

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 8.7 FEET FOR AN ADDITION IN A PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (JON& MICHELLE JONES, APPLICANTS).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Michael Rumer **EXT.** 7387

Agenda Date 08/22/05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 8.7 FEET FOR AN ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (JON & MICHELLE JONES, APPLICANTS); OR
2. **DENY** THE REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 8.7 FEET FOR AN ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT); (JON & MICHELLE JONES, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: JON& MICHELLE JONES LOCATION: 1595 LAWNSDALE CIRCLE ZONING: PUD (COUNTRY LANE)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT PROPOSES TO CONSTRUCT A SUNROOM ADDITION (APPROXIMATELY 16' X 24') AND AN ATTACHED COVERED PORCH ADDITION (APPROXIMATELY 15.7 X 16') TO AN EXISTING HOME. • THERE IS NO RECORD OF PRIOR VARIANCES HAVING BEEN GRANTED FOR THIS PROPERTY.
STAFF FINDINGS	<ul style="list-style-type: none"> • THE PROPOSED ADDITION WOULD ENCROACH 11.5 FEET INTO THE MINIMUM 20 FOOT REAR YARD SETBACK. • THE GRANT OF THE REQUESTED VARIANCE WOULD CONFER SPECIAL PRIVILEGES DENIED TO OTHER PROPERTIES IN THE COUNTRY LANE PUD BY ALLOWING ENCROACHMENT INTO THE REAR YARD SETBACK WITHOUT THE DEMONSTRATION OF SPECIAL CIRCUMSTANCES OR HARDSHIP.

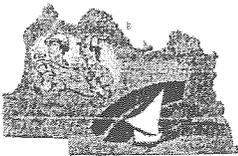
	<ul style="list-style-type: none">• NO SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY OR PROPOSED ADDITION HAVE BEEN DEMONSTRATED.
STAFF RECOMMENDATION	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, STAFF RECOMMENDS DENIAL OF THE REQUEST, UNLESS THE APPLICANT CAN DEMONSTRATE A HARDSHIP. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS OF APPROVAL:<ul style="list-style-type: none">• ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE PROPOSED ADDITION AS DEPICTED ON THE ATTACHED SITE PLAN; AND• ANY ADDITIONAL CONDITION(S) DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.

COMMISSION DISTRICT #:

GUI ZONED: PUD SEC: 26 TWP: 21 RNG: 30
 PROJ. #

DEVELOPMENT: Country Lane		DEVELOPER: Olin American	
LOCATION: 154 lots – 43.47 acres			
FILE#:	BA:	SP:	BCC: 10/20/83
P&Z:			
PB 28	PG 77, 78	Lot	Blk Parcel DBA Comm Dist
DEVEL. ORDER #:		TAX PAR. I.D. #:	
SIDEWALKS: Sidewalks along Lake Howell and Dike Roads, plus both sides of all interior roads.		SETBACK REQUIREMENTS	
		FY: 20'	SY: ** RY: 20'
ROAD TYPE: (CURB & GUTTER OR SWALE)		MAIN STRUCTURE OTHER: Patio Home – 1,100 sq. ft. Min. Lot size: 5,200 sq. ft. Min. ** SY – 2.5' on zero lot line and 7.5' on other side	
COMMENTS OTHER: 1) All recreational facilities will be completed prior to opening of any models and/or prior to conveyance of the first lot purchases (2 tennis courts, mini soccer and kickball fields, tot lot, gazebo and barbecue grills, along shoreline of Lake Florence. 2) Dedicate additional R/W along Howell Branch and Dike Road.		ACCESSORY STRUCTURE SETBACKS:	
		SY: **	RY: 5'
		ACCESSORY STRUCTURE OTHER:	

3) Pay pro-rata share of signalization at Howell Branch Road and Dike Road. 4) Landscaping as indicated in Section VII, Commitment Agreement. 5) Wood fence along rear of Lots 50-54. 6) Relocate retention pond underdrain for Pond B. 7) Engineering concerns regarding berms at the rear of Lots 31-39 must be addressed.	IMPACT FEES	
	SCREEN:	
	TRAFFIC ZONE:	
	LAND USE:	
	1. ROAD-CO. WIDE	
	2. ROAD-COLL.	
	3. LIBRARY	
	4. FIRE	\$10.00/unit
	5. PARK	
	6. SCHOOL	\$300.00/unit
7. LAW		
8. DRAINAGE		
	TOTAL	
REMARKS:		



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. Brl 2005-090

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

- VARIANCE** (Rear setback, requesting 11.3' variance) RYSEV from 20 Ft. to 8.7 Ft. for proposed addition
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
 - EXISTING (YEAR _____) PROPOSED (YEAR _____)
 - REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
 - ANTICIPATED TIME MOBILE HOME IS NEEDED _____
 - PLAN TO BUILD YES NO IF SO, WHEN _____
 - MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>JON & MICHELLE JONES</u>	<u>JON & MICHELLE JONES</u>
ADDRESS	<u>1595 LAUNDALE CIRCLE WINTER PARK, FL 32792-6166</u>	
PHONE 1	<u>(407) 678-5929 (HM)</u>	
PHONE 2	<u>(407) 380-4858 (OFF)</u>	
E-MAIL	<u>JONES6166@AOL.COM</u>	

PROJECT NAME: ADDITION OF FLORIDA ROOM (ENCLOSED) & OPEN PORCH

SITE ADDRESS: 1595 LAUNDALE CIRCLE, WINTER PARK, FL 32792-6166

CURRENT USE OF PROPERTY: Residential (building areas back yard)

LEGAL DESCRIPTION: LOT 105, Country Lane, as recorded in PLAT Book 28, PAGES 77 and 78, Public Records of Seminole County, Florida

SIZE OF PROPERTY: 5250 sq ft. 0.121 acre acre(s) PARCEL I.D. 262130568 Fed Flood MAP # 120289 0210 B Seminole County, dated May 5, 1991

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER 0000 1050 26-21-30-BGQ-0000-1050

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 22, AUG, 2005 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Jon Michael Jones 19 JUN 2005
 SIGNATURE OF OWNER OR AGENT* DATE

* Proof of owner's authorization is required with submittal if signed by agent.

MR

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME

ADDRESS

PHONE 1

PHONE 2

E-MAIL

NATURE OF THE APPEAL

APPELLANT SIGNATURE

FOR OFFICE USE ONLY

PROCESSING:

FEE(S): \$150.00 COMMISSION DISTRICT 4 FLU/ZONING PD / PD

BCC HEARING DATE (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS ^{West} side of Laverdale Cr 2 1/2 mi

N at intersection of Laverdale Cr & Fremont Ln

PLANNING ADVISOR FRM DATE

SUFFICIENCY COMMENTS PD (instead of A-1) shown on ~~environmental~~ ^{zoning} map interest

19 Jun 2005

Seminole County Board for Adjustment Application Process and Requirements
Variance

General Submission Submittal Requirements:

A. **Statement of Request:** Request back/rear yard setback variance from 20 feet to 8.7 feet for proposed addition of Florida/sunroom (16x24 feet enclosed) and adjacent covered porch (15.7 x 16 feet).

B. **Applicants:**

Jon and Michelle JONES
1595 Lawndale Circle
Winter Park, FL 32792-6166
(407) 678-5929 (Hm)
(407) 380-4858 (Off)
JONES6166@AOL.COM

C. **Project Name:** Addition of sunroom and porch.

D. **Site Address:**

1595 Lawndale Circle
Winter Park, FL 32792-6166

E. **Current use of property:** Residential single family home. Sunroom/porch will be added to the rear of the home on a added 16X39.7 foot cement slab.

F. **Legal Description of Property:**

LOT 105, Country Lane, as recorded in Plate Book 28, Pages 77 and 78, Public Records of Seminole County, Florida.

Zone C under Fed Insurance Administration Floor Hazard Map No. 120289 0201B, Seminole County, Florida. Dated: May 5, 1981.

G. **Size of Property:** 105x50 Feet; 5250 Sq Ft.; 0.121 acreage

H. **Dimensions of the lot or parcel:** 105x50 Feet; 5250 Sq Ft.; 0.121 acreage

I. **Arrow Indicating North:** Refer to attaché drawing and survey document.

J. **Location and name of abutted streets or roads:** See attached map. Front of house open to Lawndale Circle. There is a single family dwelling adjacent on both sides of the property. To the rear is another single family dwelling that fronts to Tremont Lane. There is 67 feet plus of Country Lane Homeowners Association community property between my rear property line and the rear property line of the home behind mine.

K. **Location and size of existing proposed septic:** Not applicable.

L. **Location, size and type of any trees to be removed or retained:** Not applicable.

M. **Location and width of all easements:** There is a 7.5 foot utility easement on the rear side (southwest side) of my property, 2.0 feet utility easement on northwest side and southeast side.

N. **Location and Width of existing or proposed driveway access:** There is an existing 16.0 foot wide driveway to my home. No other drive way is required for this project.

O. **Parcel Identification Number (assigned by Property Appraiser):**

26 21 30 5GQ 00001050 .

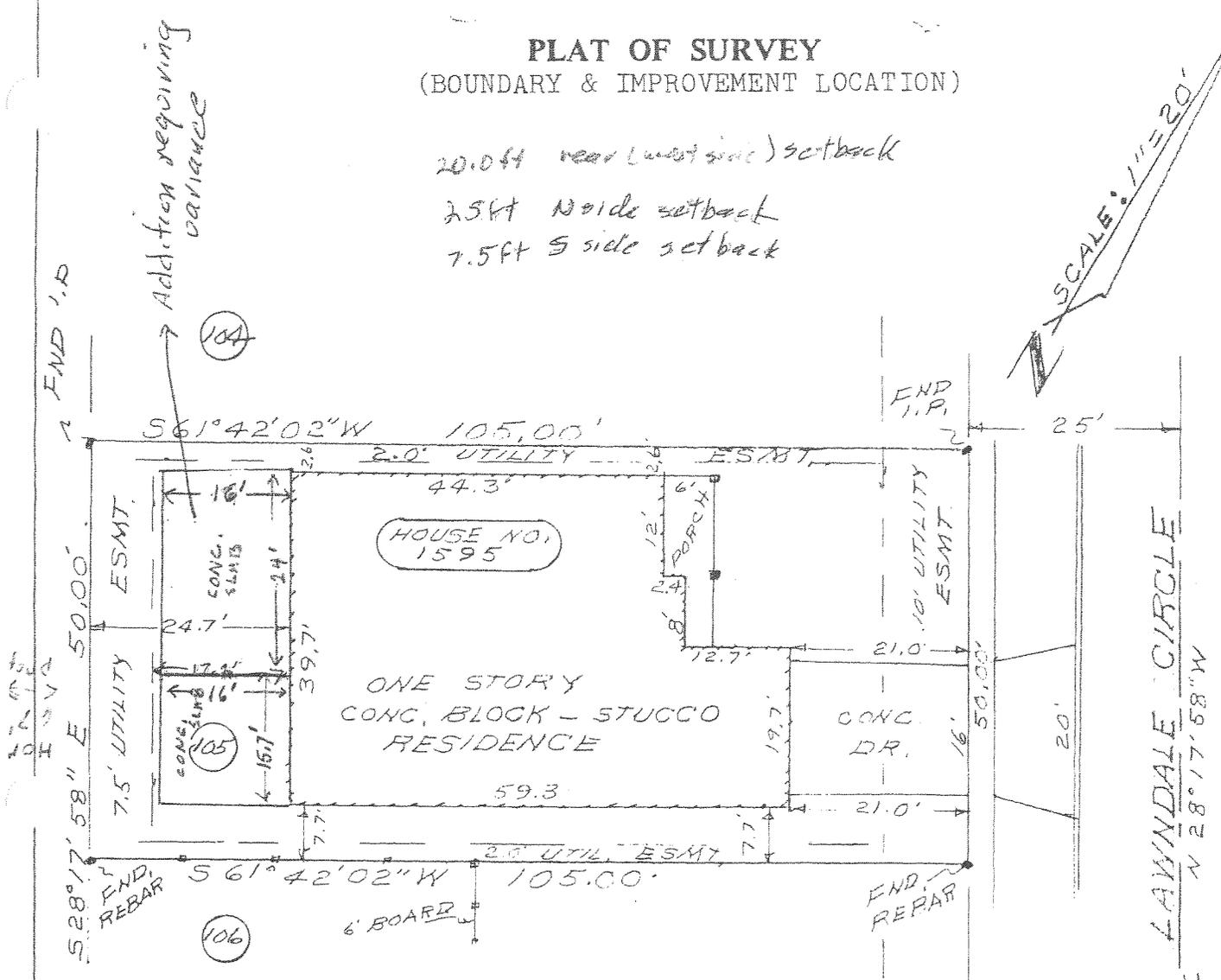
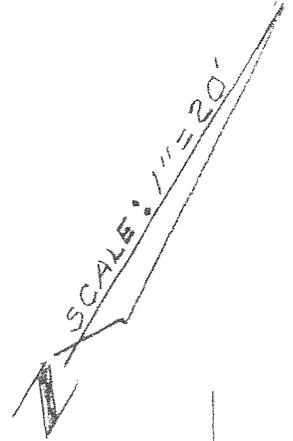
- P. Identification of available utilities: My home has Seminole County water, sewage and Progress Energy electricity. The addition would have 120 v/240 vac added with fans.
- Q. Description of known code enforcement violations on property: None
- R. Property accessibility to inspection by Planning Division Staff: Yes, no obstructions or fences. Open access to back yard.
- S. Application Fee (Attached \$150 check):
- T. Authorization form (if the applicant and owner are not the same): Not applicable
- U. 8 ½ x 11" site plan depiction existing and proposed building structures and improvements: See survey drawing and other attached drawing.
- V. Written statement that responds to criteria stated in the Land Development Code for the grant of a variance: The granting of a variance to the rear setback of my property would allow reasonable use of my land, building or structure. It would not increase the size of the house beyond existing home sizes in the community. Keeping the northwest wall solid (no windows or doors) would maintain and be in concert with existing community privacy design (one side is solid for the entire home). The variance would not impact the adjacent homes to my home. Both my adjacent neighbors have said they have no objection to the addition and variance request. As there is 67-90 feet of County Lane community land between my rear lot line and the rear lot line of the home behind me, the addition would not impose any encroachment/privacy issues to the properties behind my property.

Additional Submittal Requirements:

- A. Location, Size and setbacks from property lines for all proposed of existing mobile homes, conventional homes, and accessory structures such as fences, walls, pools, pool screen enclosures, utility buildings, boat docks, etc: Refer to drawing on graph paper. The addition of the 16x39.7 foot slab on the back of the house would maintain side setback requirements. The only variance required is to change the 20.0 foot rear setback to an 8.7 foot rear setback.
- B. Location of concrete pads driveways, and sidewalk: Refer to survey drawing and attached graph paper drawing.

PLAT OF SURVEY (BOUNDARY & IMPROVEMENT LOCATION)

20.044 rear (west side) setback
2.5ft No side setback
7.5ft S side setback



THIS SURVEY IS CERTIFIED TO:

WARLICK, FASSETT, DIVINE & ANTHONY, P.A.,
NAVY FEDERAL CREDIT UNION,
JON M. JONES

BASIS OF BEARINGS:
Recorded Plat

DESCRIPTION

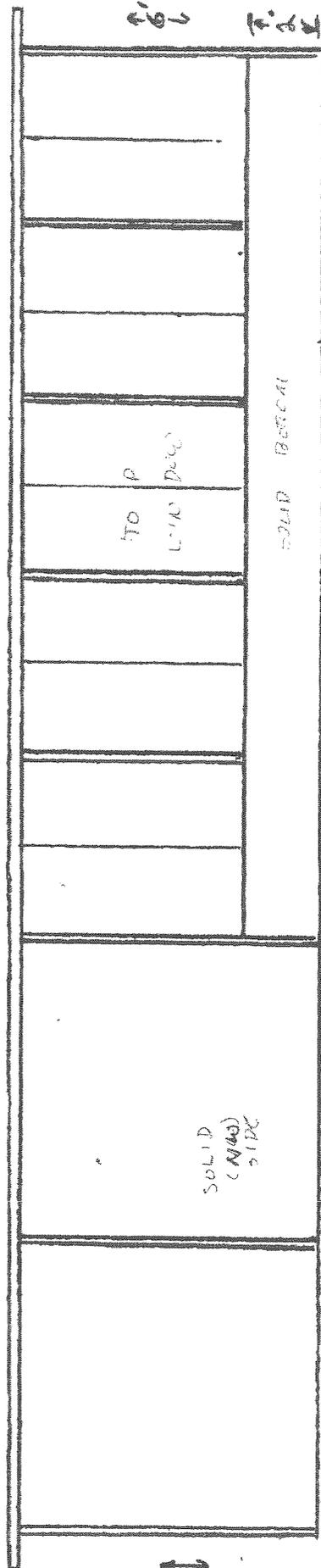
Lot 105, COUNTRY LANE, as recorded in Plat Book 28, Pages 77 and 78, Public Records of Seminole County, Florida.

This is to certify that the above described property is in ZONE "C", as determined by the Federal Insurance Administration Flood Hazard Boundary Map and is not located in a Flood-prone Area.

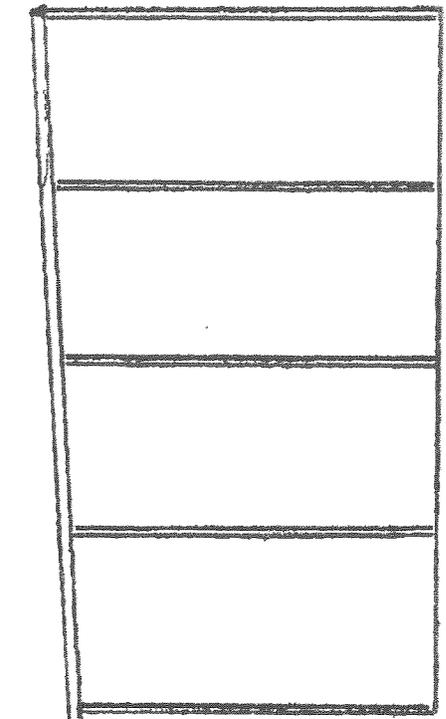
MAP NO. 120289 0210 B, SEMINOLE COUNTY, FLORIDA, Dated: May 5, 1981

SURVEYOR'S CERTIFICATE

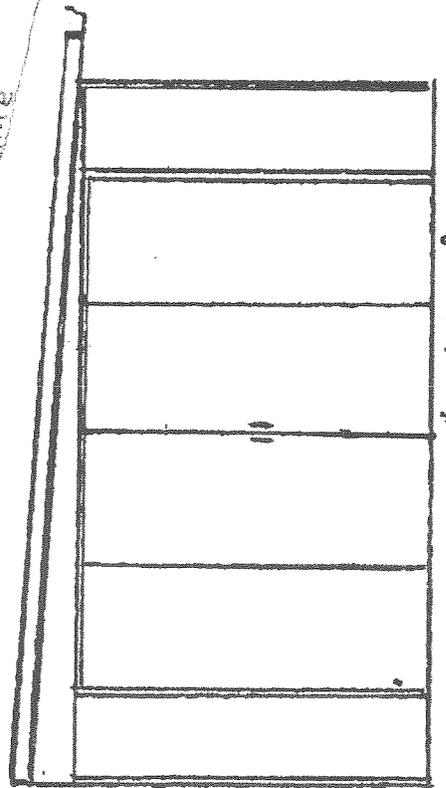
Jones
1/4" = 1'



24' REAR (SW) SIDE



SAME



SOLID Panel wall

NW SIDE

SE SIDE

16'

18'

Eden Construction Corporation

CERTIFIED GENERAL CONTRACTOR
CAC060

HOST OF THE
Florida Home & Garden Show
Saturday 10:00 am

Heard On

AM-580 WDBO

CHARLES HANCOCK

Project Consultant

407-388-9106

425 S. Chickasaw Trail #251 | Orlando, Florida 32825
407-671-9697 | Fax 407-671-2223

www.edenconstruction.com



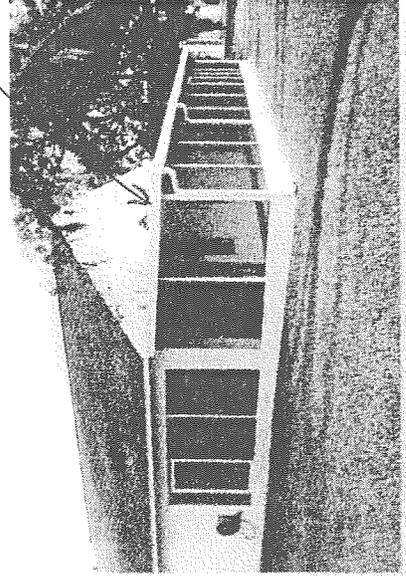
Gable Screen Room

Screen Rooms

- Made of Aluminum for durability, low maintenance and strength.
- Built to meet Florida unified building code.
- Custom built for your home.
- Able to enclose with windows for year-round enjoyment.
- Insulated roofs with 10 year manufacturer warranty.

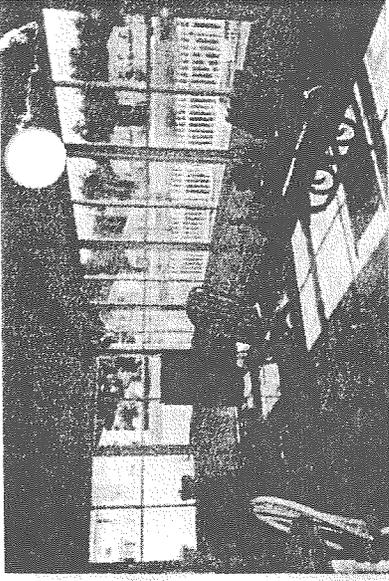
*will sustain
120 mph +
winds
patented
aluminum
with foam
inside
Double pane
windows*

This roof line



Slope Roof and Screen Wall

(407) 671-9697



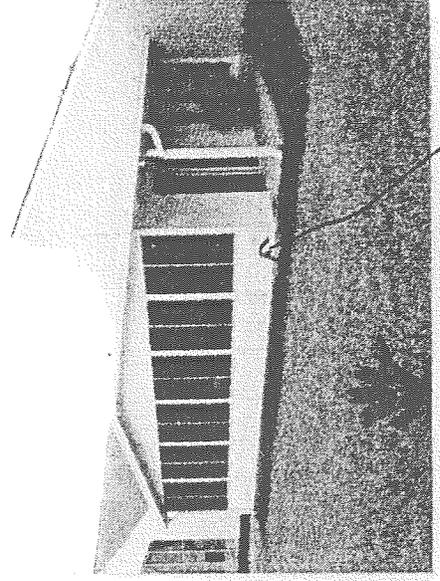
Enclosed Acrylic Windows with Electric

Aluminum Sun Rooms

Bring the outside in with comfort and affordability.

Great for entertaining game rooms, home offices, and more...

We build complete including electric and A/C.



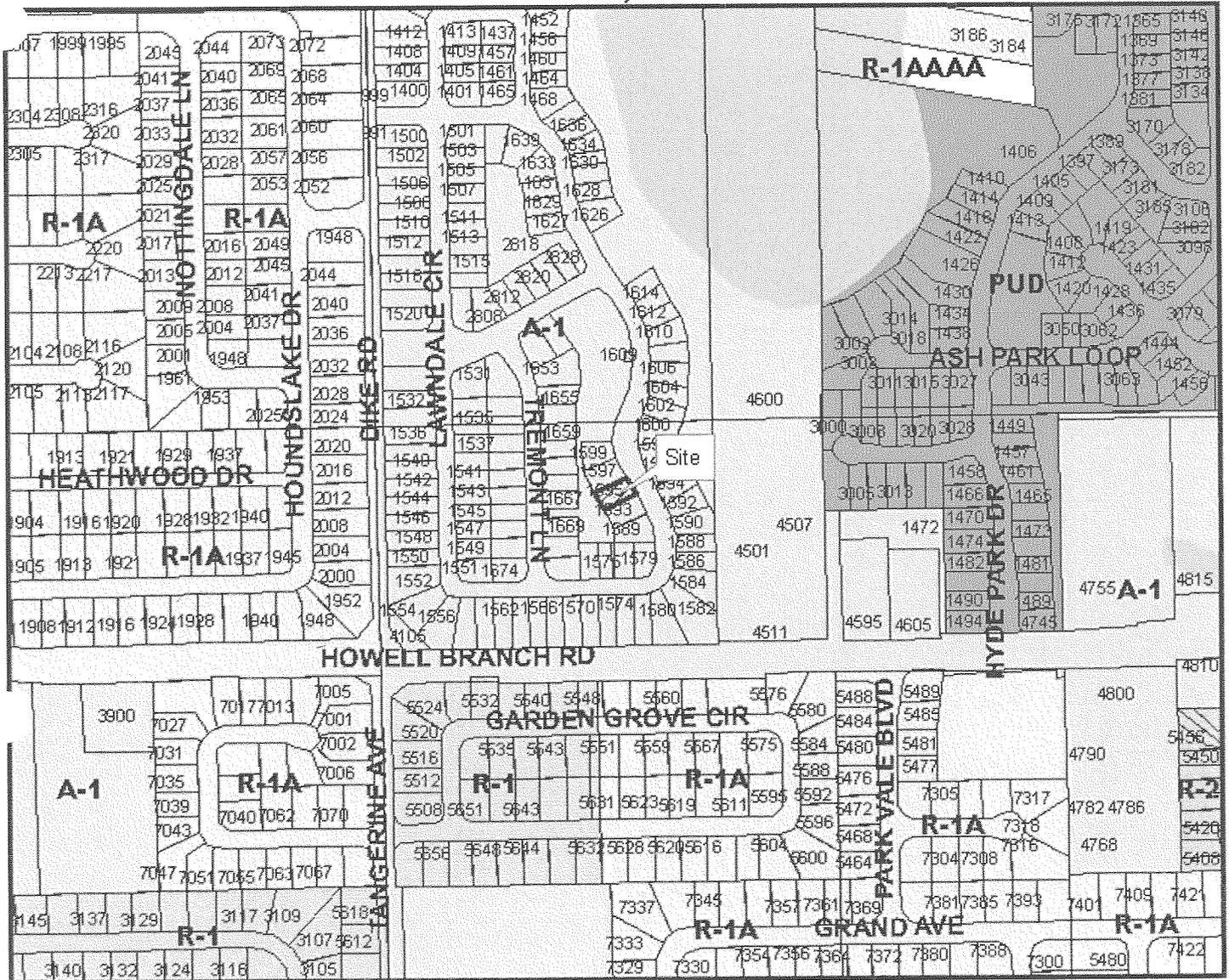
Sun Room with Open Patio

(407) 671-9697

*simba design
not flat roof*

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																																													
<p>GENERAL</p> <p>Parcel Id: 26-21-30-5GQ-0000-1050 Tax District: 01-COUNTY-TX DIST 1 Owner: JONES JON M & MICHELLE Exemptions: 00-HOMESTEAD Address: 1595 LAWNSDALE CIR City,State,ZipCode: WINTER PARK FL 32792 Property Address: 1595 LAWNSDALE CIR WINTER PARK 32792 Subdivision Name: COUNTRY LANE Dor: 01-SINGLE FAMILY</p> <p style="text-align: right;"><i>pld pd</i></p>		<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$115,190 Depreciated EXFT Value: \$713 Land Value (Market): \$25,000 Land Value Ag: \$0 Just/Market Value: \$140,903 Assessed Value (SOH): \$92,501 Exempt Value: \$25,000 Taxable Value: \$67,501 Tax Estimator</p>																																											
<p>SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>09/1993</td> <td>02655</td> <td>0680</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1990</td> <td>02215</td> <td>1739</td> <td>\$84,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>08/1985</td> <td>01667</td> <td>1286</td> <td>\$90,200</td> <td>Improved</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	QUIT CLAIM DEED	09/1993	02655	0680	\$100	Improved	WARRANTY DEED	08/1990	02215	1739	\$84,000	Improved	WARRANTY DEED	08/1985	01667	1286	\$90,200	Improved	<p>2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$1,652 2004 Tax Bill Amount: \$1,095 Save Our Homes (SOH) Savings: \$557 2004 Taxable Value: \$64,807 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																			
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<p>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.</p>																																													

**Jon & Michelle Jones
1595 Lawndale Circle
Winter Park, FL 32792**



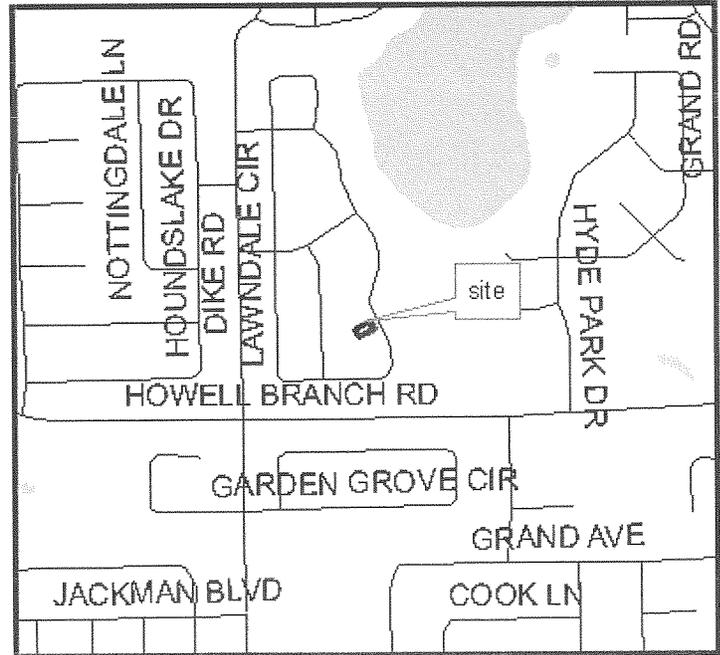
**Seminole County Board of Adjustment
August 22, 2005
Case: BV2005-090
Parcel No: 26-21-30-5GQ-0000-1050**

Zoning

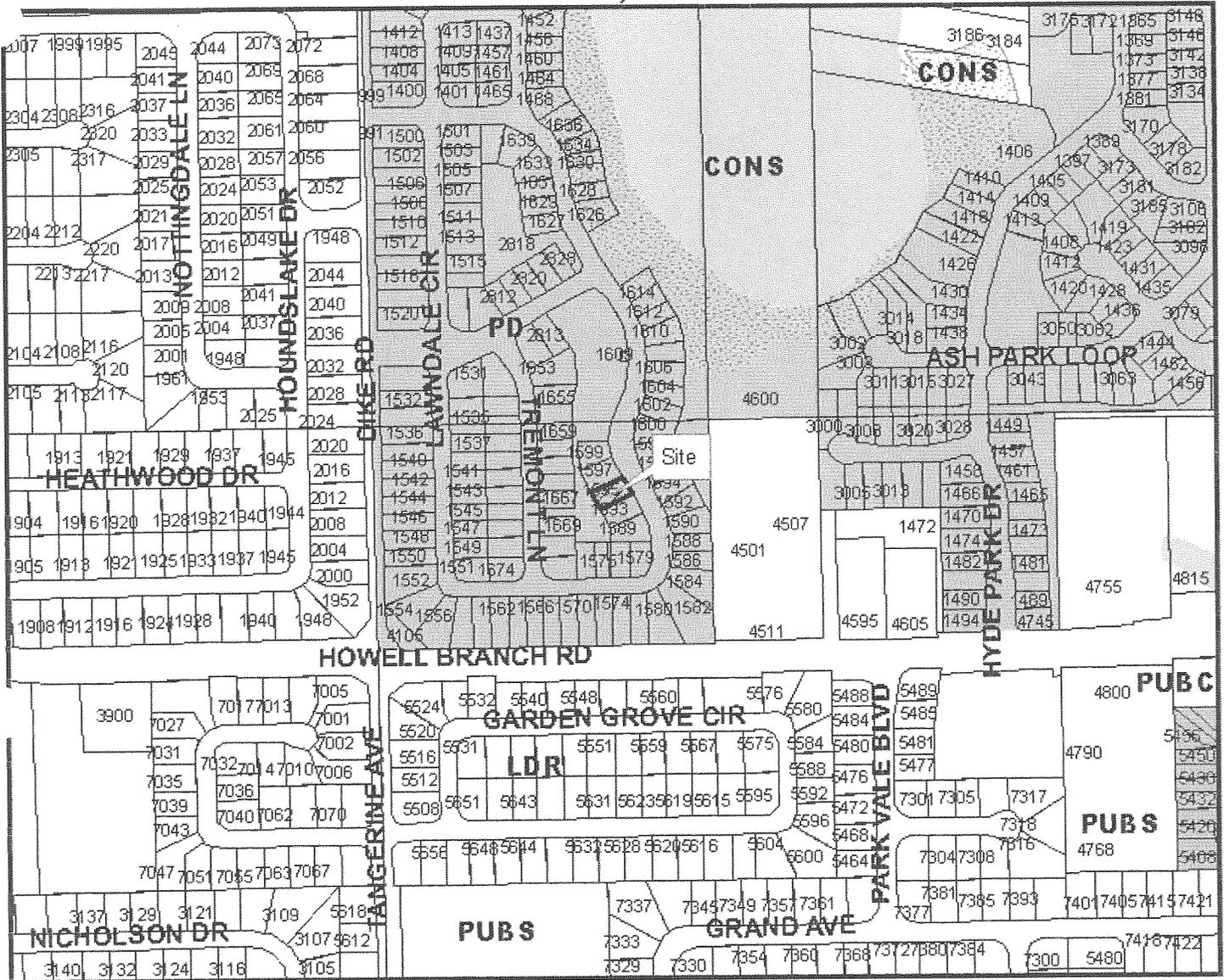
- A-1 Agricultural-1Ac
- R-1A Single Fam-9000
- R-1 Single Fam-8400
- R-2 One and Two-Family-9000
- PUD Planned Unit Dev.
- BV2005-090

N

0 95 190 380 570 760 Feet



**Jon & Michelle Jones
1595 Lawndale Circle
Winter Park, FL 32792**



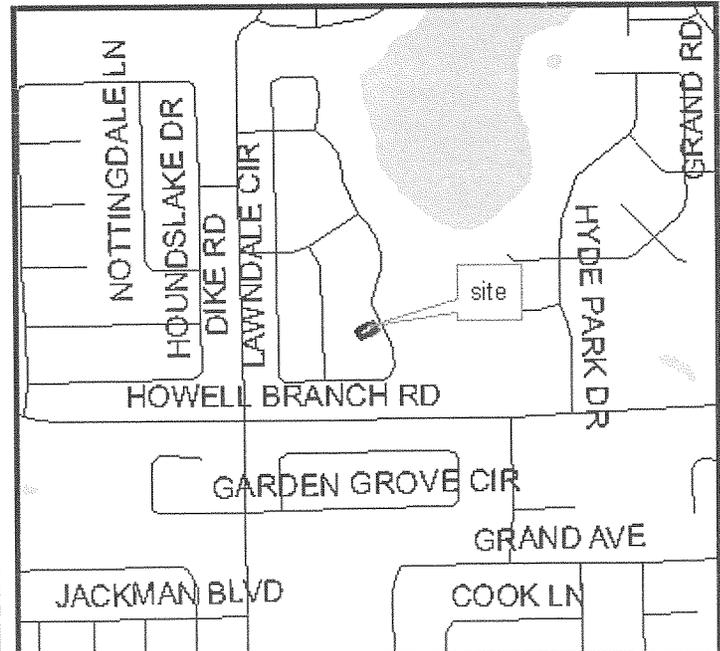
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Future Land Use

- CONS, LDR
- CONS, PD
- PUBC, NONE
- PUBS, NONE
- LDR, NONE
- MDR, NONE
- PD, NONE
- BV2005-090

N

0 95 190 380 570 760 Feet



3 June 2005

Country Lane Homeowner's Association Architectural Review Committee

RE: Addition to home (Enclosed Florida/Sun Room and patio)
Lot 105
Jon/Michelle Jones
1595 Lawndale Circle
Winter Park, FL 32792
(407) 678-5929

We would like to add an enclosed 16'X24' (384 sq ft) sunroom with a connecting 15.7'X16' (251.2 sq ft) roofed patio to the back (southwest) side of our home. We plan to use Eden Construction. Attached please find a brochure with pictures of sample sunrooms that are of the same materials and design. Attached is a plot sketch, the Eden Construction preliminary statement of work, and sketches of the design. The outside will be a baked white aluminum (ESP) insulated material that will withstand over 120 mph winds. When facing our home, the right (northwest) side of the sunroom will be solid (keeping the theme of that side of the property to my neighbors). The rear side (southwest) will be solid up to 2' from the slab floor level with double pane window panels above (can be open and have screens). Above the panel windows will be solid panel windows to accommodate the high ceiling levels (see brochure picture). The left (southeast) side of the sunroom will be sliding glass doors that open to the coved-open patio. We may screen in the patio at some point. The roof will be guttered and either a slanted flat roof or gabled (we have not decided).

I have discussed this addition with both my side-neighbors and they have indicated they have no objections to the addition.

Due to Seminole County setback requirements, a rear setback variance will be required before construction can be authorized and building permit issued.

Request the Country Lane Home Owner's Association Architectural Review Committee review our request and provide a written approval to initiate the construction.

Respectfully,



JON M. JONES

Country Lane Homeowners Association
Board Approval



Both adjacent neighbors
have given verbal agreement.

OK-05
6-8-05
Sub v P
Kim
Carnett



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 105 COUNTRY LANE PB PGS 77 & 78

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

FINDINGS OF FACT

Property Owner: JON & MICHELLE JONES
1595 LAWNSDALE CIRCLE
WINTER PARK, FL 32792

Project Name: LAWNSDALE CIRCLE (1595)

Requested Development Approval:

REQUEST FOR REAR YARD SETBACK VARIANCE FROM 20 FEET TO 8.7 FEET FOR A PROPOSED ADDITION IN THE PUD (PLANNED UNIT DEVELOPMENT DISTRICT)

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: Michael Rumer, 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:
 1. The variance granted will apply only to the proposed home addition as depicted on the attached site plan.
 - (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
 - (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____

Matthew West
Planning 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 _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: