

SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM

**SUBJECT:** Appeal of the Board of Adjustment decision to grant a special exception for the continued placement of a mobile home for 1 year at 581 Oak Way; (James Court, applicant/appellant).

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

**AUTHORIZED BY:** Dan Matthys **CONTACT** Kathy Fall **EXT.** 7389

Agenda Date 04-26-05 Regular  Consent  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

1. **OVERTURN** the Board of Adjustment decision to approve a special exception for the continued placement of a mobile home at 581 Oak Way by denying said application; (James Court, applicant/appellant); or
2. **UPHOLD** the Board of Adjustment decision granting a special exception for the continued placement of a mobile home for 1 year at 581 Oak Way; (James Court, applicant/appellant); or
3. **MODIFY** the Board of Adjustment decision and grant the special exception with different conditions of approval; (James Court, applicant/appellant); or
4. **CONTINUE** the request to a time and date certain.

Commission District #5, Carey Kathy Fall, Senior Planner

**BOARD OF ADJUSTMENT DECISION:**

At its February 28, 2005 regular meeting, the Board of Adjustment approved a special exception for the continued placement of an existing mobile home for one year. The applicant requested a five year extension. The Board found that the character of the area did not support mobile homes and granted the applicant one year to remove the unit. On March 11, 2005, the applicant, James Court, appealed the Board of Adjustment decision to the Board of County Commissioners.

**STAFF RECOMMENDATION:**

Overturn the Board of Adjustment decision to approve a special exception for the continued placement of a mobile home at 581 Oak Way by denying said application.

Attachments: BOA Application (BM2004-031)  
Letter from applicant requesting appeal (March 14, 2005)  
BOA Meeting Minutes (6/28/99 & 2/28/05)

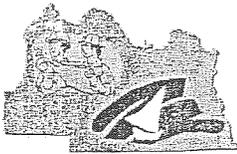
Reviewed by: \_\_\_\_\_  
Co Atty: KR  
DFS: \_\_\_\_\_  
Other: MW  
DCM: DL  
CM: KB  
File No. ph130pdp01

## STAFF REPORT

<p><b>BACKGROUND / REQUEST</b></p>	<ul style="list-style-type: none"> <li>• On March 11, 2005, James Court appealed the Board of Adjustment decision to continue the placement of an existing mobile home for one year. The applicant requested a special exception to allow an existing 1985 mobile home to remain for five years.</li> <li>• On February 28, 2005, the Board of Adjustment extended the placement of an existing mobile home for one year with the findings that the trend of development of the area is conventional built homes.</li> <li>• Special exceptions were approved in 1994 for five years and in 1999 for one additional year.</li> </ul>																								
<p><b>ZONING &amp; FLU</b></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #333; color: white;"> <th style="width: 15%;">Direction</th> <th style="width: 15%;">Existing Zoning</th> <th style="width: 20%;">Existing FLU</th> <th style="width: 50%;">Use of Property</th> </tr> </thead> <tbody> <tr> <td>Site</td> <td>A-1</td> <td>Suburban Estates</td> <td>Single-Family (Mobile Home)</td> </tr> <tr> <td>North</td> <td>A-1</td> <td>Suburban Estates</td> <td>Single-Family (Conventional)</td> </tr> <tr> <td>South</td> <td>A-1</td> <td>Suburban Estates</td> <td>Single-Family (Conventional)</td> </tr> <tr> <td>East</td> <td>A-1</td> <td>Suburban Estates</td> <td>Single-Family (Conventional)</td> </tr> <tr> <td>West</td> <td>A-1</td> <td>Suburban Estates</td> <td>Single-Family (Conventional)</td> </tr> </tbody> </table>	Direction	Existing Zoning	Existing FLU	Use of Property	Site	A-1	Suburban Estates	Single-Family (Mobile Home)	North	A-1	Suburban Estates	Single-Family (Conventional)	South	A-1	Suburban Estates	Single-Family (Conventional)	East	A-1	Suburban Estates	Single-Family (Conventional)	West	A-1	Suburban Estates	Single-Family (Conventional)
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<p><b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)</b></p>	<p>The Board of Adjustment (BOA) shall have the power to hear and decide those special exceptions it is specifically authorized to pass under the terms of the land development code upon determination the use requested:</p> <p><b><u><i>Is not detrimental to the character of the area or neighborhood or inconsistent with trends of development in the area:</i></u></b></p> <p>The permanent placement of the proposed mobile home would be incompatible with the trend of development on nearby and adjacent properties.</p> <p>Available records indicate that Oak Way predominantly consists of conventional built single family homes.</p> <p><b><u><i>Does not have an undue adverse effect on existing traffic patterns, movements and volumes:</i></u></b></p> <p>Since the proposed use is a single-family mobile home unit that would not be highly intensive in nature, staff does not believe it would adversely impact adjoining transportation facilities.</p>																								

	<p><b><u>Is consistent with the Seminole County Vision 2020 Comprehensive Plan:</u></b></p> <p>The request is for the temporary placement of a single-family mobile home unit, which is thereby consistent with the Comprehensive Plan's designation of Suburban Estates for the subject property.</p> <p><b><u>Meets any additional requirements specified in the code section authorizing the use in a particular zoning district or classification:</u></b></p> <p>The subject property is a 1.5 acre parcel, which meets the minimum size and dimensional requirements of the A-1 district.</p> <p><b><u>Will not adversely affect the public interest:</u></b></p> <p>The trend of development in the immediate area includes mostly conventional homes. Therefore, the continued placement of a mobile home would be inconsistent with the character of the area.</p>
<p><b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (RURAL ZONING CLASSIFICATION DISTRICT); LDC SECTION 30.104(a)</b></p>	<p>The BOA may permit any use allowed by special exception in the A-1 (Agriculture District) upon making findings of fact, in addition to those required by section 30.43(b)(2) of the Land Development Code, that the use:</p> <p><b><u>Is consistent with the general zoning category and plan of A-1 Agriculture; and</u></b></p> <p>The proposed mobile home is a conditional use in the A-1 district. To ensure consistency with the general zoning plan of the A-1 district and protect the character of the area, the mobile home siting standards enumerated in Section 30.1401 of the Land Development Code would apply as stated elsewhere in this report.</p> <p><b><u>Is not highly intensive in nature; and</u></b></p> <p>The request is not highly intensive in nature, as the proposed mobile home use would be permitted for single-family occupancy.</p> <p><b><u>Is compatible with the concept of low density, rural land use; and</u></b></p> <p>The existing use is consistent with the concept of surrounding rural land use since the comprehensive plan describes low density rural development as an appropriate land use category</p>

	<p>for the placement of a single-family residence.</p> <p><b><u>Has access to an adequate level of urban services such as sewer, water, police, schools and related services.</u></b></p> <p>The proposed use would be served by on-site septic and well systems. Schools and emergency services are also available to the site.</p>
<b>FINDINGS &amp; STAFF RECOMMENDATION</b>	<p>Based upon the stated findings staff recommends the Board of County Commissioners overturn the Board of Adjustment decision to approve a special exception for the continued placement of a mobile home at 581 Oak Way by denying said application; (James Court, applicant/appellant); or</p>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
 PLANNING DIVISION  
 1101 EAST FIRST STREET  
 SANFORD, FL 32771  
 (407) 665-7444 PHONE (407) 665-7385 FAX APPL. NO. BM 2004-031

**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**
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION** Renew mobile home SE for 5 years
- EXISTING (YEAR 1985)  PROPOSED (YEAR \_\_\_\_\_)
- REPLACEMENT (YEAR \_\_\_\_\_) SIZE OF MOBILE HOME \_\_\_\_\_
- ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_
- PLAN TO BUILD  YES  NO IF SO, WHEN 5+ yrs.
- MEDICAL HARDSHIP  YES (LETTER FROM DOCTOR REQUIRED)  NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

*Handwritten notes:*  
 11 MAR 11 2005

PROPERTY OWNER		AUTHORIZED AGENT*
NAME	<u>James Court</u>	
ADDRESS	<u>581 Oak Way</u>	
	<u>Sanford FL 32773</u>	
PHONE 1	<u>(407) 314-6159</u>	
PHONE 2	<u>321-779-3116 (mother's)</u>	
E-MAIL	<u>PamCourt1@AOL.COM</u>	

PROJECT NAME: 581 Oak Way

SITE ADDRESS: 581 Oak Way

CURRENT USE OF PROPERTY: Home

LEGAL DESCRIPTION: leg E 100 FT of W 900 FT of Lots 1+2 (Less N S Ft for Rd) Mecca Hammock PB 1 PG 84

SIZE OF PROPERTY: 1.4 acrs acre(s) PARCEL I.D. 19-26-31-501-0000-001C

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 2/28/05 (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.

James M. Court  
 SIGNATURE OF OWNER OR AGENT\* 12/28/04  
DATE

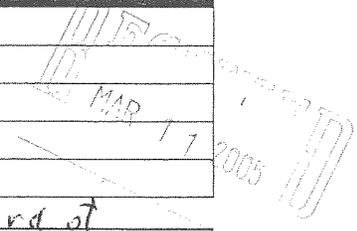
\* Proof of owner's authorization is required with submittal if signed by agent.

**ADDITIONAL VARIANCES**

VARIANCE 2:  
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VARIANCE 3:  
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VARIANCE 4:  
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VARIANCE 5:  
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VARIANCE 6:  
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VARIANCE 7:  
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**APPEAL FROM BOA DECISION TO BCC**

APPELLANT INFORMATION	
NAME	James Court
ADDRESS	581 Oakway Sanford, FL 32773
PHONE 1	407-314-6159
PHONE 2	321-779-3116
E-MAIL	



NATURE OF THE APPEAL Non-approval at meeting of Board of adjust due to the Board not appearing to adjust

APPELLANT SIGNATURE James M. Court

**FOR OFFICE USE ONLY**

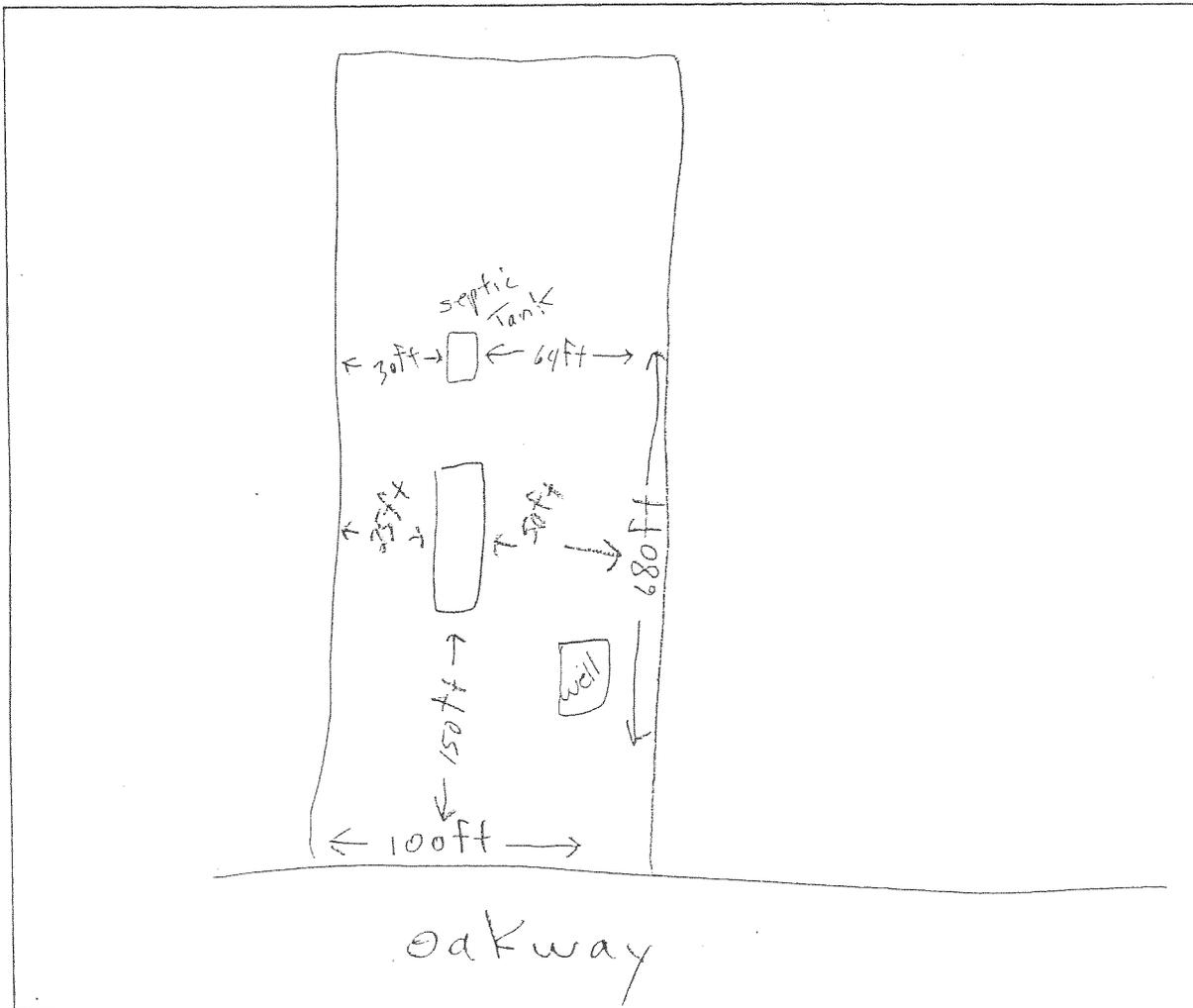
PROCESSING:  
FEE(S): 74.00 COMMISSION DISTRICT 5 FLU/ZONING SE / A-1  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS South side of Oak Way approx 860ft east of intersection of S. Sanford Ave & Oak Way  
PLANNING ADVISOR JS DATE 12/28/04  
SUFFICIENCY COMMENTS Renew for BACU-11-217F

<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 407-665-7506</p>																																																	
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<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>																																																	

SITE PLAN

A site plan must be submitted along with any application for building permit or application for special exception or variance to the Board of Adjustment. This form may be utilized for any single family construction, either conventional or mobile home. The following items must be indicated:

1. Dimensions of lot or parcel.
2. Name of abutting street or road.
3. Proposed location of home, accessory building or mobile home; showing setbacks to all property lines.
4. Any existing structures on property.
5. If any trees are to be removed, show location, size and type.
6. Any easements on property.

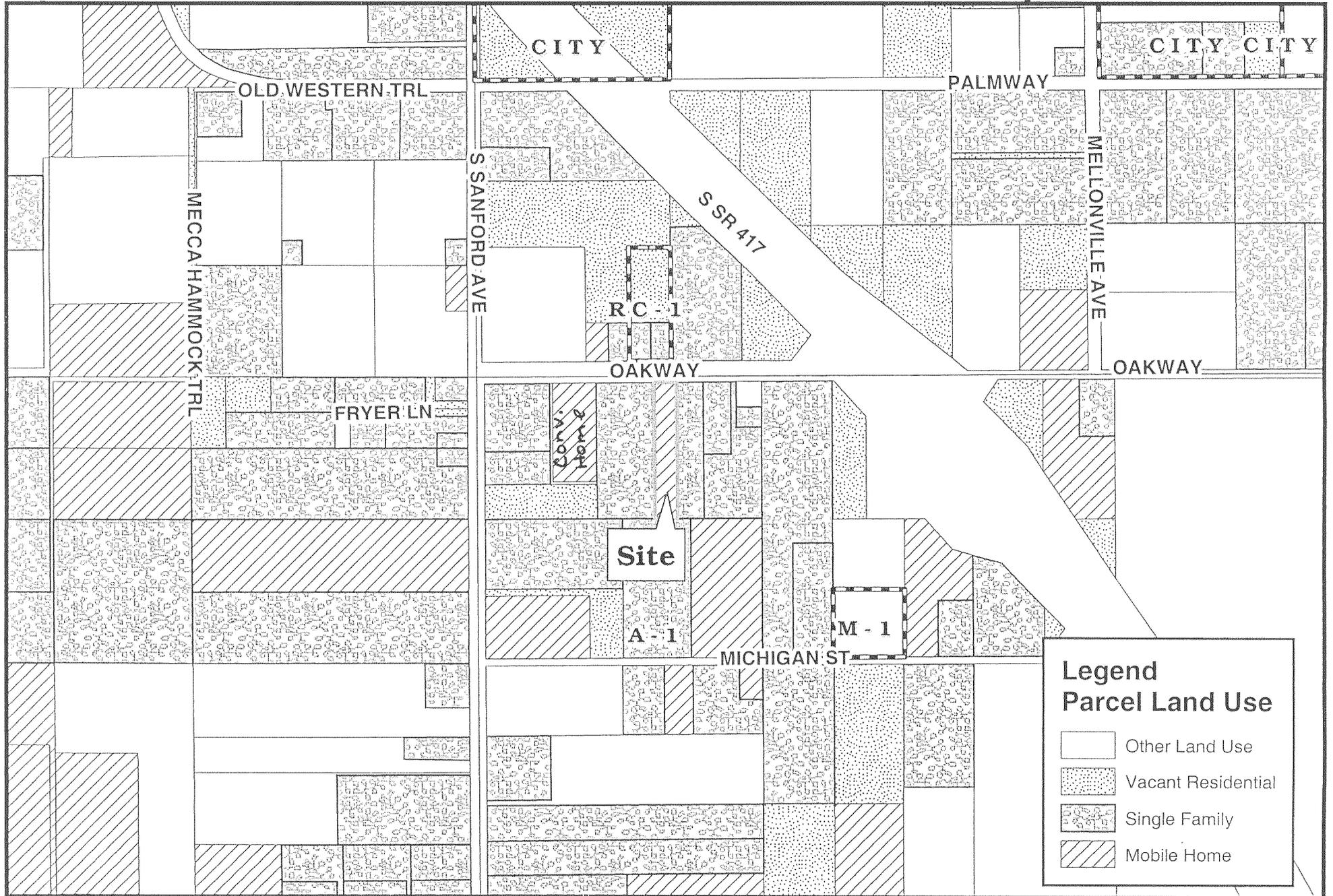


12-28-09

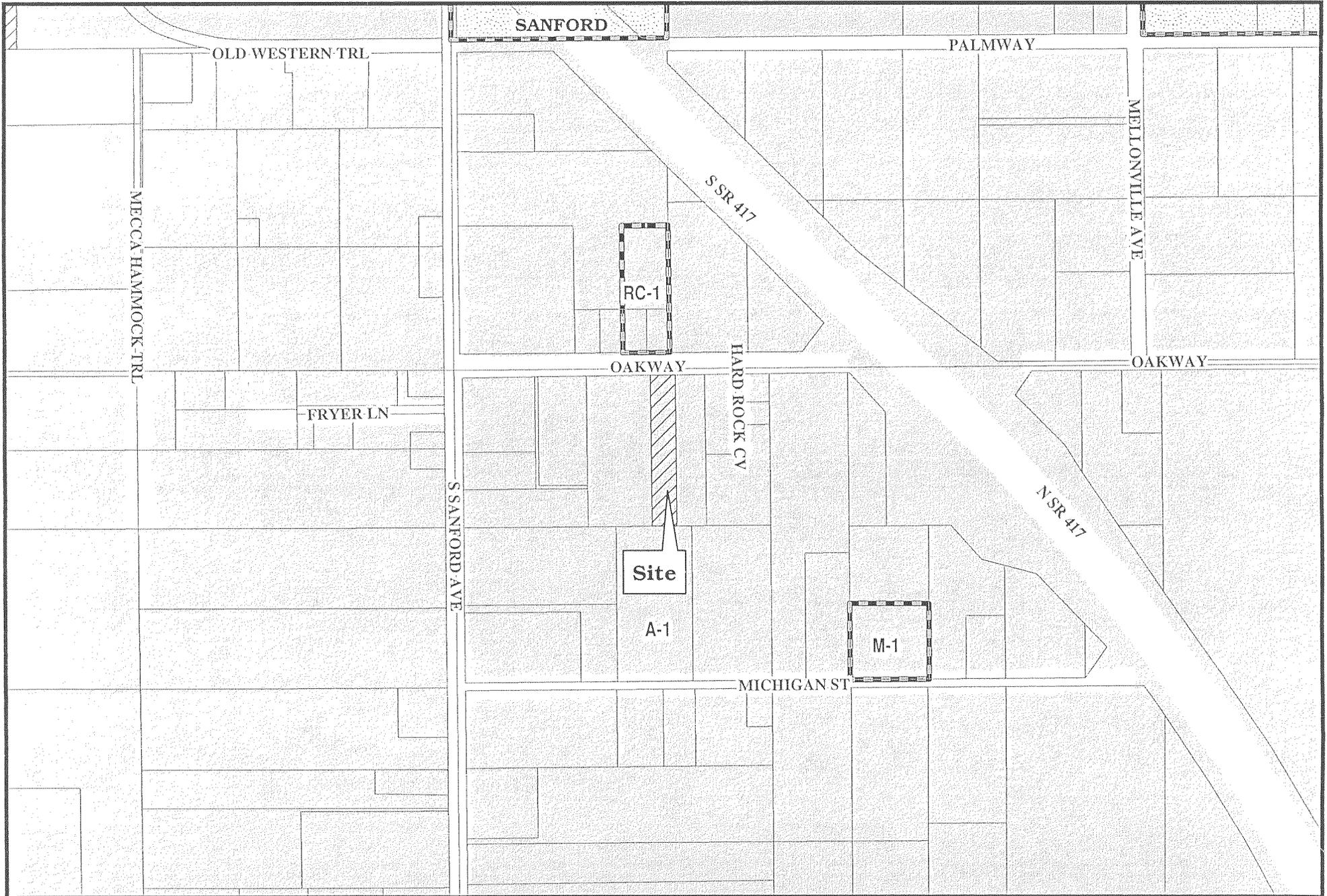
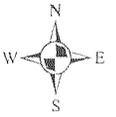
DL



# James Court 581 Oak Way



# James Court 581 Oak Way



Parcel: 19-20-31-501-0000-001C / District: 5

**BM2004-031**  
**FEBRUARY 28, 2005**

0 150 300 600 Feet

 <p><b>Manatee County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-663-7500</p>		
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<p style="text-align: center;"><b>LAND</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>ACREAGE</td> <td>0</td> <td>0</td> <td>1.470</td> <td>23,000.00</td> <td>\$33,810</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	1.470	23,000.00	\$33,810	<p style="text-align: center;"><b>LEGAL DESCRIPTION PLAT</b></p> <p>LEG E 100 FT OF W 900 FT OF LOTS 1 + 2 (LESS N 5 FT FOR RD) MECCA HAMMOCK</p> <p>PB 1 PG 84</p>
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value								
ACREAGE	0	0	1.470	23,000.00	\$33,810								

<p style="text-align: center;"><b>EXTRA FEATURE</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Description</th> <th>Year Bilt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>MOBILE HOME</td> <td>1985</td> <td>1,064</td> <td>\$29,792</td> <td>\$37,240</td> </tr> <tr> <td>WOOD UTILITY BLDG</td> <td>1950</td> <td>512</td> <td>\$1,229</td> <td>\$3,072</td> </tr> </tbody> </table>	Description	Year Bilt	Units	EXFT Value	Est. Cost New	MOBILE HOME	1985	1,064	\$29,792	\$37,240	WOOD UTILITY BLDG	1950	512	\$1,229	\$3,072	
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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.



FILE #: BA94-11-64TE                    APPL: COURT II, JAMES M.  
EC: 19    TWP: 20    RNG: 31    SUF:            PL BK:    1    PB PG: 84    BLOCK #:

DEVELOPMENT NAME: MH-COURT II, JAMES M.  
LOC: S SIDE OF OAK WAY AND 900 FT. E OF SOUTH SANFORD AVENUE.  
#1: 1    #2: 2    #3:            #4:            #5:            #6:            #7:  
ARC #1:    #2:    #3:            #4:            #5:            #6:            #7:

EQUEST DESCRIPTION:  
EINSTATEMENT OF AN EXISTING MOBILE HOME.

CTION: CONT. TO 12-19-94;  
ATE: 112894

EMARKS:  
THE E 100 FT. OF THE W ( ) FT. OF LOTS 1 & 2 (LESS N 5 FT. FOR ROAD)  
MECCA HAMMOCK)

MD 1 - End Job    CMD 2 - Go to Search Prompt    HELP - SCREEN AID

FILE #: BA99-6-21TE                    APPL: COURT II, JAMES M.  
EC: 19    TWP: 20    RNG: 31    SUF:            PL BK: 1            PB PG: 84    BLOCK #:

DEVELOPMENT NAME: MH-COURT II, JAMES M.  
LOC: S SIDE OF OAK WAY, 1/6 MILE E OF SANFORD AVENUE AND  
#1: 1    #2: 2    #3:            #4:            #5:            #6:            #7:  
ARC #1:    #2:    #3:            #4:            #5:            #6:            #7:

REQUEST DESCRIPTION:  
RENEWAL OF AN EXISTING MOBILE HOME.

ACTION:  
DATE: 062899

REMARKS:  
E 100 FT. OF W 900 FT. OF LOTS 1 & 2 (LESS N 5 FT. FOR ROAD.)  
LOCATION CONT.: ALSO 1/3 MILE S OF SR-417.) (MECCA HAMMOCK)

MD 1 - End Job    CMD 2 - Go to Search Prompt    HELP - SCREEN AID

I James Court, in belief, that I am being singled out. Starting with the meetings of the Board of Adjusters hearings with the conclusion in the disapproval of my last hearing with their denial to my variance for my property. I have had oppositions and rebuttals from past hearings of various perspectives and concepts. Most of the oppositions and rebuttals were of false accusations and statements in malevolence towards myself as I felt was dysfunctional behavior as they threatened me of violent gestures personally, in the parking lot after the meetings, due to their special interest in their own concerns with two neighbors that were my oppositions, leaving me without dignity. One neighbor is gone, as he has sold his property with gratification of proceeds towards him getting what he wanted or more in his price of grandeur for his property, as he is gone!

However, I was surprised that I did not have any opposition's or rebuttals at this last meeting of Monday evening of Feb.28, 05 due to the one neighbor living across the street of my property as he likes to instigate trouble through his nature of who he is, and as he was the leader of creating oppositions towards myself of the past meetings with other neighbors. He would become flamboyantly passionately controlling in a deviant concept of false accusations and statements as a player of malevolence as to put me on a defense to his false accusations so he can feel his pride and ego of flexing his muscle of a brain through his conslopation. I do not mean to or to talk bad about anyone or anybody but sometimes one has too, in order to protect oneself as in order of the truth, of the matter or manner of concerns.

Nonetheless, I except, him for what he is, with my awareness of who he is, as I see his insults can be complimenting as knowing him and who he is, as I had written a 1500 word report for him on EMS, for his medical schooling class that he was worried about as I produced literary literature through writing it for him, the same day. He claimed it to be plagiarism! I took that as a complement. I used a couple of sentences out of an old college book in humanities as I told him that he probably couldn't find it as I paraphrased it as he demanded to see the book. This was in the past, around May of last year, and I have not received my book back as he uses my book as a tangible to jerking my chain in an immature manner of playing head games of intermitting perspectives and concepts when ever I ask for it or the return of my book as this is one story, from many. Integrity would be the word of interest through process and unfortunately eliminated. Too say the least.

Nevertheless, I would like to appeal to the decision of the Board not approving my variance for my home. I have nowhere to go, as I believe I could not afford another place to live with the sale of my property as a perspective or an option at this point of time.

I am trying to improve the property to enhance the image with the newer social stratifications as I am slow but consistent for I am healing from an accident that should have taken my life being hit by a moving vehicle and dragged about a block while riding and peddling a bicycle. Nonetheless, I knew that the decision at the last meeting would not be in my favor as a young lady from the board announced the boards decision through her semantics in presentation as in the formality of the opening of my case#7, being she did not mention that the area was mixed as she always has in the past, in her opening remarks of my case to the adjusters. I have excepted the fact that I could be homeless in

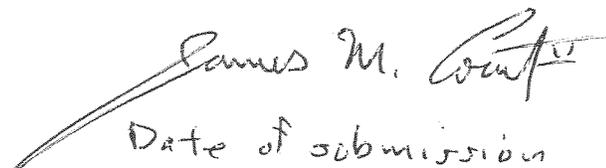
a couiees world where I ask myself when did my wild oats turn to shredded wheat? I was told that I have one year to get out as one of the remarks from this last Board of adjusters meeting.

I will have pictures of other mobile homes as to prove visually that the area is mixed as I hope that I do not start trouble for these individuals and their homes to be attenuated to the problems that I have at this point and time. I feel that there is some form of process of elimination through troubleshooting such problems as cause and effect and I hope that it is not myself to be honest with oneself as I live in a minimum of requirements to specifications through the zoning configuration of agricultural abilities if one wanted too as I understand it to be.

Sincerely,

James M. Court II  
581 Oak Way  
Sanford, FL. 32773

March 13, 2005

  
Date of submission  
March 14, 2005

## CONSENT AGENDA

### A. VARIANCES

1. PATRICK & VANESSA SMITH – BA99-6-66V – A-1 Agriculture Zone – Lot size variance from 43,560 sq. ft. to 41,740 sq. ft. on Lot 33, Chula Vista, Section 2, Section 15-21-32; S side of Groveland Drive, 1/5 mile N of Snow Queen Drive and 1/2 mile E of Geneva-Chuluota Road. (DIST 1)
2. GUY & SANDRA LONG – BA99-6-74V – Planned Unit Development Zone – Rear yard setback variance from 10 ft. to 7 ft. for a pool screen enclosure on Lot 86, Wekiva Cove, Phase One, PB 23, Pg 88-90, Section 6-21-29; SE corner of Margate News and Wekiva Cove Road and 1/2 mile N of Sand Lake Road. (DIST 3)

Ms. Markley stated that staff has no opposition to approval for Items 1 & 2.

No one spoke in favor or in opposition to Items 1 & 2.

Mr. Pennington made a motion to approve Items 1 & 2; seconded by Mr. Bushrui. Motion passed unanimously.

### B. MOBILE HOMES

1. ERNEST & TAMMY STICKLE – BA99-6-19TE – A-5 Agriculture Zone – To place a mobile home on Tax Parcel 1R, Section 10-20-32; S side of Settlers Loop and 1-1/2 mile S of Osceola Road. (DIST 5)
2.  JAMES M. COURT II – BA99-6-21TE – A-1 Agriculture Zone – Renewal of an existing mobile home on the E 100 ft. of W 900 ft. of Lots 1 & 2 (less N 5 ft. for road), Mecca Hammock, PB 1, Pg 84, Section 19-20-31; S side of Oak Way, 1/6 mile E of Sanford Avenue and 1/3 mile S of SR-417. (DIST 5)
3. JOHN & SONIA FAUVER – BA99-6-22TE – A-1 Agriculture Zone – Renewal of an existing mobile home on Lot 2, Mecca Hammock, PB 1, Pg 84, Section 19-20-31; S side of Oak Way, 250 ft. E of South Sanford Avenue. (DIST 5)

Ms. Markley stated that the Applicant of Item 1 is requesting a 5 year permit and this is an area of predominantly mobile homes and the trend of development is towards mobile homes, therefore, staff would have no opposition to a 5 year permit; the Applicant of Item 2 is requesting a 1 year permit and this is an area of conventional homes and the trend of development is towards conventional

homes on Oak Street but this is a new trend since the tornado over a year ago as most of the people that had mobile homes have rebuilt conventional homes, therefore, staff would have no opposition to a 1 year permit; and the Applicant of Item 3 is requesting a 1 year extension as the house is under construction and it appears that the house may have received a final or is close to receiving a final and she would ask the Applicant to address that this evening and staff would have no opposition to an extension providing that the conventional home has not received its final inspection.

John Fauver, Applicant of Item 3, stated that they have had unlengthy delays on building their home. He stated that they just recently received a temporary C.O. on it and they are moving into the house at present but they are not finished. He stated that they have lost 3 confirmed buyers on the trailer but they would just like time to get their personal belongings and find a buyer or a way to move the trailer. He stated that they will remove the mobile home.

No one spoke in favor or in opposition to Items 1-3.

Mr. Rozon made a motion to approve Item 1 for 5 years, Item 2 for 1 year and Item 3 for 1 year; seconded by Mrs. Buchanan. Motion passed unanimously.

Ms. Markley added that for Item 3, once they receive their C.O. on the house, they are required to remove the mobile home within 30 days.

## REGULAR AGENDA

### A. REQUEST OF A SIX MONTH EXTENSION

1. THE SIKH SOCIETY OF CENTRAL FLORIDA, INC. – BA98-10-40SE – R-1 Residential Zone – Request of a six month extension of a Special Exception to permit a church with attendant educational and recreational buildings described as: begin at a point 191 ft. S at a bearing of 00 degrees 44' 24" E of the SE corner of the SE 1/4 of the NW 1/4 of Sec 29 Twp 21S Rge 31E, run thence N 62 degrees 45' W 365 ft. to Ely right-of-way of SR-426, run thence 45 degrees 48' 22" W along said right-of-way line 256 ft., run thence S 77 degrees 47' 28" E 517.5 ft., run thence N 00 degrees 44' 24" W 129.8 ft. to the point of beginning; further described as the E side of SR-426 and 3/5 mile S of Chapman Road. (DIST 1)

Ms. Markley presented the site location. She stated that they are requesting the six month extension because they have not received their building permits.

Baljit Chopra, President of the Sikh Society, stated that he thought that they had been given one year at the first hearing. He stated that they started their work accordingly. He stated that they received a notice. He stated that they should be ready to apply for their permit sometime in September.

Ms. Markley stated that this may need to have a building permit of some kind

7. **581 OAK WAY** - James Court, applicant; Request for special exception for the continued placement of an existing mobile home in the A-1 (Agriculture District) for 5 years; Located on the south side of Oak Way, approximately 0.16 mile from the intersection of South Sanford Avenue and Oak Way; (BM2004-031).

Kathy Fall, Senior Planner

Kathy Fall introduced the location of the application and stated that in 1994 the existing mobile home was approved for 5 years, and in 1999 it was approved for 1 year because the trend of development in the area along Oakway is conventional homes. She further stated that staff recommended denial of the request.

James Court stated that he was the applicant.

Mr. Bushrui asked the applicant how long had he lived their?

James Court stated that he had lived their since 1995 and that his father lived their before him. He also stated that he was hoping to build in the future.

**Mr. Bushrui made a motion to approve a 1 year extension on the existing mobile home.**

**Mr. O'Daniel seconded the motion.**

**The motion passed by unanimous consent (5-0).**

**Mr. Bass wanted to make it clear to the applicant that he had a year to get the mobile home off the property and that he would not get a second chance.**

8. **335 MILLER ROAD** - Richard Gaudio, applicant; Request for special exception for the permanent placement of a mobile home in the A-1 (Agriculture District); Located on the south side of Miller Road, approximately 0.1 mile west of the intersection of South Sanford Avenue and Miller Road; (BM2005-002).

Kathy Fall, Senior Planner

Kathy Fall introduced the location of the application and stated that there was an existing 1986 mobile home on the property. She also stated that she could not find any special exception approval on the site. She further stated that staff recommended permanent approval of a 2004 mobile home and that the trend of development in the area is for permanently approved mobile homes.