

SEMINOLE COUNTY, FLORIDA

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



Meeting Minutes

Monday, July 22, 2024

6:00 PM

BCC Chambers, Room 1028

Board of Adjustment

CALL TO ORDER AND ROLL CALL

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

OPENING STATEMENT**CONTINUED ITEM****CONTINUED FROM JUNE 24, 2024**[2024-0937](#)

7033 Betty Street - Request for a height variance from six and one-half (6.5) feet to eight (8) feet for a privacy fence in the R-1 (Single Family Dwelling) district; BV2024-057 (Jessica Lee, Applicant) District 4 - Lockhart (Hilary Padin, Project Manager)
Hilary Padin, Planner, presented this item as stated in the Staff Report.

Jessica Lee, Applicant, was present and stated that they bought the house last year and the previous owner had a fence that had gaps in between the panels leaving no privacy and because she is over six (6) feet tall, she wants to have a seven (7) foot fence but all the contractors that she called told her that seven (7) feet would be a custom build which is too pricey, so she is requesting eight (8) feet.

Austin Beeghly asked the Applicant what the height of the existing fence is and Ms. Lee responded that the previous owner pulled a permit for a six (6) foot fence, but she can see right over the fence so its probably actually five (5) feet.

Carmine Bravo asked the Applicant where she got the six and one-half (6½) requirement on the application and Ms. Padin replied that it's the maximum height allowed without a variance per the Code.

Mr. Beeghly asked the Applicant if she spoke with any neighbors and Ms. Lee responded that she has already spoken with all the neighbors, and they don't have any objection.

Vice Chairman Larry Wright asked the Applicant if she is moving the fence to the yellow line on the survey and Ms. Lee responded yes that she asked what the requirement was and was told it is five (5) feet.

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

Vice Chairman Wright asked staff if there's any concern for the fence being so close on the side street and Ms. Padin responded that five (5) feet is the new setback for fences on side street.

A motion was made by Austin Beeghly, seconded by Carmine Bravo, to approve this variance request.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

VARIANCES

260 Saxony Court - Request for a rear yard setback variance [2024-0909](#) from fifteen (15) feet to ten and one-half (10½) feet for a covered porch addition in the PD (Planned Development) district; BV2024-070 (Dolon Zaynal, Applicant) District 2 - Zembower (Angi Gates, Project Manager)

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

Dolon Zaynal, Applicant, was present and stated that this is just for a setback.

James Evans asked the Applicant if he was extending the footprint of the building or just building within an existing patio. Mr. Zaynal responded that he's not extending the concrete and staying in the same footprint.

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, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

117 Hidden Oak Drive - Request for a rear yard setback [2024-0911](#) variance from fifteen (15) feet to zero (0) feet for a screen room addition in the PD (Planned Development) district; BV2024-071 (Donald Sammarco, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

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

Donald Sammarco, Applicant, was present and stated that he submitted all the information to the HOA and they approved it. He stated that he went around the neighborhood and found that they have a lot of screen enclosures around and two (2) of them are right next to where he's going to live. He provided photographs and a letter from his physician stating that he needs the screen porch.

Vice Chairman Larry Wright asked the Applicant why he is requesting the maximum setback variance and he responded that he didn't know that he needed a variance until the contractor informed him about it and he wanted to get the maximum allowed for the patio just as the neighbors have.

James Evans stated that on the application it noted that the HOA approved but that he must remove the gutter so there's no water going to the neighbor and Mr. Sammarco confirmed.

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

Austin Beeghly advised the Board that he is a member of the HOA board for this community but that there's no financial involvement with the applicant.

Carmine Bravo asked staff if they found any variances for the neighboring properties and Ms. Gates replied that she only found two (2) in the entire subdivision. One for a 225 square foot addition on the rear from fifteen (15) feet to zero (0) feet at 129 Red Cedar Drive and the other variance was for a covered screen room for the rear from fifteen (15) feet to ten (10) feet at 112 Raintree Drive.

Mr. Beeghly added that the homes in that subdivision were built in the 70's and 80's and that the zoning regulations were a little different back then.

Judge Bravo added that he's noticing a pattern that people now are just worried about their property, not so much the aesthetics of the neighborhood.

A motion was made by Carmine Bravo, seconded by Austin Beeghly, to approve this variance request.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

275 Frances Circle - Request for a rear yard setback variance [2024-0912](#)
from thirty (30) feet to ten (10) feet for an accessory structure
in the R-1AA (Single Family Dwelling) district; BV2024-068
(Daun Junkerman, Applicant) District 4 - Lockhart (Hilary
Padin, Project Manager)

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

Daun Junkerman, Applicant, was present and stated that he feels like he has a hardship because all the properties in that area have more space, but his house is pushed back.

Carmine Bravo asked for more information about the building and Mr. Junkerman responded that it's not going to be connected to the house, it's going to be a single story and it will be twenty-eight (28) feet by thirty (30) feet. He already spoke with all the neighbors, and they have no objection to the variance request.

Judge Bravo asked the Applicant how he was going to use the structure and Mr. Junkerman explained that it was going to be a two (2) car garage plus a shop on the side. He asked what side the entrance will be on, and the Applicant replied that it will be by the driveway.

James Evans asked staff if the square footage of the accessory structure complies with the building code requirements and Ms. Padin responded that it will have to be reviewed at the time of building permitting.

Vice Chairman Larry Wright stated that in the package the description shows it as a detached garage and storage, but the Applicant just stated that he is planning to use this as an office too and he asked staff if it changes the definition of what they are looking at. Ms. Padin responded that this building should not be used as an office because it's not allowed in the Code. Vice Chairman Wright stated that it was a red flag for him because he mentioned that he also was going to use it as an office, and she responded that this is the first time that she heard of that intention.

Judge Bravo asked the Applicant if he was going to have a separate room for that and Mr. Junkerman responded no, just shelves to store stuff.

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.

Vice Chairman Larry Wright asked Robert McHugh, Assistant County Attorney, if there's anything that we should include tonight to have the applicant know that a home office is not allowed and Mr. McHugh responded that he should clarify the motion to not have a home office/business as that is not in line with the current zoning.

A motion was made by Austin Beeghly, seconded by Tom Kunzen, to approve this variance request with the condition that it cannot contain a home office.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

1912 W. Airport Boulevard - Request for a rear yard setback [2024-0913](#)
variance from ten (10) feet to three (3) feet for an accessory structure in the R-1 (Single Family Dwelling) district;
BV2024-072 (Sarah Koch, Applicant) District 5 - Herr (Hilary Padin, Project Manager)

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

Sarah Koch, Applicant, was present and stated that they bought a shed at Costco and they didn't know about the setbacks regulations and when they started talking about placement, they realized that they wanted more space in the back of the property. Ms. Koch explained that on the whole right side of the property, there's a septic tank and drain field that limits the space to place the shed and they would like to put it in front of the window, but if they have to comply with the ten (10) feet it would put the structure really close to the house.

Austin Beeghly asked the Applicant if she spoke with the neighbor on the back side and Ms. Koch responded yes, they have no objection.

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, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

1592 Thornhill Circle - Request for a rear yard setback [2024-0914](#)
variance from thirty (30) feet to sixteen (16) feet for a pergola addition in the R-1AA (Single Family Dwelling) district; BV2024-073 (Coralice Diaz-Sampedro, Applicant) District 1 - Dallari (Hilary Padin, Project Manager)

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

Vice Chairman Larry Wright asked staff if there's already a concrete pad on the rear of the property and Ms. Padin responded yes.

Coralice Diaz, Applicant, was present and stated that the white portion on the rear of the property is the exact location where it's going to be placed. The previous owner put up a structure without the required permit and they paid a lot of money to take it down because it didn't meet any of the code requirements.

Dean Hoffman, Applicant's contractor, stated that they will keep the structure at least fifteen and one-half (15½) feet from the property line and advised that there's a wall on the back of the property. He also advised that he sent a few attachments showing the location of the structure and that they have a letter of support from one of the neighbors.

No one spoke in opposition to this request.

A motion was made by Tom Kunzen, seconded by Carmine Bravo, to approve this variance request.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

6236 Bear Lake Terrace - Request for a height variance from [2024-0947](#)
thirty-five (35) feet to fifty (50) feet for a utility pole in the R-1A (Single Family Dwelling) district; BV2024-074 (Brenda Pearce, Applicant) District 3 - Constantine (Kathy Hammel, Project Manager)

Kathy Hammel, Principal Planner, presented this item as stated in the Staff Report. Ms. Hammel explained that this is located in the Jansen subdivision, which was platted in 1957. The pole is being proposed on a platted lot which currently has a water treatment plant. The location of the pole meets all the setbacks in the R-1A zoning district. The request meets all the criteria for granting a variance and staff is recommending for the Board to approve the variance with staff's condition that the poles will only be used for the communication of the water metering system.

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

A motion was made by Austin Beeghly, seconded by Carmine Bravo, to approve this variance request.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

1460 East Wekiva Trail - Request for a height variance from [2024-0955](#) thirty-five (35) feet to fifty (50) feet for a utility pole in the PD (Planned Development) district; BV2024-077 (Brenda Pearce, Applicant) District 3 - Constantine (Kathy Hammel, Project Manager)

Kathy Hammel, Principal Planner, presented this item as stated in the Staff Report. Ms. Hammel further explained that it is in the Wekiva Club subdivision, which was platted in 1977. The proposed location is on a corner of a tract that abuts East Wekiva Trail, which Wekiva Elementary is located in. The location of the pole meets all setbacks in the R-1A zoning district. The request meets all the criteria for granting a variance and staff is recommending for the Board to approve the variance with staff's condition that the poles will only be used for the communication of the water metering system.

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, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

3009 Sand Lake Road - Request for a height variance from [2024-0949](#) thirty-five (35) feet to fifty (50) feet for a utility pole in the PD (Planned Development) district; BV2024-079 (Brenda Pearce, Applicant) District 3 - Constantine (Kathy Hammel, Project Manager)

Kathy Hammel, Principal Planner, presented this item as stated in the Staff Report. Ms. Hammel further explained that it is in the Bella Vista subdivision, which was platted in 2007. The pole is being proposed on a tract of land dedicated to a utility use which

currently has a lift station. The location of the pole meets all the setbacks for the Planned Development zoning district. The request meets all the criteria for granting a variance and staff is recommending for the Board to approve the variance with staff's condition that the poles will only be used for the communication of the water metering system.

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

A motion was made by James Evans, seconded by Carmine Bravo, to approve this variance request.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

620 Lake Shore Drive - Request for a height variance from [2024-0958](#) thirty-five (35) feet to fifty (50) feet for a utility pole in the R-1AA (Single family residential) district; BV2024-081 (Brenda Pearce, Applicant) District 3 - Constantine (Kathy Hammel, Project Manager)

Kathy Hammel, Principal Planner, presented this item as stated in the Staff Report. Ms. Hammel further explained that it's located in the Oakland Shores subdivision, which was platted in 1955. The pole is being proposed on a platted lot which currently has a water treatment plant. The location of the pole meets all of the setbacks in the Planned Development zoning district. The request meets all of the criteria for granting a variance and staff is recommending for the Board to approve the variance with staff's condition that the poles will only be used for the communication of the water metering system.

Daniel Ward, spoke in opposition to this item, stated that looking at all of the pictures of this project, the location of this antenna is in a major thoroughfare in a neighborhood. The utility pole is currently thirty-five (35) feet, and they want to add fifteen (15) feet to it. He also stated that they should not need this variance because they are just trying to do the reading for 175 houses.

Brenda Pearce, Applicant, was present and stated that they have done a lot of engineering analysis, and they came to the conclusion that this is the necessary height to capture as many meters as they are planning to.

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

A motion was made by Tom Kunzen, seconded by Carmine Bravo, to approve this variance request.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

100 South Pressview Avenue - Request for a height variance from thirty-five (35) feet to fifty (50) feet for a utility pole in the R-1A (Single Family Residential) district; BV2024-082 (Brenda Pearce, Applicant) District 3 - Constantine (Kathy Hammel, Project Manager) [2024-0959](#)

Kathy Hammel, Principal Planner, presented this item as stated in the Staff Report. Ms. Hammel further explained that is located the Sanlando subdivision, which was platted in 1925. The platted parcel has a water treatment plant which is located on the corner of State Road 434 and South Pressview Avenue. The location of the pole meets all of the setbacks in the R-1A zoning district. The request meets all of the criteria for granting a variance and staff is recommending for the Board to approve the variance with staff's condition that the poles will only be used for the communication of the water metering system.

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, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

111 Temple Drive - Request for a height variance from thirty-five (35) feet to fifty (50) feet for a utility pole in the R-1A (Single Family Residential) district; BV2024-083 (Brenda Pearce, Applicant) District 5 - Herr (Kathy Hammel, Project Manager) [2024-0961](#)

Kathy Hammel, Principal Planner, presented this item as stated in the Staff Report. Ms. Hammel further explained that it's located in the Raven Park subdivision, which was platted in 1955. The platted parcel has a water treatment plant. The location of the pole meets all of the setbacks in the R-1A zoning district. The request meets all of the criteria for granting a variance and staff is recommending for the Board to approve the variance with staff's condition that the poles will only be used for the communication of the water metering system.

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

A motion was made by Carmine Bravo, seconded by Austin Beeghly, to approve this variance request.

Aye: James Evans, Larry Wright, Austin Beeghly, Thomas Kunzen, and Carmine Bravo

Absent: James Hattaway, and Heather Stark

CLOSED BUSINESS

NONE

APPROVAL OF THE MINUTES

NONE

ADJOURN

Having no further business, the meeting was adjourned at 7:08 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.