



SEMINOLE COUNTY GOVERNMENT

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

Agenda Memorandum

File Number: A-0625-10

Introduced: 3/25/2010

Current Status: Agenda Ready

Version: 1

Matter Type: Agenda Item

Title

112 Ingram Circle - Request for a side street (north) setback variance from 20 feet to 14 feet for a proposed covered porch in PUD (Planned Unit Development) district; Located on the southeast corner of Ingram Circle and Ingram Court; BV2010-19 (Stephen and Barbara Kleiber, 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 street (north) setback variance from 20 feet to 14 feet for a proposed covered porch in PUD (Planned Unit Development) district; or
2. **Approve** the request for a side street (north) setback variance from 20 feet to 14 feet for a proposed covered porch in PUD (Planned Unit Development) district; or
3. **Continue** the request to a time and date certain.

Background

- The applicant proposes to construct a covered porch addition that will encroach 6 feet into the required 20-foot side street setback in the Wekiva Hunt Club PUD.
- 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 covered porch 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 additional variance RECEIVED MAR 05 2010

Application # BU2010-19
Meeting Date 4-26-10

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: Stephen And BARBARA Kleiber
Address: 112 INGRAM Circle City: Longwood Zip code: 32779
Project Address: _____ City: _____ Zip code: _____
Tax Parcel number: 05-21-29-509-0000-2990
Contact number(s): (407) 749-3346 cell (407) 491-1311
Email address: SKleiber@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 checked="" type="checkbox"/> Addition	Please describe: <u>Remove Exist Covered Porch & Extend 4' to porch Covered Porch</u>
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<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 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:	Proposed setback:	<u>14ft.</u>
<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 _____

Signed: [Signature]

Date: Mar 5, 2010

FOR OFFICE USE ONLY

Date Submitted: 3-5-10 Reviewed By: P. Johnson
 Zoning/FLU RUD / 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: Melvin Hunt Club RUD 20' F setback

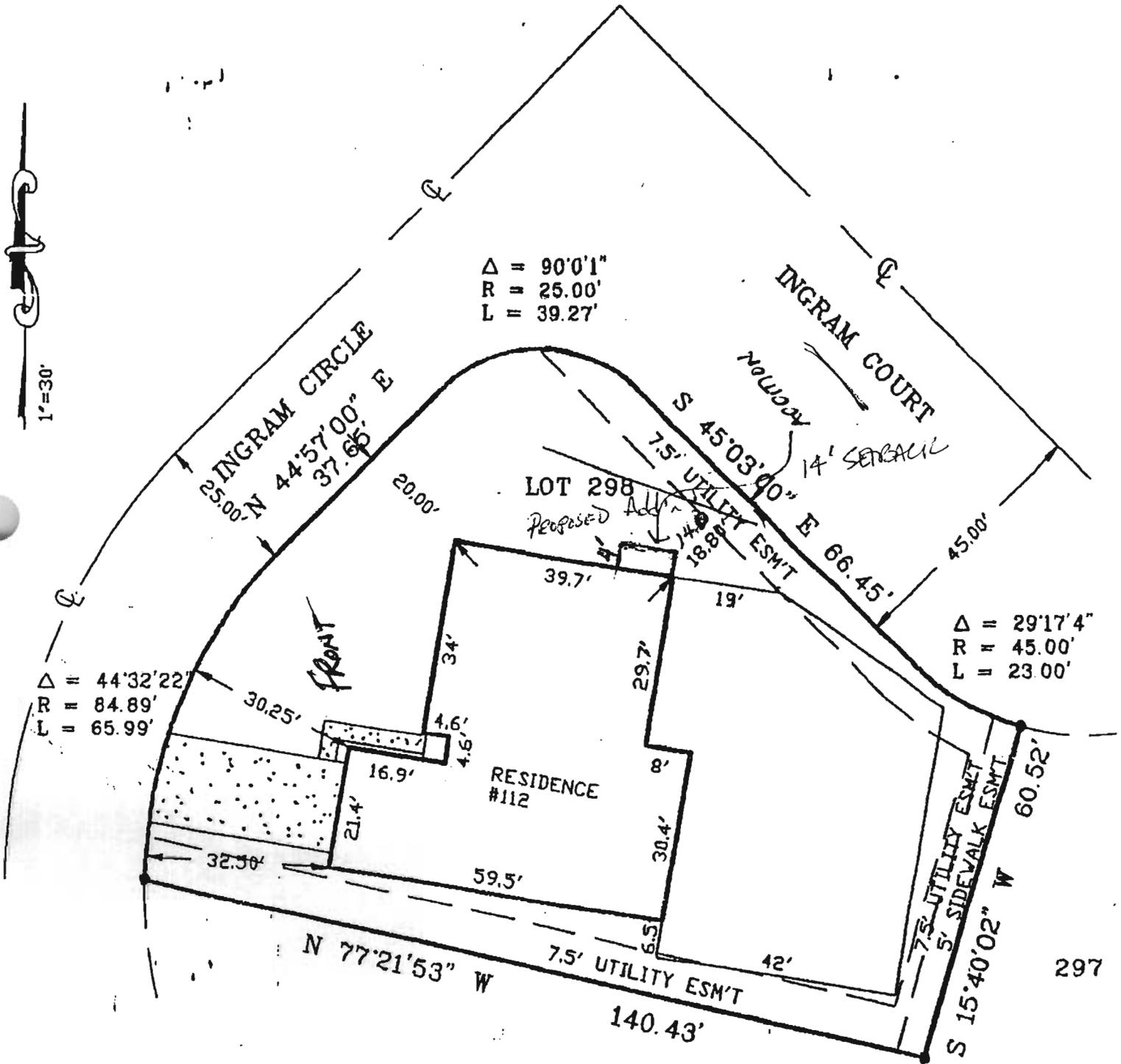
VARIANCE SUBMITTAL CHECKLIST

Please return this checklist with your application!

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

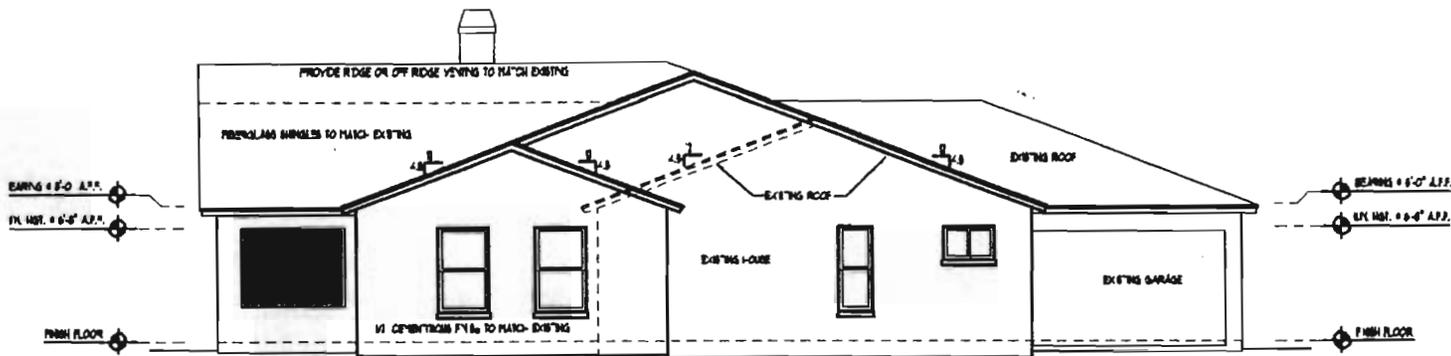
<p><i>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</i></p>	
	1. Completed application.
	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
	3. Owner's authorization letter (if needed). This form can be obtained at 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.
	<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 <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.

LAND DESCRIPTION: LOT 298, "WEKIVA HUNT CLUB" FOX HUNT SECTION 2,
 ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 18, PAGE(S) 84-87
 OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.



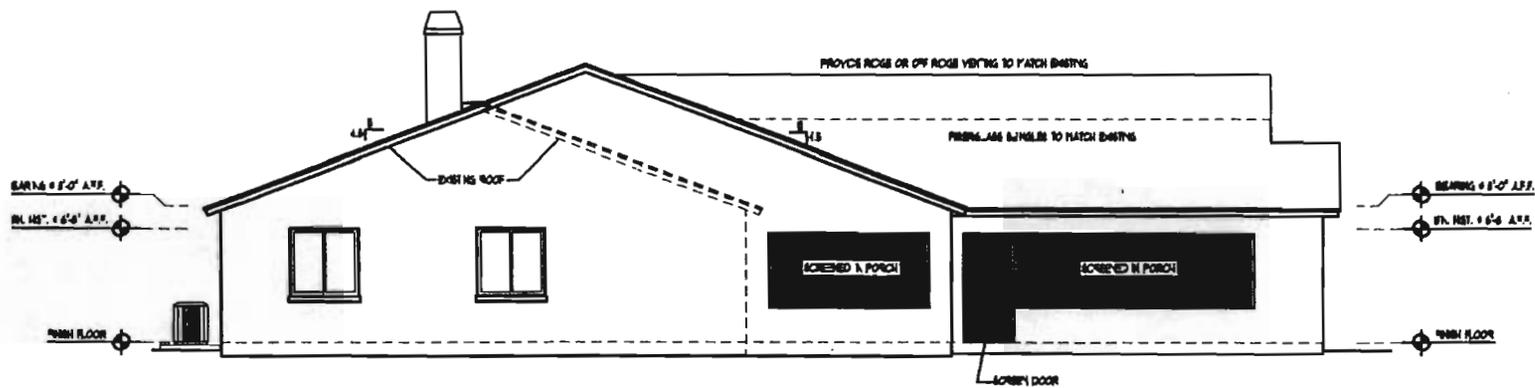
LE #L-6050-AC
 ADDRESS: 112 INGRAM CIRCLE

REVEY NOTES:
 REPRODUCTIONS OF THIS SKETCH OF DESCRIPTION ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
 LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR RIGHT-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF REC
 BEARINGS SHOWN HEREON ARE RELATIVE TO THE ABOVE MENTIONED PLAT.



LEFT SIDE ELEVATION

SCALE: 1/8"=1'-0"



REAR ELEVATION

SCALE: 1/8"=1'-0"

REVISION	
03-26-08	A.C.
06-09-08	A.C.
07-26-08	A.C.

ELEVATIONS	AS NOTED
SCALE	AS NOTED

ADDITION FOR:
 STEPHEN & BARBARA KLEBER
 12 INGRAM CIRCLE
 LONGWOOD, FL 32778

PROFESSIONAL NOTE
 DESIGN INC.
 ARCHITECTS, INC.
 260 W. WASHINGTON, SUITE 200
 TAMPA, FL 33606
 PHONE (813) 288-0884
 FAX (813) 288-0884

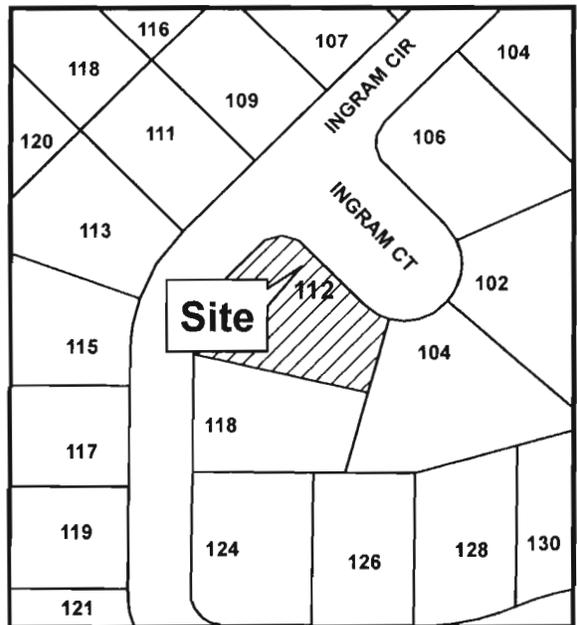
Stephen & Barbara Kleiber
 112 Ingram Circle
 Longwood, FL 32779



Seminole County Board of Adjustment
 April 26, 2010
 Case: BV2010-19 (Map 3154 Grid C4)
 Parcel No: 05-21-29-508-0000-2980

Zoning

-  BV2010-19
-  A-1
-  R-1AAA
-  R-1AA
-  R-1A
-  PUD

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1408 407-655-7505</p>																																													
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 05-21-29-508-0000-2980 Owner: KLEIBER STEPHEN A & BARBARA A Mailing Address: 112 INGRAM CIR City,State,ZipCode: LONGWOOD FL 32779 Property Address: 112 INGRAM CIR LONGWOOD 32779 Subdivision Name: WEKIVA HUNT CLUB 2 FOX HUNT SEC 2 Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY</p>	<p style="text-align: center;">VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">VALUES</th> <th style="text-align: center;">2010 Working</th> <th style="text-align: center;">2009 Certified</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Value Method</td> <td style="text-align: center;">Cost/Market</td> <td style="text-align: center;">Cost/Market</td> </tr> <tr> <td style="text-align: center;">Number of Buildings</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td style="text-align: center;">Depreciated Bldg Value</td> <td style="text-align: right;">\$130,636</td> <td style="text-align: right;">\$143,091</td> </tr> <tr> <td style="text-align: center;">Depreciated EXFT Value</td> <td style="text-align: right;">\$1,937</td> <td style="text-align: right;">\$1,974</td> </tr> <tr> <td style="text-align: center;">Land Value (Market)</td> <td style="text-align: right;">\$35,000</td> <td style="text-align: right;">\$35,000</td> </tr> <tr> <td style="text-align: center;">Land Value Ag</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Just/Market Value</td> <td style="text-align: right;">\$167,573</td> <td style="text-align: right;">\$180,065</td> </tr> <tr> <td style="text-align: center;">Portability Adj</td> <td style="text-align: right;">\$0</td> <td style="text-align: right;">\$0</td> </tr> <tr> <td style="text-align: center;">Save Our Homes Adj</td> <td style="text-align: right;">\$49,701</td> <td style="text-align: right;">\$65,292</td> </tr> <tr> <td style="text-align: center;">Assessed Value (SOH)</td> <td style="text-align: right;">\$117,872</td> <td style="text-align: right;">\$114,773</td> </tr> </tbody> </table> <p style="text-align: center;">Tax Estimator Portability Calculator</p>		VALUES	2010 Working	2009 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$130,636	\$143,091	Depreciated EXFT Value	\$1,937	\$1,974	Land Value (Market)	\$35,000	\$35,000	Land Value Ag	\$0	\$0	Just/Market Value	\$167,573	\$180,065	Portability Adj	\$0	\$0	Save Our Homes Adj	\$49,701	\$65,292	Assessed Value (SOH)	\$117,872	\$114,773										
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County General Fund	\$117,872	\$50,000	\$67,872																																										
Schools	\$117,872	\$25,000	\$92,872																																										
Fire	\$117,872	\$50,000	\$67,872																																										
Road District	\$117,872	\$50,000	\$67,872																																										
SJWM(Saint Johns Water Management)	\$117,872	\$50,000	\$67,872																																										
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Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																																				
1	SINGLE FAMILY	1977	6	1,918	2,442	1,918	CONC BLOCK	\$130,636	\$153,239																																				
Appendage / Sqft		OPEN PORCH FINISHED / 20																																											
Appendage / Sqft		GARAGE FINISHED / 504																																											
<p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p>Permits</p>																																													
EXTRA FEATURE																																													

Description	Year	Bit	Units	EXFT Value	Est. Cost New
FIREPLACE	1989		1	\$713	\$1,500
ALUM SCREEN PORCH W/CONC FL	1989		360	\$1,224	\$3,060

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.

Please click anywhere on this form and then print as usual...
Wekiva Hunt Club Community Association
Architectural Control Committee
Exterior Improvement Approval Form

Section 1: Name and Location

Name: STEPHEN A. KLEIBER

Mailing Address (if different from property):

Property Address:
112 INGRAM CIR

City: LONGWOOD

State: FL

Zip: 32779

Day Phone: 407-491-1311

Evening Phone: 407-788-3346

Cell Phone: 407-491-2874

Section 2: Change Descriptions (include dimensions, materials, color finish, location, etc.)

REMOVE EXISTING PATIO & ROOF. REBUILT USING TRUSSES TO MATCH ORIGINAL ROOF LINES. ~~REPAINT~~ PAINT CHIP INCLUDED. ROOF TO BE SAME COLOR, TAN/GREY, OR JUST TAN.

Statement for Approval

I agree to make the above changes. I understand that some types of changes require County Permits and I will acquire any required permits prior to making the above changes.

[Signature]

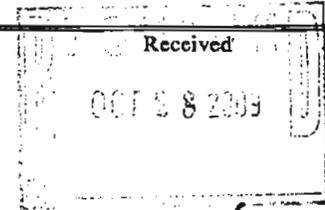
Signed

10/26/09

Date

Section 4: Approval or Denial (WHCCA ONLY)

- Approved
- Approved - subject to the following:
- Denied - comments:



Signed (WHCCA ACC):

[Signature]

Date:

11/11/09

Instructions: Changes must be completed within 120 days from the date of approval. If more time is needed you must submit a written request for an extension. Please fill out sections 1, 2 and 3. Attach a plot survey showing locations of changes. For paint color, please attach "color chips" with the colors desired clearly marked (larger samples may be requested). If construction is to occur in an easement, an additional form is also required. This form will be returned via U.S. Mail either approved or denied within 30 days from the date received. You may contact the association office at (407) 774-6111 if you have any questions. Please return this form and required attachments to:

Wekiva Hunt Club Community Association, Inc.-ACC

197 N. Hunt Club Blvd

Longwood, FL 32779-7115

CN

[Signature]

[Signature]

**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
Stephen A & Barbara A Kleiber	112 Ingram Cir Longwood 32779	407-788-3346 C. 407-491-1311

(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.

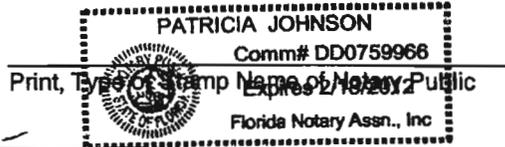
MAR 5 2010
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 5th day of MARCH, 2010 by Stephen Kleiber

Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification
Type of Identification Produced Florida Driver License

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

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:

LEG LOT 298 WEKIVA HUNT CLUB FOX HUNT SEC 2
PB 18 PGS 84 TO 87

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

FINDINGS OF FACT

Property Owner: STEPHEN A & BARBARA A KLEIBER
112 INGRAM CIR
LONGWOOD FL 32779

Project Name: Ingram Circle (112)

Variance Approval:

Side street (north) setback variance from 20 feet to 14 feet for a proposed covered porch 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 covered porch 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

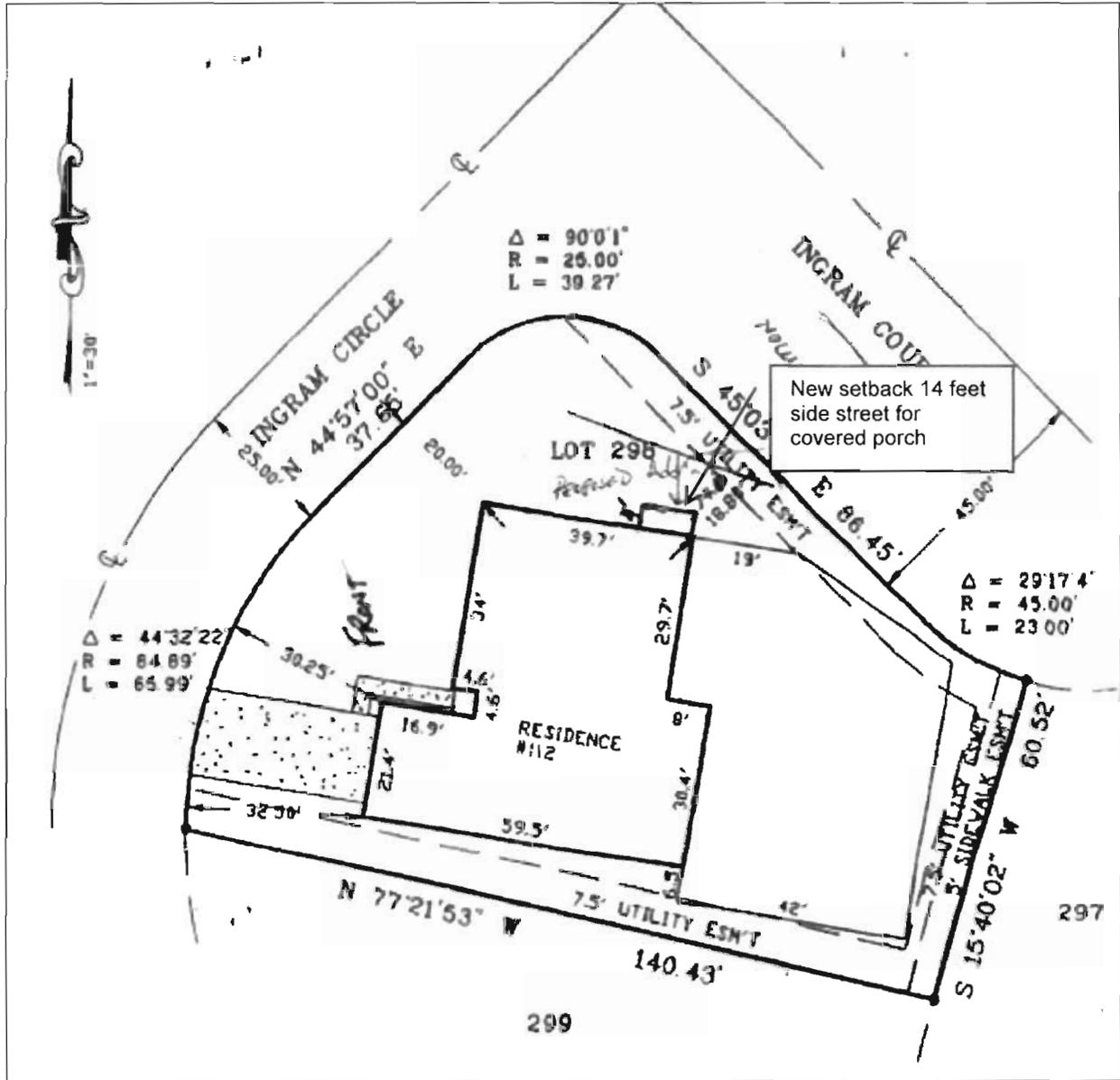
**STATE OF FLORIDA)
COUNTY OF SEMINOLE)**

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:



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:

LEG LOT 298 WEKIVA HUNT CLUB FOX HUNT SEC 2
PB 18 PGS 84 TO 87

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

FINDINGS OF FACT

Property Owner: STEPHEN A & BARBARA A KLEIBER
112 INGRAM CIR
LONGWOOD FL 32779

Project Name: Ingram Circle (112)

Requested Variance:

Side street (north) setback variance from 20 feet to 14 feet for a proposed covered porch in PUD (Planned Unit Development) district.

Approval was sought to construct a covered porch 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: 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: