

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

SUBJECT: 1723 Kimmie Kay Drive – Harvey Brooks, applicant; Request for special exception for the 5 year placement of a mobile home in the A-5 (Rural Zoning).

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

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

Agenda Date 7/23/07 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** the request for special exception for the 5 year placement of a mobile home in the A-5 (Rural Zoning); or
2. **DENY** the request for special exception for the 5 year placement of a mobile home in the A-5 (Rural Zoning); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Harvey Brooks Location: 1723 Kimmie Kay Drive Zoning: A-5 (Rural Zoning District)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting the permanent placement of a 1976 mobile home, where mobile homes are allowed only by special exception. • A special exception for the temporary placement of a mobile home was granted in 1992 for 10 years.
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: <u><i>Is not detrimental to the character of the area or neighborhood or inconsistent with trends of development in the area:</i></u>

	<p>Available records indicate that the majority of the surrounding parcels in the immediate vicinity have mobile homes that the BOA has approved for permanent placement. Mobile homes that received permanent placement were granted for new double wide mobile homes that had conventional home design standards.</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 meets the minimum zoning dimensional requirements and the mobile home will meet the setback requirements.</p> <p><u>Will not adversely affect the public interest:</u></p> <p>The permanent placement of a new double wide or larger mobile home would not be adverse to the public interest based upon staff's recommendation.</p>
<p>STAFF RECOMMENDATION:</p>	<p>Based on the stated findings, staff does not recommend the permanent placement of the 1976 mobile home but recommend the permanent placement of 2007 or newer double wide mobile home based upon the following conditions:</p> <ul style="list-style-type: none">• Only one (1) single-family mobile home unit shall occupy the site, as shown on the proposed site plan;• The existing mobile home shall otherwise conform to applicable building codes, including standards for anchoring, utility accessibility and skirting.

INDEX OF ATTACHMENTS

Items that are checked are included in the packet

- Staff Report
- Application
- Applicant statement of request
- Proposed Site Plan
- Location map
- Property Appraiser data sheet
- PUD Commitment Card, *if applicable*

Support information:

- Proposed elevation drawings, renderings, floor plans, etc
- Aerials, *if warranted*
- Plat, *if warranted*
- Code Enforcement information
- Building Permit information
- Correspondence
- Authorization letter
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents

- Proposed Development Order

Fee: \$185.00 or \$73.00 for renewal of temporary mobile home

Application # BM 2007-06
Meeting Date July 23, 2007



COPY
MOBILE HOME APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT (If you are not the owner please provide a letter of authorization from the owner)

Name: Harley Brooks
Address: P.O. Box 2713 City: Sanford Zip code: 32772
Project Address: 1723 Kimmie Kay Dr. City: Geneva Zip code: 32732
Contact number(s): (407) 908-4972 cell
Email address: _____

What is this request for?

- New mobile home
- Replacement mobile home
- Renewal of an expired existing mobile home
- Temporary mobile home or recreational vehicle while a house is under construction
- Placement of a mobile home for a medical hardship
- Night watchman mobile home

RECEIVED MAY 17 2007

Is the property available for inspection without an appointment? Yes No

What is year of the mobile home? 1976 * What is the size of the mobile home? _____

** New or re-sited mobile homes must meet the requirements of the State of Florida Division of Motor Vehicles at time of permitting through the Seminole County Building Division..*

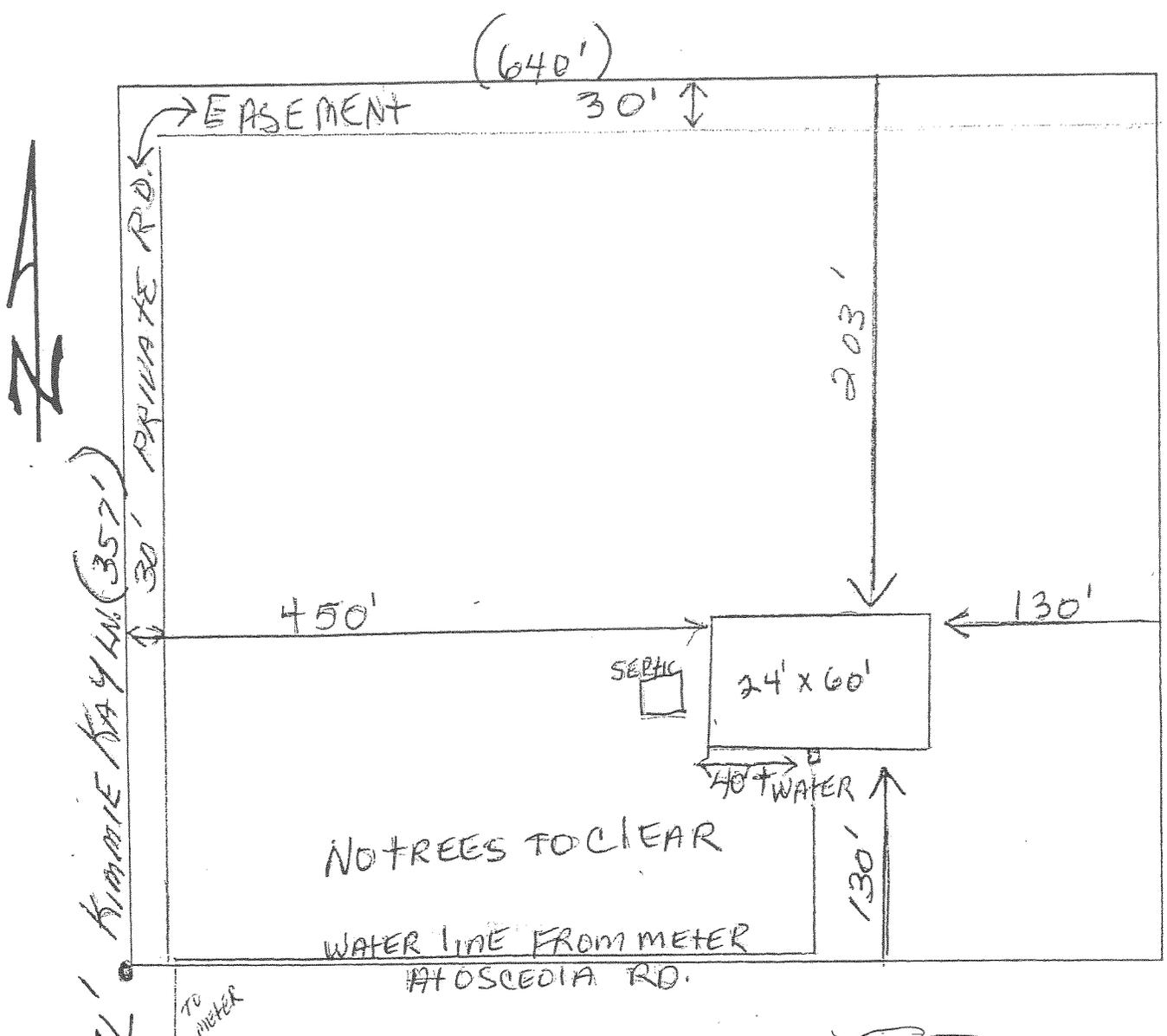
How long do you need it? Permanent placement Yes No, limited placement for 5 years

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless all of the information in the Mobile Home application and submittal checklist are provided to the Planning Division.

Signed: [Signature] 5-17-07

FOR OFFICE USE ONLY

Date Submitted: 5-17-07 Reviewed By: P. Johnson
 Tax parcel number: 06-20-32-301-004C-0000 Zoning/FLU A-5/R-5
 Medical hardship: Recent doctor letter submitted: Yes No
 Legally created parcel (1971 tax roll, 5-acre dev, lot split) Platted Lot (check easements on lots / in dedication/notes)
 Lot size _____ Meets minimum size and width
 Past approval # _____ Application and checklist complete
 Notes: _____



971' KIMMIE KAY LN. (357')

TO METER

OSCEOLA RD.

5-17-07

Date

Amar Brook

Applicant

MULLE + LK. WATER LINES 10' from Septic (as per HRS).

3215274

Harvey Brooks
1723 Kimmie Kay Drive
Geneva, Florida 32732



Seminole County Board of Adjustment
July 23, 2007
Case: BM2007-06 (Map 3056, Grid A5)
Parcel No: 06-20-32-301-004C-0000

- Zoning
-  BM2007-06
 -  All Other Values
 -  Vacant Residential
 -  Single Family Residential
 -  Mobile Home



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7508</p>	<p>7</p> <p>4 4B KIMMIE KAY DR 4C 4K 4E 4D 4F 4J</p>	<p>13</p> 																																																	
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 06-20-32-301-004C-0000 Owner: BROOKS HARVEY L Mailing Address: PO BOX 2713 City,State,ZipCode: SANFORD FL 32772 Property Address: 1723 KIMMIE KAY DR GENEVA 32732 Subdivision Name: Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 02-MOBILE/MANUFACTURED</p>		<p style="text-align: center;">2007 WORKING VALUE SUMMARY</p> <p>Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$36,985 Land Value (Market): \$94,140 Land Value Ag: \$0 Just/Market Value: \$131,125 Assessed Value (SOH): \$131,125 Exempt Value: \$0 Taxable Value: \$131,125 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>01/2005</td> <td>05601</td> <td>0672</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>12/1998</td> <td>03559</td> <td>0700</td> <td>\$30,800</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>CERTIFICATE OF TITLE</td> <td>06/1998</td> <td>03452</td> <td>0193</td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1993</td> <td>02548</td> <td>1267</td> <td>\$58,000</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>01/1991</td> <td>02270</td> <td>0907</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>ARTICLES OF AGREEMENT</td> <td>06/1981</td> <td>01344</td> <td>1238</td> <td>\$20,000</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	01/2005	05601	0672	\$100	Improved	No	WARRANTY DEED	12/1998	03559	0700	\$30,800	Improved	Yes	CERTIFICATE OF TITLE	06/1998	03452	0193	\$100	Improved	No	WARRANTY DEED	02/1993	02548	1267	\$58,000	Vacant	No	QUIT CLAIM DEED	01/1991	02270	0907	\$100	Vacant	No	ARTICLES OF AGREEMENT	06/1981	01344	1238	\$20,000	Vacant	Yes	<p style="text-align: center;">2006 VALUE SUMMARY</p> <p>2006 Tax Bill Amount: \$2,156 2006 Taxable Value: \$133,781 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. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																																			



Seminole
County

Sheriff Donald F. Eslinger

Member, Florida Sheriffs Association
Member, National Sheriffs' Association

An Internationally Accredited Agency



May 9, 2007

HARVEY L BROOKS
P O BOX 2713
SANFORD FL 32772

Parcel ID# 06-20-32-301-004C-0000 (1723 Kimmie Kay Dr.)

File # 2006CE004657

Dear Property Owner and all Interested Parties:

This is to advise you that the above-described property has been inspected and violations(s) of the Seminole County Land Development Code have been identified.

Violation: Seminole County Land Development Code, Chapter 30.122. A mobile home on the property without a Special Exception.

Corrective action: Remove the mobile home or apply for a Special Exception.

Each violation shall be corrected on or before **May 23, 2007**. Failure to comply may result in formal charges brought before the Seminole County Code Enforcement Board.

The Board has been granted the authority to levy fines in an amount up to **\$250.00** per day for every day the violation exists.

Contact the Seminole County Planning Office for information on obtaining a Special Exception @ 407-665-7444.

Thank you for your attention in this matter.

Sincerely,

Pamela Taylor
Pamela Taylor
Code Enforcement Officer
SCSO District 2 SNP
407-665-1470

*1101 E. 1st St.
2nd floor*

COUNTY OF SEMINOLE



FLORIDA

CURRENT PLANNING OFFICE
PHONE: (407) 321-1130 EXT. 7441

November 24, 1992

COUNTY SERVICES BUILDING
1101 E. 1st STREET
SANFORD, FLORIDA 32771

B.J. & Kerry Dreggors
1001 End of Trail
Geneva, Florida 32732

RE: File #BA92-11-81TE

Dear Mr. & Mrs. Dreggors:

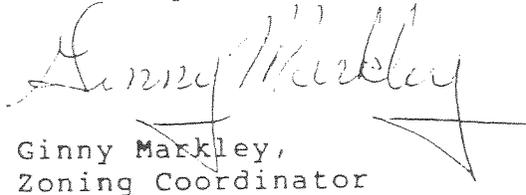
At their meeting of November 23, 1992, the Seminole County Board of Adjustment approved your request for a Special Exception to place a mobile home in an A-1, Agriculture Zone on the following described property:
Tax Parcel 4C, Section 6-20-32; E side
of Kimmie Kay Lane and 3/8 mile N of SR-46.
(DIST 5)

Your request was approved for a period of ten years years and will expire at the end of that time unless a renewal is requested. Should a renewal not be requested, the mobile home must be removed from the property.

Prior to placing of the mobile home, the necessary mobile home park and tie-down permits must be obtained from the Building Department within six months from the date of the Board of Adjustment meeting or the Special Exception becomes void. One six month extension may be requested one month prior to the six month expiration or a new and complete application will have to be made.

In addition, 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. This means that a building permit incorporating the Special Exception cannot be issued prior to December 9, 1992.

Sincerely,


Ginny Markley,
Zoning Coordinator

GM/tb

NOTE: The approval of this request is for a period of 10 years or replacement, whichever is first.

COUNTY OF SEMINOLE



FLORIDA

CURRENT PLANNING OFFICE
PHONE: (407) 321-1130 EXT. 7441

November 24, 1992

COUNTY SERVICES BUILDING
1101 E. 1st STREET
SANFORD, FLORIDA 32771

B.J. & Kerry Dreggors
1001 End of Trail
Geneva, Florida 32732

RE: File #BA92-11-81TE

Dear Mr. & Mrs. Dreggors:

At their meeting of November 23, 1992, the Seminole County Board of Adjustment approved your request for a Special Exception to place a mobile home in an A-1, Agriculture Zone on the following described property:
Tax Parcel 4C, Section 6-20-32; E side
of Kimmie Kay Lane and 3/8 mile N of SR-46.
(DIST 5)

Your request was approved for a period of ten years years and will expire at the end of that time unless a renewal is requested. Should a renewal not be requested, the mobile home must be removed from the property.

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Sincerely,

A handwritten signature in cursive script that reads "Ginny Markley".

Ginny Markley,
Zoning Coordinator

GM/tb

NOTE: The approval of this request is for a period of 10 years or replacement, whichever is first.

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 23, 2007 Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 06 TWP 20S RGE 32E W 1/2 OF S 1/2 OF N 1/2 OF SW 1/4 OF NW 1/4
(5.23 AC)

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

FINDINGS OF FACT

Property Owner: Harvey Brooks
P.O. Box 2713
Sanford, Fl. 32772

Project Name: Kimmie Kay (1723)

Requested Development Approval:

Request for a special exception for the temporary 5 year placement of an existing mobile home in A-5 (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:

1. 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: _____
Dori L. DeBord
Planning & Development Director

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

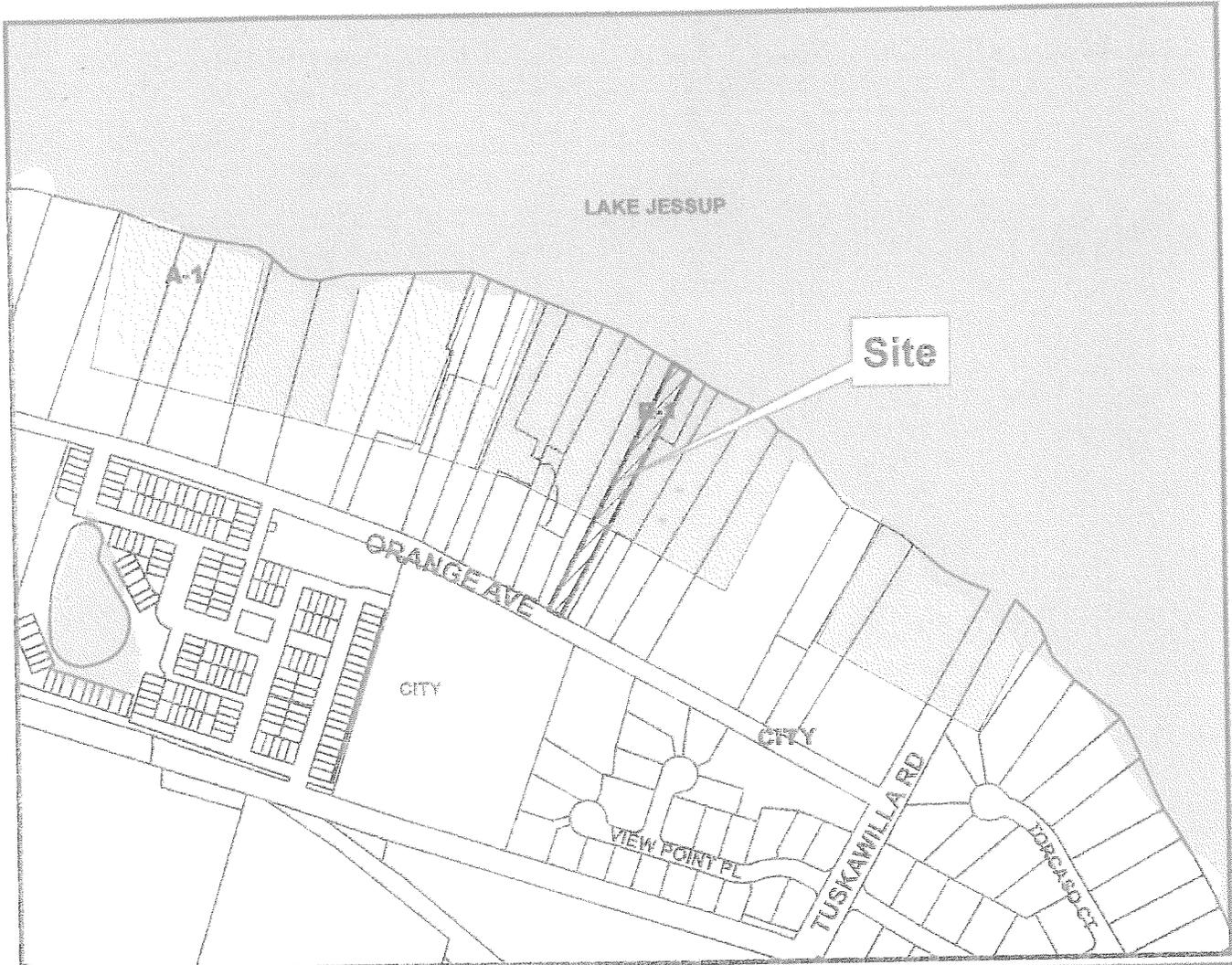
I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Ronald Qualls
1232 Orange Avenue
Winter Springs, Florida 32708



Seminole County Board of Adjustment
July 23, 2007
Case: BV2007-70 (Map 3158, Grid D1)
Parcel No: 31-20-31-502-0000-0080

- Zoning
-  BV2007-70
 -  A-1
 -  R-1

