

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) AT 1700 STONE STREET; (TIM AND LISA TERRELL, APPLICANTS).

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

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date 11-15-04 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) AT 1700 STONE STREET; (TIM AND LISA TERRELL, APPLICANTS); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) AT 1700 STONE STREET; (TIM AND LISA TERRELL, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	TIM AND LISA TERRELL, APPLICANTS 1700 STONE STREET OVIDO, FL 32765	A-5 DISTRICT, LDC SECTIONS 30.104 (A-5 CONDITIONAL USES) & 30.1401 (MOBILE HOME SITING STANDARDS)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT'S APPLIED FOR A PERMIT TO REPLACE AN EXISTING BARN AND WAS INFORMED THAT THE EXISTING MOBILE HOME WAS NON-CONFORMING, THEREFORE, THEY ARE REQUESTING PERMANENT PLACMENT OF THEIR EXISTING MOBILE HOME IN THE A-5 DISTRICT WHERE MOBILE HOMES ARE ALLOWED ONLY BY SPECIAL EXCEPTION.</li> <li>• IN 1981, THE PROPERTY RECEIVED A 5 YEAR SPECIAL EXCEPTION FOR THE CURRENT MOBILE HOME, WHICH HAS SINCE EXPIRED. THE APPLICANTS PURCHASED THE PROPERTY IN 2002 AND WERE NOT AWARE OF</li> </ul>	

	THE EXPIRED APPROVAL OF THE EXISTING MOBILE HOME.			
<b>ZONING &amp; FLU</b>	<b>DIRECTION    EXISTING ZONING    EXISTING FLU    USE OF PROPERTY</b>			
	SITE	A-5	RURAL-5	MOBILE HOME
	NORTH	A-5	RURAL-5	MOBILE HOME
	SOUTH	A-5	RURAL-5	MOBILE HOME
	EAST	A-5	RURAL-5	SINGLE FAMILY
	WEST	A-5	RURAL-5	MOBILE HOME
<b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</b>	<p>THE BOARD OF ADJUSTMENT (BOA) SHALL HAVE THE POWER TO HEAR AND DECIDE SPECIAL EXCEPTIONS IT IS SPECIFICALLY AUTHORIZED TO PASS UNDER THE TERMS OF THE LAND DEVELOPMENT CODE UPON DETERMINATION THE USE REQUESTED:</p> <p><b><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></b></p> <p>GIVEN THE TREND OF MIXED (MOBILE AND CONVENTIONAL HOME) SINGLE-FAMILY DEVELOPMENT IN THE AREA, THE PERMANENT PLACEMENT OF THE EXISTING MOBILE HOME WOULD NOT BE INCOMPATIBLE WITH THE TREND OF DEVELOPMENT ON NEARBY AND ADJACENT PROPERTIES</p> <p>AVAILABLE RECORDS INDICATE THAT SEVERAL PARCELS WITHIN THE GENERAL VICINITY HAVE MOBILE HOMES THAT THE BOA HAS TYPICALLY APPROVED FOR BOTH PERMANENT AND LIMITED TIME PERIODS.</p> <p><b><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></b></p> <p>SINCE THE PROPOSED USE IS A SINGLE-FAMILY UNIT THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.</p> <p><b><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></b></p> <p>THE REQUEST WOULD BE CONSISTENT WITH THE TREND OF LOW-DENSITY SINGLE-FAMILY LAND USE, INCLUDING CONVENTIONAL AND MOBILE HOMES, ESTABLISHED IN THIS AREA.</p> <p><b><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></b></p>			

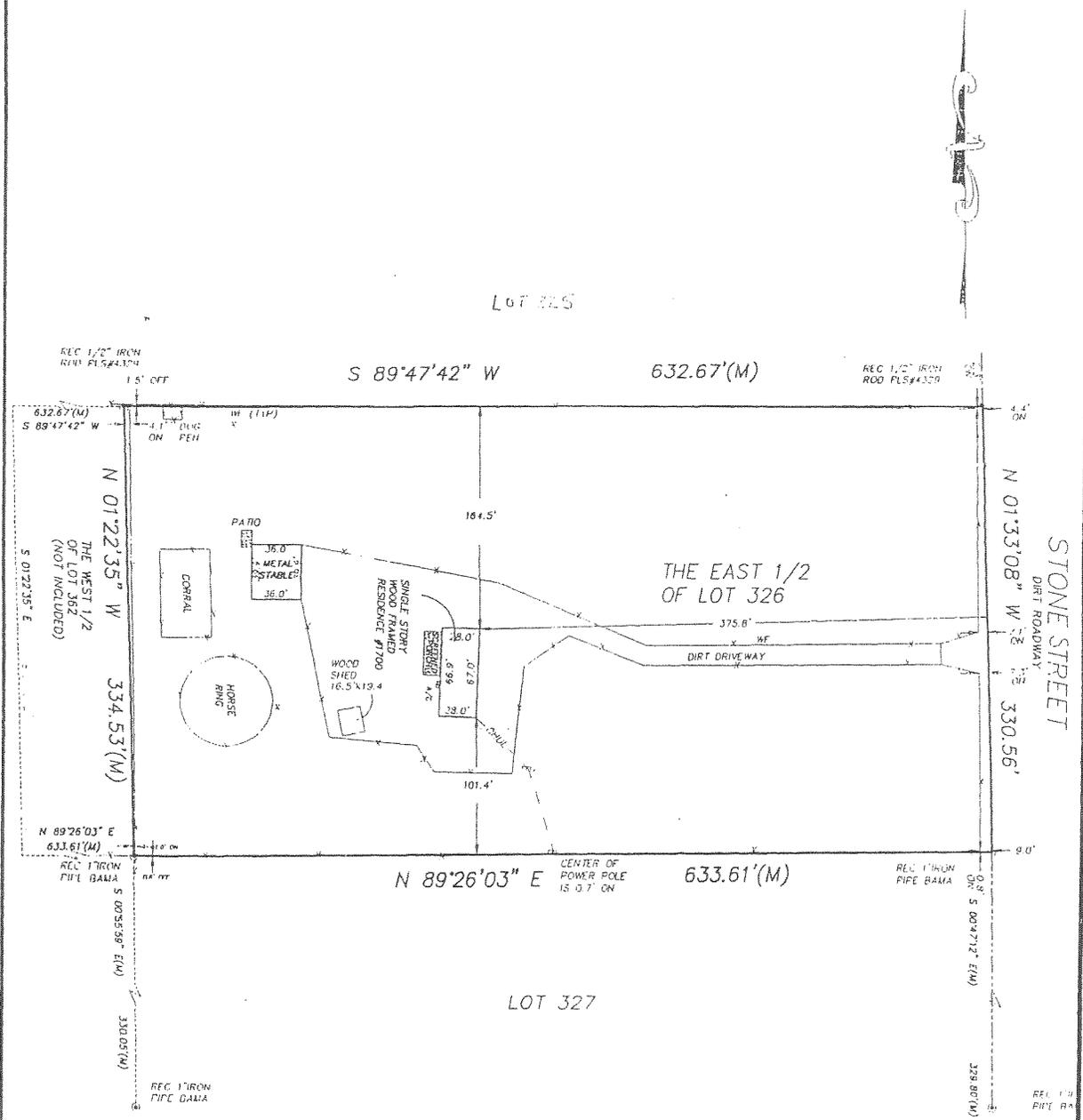
	<p>THE SUBJECT PROPERTY IS A 4.77 ACRE PARCEL (BLACK HAMMOCK PLAT CONSISTING OF 5 ACRE AND 10 ACRE LOTS HAVE BEEN REDUCED IN SIZE BY THE AMOUNT OF LAND DEDICATED TO PUBLIC ROAD RIGHT OF WAY), THAT WOULD OTHERWISE MEET THE MINIMUM SIZE AND DIMENSIONAL REQUIREMENTS OF THE A-5 DISTRICT.</p> <p><b><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></b></p> <p>THE SUBJECT PROPERTY IS CURRENTLY OCCUPIED BY A MOBILE HOME, APPROVED FOR A FIVE YEAR SPECIAL EXCEPTION BY THE BOA IN 1981. SINCE THAT TIME, THE TREND OF DEVELOPMENT IN THE AREA HAS LARGELY REMAINED INCLUSIVE OF CONVENTIONAL AND MOBILE HOMES. IN LIGHT OF THIS, STAFF BELIEVES THE PROPOSED USE WOULD BE CONSISTENT WITH THE CHARACTER OF SINGLE-FAMILY HOMES IN THE AREA.</p>
<p><b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (AGRICULTURE DISTRICT); LDC SECTION 30.104(a)</b></p>	<p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) UPON MAKING FINDINGS OF FACT, IN ADDITION TO THOSE REQUIRED BY SECTION 30.43(B)(2) OF THE LAND DEVELOPMENT CODE, THAT THE USE:</p> <p><b><u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT):</u></b></p> <p>THE USE IS ALLOWED ONLY BY SPECIAL EXCEPTION IN THE A-5 DISTRICT. THE PROPOSED MOBILE HOME WOULD BE REQUIRED TO COMPLY WITH THE SITING STANDARDS ENUMERATED IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE, WHICH ARE INTENDED TO MINIMIZE POTENTIAL INCOMPATIBILITY WITH NEARBY CONVENTIONAL SINGLE-FAMILY HOMES AS FOLLOWS:</p> <ul style="list-style-type: none"><li>○ THE EXISTING MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS.</li><li>○ THE EXISTING MOBILE HOME SHALL BE REQUIRED TO CONFORM TO APPLICABLE CODES, WHICH INCLUDE STANDARDS FOR INSTALLATION, ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING.</li></ul> <p><b><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></b></p> <p>THE REQUEST IS NOT HIGHLY INTENSIVE IN NATURE, AS THE EXISTING MOBILE HOME WOULD ONLY BE PERMITTED FOR SINGLE-FAMILY OCCUPANCY.</p> <p><b><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES:</u></b></p>

	<p>THE SUBJECT PROPERTY IS SERVED BY ON-SITE SEPTIC AND WELL SYSTEMS. OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, ARE ALSO AVAILABLE TO THE SITE.</p>
<p><b>MOBILE HOME AS A SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT); LDC SECTION 30.103</b></p>	<p>A MOBILE HOME MAY BE PERMITTED AS A SPECIAL EXCEPTION ON A LOT OR PARCEL OF RECORD IN THE A-5 (AGRICULTURE DISTRICT), SUBJECT TO THE PREVIOUSLY REFERENCED MOBILE HOME SITING STANDARDS IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE.</p>
<p><b>STAFF FINDINGS:</b></p>	<p>SPECIAL EXCEPTIONS WITHIN ANY ZONING DISTRICT ARE GENERALLY GRANTED FOR PERMANENT USES. HOWEVER, WITH RESPECT TO MOBILE HOMES, SECTION 30.123 OF THE LAND DEVELOPMENT CODE PROVIDES THE ABILITY FOR THE BOA IN ITS SOUND DISCRETION TO PLACE REASONABLE CONDITIONS AND LIMITATIONS, WHICH ARE NECESSARY TO PROTECT THE CHARACTER OF AN AREA AND ARE IN FURTHERANCE OF THE PUBLIC INTEREST. THEREFORE, THE BOA SHOULD GIVE PRIMARY CONSIDERATION TO EITHER GRANTING A SPECIAL EXCEPTION FOR THE CONTINUED OCCUPANCY OF THE EXISTING MOBILE HOME OR DENYING THE REQUEST, BASED UPON THE FOLLOWING FACTORS:</p> <p><b><u>COMPATIBILITY &amp; DEVELOPMENT TRENDS IN THE AREA (CONVENTIONAL VS. MOBILE HOMES); AND</u></b></p> <p>AT THE TIME THE EXISTING MOBILE HOME WAS APPROVED BY SPECIAL EXCEPTION IN MARCH 1981, STAFF RECOMMENDED APPROVAL OF THE REQUEST FOR A PERIOD NOT TO EXCEED FIVE YEARS. SINCE THAT TIME, SINGLE-FAMILY DEVELOPMENT IN THE AREA HAS REMAINED INCLUSIVE OF BOTH MOBILE AND CONVENTIONAL HOMES.</p>
<p><b>STAFF RECOMMENDATION:</b></p>	<p>BASED ON THE STATED FINDINGS, STAFF RECOMMENDS APPROVAL OF THE REQUEST WITH THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"> <li>o ONLY ONE (1) SINGLE-FAMILY MOBILE HOME SHALL OCCUPY THE SITE, AS SHOWN ON THE PROPOSED SITE PLAN;</li> <li>o THE EXISTING MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, INCLUDING STANDARDS FOR ANCHORING, UTILITY ACCESSIBILITY AND SKIRTING.</li> </ul>

# PLAT OF SURVEY

DESCRIPTION: (AS FURNISHED)

THE EAST 1/2 OF LOT 326, MAP OF THE VAN ARSDALE OSBORNE BROKERAGE CO'S ADD. TO BLACK HAMMOCK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 31, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA



### LEGEND:

- |     |                             |     |                              |
|-----|-----------------------------|-----|------------------------------|
| ○   | DENOTES 5/8" IRON ROD #4596 | LB  | LAND SURVEYING BUSINESS      |
| R   | DENOTES RADIUS              | LS  | LAND SURVEYOR                |
| Δ   | DENOTES DELTA ANGLE         | PRM | PERMANENT REFERENCE MONUMENT |
| L   | DENOTES ARC LENGTH          | PCP | PERMANENT CONTROL POINT      |
| CB  | CHORD BEARING               | PI  | POINT OF INTERSECTION        |
| --- | RIGHT OF WAY LINE           | PT  | POINT OF TANGENCY            |
| (P) | PER PLAT MEASURED           | PC  | POINT OF CURVATURE           |
| (M) | MEASURED                    | CLF | CHAIN LINK FENCE             |
| REC | RECOVERED                   | WF  | WOOD FENCE                   |
| □   | CONCRETE                    | TYP | TYPICAL                      |
|     |                             | A/C | AIR CONDITIONER              |
|     |                             | CBW | CONCRETE BLOCK WALL          |
|     |                             | RP  | RADIUS POINT                 |
|     |                             | OHJ | OVERHEAD UTILITY LINE        |

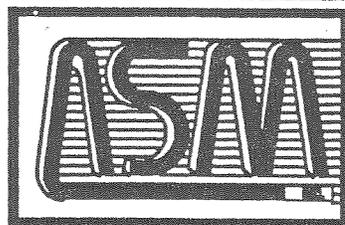
CERTIFIED TO:  
 FIRST AMERICAN TITLE INSURANCE COMPANY  
 WELLS FARGO HOME MORTGAGE  
 TIMOTHY A. TERRELL & USA L. TERRELL

I HAVE EXAMINED THE F.I.R.M. COMMUNITY PANEL NO 130289 0160 E DATED 4/17/95 AND FOUND THE SUBJECT PROPERTY LIES IN ZONE C, AREA OF MINIMAL FLOODING.

BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF LOT 73, BEARING N 89°41'59" W PER PLAT.

(FIELD DATE:) 12/3/97  
 SCALE: 1" = 100 FEET  
 APPROVED BY: BAM  
 JOB NO. A-217000  
 DRAWN BY: OSW

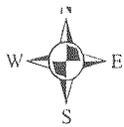
REVISED:  
 UPDATED: 5/21/02



AMERICAN SURVEYING & MAPPING  
 CERTIFICATION OF AUTHORIZATION NUMBER LB#6393  
 320 EAST SOUTH STREET, SUITE 180  
 ORLANDO, FLORIDA  
 32801 (407) 426-7979

1. THE SURVEYOR HAS NOT ABSTRACTED THE LAND SHOWN HEREON FOR EASEMENTS, RIGHT OF WAY, RESTRICTIONS OF RECORD WHICH MAY AFFECT THE TITLE OR USE OF THE LAND.
2. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
3. NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

*Galen K. Bell* 5/23/02 FOR THE FIRM  
 GALEN K. BELL, PSM #4228 DATE

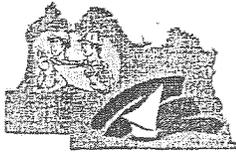


Tim & Lisa Terrell  
1700 Stone Street



**Legend**  
**Parcel Land Use**

- Other Land Use
- Vacant Residential
- Single Family
- Mobile Home



**COPY**

APPL. NO. Bm 2004-023

**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**
- SPECIAL EXCEPTION** mobile home
- MOBILE HOME SPECIAL EXCEPTION** permanent approval
- EXISTING  PROPOSED  REPLACEMENT  
 MOBILE HOME IS FOR residence  
 YEAR OF MOBILE HOME 1986 SIZE OF MOBILE HOME 1568 sq ft  
 ANTICIPATED TIME MOBILE HOME IS NEEDED present  
 PLAN TO BUILD  YES  NO IF SO, WHEN 10 years  
 MEDICAL HARDSHIP  YES (LETTER FROM DOCTOR REQUIRED)  NO
- APEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	<u>Tim + Lisa Terrell</u>	
ADDRESS	<u>1700 Stone St. Oviedo FL 32765</u>	
PHONE 1	<u>407-977-0178</u>	
PHONE 2	<u>cell 407-929-8285</u>	
E-MAIL	<u>mktterrell@aol.com</u>	

PROJECT NAME: \_\_\_\_\_

SITE ADDRESS: 1700 Stone St. Oviedo FL 32765

CURRENT USE OF PROPERTY: residential

LEGAL DESCRIPTION: Leg E 1/2 of lot 326 Black Hammock PB 1 pg 31

SIZE OF PROPERTY: 4.77 acre(s) PARCEL I.D. 25-20-31-58A-0000-326A

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS \_\_\_\_\_

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on Dec. 13, 2004 (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.

Lisa Terrell  
 SIGNATURE OF OWNER OR AGENT\*

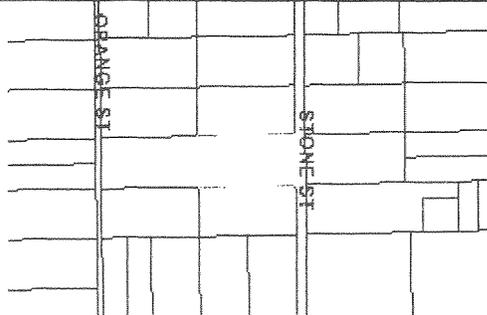
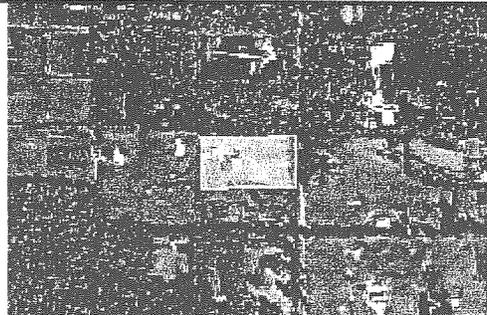
10/13/04  
 DATE

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

KF



Personal Property Please Select Account

PARCEL DETAIL	REAL ESTATE	PERSONAL PROP.	TAX ROLL	SALES SEARCH																																																
 Seminole County Property Appraiser Services 1101 E. First St Sanford, FL 32771 407.665.7500																																																				
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 25-20-31-5BA-0000-326A      Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: TERRELL TIMOTHY A &amp; LISA L      Exemptions: 00-HOMESTEAD</p> <p>Address: 1700 STONE ST</p> <p>City, State, Zip Code: OVIEDO FL 32765</p> <p>Property Address: 1700 STONE ST OVIEDO 32765</p> <p>Subdivision Name: BLACK HAMMOCK</p> <p>Dor: 02-MOBILE/MANUFACTURED</p>			<p style="text-align: center;"><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$74,929</p> <p>Land Value (Market): \$47,700</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$122,629</p> <p>Assessed Value (SOH): \$113,067</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$88,067</p>																																																	
<p style="text-align: center;"><b>SALES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <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>WARRANTY DEED</td> <td>05/2002</td> <td>04427</td> <td>1987</td> <td>\$144,000</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>02/1998</td> <td>03376</td> <td>1665</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1997</td> <td>03344</td> <td>0650</td> <td>\$96,500</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>11/1991</td> <td>02375</td> <td>0183</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1987</td> <td>01807</td> <td>0913</td> <td>\$87,500</td> <td>Improved</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>01/1985</td> <td>01613</td> <td>1793</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1981</td> <td>01321</td> <td>1759</td> <td>\$26,900</td> <td>Vacant</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>			Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	05/2002	04427	1987	\$144,000	Improved	QUIT CLAIM DEED	02/1998	03376	1665	\$100	Improved	WARRANTY DEED	12/1997	03344	0650	\$96,500	Improved	QUIT CLAIM DEED	11/1991	02375	0183	\$100	Improved	WARRANTY DEED	01/1987	01807	0913	\$87,500	Improved	QUIT CLAIM DEED	01/1985	01613	1793	\$100	Improved	WARRANTY DEED	02/1981	01321	1759	\$26,900	Vacant	<p style="text-align: center;"><b>2004 VALUE SUMMARY</b></p> <p>Tax Value (without SOH): \$1,665</p> <p>2004 Tax Bill Amount: \$1,453</p> <p>Save Our Homes (SOH) Savings: \$212</p> <p>2004 Taxable Value: \$85,959</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>	
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<p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																				

BACK
PROPERTY APPRAISER HOME PAGE
CONTACT



Application number	85 00000871	
Application status, date	CERTIFICATE ISSUED	1/01/01
Property	1700 STONE ST	
Parcel ID	25-20-31-58A-0000-326A	
Subdivision Name	BLACK HAMMOCK	
Subdivision	BLACK HAMMOCK	
Zoning	A5 AGRICULTURE	
Application type	R112 MOBILE HOME	
Application date	2/26/85	
Tenant number, name		
Master plan number, reviewed by		CNV
Estimated valuation		
Total square footage	0	
Public building	NO	
Work description, quantity		
Pin number	5047	

OK Exit Cancel Fees Receipts

FILE #: BA(7-20-81)-75TE      APPL: BYNUM, HARRY  
SEC: 01    TWP: 21    RNG: 31    SUF:      PL BK:      1    PB PG: 31    BLOCK #:

DEVELOPMENT NAME: MH-BYNUM, HARRY  
LOC: ON W SIDE OF STONE STREET AND 1,000 FT. N OF FLORIDA AVENUE.  
LOT #1: 326    #2:      #3:      #4:      #5:      #6:      #7:  
PARC #1:      #2:      #3:      #4:      #5:      #6:      #7:

REQUEST DESCRIPTION:  
TO PLACE A MOBILE HOME.

ACTION: APPROVED FIVE YEARS  
DATE: 072081

REMARKS:  
(VAN ARSDALE OSBORNE BROKERAGE CO.'S ADDITION TO BLACK HAMMOCK)  
(E 1/2 OF LOT 326)

CMD 1 - End Job      CMD 2 - Go to Search Prompt      HELP - SCREEN AID

Harry Bynum

~~110 Marvin Ave.~~

~~Longwood Fl. 32771~~

1700 Stone St.

Qviedo-32765

E 1/2 of Lot 326, Van  
Arsdale Osborne Brokerage  
Co. Plat of Black Hammock,  
PB 1, Pg 31, SEC 1-21-31;  
Stone St.  
BA(7-20-81)-75TE

5 YR Permit #81-07-238 issued 7/23/81.

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On November 15, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 326A BLACK HAMMOCK PB 1 PG 31

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

**FINDINGS OF FACT**

**Property Owner:** TIM AND LISA TERRELL  
1700 STONE STREET  
OVIEDO, FL 32765

**Project Name:** 1700 STONE STREET

**Requested Development Approval:**

**SPECIAL EXCEPTION TO ALLOW THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION 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: Kathy Fall  
1101 East First Street  
Sanford, Florida 32771

**Order****NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
  - A. THE EXISTING MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, INCLUDING STANDARDS FOR ANCHORING, UTILITY ACCESSIBILITY AND SKIRTING.
- (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 \_\_\_\_\_, 2004.

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

My Commission Expires:

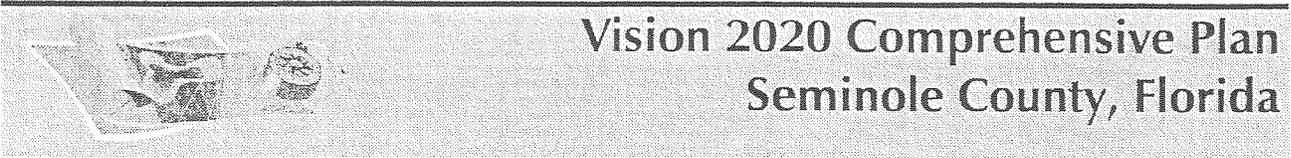
**“GRANDFATHER CLAUSE”  
A-3, A-5, AND A-10 ZONING DISTRICTS**

It is the intent of the rural residential land use designations (Rural 3, Rural 5, Rural 10) to guide the future development and use of these areas. For the purpose of the Rural 3, Rural 5 and Rural 10 categories, structures existing as of the adoption date, Sept. 11, 1991, of the 1991 Comprehensive Plan shall be permitted to be rebuilt in the event of an accident or otherwise improved as long as the gross density of residential property or intensity of non-residential property of the property is not increased and/or the land use remains consistent with those regulations in effect as of the adoption date of this Plan. Lots and parcels of record as of the date of adoption of the Comprehensive Plan shall be allowed to be built upon even if they are smaller than the new lot size standards, as long as all other land development regulations are met. Parcels of record shall include all parcels of land recorded and all lots which are part of a subdivision plat, 5 acre Resolution or Waiver to Subdivision Regulations which have received final approval or execution prior to the adoption of this Plan.

**BLACK HAMMOCK:**

Consider that lots originally recorded or platted as 5 acres and/or 10 acres in size in the old Black Hammock Plat that have been reduced in size by the amount of land dedicated to public road rights-of-way, shall be considered as 5-acre and/or 10-acre lots for purposes of land use consistency and dwelling unit yield determination. For example, a lot that was originally platted as a 10-acre lot that now contains only 9.17 acres because, and solely because, land from the original lot was dedicated to a public road right-of-way, will be considered a 10-acre lot; 5 acre lots, and multiples of 5-acre lots.

*Adoption date: September 11, 1991*



# Vision 2020 Comprehensive Plan Seminole County, Florida

- 3 Continue to pursue a Joint Planning Agreement with the City of Winter Springs for the purpose of achieving Objective FLU 11.
- B Black Hammock Plat

The County shall provide that lots originally recorded or platted as five (5) acres and/or 10 acres in size in the old Black Hammock Plat that have been reduced in size by the amount of land dedicated to public road rights-of-way, shall be considered as five (5) acre and/or 10 acre lots for purposes of land use consistency and dwelling unit yield determination. For example, a lot that was originally platted as a 10 acre lot that now contains only 9.17 acres because, and solely because, land from the original lot was dedicated to a public road right-of-way, will be considered a 10-acre lot; five (5) acre lot, and multiples of five (5) acre lots, similarly reduced, will be treated likewise.

C Existing Conditions

It is the intent of the County to guide the future development and use of the Rural Area as depicted in *Exhibit FLU: Special Area Boundaries*. For the purposes of the lands within the Rural Area (including Suburban Estates, Rural-3, Rural-5 and Rural-10 land use designations) structures existing as of the adoption date of the 1991 Comprehensive Plan shall be permitted to be rebuilt in the event of a natural disaster or act of God or be otherwise improved as long as the gross density of residential property or intensity of nonresidential property is not increased and/or the land use remains consistent with those regulations in effect as of the adoption date of the 1991 Comprehensive Plan.

Lots and parcels of record as of the date of adoption of the 1991 Comprehensive Plan, with the exception of those with a Suburban Estates future land use designation assigned to the property, shall be allowed to be built upon even if they do not conform to the currently adopted building site area regulations, as long as all other land development regulations are met and the lot was legally created prior to 1991.

Lots and parcels of record assigned the Suburban Estates future land use designation and which have a residential zoning classification within the Suburban Estates land use designation, shall be permitted to be developed provided that all applicable zoning regulations and land development regulations are met and the lot was legally created prior to 1991.

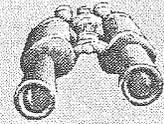
Parcels of record shall include all parcels of land recorded and all lots which are part of a subdivision plat, 5 Acre Resolution or Waiver to Subdivision Regulations which have received final approval or execution prior to the adoption of the 1991 Comprehensive Plan.

Parcels of record, as described herein and determined to be in fact and completely Conservation, shall be allowed to build a maximum of one single family residence per such parcel of record as subject to any and all other development regulations, requirements and restrictions. (*See Future Land Use Element - Definitions of Future Land Use Designations - Conservation regarding allowed uses and special provisions of development*).



# Vision 2020 Comprehensive Plan

## Seminole County, Florida



This provision is based on the following findings:

- 1 These lots and parcels are a generally accepted development pattern by residents of the East Area of Seminole County;
- 2 The grandfathering of these certain lots and parcels will not adversely affect the overall intent and objectives of the Rural Area Plan;
- 3 Development of lots deriving from these lots and parcels will be subject to all Land Development Code provisions and therefore will further implement the provisions of the Rural Area Plan; and
- 4 There are expressed expectations and intent by these existing property owners to use their property in a certain manner as evidenced through their application for and action by the County to record a parcel, approve and maintain as valid a final Development Order or execute a 5-Acre Resolution.

### D Family Farms

The County shall facilitate the continuation of the family farm by permitting family subdivisions. It is the intent of the Rural-10 and Rural-5 land use designations to permit the development of tracts of land for the use of family members for their primary residences. For the purpose of the Rural-10 and Rural-5 designations, property developed and/or subdivided for the use of immediate family members for their primary residence shall not be limited in density to one (1) dwelling unit per 10 acres, but may be developed for up to three family residences on a minimum of 10 acres notwithstanding the density pursuant to the clustering provisions established in this Plan. Immediate family is defined as persons related by blood, marriage, or adoption, such as parents, spouses, siblings and children. Those provisions shall not be construed to permit land to be subdivided in a lot size smaller than one (1) acre.

### Policy FLU 11.16 Facilities Improvements Consistent with the Rural Character

Improvements to public facilities shall be accomplished whenever possible in a manner so as to preserve or enhance the rural character of East Seminole County. This criteria shall apply to level of service standards, location, design standards, materials, and any other items impacting the final result.

### Policy FLU 11.17 Chuluota Nonresidential Design Standards

- A The County shall adopt design standards for nonresidential development in the Chuluota Design Area, as shown in *Exhibit FLU: Special Area Boundaries*, for the purpose of maintaining the rural character of the Chuluota area. Nonresidential development shall mean office uses, commercial uses, and any other use that is nonresidential in character as that term may be defined in the implementing ordinance.

