



AGENDA

ORMOND BEACH BOARD OF ADJUSTMENT AND APPEALS

November 6, 2013

ORMOND BEACH CITY COMMISSION CHAMBERS

7:00 P.M.

I. ROLL CALL

II. APPROVAL OF THE MINUTES

A. July 31, 2013

III. NEW BUSINESS

A. Case No. 13-125: 11 Bridget Terrace, Pool Screen Enclosure Variance.

This is a request from Joseph Eggars, property owner of 11 Bridget Terrace, for a variance to locate a pool screen enclosure at a setback of 4.16' along the rear property line. Section 2-50(X)(1)(c)(2) of the Land Development Code requires a 10' setback for a pool screen enclosure to the rear property line. The applicant is requesting a 5.84' variance to the pool screen enclosure standard with a resulting setback of 4.16' to the rear property line.

IV. OTHER BUSINESS

V. ADJOURNMENT

MINUTES
BOARD OF ADJUSTMENT

July 31, 2013

7:00 p.m.

Commission Chambers
22 South Beach Street
Ormond Beach, Florida

I. ROLL CALL

Members Present

Staff Present

Jean Jenner
Dennis McNamara
Ryck Hundredmark
Sue Parkerson
Bruce Teeters
Tony Perricelli (excused)
Norman Lane (excused)

Steven Spraker, AICP, Senior Planner
Ann-Margret Emery, Deputy City Attorney
Meggan Znorowski, Minutes Technician

II. APPROVAL OF THE MINUTES

A. March 6, 2013 Minutes

Mr. Hundredmark moved to approve the March 6, 2012 Minutes as submitted. Mr. Perricelli seconded the motion. Vote was called, and the motion was unanimously approved.

III. NEW BUSINESS

A. Case No. 13V-077: 711 South Atlantic Avenue, front yard variance

Mr. Spraker, Senior Planner, City of Ormond Beach stated this is an application for a variance at 711 South Atlantic Avenue, the Coral Beach Hotel for a canopy at the main entrance to the hotel to provide shelter while guests are loading and unloading. Mr. Spraker explained the location, orientation, and characteristics of the property, and stated staff is recommending approval.

Mr. Hundredmark moved to approve the variance as submitted. Mr. Jenner seconded the motion. Vote was called, and the motion unanimously approved.

B. Case No. 13V-072: 141 Cardinal Drive, lot width and side yard variances

Mr. Spraker stated this is an application for a variance at 141 Cardinal Drive. Mr. Spraker explained the history, location, orientation, and characteristics of the property and subdivision.

Mr. Hundredmark asked if the variance is approved, will the City allow the structure to be rebuilt if it is destroyed.

Mr. Spraker responded yes.

Mr. Teeters asked if other variances had been approved in this subdivision in the past.

Mr. Spraker replied yes; staff has recognized that there are issues within this project. Mr. Spraker explained that the only way to rectify the issue is if the HOA was able to get all of the members to agree to amend the development order.

Mr. Patrick Kelly, President and Chairman of Board for the Ocean Village Villas HOA, stated that the HOA is in favor of the variance. Mr. Kelly explained that in the opinion of HOA Board the Ortonas have done a fantastic job rebuilding a somewhat dilapidated house and have turned it into a gem in the community.

Mr. Tony Ortona, homeowner in Ocean Village Villas since 1990, stated he loves this community and is grateful to have located in this area. Mr. Ortona continued that many of his family members also own in Ocean Village Villas, and he owns 3 units in the community.

Mr. Manual Leo, co-owner with Mr. Ortona of 141 Cardinal Drive, stated this unit is where they are going to be spending their holidays, and will not be renting the unit.

Tom Seaman, Flagler Beach, general contractor for applicant, stated he spoke with Tom Griffith, Plans Examiner, when designing the remodel should they wish to convert to a duplex later. Mr. Seaman explained that the fire walls, separate electrical panels, and the like are already in place.

Mr. Hundredmark moved to approve the variance as submitted. Mr. Jenner seconded the motion. Vote was called, and the motion unanimously approved.

IV. OTHER BUSINESS

None.

V. ADJOURNMENT

As there was no other business, the meeting was adjourned at 7:24 p.m.

Respectfully submitted,

Steven Spraker, AICP, Senior Planner

ATTEST:

Dennis McNamara, Chair

Minutes prepared by Meggan Znorowski.

Pursuant to section 286-0105, Florida Statutes, if any person decides to appeal any decision made by the board of adjustment with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

All persons appealing to the board of adjustment must be present, or represented at the public hearing scheduled for the consideration of his request. Failure to be present or to be represented, results in the automatic refusal by this board to grant permission for any variance. In order to allow the meeting to proceed in an orderly fashion, the board, by motion, may limit the time allowed for remarks concerning a specific agenda item to a maximum of thirty (30) minutes for city staff, the designated representative of the applicant and the designated representative of any organized group and to five (5) minutes for members of organizations and other individual speakers. Additional time shall be allowed to respond to questions from the board.

Persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance and who wish to attend city commission meetings or any other board of committee meeting may contact the city clerk in writing, or may call 677-0311 for information regarding available aids and services.

STAFF REPORT

City of Ormond Beach Department of Planning

DATE: October 22, 2013

SUBJECT: 11 Bridget Terrace Pool Screen Enclosure Variance

APPLICANT: Joseph Eggars

FILE NUMBER: 13-125

PROJECT PLANNER: Steven Spraker, AICP, Senior Planner

INTRODUCTION:

This is a request from Joseph Eggars, property owner of 11 Bridget Terrace, for a variance to locate a pool screen enclosure at a setback of 4.16' along the rear property line. Section 2-50(X)(1)(c)(2) of the Land Development Code requires a 10' setback for a pool screen enclosure to the rear property line. The applicant is requesting a 5.84' variance to the pool screen enclosure standard with a resulting setback of 4.16' to the rear property line.

BACKGROUND:

The property is designated as "Low Density Residential" on the City's Future Land Use Map (FLUM) and is zoned R-3 (Single Family Medium Density) on the City's Official Zoning Map. The existing use of the property is consistent with the FLUM designation and zoning district.

Adjacent land uses and zoning:

	Current Land Uses	Future Land Use Designation	Zoning
North	Single Family House	"Low Density Residential"	R-3 (Single Family Medium Density)
South	Single Family House	"Low Density Residential"	R-3 (Single Family Medium Density)
East	Single Family House	"Low Density Residential"	R-3 (Single Family Medium Density)
West	Single Family House	"Low Density Residential"	R-3 (Single Family Medium Density)

Site Aerial



The subject property is located within a cul-de-sac and is a conforming lot of record. According to the Volusia County Property Appraiser, the house was constructed in 1978 and the pool in 1985. The applicant purchased the home in July 2013. This application is unique based on the fact that the applicant owns the property under consideration for the variance and the property immediately behind the subject property at 1111 Parkside Drive. In the application the applicant stated that the intent is for his family “to reside in both houses to provide additional space of ourselves and also guest space for children and grandchildren”.

The applicant has expressed a desire to place a pool screen enclosure over the existing pool for similar to past applications for many reasons, which include:

1. The trees on their property and on abutting properties have become more mature and have produced more droppings of leaves and branches.
2. There is a desire to not impact the trees in the area of the pool though pruning or removal.
3. The lack of the pool screen enclosure has lead to consistent and escalating pool maintenance.
4. To prevent small animals from entering into the pool.
5. To increase the enjoyment and ability to use the pool.

When the pool screen setback is applied to this property, the screen would be in the water of the pool. The proposed screen pool enclosure meets the required 7.5’ setback along the side interior lot line.

ANALYSIS:

Chapter 1, Article II, Section 1-16.D.2, of the Land Development Code states, "The Board of Adjustment and Appeals shall first determine whether the need for the proposed variance arises out of the physical surroundings, shape, topographical condition, or other physical or environmental conditions that are unique to the specific property involved and are not the result of the actions of the applicant. If the basis for the request is the unique quality of the site, the Board shall make the following required findings based on the granting of the variance for that site alone. If, however, the condition is common to numerous sites so that requests for similar variances are likely to be received, the Board shall base its findings on the cumulative effect of granting the variance to all who may apply."

The Board must consider the following criteria established in Chapter 1, Article II, Section 1-16.D.4, of the Land Development Code for the expansion of the non-conforming structure:

1. **Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.**

Case for the variance: The special condition relates to the location of the existing pool and deck that was constructed in 1985. The location of the pool and deck does not allow the opportunity to construct a screen enclosure that can meet a 10' setback.

Case against the variance: Alternatively, one may argue that the location of the pool and deck is not a special condition and is common through out the City. The existing pool and deck is conforming and the screen enclosure should not be permitted.

2. **The special conditions and circumstances do not result from the actions of the applicant.**

Case for the variance: The applicant recently purchased the property in July of this year after the pool and deck had been constructed. The special conditions did not result from the actions of the applicant.

Case against the variance: None.

3. **Literal interpretation of the provisions of these zoning regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant.**

Case for the variance: The literal interpretation of the zoning regulations would prevent the construction of the pool screen enclosure. Meeting the 10' screen enclosure setback would require the enclosure to be located entirely in the pool water and is not possible. This condition is a direct cause of the location of the 1985 location of the pool and deck. Pool screen enclosures are commonly enjoyed by other properties in the same neighborhood and zoning district.

Case against the variance: The Land Development Code establishes standards for screen enclosure setbacks and based on individual properties, not all sites can have pool screen enclosures.

4. **No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building, or structure.**

Case for the variance: There is no practical alternative if a screen enclosure is to be allowed. As stated previously, applying the setback would require the pool screen enclosure in the water of the pool. The request is the minimum necessary in order to allow the construction of the screen enclosure. Staff has not received any objections or correspondence against the variance request. All surrounding property owners have provided a signature for the variance application.

Case against the variance: As stated in criteria 3, property owners do not have an absolute right to screen enclosures at less than 10' to the property line. In the past, one primary consideration of variance applications has been the impact to neighboring properties.

5. **The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship.**

Case for the variance: The variance is not sought to reduce the cost of the construction of the pool screen enclosure.

Case against the variance: None.

6. **The proposed variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.**

Case for the variance: The request will not increase congestion, fire danger or public hazards.

Case against the variance: None.

7. **The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.**

Case for the variance: The request will not diminish property values or alter the character of the surrounding area. One purpose of the variance process is to measure the impact of the improvement subject to the variance on adjoining properties. The applicant is the property owner of 1111 Parkside Drive immediately to the rear of the screen enclosure. Any future property owner would be aware of the existing screen enclosure and can make a determination to buy or not to buy the property based on the existing conditions. Staff has not received any objections and believes that the screen enclosure would not alter the character of the neighborhood.

Case against the variance: None.

8. **Granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district.**

Case for the variance: The purpose of the variance process is to confer rights that are denied to a particular applicant because of a special condition or unique circumstance for their property.

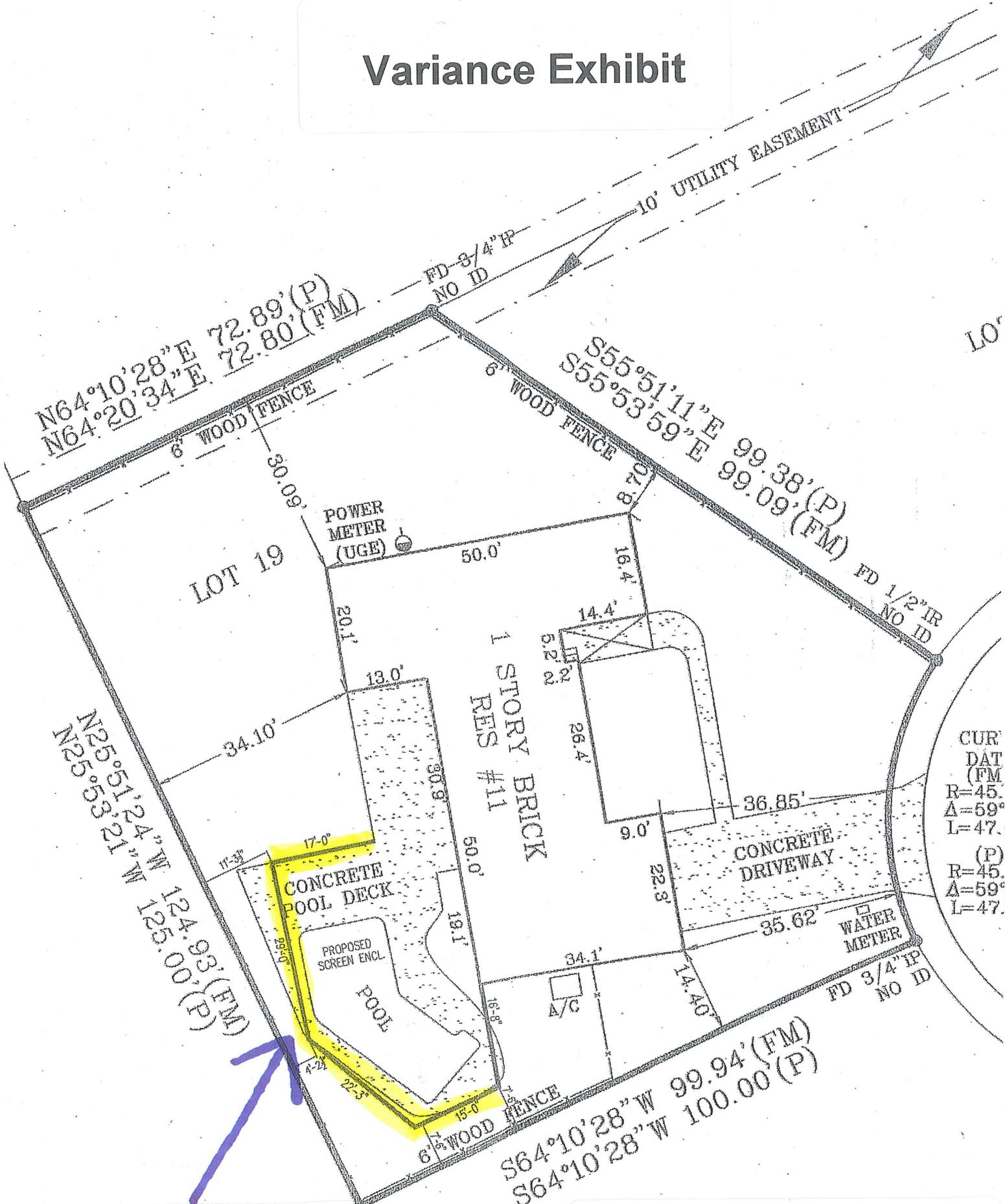
Case against the variance: One can argue that granting the variance requests will lead to multiple applications for screen enclosures for pools with less than a 10' setback. Staff would state that there have been requests in the past for these types of situation, most recently 176 Woodland Avenue, 2 Springwood Trail, 24 Queen Ann Court, and 146 Wildwood Avenue. Each application is a unique situation that must be reviewed independently based on the variance criteria, input from the required notification, and testimony at the public hearing.

RECOMMENDATION: It is recommended that the Board of Adjustments and Appeals **APPROVE** the following variances to allow the construction of a pool screen enclosure at 11 Bridget Terrace with a setback of 4.16' along the rear property line, requiring a variance of 5.84' to the required 10' setback contained in Section 2-50(X)(1)(c)(2) of the Land Development Code.

Exhibit A

Variance Exhibit

Variance Exhibit



CUR DAT (FM)
R=45.
Δ=59°
L=47.
(P)
R=45.
Δ=59°
L=47.

Proposed screen enclosure (in yellow)

Required Pool Screen Enclosure Setback = 10'
Requested Pool Screen Enclosure Setback = 4.16'
Requested variance = 5.84'

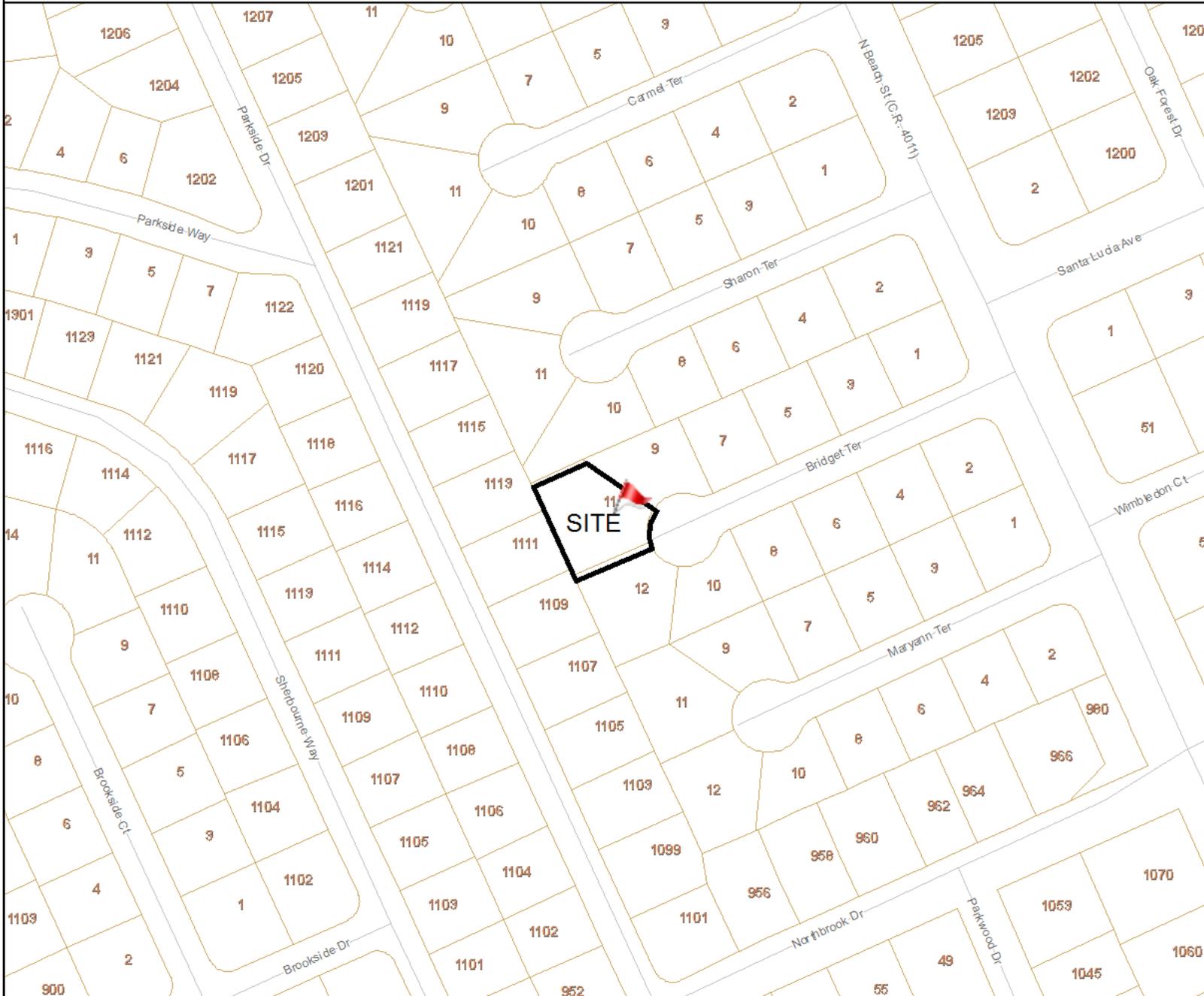
Exhibit B

- Maps and Pictures

11 Bridget Terrace Location Map



- Golf Courses
- Address Points
- City Streets
- DIRT
- MAJOR
- PAVED
- Water Features
- Property Lines



178 ft



GIS data is provided on an "as is" basis. The accuracy or reliability of the data is not guaranteed or warranted in any way. The City of Ormond Beach specifically disclaims any warranty either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance of the data is with the end user. In no event will the City, its staff or it's representatives be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the City has been advised of the possibility of such damages.





Existing pool

**Existing
tree
canopy**





11 Bridget Terrace



11 Bridget Terrace

Exhibit C

Applicant Provided Information



CITY OF ORMOND BEACH

v3.2013

Planning Department

22 South Beach Street, Ormond Beach, FL 32174

Tel: (386) 676-3238

www.ormondbeach.org

comdev@ormondbeach.org

VARIANCE - APPLICATION

For Planning Department Use

Application Number

13-00000125

Date Submitted

1 OCT 2013

APPLICATION TYPE AND FEES

	Application	Advertising Deposit for Advisory Board	Advertising Deposit for Commission	Total*
<input checked="" type="checkbox"/> Residential or Commercial	350	350	N/A	700
<input type="checkbox"/> After the Fact Residential or Commercial	700	350	N/A	1050

*The total is calculated as the Application plus approximate Advisory Board and Commission Public Notification Fees. Depending on the actual costs, Staff shall refund any remaining balance or require additional payment.

APPLICANT INFORMATION

This application is being submitted by

Property Owner

Agent, on behalf of Property Owner**

Name

Joseph Eggers

Full Address

11 Bridget Terrace, Ormond Beach, FL 32174

Telephone

404-536-7782

Email

jeggers@jackel.net

* If this application is being submitted by a person other than the property owner, please provide the following Property Owner Information as well as a notarized letter designating you as agent.

PROPERTY OWNER INFORMATION***

Name

Joseph Eggers

Full Address

11 Bridget Terrace, Ormond Beach, FL

Telephone

404-536-7782

Email

jeggers@jackel.net

***If the property owner does not reside on the property for which the application refers, please provide the following Property Details.

PROPERTY DETAILS

Full Address

11 Bridget Terrace, Ormond Beach, FL 32174

Parcel ID Number

42-13-32-21-03-0190

Legal Description

LOT 19, OAK FOREST REPLAT, A SUBDIVISION ACCORDING TO MAP RECORDED IN MAP BOOK 34, PAGE 161, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA

REQUEST

For the Board of Adjustment and Appeals to grant a variance, there must be special conditions or circumstances existing which are peculiar to a particular piece of land, structure or building. The variance should not request special privilege denied to other lands, buildings or structures, and must prove deprivation of rights commonly enjoyed by other property owners in the subject property area that results in an unnecessary hardship. The request should be the minimum possible to make reasonable use of the land and, if granted, should not be injurious to the area or materially diminish the value of the surrounding properties, alter the essential characteristics of the neighborhood or otherwise be detrimental to the public welfare or create a public nuisance. A purely financial hardship does not, except under extreme circumstances, constitute sufficient grounds for hardship.

Request:

To allow construction of a screened pool enclosure that is closer to the rear property line than the minimum ten feet required by the Land Development Code.

ABUTTING PROPERTY OWNERS

Please provide abutting property owner signatures or provide letters indicating position toward the request.

Signature	Street Address	For	Against
Alan Vanamburg, letter attached	12 Bridget Terrace, Ormond Beach, FL 32174	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Joe Eggers, letter attached	1111 Parkside Dr, Ormond Beach, FL 32174	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob and Stephanie Meyers, letter attached	1113 Parkside Dr, Ormond Beach, FL 32174	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CRITERIA: CONFORMING

Section 1-16.D.3 of the Land Development Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 8 criteria. Additional pages, photographs, surveys, plot plans or other materials may be attached as exhibits.

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district:

The existing pool is less than ten feet from the rear property line.

2. The special conditions and circumstances do not result from the actions of the applicant:

According to county records the pool was constructed approximately 1985 by unknown previous property owners. I purchased the property in 2013.

3. Literal interpretation of the provisions of these zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these zoning regulations and would work unnecessary and undue hardship on the applicant:

In order to enclose the pool in a manner compliant with the zoning regulations I would have to relocate the pool which is not financially or logistically feasible.

4. No practical alternative exists and the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure:

The only alternative is to move the pool which is not practical. The location of the enclosure will be as far as from the rear property line as possible given the location of the existing pool, thus requiring the minimum variance possible.

5. The variance request is not based exclusively upon a desire to reduce the cost of developing the site. Financial disadvantages or physical inconvenience to the applicant shall not in and of themselves constitute conclusive proof of unnecessary hardship:

The variance request is based only on the fact that the pool already exists and thus dictates the location of the screen enclosure.

6. The proposed variance will not substantially increase congestion on surrounding streets, or the danger of fire or other hazard to the public:

The proposed variance will not effect on congestion on surrounding streets, nor present any additional danger of fire or other hazard to the public.

7. The effect of the proposed variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code and will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site:

The proposed variance will not diminish property values or effect the essential character of the area.

8. Granting this variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings or structures in the same zoning district:

Granting this variance will not confer any special privilege, it will only allow me to enclose the pool, which is a typical privilege of homeowners in this zoning district.

CRITERIA: NONCONFORMING

Section 1-16.D.4 of the Land Development Code establishes separate criteria for the expansion of an existing nonconforming structure or portion of that structure. The Code requires that the Board of Adjustment and Appeals make a finding based on substantial competent evidence on each of the following 6 criteria. Additional pages, photographs, surveys, plot plans or any other materials may be attached as exhibits.

1. The property where the structure is located meets the minimum lot area standard for the zoning district, as specified in Chapter 2, Article II:

2. There are no other ways of altering the structure that will not result in increasing the nonconforming cubic content of the structure:

3. The proposed expansion will be consistent with the use of the structure and surrounding structures, given the use is permitted by right, conditional use or special exception in the zoning district within which the structure is located:

4. The proposed expansion effectively "squares-off" an existing building, or does not extend beyond the furthest point of an adjacent building on the site:

[Empty box for response to question 4]

5. The proposed expansion is in scale with adjacent buildings:

[Empty box for response to question 5]

6. The proposed expansion will not impact adjacent properties by limiting views or increasing light and/or noise:

[Empty box for response to question 6]

CERTIFICATION

By submitting this application, I hereby certify that the information provided above is true and correct to the best of my knowledge and that I am aware of the application submittal requirements and review process for this application. I hereby authorize City of Ormond Beach Staff to place legal notice on my property and to take pictures pertaining to my request. I am aware of the required pre-application meeting and am aware that if all the submittal requirements are not provided, my application will be continued to the next regularly scheduled hearing.

Signature: Joseph A Eggers

STATE OF ~~FLORIDA~~ GEORGIA.
COUNTY OF GWINNETT

The foregoing instrument was acknowledged before me this 30 day of SEPT, 2013, by JOSEPH A EGGERS, as _____ (title*) for _____ (name of corporation*), who () provided _____ as identification, or (X) who is personally known to me.

Betsy Whiting
Notary Public, State of Florida GEORGIA
My Commission Expires:

* If you are executing this document on behalf of a corporation please complete the spaces with your title and the name of your company as indicated.

Joe Eggers
1111 Parkside Drive
Ormond Beach, FL 32174

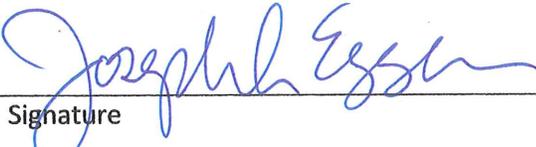
To Whom It May Concern,

I am the same person who intends to apply for a variance allowing a screened pool enclosure to be built in the backyard of 11 Bridget Terrace that is closer to the rear property line than the minimum ten feet specified in the Ormond Beach Land Development Code.

I am the property owner at 11 Bridget Terrace and also at 1111 Parkside Drive, which shares the majority of the rear property line with 11 Bridget Terrace.

Because owning both properties is a little unusual, let me clarify that my wife and I intend to occupy both of them, to provide additional space for ourselves and also guest space for children and grandchildren. It is our intent to reside in both properties permanently, and not to rent or resell either property.

But in my role as property owner of the abutting property, I do support the variance request and do not object to the proposed placement of the screen enclosure structure.



Signature

JOSEPH A. EGGERS

Printed Name

23 SEP 2013

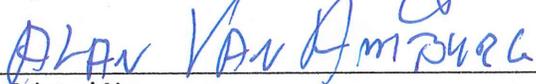
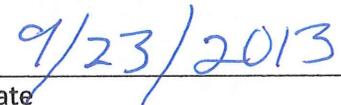
Date

Alan and Ann Vanamburg
12 Bridget Terrace
Ormond Beach, FL 32174

To Whom It May Concern,

We understand that Joe Eggers of 11 Bridget Terrace intends to apply for a variance allowing a screened pool enclosure to be built in the backyard of 11 Bridget Terrace that is closer to the rear property line than the minimum ten feet specified in the Ormond Beach Land Development Code.

We support the variance request and do not object to the proposed placement of the screen enclosure structure.


Signature

Printed Name

Date

Signature

Printed Name

Date

John Zienka
55 New Brier Lane
Clifton, NJ 07012-1907

Property Owner of
1109 Parkside Drive
Ormond Beach, FL 32174

To Whom It May Concern,

I understand that Joe Eggers of 11 Bridget Terrace intends to apply for a variance allowing a screened pool enclosure to be built in the backyard of 11 Bridget Terrace that is closer to the rear property line than the minimum ten feet specified in the Ormond Beach Land Development Code.

I support the variance request and do not object to the proposed placement of the screen enclosure structure.



Signature

JOHN A ZIENKA

Printed Name

09-28-2013

Date

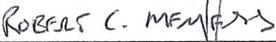
Bob and Stephanie Meyers
1113 Parkside Drive
Ormond Beach, FL 32174

To Whom It May Concern,

We understand that Joe Eggers of 11 Bridget Terrace intends to apply for a variance allowing a screened pool enclosure to be built in the backyard of 11 Bridget Terrace that is closer to the rear property line than the minimum ten feet specified in the Ormond Beach Land Development Code.

We support the variance request and do not object to the proposed placement of the screen enclosure structure.

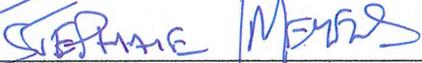


Signature


Printed Name
9/23/13

Date



Signature


Printed Name
9-23-13

Date

The property owner at 1109 Parkside Drive is Mr. John Zienka. According to property records he resides in Clifton, NJ and according to neighbors, has not been to the Parkside Drive property for several years.

I sent a letter to his Clifton, NJ address on 9/23, and it was delivered on 9/28. In the letter I described the screen enclosure project and requested his support for the variance. If I receive a response from Mr. Zienka, it will be after the October 1 variance application deadline but I will provide his response to the city if and as soon as I receive it.

- Joe Eggers

29 September 2013

07/18/2013 02:10 PM
 Doc stamps .70
 (Transfer Amt \$ 10)
 Instrument# 2013-138426 # 1
 Book : 6883
 Page : 4554
 Diane M. Matousek
 Volusia County, Clerk of Court

Record and Return to
 Florida Foreclosure Attorneys
 4855 Technology Way
 Boca Raton, FL 33431

Prepared by and return to:
 Daisy Martinez
 Florida Foreclosure Attorneys, PLLC
 4855 Technology Way, Suite 500
 Boca Raton, FL 33431
 Asset# 1041825

Our File No: CA11-04804
 Folio# 324221030190

Clerks Use Only

SPECIAL WARRANTY DEED

THIS DEED, made the 3rd day of July, 2013, by and between BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, c/o NATIONSTAR MORTGAGE LLC whose post office address is 350 Highland Drive Lewisville, TX 75067, hereinafter called the grantor, and Federal Home Loan Mortgage Corporation, whose post office address is 5000 Plano Parkway, Carrollton, TX 75010, hereinafter called the grantee.

WITNESSETH: That the grantor, for and in consideration of \$10.00 and other good and valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Volusia County, Florida, described as:

LOT 19 OF OAK FOREST, PHASE III, REPLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 34, PAGE 161, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the grantor hereby covenants with the grantee; that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under the grantor; and that said land is free of all encumbrances, except as herein above set forth.

This transaction is exempt from payment of documentary stamps tax pursuant to Florida Administrative Code 12B-4.014(9).

IN WITNESS WHEREOF, the grantor has caused these presents to be executed by its duly authorized officer on the day and year first above written.

Signed, sealed and delivered in the presence of:

NATIONSTAR MORTGAGE LLC, as attorney in fact for, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP

Ashley Azure By: _____
 Witness _____

Trey Cook _____
 (Print Name) _____

(Print Name) _____ Its: _____

Assistant Secretary

Daniel Robinson _____
 Witness _____

(Insert Office)

(Print Name)

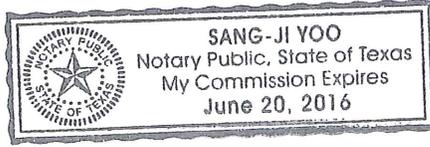
Corporate Seal



STATE OF Texas
 COUNTY OF Denton

The foregoing instrument was acknowledged before me this 3 day of July, 2013, by Trey Cook as Assistant Secretary of NATIONSTAR MORTGAGE LLC, as attorney in fact for, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP, on behalf of said company. He/she is personally known or has produced a _____ as identification.

Notary Public - State of Texas
 Commission No.: 12402646
 Commission Expires: June 20, 2016



Prepared by and return to:
Florida Foreclosure Attorneys, PLLC
Rick Felberbaum, Esq
4588 Technology Way, Ste #630
Boca Raton, FL 33431

Our File No: 1041825 / LYR
Folio: 3242-21-03-0190

07/18/2013 02:10 PM
Doc stamps 1049.30
(Transfer Amt \$ 149900)
Instrument# 2013-138427 # 1
Book : 6883
Page : 4555
Diane M. Matousek
Volusia County, Clerk of Court

Record and Return to
Florida Foreclosure Attorneys
4855 Technology Way
Boca Raton, FL 33431

Special Warranty Deed

Clerks Use Only

THIS DEED, made the 11th day of July, 2013, by and between FEDERAL HOME LOAN MORTGAGE CORPORATION, whose post office address is 5000 Plano Parkway, Carrollton, TX 75010, hereinafter called the grantor, and Joseph A Eggers and Kelly Sue Eggers, husband and wife, whose post office address is 11 Bridget Terrace, Ormond Beach, FL 32174, hereinafter called the grantee.

WITNESSETH: That the grantor, for and in consideration of \$10,00 and other good and valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in CHARLOTTE County, Florida, described as:

Lot 19, Oak Forest - Phase III Replat, according to the map or plat thereof, as recorded in Map Book 34, Page(s) 161, of the Public Records of Volusia County, Florida.

Aka: 11 Bridget Ter, Ormond Beach, FL 32174

TOGETHER with all tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the grantor hereby covenants with the grantee, that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever claiming by, through or under the grantor, and that said land is free of all encumbrances, except as herein above set forth.

IN WITNESS WHEREOF, the grantor has caused these presents to be executed by its duly authorized officers on the day and year first above written.

Signed, sealed and delivered in the presence of:

FEDERAL HOME LOAN MORTGAGE CORPORATION

BY JEFF HALL, AUTHORIZED SIGNATORY OF FLORIDA FORECLOSURE ATTORNEY'S PLLC, AS ATTORNEY IN FACT

Witness *Jacklyn Carney*

(Print Name) Jacklyn Carney

Witness *Lisa Y. Ramirez*

(Print Name) Lisa Y. Ramirez

Corporate Seal

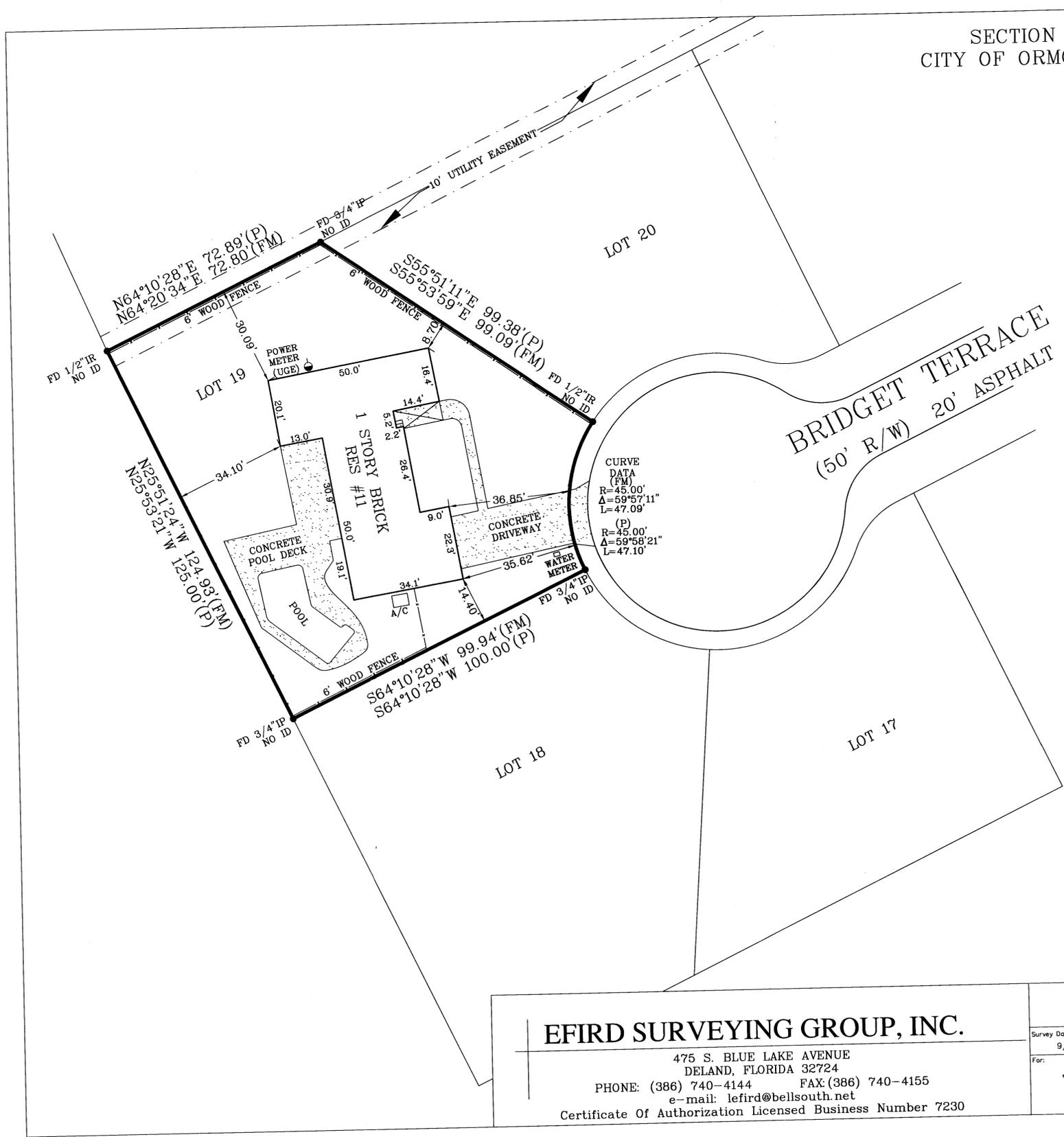
STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me this 11th day of July, 2013 by Federal Home Loan Mortgage Corp, by JEFF HALL, AUTHORIZED SIGNATORY OF FLORIDA FORECLOSURE ATTORNEY'S PLLC, AS ATTORNEY IN FACT FOR FEDERAL HOME LOAN MORTGAGE CORPORATION, whom is personally known to me, and did not take an oath.

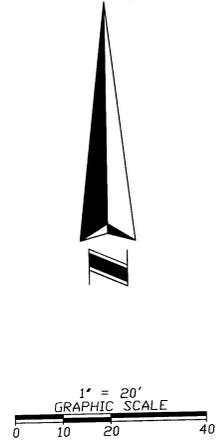
Lisa Y. Ramirez
Notary Public - State of _____
Commission No.: _____
Commission Expires: _____



SECTION 42, TOWNSHIP 13, RANGE 32 EAST
CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA.



- ABBREVIATIONS:**
- A/C = AIR CONDITIONER
 - (C) = CALCULATED
 - CL = CENTERLINE
 - CLF = CHAIN LINK FENCE
 - CONC. = CONCRETE
 - CSL = CONCRETE SLAB
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 - E = EAST
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 - FD. = FOUND
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 - TP. = TYPICAL
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DESCRIPTION: (PER ORB 6883 PG. 4554)
LOT 19, OAK FOREST REPLAT, A SUBDIVISION ACCORDING TO MAP RECORDED IN MAP BOOK 34, PAGE 161, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

NOTE:
THIS PLAT AND/OR SKETCH OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT OF THE ENTITIES AND/OR INDIVIDUALS SHOWN HEREON, ON THE MOST CURRENT DATE SHOWN, AND SHALL NOT BE RELIED UPON BY ANY OTHER ENTITY OR INDIVIDUAL WHOMSOEVER. THERE MAY BE ADDITIONAL RESTRICTIONS AND/OR OTHER MATTERS THAT ARE NOT SHOWN HEREON THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY. THIS SURVEY /SKETCH IS PREPARED WITHOUT BENEFIT OF ABSTRACT OR TITLE SEARCH UNLESS SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES. THIS SURVEY DRAWING IS THE PROFESSIONAL OPINION OF THIS SURVEYOR AND MAPPER AND THE FIRM, WHICH WAS PREPARED UTILIZING THE BEST AVAILABLE INFORMATION AND AS SUCH DOES NOT CONSTITUTE A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. FURTHERMORE, THIS SURVEYOR AND FIRM DOES NOT ASSUME RESPONSIBILITY AND SHALL NOT BE HELD LIABLE FOR CLAIMS ARISING FROM ERRONEOUS OR INCORRECT INFORMATION FURNISHED TO THE SURVEYOR, WHICH WAS USED AS A BASIS IN THE PREPARATION OF THIS SURVEY DRAWING.

- NOTES:**
1. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN.
 2. NOT VALID WITHOUT THE SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 3. NO UNDERGROUND IMPROVEMENTS OR INSTALLATIONS OR OTHER INTERIOR IMPROVEMENTS HAVE BEEN LOCATED, EXCEPT AS SHOWN, AS PER THE REQUEST OF THE CLIENT.
 4. UNLESS NOTED, LEGAL DESCRIPTION FURNISHED BY CLIENT.
 5. FEATURES SHOWN BY SYMBOL AS INDICATED IN THE LEGEND ARE NOT TO SCALE.
 6. THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE SEARCH, A TITLE SEARCH MAY REVEAL ADDITIONAL INFORMATION AFFECTING THE PARCEL AS SHOWN.
 7. WHERE APPLICABLE, MONUMENT DIAMETERS, ETC., AND/OR LS OR LB NUMBERS ARE SHOWN NEAR RESPECTIVE SYMBOL ABOVE, UNLESS SHOWN IN LEGEND.
 8. BEARINGS ASSUMED FROM PLAT, DEED, LEGAL DESCRIPTION.
 9. UNLESS SHOWN, ONLY THOSE VISIBLE FEATURES IN THE IMMEDIATE VICINITY OF THE ABOVE DESCRIBED PARCEL BOUNDARY HAVE BEEN LOCATED.
 10. SUBJECT PROPERTY LIES WITHIN ZONE "X", AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, CITY OF ORMOND BEACH COMMUNITY #125136, PANEL #12127C0204 H DATED 2/19/2003. THIS FLOOD INSURANCE RATE MAP IS NOT A SURVEY AND NO RESPONSIBILITY IS TAKEN FOR THE ACCURACY OF SAID MAP.

EFIRD SURVEYING GROUP, INC.
475 S. BLUE LAKE AVENUE
DELAND, FLORIDA 32724
PHONE: (386) 740-4144 FAX: (386) 740-4155
e-mail: lefird@bellsouth.net
Certificate Of Authorization Licensed Business Number 7230

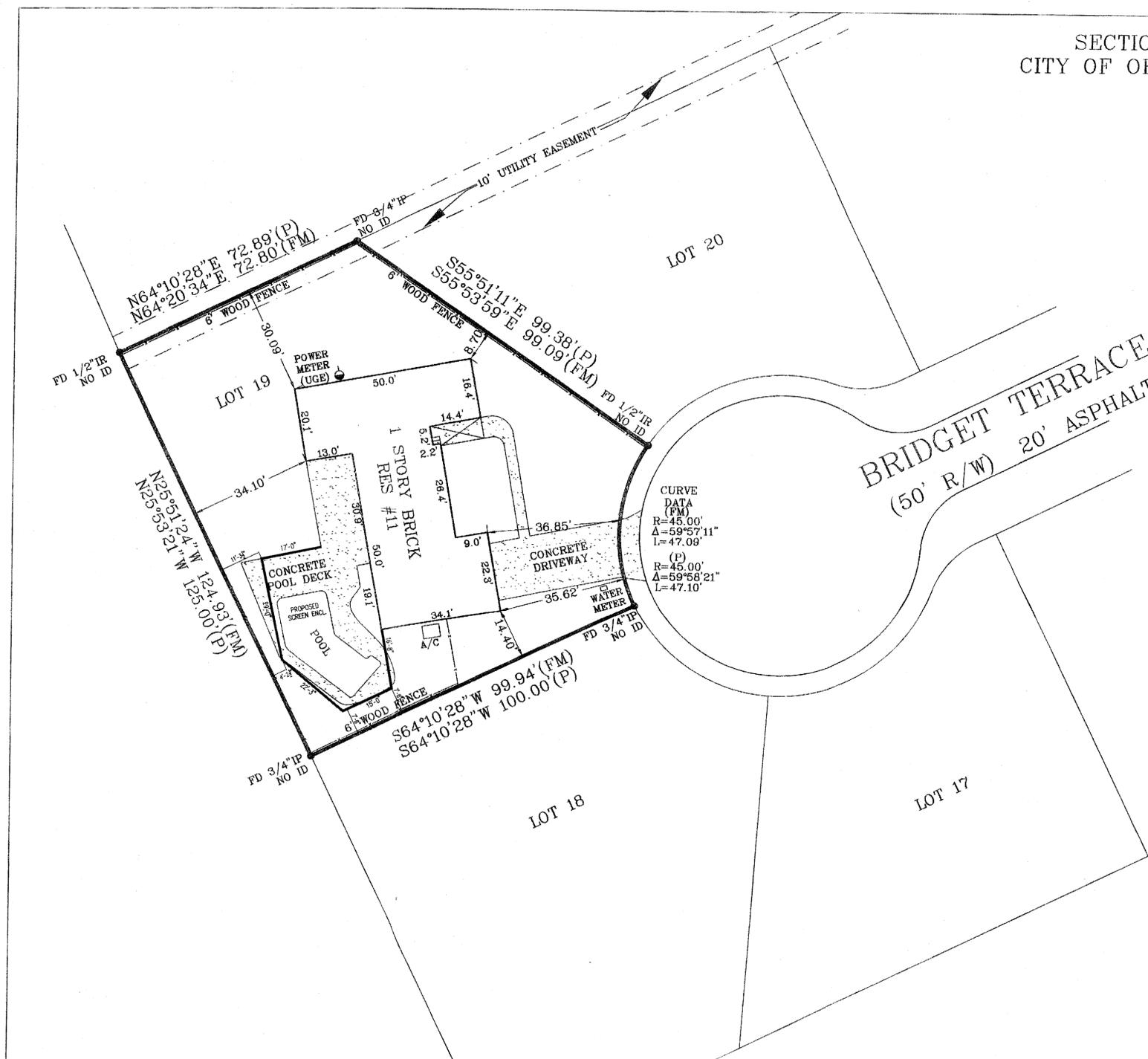
Boundary Survey

Survey Date: 9/13/2013	Drawing Number: 13-0458	Scale: 1" = 20'
For: JOSEPH A. & KELLY SUE EGGERS		Drawn By: LE JR

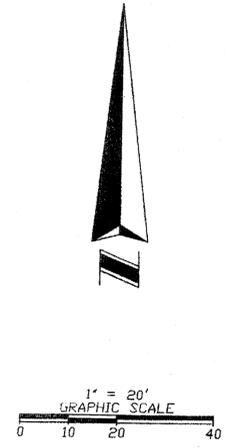
I HEREBY CERTIFY THIS SURVEY DRAWING TO BE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND COMPLIES IN FORM WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-8, F.A.C. PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

LARRY R. EFIRD JR.
 Professional Surveyor & Mapper
 No. 5823

SECTION 42, TOWNSHIP 13, RANGE 32 EAST
CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA.



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DESCRIPTION: (PER GRB 6883 PG. 4564)
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EFIRD SURVEYING GROUP, INC.			Boundary Survey		
475 S. BLUE LAKE AVENUE DELAND, FLORIDA 32724			I HEREBY CERTIFY THIS SURVEY DRAWING TO BE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND COMPLIES IN FORM WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, F.A.C. PURSUANT TO SECTION 472.027, FLORIDA STATUTES.		
PHONE: (386) 740-4144 FAX: (386) 740-4155 e-mail: lefird@bellsouth.net			Survey Date: 9/13/2013	Drawing Number: 13-0458	Scale: 1"=20'
Certificate Of Authorization Licensed Business Number 7230			For: JOSEPH A. & KELLY SUE EGGERS		
			 LARRY R. EFIRD JR. Professional Surveyor & Mapper No. 5853		

CITY OF ORMOND BEACH

FLORIDA

PLANNING

MEMORANDUM

TO: Board of Adjustment and Appeals members

FROM: Steven Spraker, AICP, Senior Planner

DATE: October 24, 2013

SUBJECT: Summary of vaiances approved by the BOAA and administrative varinaces

Attached are two summaries: (1) listing of variance cases reviewed since fiscal year 2006-2007 and there status and (2) listing of administrative variances approved by the Planning Department. These lists are provided for your information to detail the history of variances, what has been approved, and what has actually been constructed.

If you have any questions or need additional information, please contact me at Steven.Spraker@ormondbecah.org or at (386) 676-3341. Thank you.



CITY OF ORMOND BEACH

City Manager • 22 S. Beach Street • Ormond Beach • Florida • 32174 • (386) 676-3200 • Fax (386) 676-3384

CITY MANAGER MEMORANDUM

To: The Honorable Mayor Kelley and City Commissioners
Through: Joyce A. Shanahan, City Manager
From: Ric Goss, Planning Director
Date: July 30, 2013
Subject: Administrative Variances Report

Introduction

This is a consent agenda item asking the City Commission to receive and accept this report pursuant to Section 4-03 D. 3. c of the Land Development Code regarding the administrative granting of alternative standards and administrative relief.

Background

In 2008 and 2009 the Planning Department implemented a number of improvements that streamlined the development review process as well as the development procedures outlined in the Land Development Code. Prior to administrative relief for minor variances to code standards, all relief from standards required a discretionary review and a fee of \$704.00 for an application to the Board of Adjustment. The implementation of the administrative relief and alternative standard provision was to grant minor deviations from a yard or area standard that had no impact on adjacent property.

Analysis

Since the code revision, the Planning Director has approved 28 variations to yard or area standards. The overwhelming numbers of approved variations to code are associated with pool enclosures and encroachments into the rear yard setbacks. These variations are so minor that adjacent property owners have not noticed the variation since in all cases the variation is 10% or less of the standard.

Recommendation

No recommendation is provided. This is a receive and accept report to the City Commission as required by the Land Development Code on the Planning Department's prudent use of the administrative relief and alternative standard provisions of the code

Attachments:

- Administrative Variances (PDF)

REVIEWED BY:


Kelly McGuire, Finance Director 6/27/2013


Theodore MacLeod, Assistant City Manager 7/3/2013

APPROVED BY:


Joyce A. Shanahan, City Manager 7/25/2013

Alternative Standard Record of Action

Fiscal Year 2008-2009					
#	Date	Location	Description of Action	Regulation	Variance
1	July 22, 2009	924 Northbrook Drive	Reduction of pool screen enclosure setback from 10' to 5' based on fact that the property abuts the Tomoka State Park. Standard allows the reduction to 5 feet for the pool screen enclosure if property abuts an HOA common area or conservation area.	Section 2-50.X.c.2	Reduction to a 5 foot pool screen enclosure setback

Fiscal Year 2009-2010					
#	Date	Location	Description of Action	Regulation	Variance
1	November 20, 2009	717 Luna Drive	Construction of a garage addition of 8 feet. Based on the existing front property line, there is a small triangle clip of the required 30 foot setback of no more than 3 feet.	Section 2-14.B.9.a	Reduction of front yard setback from 30 feet to 27 feet for a small triangle clip.
2	January 8, 2010	1040 Arroyo Parkway	Placement of a mobile home on a non-conforming lot that is 80 feet wide and 70 feet deep. The requests proposes a 1foot front yard adjustment and 1.5 foot rear yard adjustment.	Section 2-21.9a.b.	Front setback: Reduce setback to 24 feet, 1 foot variance Rear setback: Reduce setback to 18.5 feet, 1.5 foot variance.
3	September 9, 2010	778 N. Ridgewood Avenue	Expansion of single family house	Section 2-21.9a.b.	Allow a .03' or 3% side yard variance, with the resulting setback of 9.8'.

Attachment: Administrative Variances [Revision 1] (1620 : Administrative Variances Report)

Fiscal Year 2010-2011					
#	Date	Location	Description of Action	Regulation	Variance
1	January 6, 2011	93 Abacus Drive	Side yard encroachment of .67' for a new single-family house based on a survey error.	Deer Creek Plat	Allow a .67' side yard encroachment with a resulting setback of 9.33'.
2	March 17, 2011	72 Sounders Trail Circle	Allow a 1' encroachment for a pool screen enclosure over an existing pool, with a resulting rear yard setback of 9' for the pool screen enclosure.	Section 2-50.X.c.2	Allow a 1' rear yard encroachment with a resulting setback of 9' for a pool screen enclosure.
3	April 29, 2011	5 Creeksbridge Court	Allow a sidewalk to be constructed to the property line as part of the Tymber Creek zero lot subdivision.	Section 2-50.W	Allow a 5' reduction of the sidewalk setback to 0' based on the zero lot line subdivision.
4	June 23, 2011	10 Brookside Court	Allow a 0.70' encroachment for a pool screen enclosure over an existing pool, with a resulting rear yard setback of 9.3' for the pool screen enclosure.	Section 2-50.X.c.2	Allow a 0.70' rear yard encroachment with a resulting setback of 9.3' for a pool screen enclosure.
5	July 13, 2011	2 Reflections Drive	A 2.5' encroachment into a 25' rear yard setback for a partial hard roof screen in porch addition.	Section 2-17.B.1.b	Allow a 2.5' rear yard encroachment with a resulting setback of 22.5' for a partial hard roof screen in porch.
6	August 24, 2011	359 Wilmette Circle	Allow a 1' encroachment for a pool screen enclosure over an existing pool, with a resulting rear yard setback of 9' for the pool screen enclosure.	Section 2-50.X.c.2	Allow a 1' rear yard encroachment with a resulting setback of 9' for a pool screen enclosure.

Attachment: Administrative Variances [Revision 1] (1620 : Administrative Variances Report)

Fiscal Year 2011-2012					
#	Date	Location	Description of Action	Regulation	Variance
1	November 7, 2011	219 Fairway Drive	Allow a 1' encroachment for a pool screen enclosure over an existing pool, with a resulting rear yard setback of 9' for the pool screen enclosure.	Section 2-50.X.c.2	Allow a 1' rear yard encroachment with a resulting setback of 9' for a pool screen enclosure.
2	April 20, 2012	15 N. Laurel Creek Court	Constructed new single-family house located 1.1' into the required front yard setback of 25'.	Creekside plat setback of 25' for front yard.	Allow a 1.1' front yard encroachment with a resulting setback of 23.9' for a new single-family house.
3	May 17, 2012	216 Ponce DeLeon Drive	Proposed construction of a single-family house with a 0.30' encroachment into the required rear yard setback.	Section 2-15.B.9.b	Allow a 0.30' rear yard encroachment with a resulting setback of 24.70' for a single-family house.
4	August 24, 2012	788 A Flamingo Drive	Construct a new carport in Ocean Village Villas with a 18' side yard setback.	Section 2-17.B.9.c	Allow a 2' side yard encroachment with a resulting setback of 18' for a new carport structure.

Attachment: Administrative Variances [Revision 1] (1620 : Administrative Variances Report)

Fiscal Year 2012-2013					
#	Date	Location	Description of Action	Regulation	Variance
1	January 16, 2013	6 Black Pine Way	Allow a 1' encroachment for a pool screen enclosure over a proposed pool, with a resulting rear yard setback of 9' for the pool screen enclosure.	Section 2-50.X.c.2	Waiver of 1' rear yard setback (10% of the standard) with a resulting setback of 9' for a pool screen enclosure.
2	January 18, 2013	145 North Nova Road	Waiver of two parking spaces associated with a building expansion of 150 square feet.	Section 3-26	Waiver of 2 parking spaces, 17 parking spaces exist (10% of the standard) .
3	January 25, 2013	272 Putnam Drive	Grant a 2.5' administrative variance and allow a garage setback with a setback of 22.5'.	Section 2-15.B.9.a	Waiver of 2.5' in the front yard for the construction of a garage (10% of the standard).
4	March 6, 2013	647 Oceanshore Boulevard	Grant a 4" administrative variance on each side to allow the addition of brick to the first floor for a new single-family house.	2-12.B.9.c	Waiver of 4" to each side yard setback. One side yard setback will be 7' 8" (a 4% variance) and the other side yard will be 11'8" (a 3% variance).
5	March 6, 2013	68 S Saint Andrews Street	Grant a 2.45' administrative variance for the front yard to allow a 7' garage expansion.	2-13.B.9.a	Waiver of 2.45' (8% of the standard) from the required 30' setback with a resulting setback of 27.55' for a garage expansion.
6	March 6, 2013	736 Riverside Drive	Grant a 12.9' administrative variance for the waterfront yard to allow the construction of a new single-family house.	2-12.B11	Waiver of 12.9' (10% of the standard) from the required 129.73' setback with a resulting setback of 116.83'.

Attachment: Administrative Variances [Revision 1] (1620 : Administrative Variances Report)

7	April 4, 2013	1415 Oak Forest Drive	Grant a 7' administrative variance to the calculated water front yard setback to allow a room addition, the resulting setback is 63'.	2-13.B.11	Waiver of 7' (10% of the standard) from the required 70' setback with a resulting setback of 63' for a room addition.
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Fiscal Year 2012-2013 continued					
#	Date	Location	Description of Action	Regulation	Variance
8	April 29, 2013	1303 N. Beach Street	Grant a 3" administrative variance to the driveway setback of 3', with a resulting setback of 2'9".	Section 2-50.V	Waiver of 3" (10% of the standard) from the required setback of 3' with a resulting setback of 2'9".
9	May 14, 2013	96 Hollow Branch Crossings	Grant a 2' administrative variance to allow the construction of a hard roof screen room.	Section 2-17.B.9.b.	Waiver of 2' (10% of the standard) from the required setback of 20' with a resulting setback of 18'.
10	June 6, 2013	13 N. Laurel Creek Court	Construction of a new single-family house located 1.7' into the required front yard setback of 25'.	Creekside plat setback of 25' for front yard.	Waiver of 1.7' (6.8% of the standard) from the front yard setback with a resulting setback of 23.3' for a new single-family house.
11	June 6, 2013	58 Apian Way	Construction of new single-family house located 2' into the required rear yard setback of 20'.	Tuscany plat setback of 20' for rear yard.	Waiver of 2' (10% of the standard) from the rear yard setback with a resulting setback of 18' for a new single-family house.
12	June 19, 2013	136 Banyan Drive	Allow a 1' encroachment for a screen room with a resulting rear yard setback of 9'.	Section 2-50.aa	Waiver of 1' (10% of the standard) of the rear yard setback with a resulting setback of 9' for a room screen enclosure.

Attachment: Administrative Variances [Revision 1] (1620 : Administrative Variances Report)

13	June 27, 2013	163 Hamlet Trace	Construction of a carport in association with other house additions located 1.43' into the required front yard setback of 25'.	Section 2-11.B.9.a	Waiver of 1.53' (6.1% of the standard) of front yard setback with a resulting setback of 23.47' for a carport in association with other house additions.
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Variance Summary - updated 10.24.2013

Case Number	Address	Board Action	Hearing Date	Date Signed	Expiration Date	Permit		CO/CC Issued	Variance Request								
						Date Issued	Number		Request	Yard	Required	Setback Requested	Setback Granted	Variance Granted	Book	Page	
Fiscal Year 2012-2013																	
13	77	711 South Atlantic Avenue	Approved	07.31.13	08.08.13	07.31.13	10.18.13	13-5733	Under Construction	Porte cochere	Front	30'	10'	20'	20'	6895	1455
13	72	141 Cardinal Avenue	Approved	07.31.13	08.09.13	07.31.13	Lot split approved 08.19.13, no building permit needed for split			Lot Width	Lot Width	100'	91'	91'	9'	6895	1450
										Lot split	Side	20'	9.98' & 17.98'	9.98' & 17.98'	10.02' & 2.02'		
13	45	7 Oriole Circle A	Approved	03.06.13	03.21.13	03.06.14	None	None	None	Addition	Rear	20'	0'	0'	20'	6840	3259
										Addition	Side	20'	5'	5'	15'		
13	43	272 Putnam Avenue	Approved	03.06.13	03.21.13	03.06.14	02.01.13 (project under construction when varinace applied for	13-1229	09.18.13	House addition/remodel	Waterfront yard	30'	15'	15'	15'	6840	3263
13	37	1387 West Granada Boulevard	Approved	02.06.13	02.19.13	02.06.14	04.26.13	13-2955	08.27.13	new building	Side	20'	10'	10'	10'	6827	3618
										Parking	Parking	10 spaces	9 spaces	9 spaces	1 space		
13	17	1520 West Granada Boulevard	Approved	12.05.12	12.05.12	12.05.13	02.13.13	12-4877	04.24.13	Replace gas canopy	Front	40'	0'	0'	40'	6793	2418
13	14	305 Thackery Road	Approved	12.05.12	12.05.12	12.05.13	12.11.12	13-57	01.24.13	Screen Room	Rear	20	9'	9'	11'	6793	2414
12	139	21 Ocean Shore Boulevard	Approved	11.07.12	11.14.12	11.28.13	03.11.13	13-1819	10.07.13	Building	Front	30'	14.5'	14.5'	15.5'	6787	4162
12	135	394 Idlewood Drive	Approved	10.10.12	10.11.12	10.19.13	Expired	Expired	Expired	Building Addition	Rear	25'	19.5'	19.5'	5.5'	6772	4117
										Screen Room	Rear	25'	22.60'	22.60'	2.4'		
										Porch Overhang	Side Corner	20'	12'	12'	8'		
Fiscal Year 2011-2012																	
12	129	200 John Anderson Drive	Approved	09.13.12	09.20.12	09.28.13	07.11.13	13-4376	Under Construction	Building Addition	Waterfront	71,4'	52.61'	52.61'	18.79	6763	3447
12	121	10 Oriole Circle B	Approved	08.01.12	08.15.12	08.01.13	10.30.12	13-215	12.28.12	Building Addition	Front	25'	8.5'	8.5'	16.5'	6748	3992
12	96	121 East Granada Boulevard	Approved	06.27.12	07.03.12	06.27.13	06.27.13	13-4279	No construction, expires 12.27.13	Building Addition	Rear	30'	22.75'	22.75'	7.25'	6731	2552
									Side		10'	6.2'	6.2'	3.8'			
									Side landscape		6'	0'	0'	6'			
12	79	90 Raintree Lane	Denied	05.02.12	05.09.12	Denied	Denied	Denied	Denied	Pool and deck	Waterfront (pool)	54.17'	2.9'	Denied	Denied	6712	2143
											Deck	5'	2,9'	Denied	Denied		
12	77	176 Woodland Avenue	Approved	05.02.12	05.09.12	05.02.13	07.18.12	12-3851	None	Pool Screen Enclosure	Rear	10'	1.58'	1.58'	8.42'	6712	2138
											Side	7.5'	1.75'	1.75'	5.75'		
12	64	325 South Atlantic Avenue	Approved (4-1)	03.07.12	03.14.12	03.07.13	Demo issued 03.04.13	Demo 13-1963	Demo finalized 08.21.13 - have 6 months for inspection	Accessory dwelling	Front	30'	15'	15'	15'	6693	2326
										New house	Sides	min 8' total 20'	7' north, 7' south, 14' combined	7' north, 7' south, 14' combined	5' north, 1' south, 6' combined		
12	58	26 Chippingwood Lane	Approved	03.07.12	03.14.12	03.07.13	12.19.12	13-1121	01.11.13	Sun room addition	Rear	25'	15.44'	15.44'	9.56'	6693	2331
12	21	739 Alazcar	Approved	01.04.12	01.06.12	01.04.13	03.16.12	12-2049	05.02.12	Garage Addition	Sides	min 8' total 20'	5.68', 14.63' combined	5.68', 14.63' combined	2.32', 5.37' combined	6670	1156

Case Number	Address	Board Action	Hearing Date	Date Signed	Expiration Date	Permit		CO/CC Issued	Variance Request								
						Date Issued	Number		Request	Yard	Required	Setback Requested	Setback Granted	Variance Granted	Book	Page	
Fiscal Year 2010-2011																	
11	103	831 East Lindenwood Circle	Denied (3-2)	09.07.11	09.16.11	NA	Denied	Denied	Denied	Playhouse	Side	7.5'	3'	7.5' required	Denied	6635	444
11	100	198 South Atlantic Avenue	Approved	09.07.11	09.16.11	09.07.12	12.15.11	12-823	02.20.12	Addition	Side	10'	1.3'	1.3'	8.7'	6635	448
11	94	103 Oceanshore Boulevard	Approved	08.08.11	08.08.11	08.08.12	04.03.11	12-1853	12.21.12	Porch Addition	Oceanfront Yard	39.70'	32.68'	32.68'	7.02'	6620	3583
11	86	530 South Atlantic Avenue	Approved	07.06.11	07.14.11	07.06.12	08.29.11	11-4155	10.12.11	Enclose car wash	Rear	20'	5.1'	5.1'	14.9'	6612	2303
11	66	604 South Ridgewood Avenue	Approved	05.04.11	05.13.11	05.04.12	08.05.11	11-4336	09.01.11	Garage Addition	Side	8'	5.88'	5.88'	2.12'	6594	2080
11	8	46 Bluebird Lane	Approved	01.12.11	01.20.11	01.12.12	03.18.11	11-2263	No final	Screen Porch	Rear	25'	20'	20'	5'	6559	2682
11	5	301 Oak Drive	Approved	01.12.11	01.20.11	01.12.12	02.11.11	11-257	02.09.12	Addition	Side Corner	20'	16'	16'	4'	6559	2687
Fiscal Year 2009-2010																	
10	146	44 South Halifax Drive	Approved	12.01.10	01.20.11	12.01.10	01.02.11	11-1212	01.13.11	Shade Structure	Rear - Commercial	20'	15'	5'	15'	6559	2677
10	140	141 Country Club	Approved	10.06.10	10.25.10	10.06.11	11.10.11	10-3972	11.18.10	Pool Screen Enclosure	Rear -Pool	10'	5'	5'	5'	6532	361
											Side -Pool	7.5'	5'	5'	2.5'		
10	116	232 South Beach Street	Approved	07.07.10	07.14.10	07.07.11	10.25.10	10-4573	01.04.11	Dock	North Side	25'	17'	17'	8'	6496	4080
											South Side	25'	20'	20'	5'		
10	104	175 B Cardinal Drive	Approved	06.02.10	06.11.10	06.02.11	09.15.10	10-4595	03.23.11	Addition	Side Yard	20'	8'	8'	12'	6485	3724
10	103	175 A Cardinal Drive	Approved	06.02.10	06.11.10	06.02.11	09.15.10	10-4594	03.23.11	Addition	Side yard	20'	12.83'	12.83'	7.17'	6485	3720
10	83	16 Rio Pinar Trail	Approved	04.07.10	04.08.10	04.07.11	05.10.10	10-2527	05.11.10	Driveway	Driveway	40'	22'	22'	18'	6464	4760
10	75	116 Wildwood Avenue	Approved	04.07.10	04.08.10	04.07.11	08.20.10	10-4302	11.30.11	Addition	Rear Yard	25'	17.7'	17.7'	7.3'	6464	4756
10	72	494 Riverside Drive	Approved	04.07.10	04.08.10	04.07.11	05.11.10	10-1446	12.01.10	Addition	Waterfront Yard	47.5'	32.3'	32.3'	15.2'	6464	4752
10	64	559 Sandy Oaks Boulevard	Approved	03.02.10	03.03.10	03.02.11	07.20.10	10-3567	09.14.10	Addition	Rear Yard	20'	16'	16'	4'	6458	3139
10	59	901 North Beach Street	Approved	02.03.10	02.05.10	02.03.11	03.11.10	10-1111	09.12.11	Rear yard addition	Waterfront Yard	118'	81'	81'	37'	6445	2286
10	53	469 Druid Circle	Approved	02.03.10	02.05.10	02.03.11	03.24.10	10-1818	04.19.10	Screen room (hard roof)	Rear	25'	17'	17'	8'	6445	2277
10	43	Gaff's Sign (663 South Nova Road)	Approved	01.06.10	01.12.10	01.06.11	05.04.10	10-2521	06.10.10	Re-establish non-conforming sign	Sign square footage (S.F.)	28 S.F.	32 S.F.	32 S.F.	32 S.F.	6438	1687
											Setback	5'	1'	1'	1'		
											Reader Board color	white	yellow	yellow	yellow		
											% of reader board	50%	over 50%	over 50%	50%		
10	28	5 S YONGE ST - TEXACO	Approved	01.06.10	01.12.10	NA	Taking occurred				Landscape buffer	20%	1' to 10'	1' to 10'	10' to 19'	6438	1681
9	28000004	63 Carriage Creek	No variance required														
9	28000003	36 Twelve Oaks Trail	Approved	10.07.09	10.15.09	10.07.09	Expired	Expired	Expired	Rear yard Addition	Waterfront rear yard	62.5'	25.98'	30.99'	31.51	6410	1906

Case Number	Address	Board Action	Hearing Date	Date Signed	Expiration Date	Permit		CO/CC Issued	Variance Request						Book	Page		
						Date Issued	Number		Request	Yard	Required	Setback Requested	Setback Granted	Variance Granted				
Fiscal Year 2008-2009																		
9	28000002	5 Creeksbridge Court	Approved (3 requests), Denied (1 request)	06.03.09	06.23.09	06.03.10	06.03.10	10-3244	06.29.11	Front Yard addition	Front	20'	5.62'	5.62'	14.38'	6368	1872	
										North Side Yard	Side	7.5'	0.59'	0.59'	6.91'			
										Rear yard addition	Rear	20'	10.29'	10.29'	9.71'			
										South Side Yard	Side	7.5'	1.32'	Denied	Denied			
9	28000001	587 North Beach Street								No variance required								
8	28000012	485 South Atlantic Avenue	Approved	03.11.09	03.13.09	Completed	04.23.09	9-1165	08.25.09	Canopy Encroachment	Front	30'	8'	8'	22'	6333	4821	
8	28000011	75 Melrose Avenue	Denied	11.05.08	11.19.08	Denied	NA	NA	NA	Detached Garage	Rear	20'	10'	Denied	Denied	6298	4642	
Fiscal Year 2007-2008																		
8	28000010	139 South Atlantic Avenue	Approved	09.03.08	09.10.08	Expired	10.10.08	08-4452	Expired	Building Addition	Side	8'	6.08'	6.08'	1.92'	6277	4337	
8	28000009	2001 North Beach Street	Denied	08.06.08	08.22.08	Denied	NA	NA	NA	Building Addition	Side	8'	7.56'	7.56'	Denied	6270	3176	
8	28000008	16 Reflection Village	Approved	08.06.08	08.22.08	NA	08.18.08	8-4393	08.27.08	Generator Placement	Side	7.5'	5.0'	5.0'	2.5'	6270	3179	
8	28000007	2 Springwood Trail	Approved	06.04.08	06.10.08	NA	02.04.09	8-4360	05.06.09	Pool Screen Enclosure	Side Corner	20'	17'	17'	3'			
											Rear (pool screen)	5'	0'	0'	5'			
8	28000006	171 Rosewood Avenue	Approved	06.04.08	06.09.08	NA	07.22.08	8-2264	07.23.08	Carport	Side Street Corner	20	15.65'	15.65'	4.35'			
8	28000005	25 Pine Valley Circle	Approved	05.07.08	05.07.08	NA	11.14.08	9-580	09.08.09	Building Addition	Rear	25'	15.25'	15.25'	9.75'	6231	4257	
8	28000003	41 Herringbone Way								Withdrawn								
8	28000002	1245 West Granada Boulevard	Approved	05.07.08	05.07.08		Expired			Building addition	Side	20'	14'	14'	6'	6231	4261	
8	28000001	11 Raintree Court	Approved	04.02.08	04.09.08	NA	10.03.08	8-4340	04.23.09	Building Addition	Front	20'	10.93'	10.93'	9.07'	6219	2389	
											Rear	20'	14.90'	14.90'	5.10'			
											Side	7.5'	0.55'		0' - 34' from property line			
7	1224	229 Ann Rustin Drive	Denied	02.06.08	02.14.08	Denied	07.25.08	7-3834	07.28.08	After the fact - rear	Rear	25'	5'	Denied	Denied	6195	2175	
7	1219	6 Old Canyon Way	Approved	12.05.07	12.12.07	NA	02.11.08	8-1404	07.14.08	Rear lanai	Rear	20'	12'	12'	8'	6171	1581	
7	1218	5 Prairieview Lane	Approved	12.05.07	12.12.07	NA	02.27.08	8-1810	04.25.08	Pool Screen Enclosure	Rear	10'	3'	3'	7'	6171	1585	
7	1213	6 Saddlers Run	Approved	11.07.07	11.20.07	NA	06.19.08	8-1508	01.06.09	Rear addition	Rear	20'	14.17'	14.17'	5.83'	6162	2061	
7	1210	107 Driftwood Avenue	Approved	11.07.07	11.20.07	NA	12.07.07	8-642	06.04.08	Garage Addition	Front	30'	28.3'	28.3'	1.7'	6162	2065	
7	1203	154 Warwick Avenue	Approved	10.03.07	10.08.07	NA	04.23.08	08-2432	06.04.10	Two-story Addition	Side	8'	4.06'	4.06'	3.94'	6167	1591	
Fiscal Year 2006-2007																		
7	1188	335 S. Atlantic Avenue	Approved	09.05.07	09.13.07	NA	02.15.08	8-1379	09.25.08	Detached Garage & Accessory Apt.	Front	30'	15'	15'	15'	6127	772	
											Side	8'	4.8'	4.8'	3.2'			
7	1187	24 Queen Ann Court	Approved	09.05.07	09.13.07	Expired	09.08.08	8-4322	No Inspections - Expired	Pool Enclosure	Pool screen enclosure	10'	5'	5'	5'	6127	777	
7	1182	116 Hilldale Avenue	Approved	08.01.07	08.07.07	Expired	11.13.07	8-388	No Inspections - Expired	Porch addition	Front	30'	22'	22'	8'	6111	4480	
7	1179	93 Warwick Avenue	Denied	08.01.07	08.07.07	Denied	08.31.07	7-4317	Demo	Addition- After the fact	Rear	25'	8'	Denied	Denied	6111	4484	
7	1173	749 B Flamingo Drive	Approved	07.11.07	07.18.07	NA	08.07.07	7-2806	09.25.07	Screen Room	Rear	25'	15'	15'	10'	6098	4223	
7	1151	44 Briggs Drive	Approved	04.11.07	04.23.07	Constructed	05.29.07	6-5192	07.24.07	Dock	Setback	25'	10'	10'	15'	6050	690	
											Dock Width	8.6'	19' wide	19' wide	10.4' width			

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Fiscal Year 2006-2007 (continued)																	
7	1145	907 N. Halifax Drive	Approved	02.07.07	02.20.07	Constructed	03.20.07	7-2003	07.25.07	In ground pool	Front	30'	10'	10'	20'	6014	1220
7	186	227 Putnam Avenue	Approved	02.07.07	02.20.07	Constructed	06.29.07	7-3422	05.08.08	Garage	Front	25'	18.46'	18.46'	6.54'	6014	1216
7	185	75 Wye Drive	Approved	01.07.07	01.31.07	Constructed	03.06.07	7-1651	07.31.07	Addition	Rear	25'	19'	19'	6'	6004	3693
7	173	559 Cameo Drive	Denied	02.07.07	02.20.07	Denied	NA	NA	NA	Addition	Rear	20'	5'	Denied	Denied		
6	165	403 Idlewood Drive	Approved	11.01.06	11.01.06	Constructed	03.12.07	6-3772	03.03.08	New house	Front	30'	24'	24'	6'	5959	2474
6	163	750 West Granada Blvd.	Denied	11.01.06	11.01.06	Denied	NA	NA	NA	Addition	Side	20'	10'	Denied	Denied	5959	2461
6	162	171 Country Club Drive	Approved	11.01.06	11.01.06	Constructed	05.25.07	7-2811	03.13.08	Garage	Front	30'	20'8"	20'8"	9'4"	5959	2469
6	161	153 Arroyo Parkway	Approved	11.01.06	11.01.06	Expired	None	None	Expired	Addition	Rear	25'	16'	16'	9'	5959	2463
										Side	20'	17'	17'	3'			
6	160	116 Fairview Avenue	Approved	11.01.06	11.01.06	Constructed	04.03.07	7-1316	08.24.07	New House	Rear	25'	16'	16'	9'	5959	2466

Summary	Total Cases	Approved	Denied	Expired	Completed	Open	Approval %
Fiscal Year 2012-2013	9	9	0	1	6	2	100%
Fiscal Year 2011-2012	8	7	1	0	3	4	88%
Fiscal Year 2010-2011	7	6	1	0	5	1	86%
Fiscal Year 2009-2010	14	14	0	1	13	0	100%
Fiscal Year 2008-2009	3	2	1	0	2	0	67%
Fiscal Year 2007-2008	14	12	2	1	11	0	86%
Fiscal Year 2006-2007	15	12	3	3	9	0	80%