BM2003-004

SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM

SUBJECT: REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR UP TO 3 YEARS AT 2775 OSCEOLA ROAD; (BRUCE PATTI, APPLICANT).

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

AUTHORIZED BY: Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

Agenda Date 06-23-03 **Regular** ☐ **Consent** ☒ **Public Hearing – 6:00** ☐

MOTION/RECOMMENDATION:

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR UP TO 3 YEARS AT 2775 OSCEOLA ROAD; (BRUCE PATTI, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR UP TO 3 YEARS AT 2775 OSCEOLA ROAD; (BRUCE PATTI, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #5, McLain) (Earnest McDonald, Principal Coordinator)

GENERAL INFORMATION	BRUCE PATTI 2775 OSCEOLA ROAD GENEVA, FL 32732	A-5 DISTRICT, LDC SECTION 30.103 (A-5 LIMITED USES) & 30.123 (A-1 LIMITED USES)
BACKGROUND / REQUEST	• THE APPLICANT PROPOSES TO TEMPORARILY OCCUPY A MOBILE HOME IN THE A-5 DISTRICT FOR UP TO 3 YEARS. • THE APPLICANT ALSO PLANS TO EVENTUALLY BUILD A PERMANENT SINGLE-FAMILY DWELLING AT THIS LOCATION IN THE NEXT 2 TO 3 YEARS. • THE TEMPORARY OCCUPANCY OF A MOBILE HOME IS PERMITTED ONLY BY SPECIAL EXCEPTION IN THE A-5 DISTRICT.	

ZONING & FLU

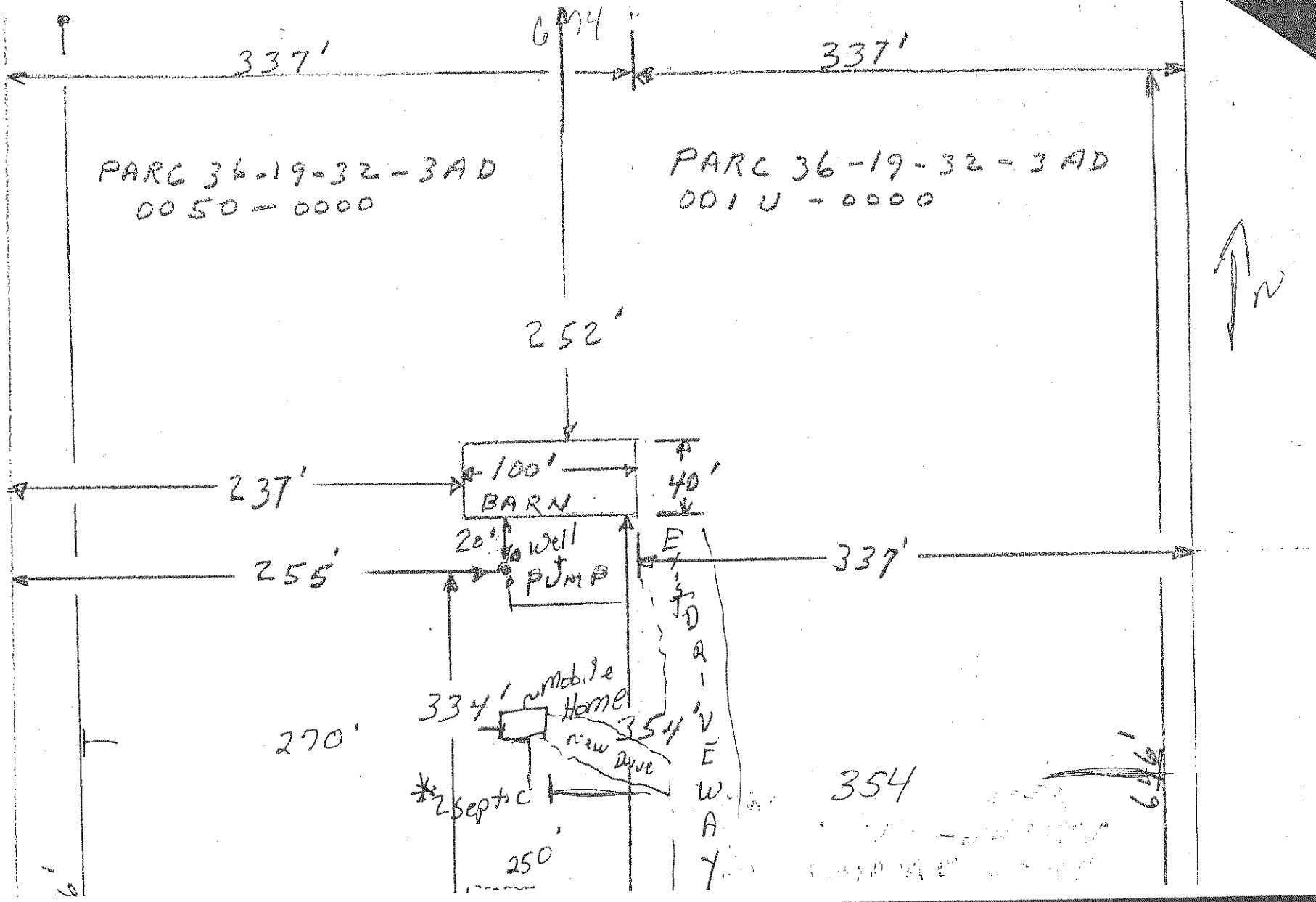
DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY
SITE	A-5	RURAL-5	VACANT
NORTH	A-5	RURAL-5	VACANT

	SOUTH	A-5	RURAL-5	SINGLE-FAMILY
	EAST	A-5	RURAL-5	SINGLE-FAMILY
	WEST	A-5	RURAL-5	SINGLE-FAMILY

STAFF FINDINGS

- THE SUBJECT PROPERTY IS NOT LOCATED IN A KNOWN FLOOD PRONE AREA.
- THE SUBJECT PROPERTY IS A VACANT TRACT APPROXIMATELY 5 ACRES IN SIZE AND PRIMARILY SURROUNDED BY LOW-DENSITY, SINGLE-FAMILY DEVELOPMENT. FOR THIS REASON, THE PERMITTANCE OF A MOBILE HOME FOR ANY TIME PERIOD BEYOND THAT WHICH IS REASONABLY REQUIRED FOR THE CONSTRUCTION OF A STICK-BUILT SINGLE-FAMILY HOME WOULD BE DETRIMENTAL TO THE CHARACTER OF SURROUNDING DEVELOPMENT.
- IF THE RECOMMENDED CONDITIONS STATED BELOW ARE IMPOSED BY THE BOARD, STAFF DOES NOT BELIEVE THE TEMPORARY PLACEMENT OF A MOBILE HOME ON THE SUBJECT PROPERTY WOULD BE DETRIMENTAL TO THE RURAL CHARACTER OF SURROUNDING SINGLE-FAMILY DEVELOPMENT.
  - A SINGLE-FAMILY RESIDENCE SHALL BE ACTIVELY UNDER CONSTRUCTION AND INSPECTION DURING THE PERIOD THE MOBILE HOME IS ON THE PROPERTY.
  - THE PLACEMENT AND OCCUPANCY OF THE PROPOSED MOBILE HOME SHALL NOT EXCEED THREE (3) YEARS AND MAY BE RENEWED 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 PROPOSED MOBILE HOME WILL BE REMOVED.
  - THE PROPOSED MOBILE HOME SHALL BE REMOVED WITHIN THIRTY (30) DAYS AFTER THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY FOR THE RESIDENCE.
- THE PROPOSED MOBILE HOME SHALL ALSO MEET THE STANDARDS FOR PLACEMENT IN THE A-5 DISTRICT AS STATED BELOW:
  - ONLY ONE (1) SINGLE-FAMILY MOBILE HOME SHALL OCCUPY THE SITE FOR A PERIOD NOT TO EXCEED 3 (THREE YEARS).
  - THE PROPOSED MOBILE HOME SHALL BEAR THE FLORIDA STANDARDS SEAL, WHICH WOULD ASSURE COMPLIANCE WITH STANDARDS PROMULGATED BY THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT.
  - THE PROPOSED MOBILE HOME SHALL CONFORM TO THE MINIMUM DIMENSIONAL STANDARDS OF THE A-5

	DISTRICT; BASED ON THE SUBMITTED SITE PLAN, THE PROPOSED USE WOULD COMPLY WITH THOSE STANDARDS. ○ THE APPLICANT SHALL APPLY TO THE SEMINOLE COUNTY HEALTH DEPARTMENT (ENVIRONMENTAL HEALTH SECTION) FOR AN ON-SITE SEPTIC PERMIT. THE SITING OF THE PROPOSED MOBILE HOME SHALL BE DEPENDENT UPON THE APPROVAL OF THE SAME. ○ THE PROPOSED MOBILE HOME SHALL CONFORM TO APPLICABLE BUILDING CODES, THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE, WHICH INCLUDE STANDARDS FOR ANCHORING AND SKIRTING. ○ THE APPLICANT SHALL SECURE A BUILDING PERMIT FOR THE CONSTRUCTION OF A SINGLE-FAMILY HOME ON THE PROPERTY PRIOR TO PLACING & OCCUPYING THE PROPOSED MOBILE HOME.
STAFF RECOMMENDATION	• THE APPLICANT HAS BEEN ADVISED OF THE STANDARDS FOR THE GRANT OF A SPECIAL EXCEPTION FOR THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 DISTRICT AND WOULD BE REQUIRED TO COMPLY WITH THE SAME. • BASED ON THE FINDINGS PRESENTED, STAFF RECOMMENDS APPROVAL OF THE REQUEST CONDITIONED UPON THE SITE PLAN SUBMITTED AND CONFORMITY WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.



GM4
337'
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PARC 36-19-32-3AD
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252'
237'
100'
BARN
40'
20'
Well
pump
255'
337'
E
DRIVEWAY
334'
Mobile Home
354'
New Drive
270'
*2 Septic
354
250'

FILE # **BM2003-004** **DEVELOPMENT ORDER # 03-31000004**

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On June 23, 2003, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG SEC 36 TWP 19S RGE 32E BEG 676.79 FT N & 703.70 FT E OF SW COR OF N ½ OF NE ¼ RUN E 337.03 FT S 646.14 FT W 337.03 FT N 646.36 FT TO BEG

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

FINDINGS OF FACT

Property Owners: JEANNETTE MAUREEN
3039 MOORE DRIVE
OVIEDO, FL 327 65

Project Name: 2775 OSCEOLA ROAD

Requested Development Approval:

SPECIAL EXCEPTION TO ALLOW THE TEMPORARY PLACEMENT OF A MOBILE HOME IN THE A-5 (RURAL ZONING CLASSIFICATION DISTRICT) FOR 3 YEARS, AS DEPICTED ON THE ATTACHED SITE PLAN.

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 aforedescribed property.

Prepared by: Earnest McDonald
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. Only one (1) single-family mobile home shall occupy the site for a period not to exceed three (3) years;
2. The proposed mobile home shall bear the Florida Standards Seal, which would assure compliance with standards promulgated by the U.S. Department of Housing & Urban Development;
3. The proposed mobile home shall conform to the minimum dimensional standards of the A-5 district; based on the submitted site plan, the proposed use would comply with those standards;
4. An on-site septic permit shall be applied for and obtained, prior to the siting of the proposed mobile home on the subject property;
5. The proposed mobile home shall conform to all applicable building codes, the Seminole County Comprehensive Plan and Land Development Code, which include standards for anchoring and skirting;
6. The applicant shall secure a building permit for the construction of a single-family home on the property prior to siting & occupying the proposed mobile home;
7. A single-family residence shall be actively under construction and inspection during the period the mobile home is on the property;
8. The placement & occupancy of the proposed mobile home shall not exceed three (3) years & may be renewed upon approval by the Board of Adjustment.
9. 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 proposed mobile home will be removed.
10. The proposed mobile home shall be removed within thirty (30) days after the issuance of the final certificate of occupancy for the residence.

(4) This Development Order touches and concerns the aforedescribed 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: _____
Matthew West
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 _____, 2003.

_____
Notary Public, in and for the County and State Aforementioned

My Commission Expires: