

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

SUBJECT: 200 Tangelo Avenue – James Anderson, applicant; Request for a side street setback variance from 25 feet to 0 feet for an existing privacy fence and a side street setback variance from 25 feet to 13 feet for an existing garage in the R-1 (Single-Family Dwelling) district.

DEPARTMENT: Growth Management DIVISION: Planning & Development

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

Agenda Date 03/22/10 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a side street setback variance from 25 feet to 0 feet for an existing privacy fence and a side street setback variance from 25 feet to 13 feet for an existing garage in the R-1 (Single-Family Dwelling) district; or
2. **Approve** the request for a side street setback variance from 25 feet to 0 feet for an existing privacy fence and a side street setback variance from 25 feet to 13 feet for an existing garage in the R-1 (Single-Family Dwelling) district; or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: James Anderson Location: 200 Tangelo Avenue Zoning: R-1 Subdivision: Fern Terrace
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant constructed a single-car garage and a privacy fence that encroaches into the side street setback.</li> <li>• The single-car garage encroaches twelve (12) feet into the side street setback and the privacy fence encroaches entirely into the 25-foot side yard setback.</li> <li>• There is no record of prior variances for this property.</li> </ul>
<b>STAFF FINDINGS</b>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:

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

	<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 single-car garage and the privacy fence 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

**COPY**

Application # BU 2010-10  
Meeting Date 3-22-10



### 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: James Anderson  
Address: 200 Tangelo Ave City: Fern Park Zip code: 32730  
Project Address: 200 Tangelo Ave City: Fern Park Zip code: 32730  
Tax Parcel number: 19-21-30-507-0B00-0110  
Contact Number(s) 321-438-7829  
Email address: Jamie.anderson@ocps.net

**Is the property available for inspection without an appointment?**

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

<b>What type of structure is this request for?</b>	
<input type="checkbox"/> Shed	Please describe:
<input checked="" type="checkbox"/> Fence	Please describe: <b>White 6 foot vinyl privacy fence</b>
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <b>Single car garage on street side of house</b>
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input checked="" type="checkbox"/> <b>This request is for a structure that has already been built.</b>	

<b>What type of variance is this request?</b>			
<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:	25 ft	Proposed setback: 0 ft
<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 checked="" type="checkbox"/> <u>5.20</u> <del>5.10</del> <u>ft</u> setback	Required setback:	25	Proposed setback:	13ft
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	

**Total number of variances requested** 2

Signed:

Date: 02/11/10

**FOR OFFICE USE ONLY**

**FOR OFFICE USE ONLY**

Date Submitted: 2-11-10 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: \_\_\_\_\_

**VARIANCE SUBMITTAL CHECKLIST**

*Please return this checklist with your application!*

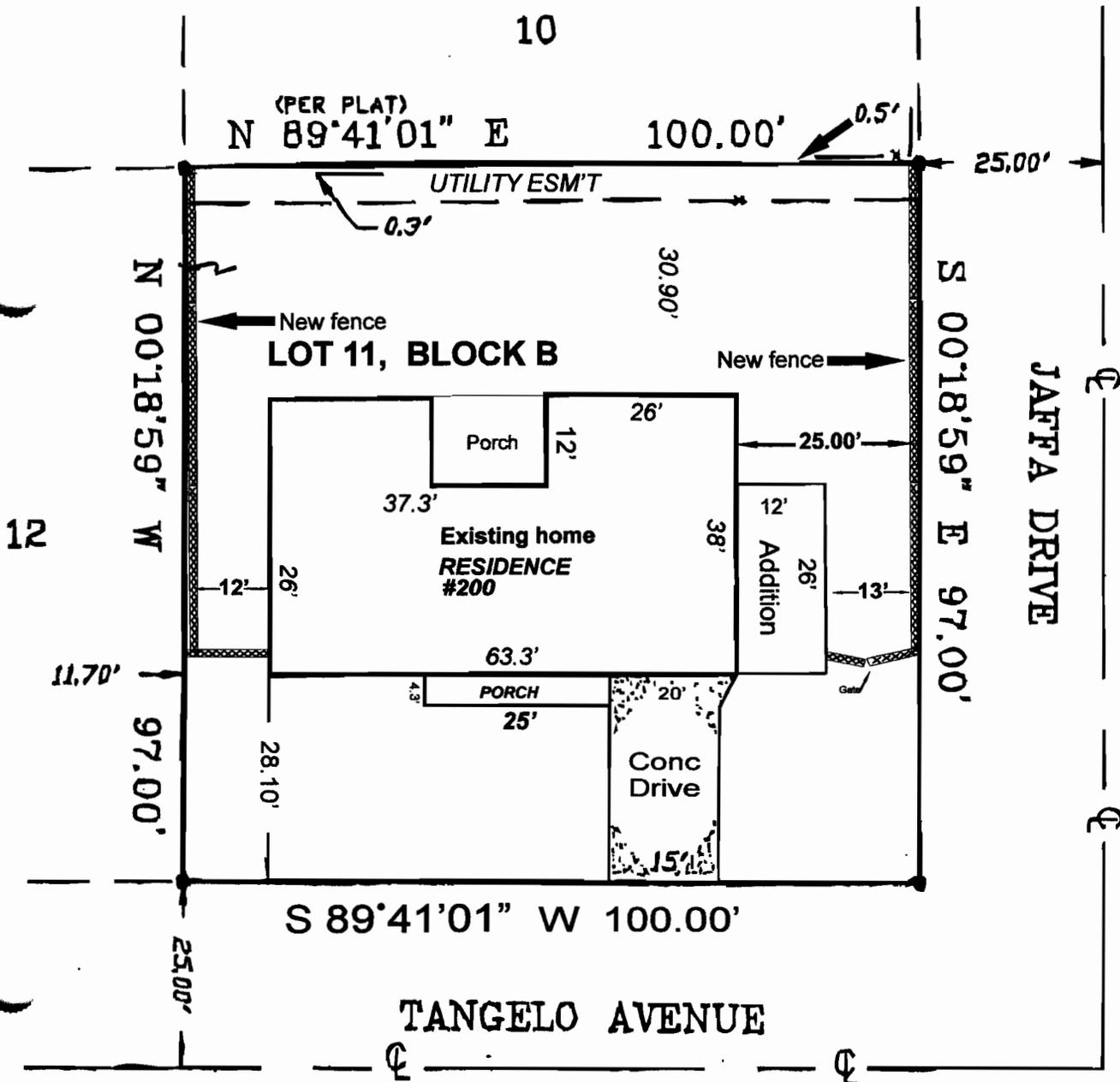
NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Variance application and submittal checklist is provided to the Planning division.

*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 1/2 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.

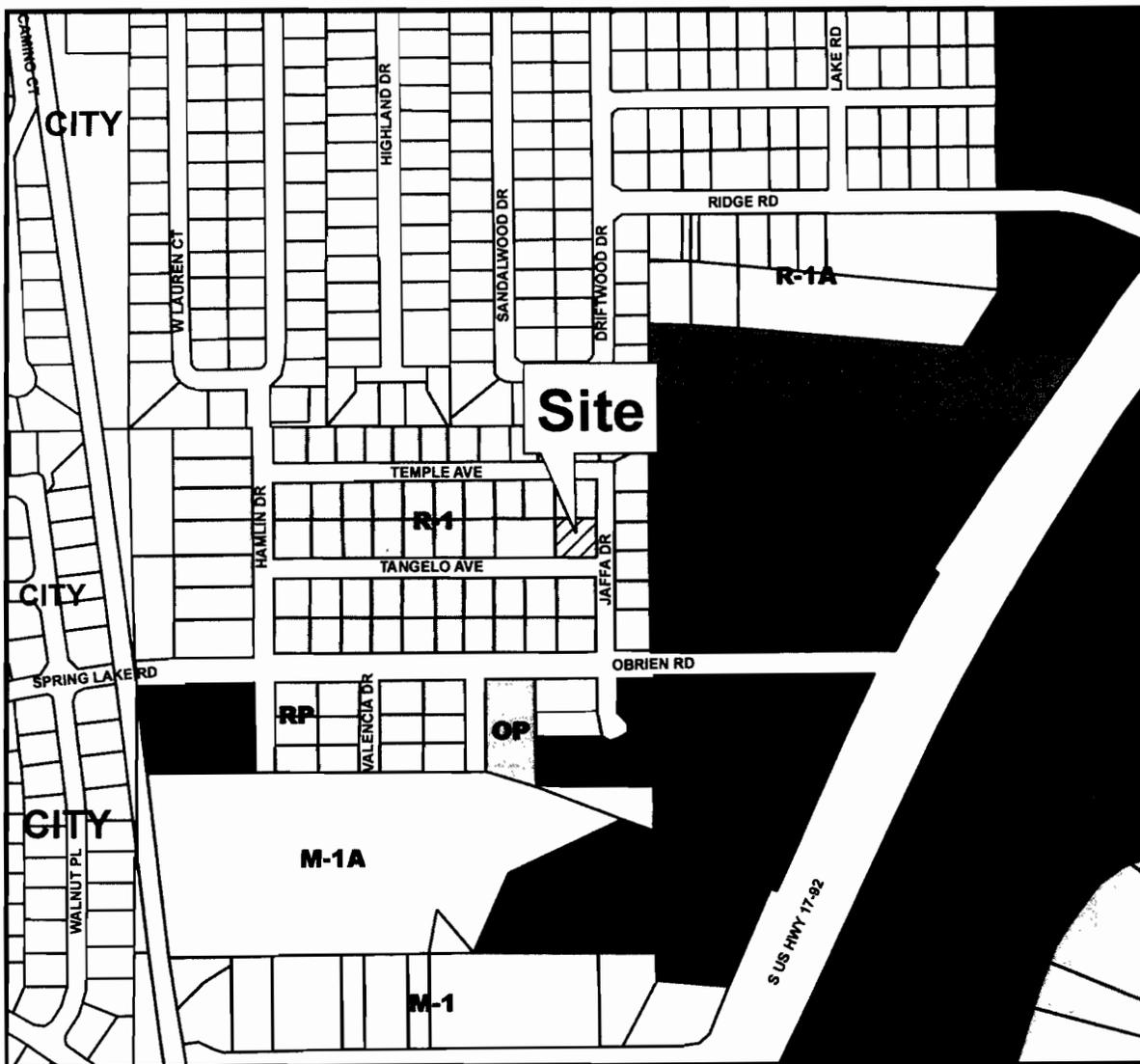
LOT 11, BLOCK 'B'  
FERN TERRACE

AS RECORDED IN PLAT BOOK 11, PAGE 28,  
 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



1"=30'

James Anderson  
 200 Tangelo Avenue  
 Fern Park, FL 32730

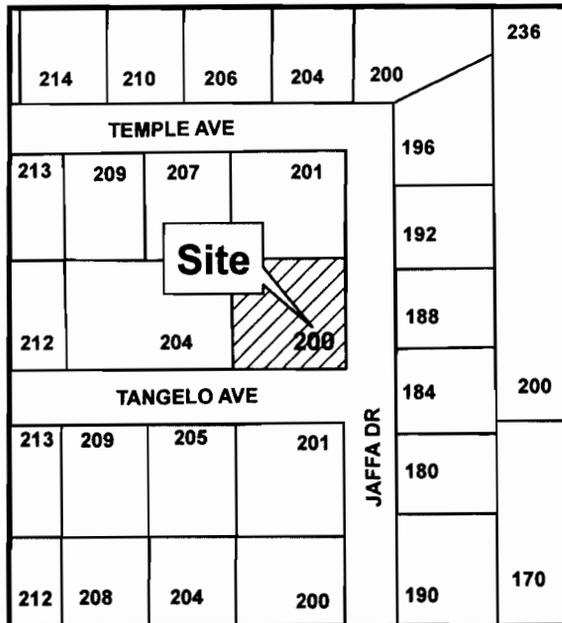


**Seminole County Board of Adjustment**  
 March 22, 2010  
 Case: BV2010-10 (Map 3209 Grid C2)  
 Parcel No: 19-21-30-507-0B00-0110

**Zoning**

	BV2010-10		C-2
	R-1A		C-3
	R-1		M-1A
	RP I		M-1
	OP		PUD
	C-1		

N



<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA  <b>PROPERTY APPRAISER</b>                  SEMINOLE COUNTY FL.                  1101 E. FIRST ST                  SANFORD, FL 32771-1465                  407-665-7506</p>																																																																								
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 19-21-30-507-0B00-0110                  Owner: ANDERSON DEBORAH J &amp; JAMES                  Mailing Address: 200 TANGELO AVE                  City,State,ZipCode: CASSELBERRY FL 32730                  Property Address: 200 TANGELO AVE FERN PARK 32730                  Subdivision Name: FERN TERRACE                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions: 00-HOMESTEAD (1994)                  Dor: 01-SINGLE FAMILY</p>	<p align="center"><b>VALUE SUMMARY</b></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">\$73,570</td> <td align="right">\$81,167</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td align="right">\$500</td> <td align="right">\$513</td> </tr> <tr> <td>Land Value (Market)</td> <td align="right">\$35,000</td> <td align="right">\$35,000</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">\$109,070</td> <td align="right">\$116,680</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">\$7,289</td> <td align="right">\$15,001</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td align="right">\$101,781</td> <td align="right">\$101,679</td> </tr> </tbody> </table> <p align="center"> <a href="#">Tax Estimator</a>  <a href="#">Portability Calculator</a> </p>		VALUES	2010 Working	2009 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$73,570	\$81,167	Depreciated EXFT Value	\$500	\$513	Land Value (Market)	\$35,000	\$35,000	Land Value Ag	\$0	\$0	Just/Market Value	\$109,070	\$116,680	Portability Adj	\$0	\$0	Save Our Homes Adj	\$7,289	\$15,001	Assessed Value (SOH)	\$101,781	\$101,679																																					
VALUES	2010 Working	2009 Certified																																																																						
Value Method	Cost/Market	Cost/Market																																																																						
Number of Buildings	1	1																																																																						
Depreciated Bldg Value	\$73,570	\$81,167																																																																						
Depreciated EXFT Value	\$500	\$513																																																																						
Land Value (Market)	\$35,000	\$35,000																																																																						
Land Value Ag	\$0	\$0																																																																						
Just/Market Value	\$109,070	\$116,680																																																																						
Portability Adj	\$0	\$0																																																																						
Save Our Homes Adj	\$7,289	\$15,001																																																																						
Assessed Value (SOH)	\$101,781	\$101,679																																																																						
<p><b>2010 TAXABLE VALUE WORKING ESTIMATE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Taxing Authority</th> <th>Assessment Value</th> <th>Exempt Values</th> <th>Taxable Value</th> </tr> </thead> <tbody> <tr> <td>County General Fund</td> <td align="right">\$101,781</td> <td align="right">\$50,000</td> <td align="right">\$51,781</td> </tr> <tr> <td>Schools</td> <td align="right">\$101,781</td> <td align="right">\$25,000</td> <td align="right">\$76,781</td> </tr> <tr> <td>Fire</td> <td align="right">\$101,781</td> <td align="right">\$50,000</td> <td align="right">\$51,781</td> </tr> <tr> <td>Road District</td> <td align="right">\$101,781</td> <td align="right">\$50,000</td> <td align="right">\$51,781</td> </tr> <tr> <td>SJWM(Saint Johns Water Management)</td> <td align="right">\$101,781</td> <td align="right">\$50,000</td> <td align="right">\$51,781</td> </tr> <tr> <td>County Bonds</td> <td align="right">\$101,781</td> <td align="right">\$50,000</td> <td align="right">\$51,781</td> </tr> </tbody> </table>			Taxing Authority	Assessment Value	Exempt Values	Taxable Value	County General Fund	\$101,781	\$50,000	\$51,781	Schools	\$101,781	\$25,000	\$76,781	Fire	\$101,781	\$50,000	\$51,781	Road District	\$101,781	\$50,000	\$51,781	SJWM(Saint Johns Water Management)	\$101,781	\$50,000	\$51,781	County Bonds	\$101,781	\$50,000	\$51,781																																										
Taxing Authority	Assessment Value	Exempt Values	Taxable Value																																																																					
County General Fund	\$101,781	\$50,000	\$51,781																																																																					
Schools	\$101,781	\$25,000	\$76,781																																																																					
Fire	\$101,781	\$50,000	\$51,781																																																																					
Road District	\$101,781	\$50,000	\$51,781																																																																					
SJWM(Saint Johns Water Management)	\$101,781	\$50,000	\$51,781																																																																					
County Bonds	\$101,781	\$50,000	\$51,781																																																																					
<p><b>Potential Portability Amount is \$7,289</b></p> <p>The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.</p>																																																																								
<p align="center"><b>SALES</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>07/2001</td> <td>04147</td> <td>0124</td> <td>\$39,700</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1992</td> <td>02427</td> <td>1439</td> <td>\$63,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>06/1990</td> <td>02194</td> <td>1144</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> </tbody> </table> <p align="center"><a href="#">Find Comparable Sales within this Subdivision</a></p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	07/2001	04147	0124	\$39,700	Improved	No	WARRANTY DEED	05/1992	02427	1439	\$63,000	Improved	Yes	QUIT CLAIM DEED	06/1990	02194	1144	\$100	Improved	No	<p align="center"><b>2009 VALUE SUMMARY</b></p> <p>Tax Amount (without SOH): \$1,823                  2009 Tax Bill Amount: \$1,001                  Save Our Homes (SOH) Savings: \$822  <b>2009 Certified Taxable Value and Taxes</b>                  DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																																											
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																																																																		
WARRANTY DEED	07/2001	04147	0124	\$39,700	Improved	No																																																																		
WARRANTY DEED	05/1992	02427	1439	\$63,000	Improved	Yes																																																																		
QUIT CLAIM DEED	06/1990	02194	1144	\$100	Improved	No																																																																		
<p align="center"><b>LAND</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>LOT</td> <td align="center">0</td> <td align="center">0</td> <td align="center">1.000</td> <td align="right">35,000.00</td> <td align="right">\$35,000</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	35,000.00	\$35,000	<p align="center"><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 11 BLK B FERN TERRACE PB 11 PG 28</p>																																																											
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																																																																			
LOT	0	0	1.000	35,000.00	\$35,000																																																																			
<p><b>BUILDING INFORMATION</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bld Num</th> <th>Bld Type</th> <th>Year Blt</th> <th>Fixtures</th> <th>Base SF</th> <th>Gross SF</th> <th>Living SF</th> <th>Ext Wall</th> <th>Bld Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>SINGLE FAMILY</td> <td>1959</td> <td align="center">8</td> <td align="right">1,118</td> <td align="right">2,292</td> <td align="right">1,538</td> <td>CONC BLOCK</td> <td align="right">\$73,570</td> <td align="right">\$107,011</td> </tr> <tr> <td colspan="2">Appendage / Sqft</td> <td colspan="8">BASE / 228</td> </tr> <tr> <td colspan="2">Appendage / Sqft</td> <td colspan="8">OPEN PORCH UNFINISHED / 114</td> </tr> <tr> <td colspan="2">Appendage / Sqft</td> <td colspan="8">ENCLOSED PORCH FINISHED / 192</td> </tr> <tr> <td colspan="2">Appendage / Sqft</td> <td colspan="8">UTILITY FINISHED / 120</td> </tr> <tr> <td colspan="2">Appendage / Sqft</td> <td colspan="8">GARAGE FINISHED / 520</td> </tr> </tbody> </table>			Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New	1	SINGLE FAMILY	1959	8	1,118	2,292	1,538	CONC BLOCK	\$73,570	\$107,011	Appendage / Sqft		BASE / 228								Appendage / Sqft		OPEN PORCH UNFINISHED / 114								Appendage / Sqft		ENCLOSED PORCH FINISHED / 192								Appendage / Sqft		UTILITY FINISHED / 120								Appendage / Sqft		GARAGE FINISHED / 520							
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																																															
1	SINGLE FAMILY	1959	8	1,118	2,292	1,538	CONC BLOCK	\$73,570	\$107,011																																																															
Appendage / Sqft		BASE / 228																																																																						
Appendage / Sqft		OPEN PORCH UNFINISHED / 114																																																																						
Appendage / Sqft		ENCLOSED PORCH FINISHED / 192																																																																						
Appendage / Sqft		UTILITY FINISHED / 120																																																																						
Appendage / Sqft		GARAGE FINISHED / 520																																																																						
<p><small>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</small></p> <p><b>Permits</b></p>																																																																								
<p><b>EXTRA FEATURE</b></p>																																																																								

**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
JAMES ANDERSON	200 TANGELLO AVE FERN PARK FL	321-438-7829
Debbie ANDERSON	200 TANGELLO AVE FERN PARK FL	407-831-3281

(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.

02/11/10  
Date

[Signature]  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 11<sup>th</sup> day of FEBRUARY 20 10 by \_\_\_\_\_

[Signature]  
Signature of Notary Public

CHARLENE H. RAULERSON  
Print, Type or Stamp Name of Notary Public

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

NOTARY PUBLIC-STATE OF FLORIDA  
Charlene H. Raulerson  
Commission # DD729177  
Expires: DEC. 04, 2011  
BONDED THRU ATLANTIC BONDING CO., INC.

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

**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 11 BLK B FERN TERRACE PB 11 PG 28

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

**FINDINGS OF FACT**

**Property Owner:** James Anderson  
200 Tangelo Avenue  
Fern Park, 32730

**Project Name:** Tangelo Avenue (200)

**Variance Approval:**

Request for a side street setback variance from 25 feet to 0 feet for an existing privacy fence and a side street setback variance from 25 feet to 13 feet for an existing garage.

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, Principal 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 and garage 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:

**LOT 11, BLOCK 'B'**  
**FERN TERRACE**

AS RECORDED IN PLAT BOOK 11, PAGE 28,  
 PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



10

(PER PLAT)  
 N 89°41'01" E

100.00'

0.5'

25.00'

UTILITY ESM'T

0.3'

30.90'

N 00°18'59" W

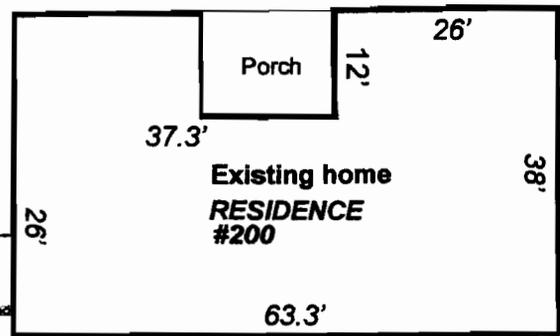
**LOT 11, BLOCK B**

New fence

S 00°18'59" E 97.00'

JAFFA DRIVE

12



25.00'

11.70'

97.00'

26'

37.3'

25'

20'

Conc Drive

25.00'

12'

26'

38'

12'

26'

13'

28.10'

S 89°41'01" W 100.00'

TANGELO AVENUE

25.00'

1"=30'

## **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 11 BLK B FERN TERRACE PB 11 PG 28

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

### **FINDINGS OF FACT**

**Property Owner:** James Anderson  
200 Tangelo Avenue  
Fern Park, 32730

**Project Name:** Tangelo Avenue (200)

**Variance Request:**

Request for a side street setback variance from 25 feet to 0 feet for an existing privacy fence and a side street setback variance from 25 feet to 13 feet for an existing garage.

Approval was sought to bring into compliance the construction of an existing fence and garage within the side street 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: 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 & 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:

