

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

*(continued from the 11/07/05 public hearing)*

**SUBJECT:** Request for special exception for the permanent placement of a mobile home in the A-5 (Rural Zoning District) at 400 Raccoon Trail; (Merrill Nibert, applicant).

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

**AUTHORIZED BY:** Kathy Fall **CONTACT:** Kathy Fall **EXT.** 7444

<b>Agenda Date</b> <u>10-24-05</u> <b>Regular</b> <input checked="" type="checkbox"/> <b>Consent</b> <input type="checkbox"/> <b>Public Hearing – 6:00</b> <input checked="" type="checkbox"/>
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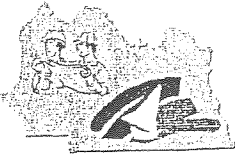
**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for special exception for the permanent placement of a mobile home in the A-5 (Rural Zoning District) at 400 Raccoon Trail; (Merrill Nibert, applicant); or
2. **DENY** the request for special exception for the permanent placement of a mobile home in the A-5 (Rural Zoning District) at 400 Raccoon Trail; (Merrill Nibert, applicant); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Merrill Nibert, applicant 400 Raccoon Trail Geneva	A-5 district, LDC sections 30.104 & 30.1401 (mobile home siting standards)		
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting the permanent placement of a 1984 single wide mobile, where mobile homes are allowed only by special exception.</li> <li>• A special exception for the temporary placement of the existing single wide mobile home was granted in 1984 for 10 years.</li> </ul>			
<b>ZONING &amp; FLU</b>	<b>direction      existing zoning      existing flu      use of property</b>			
	Site	A-5	Rural zoning	Single wide mobile home (1984)
	North	A-5	Rural zoning	Mobile home (1984)

	South	A-5	Rural zoning	Mobile home (1988)
	East	A-1	Rural zoning	Mobile home (1996)
	West	A-1	Rural zoning	Mobile home (1994)
<p><b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</b></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><b><u>Is not detrimental to the character of the area or neighborhood or inconsistent with trends of development in the area:</u></b></p> <p>Available records indicate that the majority of the surrounding parcels in the immediate vicinity have mobile homes that the BOA has approved for temporary placement. Only one mobile home was approved for permanent placement with the condition the mobile home was a new (not existing) double wide.</p> <p><b><u>Does not have an unduly adverse effect on existing traffic patterns, movements and volumes:</u></b></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><b><u>Is consistent with the Seminole County Vision 2020 comprehensive plan:</u></b></p> <p>The request would be consistent with the trend of low-density single-family land use, established in this area.</p> <p><b><u>Meets any additional requirements specified in the code section authorizing the use in a particular zoning district or classification:</u></b></p> <p>The subject property is A-5 acre parcel that does meet the minimum requirements.</p> <p><b><u>Will not adversely affect the public interest:</u></b></p> <p>The surrounding neighborhood historically has consisted 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 home on Raccoon Trail is a new double-wide model. In light of this, staff believes the proposed use of permanent placement of the existing 1984 single wide mobile home would be inconsistent with the</p>			

	<p>character of the area.</p>
<p><b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (AGRICULTURE DISTRICT); LDC SECTION 30.104(a)</b></p>	<p>The BOA may permit any use allowed by special exception in the A-1 (Agriculture 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><b><u>Is consistent with the general zoning plan of the A-5 classification district:</u></b></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"> <li>o The mobile home shall have safe and convenient vehicular access.</li> <li>o The mobile home shall be required to conform to applicable codes, which include standards for installation, anchoring, utility accessibility, and skirting.</li> </ul> <p><b><u>Is not highly intensive in nature:</u></b></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><b><u>Has access to an adequate level of urban services such as sewer, water, police, schools and related services:</u></b></p> <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.</p>
<p><b>MOBILE HOME AS A SPECIAL EXCEPTION IN THE A-1; LDC SECTION 30.103</b></p>	<p>A mobile home may be permitted as a special exception on a lot or parcel of record in the A-5 (Rural Zoning District), subject to the previously referenced mobile home siting standards in section 30.1401 of the land development code.</p>
<p><b>STAFF RECOMMENDATION:</b></p>	<p>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:</p> <ul style="list-style-type: none"> <li>• Only one (1) single-family mobile home unit shall occupy the site, as shown on the proposed site plan;</li> <li>• The existing mobile home shall otherwise conform to applicable building codes, including standards for anchoring, utility accessibility and skirting.</li> </ul>



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

**COPY** APPL. NO. BM 2005-036

**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** Permanent Placement of Mobile Home
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING 84) (PROPOSED \_\_\_\_\_)
- SIZE OF MOBILE HOME / RV 14' x 16'
- PLAN TO BUILD  YES  NO IF SO, WHEN \_\_\_\_\_
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

Merrill Nibert

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>M. A. NIBERT</u>	
ADDRESS	<u>451 PALMCOAST TRAIL</u> <u>GENEVA 32732</u>	
PHONE 1	<u>707 749-5872</u>	
PHONE 2	<u>407 948 3768 (CELL)</u>	
E-MAIL	<u>REDCAT6@AOL.COM</u>	

PROJECT NAME: \_\_\_\_\_  
 SITE ADDRESS: 400 PALMCOAST TRAIL  
 CURRENT USE OF PROPERTY: DWELLING  
 LEGAL DESCRIPTION: \_\_\_\_\_

SIZE OF PROPERTY: 5 acre(s) PARCEL I.D. 09-20-32-301-0370-0000  
 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 10/24/05 (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.

Merrill Nibert  
 SIGNATURE OF OWNER OR AGENT\*

8-15-05  
 DATE

**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 COMMISSION DISTRICT 5 FLU/ZONING A-57B5

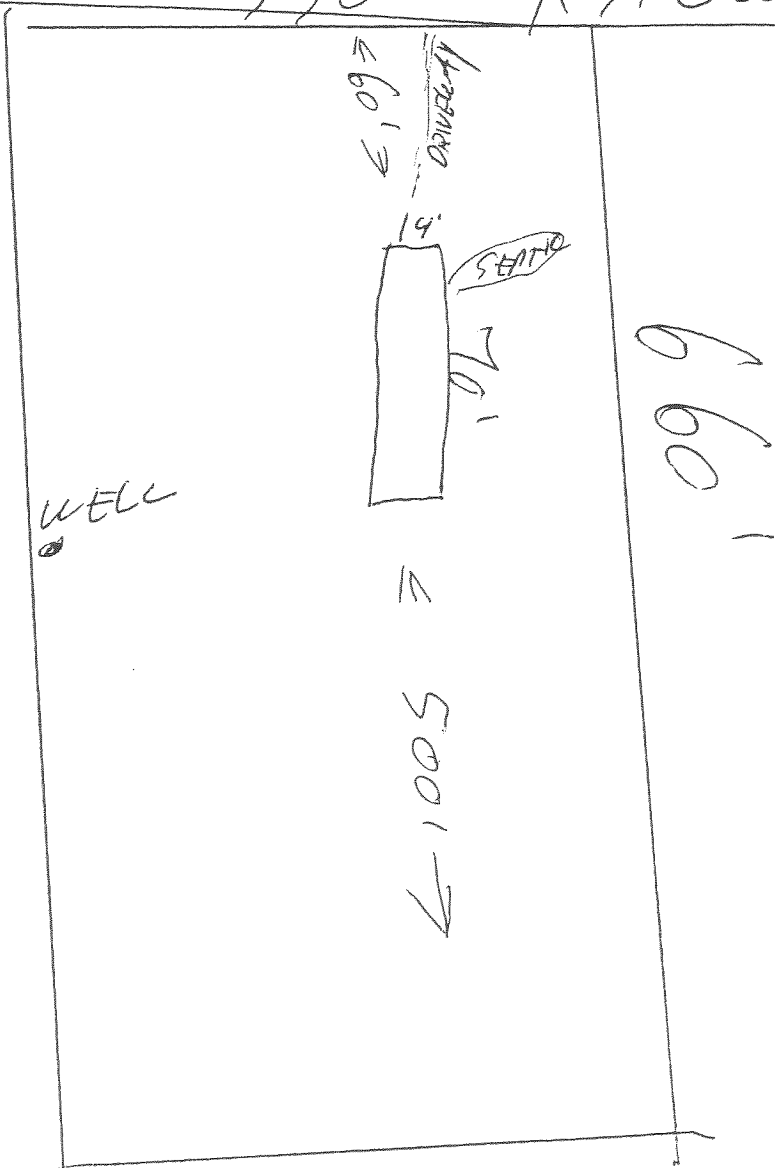
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)

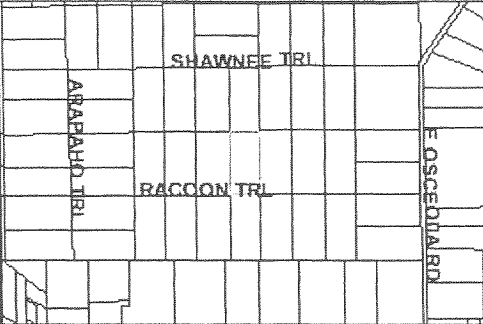
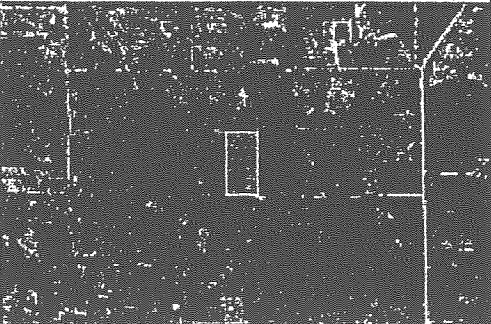
LOCATION FURTHER DESCRIBED AS North side of Beacon Trl 3/4 mi west of the intersection of Osceola Rd + Beacon Trl

PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_

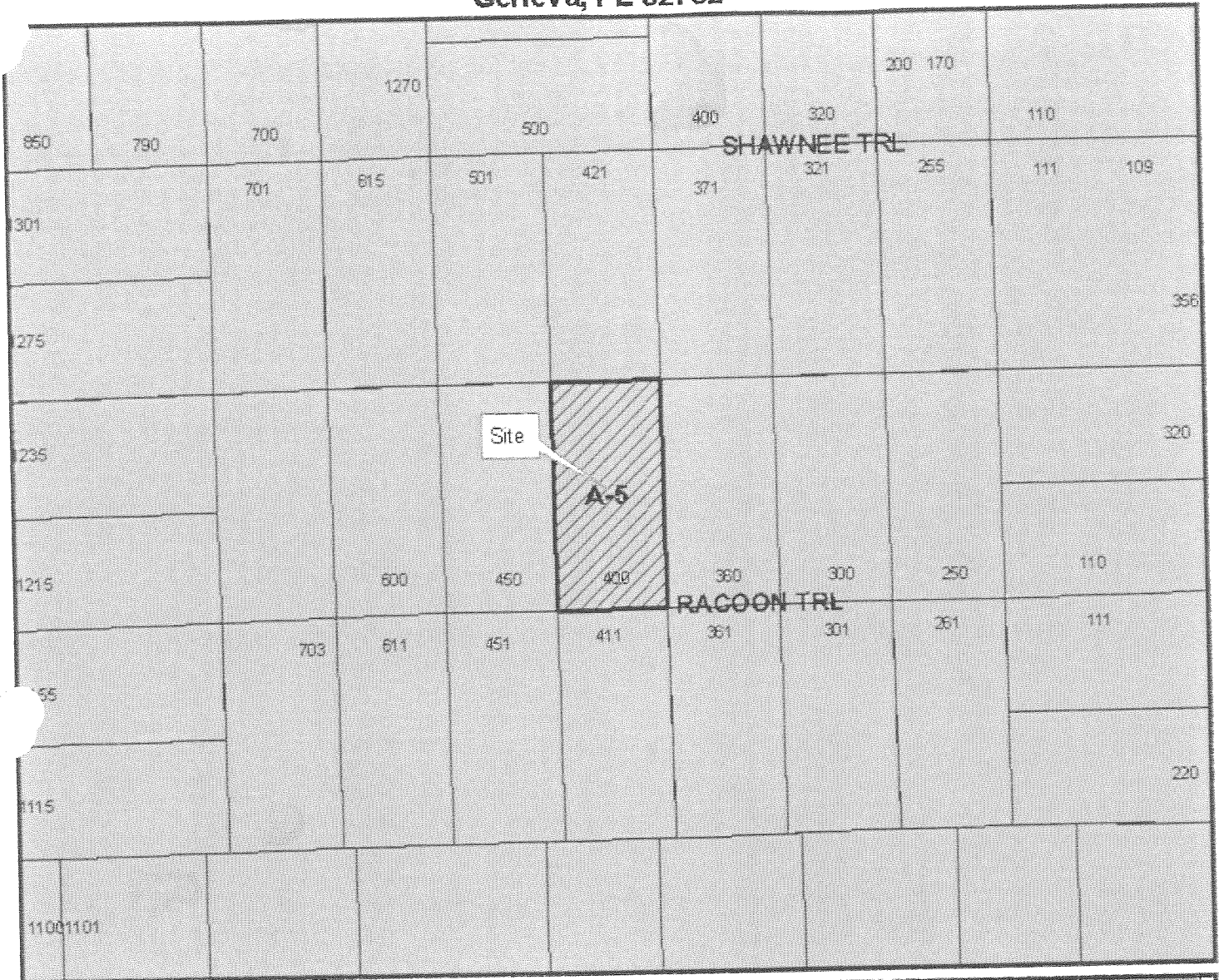
SUFFICIENCY COMMENTS \_\_\_\_\_

(400)  
3301 RALCOON TRAIL









<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY, FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																																			
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 09-20-32-301-0370-0000</p> <p>Owner: NIBERT MERRILL A</p> <p>Mailing Address: PO BOX 236</p> <p>City,State,ZipCode: GENEVA FL 32732</p> <p>Property Address: 400 RACCOON TRL GENEVA 32732</p> <p>Subdivision Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p style="padding-left: 40px;">Dor: 02-MOBILE/MANUFACTURED</p>		<p><b>2005 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 0</p> <p>Depreciated Bldg Value: \$0</p> <p>Depreciated EXFT Value: \$29,453</p> <p>Land Value (Market): \$50,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$79,453</p> <p>Assessed Value (SOH): \$79,453</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$79,453</p> <p style="text-align: right;">Tax Estimator</p>																																	
<p style="text-align: center;"><b>SALES</b></p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Deed</th> <th style="text-align: left;">Date</th> <th style="text-align: left;">Book</th> <th style="text-align: left;">Page</th> <th style="text-align: left;">Amount</th> <th style="text-align: left;">Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>03/1984</td> <td>01534</td> <td>1064</td> <td>\$17,900</td> <td>Improved</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	03/1984	01534	1064	\$17,900	Improved	<p><b>2004 VALUE SUMMARY</b></p> <p>2004 Tax Bill Amount: \$1,212</p> <p>2004 Taxable Value: \$71,729</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>																					
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<p><b>NOTE:</b> 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>																																			

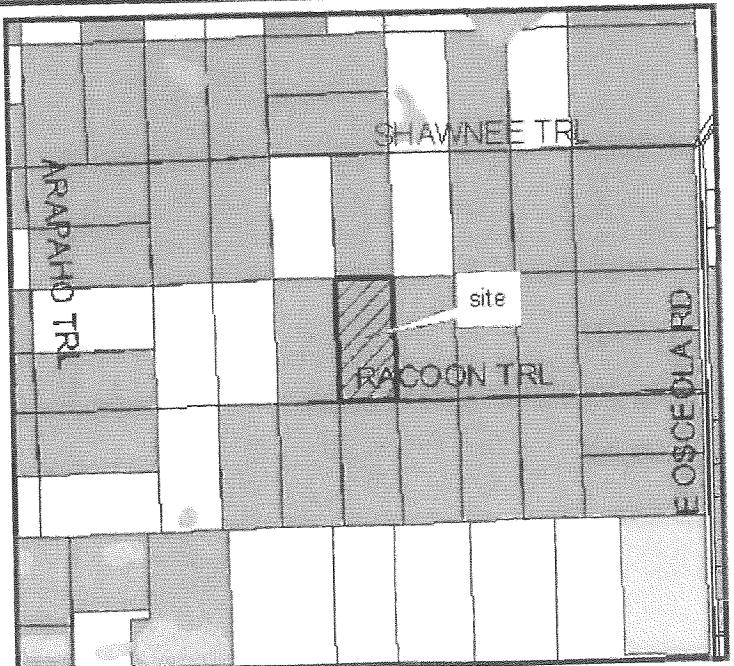
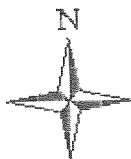
Merrill Nibert  
400 Racoon Trl  
Geneva, FL 32732



Seminole County Board of Adjustment  
October 24, 2005  
Case: BM2005-026  
Parcel No: 09-20-32-301-0370-0000

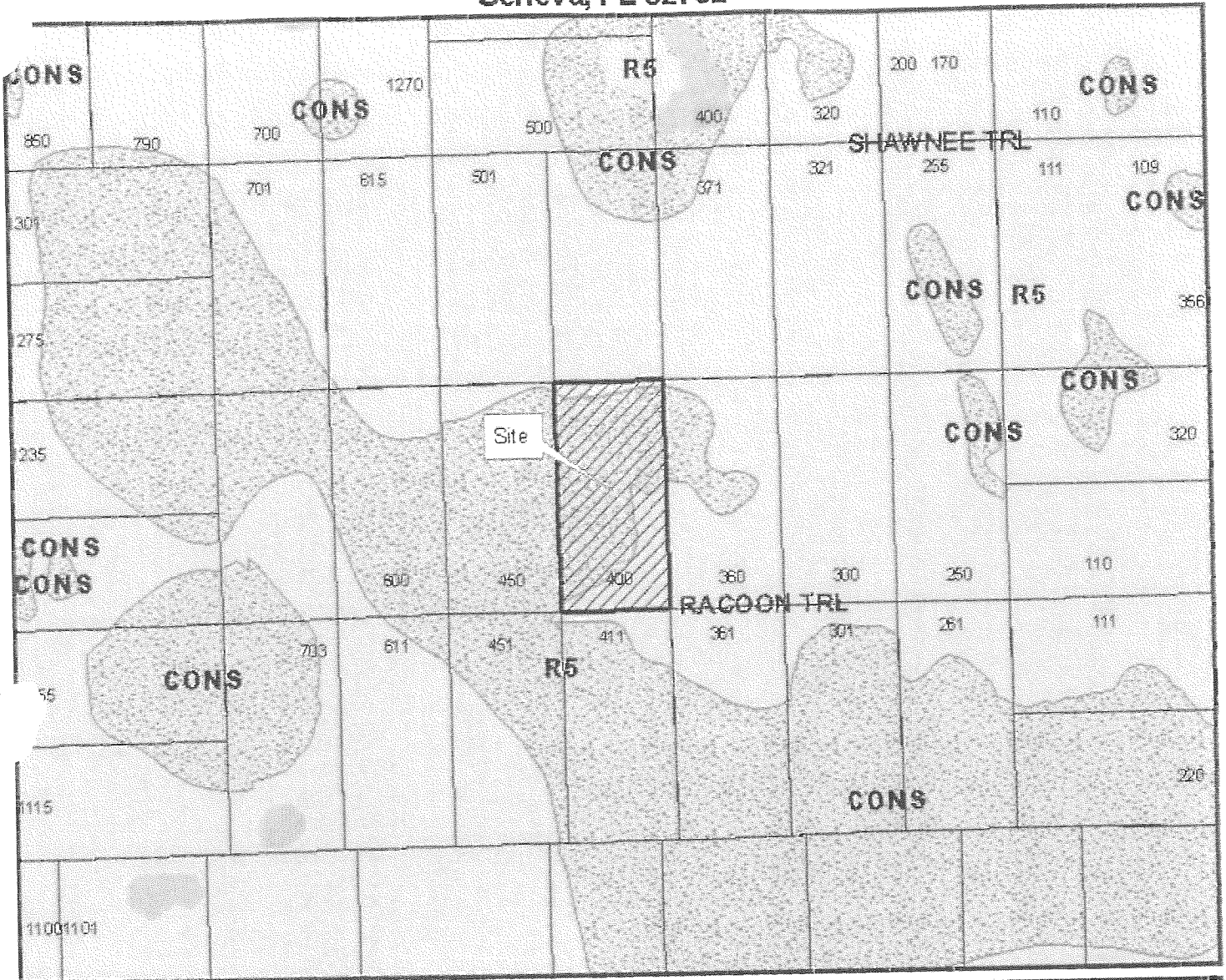
**Zoning**

-  A-5 Rural-5Ac
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home
-  BM2005-026





Merrill Nibert  
 400 Racoon Trl  
 Geneva, FL 32732

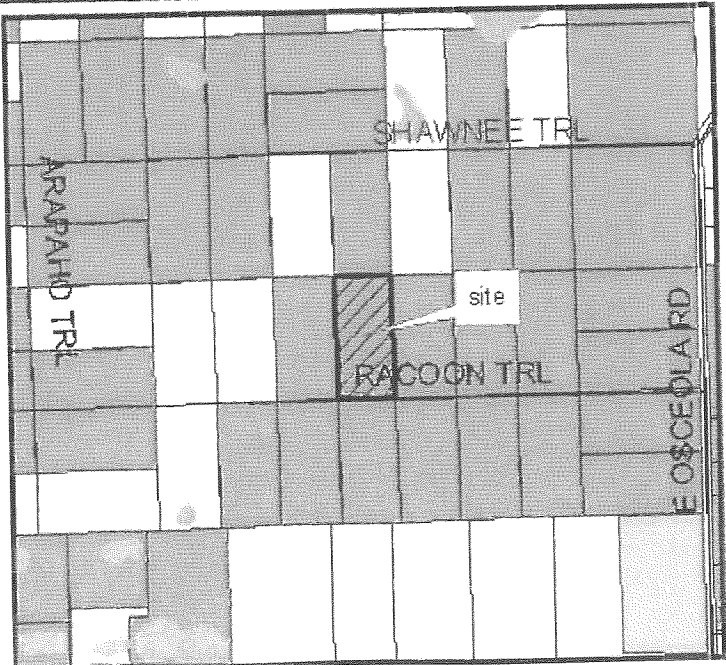


Seminole County Board of Adjustment  
 October 24, 2005  
 Case: BM2005-026  
 Parcel No: 09-20-32-301-0370-0000

**Future Land Use**

- CONS, R5
- R5, NONE
- All Other Values
- Vacant Residential
- Single Family Residential
- Mobile Home
- BM2005-026

0 100 200 400 600 800 Feet



LE #: BA(5-21-84)-69TE      APPL: NIBERT, MERRILL  
C: 09    TWP: 20    RNG: 32    SUF:      PL BK:      PB PG:      BLOCK #:

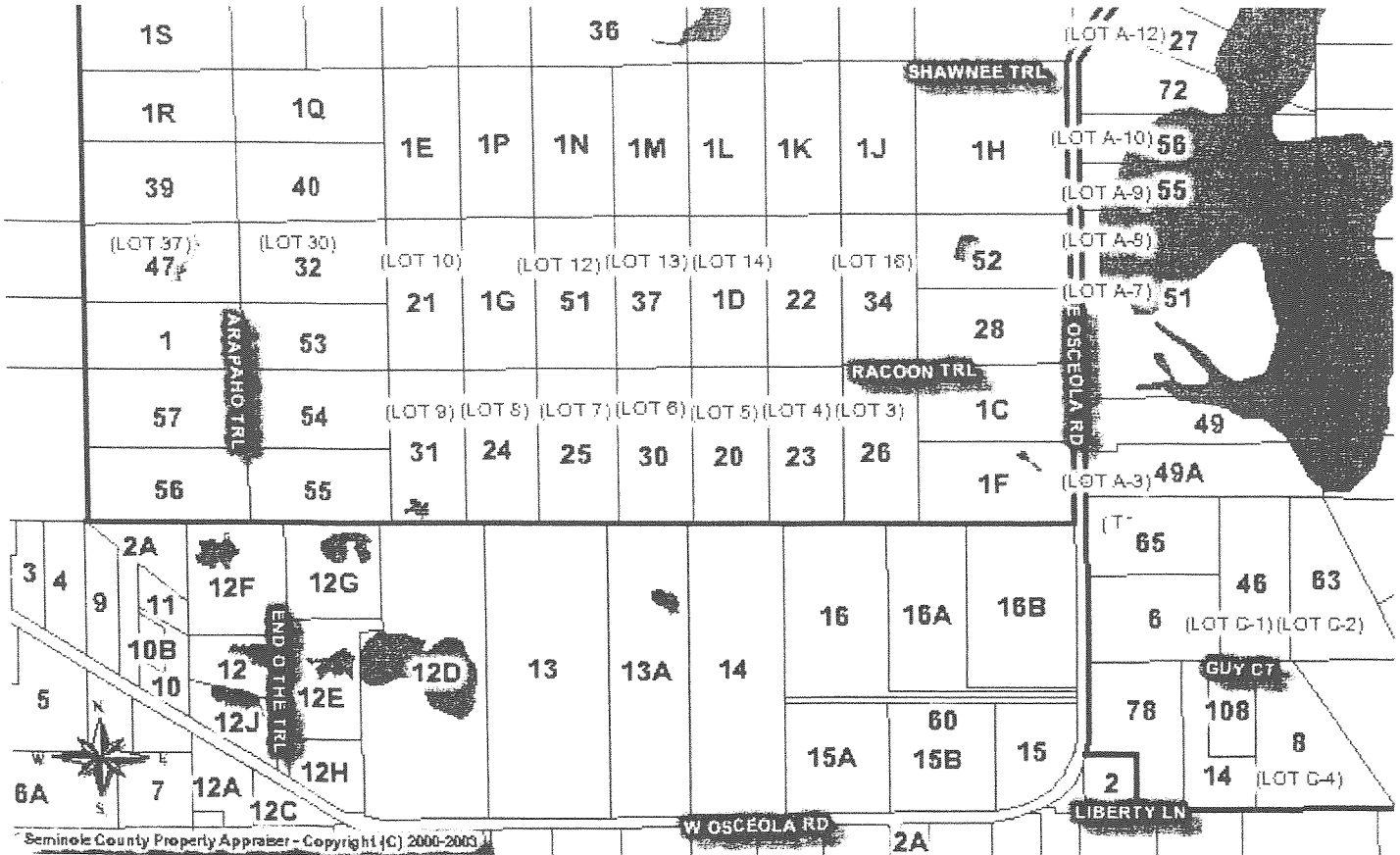
DEVELOPMENT NAME: MH-NIBERT, MERRILL  
LOC: APPROXIMATELY 1/2 MILE W OF OSCEOLA ROAD ON RACCOON TRAIL.  
#1: 13    #2:      #3:      #4:      #5:      #6:      #7:  
ARC #1: 37    #2:      #3:      #4:      #5:      #6:      #7:

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

CTION: APPROVED TEN YEARS  
ATE: 052184

REMARKS:  
(OSCEOLA ACRES)

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



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