

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

SUBJECT: REQUEST FOR SPECIAL EXCEPTION FOR THE ONE YEAR PLACEMENT OF A RECREATIONAL VEHICLE IN THE A-5 (RURAL ZONING CLASSIFICATION), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 1645 LAKE HARNEY ROAD; (GERALD & SHARON DRISKELL, APPLICANTS).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

Agenda Date 01-24-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** REQUEST FOR SPECIAL EXCEPTION FOR THE ONE YEAR PLACEMENT OF A RECREATIONAL VEHICLE IN THE A-5 (RURAL ZONING CLASSIFICATION), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 1645 LAKE HARNEY ROAD; (GERALD & SHARON DRISKELL, APPLICANTS); OR
2. **DENY** REQUEST FOR SPECIAL EXCEPTION FOR THE ONE YEAR PLACEMENT OF A RECREATIONAL VEHICLE IN THE A-5 (RURAL ZONING CLASSIFICATION), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 1645 LAKE HARNEY ROAD; (GERALD & SHARON DRISKELL, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	GERALD & SHARON DRISKELL, APPLICANTS 1645 LAKE HARNEY ROAD GENEVA, FL 32732	A-5 (RURAL ZONING CLASSIFICATION)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS PROPOSE TO OCCUPY A RECREATIONAL VEHICLE FOR ONE YEAR IN THE A-5 DISTRICT, WHILE A PERMANENT SINGLE-FAMILY DWELLING IS UNDER CONSTRUCTION ON THE SAME PROPERTY. • THE PROPOSED RECREATIONAL VEHICLE WILL BE USED EXCLUSIVELY AS A SINGLE FAMILY RESIDENCE. • THE SUBJECT PROPERTY DOES NOT MEET THE MINIMUM SIZE REQUIREMENTS OF THE A-5 DISTRICT. HOWEVER, IN THE ATTACHED LETTER DATED AUGUST 6, 1997, STAFF DETERMINED THE PROPERTY TO BE A PARCEL OF RECORD, WHICH PREDATES THE APPLICATION OF THE A-5 MINIMUM LOT SIZE STANDARD. 	

FOR THIS REASON, ALONG WITH THE PRIOR CONSTRUCTION OF OTHER STRUCTURES ON THE PROPERTY, THE BUILDABILITY OF THE PROPERTY HAS BEEN DETERMINED WITHOUT THE NEED FOR A VARIANCE FROM MINIMUM LOT SIZE.

- o SECTION 35.2 (SUBDIVISION REGULATIONS APPLICABILITY) ALLOWS PROPERTY TO BE SUBDIVIDED ONE TIME WITHOUT PLATTING PROVIDED THAT BOTH PARCELS CONFORM WITHOUT THE NECESSITY OF VARIANCE TO ALL REQUIREMENTS OF THE APPLICABLE ZONING DISTRICT (A-1), BOTH PARCELS HAVE FRONTAGE ON A PUBIC ROAD, AND EACH PARCEL HAS A BUILDABLE AREA EQUAL TO THE MINIMUM LOT SIZE REQUIREMENT OF THE APPLICABLE DISTRICT (43,560 SF) AND IS LOCATED ABOVE THE 100 YEAR FLOOD ELEVATION.
- o THE OFFICIAL LOT SPLIT WAS RECORDED AFTER 1997 (FOLLOWING THE ADOPTION OF A-5 STANDARDS IN 1991) AND WOULD HAVE BEEN PROHIBITED BY VIRTUE OF THE MINIMUM 5-ACRE REQUIREMENT, IF NOT FOR STAFF'S PRIOR AUTHORIZATION OF THE LOT SPLIT IN 1986.
- o THE ATTACHED ADMINISTRATIVE FORM ENTITLED, "DIVIDING A-1 ZONED PROPERTY WITHOUT PLATTING" CONFIRMS THAT THE PROPERTY WAS APPROVED FOR SUBDIVISION BY THE PLANNING DIVISION PRIOR TO THE ADOPTION OF THE A-5 DISTRICT STANDARDS IN 1991, WHICH SUBSEQUENTLY RENDERED BOTH PARCELS NONCONFORMING WITH RESPECT TO MINIMUM LOT SIZE.
- o THE RESULTING SPLIT CREATED TWO LOTS OF EQUAL SIZE (PARCELS 11D AND 11A). THERE IS A PRE-EXISTING SINGLE-FAMILY DWELLING ON PARCEL 11A AND AN (ACCESSORY) BARN/SHED ON PARCEL 11D (WHERE THE SPECIAL EXCEPTION IS REQUESTED).
- THE TEMPORARY OCCUPANCY OF A RECREATIONAL VEHICLE WHILE A SINGLE-FAMILY STRUCTURE IS UNDER CONSTRUCTION IS PERMITTED ONLY BY SPECIAL EXCEPTION IN THE A-5 DISTRICT.

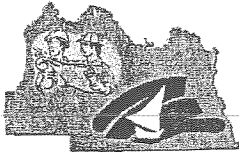
ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	SITE	A-5	SE	BARN/SHED
	NORTH	A-1	SE	VACANT
	SOUTH	A-5	SE	VACANT
	EAST	A-5	SE	SINGLE-FAMILY
	WEST	A-5	SE	MOBILE HOME

STANDARDS FOR GRANTING A SPECIAL ***IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF***

<p>EXCEPTION; LDC SECTION 30.43(B)(2)</p>	<p><u>DEVELOPMENT IN THE AREA:</u></p> <p>RECREATIONAL VEHICLES ARE COMMONLY PERMITTED VEHICLES IN THE A-5 DISTRICT. THEREFORE, THE TEMPORARY OCCUPANCY OF THE SAME ON A LOT WHERE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION WOULD BE COMPATIBLE WITH THE TREND OF DEVELOPMENT ON NEARBY AND ADJACENT PROPERTIES WITHIN THIS ZONING CATEGORY.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>SINCE THE RECREATIONAL VEHICLE WOULD BE TEMPORARILY UTILIZED AS A SINGLE-FAMILY DWELLING THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.</p> <p><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></p> <p>THE REQUEST IS FOR THE TEMPORARY APPROVAL OF A USE, WHICH WOULD BE USED FOR SINGLE-FAMILY PURPOSES; THE SAME WOULD BE CONSISTENT WITH THE COMPREHENSIVE PLAN'S DESIGNATION OF LDR FUTURE LAND USE FOR THE SUBJECT PROPERTY.</p> <p><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></p> <p>THE SUBJECT PROPERTY DOES NOT MEET THE MINIMUM SIZE AND YARD REQUIREMENTS OF THE A-5 DISTRICT. HOWEVER, THE BUILDABILITY OF THE LOT HAS ALREADY BEEN DETERMINED WITHOUT A VARIANCE, AS EXPLAINED ELSEWHERE IN THIS REPORT.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>AT PRESENT, THE TREND OF DEVELOPMENT IN THE IMMEDIATE AREA INCLUDES CONVENTIONAL SINGLE-FAMILY HOMES AND VACANT PROPERTIES. THEREFORE, THE TEMPORARY OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE, WHILE A PERMANENT HOME IS CONSTRUCTED ON THE SUBJECT PROPERTY, WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING)</p>	<p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION) UPON MAKING FINDINGS OF FACT, IN ADDITION TO THOSE REQUIRED BY SECTION 30.43(B)(2) OF THE LAND</p>

<p>CLASSIFICATION)</p>	<p>DEVELOPMENT CODE, THAT THE USE:</p> <p><u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE RURAL ZONING CLASSIFICATIONS:</u></p> <p>THE PROPOSED RECREATIONAL VEHICLE IS A SPECIAL EXCEPTION IN THE A-5 DISTRICT. TO ENSURE CONSISTENCY WITH THE GENERAL ZONING PLAN OF THE A-5 DISTRICT AND PROTECT THE CHARACTER OF THE AREA, THE MOBILE HOME SITING STANDARDS ENUMERATED IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE WOULD APPLY AS STATED ELSEWHERE IN THIS REPORT.</p> <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>THE REQUEST WOULD NOT BE HIGHLY INTENSIVE IN NATURE, AS THE PROPOSED RECREATIONAL VEHICLE WOULD BE USED ON A TEMPORARY BASIS FOR SINGLE-FAMILY PURPOSES.</p> <p><u>IS COMPATIBLE WITH THE CONCEPT OF LOW-DENSITY RESIDENTIAL LAND USE:</u></p> <p>THE PROPOSED USE WOULD BE CONSISTENT WITH THE CONCEPT OF SURROUNDING SINGLE-FAMILY LAND USE SINCE THE COMPREHENSIVE PLAN DESCRIBES LOW DENSITY RESIDENTIAL AS AN APPROPRIATE FLU CATEGORY FOR THE PLACEMENT OF A MOBILE.</p> <p><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES.</u></p> <p>THE PROPOSED USE WOULD BE SERVED BY COUNTY WATER AND SEWAGE SYSTEMS AND WOULD HAVE ACCESS TO OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, WHICH ARE AVAILABLE TO THE SITE.</p>
<p>STAFF FINDINGS</p>	<p>THE APPLICANT HAS SATISFIED THE STANDARDS FOR THE GRANT OF A SPECIAL EXCEPTION FOR TEMPORARY OCCUPANCY OF A MOBILE HOME AS A SINGLE-FAMILY DWELLING. BASED ON THE FINDINGS PRESENTED, STAFF RECOMMENDS APPROVAL OF THIS REQUEST, CONDITIONED UPON THE SITE PLAN SUBMITTED, CONFORMITY WITH THE COMPREHENSIVE PLAN, AND ADHERENCE TO THE FOLLOWING LAND DEVELOPMENT CODE STANDARDS</p> <ul style="list-style-type: none"> • A BUILDING PERMIT SHALL BE SECURED PRIOR TO THE OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE AS A TEMPORARY SINGLE-FAMILY

	<p>DWELLING ON THE SUBJECT PROPERTY.</p> <ul style="list-style-type: none">• A PERMANENT SINGLE-FAMILY HOME SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE PROPOSED RECREATIONAL VEHICLE IS USED AS A TEMPORARY DWELLING.• THE PLACEMENT & OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE SHALL NOT EXCEED ONE (1) YEAR & SHALL BE RENEWABLE FOR AN ADDITIONAL PERIOD OF ONE (1) YEAR UPON APPROVAL BY THE BOARD OF ADJUSTMENT.• PRIOR TO FINAL INSPECTION OF THE RESIDENCE, THE PROPERTY OWNER SHALL FURNISH THE PLANNING DIVISION WITH ACCEPTABLE EVIDENCE AS TO THE DATE & METHOD THAT THE PROPOSED RECREATIONAL VEHICLE WILL CEASE TO EXIST AS A TEMPORARY SINGLE-FAMILY DWELLING.• THE PROPOSED RECREATIONAL VEHICLE SHALL CEASE TO BE USED A SINGLE-FAMILY DWELLING WITHIN THIRTY (30) DAYS, FOLLOWING THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE PERMANENT SINGLE-FAMILY HOME.
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SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

APPL. NO. BM 2005-003

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.

RECEIVED
 JAN 06 2005

APPLICATION TYPE:

- VARIANCE**
- SPECIAL EXCEPTION**
(RV)
- MOBILE HOME SPECIAL EXCEPTION** for one year occupancy of RV while SF home is under construction.
 - EXISTING (YEAR _____) PROPOSED (YEAR _____)
 - REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME _____
 - ANTICIPATED TIME MOBILE HOME IS NEEDED _____
 - PLAN TO BUILD YES NO IF SO, WHEN Immediate future
 - MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Driskell, Gerald D & Sharon M.	
ADDRESS	P.O. Box 224 / 1645 LK Harvey Rd. Geneva FL 32732	
PHONE 1	407-417-1539 (cell)	
PHONE 2	407-463-3809 Cell #2	
E-MAIL		

PROJECT NAME: N/A
 SITE ADDRESS: 1645 LK. Harvey Rd. - Geneva, FL.
 CURRENT USE OF PROPERTY: Has a Storage barn -
 LEGAL DESCRIPTION: Sec 23 TWP 20S Rge 32E W 1/2 of E 1/2 of NW 1/4 of NW 1/4 of NE 1/4 (Less Rd.) (23-20-32-300-011D-0000)
 SIZE OF PROPERTY: 2.4 acre(s) PARCEL I.D. 23-20-32-300-011D-0000
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____
 KNOWN CODE ENFORCEMENT VIOLATIONS _____

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO Has locked gate - Owner to be notified before entry

This request will be considered at the Board of Adjustment regular meeting on 2/28/05 (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.

X Gerald D. Driskell
 SIGNATURE OF OWNER OR AGENT*

1-5-05
 DATE

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

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:

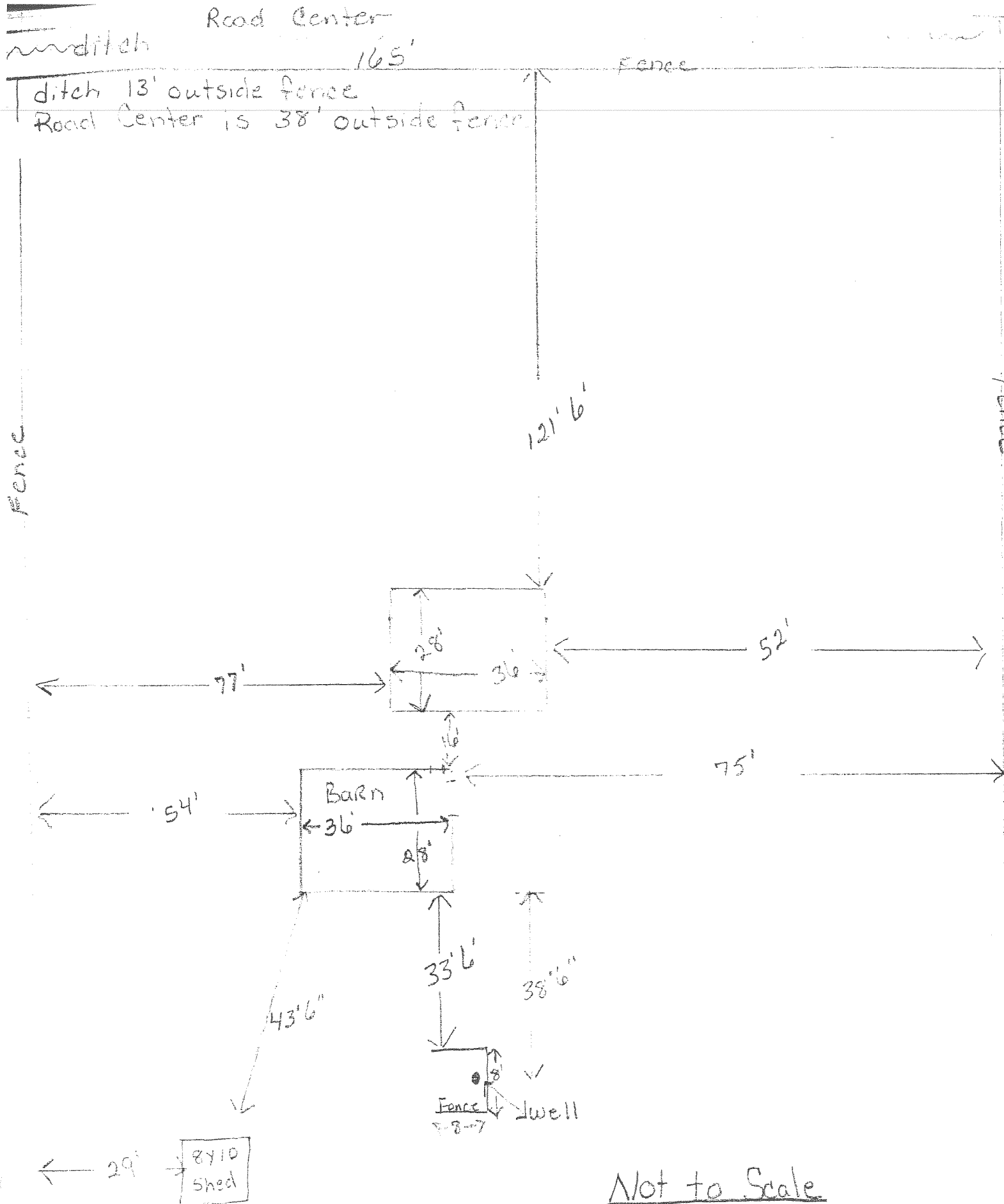
FEE(S): _____ COMMISSION DISTRICT _____ FLU / ZONING R5/A-5

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS On South Side of Lake Henry Rd, approx. 767 ft. West of intersection of Lake Henry Rd & N Jungic Road

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____



Not to Scale

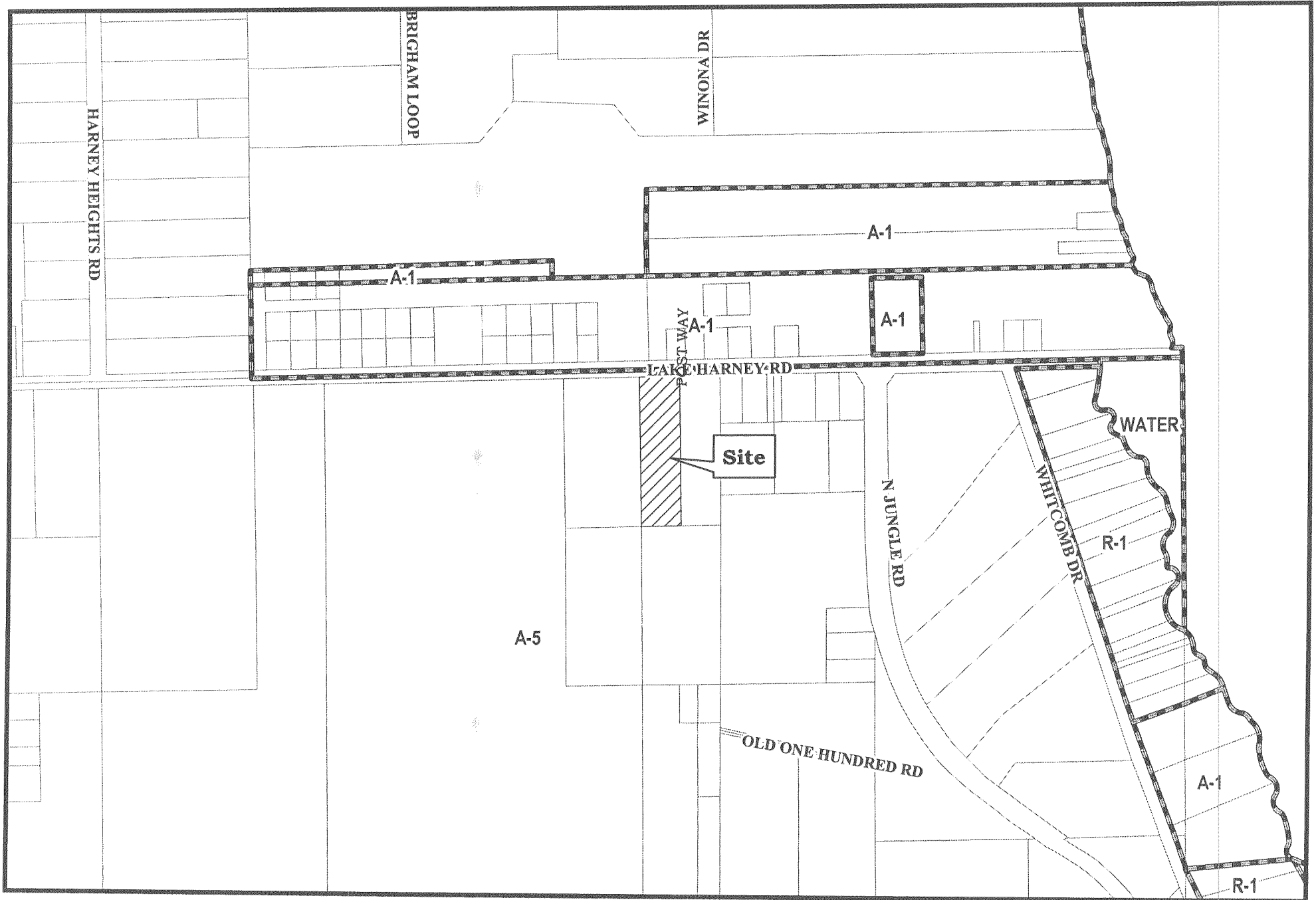
Gerald D. Driskell
 P.O. Box 224 (1645 Wc Harney Rd)
 Geneva, FL 32732

PARCEL DETAIL		REAL ESTATE	PERSONAL	TAX ROLL	SALES SEARCH	◀ ◀ BACK																				
DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-655-7506					<input type="checkbox"/>																					
GENERAL Parcel Id: 23-20-32-300-011D-0000 Tax District: 01-COUNTY-TX DIST 1 Owner: DRISKELL GERALD D & SHARON M Exemptions: Address: PO BOX 224 City,State,ZipCode: GENEVA FL 32732 Property Address: Subdivision Name: Dor: 07-MISCELLANEOUS RESIDE				2005 WORKING VALUE SUMMARY Value Method: Number of Buildings: Depreciated Bldg Value: Depreciated EXFT Value: Land Value (Market): \$ Land Value Ag: Just/Market Value: \$ Assessed Value (SOH): \$ Exempt Value: Taxable Value: \$ Tax Estimator																						
SALES Deed Date Book Page Amount Vac/Imp Find Comparable Sales within this Subdivision				2004 VALUE SUMMARY 2004 Tax Bill Amount: 2004 Taxable Value: DOES NOT INCLUDE NON-AS																						
LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>1.620</td> <td>8,500.00</td> <td>\$13,770</td> </tr> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>.800</td> <td>20.00</td> <td>\$16</td> </tr> </tbody> </table>				Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	1.620	8,500.00	\$13,770	ACREAGE	0	0	.800	20.00	\$16	LEGAL DESCRIPTION SEC 23 TWP 20S RGE 32E W 1/2 OF E 1/2 OF NW 1/4 OF NE 1/4 (LESS RD)				
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BACK HOME CONTACT

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																																			
<p align="center">GENERAL</p> <p>Parcel Id: 23-20-32-300-011A-0000 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: GREENAN RICHARD Exemptions:</p> <p>Address: BOX 942</p> <p>City,State,ZipCode: GENEVA FL 32732</p> <p>Property Address: 1655 LAKE HARNEY RD GENEVA 32732</p> <p>Subdivision Name:</p> <p>Dor: 01-SINGLE FAMILY</p>	<p>2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$83,398</p> <p>Depreciated EXFT Value: \$6,404</p> <p>Land Value (Market): \$13,786</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$103,588</p> <p>Assessed Value (SOH): \$103,588</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$103,588</p> <p>Tax Estimator</p>																																																		
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**Gerald & Sharon Driskell
1645 Lake Harney Rd.**



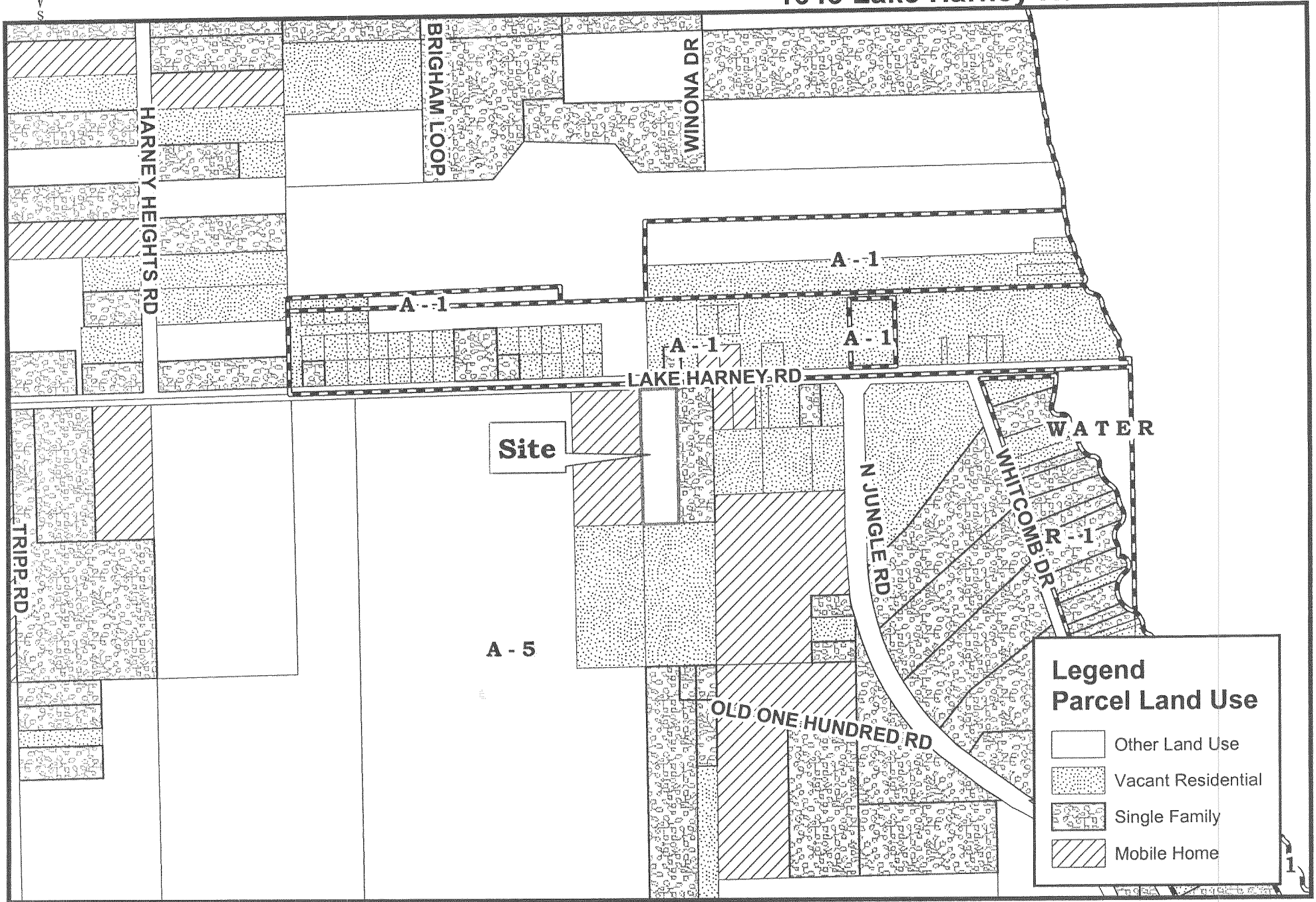
Parcel: 23-20-32-300-011D-0000 / District: 2

**BM2005-003
JANUARY 24, 2005**

0 150 300 600 Feet

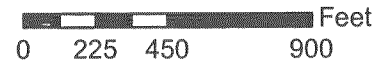


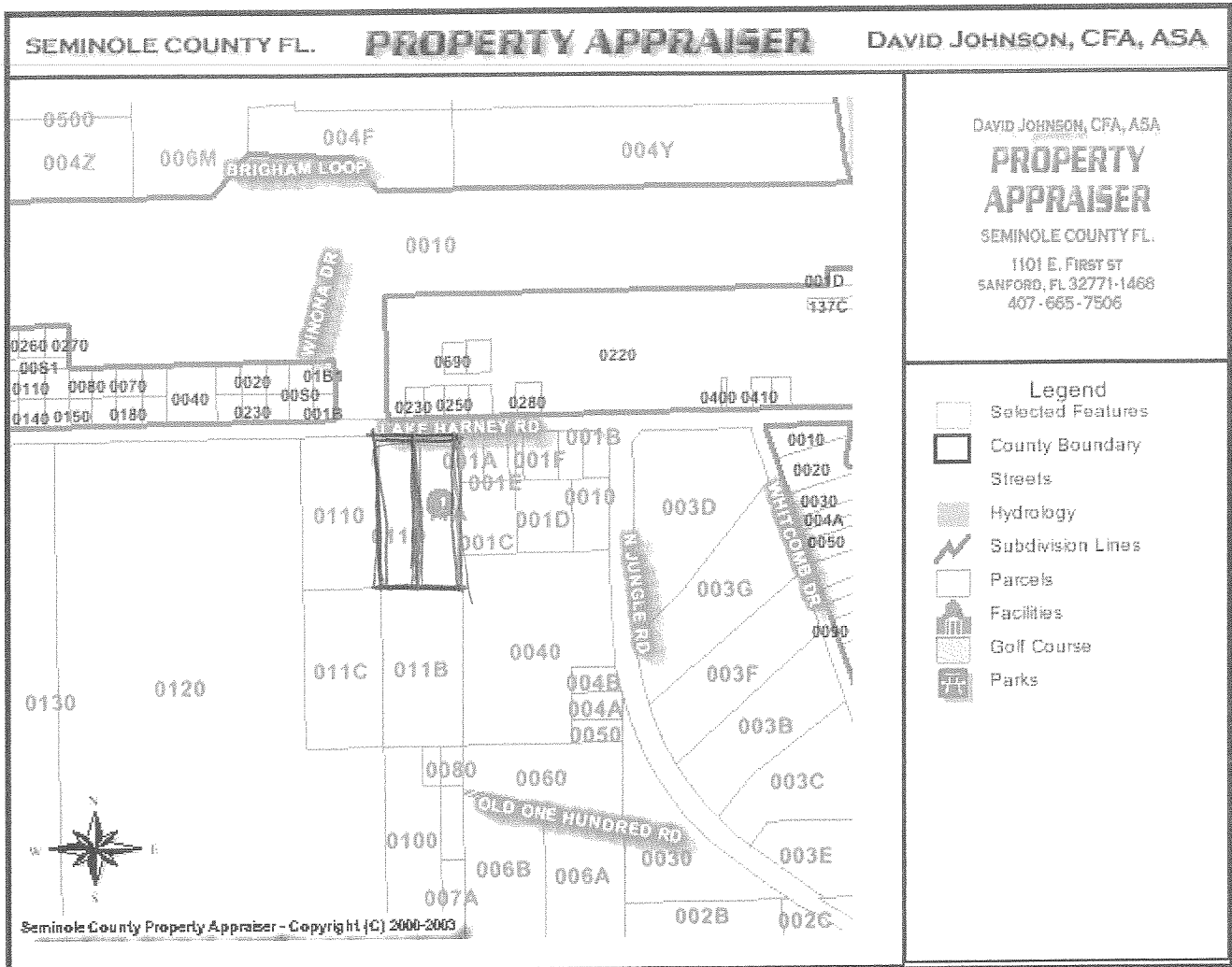
Gerald & Sharon Driskell
1645 Lake Harney Rd.



**Legend
Parcel Land Use**

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





DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL.
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-655-7506

- Legend**
- Selected Features
 - County Boundary
 - Streets
 - Hydrology
 - Subdivision Lines
 - Parcels
 - Facilities
 - Golf Course
 - Parks

Rec	Parcel	Owner	Owner Addr	City	State	Zip
1	232032300011A0000	GREENAN RICHARD	BOX 942	GENEVA	FL	32732

Seminole County Government

Current Planning Division 1101 East First Street Sanford FL 32771 Telephone (407) 321-1130 Ext 7433/7444 FAX 328-3239

August 6, 1997

Mr. Gerald Driskell
1655 Lake Harney Road
Geneva, Florida 32732

Re: 23-20-32-300-011A-0000

Dear Mr. Driskell:

After reviewing the information which you presented to me at our meeting yesterday, I have determined the following. This determination, again based upon the information provided to our office, is predicated on the following facts.

1. The subject parcel of property is a parcel of record, on the County tax rolls, prior to July 28, 1970.
2. The subject property was purchased in 1966.
3. There were two driveways installed, on the subject property, by Seminole County in 1966 when Lake Harney Road was paved.
4. Irene Johnson, of our office, reviewed and approved a land split for the subject parcel in 1986. This is evidenced by the form which Irene signed with a copy of the 1986 Tax Bill attached.
5. The subject property is located on a paved public road (Lake Harney Rd.).
6. All of the above steps or information was provided to the County prior to 1991.

Therefore, based upon a preponderance of the information provided, I have determined that the above described parcel may be subdivided in accordance with the Seminole County Subdivision Regulations. If you have any further questions relative to actually splitting the property, please give me a call.

Sincerely,



John Dwyer
Current Planning Manager

cc: Commissioner McLain, District #5

Received 8-8-97

(Keep - forever)

DIVIDING A-1 ZONED PROPERTY WITHOUT PLATTING

Your property must have been a parcel of record prior to July 28, 1970. A deed or agreement for a deed dated prior to this date describing the exact boundary of the lot to be divided is required. If your parcel was not created prior to this date, it may not be divided without platting.

- I. No more than two parcels may be created meeting the following criteria:
 - A. One acre minimum lot size.
 - B. Minimum width at the building line of 150 feet.
 - C. Deeded frontage on a public right-of-way (not a deeded easement. A flag lot may be created, meaning a lot with a strip of land (we recommend 20 feet) fronting on the public right-of-way and leading to the home site. The pole of the flag may be included in the total acreage of the lot.
 - D. Both deeds cut and recorded at the same time.
 - E. No non-conforming parcel created.
 - F. No variances required.

Drawing attached

Advised By: [Signature]
Seminole County Land Management Office

Requested By: _____

Date: _____

COMMENTS:

T.P. 11A is a parcel of record prior to July 28, 1970 therefore it is allowed to be split once as long as it meet all of the requirement above. From 1 A-F it does front on a public right-of-way

LEGAL DESCRIPTION: T.P. 11A

SEC. 23 TWP. 20 RNG 32

UNDATED FORM

[Handwritten notes and signatures on the right margin]

CERTIFIED COPY
MARYANNE MORSE
CLERK OF CIRCUIT COURT
SEMINOLE COUNTY, FLORIDA

This Warranty Deed Made this 9 day of July A, D. 19 66 by
RUSSELL W. HARNED, a single man

hereinafter called the grantor, to
GERALD D. DRISKELL and SHARON M. DRISKELL, his wife,

whose postoffice address is 204 Bamboo Drive, Sanford, Florida,
hereinafter called the grantees:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and
the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, re-
leases, releases, conveys and confirms unto the grantees, all that certain land situate in Seminole
County, Florida, viz:

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
Section 23, Township 20 South,
Range 32 East, Seminole County,
Florida.

SUBJECT TO TAXES FOR THE YEAR 1966.



0583
380

SEMINOLE COUNTY, FLORIDA

390
165

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any
wise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantees that the grantor is lawfully seized of said land
in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the
grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of
all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent
to December 31, 19 65.

SEMINOLE
COUNTY



In Witness Whereof, the said grantor has signed and sealed these presents the day and year
first above written.

Signed, sealed and delivered in our presence:

Richard W. Lough Jr.
Philip D. Burton

Russell W. Harned
Russell W. Harned

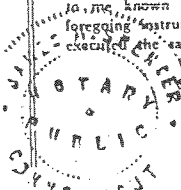
L.S.
L.S.

STATE OF CONNECTICUT
COUNTY OF HARTFORD

I HEREBY CERTIFY that on this day, before me, an officer duly
authorized in the State aforesaid and in the County aforesaid to take
acknowledgments, personally appeared

RUSSELL W. HARNED, a single man,

to me known to be the person described in and who executed the
foregoing instrument and he acknowledged before me that he
executed the same.



WITNESS my hand and official seal in the County and
State last aforesaid this 9 day of
July 9, A. D. 19 66.

James M. Spence
Notary Public, State of Connecticut
My Commission Expires: March 31, 1971

SPACE BELOW FOR RECORDERS USE

RECORD VERIFIED
FILED
JUL 27 2 12 PM '66
ARTHUR H. BECUM, JR.
CLERK

005030

2002

over

Gerald D. + Sharon M. Driskell
P.O. Box 224 1655 Lk. Harney Rd.
Geneva, Fl. 32732

8-11-97

On 8-4-97 I called to set up a meeting with the county Commissioner representing my district. After talking with his secretary and giving her a brief as to why I wanted to meet with Dayrl McLain she set up a 12:00 on the 7th meeting. Later in the afternoon the secretary called back to set up a new time + date. 4:00 on the 5th of Aug.

Before the meeting we went by the office of Assesments(?) and got copies of an aerial view and also a copy of the lands plats of our place + the surrounding area.

At approximately 4:00 pm on the 5th we went into Mr. McLain's office. After introducing ourselves, two (2) more gentlemen came into the room. A Mr. Tony VanderWorp and Mr. John Dwyer of the Current Planning Manager. I am not sure of Mr. VanderWorp title or office he represents.

After a brief conversation of our plans - going back to the time we purchased the property, that we could leave or sell 2.5 acres to each of our children. The fact that we put in a covert to Access each side of the property. and that when we built ~~of~~ our house, we set it off to one side and put up a fence right down the middle of the property.

(1/2)

Mr. Dwyer + VanDerWorp still had a problem with our wanting to split the 5 acres. Mr. McLain was very much on our side. After again showing the paper from 1986 giving us the okay to split on the County's paper form signed by the lady, Irene. McLain convinced VanDerWorp that we should be allowed to split.

John Dwyer still would not come across. He began saying that if we could show him a drawing or plans of our intent from the past "he would have something to hang his hat on." After indicating that he would give it some serious consideration, the meeting broke up with McLain + VanDerWorp somewhat in agreement and Dwyer said he would let us know something by Friday the 8th of Aug.

On the 8th I received the attached letter

Sincerely
Gerald W. Wisbell

①

On 5-22-97 after paying a deposit to Post + Steel; (for barn construction) we went back by the Planning, Zoning dept for Pen. County. I had drawn up a plot plan of my barn that I wanted to build on the west side of my 5 acres in Geneva.

After showing my drawing which Mr. Matthews gave his okay. Then I asked him to make sure we could still split our 5 acres. He first said no, then went to check with some-one or records. After coming back, he stated that we could not split because the county had changed the zoning in 1991.

We questioned as to why we were not notified. He stated they done what was required, placed the notice in the paper & had com. meetings.

I asked about the attendances to the meeting. Answer, not many people showed up. I stated, that should tell you something. The people affected are not getting the word about the meetings.

I also asked if notices were posted at the Post Office, being it's one of the gathering places in Geneva. ~~She~~ They stated no. but that was a good idea.

After going thru the gamut of, I am ruler-people, I ended up talking to Mr.

John Dwyer. I told him that I had a statement from a lady of the Plan/Zoning Dept I reme, stating that being I owned the property before -- 1970 I was entitled to a one time split if it met the requirements. It did. Mr. Dwyer stated I reme retired in late 80's and that they had changed the zoning in 1991, so I couldn't split. I asked about Grandfathering in - He - Nope, Me - Do I have any kind of an appeal - He - Nope. Me - Can I change the zoning book, He - first said no., then it would cost between \$5000 + \$7000. to try and there was no assurance after I spent the money the zoning would be changed. He also stated if it was him he wouldn't spend the money.

8-28-97

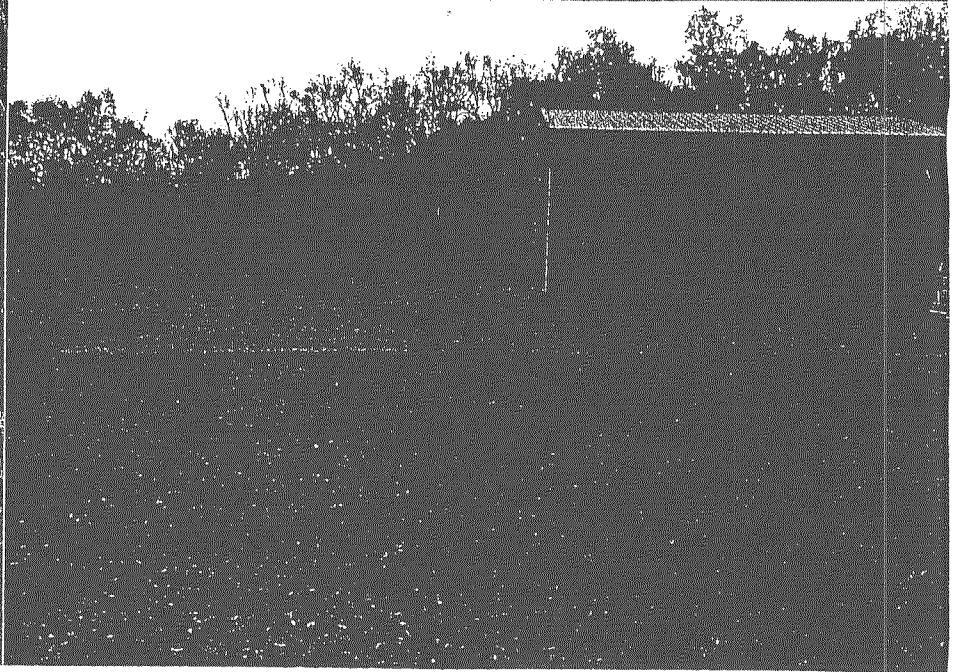
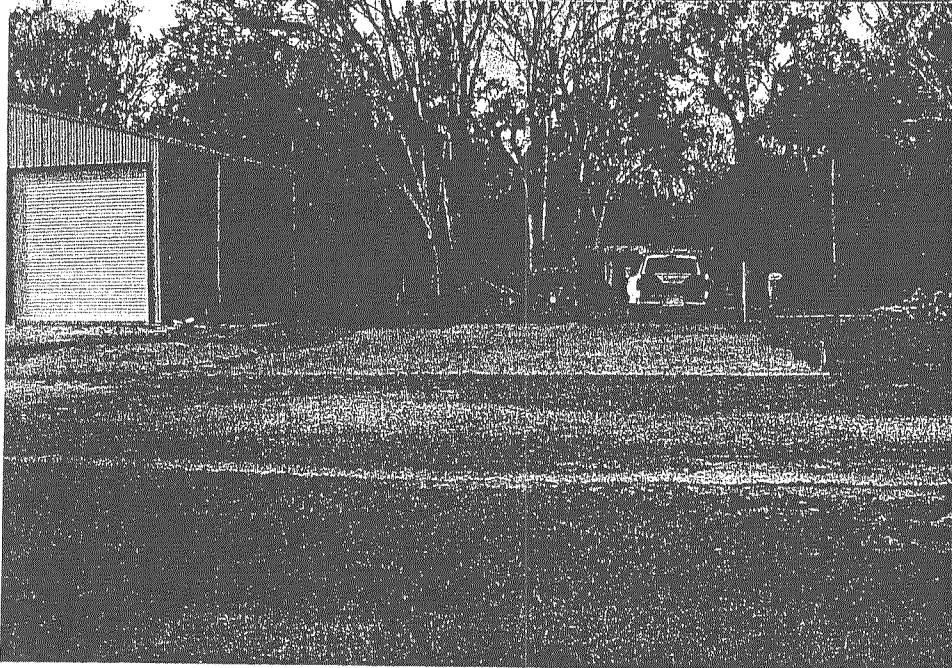
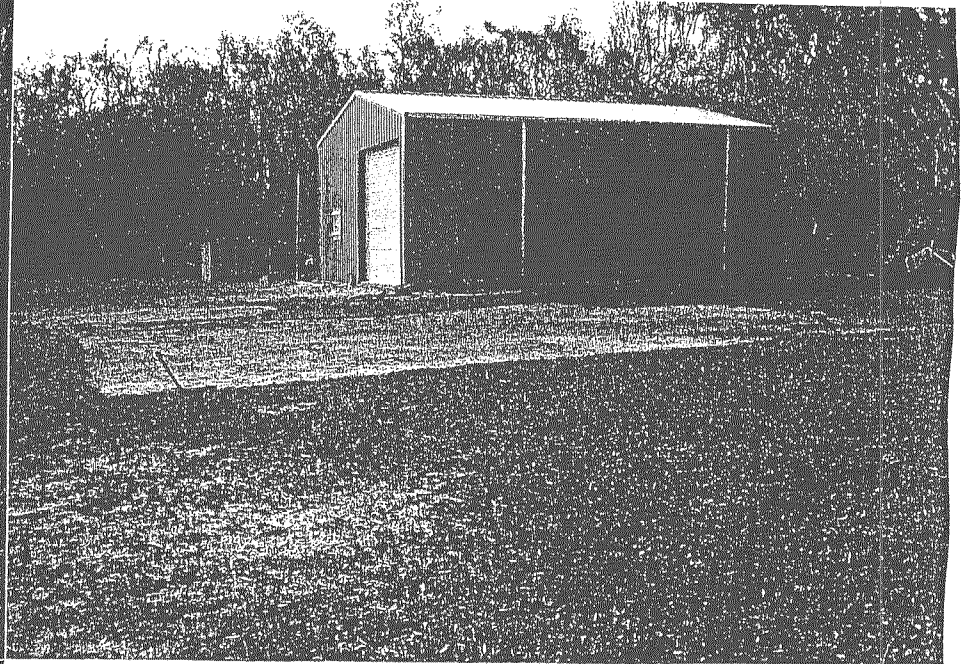
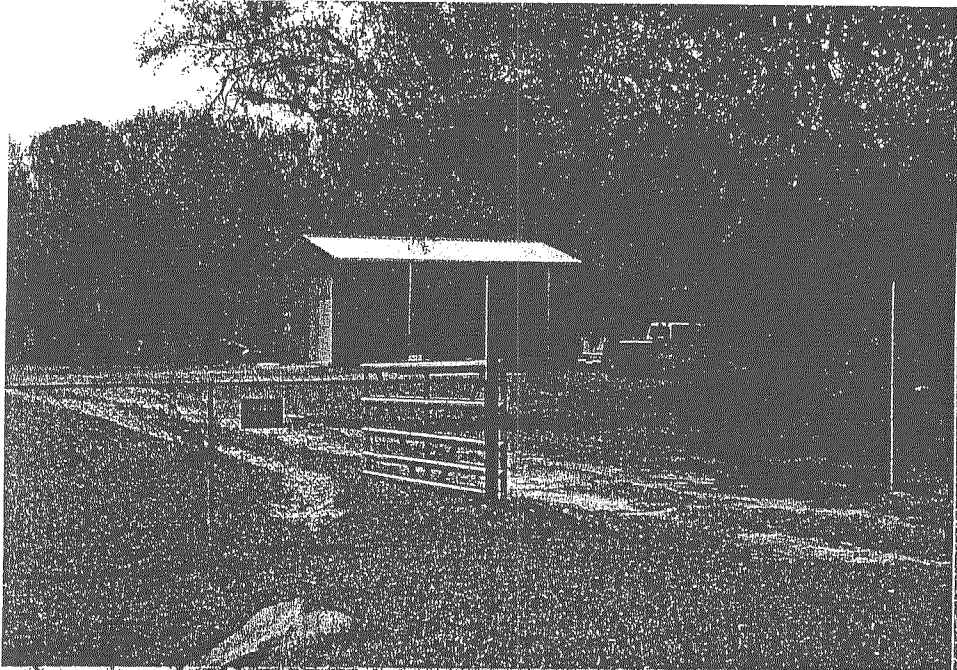
Around 10:45 I received a call from Mr. Tony Van Der Worp as to what I wanted after finding a message from me.

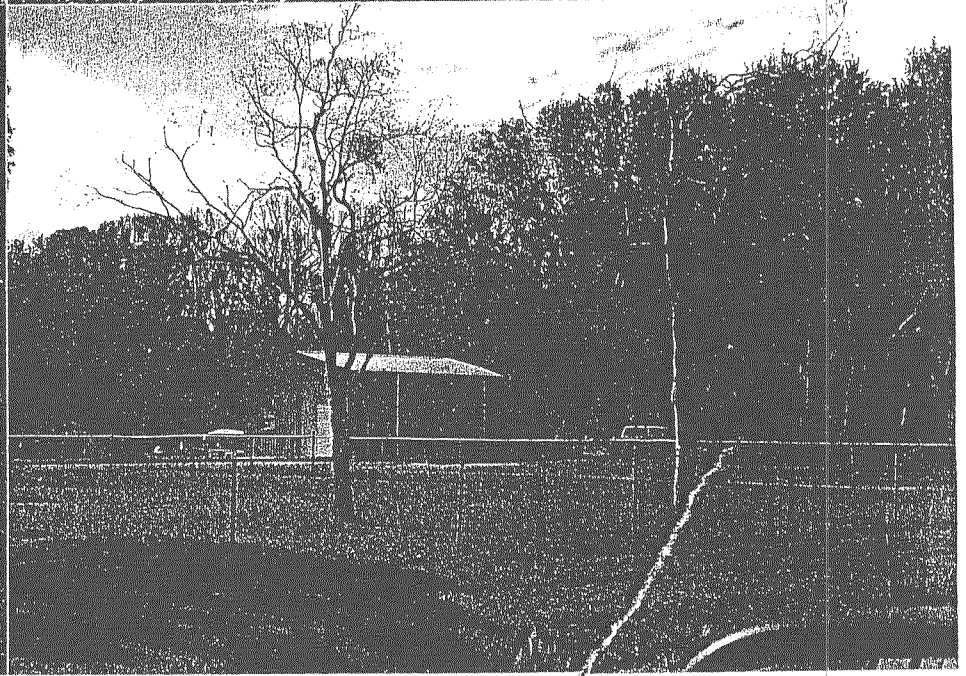
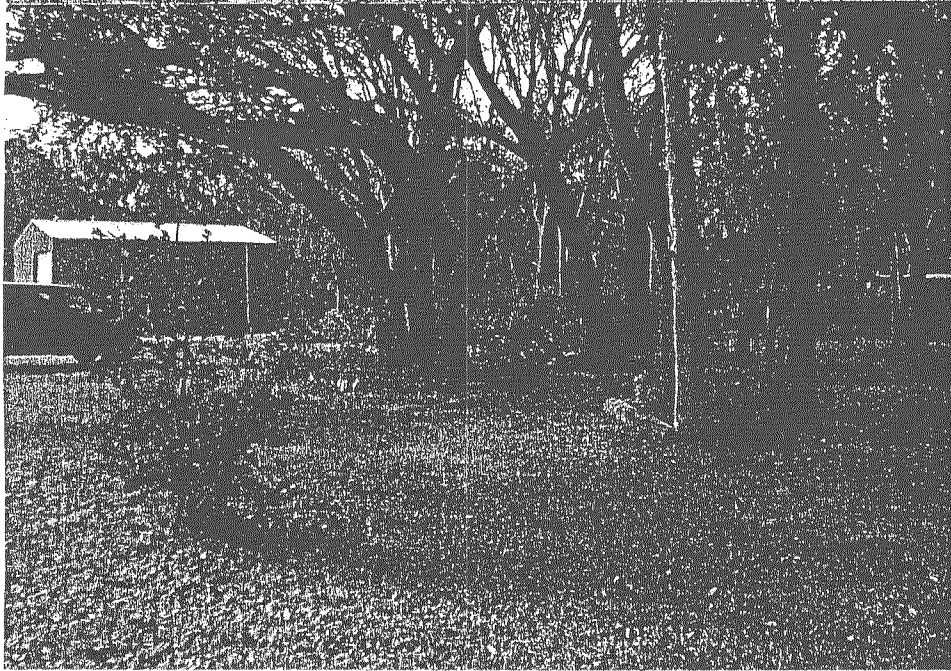
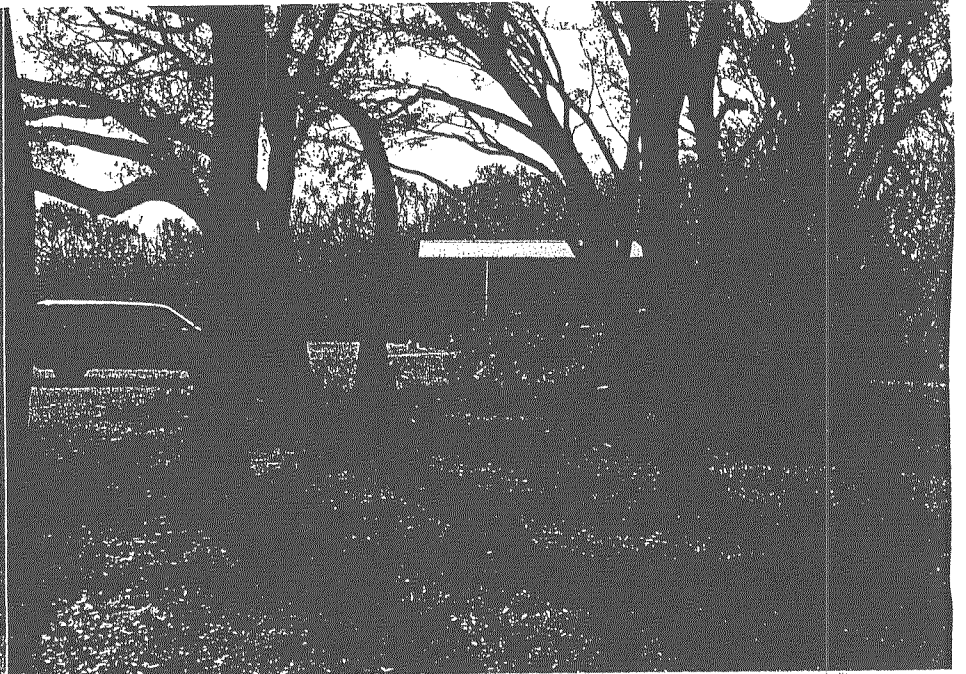
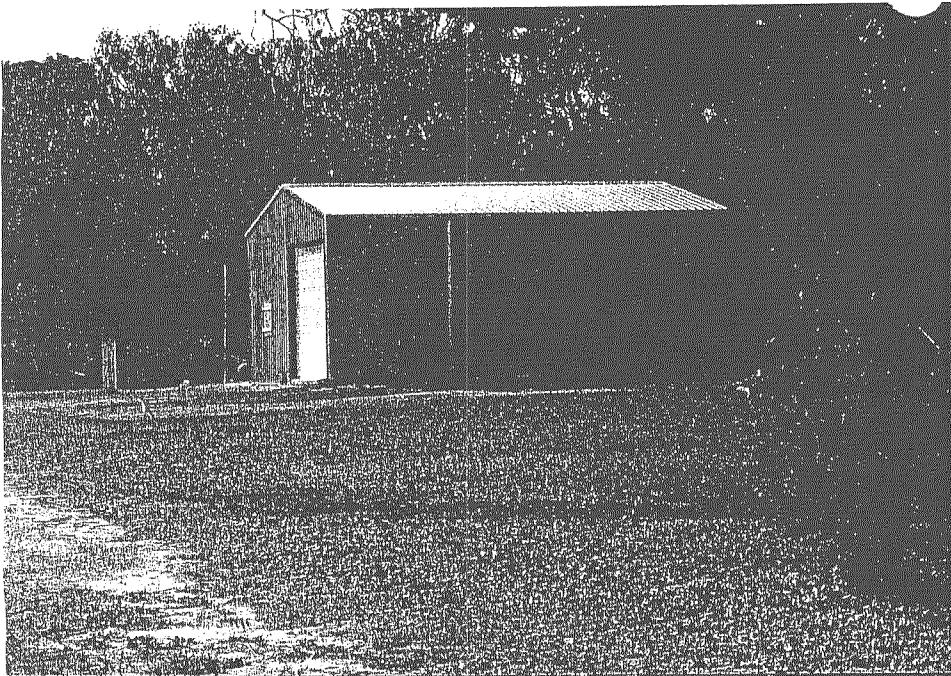
I asked him to recall ~~at~~ our meeting of 8-5-97 and my asking that before I went to the trouble of splitting my 5 acres, I wanted something in writing letting ^{me} ^{give} the latitude to build on or sell the 2 1/2 partial. at that time during the meeting he stated: ~~It would~~ that it would definitely be something in writing.

I told Tony that I had received a letter from John Dwyer giving me the right to split ~~but~~ said nothing about selling or building on it. After making a call to John Dwyer's office he told ~~me us~~ that when the letter we received allowing the split, gave us the right to sell or build on it.

After thanking Tony for helping resolve the problem, he asked that I call Com. McLain to let him know ~~that John and him had~~ that we were pleased + to ~~plum~~ blown Dwyer's + Van Der Worp's - horn for them.

Land deed when we purchased property in 1966
Nothing showing when we sold house + 2½ acres
to Richard Green or when we gave up some
so county could ~~not~~ pave the road.





Gerald D. Driskell
1645 Lk. Harney Rd.
Gainesville, FL 32602

1-6-05

To: Whom it may concern

I have no objection to the Driskell's
having their R.V. on their property
while their house is under construction.

address

1655 LAKE
HARPER RD

name - print + sign

RICHARD A. GREENAN



East of homesite

1-6-05

To: whom it may concern

I have no objection to the Driesbees
having their R.V. on their property
while their house is under construction.

address

Name - print + Sig.

PO Box 19 1640 Lakeberry Rd. Luther H. Carr

Geneva Tn. 37032 - Luther H. Carr

OK By Me

East - across the road from home site



G. D. Driskell
P.O. Box 224
Geneva, FL 32732-0224

1-6-05

To: Whom it may concern

I have no objection to the Driskell's
having their R.V. on their property
while their house is under construction.

address

name - print & sign

1605 LK. Navy Rd
Lorene E Bell
Lorene E Bell

west of homesite

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On January 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 23 TWP 20S RGE 32E W 1/2 OF E 1/2 OF NW 1/4 OF NW 1/4 OF NE 1/4 (LESS RD)

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

FINDINGS OF FACT

Property Owner: GERALD D. & SHARON M. DRISKELL
1645 LAKE HARNEY ROAD
GENEVA, FL 32732

Project Name: 1645 LAKE HARNEY ROAD

Requested Development Approval:

SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A PROPOSED MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION) AT 1645 LAKE HARNEY ROAD.

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: Earnest McDonald,
Principal Coordinator
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. A BUILDING PERMIT SHALL BE SECURED PRIOR TO THE OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE AS A TEMPORARY SINGLE-FAMILY DWELLING ON THE SUBJECT PROPERTY.
- B. A PERMANENT SINGLE-FAMILY HOME SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE PROPOSED RECREATIONAL VEHICLE IS USED AS A TEMPORARY DWELLING.
- C. THE PLACEMENT & OCCUPANCY OF THE PROPOSED RECREATIONAL VEHICLE SHALL NOT EXCEED ONE (1) YEAR & SHALL BE RENEWABLE FOR AN ADDITIONAL PERIOD OF ONE (1) YEAR UPON APPROVAL BY THE BOARD OF ADJUSTMENT.
- D. PRIOR TO FINAL INSPECTION OF THE RESIDENCE, THE PROPERTY OWNER SHALL FURNISH THE PLANNING DIVISION WITH ACCEPTABLE EVIDENCE AS TO THE DATE & METHOD THAT THE PROPOSED RECREATIONAL VEHICLE WILL CEASE TO EXIST AS A TEMPORARY SINGLE-FAMILY DWELLING.
- E. THE PROPOSED RECREATIONAL VEHICLE SHALL CEASE TO BE USED A SINGLE-FAMILY DWELLING WITHIN THIRTY (30) DAYS, FOLLOWING THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE PERMANENT SINGLE-FAMILY HOME.

(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: