

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

**SUBJECT:** 3626 Supreme Court – Jonathan McGrath Construction, applicant; Request for a rear yard setback variance from 30 feet to 18.4 feet for a room addition in R-1A (Single Family Dwelling) district.

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

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

**Agenda Date** 9/28/09    **Regular**     **Consent**     **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a rear yard setback variance from 30 feet to 18.4 feet for a room addition in R-1A (Single Family Dwelling) district ; or
2. **Approve** the request for a rear yard setback variance from 30 feet to 18.4 feet for a room addition in R-1A (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<p>Applicant: Jonathan McGrath Construction  Owner: Kerry &amp; Bradley Giedd  Location: 3626 Supreme Ct  Zoning: R-1A (Single Family Dwelling) district  Subdivision: Ballentyne</p>
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a 28-foot by 12.7-foot room addition that will encroach within the required 30-foot rear yard setback.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances for this property.</li> </ul>
<b>STAFF FINDINGS</b>	<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"> <li>• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved</li> </ul>

Reviewed by: \_\_\_\_\_  
Co Atty: KFT  
Pln Mgr: \_\_\_\_\_

	<p>and which are not applicable to other lands, structures or building in the same zoning district.</p> <ul style="list-style-type: none"><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• 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.</li><li>• 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.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<p><b>STAFF RECOMMENDATION</b></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"><li>• Any variance granted shall apply only to the rear yard setback for the 28-ft by 12.7-ft room addition as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul>

**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

RECEIVED AUG 06 2009  
**COPY**

Fee: \$150.00 plus \$50.00 for each additional variance

Application # PN2009-82  
Meeting Date 9-28-09



### 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: Jonathan McGrath Construction

Address: 1681 Powell Street

City: Longwood

Zip code: 32750

Project Address: 3626 Supreme Ct.

City: Apopka

Zip code: 32703

Tax Parcel number: 17-21-29-532-0000-0260

Contact number(s): 407-260-8077 ext #101

Email address: carla-jmc@cfl.xr.com

Is the property available for inspection without an appointment?

Yes

No If gated please provide a gate code to staff.

\* 3509

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>Playroom/Gameroom addition to rear and</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:	30'	Proposed setback: 18.4'
<input checked="" type="checkbox"/> Side yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:
<input type="checkbox"/> Fence height	Required height:		Proposed height:
<input type="checkbox"/> Building height	Required height:		Proposed height:

Use below for additional yard setback variance requests:

<input type="checkbox"/> _____ yard setback	Required setback:	Proposed setback:
<input type="checkbox"/> _____ yard setback	Required setback:	Proposed setback:
<input checked="" type="checkbox"/> Total number of variances requested <u>2</u>		

Signed: \_\_\_\_\_

Date: 08/06/09

FOR OFFICE USE ONLY

LOT 20

N89°41'00"E 104.73'

120.7

120.9

TRACT  
RETENTION AREA

N00°07'27"W  
39.64'

7.5' SETBACK

10' DRAINAGE & U. E.

SET 5/8"  
SSMC LB  
2108

N08°25'07"W 88.10'

LOT 27

CONCRETE  
POOL & DECK

ADDITION

POOL  
PAD

LANAI

ONE STORY  
MASONRY DWELLING  
#3626

ADDITION

ENTRY

28'  
BRICK  
DRIVE

"A"  
SUPREME  
COURT  
R/W VARIES

S00°11'56"E 169.84'

LOT 25

4' WALK

P.R.C.

0.5' ON

"B"

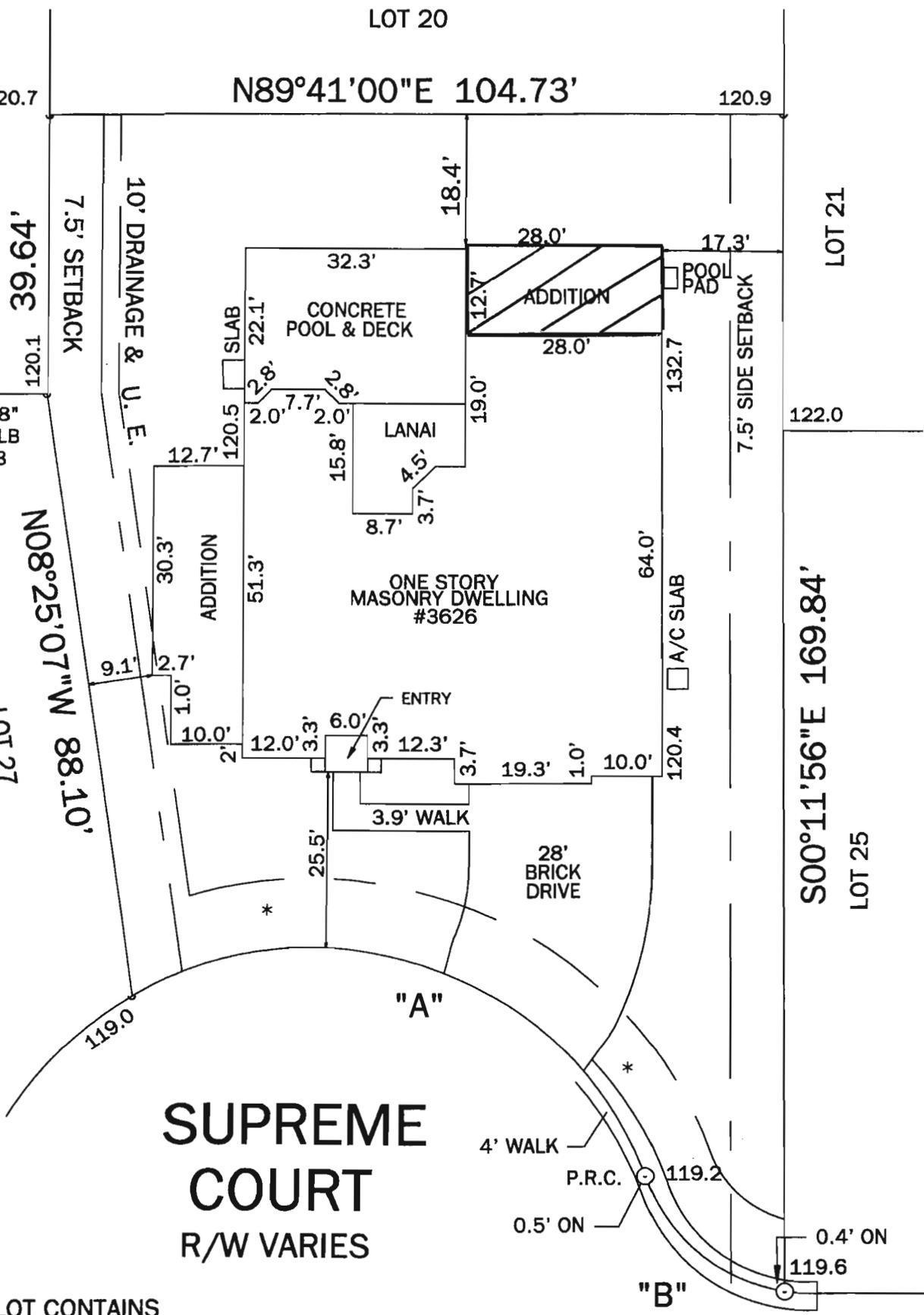
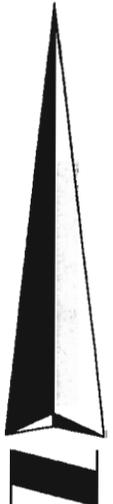
0.4' ON

THIS LOT CONTAINS  
13,735 SF+/-

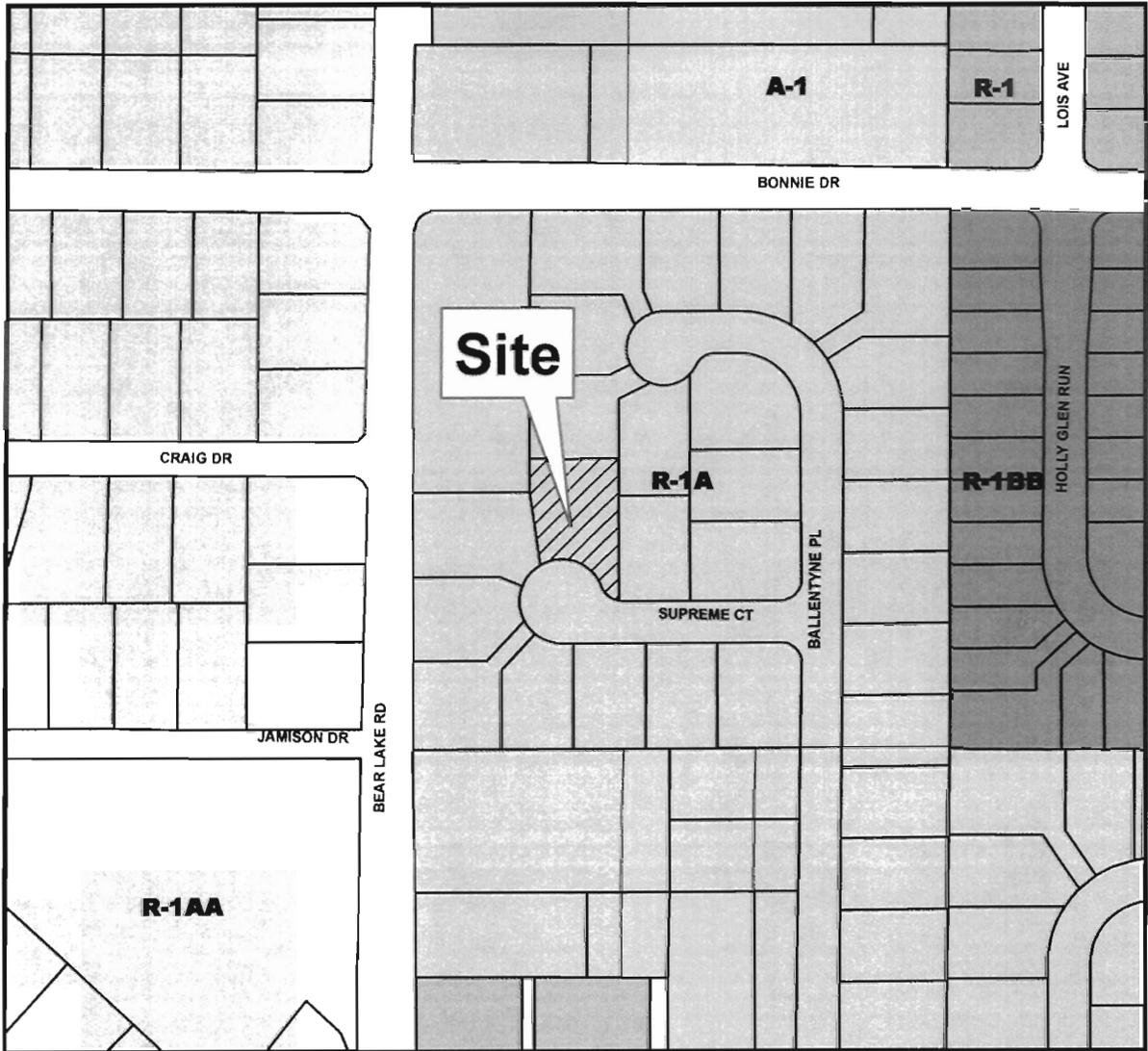
PROPOSED F.F. ELEV. 121.20  
FINISHED FLOOR ELEV. 121.23  
BACK OF CURB ELEV. 118.90  
DATUM SEMINOLE COUNTY

# PROPOSED SITE PLAN

SCALE: 1"=20'-0"



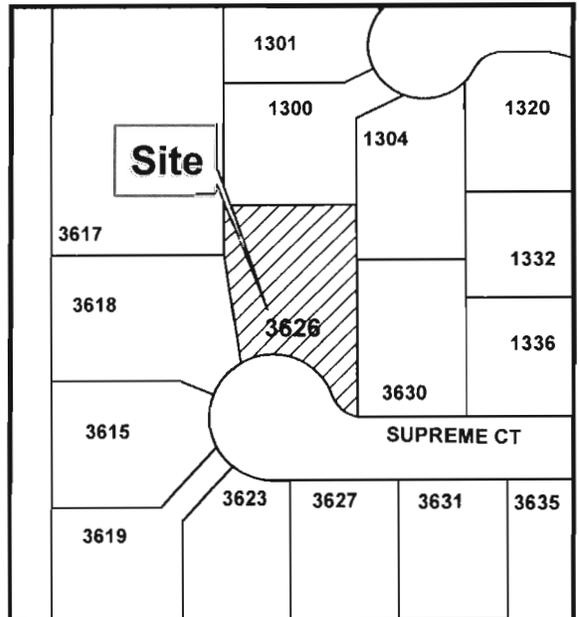
Jonathan McGrath Construction  
3626 Supreme Court  
Apopka, FL 32703



Seminole County Board of Adjustment  
September 28, 2009  
Case: BV2009-82 (Map 3154 Grid B7)  
Parcel No: 17-21-29-532-0000-0260

Zoning

-  BV2009-82
-  A-1
-  R-1AA
-  R-1A
-  R-1
-  R-1BB



Personal Property

<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL.</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1408 407-686-7806</p>		
--	--	--

<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 17-21-29-532-0000-0260</p> <p>Owner: GIEDD KERRY K &amp; BRADLEY S</p> <p>Mailing Address: 3628 SUPREME CT</p> <p>City,State,ZipCode: APOPKA FL 32703</p> <p>Property Address: 3628 SUPREME CT APOPKA 32703</p> <p>Subdivision Name: BALLENTYNE</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD (2002)</p> <p>Dor: 01-SINGLE FAMILY</p>	<p style="text-align: center;"><b>VALUE SUMMARY</b></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;">\$223,170</td> <td style="text-align: right;">\$251,559</td> </tr> <tr> <td style="text-align: center;">Depreciated EXFT Value</td> <td style="text-align: right;">\$10,327</td> <td style="text-align: right;">\$9,680</td> </tr> <tr> <td style="text-align: center;">Land Value (Market)</td> <td style="text-align: right;">\$63,000</td> <td style="text-align: right;">\$78,000</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;">\$296,497</td> <td style="text-align: right;">\$337,219</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;">\$27,552</td> <td style="text-align: right;">\$69,532</td> </tr> <tr> <td style="text-align: center;">Assessed Value (SOH)</td> <td style="text-align: right;">\$268,945</td> <td style="text-align: right;">\$267,687</td> </tr> </tbody> </table> <p style="text-align: center;"><u>Tax Estimator</u></p> <p style="text-align: center;"><u>Portability Calculator</u></p>	VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$223,170	\$251,559	Depreciated EXFT Value	\$10,327	\$9,680	Land Value (Market)	\$63,000	\$78,000	Land Value Ag	\$0	\$0	Just/Market Value	\$296,497	\$337,219	Portability Adj	\$0	\$0	Save Our Homes Adj	\$27,552	\$69,532	Assessed Value (SOH)	\$268,945	\$267,687
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**2009 TAXABLE VALUE WORKING ESTIMATE**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$268,945	\$50,000	\$218,945
Schools	\$268,945	\$25,000	\$243,945
Fire	\$268,945	\$50,000	\$218,945
Road District	\$268,945	\$50,000	\$218,945
SJWM(Saint Johns Water Management)	\$268,945	\$50,000	\$218,945
County Bonds	\$268,945	\$50,000	\$218,945

**Potential Portability Amount is \$27,552**

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

<p style="text-align: center;"><b>SALES</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Deed</th> <th style="text-align: center;">Date</th> <th style="text-align: center;">Book</th> <th style="text-align: center;">Page</th> <th style="text-align: center;">Amount</th> <th style="text-align: center;">Vac/Imp</th> <th style="text-align: center;">Qualified</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">WARRANTY DEED</td> <td style="text-align: center;">07/2001</td> <td style="text-align: center;">04134</td> <td style="text-align: center;">0082</td> <td style="text-align: right;">\$282,400</td> <td style="text-align: center;">Improved</td> <td style="text-align: center;">Yes</td> </tr> </tbody> </table> <p style="text-align: center;"><u>Find Comparable Sales within this Subdivision</u></p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	07/2001	04134	0082	\$282,400	Improved	Yes	<p style="text-align: center;"><b>2008 VALUE SUMMARY</b></p> <p style="text-align: right;">Tax Amount (without SOH): \$5,078</p> <p style="text-align: right;">2008 Tax Bill Amount: \$3,467</p> <p style="text-align: right;">Save Our Homes (SOH) Savings: \$1,611</p> <p style="text-align: center;"><b>2008 Certified Taxable Value and Taxes</b></p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified									
WARRANTY DEED	07/2001	04134	0082	\$282,400	Improved	Yes									

<p style="text-align: center;"><b>LAND</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Land Assess Method</th> <th style="text-align: center;">Frontage</th> <th style="text-align: center;">Depth</th> <th style="text-align: center;">Land Units</th> <th style="text-align: center;">Unit Price</th> <th style="text-align: center;">Land Value</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">LOT</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1.000</td> <td style="text-align: right;">63,000.00</td> <td style="text-align: right;">\$63,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	63,000.00	\$63,000	<p style="text-align: center;"><b>LEGAL DESCRIPTION</b></p> <p style="text-align: center;">PLATS: <input type="text" value="Pick..."/></p> <p style="text-align: center;">LOT 28 BALLENTYNE PB 57 PG 24</p>
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value								
LOT	0	0	1.000	63,000.00	\$63,000								

**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	2001	11	2,633	3,489	2,833	CBS+WOOD COMBO	\$223,170	\$231,264
Appendage / Sqft		OPEN PORCH FINISHED / 213							
Appendage / Sqft		OPEN PORCH FINISHED / 38							
Appendage / Sqft		GARAGE FINISHED / 605							

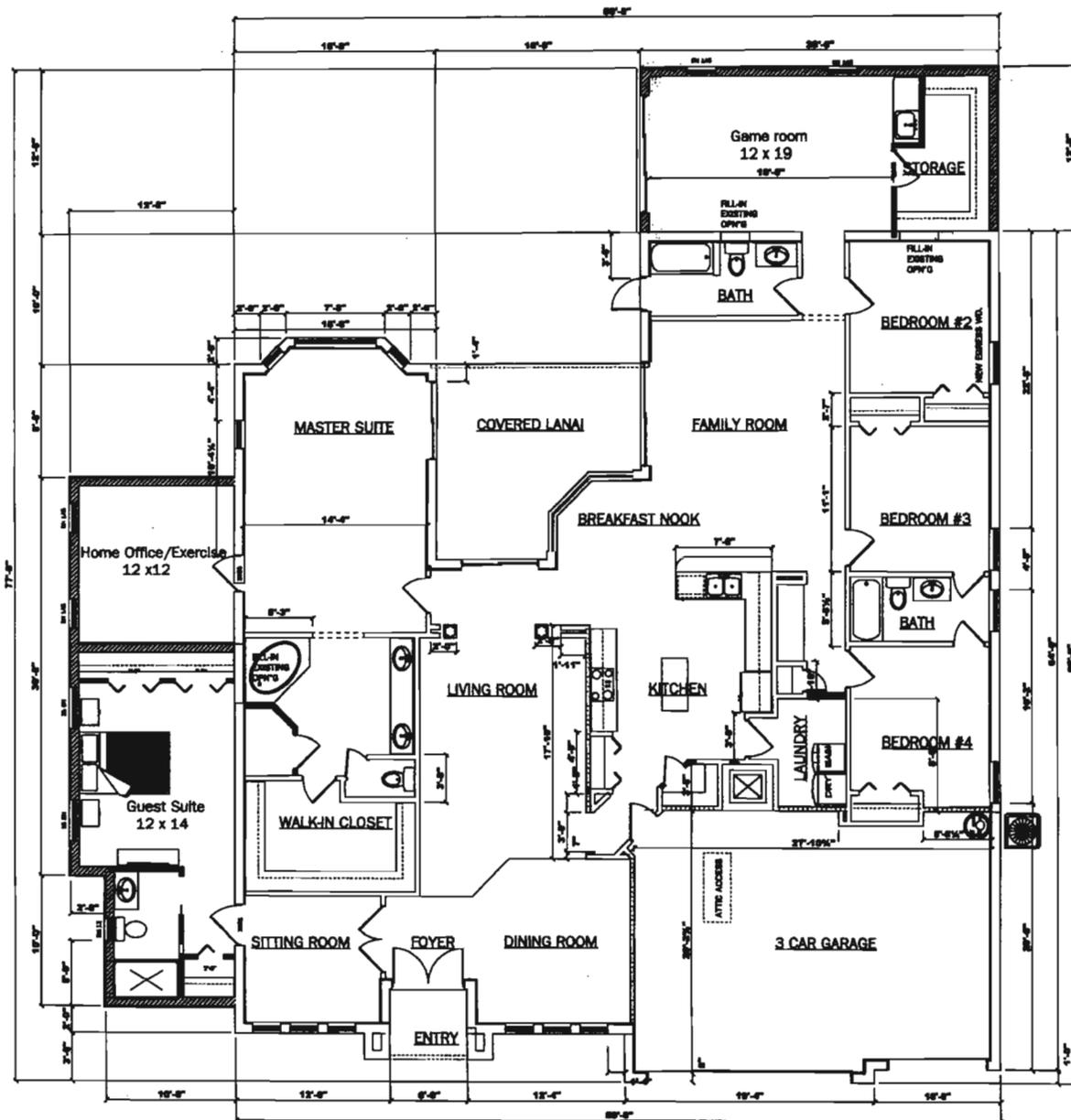
**NOTE:** Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

**Permits**

**EXTRA FEATURE**

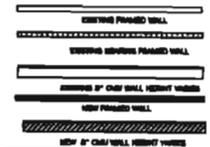
Description	Year Bk	Units	EXFT Value	Est. Cost New
POOL GUNITE	2001	406	\$6,496	\$8,120
COOL DECK PATIO	2001	234	\$655	\$819
SCREEN ENCLOSURE	2001	1,490	\$2,186	\$2,980
SOLAR HEATER	2008	1	\$990	\$1,100

**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.



PROPOSED FLOOR PLAN  
SCALE: 1/4"=1'-0"

**WALL LEGEND**



**AREA TABULATION**

A/C FLOOR	3,981 S.F.
MEANS A/D FLOOR	250 S.F.
TOTAL LIVING	3,654 S.F.
ENTRY	40 S.F.
GARAGES	672 S.F.
LANAI	288 S.F.
TOTAL UNDER ROOF	4,228 S.F.

DESIGN

Professional Engineer, Architect & Interior Designer, Inc.  
1881 Powell Street, Longwood, FL 32759  
Office: 407-260-8077 Fax: 407-260-3271  
www.jonathancgrathconstruction.com

CONSTRUCTION OF THE HOME UNDER THESE PLANS SHALL BE BY:  
**FRANK MASON**  
**CONSTRUCTION, INC.**  
 11000 Highway 17, Suite 100, Longwood, FL 32759  
 Phone: 407-351-1100 Fax: 407-351-1101  
 www.frankmasonconstruction.com

**Jonathan McGrath**  
**CONSTRUCTION**  
 1881 Powell Street Longwood, FL 32759  
 Office: 407-260-8077 Fax: 407-260-3271  
 www.jonathancgrathconstruction.com

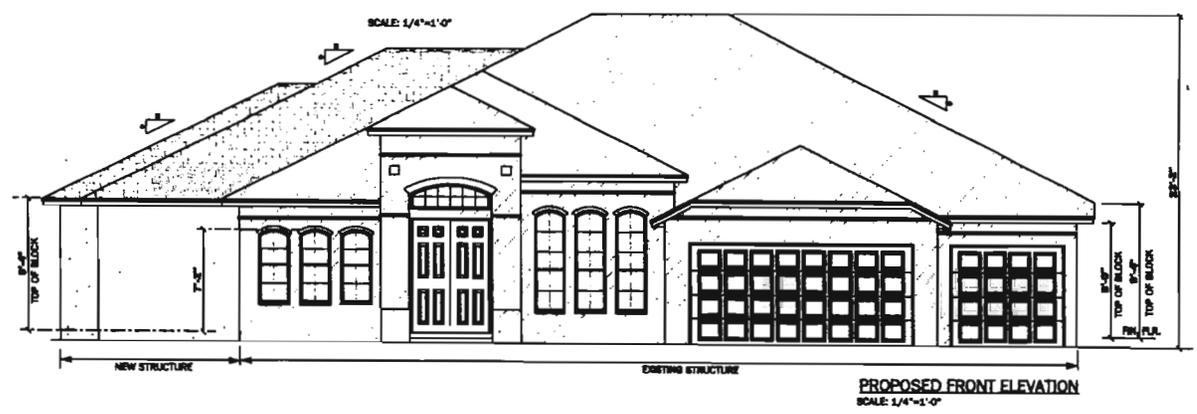
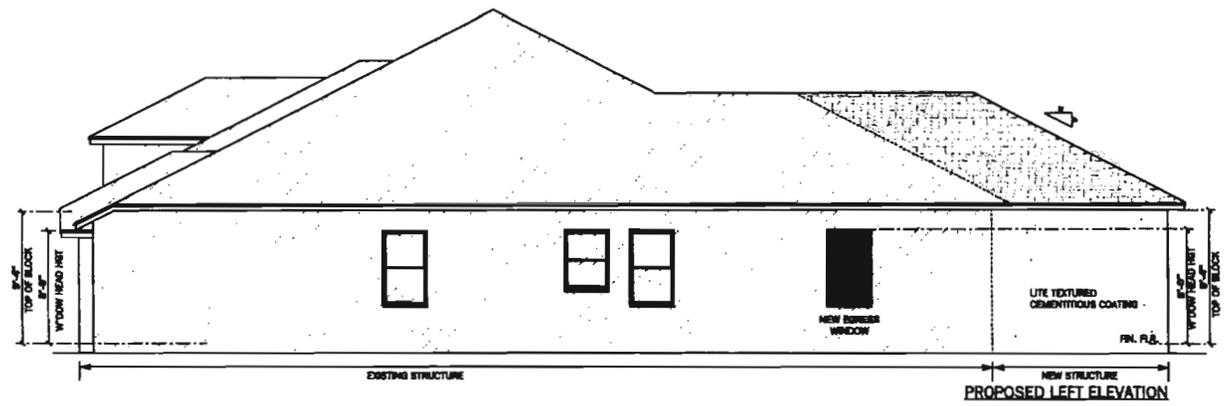
August 05, 2009

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NOTE: SEE THESE TO READ ALL SHEETS

Mr. & Mrs. Gledd  
 SIDE & REAR ADDITIONS  
 2008-0729  
 4

<p>• G.C. VERIFY ROOF PITCH</p> <p>IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ROOF SLOPE REQUIREMENTS WITH TRUSS MANUFACTURER.</p>	<p><b>GENERAL NOTES:</b></p> <p><b>VENTILATION CALCULATION</b></p> <p>PERFORM THIS CALCULATION FOR ALL ROOFS WITH A PITCH OF 12/12 OR GREATER. SEE SECTION 0505 FOR MORE INFORMATION.</p> <p>IF A DIFFERENT ROOF PITCH IS REQUIRED, THE CONTRACTOR SHALL CONSULT WITH THE TRUSS MANUFACTURER.</p>	<p><b>ROOF CRITERIA</b></p> <p>PLUMB CUP FROM ROOF FROM PER BLISSING</p> <p>PERMITS C.A.C. FOR ROOF WAS</p> <p>ISSUED BY LICENSED</p> <p>SHINGLE LAYOUT</p>
	<p>IF:</p> <p>VENTILATION REQUIRED</p>	



DESIGN

Jonathon McGrath Construction

1681 Powell Street, Longwood, FL 32750  
 Office: 407-350-8077 Fax: 407-350-2371  
 www.jonath McGrathConstruction.com

**Jonathon McGrath**  
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 www.jonath McGrathConstruction.com

August 05, 2009

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**REVISION NOTES:**

1. Add new structure to the design to the front of the existing structure.

2. Add new structure to the design to the side of the existing structure.

3. Add new structure to the design to the back of the existing structure.

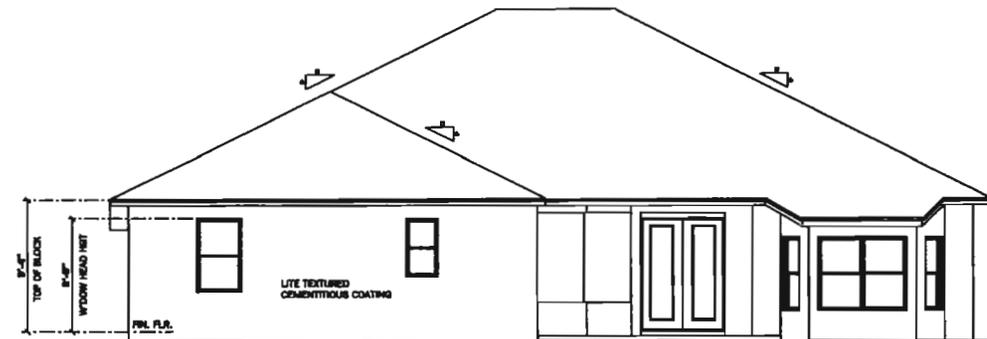
4. Add new structure to the design to the top of the existing structure.

5. Add new structure to the design to the bottom of the existing structure.

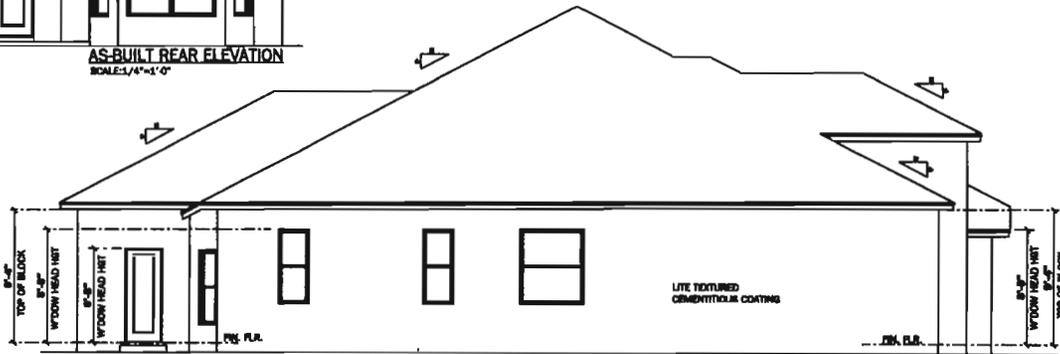
<p>Mr. &amp; Mrs. Gledhill</p> <p>BRIDE &amp; GROOM ADDITIONS</p>	<p>2009-0729</p> <p>5</p>
---	---------------------------

NOTE: SEE DRAWING TO READ ALL DETAILS

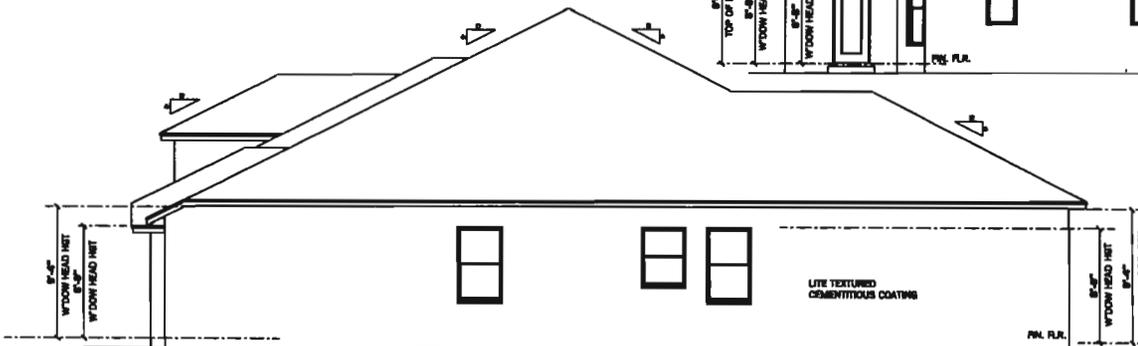




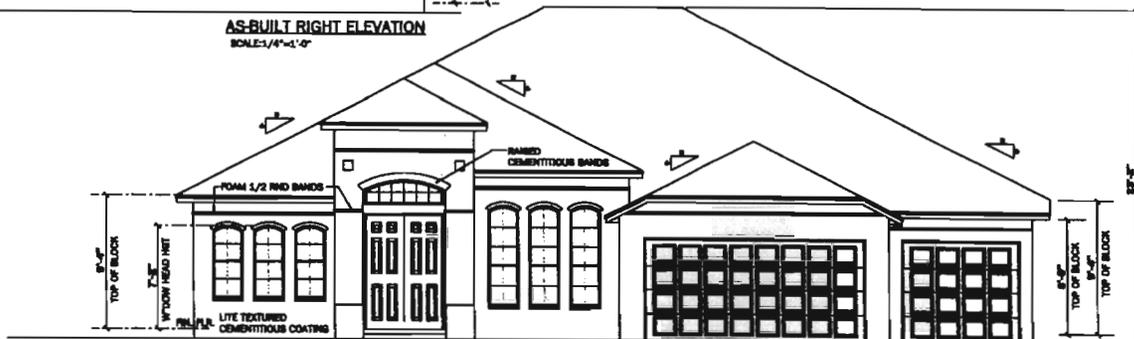
AS-BUILT REAR ELEVATION  
SCALE: 1/4"=1'-0"



AS-BUILT LEFT ELEVATION  
SCALE: 1/4"=1'-0"



AS-BUILT RIGHT ELEVATION  
SCALE: 1/4"=1'-0"



AS-BUILT FRONT ELEVATION  
SCALE: 1/4"=1'-0"

DESIGN

Project: 2008-0728  
 1883 Powell Street, Longwood, FL 32759  
 Office: 407-269-8077  
 Fax: 407-269-2271  
 www.jonathancgrathconstruction.com

FLORIDA REGISTERED ARCHITECT  
 JONATHAN MCGRATH  
 License No. 12000  
 State of Florida  
 1883 Powell Street, Longwood, FL 32759  
 Office: 407-269-8077  
 Fax: 407-269-2271  
 www.jonathancgrathconstruction.com

**Jonathan McGrath**  
 CONSTRUCTION  
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 www.jonathancgrathconstruction.com

August 05, 2009

NO.	DATE	DESCRIPTION

**READER NOTICE:**  
 The information on this drawing was prepared by the designer and is intended for the use of the contractor. It is not to be used for any other purpose without the written consent of the designer. The contractor is responsible for verifying the accuracy of the information on this drawing. It is the contractor's responsibility to verify the information on this drawing. It is the contractor's responsibility to verify the information on this drawing. It is the contractor's responsibility to verify the information on this drawing.

Mr. & Mrs. Glead	2008-0728
BASE & REAR ADDITIONS	3
3208 Bayanna Court	
Longwood, FL 32703	

NOTE:  
 BE SURE TO READ ALL SHEETS

**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
Kerry K. Giedd	3626 Supreme Ct. Apopka 32703	407-389-0025
Bradley S. Giedd	3626 Supreme Ct. Apopka 32703	407-389-0025

(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
N/A			

(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
N/A			

(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
N/A		

(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
N/A		

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.

August 05, 2009  
Date

Kerry S. Giedd  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 05th day of August, 2009 by Kerry K. & Bradley S. Giedd

Carla H. Shehane  
Signature of Notary Public

Carla H. Shehane  
Print, Type or Stamp Name of Notary Public



Personally Known  OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

<b>For Use by Planning &amp; Development Staff</b>	
Date: _____	Application Number: _____

**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 Kerry K. & Bradley S. Giedd, the fee simple owner of the following  
(Owner's Name)  
described property (Provide Legal Description or Tax Parcel ID Number(s)) \_\_\_\_\_  
17-21-29-532-0000-0260

hereby affirm that Jonathan McGrath Construction, LLC 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.

\_\_\_\_\_  
*Kerry Giedd*  
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 05th day of August, 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 Kerry & Brad Giedd 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 05 day of August, 2009

*Carla H. Shehane*  
\_\_\_\_\_  
Notary Public in and for the County and State  
Aforementioned

My Commission Expires: July 04, 2012

Application to the Board of Adjustment / Planning Division

Last updated 7/24/08



# Jonathan McGrath

CONSTRUCTION

1681 Powell Street ♦ Longwood, FL 32750 ♦ Office: 407-260-8077 ♦ Fax: 407-260-2271

## POWER OF ATTORNEY

I, Jonathan B. McGrath hereby name and appoint Lisa Whaley of Permits by Lisa to be my lawful attorney in fact to act for me in regards to the variance application and project for Giedd - 3626 Supreme Ct. Apopka, 32703 and to sign my name and do all things necessary to this appointment.

  
Jonathan B. McGrath

The foregoing instrument was acknowledged before me this 6 day of August, 2009 by Jonathan B. McGrath who is personally known to me/who produced \_\_\_\_\_ as identification and who did not take oath.

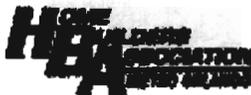
State of Florida

County of Seminole

Commission # DD 776978

  
Notary Public

My commission expires: July 04, 2012



State Certified Building Contractor CBC 057296  
www.jonathanmcgrathconstruction.com

**SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On September 28, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 26  
BALLENTYNE PB 57 PG 24

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

**FINDINGS OF FACT**

**Property Owner:** Kerry K. & Bradley S. Giedd  
3626 Supreme Ct  
Apopka, FL 32703

**Project Name:** Supreme Court (3626)

**Requested Variance**

Rear yard setback variance from 30 feet to 18.4 feet for a room addition in R-1A (Single Family Dwelling) district.

Approval was sought to allow a room addition to encroach within the rear yard setback. One or more of the six criteria under the Land Development Code for granting a variance have not been satisfied. The applicant still retains reasonable use of the property without the granting of the requested variance.

The requested development approval is hereby denied.

Prepared by: Joy Williams, Planner  
1101 East First Street  
Sanford, Florida 32771

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Alison C. Stettner  
Planning Manager

**STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )**

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

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

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On September 28, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 26  
BALLENTYNE PB 57 PG 24

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

**FINDINGS OF FACT**

**Property Owner:** Kerry K. & Bradley S. Giedd  
3626 Supreme Ct  
Apopka, FL 32703

**Project Name:** Supreme Court (3626)

**Variance Approval:**

Rear yard setback variance from 30 feet to 18.4 feet for a room 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: Joy Williams, Planner  
1101 East First Street  
Sanford, Florida 32771

**Order****NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

- a. The variance granted will apply only to the rear yard setback for the 28-ft by 12.7-ft room 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

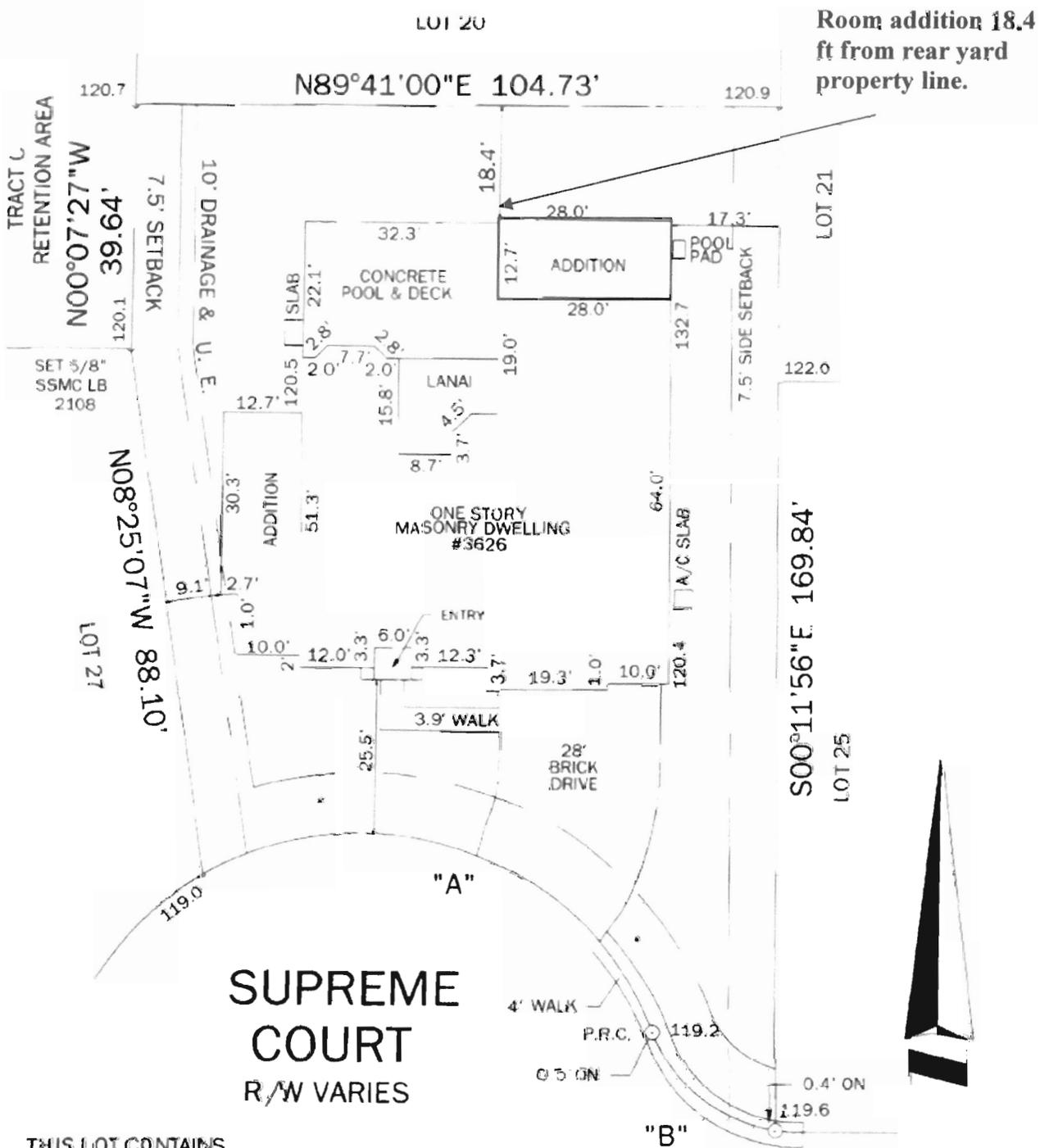
**STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )**

**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:



THIS LOT CONTAINS  
13,735 SF +/-

PROPOSED F.F. ELEV. 121.20  
 FINISHED FLOOR ELEV. 121.23  
 BACK OF CURB ELEV. 118.90  
 DATUM SEMINOLE COUNTY

# PROPOSED SITE PLAN

SCALE: 1"=20'-0"