

EXHIBIT C
BOA MEETING MINUTES

REGULAR MEETING OF THE SEMINOLE COUNTY
BOARD OF ADJUSTMENT
JUNE 23, 2025
6:00 PM

1735 Carlton Street – Request for an east side yard setback variance from ten (10) feet to two (2) feet for a detached accessory structure in the R-1AA (Single Family Dwelling) district; BV2025-063 (James Riesen, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

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

James Riesen, Applicant, was present and stated that he installed this structure with bad advice from the salespeople that sold it to him. He explained that all around his neighborhood there are a lot of these structures. Even if he moved the structure to the right setback, it would still look the same, but it would cost him a lot of money. Mr. Riesen advised that they have some people in attendance that are in support of this request. He added that he had an extra letter from another neighbor that couldn't attend tonight.

David Pathom of 1780 Carlton Street spoke in support of this request and stated that he is six (6) houses down from this property and they moved in 2019, and they drive around the neighborhood and see similar structures as this variance request. Personally, he thinks that structures like this bring property value to the neighborhood, and they look nice.

Lauren Pathom of 1850 Carlton Street spoke in support of this request and stated that she has lived in this subdivision for more than thirty (30) years and all around the neighborhood they are actually eyesores but this structure is actually beautifully done and it raises property values.

Fred Hagans of 705 Andrews Drive spoke in support of this request and stated that he is on the bottom corner and he has lived there for over eight (8) years. He stated that they can see the difference between when they moved into the house and now and how impressive it is.

David Keaton of 394 S. Pressview Avenue spoke in support of this request and stated that they have really improved the property, and the structure matches the scheme of the house. He advised that they have lived on the property since 2005, and they had many eyesores around the neighborhood, but they make a great difference in the neighborhood and are an asset.

Diane Dinken of 1701 Carlton Street spoke in opposition to this request and stated that they are right in the back yard and they have more than twenty-eight (28) feet from the garage door to the shared property line. She explained that the Applicant came to the house to discuss this variance request, and they are aware that in the neighborhood there are these types of RV sheds. They expected that they would get a permit and follow the zoning regulations, which requires a ten (10) foot setback. After time went by, they just saw a

structure appear in the backyard on a Saturday morning. Then time passes and they hear noise outside and they see that they installed a thirty (30) foot by twelve (12) foot shed close to the property line. They called the Applicant, and they said that they are just doing what they spoke to them about. Before they could see the sky, sun and sunsets, but now they just see a brown shed with a red roof. She stated that she's sorry that everyone else is okay with it, but it will become a huge problem when they try to sell the house with an eyesore like that so close to the property line and it was put up illegally without a building permit. She doesn't see a hardship at all when they have space on their property, and he could move it.

Mr. Riesen spoke in rebuttal and stated that he went and spoke with them about everything that they were going to do and even showed them the same dimensions and location on where the structure was going to be. He stated that he even told them that they structure was going to be thirty (30) feet long and twelve (12) feet high and that he offered to put up any type of material to block the view of this structure and they agreed to that. Mr. Riesen stated that when it was installed four (4) months later they came over the next day and was furious, but then the next day she came back and told him she was not going to turn him in and to go ahead and get the plants.

Chairman Jim Hattaway advised the Applicant to keep his comments toward the possibility of getting a variance, not the back and forth with the neighbor.

The Applicant explained that he spent \$2,200 to appease her and now she has a problem with it. He also added that if he got the permit and put it at ten (10) feet, it wouldn't look any different and even if he removed the structure, he could park a twelve (12) foot tall RV there and then she can stare at that.

Chairman Hattaway asked the Applicant if he has the ability to move it to the ten (10) foot required setback and Mr. Riesen responded yes, but he would lose the garage portion and it would be a lot of money to take it down.

Chairman Hattaway stated that the argument that it's going to be a lot of money to take it down isn't persuasive because he didn't comply with the law and that's only his fault and they will set a precedence if they accept that as an argument because anybody can say something like that. The Applicant replied that it's not about the money, but it will be a big expense having to tear it down, but if anything, he can move it eight (8) feet, but it will not look any different. Also, she can let the plants grow that he spent so much money on.

A motion was made by Larry Wright, seconded by Edward Lavant, to approve this variance request.

In Board discussion, Chairman Hattaway stated that there's a duty to the people who comply with the law, not when someone says I don't want to spend a lot of money on following the law. Austin Beeghly added that they have a property owner against this, and they have to watch for the property owner's rights and even if there's only one (1) person, they should always consider them. Edward Lavant added that he is in the same position but there's one (1) neighbor that is in opposition to this variance request, and they should have complied with the regulations that are established. Larry Wright stated that he feels like a view is not a strong argument or a right, so he doesn't look at the view as an entitlement or a factor of decision making and the Applicant listened to a contractor that gave him bad advice, and he is not opposed to the structure being there in the first place.

Aye (1): Vice Chairman Larry Wright

Nay (3): Chairman Jim Hattaway; Austin Beeghly; and Alternate Edward Lavant

Absent (3): James Evans; Carmine Bravo; and Alternate Heather Stark

Chairman Jim Hattaway advised the Applicant of their right to appeal.