

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

SUBJECT: 103 Lochinvar Drive – Diana Duffy, applicant; Request for a rear yard setback variance from 30 feet to 14 feet for an existing addition in R-1A (Single Family Dwelling) district.

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

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

Agenda Date 6/22/09 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Deny** the request for a rear yard setback variance from 30 feet to 14 feet for an existing addition in R-1A (Single Family Dwelling) district; or
2. **Approve** the request for a rear yard setback variance from 30 feet to 14 feet for an existing addition in R-1A (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

<p>GENERAL INFORMATION</p>	<p>Applicant: Diana Duffy Location: 103 Lochinvar Drive Zoning: R-1A (Single Family Dwelling) district Subdivision: Highland Pines Unit 1</p>
<p>BACKGROUND / REQUEST</p>	<ul style="list-style-type: none"> • The applicant constructed an addition that encroaches into the required 30 foot rear yard setback. • The existing home was constructed in 1969 and, at a setback of 26 feet, it is also non-conforming for today's setback requirement of 30 feet. • A Notice of Violation for unpermitted construction was issued and the applicant has submitted for a building permit and variance to address the violation. • There is no record of prior variances for this property.

Reviewed by: gnc
Co Atty: AS
Pln Mgr: AS

STAFF FINDINGS	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• Special conditions and circumstances result from the actions of the applicant.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
STAFF RECOMMENDATION	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate that all six criteria under the Land Development Code for granting a variance have been satisfied. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the addition at rear of the home 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 2009-28
Meeting Date 6-22-09

COPY

VARIANCE APPLICATION



SEMINOLE COUNTY PLANNING DIVISION ROOM 2201
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: DIANA DUFFY
Address: 103 LOCHINVAR DR. City: FEEN PARK Zip code: 32730
Project Address: _____ City: _____ Zip code: _____
Tax Parcel number: 20-21-30-509-0000-0280
Contact number(s): (407) 339-4652
Email address: _____

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 checked="" type="checkbox"/> Addition	Please describe: <u>SUNROOM & OFFICE</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.	

RECEIVED APR 16 2009

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:	Proposed setback:	<u>14 ft.</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:	

30ft.

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:

Total number of variances requested 1

Signed: Diana Duffy

Date: 16 April 2009

FOR OFFICE USE ONLY

Date Submitted: 4-14-09 Reviewed By: P. Johnson
 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!

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 1/2 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.
	<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, drain field and wells
	<input type="checkbox"/> Location of all easements
	<input type="checkbox"/> Existing or proposed house <u>or</u> 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 (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.

**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
<i>Alicia Bluff</i>	<i>103 Lochness Dr. Fern Park</i>	<i>407-339-4652</i>

(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**

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.

16 April 2009
Date

Diana Duffy
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 16th day of April, 2009 by DIANA DUFFY

Patricia Johnson
Signature of Notary Public



Comm# DD0759908
Expires 2/18/2012
Florida Notary Assn., Inc

Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification ✓
Type of Identification Produced D100-177-42-628-D FLA. DRIVER LICENSE

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

PLAT OF SURVEY

DESCRIPTION

LOT 28, HIGHLAND PINES UNIT 1, AS RECORDED IN PLAT BOOK 14, PAGE 95, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

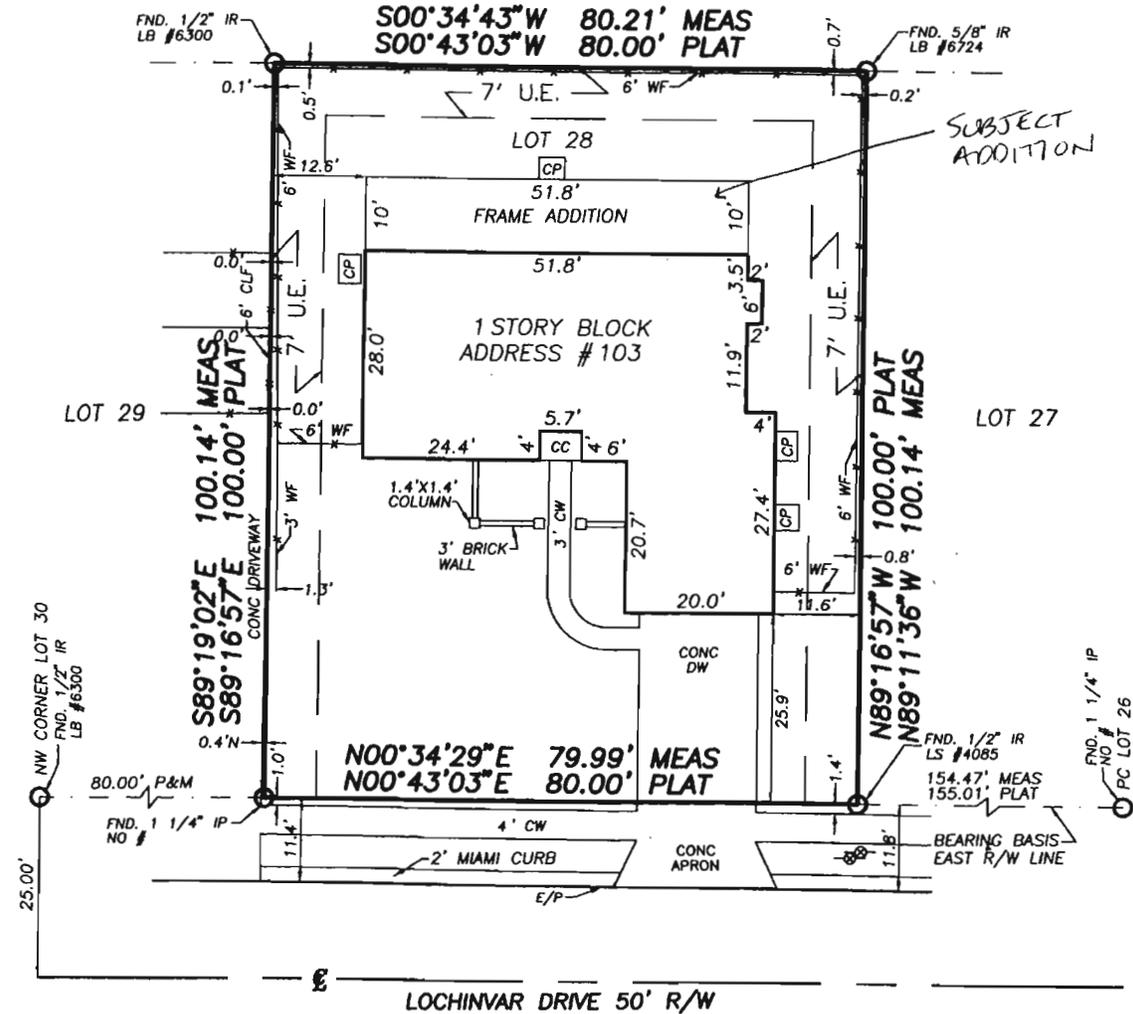


HIGHLAND PINES UNIT 2
PLAT BOOK 15, PAGE 10

LOT 52

SYMBOLS LEGEND

- CO - CLEAN OUT
- EB - ELECTRICAL BOX
- FH - FIRE HYDRANT
- Y - GUY WIRE ANCHOR
- TR - TELEPHONE RISER
- T - TRANSFORMER
- TV - CABLE TV RISER
- W - WATER METER
- WV - WATER VALVE
- EM - ELECTRIC METER
- DM - DOT MANHOLE
- * - LIGHT POLE



JOB #27540
CF#SC14-95LOT28
FIELD DATE: 5-28-09
SCALE: 1" = 20'
DRAWN BY: GLT

BOUNDARY SURVEY CERTIFIED TO: DIANE DUFFY

REVISIONS

ACCURIGHT SURVEYS
of Orlando Inc., LB 4475
2012 E. Robinson St.
Orlando, Florida 32803
PHONE (407) 894-6314 FAX (407) 897-3777

JAMES D. BRAY PSM 6507
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTES:

1. BEARING STRUCTURE IS BASED ON THE MONUMENTED EAST R/W LINE OF LOCHINVAR DRIVE, BEING: N00°43'03"E (PLAT).
2. THIS BUILDING/LOT IS NOT IN A FLOOD PRONE AREA, ZONE X, BASED ON FLOOD INSURANCE RATE MAP, NO. 12117C0165F, CITY OF CASSELBERRY, FLORIDA.
3. THIS SURVEY REFLECTS ONLY MATTERS OF RECORD AS PROVIDED BY CLIENT.
4. UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED.
5. BUILDING TIES SHOWN ON THIS SURVEY SHOULD NOT BE USED TO RECONSTRUCT PROPERTY LINES.

LEGEND

- CL - CENTERLINE
- CSW - CONCRETE BLOCK WALL
- CC - COVERED CONCRETE
- CLF - CHAIN LINK FENCE
- CM - CONCRETE MONUMENT
- CONC - CONCRETE
- COWD - COVERED
- CP - CONCRETE PAD
- CW - CONCRETE WALKWAY
- DA - DRIVEWAY
- DEM - DESCRIBED & MEASURED
- DE - DRAINAGE EASEMENT
- DESC - DESCRIPTION
- DW - DRIVEWAY
- E/P - EDGE OF PAVEMENT
- ESMT - EASEMENT
- FTE - FINISHED FLOOR ELEVATION
- FIRM - FLOOD INSURANCE RATE MAP
- FND - FOUND
- IP - IRON PIPE
- IR - IRON ROD
- L - ARC LENGTH
- LB - LICENSED BUSINESS
- LS - LICENSED SURVEYOR
- LSA - LANDSCAPE AREA
- MEAS - MEASURED
- MS - METAL SHED
- M&D - NAIL & DISK
- OW - OVERHEAD WIRE
- ORB - OFFICIAL RECORDS BOOK
- P&M - PLAT & MEASURED
- PB - PLAT BOOK
- PC - POINT OF CURVATURE
- PG - PAGE
- POB - POINT OF BEGINNING
- POC - POINT OF COMMENCEMENT
- PSM - PROFESSIONAL SURVEYOR AND MAPPER
- R - RADIUS
- R/W - RIGHT OF WAY
- TYP - TYPICAL
- UE - UTILITY EASEMENT
- UP - UTILITY POLE
- WF - WOOD FENCE
- WS - WOOD SHED
- # - NUMBER

EXISTING PROPERTY LINE

EXISTING WOOD FENCE

EXISTING WOOD FENCE

10'-6"
Setback

30'
Setback??

10'-6"
Setback

EXISTING WOOD FENCE

NEW OFFICE

NEW SUNROOM

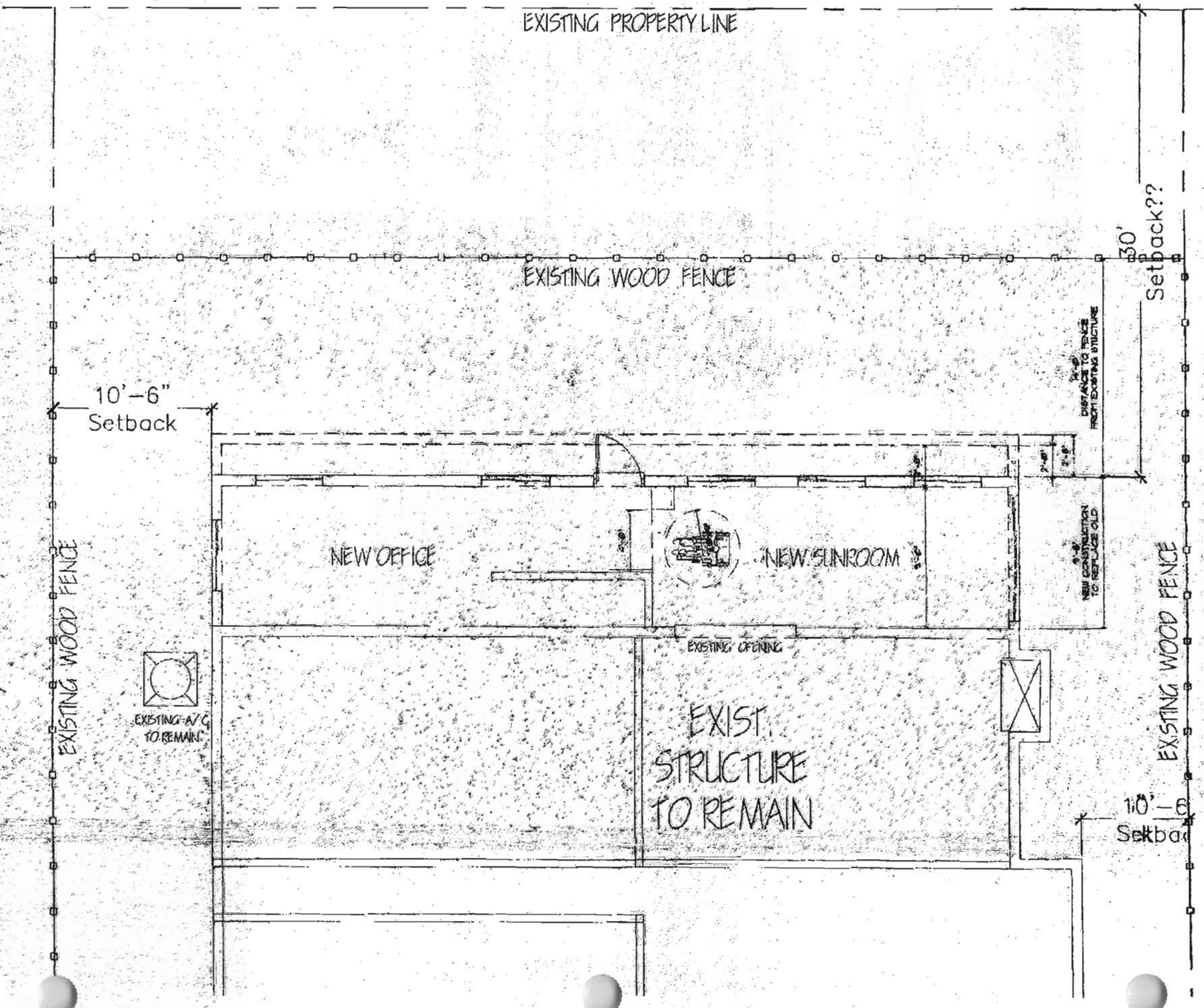
EXIST.
STRUCTURE
TO REMAIN



EXISTING OPENING

2'-0"
DISTANCE TO SETBACK
FROM EXISTING STRUCTURE

2'-0"
NEW CONSTRUCTION
TO REPLACE OLD



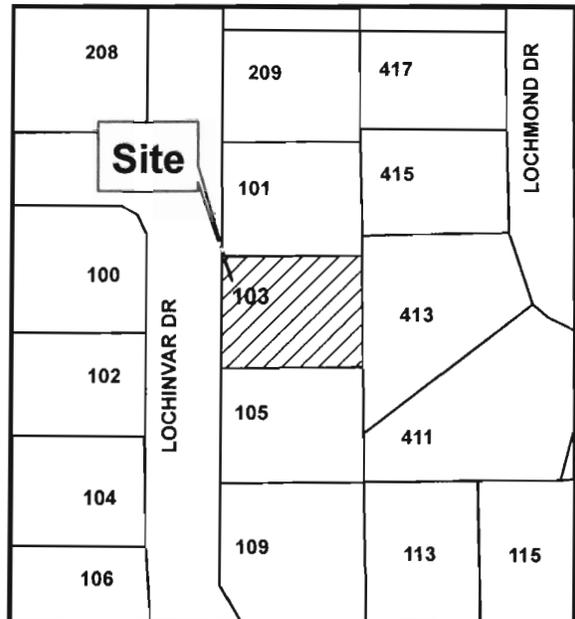
Diana Duffy
 103 Lochinvar Drive
 Fern Park, Florida 32730



Seminole County Board of Adjustment
 June 22, 2009
 Case: BV2009-28 (Map 3209 Grid D1)
 Parcel No: 20-21-30-509-0000-0280

Zoning

	BV2009-28		R-3
	A-1		C-1
	R-1A		C-2
	R-3A		PCD



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-655-7505</p>																																			
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 20-21-30-509-0000-0280 Owner: DUFFY DIANA L TRUSTEE Own/Addr: FBO Mailing Address: 103 LOCHINVAR DR City,State,ZipCode: FERN PARK FL 32730 Property Address: 103 LOCHINVAR DR FERN PARK 32730 Subdivision Name: HIGHLAND PINES UNIT 1 Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">VALUES</th> <th style="text-align: center;">2009 Working</th> <th style="text-align: center;">2008 Certified</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Value Method</td> <td style="text-align: center;">Cost/Market</td> <td style="text-align: center;">Cost/Market</td> </tr> <tr> <td style="text-align: center;">Number of Buildings</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">Depreciated Bldg Value</td> <td style="text-align: right;">\$118,389</td> <td style="text-align: right;">\$131,572</td> </tr> <tr> <td style="text-align: center;">Depreciated EXFT Value</td> <td style="text-align: right;">\$2,840</td> <td style="text-align: right;">\$2,840</td> </tr> <tr> <td style="text-align: center;">Land Value (Market)</td> <td style="text-align: right;">\$40,000</td> <td style="text-align: right;">\$40,000</td> </tr> <tr> <td style="text-align: center;">Land Value Ag</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;"><u>Just/Market Value</u></td> <td style="text-align: right;">\$161,229</td> <td style="text-align: right;">\$174,412</td> </tr> <tr> <td style="text-align: center;">Portability Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Save Our Homes Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Assessed Value (SOH)</td> <td style="text-align: right;">\$161,229</td> <td style="text-align: right;">\$174,412</td> </tr> </tbody> </table> <p style="text-align: center;">Tax Estimator</p>	VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$118,389	\$131,572	Depreciated EXFT Value	\$2,840	\$2,840	Land Value (Market)	\$40,000	\$40,000	Land Value Ag	\$0	\$0	<u>Just/Market Value</u>	\$161,229	\$174,412	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$0	Assessed Value (SOH)	\$161,229	\$174,412
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2009 TAXABLE VALUE WORKING ESTIMATE																																			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value																																
County General Fund	\$161,229	\$0	\$161,229																																
Schools	\$161,229	\$0	\$161,229																																
Fire	\$161,229	\$0	\$161,229																																
Road District	\$161,229	\$0	\$161,229																																
SJWM(Saint Johns Water Management)	\$161,229	\$0	\$161,229																																
County Bonds	\$161,229	\$0	\$161,229																																
The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.																																			
SALES		2008 VALUE SUMMARY																																	
Deed	Date	Book Page	Amount Vac/Imp																																
WARRANTY DEED	11/2007	06865 1167	\$100 Improved No																																
QUIT CLAIM DEED	06/2006	06289 1423	\$100 Improved No																																
WARRANTY DEED	05/2006	06234 0003	\$100 Improved No																																
WARRANTY DEED	07/1996	03109 1833	\$89,900 Improved Yes																																
WARRANTY DEED	01/1974	01037 1112	\$34,000 Improved Yes																																
Find Comparable Sales within this Subdivision																																			
2008 VALUE SUMMARY		LEGAL DESCRIPTION																																	
2008 Tax Bill Amount:		PLATS: <input type="text" value="Pick..."/>																																	
\$2,627		LEG LOT 28 HIGHLAND PINES UNIT 1 PB 14 PG 95																																	
2008 Certified Taxable Value and Taxes		LEGAL DESCRIPTION																																	
DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS		PLATS: <input type="text" value="Pick..."/>																																	
LAND		LEGAL DESCRIPTION																																	
Land Assess Method	Frontage	Depth	Land Units																																
LOT	0	0	1.000																																
Unit Price	Land Value		\$40,000																																
40,000.00	\$40,000																																		
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	1969	6	1,382	1,900	1,382	EW CONCRETE BLOCK	\$118,389	\$147,986																										
Building Sketch																																			
Appendage / Sqft	OPEN PORCH FINISHED / 20																																		
Appendage / Sqft	GARAGE FINISHED / 498																																		
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	1969	1	\$600	\$1,500																															
ALUM GLASS PORCH	1979	160	\$896	\$2,240																															

ALUM GLASS PORCH 1979	240	\$1,344	\$3,360
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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 DENIAL DEVELOPMENT ORDER

On June 22, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 28 HIGHLAND PINES UNIT 1 PB 14 PG 95

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

FINDINGS OF FACT

Property Owner: Duffy Diana L Trustee
103 Lochinvar Dr
Fern Park Fl 32730

Project Name: Lochinvar Drive (103)

Requested Variance:

Rear yard setback variance from 30 feet to 14 feet for an existing addition in R-1A (Single Family Dwelling) district.

Approval was sought to bring into compliance the construction of an addition 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: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Done and Ordered on the date first written above.

By: _____
Alison C. Stettner
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 22, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 28 HIGHLAND PINES UNIT 1 PB 14 PG 95

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

FINDINGS OF FACT

Property Owner: Duffy Diana L Trustee
103 Lochinvar Dr
Fern Park FL 32730

Project Name: Lochinvar Drive (103)

Variance Approval:

Rear yard setback variance from 30 feet to 14 feet for an existing addition 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: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 - a. The variance granted will apply only to the addition at the rear of the home 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:

