

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

SUBJECT: 310 W. Hornbeam Drive – Thomas & Maia Knuckey, applicant; Request for a side street setback variance from 25 feet to 17 feet for a proposed privacy fence in PUD (Single Family Dwelling) district.

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

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

Agenda Date 10/26/09 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Deny** the request for a side street setback variance from 25 feet to 17 feet for a proposed privacy fence in PUD (Single Family Dwelling) district; or
2. **Approve** the request for a side street setback variance from 25 feet to 17 feet for a proposed privacy fence in PUD (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Thomas & Maia Knuckey Location: 310 W. Hornbeam Drive Zoning: PUD (Single Family Dwelling) Subdivision: Sabal Point
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is proposes a privacy fence that will extend 8 feet into a portion of the required front yard setback. • 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: <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,

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

	<p>structures or building in the same zoning district.</p> <ul style="list-style-type: none">• Special conditions and circumstances result from the actions of the applicant.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
<p>STAFF RECOMMENDATION</p>	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate that all six criteria under the Land Development Code for granting a variance have been satisfied. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none">• Any variance granted shall apply only to the fence on the northwest corner of the property 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

COPY Application # BV2009-91
Meeting Date 10-26-09



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: THOMAS, AND MAIA KNUCKEY
Address: 310 W. HORNBEAM DR City: LONGWOOD Zip code: 32779
Project Address: SAME City: _____ Zip code: _____
Tax Parcel number: LOT 33, SABAL WOODS, SABAL POINT; BLOCK 1, PLOT 19
Contact number(s): 407 810 2615; 407 788 6138
Email address: TOMKNUCKEY@AOL.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 checked="" type="checkbox"/> Fence	Please describe: <u>BOARD ON BOARD, SEE SKETCH</u>
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe: <u>RECEIVED SEP 03 2009</u>
<input type="checkbox"/> Addition	Please describe:
<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 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>25 ft.</u>	Proposed setback: <u>17 ft.</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>1</u>			

Signed: [Signature]

Date: 9/3/09

FOR OFFICE USE ONLY

Date Submitted: 9-3-09 Reviewed By: P. Johnson
 Zoning/FLU PUD/PO

- Legally created parcel (1971 tax roll, 5-acre dev, lot split)
- Platted Lot (check easements as shown on lots, in notes or in dedication)
- Lot size _____ Meets minimum size and width
- Application and checklist complete

Notes: _____

VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

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

<p>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.</p>	
✓	1. Completed application.
✓	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
	3. Owner's authorization letter (if needed). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
✓	4. Provide a legible 8 1/2 x 11 inch site plan with the following information NOTE: Please use your property survey for your site plan, if available. See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
✓	o Please start with a clean survey (ex: white out old approval stamps)
✓	o Size and dimension of the parcel
✓	o Location and name of all abutting streets
✓	o Location of driveways
N/A	o Location, size and type of any septic systems, drain field and wells
✓	o Location of all easements
✓	o Existing or proposed house or addition (Label existing, label proposed, and include square footage and dimensions of each)
✓	o Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
N/A	o Building height
✓	o Setbacks from each building to the property lines
✓	o Location of proposed fence(s)
✓	o Identification of available utilities (ex: water, sewer, well or septic)
✓	5. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

✓ [HOA
 ✓ [ADJACENT NEIGHBORS

September 2, 2009

Tom and Maia Knuckey

310 W Hornbeam Dr

Longwood, FL , 32779

Dear Seminole County Board of Adjustments,

We request your consideration for the approval of an improvement on our property at 310 W Hornbeam Dr. We wish to add pool and paver deck to the back of our home. ~~As we live on a corner, we understand that Seminole County will require a variance as the pool will extend beyond the edge of the house. Pools extending beyond the edge of the house are a common occurrence for houses on corners within Sabal Woods, some examples are: 200 E Hornbeam drive, 300 Red Mulberry, 301 Red Mulberry, 343 W Hornbeam , 150 Pop Ash, as an examples.~~

As summary of our proposed plan (as shown on Attachment "A") is as follows:

- Fence (wooden Board on Board) per county requirement, smooth face on outside. Exterior of fence will be landscaped with a hedge from the view of both streets.
 - Set back from W Hornbeam will be approximately 60'
 - Set back from Bald Cypress Ct will be approximately 27', 17' FROM PROPERTY LINE K
- In-ground pool approximately 28' x 17' x 5' deep
 - K ○ ~~A variance is requested because~~ the pool will extend beyond the edge of the house:
 - 7' beyond the side of house (from W Hornbeam),
 - 3' beyond back of house (from Bald Cypress).
 - Paver deck will extend 16' beyond side of house, and 14' beyond the back of house.
 - None of the pool will be seen from the street, as it will be behind the fence.
 - There will NOT be a screened enclosure.
- Other features of the proposed plan include:
 - The utility easement of 7.5' will not be impacted
 - The 10' setback will not be impacted.
 - Removal of up to 4 trees in back yard due to pool and deck construction.
 - Construction access will be from Bald Cypress.
 - Expected construction period is from November- Feb
 - All disturbed areas will be re-landscaped

We request your consideration to act on this request for a variance at the ~~September 26~~ meeting.

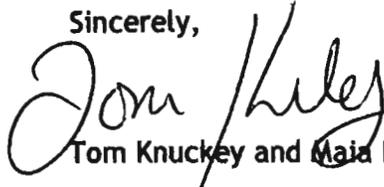
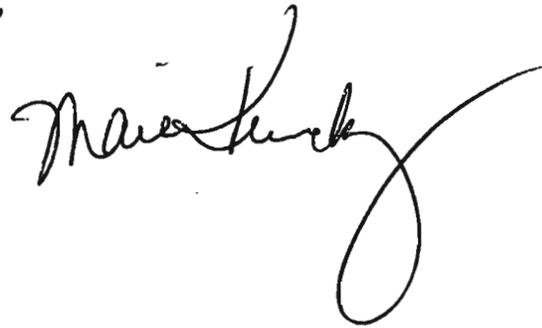
The following Attachments are provided:

- Attachment A - Site plan on survey of house
- Attachment B - Pictorial representations of the proposed change
- Attachment C - Homeowner Association Approval
- Attachment D - Signed letters from adjacent neighbors indicating they have no objections

I would be happy to meet with you or show you the site should you have any questions, please contact me at 321 436 2000.

Thank you for your consideration,

Sincerely,

 & 
Tom Knuckey and Maia Knuckey,
310 W Hornbeam Dr
Longwood, FL , 32779

ATTACHMENT "A"



I, undersigned, hereby accepts this survey, which shows encroachments as highlighted. We further understand that an exception will be made on our final owner's policy.

By _____

Signed By _____

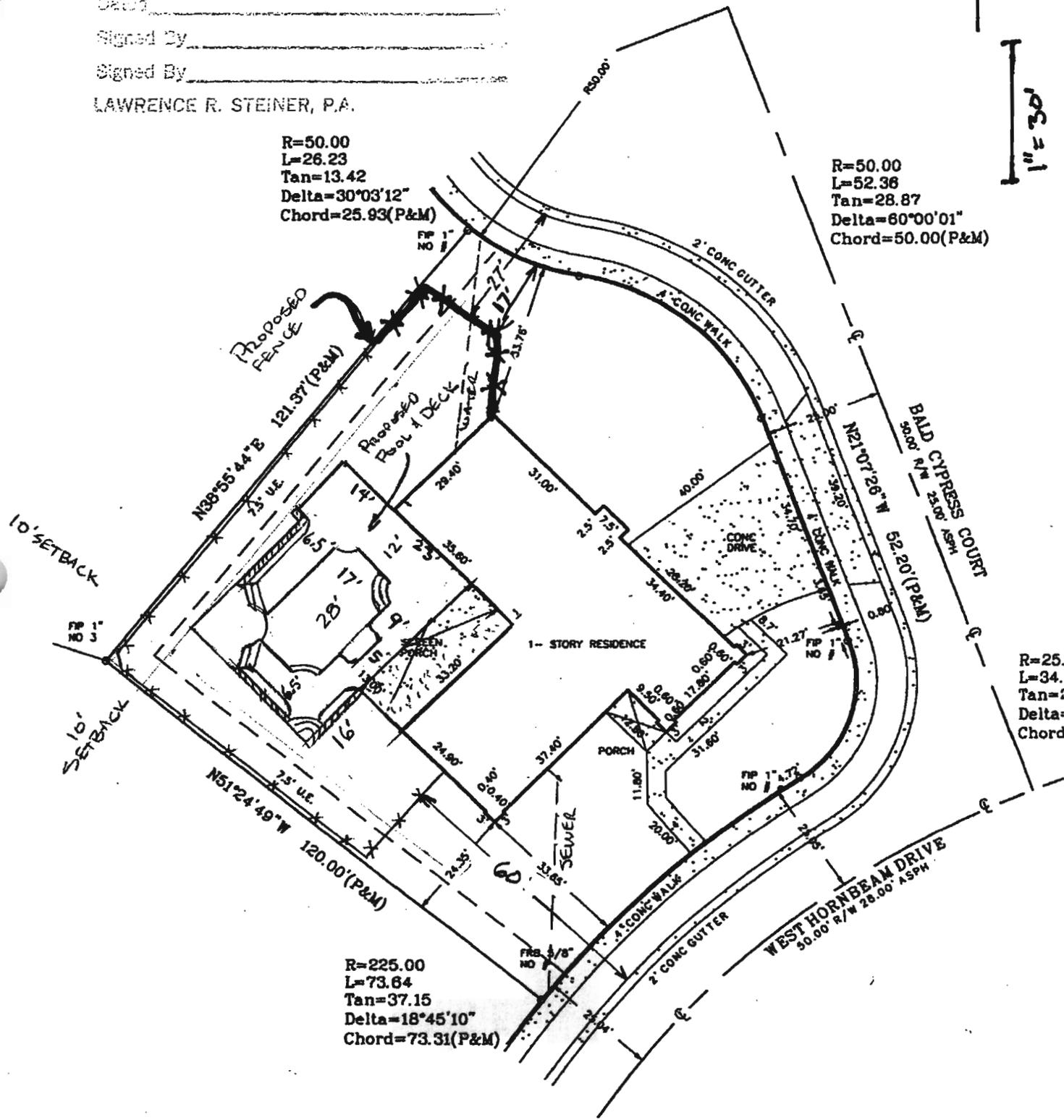
Signed By _____

LAWRENCE R. STEINER, P.A.

R=50.00
L=26.23
Tan=13.42
Delta=30°03'12"
Chord=25.93(P&M)

R=50.00
L=52.36
Tan=28.87
Delta=60°00'01"
Chord=50.00(P&M)

1" = 30'



R=225.00
L=73.64
Tan=37.15
Delta=18°45'10"
Chord=73.31(P&M)

R=25.
L=34.
Tan=:
Delta:
Chord

- CONCRETE
- WIRE FENCE
- WOOD FENCE
- PROPERTY CORNER
- PROPERTY LINE
- CENTERLINE
- RECORD
- FIELD MEASURED
- FOUND 4" CONCRETE POST
- SET 1/2" DIAMETER REBAR
- TYPICAL
- MORE OR LESS

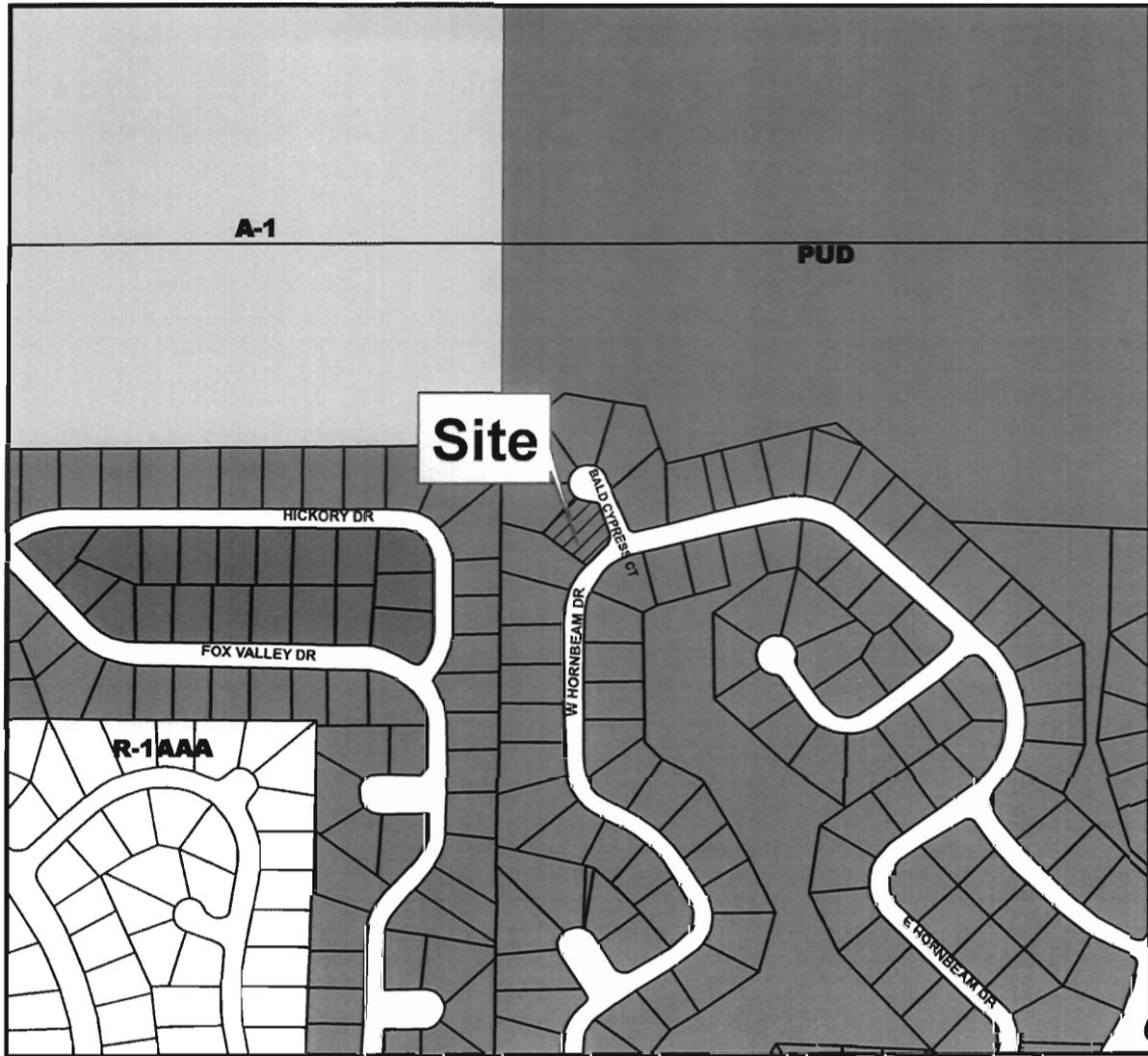
- CH
- TRN
- Δ
- L
- R
- N/D
- CL
- ENCR
- FOUND IRON PIPE
- FOUND REBAR
- NEIGH
- SUBJECT PROPERTY

- PRM
- PERMANENT CONTROL POINT
- POB
- POINT OF BEGINNING
- POC
- POINT OF COMMENCEMENT
- POCV
- POINT ON CURVE
- PC
- POINT OF CURVATURE
- PI
- POINT OF INTERSECTION
- PT
- POINT OF TANGENCY
- PRC
- POINT OF REVERSE CURVE
- PCC
- POINT OF COMPOUND CURVE
- D.U.E.
- DRAINAGE & UTILITY EASEMENT
- U.E.
- UTILITY EASEMENT

- CM
- FO
- R/W
- ONE
- OFF
- EL
- M/S
- N/S
- E

- CONCRETE MONUMENT FOUND
- RIGHT-OF-WAY OFFICIAL RECORD BOOK FINISHED FLOOR ELEVATION NOT TO SCALE WITH NORTH SOUTH EAST
- NOTES:
- 1) NOT VALID UNLESS SIGNATURE IS EMBOSSED WITH THE REGISTERED LAND SURVEYORS SEAL.
 - 2) LEGAL DESCRIPTION PROVIDED BY OTHERS.
 - 3) PROPERTIES SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PROPERTY PLAT OF RECORD.
 - 4) BEARINGS WHERE SHOWN ARE PER PLAT UNLESS OTHERWISE NOTED.
 - 5) UNDERGROUND UTILITIES, FOUNDATIONS, OR OTHER IMPROVEMENTS, IF ANY, WERE NOT LOCATED.
 - 6) ELEVATIONS, IF SHOWN ARE BASED ON NATIONAL GEODETIC

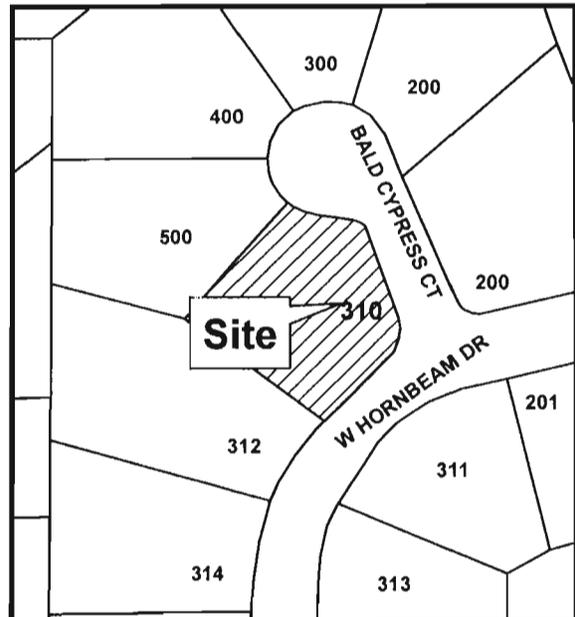
Thomas & Maia Knuckey
310 West Hornbeam Drive
Longwood, FL 32779



Seminole County Board of Adjustment
October 26, 2009
Case: BV2009-91 (Map 3101 Grid E7)
Parcel No: 33-20-29-507-0100-0330

Zoning

-  BV2009-91
-  A-1
-  R-1AAA
-  PUD



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1465 407-655-7500</p>																																			
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 33-20-29-507-0100-0330 Owner: KNUCKEY THOMAS S & Own/Addr: SPRING-KNUCKEY MAIA Mailing Address: 310 W HORNBEAM DR City,State,ZipCode: LONGWOOD FL 32779 Property Address: 310 HORNBEAM DR W LONGWOOD 32779 Subdivision Name: SABAL POINT AMENDED PLAT Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2002) Dor: 01-SINGLE FAMILY</p>		<p style="text-align: center;">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>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 style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td style="text-align: right;">\$235,367</td> <td style="text-align: right;">\$281,927</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td style="text-align: right;">\$800</td> <td style="text-align: right;">\$800</td> </tr> <tr> <td>Land Value (Market)</td> <td style="text-align: right;">\$40,000</td> <td style="text-align: right;">\$56,000</td> </tr> <tr> <td>Land Value Ag</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Just/Market Value</td> <td style="text-align: right;">\$276,167</td> <td style="text-align: right;">\$318,727</td> </tr> <tr> <td>Portability Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td style="text-align: right;">\$61,003</td> <td style="text-align: right;">\$103,778</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td style="text-align: right;">\$215,164</td> <td style="text-align: right;">\$214,949</td> </tr> </tbody> </table> <p style="text-align: center;">Tax Estimator</p> <p style="text-align: center;">Portability Calculator</p> <p style="text-align: center;">2009 Notice of Proposed Property Tax</p>	VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$235,367	\$281,927	Depreciated EXFT Value	\$800	\$800	Land Value (Market)	\$40,000	\$56,000	Land Value Ag	\$0	\$0	Just/Market Value	\$276,167	\$318,727	Portability Adj	\$0	\$0	Save Our Homes Adj	\$61,003	\$103,778	Assessed Value (SOH)	\$215,164	\$214,949
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FIREPLACE	1978	1	\$800	\$2,000																															

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 33 TWP: 20 RNG: 29
PROJ. #

DEVELOPMENT: Sabal Point Tract A Replat		DEVELOPER: Sabal Point Properties, Inc.	
LOCATION: 150 Lots			
FILE#:	BA:	SP:	BCC: 7/16/74
P&Z:			
PB 19	PG 62-64	Lot	Blk
		Parcel	DBA
			Comm Dist
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS:		SETBACK REQUIREMENTS	
		FY: 25'	SY: 10'
		SIDE ST.:	RY: 30'
ROAD TYPE:		MAIN STRUCTURE OTHER:	
		Corner: 25'	
		Minimum Living Area: 1,400 sq. ft.	
		Minimum Lot Size: 8,400 sq. ft.	
		Maximum Building Height: 35'	
COMMENTS OTHER:		ACCESSORY STRUCTURE SETBACKS:	
1) \$300.00 per dwelling unit for school fund to be applied against land contribution plus \$75,000.00 spent by developer on school building.		SY: 10'	RY: 10'
2) Facilities and equipment for tot lot will be provided upon granting a building permit for the 50 th unit in tract.		ACCESSORY STRUCTURE OTHER:	
3) Approval by Board of County Commissioners of vegetative berm along the double fronted lots on Sabal Palm Drive prior to issuance of building permits.			

<p>4) Single Family lots contiguous to Sweetwater Oaks to be no less than 15,000 sq. ft. Lots 12-35, Section 1. The following lots must have at least 4 acres at time of final building inspection: Block 1, Lots 34-38, 41-52; Block 3, Lots 22-27, 32-41.</p> <p>5) Board of County Commissioners approved wooden fence supplemented by plantings along double fronted lots.</p>	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	
	LAND USE:	
	1. ROAD-CO. WIDE	
	2. ROAD-COLL.	
	3. LIBRARY	
	4. FIRE	
	5. PARK	
	6. SCHOOL	
7. LAW		
8. DRAINAGE		
	TOTAL	
	REMARKS:	

COMMITMENT CARD

Instructions: print two-sided on card stock and cut along the left and bottom border.

**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
THOMAS S. KNUCKEY	310 W. HORNBEAM DR, LONGWOOD	407 788 6138
MAIA SPANG-KNUCKEY	310 W. HORNBEAM DR, LONGWOOD	407 788 6138

(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: _____

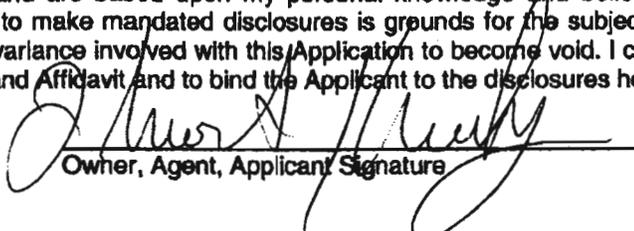
NAME	ADDRESS	% OF INTEREST
N/A		

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.

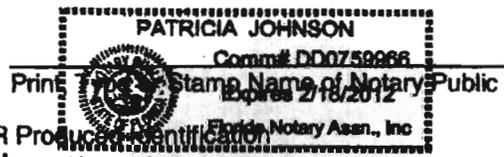
9/3/09
Date


Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 3rd day of September, 2009 by Thomas Knuckey

Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification _____
Type of Identification Produced Florida Driver License

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

ATTACHMENT "D"

August 31, 2009

Dear Seminole County Board of Adjustments,

My house is 312 West Hornbeam Dr, Sabal Woods, in Longwood. My property is adjacent to the Knuckey's property at 310 W Hornbeam. I have no objections to the Knuckey's proposed improvements adjacent to my house which include an in-ground pool which will be behind a fence.

Sincerely,

Vanessa Cruz-Bartolomei

Vanessa Cruz-Bartolomei

407 948 2159

ATTACHMENT "D"

August 31, 2009

Dear Seminole County Board of Adjustments,

My house is 500 Bald Cypress Court, Sabal Woods, in Longwood. My property is adjacent to the Knuckey's property at 310 W Hornbeam. I have no objections to the Knuckey's proposed improvements adjacent to my house which include an in-ground pool which will be behind a fence.

Sincerely,

Elyse Jacobs

Elyse Jacobs

407 862 0267



Sabal Point Homeowners Association

www.nysabalwoods.com

Application to the Architectural Review Committee

This form is to be completed by the homeowner and submitted to the Architectural Review Committee for approval prior to the commencement of work. Please refer to Architectural Control Criteria (ACC) posted on the association web site for specific requirements.

Please allow thirty (30) day for the results of this review.

Date of Request: 8/22/09

Owner Name: TOM & MAIA KNUCKEY

Property Address: 310 W. HORNBEAM DR
LONGWOOD, FL 32779

Description of Proposed Changes/Additions:

- FENCE - WOODEN BOARD ON BOARD AS SHOWN
= POOL IN GROUND AS SHOWN

Attach a copy of a plot plan or survey showing where the addition such as a fence, porch, etc. is to be located. All materials, dimensions and finishes must be described and color samples must be attached for any paint or other finishes. All requests must conform to the local zoning and building regulations for Seminole County and the State of Florida. Homeowner is responsible to obtain all necessary permits if your request is approved by the Architectural Review Committee.

All work must be completed within 90 days of the date of this signed approval

This section to be completed by the Architectural Review Committee

- Denied
- Approved as Submitted
- Approved with Required Changes (See notes below)

William P. Yelton Architectural Review Committee Signature 8/27/09 Date

Please return this form to: Attn: ARC Board Member
Sabal Point Homeowners Association
PO Box 915042
Longwood, FL 32791-5042

August 22, 2009

Dear Sabal Woods Homeowners Association,

I request your consideration for the approval of an improvement on my property at 310 W Hornbeam Dr. I wish to add pool and paver deck to the back of our home. As we live on a corner, Seminole county will require a variance as the pool will extend beyond the edge of the house, this a common occurrence for houses on corners, such as that at; 200 E Hornbeam drive, 300 Red Mulberry, 150 Pop Ash, as an examples.

As summary of our plan on the attached is sketched is as follows:

- Fence (wooden Board on Board) per county requirement, smooth face on outside. Exterior of Fence will be landscaped with a hedge from the street view.
- Removal of up to 4 trees in back yard due to pool and deck construction.
- In-ground pool approximately 28' x 18', with spa.
 - Pool will extend 7' of the side of house, and 3' beyond back of house.
 - Paver deck will extend 13' beyond side of house, and 15' beyond back of house.
 - None of the pool will be seen from street as it will be behind the fence.
 - There will NOT be a screened enclosure.
- Construction access will be from Bald Cypress.
- Expected construction period is from November- Feb
- Disturbed areas will be re-landscaped

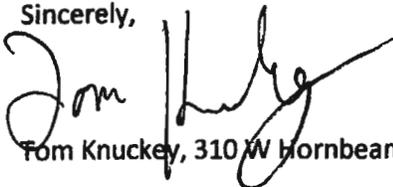
We request your consideration to act on this prior to Sept 2, such that we can submit the variance request to Seminole County Planning commission on Sept 3; otherwise we can submit to Seminole County until November.

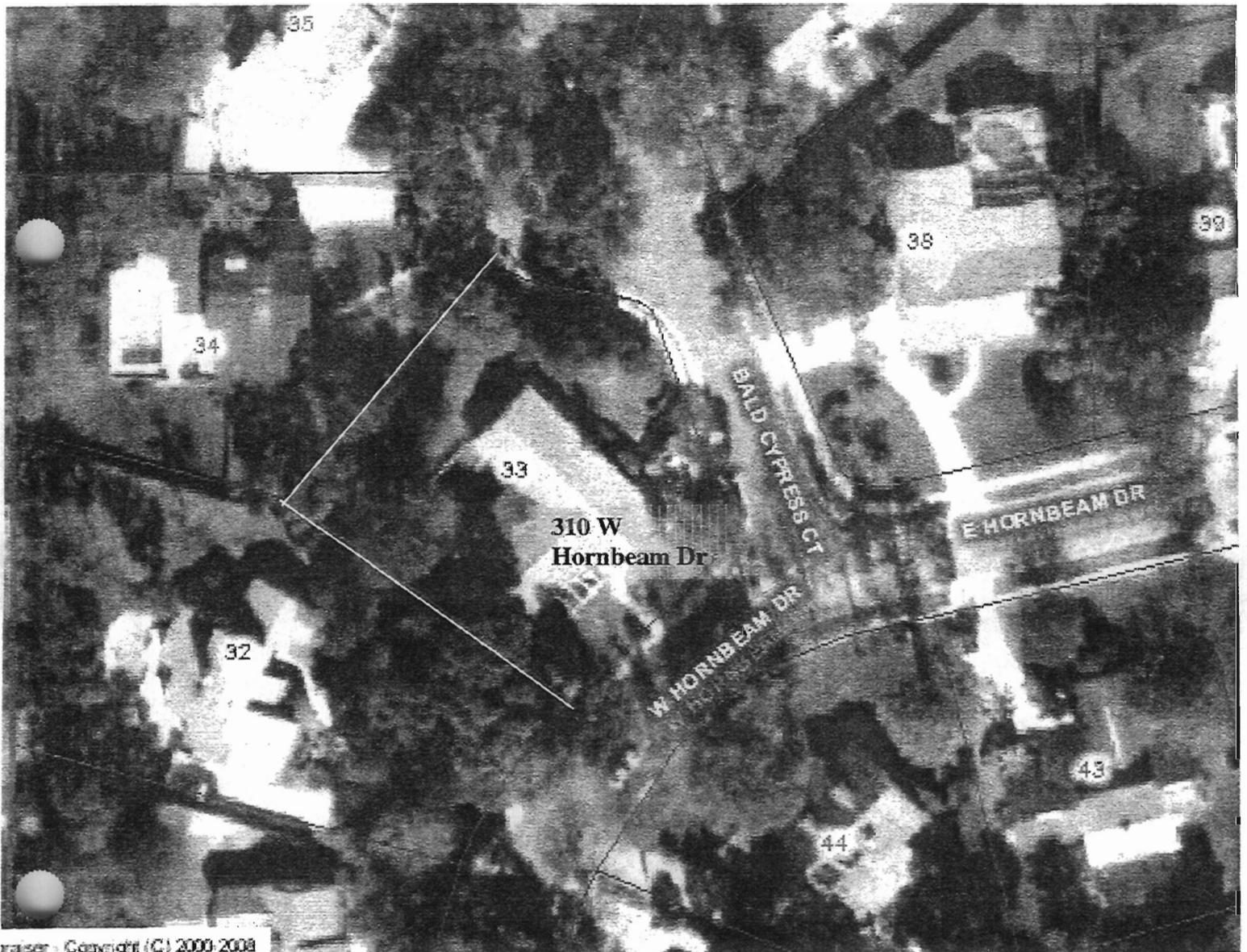
Our neighbors, Ray and Vanessa Bartellomei at 312 W Hornbeam; and Allan and Alyse Jacobs at 500 Bald Cypress Ct have no objections to the proposed pool and fence.

I would be happy to meet with you or show you the site should you have any questions, please contact me at 321 436 2000.

Thank you for your consideration,

Sincerely,


Tom Knuckey, 310 W Hornbeam Dr



SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On October 26, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 33 BLK 1 SABAL POINT AMENDED PLAT PB 19 PGS 62 TO 64

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

FINDINGS OF FACT

Property Owner: Thomas S Knuckey & Maia Spring-Knuckey
310 W Hornbeam Dr
Longwood FL 32779

Project Name: Hornbeam Drive (310)

Requested Variance:

Side street setback variance from 25 feet to 17 feet for a proposed privacy fence in PUD (Single Family Dwelling) district.

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

The requested development approval is hereby denied.

Prepared by: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Done and Ordered on the date first written above.

By: _____
Alison C. Stettner
Planning Manager

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

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

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

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On October 26, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 33 BLK 1 SABAL POINT AMENDED PLAT PB 19 PGS 62 TO 64

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

FINDINGS OF FACT

Property Owner: Thomas S Knuckey & Maia Spring-Knuckey
310 W Hornbeam Dr
Longwood FL 32779

Project Name: Hornbeam Drive (310)

Variance Approval:

Side street setback variance from 25 feet to 17 feet for a proposed privacy fence in PUD (Single Family Dwelling) district.

All six criteria for granting a variance under the Land Development Code have been satisfied.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Denny Gibbs, Senior Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

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

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

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

- a. The variance granted will apply only to the fence on the northwest corner of the property 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:

