

Item # BV2009-98

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

**SUBJECT:** 3900 Wimbledon Drive – John Giuliani, Landmark Building & Construction, applicant; Request for 1) a front yard setback variance from 46.92 feet to 33 feet and 2) a side street setback variance from 50 feet to 45 feet for a proposed portico addition in A-1 (Agriculture) district.

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

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

**Agenda Date** 12/7/09 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **Deny** the request for 1) a front yard setback variance from 46.92 feet to 33 feet and 2) a side street setback variance from 50 feet to 45 feet for a proposed portico addition in A-1 (Agriculture) district; or
2. **Approve** the request for 1) a front yard setback variance from 46.92 feet to 33 feet and 2) a side street setback variance from 50 feet to 45 feet for a proposed portico addition in A-1 (Agriculture) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<b>Applicant:</b> John Giuliani <b>Owner:</b> Landmark Building and Construction, Inc <b>Location:</b> David Kiswani & Nouridjan Life Estate <b>Zoning:</b> 3900 Wimbledon Drive <b>Subdivision:</b> A-1 (Agriculture) Shannon West
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"><li>• The applicant proposes to construct a front portico that will encroach 13.92 into the 46.92-foot required front yard setback and 5 feet into the 50-foot side street setback.</li><li>• There are currently no code enforcement or building violations for this property.</li></ul>

**Reviewed by:** KET  
**Co Atty:** AB  
**Pln Mgr:** AB

	<ul style="list-style-type: none"><li>• The property was recently granted variances to cure non-conforming conditions. The 46.92-foot front yard setback was established at that time.</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 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 front portico 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 # BV2009-93  
Meeting Date 12-7-09



# VARIANCE APPLICATION

SEMINOLE COUNTY PLANNING DIVISION ROOM 2201  
1101 East First Street Sanford, FL 32771 (407) 665-7444

**COPY**

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: John Giuliani, LANDMARK Building & Con. Inc.  
Address: P.O. Box 1329 City: SANFORD Zip code: 32772  
Project Address: 3900 WIMBLEDON DRIVE City: LAKE MARY Zip code: 32746  
Tax Parcel number: 02-20-29-507-0000-0110  
Contact number(s): 407-323-5570  
Email address: LANDMARK1977@yahoo.com

Is the property available for inspection without an appointment?

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

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other <u>FRONT PORTICO</u>	Please describe: <u>COVER FOR WHEELCHAIR ACCESS</u>
<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 checked="" type="checkbox"/> Front yard setback	Required setback:	<u>50 FT.</u>	Proposed setback: <u>33 FT.</u>
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Side yard setback <u>Street</u>	Required setback:	<u>50 FT.</u>	Proposed setback: <u>45'</u>
<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: John Giuliani PRES.

Date: 10/8/09

**FOR OFFICE USE ONLY**Date Submitted: 10-8-09Reviewed By: P. JohnsonZoning/FLU A-1 1.5E

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

Notes: \_\_\_\_\_

**VARIANCE SUBMITTAL CHECKLIST***Please return this checklist with your application!*

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

*After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.*

	1. Completed application.
	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
	3. Owner's authorization letter (if needed). This form can be obtained at <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
	<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 (Label existing, label proposed, and include square footage and dimensions of each)
	<input type="checkbox"/> Existing and/or proposed buildings, structures and improvements (Label existing, label proposed, and include square footage and dimension of each)
	<input type="checkbox"/> Building height
	<input type="checkbox"/> Setbacks from each building to the property lines
	<input type="checkbox"/> Location of proposed fence(s)
	<input type="checkbox"/> Identification of available utilities (ex: water, sewer, well or septic)
	5. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

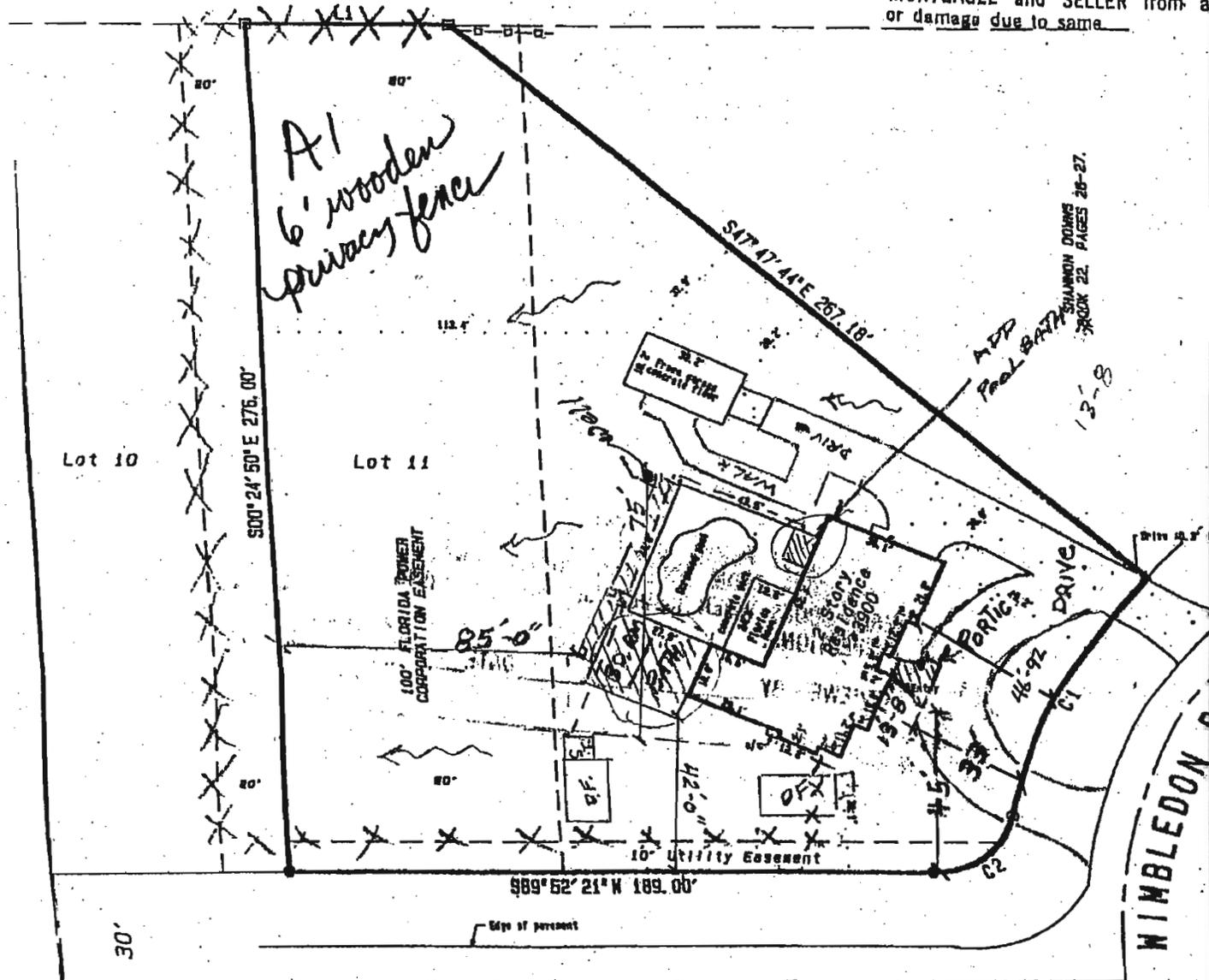
BV 2009-98

# Boundary Survey for David Kiswani & Nouridjan Ashdji

Lot 11,  
SHANNON NEST  
Plat Book 25, Page 46,  
Orange County, Florida

PURCHASER/MORTGAGOR has been aware of any ENCROACHMENT reflected on this SURVEY, and hereinafter harmless CENTRAL FLORIDA TITLE MORTGAGEE and SELLER from a claim or damage due to same.

NOT PLATTED (P)



## SHADY OAK COURT

LINE	BEARING	LENGTH
L1	N89°52'21.0"E	58.99'

X = 6 ft wood fence

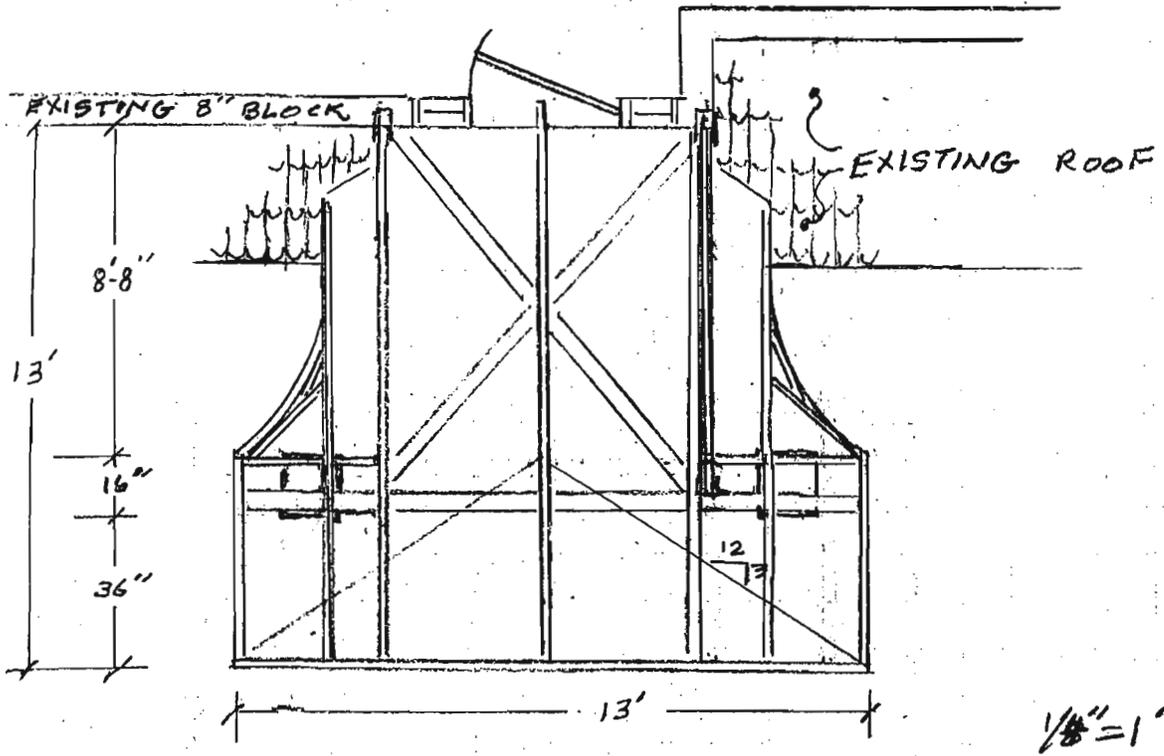
Curve	Radius	Delta	Length
C1	183.61'	27°44'47"	88.87'
C2	25.00'	75°24'52"	32.91'

1" = 40'

Legend

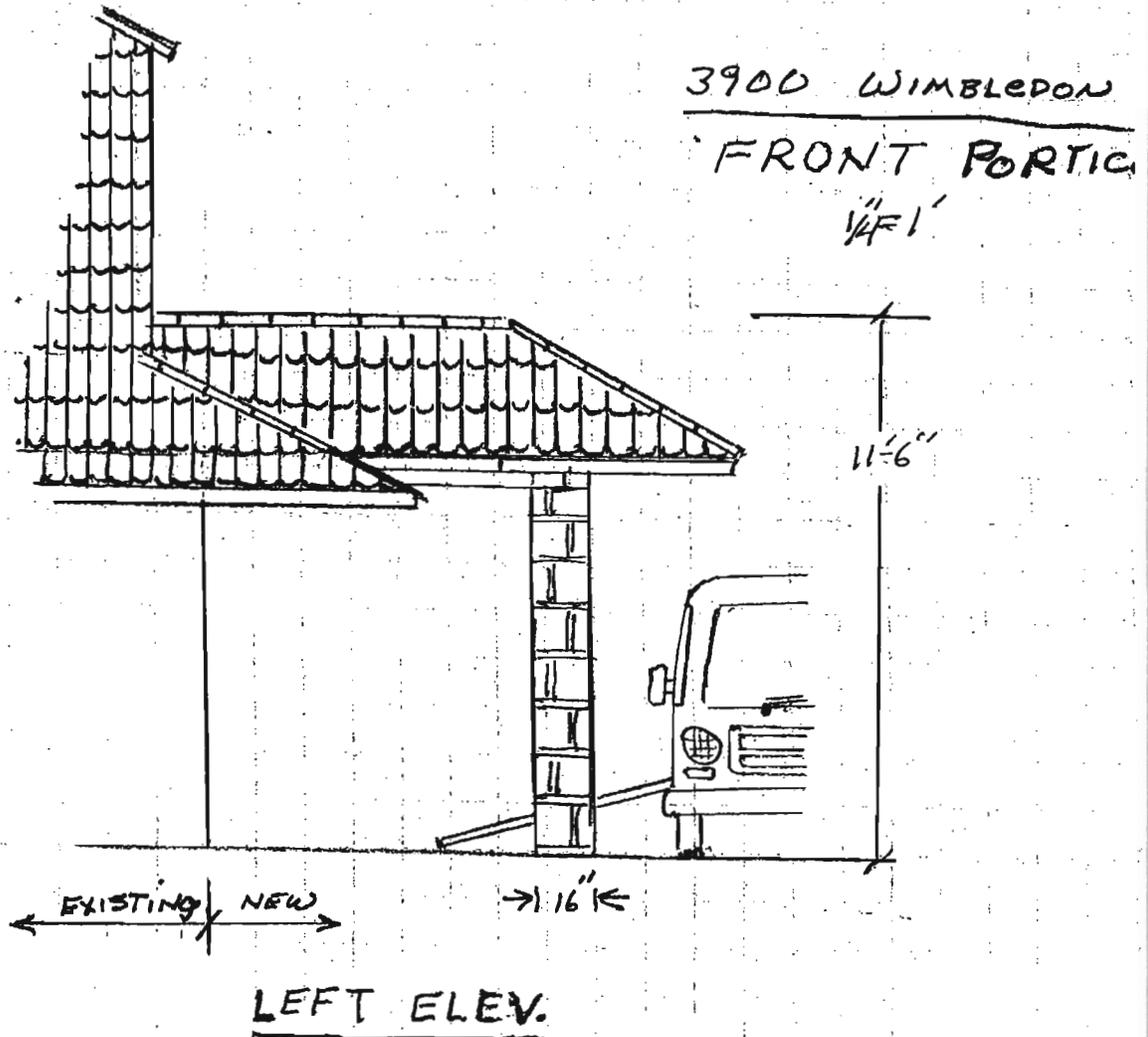
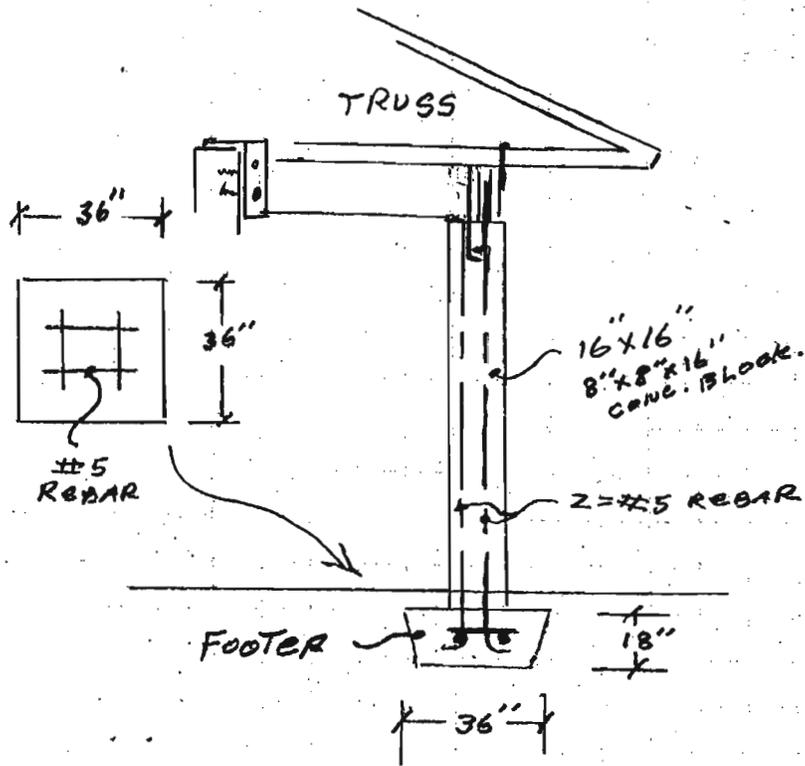
□ = Unexcavated 4"x4" Concrete Monument.

# FRONT PORTICO

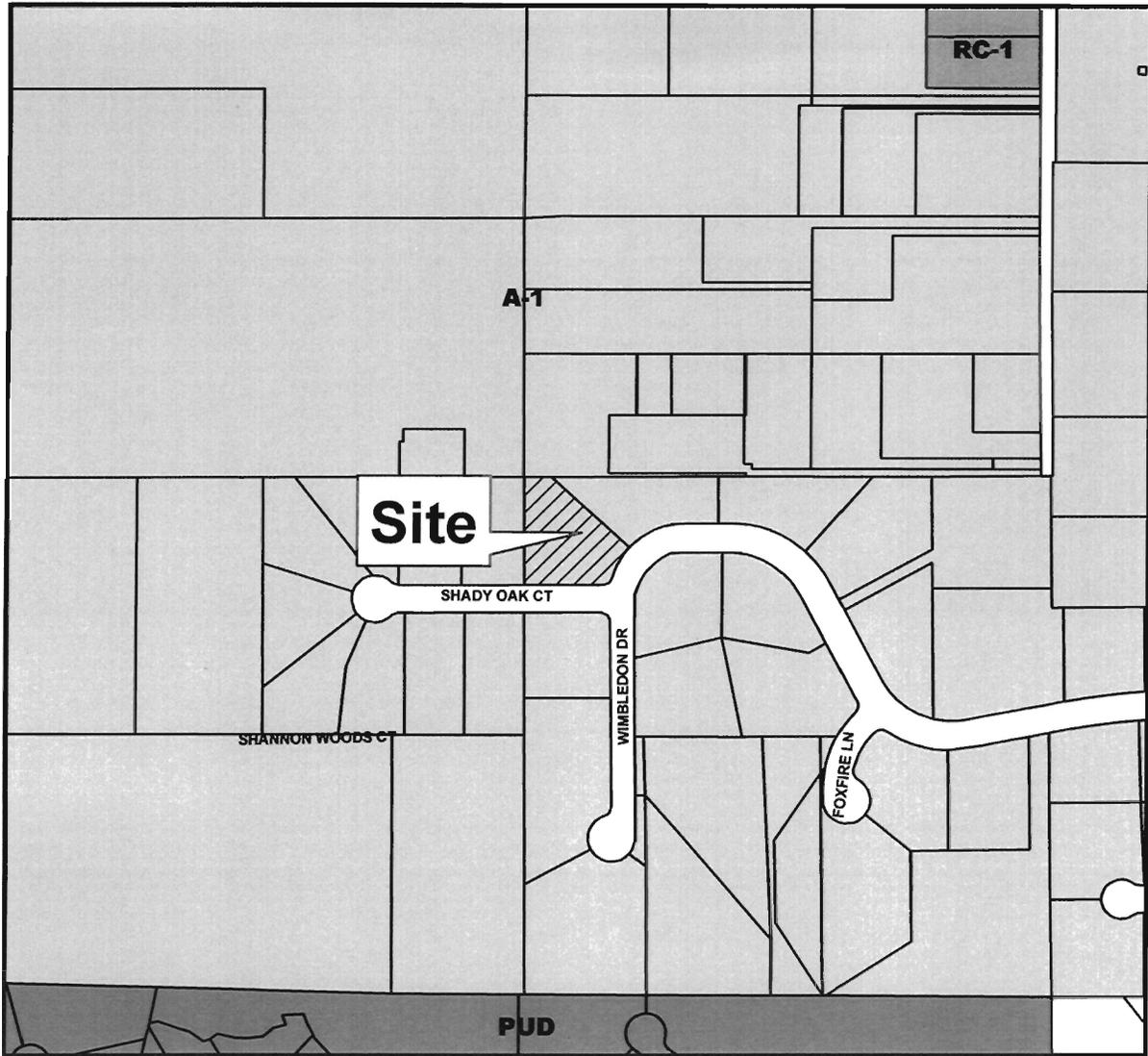


FRONT ELEV.

3900 WIMBLEDON DR.  
LANDMARK BUILDING & CON. INC.



John Giuliani  
3900 Wimbledon Drive  
Lake Mary, FL 32746



Seminole County Board of Adjustment  
December 7, 2009  
Case: BV2009-98 (Map 3050 Grid D6)  
Parcel No: 02-20-29-507-0000-0110

Zoning

-  BV2009-98
-  A-1
-  RC-1
-  R-1AAA
-  PUD



**PARCEL DETAIL**

DAVID JOHNSON, CFA, ASA

**PROPERTY APPRAISER**

SEMINOLE COUNTY FL.

1101 E. FIRST ST  
SANFORD, FL 32771-1400  
407-688-7208

Parcel 18A

**GENERAL**

Parcel Id: 02-20-29-507-0000-0110  
 Owner: KISWANI DAVID & NOURIDJAN LIFE  
 Own/Addr: EST (KISWANI DAVID T TR)  
 Mailing Address: 3900 WIMBLETON DR  
 City,State,ZipCode: LAKE MARY FL 32746  
 Property Address: 3900 WIMBLETON DR LAKE MARY 32746  
 Subdivision Name: SHANNON WEST  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions: 00-HOMESTEAD (2002)  
 Dor: 01-SINGLE FAMILY

VALUE SUMMARY		
VALUES	2009 Working	2008 Certified
Value Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$207,539	\$262,779
Depreciated EXFT Value	\$17,502	\$18,375
Land Value (Market)	\$80,000	\$100,000
Land Value Ag	\$0	\$0
<b>Just/Market Value</b>	<b>\$305,041</b>	<b>\$381,154</b>
Portability Adj	\$0	\$0
Save Our Homes Adj	\$6,878	\$83,289
<b>Assessed Value (SOH)</b>	<b>\$298,163</b>	<b>\$297,865</b>
<b>Tax Estimator</b>		
<b>Portability Calculator</b>		
<b>2009 Notice of Proposed Property Tax</b>		

**2009 TAXABLE VALUE WORKING ESTIMATE**

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
County General Fund	\$298,163	\$50,000	\$248,163
Schools	\$298,163	\$25,000	\$273,163
Fire	\$298,163	\$50,000	\$248,163
Road District	\$298,163	\$50,000	\$248,163
SJWM(Saint Johns Water Management)	\$298,163	\$50,000	\$248,163
County Bonds	\$298,163	\$50,000	\$248,163

**Potential Portability Amount is \$6,878**

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
WARRANTY DEED	02/2009	07138	0690	\$100	Improved	No
WARRANTY DEED	09/2001	04196	1294	\$307,500	Improved	Yes
SPECIAL WARRANTY DEED	10/1989	02118	0180	\$173,000	Improved	No
CERTIFICATE OF TITLE	03/1989	02050	0362	\$300,000	Improved	No
WARRANTY DEED	01/1986	01707	0063	\$100	Improved	No

Find Comparable Sales within this Subdivision

2008 VALUE SUMMARY	
Tax Amount (without SOH):	\$5,367
<b>2008 Tax Bill Amount:</b>	<b>\$3,921</b>
<b>Save Our Homes (SOH) Savings:</b>	<b>\$1,446</b>
<b>2008 Certified Taxable Value and Taxes</b>	
DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	

LAND					
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	80,000.00	\$80,000

**LEGAL DESCRIPTION**

PLATS: Pick...

LEG LOT 11 SHANNON WEST PB 25 PG 45

BUILDING INFORMATION									
Bid Num	Bid Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bid Value	Est. Cost New
1	SINGLE FAMILY	1983	12	2,156	3,619	2,694	CB/STUCCO FINISH	\$207,539	\$231,887
Appendage / Sqft		ENCLOSED PORCH UNFINISHED / 312							
Appendage / Sqft		OPEN PORCH FINISHED / 35							
Appendage / Sqft		GARAGE FINISHED / 578							
Appendage / Sqft		UPPER STORY FINISHED / 538							

**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 Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1983	1	\$800	\$2,000
WOOD UTILITY BLDG	1994	576	\$1,843	\$4,608
POOL GUNITE	1996	480	\$6,480	\$9,600
WATER FEATURE	1996	1	\$1,350	\$2,000
ELECTRIC HEATER	1996	1	\$440	\$1,100
COOL DECK PATIO	1996	1,036	\$2,448	\$3,628
SCREEN ENCLOSURE	1996	2,972	\$3,371	\$5,944
SOLAR HEATER	2006	1	\$770	\$1,100

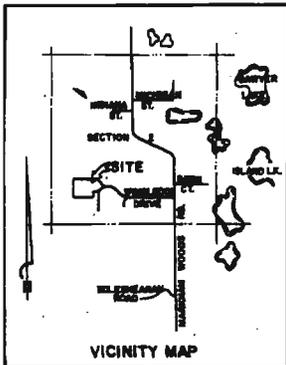
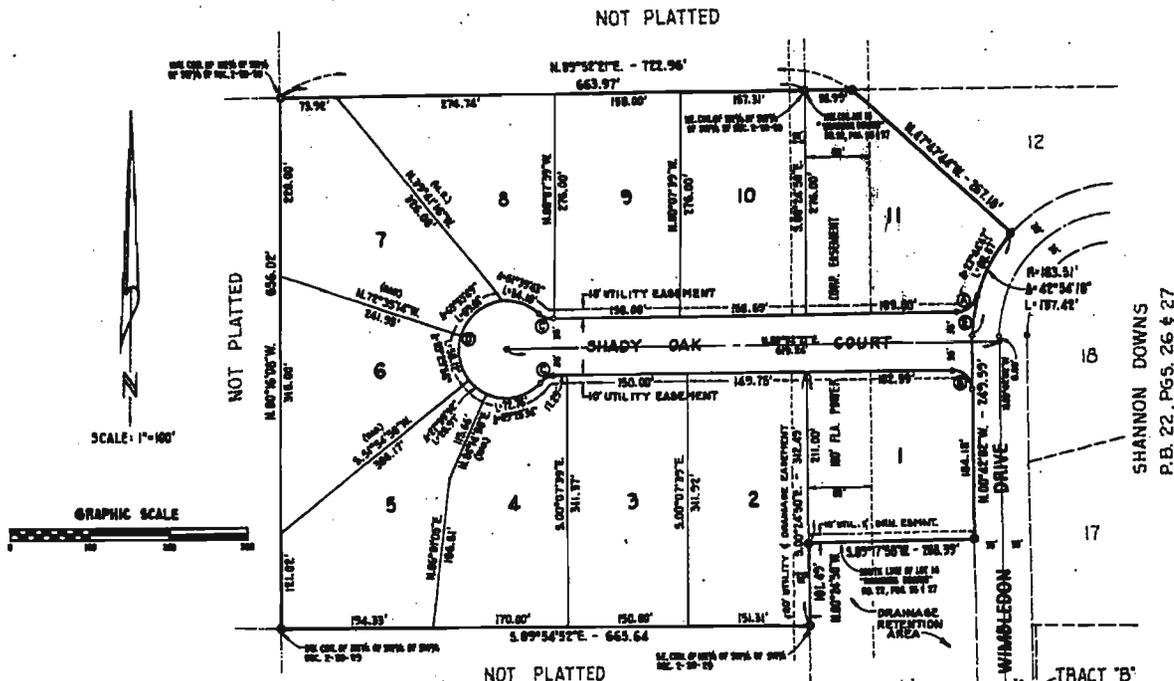
**NOTE:** Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.  
 \*\*\* If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

# SHANNON WEST

## SECTION 2, TOWNSHIP 20 SOUTH, RANGE 29 EAST SEMINOLE COUNTY, FLORIDA

### DESCRIPTION

Lots 13 and 14, SHANNON DOWNS, according to the Plat thereof as recorded in Plat Book 22, Pages 26 and 27 of the Public Records of Seminole County, Florida, AND the NE 1/4 of the SE 1/4 of the SE 1/4 of Section 2, Township 20 South, Range 29 East, Seminole County, Florida.



### LEGEND:

- Indicates Permanent Reference Monument
- Indicates Permanent Control Point
- Indicates P.C., P.T., P.L., Etc.

Bearings Based On Plat of "SHANNON DOWNS"  
As Recorded in P.B. 22, PGS. 26 & 27.

### CURVE DATA CHART

NO.	RADIUS	DELTA	LENGTH	CHORD	TANGENT
A	25.00'	75°24'32"	32.91'	30.58'	15.33'
B	25.00'	89°25'37"	32.82'	38.18'	24.78'
C	25.00'	45°05'37"	15.68'	15.17'	10.38'
D	60.00'	130°11'54"	122.95'	84.71'	---
E	13.91'	15°09'31"	48.95'	48.41'	24.42'

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that the under signed, FLORIDA HONECRAFTERS, INC., a Florida Corporation, does hereby dedicate said lands and Plat for the uses and purposes thereon expressed and the streets to the perpetual use of the Public, and to be known as SHANNON WEST, and in WITNESS THEREOF affix their hands and seal this 27 day of MARCH 1981.

FLORIDA HONECRAFTERS, INC.

President  
  
 Secretary

### ACKNOWLEDGEMENT

STATE OF FLORIDA  
COUNTY OF SEMINOLE

THIS IS TO CERTIFY that before me, an officer duly authorized to take acknowledgments, the persons whose signatures appear above and who on behalf of the above named Corporation did execute the foregoing dedication as a free act and deed.

Witness my hand and seal this 27 day of March 1981.

Notary Public

My Commission Expires March 4, 1982

### CERTIFICATIONS

MORTGAGEES hereby consent to the Platting of the lands hereon described and agree in event of foreclosure the dedication above shall remain fully effective.

District Clerk

SURVEYED, Monumented and Platted in accordance with existing statutes.

STATE OF FLORIDA  
Registered Land Surveyor  
This 27 day of March 1981.

COUNTY OF SEMINOLE

ZONING COMMISSION  
Approved   
This 6 day of MAY 1981.

BOARD OF COMMISSIONERS  
Approved   
Attest   
This 22 day of MAY 1981.

CLERK OF THE CIRCUIT COURT  
Correct as to Statutory compliance and file for record in Sanford, Florida, at 11:02 A.M. this 16 day of MAY 1981.

File No. 007205  
  
 CLERK of the CIRCUIT COURT, SEMINOLE COUNTY, Florida.

V. KELLY SMITH & ASSOCIATES  
 Professional Land Surveyors  
 Sanford, Florida

**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

The owner of the real property associated with this application is a (check one)

- Individual                       Corporation                       Land Trust  
 Limited Liability Company     Partnership  
 Other (describe): \_\_\_\_\_

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

NAME	ADDRESS	PHONE NUMBER
DAVID KISWANI	3900 Wimbledon DR., LAKE MARY	321-228-7876
NOURIDJAN ASHDJI	3900 Wimbledon DR., LAKE MARY	321-228-7876

(Use additional sheets for more space.)

2. For each corporation, list the name, address, and title of each officer; the name and address of each director of the corporation; and the name and address of each shareholder who owns two percent 2% or more of the stock of the corporation. Shareholders need not be disclosed if a corporation's stock are not traded publicly on any national stock exchange.

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust and the percentage of interest of each beneficiary. If any trustee or beneficiary of a trust is a corporation, please provide the information required in paragraph 2 above.

Trust Name: KISWANI DAVID & NOURIDJAN LIFE

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST
DAVID KISWANI	TRUSTEE	3900 Wimbledon DR.	50%
NOURIDJAN ASHDJI	TRUSTEE	3900 Wimbledon DR.	50%

(Use additional sheets for more space.)

**SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT**

4. For **partnerships**, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners. If any partner is a corporation, please provide the information required in paragraph 2 above.

NAME	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

5. In the circumstances of a **contract for purchase**, list the name and address of each contract purchaser. If the purchaser is a corporation, trust, or partnership, provide the information required for those entities in paragraphs 2, 3, and/or 4 above.

Name of Purchaser: \_\_\_\_\_

NAME	ADDRESS	% OF INTEREST

Date of Contract: 5/19/09

Please specify any contingency clause related to the outcome of the consideration of the application.

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezoning, 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.

Date 10/8/09

John Giuliani Pres.  
Owner, Agent, Applicant Signature

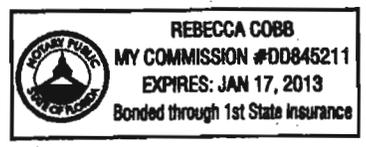
STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 8 day of October, 2009 by John Giuliani

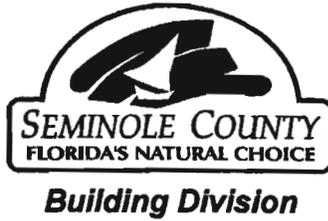
Rebecca Cobb  
Signature of Notary Public

Rebecca Cobb  
Print, Type or Stamp Name of Notary Public

Personally Known  OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



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



## Owner's Letter of Authorization for a Residential / Commercial Permit

Date: 10/8/09

Owner's Name: Printed David Kiswani/Kiswani David & Nouridjan Life

Property Address: 3900 Wimbledon Drive, Lake Mary, FL

Contractor: John Giuliani /  
Landmark Building & Construction Inc.

I authorize any necessary permits to be applied for by the above referenced contractor for the construction of: Portico on the front of  
residence.

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Owner's Signature: 

Owner's Printed Name: David Kiswani

**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:

LEG LOT 11 SHANNON WEST PB 25 PG 45

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

**FINDINGS OF FACT**

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

**Project Name:** Wimbledon Drive (3900)

**Requested Variance:**

- 1) a front yard setback variance from 46.92 feet to 33 feet and
- 2) a side street setback variance from 50 feet to 45 feet for a proposed portico addition in A-1 (Agriculture) district.

Approval was sought to construct a front portico that would encroach into the front yard and side street setbacks. 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 December 7, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 11 SHANNON WEST PB 25 PG 45

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

### FINDINGS OF FACT

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

**Project Name:** Wimbledon Drive (3900)

**Variance Approval:**

- 1) a front yard setback variance from 46.92 feet to 33 feet and
- 2) a side street setback variance from 50 feet to 45 feet for a proposed portico addition in A-1 (Agriculture) district.

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

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

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

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

### Order

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

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

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

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

- a. The variance granted will apply only to the portico 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:

