

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

**SUBJECT:** Request for special exception for the 10 year placement of an existing mobile home in the A-5 (Rural Zoning District) at 3303 Curryville Road; (Frank & Cheryl Svancar, applicants).

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

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

**Agenda Date** 8-28-06 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

1. **APPROVE** the request for special exception for the 10 year placement of an existing mobile home in the A-5 (Rural Zoning District) at 3303 Curryville Road; (Frank & Cheryl Svancar, applicants); or
2. **DENY** the request for special exception for the 10 year placement of an existing mobile home in the A-5 (Rural Zoning District) at 3303 Curryville Road; (Frank & Cheryl Svancar, applicants); or
3. **CONTINUE** the request to a time and date certain.

<b>GENERAL INFORMATION</b>	Frank & Cheryl Svancar, applicants 3303 Curryville Road Chuluota, Florida	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 10 year placement of an existing 1980 double wide, where mobile homes are allowed only by special exception.</li> <li>• There has been several temporary approvals since 1980 with the most recent in 2001 for the 5 years.</li> </ul>			
<b>ZONING &amp; FLU</b>	<b>Direction    Existing zoning    Existing FLU    Use of property</b>			
	Site	A-5	Rural zoning	Mobile home (1980)
	North	A-5	Rural zoning	Single-Family
	South	A-5	Rural zoning	Single-Family

	East	A-5	Rural zoning	Pasture
	West	A-5	Rural zoning	Single-Family
<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 lots in the surrounding area have “conventional” single family homes or agriculture uses (grazing land). Within the past 20 years the mobile homes approved for temporary time periods have been removed and “conventional” single family homes have been constructed.</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>With the replacement of the temporary mobile homes with “conventional” single family homes the continued placement of the 1980 double wide mobile home would not be consistent with the public interest.</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-5 (Rural 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><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>Staff does not have the authority to recommend time limits on mobile homes but the Board of Adjustment may describe reasonable time limits on special exceptions and/or mobile home requests (LDC Sec. 30.43 (4)). Based upon the trend of development of the removal of the temporary and permanently approved mobile homes with “conventional” single family homes staff can not recommend the renewal of the existing mobile home in this area.</p>

	<p>If approved by the Board of Adjustment staff recommends 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>
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**ADDITIONAL VARIANCES**

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

RECEIVED JUN 22 2006

**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**

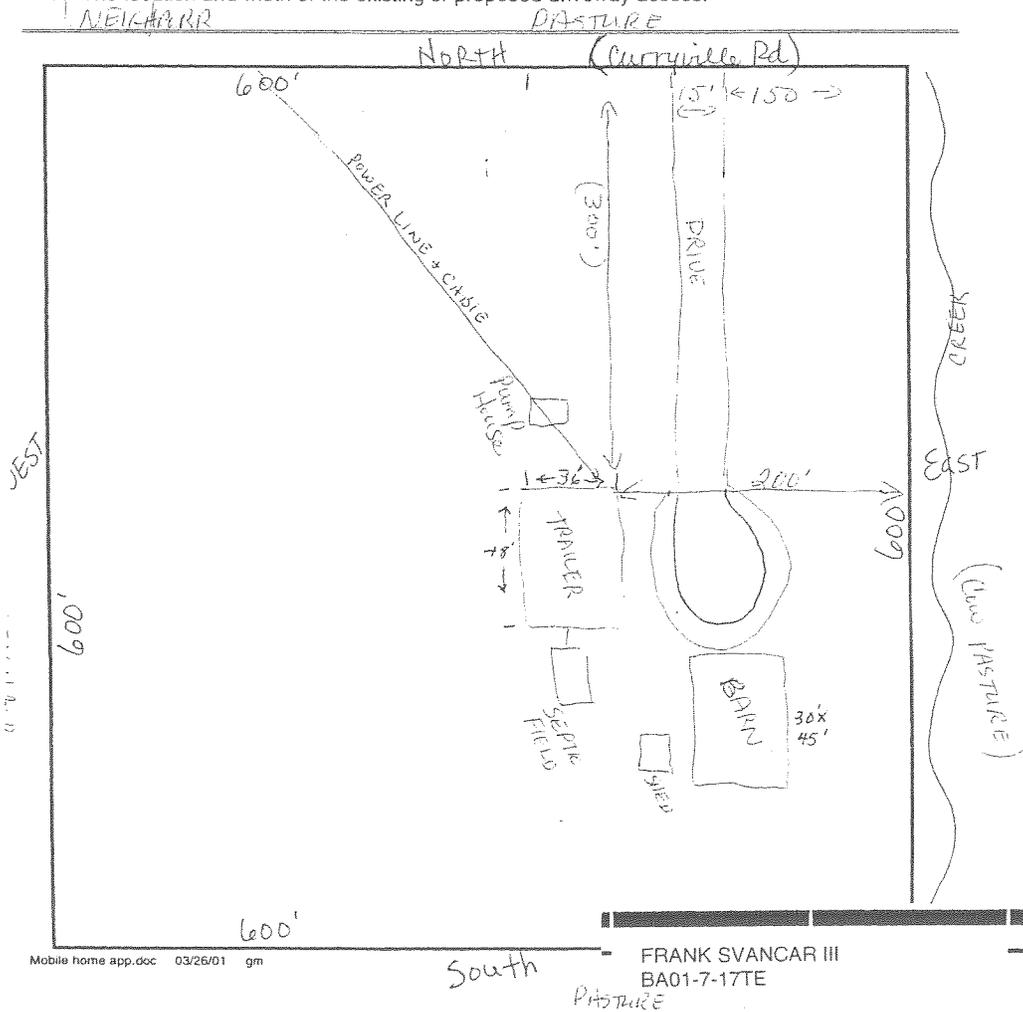
PROCESSING:  
FEE(S): 74.00 renewal COMMISSION DISTRICT \_\_\_\_\_ FLU / ZONING A-5 / R-5  
BCC HEARING DATE \_\_\_\_\_ (FOR APPEAL)  
LOCATION FURTHER DESCRIBED AS \_\_\_\_\_  
PLANNING ADVISOR \_\_\_\_\_ DATE \_\_\_\_\_  
SUFFICIENCY COMMENTS \_\_\_\_\_

**SITE PLAN REQUIREMENT**

site plan must be submitted with any application to the Board of Adjustment for a Special Exception, Special Exception for a mobile home or a variance. The site plan can be a copy of a survey with the proposed addition indicated or a drawing, drawn to scale, which accurately depicts the nature of the request.

The following information needs to be indicated on the site plan:

1. The dimensions of the lot or parcel.
2. Location and name of abutting street or road.
3. Location, size and setbacks from property lines for all proposed or existing mobile homes, conventional homes, and accessory structures.
4. Location and size of proposed or existing septic system, drainfield and well, if applicable.
5. The location, size and type of any trees to be removed.
6. The type, location and width of all easements on the property.
7. The location and width of the existing or proposed driveway access.



<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 407-665-7508</p>																																				
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 36-21-32-300-005C-0000</p> <p>Owner: SVANCAR FRANK III &amp; CHERYL</p> <p>Mailing Address: 3303 CURRYVILLE RD</p> <p>City,State,ZipCode: OVIEDO FL 32766</p> <p>Property Address: 3303 CURRYVILLE RD OVIEDO 32766</p> <p>Subdivision Name:</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions: 00-HOMESTEAD</p> <p>Dor: 02-MOBILE/MANUFACTURED</p>	<p align="center"><b>2006 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$4,208</p> <p>Depreciated EXFT Value: \$31,525</p> <p>Land Value (Market): \$360,529</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$396,262</p> <p>Assessed Value (SOH): \$102,838</p> <p>Exempt Value: \$25,000</p> <p>Taxable Value: \$77,838</p> <p>Tax Estimator</p>																																			
<p align="center"><b>SALES</b></p> <table border="1"> <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>WARRANTY DEED</td> <td>03/1994</td> <td>02738</td> <td>1742</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1993</td> <td>02701</td> <td>0553</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1986</td> <td>01753</td> <td>1891</td> <td>\$72,500</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>SHERIFF DEED</td> <td>04/1979</td> <td>01222</td> <td>1619</td> <td>\$0</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p>Find Comparable Sales within this Subdivision</p>	Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	03/1994	02738	1742	\$100	Vacant	No	WARRANTY DEED	12/1993	02701	0553	\$100	Vacant	No	WARRANTY DEED	07/1986	01753	1891	\$72,500	Vacant	No	SHERIFF DEED	04/1979	01222	1619	\$0	Vacant	No	<p align="center"><b>2005 VALUE SUMMARY</b></p> <p>Tax Value(without SOH): \$2,213</p> <p>2005 Tax Bill Amount: \$1,226</p> <p>Save Our Homes (SOH) Savings: \$987</p> <p>2005 Taxable Value: \$74,843</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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<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>																																				

PLANNING AND DEVELOPMENT DEPARTMENT

PLANNING DIVISION - ZONING



July 23, 2001

FRANK SVANCAR III  
3303 CURRYVILLE RD  
CHULUOTA FL 32766

RE: File # BA01-7-17TE

Dear Mr. Svancar:

At their meeting of July 23, 2001, the Seminole County Board of Adjustment approved your request of a Special Exception for reinstatement of an existing mobile home on the following described property:

Tax Parcel 5A & 5C, Sec 36-21-32;, S side of Curryville Road, 1 1/6 miles E of Lake Mills Road, 1

The approval of this request is for a period of five (5) years.

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 (August 7, 2001) and no appeals have been filed.

Sincerely,



Ginny Markley,  
Principal Zoning Coordinator

GM/ch

**FILE #:** BA91-6-38TE      **APPL:** SVANCAR, BARBARA  
**SEC:** 36   **TWP:** 21   **RNG:** 32   **SUF:**      **PL BK:**      **PB PG:**      **BLOCK #:**

**DEVELOPMENT NAME:** MH-SVANCAR, BARBARA

**LOC:** S SIDE OF CURREYVILLE ROAD AND 2 MILES E OF LAKE MILLS ROAD.

**I**    **#1:**      **#2:**      **#3:**      **#4:**      **#5:**      **#6:**      **#7:**  
**PARC #1:** 5A   **#2:** 5C   **#3:**      **#4:**      **#5:**      **#6:**      **#7:**

**REQUEST DESCRIPTION:**

TO PLACE A MOBILE HOME (RENEWAL).

**ACTION:** APPROVED FOR 10 YEARS.

**DATE:** 062491

**REMARKS:**

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

FILE #: BA89-6-36TE                   APPL: SVANCAR, BARBARA  
SEC: 36   TWP: 21   RNG: 32   SUF:           PL BK:           PB PG:           BLOCK #:

DEVELOPMENT NAME: MH-SVANCAR, BARBARA  
LOC S SIDE OF CURRYVILLE ROAD, 3-1/2 MILES E OF SR-419 AND  
LOC #1:       #2:       #3:       #4:       #5:       #6:       #7:  
PARC #1: 5A   #2: 5C   #3:       #4:       #5:       #6:       #7:

REQUEST DESCRIPTION:  
TO PLACE A MOBILE HOME (RENEWAL).

ACTION: APPROVED FOR TWO YEARS  
DATE: 061989

REMARKS:  
(LOCATION: ALSO NE OF FORT CHRISTMAS ROAD.)

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

FILE #: BA86-5-47TE                   APPL: COLE, LONNIE  
SEC: 36   TWP: 21   RNG: 32   SUF:           PL BK:           PB PG:           BLOCK #:

DEVELOPMENT NAME: MH-COLE, LONNIE  
LOC: S SIDE OF CURREYVILLE RD, 2 MILES E OF LAKE MILLS RD  
PARC #1:       #2:       #3:       #4:       #5:       #6:       #7:  
PARC #1: 5A   #2: 5C   #3:       #4:       #5:       #6:       #7:

REQUEST DESCRIPTION:  
TO PLACE A MOBILE HOME (REINSTATEMENT)

ACTION: DENIED; APPEALED & BCC OVERTURNED BOA & APPROVED FOR 3 YEARS ON 7-7-86  
DATE: 051986

REMARKS:  
(ASSESSOR'S MAP NO. 366)

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

FILE #: BA(3-17-80)-17TE      APPL: COLE, LONNIE B.  
SEC: 36    TWP: 21    RNG: 32    SUF:      PL BK:      PB PG:      BLOCK #:

DEVELOPMENT NAME: MH-COLE, LONNIE B.  
LO    ON CURRYVILLE ROAD.

LO #1:      #2:      #3:      #4:      #5:      #6:      #7:  
PARC #1: 5A   #2: 5C   #3:      #4:      #5:      #6:      #7:

REQUEST DESCRIPTION:  
TO PLACE A MOBILE HOME.

ACTION: APPROVED FOR FIVE YEARS WITH CONDITIONS.  
DATE: 031780

REMARKS:

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

## SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 28, 2006 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 36 TWP 21S RGE 32E E 600 FT OF N 1/2 OF SW 1/4 OF NE 1/4 OF NE 1/4  
(LESS RD)

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

### FINDINGS OF FACT

Property Owner: Frank & Cheryl Svancar  
3303 Curryville Road  
Chuluota, Fl. 32766

Project Name: 3303 Curryville Road

### Requested Development Approval:

Request for a special exception for the 10 year placement of an existing 1980 double wide mobile home in the A-5 (Rural District); Located on the south side Curryville Road approximately 0.10 mile from the intersection of Pandora Lane and Curryville Road; (BM2006-019)

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: Kathy Fall, Principal 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 special exception granted will apply only to the existing 1980 double wide 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: