

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

**SUBJECT:** Request for limited use to allow the five year placement of replacement mobile home for a night watchmen in the M-1 (Industrial District) at 2950 Railroad Avenue; (L.D. Plante, applicant).

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

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

**Agenda Date** 06/26/06    **Regular**     **Consent**     **Public hearing – 6:00**

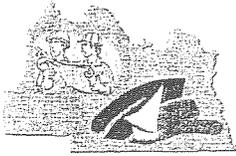
**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for limited use to allow the five year placement of a replacement mobile home for a night watchmen in the M-1 (Industrial District) at 2950 Railroad Avenue; (L.D. Plante, applicant); or
2. **DENY** the request for limited use to allow the five years placement of a replacement mobile home for a night watchmen in the M-1 (Industrial District) at 2950 Railroad Avenue; (L.D. Plante, applicant); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Applicant: Location: Zoning:	L.D. Plante 2950 Railroad Avenue M-1 (Industrial District)
<b>BACKGROUND REQUEST</b>	/	<ul style="list-style-type: none"><li>• On 9/26/05 the Board of Adjustment approved a special exception to replace an existing 1986 mobile home with a 1998 or newer mobile home for a night watchman. The request had the incorrect legal description therefore the applicant is coming back to the BOA with the same request but with the correct legal description.</li><li>• In 2001 the Board of Adjustment approved the placement</li></ul>

	<p>of a 1986 mobile home for security for a period of five years. The existing mobile home was damaged by the recent hurricanes.</p> <ul style="list-style-type: none"> <li>• The temporary or permanent occupancy of a mobile home in the M-1 district is permitted only by special exception.</li> <li>• 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.</li> </ul>																								
<p><b>ZONING &amp; FLU</b></p>	<table border="1"> <thead> <tr> <th data-bbox="552 630 755 703">DIRECTION</th> <th data-bbox="755 630 933 703">EXISTING ZONING</th> <th data-bbox="933 630 1161 703">EXISTING FLU</th> <th data-bbox="1161 630 1429 703">USE OF PROPERTY</th> </tr> </thead> <tbody> <tr> <td data-bbox="552 703 755 882">SITE</td> <td data-bbox="755 703 933 882">M-1</td> <td data-bbox="933 703 1161 882">INDUSTRIAL</td> <td data-bbox="1161 703 1429 882">GRAZING (PASTURE) AGRICULTURE PERMITTED BUSINESSES</td> </tr> <tr> <td data-bbox="552 882 755 924">North</td> <td colspan="2" data-bbox="755 882 1161 924">City of Winter Springs</td> <td data-bbox="1161 882 1429 924">Single Family</td> </tr> <tr> <td data-bbox="552 924 755 966">South</td> <td colspan="2" data-bbox="755 924 1161 966">City of Winter Springs</td> <td data-bbox="1161 924 1429 966">Single Family</td> </tr> <tr> <td data-bbox="552 966 755 1071">East</td> <td colspan="2" data-bbox="755 966 1161 1071">City of Winter Springs</td> <td data-bbox="1161 966 1429 1071">Seminole County Cross Seminole Trail</td> </tr> <tr> <td data-bbox="552 1071 755 1113">West</td> <td colspan="2" data-bbox="755 1071 1161 1113">City of Winter Springs</td> <td data-bbox="1161 1071 1429 1113">Single Family</td> </tr> </tbody> </table>	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	M-1	INDUSTRIAL	GRAZING (PASTURE) AGRICULTURE PERMITTED BUSINESSES	North	City of Winter Springs		Single Family	South	City of Winter Springs		Single Family	East	City of Winter Springs		Seminole County Cross Seminole Trail	West	City of Winter Springs		Single Family
DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY																						
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<p><b>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2) / STAFF FINDINGS</b></p>	<p>The Board of Adjustment (BOA) shall have the power to hear and decide limited use 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>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 applicant's property.</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 is for the temporary approval of a single-family residential use for the purpose of a night watchman, which is thereby consistent with the comprehensive plan's designation of industrial for the subject property.</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 meets the dimensional requirements of the M-1 (Industrial District) zoning classification.</p>
<b>STAFF RECOMMENDATION</b>	<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"><li>• Only one (1) 1998 or newer single-family mobile home unit shall occupy the site, as shown on the proposed site plan;</li><li>• The replacement 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 (407) 665-7338 FAX

**COPY**

RECEIVED MAY 05 2006

RECEIVED MAY 05 2006

APPL. NO. SM2006-015

**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.

RECEIVED MAY 05 2006

**APPLICATION TYPE:**

- VARIANCE**
- SPECIAL EXCEPTION**
- LIMITED USE** 5 years / Replacement
- SF DWELLING UNDER CONSTRUCTION     MEDICAL HARDSHIP
- NIGHT WATCHMAN     FAMILY HARDSHIP
- YEAR OF MOBILE HOME / RV (EXISTING 1986) (PROPOSED 2006)
- SIZE OF MOBILE HOME / RV 14x74     TIME NEEDED
- PLAN TO BUILD  YES  NO IF SO, WHEN
- APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>L.D. Plante Inc</u>	<u>Lawrence Plante</u>
ADDRESS #1	<u>P.O. Box 151117 Altamonte Springs, FL 32715</u>	
	<u>2950 Railroad Ave, Winter Springs, FL</u>	
PHONE 1	<u>321-436-9552</u>	<u>Lawrence Plante</u>
PHONE 2	<u>407-339-1113</u>	<u>Mike Plante</u>
E-MAIL	<u>407-810-4172</u>	

PROJECT NAME: 2950 Railroad Ave Winter Springs, FL

SITE ADDRESS: L.D. Plante Property

CURRENT USE OF PROPERTY: Agricultural / Cattle, Landscape

LEGAL DESCRIPTION: LEG N 1/2 of BLK 3 Gardnera Farms  
Town Sites PBC PG 39

SIZE OF PROPERTY: 2.3 acre(s) PARCEL I.D. 06-21-31-501-030A-0000

UTILITIES:  WATER  WELL  SEWER  SEPTIC TANK  OTHER

KNOWN CODE ENFORCEMENT VIOLATIONS None

IS PROPERTY ACCESSIBLE FOR INSPECTION  YES  NO - code # 1939

This request will be considered at the Board of Adjustment regular meeting on 6/26/06 (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.

Lawrence Plante  
SIGNATURE OF OWNER OR AGENT\*

5.5.06  
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: \_\_\_\_\_

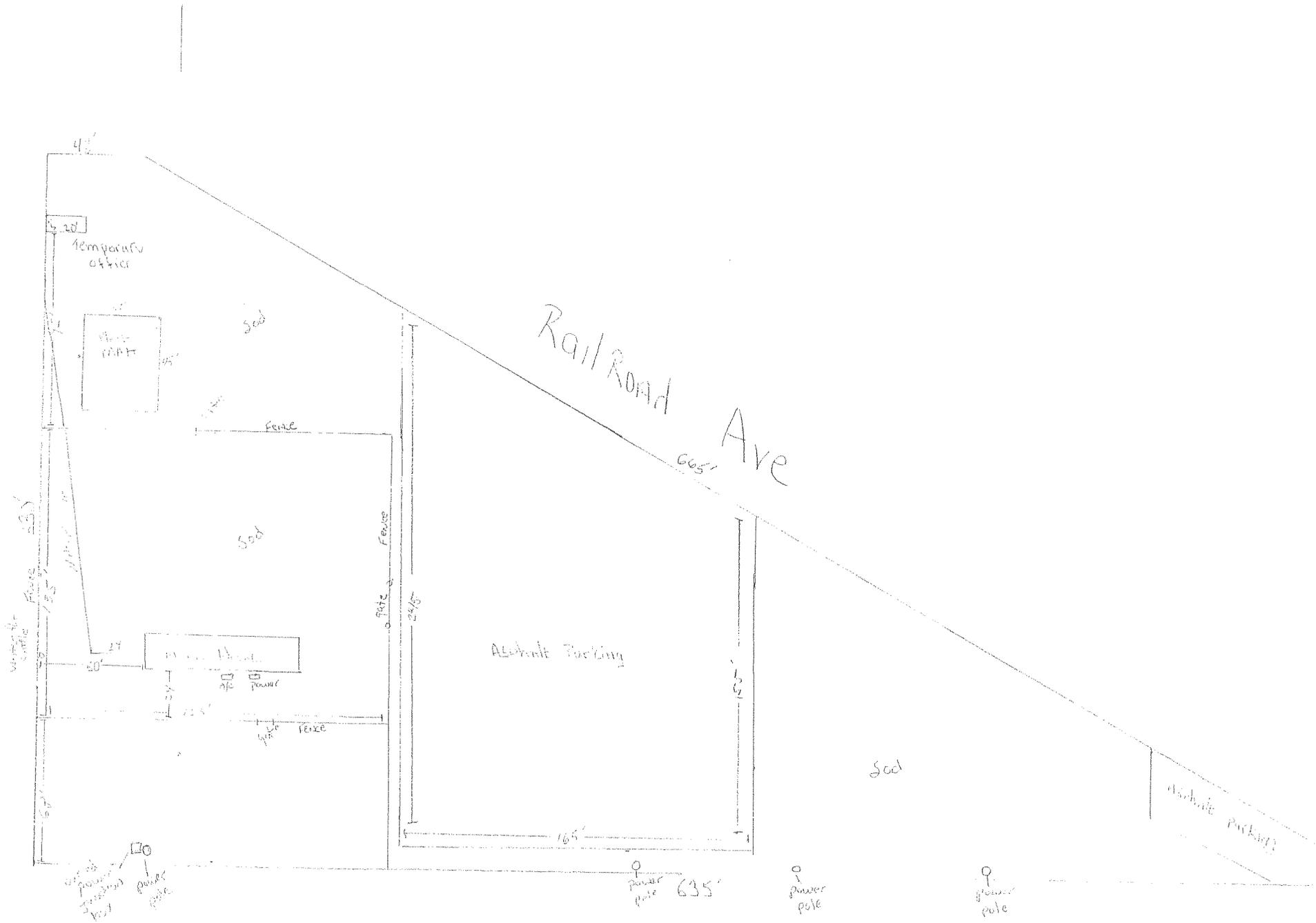
FEE(S): 74.00 COMMISSION DISTRICT 2 FLU/ZONING IND/A-1

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

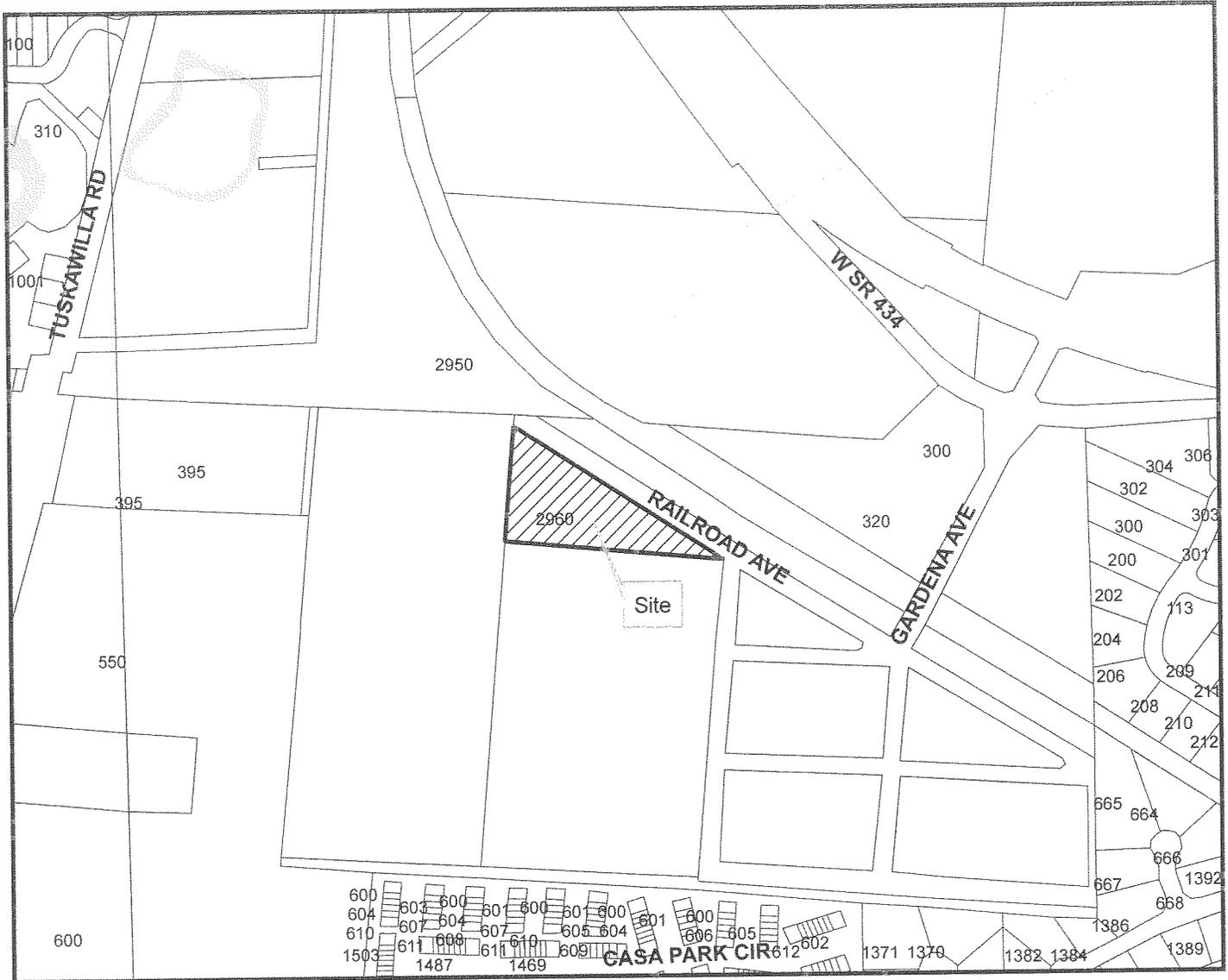
LOCATION FURTHER DESCRIBED AS North side of Railroad Avenue. ~~between~~  
between N. Endeavor Dr. + W. S.R. 434

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

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



Lawrence Plante  
 2950 Railroad Ave  
 Winter Springs, FL 32708



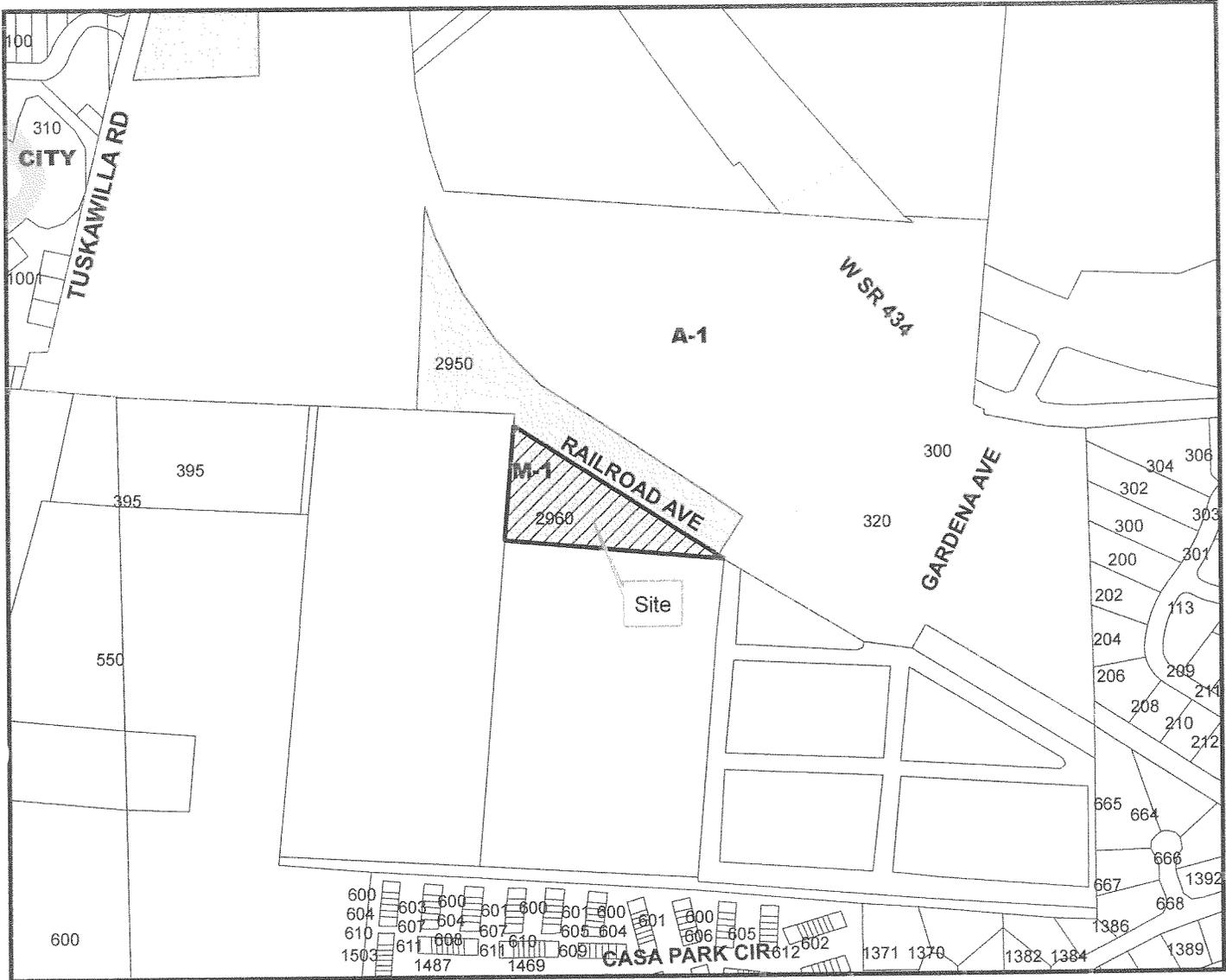
Seminole County Board of Adjustment  
 June 26, 2006  
 Case: BM2006-015  
 Parcel No: 06-21-31-501-030A-0000

**Zoning**

-  BM2006-015
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home



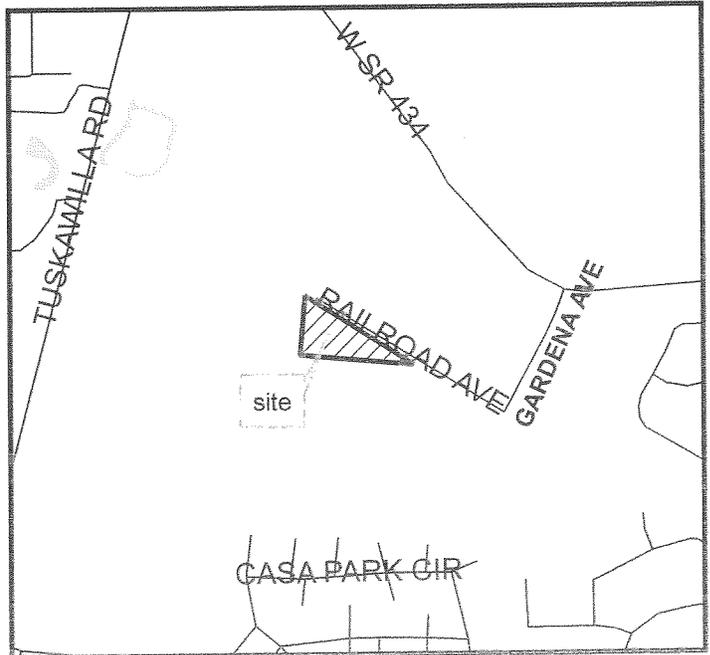
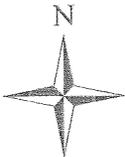
Lawrence Plante  
2950 Railroad Ave  
Winter Springs, FL 32708



Seminole County Board of Adjustment  
June 26, 2006  
Case: BM2006-015  
Parcel No: 06-21-31-501-030A-0000

**Zoning**

-  BM2006-015
-  A-1
-  M-1



<p>PARCEL DETAIL</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><b>GENERAL</b></p> <p>Parcel Id: 06-21-31-501-030A-0000</p> <p>Owner: L D PLANTE INC</p> <p>Mailing Address: PO BOX 151117</p> <p>City,State,ZipCode: ALTAMONTE SPRINGS FL 32715</p> <p>Property Address: RAILROAD AVE</p> <p>Facility Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 40-VAC INDUSTRIAL GENER</p>	<p><b>2006 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: \$0</p> <p>Land Value (Market): \$255,588</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$255,588</p> <p>Assessed Value (SOH): \$255,588</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$255,588</p> <p>Tax Estimator</p>												
<p><b>SALES</b></p> <p>Deed Date Book Page Amount Vac/Imp Qualified</p> <p>Find Sales within this DOR Code</p>	<p><b>2005 VALUE SUMMARY</b></p> <p>2005 Tax Bill Amount: \$4,188</p> <p>2005 Taxable Value: \$255,588</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>												
<p><b>LAND</b></p> <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>SQUARE FEET</td> <td>0</td> <td>0</td> <td>111,125</td> <td>2.30</td> <td>\$255,588</td> </tr> </tbody> </table>	Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	SQUARE FEET	0	0	111,125	2.30	\$255,588	<p><b>LEGAL DESCRIPTION</b></p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG N 1/2 OF BLK 3 GARDENA FARMS TOWN SITES PB 6 PG 39</p>
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value								
SQUARE FEET	0	0	111,125	2.30	\$255,588								
<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>													

BM 2005-0241

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On June 26, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG N 1/2 OF BLK 3 GARDENA FARMS TOWN SITES PB 6 PG 39

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:** L.D. Plante  
P.O. Box 151117  
Altamonte Springs, 32715

**Project Name:** 2950 Railroad Avenue

**Requested Development Approval:**

Request for a limited use for the five placement of a replacement mobile home for a night watchman in the M-1 (Industrial District).

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: (Name), Planner  
1101 East First Street  
Sanford, Florida 32771

### Order

#### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The variance granted will apply only to the mobile home as depicted on the attached site plan.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Tony Walter  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: