

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

SUBJECT: Request for (1) minimum lot size variance from 43,560 square feet to 35,574.75 square feet and a (2) width at the building line from 150 feet to 125 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 <u>10-24-05</u> Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Public Hearing – 6:00 <input type="checkbox"/>

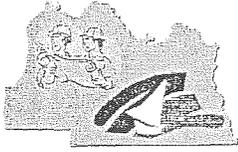
MOTION/RECOMMENDATION:

1. **APPROVE** the request (1) minimum lot size variance from 43,560 square feet to 35,574.75 square feet and a (2) width at the building line from 150 feet to 125 feet for a proposed home in the A-1 (Agriculture District); (Melanie Winters, applicant); or
2. **DENY** the request for (1) minimum lot size variance from 43,560 square feet to 35,574.75 square feet and a (2) width at the building line from 150 feet to 125 feet for a proposed home in the A-1 (Agriculture District); (Melanie Winters, applicant); or
3. **CONTINUE** the request to a time and date certain.



GENERAL INFORMATION	Applicant: Property Owner: Location: Zoning:	Melanie Winters William Merino Overlook Drive A-1 (Chulavista)
	<ul style="list-style-type: none"> • The applicant proposes to develop a platted lot in the Chulavista neighborhood that is less than one acre in size. • There have been no record of prior variances granted for this property. 	
STAFF FINDINGS	The applicant has demonstrated a hardship, based on the standards for granting variances: <ul style="list-style-type: none"> • The subject lot is an platted lot in the Chulavista Subdivision (unrecorded). • 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) and the width at the building line (150 feet) thereby creating a hardship. 	

	<ul style="list-style-type: none">• Comprehensive Plan Policy FLU 3.2 requires the 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 developed as individual lots, therefore the development of the lot would not create incompatible other uses in Chulavista neighborhood and/or create environmental or infrastructure issues.• The applicant is requesting the minimum variances that will make possible the reasonable use of the property. <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 and the width at the building line from 150 feet to 125 feet for a proposed home with the recommended conditions:</p> <ul style="list-style-type: none">• Any variances granted should apply only to the existing lot as depicted on the attached site plan; and• Any additional conditions deemed appropriate by the board, based on information presented at the public hearing.
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COPY

APPL. NO. B12005-138

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 43,500 square ft. to 31,442.50 square 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**

AUG 2

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

PROJECT NAME: Lot 11 Chulavista

SITE ADDRESS: Lot 11 Block 1 Chulavista, Overlook Dr.

CURRENT USE OF PROPERTY: Vacant

LEGAL DESCRIPTION: Lot 11 Block 1 Chulavista, see attached also

SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 22-21-32-SU1-0100-0100

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.

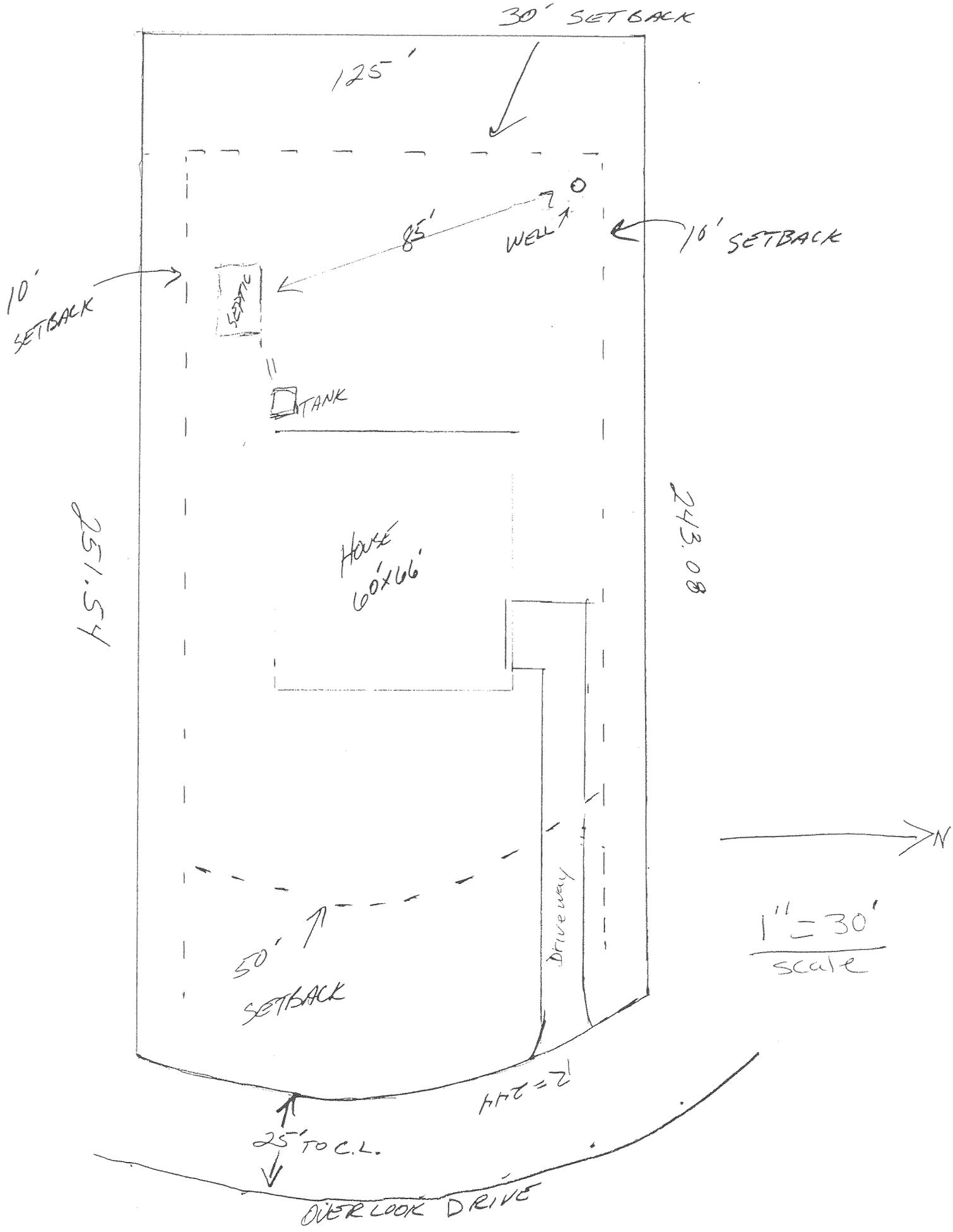
I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

Melanie Winters
SIGNATURE OF OWNER OR AGENT*

8/24/05
DATE

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

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 28.65 feet for a point of beginning; run thence north 00 degrees 25 minutes 38 seconds west 125.0 feet thence south 84 degrees 59 minutes 38 seconds east 243.08 feet to a point on a curve concave to the right having a radius of 244.16 feet and a central angle of 23 degrees 05 minutes 55 seconds, run thence southeasterly along the arc of said curve a distance of 98.43 feet, thence south 05 degrees 00 minutes 22 seconds west 28.65 feet, thence north 84 degrees 59 minutes 38 seconds west 251.54 feet to the point of beginning. Located in Seminole county, Florida, also described as lot 11, block 1, Chula Vista.



Lot 11 Block 1 Chula Vista

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

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA

PROPERTY APPRAISER

SEMINOLE COUNTY FL

1101 E. FIRST ST
SANFORD, FL 32771-1468
407-665-7506

GENERAL

Parcel Id: 22-21-32-5UI-0100-0100
 Owner: MERINO WILLIAM M
 Mailing Address: 2302 CILANTRO DR
 City,State,ZipCode: ORLANDO FL 32837
 Property Address: OVERLOOK DR CHULUOTA 32766
 Subdivision Name: CHULA VISTA UNRECORDED
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions:
 Dor: 00-VACANT RESIDENTIAL

2005 WORKING VALUE SUMMARY

Value Method: Market
 Number of Buildings: 0
 Depreciated Bldg Value: \$0
 Depreciated EXFT Value: \$0
 Land Value (Market): \$112,268
 Land Value Ag: \$0
 Just/Market Value: \$112,268
 Assessed Value (SOH): \$112,268
 Exempt Value: \$0
 Taxable Value: \$112,268
 Tax Estimator
 2005 Notice of Proposed Property Tax

SALES

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

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

2004 Tax Bill Amount: \$1,672
 2004 Taxable Value: \$98,948
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

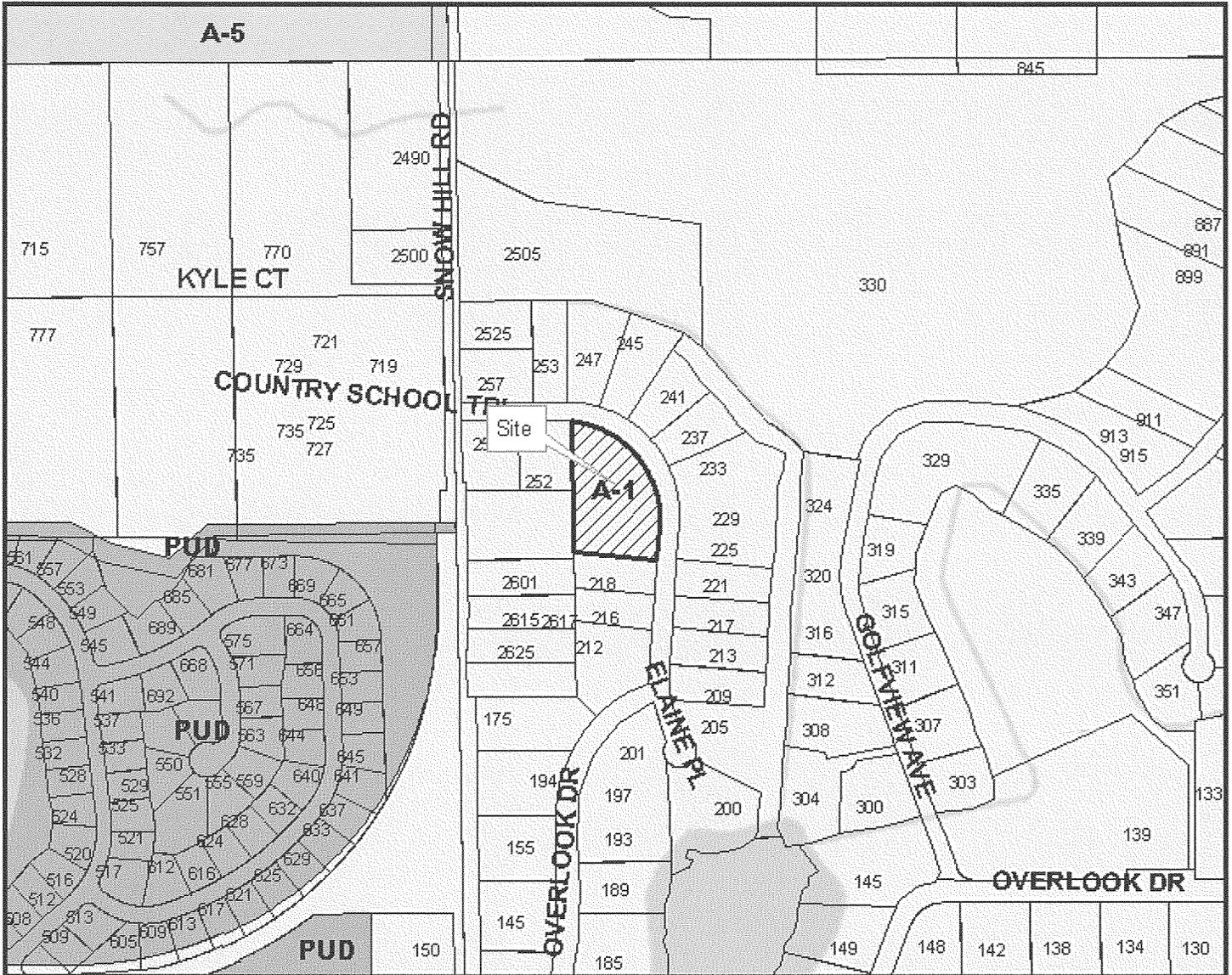
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	115	220	.000	295.00	\$36,300
FRONT FOOT & DEPTH	122	247	.000	295.00	\$41,748
FRONT FOOT & DEPTH	100	247	.000	295.00	\$34,220

LEGAL DESCRIPTION PLAT

LEG SEC 22 TWP 21S RGE 32E LOTS 10 THRU 12 BLK 1
 UNRECD PLAT CHULA VISTA

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.

Melanie Winters
 Lot 11 Overlook Drive
 Chuluota, FL 32766

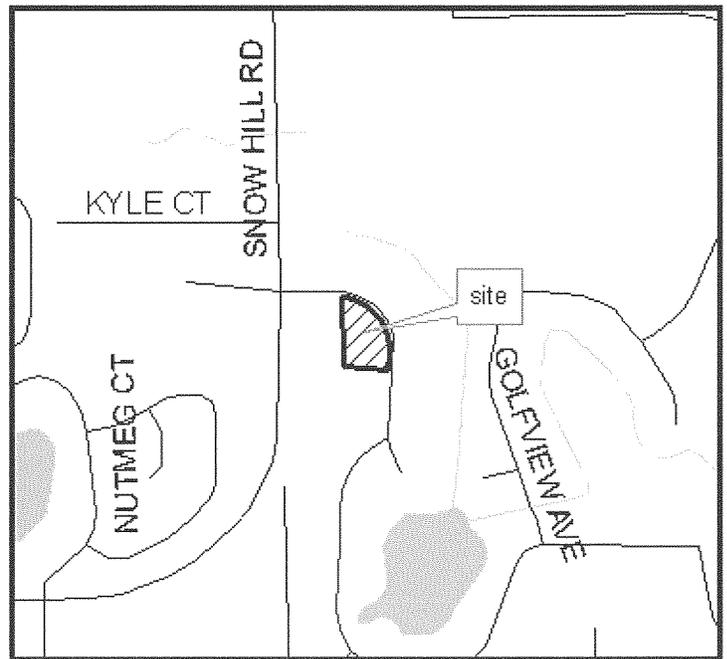


Seminole County Board of Adjustment
 October 24, 2005
 Case: BV2005-138
 Parcel No: 22-21-32-5UI-0100-0100

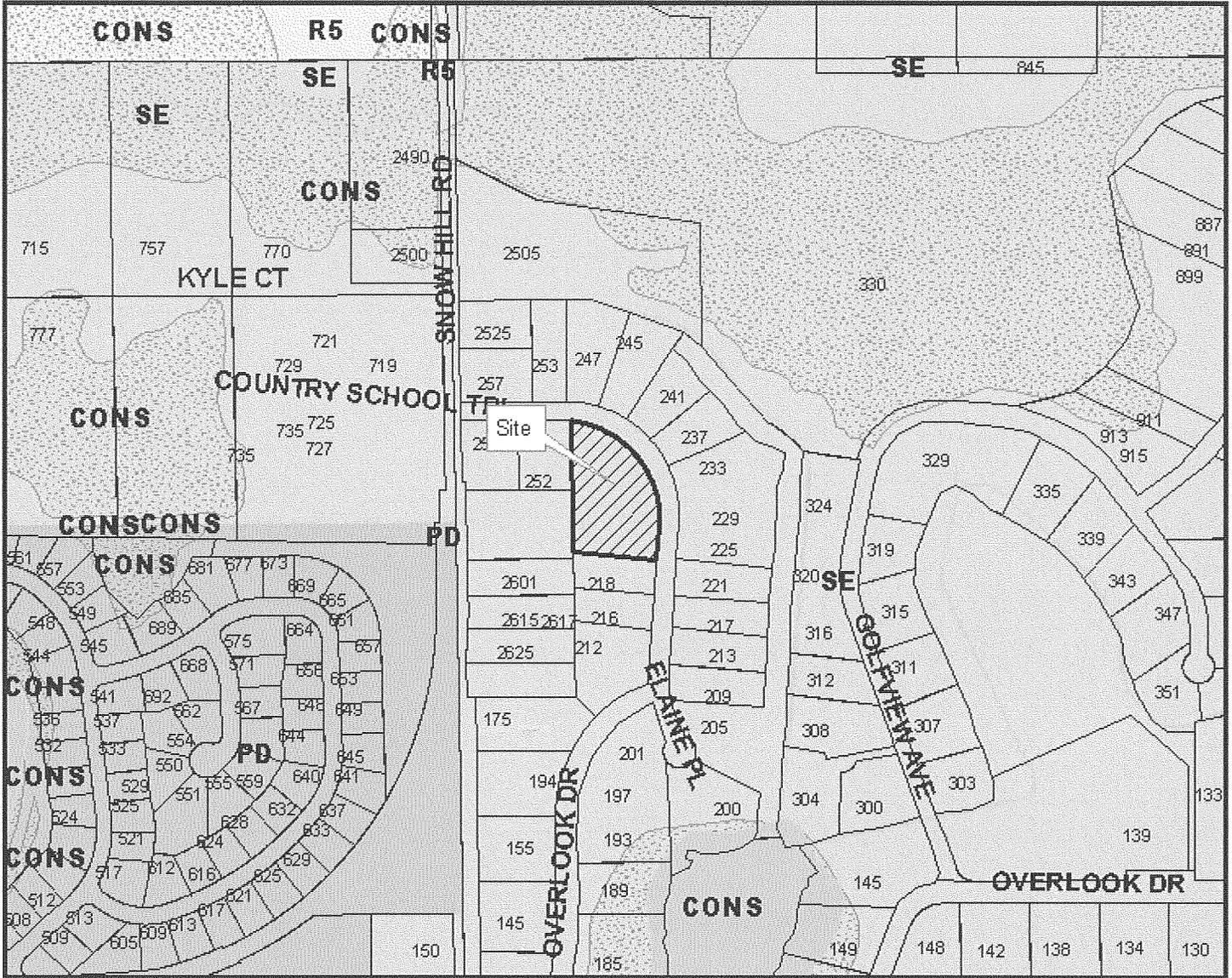
Zoning

- A-1 Agricultural-1Ac
- A-5 Rural-5Ac
- PUD Planned Unit Dev.
- BV2005-138

0 100 200 400 600 800 Feet



Melanie Winters
 Lot 11 Overlook Drive
 Chuluota, FL 32766



Seminole County Board of Adjustment
 October 24, 2005
 Case: BV2005-138
 Parcel No: 22-21-32-5UI-0100-0100

Future Land Use

-  CONS, R5
-  R5, NONE
-  CONS, SE
-  SE, NONE
-  CONS, PD
-  PD, NONE
-  BV2005-138

