

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

**SUBJECT:** Request for minimum lot size variance from 43,560 square feet to 35,574.75 square feet for a proposed home in the A-1 (Agriculture District); (Melanie Winters, applicant).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7444

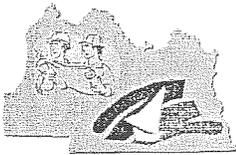
Agenda Date 10-24-05 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for minimum lot size variance from 43,560 square feet to 35,574.75 square feet for a proposed home in the A-1 (Agriculture District); (Melanie Winters, applicant); or
2. **DENY** the request for minimum lot size variance from 43,560 square feet to 35,574.75 square feet for a proposed home in the A-1 (Agriculture District); (Melanie Winters, applicant)
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Property Owner: Location: Zoning:	Melanie Winters William Merino Overlook Drive A-1 (Chulavista)
	<ul style="list-style-type: none"> <li>• The applicant proposes to develop a platted lot in the Chulavista neighborhood that is less than one acre in size.</li> <li>• There have been no record of prior variances granted for this property.</li> </ul>	
<b>STAFF FINDINGS</b>	<p>The applicant has demonstrated a hardship, based on the standards for granting variances:</p> <ul style="list-style-type: none"> <li>• The subject lot is an platted lot in the Chulavista Subdivision (unrecorded).</li> <li>• The adoption of countywide zoning in 1960 by Seminole County subsequently rendered the platted lot nonconforming with respect to A-1 district minimum lot size (43,560 square feet) thereby creating a hardship.</li> <li>• Comprehensive Plan Policy FLU 3.2 requires the</li> </ul>	

	<p>combination of lots to resolve land use compatibility, environmental and infrastructure issues. There is the ability to combine the lot 10 with the adjacent lot 11 because they are under the same ownership. The combination of the lots would negate the need for the variances. The majority of the parcels in Chulavista have been development as individual lots, therefore the development of the lot would not incompatible other uses in Chulavista neighborhood and/or create environmental or infrastructure issues.</p> <ul style="list-style-type: none"><li>• The applicant is requesting the minimum variance that will make possible the reasonable use of the property.</li></ul> <hr/> <p>Based on the above findings, staff recommends the Board approve the request for minimum lot size variance from 43,560 square feet to 35,574.75 square feet for a proposed home with the recommended conditions:</p> <ul style="list-style-type: none"><li>• Any variances granted should apply only to the existing lot as depicted on the attached site plan; and</li><li>• Any additional conditions deemed appropriate by the board, based on information presented at the public hearing.</li></ul>
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**COPY**

APPL. NO. BV2005-137

**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** Minimum lot size variance, from 43560 sq ft to 35574.75, sq. ft.
- SPECIAL EXCEPTION**
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING \_\_\_\_\_) (PROPOSED \_\_\_\_\_)
- SIZE OF MOBILE HOME / RV \_\_\_\_\_
- PLAN TO BUILD  YES  NO IF SO, WHEN \_\_\_\_\_
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT*
NAME	<u>William Merino</u>	<u>Melanie Winters</u>
ADDRESS		<u>Winters Brothers Construction</u>
		<u>157 Overlook Drive Chulavista</u>
PHONE 1		<u>407-365-2377</u>
PHONE 2		<u>321-231-4437</u>
E-MAIL		<u>winterbros@bellsouth.net</u>

PROJECT NAME: lot 10 chulavista

SITE ADDRESS: Lot 10 Block 1 chulavista, overlook Drive

CURRENT USE OF PROPERTY: vacant

LEGAL DESCRIPTION: Lot 10 Block 1 chulavista- see attached also

SIZE OF PROPERTY: \_\_\_\_\_ acre(s) PARCEL I.D. 22-21-32-511-0100-0100

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 10/24/05 (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.

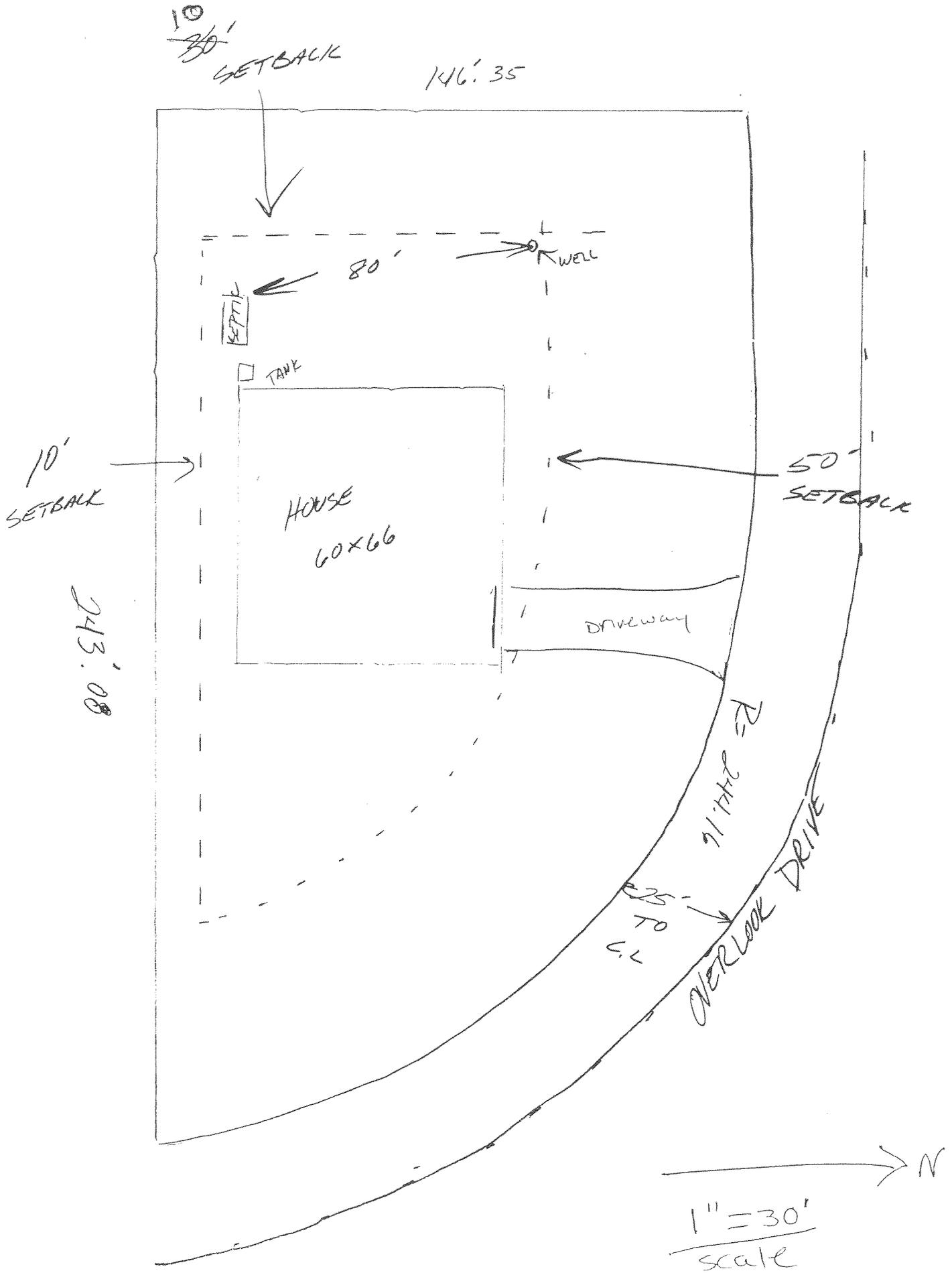
Melanie Winters

8/24/05

SIGNATURE OF OWNER OR AGENT\*

DATE

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

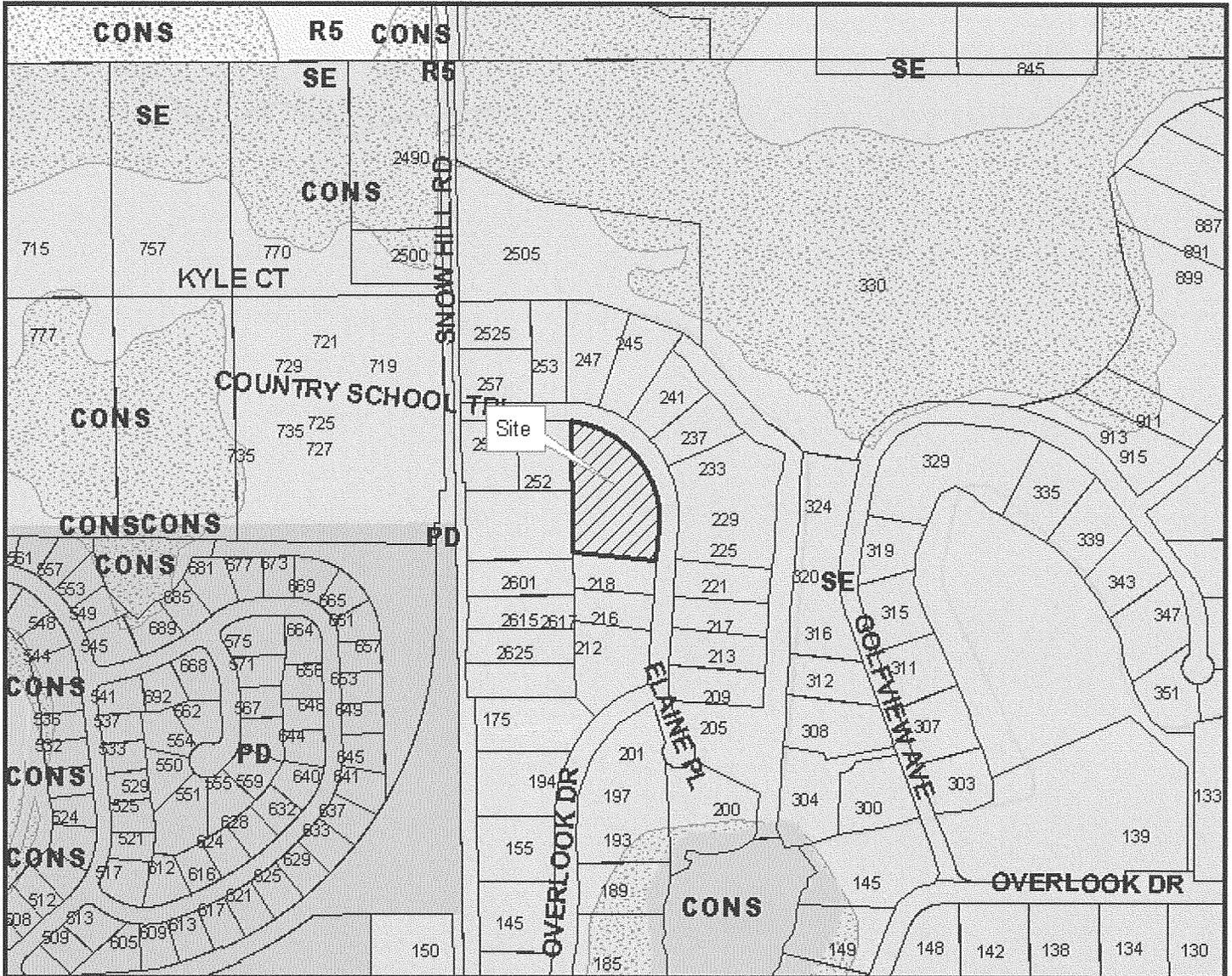


Lot 10 Block 1 Chula Vista

<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>																									
<p><b>GENERAL</b></p> <p>Parcel Id: 22-21-32-5UI-0100-0100</p> <p>Owner: MERINO WILLIAM M</p> <p>Mailing Address: 2302 CILANTRO DR</p> <p>City,State,ZipCode: ORLANDO FL 32837</p> <p>Property Address: OVERLOOK DR CHULUOTA 32766</p> <p>Subdivision Name: CHULA VISTA UNRECORDED</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 00-VACANT RESIDENTIAL</p>	<p><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: \$0</p> <p>Land Value (Market): \$112,268</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$112,268</p> <p>Assessed Value (SOH): \$112,268</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$112,268</p> <p>Tax Estimator</p> <p>2005 Notice of Proposed Property Tax</p>																								
<p><b>SALES</b></p> <table border="1"> <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>ADMINISTRATIVE DEED</td> <td>02/1998</td> <td>03446</td> <td>1424</td> <td>\$100</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1976</td> <td>01090</td> <td>0168</td> <td>\$3,000</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1975</td> <td>01053</td> <td>0694</td> <td>\$6,800</td> <td>Vacant</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	ADMINISTRATIVE DEED	02/1998	03446	1424	\$100	Improved	WARRANTY DEED	01/1976	01090	0168	\$3,000	Vacant	WARRANTY DEED	01/1975	01053	0694	\$6,800	Vacant	<p><b>2004 VALUE SUMMARY</b></p> <p>2004 Tax Bill Amount: \$1,672</p> <p>2004 Taxable Value: \$98,948</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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<p>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.</p>																									



Melanie Winters  
 Lot 10 Overlook Drive  
 Chuluota, FL 32766

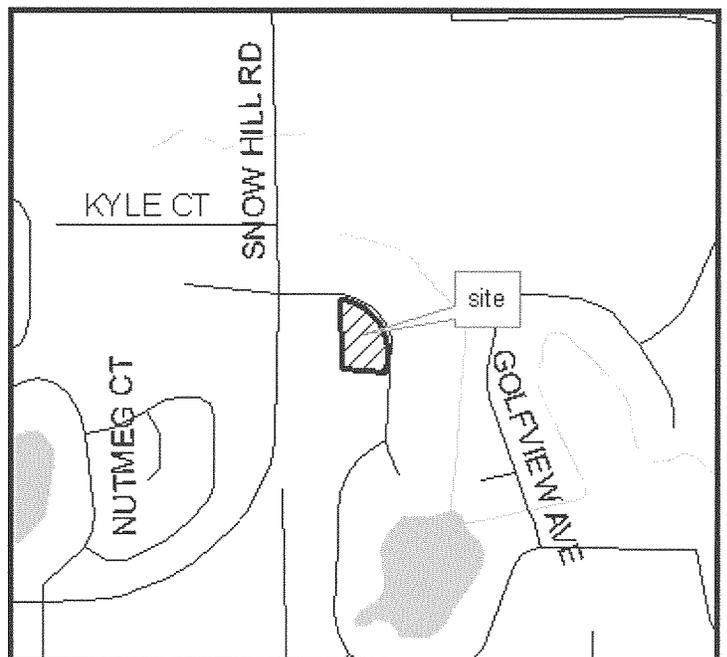


Seminole County Board of Adjustment  
 October 24, 2005  
 Case: BV2005-137  
 Parcel No: 22-21-32-5UI-0100-0100

**Future Land Use**

- CONS, R5
- CONS, SE
- CONS, PD
- R5, NONE
- SE, NONE
- PD, NONE
- BV2005-137

0 100 200 400 600 800 Feet



August 16, 2005

## Authorization Form

**I William Merino , authorize Melanie Winters of Winters Brothers Construction Co. , Chuluota. Florida 32766 to apply for a Variance for lots 10 and 11 Overlook Dr., Chuluota, Fl. 32766 to build two residential houses.**

X *William M. Merino*

**William Merino**

**2302 Cilantro Dr.**

**Orlando, Florida 32837**

From the southwest corner of the northwest quarter of the northwest quarter of section 22, township 21 south, range 32 east, run north 89 degrees 34 minutes 22 seconds east 33 feet to the east right of way of state road 13, thence south 00 degrees 25 minutes 38 seconds east along said right of way 28.2 feet, thence north 89 degrees 34 minutes 22 seconds east 300 feet, thence north 00 degrees 25 minutes 38 seconds west 153.65 feet for a point of beginning; run thence north 00 degrees 25 minutes 38 seconds west 146.35 feet, thence north 89 degrees 34 minutes 22 seconds east 9.35 feet to a curve concave to the right having a radius of 244.16 feet and a central angle of 72 degrees 20 minutes 05 seconds, continue thence southeasterly along the arc of said curve a distance of 308.25 feet, thence north 84 degrees 59 minutes 38 seconds west 243.08 feet to the point of beginning. Located in Seminole county, Florida, also described as Lot 10, Chula Vista.

Block 1