

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** 1034 Manchester Circle – Jimmie and Pamela Jones, applicant; Request for a front yard (double frontage) setback variance from 25 feet to 22 feet for a proposed single story family room addition in R-1A (Single Family Dwelling District).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Denny Gibbs **EXT.** 7387

**Agenda Date** 12/3/07 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a front yard (double frontage) setback variance from 25 feet to 22 feet for a proposed single story family room addition in R-1A (Single Family Dwelling District); or
2. **Approve** the request for a front yard (double frontage) setback variance from 25 feet to 22 feet for a proposed single story family room addition in R-1A (Single Family Dwelling District); or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	<p>Applicant: Jimmie and Pamela Jones</p> <p>Location: 1034 Manchester Circle</p> <p>Zoning: R-1A (Single Family Dwelling District)</p> <p>Subdivision: Howell Estates Replat</p>
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposed to construct a 20 foot by 24 foot family room addition that will encroach 3 feet into the required front yard setback for a double frontage through lot.</li> <li>• This addition will replace an existing screen room.</li> <li>• There are currently no code enforcement or building violations for this property.</li> <li>• There is no record of prior variances for this property.</li> </ul>

<b>STAFF FINDINGS</b>	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"><li>• No special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.</li><li>• Special conditions and circumstances result from the actions of the applicant.</li><li>• The granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.</li><li>• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.</li><li>• The variance requested is not the minimum variance that will make possible reasonable use of the land, building or structure.</li><li>• The applicant would still retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would not be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>Based on the stated findings, staff recommends denial of the request, unless the applicants can demonstrate a hardship. If the Board should decide to grant a variance, staff recommends the following conditions of approval:</p> <ul style="list-style-type: none"><li>• Any variance granted shall apply only to the addition as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the Board, based on information presented at the public hearing.</li></ul>

**INDEX OF ATTACHMENTS**

*Items that are checked are included in the packet*

- ☒ Staff Report
- ☒ Application
- ☒ Applicant statement of request
- ☒ Proposed Site Plan
- ☒ Location map
- ☒ Property Appraiser data sheet
- ☐ PUD Commitment Card, *if applicable*

**Support information:**

- ☐ Proposed elevation drawings, renderings, floor plans, etc
- ☐ Aerials, *if warranted*
- ☐ Plat, *if warranted*
- ☐ Code Enforcement information
- ☐ Building Permit information
- ☐ Correspondence
- ☐ Authorization letter
- ☐ Supporting documentation
- ☒ Letters of support
- ☐ HOA approval letter
- ☐ Pictures provided by applicant
- ☐ Other miscellaneous documents
  
- ☒ Proposed Development Order

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

**COPY**

Application # BU-2007-137  
Meeting Date 12/3/07



**VARIANCE APPLICATION**  
**SEMINOLE COUNTY PLANNING DIVISION**  
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: JIMMIE L. AND PAMELA JONES

Address: 1034 MANCHESTER CIR.

City: WINTER PARK Zip code: 32792

Project Address: 1034 MANCHESTER CIR

City: WINTER PARK Zip code: 32792

Contact number(s): Home 407-761-9732

Email address: JJONES@OUC.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?**

☐ Shed

Please describe:

☐ Fence

Please describe:

☐ Pool

Please describe:

☐ Pool screen enclosure

Please describe:

☐ Covered screen room

Please describe:

☒ Addition

Please describe:

1 Story Block Addition 20' x 24'

*family room*

☐ New Single Family Home

Please describe:

☐ Other

Please describe:

**What type of variance is this request?**

☐ Minimum lot size

Required lot size:

Actual lot size:

☐ Width at the building line

Required lot width:

Actual lot width:

☒ Front yard setback

Required setback:

25'

Proposed setback:

22'

*DOUBLE FRONTAGE*

Rear yard setback

Required setback:

Proposed setback:

☐ Side yard setback

Required setback:

Proposed setback:

☐ Side street setback

Required setback:

Proposed setback:

☐ Fence height

Required height:

Proposed height:

☐ Building height

Required height:

Proposed height:

**Use below for additional yard setback variance requests:**

☐ \_\_\_\_\_ yard setback

Required setback:

Proposed setback:

☐ \_\_\_\_\_ yard setback

Required setback:

Proposed setback:

☒ Total number of variances requested 1

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

Signed: \_\_\_\_\_

*Pam Jones*

RECEIVED OCT 05 2007

**FOR OFFICE USE ONLY**

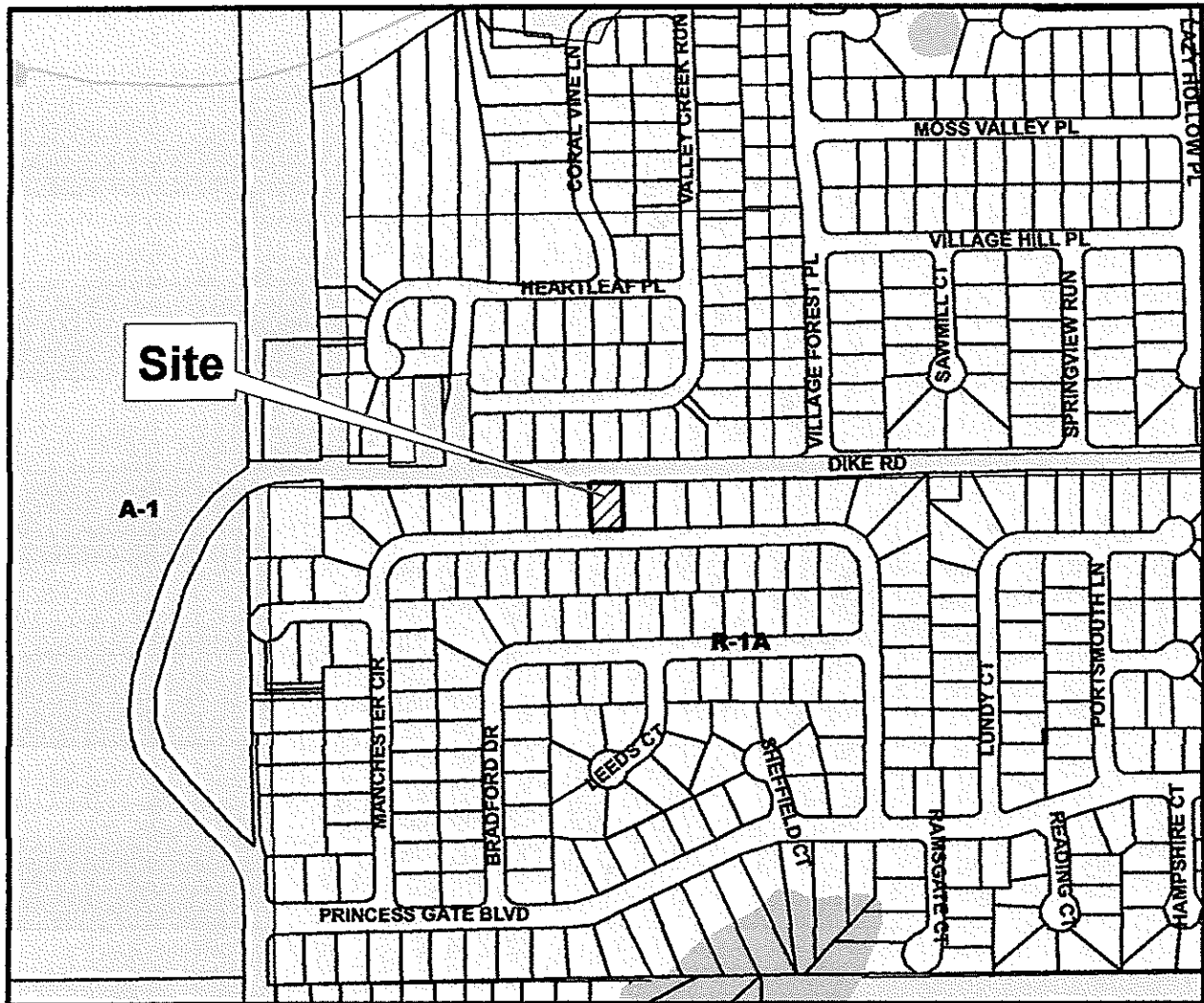
Date Submitted: 10-5-07 Reviewed By: DM  
 Tax parcel number: 26-21-30-503-0000-0240 Zoning/FLU R-1A/LDR  
☐ Legally created parcel (1971 tax roll, 5-acre dev, lot split)  
☐ Platted Lot (check easements as shown on lots, in notes or in dedication)  
☐ Lot size \_\_\_\_\_ ☐ Meets minimum size and width  
☐ Application and checklist complete  
 Notes: \_\_\_\_\_  
 \_\_\_\_\_

**VARIANCE SUBMITTAL CHECKLIST**

*Please return this checklist with your application!*




<p>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.</p>	
✓	1. Completed application.
	2. Owner's authorization letter (if needed). <i>This form can be obtained at <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a></i>
	3. Provide a legible 8 1/2 x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
✓	○ Please start with a clean survey (ex: white out old approval stamps)
✓	○ Size and dimension of the parcel
✓	○ Location and name of all abutting streets
✓	○ Location of driveways
✓	○ Location, size and type of any septic systems, drainfield and wells
✓	○ Location of all easements
✓	○ Existing or proposed house or addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
✓	○ Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
✓	○ Building height
✓	○ Setbacks from each building to the property lines
✓	○ Location of proposed fence(s)
✓	○ Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	4. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

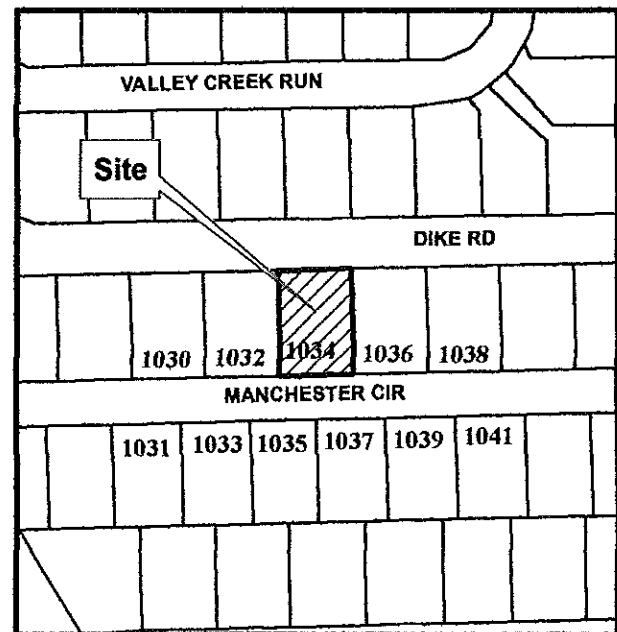
Jimmie & Pamela Jones  
1034 Manchester Circle  
Winter Park, Florida 32792



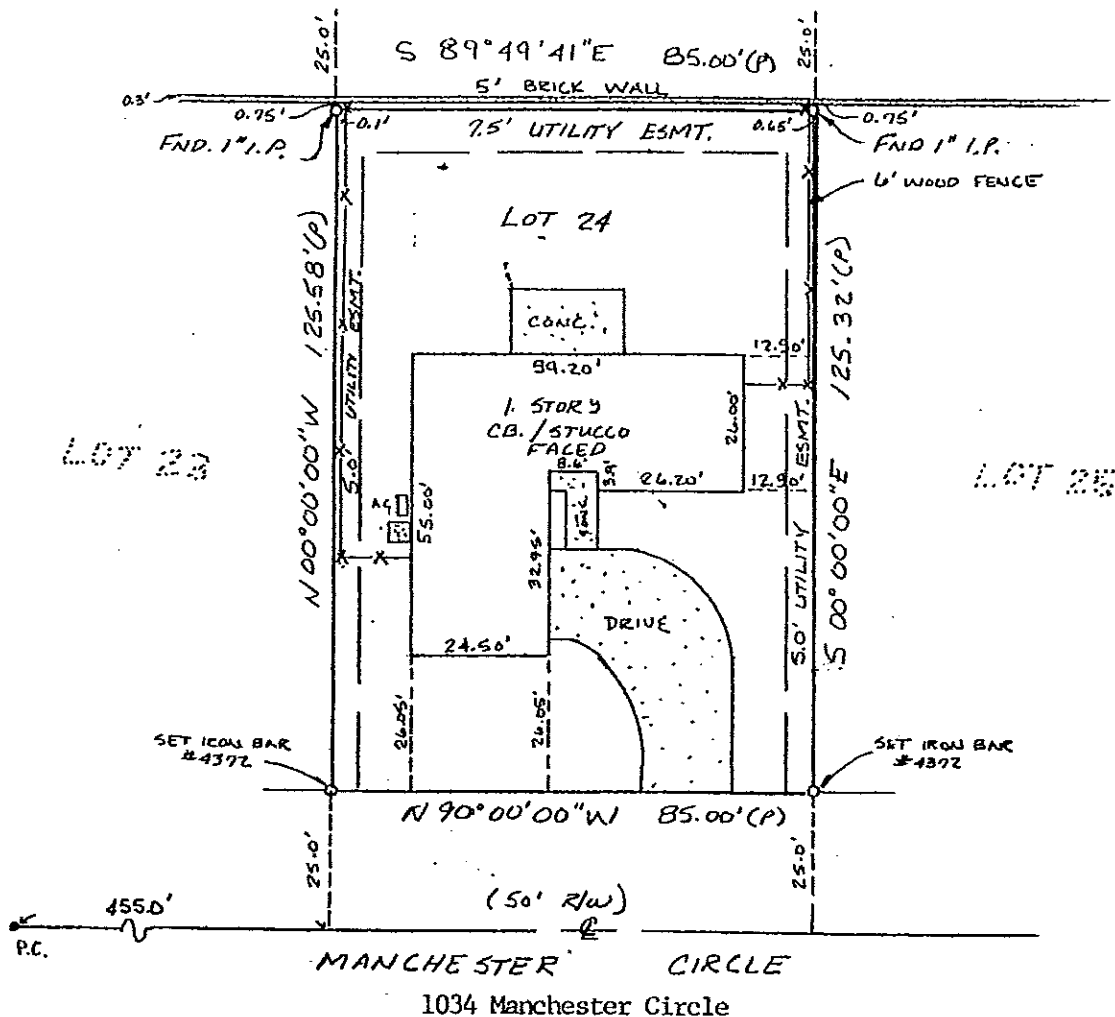
Seminole County Board of Adjustment  
December 3, 2007  
Case: BV2007-137 (Map 3210, Grid E4)  
Parcel No: 26-21-30-503-0000-0240

**Zoning**

-  BV2007-137
-  A-1
-  R-1A



<b>PARCEL DETAIL</b> DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-858-7508																													
<b>GENERAL</b> Parcel Id: 26-21-30-503-0000-0240 Owner: JONES JIMMIE L & PAMELA Mailing Address: 1034 MANCHESTER CIR City, State, Zip Code: WINTER PARK FL 32792 Property Address: 1034 MANCHESTER DR WINTER PARK 32792 Subdivision Name: HOWELL ESTATES REPLAT Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (1994) Dor: 01-SINGLE FAMILY		<b>2007 WORKING VALUE SUMMARY</b> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$170,524 Depreciated EXFT Value: \$1,836 Land Value (Market): \$40,000 Land Value Ag: \$0 Just/Market Value: \$212,360 Assessed Value (SOH): \$91,552 Exempt Value: \$25,000 Taxable Value: \$66,552 <b>Tax Estimator</b> <b>Tax Reform Analysis</b> <b>2007 Notice of Proposed Property Tax</b>																											
<b>SALES</b> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>12/1987</td> <td>01918</td> <td>0281</td> <td>\$76,500</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1972</td> <td>01074</td> <td>0691</td> <td>\$42,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <u>Find Comparable Sales within this Subdivision</u>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	12/1987	01918	0281	\$76,500	Improved	Yes	WARRANTY DEED	01/1972	01074	0691	\$42,000	Improved	Yes	<b>2006 VALUE SUMMARY</b> Tax Amount(without SOH): \$2,841 2006 Tax Bill Amount: \$983 Save Our Homes (SOH) Savings: \$1,858 2006 Taxable Value: \$64,319 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS						
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#### SURVEYORS NOTES:

1. Reproductions of this sketch are not valid unless sealed with an embossed surveyors seal.
2. Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
3. Bearings are from plat of record.
4. I have reviewed the F.I.R.M. map and determined that this property does not lie within the 100 year flood zone.

#### CERTIFICATE:

I hereby certify that the survey shown hereon is true and correct to the best of my knowledge and meets the Minimum Technical Standards pursuant to Chapter 21 MM-6 Florida Statutes.

#### Certified to:

1. American Title Insurance Company
2. Home Savings of America, F.A.
3. Jimmie L. & Pamela Jones

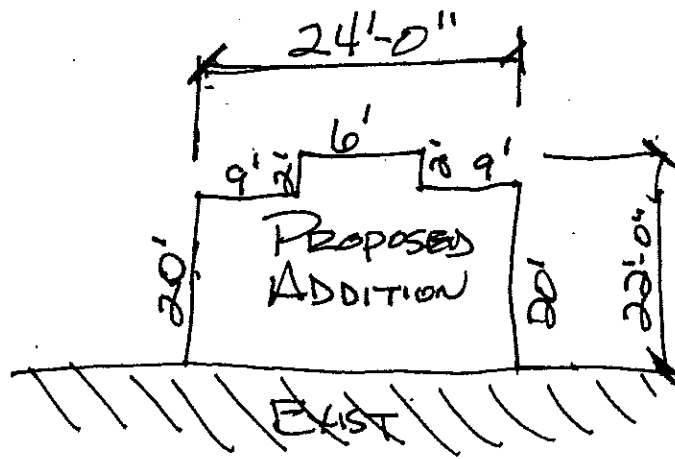
*Michael E. Petulla*  
 Michael E. Petulla  
 Professional Land Surveying  
 Florida Registration #4372

Job No. 87-0114

Michael E. Petulla  
 Professional Land Surveying  
 564 Heatherton Village  
 Altamonte Springs, Florida 32714

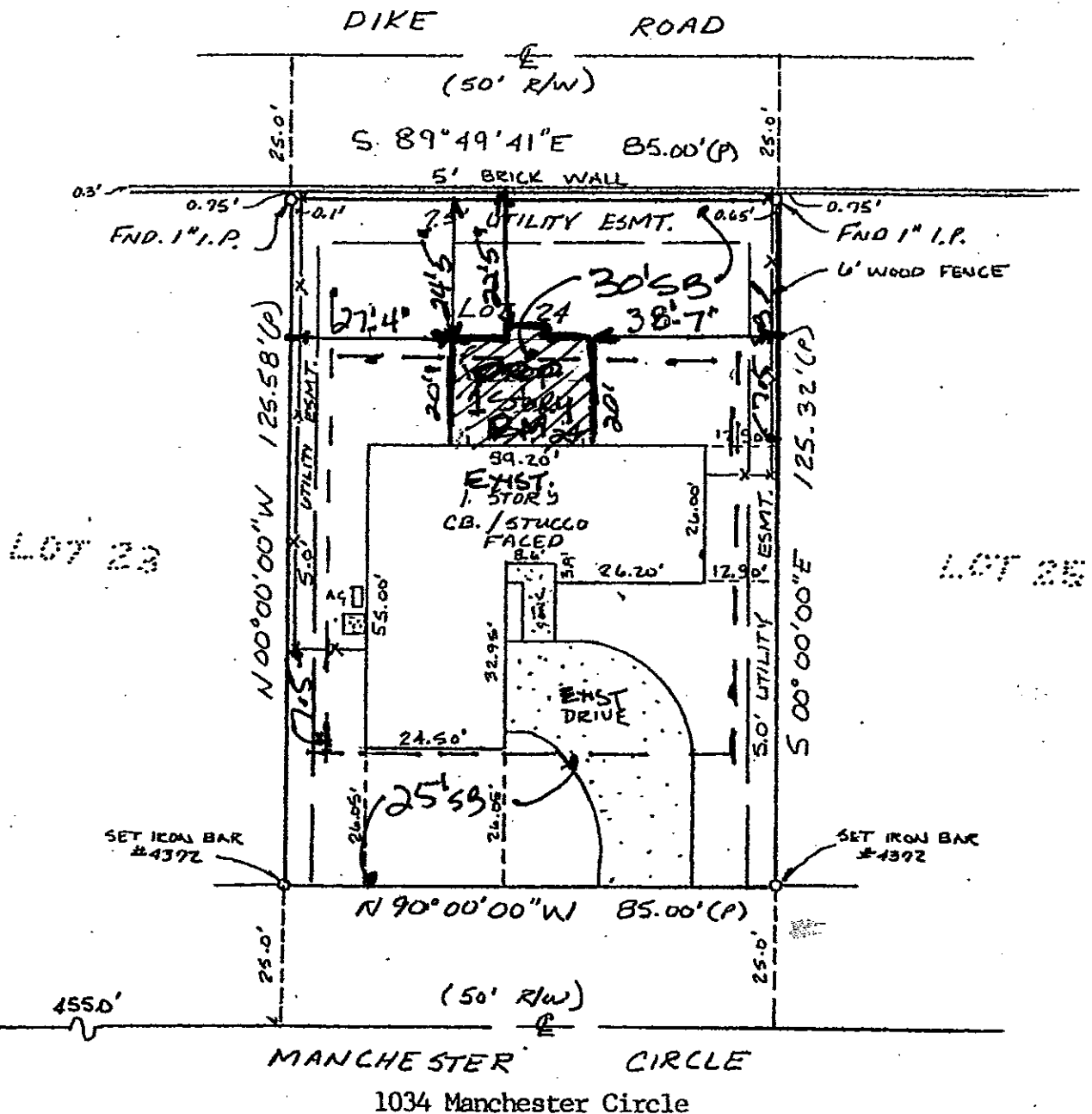
MTG. SURVEY	N66.	12/12/87	18-17/48	
Revisions	Drawn	Date	FB/PG	Checked





# LAND DESCRIPTION:

Lot 24, Howell Estates Subdivision Replat, Plat Book 18, Pages 47 & 48, Seminole County, Florida.



## SURVEYORS NOTES:

1 Reproductions of this sketch are not valid unless sealed with an embossed

New Text Document

I, JIMMIE JONES AND MY WIFE, PAM JONES, PLAN TO ADD A 24 X 20 ADDITION TO  
HOME.

1034 MANCHESTER CIRCLE

WINTER PARK, FLORIDA 32792

WE ARE REQUESTING AN 8 FT VARIANCE, THIS WOULD CHANGE OUR 30 FT. SETBACK TO  
A 22 FT SET BACK.

JIMMIE JONES

BV2007-137

JIMMIE AND PAM JONES  
1034 MANCHESTER CIRCLE  
WINTER PARK, FLORIDA 32792

JIMMIE AND PAM JONES HAVE REQUESTED A VARIANCE FOR AN ADDITION  
TO THEIR HOME.

WE HAVE NO OBJECTION

1032 MANCHESTER CIRCLE  
WINTER PARK, FLORIDA 32792

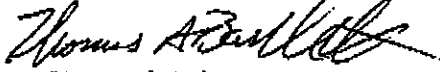
*[Handwritten signature]*  
*[Handwritten signature]*

BV2007-137

JIMMIE AND PAM JONES  
1034 MANCHESTER CIRCLE  
WINTER PARK, FLORIDA 32792

JIMMIE AND PAM JONES HAVE REQUESTED A VARIANCE FOR AND ADDITION  
TO THEIR HOME.

WE HAVE NO OBJECTION.



1036 MANCHESTER CIRCLE  
WINTER PARK, FLORIDA 32792

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On December 3, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 24 HOWELL ESTATES REPLAT PB 18 PGS 47 + 48

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

### **FINDINGS OF FACT**

**Property Owner:** Jimmie L & Pamela Jones  
1034 Manchester Cir  
Winter Park FL 32792

**Project Name:** Manchester Circle (1034)

**Requested Development Approval:**

Request for a front yard (double frontage) setback variance from 25 feet to 22 feet for a proposed single story family room addition in R-1A (Single Family Dwelling 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: 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:
  1. The variance granted will apply only to the 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: \_\_\_\_\_  
Dori L. DeBord  
Planning & Development Director

**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 \_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: