

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

*(continued from the April 27, 2009 public hearing)*

**SUBJECT:** 2000 Tatra Street – Matthew Lavin, applicant; Request for a special exception for the permanent placement of a mobile home in the A-1 (Agriculture) district.

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

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

**Agenda Date** 4/27/09 **Regular**  **Consent**  **Public Hearing – 6:00**

**MOTION/RECOMMENDATION:**

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

<b>GENERAL INFORMATION</b>	<p>Applicant: Matthew Lavin                  Location: 2000 Tatra Street                  Zoning: A-1 (Agriculture)                  Subdivision: Slavia Colony</p>
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• The applicant is requesting the permanent placement of a 2009 double wide mobile, where mobile homes are allowed only by special exception.</li> <li>• The applicant is proposing to place a 2009 double wide mobile home on an approximately 7 ½ acre parcel.</li> </ul>

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 area along W. Chapman Road and Tatra Street has a mixture of vacant agriculture and residential uses. Tatra Street has five abutting parcels in which three have mobile homes and three are vacant including the applicant's property.

**Does not have an unduly 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-1 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 along Tatra Street and W. Chapman road is single-family residential with vacant agriculture uses. It is a "closed" area in the terms the Greenway is located on the west side and blocks any future development.

<b>MOBILE HOME AS A SPECIAL EXCEPTION IN THE A-1; LDC SECTION 30.103</b>	A mobile home may be permitted as a special exception on a lot or parcel of record in the A-1 (Agriculture), subject to the previously referenced mobile home siting standards in section 30.1401 of the Land Development Code.
<b>STAFF RECOMMENDATION:</b>	<p>Based upon the trend of development in the surrounding area staff would consider the permanent placement of a new mobile home that met "conventional home" design standards. If the Board chooses to grant the Special Exception staff recommends the following conditions:</p> <ul style="list-style-type: none"><li>• Only one (1) single-family mobile home unit shall occupy the site, as shown on the proposed site plan;</li><li>• The mobile home shall otherwise conform to applicable building codes, including standards for anchoring, utility accessibility and skirting.</li><li>• The mobile home shall have shingled roof, vinyl siding, skirting and other "conventional home" design conditional deemed appropriate by the Board of Adjustment.</li></ul>

**INDEX OF ATTACHMENTS**

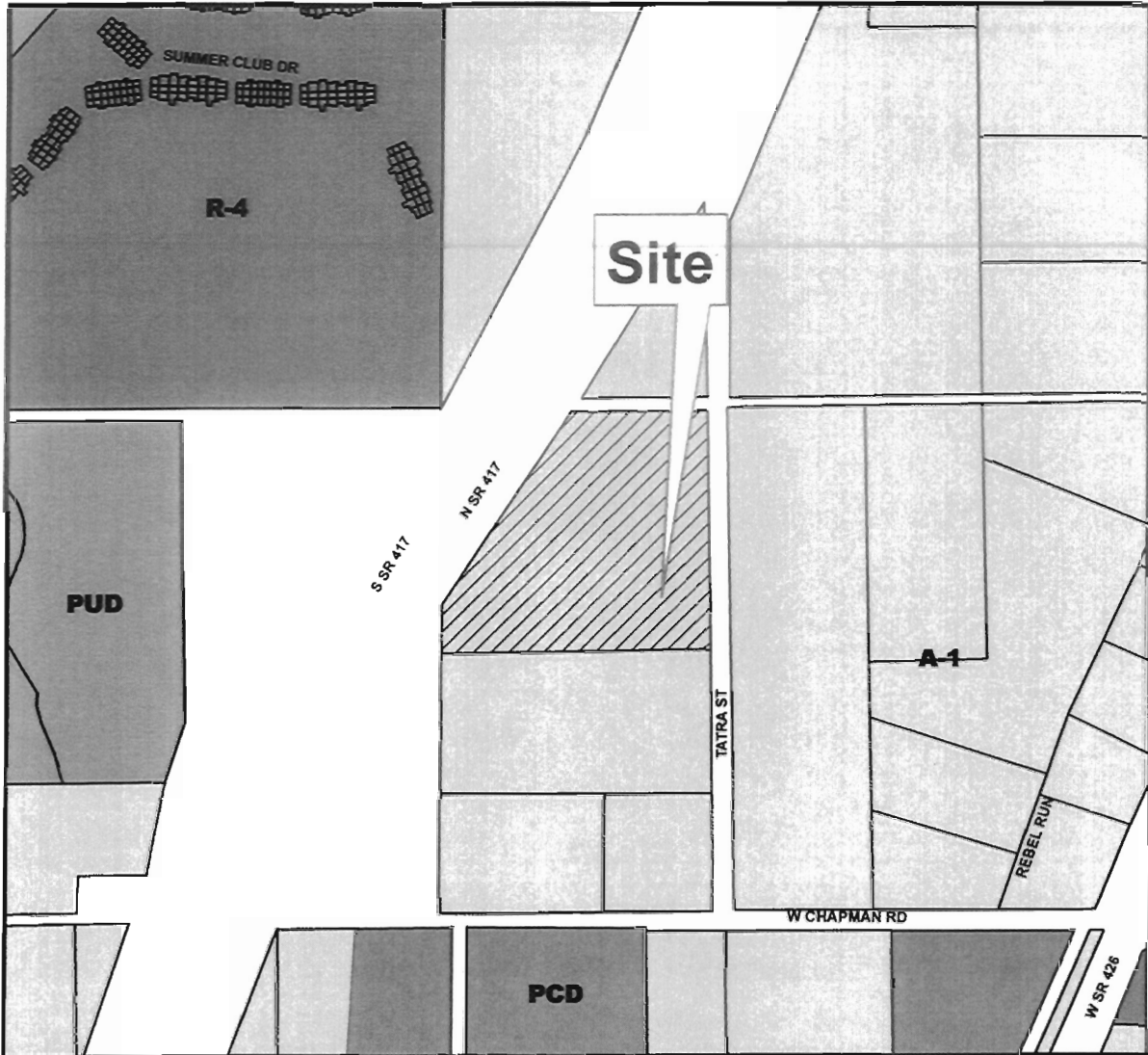
*Items that are checked are included in the packet*

- 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

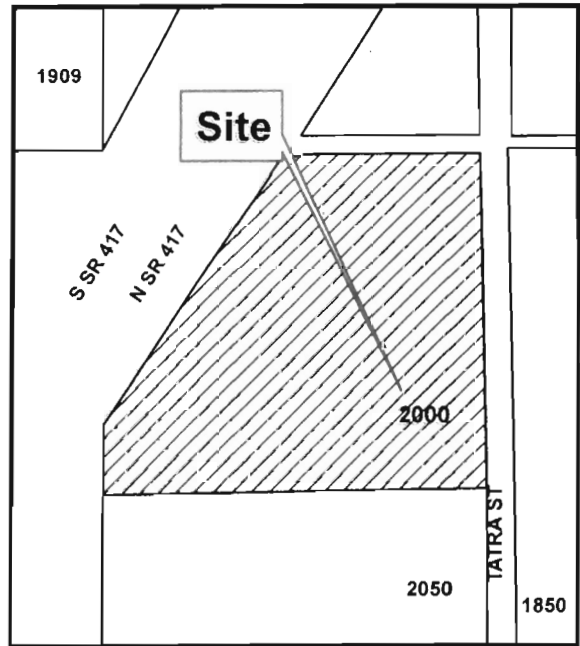

Matthew Lavin  
2000 Tatra Street  
Oviedo, Florida 32765



Seminole County Board of Adjustment  
April 27, 2009  
Case: BM2009-01 (Map 3212 Grid B3)  
Parcel No: 16-21-31-5CA-0000-0560

Zoning

	BM2009-01
	A-1
	R-4
	C-1
	PUD
	PCD






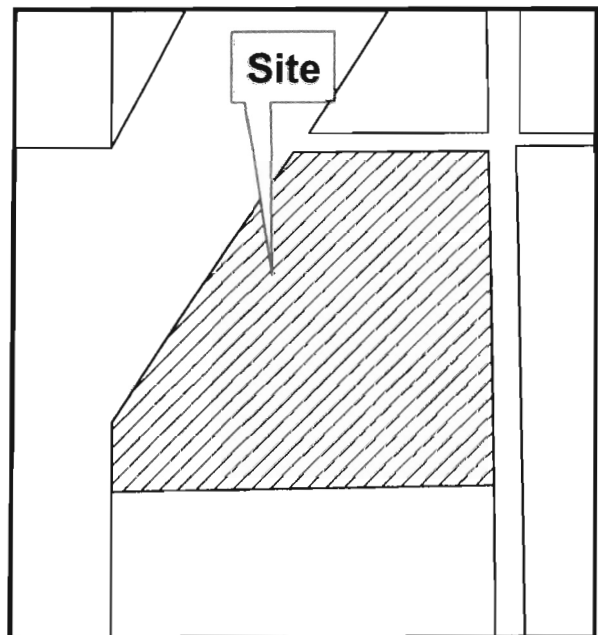
Matthew Lavin  
2000 Tatra Street  
Oviedo, Florida 32765



Seminole County Board of Adjustment  
April 27, 2009  
Case: BM2009-01mh (3212, Grid B3)  
Parcel No: 16-21-31-5CA-0000-0560

**Zoning**

-  BM2009-01mh
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home



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

Application # BM 2009-01  
Meeting Date 4-27-09



# MOBILE HOME APPLICATION

## SEMINOLE COUNTY PLANNING DIVISION

1101 East First Street Sanford FL 32771 (407) 665-1414

# COPY

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

Name: Matthew Lavin - Seminole Highlands LLC  
Address: 14561 SW Long Bay Dr. City: Palm City Zip code: 32990  
Project Address: 2000 Tatra St. City: Oviedo FL Zip code: 32765  
Contact number(s): 772-463-2645  
Email address: matt@matthlavin.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

RECEIVED MAR 09 2009

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

What is year of the mobile home? 2009 \* What is the size of the mobile home? 40x76

\* 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: Matthew Lavin

### FOR OFFICE USE ONLY

Date Submitted: <u>3-9-09</u>	Reviewed By: <u>P. Johnson</u>
Tax parcel number: <u>16-21-31-5CA-0000-0560</u>	Zoning/FLU: <u>A-1 / MOR</u>
<input type="checkbox"/> Medical hardship: Recent doctor letter submitted: <input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Legally created parcel (1971 tax roll, 5-acre dev, lot split) <input type="checkbox"/> Platted Lot (check easements on lots / in dedication/notes)	
<input type="checkbox"/> Lot size _____ <input type="checkbox"/> Meets minimum size and width	
<input type="checkbox"/> Past approval # _____ <input type="checkbox"/> Application and checklist complete	
Notes: _____	

<p><b>PARCEL DETAIL</b></p> <p>DAVID JOHNSON, CFA, ASA</p> <p><b>PROPERTY APPRAISER</b></p> <p>SEMINOLE COUNTY FL</p> <p>1101 N. FIRST ST SANFORD, FL 32771-1408 407-688-7808</p>																																			
<p style="text-align: center;"><b>GENERAL</b></p> <p>Parcel Id: 16-21-31-5CA-0000-0560                  Owner: SEMINOLE HIGHLANDS LLC                  Mailing Address: 4561 SW LONG BAY DR                  City,State,ZipCode: PALM CITY FL 34990                  Property Address: OVIEDO 32765                  Facility Name:                  Tax District: 01-COUNTY-TX DIST 1                  Exemptions:                  Dor: 99-ACREAGE NOT AGRICULT</p> <p style="text-align: center; font-size: 2em;">A-1</p>		<p style="text-align: center;"><b>VALUE SUMMARY</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:40%;">VALUES</th> <th style="width:30%;">2009 Working</th> <th style="width:30%;">2008 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td>Cost/Market</td> <td>Cost/Market</td> </tr> <tr> <td>Number of Buildings</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$0</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$0</td> </tr> <tr> <td>Land Value (Market)</td> <td style="text-align: right;">\$200,610</td> <td style="text-align: right;">\$200,610</td> </tr> <tr> <td>Land Value Ag</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$0</td> </tr> <tr> <td>Just/Market Value</td> <td style="text-align: right;">\$200,610</td> <td style="text-align: right;">\$200,610</td> </tr> <tr> <td>Portability Adj</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td style="text-align: center;">\$0</td> <td style="text-align: center;">\$0</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td style="text-align: right;">\$200,610</td> <td style="text-align: right;">\$200,610</td> </tr> </tbody> </table> <p style="text-align: center;">Tax Estimator</p>	VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	1	1	Depreciated Bldg Value	\$0	\$0	Depreciated EXFT Value	\$0	\$0	Land Value (Market)	\$200,610	\$200,610	Land Value Ag	\$0	\$0	Just/Market Value	\$200,610	\$200,610	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$0	Assessed Value (SOH)	\$200,610	\$200,610
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County General Fund	\$200,610	\$0	\$200,610																																
Schools	\$200,610	\$0	\$200,610																																
Fire	\$200,610	\$0	\$200,610																																
Road District	\$200,610	\$0	\$200,610																																
SJWM(Saint Johns Water Management)	\$200,610	\$0	\$200,610																																
County Bonds	\$200,610	\$0	\$200,610																																
The taxable values and taxes are calculated using the current years working values and the prior years approved millage rates.																																			
<p style="text-align: center;"><b>SALES</b></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>11/2007</td> <td>06890</td> <td>1751</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>02/1986</td> <td>01710</td> <td>0366</td> <td>\$75,000</td> <td>Improved</td> <td>Yes</td> </tr> </tbody> </table> <p style="text-align: center;">Find Sales within this DOR Code</p>		Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	WARRANTY DEED	11/2007	06890	1751	\$100	Vacant	No	WARRANTY DEED	02/1986	01710	0366	\$75,000	Improved	Yes	<p style="text-align: center;"><b>2008 VALUE SUMMARY</b></p> <p style="text-align: right;">2008 Tax Bill Amount: \$3,021</p> <p style="text-align: center;">2008 Certified Taxable Value and Taxes</p> <p style="text-align: center;">DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS</p>												
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<b>BUILDING INFORMATION</b>																																			
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Bld Num	Bld Type	Year Blt	Fixtures	Base SF	Gross SF	Living SF	Ext Wall	Bld Value	Est. Cost New																										
1	SINGLE FAMILY	1969	0	1,609	1,609	1,609		\$0	\$0																										
<p><b>NOTE:</b> Appedage Codes included in Living Area: Base, Upper Story Base, Upper Story Finished, Apartment, Enclosed Porch Finished, Base Semi Finished</p> <p><b>NOTE:</b> Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																			





SURVEY BASELINE FOR S.R. 417

# State Road No. 417 (Toll)

DIVIDED HIGHWAY W/ACCESS CONTROL

STATE ROAD NO. 417 RIGHT-OF-WAY LINE/AND ACCESS CONTROL LINE  
N 32°11'37" E 1135.29

FD. 5/8  
I.R.  
F.D. 07  
56.49  
N 01°00'20" W  
56.49

5 1/2' Perimeter Fence Boxwise

658.01

1135.29

50'x50'  
Drainfield  
1250 Septic

Proposed  
4 Bedroom  
Home

2000 Sq Ft  
BLOCK BLDG  
EXISTING

4" Well

548.0 SQ. FT.  
.13 ACRES

Progress  
Energy  
Easement

Tatara ST

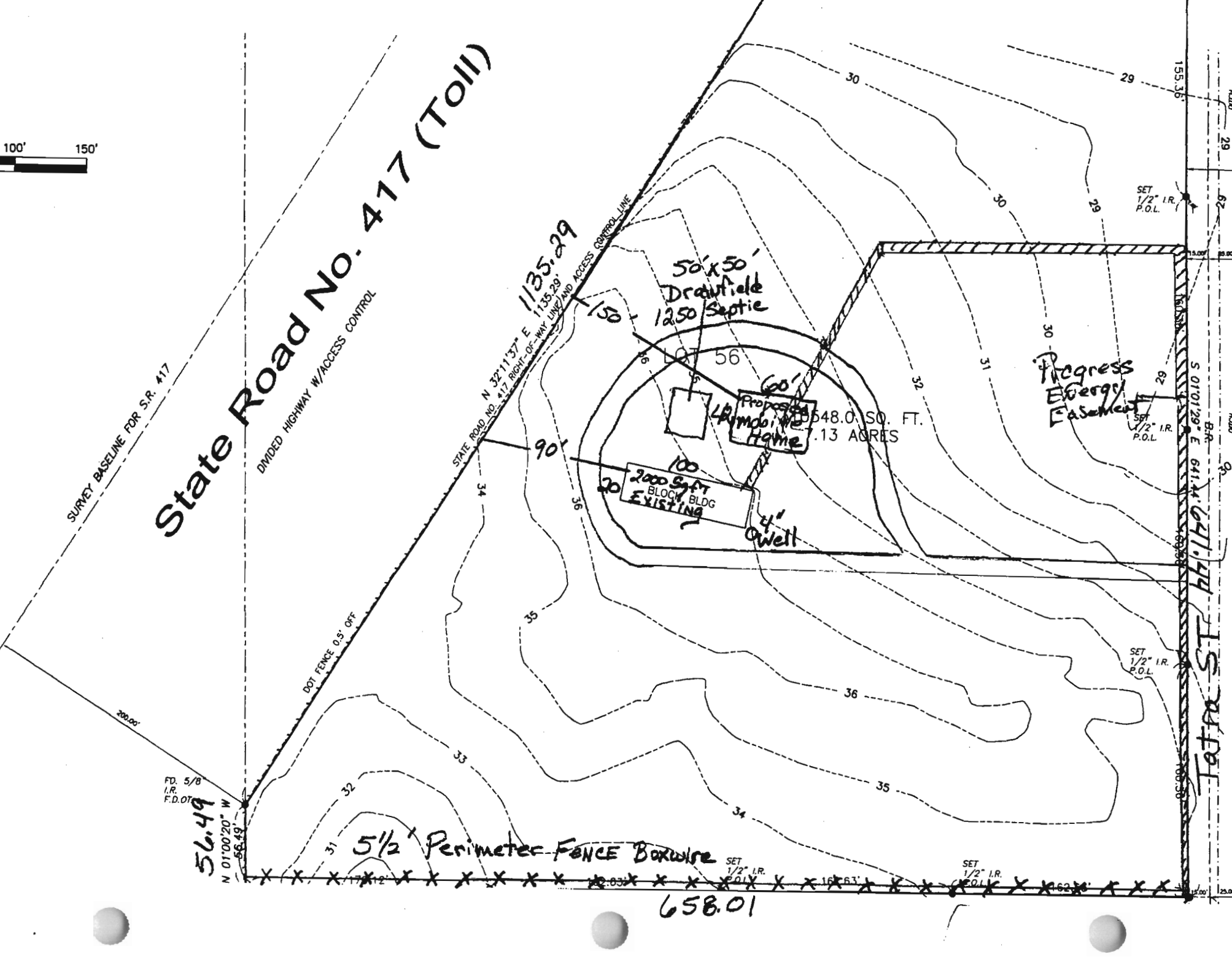
SET 1/2" I.R. P.O.L.

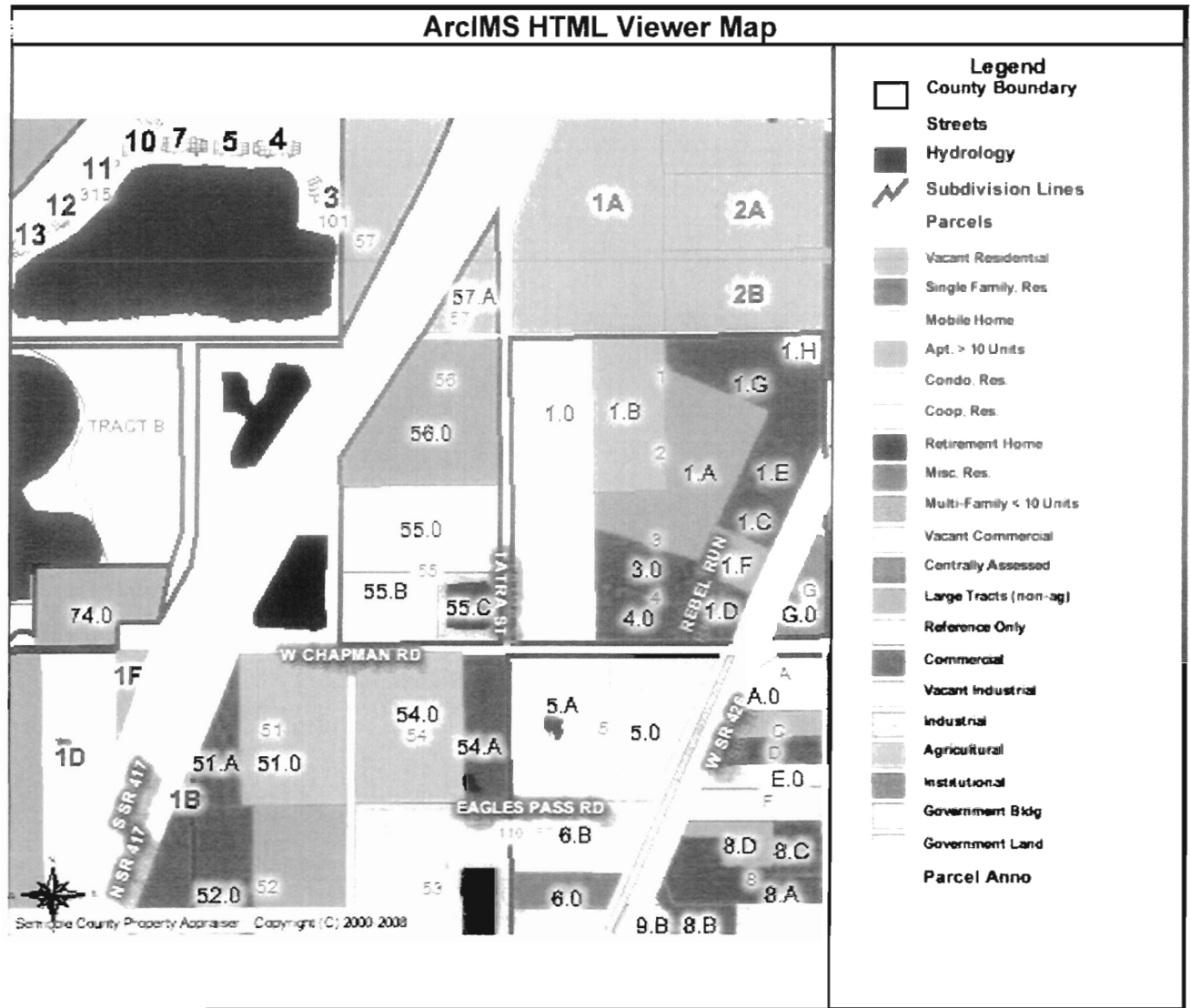
SET 1/2" I.R. P.O.L.

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# FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS

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## Detail by Entity Name

### Florida Limited Liability Company

SEMINOLE HIGHLANDS, LLC

### Filing Information

Document Number L07000100276  
FEI Number N/A  
Date Filed 10/02/2007  
State FL  
Status ACTIVE  
Effective Date 10/03/2007

### Principal Address

2000 TATRA STREET  
OVIEDO FL 32765

### Mailing Address

4561 SW LONG BAY DR.  
PALM CITY FL 34990

### Registered Agent Name & Address

LAVIN, MATTHEW P  
4561 SW LONG BAY DR.  
PALM CITY FL 34990 US

Name Changed: 02/17/2009

### Manager/Member Detail

#### Name & Address

Title MGRM

LAVIN, MATTHEW P MR.  
4561 SW LONG BAY  
PALM CITY FL 34990

Title S

LAVIN, ANN T MRS.  
4561 SW LONG BAY DR.  
PALM CITY FL 34990

### Annual Reports

#### Report Year Filed Date

2008 07/08/2008  
2009 02/17/2009

SEMINOLE COUNTY  
APPLICATION & AFFIDAVIT

Ownership Disclosure Form

Please provide the information as requested below in accordance with Ordinance No. 07-23:

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: Matthew LAVIN  
Address: 4561 SW Long Bay Dr.  
City/Zip: Palm City FL 34990  
Phone #: 772-463-2645

Name: Ann LAVIN  
Address: 4561 SW Long Bay Dr.  
City/Zip: Palm City FL 34990  
Phone #: 772-781-8112

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Phone #: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
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: LLC Seminole Highlands LLC  
Officers: Matthew Lavin MGRM  
Address: 4561 SW Long Bay Dr.  
City/Zip: Palm City FL 32765  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Shareholders: \_\_\_\_\_  
Address: \_\_\_\_\_

Name of Corporation: \_\_\_\_\_  
Officers: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
Directors: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_  
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: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

Beneficiaries: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/Zip: \_\_\_\_\_

(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: _____
City/Zip: _____	City/Zip: _____

(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: _____
City/Zip: _____	City/Zip: _____

(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.

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.

2/20/09  
Date

Matthew Levin  
Owner, Agent, Applicant Signature

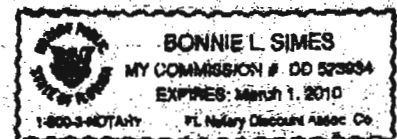
STATE OF FLORIDA  
COUNTY OF HARTWELL

Sworn to (or affirmed) and subscribed before me this 20th day of FEBRUARY, 2009 by MATTHEW LEVIN

Bonnie L. Simes  
Signature of Notary Public

BONNIE L. SIMES  
Print, Type or Stamp Name of Notary Public

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



**For Use by Planning & Development Staff**  
Date: \_\_\_\_\_ Application Number: \_\_\_\_\_

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On April 27, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Leg Lot 56 (Less Expressway) Slavia Colony Cos Subd PB 2 PG 71

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

### **FINDINGS OF FACT**

**Property Owner:** Matthew Lavin  
4561 SW Long Bay Drive  
Palm City, Fl. 34990

**Project Name:** Tatra Street (2000)

**Variance Approval:**

Permanent placement of a 2009 or newer double wide mobile home.

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, 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 mobile home shall have shingled roof, vinyl siding, skirting and other "conventional home" design conditional deemed appropriate by the Board of Adjustment.
- 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.

(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 \_\_\_\_\_, 2009.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: