

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** Request for a (1) lot size variance from 43,560 square feet to 12,360 square feet; and (2) a width at the building line variance from 150 feet to 103 for a proposed single story family home in the A-1 (Agriculture District); (Kimberly M. Joyce, Applicant).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Rufus Brown **EXT.** 7357

Agenda Date 12/04/06 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for a (1) lot size variance from 43,560 square feet to 12,360 square feet; and (2) a width at the building line variance from 150 feet to 103 for a proposed single story family home in the A-1 (Agriculture District); or
2. **DENY** the request for a (1) lot size variance from 43,560 square feet to 12,360 square feet; and (2) a width at the building line variance from 150 feet to 103 for a proposed single story family home in the A-1 (Agriculture District); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Owner: Location: Zoning: Subdivision:	Kimberly M. Joyce Douglas & Laura Coniglio Lake Harney Road A-1 (Agriculture District) Lake Harney Ranch Estates
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant proposes to construct a single family home on a vacant lot.</li> <li>• The lot was platted in 1961 as the Plan Lake Harney Ranch Estates 3<sup>rd</sup> Section. The dimensions of the lot are 103' x 120.</li> <li>• There are currently no code enforcement or building</li> </ul>	

	<p>violations for this property.</p> <ul style="list-style-type: none"><li>• There is no record of prior variances for this property.</li></ul>
<b>STAFF FINDINGS</b>	<p>The applicant has not satisfied the criteria for the grant of a variance. Staff has determined that:</p> <ul style="list-style-type: none"><li>• The lot is a parcel of record as of December 13, 1961. Special conditions or circumstances exist, which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district.</li><li>• The granting of the variance requested would not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district.</li><li>• The variance granted is the minimum variance that will make possible reasonable use of the land, building or structure</li><li>• The literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification.</li><li>• The applicant would not retain reasonable use of the land, building or structure without the granting of the variance.</li><li>• The grant of the variance would be in harmony with the general intent of Chapter 30.</li></ul>
<b>STAFF RECOMMENDATION</b>	<ul style="list-style-type: none"><li>• Based on the stated findings, staff recommends approval of the request, unless the applicants can demonstrate a hardship. If the board should decide to grant a variance, staff recommends the following conditions of approval:<ul style="list-style-type: none"><li>• Any variance granted shall apply only to the lot as depicted on the attached site plan; and</li><li>• Any additional condition(s) deemed appropriate by the board, based on information presented at the public hearing.</li></ul></li></ul>

Fee: \$150.00 plus \$50.00 for each additional variance

# COPY

Application # BU2006-177  
Meeting Date 12-4-06



## VARIANCE APPLICATION

### SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Kimberly M Taylor  
Address: 555 Hale Rd City: Geneva Zip code: 32734  
Project Address: Parcel 1 TO # 14-20-2-5UG-0000-0130 City: Geneva Zip code: 32734  
Contact number(s): 351-303-8473 (407) 349-9543  
Email address: KmT923@aol.com

Is the property available for inspection without an appointment?  Yes  No

What type of structure is this request for?	
<input type="checkbox"/> Shed	Please describe:
<input type="checkbox"/> Pool	Please describe:
<input type="checkbox"/> Pool screen enclosure	Please describe:
<input type="checkbox"/> Addition	Please describe:
<input type="checkbox"/> New Single Family Home	Please describe:
<input type="checkbox"/> Other	Please describe:
<input type="checkbox"/> This request is for a structure that has already been built.	

# RECEIVED

SEP 18 2006

## SEMINOLE COUNTY PLANNING

What type of variance is this request?				
<input checked="" type="checkbox"/> Minimum lot size	Required lot size:	<u>1 Acre</u>	Actual lot size:	<u>2.8 acres</u>
<input type="checkbox"/> Width at the building line	Required lot width:		Actual lot width:	
<input type="checkbox"/> Front yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Rear yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Side yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Side street setback	Required setback:		Proposed setback:	
<input type="checkbox"/> Fence height	Required height:		Proposed height:	
<input type="checkbox"/> Building height	Required height:		Proposed height:	
Use below for additional yard setback variance requests:				
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input type="checkbox"/> _____ yard setback	Required setback:		Proposed setback:	
<input checked="" type="checkbox"/> Total number of variances requested <u>1</u>				

APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED UNLESS ALL OF THE INFORMATION IN THE VARIANCE APPLICATION AND SUBMITTAL CHECKLIST ARE PROVIDED TO THE PLANNING DIVISION.

Signed: [Signature]

**FOR OFFICE USE ONLY**

Date Submitted: 9-18-06

Reviewed By: DE

Tax parcel number: 14-20-32-546-0000-0230

Zoning/FLU A-1 / SE

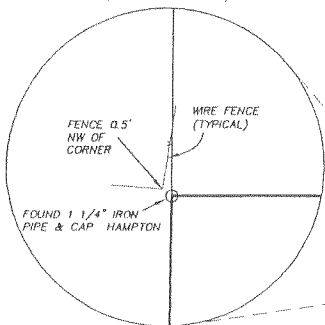
- Legally created parcel (1971 tax roll, 5-acre dev, lot split)
- Platted Lot (check easements as shown on lots, in notes or in dedication)
- Lot size \_\_\_\_\_  Meets minimum size and width
- Application and checklist complete

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

CORNER DETAIL  
(NOT TO SCALE)



LOT 2

N 89°58'06" E 102.84'(M)  
103'(D)

SEE CORNER DETAIL

FOUND 1/2" IRON ROD NO NUMBER

LOT 23  
#1495  
VACANT  
NO IMPROVEMENTS  
HEAVILY WOODED

N 00°41'45" E 120.64'(M)  
125'(D)

S 00°40'56" W 120.52'(M)  
125'(D)

LOT 24

LOT 22

FOUND 1 1/4" IRON PIPE NO NUMBER

S 89°37'27" W 102.73'

FOUND 1 1/4" IRON PIPE & CAP HAMPTON

FOUND 1/2" IRON ROD BENT

WEST 103'

N 89°53'57" E 102.87'(M)  
103'(D)

FOUND 1/2" IRON PIPE NO NUMBER

SOUTH 150'

EAST 256'

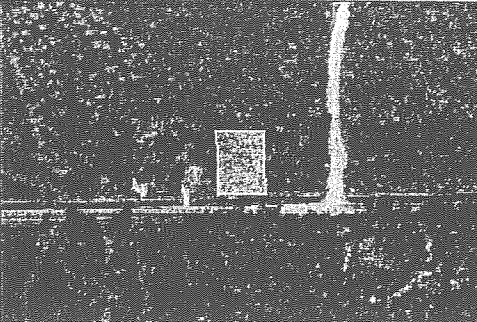
25'

LAKE HARNEY ROAD  
(50' RIGHT OF WAY)

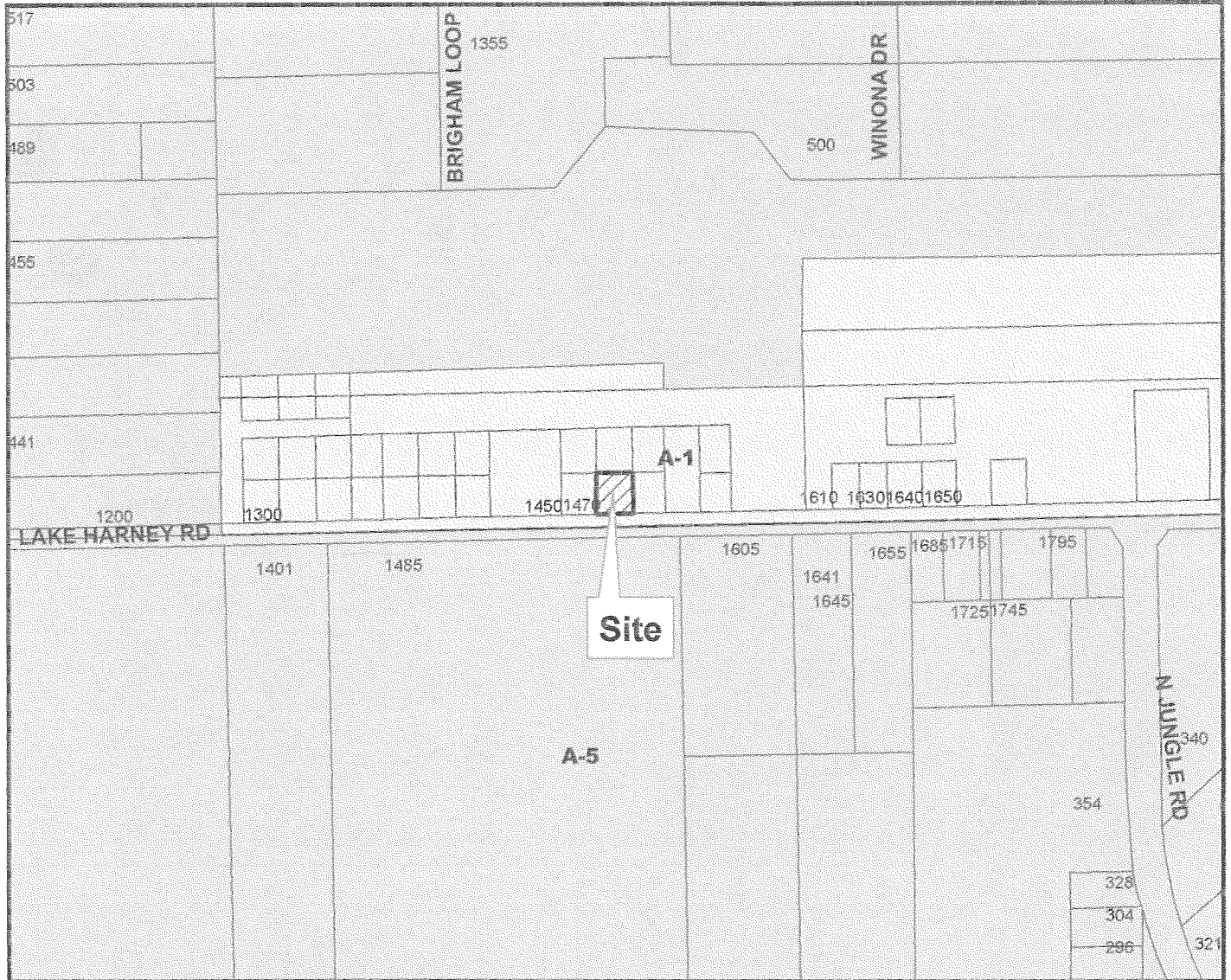
WINONA DRIVE  
(100' RIGHT OF WAY)

SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA

EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 20 SOUTH, RANGE 32 EAST, SEMINOLE COUNTY, FLORIDA




<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 align="center"><b>GENERAL</b></p> <p>Parcel Id: 14-20-32-5UG-0000-0230</p> <p>Owner: CONIGLIO DOUGLAS &amp; LAURA</p> <p>Mailing Address: 1136 SETTLERS LOOP</p> <p>City,State,ZipCode: GENEVA FL 32732</p> <p>Property Address: LAKE HARNEY RD</p> <p>Subdivision Name: LAKE HARNEY RANCH ESTATES 3RD SEC</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 00-VACANT RESIDENTIAL</p>		<p><b>2006 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): \$23,433</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$23,433</p> <p>Assessed Value (SOH): \$23,433</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$23,433</p> <p>Tax Estimator</p> <p>2006 Notice of Proposed Property Tax</p>																					
<p align="center"><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> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>CORRECTIVE DEED</td> <td>11/2005</td> <td>06013</td> <td>0608</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/2005</td> <td>05940</td> <td>0611</td> <td>\$28,000</td> <td>Vacant</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	CORRECTIVE DEED	11/2005	06013	0608	\$100	Vacant	No	WARRANTY DEED	10/2005	05940	0611	\$28,000	Vacant	Yes	<p><b>2005 VALUE SUMMARY</b></p> <p>2005 Tax Bill Amount: \$61</p> <p>2005 Taxable Value: \$3,749</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																	
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<p align="center"><b>LAND</b></p> <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>FRONT FOOT &amp; DEPTH</td> <td>103</td> <td>120</td> <td>.000</td> <td>250.00</td> <td>\$23,433</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	103	120	.000	250.00	\$23,433	<p><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG LOT 23 (LESS S 5 FT FOR RD) UNRECD PLAN LAKE HARNEY RANCH ESTATES 3RD SEC</p>									
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																		
FRONT FOOT & DEPTH	103	120	.000	250.00	\$23,433																		
<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>																							

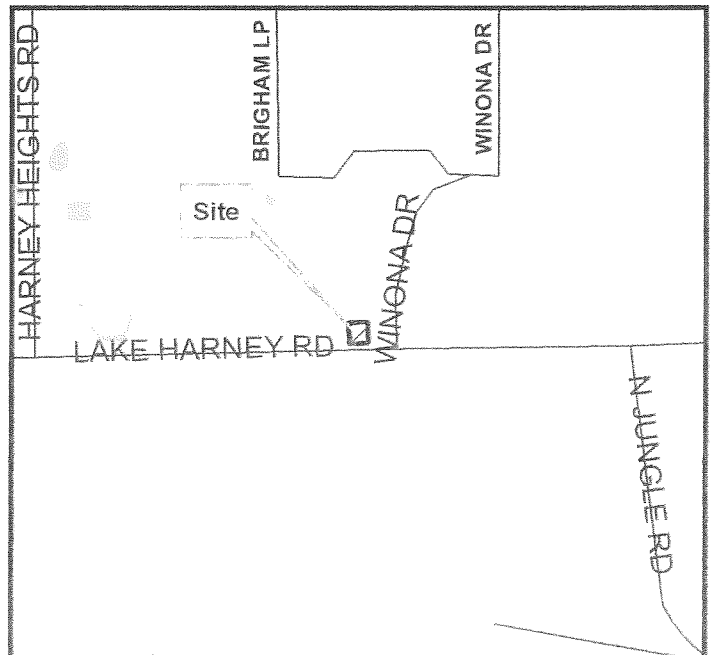
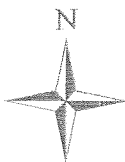
**Kimberly Joyce**  
**Lot 23 (Less S 5 ft for road)**  
**Unrecorded Plat Lake Harney Ranch Estates 3rd Sec**  
**Lake Harney Rd, Geneva, Fl 32732**



**Seminole County Board of Adjustment**  
**December 4, 2006**  
**Case: BV2006-177 (Map 3109, Grid E3)**  
**Parcel No: 14-20-32-5UG-0000-0230**

**Zoning**

-  BV2006-177
-  A-1
-  A-5





Application number	05 00017938	
Application status, date	IN PLAN CHECK	9/30/05
Property	*UNASSIGNED RD	
Parcel ID	14-20-32-5UG-0000-0230	
Subdivision Name	LAKE HARNEY RANCH ESTATES	
Subdivision	LAKE HARNEY RANCH ESTATES	
Zoning	A1 AGRICULTURE	
Application type	A400 BUILDABLE LOT LETTER	
Application date	9/30/05	
Tenant number, name	BUILDABLE LOT	
Master plan number, reviewed by		
Estimated valuation		
Total square footage	0	
Public building	NO	
Work description, quantity		
Pin number	769700	

OK Exit Cancel Fees Receipts



# LOT RESEARCH REQUEST

Building & Fire Inspection Division; Seminole County's Planning & Development Department 1101 E. First Street, Sanford, FL 32771 Phone: (407)665-7050 Fax: (407)665-7047		Permit # Application	<b>05-17938</b>
APPLICANT NAME:	<b>Laura Coniglio</b>	Date:	09/30/05
Address:	561 Old Geneva Rd., Geneva FL 32732	Phone:	407.466.9297
		Fax:	407.349.1059

Parcel ID: **14 20 32 5UG 0000 0230** Email: coniglioconst@bellsouth.net

**NOTE:** There is a **\$50.00 fee** for platted lot research. There is a **\$110.00 fee** for unplatted lot research. Please complete the above information, and submit a check or money order payable to Seminole County.

## DO NOT FILL OUT ANY FURTHER - BELOW FOR OFFICE USE ONLY

**Platted:** PB PG **Plat Name:** \_\_\_\_\_

**5-acre parcel or Unrecorded Plat Name:** LAKE HARNEY RANCH ESTATES 3RD SEC

**ZONING REVIEW** Date sent: 09/30/05

Zoning District:	A-1	Is parcel a parcel/lot of record prior to 7/28/70?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minimum lot size:	1 ACRE	Does the parcel/lot meet the minimum lot size and width requirements for the zoning district?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Minimum width at building line:		If less than 5 acres in size, does the parcel/lot have frontage on a public road Right-of-Way?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Are there existing structures on the property  Yes  No

Comments: This parcel appears to be buildable. A variance will be required for lot size.

Reviewed by: Diane Vasquez Date: 10/11/05

**DEVELOPMENT REVIEW DEPARTMENT REVIEW** Date sent: \_\_\_\_\_

Property appears to meet the basic requirements to be officialized via:	Lot Split <input type="checkbox"/>	Minor Plat <input type="checkbox"/>	This parcel is an illegal lot split.	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was property subdivided via Plat Waiver or Lot Split process?			<input type="checkbox"/> Yes <input type="checkbox"/> No	

Comments: \_\_\_\_\_  
Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**FLOOD PRONE REVIEW** Date sent: \_\_\_\_\_

Is the property flood prone?  Yes  No

Flood Zone: \_\_\_\_\_ BFE: \_\_\_\_\_ Community # 120289 Panel #: \_\_\_\_\_

Comments: \_\_\_\_\_  
Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**WETLAND REVIEW** Date sent: \_\_\_\_\_

Any wetlands or protection areas on the property?  Yes  No In WRPA?  Yes  No

Comments: \_\_\_\_\_

**NOTE:** Listed species are plant or animal species that are protected by Federal and/or State laws. These include Endangered, Threatened, and Species of Special Concern. When impacts to listed species are unavoidable, permits are required from the Florida Fish and Wildlife Conservation Commission prior to issuance of County permits. You may contact the FFWCC Listed Species Permitting office at (352)732-1225 concerning state permit requirements.

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

**WATER AND SEWER REVIEW** Date sent: 10/14/05

Is property on County/City water?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is property on County/City sewer?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is property on well/septic?*	<input checked="" type="checkbox"/> Yes*

\*If on well/septic, lot must meet minimum lot required by the Seminole County Health Dept.  
\*Please call (407)665-3600 for further information.

Comments: This parcel is in the Lake Harney Water Assoc. service area and the request for water hookup goes before a panel from the association. Contact Tim King at 407-349-0440.

Reviewed by: Alan Willis Date: 10/14/05

Applicant has been notified by:  Phone  Fax  Mail  Email Date: 10/14/05

**NOTE:** This research is based on the best available data and does not guarantee that a permit will be issued; therefore, does not create a liability on the part of the County, or any officer or employee thereof, for any damage that results from reliance on this determination. In addition to above references, property shall comply with all applicable federal, state and local rules and regulations.

14 20 32 5UG 0000 0230

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On December 4, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 23 (LESS S 5 FT FOR RD) UNRECD PLAN LAKE HARNEY RANCH ESTATES 3RD  
SEC

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

### FINDINGS OF FACT

**Property Owner:** Douglas & Laura Coniglio  
Lake Harney Road  
Geneva , FL 32732

**Project Name:** Lake Harney Road (Lot 23)

**Requested Development Approval:**

Request for a (1) lot size variance from 43,560 square feet to 12,360 square feet; and (2) a width at the building line variance from 150 feet to 103 for a proposed single story family home in the A-1 (Agriculture 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: Rufus Brown, Planning Intern  
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. The variance granted will apply only to the (Structure) as depicted on the attached site plan.

(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: \_\_\_\_\_  
April Boswell, AICP  
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 \_\_\_\_\_, 2006.

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

My Commission Expires: