

BM2006-008

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 District) at 2101 Packard Avenue; (Eusebio Medina, applicant).

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

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

Agenda Date 03-27-06 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

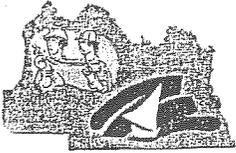
1. **APPROVE** the request for special exception for the permanent placement of a mobile home in the A-10 (Rural Zoning District) at 2101 Packard Avenue; (Eusebio Medina, applicant); or
2. **DENY** the request for special exception for the permanent placement of a mobile home in the A-10 (Rural Zoning District) at 2101 Packard Avenue; (Eusebio Medina, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Eusebio Medina, applicant 2101 Packard Avenue; Oviedo, Fl	A-10 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 home to replace an existing 1970 single family structure. • In 1999 a special exception was approved for a 1997 single wide mobile home as a medical hardship. • The conditions of approval for the medical hardship was when the medical hardship ceases the single family structure would be removed and the mobile home would be the main residence. 			
ZONING & FLU	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
	Site	A-10	Rural zoning	1970 single family residence & a 1997 single

				wide mobile home (medical hardship)
	North	A-10	Rural zoning	Single Family
	South	A-10	Rural zoning	Vacant
	East	A-10	Rural zoning	Vacant
	West	A-10	Rural zoning	Vacant
<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 the majority of the surrounding parcels in the immediate vicinity have a mix of mobile homes, single family homes and vacant land. The majority of mobile homes in the general vicinity have temporary approvals and/or expired approvals. The most recent approval in the area was for new triple wide mobile home for permanent approval. This trend indicates that reinstatements for older mobile homes are granted temporary approvals and that new larger mobile homes are granted permanent approval.</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, 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-10 acre parcel that does meet the minimum requirements.</p> <p><u>Will not adversely affect the public interest:</u></p> <p>The surrounding neighborhood consists of mobile homes, single family homes, and vacant land. The placement of a 2006 double</p>			

	<p>wide mobile home with conditions would not adversely affect the surrounding area.</p>
<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-10 (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) 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 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"> o The mobile home shall have safe and convenient vehicular access. o 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> <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>MOBILE HOME AS A SPECIAL EXCEPTION IN THE A-1; LDC SECTION 30.103</p>	<p>A mobile home may be permitted as a special exception on a lot or parcel of record in the A-10 (Rural Zoning District), subject to the previously referenced mobile home siting standards in section 30.1401 of the land development code.</p>
<p>STAFF RECOMMENDATION:</p>	<p>Based on the stated findings, staff does recommend the permanent placement of the 2006 double wide replacement mobile home with the following conditions:</p> <ul style="list-style-type: none"> • Shingled roof; • Lap siding that goes to the ground to the skirt undercarriage; • The existing 1970 single family structure is removed within 30 days of the mobile home receiving certificated of occupancy. • The existing mobile home shall otherwise conform to

	<p>applicable building codes, including standards for anchoring, utility accessibility and skirting.</p> <ul style="list-style-type: none">• Any additional conditions the Board shall apply to give the appearance of a conventional home;
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SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 365-5788 FAX

COPY 25-31-06P01:5
 APPL. NO. PM 2006-008

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 A 2006 mobile Home
- LIMITED USE**
- SF DWELLING UNDER CONSTRUCTION** **MEDICAL HARDSHIP**
- NIGHT WATCHMAN** **FAMILY HARDSHIP**
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED 2006)**
- SIZE OF MOBILE HOME / RV _____** **TIME NEEDED _____**
- PLAN TO BUILD** **YES** **NO IF SO, WHEN _____**
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Eusebio Medina</u>	
ADDRESS	<u>2101 Packard Ave</u>	
	<u>Oviedo, Fla. 32765</u>	
PHONE 1	<u>(407) 366-4636</u>	
PHONE 2	<u>(321) 388-3330</u>	
E-MAIL		

PROJECT NAME: _____
 SITE ADDRESS: 2101 Packard Ave
 CURRENT USE OF PROPERTY: Residence
 LEGAL DESCRIPTION: Leg E 1/2 of Lot 271 Black Hammock
PB 2 PG 110
 SIZE OF PROPERTY: _____ acre(s) PARCEL I.D. 25-20-31-58A-0000-271A
 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 3/27/06 (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] 1-31-06
 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

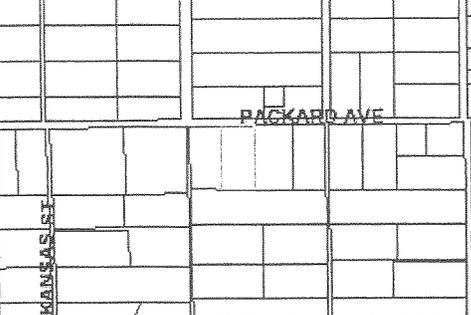
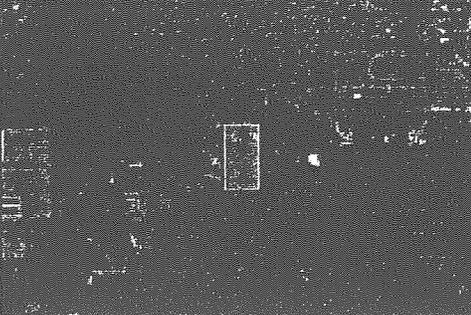
NAME	
ADDRESS	
PHONE 1	
PHONE 2	
E-MAIL	

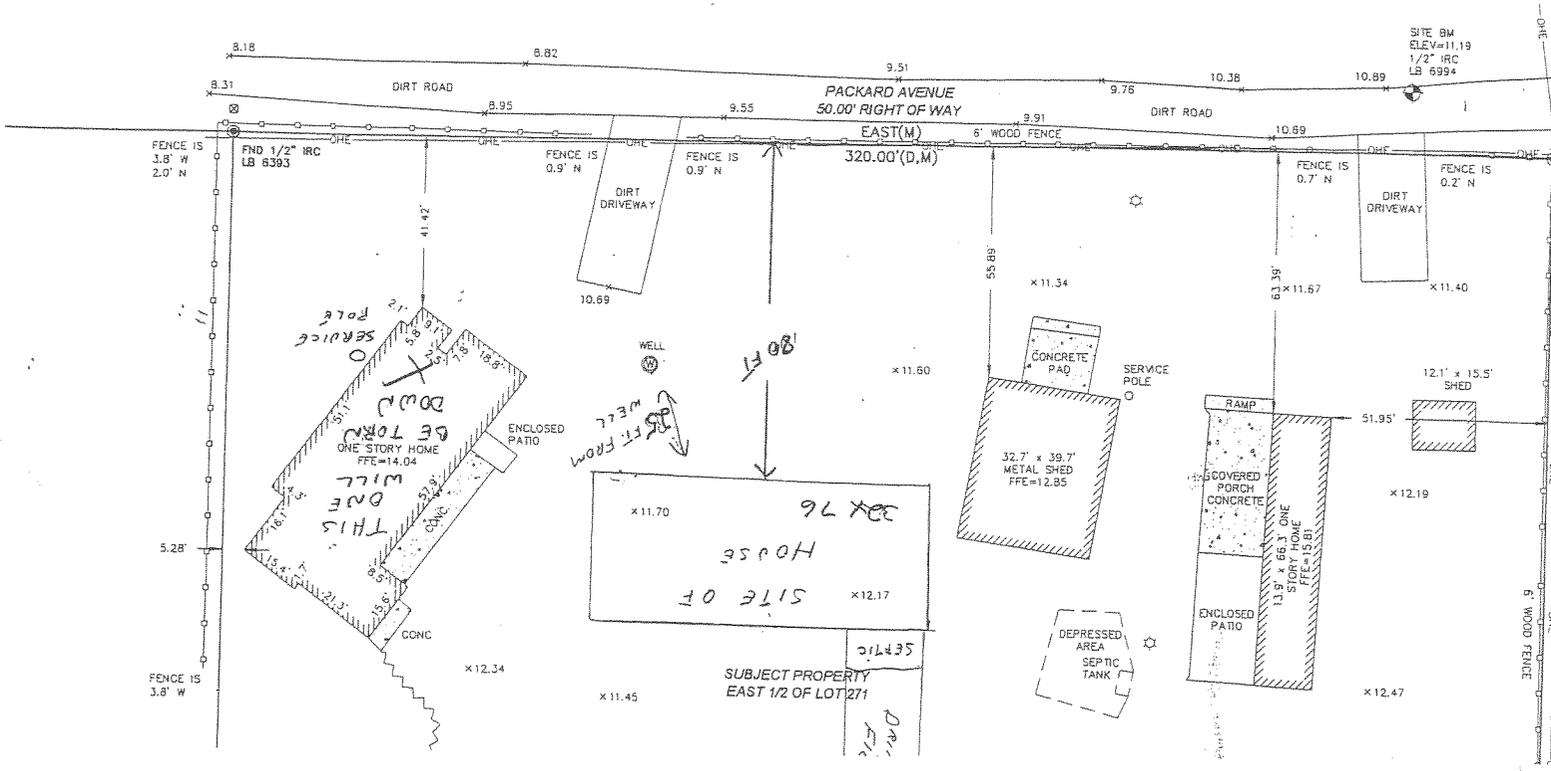
NATURE OF THE APPEAL _____

_____ APPELLANT SIGNATURE _____

FOR OFFICE USE ONLY

PROCESSING:			
FEE(S):	105.00	COMMISSION DISTRICT	FLU / ZONING: A-10 /
BCC HEARING DATE		(FOR APPEAL)	
LOCATION FURTHER DESCRIBED AS			
PLANNING ADVISOR		DATE	
SUFFICIENCY COMMENTS			

<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 style="text-align: center;">GENERAL</p> <p>Parcel Id: 25-20-31-5BA-0000-271A Owner: MEDINA EUSEBIO JR & HILDA M Mailing Address: 2101 PACKARD AVE City,State,ZipCode: OVIEDO FL 32765 Property Address: 2101 PACKARD AVE OVIEDO 32765 Subdivision Name: BLACK HAMMOCK Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 01-SINGLE FAMILY</p>		<p>2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$34,709 Depreciated EXFT Value: \$0 Land Value (Market): \$45,600 Land Value Ag: \$0 Just/Market Value: \$80,309 Assessed Value (SOH): \$80,309 Exempt Value: \$0 Taxable Value: \$80,309 Tax Estimator</p>																												
<p style="text-align: center;">SALES</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>07/2005</td> <td>05994</td> <td>0503</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>09/1980</td> <td>01302</td> <td>0384</td> <td>\$16,500</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>06/1979</td> <td>01235</td> <td>0258</td> <td>\$10,500</td> <td>Vacant</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	07/2005	05994	0503	\$100	Improved	No	WARRANTY DEED	09/1980	01302	0384	\$16,500	Vacant	Yes	WARRANTY DEED	06/1979	01235	0258	\$10,500	Vacant	Yes	<p>2005 VALUE SUMMARY</p> <p>2005 Tax Bill Amount: \$316 2005 Taxable Value: \$26,914 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																									
ACREAGE	0	0	4.560	10,000.00	\$45,600																									
BUILDING INFORMATION																														
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																					
1	SINGLE FAMILY	1970	3	600	2,840	2,600	SIDING BELOW AVG	\$34,709	\$49,941																					
			Appendage / Sqft OPEN PORCH UNFINISHED / 240 Appendage / Sqft BASE SEMI FINISHED / 1400 Appendage / Sqft UPPER STORY FINISHED / 600																											
<p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <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>																														



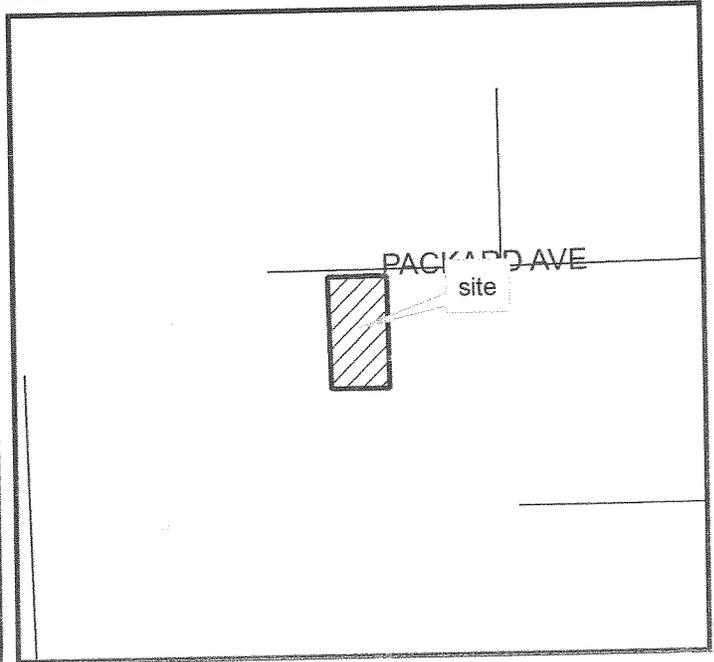
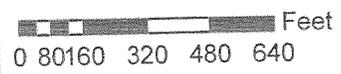
Hilda & Eusebio Medina
 2101 Packard Avenue
 Oviedo, Florida 32765



Seminole County Board of Adjustment
 March 27, 2006
 Case: BM2006-008
 Parcel No: 25-20-31-5BA-0000-271A

Zoning

-  BM2006-008
-  A-10
-  A-10



SEMINOLE COUNTY FL.

PROPERTY APPRAISER

DAVID JOHNSON, CFA.

204.A	204	204.0	277	301	374	374.0
205.A	205	205.0	275.A	302.A 302	373	
206.A	206	206.0	278	303.A 303	372	
207.A	207	207.0	275.0	304.A 304	371.0	
208.A	208	208.0	273.0	305.0 305	371.A	
			273.A		370	
			274.0			
			274.A			
209	210		272.A 272	306.B 306	307.A 307	307.B
				307.0		
211.0	211	211.A	279	308	367.0	367
212.0	212	212.A	269.A 269	309.0 309	366.0	366.A
213.0	214		2 A 268	310.A 310	365.0	365 365.A

MH 81' 30" 3yrs

MH. 82' 2yrs

MH 82' 5yrs

MH 81' 5yrs
MH Med 99'

MH 92' 5yrs
MH 98' 5yrs

MH 89' 3yrs
MH 95' 10yrs

Permit m.H. 96' Triple Wide

MH 88' 5yrs



BM 2006-008

Translation of Medical Certificate

DR. JAVIER ROJAS CAMPOS

Code No: 2690

CERTIFIES that Mr. Eusebio Medina, age 79 – ID #: 047650106, a Northern American, Cuban by birth is diagnosed with Cardiovascular disease, Cardiac Arteriosclerosis, Senile and with Cardio Arrhythmias. SPECIFICALLY: Cerebral Atherosclerosis, Senile, hypertension and pulmonary symptoms.

The above warrants controlled medical treatment and periodic treatment for cardiopulmonary. Therefore, it is recommended that you avoid long trips any drastic changes in environment and be in constant reach of medical facilities.

For whatever purposes needed this medical certificate was issued on the 16th day of February, 2006.

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Translation of letter from Eusebio Medina, Sr.

Son; I did not write earlier not to worry you with the way that I was feeling. At the church which I attend I met, Juan Jose Cedeno Calderon and I befriended him. After seeing the way I was living, he proposed that I move to his boarding home where I could be properly taken care of. That's when I started having problems and he recommended me to see a doctor. I did and was diagnosed with Cardiac disease.

I've been pretty good under the circumstances. As soon as the doctor feels that I could travel, I will do so. I did not write this letter because it is very difficult for me to keep my pulse under control. A friend of Juan's done me this favor and typed the letter.

Juan's Cedeno Calderon's address is:

25 Mts of the Chuch of Quircot, Tara de Cartago
Tel: 388-72-25/ 537-3140

Eusebio Medina:
592-90-54

BM 2006-008

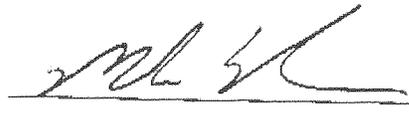
Dear Neighbor(s):

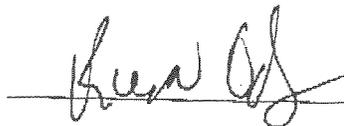
As you may have noticed, we have been cleaning and beautifying the property located at 2101 Packard Avenue, Oviedo, Florida. Part of our plan is to replace the old eye sore home with a new 2280 square foot 2006 Palm Harbor home which will improve the value and cosmetic look of our neighborhood. We are scheduled to go before the Seminole County Board on March 27, 2006 to obtain permission to complete our project. It is important for us to have your consent and approval. By signing the bottom of this letter you will represent to the Board that you do not object the proposed plan which is geared towards the improvement and beautification of our neighborhood. Thank you for your support.

Eusebio, Hilda and Celina Medina.

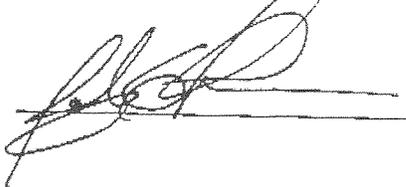
 2085 Packard Ave
Oviedo FL 32765

 2280 Packard Ave

 2275 Packard Ave.

 3230 Orange St.

 2325 Packard Ave

 2845 Packard Ave.

TO: KATHY FALL
FROM: Kim LUCELLA
PLANNING AND DEVELOPMENT DEPARTMENT



CURRENT PLANNING DIVISION

September 28, 1999

Hilda & Eusebio Medina, Jr.
2101 Packard Avenue
Oviedo, Florida 32765

RE: File #BA99-9-37TE

Dear Mr. & Mrs. Medina:

At their meeting of September 27, 1999, the Seminole County Board of Adjustment approved your request of a Special Exception for reinstatement of an existing mobile home for a Medical Hardship on the following described property:

the E 1/2 of Lot 271, Black Hammock, PB 2, Pg 110,
Section 36-20-31; S side of Packard Avenue, 2/5 mile
W of Stone Street and 2-1/4 mile N of CR-426. (DIST 5)

The approval of this request is subject to the following conditions:

1. Reinstate mobile home for Medical Hardship purpose for the lifetime of your father.
2. At the time the Medical Hardship ceases, please notify the County Zoning office for reclassification of the mobile home as the main residence and at that time, the conventional home is to be removed.
3. Remove the old mobile home that is currently used for storage/nursery from the property within 90 days.

Hilda & Eusebio Medina, Jr.
September 28, 1999
Page Two

Please be advised that there 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,

A handwritten signature in cursive script that reads "Ginny Markley". The signature is written in black ink and is positioned above the printed name and title.

Ginny Markley,
Zoning Coordinator

GM/tb