

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

SUBJECT: REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE FIVE YEAR PLACEMENT OF AN EXISTING MOBILE HOME FOR A NIGHT WATCHMENT IN THE A-1 (AGRICULTURE DISTRICT) AT 2950 RAILROAD AVENUE; (L.D. PLANTE, APPLICANT).

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

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

Agenda Date 09-26-05 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE FIVE YEAR PLACEMENT OF AN EXISTING MOBILE HOME FOR A NIGHT WATCHMENT IN THE A-1 (AGRICULTURE DISTRICT) AT 2950 RAILROAD AVENUE; (L.D. PLANTE, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE FIVE YEARS PLACEMENT OF AN EXISTING MOBILE HOME FOR A NIGHT WATCHMENT IN THE A-1 (AGRICULTURE DISTRICT) AT 2950 RAILROAD AVENUE; (L.D. PLANTE, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

GENERAL INFORMATION	APPLICANT: LOCATION: ZONING:	L.D. PLANTE 2950 RAILROAD AVENUE A-1 (AGRICULTURE DISTRICT)
BACKGROUND REQUEST	<ul style="list-style-type: none"> • THE APPLICANT REQUESTING TO REPLACE AN EXISTING 1986 MOBILE HOME WITH A 1998 OR NEWER MOBILE HOME FOR A NIGHT WATCHMAN. • IN 2001 THE BOARD OF ADJUSTMENT APPROVED THE PLACEMENT OF A 1986 MOBILE HOME FOR SECURITY FOR A PERIOD OF FIVE YEARS. THE EXISTING MOBILE HOME WAS DAMAGED BY THE RECENT HURRICANES. • THE TEMPORARY OR PERMANENT OCCUPANCY OF A MOBILE HOME IN THE A-1 DISTRICT IS PERMITTED ONLY BY SPECIAL EXCEPTION. • THE APPLICANT HAS STATED THAT A NIGHT WATCHMAN 	

IS NEEDED ON THE PROPERTY DUE TO THE INCREASING RESIDENTIAL DEVELOPMENT SURROUNDING THE PROPERTY AND THE OPENING OF THE CROSS SEMINOLE TRAIL ALONG HIS NORTH PROPERTY LINE.

ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
			A-1	INDUSTRIAL
	NORTH	CITY OF SPRINGS	WINTER	SINGLE FAMILY
	SOUTH	CITY OF SPRINGS	WINTER	SINGLE FAMILY
	EAST	CITY WINTER SPRINGS		SEMINOLE COUNTY CROSS SEMINOLE TRAIL
	WEST	CITY OF SPRINGS	WINTER	SINGLE FAMILY

STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2) / STAFF FINDINGS

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:

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

THE TREND OF DEVELOPMENT ALONG TUSKAWILLA ROAD AND WEST STATE ROAD 434 IS SINGLE FAMILY AND COMMERCIAL WITH THE DEVELOPMENT OF THE WINTER SPRINGS DOWNTOWN AREA. THE CROSS SEMINOLE TRAIL IS LOCATED DIRECTLY ADJACENT TO THE APPLICANTS PROPERTY.

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

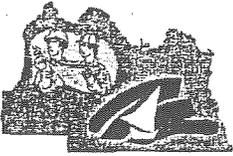
SINCE THE PROPOSED USE IS A SINGLE-FAMILY UNIT THAT WOULD NOT BE HIGHLY INTENSIVE IN NATURE, STAFF DOES NOT BELIEVE IT WOULD ADVERSELY IMPACT ADJOINING TRANSPORTATION FACILITIES.

IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

THE REQUEST IS FOR THE TEMPORARY APPROVAL OF A

	<p>SINGLE-FAMILY RESIDENTIAL USE FOR THE PURPOSE OF AN NIGHT WATCHMAN, WHICH IS THEREBY CONSISTENT WITH THE COMPREHENSIVE PLAN'S DESIGNATION OF INDUSTRIAL 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 DIMENSIONAL REQUIREMENTS OF THE A-1 (AGRICULTURE DISTRICT) ZONING CLASSIFICATION.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.124(a) / STAFF FINDINGS</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 A-1 (AGRICULTURE DISTRICT):</u></p> <p>THE TEMPORARY PLACEMENT OF THE PROPOSED MOBILE HOME IS A CONDITIONAL USE IN THE A-1 DISTRICT. THE PROPOSED MOBILE HOME COMPLIES WITH THE SITING STANDARDS ENUMERATED IN SECTION 30.124(b)(18) OF THE LAND DEVELOPMENT CODE, WHICH ARE INTENDED TO MINIMIZE POTENTIAL INCOMPATIBILITY WITH NEARBY CONVENTIONAL SINGLE-FAMILY HOMES.</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 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 SUBJECT PROPERTY WOULD BE SERVED BY ON-SITE SEPTIC AND WELL SYSTEMS. OTHER COUNTY SERVICES, INCLUDING SCHOOLS AND EMERGENCY SERVICES, WOULD ALSO BE AVAILABLE TO THE SITE.</p>
<p>STAFF RECOMMENDATION</p>	<p>BASED ON THE STATED FINDINGS, STAFF RECOMMENDS APPROVAL THE FIVE YEAR PLACEMENT OF THE MOBILE HOME FOR A NIGHT WATCHMAN WITH THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"> • ONLY ONE (1) 1998 OR NEWER SINGLE-FAMILY MOBILE

	<p>HOME UNIT SHALL OCCUPY THE SITE, AS SHOWN ON THE PROPOSED SITE PLAN;</p> <ul style="list-style-type: none">• THE REPLACEMENT MOBILE HOME SHALL OTHERWISE CONFORM TO APPLICABLE BUILDING CODES, INCLUDING STANDARDS FOR ANCHORING, UTILITY ACCESSIBILITY AND SKIRTING.
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SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BM 2005-024

Renewal

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**
- LIMITED USE** 5 years / Replacement - 1998
- SF DWELLING UNDER CONSTRUCTION
- MEDICAL HARDSHIP
- NIGHT WATCHMAN
- FAMILY HARDSHIP
- YEAR OF MOBILE HOME / RV (EXISTING 1986) (PROPOSED _____)
- SIZE OF MOBILE HOME / RV 14x74
- TIME NEEDED
- PLAN TO BUILD YES NO IF SO, WHEN _____
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

Adjustment

mobile home
wide

*116
A 35
151*

*329.59
151.00
178.59*

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>L.D. Plante INC</u>	<u>Lawrence Plante</u>
ADDRESS	<u>P.O. Box 15117, Altamonte Springs, FL</u>	
	<u>2950 Railroad Ave, Winter Springs, FL</u>	
PHONE 1	<u>(381) 436-9552</u>	
PHONE 2	<u>(407) 339-1113</u>	
E-MAIL		

PROJECT NAME: _____
 SITE ADDRESS: 2950 Railroad Ave, Winter Springs, FL 32
 CURRENT USE OF PROPERTY: Agricultural / Cattle; Landscape
 LEGAL DESCRIPTION: See Attached

SIZE OF PROPERTY: 10+ acre(s) PARCEL I.D. 26-20-30-5AR-0A00-0080

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 9, 26, 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.

Lawrence Plante

8.3.05

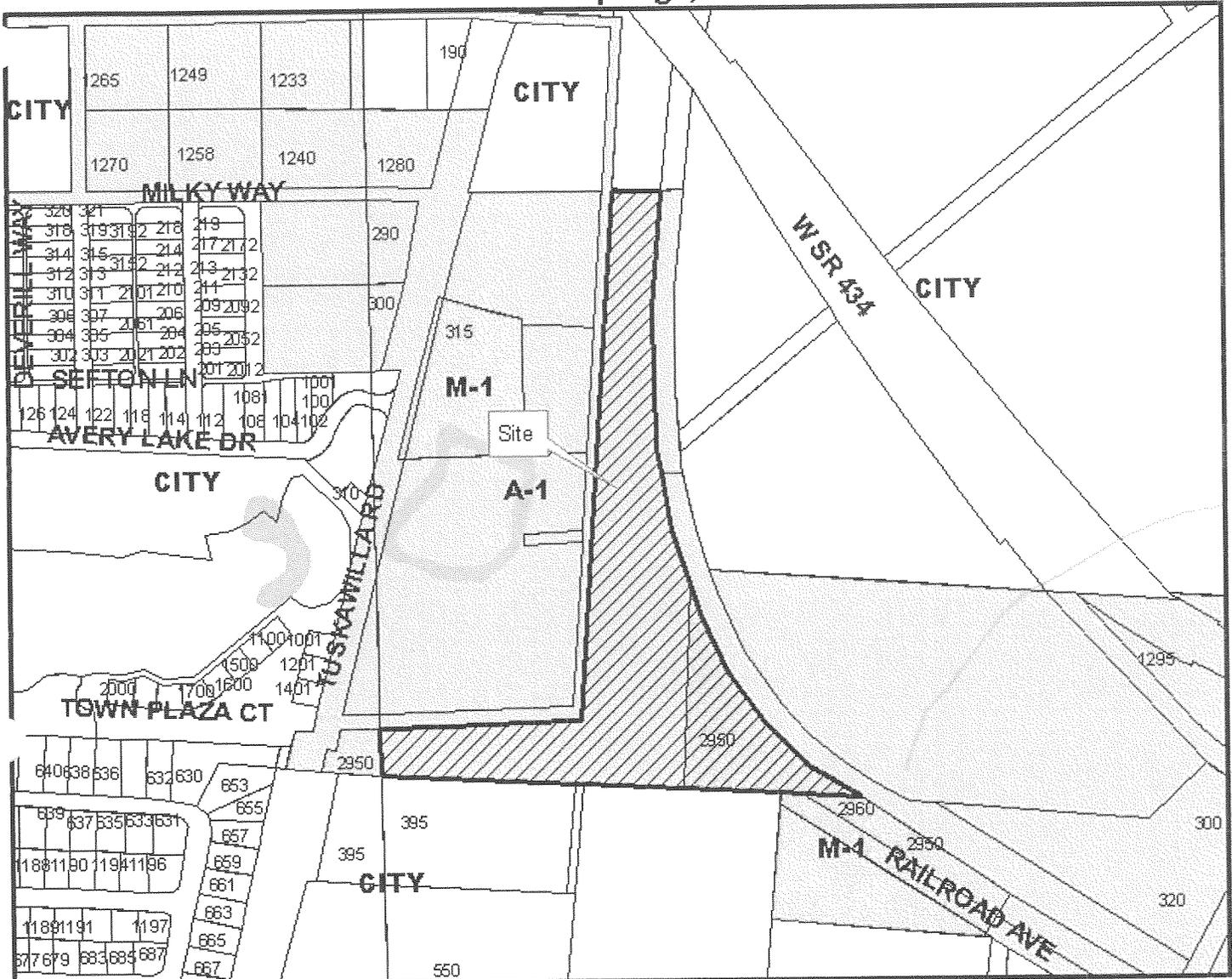
SIGNATURE OF OWNER OR AGENT*

DATE

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

servey
Needs setback from property (lot ans)
and maybe a sign

Lawrence Plante
 2950 Railroad Avenue
 Winter Springs, FL

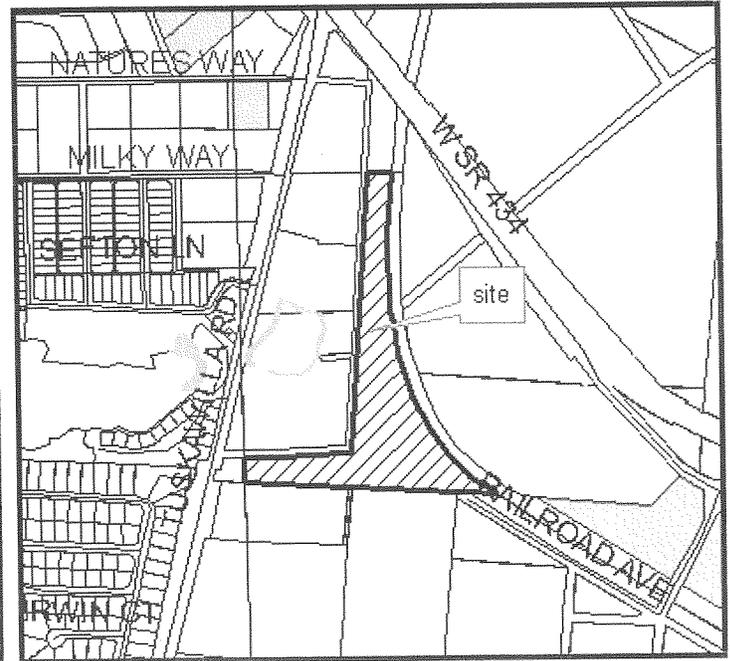


Seminole County Board of Adjustment
 September 26, 2005
 Case: BM2005-024
 Parcel No: 26-20-30-5AR-0A00-0080

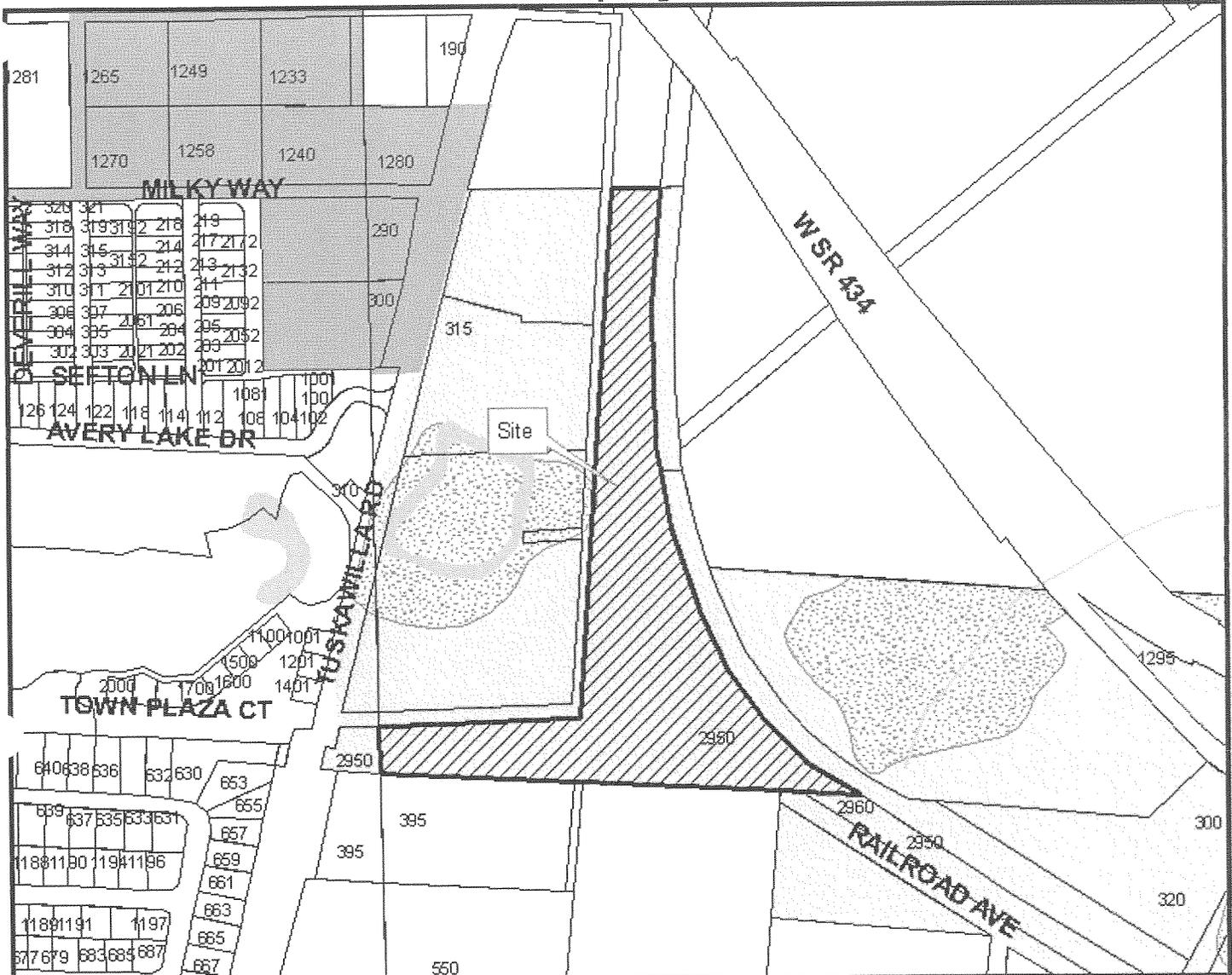
Zoning

- A-1 Agricultural-1Ac
- M-1 Industrial
- All Other Values
- Vacant Residential
- Single Family Residential
- Mobile Home
- BM 2005-024

0 115 230 460 690 920 Feet



Lawrence Plante
 2950 Railroad Avenue
 Winter Springs, FL

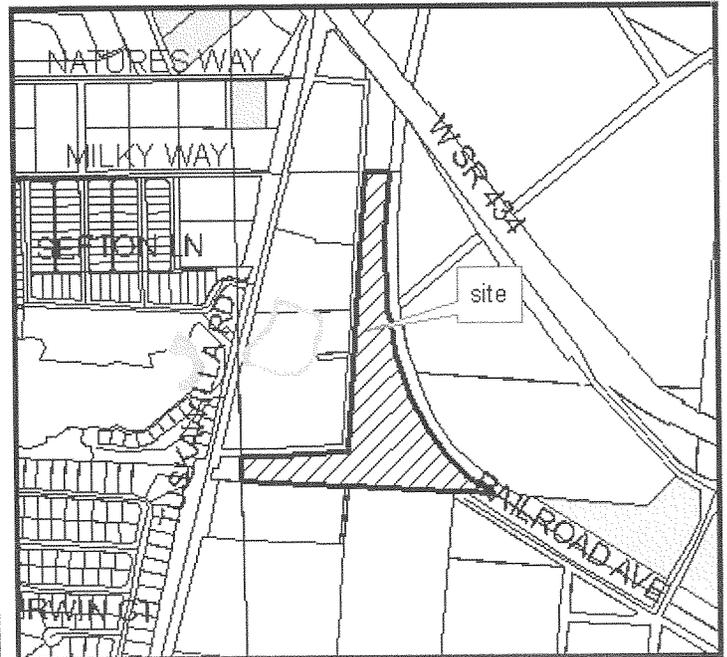


Seminole County Board of Adjustment
 September 26, 2005
 Case: BM2005-024
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Future Land Use

- CONS, IND
- MDR, NONE
- IND, NONE
- All Other Values
- Vacant Residential
- Single Family Residential
- Mobile Home
- BM 2005-024

0 115 230 460 690 920 Feet



PLANNING AND DEVELOPMENT DEPARTMENT

PLANNING DIVISION - ZONING



August 29, 2001

L D PLANTE INC
PO BOX 151117
ALTAMONTE SPRINGS FL 32715-1117

RE: File # BA01-8-21TE

Dear Applicant:

At their meeting on August 27, 2001, the Seminole County Board of Adjustment approved your request for a renewal of an existing mobile home for security for a period of 5 years on the following described property:

Part of Lot 8 described as begin at the SE corner of Tuskawilla Sub'd, run N to Ely Extension of Nly line Lot 17, Tuskawilla, Ely to Wly line ACL RR, SEly along Wly line ACL RR to a point 660 ft, N of N line Gardena Farms, S 85 deg E to E line Levy Grant, S 5 deg W 660 ft., N 85 deg W 2640 ft. to Rd., NEly along Rd to a point on the S line of Tuskawilla, E to Beg. (Less part E of RR & less RR & less Rd. described in ORB 3603/1095) Blk A, D R Mitchells Survey of Levy Grant, PB 1, Pg 5. W end of Railroad Ave., W of Gardena Ave., E of Tuskawill Rd., 1/2 mile S of SR-434 (DIST 2)

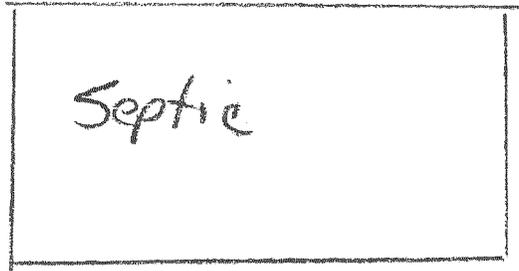
Please be advised that here is a 15-day appeal period in which this decision can be appealed to the Board of County Commissioners. Therefore, the Development Order granted by the Board of Adjustment is not final until the appeal period has lapsed and no appeals have been filed.

Sincerely,


Ginny Markley
Principal Zoning Coordinator

GM/ch

200'



74'

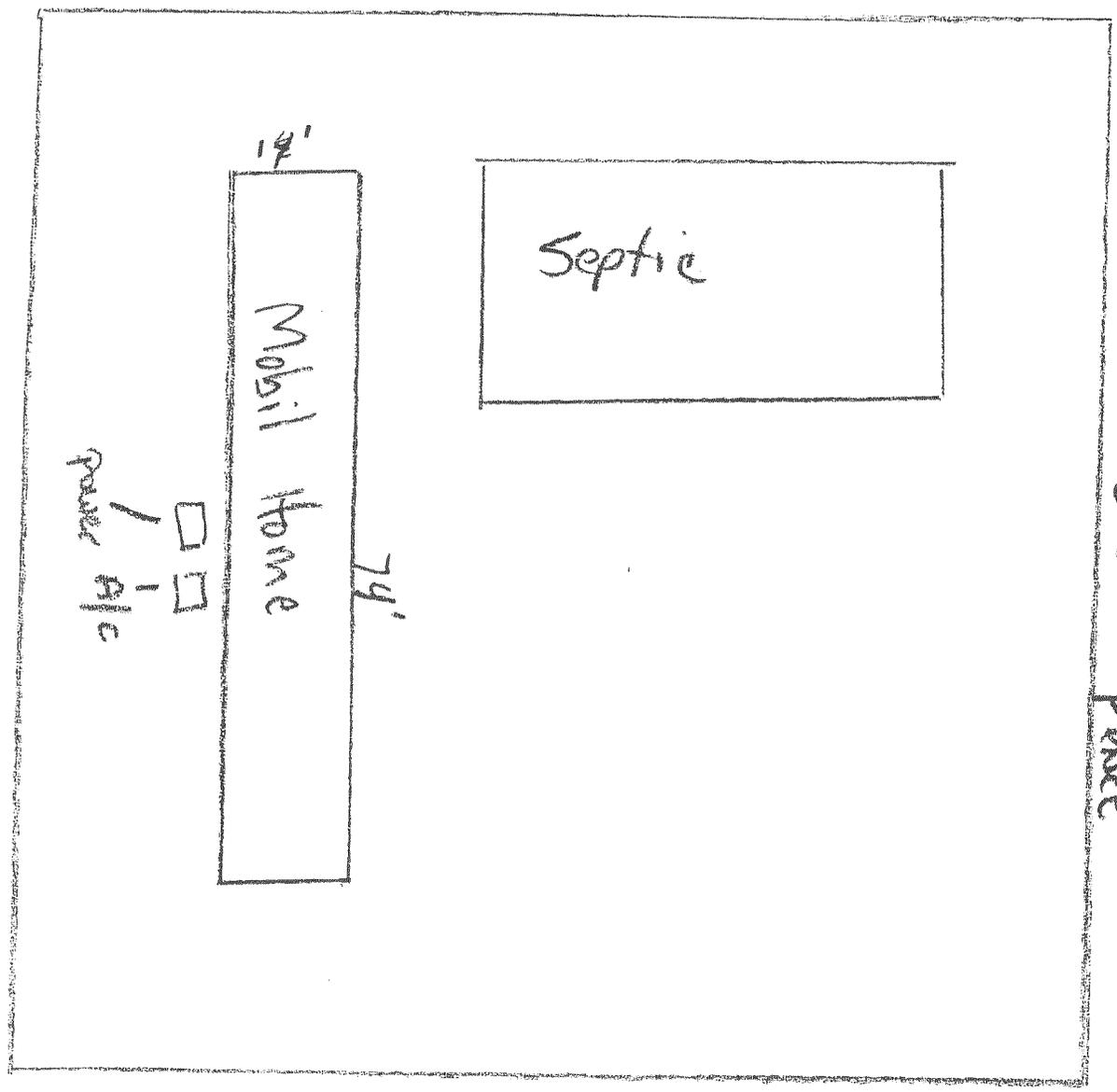
Mobil Home

14'



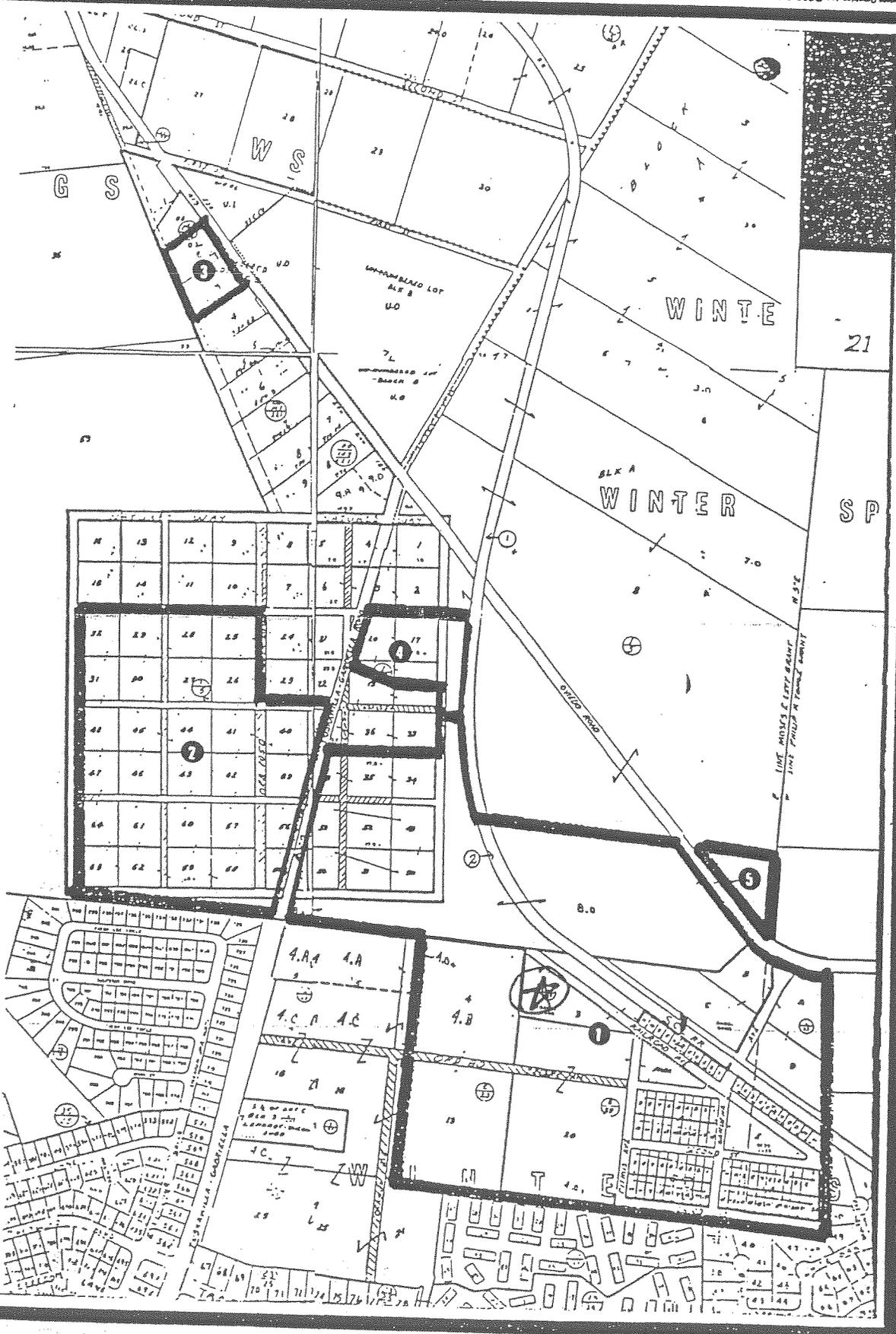
power
A/C

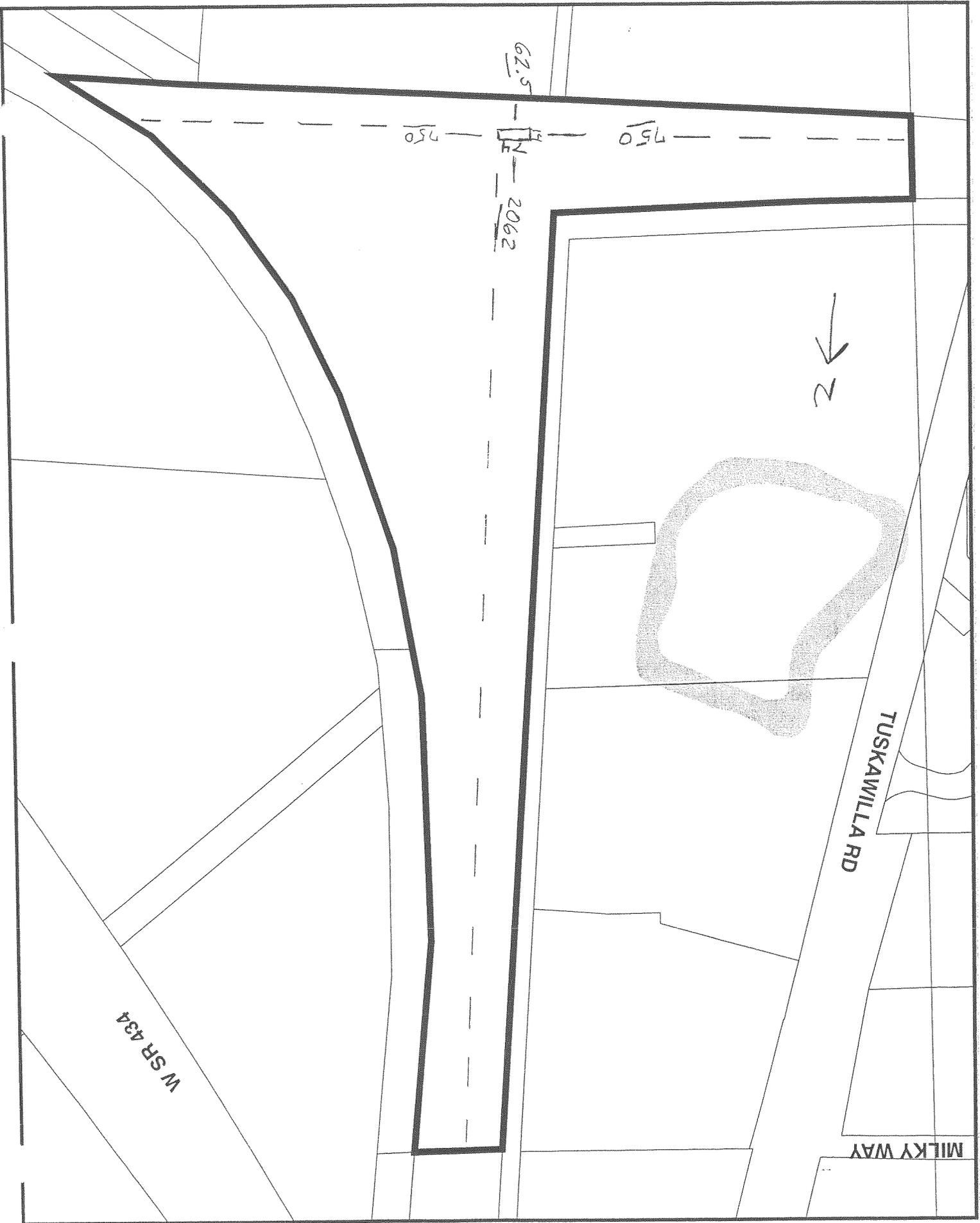
200' Fence



Location Map

Not to Scale. Copyright 1978





62.5'

750'

750'

74'

2062'



TUSKAWILLA RD

MILKY WAY

W SR 434