

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

SUBJECT: 9800 Bear Lake Road – Jason Rozanski, KSR Construction, Inc, applicant; Request for a side yard (north) setback variance from 10 feet to 0 feet for a replacement boat house and boat dock in R-1 (Single Family Dwelling) district.

DEPARTMENT: Growth Management **DIVISION:** Planning & Development

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

Agenda Date 3/22/10 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **Deny** the request for a side yard (north) setback variance from 10 feet to 0 feet for a replacement boat house and boat dock in R-1 (Single Family Dwelling) district; or
2. **Approve** the request for a side yard (north) setback variance from 10 feet to 0 feet for a replacement boat house and boat dock in R-1 (Single Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Jason Rozanski, KSR Construction Owner: Cesar & Margaret Baro Location: 9800 Bear Lake Road Zoning: R-1 (Single Family Dwelling) district Subdivision: McNeils Orange Villa
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to construct a new boat house and boat dock to replace an existing boat house and boat dock. The new dock will encroach 10 feet into the required 10-foot side yard setback, as did the old dock. • 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

Reviewed by:
Co Atty: *[Signature]*
Pln Mgr: *[Signature]*

	<p>variance. Staff has determined that:</p> <ul style="list-style-type: none">• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.• Special conditions and circumstances result from the actions of the applicant.• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.• The grant of the variance would not be in harmony with the general intent of Chapter 30.
<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 boat house and boat dock 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

Application # BV 2010-07
Meeting Date 3-22-10



VARIANCE APPLICATION COPY

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: Jason Rozanski / Cesar Baro
Address: 8107 Wellshire Circle City: Orlando Zip code: 32836
Project Address: 9800 Bear Lake Rd. City: Apopka Zip code: 32703
Tax Parcel number: 17-21-29-5BG-0000-40A0
Contact number(s): 407-761-6838
Email address: KSRKINC@yahoo.com

Is the property available for inspection without an appointment?

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

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input checked="" type="checkbox"/> Other	Please describe: <u>Boothouse + Boat Dock</u>
<input type="checkbox"/> This request is for a structure that has already been built.	

RECEIVED FEB 05 2010

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 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>1</u>			

700 +/-
SQ FT
INC.
WALKWAY

Signed: Cesar Baro

Date: 2/4/10

FOR OFFICE USE ONLY

Date Submitted: 2-5-10 Reviewed By: P. Johnson
 Zoning/FLU R-1/LOR
 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: BP 10-634 Boat house & dock.
750 sq. ft.

VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

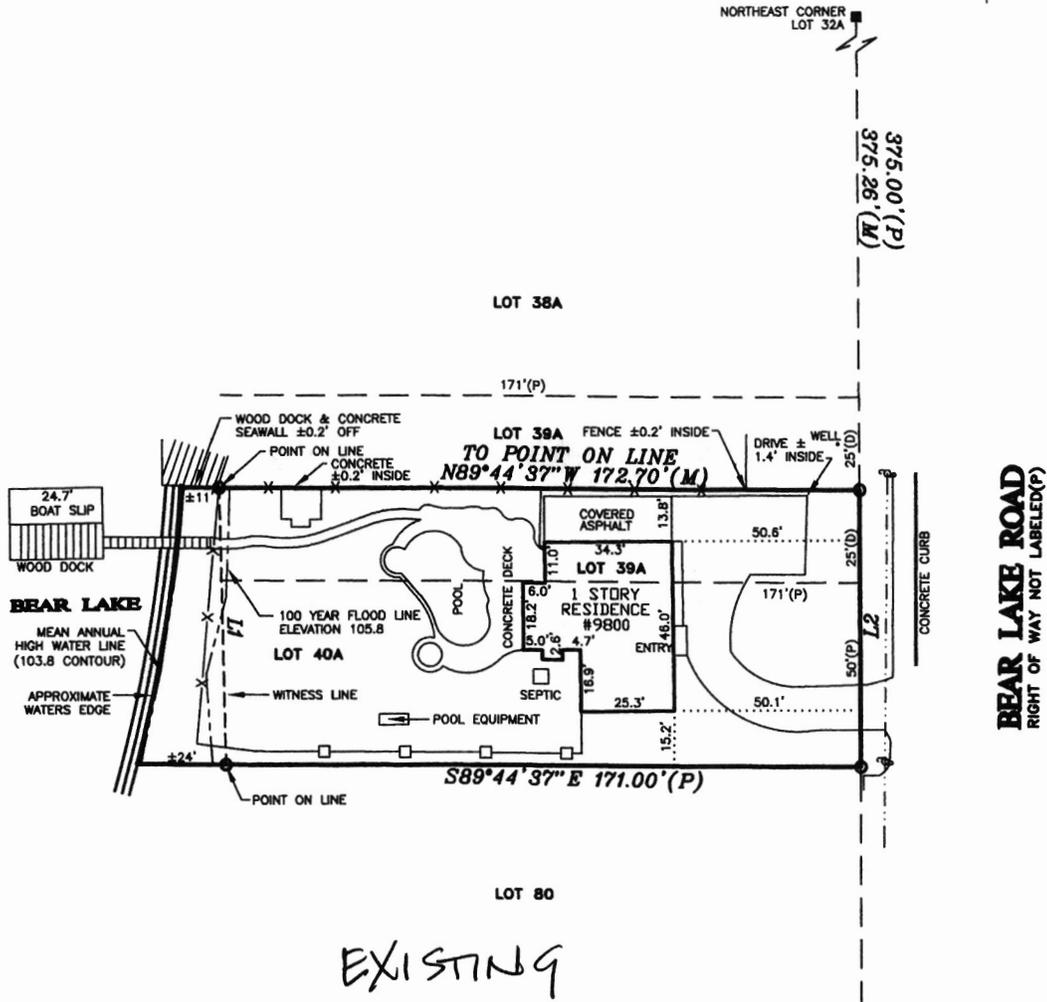
NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist is provided to the Planning division.

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 http://www.seminolecountyfl.gov/pd/planning/forms.asp
	4. Provide a legible 8 ½ 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
	o Location, size and type of any septic systems, drain field and wells
	o Location of all easements
	o Existing or proposed house <u>or</u> addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	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.

**AS-BUILT SURVEY
FOR
CASAR & MARGARET BARO**

LOT 40A AND THE SOUTH 1/2 OF LOT 39A
MCNEILS ORANGE VILLA
PLAT BOOK 2, PAGES 99 THROUGH 101,
SEMINOLE COUNTY, FLORIDA



EXISTING

LINE #	BEARING	LENGTH
L1	N01°21'24.5\"W	74.98'
L2	N00°03'27.8\"W	74.95'

BEARINGS ARE BASED ON THE NORTH LINE OF LOT 40A AS BEING S87°44'37\"E, ASSUMED.

LEGAL DESCRIPTION WAS FURNISHED BY CLIENT, UNLESS OTHERWISE NOTED.

THIS IS TO CERTIFY THAT I HAVE REVIEWED THE FLOOD INSURANCE RATE MAP (FIRM) PANEL #120289 0140 F, DATED 9/28/09, AND IN MY OPINION LANDS SHOWN HEREON LIE IN ZONE "X & AE".

MATTERS NOT KNOWN TO THIS SURVEYOR MAY AFFECT THE BOUNDARY LINES SHOWN HEREON.

THIS SURVEY CERTIFIED TO:
CASAR BARO
MARGARET BARO

LOCATED MEAN HIGH WATER LINE: 12/4/09

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

SCALE: 1"=40'
REVIEWED BY: MWS
DRAWN BY: LJG
DATE: 9/16/04
JOB No.: 22437
REVISED:

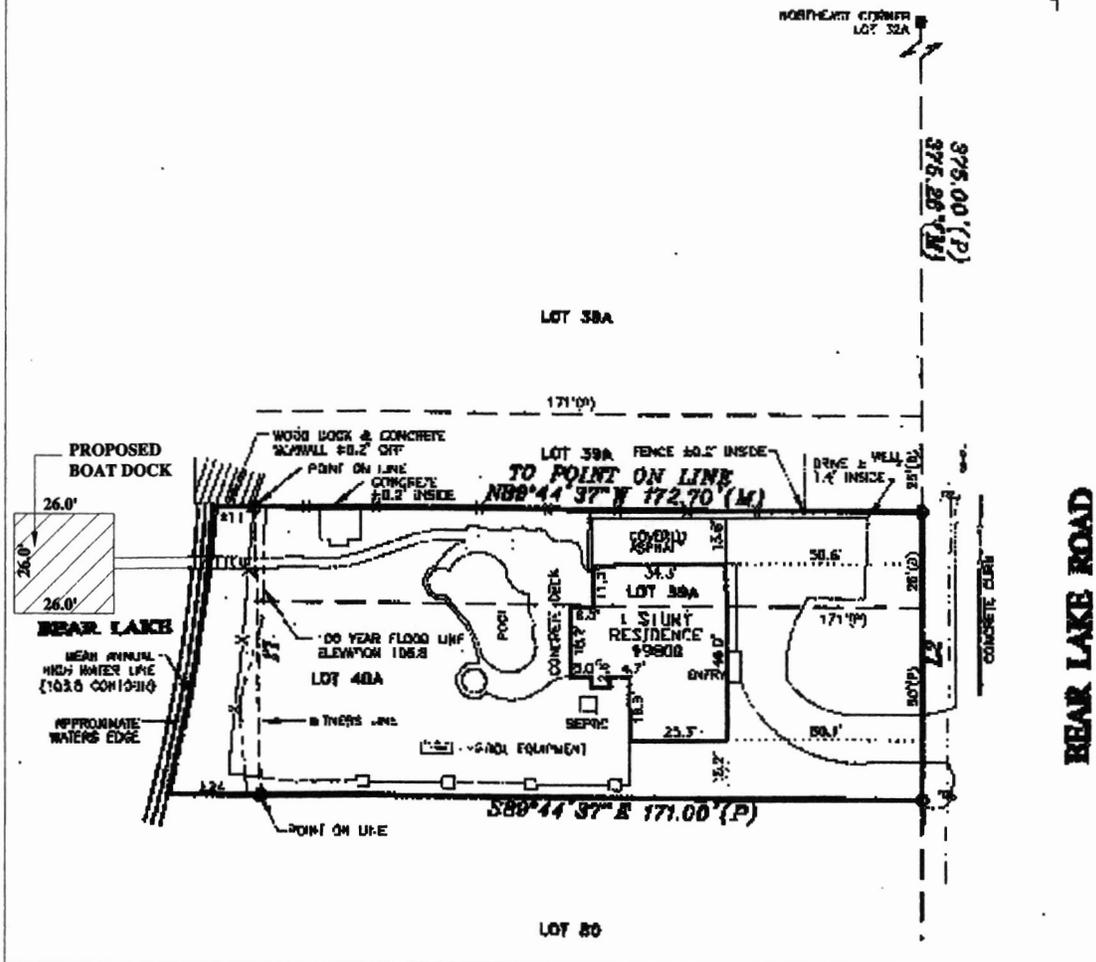
- LEGEND**
- = RECOVERED 4"x4" CONCRETE MONUMENT NO#
 - ▲ = RECOVERED NAIL & DISK #
 - X = RECOVERED X CLUT IN CONCRETE
 - ⊙ = RECOVERED 1/2" IRON ROD #
 - = RECOVERED 1/2" IRON ROD NO #
 - ⊖ = RECOVERED 5/8" IRON ROD NO #
 - ⊕ = SET 1/2" IRON ROD #LB 6300
 - ⊖ = POWER POLE AS SHOWN
 - = WOOD FENCE AS SHOWN
 - X- = 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 O.R.BOOK = OFFICIAL RECORDS BOOK

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 WAY AND/OR EASEMENTS OF PUBLIC RECORD.

CASAR & MARGARET BARO

LOT 40A AND THE SOUTH 1/2 OF LOT 39A
 MCNEILS ORANGE VILLA
 PLAT BOOK 2, PAGES 89 THROUGH 101,
 SEMINOLE COUNTY, FLORIDA



SITE PLAN

SCALE: 1"=40'-0"

Proposed

**BROWN'S PROFESSIONAL
 DRAFTING SERVICES**
 ORLANDO FL. 321-662-4544

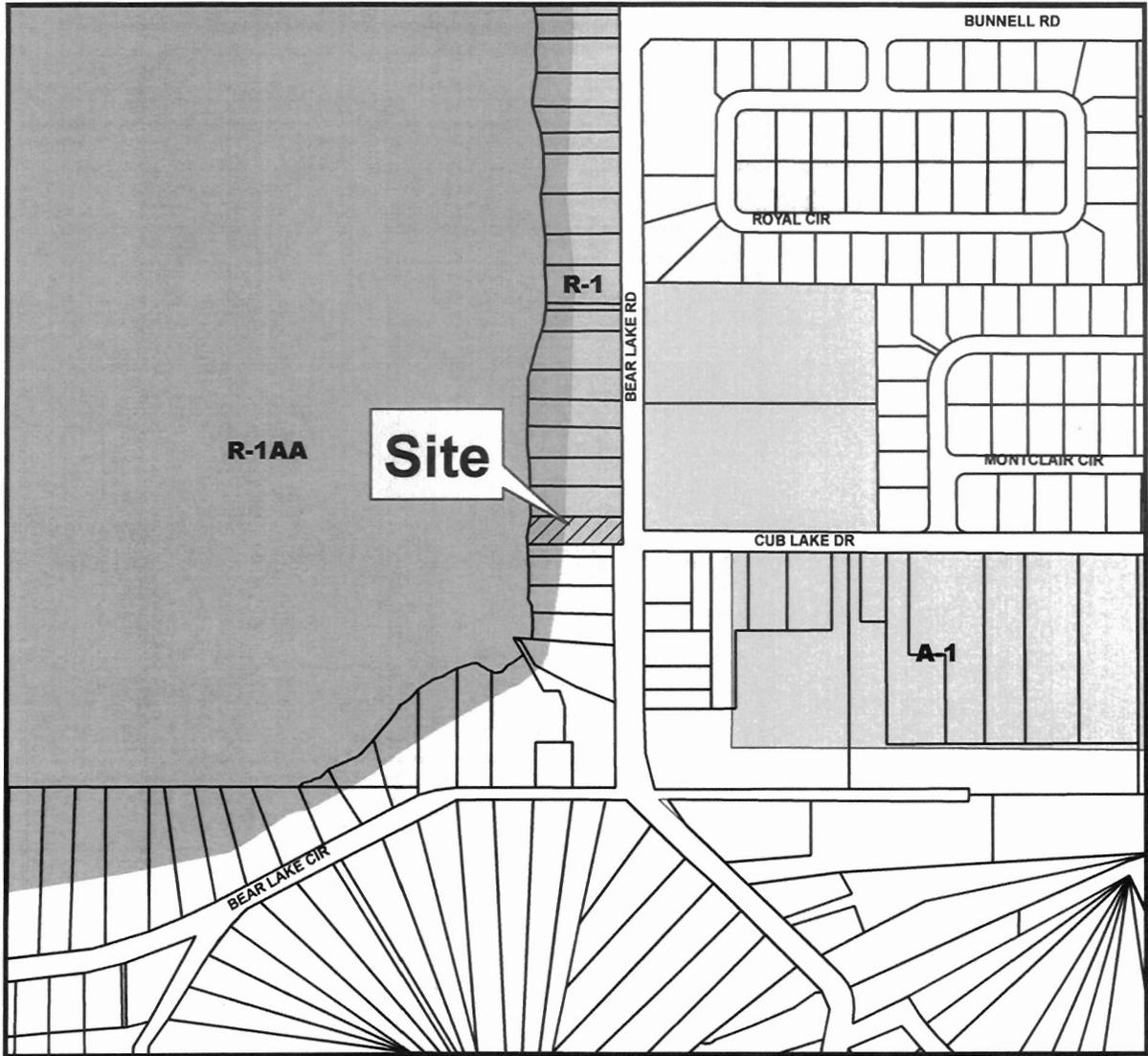
Michael Thompson, MSc, PE, Structural engineer
 PE 47509
 P.O. Box 580937
 Orlando, FL 32858
 407-721-2292 P

DATE: 01-10-2010

SEAL

CLIENT: BOAT DOCK
 @ 9800 BEAR LAKE RD | OF 1

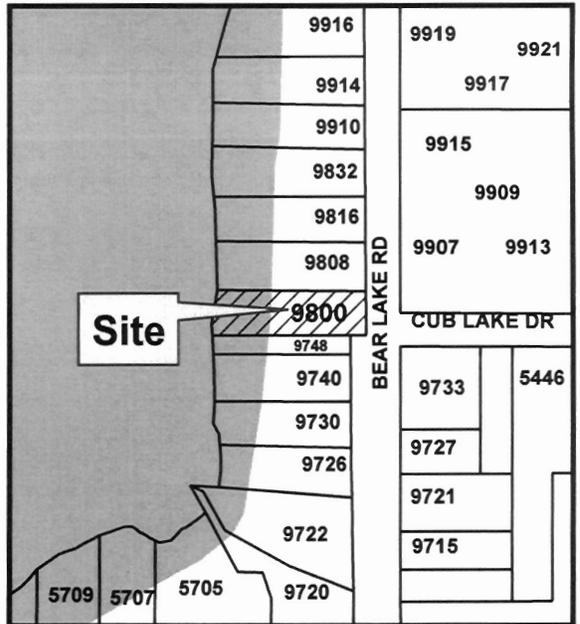
SHT:



Seminole County Board of Adjustment
 March 22, 2010
 Case: BV2010-07 (Map 3207 Grid B2)
 Parcel No: 17-21-29-5BG-0000-40A0

Zoning

-  BV2010-07
-  A-1
-  R-1AA
-  R-1

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-666-7506</p>																																																			
<p align="center">GENERAL</p> <p>Parcel Id: 17-21-29-5BG-0000-40A0 Owner: BARO CESAR F & MARGARET L Mailing Address: 9800 BEAR LAKE RD City,State,ZipCode: APOPKA FL 32703 Property Address: 9800 BEAR LAKE RD S APOPKA 32703 Subdivision Name: MC NEILS ORANGE VILLA Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2005) Dor: 01-SINGLE FAMILY</p>		<p align="center">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>VALUES</th> <th>2010 Working</th> <th>2009 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td>Cost/Market</td> <td>Cost/Market</td> </tr> <tr> <td>Number of Buildings</td> <td align="center">1</td> <td align="center">1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td align="right">\$69,944</td> <td align="right">\$77,458</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td align="right">\$14,149</td> <td align="right">\$14,548</td> </tr> <tr> <td>Land Value (Market)</td> <td align="right">\$288,900</td> <td align="right">\$288,900</td> </tr> <tr> <td>Land Value Ag</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Just/Market Value</td> <td align="right">\$372,993</td> <td align="right">\$380,906</td> </tr> <tr> <td>Portability Adj</td> <td align="right">\$0</td> <td align="right">\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td align="right">\$0</td> <td align="right">\$3,933</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td align="right">\$372,993</td> <td align="right">\$376,973</td> </tr> </tbody> </table> <p align="right">Tax Estimator</p>	VALUES	2010 Working	2009 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$69,944	\$77,458	Depreciated EXFT Value	\$14,149	\$14,548	Land Value (Market)	\$288,900	\$288,900	Land Value Ag	\$0	\$0	Just/Market Value	\$372,993	\$380,906	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$3,933	Assessed Value (SOH)	\$372,993	\$376,973																
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<p>EXTRA FEATURE</p>																																																			

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1974	1	\$600	\$1,500
BOAT DOCK	1990	395	\$790	\$1,975
ALUM UTILITY BLDG NO FLOOR	1990	80	\$128	\$320
BOAT HOUSE	1990	200	\$640	\$1,600
ELECTRIC HEATER	2001	1	\$440	\$1,100
POOL GUNITE	2001	480	\$7,440	\$9,600
CUSTOM PATIO/TILE/MARBLE ETC	2001	435	\$2,360	\$3,045
SPA	2001	1	\$1,751	\$2,500

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.

CESAR F. AND MARGARET L. BARO
9800 Bear Lake Road
Apopka, FL 32703

January 26, 2010

To whom it may concern:

This letter is to inform you that I have authorized KSR Construction, Inc. to build a boathouse and seawall on our property at 9800 Bear Lake Road, Apopka FL 32703.

Sincerely,



Cesar F. Baro

Apopka, Florida

1-26-2010



**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, Cesar F. Baro, the fee simple owner of the following
(Owner's Name)

described property (Provide Legal Description or Tax Parcel ID Number(s)) 17-21-29-586-0000-4040

_____ hereby affirm that JASON ROZANSKI 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.

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 4th day of February, 2010

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Cesar F. Baro, 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 4th day of February, 2010

Notary Public In and for the County and State
Aforementioned

My Commission Expires: 6-18-2010



Application to the Board of Adjustment / Planning Division

Last updated 7/24/08

**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
CESAR F. BIRRO	9800 BEAR LAKE RD APOPKA FL	407-298-0984
MARGARET L. BIRRO	9800 BEAR LAKE RD APOPKA FL	407-298-0984

(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: _____

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

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. For each **limited liability company**, list the name, address, and title of each manager or managing member; and the name and address of each additional member with two percent (2%) or more membership interest. If any member with two percent (2%) or more membership interest, manager, or managing member is a corporation, trust or partnership, please provide the information required in paragraphs 2, 3 and/or 4 above.

NAME	TITLE	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

6. 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: _____

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.

2-4-10
Date

Cesar B.
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

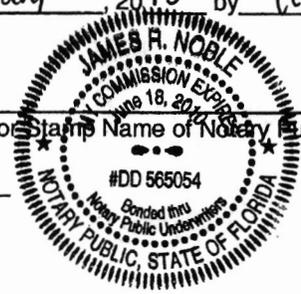
Sworn to (or affirmed) and subscribed before me this 4th day of February, 2010 by Cesar F. Baro

[Signature]
Signature of Notary Public

Print, Type or Stamp Name of Notary Public

Personally Known OR Produced Identification _____

Type of Identification Produced _____



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

February 4, 2010

Seminole County Planning and Development:

Please accept this notice as our approval of the re-construction of the dock in its current location at 9800 Bear Lake Road, Apopka. We are adjacent neighbors to the north of this property.

Handwritten signatures of Ken and Delby West in black ink.

Ken and Delby West
9808 Bear Lake Road
Apopka, FL 32703

February 4, 2010

Seminole County Planning and Development:

Please accept this notice as our approval of the re-construction of the dock in its current location at 9800 Bear Lake Road, Apopka. We are adjacent neighbors to the south of this property.

Gene and Nancy Norris
9748 Bear Lake Road
Apopka, FL 32703

Gene H. Norris
Nancy Norris

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 22, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 40A + S 1/2 OF LOT 39A MC NEILS ORANGE VILLA PB 2 PG 99

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

FINDINGS OF FACT

Property Owner: Cesar F & Margaret L Baro
9800 Bear Lake Road
Apopka FL 32703

Project Name: Bear Lake (9800)

Requested Variance:

Side yard (north) setback variance from 10 feet to 0 feet for a replacement boat house and boat dock in R-1 (Single Family Dwelling) district.

Approval was sought to replace and existing dock and boathouse that encroach 10 feet into the side 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 & Development 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 _____, 2010.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 22, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 40A + S 1/2 OF LOT 39A MC NEILS ORANGE VILLA PB 2 PG 99

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

FINDINGS OF FACT

Property Owner: Cesar F & Margaret L Baro
9800 Bear Lake Road
Apopka FL 32703

Project Name: Bear Lake (9800)

Variance Approval:

Side yard (north) setback variance from 10 feet to 0 feet for a replacement boat house and boat dock in R-1 (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 boat house and boat dock 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 & Development 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 _____, 2010.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

