

VA-25-12-073

Ransone-Smith Variance

Rebecca Hammock/Mike Flegiel/Pam
Ransone

March 10, 2026

2026-03-10 Public Hearing D11 Exhibit 1 -
Rebecca Hammock

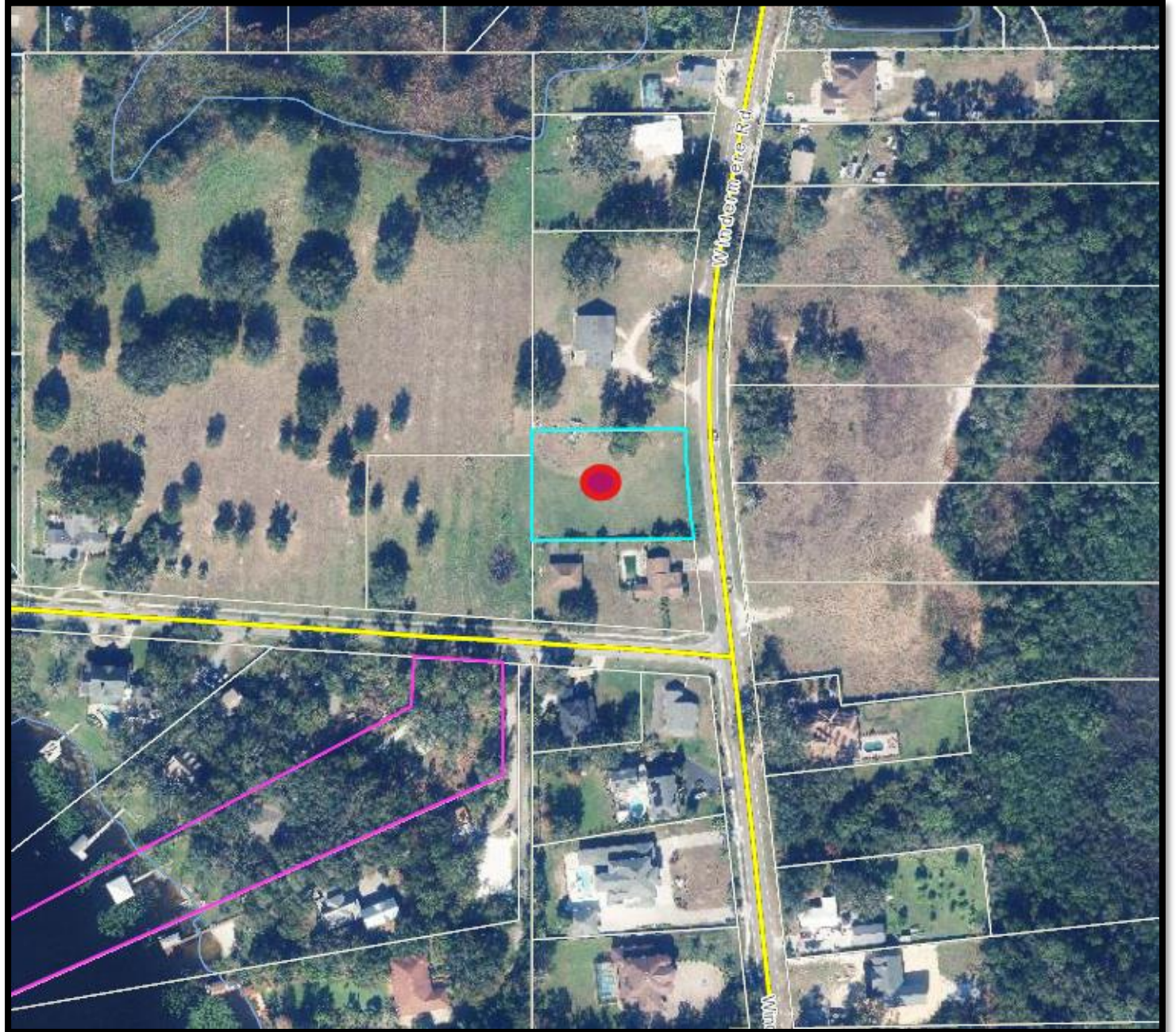
PAPE-DAWSON

Background:

Lot Size & Configuration were established prior to 1957.

The Property was zoned R-CE Country Estate District on October 10, 1966.

Vested Rights Certificate: #92-34 issued by Orange County in 1992.



January 27, 1992 - Jim Phillips writes Orange County asking whether parcel is buildable.

February 13, 1992 - County Acknowledges request and asks for additional information.

Orange County
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.

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.

March 6, 1992 - Zoning Approves Lot as Substandard Lot of Record

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)

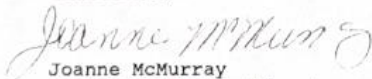
Dear Mr. June:

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,



Joanne McMurray
Assistant Zoning Director

JMC:KB:jv

cc: Margaret Hartwell, Planning Department

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.



March 16, 1992 - Planning Approves Entitlement to Build on Lot.



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

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.

April 1, 1992 - County clarifies lot can be constructed despite common ownership of adjacent lot.

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. 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.

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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);

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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.

September 3, 1992 - Alvin Morris Smith Purchases northern parcel in reliance on letters from County that parcel was buildable without aggregation.

Rec Fee \$ 5.00 MARTHA O. HAYNIE
Add Fee \$ 1.00 Orange County
Doc Tax \$ 175.00 Comptroller
Int Tax \$ By
Total \$ 181.00 Deputy Clerk

PREPARED BY AND RETURN TO:

John R. Simpson, Jr., Esquire
Boroughs, Grimm & Bennett, P.A.
P.O. Box 3309
Orlando, Florida 32802

GENERAL WARRANTY DEED

THIS WARRANTY DEED is made and executed the 3rd day of September, 1992, by CERTI-FINE FRUIT COMPANY, INC., whose post office address is P.O. Box 129, Ocoee, Florida 34761, hereinafter called the "grantor," to MORRIS ALVIN SMITH, whose post office address is P.O. Box 643, Ocoee, Florida 34761, hereinafter called the "grantee."

WITNESSETH: That grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto grantee, all that certain land situate in Orange County, Florida, viz:

Beginning 660 feet North of the SW corner of the NW 1/4 of Section 6, Township 23 South, Range 28 East, Orange County, Florida, run thence East 215 feet to Winter Garden-Windermere Road, run thence North along said road 150 feet, run thence West 215 feet, run thence South along the 1/4 section line 150 feet to the point of beginning, all lying in Section 6, Township 23 South, Range 28 East, Orange County, Florida.

TOGETHER with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND grantor hereby covenants with grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 1991 and easements and restrictions of record.

Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.

IN WITNESS WHEREOF, grantor has caused these presents to be executed in its name as of the day and year first above written.

Signed, sealed and delivered in the presence of:

CERTI-FINE FRUIT COMPANY, INC.

Cathy L. Phillips
Print Name: CATHY L. PHILLIPS

BY: James Donald Phillips
James Donald Phillips, President

James Donald Phillips
Print Name: James Donald Phillips

4213311 ORANGE CO. FL.
09/15/92 10:18:40am

OR4460 PG4-119

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 3rd day of SEPTEMBER, 1992, by James Donald Phillips, as President of Certi-Fine Fruit Company, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me and did not take an oath.

William L. Finney
NOTARY PUBLIC
Print Name: William L. Finney
Serial Number: Notary Public, State of Florida

My Commission Expires Aug. 10, 1993
Bonds the True Fair - Insurance Inc.

RECORDED & INDEXED
Marta Haynie
County Comptroller, Orange Co., FL

GENERAL WARRANTY DEED

THIS WARRANTY DEED is made and executed the 3rd day of September, 1992, by CERTI-FINE FRUIT COMPANY, INC., whose post office address is P.O. Box 129, Ocoee, Florida 34761, hereinafter called the "grantor," to MORRIS ALVIN SMITH, whose post office address is P.O. Box 643, Ocoee, Florida 34761, hereinafter called the "grantee."

1992 TIMELINE

Jim Phillips (CERTI-FINE Fruit Company, Inc.) writes county seeking clarification on whether a single-family residence can be constructed upon northern lot.

Joannie McMurray, Asst. Zoning Director responds in writing that a single-family residence is permitted.

Ellen Hardgrove responds to request for clarification writing "regardless of whether a prospective buyer owns adjacent land, the subject property may be purchased, and a single-family dwelling unit could be constructed."

13 Feb.

16 Mar.

3 Sep.

27 Jan.

6 Mar.

1 Apr.

County responds acknowledging request and seeking additional information.

Edward Williams, Planning Director, writes letter stating that the lot is entitled to a vested rights certificate to build a single-family residence.

Mr. Smith purchases property based on assurances from County that lot was buildable.

VARIANCE CRITERIA MET

- **Special Condition/Circumstance:** The property received a Vesting Certificate: #92-34 in 1992.
- **Not-Self-Created:** Family purchased property relying on letters from County.
- **No Special Privilege Conferred:** Vesting Certificate, allows one SFR to be built. Many adjacent lots are under 1 acre.
- **Deprivation of Rights:** Denying the variance would deprive the owner of the rights granted under the vesting certificate.
- **Minimum Possible Variance:** The request is limited to lot



Alvin Morris Smith saved letters, writing on the outside of the envelope:

"Important Important Info on lot next to home saying that lot is a buildable lot to build on (illegible)."

Important

Important

~~IRA Acct.~~ Info on
Lot next to
Home

~~1994 and 1995~~

~~1993 in safety Dep Boy~~ saying
that lot
is a buildable
lot to build on
from Co.

~~3 NOV 95~~

~~CAP checks
and Recpt.~~

Tax Revenue and Value Analysis

Vacant Land

Assessed Value = \$120,000
 \$2,222,600
 Tax Revenue = \$1,805.41
 Tax Revenue = \$35,761.65

Vacant Parcel
 Windermere Rd.
 Parcel ID 06-23-28-0000-00-001
 Tax Revenue = \$1,805

2025 Taxable Value and Certified Taxes ⓘ

| Tax Year | | | | | | | |
|---|------------|-----------|-----------|--------------|-------|------------|---------------|
| 2025 | 2024 | 2023 | 2022 | | | | |
| Taxing Authority | Assd Value | Exemption | Tax Value | Millage Rate | % | Taxes | Tax Breakdown |
| Public Schools: By State Law (Rle) | \$120,000 | \$0 | \$120,000 | 3.2010 | -0.5% | \$384.12 | 21% |
| Public Schools: By Local Board | \$120,000 | \$0 | \$120,000 | 3.2480 | 0.0% | \$389.76 | 22% |
| General County | \$106,480 | \$0 | \$106,480 | 4.4347 | 0.0% | \$472.21 | 26% |
| Unincorporated County Fire | \$106,480 | \$0 | \$106,480 | 2.8437 | 0.0% | \$302.80 | 17% |
| Unincorporated Taxing District | \$106,480 | \$0 | \$106,480 | 1.8043 | 0.0% | \$192.12 | 11% |
| Library - Operating Budget | \$106,480 | \$0 | \$106,480 | 0.3748 | 0.0% | \$39.91 | 2% |
| South Florida Water Management District | \$106,480 | \$0 | \$106,480 | 0.0948 | 0.0% | \$10.09 | 1% |
| South Florida Wmd Okeechobee Basin | \$106,480 | \$0 | \$106,480 | 0.1026 | 0.0% | \$10.92 | 1% |
| South Florida Wmd Everglades Const | \$106,480 | \$0 | \$106,480 | 0.0327 | 0.0% | \$3.48 | 0% |
| Totals | | | | 16.1366 | | \$1,805.41 | |

New Construction Comp.

Assessed Value =

New Construction
 2523 Windermere Reserve Ct.,
 Parcel ID 06-23-28-7396-00-080
 Tax Revenue = \$35,761

2025 Taxable Value and Certified Taxes ⓘ

| Tax Year | | | | | | | |
|---|-------------|-----------|-------------|--------------|-------|-------------|---------------|
| 2025 | 2024 | 2023 | 2022 | | | | |
| Taxing Authority | Assd Value | Exemption | Tax Value | Millage Rate | % | Taxes | Tax Breakdown |
| Public Schools: By State Law (Rle) | \$2,222,600 | \$25,000 | \$2,197,600 | 3.2010 | -0.5% | \$7,034.52 | 20% |
| Public Schools: By Local Board | \$2,222,600 | \$25,000 | \$2,197,600 | 3.2480 | 0.0% | \$7,137.80 | 20% |
| General County | \$2,222,600 | \$50,722 | \$2,171,878 | 4.4347 | 0.0% | \$9,631.63 | 27% |
| Unincorporated County Fire | \$2,222,600 | \$50,722 | \$2,171,878 | 2.8437 | 0.0% | \$6,176.17 | 17% |
| Unincorporated Taxing District | \$2,222,600 | \$50,722 | \$2,171,878 | 1.8043 | 0.0% | \$3,918.72 | 11% |
| Library - Operating Budget | \$2,222,600 | \$50,722 | \$2,171,878 | 0.3748 | 0.0% | \$814.02 | 2% |
| South Florida Water Management District | \$2,222,600 | \$50,722 | \$2,171,878 | 0.0948 | 0.0% | \$205.89 | 1% |
| South Florida Wmd Okeechobee Basin | \$2,222,600 | \$50,722 | \$2,171,878 | 0.1026 | 0.0% | \$222.83 | 1% |
| South Florida Wmd Everglades Const | \$2,222,600 | \$50,722 | \$2,171,878 | 0.0327 | 0.0% | \$71.02 | 0% |
| Wind Wtr & Nav Cntrl Dist | \$2,222,600 | \$50,722 | \$2,171,878 | 0.2528 | 0.0% | \$549.05 | 2% |
| Totals | | | | 16.3894 | | \$35,761.65 | |

VA-25-12-074

Ransone-Smith Variance

Rebecca Hammock/Mike Flegiel/Pam
Ransone

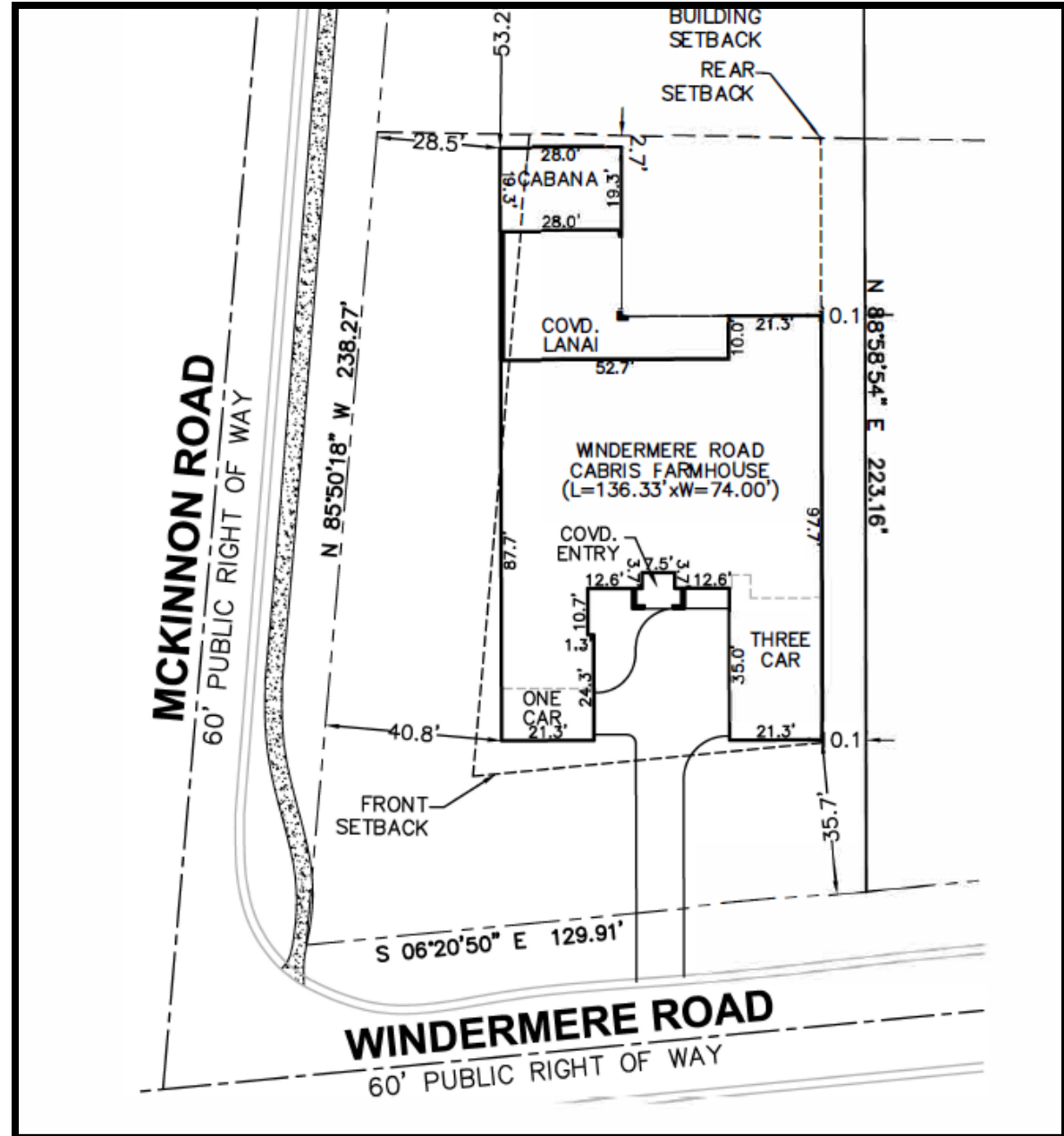
March 10, 2026

Variance Requests

Lot Size Variance to allow a minimum lot size of 0.61 acres

A lot width variance from 130 ft to 129.91 ft.

A side street setback variance of 6.5 ft. to allow a setback of 28.5 ft. in lieu of 35 ft. (No Site Distance Concerns)



Background

Existing home on Lot (constructed approx. 1940)

Lot was created prior to 1957

Home is currently vacant



Southern Lot - Substandard lot of record dating back to 1942

| | |
|--|--|
| <p>This Document Prepared by and return to: Sidney H. Shams Shams Law Firm 529 Versailles Drive, Suite 205 Maitland, Florida 32751</p> | <p>DOC # 20240120164 02/29/2024 13:52 PM Page 1 of 2 Rec Fee: \$18.50 Deed Doc Tax: \$0.70 Mortgage Doc Tax: \$0.00 Intangible Tax: \$0.00 Phil Diamond, Comptroller Orange County, FL Ret To: ERECORDING PARTNERS NETWORK</p> |
|--|--|

TRUSTEE'S DEED

This Trustee's Deed is made this 30 day of October, 2023, by and between **Pamela Ransone, Trustee of the M. Alvin Smith Trust, Grantor and Pamela Ransone, individually, Grantee.**

(Wherever used herein the terms Grantor and Grantee shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the Grantee, 100% interest in that certain real property situate in Orange County, State of Florida, viz:

Begin at a point on the West line of NW 1/4 of Section 6, Township 23 South, Range 28 East said point being 670.2 feet North of SW corner of said NW 1/4 run East parallel with South line of said NW 1/4 220.3 feet to West line of right of way of County paved Highway No. 7, thence Southerly along said West line of said right of way to North line of said right of way to county road No. 332 thence Westerly along North line of said Right of way to West line of said NW 1/4 of Section 6, Township 23 South, Range 28 East, thence North along said West line to point of beginning.

Tax Parcel #06-23-28-0000-00-024
Street Address: 1876 Windermere Rd., Windermere, FL 34787

Manufactured and for sale by The H. & W. B. Drew Company
Jacksonville, Florida

WARRANTY DEED **DEED BOOK 595 PAGE 321**

This Indenture, Made this 21st **day of** November **A. D. 19 42.**

Between W. L. Story, Margaret W. Story, his wife and Lena M. Story
by W. L. Story, Attorney-in-Fact for the said Lena M. Story

of the County of Orange and State of Florida
parties of the first part, and J. R. Boston
whose mailing address is Winter Garden
of the County of Orange and State of Florida

party of the second part, **Witnesseth**, that the said parties of the first part, for and in consideration of the sum of ten Dollars, and other good and valuable considerations to them in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part and his heirs and assigns forever, all that certain parcel of land lying and being in the County of Orange and State of Florida, more particularly described as follows:

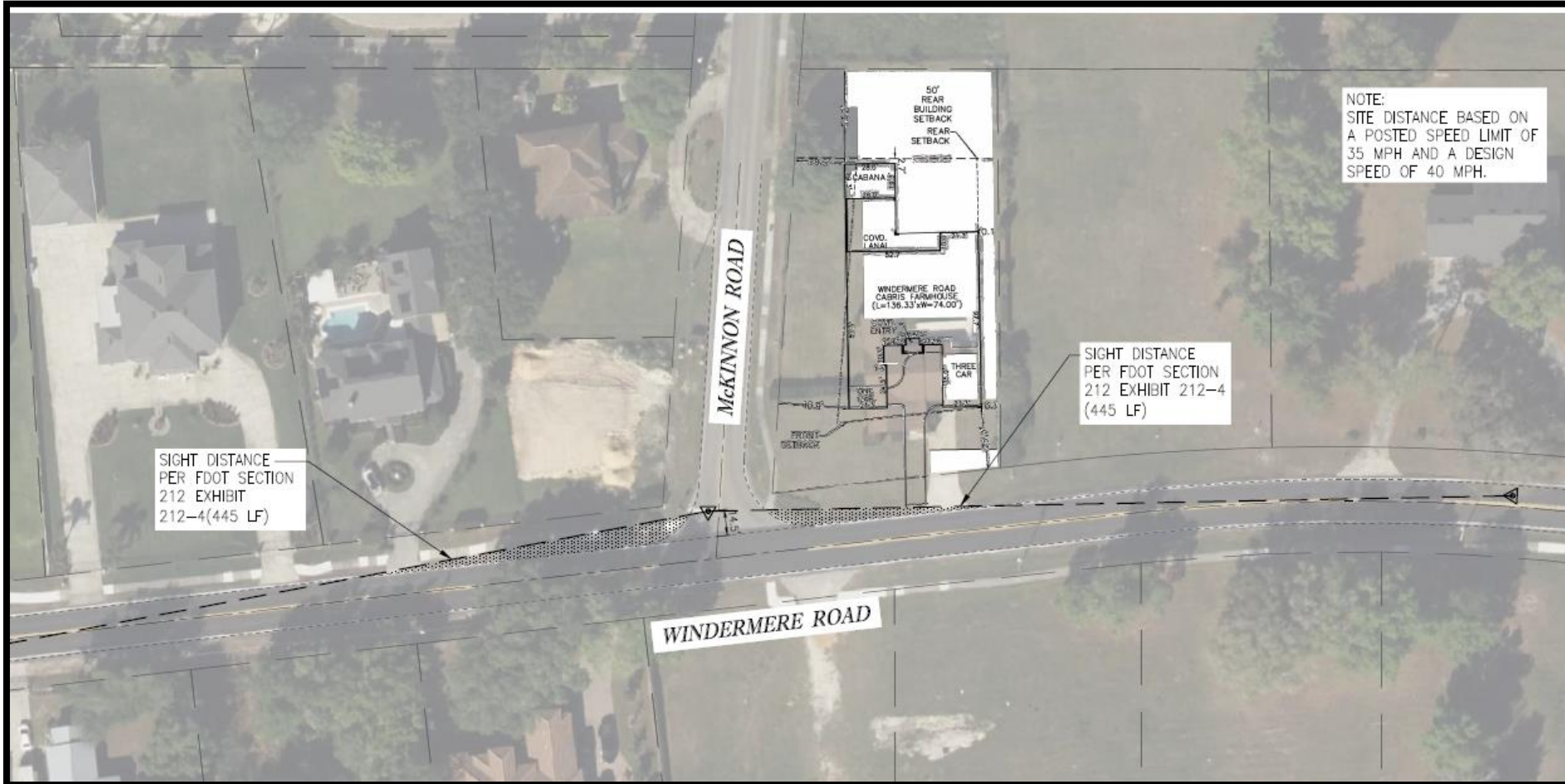
Beginning at a point on the west line of the northwest 1/4 of Section 6, Township 23, South, Range 28 East, said point being 670.2 feet north of the southwest corner of said northwest 1/4, and run thence east parallel with the south line of said northwest 1/4 a distance of 220.3 feet to the west line of the right of way of County paved highway No. 7; thence southerly, along said west line of said right of way to the north line of the right of way of County road No. 332; thence westerly along the north line of said right of way to the west line of said northwest 1/4 of section 6, and thence north along said west line to the point of beginning.

LOT OF RECORD

The parcel to the north received a vesting certificate and is recognized as a buildable lot of record. Accordingly, the subject parcel is likewise vested for the construction of one single-family residence and is not required to be aggregated with the parcel to the north.

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.

SITE DISTANCE



- No site distance issues with reduced side street setback
- 40.8 ft. building setback closest to intersection

VARIANCE CRITERIA MET

- **Special Condition/Circumstance:** The property to the north received a Vesting Certificate: #92-34 in 1992. Aggregation rule does not apply.
- **Not-Self-Created:** Lot size and width were established prior to 1957. Irregularly shaped lot.
- **No Special Privilege Conferred:** Existing SFR to be replaced with new construction.
- **Deprivation of Rights:** Denying the variance would

