

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: 110 North Center Street – Gerald Cox, applicant; Request for a special exception for the replacement 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 8/24/09 **Regular** **Consent** **Public Hearing – 6:00**

MOTION/RECOMMENDATION:

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

GENERAL INFORMATION	Applicant: Gerald Cox Location: 110 Center Street Zoning: A-1 (Agriculture)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant is requesting the renewal of an existing expired 1980 single wide mobile home, where mobile homes are allowed only by special exception. • In 1992 and 1998 the property received approval for renewals, each for 5 years.

Reviewed by:	<i>MC</i>
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 surrounding parcels along North Center Street and adjacent area have a mixture of agriculture businesses, mobile homes, and conventional homes.</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 meets the minimum dimensional requirements of the A-1 zoning classification.</p> <p><u>Will not adversely affect the public interest:</u></p> <p>The surrounding neighborhood historically has consisted of single family homes, mobile homes, agricultural uses, and vacant land. The mobile home is not visible from State Road 46 and uses North Center Street for access.</p>
<p>STAFF RECOMMENDATION:</p>	<p>Permanent placement of a 1980 single wide mobile home is not in keeping with the policies established by the Board. Permanent approvals have been granted to current year mobile home models that are double wide or larger within Seminole County. Staff does not have the authority to recommend time limits on mobile homes but the Board of</p>

	<p>Adjustment may describe reasonable time limits on special exceptions and/or mobile home requests (LDC Sec. 30.43 (4)).</p> <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.</p> <p>If the Board chooses to grant the Special Exception staff recommends 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 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.
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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
- Supporting documentation
- Letters of support
- HOA approval letter
- Pictures provided by applicant
- Other miscellaneous documents

- Proposed Development Order

Fee: \$185.00

Application # BM 2009-04
Meeting Date 8-24-09

COPY

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: GERALD A COX
Address: 117 RONNIE DRIVE City: ATLANTONTE FL Zip code: 32714
Project Address: 110 NORTH CENTER STREET City: SANFORD Zip code: 32771
Contact number(s): 407.402.0930 cell 407.682.0977 Home
Email address: COXPLUMBINGORL@YAHOO.COM

What is this request for?

RECEIVED JUL 10 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? 1980 * What is the size of the mobile home? Sngl Wide

* New or re-sited mobile homes must meet the requirements of the State of Florida Division of Motor Vehicles at time of permitting though the Seminole County Building Division..

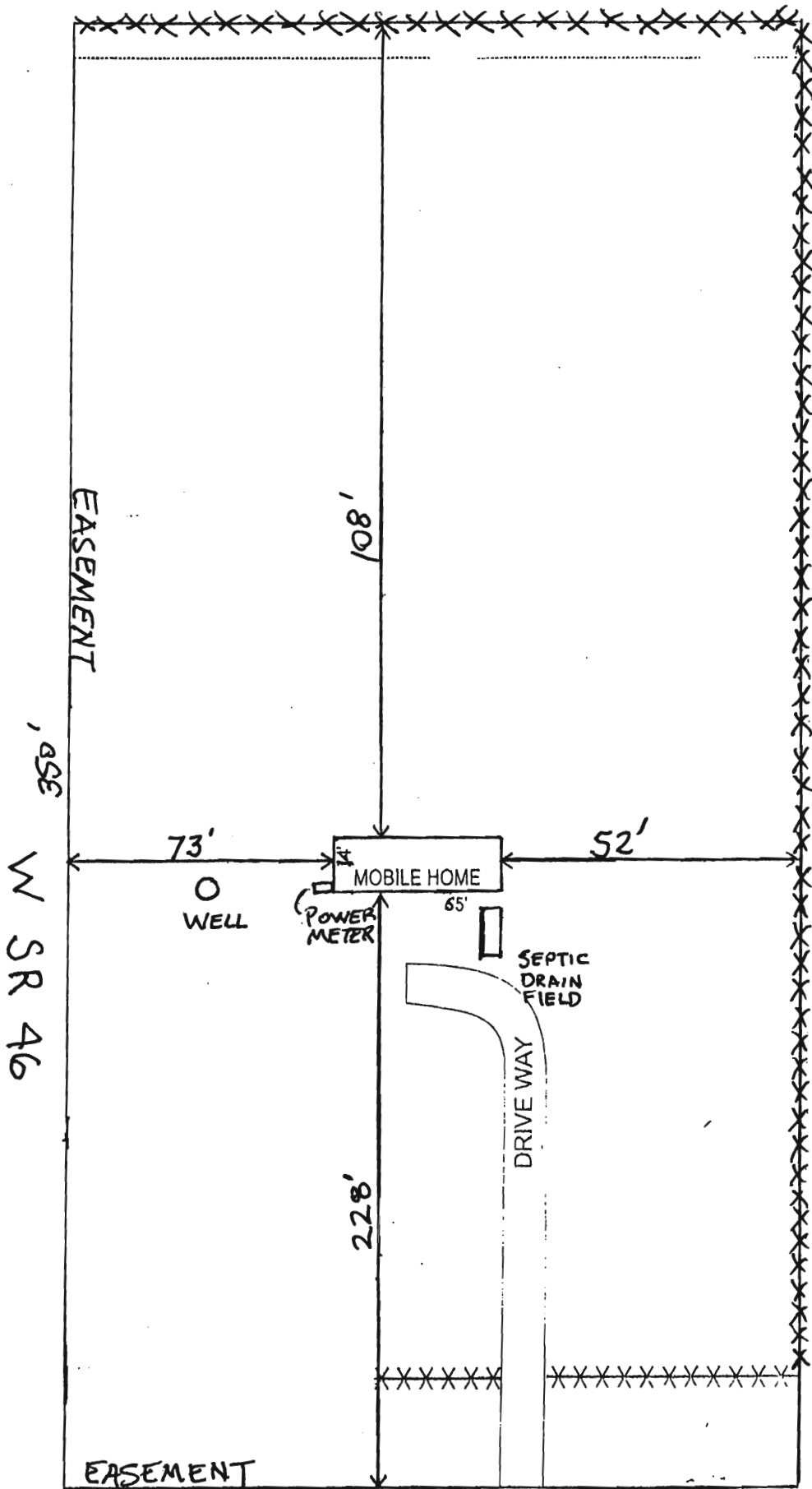
How long do you need it? Permanent placement Limited placement for ___ years

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]

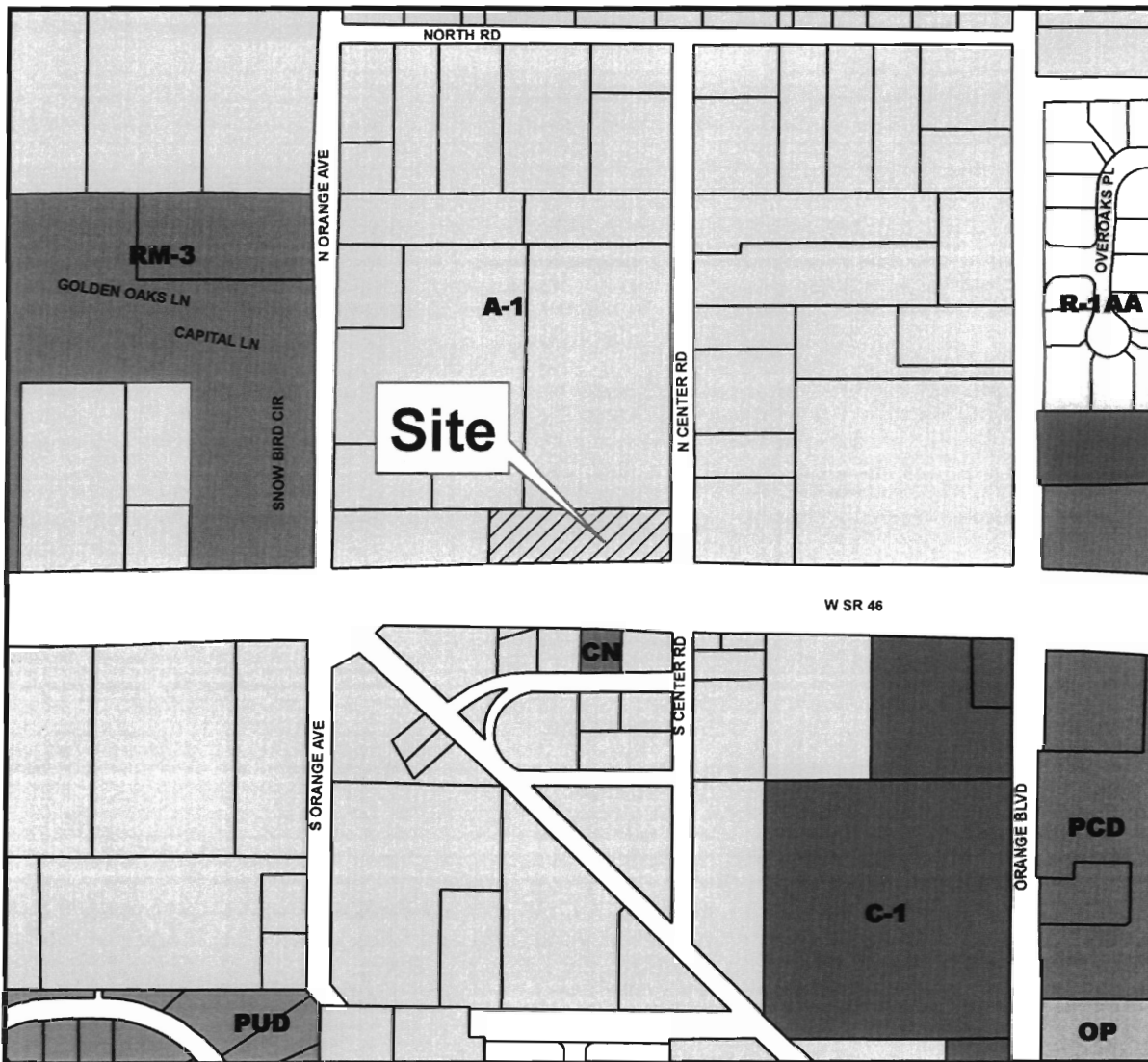
FOR OFFICE USE ONLY

Date Submitted: 7-10-09 Reviewed By: P Johnson
 Tax parcel number: 25-19-29-300-015A-0000 Zoning/FLU A1/SE
 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: _____



110 N. CENTER STREET

Gerald A Cox
 110 North Center Road
 Sanford, FL 32771

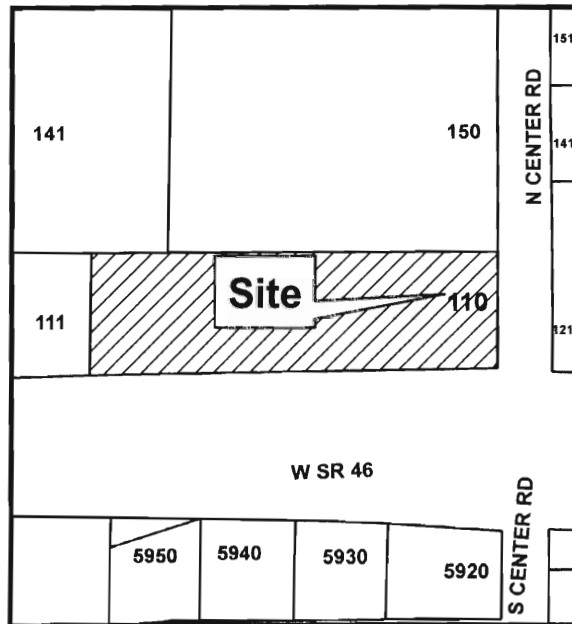


Seminole County Board of Adjustment
August 24, 2009
Case: BM2009-04 (Map 2999 Grid A7)
Parcel No: 25-19-29-300-018A-0000

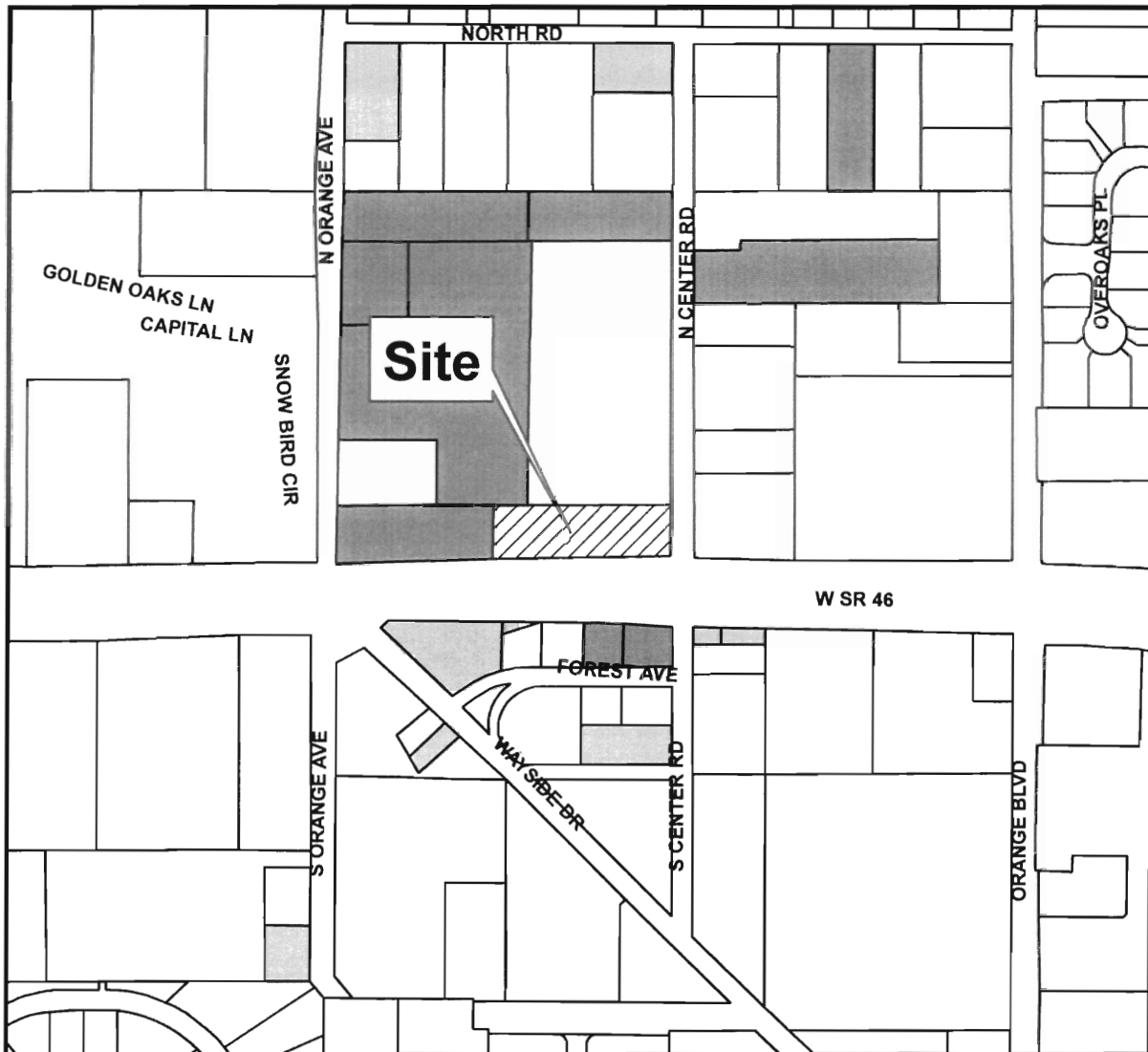
Zoning

	BM2009-04		CN
	A-1		C-1
	R-1AA		PUD
	RM-3		PCD
	OP		

N








Gerald A Cox
110 North Center Road
Sanford, Florida 32771

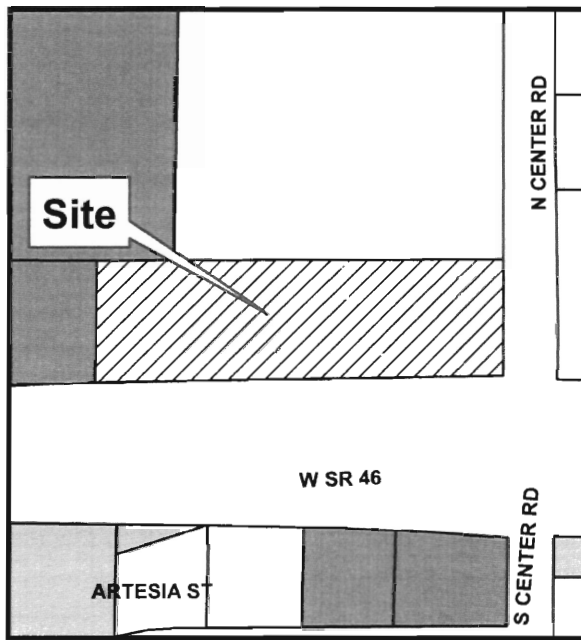



Seminole County Board of Adjustment
August 24, 2009
Case: BM2009-04 (Map 2999, Grid A7)
Parcel No: 25-19-29-300-018A-0000

Zoning

-  BM2009-04mn
-  All Other Values
-  Vacant Residential
-  Single Family Residential
-  Mobile Home

N



<p>PARCEL DETAIL</p> <p>DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-888-7506</p>																																						
<p align="center">GENERAL</p> <p>Parcel Id: 25-19-29-300-018A-0000 Owner: COX GERALD A Mailing Address: 117 RONNIE DR City,State,ZipCode: ALTAMONTE SPRINGS FL 32714 Property Address: 110 CENTER ST N SANFORD 32771 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 style="text-align: left;">VALUES</th> <th style="text-align: center;">2009 Working</th> <th style="text-align: center;">2008 Certified</th> </tr> </thead> <tbody> <tr> <td>Value Method</td> <td style="text-align: center;">Cost/Market</td> <td style="text-align: center;">Cost/Market</td> </tr> <tr> <td>Number of Buildings</td> <td style="text-align: center;">0</td> <td style="text-align: center;">0</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: center;">\$107,100</td> <td style="text-align: center;">\$130,050</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: center;">\$107,100</td> <td style="text-align: center;">\$130,050</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: center;">\$107,100</td> <td style="text-align: center;">\$130,050</td> </tr> </tbody> </table> <p 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)	\$107,100	\$130,050	Land Value Ag	\$0	\$0	Just/Market Value	\$107,100	\$130,050	Portability Adj	\$0	\$0	Save Our Homes Adj	\$0	\$0	Assessed Value (SOH)	\$107,100	\$130,050			
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<p><small>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.</small></p>																																						

**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
GERALD A. COX	117 RONNIE DRIVE ALTA SPRS FL 32714	407.682.0977

(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
N/A			

(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: N/A

NAME	TRUSTEE OR BENEFICIARY	ADDRESS	% OF INTEREST
N/A			

(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
N/A		

(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: N/A

NAME	ADDRESS	% OF INTEREST
N/A		

Date of Contract: N/A

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

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

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

07/10/2009
Date

[Signature]
Owner, Agent, Applicant Signature
[Signature] PCDL 12-28-16

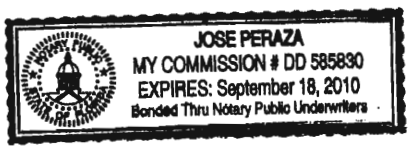
STATE OF FLORIDA
COUNTY OF Seminole

Sworn to (or affirmed) and subscribed before me this 10 day of July, 2009 by Gerald

[Signature]
Signature of Notary Public

Jose Peraza
Print, Type or Stamp Name of Notary Public

Personally Known _____ OR Produced Identification PCDL
Type of Identification Produced _____



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

FILE #: BA98-1-2TE **APPL:** DEFALCO, NOAH
SEC: 25 **TWP:** 19 **RNG:** 29 **SUF:** **PL BK:** **PB PG:** **BLOCK #:**

DEVELOPMENT NAME: MH-DEFALCO, NOAH
LOC: NW CORNER OF SR-46 AND CENTER ROAD AND 890 FT. W OF ORANGE BOULEVARD
LOT #1: **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**
PARC #1: 18A **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**

REQUEST DESCRIPTION:
RENEWAL OF AN EXISTING MOBILE HOME.

ACTION: APPROVED FOR 5 YEARS SUBJECT TO THE JUNK AND DEBRIS IN THE YARD BEING
DATE: 012698

REMARKS:
(ACTION CONT.: REMOVED WITHIN 30 DAYS OF APPROVAL OR THE MOBILE HOME
RENEWAL BECOMES VOID.)

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

FILE #: BA92-11-79TE **APPL:** JONES, GAYLE M.
SEC: 25 **TWP:** 19 **RNG:** 29 **SUF:** **PL BK:** **PB PG:** **BLOCK #:**

DEVELOPMENT NAME: MH-JONES, GAYLE M.
LOC: NW CORNER OF SR-46 AND CENTER ROAD.
LOT #1: **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**
PARC #1: 18A **#2:** **#3:** **#4:** **#5:** **#6:** **#7:**

REQUEST DESCRIPTION:
TO PLACE A MOBILE HOME (REINSTATEMENT).

ACTION: APPROVED FOR 5 YEARS.
DATE: 112392

REMARKS:

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

07/10/09

DIA. 110 N. CENTER ST.

WELL: (1) 5.0 HP 240 V Submersible Pump

(1) 30 GAL. TANK w/ BLADDER

900

SEPTIC

GALLONS

50 FT DRAIN FIELD

300

2 BEDROOMS

1 Kitchen

1 Living Room

2 Bathrooms

1 HALL AREA

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On 8/24/2009, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 25 TWP 19S RGE 29E E ½ OF S 244.44 FT OF N 15 CH
OF W 13 ¼ CH OF GOVT LOT 1

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

FINDINGS OF FACT

Property Owner: Gerald Cox
117 Ronnie Drive
Altamonte Springs, Fl. 32714

Project Name: North Central Street (110)

Special Exception Approval:

Permanent placement of an 1980 single wide mobile home.

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:

- a. The variance granted will apply only to the 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 _____, 2009.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

**SEMINOLE COUNTY DENIAL DEVELOPMENT
ORDER**

**SEMINOLE COUNTY APPROVAL DEVELOPMENT
ORDER**

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Special Exception Request:

Permanent placement of an 1980 single wide mobile home.

Approval was sought to receive permanent placement of a 1980 single wide mobile home. 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

FILE NO.:

DEVELOPMENT ORDER #

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: