

**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 2880 Stone Street; (David Lanier, applicant).

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

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

Agenda Date 09-25-06 **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 2880 Stone Street; (David Lanier, 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 2880 Stone Street; (David Lanier, applicant); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Property Owner: Location: Zoning:	David Lanier 2880 Stone Street A-10 (Black Hammock)																										
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting the permanent placement of a 2006 double wide mobile home on a vacate lot. • 																											
ZONING & FLU	<table border="1"> <thead> <tr> <th data-bbox="568 1539 776 1602">DIRECTION</th> <th data-bbox="776 1539 943 1602">EXISTING ZONING</th> <th data-bbox="943 1539 1182 1602">EXISTING FLU</th> <th data-bbox="1182 1539 1437 1602">USE OF PROPERTY</th> </tr> </thead> <tbody> <tr> <td data-bbox="568 1602 776 1640">Site</td> <td data-bbox="776 1602 943 1640">A-10</td> <td data-bbox="943 1602 1182 1640">Rural zoning</td> <td data-bbox="1182 1602 1437 1640">Vacant</td> </tr> <tr> <td data-bbox="568 1640 776 1677">North</td> <td data-bbox="776 1640 943 1677">A-10</td> <td data-bbox="943 1640 1182 1677">Rural zoning</td> <td data-bbox="1182 1640 1437 1677">Vacant</td> </tr> <tr> <td data-bbox="568 1677 776 1715">South</td> <td data-bbox="776 1677 943 1715">A-10</td> <td data-bbox="943 1677 1182 1715">Rural zoning</td> <td data-bbox="1182 1677 1437 1715">Vacant</td> </tr> <tr> <td data-bbox="568 1715 776 1753">East</td> <td data-bbox="776 1715 943 1753">A-10</td> <td data-bbox="943 1715 1182 1753">Rural zoning</td> <td data-bbox="1182 1715 1437 1753">Vacant</td> </tr> <tr> <td data-bbox="568 1753 776 1780">West</td> <td data-bbox="776 1753 943 1780">A-10</td> <td data-bbox="943 1753 1182 1780">Rural zoning</td> <td data-bbox="1182 1753 1437 1780">Vacant</td> </tr> </tbody> </table>				DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	Site	A-10	Rural zoning	Vacant	North	A-10	Rural zoning	Vacant	South	A-10	Rural zoning	Vacant	East	A-10	Rural zoning	Vacant	West	A-10	Rural zoning	Vacant
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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:																											

	<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 approvals in the area are for new double 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 undue 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 not meet the minimum requirements. This parcel was created prior to the 1991 requirement for a minimum of 10 acres therefore it is a lot of record.</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 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</p>

	<p>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 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 mobile home shall otherwise conform to applicable building codes, including standards for anchoring, utility accessibility and skirting. • Any additional conditions the Board shall apply to give the appearance of a conventional home;

Parcel ID#

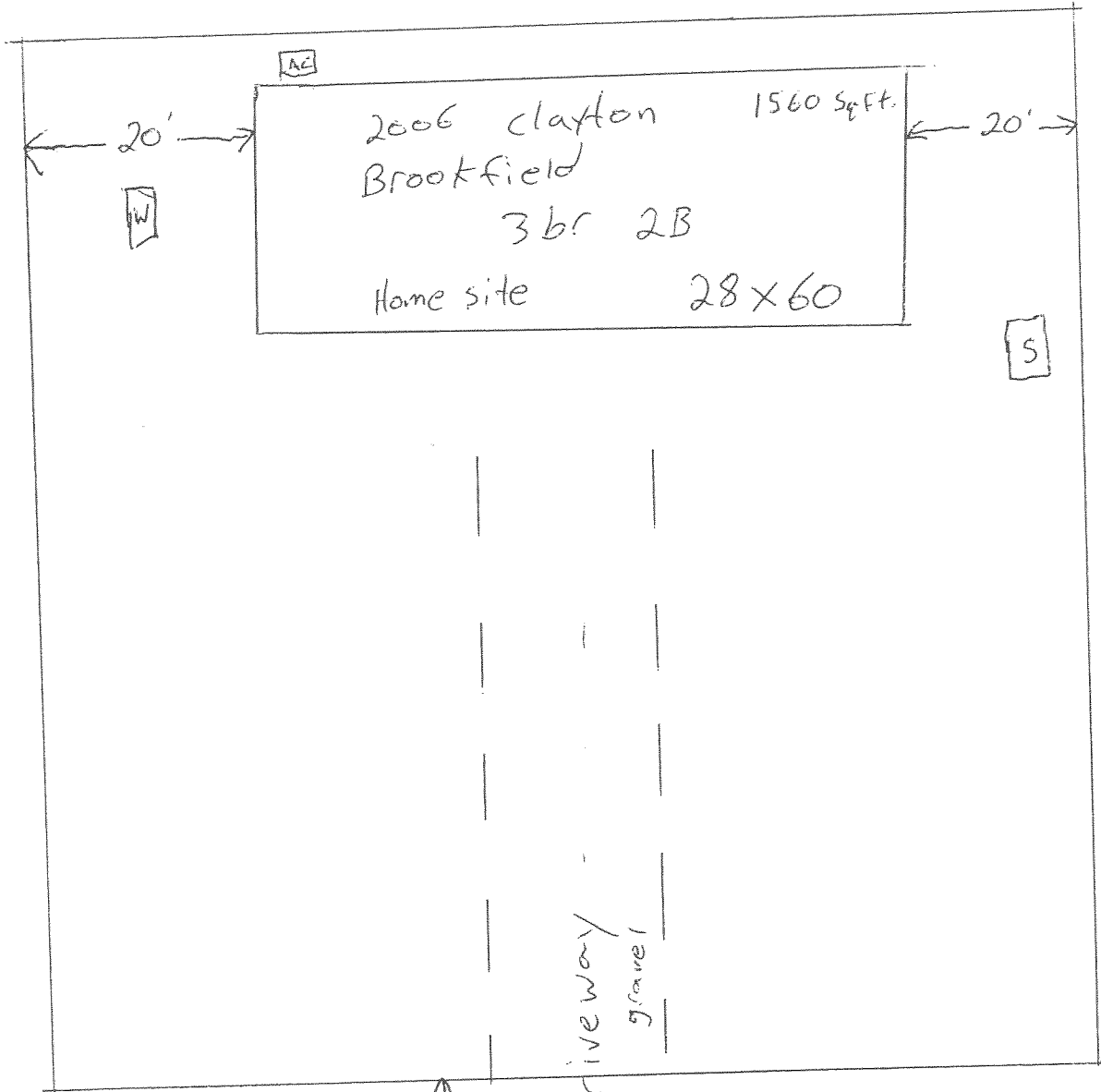
25-20-31-5BA-0000-3100

2880 Stone St.

Oviedo, FL 32765

Department of Environmental Protection
Permit 19-235227-001

100'



20'

W

2006 Clayton
Brookfield

3br 2B

Home site

28x60

1560 Sq. Ft.

20'

S

100'

Driveway
gravel

25'

12'
wide

Property line

easement
23'10"

Stone Street

LOT 309

SALT CREEK TRAIL (PRIVATE)

12' DIRT ROAD

15" ROUND CONCRETE CORNER MARK

SET 5/8" REBAR & CAP LB #6906

S89°53'46"E
1285.60'(C)

S 89°53'46" E 700.01'(M)

SET 5/8" REBAR & CAP LB #6906

LESS THE NORTH 20 FEET

2006
Clay Brookfield
3BR2B

ASPHALT PAVEMENT
STONE STREET

LOT 310
REMAINDER
NOT INCLUDED

N 00°09'02" W

THE EAST 700 FEET OF
LOT 310
VACANT/WOODED

N 00°09'02" W

N00°02'15"E 335.44'(C)
330'(P)

314.58'(M)
310'(C)

ZONE X
ZONE X (SHADED)

FLOOD ZONE LINE
(AS SCALED FROM MAP)

SET WOOD STAKE (TYP)

N89°50'46"E
25.00'

313.56'(M)

N89°58'48"W
586.69'(C)

N 89°58'48" W 700.00'(M)

FLOOD ZONE LINE
(AS SCALED FROM MAP)

SET 5/8" REBAR & CAP LB #6906

SET 5/8" REBAR & CAP LB #6906

LOT 311

N00°09'02"W
975.42'(M)
965'(P)

FOUND 5/8" REBAR & CAP LB #6387

LEGEND:

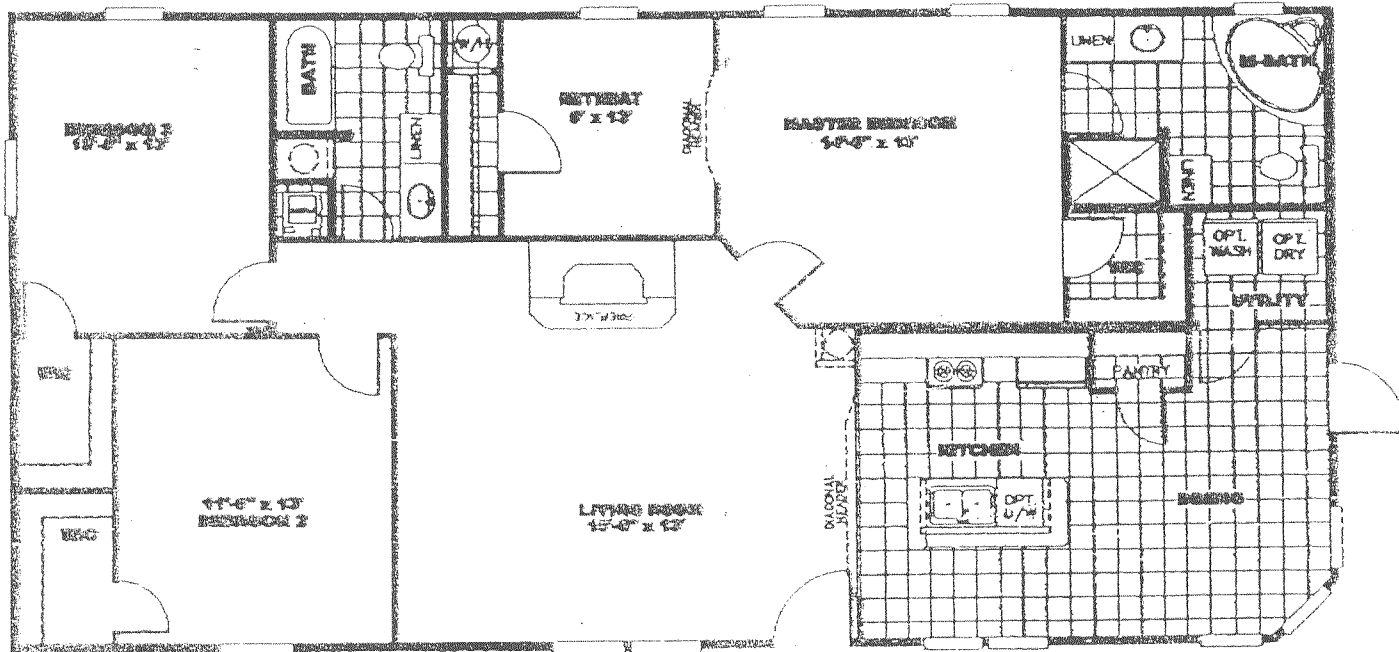
	WOOD UTILITY POLE & GUY WIRE	NR	NON RADIAL
	OVERHEAD UTILITY LINE	RAD	RADIAL
	6' WOOD FENCE	TYP	TYPICAL
	4' CHAIN LINK FENCE	PC	POINT OF CURVATURE
	4' WIRE FENCE	PT	POINT OF TANGENCY
	CENTERLINE	PRC	POINT OF REVERSE CURVATURE
	RIGHT OF WAY LINE	PCP	PERMANENT CONTROL POINT
	CONCRETE	PRM	PERMANENT REFERENCE MONUMENT
		PI	POINT OF INTERSECTION
		RP	RADIUS POINT
		A/C	AIR CONDITIONER
		R	RADIUS
		Δ	CENTRAL ANGLE
		L	ARC LENGTH
		CB	CHORD BEARING

GENERAL NOTES:

1. THE SURVEYOR HAS NOT ABSTRACTED THE LANDS SHOWN HEREON FOR EASEMENTS AND/OR RIGHT-OF-WAY RECORDS.
2. THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF LOT 310, BEING N 00°09'02" W, AN ASSUMED DATUM PER PLAT.
3. NO UNDERGROUND IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN.
4. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY.
5. DIRECTIONS AND DISTANCES SHOWN HEREON ARE PER RECORDED INSTRUMENT

THE BLACK BOOK FLORIDA

CERT DA BA SU OL TT
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THI



CLAYTON	Model # EB 2600SH	Version #
Project Name: [unclear]	7055 Dg 100	Scale
SALES LITERATURE		Other






10/10/14

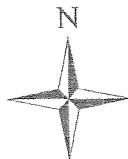
David Lanier
 2880 Stone St
 Oviedo, FL 32765



Seminole County Board of Adjustment
 September 25, 2006
 Case: BM2006-021
 Parcel No: 25-20-31-5BA-0000-3100

Zoning

-  BM2006-021
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home





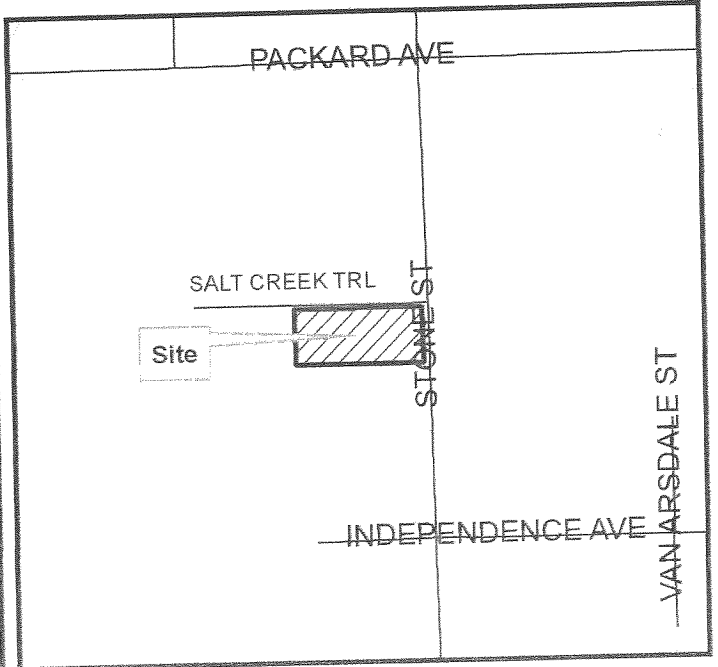
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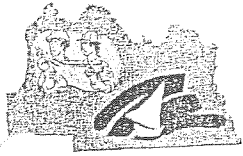


Seminole County Board of Adjustment
September 25, 2006
Case: BM2006-021
Parcel No: 25-20-31-5BA-0000-3100

Zoning

-  BM2006-021
-  A-10





SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 1101 EAST FIRST STREET
 SANFORD, FL 32771
 (407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BM 2006-021

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 Use shall only be received for processing following pre-application conference.

RECEIVED JUL 31 2006
 RECEIVED JUL 31 2006

APPLICATION TYPE:

- VARIANCE**
- SPECIAL EXCEPTION** for the permanent placement of A 2006
- LIMITED USE** New 28x60 3B1 2B Double wide mobile home

- SF DWELLING UNDER CONSTRUCTION
- NIGHT WATCHMAN
- YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED 2006)
- SIZE OF MOBILE HOME / RV _____
- PLAN TO BUILD YES NO IF SO, WHEN _____
- MEDICAL HARDSHIP
- FAMILY HARDSHIP
- TIME NEEDED _____

APPEAL FROM DECISION OF THE PLANNING MANAGER

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>David Lanier</u>	
ADDRESS	<u>2880 Stone St.</u>	<u>Oviedo, FL. 32765</u>
PHONE 1	<u>407 702 7949</u>	
PHONE 2		
E-MAIL		

PROJECT NAME: David Lanier
 SITE ADDRESS: 2880 Stone St. Oviedo, FL. 32765
 CURRENT USE OF PROPERTY: Vacant residential
 LEGAL DESCRIPTION: E 700 ft. of Lot 310 (Less N 20ft.)
Black Hammock PB 2 / PG 110
 SIZE OF PROPERTY: 5 acre(s) PARCEL I.D. 25-20-31-5BA-0000-3100
 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 9, 25, 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.

D-2-
 SIGNATURE OF OWNER OR AGENT* DATE 7-28-06

* 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): 185.00

COMMISSION DISTRICT

FLU / ZONING

A-10 / R-10

BCC HEARING DATE

(FOR APPEAL)

LOCATION FURTHER DESCRIBED AS

PLANNING ADVISOR

DATE

SUFFICIENCY COMMENTS

<p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506</p>																														
<p align="center">GENERAL</p> <p>Parcel Id: 25-20-31-5BA-0000-3100 Owner: LANIER DAVID B Mailing Address: 1022 DEES DR City,State,ZipCode: OVIEDO FL 32765 Property Address: 2880 STONE ST OVIEDO 32765 Subdivision Name: BLACK HAMMOCK Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 00-VACANT RESIDENTIAL</p>		<p align="center">2006 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$124,500 Land Value Ag: \$0 Just/Market Value: \$124,500 Assessed Value (SOH): \$124,500 Exempt Value: \$0 Taxable Value: \$124,500 Tax Estimator</p>																												
<p align="center">SALES</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>12/2003</td> <td>05161</td> <td>0682</td> <td>\$50,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1989</td> <td>02066</td> <td>0494</td> <td>\$29,000</td> <td>Vacant</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/1987</td> <td>01847</td> <td>0499</td> <td>\$21,000</td> <td>Vacant</td> <td>Yes</td> </tr> </tbody> </table> <p align="center">Find Comparable Sales within this Subdivision</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	12/2003	05161	0682	\$50,000	Vacant	Yes	WARRANTY DEED	04/1989	02066	0494	\$29,000	Vacant	Yes	WARRANTY DEED	04/1987	01847	0499	\$21,000	Vacant	Yes	<p align="center">2005 VALUE SUMMARY</p> <p>2005 Tax Bill Amount: \$816 2005 Taxable Value: \$49,800 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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<p><i>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.</i></p>																														

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 25, 2006, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG E 700 FT OF LOT 310 (LESS N 20 FT) BLACK HAMMOCK
PB 2 PG 110

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

FINDINGS OF FACT

Property Owner: David Lanier
1002 Dees Drive
Oviedo, FL 32765

Project Name: 2880 Stone Street

Requested Development Approval:

Request for a special exception for the permanent placement of a mobile home in the A-10 (Rural 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: 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:

The special exception 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: