) ⁽⁴⁰⁷⁾ 862-2626 (work) ⁽⁴⁰⁷⁾ 246-5499

Approval is hereby requested to make the following addition, change, or alteration to my home or lot. In making this request, I hereby agree to repair any damages caused to common or neighboring property areas as a result of this work and will restore these areas to their original condition within two weeks of completion.

8'6" X 22'8" ROOF EXTENSION IN REAR OF HOUSE WITH SLAB OF EQUAL SIZE. ERECT SCREEN ENCLOSURE AND POOL DECK, TO INCLUDE ABOVE-MENTIONED SLAB, SIDE TO BE 43' WIDE BY 20' DEEP (10' FROM BRICK WALL - ALIGNING WITH BOTH NEIGHBORS.

If additional space is needed, please attach a separate sheet. REAR SIDE SCREENS.
Estimated time for completion of entire project once it has commenced: 3 MONTHS.

POOL/SPA INSIDE ENCLOSURE.

SIGNED: [Signature]
Homeowner

Esther Cohen.
Co - Homeowner

THIS PORTION TO BE COMPLETED BY ARCHITECTURAL COMMITTEE

Date first received: _____

Application not complete - Date contacted owner: _____

Approved: [Signature]
(Must have 2 AC Member signatures)

Denied: _____
(Must have 2 AC Member signatures)

Comments: _____

ITEMS INCLUDED WITH APPLICATION:

- Site Plan/Plot Plan
- Paint Samples
- Elevation Sketch (if addition) EXTENSION
- Description and/or samples of materials specified
- Landscape Plans

Other (Specify) _____

Es and Rick Cohen
3627 W. Supreme Court
Apopka, FL 32703

September 1, 2008

Dear Donna & Paul,

As part of our application to the Ballentyne ARC for proposed changes to our home, we want to communicate them with you and obtain your consent.

We wish to add a small roof extension of approximately 23' in length and 8'6" in width to the rear of our house to create a covered porch. In addition, we want to enclose a portion of our backyard with a black pool screen enclosure (to be approximately 43' in length and 20' in width) and add a small pool within the enclosure. The existing porch area and the new enclosed area will be decked with pavers. When we built our home, we had it pre-plumbed for a sink in the porch area. We will be adding cabinetry and a sink with this project.

Your signature below confirms your consent to our request.

Thank you,


Es and Rick Cohen

Consent By Rooney Family
Lot # 30



Dated 9/4/08
9/4/08

Es and Rick Cohen
3627 W. Supreme Court
Apopka, FL 32703

September 1, 2008

Dear Connie and Doug,

As part of our application to the Ballentyne ARC for proposed changes to our home, we want to communicate them with you and obtain your consent.

We wish to add a small roof extension of approximately 23' in length and 8'6" in width to the rear of our house to create a covered porch. In addition, we want to enclose a portion of our backyard with a black pool screen enclosure (to be approximately 43' in length and 20' in width) and add a small pool within the enclosure. The existing porch area and the new enclosed area will be decked with pavers. When we built our home, we had it pre-plumbed for a sink in the porch area. We will be adding cabinetry and a sink with this project.

Your signature below confirms your consent to our request.

Thank you,


Es and Rick Cohen

Consent By O'Neil Family
Lot # 32


Connie O'Neil

Dated

9-1-08

9-1-08

**SEMINOLE COUNTY APPLICANT AUTHORIZATION FORM
(ORIGINAL ONLY)**

An authorized applicant is defined as:

- The property owner of record: or
- An agent of said property owner (power of attorney to represent and bind the property owner must be submitted with the application); or
- Contract purchaser (a copy of a fully executed sales contract must be submitted with the application containing a clause or clauses allowing an application to be filed).

I Richard Cohen, the fee simple owner of the following
(Owner's Name)
described property (Provide Legal Description or Tax Parcel ID Number(s) LOT 31, Ballentyne,
Plat Book 57, Page 24 - Remainder of Tract 57
McNeil's Orange Villa Plat book 2 Pages 99-101
hereby petition Seminole County to amend the Comprehensive Plan, Future Land Use Map, Official Zoning Map
(circle one or more) from 10/17/08 to 11/31/09 and affirm that
MIKE DEVAUX is hereby designated to act as my / our authorized agent and to file the
attached application for the stated amendment and make binding statements and commitments regarding the
amendment request.

[Signature]
Owner's Signature

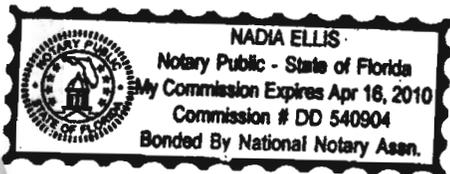
I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand that this application, attachments and fees become part of the Official Records of Seminole County, Florida and are not returnable.

SWORN TO AND SUBSCRIBED before me this 17th day of October 2008.

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Richard L Cohen, who is personally known to me or who has produced FL Driver's License, has identification and who executed the foregoing instrument and sworn an oath.

WITNESS my hand and official seal in the County and State last aforesaid this 17th day of October, 2008.

[Signature]
Notary Public in and for the County and State
Aforementioned
My Commission Expires: April 16, 2010



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: RICHARD L. COHEN
Address: 3627 W. Supreme Ct.
City/Zip: APOPKA, FL 32703
Phone #: 407-862-2626

Name: _____
Address: _____
City/Zip: _____
Phone #: _____

Name: _____
Address: _____
City/Zip: _____
Phone #: _____

Name: _____
Address: _____
City/Zip: _____
Phone #: _____

(Use additional sheets for more space.)

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

Name of Corporation: _____
Officers: _____
Address: _____
City/Zip: _____
Directors: _____
Address: _____
City/Zip: _____
Shareholders: _____
Address: _____

Name of Corporation: _____
Officers: _____
Address: _____
City/Zip: _____
Directors: _____
Address: _____
City/Zip: _____
Shareholders: _____
Address: _____

(Use additional sheets for more space.)

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

Name of Trust: _____
Trustees: _____
Address: _____
City/Zip: _____

Beneficiaries: _____
Address: _____
City/Zip: _____

(Use additional sheets for more space.)

SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT

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

Name of Partnership: _____ Name of Partnership: _____
Principal: _____ Principal: _____
Address: _____ Address: _____
City/Zip: _____ City/Zip: _____

(Use additional sheets for more space.)

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

Contract Vendee: _____ Contract Vendee: _____
Name: _____ Name: _____
Address: _____ Address: _____
City/Zip: _____ City/Zip: _____

(Use additional sheets for more space.)

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

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.

10-17-08
Date

[Signature]
Owner, Agent, Applicant Signature

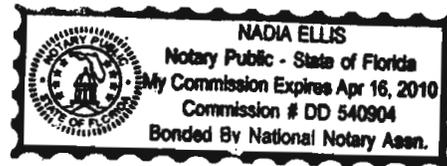
STATE OF FLORIDA
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 17th day of October, 2008 by Richard L Cohen

[Signature]
Signature of Notary Public

Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification
Type of Identification Produced FL Driver's License



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

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:

LOT 31
BALLENTYNE PB 57 PG 24

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

FINDINGS OF FACT

Property Owner: Richard & Esther Cohen
3627 W Supreme Ct
Apopka, FL 32703

Project Name: W Supreme Court (3627)

Requested Variance:

Request for a rear yard setback variance from 30 feet to 21 feet for a 23-foot by 8.5-foot covered porch in R-1A (Single Family Dwelling) district.

Approval was sought to allow for a covered porch to encroach within the rear 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: Joy Williams, 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 December 1, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 31
BALLENTYNE PB 57 PG 24

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

FINDINGS OF FACT

Property Owner: Richard & Esther Cohen
3627 W Supreme Ct
Apopka, FL 32703

Project Name: W Supreme Court (3627)

Variance Approval:

Approved for a rear yard setback variance from 30 feet to 21 feet for a 23-foot by 8.5-foot covered porch in R-1A (Single Family Dwelling) district.

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

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Joy Williams, 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 rear yard setback from 30 feet to 21 feet for a 23-foot by 8.5-foot covered porch 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:

