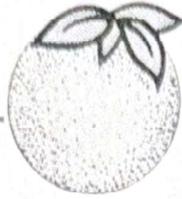


Orange



County

T.C. ✓
Jim ✓
Cat ✓

Zoning Department
201 South Rosalind Avenue, 1st Floor
Reply To: Post Office Box 2687
Orlando, Florida 32802-2687
Telephone (407) 836-5525

February 13, 1992

Jim Phillips
Certi-Fine Fruit Company
219 West Floral Street
P. O. Box 129
Ocoee, FL 34761

Re: Beg. 660 ft. N of the SW cor. of the NW 1/4, run 215 ft. E to Winter Garden-Windermere Road, N along rd. 150 ft., th. W 215 ft., th. S along 1/4 sec. line 150 ft. to POB. All in Sec. 6, T 23 S, R 28 E, Orange County, Florida

Dear Mr. Phillips:

This correspondence is in response to your letter dated January 27, 1992, requesting information as to whether the parcel described above is a buildable parcel.

The property in question was zoned R-CE, Country Estate District, on October 10, 1966. Attached, please find a copy of our R-CE regulations as outlined in our zoning regulations.

The R-CE District requires a minimum of one acre of land area with 130 feet of lot width to build a single family residence. However, if the parcel in question was created prior to zoning coming into effect in October of 1957, it may meet the criteria of a Substandard Lot of Record. A single family residence is permitted if the site does qualify as a substandard lot/parcel of record and provided all other applicable zoning requirements are met. To qualify as a substandard lot/parcel, documents (i.e., deeds) recorded with Orange County, that prove the property was singularly owned on or prior to and since 1957 must be submitted.

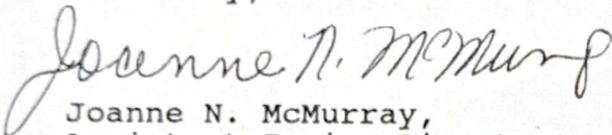
Jim Phillips
February 13, 1992
Page Two

Development must also be consistent with the Orange County Comprehensive Plan. The Comprehensive Policy Plan's Future Land Use Map designation for this property is one dwelling unit for each one acre of land. Since this property is substandard to that one acre requirement, a Vested Rights for Consistency Certificate would need to be obtained before developing the land. Development must also comply with the Concurrency Management System.

For questions concerning the Comprehensive Policy Plan, Vested Rights, or the newly implemented Concurrency Management System, please contact the Planning Department at 836-5600.

I trust this information is of help to you.

Sincerely,



Joanne N. McMurray,
Assistant Zoning Director

JNMc:KB:lmc

Enclosure

cc: Melvin Pittman, Acting Zoning Director

Orange



County

Zoning Department
201 South Rosalind Avenue, 1st Floor
Reply To: Post Office Box 2687
Orlando, Florida 32802-2687
Telephone (407) 836-5525

March 6, 1992

Rohland A. June II, P. E.
June Engineering Consultants, Inc.
310 S. Dillard Street
P. O. Box 771166
Winter Garden, Florida 34777-1166

In Re: Beg. 660 ft. N of the SW cor. of the NW 1/4, run 215 ft.
E to Winter Garden-Windermere Rd., N along road 150 ft.,
th, W 215 ft., th, South along 1/4 section line 150 ft.
to POB. All in Sec. 6, Twp. 23 S, Rge. 28 E, Orange
County, Fl. (approx. 0.74 acre)

Dear Mr. June:

This is written in response to your letter dated February 23, 1992 regarding the above referenced property. By virtue of your information submitted, deeds of record predating October of 1957 which identify contiguous parcels to the North and South as individually owned parcels, and the fact that the property in question is divided by the road right-of-way from the remainder of parcel #5, we've determined the subject property to be a bona-fide substandard parcel of record. Thus, a single family residence would be permitted on the property provided all other applicable zoning requirements are met.

There is still the question of consistency with the Comprehensive Policy Plan and the newly implemented Concurrency Management System. Please refer any further questions regarding these issues, to the Planning Department at 836-5600.

I trust this information will be of help to you.

Sincerely,

A handwritten signature in cursive script that reads "Joanne McMurray". The signature is written in dark ink and is positioned above the typed name and title.

Joanne McMurray
Assistant Zoning Director

JMC:KB:jv

cc: Margaret Hartwell, Planning Department

101
Orange

County

Planning Department
 Edward J. Williams, Director
 201 South Rosalind Avenue, 2nd Floor
 Reply To: Post Office Box 1393
 Orlando, Florida 32802-1393
 Telephone (407) 836-5600

March 16, 1992

Certi-Fine Fruit Company, Inc.
 c/o Rohland A. June II
 June Engineering Consultants, Inc.
 Post Office Box 771166
 Winter Garden, Florida 34777-1166

CERTIFIED MAIL

SUBJECT: Consistency Vested Rights Application #92-34

Dear Mr. June:

This letter is to certify that based upon review of your Application for Vested Rights from the Consistency Requirements of the Orange County 1990-2010 Comprehensive Policy Plan, Orange County has found that the property described on Application #92-34 as:

Beg. 660 ft. N of the SW cor. of the NW 1/4, run 215 ft. E to Winter Garden-Windermere Rd., N along road 150 ft., th, W 215 ft., th, South along 1/4 section line 150 ft. to POB. All in Sec. 6, Twp. 23 S, Rge. 28 E, Orange County, Fl. (approx. 0.74 acre);

is entitled to a Vested Rights Certificate to build one single family residence based on Section 30-353.D.10 of Chapter 30, Article XI, Orange County Code.

This certificate entitles you to undertake or continue the development of the above referenced property, despite the inconsistency of the development with the comprehensive plan, and shall not act to create rights that otherwise do not exist. This certificate does not exempt the development of this property from Orange County's concurrency requirements. Upon the expiration of any Development Order or permit or approval that serves as the predicate for the right to develop, the rights granted shall likewise expire. Also, if any application for a permit or other approval is denied, or if the application is granted but the permit or approval later expires for lack of construction or otherwise, and if the submission of the application serves as the predicate for the rights granted, then the rights granted hereunder shall also expire.

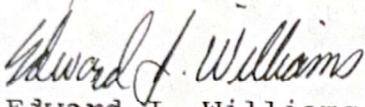
Furthermore, any such development shall continue to be subject in all respects to all laws, ordinances, rules and regulations, and shall continue to be subject to all terms, conditions, requirements and restrictions contained in any Development Order or permit or

Rohland A. June II
Vested Rights Application #92-34
March 16, 1992
Page 2

approval or Binding Letter of Vested Rights pertaining to the particular development. Finally, any substantial change or substantial deviation from the terms of the Development Order upon which a Vested Rights Certificate was predicated shall cause the change or deviation to become subject to the Comprehensive Policy Plan.

If you have any questions on this matter, please feel free to call Margaret Hartwell of my staff at #(407) 836-5600.

Sincerely,



Edward J. Williams
Planning Director

EJW/MMH/lab

cc: Melvin Pittman, Acting Zoning Director

Orange  County

Planning Department
Edward J. Williams, Director
201 South Rosalind Avenue, 2nd Floor
Reply To: Post Office Box 1393
Orlando, Florida 32802-1393
Telephone (407) 836-5600

April 1, 1992

Rohland A. June, II
June Engineering Consultants, Inc.
Post Office Box 771166
Winter Garden, Florida 34787

SUBJECT: Consistency Vested Rights Application #92-34

Dear Mr. ^{Randy} June:

This letter is in response to your correspondence dated March 26, 1992 in which you request assurance that the benefits of Consistency Vested Rights Certificate #92-34, which is for the property described as,

beg. 660 ft. N of the SW cor. of the NW 1/4, run 215 ft. E to Winter Garden-Windermere Rd., N along road 150 ft., th, W 215 ft., th, South along 1/4 section line 150 ft. to POB. All in Sec. 6, Twp. 23 S, Rge. 28 E, Orange County, Fl. (approx. 0.74 acre):

runs with the land and that if an adjacent property owner were to purchase the subject property, they would be entitled to such benefits.

Section 30-382 of Chapter 30, Article XI, Orange County Code states "a vested rights certificate shall inure to the benefit of and run with the land to which it applies." Thus, ownership of the land may change and the benefits of a vested rights certificate would still apply.

Section 30-353.D.10 of Chapter 30, Article XI, Orange County Code establishes the criteria for vested rights from consistency for parcels of record in Rural Settlements. This section states "... and, multiple contiguous parcels in common ownership or under a common "contract for deed" as of May 21, 1991, shall be aggregated and deemed to be one parcel for purposes of this criteria." The aggregation requirement would not apply in this case because the properties were not in common ownership or under a common contract for deed as of May 21, 1991. Thus, regardless of whether a prospective buyer owns adjacent land, the subject property may be purchased by them and a single family dwelling unit could be constructed.

Rohland A. June, II
Consistency Vested Rights
Application #92-34
April 1, 1992
Page 2

I hope I have adequately addressed your concerns. If you have any other questions regarding this Consistency Vested Rights Determination, please do not hesitate to contact Margaret Hartwell of my staff at 836-5600.

Sincerely,

Ellen Hardgrove

Ellen Hardgrove, AICP
Growth Management Supervisor

ESH/MMH/lab