

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SPECIAL EXCEPTION FOR THE ONE YEAR RENEWAL OF A MOBILE HOME IN THE A-5 (AGRICULTURE DISTRICT), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 1570 COCHRAN ROAD; (JOHN AND CARRIE KIERNAN, APPLICANTS).

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

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

Agenda Date 08-22-05 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION FOR THE ONE YEAR RENEWAL OF A MOBILE HOME IN THE A-5 (AGRICULTURE DISTRICT), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 1570 COCHRAN ROAD; (JOHN AND CARRIE KIERNAN, APPLICANTS); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE ONE YEAR RENEWAL OF A MOBILE HOME IN THE A-5 (AGRICULTURE DISTRICT), WHILE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION AT 1570 COCHRAN ROAD; (JOHN AND CARRIE KIERNAN, APPLICANTS); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	JOHN AND CARRIE KIERNAN, APPLICANTS 1570 COCHRAN TRAIL GENEVA, FL	A-5 (AGRICULTURE DISTRICT)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANTS ARE REQUESTING AN ONE YEAR RENEWAL OF AN EXISTING A MOBILE HOME FOR ONE YEAR IN THE A-5 DISTRICT, WHILE A PERMANENT SINGLE-FAMILY DWELLING IS UNDER CONSTRUCTION. • THE ONE YEAR PLACEMENT WAS GRANTED BY THE BOARD OF ADJUSTMENT AUGUST 23, 2004. • THE APPLICANTS APPLIED FOR A BUILDING PERMIT FOR THE CONSTRUCTION OF A SINGLE FAMILY HOME AND IT IS CURRENTLY UNDER CONSTRUCTION. • THE TEMPORARY OCCUPANCY OF A MOBILE HOME WHILE A SINGLE-FAMILY STRUCTURE IS UNDER CONSTRUCTION IS PERMITTED ONLY BY SPECIAL EXCEPTION IN THE A-5 DISTRICT. 	

ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	SITE	A-5	RURAL - 5	SINGLE-FAMILY
	NORTH	A-5	RURAL - 5	MOBILE HOME
	SOUTH	A-5	RURAL - 5	MOBILE HOME
	EAST	A-5	RURAL - 5	MOBILE HOME
	WEST	A-5	RURAL - 5	SINGLE FAMILY
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)</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>MOBILE HOMES ARE COMMONLY PERMITTED SINGLE FAMILY UNITS IN THE A-5 DISTRICT. THEREFORE, THE TEMPORARY OCCUPANCY OF THE SAME ON A LOT WHERE A SINGLE-FAMILY HOME IS UNDER CONSTRUCTION WOULD BE COMPATIBLE WITH THE TREND OF DEVELOPMENT ON NEARBY AND ADJACENT PROPERTIES WITHIN THIS ZONING CATEGORY.</p> <p><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></p> <p>SINCE THE MOBILE HOME WOULD BE TEMPORARILY UTILIZED AS A SINGLE-FAMILY DWELLING 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 IS FOR THE TEMPORARY APPROVAL OF A USE, WHICH WOULD BE USED FOR SINGLE-FAMILY PURPOSES; THE SAME WOULD BE CONSISTENT WITH THE COMPREHENSIVE PLAN'S DESIGNATION OF RURAL-5 FUTURE LAND USE FOR THE SUBJECT PROPERTY.</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 MEETS THE MINIMUM SIZE AND YARD REQUIREMENTS OF THE A-5 DISTRICT.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>AT PRESENT, THE TREND OF DEVELOPMENT IN THE IMMEDIATE AREA INCLUDES MOBILE HOMES, CONVENTIONAL SINGLE-FAMILY HOMES AND VACANT PROPERTIES. THEREFORE, THE TEMPORARY OCCUPANCY</p>			

	<p>OF THE PROPOSED MOBILE HOME, WHILE A PERMANENT HOME IS CONSTRUCTED ON THE SUBJECT PROPERTY, WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (AGRICULTURE DISTRICT); LDC SECTION 30.104</p>	<p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-5 (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 COMPATIBLE WITH THE CONCEPT OF LOW-DENSITY RURAL LAND USE:</u></p> <p>THE PROPOSED USE WOULD BE CONSISTENT WITH THE CONCEPT OF SURROUNDING SINGLE-FAMILY, RURAL LAND USE SINCE THE COMPREHENSIVE PLAN DESCRIBES SUBURBAN ESTATES AS AN APPROPRIATE FLU CATEGORY FOR THE TEMPORARY PLACEMENT OF A MOBILE BY SPECIAL EXCEPTION.</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 COUNTY WATER AND SEWAGE SYSTEMS AND WOULD HAVE ACCESS TO OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, WHICH ARE AVAILABLE TO THE SITE.</p>
<p>STAFF FINDINGS</p>	<p>THE APPLICANT HAS SATISFIED THE STANDARDS FOR THE GRANT OF A SPECIAL EXCEPTION FOR TEMPORARY OCCUPANCY OF A MOBILE HOME AS A SINGLE-FAMILY DWELLING. BASED ON THE FINDINGS PRESENTED, STAFF RECOMMENDS APPROVAL OF THIS REQUEST, CONDITIONED UPON THE SITE PLAN SUBMITTED, CONFORMITY WITH THE COMPREHENSIVE PLAN, AND ADHERENCE TO THE FOLLOWING LAND DEVELOPMENT CODE STANDARDS</p> <ul style="list-style-type: none"> • A BUILDING PERMIT SHALL BE SECURED PRIOR TO PLACEMENT AND OCCUPANCY OF THE PROPOSED MOBILE HOME AS A TEMPORARY SINGLE-FAMILY DWELLING ON THE SUBJECT PROPERTY. • A PERMANENT SINGLE-FAMILY HOME SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE PROPOSED MOBILE HOME IS USED AS A TEMPORARY DWELLING. • THE PLACEMENT & OCCUPANCY OF THE PROPOSED MOBILE HOME SHALL NOT EXCEED ONE (1) YEAR & SHALL BE RENEWABLE FOR AN ADDITIONAL PERIOD OF ONE (1) YEAR UPON APPROVAL BY THE BOARD OF ADJUSTMENT.

	<ul style="list-style-type: none">• PRIOR TO FINAL INSPECTION OF THE RESIDENCE, THE PROPERTY OWNER SHALL FURNISH THE PLANNING DIVISION WITH ACCEPTABLE EVIDENCE AS TO THE DATE & METHOD THAT THE PROPOSED MOBILE HOME WILL BE REMOVED.• THE PROPOSED MOBILE HOME SHALL BE REMOVED WITHIN THIRTY (30) DAYS, FOLLOWING THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE PERMANENT SINGLE-FAMILY HOME.
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SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET (ROOM 2201)
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

RECEIVED
 JUN 01 2005

COPY

APPL. NO. BM 2005-020

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** extension (one year) temporary placement of mobile home
- EXISTING (YEAR 1990) PROPOSED (YEAR _____)
- REPLACEMENT (YEAR _____) SIZE OF MOBILE HOME 600 sqft
- ANTICIPATED TIME MOBILE HOME IS NEEDED additional one year
- PLAN TO BUILD YES NO IF SO, WHEN Now (in process)
- MEDICAL HARDSHIP YES (LETTER FROM DOCTOR REQUIRED) NO
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>John P. Kiernan III</u>	
ADDRESS	<u>1570 Cochran Rd Geneva, FL 32732</u>	
PHONE 1	<u>407-349-0095</u>	
PHONE 2	<u>727-871-4021</u>	
E-MAIL	<u>Kiernan1570@bellsouth.net</u>	

PROJECT NAME: Kiernan
 SITE ADDRESS: 1570 Cochran Rd, Geneva, FL 32732
 CURRENT USE OF PROPERTY: Residence
 LEGAL DESCRIPTION: see attached

SIZE OF PROPERTY: 5 acre(s) PARCEL I.D. 17-20-32-300-014E-0000
 UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER electric
 KNOWN CODE ENFORCEMENT VIOLATIONS N/A

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO

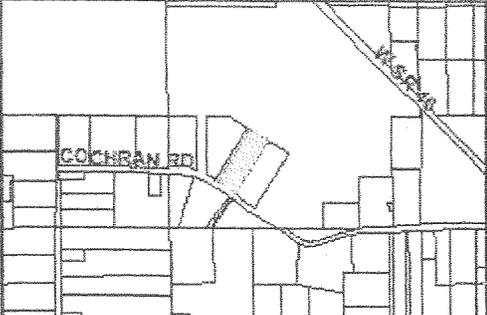
This request will be considered at the Board of Adjustment regular meeting on 8/22/05 (mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

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.

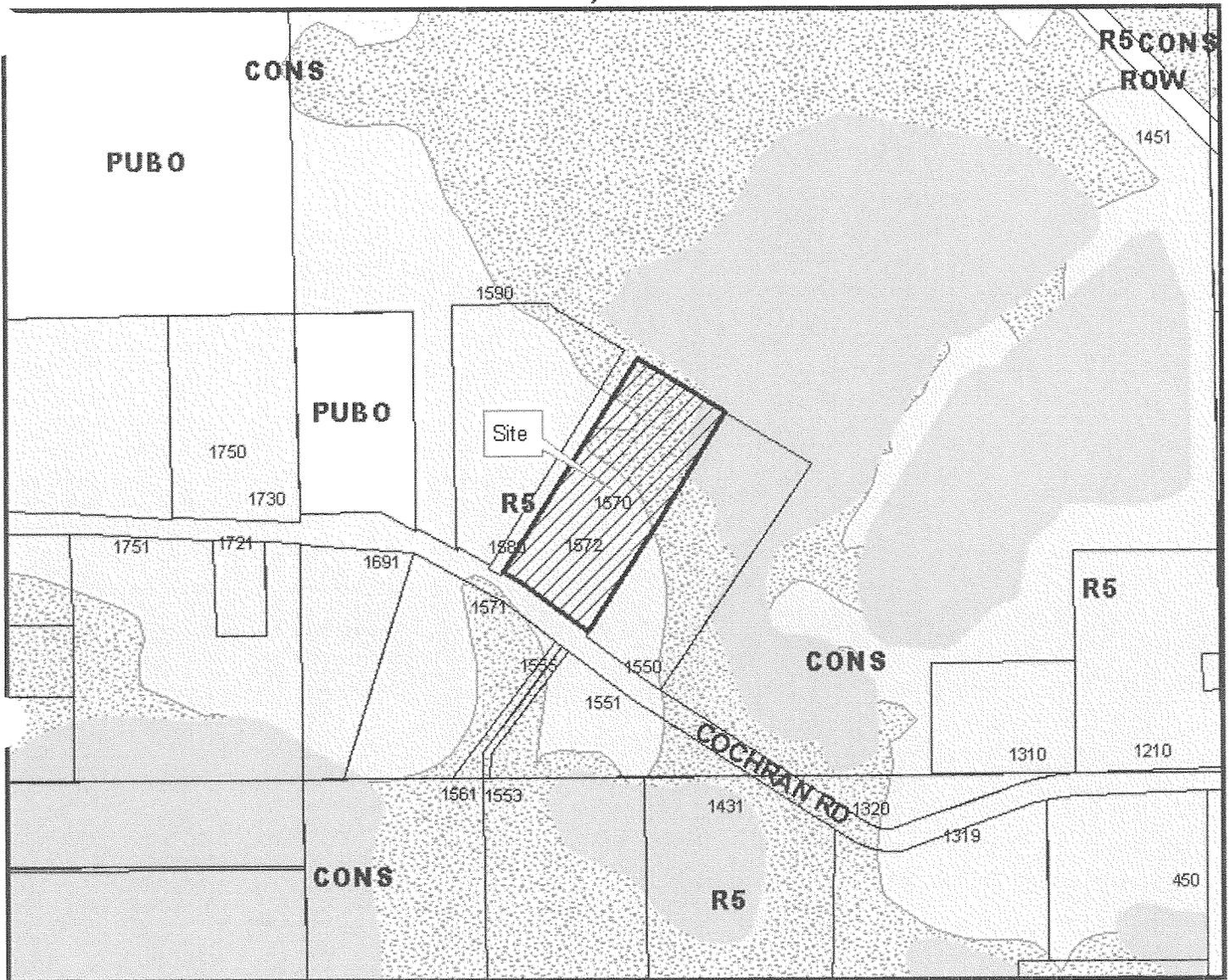
[Signature]
 SIGNATURE OF OWNER OR AGENT* DATE 6/29/05

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

KF

<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 32771-1488 407-885-7505</p> 																																							
<p align="center">GENERAL</p> <p>Parcel Id: 17-20-32-300-014E-0000 Tax District: 01-COUNTY-TX DIST 1</p> <p>Owner: KIERNAN JOHN P Exemptions:</p> <p>Address: 1570 COCHRAN RD</p> <p>City,State,ZipCode: GENEVA FL 32732</p> <p>Property Address: 1570 COCHRAN RD</p> <p>Facility Name:</p> <p>Dor: 9905-5 ACRE TRACT</p>		<p align="center">2005 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$0</p> <p>Land Value (Market): \$59,040</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$59,040</p> <p>Assessed Value (SOH): \$59,040</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$59,040</p> <p>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>CORRECTIVE DEED</td> <td>05/2005</td> <td>05735</td> <td>0247</td> <td>\$100</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>02/1988</td> <td>01959</td> <td>1863</td> <td>\$100</td> <td>Vacant</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>02/1988</td> <td>01959</td> <td>1862</td> <td>\$100</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1988</td> <td>01959</td> <td>1861</td> <td>\$100</td> <td>Vacant</td> </tr> <tr> <td>WARRANTY DEED</td> <td>10/1987</td> <td>01902</td> <td>0705</td> <td>\$28,500</td> <td>Vacant</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this DOR Code</p>		Deed	Date	Book	Page	Amount	Vac/Imp	CORRECTIVE DEED	05/2005	05735	0247	\$100	Vacant	QUIT CLAIM DEED	02/1988	01959	1863	\$100	Vacant	QUIT CLAIM DEED	02/1988	01959	1862	\$100	Vacant	WARRANTY DEED	02/1988	01959	1861	\$100	Vacant	WARRANTY DEED	10/1987	01902	0705	\$28,500	Vacant	<p align="center">2004 VALUE SUMMARY</p> <p>2004 Tax Bill Amount: \$998</p> <p>2004 Taxable Value: \$59,040</p> <p>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.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																							

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 Geneva, FL 32732

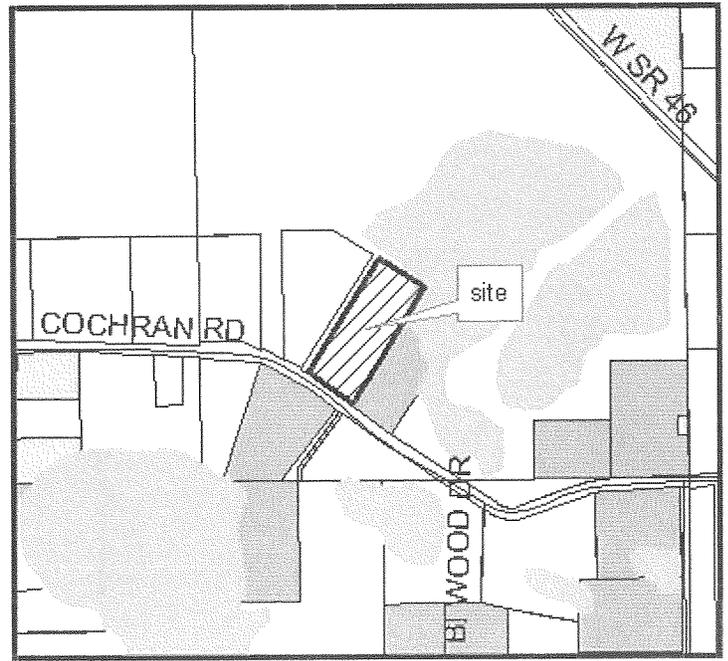


Seminole County Board of Adjustment
 August 22, 2005
 Case: BM2005-020
 Parcel No: 17-20-32-300-014E-0000

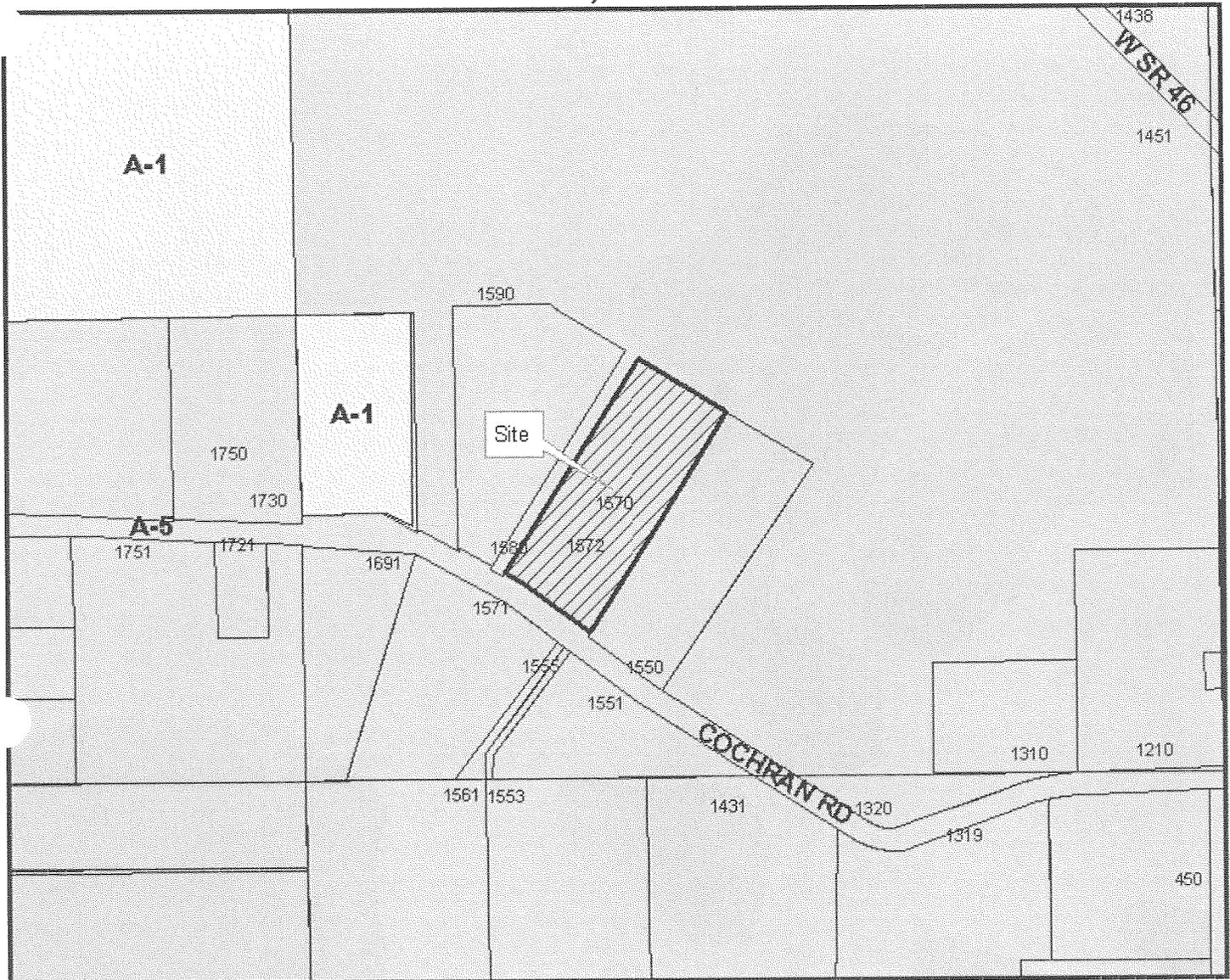
Future Land Use

	CONS, PUBO		All Other Values
	CONS, R5		Vacant Residential
	PUBO, NONE		Single Family Residential
	R5, NONE		Mobile Home
			BM2005-020

0 95 190 380 570 760 Feet



John P. Kiernan III
 1570 Cochran Rd
 Geneva, FL 32732



Seminole County Board of Adjustment
 August 22, 2005
 Case: BM2005-020
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Zoning

-  A-1 Agricultural-1Ac
-  A-5 Rural-5Ac
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home
-  BM2005-020

