

SEMINOLE COUNTY, FLORIDA

*COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468*



Meeting Minutes

Monday, May 20, 2024

6:00 PM

BCC Chambers, Room 1028

Board of Adjustment

CALL TO ORDER AND ROLL CALL

Present James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen
Absent Larry Wright, Heather Stark, and Carmine Bravo

OPENING STATEMENT**VARIANCES**

285 N. Orange Avenue - Request to enlarge a previously approved guard house from 385 square feet to 785 square feet by adding an attached carport in the A-1 (Agriculture) district; BV2024-025 (Jason Turner, Applicant) District 5 - Herr (Angi Gates, Project Manager) [2024-0577](#)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Tom Kunzen stated that in the pictures there's a concrete wall that is close to the property line and asked staff if they needed a variance. Ms. Gates responded that they did not need a variance at that time because in the previous code, it was allowed, and the wall was permitted.

Jason Turner, Applicant, was present, but did not have any additional comments for the Board.

No one from the audience spoke in favor or opposition to this request.

A motion was made by Austin Beeghly, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

7125 Ivy Court - Request for a rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition in the R-1 (Single Family Dwelling) district; BV2024-036 (Alan Migliarato, Applicant) District 1 - Dallari (Angi Gates, Project Manager) [2024-0579](#)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Brittanee Breen, Applicant's Representative, was present and stated that this is a self-explanatory project and that's why they requested the other variances.

Austin Beeghly asked Ms. Breen if they spoke with the neighbors about this project and she responded that she checked with all the neighbors surrounding the subject property and they don't have any issues.

No one from the audience spoke in favor or opposition to this request.

A motion was made by Tom Kunzen, seconded by Austin Beeghly, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

6313 Bordeaux Circle - Request for a rear yard setback variance from seven and one-half (7½) feet to five (5) feet for a pool screen enclosure in the PD (Planned Development) district; BV2024-037 (Chad and Marlene Hochuli, Applicant) District 5 - Herr (Angi Gates, Project Manager) [2024-0578](#)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Chad Hochuli, Applicant, was present, but did not have any additional comments for the Board.

Austin Beeghly asked Mr. Hochuli if they spoke with the neighbors and he responded yes, they don't have any issues and that they also have approval from the HOA.

Chairman Jim Hattaway stated that in the aerials it seems that every one of the neighbors has this screen enclosure and Mr. Hochuli responded yes, he was the only one without a pool enclosure.

No one from the audience spoke in favor or opposition to this request.

A motion was made by James Evans, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

1108 Bella Vista Circle - Request for a side yard (east) setback variance from six (6) feet to five (5) feet for an addition in the PD (Planned Development) district; BV2024-039 (Joseph & Stephanie Antequino, Applicants) District 3 - Constantine (Angi Gates, Project Manager) [2024-0600](#)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Joseph Antequino, Applicant, was present and stated that the HOA approved this request, and both neighbors are okay with this.

Chairman Jim Hattaway asked the Applicant if what he was going to build is on the existing pavers and the Applicant responded yes.

A motion was made by Austin Beeghly, seconded by Tom Kunzen, to approve this

variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

157 Spring Chase Circle - Request for a side yard (south) setback variance from ten (10) feet to seven (7) feet for a detached carport in the R-1AAA (Single Family Dwelling) district; BV2024-042 (Andrew & Ellen H. Zelman, Applicants) District 3 - Constantine (Angi Gates, Project Manager) [2024-0602](#)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Andrew Zelman, Applicant, was present, but did not have any additional comments for the Board.

No one from the audience spoke in favor or opposition to this request.

A motion was made by Austin Beeghly, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

7413 Barnacle Court- Request for a side street (west) setback variance from two (2) feet to zero (0) feet for a privacy fence in the R-1A (Single Family Dwelling) district; BV2023-047 (Amanda Ban, Applicant) District 1 - Dallari (Angi Gates, Project Manager) [2024-0603](#)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Alexis Rodriguez, Applicant's fiancé, stated that she couldn't attend because of work, but she didn't not fill out the Owner Authorization form for him to speak on her behalf.

Chairman Jim Hattaway asked the Board if they want to hear the item or continue the item. Austin Beeghly responded that he would like to continue the item, but he will like for the County Attorney to let them know what specifically they can weigh in on this situation.

Neysa Borkert, Deputy County Attorney, added that because there's not a completed Owner Authorization form, he cannot speak on behalf of the Applicant, but he is welcome to speak because this is a public hearing. She also stated that even though the Applicant might not be present, they can choose to still hear the item.

Chairman Hattaway stated that he has various questions for the Applicant and that he would like to continue this item. Mr. Beeghly also stated that he would like to continue

this item because he also has a few questions for the owner.

A motion was made by Austin Beeghly, seconded by James Evans, to continue this item to the next meeting on June 24, 2024.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

509 Hillview Drive - Request for a front yard setback variance [2024-0604](#)
from fifty (50) feet to thirty-eight (38) feet for an addition in the A-1 (Agriculture) district; BV2024-050 (Roderick Waller, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Roderick Waller, Applicant, was present and stated that they were really accurate in the request.

James Evans asked the Applicant what is preventing them from putting this structure behind the house, which would not need any variances. Mr. Waller responded that his sister is handicapped, and they would like to widen that portion in the front so it's easier for her to come in and out.

Chairman Jim Hattaway asked the Applicant if there's a big community with a big wall in the front of the house and Mr. Waller responded yes.

No one from the audience spoke in favor or opposition to this request.

A motion was made by James Evans, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

107 Raymond Oaks Court - Request for a rear yard setback [2024-0581](#)
variance from thirty (30) feet to twenty-one (21) feet for an addition in the R-1AA (Single Family Dwelling) district; BV2024-052 (Jaime Toro, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

Angi Gates, Planner, presented this item as stated in the Staff Report.

Chairman Jim Hattaway asked staff what the parcel on the back of the house is with a PD designation. Ms. Gates responded that it's a PD going through the approval processes now. He asked what they are proposing there and she responded that they are going to do a subdivision back there.

Francheska Toro, Applicant, was present, but did not have any additional comments for the Board.

No one from the audience spoke in favor or opposition to this request.

A motion was made by Tom Kunzen, seconded by Austin Beeghly, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

2583 Alamosa Place - Request for a rear yard setback variance from twenty (20) feet to seventeen (17) feet for a screen room addition in the PD (Planned Development) district; BV2024-034 (Michael & Milbia Rometty, Applicants) District 4 - Lockhart (Hilary Padin, Project Manager) [2024-0609](#)

Hilary Padin, Planner, presented this item as stated in the Staff Report.

Ryan Dorian, Consultant, was present and stated that all of the cul-de-sac lots are angular, and they only need three (3) feet into the setback to place the screen enclosure and he also made the two (2) next door neighbors their screen enclosure and they got variances granted as well.

Tom Kunzen asked Mr. Dorian if the people on the rear received some type of notice about this variance request. Ms. Padin responded that everyone that shares a property line receives a notice of the request.

No one from the audience spoke in favor or opposition to this request.

A motion was made by James Evans, seconded by Austin Beeghly, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

2449 Sipes Avenue - Request for: (1) a rear yard setback variance from ten (10) feet to five (5) feet; and (2) a side yard (north) setback variance from seven and one-half (7.5) feet to three and one-half (3.5) feet for a shed in the R-1 (Single Family Dwelling) district; BV2024-035 (Darren Price, Applicant) District 5 - Herr (Hilary Padin, Project Manager) [2024-0610](#)

Hilary Padin, Planner, presented this item as stated in the Staff Report.

Darren Price, Applicant, was present and stated that there's a big septic tank on the

other side of the yard, so it is the only side that is reasonable for the shed.

Tom Kunzen asked the Applicant if the shed was built on a slab of concrete and Mr. Price responded that it's on pavers.

Chairman Jim Hattaway asked why this situation happened and Mr. Price responded that it was total negligence on his end.

No one from the audience spoke in favor or opposition to this request.

A motion was made by James Evans, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

618 Trailwood Drive - Request for a front yard setback [2024-0612](#)
variance from twenty-five (25) feet to nineteen (19) feet for a garage addition in the R-1A (Single Family Dwelling) district; BV2024-043 (Johnny Butts, Applicant) District 3 - Constantine (Hilary Padin, Project Manager)

Hilary Padin, Planner, presented this item as stated in the Staff Report.

Tom Kunzen asked if the neighbor next door had a variance for the carport and Ms. Padin responded that she did not find any similar variances in the neighborhood.

Johnny Butts, Applicant, was present and stated that the garage is small, and he just wants to make it bigger.

Chairman Jim Hattaway asked the Applicant if he was able to talk with the neighbors about this request. Mr. Butts responded that he spoke with several neighbors about this request.

No one from the audience spoke in favor or opposition to this request.

A motion was made by Tom Kunzen, seconded by Austin Beeghly, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

304 N. Jungle Road - Request for: (1) a lot size variance from [2024-0614](#)
five (5) acres to 23,100 square feet; and (2) a width at the building line variance from 150 feet to 110 feet for a single-family residence in the A-5 (Rural 5) district; BV2024-044 (Brett Baxter, Applicant) District 2 - Zembower

(Hilary Padin, Project Manager)

Hilary Padin, Planner, presented this item as stated in the Staff Report.

James Evans asked if the County tracks how many properties are below the minimum requirements that were given variances or anything like that and if there's any potential for the County to have issues with enforcing the rural boundary. Chairman Jim Hattaway responded that every applicant is taken on their own merits and whatever happens with the other properties do not necessarily affect the outcome of this request.

Neysa Borkert, Deputy County Attorney, replied that the east rural boundary area was set, and they can't amend or change it. This parcel was created prior to the rural boundary area so is vested even if it doesn't meet the lot requirements.

Brett Baxter, Applicant, was present, but did not have any additional comments for the Board.

No one from the audience spoke in favor or opposition to this request.

A motion was made by James Evans, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

618 Lake Shore Drive - Request for a side yard (east) setback [2024-0619](#)
variance from ten (10) feet to six (6) feet for an addition in the R-1AA (Single Family Dwelling) district; BV2024-046 (Joseph & Sharon Sutera, Applicants) District 3 - Constantine (Hilary Padin, Project Manager)

Hilary Padin, Planner, presented this item as stated in the Staff Report.

Joseph Sutera, Applicant, was present and stated that he hopes that the Board approves this variance request because they will like to make a bigger bedroom.

No one from the audience spoke in favor or opposition to this request.

A motion was made by Austin Beeghly, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

940 Lake Markham Road - Request for a front yard setback [2024-0626](#)
variance from thirty-five (35) feet to ten (10) feet for a gate with pillars in the RC-1 (Country Homes) district; BV2024-048

(Robert Bass, Applicant) District 5 - Herr (Hilary Padin, Project Manager)

Hilary Padin, Planner, presented this item as stated in the Staff Report.

Robert Bass, Applicant, was present and stated that they are just trying to put pillars in front of the house and asked if he would like to put the pillars at the property line instead of the ten (10) foot point that he requested if he would have to reapply for the variance to be changed.

Chairman Jim Hattaway responded yes; he will have to re-apply for another variance request.

Tom Kunzen asked if he was going to move the pillars closer to the property line and submit another variance application and he responded no.

No one from the audience spoke in favor or opposition to this request.

A motion was made by James Evans, seconded by Tom Kunzen, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

1277 Brampton Place - Request for a rear yard setback variance from ten (10) feet to seven (7) feet for a swimming pool in the PD (Planned Development) district; BV2024-049 (Richard & Jennie Lippert, Applicants) District 5 - Herr (Hilary Padin, Project Manager) [2024-0634](#)

Hilary Padin, Planner, presented this item as stated in the Staff Report.

Chairman Jim Hattaway asked if there was a chance for something to be developed on the back portion of the house and Ms. Padin responded no because that is an open space easement.

Richard Lippert, Applicant, was present and stated that based on the current design of the pool, it goes close to the property line.

No one from the audience spoke in favor or opposition to this request.

A motion was made by Tom Kunzen, seconded by Austin Beeghly, to approve this variance request.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

CLOSED BUSINESS

none

APPROVAL OF THE MINUTES

A motion was made by Austin Beeghly, seconded by Tom Kunzen that the April 22, 2024, minutes be approved as submitted. The motion passed unanimously.

Aye: James Evans, James Hattaway, Austin Beeghly, and Thomas Kunzen

Absent: Larry Wright, Heather Stark, and Carmine Bravo

ADJOURN

Having no further business, the meeting was adjourned at 6:45 p.m.

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7940.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THIS HEARING, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS ARE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 286.0105, FLORIDA STATUTES.

FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA, PLEASE CONTACT THE BOARD OF ADJUSTMENT CLERK AT (407) 665-7387.