

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

**SUBJECT:** 1517 Eden Hall Point – San Sebastian Estate Homes, applicant; Request for rear yard setback variance from 20 feet to 13 feet for a proposed new home in PUD (Planned Unit Development) district.

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

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

**Agenda Date** 12/7/2009 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a rear yard setback variance from 20 feet to 13 feet in PUD (Planned Unit Development) district; or
2. **Approve** the request for a rear yard setback variance from 20 feet to 13 feet in PUD (Planned Unit Development) district; or
3. **Continue** the request to a time and date certain.

<p><b>GENERAL INFORMATION</b></p>	<p>Applicant: San Sebastian Estate Homes                  Location: 1517 Eden Hall Point                  Zoning: PUD                  Subdivision: Reserve 2 at Heathrow</p>
<p><b>BACKGROUND / REQUEST</b></p>	<ul style="list-style-type: none"> <li>• The applicant proposed to construct a single family home that will encroach 7 feet into the rear yard setback</li> <li>• On 9/28/09 the Board of Adjustment denied the request for a rear yard setback variance from 20 feet to 13 feet.</li> <li>• On 7/27/09 the Board of Adjustment granted a side yard setback from 7 ½ feet to 5 feet.</li> <li>• There is a subdivision wall located on the east side of the property that abuts Markham Road.</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>

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

<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 and which are not applicable to other lands, structures or building in the same zoning district.</li><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>
<b>STAFF RECOMMENDATION</b>	<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 proposed home 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

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

Application #: BV2009-101  
Meeting Date 12-7-09



# 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: SAN SEBASTIAN ESTATE HOMES  
Address: 4919 RED BRICK RUN City: SANFORD Zip code: 32771  
Project Address: 1517 EDEN HALL PT. City: HEATHROW Zip code: 32746  
Tax Parcel number: 35-19-29-50F-0000-0050  
Contact number(s): JORGE ULIBARRI (407) 733-5500  
Email address: cornerstonescustom@efl.cc.com

Is the property available for inspection without an appointment?

Yes  No It 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 checked="" type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:

RECEIVED OCT 09 2009

What type of variance is this request?			
<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Rear yard setback	Required setback:	<u>20'</u>	Proposed setback: <u>13'</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: J. Ulibarr

Date: 10/09/09

Date Submitted: 10-9-09 Reviewed By: P. Johnson  
 Zoning/FLU PUD / PD  
 Legally created parcel (1971 tax roll, 5-acre dev, lot split)  
 Platted Lot (check easements as shown on lots, in notes or in dedication)  
 Lot size \_\_\_\_\_  Meets minimum size and width  
 Application and checklist complete  
 Notes: \_\_\_\_\_

**VARIANCE SUBMITTAL CHECKLIST**

Please return this checklist with your application!

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

<p><i>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</i></p>	
✓	1. Completed application.
✓	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
✓	3. Owner's authorization letter (if needed). This form can be obtained at <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a>
	4. Provide a legible 8 ½ x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
✓	<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
N/A	<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 or addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
N/A	<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
N/A	<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 <u>Home Owners Association</u> DRB approvals, as desired.

May 19, 2009

Mr. Jorge Ulibarri, Owner/President  
Cornerstone Custom Construction

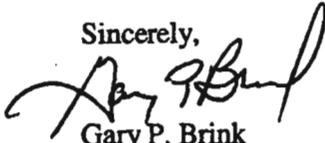
RE: Lot 5 Reserve Phase 2  
1517 Edenhall Pt.

Dear Mr. Ulibarri,

Upon the receipt of your request for a variance, to the set back requirements, I took the plot plan layout and inspected the lot. I have discussed these set back changes with the appropriate individuals at Heathrow Land Company and we are in agreement that the changes in the set backs will not effect any adjacent homes. Therefore it would be our decision to allow the variance of 2.5' on the North side adjacent to the existing property wall and a variance of 7' to the east or rear of the proposed home.

Should you have any further questions or need for further assistance with this issue please feel free to contact me at the Heathrow Land Company main office.

Sincerely,



Gary P. Brink  
Construction Manager

Cc: Ed Hill, HLC C.O.O.  
Brad Milsap, Authorized Agent  
Deanna Sims, Heathrow Master Association  
Cherine Kennings  
File

July 30, 2009

San Sebastian Estates homes  
Jorge Ulibarri  
4919 Red Brick Run  
Sanford FL 32771

Re: Rear Set Back Variance

Dear Mr. Ulibarri,

Let this letter serve as a follow up to our conversation on July 29, 2009, where we discussed your intentions of applying to the Seminole County for a rear setback variance on the property directly behind mine. As I explained to you, I do not have any objections to you applying for this variance. I wish you the best of luck and I am looking forward to being your neighbor.



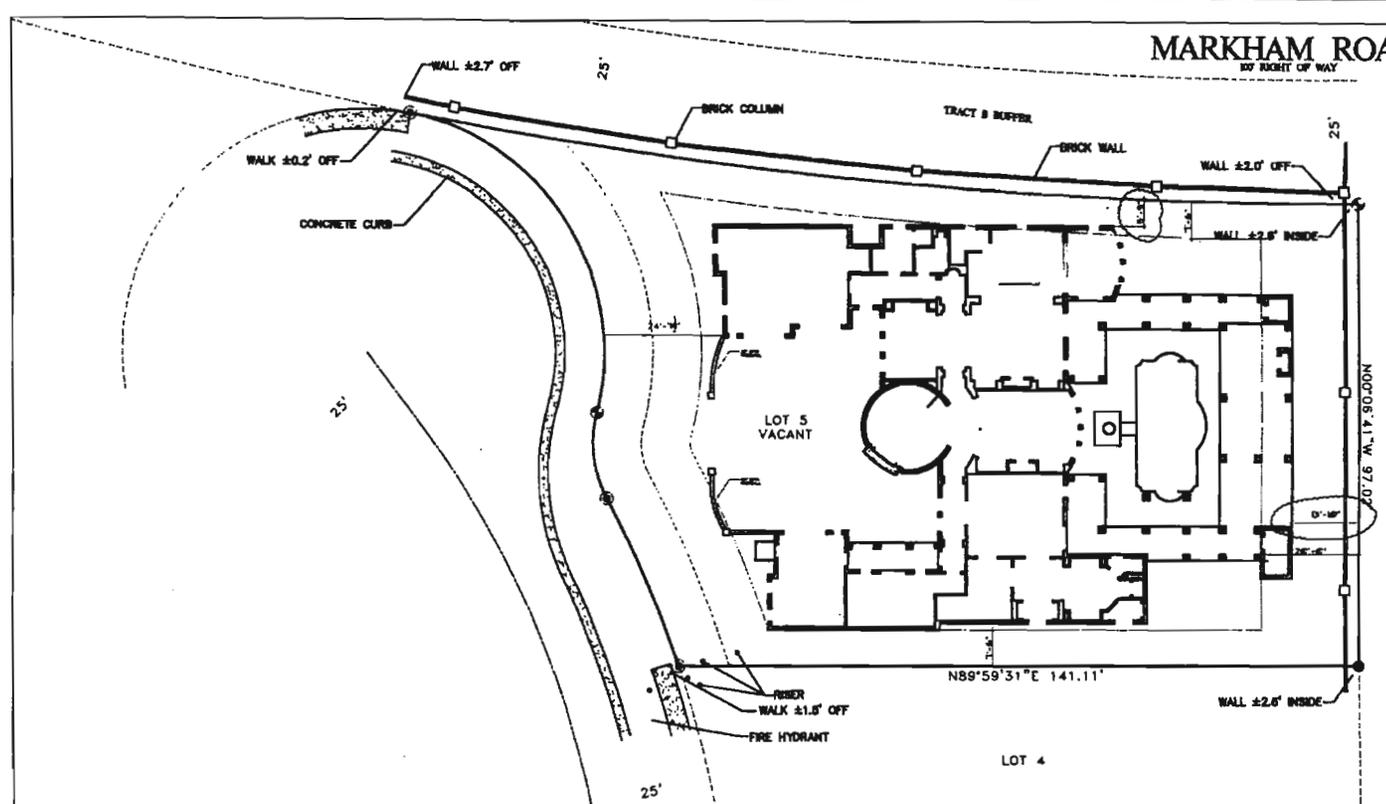
Paul Linartas  
1450 Sky Eagle Cv.  
Lake Mary FL 3246

# MARKHAM ROAD

BY RIGHT OF WAY

# BOUNDARY SURVEY OF

LOT 5,  
RESERVE 2 AT HEATHROW  
PLAT BOOK 60, PAGES 22-25,  
SEMINOLE COUNTY, FLORIDA



LABELLED

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BE-BEING	CHORD
C1	37.95'	225.00'	9°59'48"	N21°01'57\"/>	
C2	18.49'	25.00'	42°31'53"	S06°40'14\"/>	
C3	81.89'	50.00'	83°50'57"	N32°24'37\"/>	
C4	198.00'	1012.33'	11°12'33"	S84°46'15\"/>	

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND WARRIOR ACCENTIONS AND DELETIONS TO SURVEY MAPS, SCHEDULES, OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

SCALE: 1"=30'  
REVIEWED BY: MWS  
DRAWN BY: SAW  
DATE: 06/08/07  
JOB No.: 28705  
REVISED:

- LEGEND**
- = RECOVERED 4"x4" CONCRETE MONUMENT HQ#
  - ▲ = RECOVERED NAIL & DISK #
  - X = RECOVERED X CUT IN CONCRETE
  - @ = RECOVERED 1/4" IRON PIPE L32005
  - ⊙ = RECOVERED 1/2" IRON ROD NO #
  - ⊙ = RECOVERED 1/4" IRON PIPE INKNEFAUGH
  - ⊙ = SET 1/2" IRON ROD WITNESS 6300
  - ⊙ = POWER POLE AS SHOWN
  - ⊙ = WOOD FENCE AS SHOWN
  - ⊙ = CHAIN LINK FENCE AS SHOWN
  - = CONCRETE SLAB AS SHOWN

D = CENTRAL ANGLE (DELTA), L = ARC, R = RADIUS, R/W = RIGHT OF WAY, A/C = AIR CONDITIONER, (R) = RADIAL, (NR) = NON-RADIAL, (P) = PLAT, (M) = MEASURED, (C) = CALCULATED, (D) = DEED, POB = POINT OF BEGINNING, CONC. = CONCRETE, POC = POINT OF COMMENCEMENT, POL = POINT ON LINE

THIS SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS LISTED AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. UNDERGROUND FOUNDATIONS AND/OR IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY. LAND SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHTS OF WAYS AND/OR EASEMENTS OF PUBLIC RECORD.

THIS SURVEY CERTIFIED TO:  
CORNERSTONE CUSTOM CONSTRUCTION

BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 5 AS BEING N89°59'31"E, PER PLAT LEGAL DESCRIPTION FURNISHED BY CLIENT (UNLESS OTHERWISE NOTED)

THIS IS TO CERTIFY THAT I HAVE REVIEWED THE FLOOD INSURANCE RATING MAP (FIRM) PANEL #120189 004D E DATED 4/17/95 AND DETERMINED THAT THE LANDS SHOWN HEREON ARE IN ZONE "X".

**ALTAMONTE SURVEYING AND PLATTING, INC.**  
435 DOUGLAS AVE. SUITE 200B  
ALTAMONTE SPRINGS, FL 32714  
PHONE: (407) 862-7665  
FAX: (407) 862-8229

SEE PLAT BOOK 60, PAGES 22-25

BU2009-30

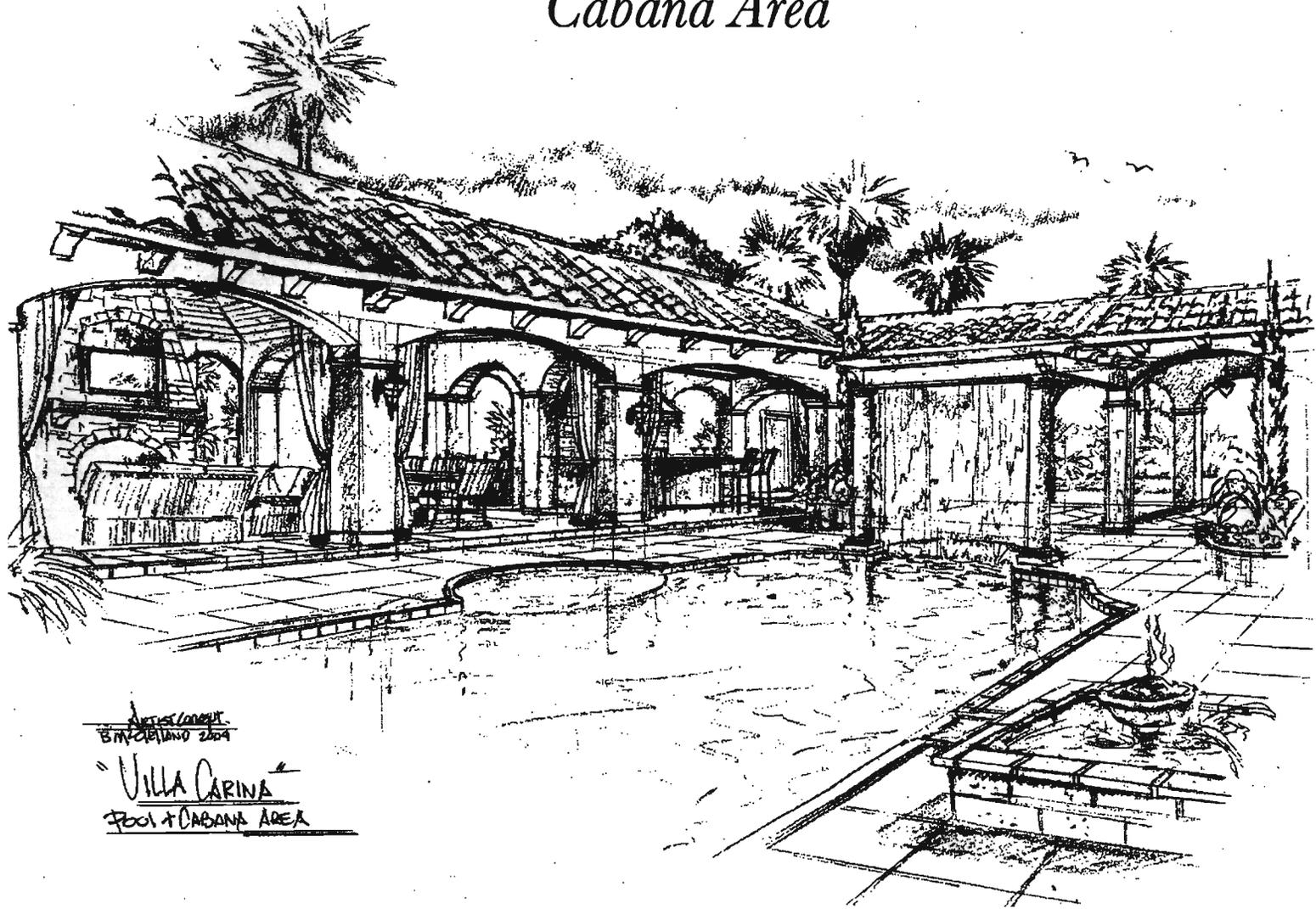
# *Villa Marina*



CUSTOM ESTATE HOME BUILT BY

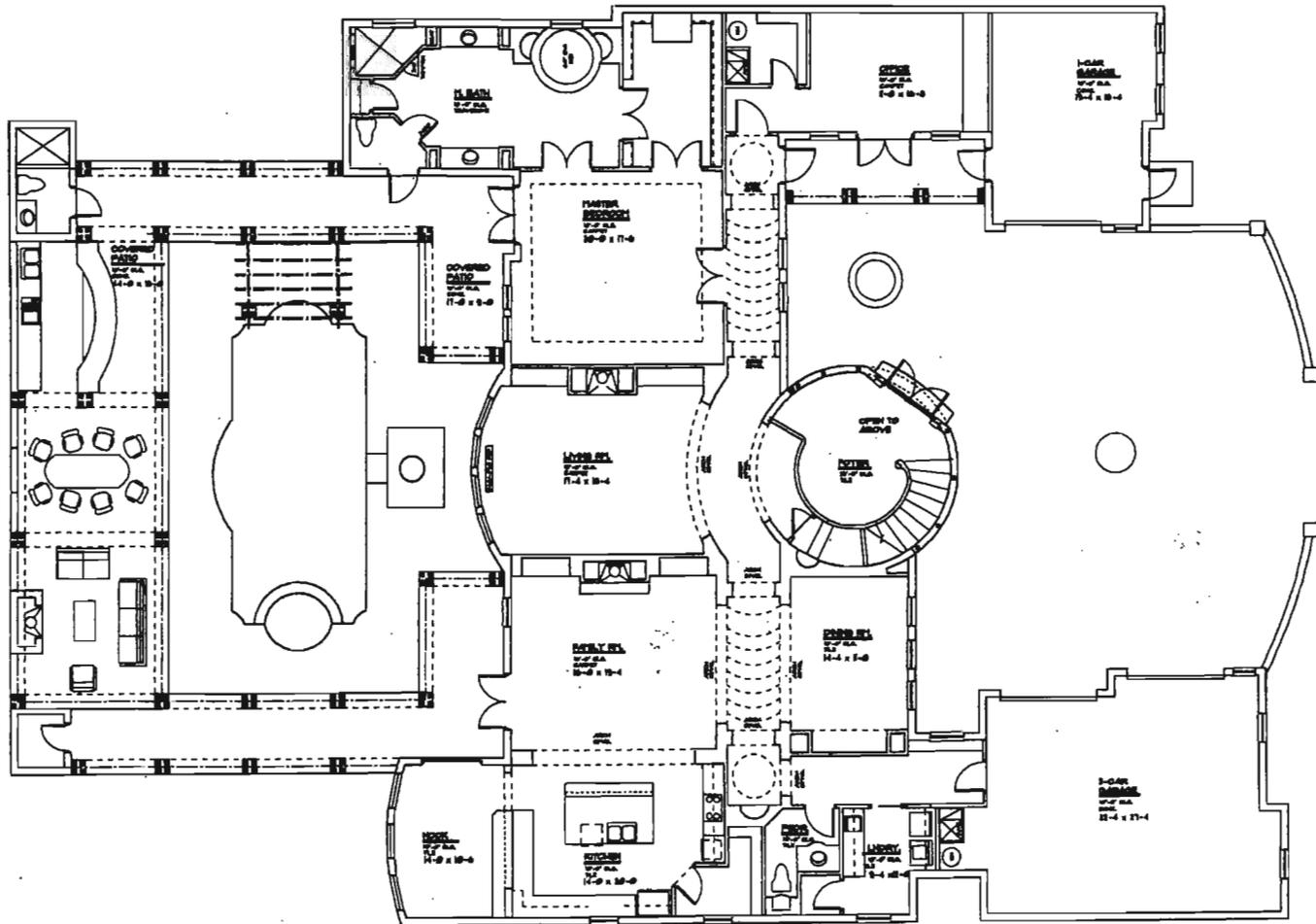


# Cabana Area



ARTIST CONCEPT  
EMERSONLAND 2004

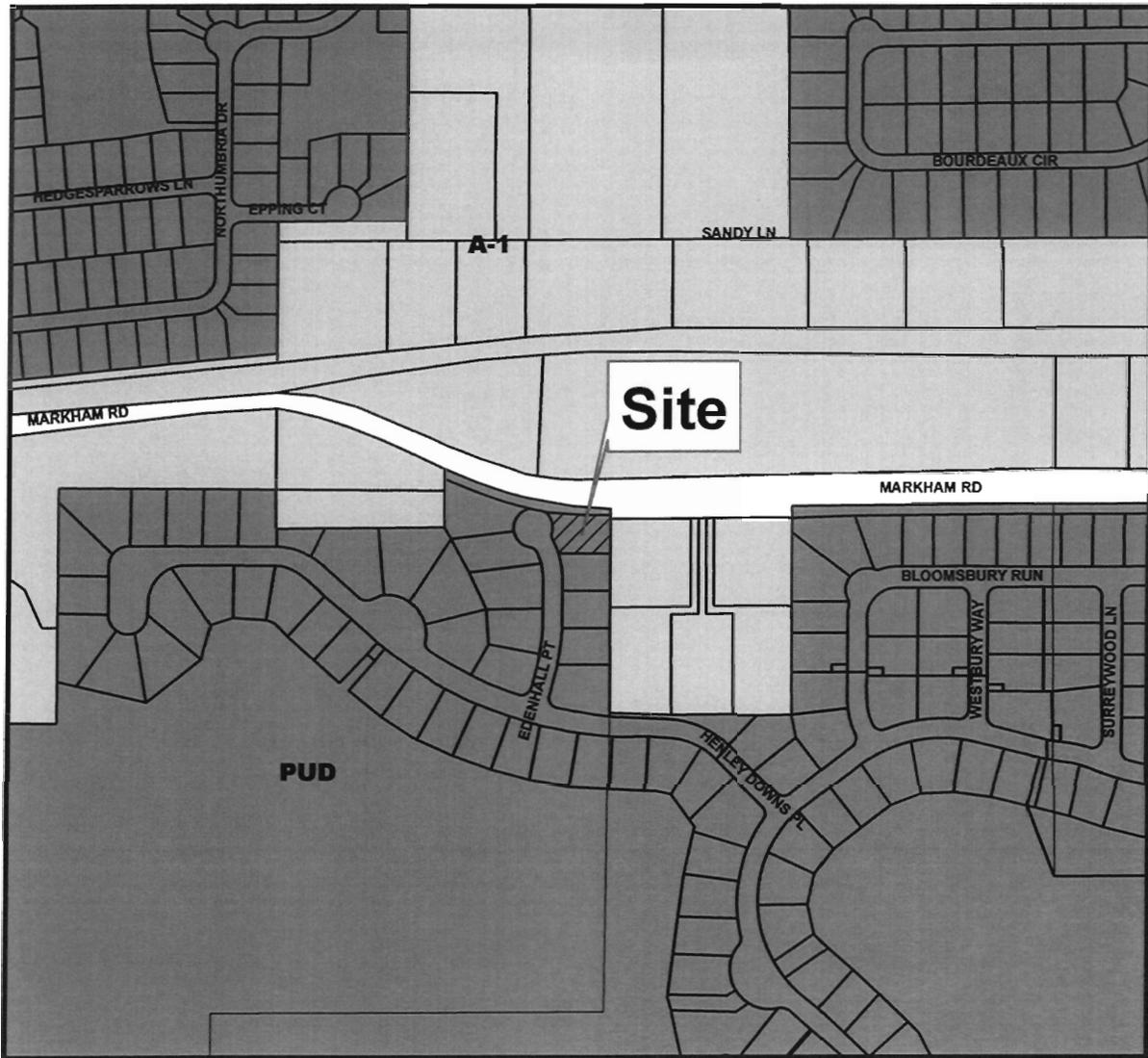
VILLA CARINA  
POOL + CABANA AREA



*Villa Marina*  
FIRST FLOOR PLAN

AREAS	
1ST LIVING	3,601
2ND LIVING	1,416
TOT. LIVING	5,017
CABANA	1,480
GARAGE	963
COV. PATIO	108
BALCONY	155
TOTAL	7,831

Jorge Ulibarri  
1517 Eden Hall Point  
Heathrow, FL 32746

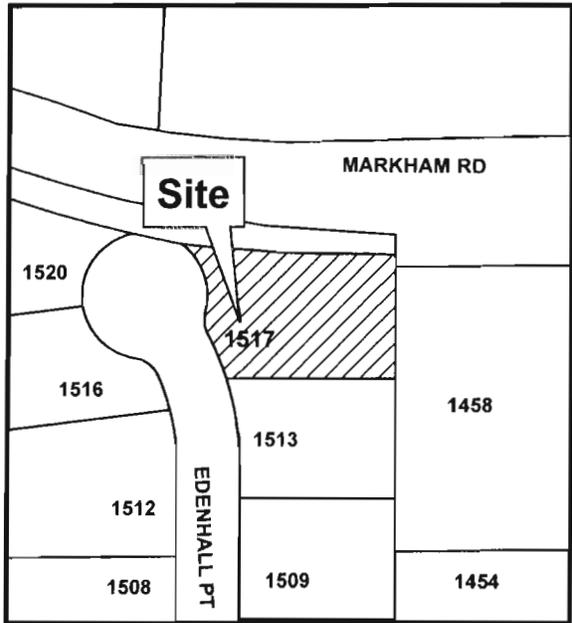


Seminole County Board of Adjustment  
December 7, 2009  
Case: BV2009-101 (Map 3050 Grid E3)  
Parcel No: 35-19-29-5QF-0000-0050

**Zoning**

-  BV2009-101
-  A-1
-  PUD





**PARCEL DETAIL**

DAVID JOHNSON, CPA, ASA

**PROPERTY APPRAISER**

SEMINOLE COUNTY, FL

1200 N. PALM BLVD

SANFORD, FL 32771-1405

407-885-7500

PHOTO

**GENERAL**

Parcel Id: 35-19-29-SQF-0000-0050  
 Owner: SAN SEBASTIAN ESTATE HOMES INC  
 Mailing Address: 4919 RED BRICK RUN  
 City, State, Zip Code: SANFORD FL 32771  
 Property Address: 1517 EDENHALL PT  
 Subdivision Name: RESERVE 2 AT HEATHROW  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 00-VACANT RESIDENTIAL

Please be advised that based on preliminary analysis of GIS data, this property may not meet the minimum lot size requirements of the zoning district. For more information, contact the Planning Division at 407-885-7441.

**VALUE SUMMARY**

VALUES	2009	2008
	Working	Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	0	0
Depreciated Bldg Value	\$0	\$0
Depreciated EXFT Value	\$0	\$0
Land Value (Market)	\$150,000	\$170,000
Land Value Ag	\$0	\$0
Just/Market Value	\$150,000	\$170,000
Portability Adj	\$0	\$0
Save Our Homes Adj	\$0	\$0
Assessed Value (SOH)	\$150,000	\$170,000

**Tax Estimator**

**2009 TAXABLE VALUE WORKING ESTIMATE**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$150,000	\$0	\$150,000
Schools	\$150,000	\$0	\$150,000
Fire	\$150,000	\$0	\$150,000
Road District	\$150,000	\$0	\$150,000
SJWM (Saint Johns Water Management)	\$150,000	\$0	\$150,000
County Bonds	\$150,000	\$0	\$150,000

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

**SALES**

Deed	Date	Book	Page	Amount	Vac/imp	Qualified
QUIT CLAIM DEED	08/20/07	06782	0431	\$100	Vacant	No
WARRANTY DEED	07/20/07	06765	0799	\$215,000	Vacant	Yes

Find Comparable Sales within this Subdivision

**2008 VALUE SUMMARY**

2008 Tax Bill Amount: \$2,580

**2008 Certified Taxable Value and Taxes**

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	150,000.00	\$150,000

**LEGAL DESCRIPTION**

PLATS:  Pick...

LOT 5 RESERVE 2 AT HEATHROW PB 60 PGS 22 THRU 25

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.

GUI  
PROJ. # 00-5500014

ZONED: PUD

SEC: 35

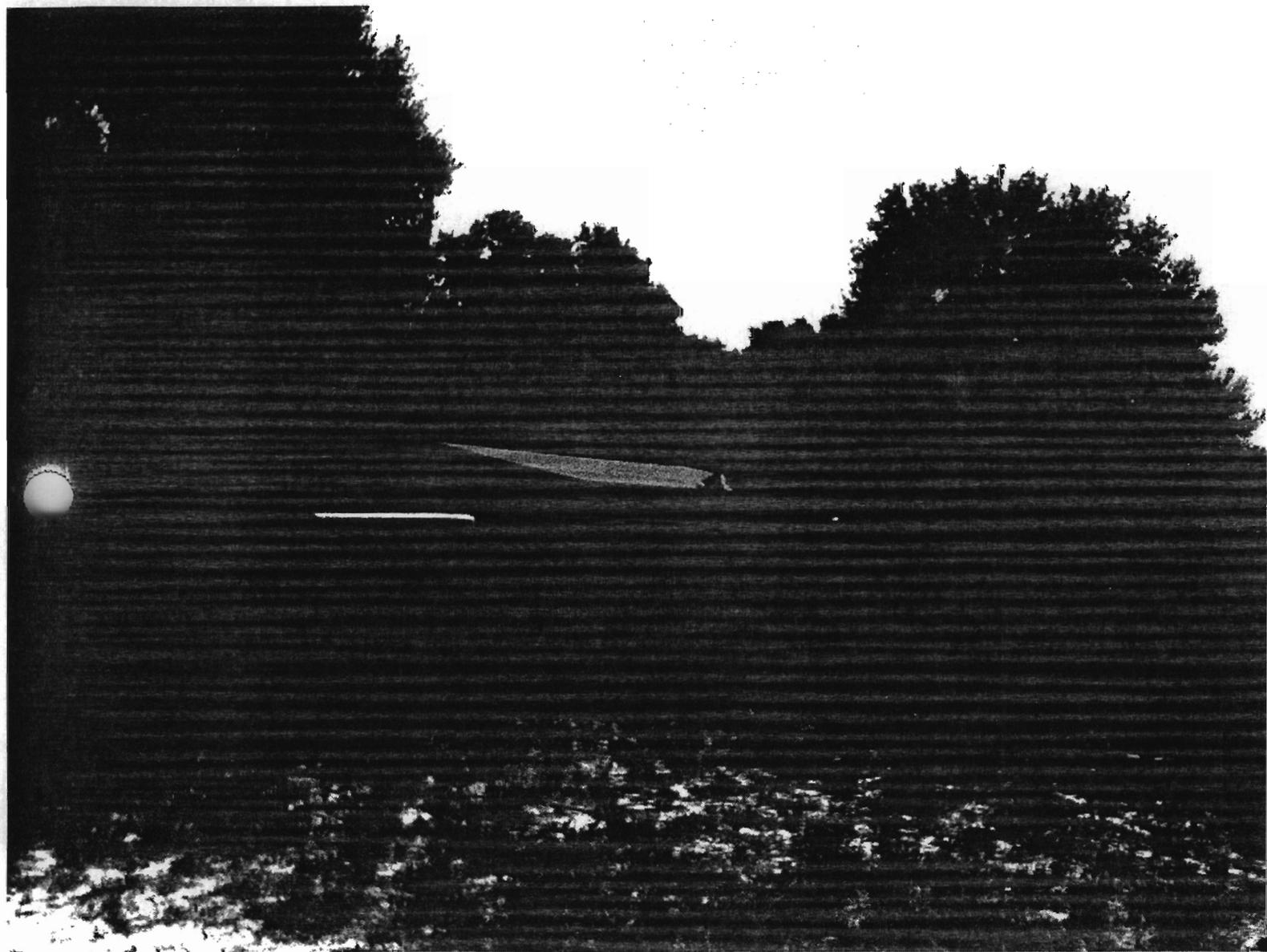
TWP: 19

RNG: 29

<b>DEVELOPMENT:</b>		Reserve 2 at Heathrow (Tract 34A)				<b>DEVELOPER:</b>		Heathrow Land Co.									
<b>LOCATION:</b>																	
<b>FILE#: P&amp;Z:</b>		N/A		<b>BA:</b>		N/A		<b>SP:</b>		N/A		<b>BCC:</b>					
<b>DEVEL. ORDER #:</b>				N/A				<b>TAX PAR. I.D. #:</b>				35-19-29-5QF-0000-XXXX					
<b>PB</b>	60	<b>PG</b>	22-25	<b>LOT</b>	N/A	<b>BLK</b>	N/A	<b>PARCEL</b>	N/A	<b>DBA</b>		<b>COMM DIST.</b>		5			
<b>SIDEWALKS:</b> Required						<b>SETBACK REQUIREMENTS</b>											
<b>ROAD TYPE:</b> Curb & Gutter												<b>FY:</b> 20		<b>SIDE ST.:</b> 20		<b>SY:</b> 7.5	
<b>FLOOD PRONE:</b> N/A						<b>MAIN STRUCTURE OTHER:</b>											
						<ul style="list-style-type: none"> <li>• 35 ft. max. height</li> <li>• 10 ft. separation of structures between lots</li> </ul>											
						<b>ACCESSORY STRUCTURE SETBACKS:</b>											
<b>COMMENTS OTHER:</b>						<b>SY:</b>		7.5				<b>RY:</b>		10			
Plat is Limited to Single Family Detached Structures						<b>ACCESSORY STRUCTURE OTHER:</b>											
						<ul style="list-style-type: none"> <li>• 200 sq. ft. in size or larger, 12ft. in height must meet main structure setbacks. Accessory under 200 sq. ft. not to extend beyond front building line.</li> <li>• Pool setbacks are 0 ft. on side yard; 5 ft. rear yard</li> </ul>											
<b>PROJECT MANAGER:</b> John Thomson																	

		IMPACT FEES	
		<b>TRAFFIC ZONE:</b>	5
		<b>LAND USE:</b>	SF
		<b>JURISDICTION:</b>	01
		<b>1. ROAD-CO. WIDE</b>	0
		<b>2. ROAD-COLL.</b>	0
		<b>3. LIBRARY</b>	0
		<b>4. FIRE</b>	0
		<b>5. PARK</b>	0
		<b>6. SCHOOL</b>	0
		<b>7. LAW</b>	0
		<b>TOTAL</b>	\$
		<b>NO IMPACT FEES</b>	
<b>REMARKS:</b>			

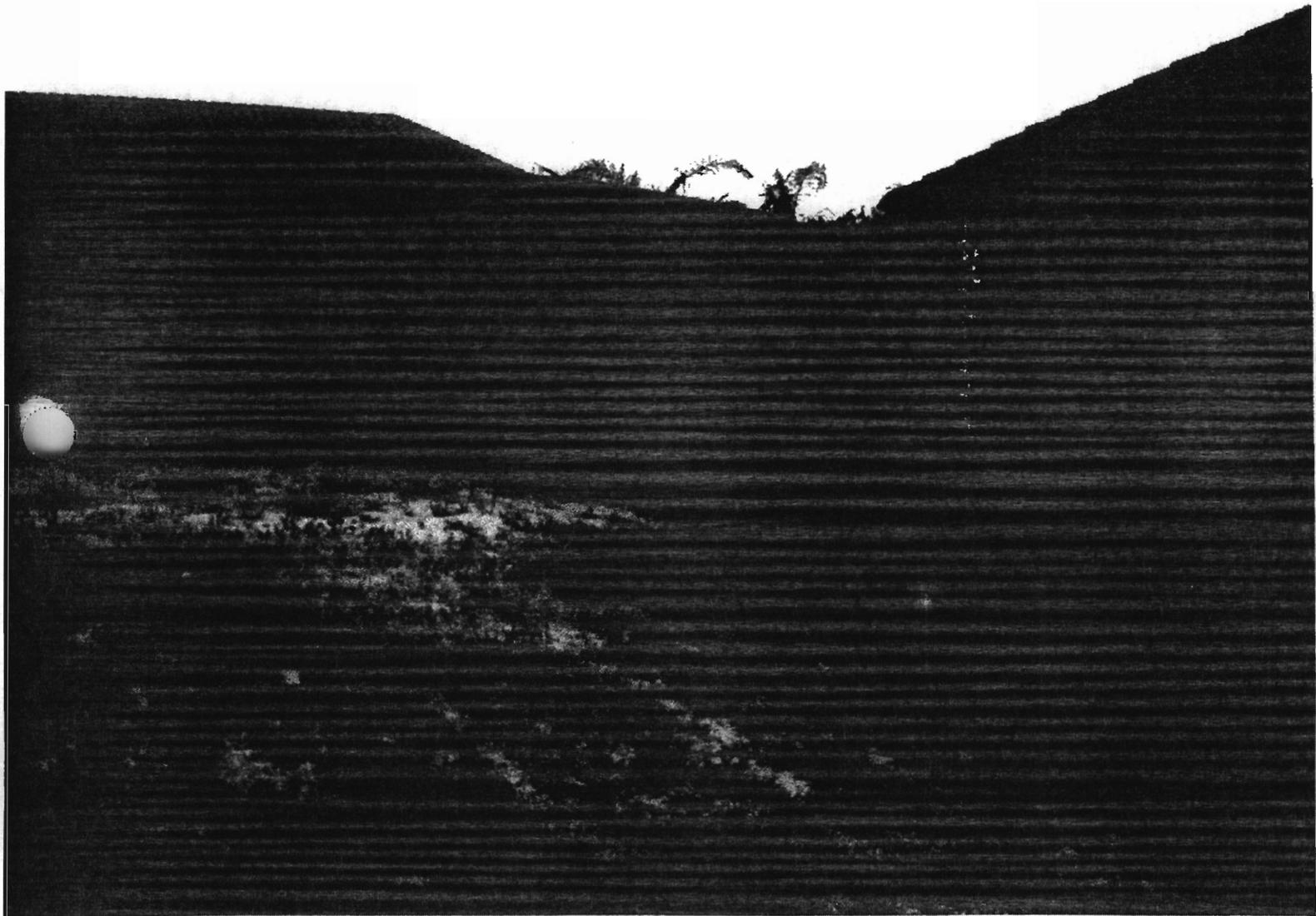
PICTURE No. 2(a)



PICTURE No. 2 (b)

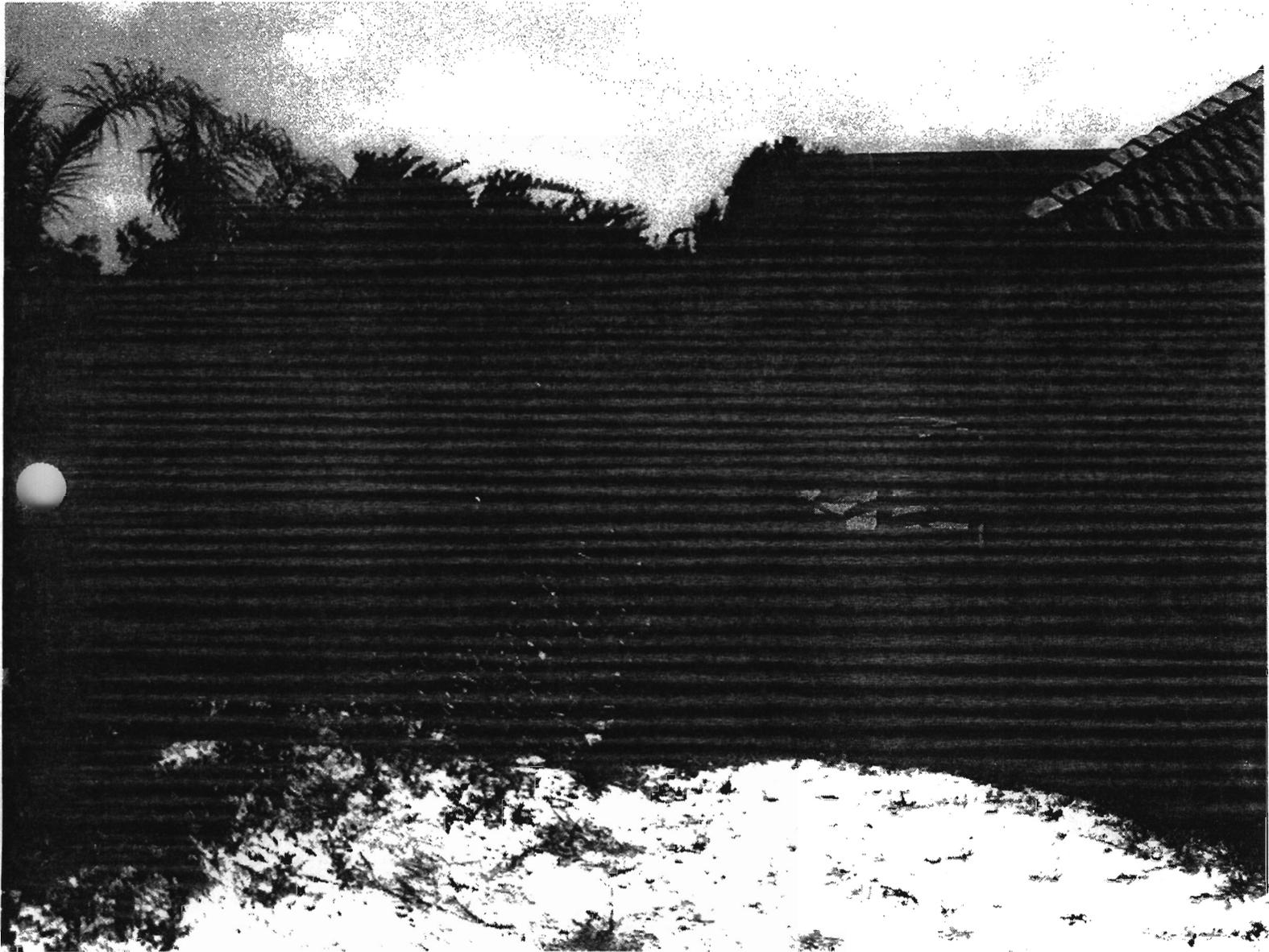


PICTURE No. 3



\* THE BACK OF THE HOUSE IS 17 FT FROM WALL  
AND HAS NO VIEW TO MY LOT

PICTURE No. 4



PICTURE No. 5



July 30, 2009

San Sebastian Estates homes  
Jorge Ulibarri  
4919 Red Brick Run  
Sanford FL 32771

Re: Rear Set Back Variance

Dear Mr. Ulibarri,

Let this letter serve as a follow up to our conversation on July 29, 2009, where we discussed your intentions of applying to the Seminole County for a rear setback variance on the property directly behind mine. As I explained to you, I do not have any objections to you applying for this variance. I wish you the best of luck and I am looking forward to being your neighbor.

A handwritten signature in cursive script, appearing to read "Paul Linartas".

Paul Linartas  
1450 Sky Eagle Cv.  
Lake Mary FL 3246

# PICTURE No 1



\* SEE STRUCTURE ADJACENT TO WALL

Zoom In AnbaThemes Normal

Scale

## **SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On December 7, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Lot 5 Reserve 2 at the Heathrow PB 60 PGS 22 Thru 25

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

### **FINDINGS OF FACT**

**Property Owner:** San Sebastian Estate Homes  
4919 Red Brick Run  
Sanford, Fl. 32771

**Project Name:** Eden Hall Point (1517)

**Requested variance:**

Rear yard setback variance from 20 feet to 13 feet for a single-family home.

Approval was sought to construct a single family 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

**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 December 7, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Lot 5 Reserve 2 at the Heathrow PB 60 PGS 22 Thru 25

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

**FINDINGS OF FACT**

**Property Owner:** San Sebastian Estate Homes  
4919 Red Brick Run  
Sanford, Fl. 32771

**Project Name:** Eden Hall Point (1517)

**Variance Approval:**

Side yard setback variance from 20 feet to 13 feet for a single-family home.

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, 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 home as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

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

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

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

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

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

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

My Commission Expires:

