



# SEMINOLE COUNTY GOVERNMENT

COUNTY SERVICES  
BUILDING  
1101 EAST FIRST STREET  
SANFORD, FLORIDA  
32771-1468

## Agenda Memorandum

File Number: A-0643-10

Introduced: 3/26/2010

Current Status: Regular Agenda

Version: 1

Matter Type: Agenda Item

### Title

**6076 Jessica Drive** - Request for a side yard (south) setback variance from 10 feet to 5 feet for a proposed two story addition in PUD (Planned Unit Development) district; Located on the north side of Jessica Drive approximately, 260 feet west of Bear Lake Road; BV2010-18 (Ari Tinkoff, applicant) District3 - Van Der Weide (Denny Gibbs, Senior Planner)

### Department

Growth Management

### Division

Planning & Development Division

### Contact

Denny Gibbs (407) 665-7387

### Motion/Recommendation

1. **Deny** the request for a side yard (south) setback variance from 10 feet to 5 feet for a proposed two story addition in PUD (Planned Unit Development) district; or
2. **Approve** the request for a side yard (south) setback variance from 10 feet to 5 feet for a proposed two story addition in PUD (Planned Unit Development) district; or
3. **Continue** the request to a time and date certain.

### Background

- The applicant proposes to construct a three car garage with a bonus room that encroaches 5 feet into the required 10-foot side yard setback.
- There are currently no code enforcement or building violations for this property.
- There is no record of prior variances for this property.

### Staff Findings

The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:

- 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.

#### Staff Recommendation

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:

- Any variance granted shall apply only to the garage addition 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.

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

RECEIVED MAR 05 2010

Application # BY 2010-19  
Meeting Date 4-20-10



# COPY 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: ARI TINKOFF  
Address: 6076 JESSICA DR City: APOPKA Zip code: 32703  
Project Address: 6076 JESSICA DR City: APOPKA Zip code: 32703  
Tax Parcel number: 19-21-29-515-0000-0810  
Contact number(s): 407-297-6764 (H) 407-443-4448 (CELL)  
Email address: ATINKOFF@X-NTH.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 checked="" type="checkbox"/> Addition	Please describe: <u>POTENTIAL EXPANSION TO RESIDENCE, 3 CAR GARAGE W/ BONUS ROOM ON TOP + FULL BATH. ~ 1000 SF OFF NEW LIVING SPACE</u>
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:

This request is for a structure that has already been built.

What type of variance is this request?			
<input type="checkbox"/> Minimum lot size	Required lot size:		Actual lot size:
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:
<input checked="" type="checkbox"/> Side yard setback	Required setback:	<u>10'</u>	Proposed setback: <u>5'</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:

<input type="checkbox"/> Total number of variances requested <u>1</u>
---

Signed: [Signature]

Date: 3/3/10

**FOR OFFICE USE ONLY**

Date Submitted: March 5, 10 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: Bear Lake Woods PUD

**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 <u>or</u> addition <i>(Label existing, label proposed, and include square footage and dimensions of each )</i>
✓	<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
✓	<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.

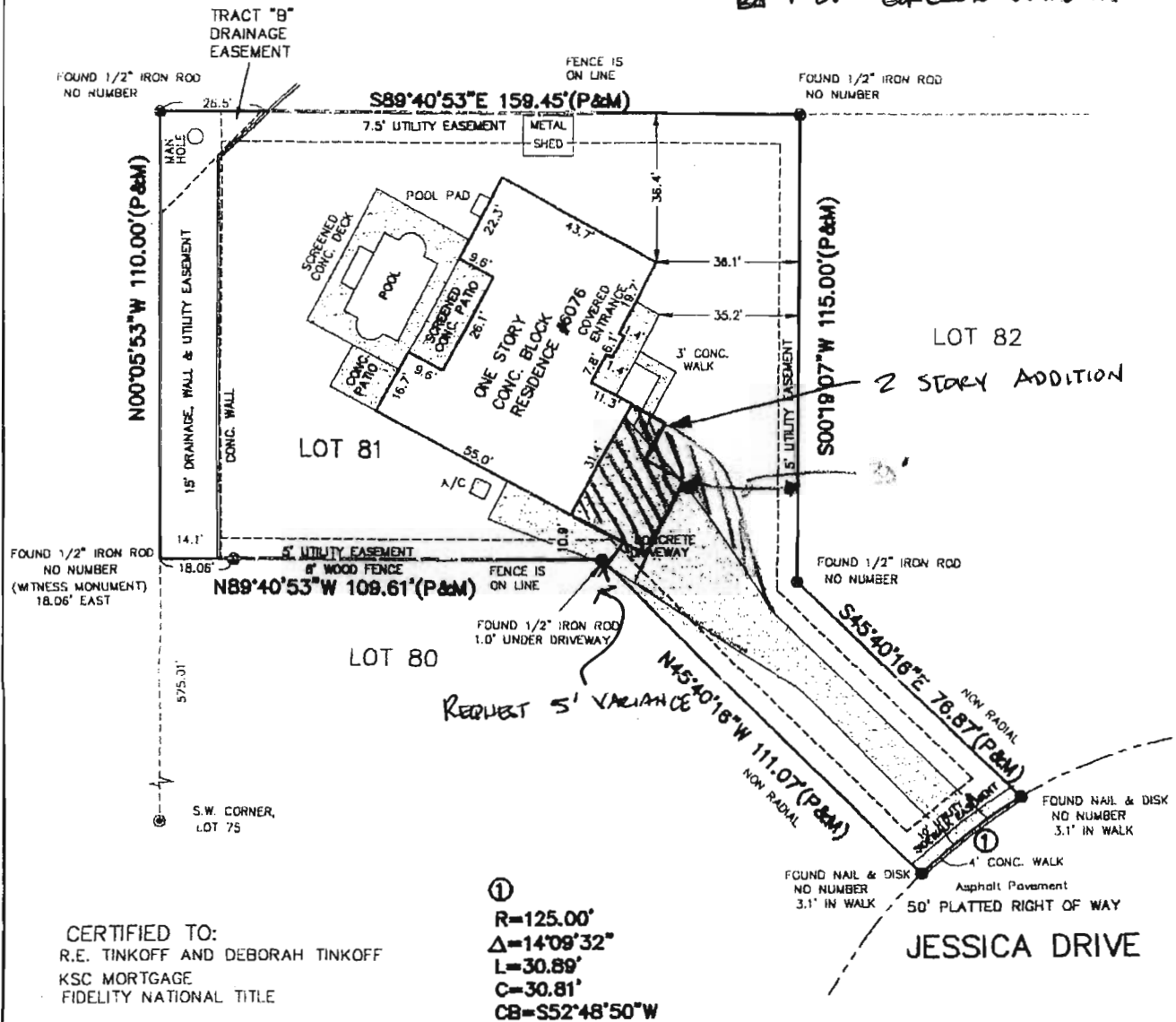
# PLAT OF BOUNDARY SURVEY

DESCRIPTION (As Furnished)

LOT 81, BEAR LAKE WOODS PHASE TWO, according to the plat thereof as recorded in Plat Book 48, Page 9 of the Public Records of Seminole County, Florida,

SCALE: 1" = 40'

KEY: ☒ NEW GARAGE W/ BOARDS  
ROOM ON TOP APPROX 600 SF  
OF NEW LIVING SPACE  
☒ NEW CONCRETE DRIVEWAY



Based on the FEDERAL EMERGENCY MANAGEMENT AGENCY, NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP, Seminole County, Florida, Community Panel Number 120289 0115 E, last dated 12/6/00, it appears from a scaling of said map that the land described hereon is shown to be in Zone "X", (AREA OF MINIMAL FLOODING). Said map is not a Survey and no responsibility is taken for the information contained in or the accuracy of the above referenced map.

- This Plat represents a Boundary Survey of the description as furnished Horizon Surveying and Mapping, Inc. per client's instruction and makes no claims regarding ownership or rights of possession.
- Bearings shown hereon are based on the WEST line of Lot 81, Being N 00°05'53" W, PER PLAT.
- This surveyor has not searched the public records or abstracted the land shown hereon for easements, right of ways, covenants and restrictions or other pertinent documents which may be found in the public records of this county. This research was not included in the scope of services of this firm.
- The relative distance accuracy for boundary dimensions shown hereon

## REVISIONS AND ADDITIONS

## LEGEND:

Δ	= Delta (Intersection Angle)		DENOTES CONCRETE
R	= Radius	WF	= Wood Fence
L	= Arc Length	(M)	= Measured
C.B.	= Chord Bearing	CBW	= Concrete Block Wall
Ch	= Chord Length	PI	= Point of Intersection
P.C.	= Point of Curvature	CNF	= Corner not found
P.T.	= Point of Tangency	SLY	= Southerly
P.B.	= Plot Book	NLY	= Northerly
Pg.(s)	= Page(s)	ELY	= Easterly
Conc.	= Concrete	WLY	= Westerly
C.L.F.	= Chain Link Fence	B.S.L.	= Building Setback Line
A/C	= Air Condition	CONC.	= Concrete
R/W	= Right-Of-Way		
(A)	= Actual		
(P)	= Plat		

COMMISSION DISTRICT #:

GUI  
PROJ. #

ZONED: PUD

SEC: 19

TWP: 21

RNG: 29

<b>DEVELOPMENT:</b>		Bear Lake Woods Phase 2				<b>DEVELOPER:</b>		Pulte Home Corporation			
<b>LOCATION:</b>		W of Bear Lake Road, S of Linneal Beach Drive								53 lots	
<b>FILE#:</b>				<b>BA:</b>				<b>SP:</b>			
<b>P&amp;Z:</b>								<b>BCC:</b>		12/11/90	
<b>PB</b>	48	<b>PG</b>	9	<b>Lot</b>		<b>Blk</b>		<b>Parcel</b>		<b>DBA</b>	
										<b>Comm Dist</b>	
<b>DEVEL. ORDER #:</b>				94-300				<b>TAX PAR. I.D. #:</b>			
<b>SIDEWALKS:</b> 4' wide on both sides						<b>SETBACK REQUIREMENTS</b>					
						<b>FY:</b>		<b>SIDE ST.:</b>		<b>SY:</b>	
<b>ROAD TYPE:</b> (CURB & GUTTER OR SWALE)						<b>MAIN STRUCTURE OTHER:</b> Setbacks and house size to comply with R-1AA – width at building line is 85'					
<b>COMMENTS OTHER:</b>  No flood prone						<b>ACCESSORY STRUCTURE SETBACKS:</b>					
						<b>SY:</b>			<b>RY:</b>		
						<b>ACCESSORY STRUCTURE OTHER:</b> Under 200 sq. ft.: SY: 10'; RY: 10' Over 200 sq. ft.: SY: 10'; RY: 10'					

IMPACT FEES	
	<b>SCREEN:</b>
	<b>TRAFFIC ZONE:</b> 181
	<b>LAND USE:</b>
	1. ROAD-CO. WIDE ORD
	2. ROAD-COLL. ORD
	3. LIBRARY ORD
	4. FIRE ORD
	5. PARK 6-25
	6. SCHOOL ORD
	7. LAW C-50
	8. DRAINAGE
	<b>TOTAL</b>
<b>REMARKS:</b> Curb & Gutter, sidewalks	

## COMMITMENT CARD

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

Bear Lake Woods Homeowners' Association Inc.

March 3, 2010

Re: Tinkoff Side Set Back Variance Request

Property address: Ari & Deb Tinkoff

6076 Jessica Dr

Apopka, FL 32703

To whom it may concern:

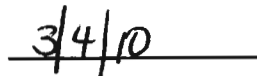
The Bear Lake Woods Homeowners' Association Board members have reviewed the attached sketch showing the proposed home expansion for the above referenced property. We have no objection of their requested zoning variance to reduce the side yard setback from 10' down to 5' from the property line.

Additionally the covenants and deed restrictions require the Tinkoff's to submit application and obtain approval from this board prior to any modifications to the property.

Sincerely,



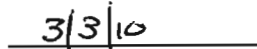
Linda Whitaker, President



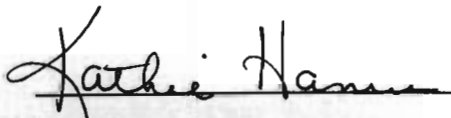
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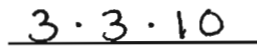
James Brown, Vice President



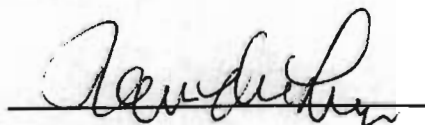
Date



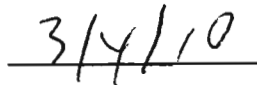
Kathie Hamm, Treasurer



Date



Roger Levine, Director



Date

March 3, 2010

Re: Tinkoff Side Set Back Variance Request

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6076 Jessica Dr

Apopka, FL 32703

To whom it may concern:

We are the immediate side neighbor of the Tinkoff's. This is a note to state that we take no opposition to the proposed Side Yard Setback variance request by Ari & Deb Tinkoff at the address listed above. We understand the Tinkoff's are looking to expand their dwelling and enhance the value of theirs, and surrounding, properties. We have discussed the potential expansion with The Tinkoff's and they have assured us that prior to moving forward with actual construction, they will be seeking the approval of the Bear Lake Woods Home Owner's Association Architectural Review Board, and all necessary Seminole County building reviews & permits.

We recommend that Seminole County approve their Side Yard Setback variance request from 10' down to 5' from the property line. This will maintain the utility easements and allow the Tinkoff's to develop their proposed expansion plans. If there are any questions or concerns, please don't hesitate to contact us.

Sincerely



Betty Boeshko

  
Jim Boeshko

6080 Jessica Dr

Apopka, FL 32703



March 3, 2010

Re: Tinkoff Side Set Back Variance Request

Property address: Ari & Deb Tinkoff

6076 Jessica Dr

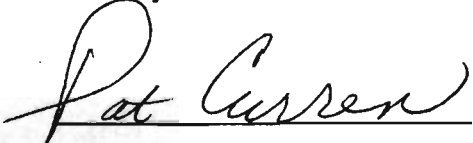
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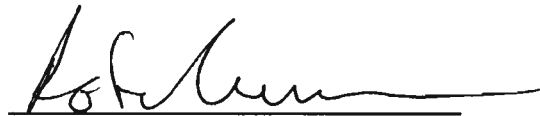
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Sincerely



Pat Curren

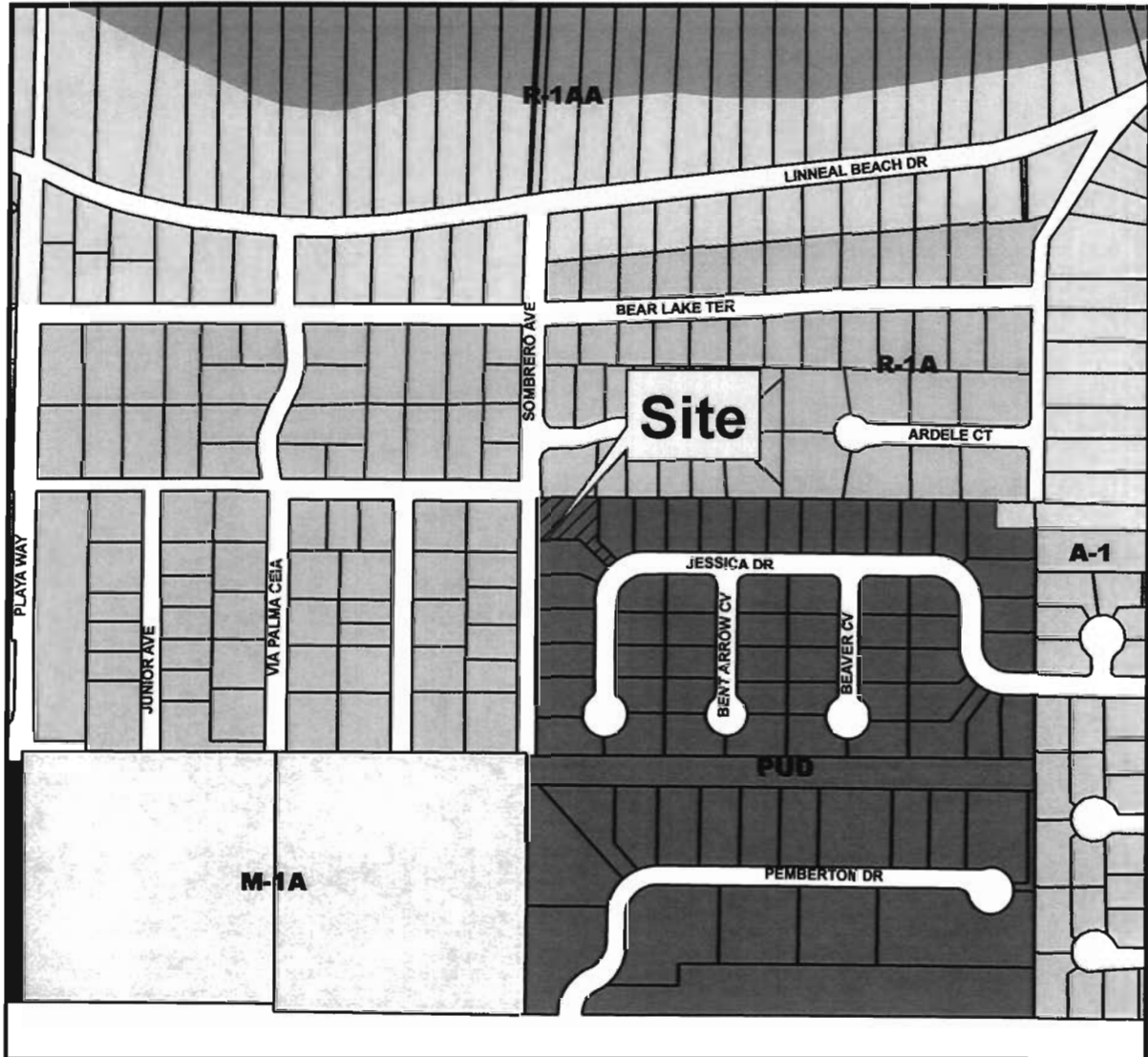


Bob Curren

6072 Jessica Dr








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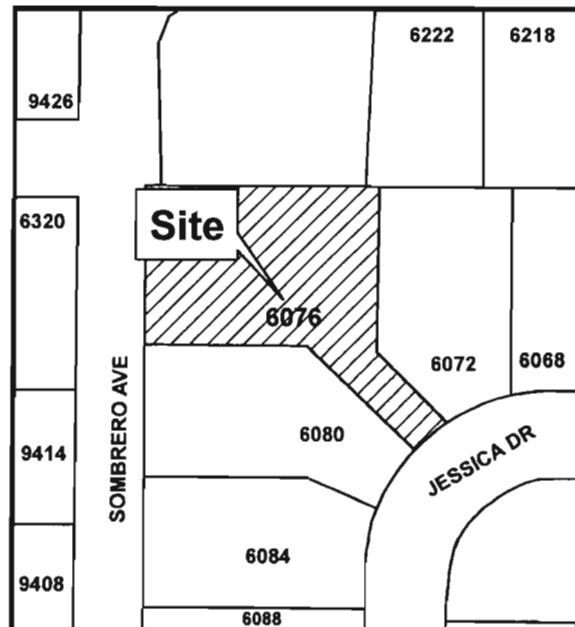
Ari Tinkoff  
6076 Jessica Drive  
Apopka, FL 32703



Seminole County Board of Adjustment  
April 26, 2010  
Case: BV2010-18 (Map 3207 Grid A3)  
Parcel No: 19-21-29-515-0000-0810

**Zoning**

-  BV2010-18
-  A-1
-  R-1AA
-  R-1A
-  C-3
-  M-1A
-  PUD



<b>PARCEL DETAIL</b>  DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1406 407-695-7806																																			
<b>GENERAL</b> Parcel Id: 19-21-29-515-0000-0810 Owner: TINKOFF ARI & DEBORAH Mailing Address: 6076 JESSICA DR City, State, Zip Code: APOPKA FL 32703 Property Address: 6076 JESSICA DR APOPKA 32703 Subdivision Name: BEAR LAKE WOODS PH 2 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2003) Dor: 01-SINGLE FAMILY		<b>VALUE SUMMARY</b> <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>1</td> <td>1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td>\$189,432</td> <td>\$206,253</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td>\$11,833</td> <td>\$12,339</td> </tr> <tr> <td>Land Value (Market)</td> <td>\$46,000</td> <td>\$46,000</td> </tr> <tr> <td>Land Value Ag</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Just/Market Value</td> <td>\$247,265</td> <td>\$264,592</td> </tr> <tr> <td>Portability Adj</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td>\$3,926</td> <td>\$27,650</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td>\$243,339</td> <td>\$236,942</td> </tr> </tbody> </table> <p style="text-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	\$189,432	\$206,253	Depreciated EXFT Value	\$11,833	\$12,339	Land Value (Market)	\$46,000	\$46,000	Land Value Ag	\$0	\$0	Just/Market Value	\$247,265	\$264,592	Portability Adj	\$0	\$0	Save Our Homes Adj	\$3,926	\$27,650	Assessed Value (SOH)	\$243,339	\$236,942
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<p style="text-align: center;"><b>Potential Portability Amount is \$3,926</b></p> <p>The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.</p>																																			
<b>SALES</b> <table style="width: 100%;"> <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>03/2002</td> <td>04383</td> <td>1747</td> <td>\$227,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1995</td> <td>02959</td> <td>1352</td> <td>\$155,600</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;"><a href="#">Find Comparable Sales within this Subdivision</a></p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	03/2002	04383	1747	\$227,000	Improved	Yes	WARRANTY DEED	08/1995	02959	1352	\$155,600	Improved	Yes	<b>2009 VALUE SUMMARY</b> Tax Amount (without SOH): \$4,134 2009 Tax Bill Amount: \$3,114 Save Our Homes (SOH) Savings: \$1,020 <b>2009 Certified Taxable Value and Taxes</b> DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS												
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WARRANTY DEED	03/2002	04383	1747	\$227,000	Improved	Yes																													
WARRANTY DEED	08/1995	02959	1352	\$155,600	Improved	Yes																													
<b>LAND</b> <table style="width: 100%;"> <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 style="text-align: center;">0</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1.000</td> <td style="text-align: right;">46,000.00</td> <td style="text-align: right;">\$46,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	LOT	0	0	1.000	46,000.00	\$46,000	<b>LEGAL DESCRIPTION</b> PLATS: <input type="text" value="Pick..."/> LOT 81 BEAR LAKE WOODS PH 2 PB 48 PG 9																					
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																														
LOT	0	0	1.000	46,000.00	\$46,000																														
<b>BUILDING INFORMATION</b>																																			
	Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																									
	1	SINGLE FAMILY	1995	8	2,527	3,339	2,527	CB/STUCCO FINISH	\$189,432	\$199,928																									
	Appendage / Sqft		OPEN PORCH FINISHED / 260																																
	Appendage / Sqft		GARAGE FINISHED / 420																																
	Appendage / Sqft		OPEN PORCH FINISHED / 132																																
NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished																																			
<b>Permits</b>																																			
<b>EXTRA FEATURE</b>																																			
Description				Year Blt	Units	EXFT Value	Est. Cost New																												
FIREPLACE				1995	1	\$1,250	\$2,000																												

POOL GUNITE	1996	392	\$5,096	\$7,840
SPA	1996	1	\$1,335	\$2,500
COOL DECK PATIO	1996	494	\$1,124	\$1,729
SCREEN ENCLOSURE	1996	2,012	\$2,148	\$4,024
GAS HEATER	1996	1	\$440	\$1,100
SOLAR HEATER	1996	1	\$440	\$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.

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
Ann & Deb Tinkoff	6076 JESSICA DR APOKA, FL 32703	407-297-6764

(Use additional sheets for more space.)

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

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST
N/A			

(Use additional sheets for more space.)

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

Trust Name: \_\_\_\_\_

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST
N/A			

(Use additional sheets for more space.)

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

NAME	ADDRESS	% OF INTEREST
N/A		

(Use additional sheets for more space.)

5. 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
N/A			

(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
N/A		

Date of Contract: \_\_\_\_\_

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

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.
7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

MARCH 3, 2010  
Date

[Signature]  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Orange

Sworn to (or affirmed) and subscribed before me this 3<sup>rd</sup> day of March, 2010 by ARI

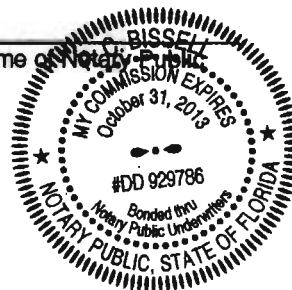
TINKOFF

[Signature]  
Signature of Notary Public

Print, Type or Stamp Name of Notary Public

Personally Known X OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



**For Use by Planning & Development Staff**

Date: \_\_\_\_\_

Application Number: \_\_\_\_\_

## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On April 26, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 81 BEAR LAKE WOODS PH 2 PB 48 PG 9

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

### FINDINGS OF FACT

**Property Owner:** ARI & DEBORAH TINKOFF  
6076 JESSICA DR  
APOPKA FL 32703

**Project Name:** Jessica Drive (6076)

**Requested Variance:**

Side yard (south) setback variance from 10 feet to 5 feet for a proposed two story addition in PUD (Planned Unit Development) district.

Approval was sought to construct an addition within 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 April 26, 2010, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 81 BEAR LAKE WOODS PH 2 PB 48 PG 9

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

### **FINDINGS OF FACT**

**Property Owner:** ARI & DEBORAH TINKOFF  
6076 JESSICA DR  
APOPKA FL 32703

**Project Name:** Jessica Drive (6076)

**Variance Approval:**

Side yard (south) setback variance from 10 feet to 5 feet for a proposed two story addition in PUD (Planned Unit Development) 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 garage addition 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:

