

	<p>required 50-foot front yard setback.</p> <ul style="list-style-type: none">• Because an administrative variance has already been granted for a new addition at the southwest corner of the home, and only one administrative variance may be granted, the 3.08-foot encroachment requires a variance approval from the BOA.• There are currently no code enforcement or building violations for this property.• There is no record of prior variances for this property.
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 encroachments at the southeast corner and on the east

	<p>side of the existing structure as depicted on the attached site plan; and</p> <ul style="list-style-type: none">• 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

COPY

DIST 5
Application # 962009-75
Meeting Date 8-24-09



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: John Giuliani, Landmark Building & Construction Inc.
Address: P.O. Box 1329 City: Sanford Zip code: 32772
Project Address: 3900 Wimbledon Drive City: Lake Mary Zip code: 32746
Tax Parcel number: 02-20-29-507-0000-0110
Contact number(s): 407-323-5570 407-448-9471
Email address: landmark1977@yahoo.com

Is the property available for inspection without an appointment?

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

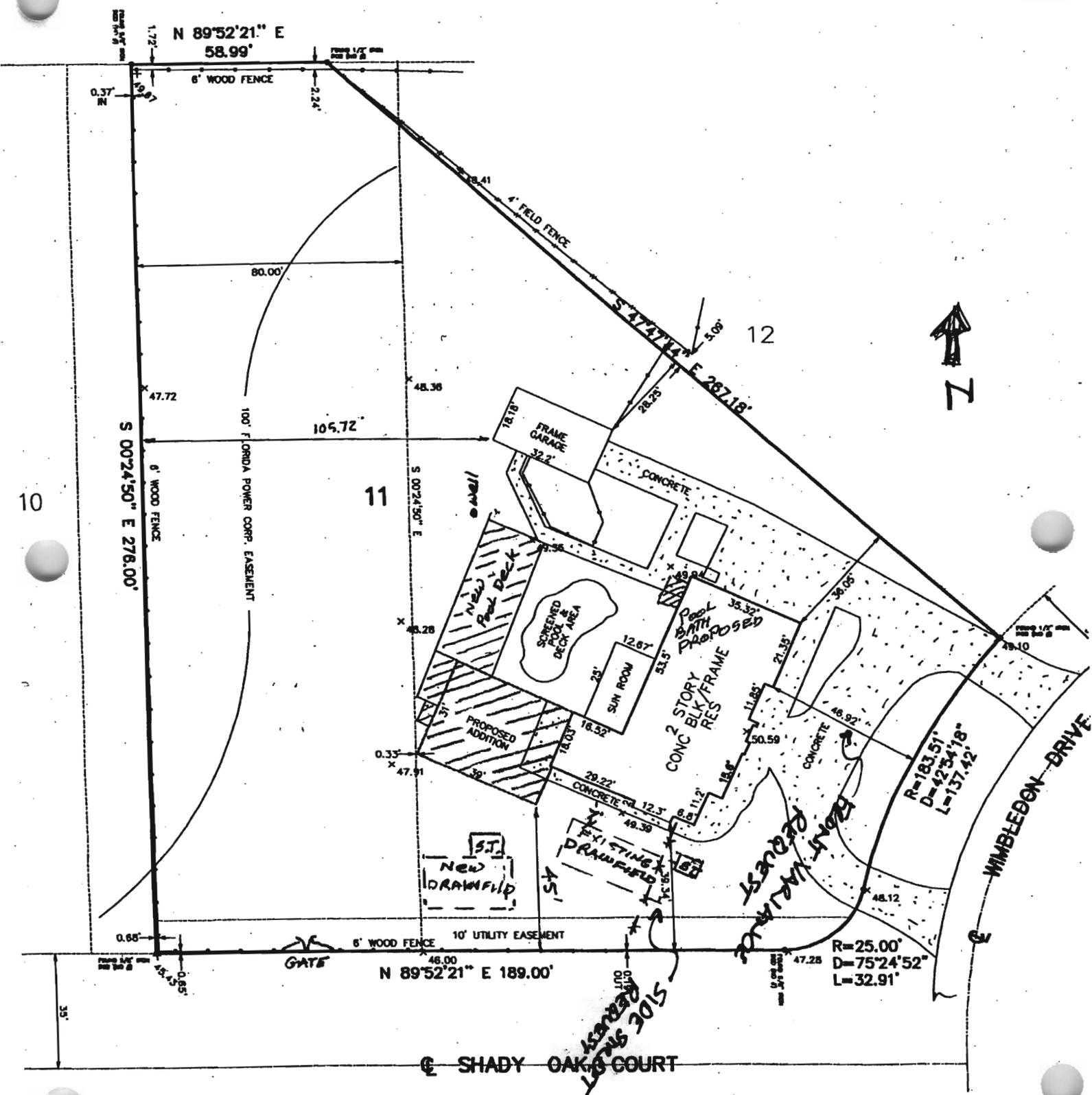
What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other	Please describe: <u>Existing home, front & side street setback</u>
This request is for a structure that has already been built.	

RECEIVED JUL 10 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 checked="" type="checkbox"/> Front yard setback	Required setback:	<u>50ft</u>	Proposed setback:	<u>46.92ft</u>
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Side street setback	Required setback:	<u>50ft.</u>	Proposed setback:	<u>39.34ft</u>
<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>2</u>				

Signed: John Giuliani

Date: 7/10/09



N 89°52'21" E
58.99'

6' WOOD FENCE

S 00°24'50" E 276.00'

6' WOOD FENCE

100' FLORIDA POWER CORP. EASEMENT

11

S 00°24'50" E

NEW DRAWN UP

N 89°52'21" E 189.00'

SHADY OAK COURT

12

S 41°22' E 287.18'



WIMBLEBON DRIVE

R=183.51'
D=42°34'18"
L=137.42'

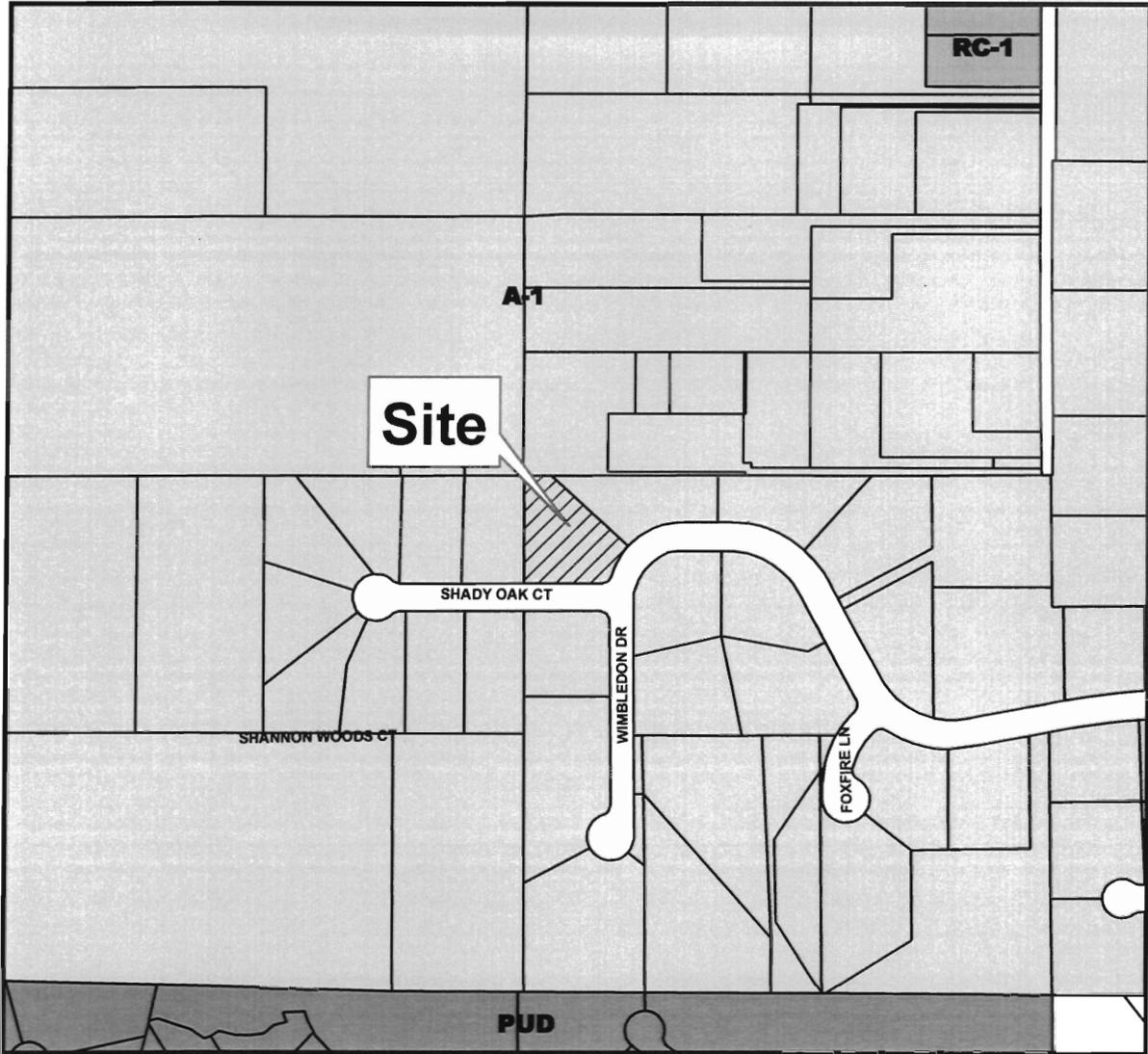
R=25.00'
D=75°24'52"
L=32.91'

EXISTING DRAWN UP

REQUEST

10

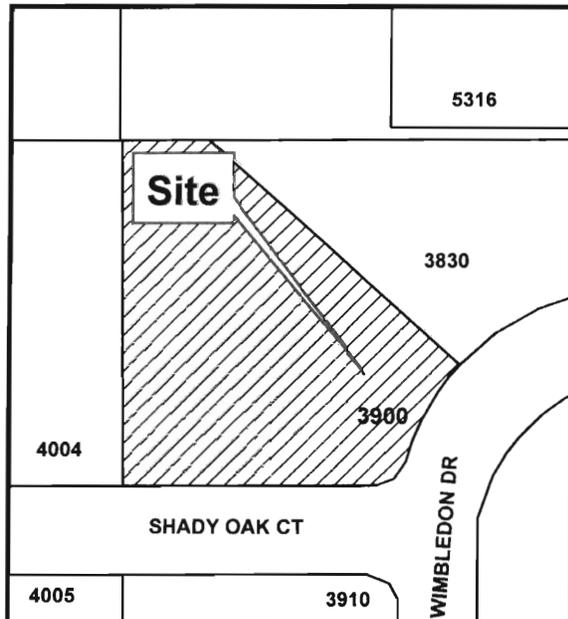
John Giuliani
3900 Wimbledon Drive
Lake Mary, FL 32746



Seminole County Board of Adjustment
August 24, 2009
Case: BV2009-75 (Map 3050 Grid D6)
Parcel No: 02-20-29-507-0000-0110

Zoning

-  BV2009-75
-  A-1
-  RC-1
-  R-1AAA
-  PUD



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1405 407-566-7905</p>																																												
<p align="center">GENERAL</p> <p>Parcel Id: 02-20-29-507-0000-0110 Owner: KISWANI DAVID & NOURIDJAN LIFE Own/Addr: EST (KISWANI DAVID T TR) Mailing Address: 3900 WIMBLEDON DR City,State,ZipCode: LAKE MARY FL 32746 Property Address: 3900 WIMBLEDON DR LAKE MARY 32746 Subdivision Name: SHANNON WEST Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2002) Dor: 01-SINGLE FAMILY</p>	<p>VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>VALUES</th> <th>2009 Working</th> <th>2008 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td>Cost/Market</td> <td>Cost/Market</td> </tr> <tr> <td>Number of Buildings</td> <td align="center">1</td> <td align="center">1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td align="right">\$207,539</td> <td align="right">\$262,779</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td align="right">\$17,502</td> <td align="right">\$18,375</td> </tr> <tr> <td>Land Value (Market)</td> <td align="right">\$80,000</td> <td align="right">\$100,000</td> </tr> <tr> <td>Land Value Ag</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Just/Market Value</td> <td align="right">\$305,041</td> <td align="right">\$381,154</td> </tr> <tr> <td>Portability Adj</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td align="right">\$6,878</td> <td align="right">\$83,289</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td align="right">\$298,163</td> <td align="right">\$297,865</td> </tr> </tbody> </table> <p 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	\$207,539	\$262,779	Depreciated EXFT Value	\$17,502	\$18,375	Land Value (Market)	\$80,000	\$100,000	Land Value Ag	\$0	\$0	Just/Market Value	\$305,041	\$381,154	Portability Adj	\$0	\$0	Save Our Homes Adj	\$6,878	\$83,289	Assessed Value (SOH)	\$298,163	\$297,865									
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<p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p>Permits</p>																																												

EXTRA FEATURE

Description	Year Bld	Units	EXFT Value	Est. Cost New
FIREPLACE	1983	1	\$800	\$2,000
WOOD UTILITY BLDG	1994	576	\$1,843	\$4,808
POOL GUNITE	1996	480	\$6,480	\$9,600
WATER FEATURE	1996	1	\$1,350	\$2,000
ELECTRIC HEATER	1996	1	\$440	\$1,100
COOL DECK PATIO	1996	1,036	\$2,448	\$3,626
SCREEN ENCLOSURE	1996	2,972	\$3,371	\$5,944
SOLAR HEATER	2006	1	\$770	\$1,100

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.

May 20, 2009

Shannon Homeowners Association, Inc.
P.O. Box 951544
Lake Mary, Florida 32795-1544

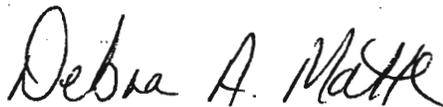
Mr. and Mrs. David Kiswani
3900 Wimbledon Drive
Lake Mary, Florida 32746

Subject: Approval of Plans for Addition to Residence

Dear Mr. and Mrs. Kiswani

On behalf of the Board of Directors and the Architectural Review Board, I am very pleased to confirm our approval of the plans you submitted for the proposed addition to your home, as well as the change of materials for the exterior of the house. We wish you success with this project, and are so pleased that you are enhancing our already beautiful neighborhood.

Sincerely,



Debra A. Matte
President 2008/2009
Shannon Homeowners Association

Cc Carolyn Heinrich, Lauri Davenport, Jen d'Aquisto, Frank Durrance, Richard Reyes

LIMITED POWER OF ATTORNEY

Date: July 9, 2009

I hereby name and appoint: John Giuliani, an agent of:
Landmark Building and Construction Inc.

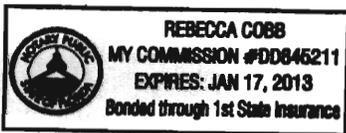
to be my lawful attorney-in-fact to act for me to apply for, receipt for, sign for
and do all things necessary to this appointment for building Setback variance
for the property located at 3900 Wimbledon Drive, Lake Mary, FL

Expiration Date for This Limited Power of Attorney: 9/30/09

Signature of Owner: 

STATE OF FLORIDA
COUNTY OF Seminole

The foregoing instrument was acknowledged before me this 9 day of
July, 2009, by David Kiswani, Trustee who is
 personally known to me or who has produced _____ as
identification and who did (did not) take an oath.



Rebecca Cobb
Signature

(Notary Seal)

Rebecca Cobb
Print or type name

Notary Public - State of Florida
Commission No. #DD845211
My Commission Expires January 17, 2013

**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
David Kiswani	3900 Wimbledon Dr. Lake Mary	321-228-7876
Nouridjan Ashdji	3900 Wimbledon Dr. Lake Mary	321-228-7876

(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: Kiswani David & Nouridjan Life

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST
David Kiswani	Trustee	3900 Wimbledon Drive	50%
Nouridjan Ashdji	Trustee	3900 Wimbledon Drive	50%

(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: 5/19/09

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.

7-10-09
Date

John Giuliani
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

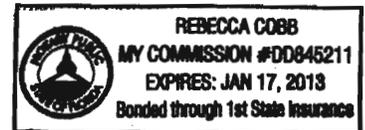
Sworn to (or affirmed) and subscribed before me this 10 day of July, 2009 by John Giuliani

Rebecca Cobb
Signature of Notary Public

Rebecca Cobb
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: _____

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On August 24, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 11 SHANNON WEST PB 25 PG 45

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

FINDINGS OF FACT

Property Owner: David & Nouridjan Kiswani Life Est
(Kiswani David T Tr)
3900 Wimbledon Dr
Lake Mary 32746

Project Name: Wimbledon Drive (3900)

Requested Variance:

A front yard setback variance from 50 feet to 46.92 feet and a side street setback variance from 50 feet to 39.34 feet for an existing two story home in A-1 (Agriculture) district.

Approval was sought to bring into compliance the encroachment into the front yard and side street setbacks for an existing structure in A-1. 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 August 24, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 11 SHANNON WEST PB 25 PG 45

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

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Property Owner: David & Nouridjan Kiswani Life Est
(Kiswani David T Tr)
3900 Wimbledon Dr
Lake Mary 32746

Project Name: Wimbledon Drive (3900)

Variance Approval:

A front yard setback variance from 50 feet to 46.92 feet and a side street setback variance from 50 feet to 39.34 feet for an existing two story home in A-1 (Agriculture) 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 encroachments at the southeast corner and on the east side of the existing structure 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:

