

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR SPECIAL EXCEPTION FOR THE PLACEMENT OF A MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT) AT 3740 BRIDGES ROAD; (DON & GEORGANN HARMON, APPLICANTS).

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

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

Agenda Date 05-23-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

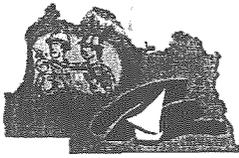
1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PLACEMENT OF A MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT) AT 3740 BRIDGES ROAD; (DON & GEORGANN HARMON, APPLICANTS); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PLACEMENT OF A MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT) AT 3740 BRIDGES ROAD; (DON & GEORGANN HARMON, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	DON & GEORGANN HARMON, APPLICANTS 3740 BRIDGES 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 PROPOSES TO PLACE A 1995 MOBILE HOME IN THE A-1 ZONING DISTRICT WHERE MOBILE HOMES ARE ALLOWED ONLY BY SPECIAL EXCEPTION. THE REQUEST IS FOR THE TEN YEAR PLACEMENT. • WHILE PROXIMATE TO THE SANFORD-ORLANDO INTERNATIONAL AIRPORT, THE PROPERTY IS NOT LOCATED IN THE AIRPORT'S FUTURE EXPANSION AREA. 																						
ZONING & FLU	<table border="1"> <thead> <tr> <th data-bbox="553 1656 769 1724">DIRECTION</th> <th data-bbox="769 1656 935 1724">EXISTING ZONING</th> <th data-bbox="935 1656 1146 1724">EXISTING FLU</th> <th data-bbox="1146 1656 1448 1724">USE OF PROPERTY</th> </tr> </thead> <tbody> <tr> <td data-bbox="553 1724 769 1791">SITE</td> <td data-bbox="769 1724 935 1791">A-1</td> <td data-bbox="935 1724 1146 1791">HIP-AP</td> <td data-bbox="1146 1724 1448 1791">VACANT/HORSE FARM</td> </tr> <tr> <td data-bbox="553 1791 769 1829">NORTH</td> <td data-bbox="769 1791 935 1829">A-1</td> <td data-bbox="935 1791 1146 1829">HIP-AP</td> <td data-bbox="1146 1791 1448 1829">SINGLE FAMILY</td> </tr> <tr> <td data-bbox="553 1829 769 1866">SOUTH</td> <td data-bbox="769 1829 935 1866">A-1</td> <td data-bbox="935 1829 1146 1866">HIP-AP</td> <td data-bbox="1146 1829 1448 1866">VACANT</td> </tr> <tr> <td data-bbox="553 1866 769 1900">EAST</td> <td data-bbox="769 1866 935 1900">A-1</td> <td data-bbox="935 1866 1146 1900">HIP-AP</td> <td data-bbox="1146 1866 1448 1900">VACANT/SINGLE-</td> </tr> </tbody> </table>			DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	A-1	HIP-AP	VACANT/HORSE FARM	NORTH	A-1	HIP-AP	SINGLE FAMILY	SOUTH	A-1	HIP-AP	VACANT	EAST	A-1	HIP-AP	VACANT/SINGLE-
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	WEST	A-1	HIP-AP	FAMILY VACANT
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)</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><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></p> <p>THE TEN YEAR PLACEMENT OF THE PROPOSED MOBILE HOME WOULD BE INCOMPATIBLE WITH THE TREND OF CONVENTIONAL SINGLE-FAMILY DEVELOPMENT ON NEARBY AND ADJACENT PROPERTIES.</p> <p>AVAILABLE RECORDS AND FIELD VISITS INDICATE THAT SEVERAL NEARBY PARCELS CONSIST OF SINGLE FAMILY HOMES AND LARGE VACANT PARCELS.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>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.</p> <p><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></p> <p>THE SUBJECT PROPERTY IS A 10.38 ACRE PARCEL, WHICH MEETS THE MINIMUM SIZE AND DIMENSIONAL REQUIREMENTS OF THE A-1 DISTRICT.</p> <p>THE A-1 DISTRICT IS NOT AN ALLOWABLE ZONING CLASSIFICATION IN THE HIP-AP (HIGHER INTENSITY PLANNING DEVELOPMENT - AIRPORT) FLU CATEGORY. THE A-1 ZONING EXISTED AT THE TIME THAT HIP-AP FLU WAS APPLIED TO THIS PROPERTY IN DECEMBER 1987 AND CONTINUES AS A NON-COMPATIBLE ZONING CATEGORY. HOWEVER, THE COMPREHENSIVE PLAN ALLOWS THE DEVELOPMENT OF LOTS OF RECORD (THAT OTHERWISE MEET THE STANDARDS OF THE APPLICABLE ZONING DISTRICT) FOR SINGLE-FAMILY PURPOSES IN THE HIP-AP FLU CATEGORY WITHOUT THE NECESSITY OF A REZONE TO AN ALLOWABLE (PUD OR PCD) ZONING CLASSIFICATION.</p>			

	<p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>THE PRESENT TREND OF DEVELOPMENT IN THE IMMEDIATE AREA COMPRISES CONVENTIONAL SINGLE-FAMILY HOMES. FOR THIS REASON, THE TEN YEAR PLACEMENT OF A 1995 MOBILE HOME WOULD BE INCONSISTENT WITH THE CHARACTER OF DEVELOPMENT IN THE AREA.</p>
<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>SINCE THE PROPOSED MOBILE HOME DOESN'T CONSTITUTE A LIMITED USE, IT IS A SPECIAL EXCEPTION 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><u>HAS ACCESS TO AN ADEQUATE LEVEL OF URBAN SERVICES SUCH AS SEWER, WATER, POLICE, SCHOOLS AND RELATED SERVICES.</u></p> <p>THE PROPOSED USE WOULD BE SERVED BY ON-SITE SEPTIC AND WELL SYSTEMS. AN ON-SITE SEPTIC PERMIT SHALL BE APPLIED FOR AND OBTAINED, PRIOR TO THE SITING OF THE PROPOSED MOBILE HOME ON THE SUBJECT PROPERTY. OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, ARE ALSO AVAILABLE TO THE SITE...</p>
<p>MOBILE HOME SITING STANDARDS; LDC SECTION 30.1401</p>	<p>FOR THE PLACEMENT OF A MOBILE HOME IN THE A-1 DISTRICT, SECTION 30.1401 OF THE LAND DEVELOPMENT CODE REQUIRES THE FOLLOWING:</p> <ul style="list-style-type: none"> ○ THE PROPOSED MOBILE HOME SHALL HAVE SAFE AND CONVENIENT VEHICULAR ACCESS. ○ THE PROPOSED MOBILE HOME SHALL BE REQUIRED TO CONFORM TO APPLICABLE CODES, WHICH INCLUDE STANDARDS FOR INSTALLATION,

	ANCHORING, UTILITY ACCESSIBILITY, AND SKIRTING.
FINDINGS & STAFF RECOMMENDATION	<ul style="list-style-type: none">• BASED ON THE STATED FINDINGS, THE APPLICANT HAS NOT SATISFIED ALL THE CRITERIA FOR THE PLACEMENT OF A MOBILE HOME IN THE A-1 DISTRICT, AS REQUIRED BY THE LAND DEVELOPMENT CODE.<ul style="list-style-type: none">◦ FOR THIS REASON, STAFF BELIEVES THE PLACEMENT OF THE PROPOSED MOBILE HOME IS INCONSISTENT WITH THE CHARACTER OF NEARBY AND ADJACENT PROPERTIES, WHICH ARE MOSTLY CONVENTIONAL SINGLE-FAMILY.• BASED ON THIS DETERMINATION, STAFF RECOMMENDS DENIAL OF THE REQUEST.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY APPL. NO. BM 2005 - 012

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** 10 yr Placement
- EXISTING (YEAR _____) PROPOSED (YEAR 1995 100x50')
- 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**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>DON & GEORGANN HARMAN</u>	<u>LIVING/RES</u>
ADDRESS	<u>3740 BRIDGES RD</u> <u>SANFORD FL 32773</u>	<u>313 E. ORANGE ST</u> <u>ALTIMONTE SPRINGS FL</u> <u>32701</u>
PHONE 1	<u>407-339-6273</u>	
PHONE 2	<u>407-402-0978</u>	<u>SHERY MARQUEZ</u>
E-MAIL		<u>DAUGHTER</u>

PROJECT NAME: _____

SITE ADDRESS: 3740 BRIDGES RD SANFORD FL 32773

CURRENT USE OF PROPERTY: HORSE FARM

LEGAL DESCRIPTION: 03-20-31-SAY-0000-0550

SIZE OF PROPERTY: 10 acre(s) PARCEL I.D. _____

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 5/23/05 (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.

Georgan Harman
 SIGNATURE OF OWNER OR AGENT* DATE 5/11/05

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

KE

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	_____

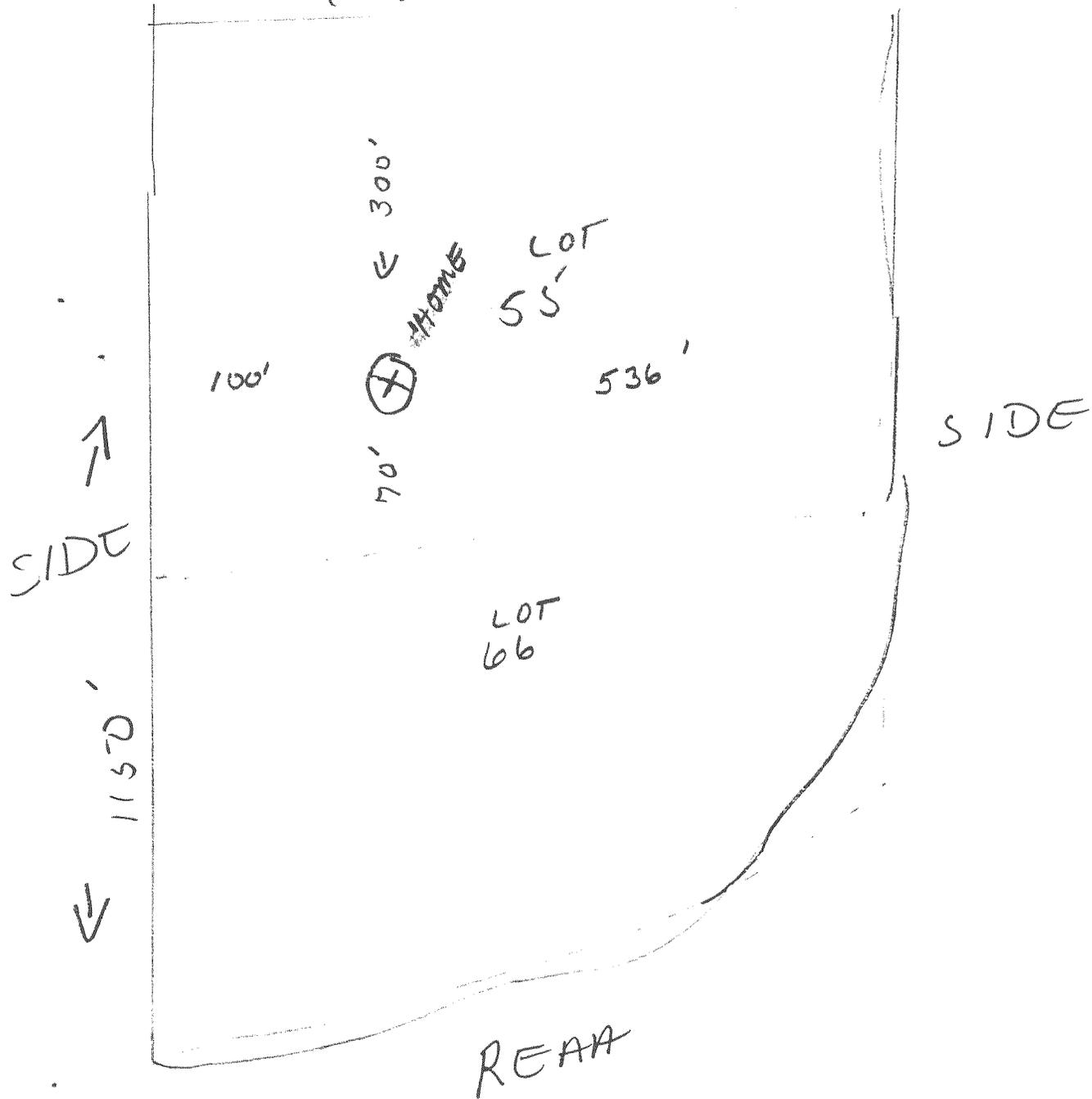
NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

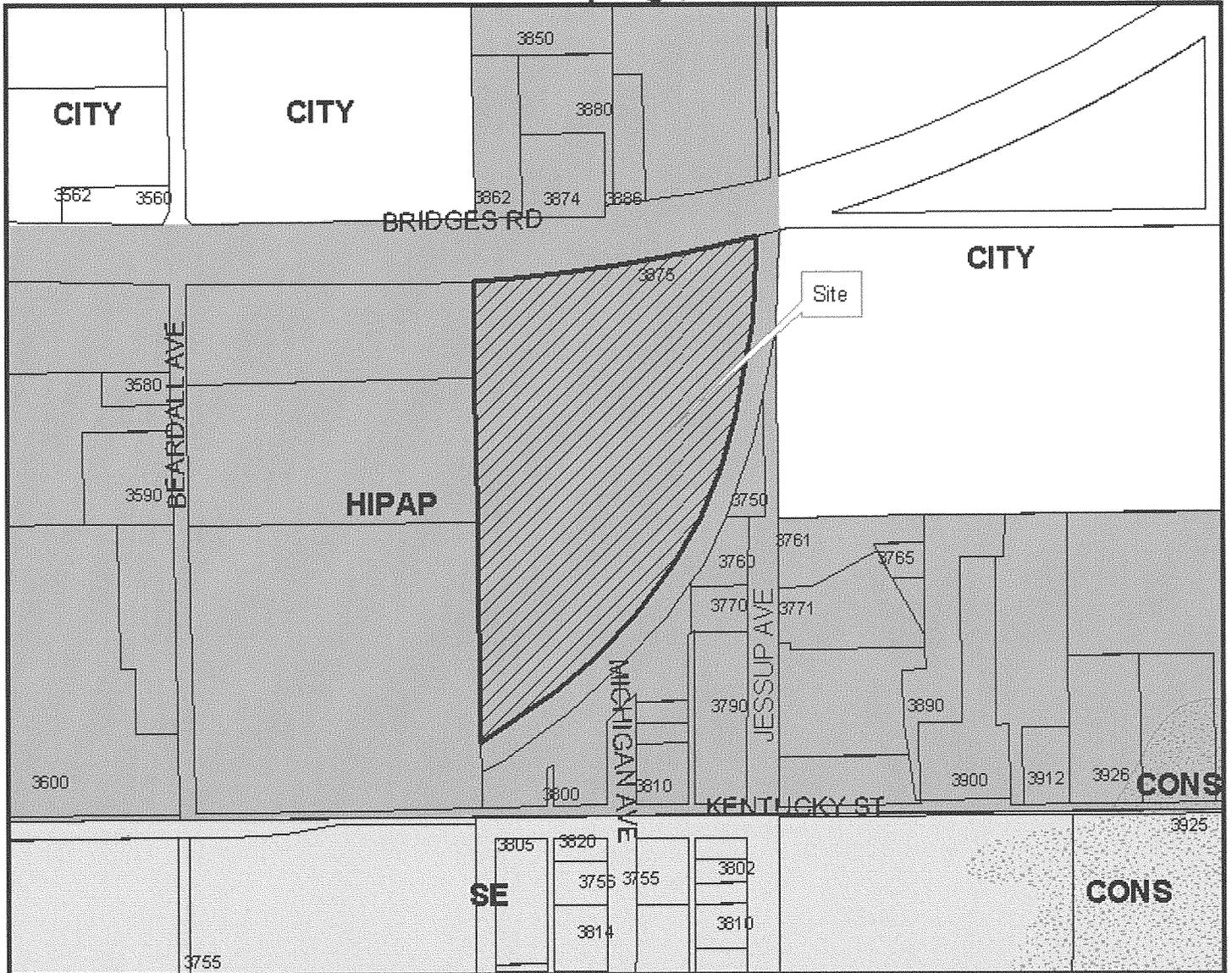
PROCESSING:
FEE(S): 185.00 COMMISSION DISTRICT _____ FLU / ZONING A-1 / HIPAA
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS _____
PLANNING ADVISOR KE DATE _____
SUFFICIENCY COMMENTS Will submit new site plan by 4/8

BRIDGES RD
FRONT
636'



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-666-7508</p>																																																
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 03-20-31-5AY-0000-0550 Tax District: G1-AGRICULTURAL</p> <p>Owner: HARMAN DONALD G & GEORGANN Exemptions:</p> <p>Address: 313 E ORANGE ST</p> <p>City,State,ZipCode: ALTAMONTE SPRINGS FL 32701</p> <p>Property Address: 3740 BRIDGES RD SANFORD 32773</p> <p>Facility Name:</p> <p style="padding-left: 40px;">Dor: 6002-HORSE BREEDING/BOARD</p>		<p style="text-align: center;">2005 WORKING VALUE SUMMARY</p> <table style="width:100%; border-collapse: collapse;"> <tr><td style="text-align: right;">Value Method:</td><td>Market</td></tr> <tr><td style="text-align: right;">Number of Buildings:</td><td>0</td></tr> <tr><td style="text-align: right;">Depreciated Bldg Value:</td><td>\$0</td></tr> <tr><td style="text-align: right;">Depreciated EXFT Value:</td><td>\$0</td></tr> <tr><td style="text-align: right;">Land Value (Market):</td><td>\$103,850</td></tr> <tr><td style="text-align: right;">Land Value Ag:</td><td>\$2,337</td></tr> <tr><td style="text-align: right;">Just/Market Value:</td><td>\$103,850</td></tr> <tr><td style="text-align: right;">Assessed Value (SOH):</td><td>\$2,337</td></tr> <tr><td style="text-align: right;">Exempt Value:</td><td>\$0</td></tr> <tr><td style="text-align: right;">Taxable Value:</td><td>\$2,337</td></tr> <tr><td style="text-align: right;">Tax Estimator</td><td></td></tr> </table>	Value Method:	Market	Number of Buildings:	0	Depreciated Bldg Value:	\$0	Depreciated EXFT Value:	\$0	Land Value (Market):	\$103,850	Land Value Ag:	\$2,337	Just/Market Value:	\$103,850	Assessed Value (SOH):	\$2,337	Exempt Value:	\$0	Taxable Value:	\$2,337	Tax Estimator																									
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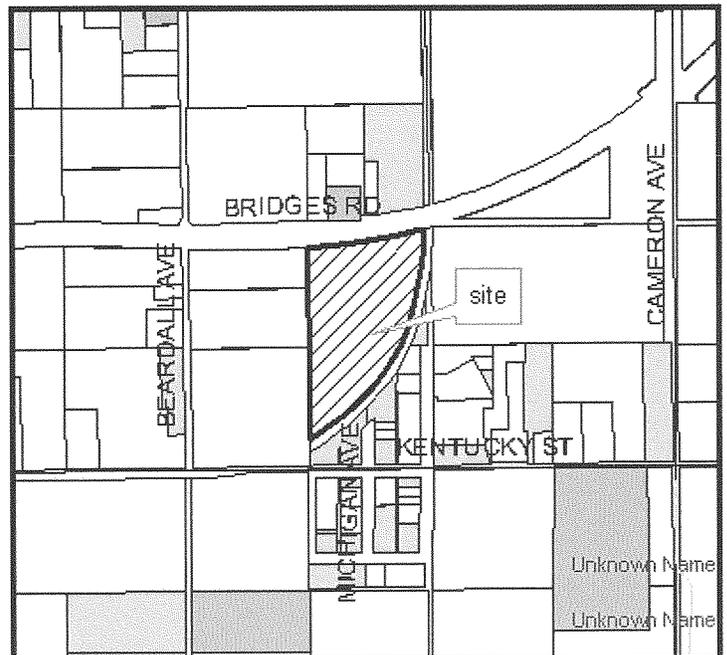
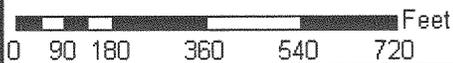
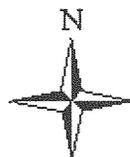
Living/Res
313 E. Orange St
Altamonte Springs, FL 32701



Seminole County Board of Adjustment
May 23, 2005
Case: BM2005-012
Parcel No: 03-20-31-5AY-0000-0550

Future Land Use

- | | | | |
|---|---------------------------|---|-------------|
|  | All Other Values |  | BM 2005-012 |
|  | Vacant Residential |  | CONS, SE |
|  | Single Family Residential |  | CONS, HIPAP |
|  | Mobile Home |  | SE, NONE |
| | |  | HIPAP, NONE |



SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 23, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 55 NW OF RY (LESS BEG NW COR RUN S 113.76 FT NELY
ALONG CURVE 642.89 FT N 19.39 FT W TO BEG) & LOT 66 NW OF RY
SANFORD CELERY DELTA PB 1 PGS 75 & 76

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

FINDINGS OF FACT

Property Owner: Don & Georgann Harmon
313 E. Orange Street
Altamonte Springs, FL 32701

Project Name: 3740 Bridges Road

Requested Development Approval:

REQUEST FOR SPECIAL EXCEPTION FOR THE TEN YEAR PLACEMENT OF A 1995 MODEL OR NEWER MOBILE HOME IN THE A-1 (AGRICULTURE DISTRICT) AT 3740 BRIDGES ROAD, AS DEPICTED ON THE ATTACHED SITE PLAN.

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:
 1. The placement of the existing mobile home in the A-1 (Agriculture District) shall be for five years.
 2. Only one (1) single-family mobile home shall occupy the site, as shown on the proposed site plan.
 3. The proposed mobile home shall bear the Florida Standards Seal, which would confirm compliance with standards promulgated by the U.S. Department of Housing and Development.
 4. The proposed mobile home shall conform to the minimum dimensional standards of the A-1 District; based on the submitted site plan.
 5. The proposed mobile home shall otherwise conform to applicable building codes, which include standards for anchoring 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: