

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

SUBJECT: 5070 Nolan Road – Jeffery and Michele Wallace, applicant; Request for the limited use of a mobile home while a single family home is under construction in A-1 (Agriculture).

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

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT** 7489

Agenda Date 08/24/09 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

1. **APPROVE** the request for the limited use of a mobile home while a single family home is under construction in A-1 (Agriculture) conditioned on the site plan and staff's proposed conditions; or
2. **DENY** the request for the limited use of a mobile home while a single family home is under construction in A-1 (Agriculture); or
3. **CONTINUE** the request to a time and date certain.

GENERAL INFORMATION	Applicant: Location: Zoning:	Jeffery and Michele Wallace 5070 Nolan Road A-1
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting one year placement of a mobile home for one year in the A-1 district, while a permanent single-family dwelling is under construction. • The temporary occupancy of a mobile home while a single-family structure is under construction is permitted only by limited use in the A-1 district. The limited use is only allowed for one year with the option to renew for an additional year upon application to the Board of Adjustment. 	

Reviewed by:
Co Atty: _____
Pln Mgr: _____

<p>STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(B)(2)</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>Along Nolan there is a mixture of mobile homes and "conventional" single family homes. Therefore, the temporary occupancy of the same on a lot where a single-family home is under construction would be compatible with the trend of development on nearby and adjacent properties within this zoning category.</p> <p><u>Does not have an undue adverse effect on existing traffic patterns, movements and volumes:</u></p> <p>Since the mobile home would be temporarily utilized as a single-family dwelling 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 is for the temporary approval of a use, which would be used for single-family purposes; the same would be consistent with the comprehensive plan's designation of Suburban Estates future land use for the subject property.</p> <p><u>Meets any additional requirements specified in the code section authorizing the use in a particular zoning district or classification:</u></p> <p>The subject property meets the minimum size and yard requirements of the A-1 district.</p> <p><u>Will not adversely affect the public interest:</u></p> <p>At present, the trend of development in the immediate area includes mobile homes, conventional single-family homes and vacant properties. Therefore, the temporary occupancy of the proposed mobile home, while a permanent home is constructed on the subject property, would not be detrimental to the public interest.</p>
<p>STAFF FINDINGS</p>	<p>The applicant has satisfied the standards for the grant of a limited use for temporary occupancy of a mobile home as a single-family dwelling. Based on the findings presented, staff</p>

recommends approval of this request, conditioned upon the site plan submitted, conformity with the comprehensive plan, and adherence to the following land development code standards

- The appropriate building permit shall be secured for placement and occupancy of the proposed mobile home as a temporary single-family dwelling on the subject property.
- A permanent single-family home shall be actively under construction and inspection during the period the recreational vehicle is used as a temporary dwelling.
- The placement & occupancy of the mobile home shall not exceed one (1) year & shall be renewable for an additional period of one (1) year upon approval by the Board of Adjustment.
- Prior to final inspection of the residence, the property owner shall furnish the planning division with acceptable evidence as to the date & method that the mobile home will be removed.
- The mobile home shall be removed within thirty (30) days after final inspection of the permanent single-family home.

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

COPY

Application # BM 2009-03
Meeting Date 6-24-09



MOBILE HOME APPLICATION

SEMINOLE COUNTY PLANNING DIVISION ROOM 2201
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: Jeffrey A. Wallace and Michele L. Wallace
Address: 254 Greenwich Street City: Davenport Zip code: 33896
Project Address: 5070 Nolan Road City: Sanford Zip code: 32773
Contact number(s): 407-408-3778 or 407-832-2138
Email address: m1sue82910@yahoo.com

What is this request for?

RECEIVED JUL 09 2009

- New mobile home or replacement mobile home in A-1
- Renewal of an expired existing mobile home in A-1
- Temporary mobile home or recreational vehicle while a house is under construction in A-1, A-3, A-5, A-10 in the Rural area.
- 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? 62x14'

* 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 Limited placement for 1 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] MJL Wallace

FOR OFFICE USE ONLY

Date Submitted: 7-9-09 Reviewed By: P. Johnson
 Tax parcel number: 23-2030-300-004A-0000 Zoning/FLU A-1 USE
 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: _____

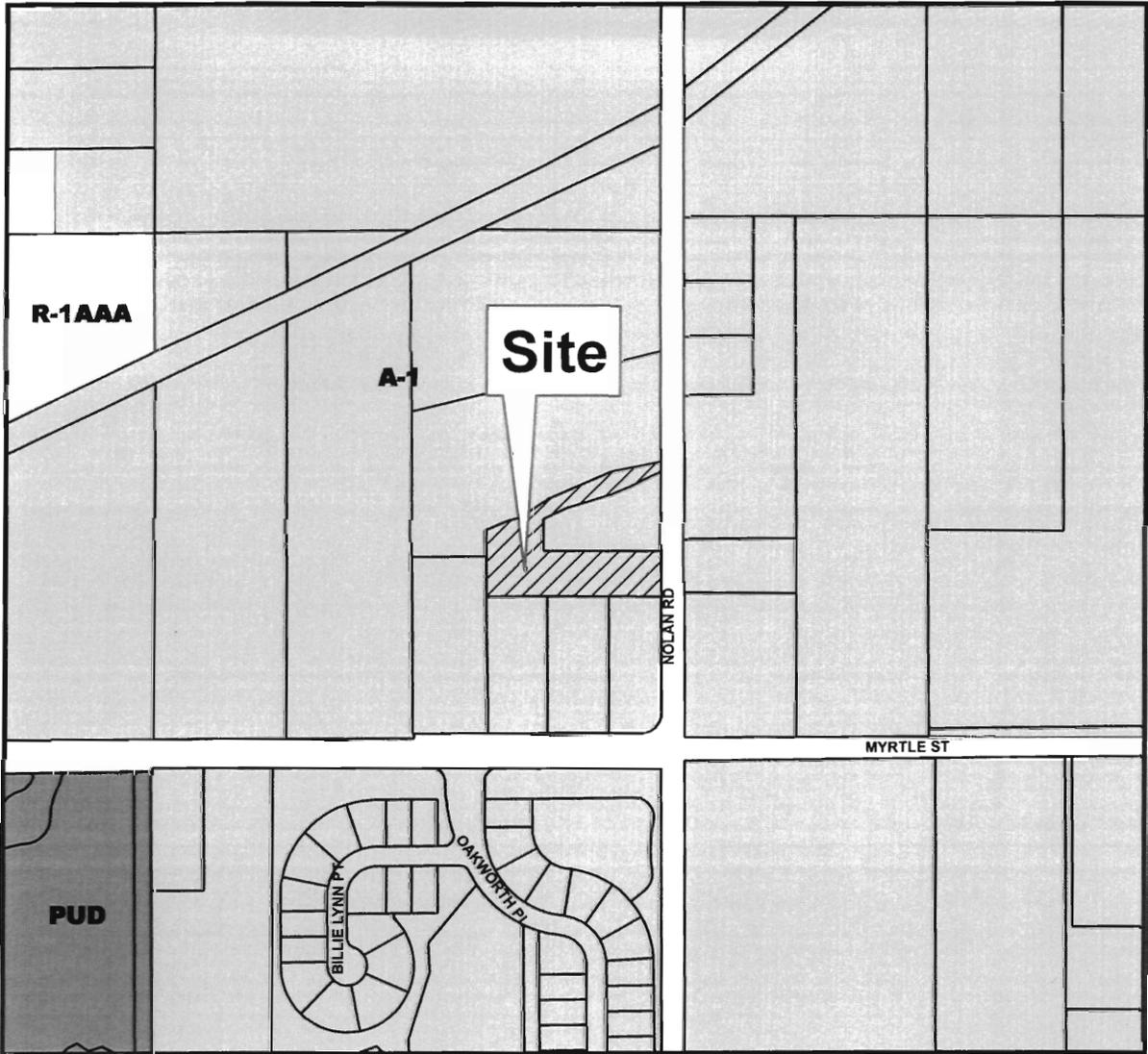
MOBILE HOME SUBMITTAL CHECKLIST

Please return this checklist with your application!

<p>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.</p>	
✓	1. Completed application.
✓	2. Ownership Disclosure Form (Seminole County Application & Affidavit).
NA	3. Owner's authorization letter (if needed). This form can be obtained at http://www.seminolecountyfl.gov/pd/planning/forms.asp
✓	4. Flood Prone Map: <i>The flood map for your property may be obtained from the Seminole County Building Department.</i>
✓	5. Provide a legible 8 ½ x 11 inch site plan with the following information <p><i>NOTE: Please use your property survey for your site plan, if available.</i></p> <p>See the attached site plan as an example of the information needed; please draw to scale and note the scale used on the plan.</p>
✓	○ Please start with a clean survey (<i>ex: white out old approval stamps</i>)
✓	○ Size and dimensions of the parcel
✓	○ Location of flood plain line, if applicable
✓	○ Location and names of all abutting streets
✓	○ Location of driveways
✓	○ Location, size and type of any septic systems, drainfield and wells
NA	○ Location of all easements
✓	○ Existing and/or proposed buildings, structures and improvements <i>(Label existing, label proposed, and include square footage and dimension of each)</i>
✓	○ Setbacks from each building to the property lines
NA	○ Proposed fences
✓	○ Identification of available utilities <i>(ex: water, sewer, well or septic)</i>
	6. Mobile Home Specifications
	○ Detailed specifications of the proposed mobile home including floor plan <i>(show type of roof, siding, skirting, screening, etc)</i>
NA	7. Required submittal for medical hardship
	○ Current letter from a doctor substantiating illnesses for the medical hardship

<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407 - 655 - 7806</p>																																			
<p>GENERAL</p> <p>Parcel Id: 23-20-30-300-004A-0000 Owner: WALLACE JEFFREY A & Own/Addr: WALLACE MICHELE L Mailing Address: 254 GREENWICH ST City,State,ZipCode: DAVENPORT FL 33896 Property Address: 5070 NOLAN RD SANFORD 32773 Facility Name: Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 99-ACREAGE NOT AGRICULT</p>	<p>VALUE SUMMARY</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>VALUES</th> <th>2009 Working</th> <th>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>0</td> <td>0</td> </tr> <tr> <td>Depreciated Bldg Value</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Depreciated EXFT Value</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Land Value (Market)</td> <td>\$99,680</td> <td>\$130,000</td> </tr> <tr> <td>Land Value Ag</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Just/Market Value</td> <td>\$99,680</td> <td>\$130,000</td> </tr> <tr> <td>Portability Adj</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Save Our Homes Adj</td> <td>\$0</td> <td>\$0</td> </tr> <tr> <td>Assessed Value (SOH)</td> <td>\$99,680</td> <td>\$130,000</td> </tr> </tbody> </table> <p style="text-align: right;">Tax Estimator</p>		VALUES	2009 Working	2008 Certified	Value Method	Cost/Market	Cost/Market	Number of Buildings	0	0	Depreciated Bldg Value	\$0	\$0	Depreciated EXFT Value	\$0	\$0	Land Value (Market)	\$99,680	\$130,000	Land Value Ag	\$0	\$0	Just/Market Value	\$99,680	\$130,000	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$0	Assessed Value (SOH)	\$99,680	\$130,000
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																			

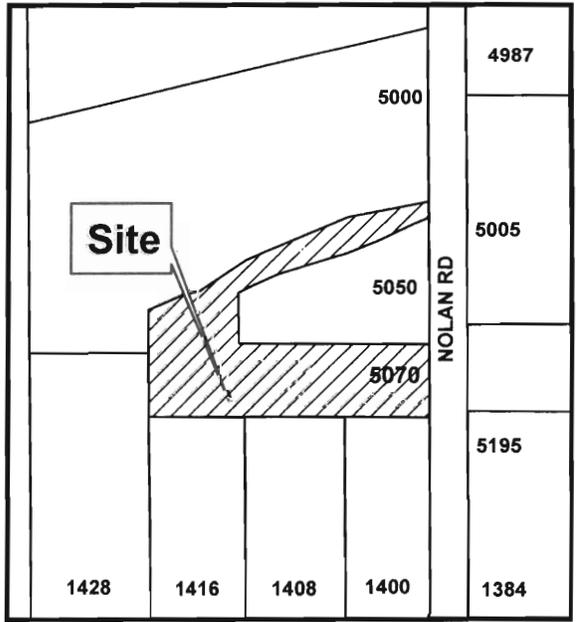
Jeffrey & Michele Wallace
 5070 Nolan Road
 Sanford, FL 32773



Seminole County Board of Adjustment
 August 24, 2009
 Case: BM2009-03 (Map 3105 Grid B3)
 Parcel No: 23-20-30-300-004A-0000

Zoning

-  BM2009-03
-  A-1
-  R-1AAA
-  PUD

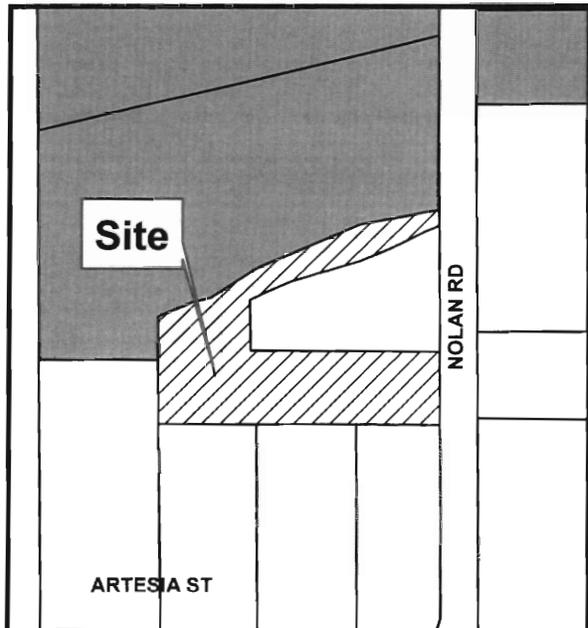
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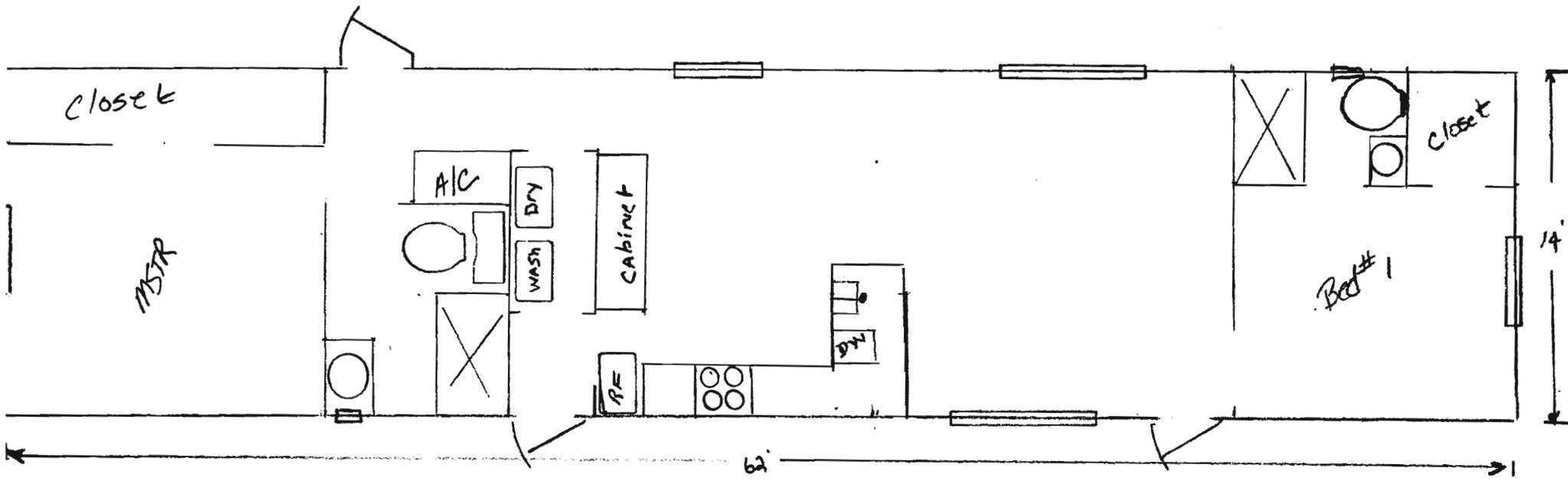


Seminole County Board of Adjustment
August 24, 2009
Case: BM2009-03 (Map 3105, Grid B3)
Parcel No: 23-20-30-300-004A-0000

Zoning

-  BM2209-03mh
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home



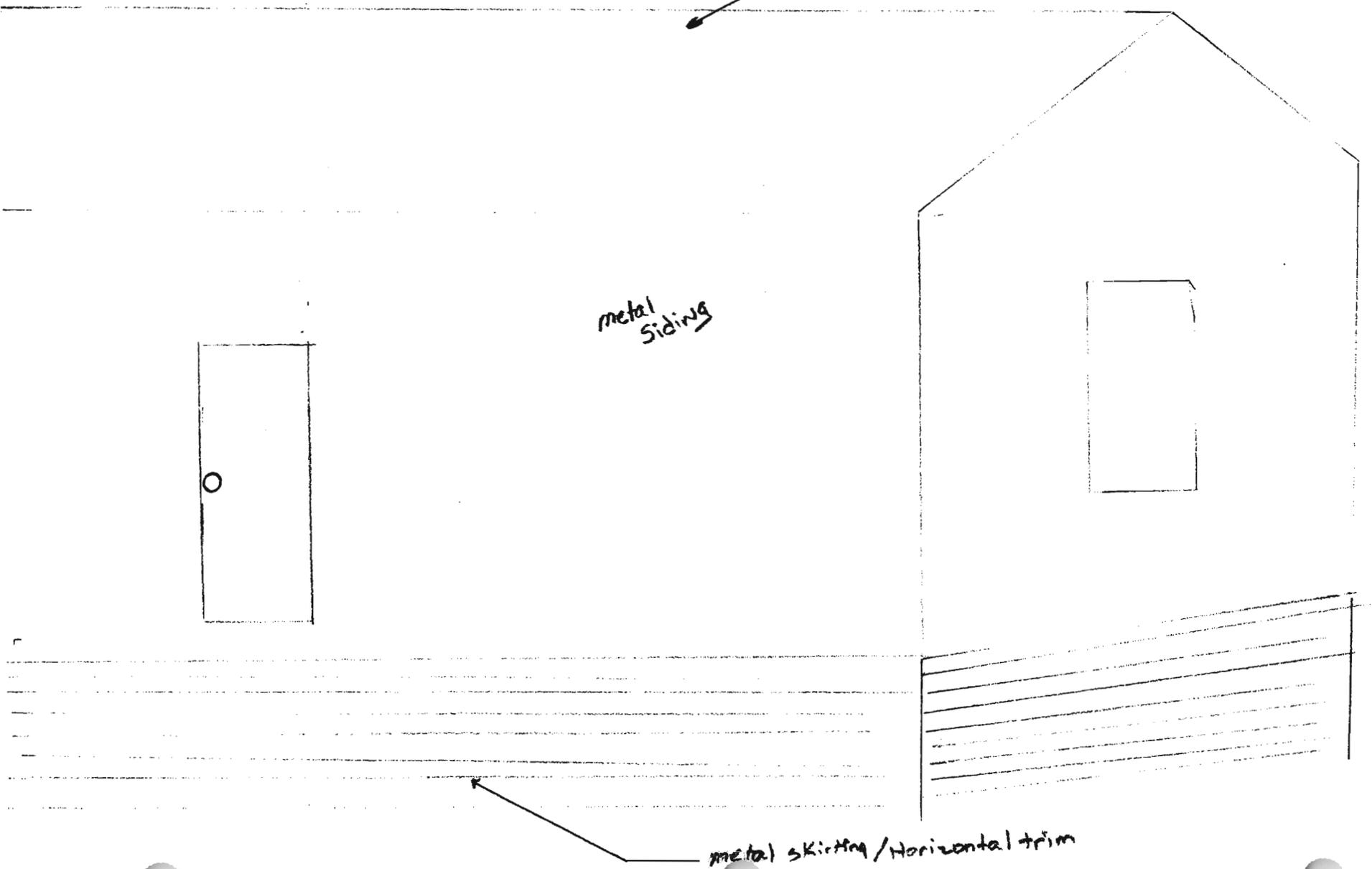


FLOOR PLAN
OF
PROPOSED MOBILE HOME

metal sheathing roof
over Truss work

metal
Siding

metal skirting / Horizontal trim



**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

Ownership Disclosure Form

The owner of the real property associated with this application is a (check one)

- Individual Corporation Land Trust
- Limited Liability Company Partnership
- Other (describe): _____

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	ADDRESS	PHONE NUMBER
Jeffrey A. Wallace	254 Greenwich St. Davenport, FL 33896	407-408-3778
Michele L. Wallace	254 Greenwich St. Davenport, FL 33896	407-832-2138

(Use additional sheets for more space.)

2. For each **corporation**, list the name, address, and title of each officer; the name and address of each director of the corporation; and the name and address of each shareholder who owns two percent 2% or more of the stock of the corporation. Shareholders need not be disclosed if a corporation's stock are not traded publicly on any national stock exchange.

NAME	TITLE OR OFFICE	ADDRESS	% OF INTEREST

(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 and the percentage of interest of each beneficiary. If any trustee or beneficiary of a trust is a corporation, please provide the information required in paragraph 2 above.

Trust Name: _____

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

**SEMINOLE COUNTY
APPLICATION & AFFIDAVIT**

4. For **partnerships**, including limited partnerships, list the name and address of each principal in the partnership, including general or limited partners. If any partner is a corporation, please provide the information required in paragraph 2 above.

NAME	ADDRESS	% OF INTEREST

(Use additional sheets for more space.)

5. In the circumstances of a **contract for purchase**, list the name and address of each contract purchaser. If the purchaser is a corporation, trust, or partnership, provide the information required for those entities in paragraphs 2, 3, and/or 4 above.

Name of Purchaser: _____

NAME	ADDRESS	% OF INTEREST

Date of Contract: _____

Please specify any contingency clause related to the outcome of the consideration of the application.

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.

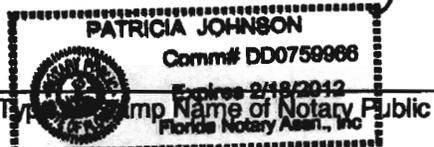
7/9/09
Date

M Wallace
Owner, Agent, Applicant Signature

STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 9th day of July, 2009 by Michele

WALLACE
Patricia Johnson
Signature of Notary Public



Personally Known _____ OR Produced Identification

Type of Identification Produced FIA DRIVER LICENSE

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

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On August 24, 2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 23 TWP 20S RGE 30E BEG 739.25 FT N & 25 FT W OF E 1/4 COR RUN S 53 DEG 23 MIN W 130 FT S 67 DEG 38 MIN 13 SEC W 186.40 FT S 56 DEG 27 MIN W 100 FT S 70 DEG 25 MIN 43 SEC W 68.91 FT S TO NW COR LOT 2 SPAULDING ACRES E TO NE COR LOT 4 N TO A PT 504.25 FT N & 25 FT W OF E 1/4 COR W 304.77 FT N 76.4 FT NELY ALONG S LI CANAL TO A PT S OF BEG N TO BEG

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

FINDINGS OF FACT

Property Owner: Jeffrey & Michele Wallace
5070 Nolan Road
Sanford, FL. 32771

Project Name: Nolan Road (5070)

Limited Use Approval:

Limited use of a mobile home for one year.

All six criteria for granting a variance under the Land Development Code have been satisfied.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

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

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The appropriate building permit shall be secured for placement and occupancy of the proposed mobile home as a temporary single-family dwelling on the subject property.
2. A permanent single-family home shall be actively under construction and inspection during the period the recreational vehicle is used as a temporary dwelling.
3. The placement & occupancy of the mobile home shall not exceed one (1) year & shall be renewable for an additional period of one (1) year upon approval by the Board of Adjustment.
4. Prior to final inspection of the residence, the property owner shall furnish the planning division with acceptable evidence as to the date & method that the mobile home will be removed.
5. The mobile home shall be removed within thirty (30) days after final inspection of the permanent single-family home.

(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:

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On 08/24/2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 23 TWP 20S RGE 30E BEG 739.25 FT N & 25 FT W OF E 1/4 COR RUN S 53 DEG 23 MIN W 130 FT S 67 DEG 38 MIN 13 SEC W 186.40 FT S 56 DEG 27 MIN W 100 FT S 70 DEG 25 MIN 43 SEC W 68.91 FT S TO NW COR LOT 2 SPAULDING ACRES E TO NE COR LOT 4 N TO A PT 504.25 FT N & 25 FT W OF E 1/4 COR W 304.77 FT N 76.4 FT NELY ALONG S LI CANAL TO A PT S OF BEG N TO BEG

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FINDINGS OF FACT

Property Owner: Jeffrey & Michele Wallace
5070 Nolan Road
Sanford, FL. 32771

Project Name: Nolan Road (5070)

Limited Use Request:

Limited use of a mobile home for one year.

Approval was sought to place a mobile home for one year while a single family home is under construction. 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 , Principal 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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: