

BS2005-001

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

**SUBJECT:** REQUEST FOR SPECIAL EXCEPTION TO ALLOW HORSES IN THE RC-1 (COUNTRY HOMES DISTRICT) AT 120 ROANN DRIVE; (STEVE DELEONARDIS, APPLICANT).

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

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

**Agenda Date** 02-28-05 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW HORSES IN THE RC-1 (COUNTRY HOMES DISTRICT) AT 120 ROANN DRIVE; (STEVE DELEONARDIS, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW HORSES IN THE RC-1 (COUNTRY HOMES DISTRICT) AT 120 ROANN DRIVE; (STEVE DELEONARDIS, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT: STEVE DELEONARDIS LOCATION: 120 ROANN DRIVE ZONING: RC-1 (COUNTRY HOMES DISTRICT)
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"><li>• THE APPLICANT REQUESTS A SPECIAL EXCEPTION TO ALLOW A MAXIMUM OF THREE HORSES IN THE RC-1 (COUNTRY HOMES DISTRICT).</li><li>• THE APPLICANT RECENTLY REPLACED A DAMAGED BARN, WHICH WAS PREVIOUSLY USED FOR THE SHELTERING OF HORSES. THE NEW BARN CAN ACCOMMODATE UP TO THREE (3) HORSES. THERE ARE CURRENTLY TWO HORSES (2) ON THE PROPERTY.</li><li>• THE KEEPING OF HORSES OR PONIES FOR THE IMMEDIATE USE OF THE OCCUPANT AND GUESTS ARE PERMITTED IN RC-1 DISTRICT UPON MAKING THE FINDINGS OF FACT REQUIRED BY SECTION 30.43(b)(2).</li><li>• THERE IS NO EXACT ACREAGE REQUIRED FOR HORSES, BUT AS A GENERAL RULE, AN ACRE PER</li></ul>

	<p>HORSE IS ADEQUATE FOR PASTURING. STAFF BELIEVES THIS GENERAL REQUIREMENT CAN BE REDUCED IN THIS INSTANCE BY VIRTUE OF THE APPLICANT'S INTENTION TO STABLE AND FEED THE HORSES WITHOUT A DEPENDENCY ON GRAZING. FURTHERMORE, THERE ARE NEARBY EQUESTRIAN TRAILS AND TRAINING FACILITIES, WHICH WOULD BE USED TO PROVIDE RECREATION.</p>
<p><b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</b></p>	<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>THE TREND OF DEVELOPMENT IN THE SURROUNDING AREA CONSISTS OF LARGE PARCELS WITH SINGLE FAMILY HOMES WITH HORSES AND/OR HORSE TRAINING/BOARDING FACILITES. THERE HAVE BEEN PAST APPROVALS FOR HORSES IN THE PLATTED SUBDIVISION OF ROANN ESTATES. THE PROPERTIES SURROUNDING THE SUBDIVISION ARE ZONED A-1 WHICH PERMITS HORSES AND RELATED STRUCTURES. THE REQUEST TO KEEP A MAXIMUM OF THREE (3) HORSES WOULD BE CONSISTENT WITH THE SURROUNDING TREND OF DEVELOPMENT.</p> <p><b><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></b></p> <p>THE HORSES WOULD BE USED BY THE APPLICANT AND/OR GUESTS; THEY WOULD NOT BE AVAILABLE TO THE GENERAL PUBLIC. THEREFORE, THE IMPACTS TO TRAFFIC VOLUME WOULD BE NO MORE SIGNIFICANT THAN THE EXISTING SINGLE-FAMILY HOME.</p> <p><b><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></b></p> <p>THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN DESCRIBES THE SUBURBAN ESTATES FUTURE LAND USE AS APPROPRIATE TO SERVE AS AN EFFECTIVE TRANSITIONAL USE BETWEEN URBAN DEVELOPMENT AND GENERAL RURAL USES AND TO ALLOW EXISTING AGRICULTURE OPERATIONS INCLUDING HORSE RELATED USES.</p> <p><b><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR</u></b></p>

	<p><b><u>ZONING DISTRICT OR CLASSIFICATION:</u></b></p> <p>BASED ON THE SUBMITTED SITE PLAN, THE EXISTING SITE EXCEEDS THE MINIMUM SIZE, WIDTH AT BUILDING LINE AND DIMENSIONAL STANDARDS OF THE RC-1 DISTRICT. ADDITIONALLY, THE EXISTING BARN MEETS THE SETBACK REQUIREMENTS OF 50 FEET FROM THE PROPERTY LINE &amp; 100 FEET FROM ANY RESIDENCE ON ADJACENT LOTS.</p> <p><b><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></b></p> <p>THE TREND OF DEVELOPMENT IN THE IMMEDIATE AREA INCLUDES A COMBINATION OF HORSE BOARDING AND TRAINING FACILITIES AND THE PRIVATE KEEPING OF HORSES. THEREFORE, THE REQUEST TO KEEP A MAXIMUM OF THREE (3) HORSES WOULD NOT ADVERSELY AFFECT THE PUBLIC INTEREST.</p>
<p><b>STAFF RECOMMENDATION</b></p>	<p>STAFF BELIEVES THE APPLICANT HAS SATISFIED THE CRITERIA FOR THE GRANTING OF THE REQUESTED SPECIAL EXCEPTION. FOR THIS REASON, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE REQUEST, SUBJECT TO THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• THERE SHALL BE A MAXIMUM OF THREE (3) HORSES.</li><li>• THE HORSES WILL BE KEPT ONLY FOR THE USE OF THE PROPERTY OWNER AND GUESTS OF THE RESIDENCE.</li><li>• RIDING LESSONS SHALL BE PROHIBITED.</li><li>• THE BOARDING OF HORSES, OTHER THAN A MAXIMUM OF THREE (3) THAT ARE OWNED BY THE PROPERTY OWNER, SHALL BE PROHIBITED.</li></ul>



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 JAN 04 2005  
 APPL. NO. BS 2005-001

**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** For Allow horses on RCG Zoned property
- MOBILE HOME SPECIAL EXCEPTION**
  - EXISTING (YEAR \_\_\_\_\_)  PROPOSED (YEAR \_\_\_\_\_)
  - REPLACEMENT (YEAR \_\_\_\_\_) SIZE OF MOBILE HOME \_\_\_\_\_
  - ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_
  - PLAN TO BUILD  YES  NO IF SO, WHEN \_\_\_\_\_
  - MEDICAL HARDSHIP  YES (LETTER FROM DOCTOR REQUIRED)  NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Steve DeLeonardis	
ADDRESS	120 Roann Drive, Vero Beach 32965	
PHONE 1	407-354-3872	
PHONE 2	407-375-4534	
E-MAIL		

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

SITE ADDRESS: 120 Roann Drive Vero Beach FL, 32965

CURRENT USE OF PROPERTY: Residence

LEGAL DESCRIPTION: Leg Lot 6 BIK A Roann Estates PB 19 Pgs 22+23

SIZE OF PROPERTY: 1.85 acre(s) PARCEL I.D. 30-21-31-502-0A00-0060

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

KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

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.

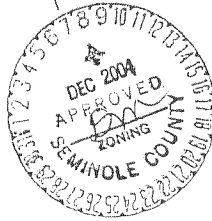
I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

SIGNATURE OF OWNER OR AGENT\* Steve DeLeonardis DATE 1-4-05

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



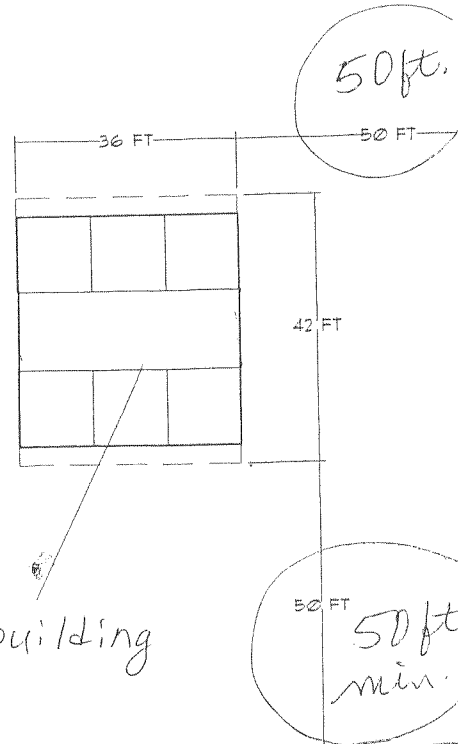
23195 FT.



Personal storage building only cannot be used for agricultural use or housing of horses until a special exception has been approved through the county. \* This structure (when used for agricultural purposes) will have to meet a 100ft. separation from the houses on the adjacent lots.

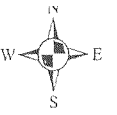
*For future reference:*

Barn or structure for livestock:  
50 ft. minimum setback from all property lines  
and 100 ft. minimum setback from any residential structure on an adjacent lot or parcel.



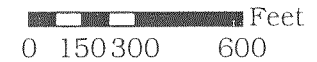
PROPOSED Storage building

Stephen & Marybeth Deleonardis  
120 Roann Drive

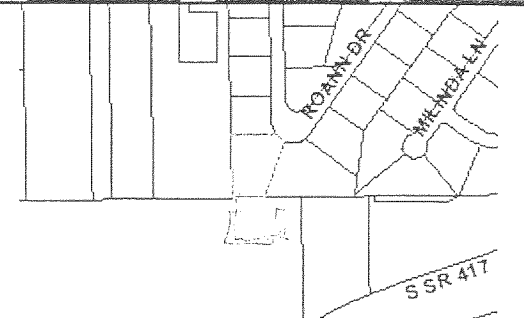



Parcel: 30-21-31-502-0A00-0060 / District: 1

**BS2005-001**  
**FEBRUARY 28, 2005**





<b>PANEL DETAIL</b>  DAVID JOHNSON, CFA, ASA <b>PROPERTY APPRAISER</b> SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506	<b>REAL ESTATE</b>   <b>PERSONAL</b>   <b>TAX ROLL</b>   <b>SALES SEARCH</b>	 																																								
<p style="text-align: center;"><b>GENERAL</b></p> Parcel Id: 30-21-31-502-0A00-0060      Tax District: 01-COUNTY-TX DIST 1 Owner: DELEONARDIS STEPHEN & MARYBETH      Exemptions: 00-HOMESTEAD Address: 120 ROANN DR City,State,ZipCode: OVIEDO FL 32765 Property Address: 120 ROANN DR OVIEDO 32765 Subdivision Name: ROANN ESTATES Dor: 01-SINGLE FAMILY		<p style="text-align: center;"><b>2005 WORKING VALUE SUMMARY</b></p> Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$167,025 Depreciated EXFT Value: \$9,475 Land Value (Market): \$40,000 Land Value Ag: \$0 Just/Market Value: \$216,500 Assessed Value (SOH): \$214,416 Exempt Value: \$25,000 Taxable Value: \$189,416 Tax Estimator																																								
<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>06/2002</td> <td>04433</td> <td>1818</td> <td>\$217,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1983</td> <td>01450</td> <td>0658</td> <td>\$160,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1981</td> <td>01365</td> <td>0212</td> <td>\$150,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1978</td> <td>01199</td> <td>0201</td> <td>\$83,400</td> <td>Improved</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	06/2002	04433	1818	\$217,000	Improved	WARRANTY DEED	04/1983	01450	0658	\$160,000	Improved	WARRANTY DEED	11/1981	01365	0212	\$150,000	Improved	WARRANTY DEED	11/1978	01199	0201	\$83,400	Improved	<p style="text-align: center;"><b>2004 VALUE SUMMARY</b></p> Tax Value(without SOH): \$3,21 2004 Tax Bill Amount: \$3,1 Save Our Homes (SOH) Savings: \$1 2004 Taxable Value: \$185,4 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENT										
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																										

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**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On February 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 6 ROANN ESTATES 1 PB 19 PGS 22 & 23

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

**FINDINGS OF FACT**

**Property Owner:** DELEONARDIS  
120 ROANN DRIVE  
OVIEDO, FL 32765

**Project Name:** 120 ROANN DRIVE

**Requested Development Approval:**

REQUEST A SPECIAL EXCEPTION TO ALLOW THREE HORSES IN THE RC-1 (COUNTY HOMES)

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:

1. THERE SHALL BE A MAXIMUM OF THREE (3) HORSES.
2. THE HORSES WILL BE KEPT FOR THE USE OF THE PROPERTY OWNER AND GUESTS OF THE RESIDENCE.
3. RIDING LESSONS SHALL BE PROHIBITED.
4. THE BOARDING OF HORSES, OTHER THAN A MAXIMUM OF THREE (3) THAT ARE OWNED BY THE PROPERTY OWNER, SHALL BE PROHIBITED.

(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: