

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** 3519 Jamison Dr – Haywood Maddox, applicant; Request for a side yard setback variance from 10 feet to 8 feet for a room addition in R-1AA (Single Family Dwelling District).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Joy Williams **EXT.** 7399

**Agenda Date** 01-28-08 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **Deny** the request for a side yard setback variance from 10 feet to 8 feet for a room addition in R-1AA (Single Family Dwelling District); or
2. **Approve** the request for a side yard setback variance from 10 feet to 8 feet for a room addition in R-1AA (Single Family Dwelling District); or
3. **Continue** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Haywood Maddox Location: 3519 Jamison Drive Zoning: R-1AA (Single Family Dwelling District) Subdivision: Bear Lake Manor
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct an 18-foot by 16-foot room addition to the rear of the existing home that would encroach 2 feet into the required 10-foot side yard setback.</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>	The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that: <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,</li> </ul>

	<p>structures or building in the same zoning district.</p> <ul style="list-style-type: none"><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>
<p><b>STAFF RECOMMENDATION</b></p>	<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 room 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

Application # BV2007-144  
Meeting Date 1-28-07



# VARIANCE **COPY**

## SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 665-7444 7385

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Haywood Maddox Jr (Woody)

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip code: \_\_\_\_\_

Project Address: 3519 Jamison Dr City: Apopka Zip code: 32703

Contact number(s): 407-299-1102 Ext 10 (407-832-9716)

Email address: \_\_\_\_\_

Is the property available for inspection without an appointment?

RECEIVED NOV 05 2007

Yes  No If gated please provide a gate code to staff.

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Fence	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Covered screen room	Please describe:
<input checked="" type="checkbox"/> Addition	Please describe: <u>Just adding on to back - Expanding</u>
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input type="checkbox"/> This request is for a structure that has already been built.	

What type of variance is this request?			
<input type="checkbox"/> Minimum lot size	Required lot size:	Actual lot size:	
<input type="checkbox"/> Width at the building line	Required lot width:	Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Rear yard setback	Required setback:	Proposed setback:	
<input checked="" type="checkbox"/> Side yard setback	Required setback:	Proposed setback:	<u>8' Ext</u>
<input type="checkbox"/> Side street setback	Required setback:	Proposed setback:	
<input type="checkbox"/> Fence height	Required height:	Proposed height:	
<input type="checkbox"/> Building height	Required height:	Proposed height:	

Use below for additional yard setback variance requests:

<input type="checkbox"/> _____ yard setback	Required setback:	Proposed setback:
<input type="checkbox"/> _____ yard setback	Required setback:	Proposed setback:

Total number of variances requested \_\_\_\_\_

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.

igned: Haywood Maddox Jr

**FOR OFFICE USE ONLY**

Date Submitted: 11-5-07 Reviewed By: P. Johnson  
 Tax parcel number: 18-21-29-519-0000-0110 zoning/FLU R-1AA/LOR

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><i>After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.</i></p>	
	1. Completed application.
	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
	3. Owner's authorization letter (if needed). This form can be obtained at <a href="http://www.seminolecountyfl.gov/pd/planning/forms.asp">http://www.seminolecountyfl.gov/pd/planning/forms.asp</a>
	4. Provide a legible 8 ½ x 11 inch site plan with the following information <b>NOTE: Please use your property survey for your site plan, if available.</b> <b>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</b>
	o Please start with a clean survey (ex: white out old approval stamps)
	o Size and dimension of the parcel
	o Location and name of all abutting streets
	o Location of driveways
	o Location, size and type of any septic systems, drain field and wells
	o Location of all easements
	o Existing or proposed house or addition <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	o Building height
	o Setbacks from each building to the property lines
	o Location of proposed fence(s)
	o Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	5. Attach additional information and supporting documents such as letters of support from adjacent property owners or Home Owners Association DRB approvals, as desired.

SEMINOLE COUNTY  
**APPLICATION & AFFIDAVIT**

**Ownership Disclosure Form**

Please provide the information as requested below in accordance with Ordinance No. 07- \_\_\_\_\_:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: <u>Woody Maddox</u>	Name: _____
Address: <u>3519 Samison Dr</u>	Address: _____
Phone #: <u>407-832-9716</u>	Phone #: _____
Name: _____	Name: _____
Address: _____	Address: _____
Phone #: _____	Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: _____	Name of Corporation: _____
Officers: _____	Officers: _____
Address: _____	Address: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
Shareholders: _____	Shareholders: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____	Beneficiaries: _____
Trustees: _____	Address: _____
Address: _____	_____

(Use additional sheets for more space.)

**Form #**  
**Date**

**SEMINOLE COUNTY  
APPLICATION AND AFFIDAVIT**

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: _____	Name of Partnership: _____
Principal: _____	Principal: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee:	Contract Vendee:
Name: _____	Name: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

10-5-07  
Date

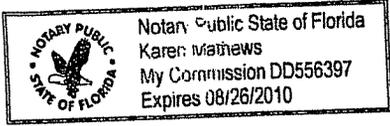
*Karen Mathews*  
Owner, Agent, Applicant Signature

STATE OF FLORIDA  
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 5 day of November, 2007 by \_\_\_\_\_

*Karen Mathews*  
Signature of Notary Public

Karen Mathews  
Print, Type or Stamp Name of Notary Public



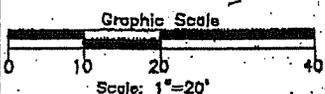
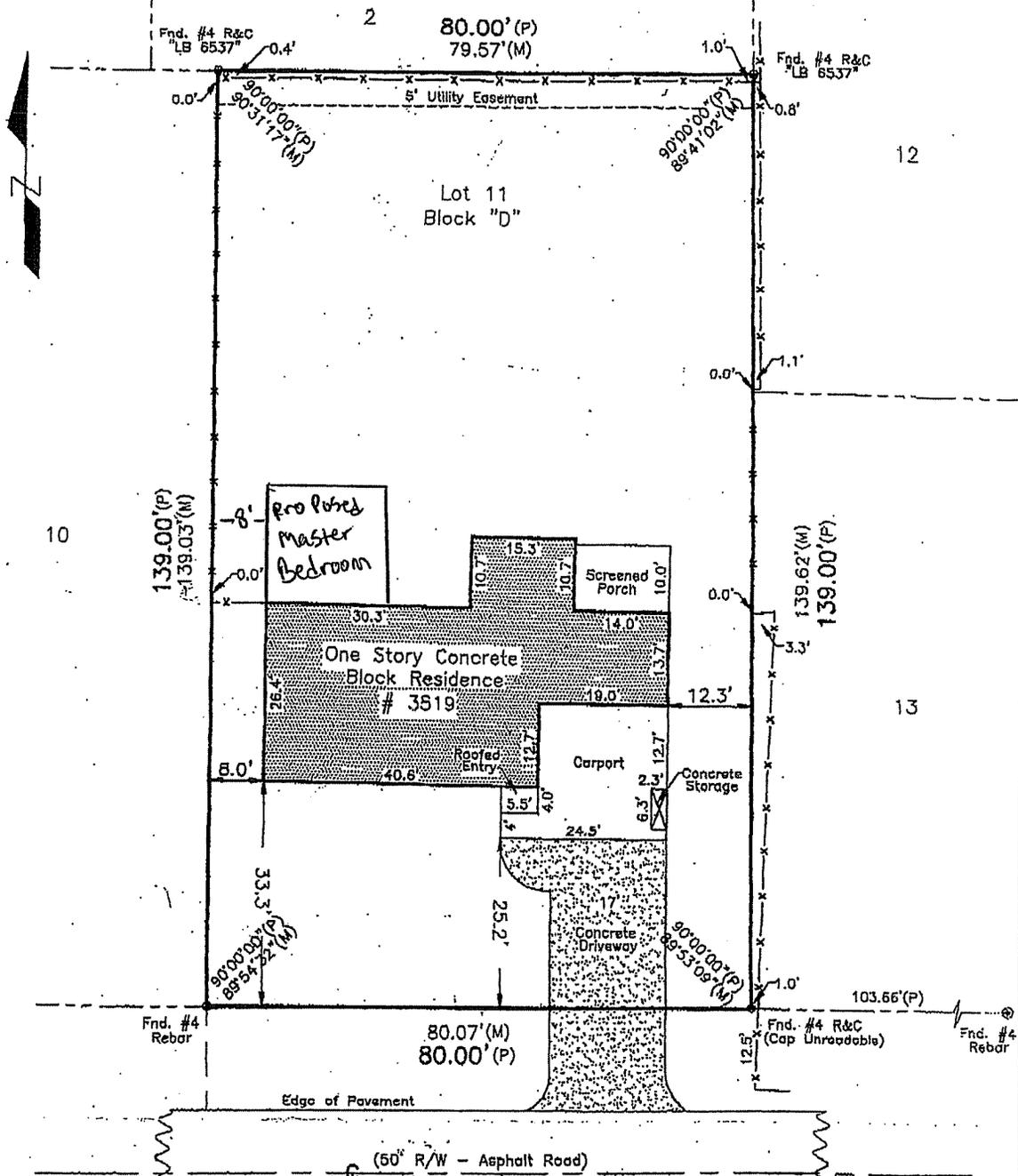
Personally Known \_\_\_\_\_ OR Produced Identification ✓  
Type of Identification Produced Fla Drivers License

<b>For Use by Planning &amp; Development Staff</b>	
Date: _____	Application Number: _____

# Boundary Survey

## Legal Description:

Lot 11, Block "D", BEAR LAKE MANOR, according to the Plat thereof, as recorded in Plat Book 11, Page(s) 79, Public Records of Seminole County, Florida.



Boundary Survey Prepared For: Medieval Management  
Boundary Survey Certified to: Medieval Management

Field Date: 01-10-06	This Property is NOT in a Flood Prone Area, Zone "X", Based on the F.I.R.M. (Flood Insurance Rate Map) Community Number 121170. Parcel Number 0115 E. Dated 04-17-95.
Drawn By: SP	Flood Zone Determination Shown Herein is Given as a Courtesy and is Subject to Final Approval by F.E.M.A. This Determination may be affected by Flood Factors and/or other information
Approved By: JPI	Supplied herein by JPI, given to this Surveying Company at the time of this Enclosure.
Field: F.S., J.F., J.W.	bound Surveying, Inc. and the Signing Surveyor assume full liability for the Accuracy of this Determination.

**JPI Surveying & Mapping, Inc.**  
6001 Brick Court, Suite 117  
Winter Park, Florida 32792  
Office-407.678.3366  
Fax-407.671.6678

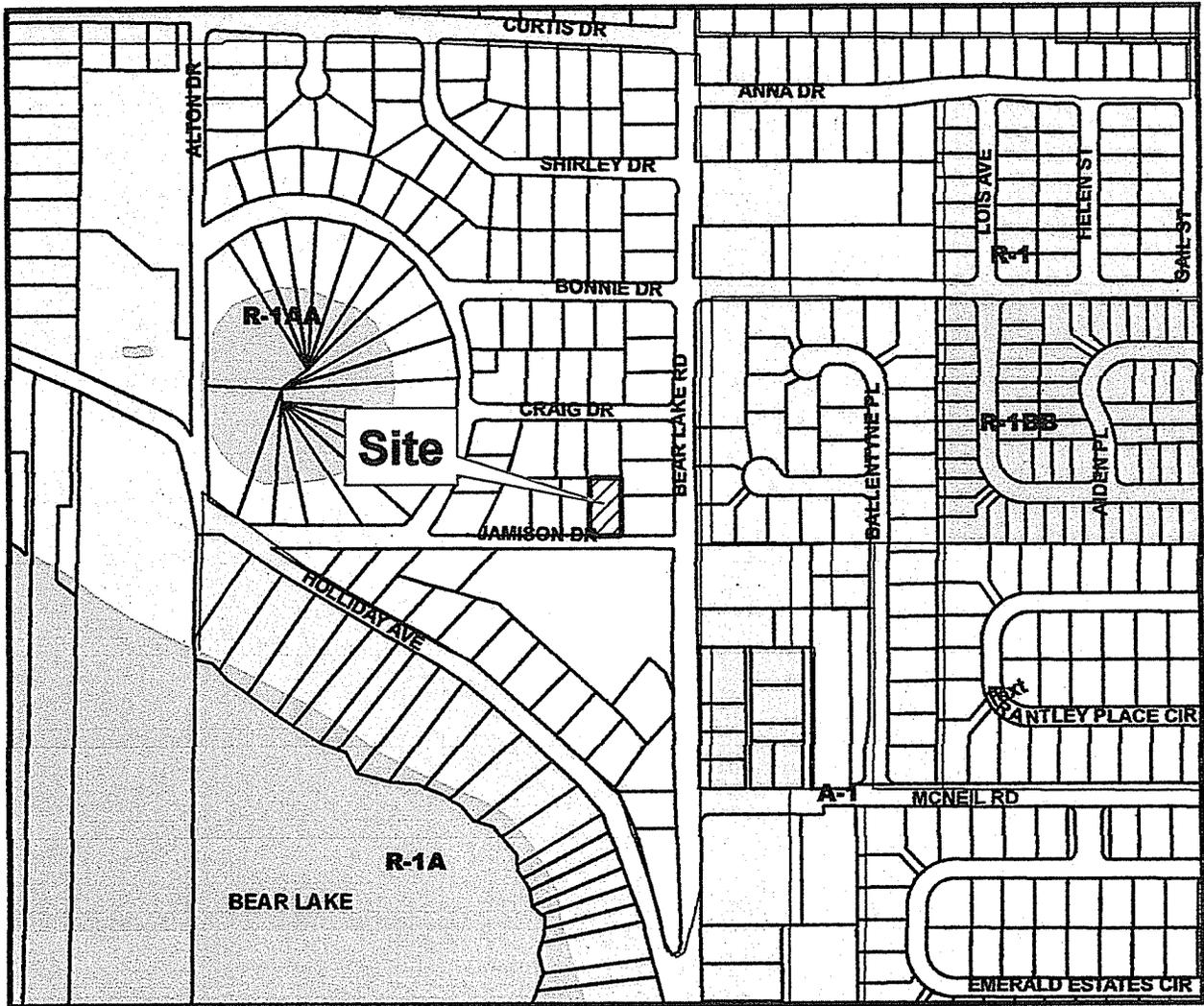
**Notes**  
 - Survey is Based upon the Legal Description Supplied by Client.  
 - Underground Utilities and Footers have NOT been located UNLESS otherwise noted.  
 - Subject to any Easements and/or Restrictions of Record.  
 - Bearing Beas shown herein, is Assumed and Based upon the Line Denoted with a "0".  
 - Building Nos are NOT to be used to reconstruct Property Lines.  
 - Fence Ownership is NOT Determined.  
 - Adjacent Properties Deeds have NOT been Researched for Copys, Owners and/or Heirs.  
 - Survey is NOT VALID for any other Transaction AFTER 90 days from the latest date shown herein.  
 - Title of this Survey for Purposes other than Indicated, Without Written Consent, will be at the User's Risk and Without Liability to the Surveyor. Nothing Herein shall be construed to Give Any Rights or Benefits to Anyone Other than those Granted.

Legend	
C	- Calculated
CB	- Containing
CM	- Concrete Block
CM	- Concrete Manlyment
Conc.	- Concrete
D	- Description
DE	- Drainage Easement
EMT	- Easement
EMT	- Easement
FTE	- Finished Floor Elevation
F	- Footing
P	- Iron Pipe
L	- Length (Arc)
M	- Measure
NAD	- Nail & Disk
H.R.	- Non-Radial
ORB	- Official Records Book
P.B.	- Plat Book
-	- Wood Fence
PC	- Point of Curvature
Pa	- Page
PI	- Point of Intersection
P.O.S.	- Point of Beginning
P.O.L.	- Point on Line
PP	- Power Pole
PRM	- Permanent Reference Monument
PT	- Point of Temporary Monument
R	- Radius
Rad.	- Radial
R&C	- Rebar & Cap
Rec.	- Recovered
RIS.	- Roofed
S&C	- Set 3/4" Rebar
S&C	- Rebar & Cap "PLS 4200"
Typ.	- Typical
UE	- Utility Easement
W.M.	- Water Meter
WA	- Wall
Δ	- Delta (Control Angle)
-X-	- Chain Link Fence

I hereby certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction and the Data Shown Herein is Based on Information Furnished to Me as Noted and Conforms to the Minimum Technical Standards for Land Surveying in the State of Florida in accordance with Chapter 81B17-6 Florida Administrative Code, Pursuant to Section 472.027 Florida Statute.

**James P. Ireland** PLS 4200 LB 5887  
Date Signed: 01-18-06  
This Survey is Intended ONLY for the use of Said Certified Parties. The Survey NOT VALID UNLESS Signed and Embossed with Surveyor's Seal.  
File No. 0011(06)  
CAD File \\ltd\beas\06-ireland-drawings\ken\Drawings\BEARLAKEMANOR-0011(06)

Haywood Maddox (Woody)/Medieval Mgmt Corp.  
 3519 Jamison Drive  
 Apopka, Florida 32703



Seminole County Board of Adjustment  
 January 28, 2008  
 Case: BV2007-144 (Map 3154, Grid B7)  
 Parcel No: 18-21-29-519-0D00-0110

**Zoning**

- |  |   |
|--|---|
|  BV2007-144 |  R-1A  |
|  A-1        |  R-1   |
|  R-1AA      |  R-1BB |



**PARCEL DETAIL**

DAVID JOHNSON, CFA, ASA

**PROPERTY APPRAISER**

SEMINOLE COUNTY FL

1101 E. FIRST ST  
SANFORD, FL 32771-1468  
407-855-7508

**GENERAL**

Parcel Id: 18-21-29-519-0D00-0110  
 Owner: MEDIEVAL MGMT CORP  
 Mailing Address: 5790 N PINE HILLS RD  
 City,State,ZipCode: ORLANDO FL 32808  
 Property Address: 3519 JAMISON DR APOPKA 32703  
 Subdivision Name: BEAR LAKE MANOR  
 Tax District: 01-COUNTY-TX DIST 1  
 Exemptions:  
 Dor: 01-SINGLE FAMILY

**2008 WORKING VALUE SUMMARY**

Value Method: Market  
 Number of Buildings: 1  
 Depreciated Bldg Value: \$121,625  
 Depreciated EXFT Value: \$476  
 Land Value (Market): \$35,000  
 Land Value Ag: \$0  
Just/Market Value: \$157,101  
 Assessed Value (SOH): \$157,101  
 Exempt Value: \$0  
 Taxable Value: \$157,101

Tax Estimator  
Tax Reform Analysis

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	12/2005	<u>06072</u>	<u>1252</u>	\$163,000	Improved	Yes
WARRANTY DEED	09/1991	<u>02338</u>	<u>0385</u>	\$59,900	Improved	Yes
QUIT CLAIM DEED	05/1985	<u>01642</u>	<u>1873</u>	\$100	Improved	No
WARRANTY DEED	11/1978	<u>01198</u>	<u>0331</u>	\$29,500	Improved	Yes
WARRANTY DEED	01/1974	<u>01015</u>	<u>0187</u>	\$23,500	Improved	Yes

Find Comparable Sales within this Subdivision

**2007 VALUE SUMMARY**

2007 Tax Bill Amount: \$2,346  
 2007 Taxable Value: \$158,831  
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
LOT	0	0	1.000	35,000.00	\$35,000

**LEGAL DESCRIPTION**

PLATS:

LEG LOT 11 BLK D BEAR LAKE MANOR PB 11 PG 79

**BUILDING INFORMATION**

Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New
1	SINGLE FAMILY	1960	6	1,261	1,942	1,426	CONC BLOCK	\$121,625	\$168,924
	Appendage / Sqft		BASE SEMI FINISHED / 165						
	Appendage / Sqft		OPEN PORCH FINISHED / 24						
	Appendage / Sqft		CARPORT FINISHED / 380						
	Appendage / Sqft		UTILITY FINISHED / 112						

**NOTE:** Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished

**Permits**

**EXTRA FEATURE**

Description	Year Blt	Units	EXFT Value	Est. Cost New
ALUM SCREEN PORCH W/CONC FL	1990	140	\$476	\$1,190

**NOTE:** Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 28, 2008 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 11 BLK D  
BEAR LAKE MANOR PB 11 PG 79

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

### FINDINGS OF FACT

**Property Owner:** Haywood Maddox  
3519 Jamison Dr  
Apopka, Fl 32703

**Project Name:** Jamison Drive (3519)

**Requested Development Approval:**

Request for a side yard setback variance from 10 feet to 8 feet for a room addition in R-1AA (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: Joy Williams, 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 room addition as depicted on the attached site plan.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Alison C. Stettner  
Planning 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 \_\_\_\_\_, 2008.

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

My Commission Expires: