

BM2005-002

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A REPLACEMENT MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT) AT 335 MILLER ROAD; (RICHARD GAUDIO, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Kathy Fall **EXT.** 7389

Agenda Date 2-28-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A REPLACEMENT MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT) AT 335 MILLER ROAD; (RICHARD GAUDIO, APPLICANT).; OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A REPLACEMENT MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT) AT 335 MILLER ROAD; (RICHARD GAUDIO, APPLICANT).; OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	RICHARD GAUDIO, APPLICANT 335 MILLER ROAD SANFORD, FL 32772	A-1 DISTRICT, LDC SECTIONS 30.104 (A-1 CONDITIONAL USES) & 30.1401 (MOBILE HOME SITING STANDARDS)									
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT REQUESTS A SPECIAL EXCEPTION TO REPLACE AN EXISTING 1986 MOBILE HOME WITH A 2004 SINGLE WIDE MOBILE HOMES (12' X 60'). • THE EXISTING MOBILE HOME WAS ISSUED A PERMIT IN 1987 BUT THERE WERE NO APPROVED SPECIAL EXCEPTIONS GRANTED TO THE PROPERTY. 										
ZONING & FLU	<table border="1"> <tr> <th>DIRECTION</th> <th>EXISTING ZONING</th> <th>EXISTING FLU</th> <th>USE OF PROPERTY</th> </tr> <tr> <td>SITE</td> <td>A-1</td> <td>SUBURBAN</td> <td>MOBILE HOME</td> </tr> </table>			DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	A-1	SUBURBAN	MOBILE HOME
DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY								
SITE	A-1	SUBURBAN	MOBILE HOME								

			ESTATES	
	NORTH	A-1	SUBURBAN ESTATES	MOBILE HOME
	SOUTH	A-1	SUBURBAN ESTATES	VACANT
	EAST	A-1	SUBURBAN ESTATES	MOBILE HOME
	WEST	A-1	SUBURBAN ESTATES	MOBILE HOME

STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)

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:

IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:

THE PERMANENT PLACEMENT OF THE PROPOSED REPLACEMENT MOBILE HOME WOULD BE COMPATIBLE WITH THE TREND OF DEVELOPMENT ON NEARBY AND ADJACENT PROPERTIES.

AVAILABLE RECORDS INDICATE THAT MILLER ROAD IS PROMINENTLY PERMANENTLY APPROVED MOBILE HOMES.

DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:

SINCE THE PROPOSED USE IS A SINGLE-FAMILY UNIT THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.

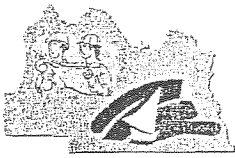
MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

THE SUBJECT PROPERTY IS A 0.36 ACRE PARCEL, WHICH MET THE MINIMUM SIZE AND DIMENSIONAL REQUIREMENTS OF THE A-1 DISTRICT WHEN THAT LOT WAS CREATED PRIOR TO 1968.

WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:

THE PRESENT TREND OF DEVELOPMENT IN THE IMMEDIATE AREA CONSIST OF PERMANENTLY APPROVED MOBILE HOMES, THEREFORE, THE PLACEMENT OF A MOBILE HOME WOULD BE CONSISTENT WITH THE CHARACTER OF DEVELOPMENT IN THE AREA.

<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (RURAL ZONING CLASSIFICATION DISTRICT); LDC SECTION 30.104(a)</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><u>IS CONSISTENT WITH THE GENERAL ZONING PLAN OF THE RURAL ZONING CLASSIFICATIONS:</u></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><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></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>FINDINGS & STAFF RECOMMENDATION</p>	<p>BASED UPON THE TREND OF DEVELOPMENT STAFF RECOMMENDS APPROVAL OF THE PERMANENT PLACEMENT OF A REPLACEMENT MOBILE HOME BASED UPON THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"> • THE PROPOSED MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS. • THE MOBILE HOME SHALL BE REQUIRED TO CONFORM TO APPLICABLE CODES, WHICH INCLUDE STANDARDS FOR INSTALLATION, ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING. • ONLY ONE (1) SINGLE-FAMILY MOBILE HOME SHALL OCCUPY THE SITE, AS SHOWN ON THE PROPOSED SITE PLAN; THE EXISTING MOBILE HOME SHALL BE REMOVED, PRIOR TO THE ISSUANCE OF A PERMIT FOR THE PROPOSED MOBILE HOME



COPY

APPL. NO. BM 2005-002

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**
- EXISTING (YEAR 2004) PROPOSED (YEAR _____)
 REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME 12' x 60'
 ANTICIPATED TIME MOBILE HOME IS NEEDED _____
 PLAN TO BUILD YES NO IF SO, WHEN _____
 MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO

APPEAL FROM DECISION OF THE PLANNING MANAGER

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	GREAT LOANS - JIM FINCH	RICHARD GAUDIO
ADDRESS	777 E. HWY. 436 SUITE 201 ALTA MONTE SPRS, FL 32701	160 ROSE HILL TR. SANFORD, FL 32779
PHONE 1	407-831-4777	407-417-4882
PHONE 2	(see letter)	
E-MAIL		DIXCHIEF@GMAIL.COM

PROJECT NAME: _____

SITE ADDRESS: 335 MILLER RD. SANFORD

CURRENT USE OF PROPERTY: MOBILE HOME

LEGAL DESCRIPTION: LEG E 100 FT OF W 700 FT OF S 160 FT
OF LOT 2 EUREKA HAMMOCK PB 1 PG 106

100' x
160'

SIZE OF PROPERTY: .4 acre(s) PARCEL I.D. 23-20-30-5A0-0000-002R

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

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.

Richard J. Gaudio

12/31/04

SIGNATURE OF OWNER OR AGENT*

DATE

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

RECEIVED
JAN 04 2005

ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

APPEAL FROM BOA DECISION TO BCC

APPELLANT INFORMATION

NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING: _____

FEE(S): _____ COMMISSION DISTRICT _____ FLU / ZONING SF / A-1

BCC HEARING DATE _____ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS South Side of Miller Rd, approx 630 ft West of Miller Rd & S. Sanford Ave

PLANNING ADVISOR _____ DATE _____

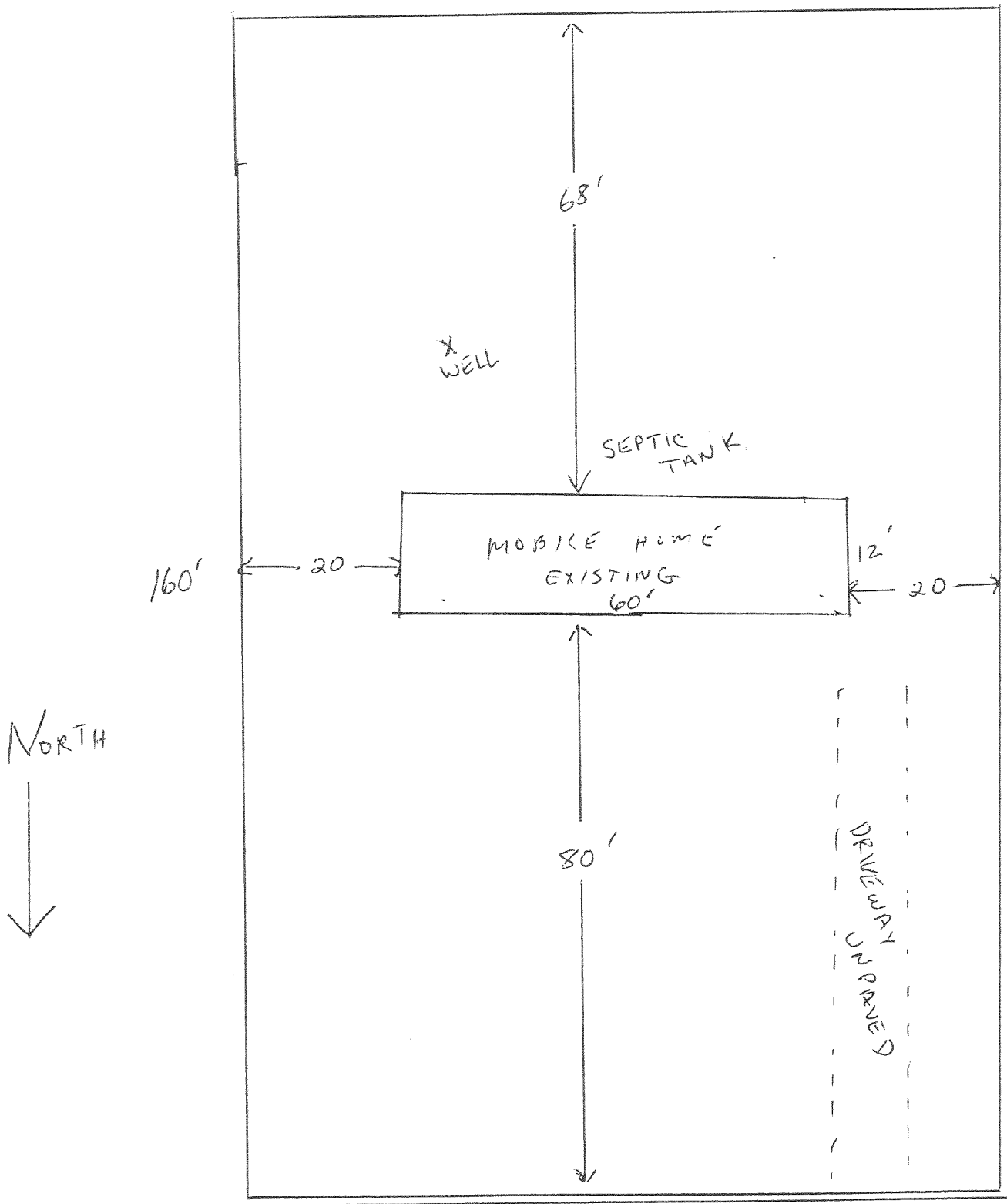
SUFFICIENCY COMMENTS _____



Application number	87 00006100
Application status, date	CERTIFICATE ISSUED 1/01/01
Property	335 MILLER RD
Parcel ID	23-20-30-5AQ-0000-002Q
Subdivision Name	EUREKA HAMMOCK
Subdivision	EUREKA HAMMOCK
Zoning	A1 AGRICULTURE
Application type	R112 MOBILE HOME
Application date	9/01/87
Tenant number, name	
Master plan number, reviewed by	CNV
Estimated valuation	
Total square footage	0
Public building	NO
Work description, quantity	
Pin number	4373

OK Exit Cancel Fees Receipts

335 MILLER RD.



MILLER RD.

100'

Great Loans

Mortgage Funding Inc.



Dec. 30th, 2004

To Whom it may Concern,

This letter shall serve as notice that Richard Gaudio is hereby authorized to act as an agent for Great Loans Mortgage Funding, Inc. SPECIFICALLY in regard to applying for the county mobile home special exception for the property that the company owns with the following address:

335 Miller Rd.

Sanford, FL 32773-9476

Parcel ID# 23-20-30-5AQ-0000-002Q

(though the Sem. Cnty Prop. Apprsr.'s Ofc. Has the zip as 32771)

He is in the process of buying said property and will close once this matter has been taken care of, if not sooner. Thank you for your consideration in this matter, if you have any questions you may reach either Lee Maynard, President, or Jim Finch, Vice-President, at 407-831-4777 (ofc) or on the cell phone at 407-221-4031.

Thank you,



Jim Finch, Vice-President
Great Loans Mortgage Funding, Inc.

Request for Mobile Home Special Exemption in the A-1 district
Section 30.124 (a) at 335 Miller Rd

Miller Rd is currently developed with mobile homes on .4 acre lots
(mostly).

There currently is a mobile home on the property which is not legal until this
exception is granted.

I have met with Mr. McDonald re: this proposal

If any items need completion, please call me after Jan 16, 2005. I will be in
Europe until that time. I state this because the application refers to the 5 day
response time.

Thank you for your time

A handwritten signature in cursive script that reads "Richard Gaudio". The signature is written in black ink and is positioned above the printed name.

Richard Gaudio

VID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-665-7506

GENERAL
 Parcel Id: 23-20-30-5AQ-0000-002Q Tax District: 01-COUNTY-TX DIST 1
 Owner: GREAT LOANS MTG FUNDING INC Exemptions:
 Address: 777 E HWY 436 STE 210
 City,State,ZipCode: ALTAMONTE SPRINGS FL 32701
 Property Address: 335 MILLER RD SANFORD 32771
 Subdivision Name:
 Dor: 02-MOBILE/MANUFACTURED

2005 WORKING VALUE SUMMARY
 Value Method: Market
 Number of Buildings: 0
 Depreciated Bldg Value: \$0
 Depreciated EXFT Value: \$10,389
 Land Value (Market): \$9,960
 Land Value Ag: \$0
 Just/Market Value: \$20,349
 Assessed Value (SOH): \$20,349
 Exempt Value: \$0
 Taxable Value: \$20,349
 Tax Estimator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	08/2000	03909	0844	\$100	Improved
WARRANTY DEED	10/1997	03321	1782	\$17,500	Improved
SPECIAL WARRANTY DEED	06/1994	02785	0775	\$9,800	Improved
WARRANTY DEED	08/1983	01484	0278	\$23,900	Improved
WARRANTY DEED	07/1982	01406	1875	\$16,000	Improved
WARRANTY DEED	05/1978	01169	0105	\$9,000	Improved
WARRANTY DEED	01/1975	01041	0470	\$4,500	Vacant

 Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY
 2004 Tax Bill Amount: \$346
 2004 Taxable Value: \$20,476
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	100	160	.000	120.00	\$9,960

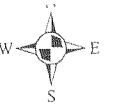
LEGAL DESCRIPTION
 LEG E 100 FT OF W 700 FT OF S 160 FT OF LOT 2
 EUREKA HAMMOCK
 PB 1 PG 106

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
MOBILE HOME	1986	924	\$9,453	\$11,670
MH A/C PKG	1986	924	\$936	\$1,155

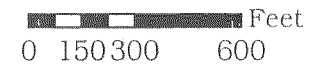
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.
 *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

**Richard Gaudio
335 Miller Road**



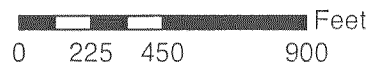
Parcel: 23-20-30-5AQ-0000-002Q / District: 5

BM2005-002
FEBRUARY 28, 2005





Richard Gaudio
335 Miller Road



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 28, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG E 100 FT OF W 700 FT OF S 160 FT OF LOT 2 EUREKA
HAMMOCK PB 1 PG 106

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

FINDINGS OF FACT

Property Owner: GREAT LOANS MTG FUNDING, INC
777 E HWY 436 SUITE 210
ALTAMONTE SPRINGS, FL 32701

Project Name: 335 MILLER ROAD

Requested Development Approval:

SPECIAL EXCEPTION TO ALLOW THE PERMANENT PLACEMENT OF A MOBILE 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: Kathy Fall
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:

A. THE REPLACEMENT MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, INCLUDING STANDARDS FOR ANCHORING, UTILITY ACCESSIBILITY AND SKIRTING.

(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: _____
Matthew West
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 _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: