

BM2005-025

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) AT 1752 STONE STREET; (JAMES BRIAN PROPE, 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 FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) AT 1752 STONE STREET; (JAMES BRIAN PROPE, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION FOR THE PERMANENT PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) AT 1752 STONE STREET; (JAMES BRIAN PROPE, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

| | | | | |
|-----------------------------|--|---|---------------------|------------------------|
| GENERAL INFORMATION | JAMES BRIAN PROPE, APPLICANT 1752 STONE STREET OVIEDO | A-5 DISTRICT, LDC SECTIONS 30.104 & 30.1401 (MOBILE HOME SITING STANDARDS) | | |
| BACKGROUND / REQUEST | <ul style="list-style-type: none"> • THE APPLICANT IS REQUESTING THE PERMANENT PLACEMENT OF A 2006 DOUBLE WIDE MOBILE, WHERE MOBILE HOMES ARE ALLOWED ONLY BY SPECIAL EXCEPTION. • THERE HAVE BEEN NO SPECIAL EXCEPTIONS GRANTED TO THIS PROPERTY. | | | |
| ZONING & FLU | DIRECTION | EXISTING ZONING | EXISTING FLU | USE OF PROPERTY |

| SITE | A-5 | RURAL ZONING | VACANT |
|-------|-----|--------------|-------------------------|
| NORTH | A-5 | RURAL ZONING | MOBILE HOME (EXPIRED) |
| SOUTH | A-5 | RURAL ZONING | MOBILE HOME (PERMANENT) |
| EAST | A-5 | RURAL ZONING | SINGLE FAMILY |
| WEST | A-5 | RURAL ZONING | SINGLE FAMILY |

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

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:

AVAILABLE RECORDS INDICATE THAT THE MAJORITY OF THE SURROUNDING PARCELS IN THE IMMEDIATE VICINITY HAVE CONVENTIONAL HOMES OR MOBILE HOMES THAT THE BOA HAS APPROVED FOR TEMPORARY PLACEMENT. ALONG STONE STREET BETWEEN THE INTERSECTION OF HOWARD AND FLORIDA AVENUE THERE IS ONE MOBILE HOME THAT WAS APPROVED FOR PERMANENT PLACEMENT. THE REMAINDER OF THE PROPERTIES CONSISTS OF SINGLE FAMILY HOMES, TEMPORARY (EXPIRED) MOBILE HOMES AND VACANT LAND.

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.

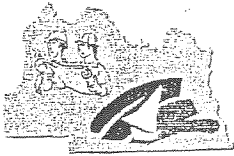
IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

THE REQUEST WOULD BE CONSISTENT WITH THE TREND OF LOW-DENSITY SINGLE-FAMILY LAND USE, ESTABLISHED IN THIS AREA.

MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

| | |
|---|--|
| | <p>THE SUBJECT PROPERTY IS A-5 ACRE PARCEL THAT DOES NOT MEET THE A-5 BUILDING MINIMUM DIMENSIONAL REQUIREMENTS BUT IS A PARCEL OF RECORD.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>THE BLACK HAMMOCK NEIGHBORHOOD HISTORICALLY HAS CONSISTED AGRICULTURE PERMITTED BUSINESSES, SINGLE FAMILY HOMES, MOBILE HOMES, AND VACANT LAND. THE MAJORITY OF THE EXISTING MOBILE HOMES HAVE RECEIVED TEMPORARY APPROVAL FROM THE BOARD OF ADJUSTMENT AND THE PERMANENTLY APPROVED MOBILE HOMES RECEIVED APPROVAL IN 1974. IN LIGHT OF THIS, STAFF BELIEVES THE PROPOSED USE OF PERMANENT PLACEMENT WOULD BE INCONSISTENT WITH THE CHARACTER OF THE AREA.</p> |
| <p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.104(a)</p> | <p>THE BOA MAY PERMIT ANY USE ALLOWED BY SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING CLASSIFICATION) 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-51 (RURAL ZONING CLASSIFICATION DISTRICT):</u></p> <p>THE PROPOSED USE IS ALLOWED ONLY BY SPECIAL EXCEPTION IN THE A-5 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-5 (AGRICULTURE 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 DOES NOT RECOMMEND THE PERMANENT PLACEMENT OF THE EXISTING MOBILE HOME BUT WOULD NOT OBJECT TO THE LIMITED TEMPORARY PLACEMENT OF THE EXISTING MOBILE HOME 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. |



COPY

APPL. NO. BM 2005 - 025

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.

AUG - 4 2005

APPLICATION TYPE:

VARIANCE

SPECIAL EXCEPTION permanent placement of A 2006 mobile home.

LIMITED USE

- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED 2006)
- SIZE OF MOBILE HOME / RV 60 x 26.33
- PLAN TO BUILD YES NO IF SO, WHEN _____

MEDICAL HARDSHIP

FAMILY HARDSHIP

TIME NEEDED _____

APPEAL FROM DECISION OF THE PLANNING MANAGER

PLANNING DIVISION

| PROPERTY OWNER | | AUTHORIZED AGENT * | |
|----------------|----------------------------------|--------------------|--|
| NAME | <u>James Brian Propes</u> | | |
| ADDRESS | <u>1752 Stone Street</u> | | |
| | <u>Oviedo Fl. 32765</u> | | |
| PHONE 1 | <u>407-489-2884</u> | | |
| PHONE 2 | <u>321-235-4006</u> | | |
| E-MAIL | <u>Brian.Propes@Wachovia.com</u> | | |

RECEIVED

AUG - 4 2005

PLANNING DIVISION

PROJECT NAME: _____

SITE ADDRESS: 1752 Stone Street, Oviedo Fl. 32765

CURRENT USE OF PROPERTY: _____

LEGAL DESCRIPTION: Leg E 1/2 of Lot 325 Black Hammock PB1 PG31

SIZE OF PROPERTY: 5 acre(s) PARCEL I.D. 25-20-31-5BA-0000-325A

UTILITIES: WATER WELL SEWER SEPTIC TANK OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS NONE

IS PROPERTY ACCESSIBLE FOR INSPECTION YES NO Locked Gate

This request will be considered at the Board of Adjustment regular meeting on 9/20/05 (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.

James Brian Propes
 SIGNATURE OF OWNER OR AGENT*

8/4/2005
 DATE

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

Needs distance to rear shown on

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): 195.00 COMMISSION DISTRICT 2 FLU / ZONING A-5 / R-5

BCC HEARING DATE _____ (FOR APPEAL)

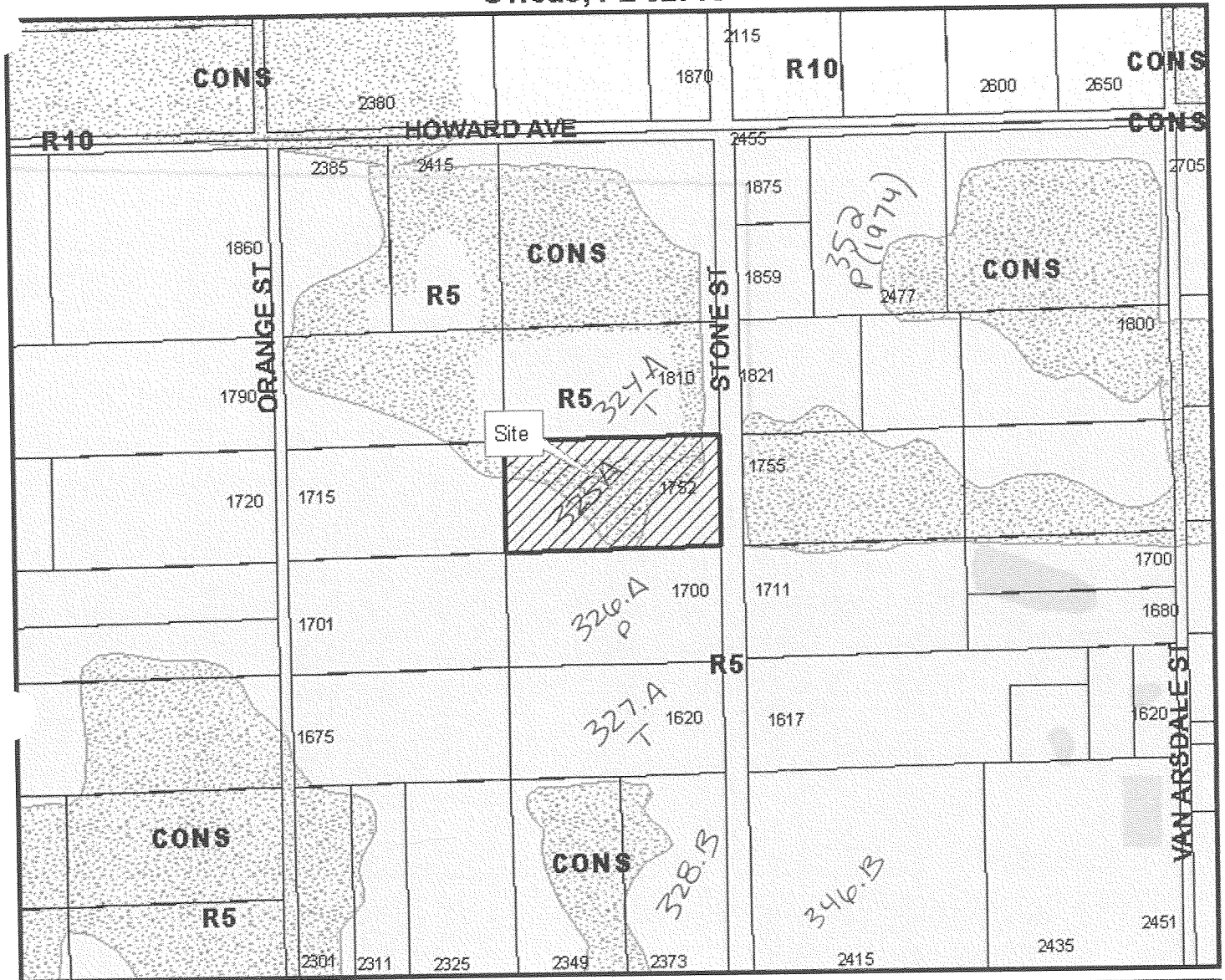
LOCATION FURTHER DESCRIBED AS west side of Stone St 0.2 mi north of the intersection of Howard Ave & Stone St.

PLANNING ADVISOR _____ DATE _____

SUFFICIENCY COMMENTS _____

| PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-865-7508 | | 256 322.A 322.0 323 352.A 352 353 352.B 324.0 324 324.A 351.B 351 351.A 253.0 325.0 325 325.A 350.A 350 350.0 328.0 328 328.A 349.0 349 349.A 349.B 327.A 327 327.0 348.C 348.0 | | | | | | | | | | | | | | | | | | | | | |
|---|----------|---|------------|------------|--|----------|-------|------------|------------|------------|-----------------|---------|-------|-------|-----------|----------|--|---------|-------|------|----------|----------|--|
| | | ORANGE ST STONE ST | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |
| GENERAL Parcel Id: 25-20-31-5BA-0000-325A Tax District: 01-COUNTY-TX DIST 1 Owner: PROPE JAMES B Exemptions: 00-HOMESTEAD Address: 1752 STONE ST City,State,ZipCode: OVIEDO FL 32765 Property Address: 1752 STONE ST OVIEDO 32765 Subdivision Name: BLACK HAMMOCK 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): \$47,800 Land Value Ag: \$0 Just/Market Value: \$47,800 Assessed Value (SOH): \$32,607 Exempt Value: \$25,000 Taxable Value: \$7,607 Tax Estimator | | | | | | | | | | | | | | | | | | |
| SALES <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>QUIT CLAIM DEED</td> <td>12/1987</td> <td>01913</td> <td>1960</td> <td>\$17,500</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1984</td> <td>01543</td> <td>0171</td> <td>\$32,000</td> <td>Improved</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision | | | | | Deed | Date | Book | Page | Amount | Vac/Imp | QUIT CLAIM DEED | 12/1987 | 01913 | 1960 | \$17,500 | Improved | WARRANTY DEED | 04/1984 | 01543 | 0171 | \$32,000 | Improved | 2004 VALUE SUMMARY Tax Value(without SOH): \$513 2004 Tax Bill Amount: \$113 Save Our Homes (SOH) Savings: \$400 2004 Taxable Value: \$6,657 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS |
| Deed | Date | Book | Page | Amount | Vac/Imp | | | | | | | | | | | | | | | | | | |
| QUIT CLAIM DEED | 12/1987 | 01913 | 1960 | \$17,500 | Improved | | | | | | | | | | | | | | | | | | |
| WARRANTY DEED | 04/1984 | 01543 | 0171 | \$32,000 | Improved | | | | | | | | | | | | | | | | | | |
| LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>ACREAGE</td> <td>0</td> <td>0</td> <td>4.780</td> <td>10,000.00</td> <td>\$47,800</td> </tr> </tbody> </table> | | | | | Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | ACREAGE | 0 | 0 | 4.780 | 10,000.00 | \$47,800 | LEGAL DESCRIPTION PLAT LEG E 1/2 OF LOT 325 BLACK HAMMOCK PB 1 PG 31 | | | | | | |
| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value | | | | | | | | | | | | | | | | | | |
| ACREAGE | 0 | 0 | 4.780 | 10,000.00 | \$47,800 | | | | | | | | | | | | | | | | | | |
| 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. | | | | | | | | | | | | | | | | | | | | | | | |

James Propes
 1782 Stone Street
 Oviedo, FL 32765

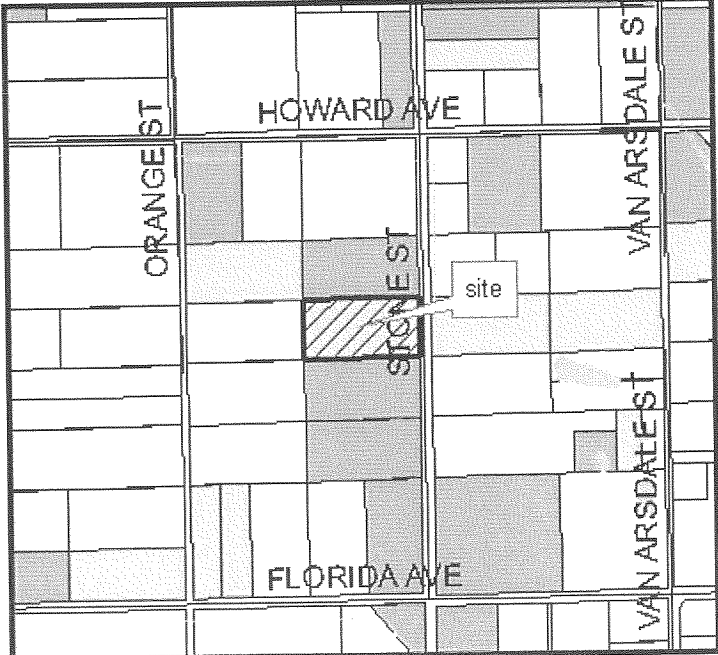


Seminole County Board of Adjustment
 September 26, 2005
 Case: BM2005-025
 Parcel No: 25-20-31-5BA-0000-325A

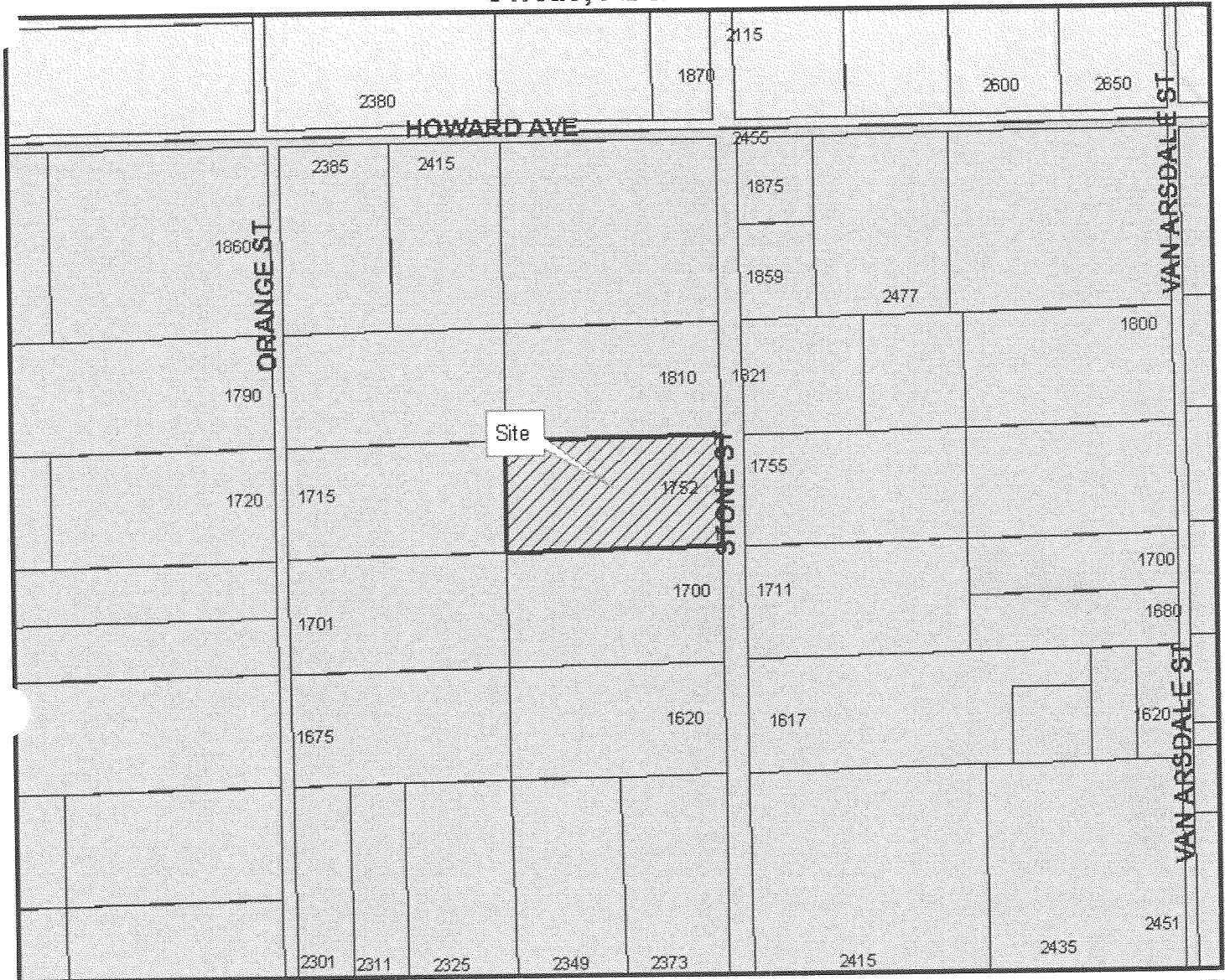
Future Land Use

| | | | |
|--|-----------|--|---------------------------|
| | CONS, R10 | | All Other Values |
| | CONS, R5 | | Vacant Residential |
| | R10, NONE | | Single Family Residential |
| | R5, NONE | | Mobile Home |
| | | | BM2005-025 |

0 105210 420 630 840 Feet



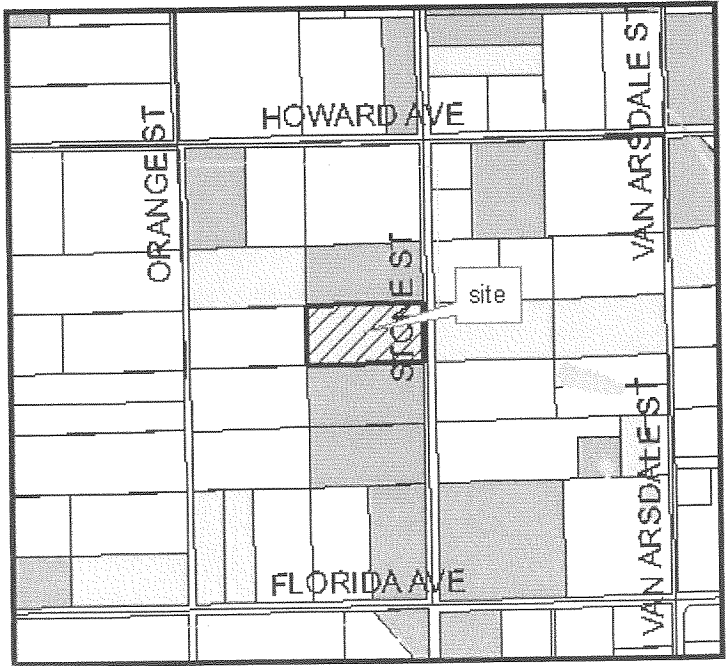
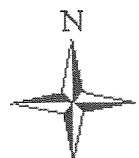
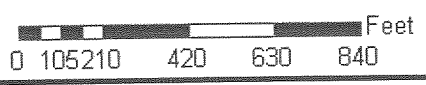
James Propes
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Seminole County Board of Adjustment
 September 26, 2005
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Zoning

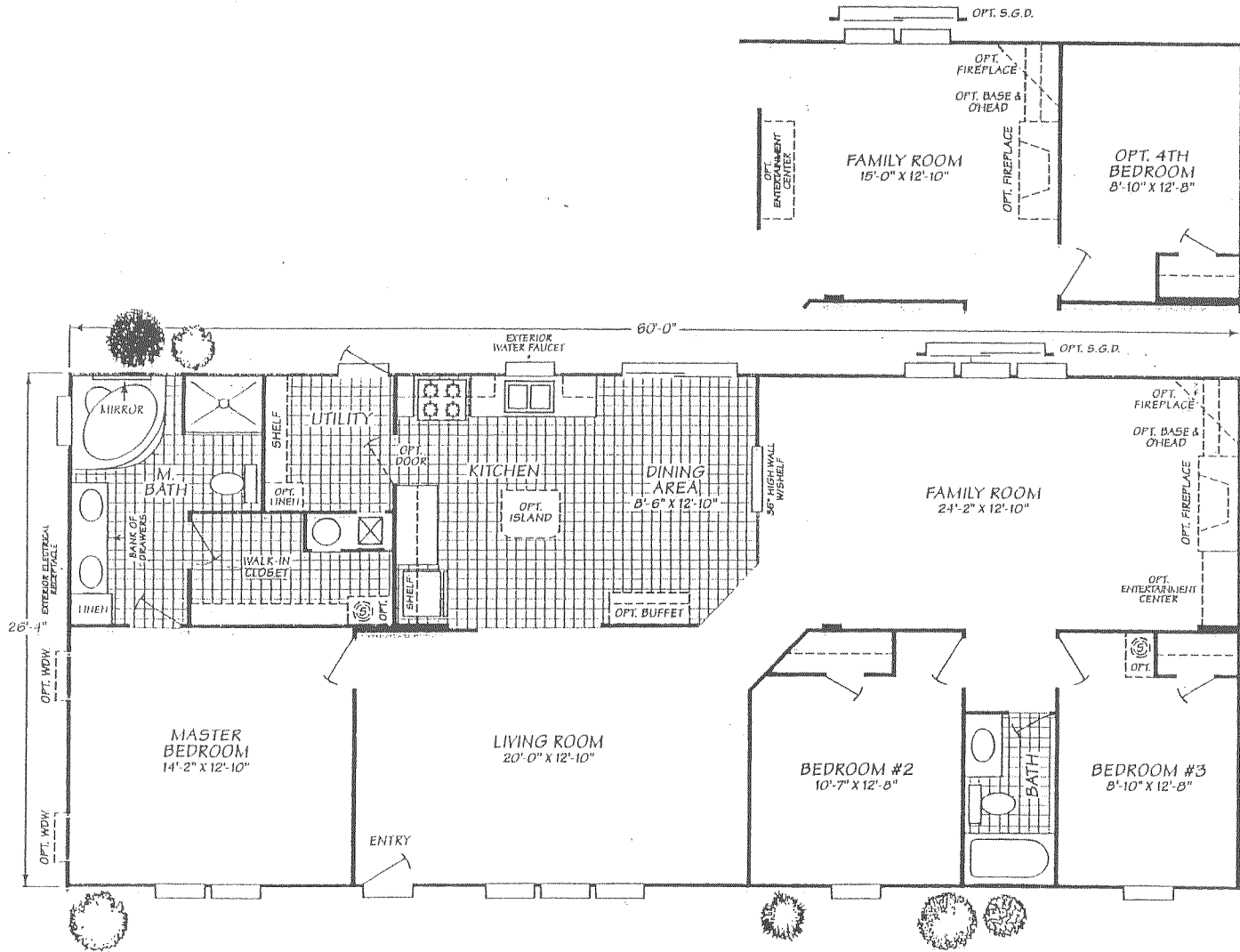
- A-10 Rural-10Ac
- A-5 Rural-5Ac
- All Other Values
- Vacant Residential
- Single Family Residential
- Mobile Home
- BM2005-025





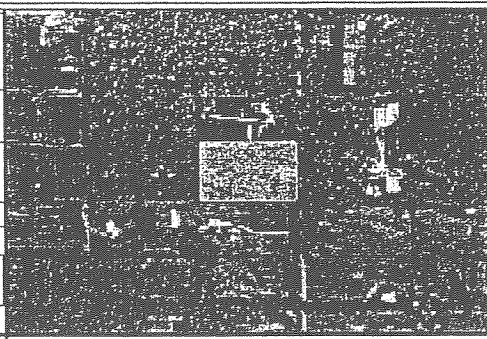
Anniversary Series Model 4603J
3 Bedrooms • 2 Baths • 1,579 Square Feet

\$ 58900
410



Fleetwood Homes reserves the right to change colors, prices, specifications, models, dimensions and materials without notice. Rendering and diagrams are meant to be representative and, in keeping with Fleetwood's policy of constant updating and improvement, may vary from the actual home. All dimensions are nominal and approximated. Square footage is measured from exterior wall to exterior wall, and is an approximate figure. Length indicated in floorplans is total length only. The length of the hitch is not included. (Add four feet to arrive at transportable length.) Ask your retailer for specifics. PRICES AND SPECIFICATIONS SUBJECT TO CHANGE WITHOUT NOTICE OR OBLIGATION.

| | | | | | | | | |
|---------------------------|--|-------|-------|-------|-------|-------|-----|-------|
| PARCEL DETAIL | | 355 | 322.A | 322.0 | 323 | 352.A | 352 | 353 |
| DAVID JOHNSON, CFA, ASA | | | | | | 352.B | | |
| PROPERTY APPRAISER | | | 324.0 | 324 | 324.A | 351.B | 351 | 351.A |
| SEMINOLE COUNTY FL | | 253.0 | 325.0 | 325 | 325.A | 350.A | 350 | 350.0 |
| 1101 E. FIRST ST | | | 328.0 | 328 | 328.A | 349.0 | 349 | 349.A |
| SANFORD, FL 32771-1468 | | | | | | 348.0 | | 348.B |
| 407-865-7508 | | | 327.A | 327 | 327.0 | 348.C | | 348.0 |



GENERAL

Parcel Id: 25-20-31-5BA-0000-325A Tax District: 01-COUNTY-TX DIST 1

Owner: PROPE JAMES B Exemptions: 00-HOMESTEAD

Address: 1752 STONE ST

City,State,ZipCode: OVIEDO FL 32765

Property Address: 1752 STONE ST OVIEDO 32765

Subdivision Name: BLACK HAMMOCK

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): \$47,800

Land Value Ag: \$0

Just/Market Value: \$47,800

Assessed Value (SOH): \$32,607

Exempt Value: \$25,000

Taxable Value: \$7,607

Tax Estimator

SALES

| Deed | Date | Book | Page | Amount | Vac/Imp |
|-----------------|---------|-------|------|----------|----------|
| QUIT CLAIM DEED | 12/1987 | 01913 | 1960 | \$17,500 | Improved |
| WARRANTY DEED | 04/1984 | 01543 | 0171 | \$32,000 | Improved |

Find Comparable Sales within this Subdivision

2004 VALUE SUMMARY

Tax Value(without SOH): \$513

2004 Tax Bill Amount: \$113

Save Our Homes (SOH) Savings: \$400

2004 Taxable Value: \$6,657

DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

| Land Assess Method | Frontage | Depth | Land Units | Unit Price | Land Value |
|--------------------|----------|-------|------------|------------|------------|
| ACREAGE | 0 | 0 | 4.780 | 10,000.00 | \$47,800 |

LEGAL DESCRIPTION PLAT

LEG E 1/2 OF LOT 325 BLACK HAMMOCK PB
1 PG 31

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.

HEAVILY WOODED AREA
SUBJECT PROPERTY
NOT RECORDED

The East one-half (1/2) of Lot 325 of BLACK HAMMOCK, according to the plat thereof as recorded in Plat Book 1, Page 31, Public Records of Seminole County, Florida.

N60°16'00"W(00)
651.35'(N&D)

S67°12'00"E
15.61'

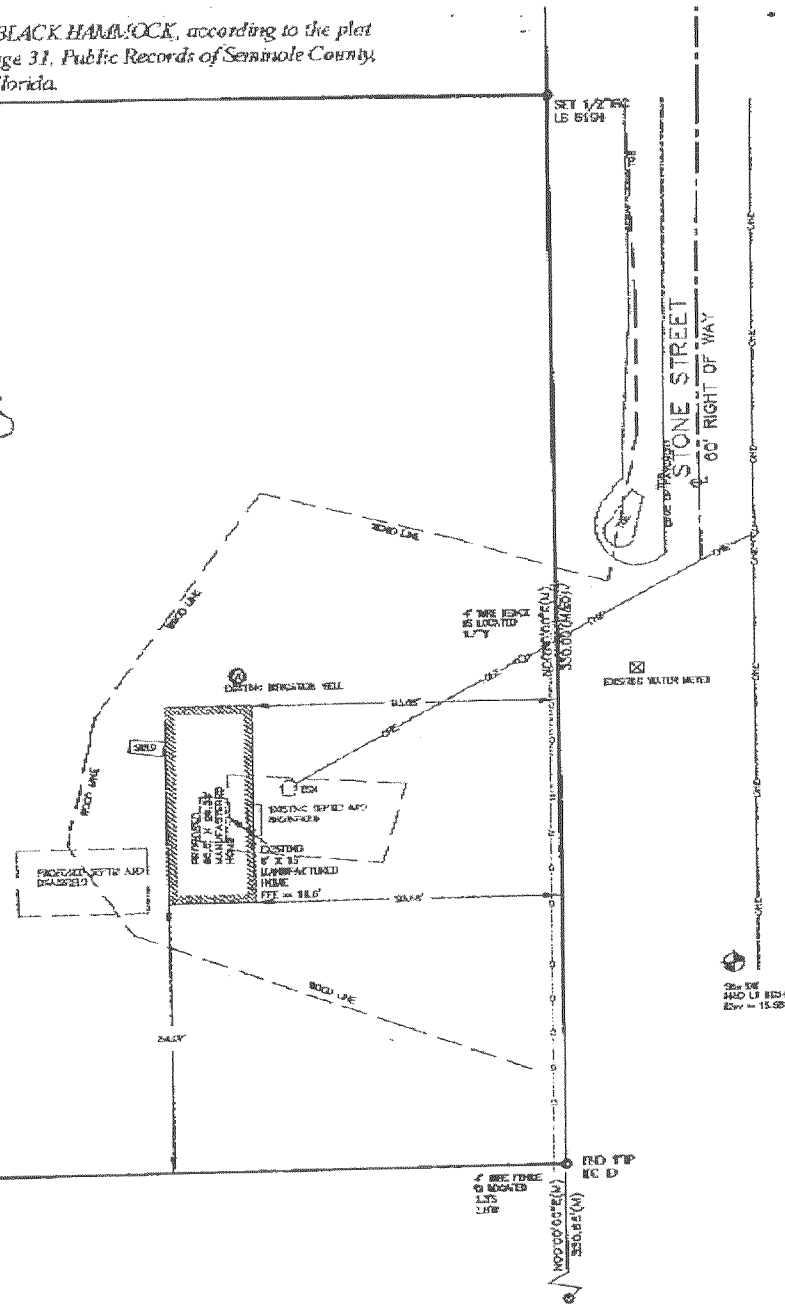
ATTN Chris

R.E.
BRIAN Proppes

HEAVILY WOODED AREA
SUBJECT PROPERTY
THE EAST 1/2 OF LOT 325

2 Pages

John
Four Star
Home Center



RECORDED 06/20/14
031.12'(N&D)
LOT 325
NOT RECORDED

4" PVC PIPE IS LOCATED 1.5' FROM ROAD TIP
4" PVC PIPE IS LOCATED 1.5' FROM ROAD TIP