

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

SUBJECT: 6135 Linneal Beach Drive – Robert Maier, applicant; Request for a side yard setback variance from 10 feet to 0 feet for a proposed boat dock in the R-1AA (Single Family Dwelling) district.

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7433

Agenda Date 02/23/09 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Deny** the request for a side yard setback variance from 10 feet to 0 feet for a proposed boat dock in the R-1AA (Single Family Dwelling) district; or
1. **Approve** the request for a side yard setback variance from 10 feet to 0 feet for a proposed boat dock in the R-1AA (Single Family Dwelling) district; or
2. **Continue** the request to a time and date certain.

<p>GENERAL INFORMATION</p>	<p>Applicant: Robert Maier Location: 6135 Linneal Drive Zoning: R-1AA Subdivision: Bear Lake Estates</p>
<p>BACKGROUND / REQUEST</p>	<ul style="list-style-type: none"> • The applicant proposes to construct a boat dock that encroaches entirely into the side yard setback. • The portion of the boat dock that encroaches into the setback, at the closest point, is the walkway the remainder is located further from the property line.. • There are currently no code enforcement or building violations for this property. • There is no record of prior variances for this property.
<p>STAFF FINDINGS</p>	<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

Reviewed by: _____
Co Atty: ELC
Pln Mgr: _____

	<p>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.</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 boat dock 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

COPY



VARIANCE APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

RECEIVED JAN 07 2009

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Robert Maier / Sheila Cichra
Address: 6135 Linnacal Beach Drive City: Apopka Zip code: 32703
Project Address: same as above City: _____ Zip code: _____
Tax Parcel number: 19 21 29 501 0000 0030
Contact number(s): Sheila Cichra (407) 468-8714
Email address: cichra @ bell south.net

Is the property available for inspection without an appointment?

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

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<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 checked="" type="checkbox"/> Other	Please describe: <u>boat dock</u>
<input type="checkbox"/> This request is for a structure that has already been built.	

What type of variance is this request?			
<input type="checkbox"/> Minimum lot size	Required lot size:	Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:	Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Rear yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>10'</u>	Proposed setback: <u>0'</u>
<input type="checkbox"/> Side street setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Fence height	Required height:	Proposed height:	
<input type="checkbox"/> Building height	Required height:	Proposed height:	

Use below for additional yard setback variance requests:			
<input type="checkbox"/> _____ yard setback	Required setback:	Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Total number of variances requested <u>1</u>			

Signed: Shut Gil

Date: 1/7/09

FOR OFFICE USE ONLY

Date Submitted: 1-7-09 Reviewed By: P. Johnson
 Zoning/FLU 19-21-29-501-0000-0030 R-1AA/ EOR
 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!

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist is provided to the Planning division.

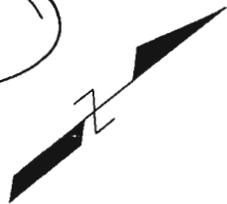
<p><i>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</i></p>	
✓	1. Completed application.
✓	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
✓	3. Owner's authorization letter (if needed). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
✓	4. 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. See the attached site plan 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, drain field and wells
✓	o Location of all easements
✓	o Existing or proposed house or addition (Label existing, label proposed, and include square footage and dimensions of each)
✓	o Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
✓	o Building height
✓	o Setbacks from each building to the property lines
✓	o Location of proposed fence(s)
✓	o Identification of available utilities (ex: water, sewer, well or septic)
✓	5. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

Boundary Survey

Legal Description:

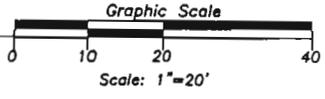
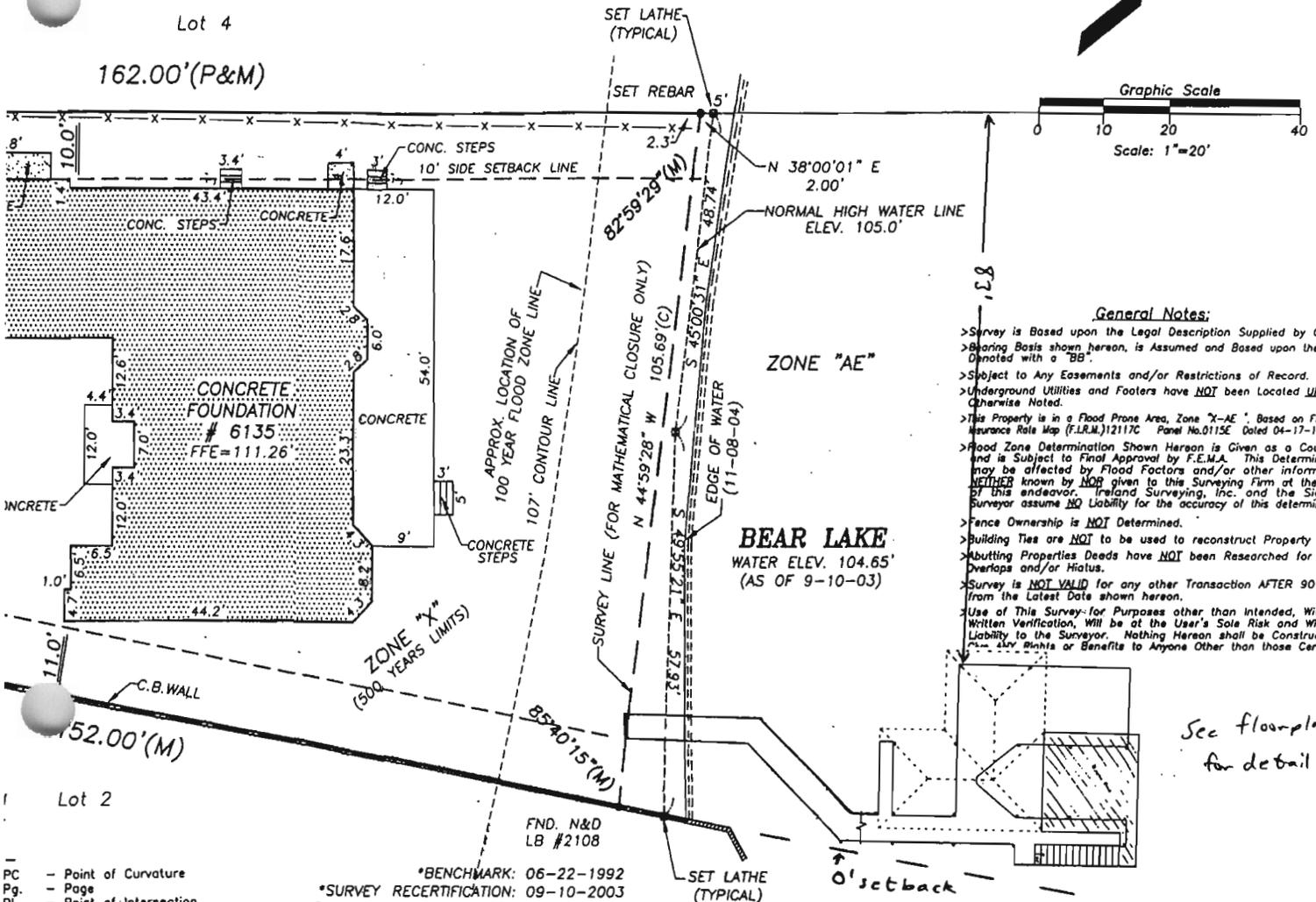
Lot 3, BEAR LAKE ESTATES, according to the Plat thereof, recorded in Plat Book 12, Page(s) 95, Public Records of Seminole County, Florida

Proposed



Lot 4

162.00'(P&M)



General Notes:

- > Survey is Based upon the Legal Description Supplied by Client.
- > Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
- > Subject to Any Easements and/or Restrictions of Record.
- > Underground Utilities and Footers have **NOT** been Located **UNLESS** Otherwise Noted.
- > This Property is in a Flood Prone Area, Zone "X-AE". Based on Flood Insurance Rate Map (F.I.R.M.) 12117C Panel No. 0115E Dated 04-17-1995
- > Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information **NEITHER** known by **NOT** given to this Surveying Firm at the time of this endeavor. Ireland Surveying, Inc. and the Signing Surveyor assume **NO** Liability for the accuracy of this determination.
- > Fence Ownership is **NOT** Determined.
- > Building Ties are **NOT** to be used to reconstruct Property Lines.
- > Abutting Properties Deeds have **NOT** been Researched for Gaps, Overlaps and/or Hiatus.
- > Survey is **NOT VALID** for any other Transaction **AFTER** 90 days from the Latest Date shown hereon.
- > Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to confer any Rights or Benefits to Anyone Other than those Certified.

See floorplan for detail

- PC - Point of Curvature
- Pg. - Page
- PI - Point of Intersection
- P.O.B. - Point of Beginning
- P.O.L. - Point on Line
- PP - Power Pole
- PRM - Permanent Reference Monument
- PT - Point of Tangency
- R - Radius
- Rad. - Radial
- R&C - Rebar & Cap
- Rec. - Recovered
- Rfd. - Roofed
- Set - Set 5/8" Rebar & Cap "PLS 4200"
- Rebar - Typical
- UE - Utility Easement
- WM - Water Meter
- Δ - Delta (Central Angle)
- X- - Chain Link Fence

*BENCHMARK: 06-22-1992
 *SURVEY RECERTIFICATION: 09-10-2003
 *FOUNDATION SURVEY DATE: 11-08-2004
 *NORMAL HIGH WATER LINE LOCATION DATE: 04-30-2007

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown, Based on Information Furnished to me as Noted and Confirms to the Minimum Technical Standards for Land Surveying in the State of Florida in accordance with Chapter 61017-8, Florida Administrative Code, Pursuant to Section 472.027 Florida Statutes.

James P. Ireland
 James P. Ireland PLS 4200 - LB 7549
 Date Signed: 05-06-07

This Survey is intended **ONLY** for the use of Said Certified Parties.
 This Survey **NOT VALID** UNLESS Signed and Embossed with Surveyor's Seal.

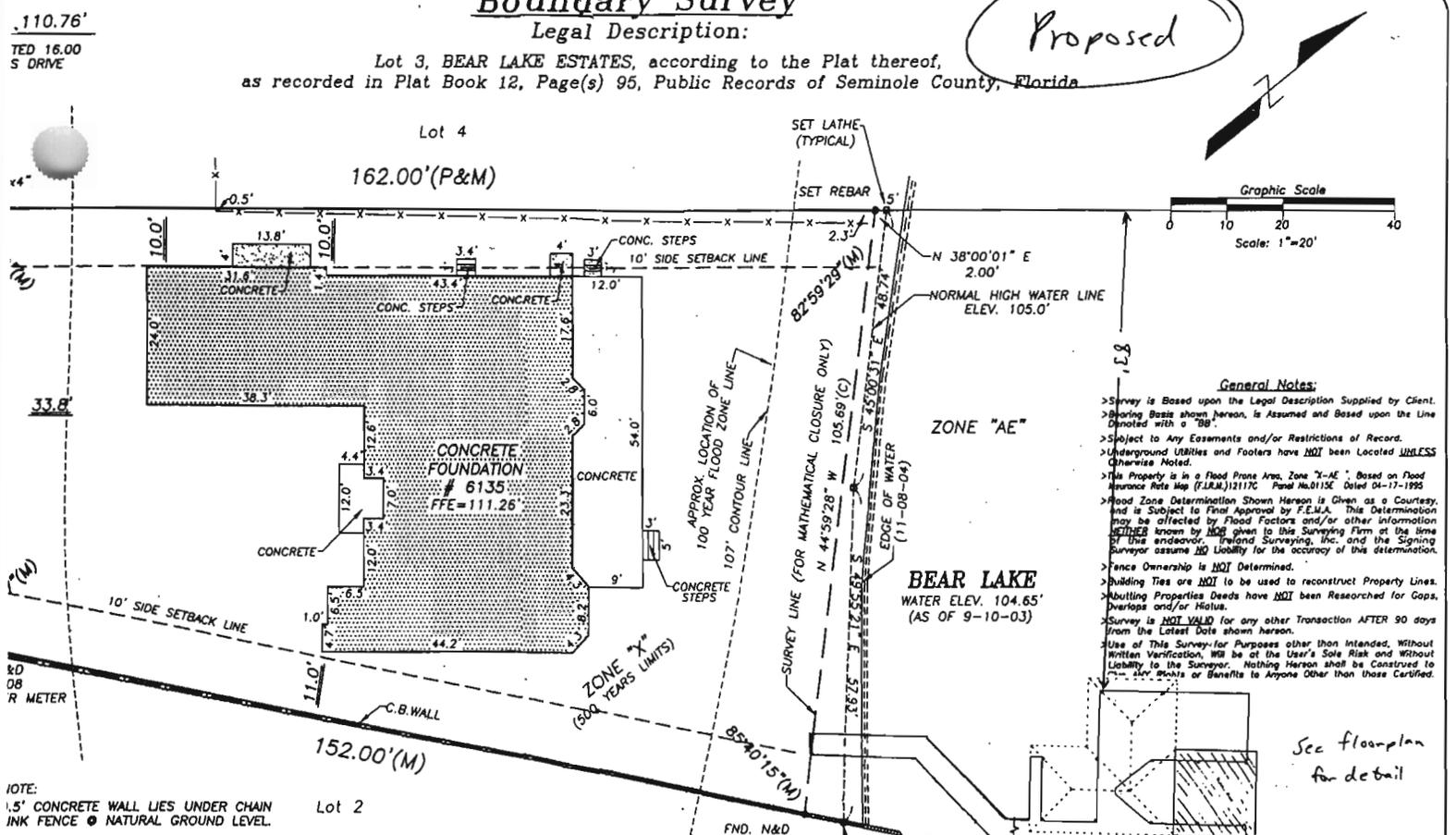
Boundary Survey Prepared For:		
ROBERT A. & SANDRA G. MAIER		
Scale: 1"= 20'	Approved By:	Drawn By: N.A.
Field Date: 06-09-1992*	JPI	Revised By: SP
Boundary Survey Certified To:		
ROBERT A. & SANDRA G. MAIER		
CADD File: \\Ben(a)\c\Ireland\07-Ireland\Scott's Drawings\1010-92\1010-92.dwg	(Field: D.B., C.G.)	File Number: 1010-92(RP)

Boundary Survey

Legal Description:

Lot 3, BEAR LAKE ESTATES, according to the Plat thereof,
as recorded in Plat Book 12, Page(s) 95, Public Records of Seminole County, Florida

Proposed



General Notes:

- > Survey is Based upon the Legal Description Supplied by Client.
- > Bearing Basis shown hereon, is Assumed and Based upon the Line Denoted with a "BB".
- > Subject to Any Easements and/or Restrictions of Record.
- > Underground Utilities and Footers have NOT been Located UNLESS Otherwise Noted.
- > This Property is in a Flood Prone Area, Zone "X-AE", Based on Flood Insurance Rate Map (FIRM) 12117C Panel No. 0115E Dated 04-17-1993
- > Flood Zone Determination Shown Hereon is Given as a Courtesy, and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information NOT known by us given to this Surveying Firm at the time of this endeavor. Ireland Surveying, Inc. and the Signing Surveyor assume NO Liability for the accuracy of this determination.
- > Fence Ownership is NOT Determined.
- > Building Ties are NOT to be used to reconstruct Property Lines.
- > Building Properties Records have NOT been Researched for Gaps, Overlaps and/or Mistakes.
- > Survey is NOT VALID for any other Transaction AFTER 90 days from the Latest Date shown hereon.
- > Use of This Survey for purposes other than intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Hereon shall be Construed to give any Rights or Benefits to Anyone Other than those Certified.

NOTE:
1.5' CONCRETE WALL LIES UNDER CHAIN LINK FENCE • NATURAL GROUND LEVEL.

- Legend-**
- | | | | |
|----------|---------------------------------------|--------|-----------------------------------|
| C | - Calculated | PC | - Point of Curvature |
| Calc. | - Centerline | Pg. | - Page |
| Conc. | - Concrete Block | PI | - Point of Intersection |
| D | - Concrete Monument | P.O.B. | - Point of Beginning |
| DE | - Concrete | P.O.L. | - Point on Line |
| DE | - Description | PP | - Power Pole |
| Eamt. | - Drainage Easement | PRM | - Permanent Reference Monument |
| F.E.M.A. | - Easement | PT | - Point of Tangency |
| FFE | - Federal Emergency Management Agency | R | - Radius |
| Fnd. | - Finished Floor Elevation | Rad. | - Radial |
| IP | - Found | R&C | - Rebar & Cop |
| L | - Iron Pipe | Rec. | - Recovered |
| M | - Length (Arc) | Rfd. | - Roofed |
| N&D | - Measured | Set | - Set 5/8" Rebar & Cop "PLS 4200" |
| N.R. | - Nail & Disk | Rebar | - Rebar |
| ORB | - Non-Radial | Typ. | - Typical |
| P | - Official Records Book | UE | - Utility Easement |
| P.B. | - Plot Book | WM | - Water Meter |
| -a- | - Wood Fence | Δ | - Delta (Central Angle) |
| | | -X- | - Chain Link Fence |

*BENCHMARK: 06-22-1992
 *SURVEY RECERTIFICATION: 09-10-2003
 *FOUNDATION SURVEY DATE: 11-08-2004
 *NORMAL HIGH WATER LINE LOCATION DATE: 04-30-2007

I hereby Certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently ascertained under my Oath on the Date Shown, Based on Information Furnished to Me and Noted and Confirms to the Minimum Tolerances Stipulated for Land Surveying in the State of Florida in accordance with Chapter 11017-6 Florida Administrative Code, Pursuant to Section 472.022 Florida Statutes.

James P. Ireland PLS 4200 - LB 7549
 Date Signed: 05-08-07

This Survey is intended ONLY for the Use of Said Certified Parties. This Survey NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.

Boundary Survey Prepared For:
ROBERT A. & SANDRA G. MAIER

Scale: 1" = 20'	Approved By: JPI	Drawn By: N.A.
Field Date: 06-09-1992*		Revised By: SP
Boundary Survey Certified To: ROBERT A. & SANDRA G. MAIER		
CADD File: \\Bsn\1\c\ireland\07-ireland\Spot\Drawings\Map\BMA\BMAESTATES-1010\02.dwg	(Field: D.B., C.G.)	File Number: 1010-92(RP)

See floorplan for detail

Floorplan

12' 11' 4' 3'

15'

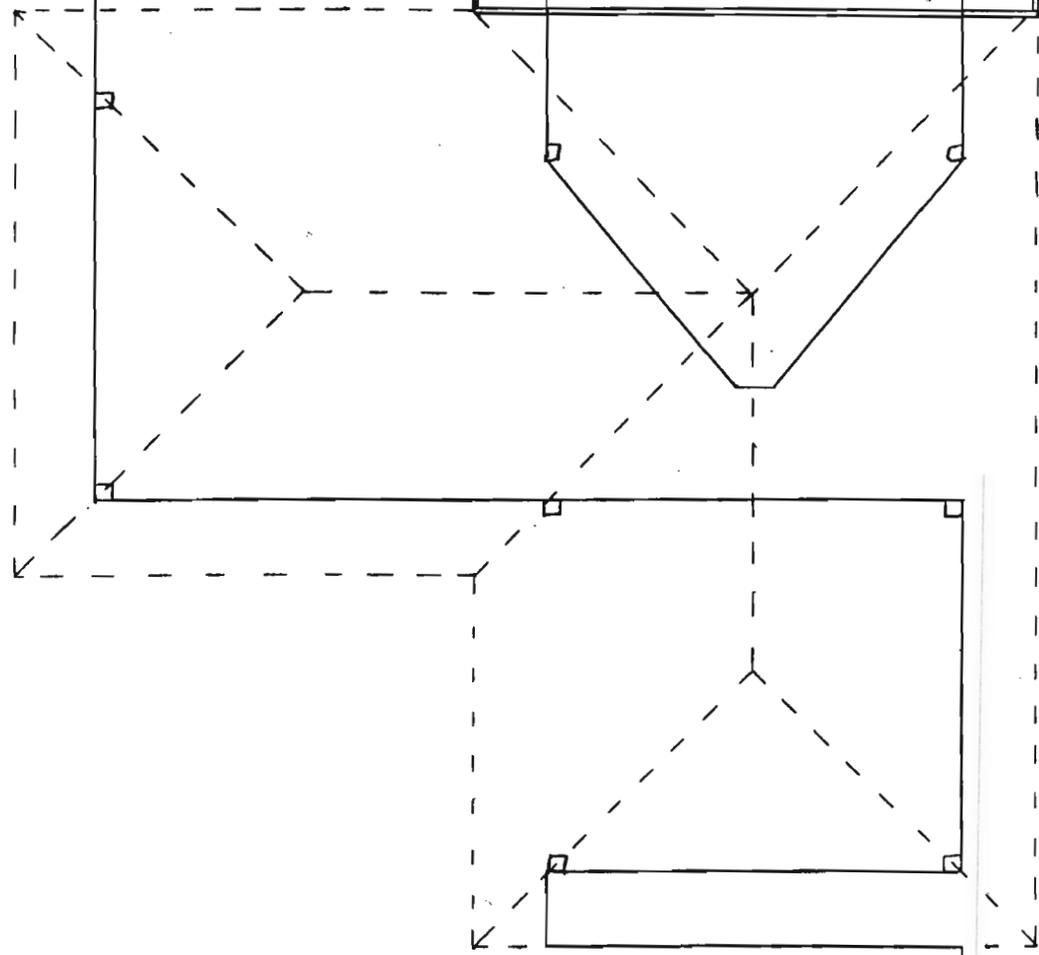
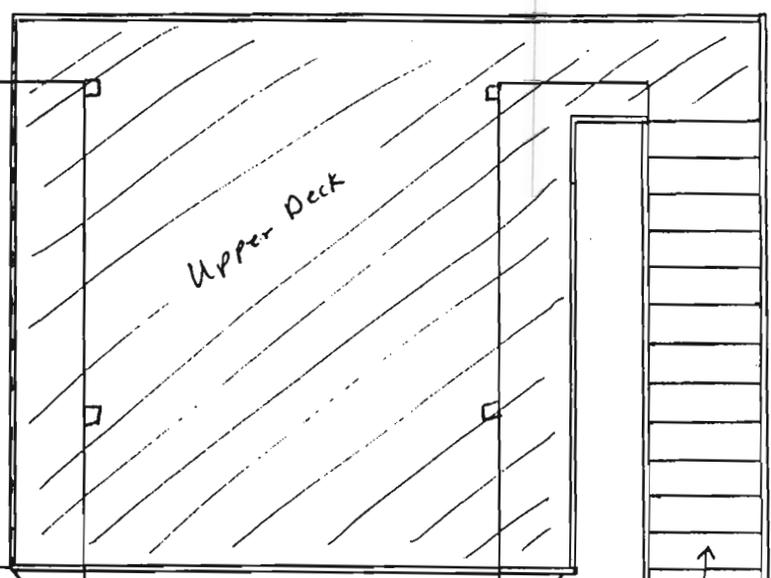
11'

10'

2'

38'

40'



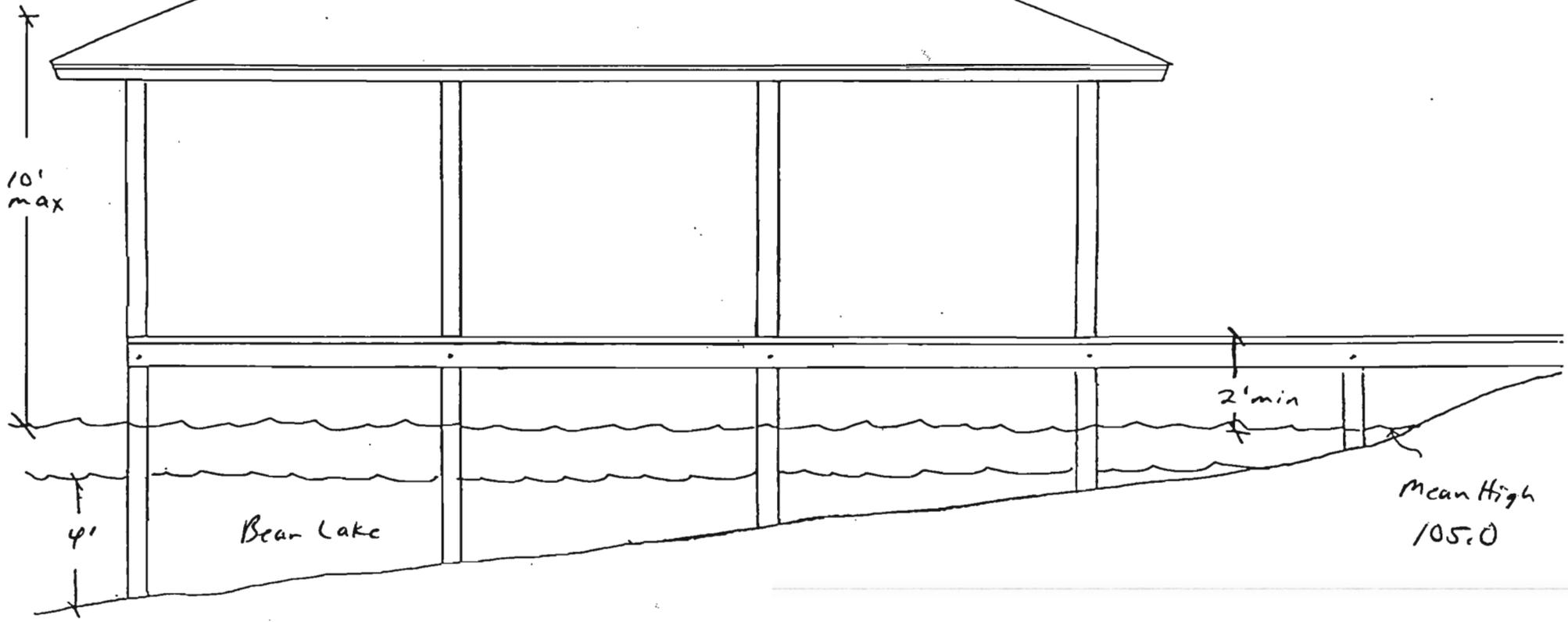
Bear Lake

MHWE 10.50

Maier
6135 Linnal
Beach Dr.

Ellevation

Center line
of roof



10'
max

2' min

4'

Bear Lake

Mean High
105.0

max depth
@ mean low

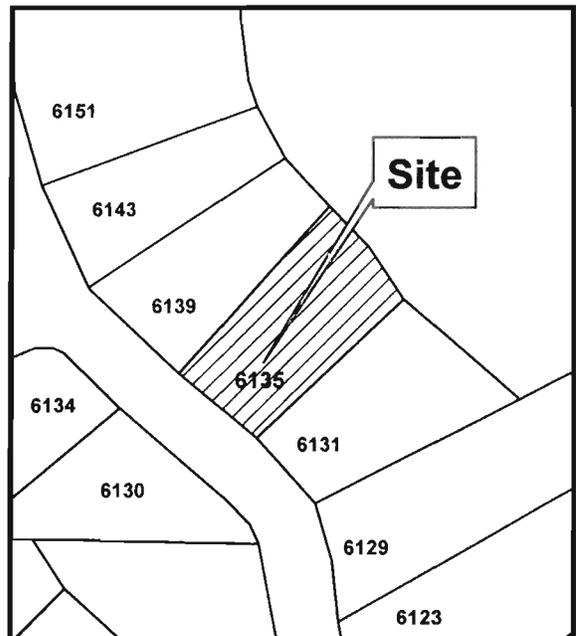
Sheila Cichra
6135 Linneal Beach Drive
Apopka, Florida 32703



Seminole County Board of Adjustment
February 23, 2009
Case: BV2009-01 (Map 3207 Grid A2)
Parcel No: 19-21-29-501-0000-0030

Zoning

-  BV2009-01
-  A-1
-  R-1AA
-  R-1A
-  C-2



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7505</p>		
--	--	--

GENERAL

Parcel Id: 19-21-29-501-0000-0030
 Owner: MAIER ROBERT A & SANDRA
 Mailing Address: 6135 LINNEAL BEACH DR
 City,State,ZipCode: APOPKA FL 32703
 Property Address: 6135 LINNEAL BEACH DR APOPKA 32703
 Subdivision Name: BEAR LAKE ESTATES
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD (1994)
 Dor: 01-SINGLE FAMILY

VALUE SUMMARY		
VALUES	2009 Working	2008 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$378,469	\$412,648
Depreciated EXFT Value	\$2,790	\$2,840
Land Value (Market)	\$316,000	\$316,000
Land Value Ag	\$0	\$0
Just/Market Value	\$697,259	\$731,488
Portability Adj	\$0	\$0
Save Our Homes Adj	\$259,226	\$306,213
Assessed Value (SOH)	\$438,033	\$425,275
Tax Estimator		
Portability Calculator		

2009 TAXABLE VALUE WORKING ESTIMATE

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$438,033	\$50,000	\$388,033
Schools	\$438,033	\$25,000	\$413,033
Fire	\$438,033	\$50,000	\$388,033
Road District	\$438,033	\$50,000	\$388,033
SJWM(Saint Johns Water Management)	\$438,033	\$50,000	\$388,033
County Bonds	\$438,033	\$50,000	\$388,033

Potential Portability Amount is \$259,226
 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	06/1992	02446	0107	\$180,500	Improved	Yes
WARRANTY DEED	06/1983	01467	0848	\$65,000	Improved	No

Find Comparable Sales within this Subdivision

2008 VALUE SUMMARY	
Tax Amount (without SOH):	\$11,016
2008 Tax Bill Amount:	\$5,840
Save Our Homes (SOH) Savings:	\$5,176
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
FRONT FOOT & DEPTH	80	152	.000	5,000.00	\$316,000

LEGAL DESCRIPTION

PLATS: Pick...
 LEG LOT 3 BEAR LAKE ESTATES PB 12 PG 95

BUILDING INFORMATION									
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bid Value	Est. Cost New
1	SINGLE FAMILY	2005	15	2,663	4,946	3,013	CB/STUCCO FINISH	\$378,469	\$386,193
		Appendage / Sqft OPEN PORCH FINISHED / 625 Appendage / Sqft GARAGE FINISHED / 744 Appendage / Sqft OPEN PORCH FINISHED / 65 Appendage / Sqft UTILITY FINISHED / 70 Appendage / Sqft UTILITY FINISHED / 429 Appendage / Sqft UPPER STORY FINISHED / 350							

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
BOAT DOCK	1990	175	\$350	\$875
BOAT HOUSE	1990	200	\$640	\$1,600
FIREPLACE	2005	1	\$1,800	\$2,000

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 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, Robert T. A. Maier, Sandra Main the fee simple owner of the following
(Owner's Name)
described property (Provide Legal Description or Tax Parcel ID Number(s)) _____
19-21-29-501-0000-0030

hereby affirm that Sheila Cichra is hereby designated to act as my /our
authorized agent and to file the attached application for the stated special exception / variance request and
make binding statements and commitments regarding the request.

Owner's Signature

Sandra Main

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.

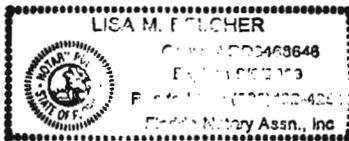
SWORN TO AND SUBSCRIBED before me this 22 day of Dec, 2008

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Robert Maier, who is personally known to me or who has produced _____ 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 22 day of Dec, 2008

Lisa M. Belcher Seminole, Florida
Notary Public in and for the County and State
Aforementioned

My Commission Expires: 9/6/09



Application to the Board of Adjustment / Planning Division

Last updated 7/24/08



**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

The owner of the real property associated with this application is a (check one)

- Individual Corporation Land Trust
 Limited Liability Company Partnership
 Other (describe): _____

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	ADDRESS	PHONE NUMBER
Robert A. Maier	6135 Linnel Beach Dr. Apts, FL 32703	407-294-7497
Sandra Maier	6135 Linnel Beach Dr. Apts, FL 32703	407-294-7497

(Use additional sheets for more space.)

2. For each **corporation**, list the name, address, and title of each officer; the name and address of each director of the corporation; and the name and address of each shareholder who owns two percent 2% or more of the stock of the corporation. Shareholders need not be disclosed if a corporation's stock are not traded publicly on any national stock exchange.

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST

(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 and the percentage of interest of each beneficiary. If any trustee or beneficiary of a trust is a corporation, please provide the information required in paragraph 2 above.

Trust Name: _____

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

4. For **partnerships**, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners. If any partner is a corporation, please provide the information required in paragraph 2 above.

NAME	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

5. In the circumstances of a **contract for purchase**, list the name and address of each contract purchaser. If the purchaser is a corporation, trust, or partnership, provide the information required for those entities in paragraphs 2, 3, and/or 4 above.

Name of Purchaser: _____

NAME	ADDRESS	% OF INTEREST

Date of Contract: _____

Please specify any contingency clause related to the outcome of the consideration of the application.

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject 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.

December 22, 2008
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seville

Sworn to (or affirmed) and subscribed before me this 22 day of December, 2008 by Robert A. Maier

[Signature]
Signature of Notary Public

Lisa M. Belcher
Print, Type or Stamp Name of Notary Public



Personally Known OR Produced Identification _____

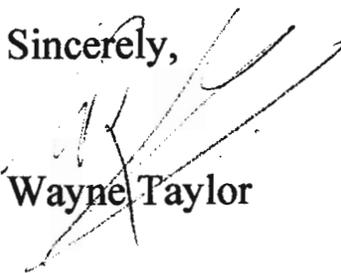
Type of Identification Produced _____

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

12-22-08

I am Wayne Taylor owner of Parcel id: 19-21-29-501-0000-0020 next door to the Maier's residence and have reviewed my neighbor's dock project and have no objection to it.

Sincerely,



Wayne Taylor

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 23, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lot 3 Bear Lake Estates Pb 12 Pg 95

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

FINDINGS OF FACT

Property Owner: Robert Maier
6135 Linneal Beach Drive
Apopka, Fl. 32703

Project Name: Linneal Beach (6135)

Variance Approval:

Side yard setback variance from 10 feet to 0 feet for a boat dock.

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 boat dock 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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

**SEMINOLE COUNTY DENIAL DEVELOPMENT
ORDER**

On February 23, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lot 3 Bear Lake Estates Pb 12 Pg 95

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

FINDINGS OF FACT

Property Owner: Robert Maier
6135 Linneal Beach Drive
Apopka, Fl. 32703

Project Name: Linneal Beach (6135)

Variance Approval:

Side yard setback variance from 10 feet to 0 feet for a boat dock.

Approval was sought to construct a boat dock into the side yard setback. One or more of the six criteria under the Land Development Code for granting a variance have not been satisfied. The applicant still retains reasonable use of the property without the granting of the requested variance.

The requested development approval is hereby denied.

Prepared by: Kathy Fall, Principal 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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: