

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

SUBJECT: 1212 Stone Street - Louis Morgan, applicant; Request for special exception for the placement of an existing mobile home in the A-1 (Agriculture District).

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

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

Agenda Date 04-28-08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **APPROVE** the request for special exception for the placement of an existing mobile home in the A-1 (Agriculture District); OR
2. **DENY** the request for special exception for the placement of an existing mobile home in the A-1 (Agriculture District); OR
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Louis Morgan, applicant 1212 Stone Street Oviedo	A-1 district, LDC sections 30.104 & 30.1401 (mobile home siting standards)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting the 10 year placement of an existing 1986 double wide mobile, where mobile homes are allowed only by special exception. • In 1986, the property received a 5 year special exception for the current mobile home. • In 2005 property was cited by code enforcement for an expired mobile home when responding to a compliant call concerning the operation of a business on the property. • In 2005 the Board of Adjustment granted the 1 year temporary placement of an existing 1986 double wide mobile home 	

Reviewed by:
Co Atty: _____
Pln Mgr: _____

<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)</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><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 conventional homes or mobile homes that the BOA has approved for temporary placement.</p> <p><u>Does not have an unduly 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-1 acre parcel that does meet the A-1 building minimum dimensional requirements.</p> <p><u>Will not adversely affect the public interest:</u></p> <p>The subject property is currently occupied by a mobile home that was approved in 1986 for 5 years, since that time, the trend of development in the area has largely remained inclusive of conventional and permanent new mobile homes. In light of this, staff believes the proposed use of the temporary placement of an 1986 would be inconsistent with the character of the area.</p>
<p>STANDARDS FOR GRANTING A</p>	<p>The BOA may permit any use allowed by special exception in the A-1 (Agriculture district) upon making findings of fact, in</p>

<p>SPECIAL EXCEPTION IN THE A-1 (AGRICULTURE DISTRICT); LDC SECTION 30.104(a)</p>	<p>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-1 (rural zoning classification district):</u></p> <p>The proposed use is allowed only by special exception in the A-1 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 (RURAL ZONING CLASSIFICATION DISTRICT); 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-1 (Agriculture classification), 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 not recommend the 10 year placement of the existing 1986 mobile home but if approved by the BOA would request with the imposition of 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.

Due to the current complaints from the adjacent neighbors concerning the property we also recommend the board of adjustment clarify the additional code required conditions:

- Recreation vehicles are permitted on the property but they can not be utilized as living quarters nor connected to utilities.
- Home office and/or occupation is permitted in the A-1 zoning under the following definitions in the Seminole County Land Development code:
 - Home occupation: any occupation or activity carried on by a member of the family residing on the premises, provided no article is sold or offered for sale, except such as may be produced by members of the immediate family residing on the premises, and no sign is used other than a name plate not more than one (1) square foot in area, attached to, and not projecting from, the building or no display that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling. Home occupation shall include the use of premises by a physician, surgeon, dentist, lawyer, clergyman, or other professional persons for consultation or emergency treatment, but not for the general practice of his profession. Any home occupation that creates objectionable noise, fumes, odor, dust, or electrical interference shall be prohibited. Floor area utilized for home occupations shall not exceed twenty-five (25) percent of the total floor area of the dwelling structure.
 - Home office: an office, where permitted by chapter 30, land development code, that is used in an incidental manner at a residence. Incidental use means that the home office involves the use of computers, telephones,

	<p>facsimile machines, other equipment, and storage of supplies and products that are typically used in a business, but are also typical in residential use. an average daily trip count for any five-day period exceeding the average for a residential use, as determined by the institute of transportation engineers in its most current manuals, shall result in the conclusive presumption that the use is not consistent with use as a home office.</p>
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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
- Applicant Authorization Form
- 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 2008-03
Meeting Date 4-25-08



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

RECEIVED FEB 22 2008

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

Name: Louis Morgan
Address: PO Box 958 City: Delta Co Zip code: 8146
Project Address: 1212 Stone St City: Quiedo Zip code: 32765
Contact number(s): 970-261-9530
Email address: morgan1736@aol.com

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

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

What is year of the mobile home? 1986 * What is the size of the mobile home? 28X60

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.

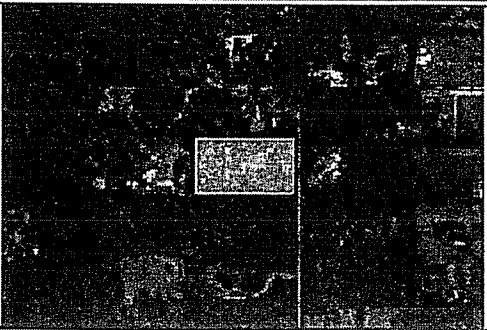
How long do you need it? Permanent placement Yes No, limited placement for 10 years

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: Louis E Morgan

FOR OFFICE USE ONLY

Date Submitted: 2-22-08 Reviewed By: P. Johnson
 Tax parcel number: 25-20-31-58A-0000-3350 Zoning/FLU A-1/5E
 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: _____

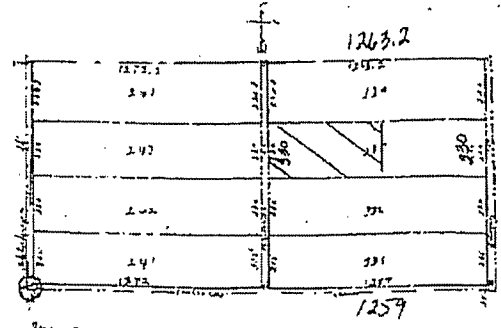
<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA</p> <p>PROPERTY APPRAISER</p> <p>SEMINOLE COUNTY FL</p> <p>1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7505</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>333.0</td> <td>333</td> <td>333.A</td> <td>342.A</td> <td>342.G</td> </tr> <tr> <td>334</td> <td>334.A</td> <td>341.0</td> <td>341</td> <td>341.A</td> </tr> <tr> <td>335.A</td> <td>335</td> <td>335.0</td> <td>340.A</td> <td>340.0</td> </tr> <tr> <td>336</td> <td></td> <td></td> <td>339.0</td> <td>339</td> </tr> <tr> <td>337</td> <td></td> <td></td> <td>338.A</td> <td>338</td> </tr> </table> <p style="text-align: center;">STONE ST</p>	333.0	333	333.A	342.A	342.G	334	334.A	341.0	341	341.A	335.A	335	335.0	340.A	340.0	336			339.0	339	337			338.A	338	
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336			339.0	339																							
337			338.A	338																							
<p style="text-align: center;">GENERAL</p> <p>Parcel Id: 25-20-31-5BA-0000-3350 Owner: MORGAN LOUIS E & SANDY L Mailing Address: 1212 STONE ST City,State,ZipCode: OVIEDO FL 32765 Property Address: 1212 STONE ST OVIEDO 32765 Subdivision Name: BLACK HAMMOCK Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD (2006) Dor: 02-MOBILE/MANUFACTURED</p>		<p>2008 WORKING VALUE SUMMARY</p> <p>Amendment 1 impact not reflected.</p> <p>Value Method: Market Number of Buildings: 2 Depreciated Bldg Value: \$13,676 Depreciated EXFT Value: \$69,099 Land Value (Market): \$120,000 Land Value Ag: \$0 Just/Market Value: \$202,775 Assessed Value (SOH): \$202,775 Exempt Value: \$25,000 Taxable Value: \$177,775</p> <p style="text-align: center;"><u>Tax Estimator</u> <u>Portability Calculator</u></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>WARRANTY DEED</td> <td>08/2005</td> <td>05846</td> <td>1722</td> <td>\$195,000</td> <td>Improved</td> <td>Yes</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1985</td> <td>01626</td> <td>0751</td> <td>\$30,000</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> <p style="text-align: center;"><u>Find Comparable Sales within this Subdivision</u></p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	08/2005	05846	1722	\$195,000	Improved	Yes	WARRANTY DEED	03/1985	01626	0751	\$30,000	Vacant	No	<p>2007 VALUE SUMMARY</p> <p>Tax Amount(without SOH): \$2,582 2007 Tax Bill Amount: \$2,572 Save Our Homes (SOH) Savings: \$10 2007 Taxable Value: \$174,147</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>				
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																					
WARRANTY DEED	08/2005	05846	1722	\$195,000	Improved	Yes																					
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<p style="text-align: center;">LAND</p> <table border="1" style="width:100%; border-collapse: collapse;"> <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>ACREAGE</td> <td>0</td> <td>0</td> <td>4.800</td> <td>25,000.00</td> <td>\$120,000</td> </tr> </tbody> </table>		Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	ACREAGE	0	0	4.800	25,000.00	\$120,000	<p style="text-align: center;">LEGAL DESCRIPTION</p> <p>PLATS: <input type="text" value="Pick..."/></p> <p>LEG E 1/2 OF LOT 335 BLACK HAMMOCK PB 1 PG 108</p>													
Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value																						
ACREAGE	0	0	4.800	25,000.00	\$120,000																						
BUILDING INFORMATION																											
Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																		
<u>Building Sketch</u> 1	MH ROOM ADD	1999	0	228	228	228	SIDING BELOW AVG	\$5,125	\$5,632																		
<i>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</i>																											
<u>Building Sketch</u> 2	BARNS/SHEDS	2002	0	1,000	1,000	1,000	CORRUGATED METAL	\$8,551	\$9,990																		
<i>NOTE: Appendage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</i>																											
EXTRA FEATURE																											
	Description	Year Blt	Units	EXFT Value	Est. Cost New																						
	MOBILE HOME	1986	1,248	\$53,539	\$68,640																						
	MH A/C PKG	1986	1,248	\$1,217	\$1,560																						
	FIREPLACE	1980	1	\$240	\$600																						
	ALUM SCREEN PORCH W/CONC FL	1981	396	\$1,346	\$3,366																						

POLE BARNS/AVG	1970	900	\$2,160	\$5,400
WOOD CARPORT W/SLAB	1992	288	\$806	\$2,016
ALUM UTILITY BLDG W/CONC FL	2006	336	\$2,009	\$2,184
ALUM UTILITY BLDG NO FLOOR	1985	392	\$627	\$1,568
WOOD UTILITY BLDG	1986	1,200	\$2,880	\$7,200
GAZEEBO	1992	360	\$936	\$2,340
CONC UTILITY BLDG	1992	300	\$1,428	\$2,100
WOOD PORCH	1992	104	\$250	\$624
WOOD PORCH	1992	104	\$250	\$624
WOOD CARPORT W/SLAB	1992	504	\$1,411	\$3,528

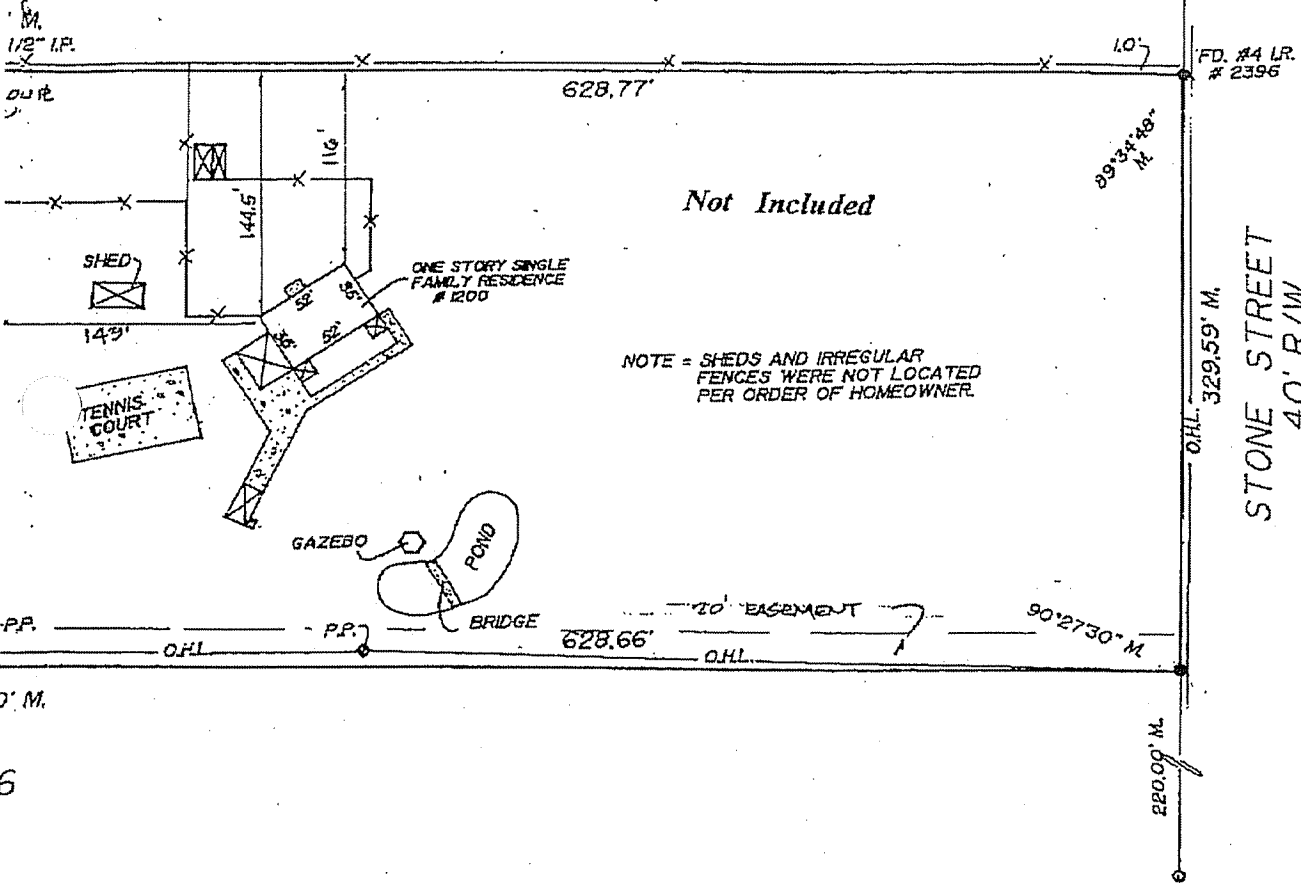
NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.

*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.

at the Title of Florida, Inc.;
 by: Jefferson Bank of Florida,



4



7' M.

6

- NOTES**
- 1) BEARINGS SHOWN ARE EITHER ASSUMED, PER PLAT, OR PER RECORDED INSTRUMENT.
 - 2) LEGAL DESCRIPTION PROVIDED BY OTHERS.
 - 3) THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENT OR OTHER RECORDED ENCUMBRANCES NOT SHOWN ON THE PLAT.
 - 4) UNDERGROUND PORTIONS OF FOOTINGS, FOUNDATIONS OR OTHER IMPROVEMENTS WERE NOT LOCATED.
 - 5) ELEVATIONS ARE BASED ON NATIONAL GEODETIC DATUM.
 - 6) FENCE OWNERSHIP NOT DETERMINED.
 - 7) SMALL TIES ARE TO THE FACE OF THE WALL.
 - 8) IT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYORS SEAL.
 - 9) ONLY VISIBLE ENCROACHMENTS LOCATED.
 - 10) NO IDENTIFICATION FOUND ON PROPERTY CORNERS UNLESS NOTED.

First Financial Surveyors, Inc.

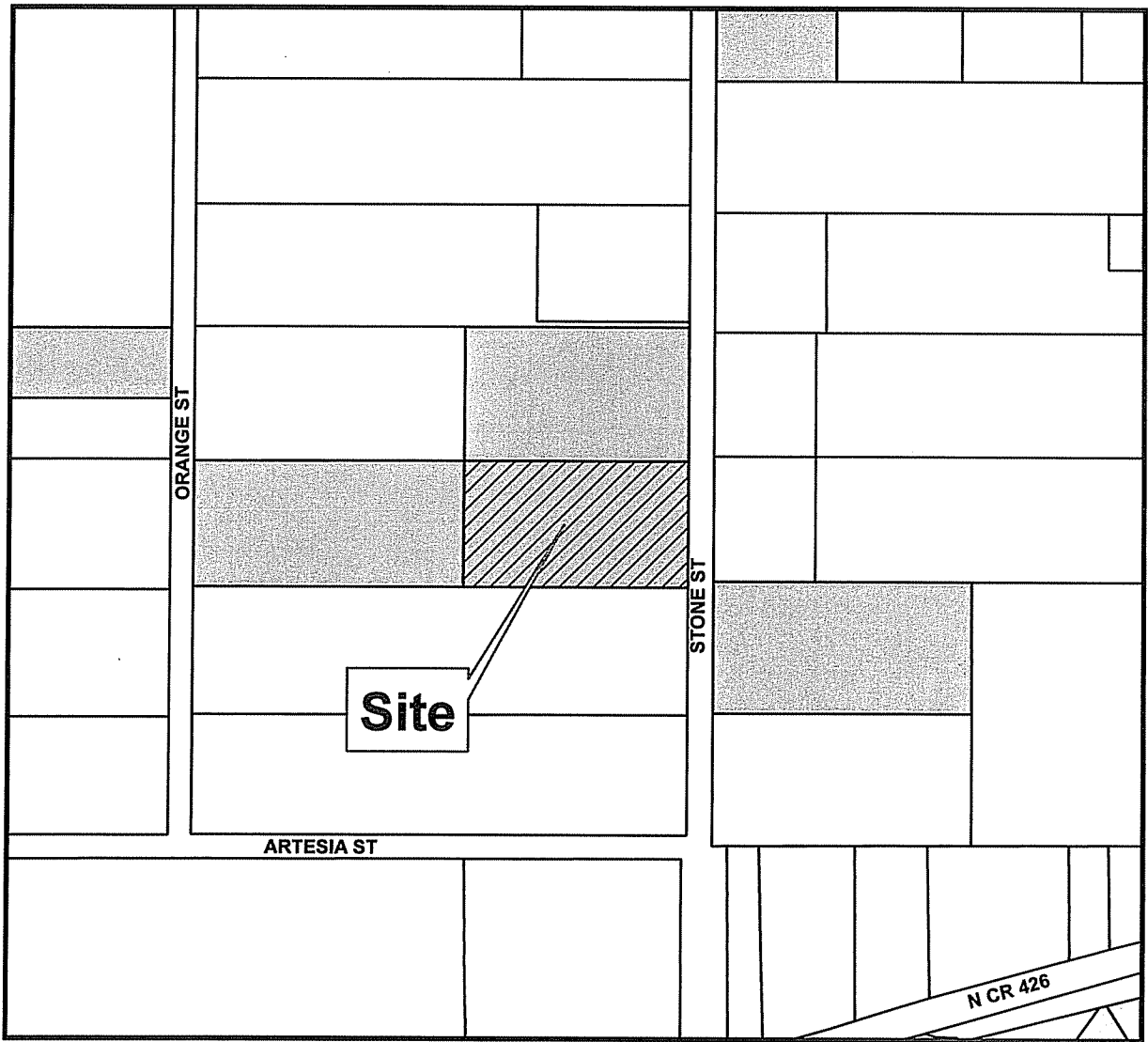
AND AFFILIATED COMPANIES

7700 North Kendall Drive
 Suite 409
 Miami, Florida 33156
 (305) 271-3655
 Fax (305) 271-8499

2231 Lucien Way
 Suite 402
 Maitland, Florida 32751
 (407) 875-1470
 Fax (407) 875-3145






Nationwide:
 1-800-227-2854
 Fax: 1-900-227-2860


Louis Morgan
1212 Stone Street
Oviedo, Florida 32765

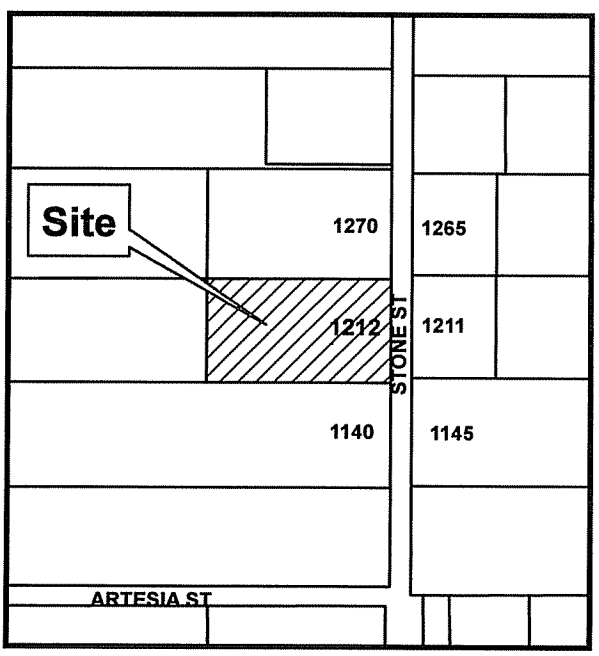


Seminole County Board of Adjustment
April 28, 2008
Case: BM2008-03 (Map 3160, Grid E3)
Parcel No: 25-20-31-5BA-0000-3350

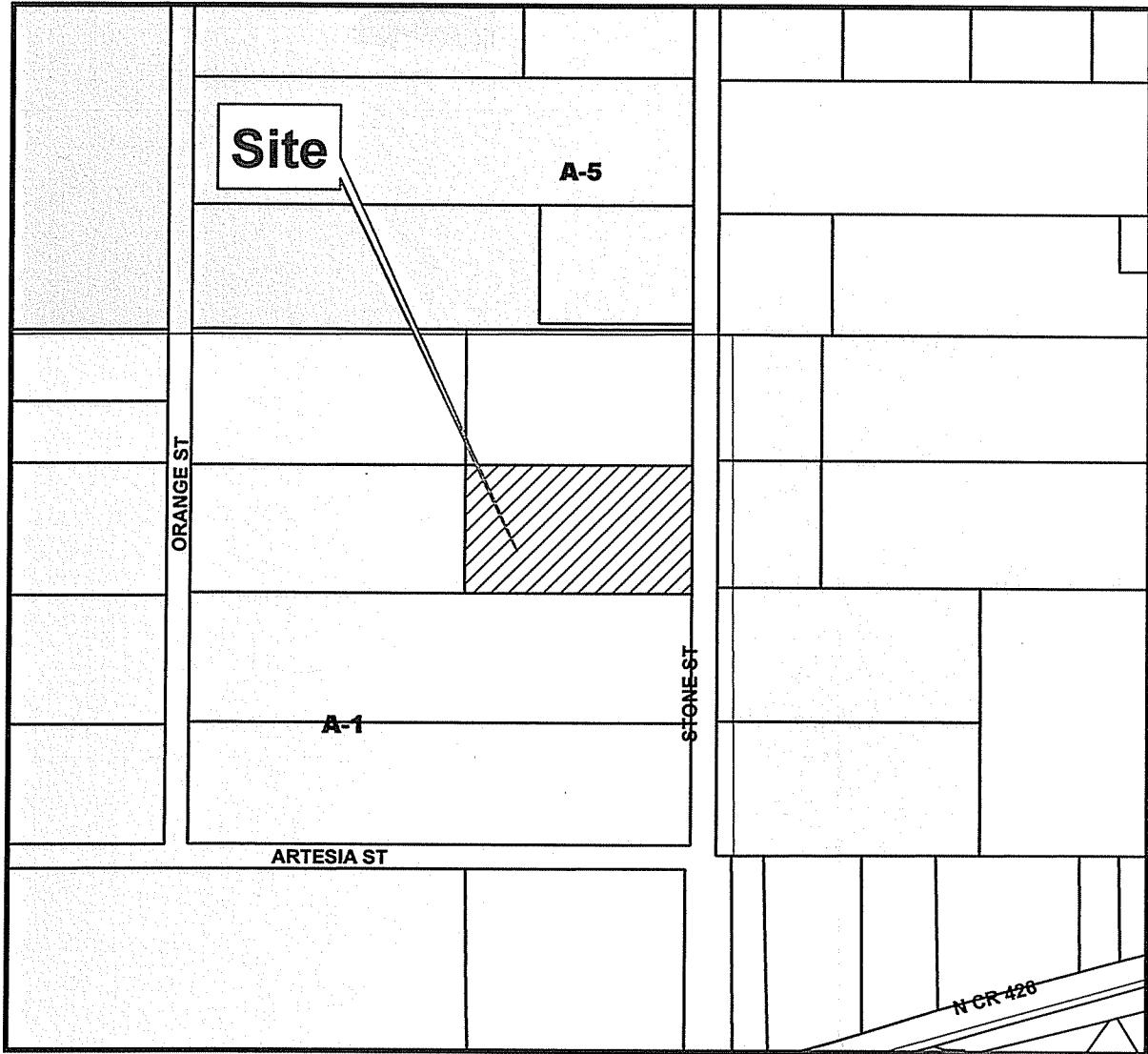
Zoning

-  BM2008-03mh
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home

N







Louis Morgan
1212 Stone Street
Oviedo, Florida 32765

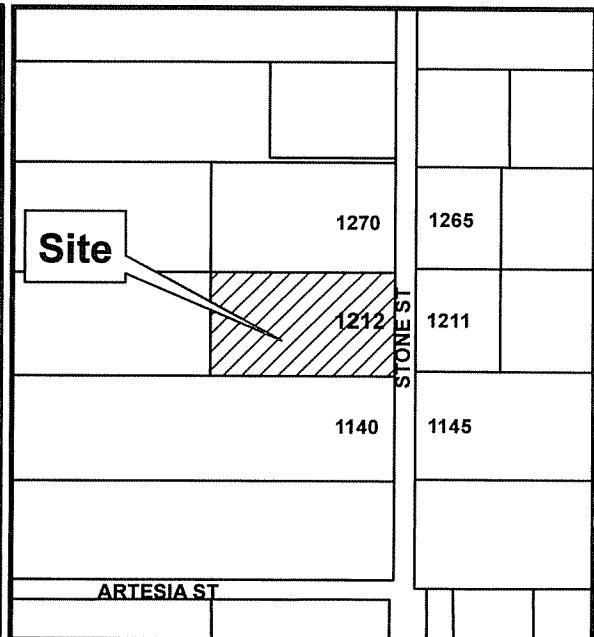
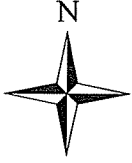


Seminole County Board of Adjustment
April 28, 2008
Case: BM2008-03 (Map 3160, Grid E3)
Parcel No: 25-20-31-5BA-0000-3350

Zoning

-  BM2008-03
-  A-1
-  A-5

N



**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: Louis E Morgan
Address: PO Box 958 Delta, Co
Phone #: 970-261-9530 81416

Name: Sandy Morgan
Address: PO Box 458 Delta Co 81416
Phone #: 970-874-1398

Name: _____
Address: _____
Phone #: _____

Name: _____
Address: _____
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: _____
Officers: _____
Address: _____
Directors: _____
Address: _____
Shareholders: _____
Address: _____

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

Beneficiaries: _____
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 rezoning, 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.

2-28-08
Date

Louis Morgan
Owner, Agent, Applicant Signature
Sandy Morgan

STATE OF FLORIDA Colorado
COUNTY OF Delta

Sworn to (or affirmed) and subscribed before me this 28th day of February, 2008 by Louis Morgan
Sandy Morgan

Debbie J. McCarty Debbie J. McCarty
Signature of Notary Public Print, Type or Stamp Name of Notary Public

Personally Known OR Produced Identification _____
Type of Identification Produced _____

DEBBIE J. McCARTY
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires Sep. 16, 2008

For Use by Planning & Development Staff
Date: _____ Application Number: _____

Form #
Date