

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 2180 Orange Boulevard- Mary Vogel, applicant; Request for a special exception for a dog boarding facility in the A-1 (Agriculture District);

DEPARTMENT: Planning & Development DIVISION: Planning

AUTHORIZED BY: Kathy Fall CONTACT: Kathy Fall EXT. 7389

Agenda Date 2/25/08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Approve** the request for a special exception for a dog boarding facility in the A-1 with conditions proposed by staff (Agriculture District); or
2. **Deny** the request a special exception for a dog boarding facility in the A-1 (Agriculture District); or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Mary Vogel Location: 2180 Orange Boulevard Zoning: A-1 Subdivision: Paola
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant currently offers a pet sitting service off-site in her client's homes and would like to offer to allow the dogs to be cared for in her private residence. • The boarding will be available for dogs that require 24 hour care such as blind, with failing hips and post-op patients. • The applicant proposes to pick up and drop off the dogs to her client's homes.

**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:

IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:

The applicant proposes to offer boarding of up to twelve dogs within her private residence. The dogs will be located inside of the single family home and will have supervised outdoor activity. The primary use of the property will remain as a single family home. There will be no outside advertisement of the proposed her boarding services. With a maximum of twelve dogs, the applicant will care for the dogs without additional help and/or employees. The A-1 zoning classification allows for uses along with single family homes that are consistent with the A-1 zoning classification.

DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:

There will be no increase in traffic that would not be consistent with a single family home. The animals will be picked up and dropped off within her normal schedule of off-site pet sitting service.

IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

The Seminole County Vision 2020 Comprehensive Plan describes the Suburban Estates (SE) future land use as a transitional land use between urban and general rural uses. The boarding facility will be an accessory use to the single family home and will not have any exterior signage or improvement that would indicated a commercial use on the property.

MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

Based on the submitted site plan, the proposed use existing and proposed buildings meet the minimum area and

	<p>dimensional requirements of the A-1 district.</p> <p><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></p> <p>Within the A-1 district groups homes and schools are allowed as conditional uses. The prior establishment of the group home of which the proposed use would constitute a part, demonstrates consistency with the trend of nearby and adjacent development in the area.</p> <p>The Seminole County Animal Services will complete an on-site inspection of the proposed boarding facility. The commercial kennel license is contingent on approval of a special exception from the Board of Adjustment. The Seminole County Animal Services will conduct a yearly unscheduled site inspection of the kennels to ensure compliance with Chapter 20 of the Seminole County Code.</p>
<p>STAFF RECOMMENDATION</p>	<p>Staff recommends approval subject based upon the following conditions:</p> <ol style="list-style-type: none">1. There will be no more than twelve dogs on the property at one time.2. All outside activity will be supervised.3. Dogs will be boarded within the single family home.4. The applicant must obtain and maintain a commercial kennel license with the Seminole County Animal Services.5. Dogs will be picked up and dropped off as a part of her trips for the pet sitting service.6. Prior to the issuance of development permits, a site plan that meets the requirements of all other applicable code requirements including Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).

Fee: \$370.00

COPY

Application # PS 2008-02
Meeting Date Feb 25, 08



SPECIAL EXCEPTION 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: MARY VOGEL
Address: 2180 ORANGE BLVD. S. City: SANFORD Zip code: 32771
Project Address: 2180 ORANGE BLVD. S. City: SANFORD Zip code: 32771
Phone number(s): 407-322-1509
Email address: -

What is this request for?

- Church
- Daycare
- School
- Group Home
- Assisted Living Facility (ALF)
- Kennel
- Riding Stable
- Alcoholic Beverage Establishment
- Communication Tower
- Other: DOG BOARDING FACILITY

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

What is the current use of the property? RESIDENTIAL / AG.

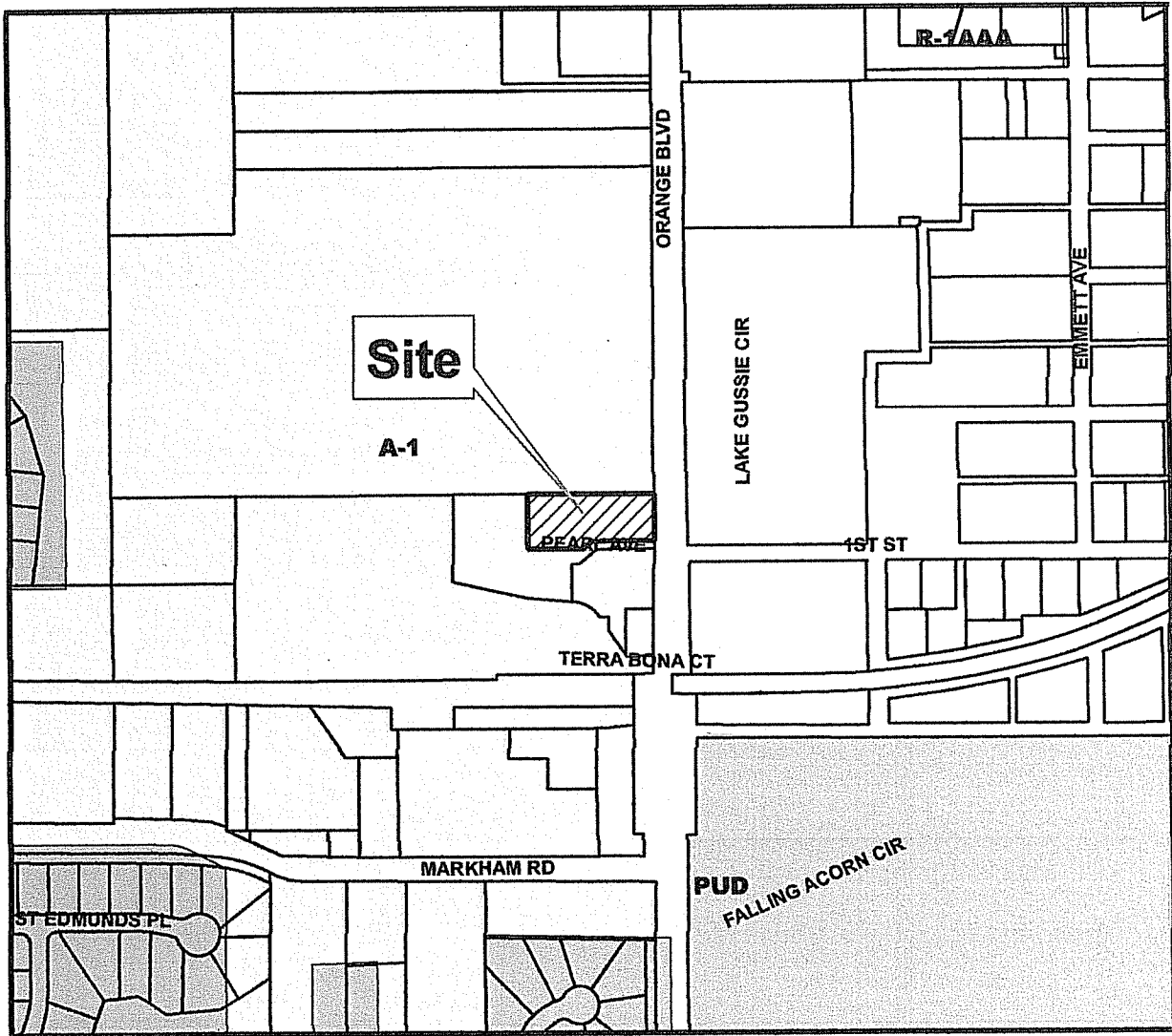
NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless the required **pre-application conference** has been held and all of the required information in the Special Exception application and submittal checklist is provided to the Planning Division.

Signed: _____

FOR OFFICE USE ONLY





Date Submitted: 1-9-08 Reviewed By: D. Gibbs / P. Johnson
 Tax parcel number: 36-19-29-502-0A00-0010 Zoning/FLU A-1 / SE
 Legally created parcel (1971 tax roll, 5-acre dev, lot split) Platted Lot (check easements on lots / in dedication)
 Lot size _____ Meets minimum size and width
 Past approval # _____ Application and checklist complete
 Notes: _____

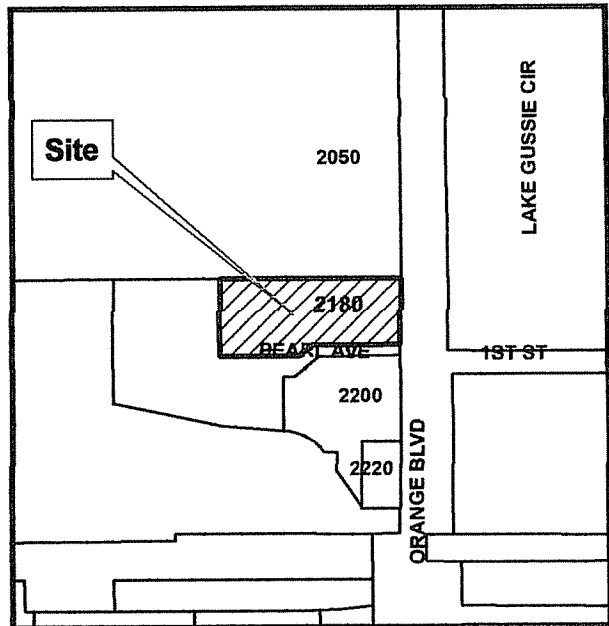
Mary Vogel
2180 Orange Blvd.
Sanford, Florida 32771



Seminole County Board of Adjustment
February 25, 2008
Case: BS2008-02 (Map 3051, Grid B3)
Parcel No: 36-19-29-502-0A00-0010

Zoning

-  BS2008-02
-  A-1
-  R-1AAA
-  PUD



Personal Property

<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 407-665-7508</p>																																												
<p align="center">GENERAL</p> <p>Parcel Id: 36-19-29-502-0A00-0010</p> <p>Owner: VOGEL MARI</p> <p>Mailing Address: 2180 ORANGE BLVD</p> <p>City,State,ZipCode: SANFORD FL 32771</p> <p>Property Address: 2180 ORANGE BLVD SANFORD 32771</p> <p>Subdivision Name: PAOLA</p> <p>Tax District: 01-COUNTY-TX DIST 1</p> <p>Exemptions:</p> <p>Dor: 01-SINGLE FAMILY</p>		<p>2008 WORKING VALUE SUMMARY</p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$334,608</p> <p>Depreciated EXFT Value: \$1,250</p> <p>Land Value (Market): \$95,000</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$430,858</p> <p>Assessed Value (SOH): \$430,858</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$430,858</p> <p>Tax Estimator</p> <p>Tax Reform Calculator</p>																																										
<p 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>10/2005</td> <td><u>05982</u></td> <td><u>1569</u></td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>04/2004</td> <td><u>05286</u></td> <td><u>0795</u></td> <td>\$325,000</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>04/2004</td> <td><u>05286</u></td> <td><u>0793</u></td> <td>\$100</td> <td>Improved</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>11/1984</td> <td><u>01599</u></td> <td><u>0244</u></td> <td>\$20,000</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1979</td> <td><u>01214</u></td> <td><u>0356</u></td> <td>\$118,500</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	QUIT CLAIM DEED	10/2005	<u>05982</u>	<u>1569</u>	\$100	Improved	No	WARRANTY DEED	04/2004	<u>05286</u>	<u>0795</u>	\$325,000	Improved	No	QUIT CLAIM DEED	04/2004	<u>05286</u>	<u>0793</u>	\$100	Improved	No	WARRANTY DEED	11/1984	<u>01599</u>	<u>0244</u>	\$20,000	Vacant	No	WARRANTY DEED	02/1979	<u>01214</u>	<u>0356</u>	\$118,500	Vacant	Yes	<p>2007 VALUE SUMMARY</p> <p><u>2007 Tax Bill Amount:</u> \$6,391</p> <p><u>2007 Taxable Value:</u> \$432,729</p> <p>DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>
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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	1988	12	2,368	5,808	2,368	SIDING AVG	\$334,608	\$361,738																																			
	Appendage / Sqft	OPEN PORCH FINISHED / 792																																										
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	Appendage / Sqft	UTILITY FINISHED / 238																																										
	Appendage / Sqft	BASEMENT UNFINISHED / 1314																																										
<p>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p>Permits</p>																																												

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
FIREPLACE	1988	1	\$1,000	\$2,000
BBQ GRILL	1988	1	\$250	\$500

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.

**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07- _____:

1. List all natural persons who have an ownership interest in the property, which is the subject matter of this petition, by name and address.

Name: Mary Vogel 32771 Name: _____
Address: 2180 S. Orange Blvd. Sanford, FL Address: _____
Phone #: 407-322-1509 Phone #: _____

Name: _____ Name: _____
Address: _____ Address: _____
Phone #: _____ Phone #: _____

(Use additional sheets for more space.)

2. For each corporate owner, list the name, address, and title of each officer of the corporation, the name and address of each director of the corporation, and the name and address of each shareholder who owns 2% or more of the stock of the corporation. Shareholders need not be disclosed as to corporations whose shares of stock are traded publicly on any national or regional stock exchange.

Name of Corporation: _____	Name of Corporation: _____
Officers: _____	Officers: _____
Address: _____	Address: _____
Directors: _____	Directors: _____
Address: _____	Address: _____
Shareholders: _____	Shareholders: _____
Address: _____	Address: _____

(Use additional sheets for more space.)

3. In the case of a trust, list the name and address of each trustee and the name and address of the beneficiaries of the trust.

Name of Trust: _____	Beneficiaries: _____
Trustees: _____	Address: _____
Address: _____	_____

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION AND AFFIDAVIT**

4. For partnerships, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners.

Name of Partnership: _____ Name of Partnership: _____
Principal: _____ Principal: _____
Address: _____ Address: _____
(Use additional sheets for more space.)

5. In the circumstances of a contract for purchase, list the name of each contract vendee, with their names and addresses, the same as required for corporations, trust, or partnerships. In addition, the date of the contract for purchase shall be specified along with any contingency clause relating to the outcome of the consideration of this petition.

Contract Vendee: _____ Contract Vendee: _____
Name: _____ Name: _____
Address: _____ Address: _____
(Use additional sheets for more space.)

6. As to any type of owner referred to above, a change of ownership occurring subsequent to this application, shall be disclosed in writing to the Planning and Development Director prior to the date of the public hearing on the application.

7. I affirm that the above representations are true and are based upon my personal knowledge and belief after all reasonable inquiry. I understand that any failure to make mandated disclosures is grounds for the subject rezone, future land use amendment, special exception, or variance involved with this Application to become void. I certify that I am legally authorized to execute this Application and Affidavit and to bind the Applicant to the disclosures herein.

1/9/2008
Date

Mary Vogel
Owner, Agent, Applicant Signature

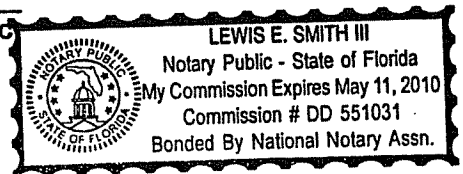
STATE OF FLORIDA
COUNTY OF SEMINOLE

Sworn to (or affirmed) and subscribed before me this 9TH day of JANUARY, 2008 by MARY VOGEL

[Signature]
Signature of Notary Public

L. E. SMITH III
Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification X
Type of Identification Produced FL. I.D.



For Use by Planning & Development Staff

Date: _____ Application Number: _____

I, Mary Vogel, would like to request the use of my property located at 2180 Orange Boulevard South, Sanford, Florida, for a small indoor limited number boarding facility for dogs. My property is zoned AG (Agriculture), with kennel approval under a Special Exception.

I have been a property owner in the Lake Mary – Heathrow – Sanford area for 17 years and have had a business, Pet Nanny of Lake Mary, for the last 7 years.

Seminole County License # 0544882
City of Lake Mary License# 0800002186

I have come to realize there is a need for a small, indoor, quiet and calm boarding environment for animals. I want to provide loving and gentle care. In addition, I will also care for animals that are blind, with failing hips, and post-op patients. These animals need 24 hour attendance. Dogs will not be outside without me attending them. Incessant barking will not occur as I am not looking for that environment. Certain breeds will not be kept on my premises such as: rottweilers and pit bulls.

There will not be outside kennels. The design of my home provides the perfect care area with 2200 square feet of heated and cooled downstairs area which was excavated into the side of a natural slope and backfield to the bottom of the second story. This provides some buffers on the north, west and east sides of the downstairs. The south side is a 3-car garage that has access to two points to the care area and would serve as a port to bring the dogs in and out of the facility.

I am requesting permission to keep 10 to 12 animals at any given time. Please keep in mind that most of my clients are less than 20 lbs.

I feel the property is ideal for this type of business as I own the adjoining property to the rear and most of the property to the south. The other side is completely bordered by an active nursery. The road frontage is across from the Seminole County Markham Regional Water Treat Plant. There is one home at the entrance to my property on Orange Boulevard, approximately 250 feet from my home.

Upon meeting with the Development Review Committee (DRC) staff at the Pre-application Conference, certain restrictions were suggested such as to a limited number of animals and also concern of traffic with dropping off and picking up animals. I agree with the picking-up and dropping off concession, as my boarding services will also include me personally, picking up and dropping off the animals at their homes. However, I am asking the DRC Staff to allow me to have limited delivery of animals from injury or post-op as moving the animals twice after surgery is dangerous.

Thank you for considering my application. This will be a welcome addition to the services this beautiful area offers. I feel I can provide the facility and care without impacting the serenity of the surrounding area. And I am very excited to offer this service to my clients, Veterinarians, and 4-legged babies.

Mary Vayel

Signature

1-7-2008

Date

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On February 25, 2008 Seminole County issued this Development Order relating to and touching and concerning the following described property:

PT OF LOTS 1 2 & 3 & VACD STS DESC A BEG 20 FT W & 20 FT N OF SE COR LOT 1
RUN W 157.54 FT S 48 DEG 44
MIN 35 SEC W 38.85 FT W 139.25 FT N TO NW COR OF ELY 21 FT OF LOT 4 E TO A PT N
OF BEG S TO BEG
BLK A PAOLA PB 1 PG 4

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

FINDINGS OF FACT

Property Owner: Mary Vogel
2180 Orange Boulevard
Sanford, Fl. 32771

Project Name: Mary Vogel
2180 Orange Boulevard
Sanford, Fl. 32771

Requested Development Approval:

Request for a special exception for a dog boarding facility in A-1 (Agriculture 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. There will be no more than twelve dogs on the property at one time.
2. All outside activity will be supervised.
3. Dogs will be boarded within the single family home.
4. The applicant must obtain and maintain a commercial kennel license with the Seminole County Animal Services.
5. Dogs will be picked up and dropped off as a part of her trips for the pet sitting service.
6. Prior to the issuance of development permits, a site plan that meets the requirements of all other applicable code requirements including Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).

(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: _____
Alison C. Stettner
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 _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On February 25, 2008 Seminole County issued this Development Order relating to and touching and concerning the following described property:

PT OF LOTS 1 2 & 3 & VACD STS DESC A BEG 20 FT W & 20 FT N OF SE COR LOT 1
RUN W 157.54 FT S 48 DEG 44
MIN 35 SEC W 38.85 FT W 139.25 FT N TO NW COR OF ELY 21 FT OF LOT 4 E TO A PT N
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(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Mary Vogel
2180 Orange Boulevard
Sanford, Fl. 32771

Project Name: Mary Vogel
2180 Orange Boulevard
Sanford, Fl. 32771

Requested Development Approval:

Request for a special exception for a dog boarding facility in A-1 (Agriculture District)

The Development Approval was sought to establish a dog boarding facility. The Board of Adjustment finds that the proposed use would adversely impact the development trend of the area. The Board of Adjustment finds that the proposed use is inconsistent with development trends in the area and would adversely affect the public interest and should not be permitted.

The requested development approval is hereby denied.

Prepared by: Kathy Fall, Senior Planner
1101 East First Street
Sanford, Florida 32771

Done and Ordered on the date first written above.

By: _____
Alison C. Stettner
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 _____, 2008.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

