

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 620 Reagan Trail – Chris Anderson, Applicant; Request for a rear yard setback from 40 feet to 30 feet for a room addition in the R-1AA (Single Family Dwelling).

DEPARTMENT: Planning & Development DIVISION: Planning

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

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

MOTION/RECOMMENDATION:

1. **Deny** the request for a rear yard setback from 40 feet to 30 feet for a room addition in the R-1AA (Single Family Dwelling); or
2. **Approve** the request for a rear yard setback from 40 feet to 30 feet for a room addition in the R-1AA (Single Family Dwelling); or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Chris Anderson Owner: Caryn Northan Location: 2620 Reagan Trail Zoning: R-1AA Subdivision: The Cove
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The owner is requesting to construct a room addition that will encroach 10 feet into a 40 foot setback. • The 40 foot setback was established by a Development Order for the The Cove development from the 45.30 Conservation Easement Line for Crystal Lake. • 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:

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

	<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 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 # BV2009-50
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: Caryn Northan Chris Andexler (632) 464-6561
Address: 2620 Reagan Trail City: LK. Mary Zip code: 32746
Project Address: 2620 Reagan Trail City: LK. Mary Zip code: 32746
Tax Parcel number: 03-20-30-5PJ-0000-1250
Contact number(s): 407.697.8543 (cell) 407.688.9889 (home)
Email address: Carnorthan@aol.com

Is the property available for inspection without an appointment?

Yes No If gated please provide a gate code to staff. (Key Key 3153)

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>ROOM ADDITION TO REAR OF HOUSE</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>30 FT.</u>	Proposed setback: <u>40 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:

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: _____

Date: 7/28/09

FOR OFFICE USE ONLY

Back 3500
DO 98-092 PC 87

Date Submitted: 5-1-09

Reviewed By: F. Johnson

Zoning/FLU R-1AA / UDR

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.

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.

	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.

designs

Seminole County Planning Division
1101 E. First St.
Sanford, FL 32771

Variance Request Explanation:

The below described variance request is on property address **2620 Reagan Trail, Lake Mary, FL 32746; Parcel number 03-20-30-5PJ-0000-1250.**

This request is being issued to provide a 30 foot rear yard setback from that of a 40 foot rear yard setback.

The purpose of the rear yard setback variance request is to create a more useable purpose for the existing residence and rear yard of said property. Currently the said property is 30 foot rear yard with the exception of residences backing up to the lake.

At the current time the property cannot be used to its fullest potential due to the drastic slope on the rear yard. The property owner wants to make the best use of the property without violating the nature or high water levels adjacent to the lake.

The minimal impact that has been looked at is to do an addition that will not exceed that of a 30 foot rear yard setback. Not allowing the setback will not allow for the owner to optimally use the rear yard to their fullest extent.

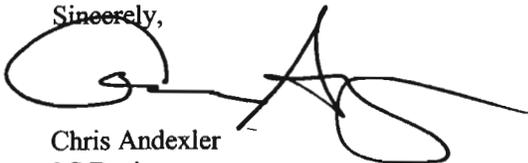
From my research, I see no adverse impact on the neighboring properties, flooding or natural wildlife within the Seminole County Preservation Easement or lake there within.

Property Facts:

- Finished Floor Elevation: **55.98**
- Finished Grade Elevation: **45.30** at the Conservation Easement Line (High Water Level).
- Top of Water Grade: **39.40** at water line
- 20 foot Accessory structure setback with minimum 90 foot lot width.

Thank you for your consideration.

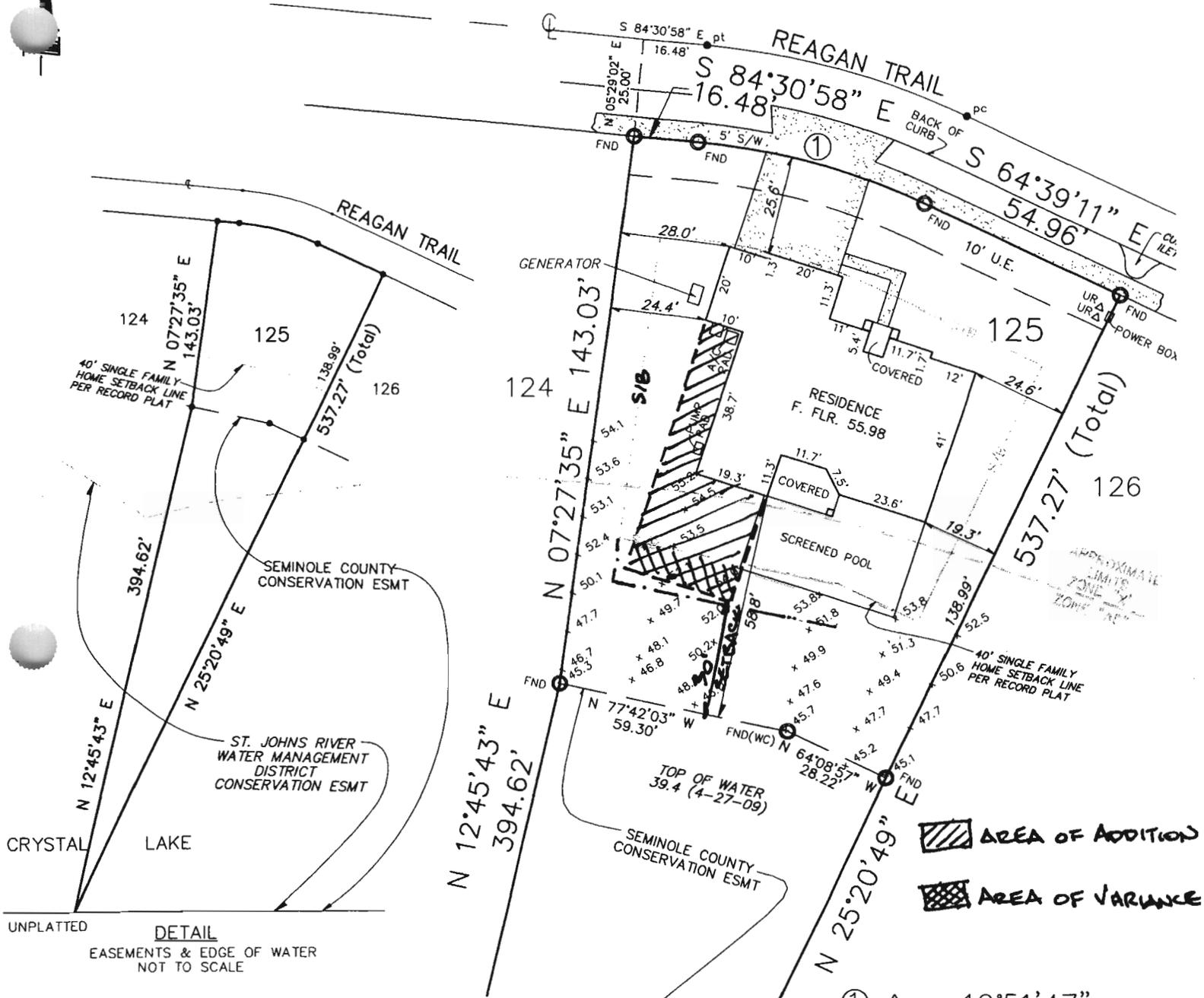
Sincerely,



Chris Andexler
3C Designs
105 Balmoral Ct.
Debary, FL 32713
P: 386.753.9155

THE COVE

ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 56 ON PAGES 40, 41, 42, & 43 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



NOTES:

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

ALL DIMENSIONS NOT TO SCALE

ALL DIMENSIONS OF SUBJECT PROPERTY AND IMPROVEMENTS ARE AS SHOWN ON THIS PLAT.

NO PART OF THIS PLAT IS INTENDED TO BE DISPLAYED AT A SCALE OTHER THAN AS SHOWN.

OVERHANGS & FOOTERS HAVE NOT BEEN LOCATED UNLESS OTHERWISE NOTED.

UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED UNLESS OTHERWISE NOTED.

NO DIMENSIONS ARE TO BE USED TO CONSTRUCT DEED AGREEMENTS.

ALL DIMENSIONS SHOWN HEREON WERE NOT ABSTRACTED FROM ANY OTHER PLAT, RIGHTS OF WAY, RESTRICTIONS, USES, EASEMENTS OR MATTERS OF RECORD BY THIS FIRM.

RELATIVE ACCURACY OF FIELD MEASURED CONTROL POINTS IS 1 FOOT IN 10,000 FEET.

VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND REGISTERED PROFESSIONAL ENGINEER.

ALL DIMENSIONS ARE BASED UPON THE CENTERLINE OF REAGAN TRAIL PER RECORD PLAT, HAVING A BEARING

BUILDING SETBACKS:
 FRONT=25'
 SIDE=10'
 REAR=30'
 LAKE FRONT=40' FROM 100 YEAR FLOOD LINE (45.3)
 20' ACCESSORY STRUCTURE
 MINIMUM LOT WIDTH=90'
 LAKE FRONT=100'
 MINIMUM CORNER LOT WIDTH=103.5'
 LAKE FRONT=115'

Proposed Survey

① $\Delta = 19^{\circ}51'47''$
 $R = 175.00'$
 $L = 60.67'$
 $CB = S 74^{\circ}35'05'' E$

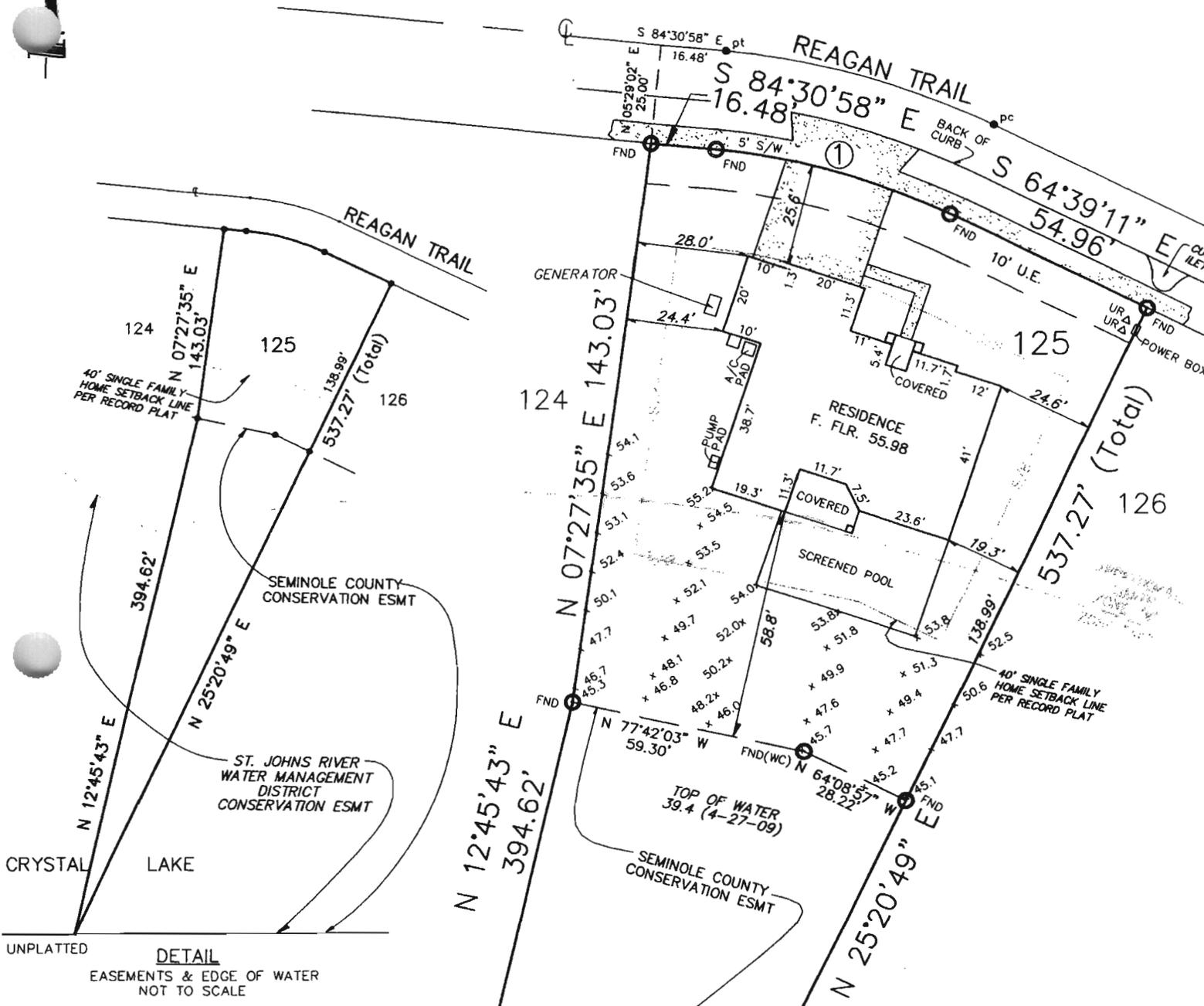
○ - INDICATES 18" - 5/8" REBAR & CAP (LB 676 UNLESS NOTED OTHERWISE)
 ○ - INDICATES PERMANENT CONTROL POINT
 □ - INDICATES CONC. MON. / PRM

LEGEND

S/B	= BUILDING SETBACK	L.E.	= LANDSCAPE EASEMENT
MAINT	= MAINTENANCE	D.E.	= DRAINAGE EASEMENT
UTIL	= UTILITY	U.E.	= UTILITY EASEMENT
CONC.	= CONCRETE	I.P.	= IRON PIPE
CM	= CONCRETE MONUMENT	R/C	= ROD AND CAP
F.FLR.	= FINISHED FLOOR	I.R.	= IRON ROD
BLK.	= BLOCK	N/D	= NAIL & DISK
WM	= WATER METER	FND	= FOUND
ESMT.	= EASEMENT	REC.	= RECOVERED
MON	= MONUMENT	S.E.	= SIDEWALK EASEMENT
TRANS.	= TRANSFORMER	R.	= RADIAL
TEL	= TELEPHONE	N.R.	= NON-RADIAL
SQ.FT.	= SQUARE FEET	CL	= CENTERLINE

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ALL DIMENSIONS NOT TO SCALE

THE POSITION OF SUBJECT PROPERTY AND IMPROVEMENTS SHOWN ARE UNPLATTED.

THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1" = 40'.

OVERHANGS & FOOTERS HAVE NOT BEEN LOCATED UNLESS OTHERWISE NOTED.

UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO BE USED TO CONSTRUCT DEED AND EASEMENTS.

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

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

THIS MAP IS VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND PARTIAL RECORD.

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EXISTING SURVEY

**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, Caryn Northan, the fee simple owner of the following
(Owner's Name)

described property (Provide Legal Description or Tax Parcel ID Number(s)) _____
03.20.30.5PJ.0000.1250

hereby affirm that Chris Anderson 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.

[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.

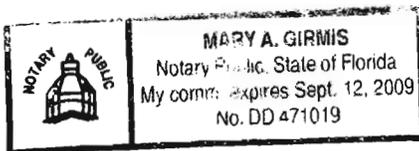
SWORN TO AND SUBSCRIBED before me this 20 day of April 2009

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Caryn Northan, who is personally known to me or who has produced FLDR UC, 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 20 day of April, 2009

[Signature]
Notary Public in and for the County and State
Aforementioned

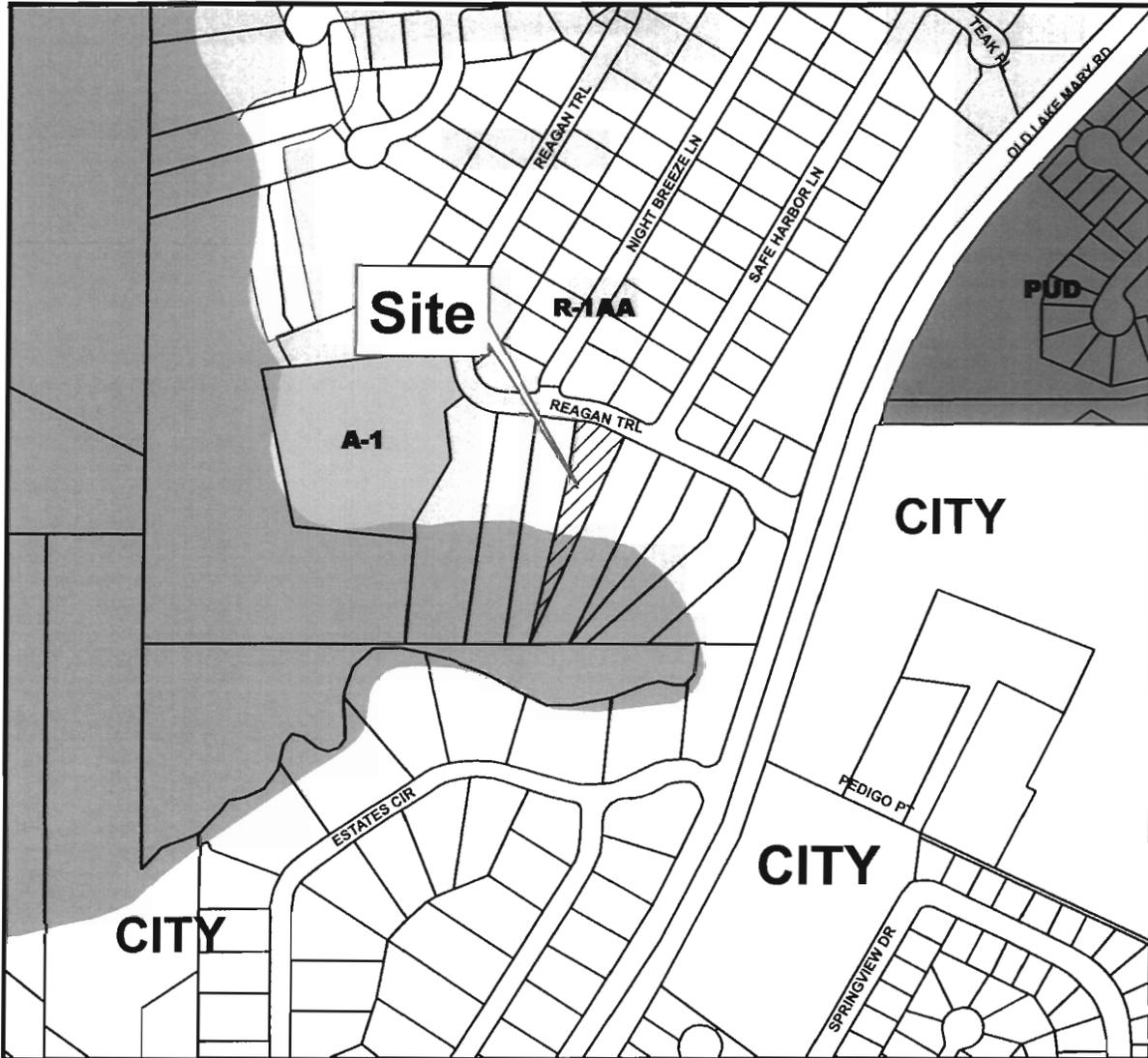
My Commission Expires: April Sept 12, 2009



Application to the Board of Adjustment / Planning Division

Last updated 7/24/08

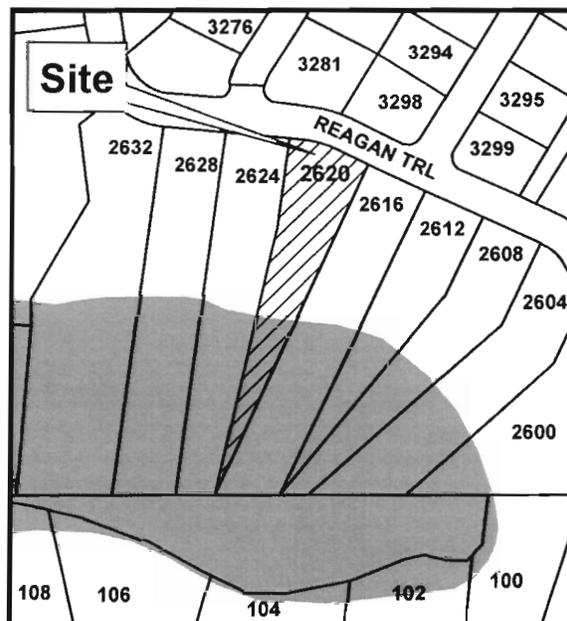
Caryn Northan
2620 Reagan Trail
Lake Mary, Florida 32746

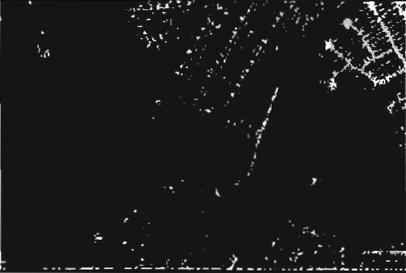


Seminole County Board of Adjustment
June 22, 2009
Case: BV2009-50 (Map 3052 Grid C6)
Parcel No: 03-20-30-5PJ-0000-1250

Zoning

-  BV2009-50
-  A-1
-  R-1AAA
-  R-1AA
-  PUD



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-666-7505</p>																																			
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 03-20-30-5PJ-0000-1250 Owner: NORTAN CARYN Mailing Address: 2620 REAGAN TRL City,State,ZipCode: LAKE MARY FL 32746 Property Address: 2620 REAGAN TRL LAKE MARY 32746 Subdivision Name: THE COVE Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2005) Dor: 01-SINGLE FAMILY</p>	<p>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;">\$210,182</td> <td style="text-align: right;">\$232,062</td> </tr> <tr> <td style="text-align: center;">Depreciated EXFT Value</td> <td style="text-align: right;">\$10,651</td> <td style="text-align: right;">\$11,022</td> </tr> <tr> <td style="text-align: center;">Land Value (Market)</td> <td style="text-align: right;">\$75,000</td> <td style="text-align: right;">\$80,000</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;">Just/Market Value</td> <td style="text-align: right;">\$295,833</td> <td style="text-align: right;">\$323,084</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;">\$26,688</td> <td style="text-align: right;">\$54,208</td> </tr> <tr> <td style="text-align: center;">Assessed Value (SOH)</td> <td style="text-align: right;">\$269,145</td> <td style="text-align: right;">\$268,876</td> </tr> </tbody> </table> <p style="text-align: center;">Tax Estimator Portability Calculator</p>		VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$210,182	\$232,062	Depreciated EXFT Value	\$10,651	\$11,022	Land Value (Market)	\$75,000	\$80,000	Land Value Ag	\$0	\$0	Just/Market Value	\$295,833	\$323,084	Portability Adj	\$0	\$0	Save Our Homes Adj	\$26,688	\$54,208	Assessed Value (SOH)	\$269,145	\$268,876
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COOL DECK PATIO	2001	566	\$1,585	\$1,981
SCREEN ENCLOSURE	2001	1,904	\$2,794	\$3,808
STANDBY GENERATOR 1	2008	1	\$0	

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.

FILE #FZ97-48

DEVELOPMENT ORDER #98-092

SEMINOLE COUNTY DEVELOPMENT ORDER

On February 24, 1998, Seminole County issued this Development Order relating to and touching and concerning the following described property:

See attached "Exhibit A"

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

FINDINGS OF FACT

Property Owners: Barnett Bank, Trust Company N.A.

Project Name: Remark Development Rezone

Requested Development Approval: Rezoning from A-1 (Agriculture) to R-1AA and R-1AAA (Single-Family Residential)

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 owners of the property have 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 title and perpetually burden the aforescribed property.

RETURN TO SANDY WALL

Prepared by: Don Fisher
101 East First Street
Sanford, Florida 32771

CLERK OF CIRCUIT COURT
262641

SEMINOLE COUNTY, FL.
RECORDED & VERIFIED
98 SEP 17 PM 12: 28

OFFICIAL RECORDS
BOOK PAGE
3500 0080
SEMINOLE CO. FL.

DEVELOPMENT ORDER #98-092

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) Dedicate additional right-of-way on Old Lake Mary Road as necessary to accommodate required off-site improvements.
- b) Install a left turn lane on Old Lake Road.
- c) Rezone only those areas above the pre-development 100-year flood prone elevation.
- d) Dedicate all areas below the 100-year flood prone elevation to Seminole County as conservation easement.
- e) The area, measured at depth of 135' along the 100-year flood prone elevation around the lake, is rezoned to R-1AAA, the remainder of the property is rezoned to R-1AA.
- f) Rear yard setbacks shall be a minimum of 40' for single-family homes and 20' for accessory structures from the existing 100-year flood prone elevation contour of 45.34.
- g) Participate in the existing selective aquatic weed control program with other lake front owners.
- h) No public access to the lake.
- i) All applications to perform work in the conservation area shall also be reviewed by the district commissioner.
- j) All residents that spoke during the rezoning hearings are to be notified when subdivision plans are received by the County.

(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 owners of the said property have expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

OFFICIAL RECORDS
BOOK PAGE

5500 0001

DEVELOPMENT ORDER # 92-092

(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.

(6) The rezoning approved pursuant to this Development Order shall expire and be of no further force or effect if the owner does not obtain final plat approval within (5) years from the date of execution of the Development Order by Seminole County. To that end, if plat approval is not obtained within the above stated time period; the zoning classifications assigned to the property by the virtue of this Development Order shall automatically revert to the zoning classification which was in effect as to the property prior to the issuance of this Development Order.

Done and Ordered on the date first above.

By: *Frances Chandler*
Frances Chandler
Planning and Development Director

OFFICIAL RECORDS
BOOK PAGE
3500 0082
SEMINOLE CO. FL.

Not a certified copy

The Cove HOA of Seminole Cnty
407-447-9955
5955 T. G. Lee Blvd Suite 300
Orlando FL 32822-4457

January 15, 2009

Caryn Northan
2620 Reagan Trail
Lake Mary FL 32746

Re: 2620 Reagan Trail

Dear Caryn Northan:

Enclosed find the reviewed application for the improvement you have planned.

The Architectural Review Board has **approved** your application for **addition to the property** with the condition that you obtain all necessary permits, and the improvement meets all municipal guidelines or restrictions (if applicable).
Attached is a copy of your approved Architectural Review Application.

If we could be of further assistance please do not hesitate to contact our office.

Association Manager:
Mel Moses, LCAM
Leland Management, Inc.
mmoses@lelandmanagement.com
Fax: (407) 781-5764

C.c. Owner's File

Enclosure

THE COVE HOA OF SEMINOLE COUNTY, INC.
ARCHITECTURAL REVIEW BOARD (ARB) APPLICATION
 MAIL APPLICATION TO: 5955 T.G. LEE BLVD SUITE 300., ORLANDO, FL 32822-4457
 OFFICE: (407) 781-1406 EMAIL: arb@lelandmanagement.com

Name Caryn Northan
 Property Address 2620 Reagan Trail LK. Mary, FL 32746 LOT 125
 Mailing Address 2620 Reagan Trl. City LK. Mary State FL Zip 32746
 Phone (s) Home 407.688.9889 Cell 407.697.8543 Fax 407.

In accordance with the Declaration of Covenants, Conditions and Restrictions and the Association's Rules and Regulations, Installation must conform to this approval and the Association's guidelines.

I hereby request your consent to make the following changes, alterations, renovations and/ or additions to my property.

- | | | | | |
|---|--|---|---|---|
| <input type="checkbox"/> Fence | <input type="checkbox"/> Swimming Pool | <input type="checkbox"/> Lawn Ornament | <input type="checkbox"/> Patio | <input type="checkbox"/> Screen enclosure |
| <input type="checkbox"/> Exterior Color | <input type="checkbox"/> Landscaping | <input type="checkbox"/> Lawn Replacement | <input checked="" type="checkbox"/> Other | <u>Addition to Property.</u> |

Description: _____

Attach two (2) copies of the property survey that shows the locations of the proposed change, alteration, renovation or addition.
 Attach two (2) drawings of your plan(s). Attach two (2) color samples, if applicable.

NOTE: APPLICATIONS SUBMITTED BY FAX OR WITHOUT TWO (2) COPIES OF THE SURVEY, DRAWING, OR COLOR SAMPLE WILL BE CONSIDERED INCOMPLETE. IF AN APPLICATION IS INCOMPLETE, IT WILL NOT BE PROCESSED AND WILL BE RETURNED TO YOU.

I HEREBY UNDERSTAND AND AGREE TO THE FOLLOWING CONDITIONS.

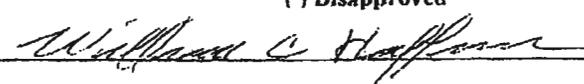
- No work will begin until written approval is received from the Association. You have 60 days from the approval date to complete the work. If not, then you must reapply for ARB approval.
- All work will be done expeditiously once commenced and will be done in a professional manner by a licensed contractor or myself.
- All work will be performed timely and in a manner that will minimize interference and inconvenience to other residents.
- I assume all liability and will be responsible for any and all damages to other lots and / or common area, which may result from performance of this work.
- I will be responsible for the conduct of all persons, agents, contractors, subcontractors and employees who are connected with this work.
- I am responsible for complying with all applicable federal, state and local laws, codes, regulations and requirements in connection with this work. I will obtain any necessary governmental permits and approval for the work.
- Upon receipt Leland Management, Inc. will forward the ARB Application to the Association. A decision by the Association may take up to 30 days. I will be notified in writing when the application is either approved or denied.

ALL HOMEOWNERS ARE RESPONSIBLE FOR FOLLOWING THE RULES AND GUIDELINES OF THEIR ASSOCIATION WHEN MAKING ANY EXTERIOR MODIFICATIONS.

Signature of Owner(s):  Date: 12.26.08

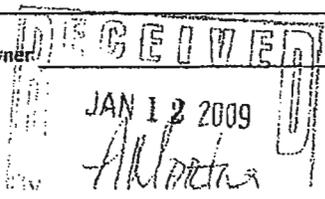
Do Not Write Below This Line

This Application is hereby: Approved Disapproved

Date 1-13-09 Signature 

Comments: _____

Date Received from Owner _____ Mailed to Assn _____ Mailed to Owner _____



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
Laryn Northan	2620 Reagan Trail, Lk. Mary	407.688.9889 / 407.697.8543 cell

(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.

4.20.09

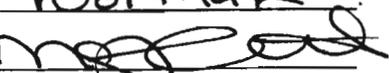
Date



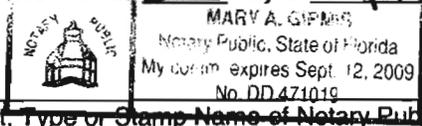
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 20 day of April, 2009 by Caryn

Worthan


Signature of Notary Public


Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification ✓

Type of Identification Produced Florida Dr. License

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



**COUNTY ATTORNEY'S OFFICE
MEMORANDUM**

TO: Kathy Fall, Principal Planner
CC: Dori DeBord, Director Planning and Development
FROM: Melissa Clarke, Assistant County Attorney *gpc*
(Ext. 7254)
DATE: May 19, 2009
SUBJECT: Variance for Setback established by Development Order

In your request for opinion received in this office on May 13, 2009, you asked the following:

QUESTION PRESENTED

If a setback was established by a Development Order, does an applicant seeking a variance from that setback need to amend the Development Order, and if so, would the amendment apply to all of the property included in the Development Order?

DISCUSSION

An amendment to the Development Order will affect all the properties included in such Development Order. Therefore, based on the circumstances in this particular case, the better course of action would be to allow the applicant to seek a variance for the individual property.

CONCLUSION

Staff should accept the variance application, review all pertinent information and make its recommendation to the Board of Adjustment accordingly.

Please let me know if you have additional questions.

MC/

P:\Users\MClarke\BOA\Variance to Development Order.doc

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:

Lot 125 THE COVE PB 56 PGS 40-43

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

FINDINGS OF FACT

Property Owner: Caryn Northan
2620 Reagan Trail
Lake Mary, FL 32746

Project Name: Reagan Trail (2620)

Variance Approval:

Rear yard setback from 40 feet to 30 feet for a proposed addition.

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

Lot 125 THE COVE PB 56 PGS 40-43

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

FINDINGS OF FACT

Property Owner: Caryn Northan
2620 Reagan Trail
Lake Mary, Fl 32746

Project Name: Reagan Trail (2620)

Requested Variance

Rear yard setback from 40 feet to 30 feet for a proposed addition.

Approval was sought to construct an addition onto an existing home. 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

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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: