

SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM

**SUBJECT:** REQUEST FOR (1) MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 26 FEET FOR AN APPROVED MOBILE HOME; AND (2) MINIMUM FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 6.4 FEET FOR AN APPROVED MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT); (ETHEL ANNE SPARKS, APPLICANT).

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

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

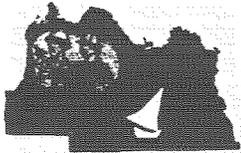
Agenda Date 3-28-05 Regular  Consent  Public Hearing – 6:00

**MOTION/RECOMMENDATION:**

1. **APPROVE** REQUEST FOR (1) MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 26 FEET FOR AN APPROVED MOBILE HOME; AND (2) MINIMUM FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 6.4 FEET FOR AN APPROVED MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT); (ETHEL ANNE SPARKS, APPLICANT); OR
2. **DENY** REQUEST FOR (1) MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 26 FEET FOR AN APPROVED MOBILE HOME; AND (2) MINIMUM FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 6.4 FEET FOR AN APPROVED MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT); (ETHEL ANNE SPARKS, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

<b>GENERAL INFORMATION</b>	APPLICANT: <u>ETHEL ANNE SPARKS</u> LOCATION: <u>1201 MILLS STREET</u> ZONING: <u>A-1 (AGRICULTURE DISTRICT)</u>
<b>BACKGROUND/REQUEST</b>	<ul style="list-style-type: none"> <li>• A SPECIAL EXCEPTION WAS GRANTED BY THE BOARD OF ADJUSTMENT ON JANUARY 24, 2005 FOR THE PERMANENT PLACEMENT OF A MOBILE HOME AT 1201 MILLS STREET. THE PROPOSED LOCATION OF THE MOBILE HOME WAS NOT SHOWN ON THE SUBMITTED SITE PLAN. ADDITIONALLY, NO MENTION OF REQUIRED OR REQUESTED VARIANCES WAS MADE BY THE APPLICANT OR STAFF DURING THE MEETING. HOWEVER, THE STAFF REPORT STATED THE</li> </ul>

	<p>REPLACEMENT MOBILE HOME "WOULD OTHERWISE MEET THE MINIMUM SETBACKS ESTABLISHED FOR THE DISTRICT."</p> <ul style="list-style-type: none"><li>• THE APPLICANT WISHES TO PLACE THE APPROVED MOBILE HOME IN THE SAME LOCATION AS THE PREVIOUSLY APPROVED MOBILE HOME, WHICH WAS DAMAGED BY THE 2004 HURRICANES. THIS PLACEMENT WOULD ENCROACH 43.6 FEET INTO THE MINIMUM FRONT YARD SETBACK AND 24 FEET INTO THE MINIMUM SIDE STREET SETBACK; THE AFOREMENTIONED VARIANCES ARE THEREBY REQUESTED.</li></ul>
<b>STAFF FINDINGS</b>	<p>THE APPLICANT HAS FAILED TO SATISFY THE CRITERIA FOR THE GRANT OF THE REQUESTED VARIANCES. STAFF HAS DETERMINED THAT:</p> <ul style="list-style-type: none"><li>• THE REPLACEMENT MOBILE HOME COULD BE LOCATED SOUTHWEST OF THE PROPOSED LOCATION THUS ELIMINATING THE NEED FOR ANY VARIANCES; AND</li><li>• THE REQUEST VARIANCES WOULD CONFER UPON THE APPLICANT SPECIAL PRIVILEGES THAT WOULD BE DENIED TO OTHERS IN THE A-1 DISTRICT.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>BASED ON THE PROPOSED SITE PLAN AND THE REPRESENTATIONS OF THE APPLICANT, STAFF RECOMMENDS THE BOARD OF ADJUSTMENT DENY THE REQUESTED VARIANCES. IF THE BOARD SHOULD DECIDE TO GRANT A VARIANCE, STAFF RECOMMENDS THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>• ANY VARIANCE GRANTED SHOULD APPLY ONLY TO THE PROPOSED MOBILE HOME AS DEPICTED ON THE ATTACHED SITE PLAN; AND</li><li>• ANY ADDITIONAL CONDITIONS DEEMED APPROPRIATE BY THE BOARD, BASED ON INFORMATION PRESENTED AT THE PUBLIC HEARING.</li></ul>



**COPY**

APPL. NO. BV 2005-018

**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** Front yard setback variance from 50' to 6.4'
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION**
- EXISTING (YEAR \_\_\_\_\_)  PROPOSED (YEAR \_\_\_\_\_)
- REPLACEMENT (YEAR \_\_\_\_\_) SIZE OF MOBILE HOME \_\_\_\_\_
- 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**

RECEIVED  
 FEB 18 2005

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	Ethel Anne Sparks	
ADDRESS	3320 Palm Way Sanford, FL 32773	
PHONE 1	407-665-4350	
PHONE 2	407-328-4578	
E-MAIL		

PROJECT NAME: Mills St. (1201)  
 SITE ADDRESS: 1201 Mills St., Sanford, FL 32773  
 CURRENT USE OF PROPERTY: single family home  
 LEGAL DESCRIPTION: \_\_\_\_\_

SIZE OF PROPERTY: .437 acre(s) PARCEL I.D. 142030503000000B0  
 UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER \_\_\_\_\_  
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO

This request will be considered at the Board of Adjustment regular meeting on 03/28/05 (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.

Ethel Anne Sparks 2/18/05  
 SIGNATURE OF OWNER OR AGENT\* DATE

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

**ADDITIONAL VARIANCES**

VARIANCE 2:

*Minimum side street setback variance from 50' to 26'*

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 *A-1/LDR*

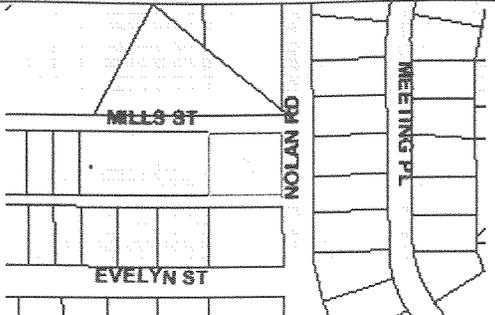
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

LOCATION FURTHER DESCRIBED AS \_\_\_\_\_

PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_

SUFFICIENCY COMMENTS \_\_\_\_\_



<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 407-865-7508</p>		
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**GENERAL**

Parcel Id: 14-20-30-503-0000-00B0      Tax District: 01-COUNTY-TX DIST 1

Owner: SPARKS ETHEL A      Exemptions: 00-HOMESTEAD

Address: 3320 PALMWAY DR

City, State, Zip Code: SANFORD FL 32773

Property Address: 1201 MILLS ST SANFORD 32773

Subdivision Name: LORDS 1ST ADD TO CITRUS

Dor: 00-VACANT RESIDENTIAL

**2005 WORKING VALUE SUMMARY**

Value Method:	Market
Number of Buildings:	0
Depreciated Bldg Value:	\$0
Depreciated EXFT Value:	\$0
Land Value (Market):	\$26,790
Land Value Ag:	\$0
Just/Market Value:	\$26,790
Assessed Value (SOH):	\$26,790
Exempt Value:	\$25,000
Taxable Value:	\$1,790
Tax Estimator	

**SALES**

Deed	Date	Book	Page	Amount	Vac/Imp
WARRANTY DEED	03/1997	03217	1893	\$53,000	Improved
QUIT CLAIM DEED	10/1995	02991	0812	\$100	Improved
QUIT CLAIM DEED	10/1995	02991	0811	\$100	Improved
PROBATE RECORDS	08/1995	02961	0711	\$100	Improved
QUIT CLAIM DEED	01/1983	01436	0870	\$100	Improved
WARRANTY DEED	05/1981	01335	0961	\$21,100	Improved

Find Comparable Sales within this Subdivision

**2004 VALUE SUMMARY**

Tax Amount(without SOH):	\$624
2004 Tax Bill Amount:	\$142
Save Our Homes (SOH) Savings:	\$482
2004 Taxable Value:	\$8,385
DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS	

**LAND**

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
FRONT FOOT & DEPTH	150	127	.000	190.00	\$26,790

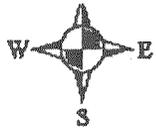
**LEGAL DESCRIPTION PLAT**

LEG LOTS B C + D M M LORDS 1ST ADD TO CITRUS HEIGHTS

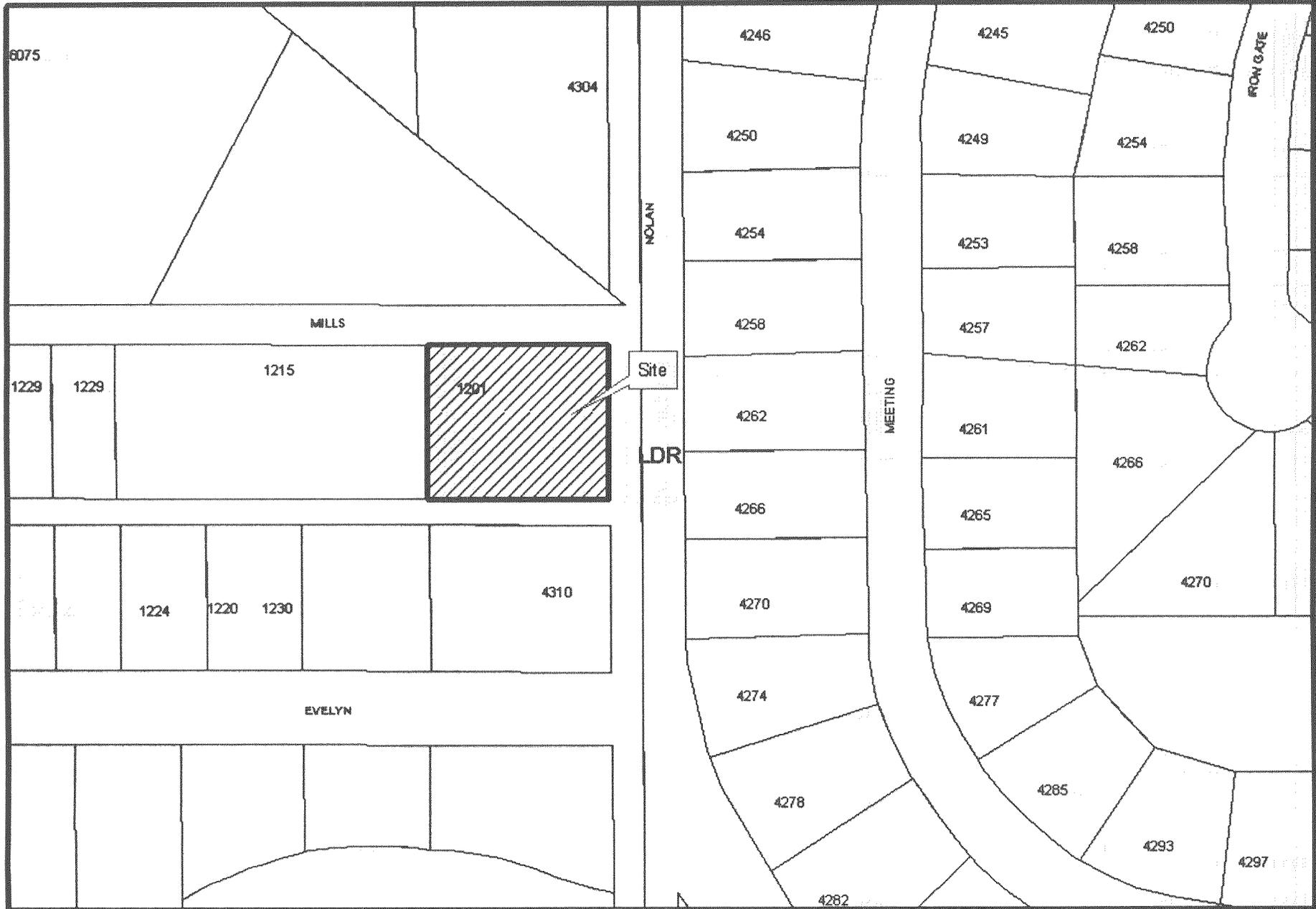
PB 3 PG 87

**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.

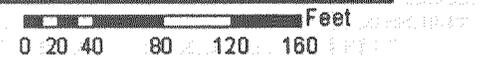


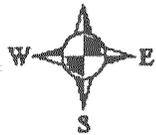
Ethel Anne Sparks  
1201 Mills St  
Sanford, FL. 32773



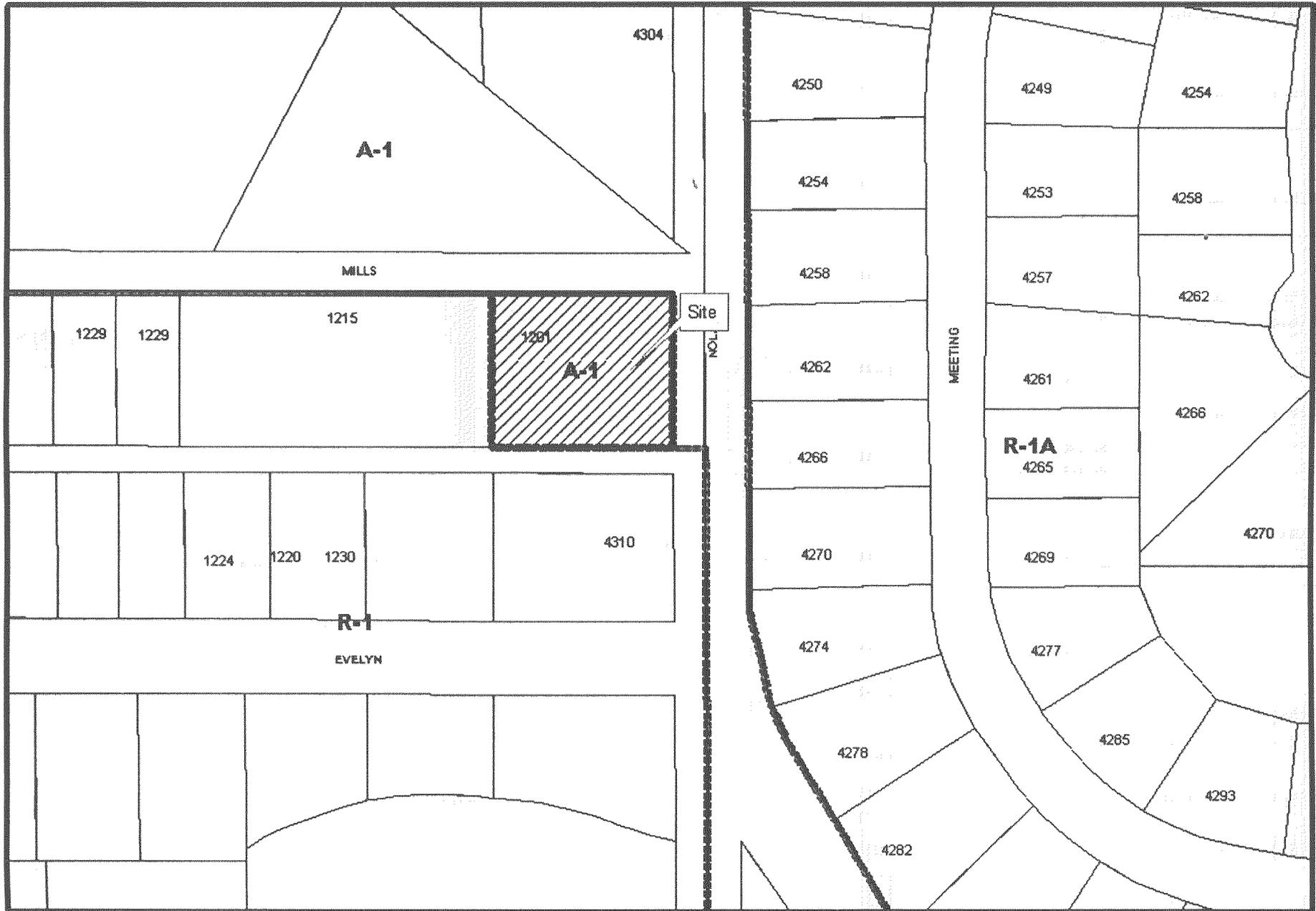
Parcel No: 14-20-30-503-0000-00B0

BV2005-018



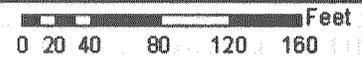


Ethel Anne Sparks  
1201 Mills St  
Sanford, FL. 32773



Parcel No: 14-20-30-503-0000-00E0

BV2005-018



**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

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

LEG LOTS B C + D M M LORDS 1ST ADD TO CITRUS HEIGHTS PB 3 PG 87

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

**FINDINGS OF FACT**

**Property Owner:** ETHEL ANNE SPARKS  
3320 PALM WAY  
SANFORD, FL 32773

**Project Name:** MILLS STREET (1201)

**Requested Development Approval:**

1. MINIMUM FRONT YARD SETBACK VARIANCE FROM 50 FEET TO 6.4 FEET; AND
2. MINIMUM SIDE STREET SETBACK VARIANCE FROM 50 FEET TO 26 FEET FOR A PROPOSED 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: Francisco Torregrosa, Planner  
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 proposed mobile home 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: \_\_\_\_\_  
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: