

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 3275 Howard Avenue – Richard Center, applicant; Request for a special exception for the permanent placement of an existing mobile home in the A-5 (Agriculture) district.

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

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

Agenda Date 7/28/08 Regular Consent Public Hearing – 6:00

MOTION/RECOMMENDATION:

1. **Deny** the request for a special exception for the permanent placement of a mobile home in the A-5 (Agriculture) district; or
2. **Approve** the request for a special exception for the permanent placement of a mobile home in the A-5 (Agriculture) district; or
3. **Continue** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning: Subdivision:	Richard Center 3275 Howard Avenue A-5 (Agriculture) Black Hammock
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting the permanent placement of a 2001 double wide mobile, where mobile homes are allowed only by special exception. • In 1998, the applicant was granted the 10 year placement of an 1990 or newer model home. This request was extended for six months in 1999. 	

Reviewed by:
Co Atty: _____
Pln Mgr: _____

**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:

Available records indicate that the surrounding parcels in Black Hammock have a mixture of conventional homes, agriculture uses, vacant large parcels and mobile homes.

Does not have an undue adverse effect on existing traffic patterns, movements and volumes:

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.

Is consistent with the Seminole County Vision 2020 comprehensive plan:

The request would be consistent with the trend of low-density single-family land use, established in this area.

Meets any additional requirements specified in the code section authorizing the use in a particular zoning district or classification:

The subject property meets the minimum dimensional requirements of the A-5 zoning classification.

Will not adversely affect the public interest:

The surrounding neighborhood historically has consisted of single family homes, mobile homes, agricultural uses, and vacant land. The current trend of development in the Black Hammock area is single-family residential with a several new houses built since 2000. The remaining mobile homes in the area received temporary approval from the Board of Adjustment although most approvals have expired. Permanent placement of mobile homes have been granted to new double wide mobile homes with conventional home design standards.

<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION IN THE A-5 (RURAL ZONING DISTRICT); LDC SECTION 30.104(a)</p>	<p>The BOA may permit any use allowed by special exception in the A-5 (Rural Zoning 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><u>Is consistent with the general zoning plan of the A-5 (Rural Zoning District):</u></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">○ The mobile home shall have safe and convenient vehicular access.○ 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-5; 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-5 (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>On July 22, 2008, Seminole County Planning Staff is recommending to the Board of County Commissioner to transmit to the Department of Community Affairs the following policy concerning Manufactured and Mobile Homes:</p>

Policy FLU 10.3 Manufactured Housing and Mobile Homes

The County shall provide opportunities for manufactured housing and mobile homes through the following actions:

- A. Continuing to allow existing manufactured housing and mobile homes as permitted uses where previously permitted and allow as permitted uses in the zoning classifications associated with Rural-3, Rural-5 and Rural-10 land use designated lands;
- B. Continuing to allow minimum parcel size for manufactured housing developments to promote affordable housing; and
- C. Continue to enforce Land Development Code provisions for locating manufactured housing/ mobile homes, including standards for access, compatibility with surrounding land uses, construction standards, impact on infrastructure, and appropriate length of use.

Based upon this recommendation of continuing to allow existing manufactured housing and mobile homes as permitted uses where previously permitted and allow as permitted uses in the zoning classifications associated with Rural-3, Rural-5 and Rural-10 land use designated lands, staff is recommending approval of the special exception request for the permanent placement of a mobile home.

If the Board chooses to grant the Special Exception staff recommends the following conditions:

- Only one (1) single-family mobile home unit shall occupy the site, as shown on the proposed site plan;
- The mobile home shall otherwise conform to applicable building codes, including standards for anchoring, utility accessibility and skirting.
- The mobile home shall have shingled roof, vinyl siding, skirting and other "conventional home" design conditional deemed appropriate by the Board of Adjustment.

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 \$78.00 for renewal of temporary mobile home

Application # BM 2008-08
Meeting Date July 28, 08

COPY



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

RECEIVED MAY 14 2008

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

Name: RICHARD L. CENTER
Address: 3215 HOWARD AVE City: OUIEDO Zip code: 32765
Project Address: SAME City: _____ Zip code: _____
Contact number(s): 407-359-4103 407-222-1882
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

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

What is year of the mobile home? 2001 * What is the size of the mobile home? 62' x 28'

* 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 _____ 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]

FOR OFFICE USE ONLY

Date Submitted: 5-15-08 Reviewed By: P. Johnson
 Tax parcel number: 05-21-32-5CD-0000-0160 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: _____

KCF

MOBILE HOME SUBMITTAL CHECKLIST

Please return this checklist with your application!

After the application is reviewed by staff for completeness, any items required that were not provided at the time of the application will be check marked below. These must be provided prior to scheduling of the Board of Adjustment hearing.

	1. Completed application.
	2. Owner's authorization letter (if needed). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
	3. Flood Prone Map: The flood map for your property may be obtained from the Seminole County Building Department.
	4. Provide a legible 8 ½ x 11 inch site plan with the following information <i>NOTE: Please use your property survey for your site plan, if available.</i> See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.
	o Please start with a clean survey (ex: white-out old approval stamps)
	o For replacement mobile homes, place a note on the site plan that states the old mobile home will be removed within 30 days of the Certificate of Occupancy of the new mobile home.
	o Size and dimensions of the parcel
	o Location of flood plain line, if applicable
	o Location and names of all abutting streets
	o Location of driveways
	o Location, size and type of any septic systems, drainfield and wells
	o Location of all easements
	o Existing or proposed mobile home <i>(Label existing, label proposed, and include square footage and dimensions of each)</i>
	o Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
	o Setbacks from each building to the property lines
	o Proposed fences
	o Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	5. Mobile Home Specifications
	o Photos of existing mobile home <i>(show each side of the mobile home and roof)</i>
	o Detailed specifications of the proposed mobile home including floor plan <i>(show type of roof, siding, skirting, screening, etc)</i>
	6. Required submittal for medical hardship
	o Current letter from a doctor substantiating illnesses for the medical hardship

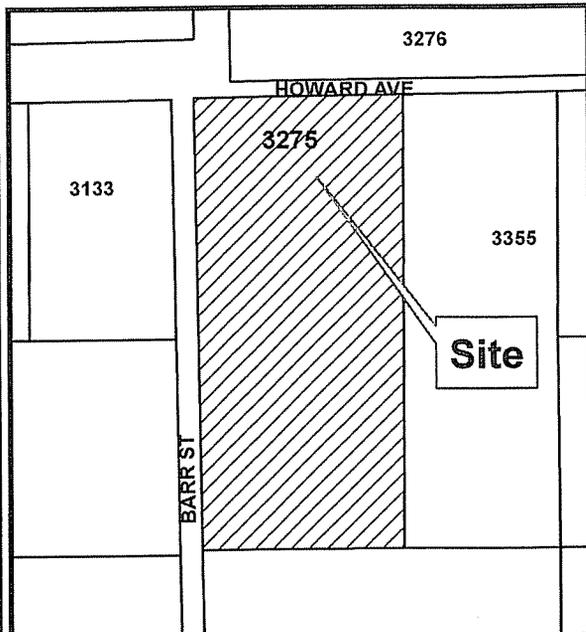
Richard L Center
3275 Howard Avenue
Oviedo, Florida 32765



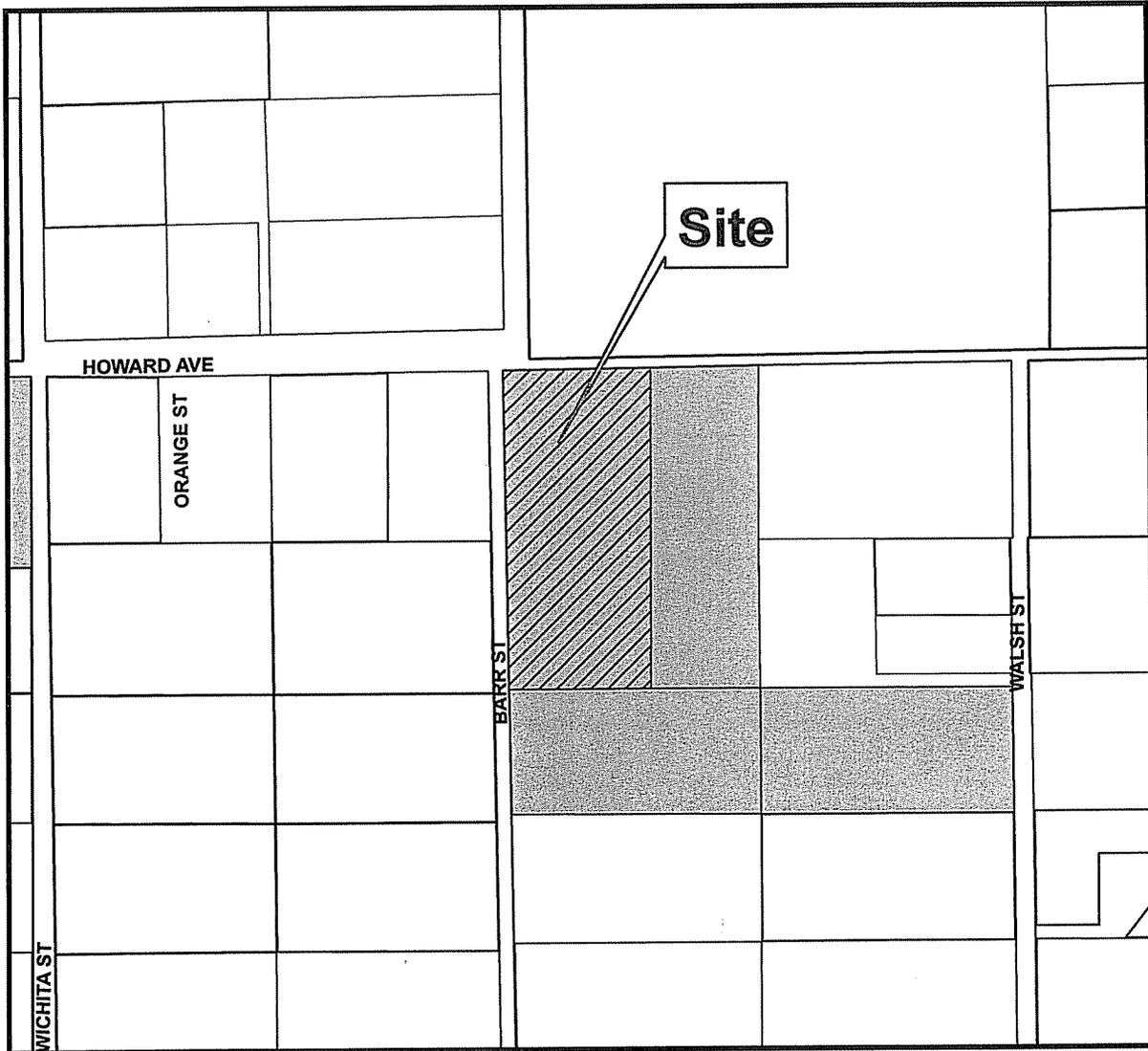
Seminole County Board of Adjustment
July 28, 2008
Case: BM2008-08 (Map 3161, Grid A2)
Parcel No: 05-21-32-5CD-0000-0180

Zoning

-  BM2008-08
-  A-5



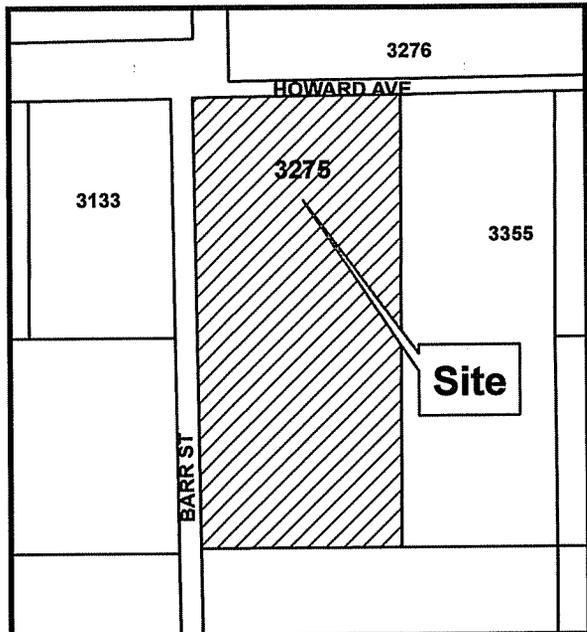
Richard L. Center
3275 Howard Ave
Oviedo, Florida 32765



Seminole County Board of Adjustment
July 28, 2008
Case: BM2008-08 (Map 3161, Grid A2)
Parcel No: 05-21-32-5CD-0000-0180

Zoning

-  BM2008-08mh
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home



**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: RICHARD L. CENTER Name: _____
Address: 3275 HOWARD AVE. SUITE 22765 Address: _____
Phone #: 407-359-4103 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**

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.

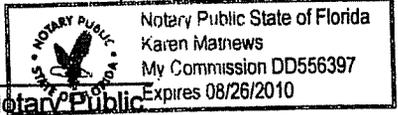
5-15-2008
Date

[Signature]
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 15 day of May, 2008 by _____

[Signature]
Signature of Notary Public

Print, Type or Stamp Name of Notary Public 

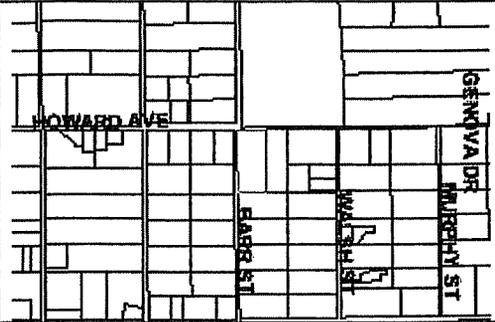
Personally Known _____ OR Produced Identification ✓
Type of Identification Produced Florida Drivers License

For Use by Planning & Development Staff

Date: _____ Application Number: _____

PARCEL DETAIL

DAVID JOHNSON, CFA, ASA
PROPERTY APPRAISER
 SEMINOLE COUNTY FL.
 1101 E. FIRST ST
 SANFORD, FL 32771-1468
 407-885-7505



GENERAL
 Parcel Id: 05-21-32-5CD-0000-0180
 Owner: CENTER RICHARD L
 Mailing Address: 3275 HOWARD AVE
 City,State,ZipCode: OVIEDO FL 32765
 Property Address: 3275 HOWARD AVE OVIEDO 32765
 Subdivision Name: FLORIDA GROVES COS 1ST ADD BLACK HAMMOCK
 Tax District: 01-COUNTY-TX DIST 1
 Exemptions: 00-HOMESTEAD (2001)
 Dor: 02-MOBILE/MANUFACTURED

2008 WORKING VALUE SUMMARY
 Amendment 1 impact not reflected.
 Value Method: Market
 Number of Buildings: 0
 Depreciated Bldg Value: \$0
 Depreciated EXFT Value: \$90,792
 Land Value (Market): \$111,375
 Land Value Ag: \$0
 Just/Market Value: \$202,167
 Assessed Value (SOH): \$137,153
 Exempt Value: \$25,000
 Taxable Value: \$112,153
 Tax Estimator
 Portability Calculator

SALES

Deed	Date	Book	Page	Amount	Vac/Imp	Qualified
WARRANTY DEED	03/1998	03386	1657	\$28,500	Vacant	No
WARRANTY DEED	01/1992	02379	0618	\$29,000	Vacant	No
ARTICLES OF AGREEMENT	01/1976	01082	0657	\$100	Vacant	No

Find Comparable Sales within this Subdivision

2007 VALUE SUMMARY
 Tax Amount(without SOH): \$2,631
 2007 Tax Bill Amount: \$1,597
 Save Our Homes (SOH) Savings: \$1,034
 2007 Taxable Value: \$108,158
 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS

LAND

Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value
ACREAGE	0	0	5.940	25,000.00	\$111,375

Permits

LEGAL DESCRIPTION
 PLATS:
 LEG LOT 18 (LESS E 312.34 FT) & W 1/2 OF LOT 20 (LESS E 312.34 FT & W 10 FT FOR RD)
 FLA GROVES COS 1ST ADD TO BLACK HAMMOCK PB 2 PG 74

EXTRA FEATURE

Description	Year Blt	Units	EXFT Value	Est. Cost New
MOBILE HOME	2000	1,736	\$88,796	\$95,480
MH A/C PKG	2000	1,736	\$1,996	\$2,170

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.

PLANNING AND DEVELOPMENT DEPARTMENT



CURRENT PLANNING DIVISION

June 29, 1999

Richard L. Center
3308 Kathleen Drive
Orlando, Florida 32810

RE: File #BA99-6-23TE

Dear Mr. Center:

At their meeting of June 28, 1999, the Seminole County Board of Adjustment approved your request of a six month extension of a Special Exception to place a mobile home on the following described property:

Lot 18 (less E 312.34 ft.) and W 1/2 of Lot 20 (less E 312.34 ft. and W 10 ft. for road), Florida Groves Co.'s 1st Addition to Black Hammock, PB 2, Pg 74, Section 5-21-32; SE corner of Barr Street and Howard Avenue, 1/5 mile W of Walsh Street and 3/4 mile N of SR-426. (DIST 5)

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 and no appeals have been filed.

Sincerely,


Ginny Markley,
Zoning Coordinator

GM/tb

PLANNING AND DEVELOPMENT DEPARTMENT

CURRENT PLANNING DIVISION



December 29, 1998

Richard L. Center
3308 Kathleen Drive
Orlando, Florida 32810

RE: File #BA98-12-57TE

Dear Mr. Center:

At their meeting of December 28, 1998, the Seminole County Board of Adjustment approved your request of a Special Exception to place a mobile home on the following described property:

Lot 18 (less E 312.34 ft.) and the W 1/2 of Lot 20 (less E 312.34 ft. and W 10 ft. for road), Florida Groves Co.'s 1st Addition to Black Hammock, PB 2, Pg 74, Section 5-21-32; SE corner of Barr Street and Howard Avenue and 3/4 mile N of SR-426.
(DIST 5)

Your request was approved for a period of 10 (ten) 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. The approval of this request is subject to the mobile home being a 1990 or newer model.

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.

DR012 02 **DEVELOPMENT HISTORY DISPLAY** 5/15/08 15:31:11

FILE #: BA98-12-57TE **APPL:** CENTER, RICHARD L.

SEC: 05 **TWP:** 21 **RNG:** 32 **SUF:** **PL BK:** 2 **PB PG:** 74 **BLOCK #:**

DEVELOPMENT NAME: MH-CENTER, RICHARD L.

LOC: SE CORNER OF BARR STREET AND HOWARD AVENUE AND 3/4 MILE N OF SR-426.

LOT #1: 20 **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**

PARC #1: **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**

REQUEST DESCRIPTION:

TO PLACE A MOBILE HOME.

ACTION: APPROVED FOR 10 YEARS FOR A 1990 OR NEWER MOBILE HOME.!

DATE: 122898

REMARKS:

(LOT 18 (LESS E 312.34 FT.) & W 1/2 OF LOT 20 (LESS E 312.34 FT. & W 10 FT. FOR ROAD) (FLORIDA GROVES 1ST ADDITION TO BLACK HAMMOCK)

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

DR012 02 **DEVELOPMENT HISTORY DISPLAY** 5/15/08 14:35:41

FILE #: BA99-6-23TE **APPL:** CENTER, RICHARD L.

SEC: 05 **TWP:** 21 **RNG:** 32 **SUF:** **PL BK:** 2 **PB PG:** 74 **BLOCK #:**

DEVELOPMENT NAME: MH-CENTER, RICHARD L.

LOC: SE CORNER OF BARR STREET AND HOWARD AVENUE AND 3/4 MILE OF SR-426.

LOT #1: 18 **#2:** 20 **#3:** **#4:** **#5:** **#6:** **#7:**

PARC #1: **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**

REQUEST DESCRIPTION:

SIX MONTH EXTENSION OF A SPECIAL EXCEPTION TO PLACE A MOBILE HOME HOME

ACTION: APPROVED.

DATE: 062899

REMARKS:

(LOT 18 (LESS E 312.34 FT.) AND WA 1/2 OF LOT 20 (LESS E 312.34 FT. AND W 10 FT. FOR ROAD) (FL. GROVES CO.'S 1ST ADDITION TO BLACK HAMMOCK

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

Batch #

104398

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On July 28, 2008, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg lot 18 FLA GROVES COS 1ST ADD TO BLACK HAMMOCK PB 2 PG 74

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

FINDINGS OF FACT

Property Owner: Richard Center
3275 Howard Avenue
Oviedo, Fl. 32765

Project Name: Howard Avenue (3275)

Requested Development Approval:

Request for the permanent placement of an 2001 double wide mobile home in the A-5 (Rural zoning) 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:
 - a. The special exception granted will apply only to the permanent placement of an 2001 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: _____
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: