

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-10 (RURAL ZONING CLASSIFICATION DISTRICT) AT 2295 CANAL STREET; (ED HAUSER, APPLICANT).

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

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

Agenda Date 07-25-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

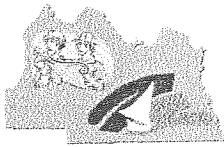
1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-10 (RURAL ZONING CLASSIFICATION DISTRICT) AT 2295 CANAL STREET; (ED HAUSER, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-10 (RURAL ZONING CLASSIFICATION DISTRICT) AT 2295 CANAL STREET; (ED HAUSER, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	ED HAUSER, APPLICANT 2295 CANAL STREET OVIEDO	A-5 DISTRICT, LDC SECTIONS 30.104 (A-10 CONDITIONAL USES) & 30.1401 (MOBILE HOME SITING STANDARDS)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT IS REQUESTING THE PERMANENT PLACEMENT OF AN EXISTING 1978 AND 1988 SINGLE WIDE MOBILES THAT HAVE BEEN ATTACHED IN THE A-10 DISTRICT, WHERE MOBILE HOMES ARE ALLOWED ONLY BY SPECIAL EXCEPTION. • IN 1984, THE PROPERTY RECEIVED A 10 YEAR SPECIAL EXCEPTION FOR ONE OF THE CURRENT MOBILE HOMES, WHICH HAS SINCE EXPIRED. SINCE THAT TIME 	

	<p>THE APPLICANT HAS PLACED A SECOND MOBILE HOME ON THE PROPERTY WITHOUT A PERMIT.</p> <ul style="list-style-type: none"> THE APPLICANT HAS COMBINED THE MOBILE HOMES INTO ONE UNIT BY CONSTRUCTING A SCREEN ROOM BETWEEN THE MOBILE HOMES, AS DEPICTED ON THE SITE PLAN. 																								
<p>ZONING & FLU</p>	<table border="1"> <thead> <tr> <th data-bbox="573 394 776 464">DIRECTION</th> <th data-bbox="776 394 943 464">EXISTING ZONING</th> <th data-bbox="943 394 1157 464">EXISTING FLU</th> <th data-bbox="1157 394 1442 464">USE OF PROPERTY</th> </tr> </thead> <tbody> <tr> <td data-bbox="573 464 776 533">SITE</td> <td data-bbox="776 464 943 533">A-10</td> <td data-bbox="943 464 1157 533">RURAL-10</td> <td data-bbox="1157 464 1442 533">1978 & 1988 MOBILE HOME</td> </tr> <tr> <td data-bbox="573 533 776 636">NORTH</td> <td data-bbox="776 533 943 636">A-10</td> <td data-bbox="943 533 1157 636">RURAL-10</td> <td data-bbox="1157 533 1442 636">MOBILE HOME (PERMANENT PLACEMENT)</td> </tr> <tr> <td data-bbox="573 636 776 672">SOUTH</td> <td data-bbox="776 636 943 672">A-10</td> <td data-bbox="943 636 1157 672">RURAL-10</td> <td data-bbox="1157 636 1442 672">SINGLE FAMILY</td> </tr> <tr> <td data-bbox="573 672 776 707">EAST</td> <td data-bbox="776 672 943 707">A-10</td> <td data-bbox="943 672 1157 707">RURAL-10</td> <td data-bbox="1157 672 1442 707">VACANT</td> </tr> <tr> <td data-bbox="573 707 776 741">WEST</td> <td data-bbox="776 707 943 741">A-10</td> <td data-bbox="943 707 1157 741">RURAL-10</td> <td data-bbox="1157 707 1442 741">VACANT</td> </tr> </tbody> </table>	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	A-10	RURAL-10	1978 & 1988 MOBILE HOME	NORTH	A-10	RURAL-10	MOBILE HOME (PERMANENT PLACEMENT)	SOUTH	A-10	RURAL-10	SINGLE FAMILY	EAST	A-10	RURAL-10	VACANT	WEST	A-10	RURAL-10	VACANT
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<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 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>AVAILABLE RECORDS INDICATE THAT SEVERAL PARCELS WITHIN THE IMMEDIATE VICINITY HAVE MOBILE HOMES THAT THE BOA HAS APPROVED FOR PERMANENT PLACEMENT.</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>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></p> <p>THE REQUEST WOULD BE CONSISTENT WITH THE TREND OF LOW-DENSITY SINGLE-FAMILY LAND USE, INCLUDING CONVENTIONAL AND MOBILE HOMES, ESTABLISHED IN THIS AREA.</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 5 ACRE PARCEL THAT DOES MEET THE A-5 BUILDING MINIMUM DIMENSIONAL REQUIREMENTS.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>THE SUBJECT PROPERTY IS CURRENTLY OCCUPIED BY TWO ATTACHED MOBILE HOMES, IN WHICH ONE OF THEM WAS APPROVED FOR A TEN YEARS SPECIAL EXCEPTION BY THE BOA IN 1984. SINCE THAT TIME, THE TREND OF DEVELOPMENT IN THE AREA HAS LARGELY REMAINED INCLUSIVE OF CONVENTIONAL AND MOBILE HOMES. IN LIGHT OF THIS, STAFF BELIEVES THE PROPOSED USE WOULD BE CONSISTENT WITH THE CHARACTER OF SINGLE-FAMILY HOMES IN THE AREA.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (AGRICULTURE DISTRICT); LDC SECTION 30.104(a)</p>	<p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-10 (RURAL ZONING CLASSIFICATION 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 A-10 (RURAL ZONING CLASSIFICATION DISTRICT):</u></p> <p>THE PROPOSED USE IS ALLOWED ONLY BY SPECIAL EXCEPTION IN THE A-10 DISTRICT. THE PROPOSED MOBILE HOME WOULD BE REQUIRED TO COMPLY WITH THE SITING STANDARDS ENUMERATED IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE, WHICH ARE INTENDED TO MINIMIZE POTENTIAL INCOMPATIBILITY WITH NEARBY CONVENTIONAL SINGLE-FAMILY HOMES AS FOLLOWS:</p> <ul style="list-style-type: none">○ THE 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. <p><u>IS NOT HIGHLY INTENSIVE IN NATURE:</u></p> <p>THE REQUEST IS NOT HIGHLY INTENSIVE IN NATURE, AS THE PROPOSED MOBILE HOME WOULD ONLY 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>

	THE SUBJECT PROPERTY IS SERVED BY ON-SITE SEPTIC AND WELL SYSTEMS. OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, ARE ALSO AVAILABLE TO THE SITE.
MOBILE HOME AS A SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT); LDC SECTION 30.103	A MOBILE HOME MAY BE PERMITTED AS A SPECIAL EXCEPTION ON A LOT OR PARCEL OF RECORD IN THE A-10 (RURAL ZONING CLASSIFICATION), SUBJECT TO THE PREVIOUSLY REFERENCED MOBILE HOME SITING STANDARDS IN SECTION 30.1401 OF THE LAND DEVELOPMENT CODE.
STAFF RECOMMENDATION:	BASED ON THE STATED FINDINGS, STAFF RECOMMENDS APPROVAL OF THE REQUEST WITH THE IMPOSITION OF THE FOLLOWING CONDITIONS: <ul style="list-style-type: none">○ ONLY ONE (1) SINGLE-FAMILY MOBILE HOME UNIT SHALL OCCUPY THE SITE, AS SHOWN ON THE PROPOSED SITE PLAN;○ THE EXISTING MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, INCLUDING STANDARDS FOR ANCHORING, UTILITY ACCESSIBILITY AND SKIRTING.



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 2005-018

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**
- SPECIAL EXCEPTION**
- MOBILE HOME SPECIAL EXCEPTION - PERMANENT PLACEMENT**
- EXISTING (YEAR 1985) OR PROPOSED (YEAR _____)**
- REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME 45x70**
- ANTICIPATED TIME MOBILE HOME IS NEEDED _____**
- PLAN TO BUILD YES NO IF SO, WHEN _____**
- MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO**
- APEAL FROM DECISION OF THE PLANNING MANAGER**

REC
MAY 26

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>ED HAUSER</u>	
ADDRESS	<u>P.O. Box 621387</u>	
	<u>OVIDO, FL 32762</u>	
PHONE 1	<u>407-366-8618</u>	
PHONE 2		
E-MAIL	<u>ejhauser@starmedex.com</u>	

PROJECT NAME: CCCCC

SITE ADDRESS: 2295 CANAL ST

CURRENT USE OF PROPERTY: RESIDENCE

LEGAL DESCRIPTION: Leg W 1/2 of Lot 124

Black Hammock PB 2, PG 110

SIZE OF PROPERTY: 5 acre(s) PARCEL I.D. 25-20-31-5BA-0000-1240

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER ELECT + PHONE

KNOWN CODE ENFORCEMENT VIOLATIONS 30.102, 30.103, 30.104

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

This request will be considered at the Board of Adjustment regular meeting on 7, 25, 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.

[Signature] DATE 5/26/05

SIGNATURE OF OWNER OR AGENT* DATE

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

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 1 FLU / ZONING A-10
BCC HEARING DATE _____ (FOR APPEAL)
LOCATION FURTHER DESCRIBED AS East of Canal St between Canal St
and Elm St.
PLANNING ADVISOR MR DATE 5-26-05
SUFFICIENCY COMMENTS Code ent, group home, manufactured
or mobile

P.I.N. 25-20-31-5BA-0000-1240
2295 CANAL ST.
(NO-SCALE)



330'

IP

660'

NATURAL AREA

YARD AREA

550'

PERK TEST

135'

ELEC. MTR

PUMP HSE + WELL

320'

NATURAL AREA

POND

FIRE WATER SUPPLY

GRASS

GRASS

YARD AREA

DRIVEWAY (15' WIDE)

UNDERGROUND UTILITIES (ELECTRIC + TELEPHONE)

POWER POLE

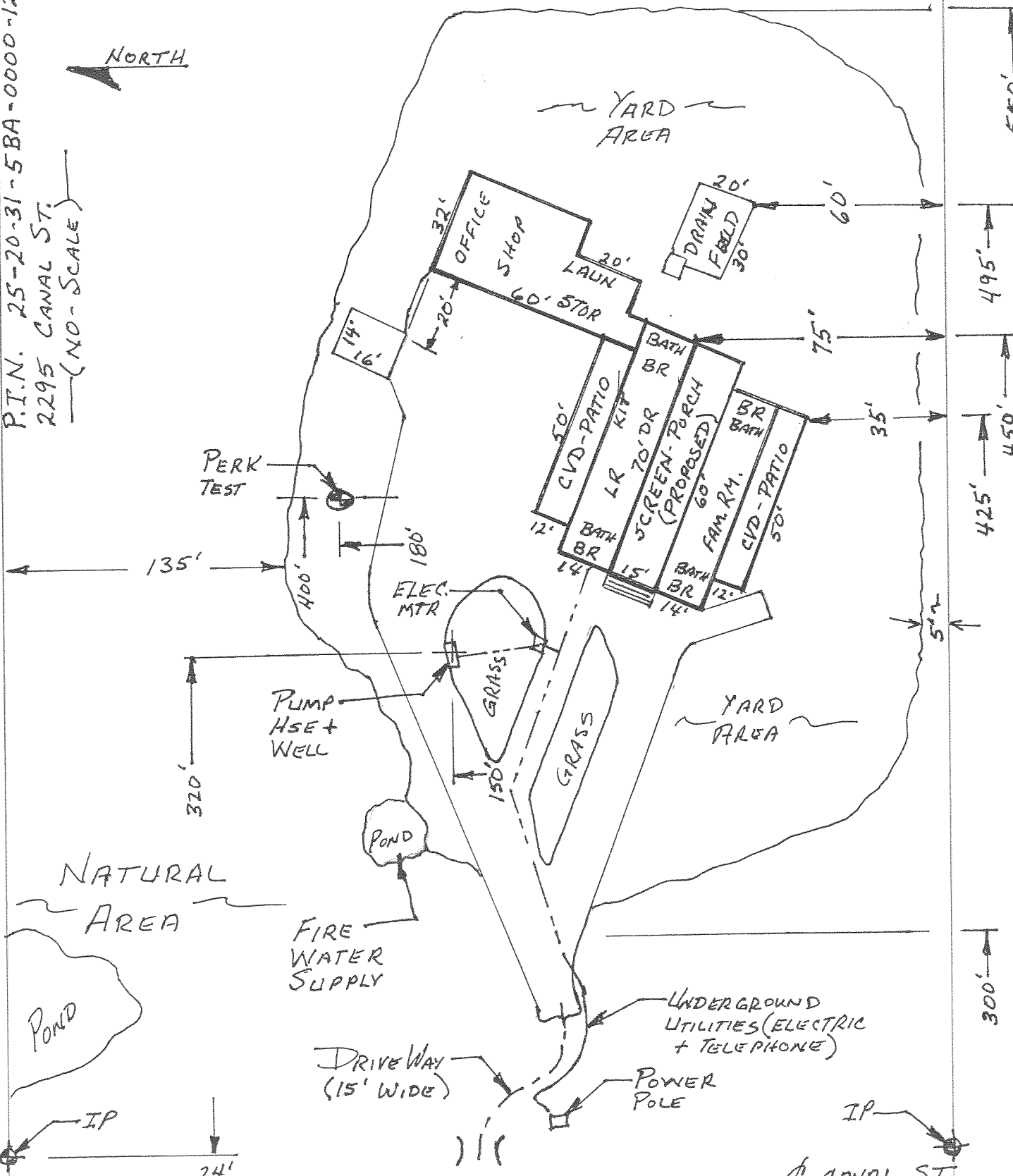
300'

IP

24'

IP

CANAL ST.



LAKE
JESSUP



LOT
124

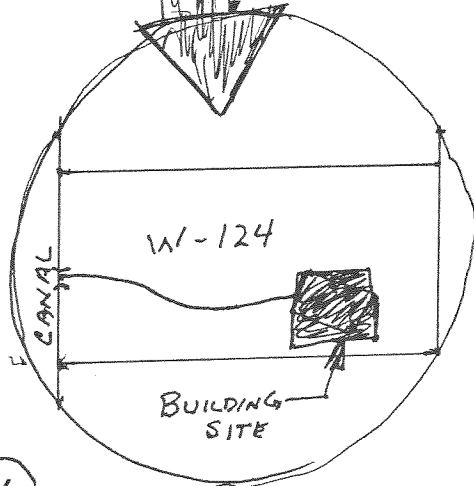
CANAL ST

ELM ST

HOWARD AVE

FLORIDA AVE

419



419

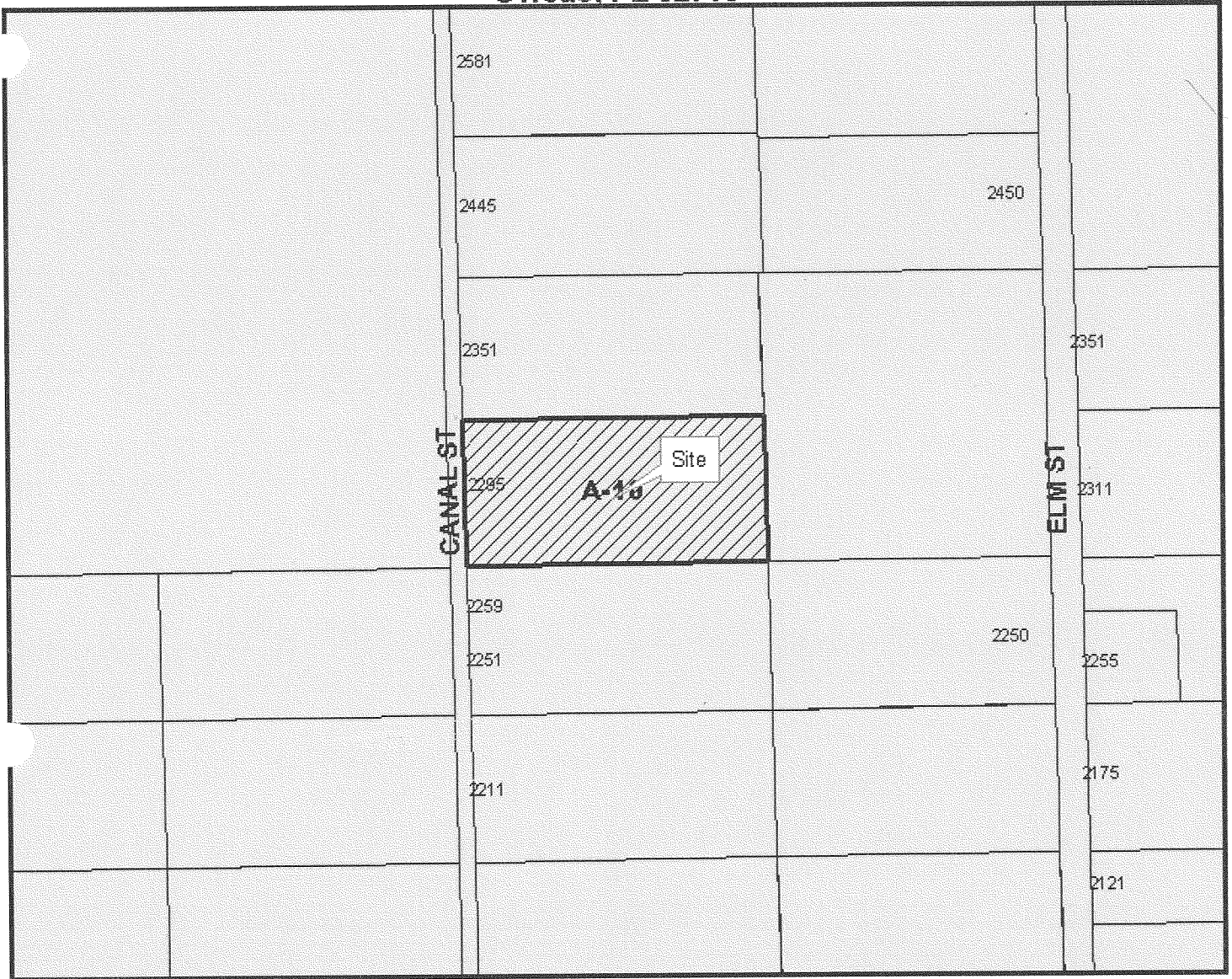
426

426

OVIEDO



419

E.D. Hauser
2295 Canal Street
Oviedo, FL 32765







Seminole County Board of Adjustment
July 25, 2005
Case: BM2005-016
Parcel No: 25-20-31-5BA-0000-1240

Zoning

-  A-10 Rural-10Ac
-  BM2005-016

Parcel Use

-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home



E.D. Hauser
2295 Canal Street
Oviedo, FL 32765







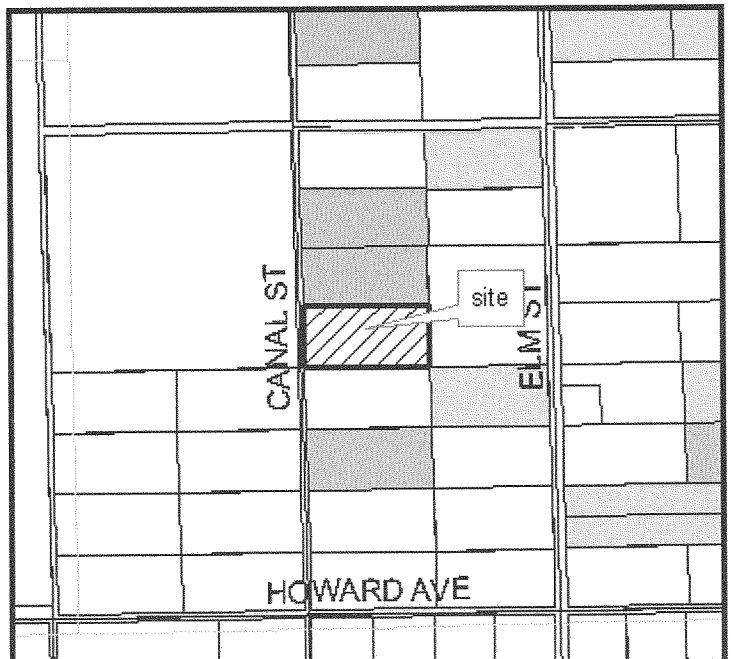
Seminole County Board of Adjustment
July 25, 2005
Case: BM2005-016
Parcel No: 25-20-31-5BA-0000-1240

Future Land Use

-  CONS, R10
-  R10, NONE
-  BM2005-016

Parcel Use

-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home



FILE #: BA(5-21-84)-73TE **APPL:** HAUSER, E. J.
SEC: 35 **TWP:** 20 **RNG:** 31 **SUF:** **PL BK:** 2 **PB PG:** 110 **BLOCK #:**

DEVELOPMENT NAME: MH-HAUSER, E. J.
LOC: W SIDE OF CANAL STREET AND S OF INDEPENDENCE AVENUE
LOT #1: 124 **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**
PARC #1: **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**

REQUEST DESCRIPTION:
TO PLACE A MOBILE HOME IN A-1

ACTION: APPROVED TEN YEARS
DATE: 052184

REMARKS:
(W 1/2 OF LOT 124) (PB PG: 110 & 111)
(O.P. SWOPE'S ADDITION TO BLACK HAMMOCK)

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

<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 407-665-7506</p>																																									
<p align="center">GENERAL</p> <p>Parcel Id: 25-20-31-5BA-0000-1240 Tax District: 01-COUNTY-TX DIST 1 Owner: HAUSER ED Exemptions: 00-HOMESTEAD Address: PO BOX 621387 City,State,ZipCode: OVIEDO FL 32762 Property Address: 2295 CANAL ST OVIEDO 32765 Subdivision Name: BLACK HAMMOCK Dor: 01-SINGLE FAMILY</p>	<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 2 Depreciated Bldg Value: \$120,185 Depreciated EXFT Value: \$5,311 Land Value (Market): \$48,300 Land Value Ag: \$0 Just/Market Value: \$173,796 Assessed Value (SOH): \$116,086 Exempt Value: \$25,000 Taxable Value: \$91,086 Tax Estimator</p>																																								
<p align="center">SALES</p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>04/1984</td> <td>01541</td> <td>0196</td> <td>\$20,500</td> <td>Improved</td> </tr> <tr> <td>ARTICLES OF AGREEMENT</td> <td>06/1982</td> <td>01399</td> <td>0659</td> <td>\$17,500</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1981</td> <td>01399</td> <td>0657</td> <td>\$12,000</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>03/1982</td> <td>01399</td> <td>0656</td> <td>\$9,900</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>01/1974</td> <td>01038</td> <td>0549</td> <td>\$100</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	04/1984	01541	0196	\$20,500	Improved	ARTICLES OF AGREEMENT	06/1982	01399	0659	\$17,500	Vacant	WARRANTY DEED	05/1981	01399	0657	\$12,000	Vacant	QUIT CLAIM DEED	03/1982	01399	0656	\$9,900	Vacant	QUIT CLAIM DEED	01/1974	01038	0549	\$100	Vacant	<p align="center">2004 VALUE SUMMARY</p> <p>Tax Value(without SOH): \$2,190 2004 Tax Bill Amount: \$298 Save Our Homes (SOH) Savings: \$1,892 2004 Taxable Value: \$87,705 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>				
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<p>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.</p>																																									

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 25, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG W ½ OF LOT 124 BLACK HAMMOCK PB 2 PG 110

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

FINDINGS OF FACT

Property Owner: Ed Hauser
2295 Canal Street
Oviedo, FL 32762

Project Name: 2295 Canal Street

Requested Development Approval:

REQUEST FOR SPECIAL EXCEPTION FOR THE CONTINUED PLACEMENT OF AN EXISTING ATTACHED 1978 & 1988 SINGLE WIDE MOBILE HOME IN THE A-10 (RURAL ZONING CLASSIFICATION DISTRICT) FOR THE LIFETIME OF THE MOBILE HOME AT 2295 CANAL STREET, 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 permanent placement of the existing mobile home in the A-10 (Rural Zoning Classification District).
 2. 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: