

# **SEMINOLE COUNTY, FLORIDA**

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



## **Meeting Minutes**

**Monday, April 22, 2024**  
**6:00 PM**

**BCC Chambers, Room 1028**

## **Board of Adjustment**

**CALL TO ORDER AND ROLL CALL**

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

**OPENING STATEMENT****VARIANCES**

**LOT 16D, Mary Drive** - Request for a lot size variance from one (1) acre to 36,000 square feet for a single family dwelling in the A-1 (Agriculture) district; BV2024-027 (Shannon Mejia, Applicant) District 1 - Dallari (Angi Gates, Project Manager)  
Angi Gates, Planner, presented this item as stated in the Staff Report.

[2024-0398](#)

Shannon Mejia, Applicant, was present and stated that the neighbor has a house next door, and they were basically already an acre but when they implemented lot J for easement purposes, the acre changed.

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

**Absent:** Heather Stark

**110 Cherry Hill Circle** - Request for a rear setback variance from thirty (30) feet to twenty and one-half (20½) feet for a garage addition in the R-1AA (Single Family Dwelling) district; BV2024-028 (Hunter Paschall, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

[2024-0401](#)

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

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

**Absent:** Heather Stark

**391 Whitcomb Drive** - Request for a rear yard setback

[2024-0402](#)

variance from thirty (30) feet to twenty-one and one-half (21½) feet for an addition in the R-1 (Single Family Dwelling) district; BV2024-031 (Jesse Durham, Applicant) District 2 - Zembower (Angi Gates, Project Manager)

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

James Evans asked staff why this was recommended denial as he believes it is in conjunction with the Seminole County Emergency Management for mitigation. Ms. Gates responded that they would need to ask the Applicant.

Jesse Durham, Applicant, was present and stated that they are not adding any square feet to the house, they are just trying to fix the structure that was ruined by Hurricane Ian.

Mr. Evans asked the Applicant if they had already spoke with the County about mitigation and he responded that they already had approval by Seminole County, but they will need to get the final approval.

Rodolfo Madlang spoke in support of this request and stated that he doesn't have a problem with the variance request and that the lot on the north is vacant. Also, he would like this request to be approved because they would like to have them as neighbors.

No one spoke in opposition to this request.

A motion was made by Carmine Bravo, seconded by Larry Wright, to approve this variance request.

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

**Absent:** Heather Stark

**5118 Cypress Court** - Request for: (1) a rear yard setback variance from ten (10) feet to seven (7) feet; and (2) a side yard (north) setback variance from seven and one-half (7½) feet to four and one-half (4½) feet for a shed in the R-1 (Single Family Dwelling) district; BV2024-002 (Leremiah & Lavonisha Long, Applicants) District 4 - Lockhart (Angi Gates, Project Manager) [2024-0394](#)

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

Carmine Bravo asked the Applicant if he was planning to put the shed by the trees and the Applicant respond that he is not planning to put the shed by tree this would be the only spot that he must put the shed.

Chairman Jim Hattaway asked the Applicant if he spoke with the neighbors about this

variance request and he responded no.

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

A motion was made by Larry Wright, seconded by Austin Beeghly, to approve this variance request.

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

**Absent:** Heather Stark

**1200 North Street** - Request for: (1) a side street (east) setback variance from twenty-five (25) feet to 7.8 feet; and (2) a side yard (north) setback variance from ten (10) feet to six (6) feet, nine and one-half (9.5) inches for an accessory structure in the R-1AA (Single Family Dwelling) district; BV2024-019 (Carl & Loretta White, Applicants) District 4 - Lockhart (Hilary Padin, Project Manager)

[2024-0393](#)

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

Chairman Jim Hattaway asked staff if the fence was lawfully erected and if the shed will be within the fence. Ms. Padin responded that they have a variance from 2003 for the fence and it will be.

Loretta White, 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 Carmine Bravo, seconded by Tom Kunzen, to approve this variance request.

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

**Absent:** Heather Stark

**Lot 1, Tangerine Avenue** - Request for two (2) side yard (north and south) setback variances from seven and one-half (7.5) feet to five (5) feet for a single-family dwelling in the R-1 (Single Family Dwelling) district; BV2024-123 (Francis Oliver, Applicant) District 5 - Herr (Hilary Padin, Project Manager)

[2024-0377](#)

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

Chairman Jim Hattaway asked staff if this was a legal parcel of record and Ms. Padin responded yes.

Tom Kunzen asked staff if because the property is a legal parcel of record they

wouldn't need a variance for the minimum lot size in this case. Ms. Padin responded that is correct, only for setbacks.

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

James Evans asked staff who owns the lot on the north side of this lot and Ms. Padin responded that that property may be in the City of Sanford jurisdiction. Kathy Hammel, Principal Planner, responded that this lot is in Seminole County's jurisdiction, the owner is protected, and this property has commercial zoning.

Mr. Evans asked staff that if this variance is granted if the structures would be too close together and Ms. Hammel responded that whoever will acquire that parcel, they will be informed.

Neysa Borkert, Deputy County Attorney, stated that the Building Code has a required separation by the Fire Marshal, and when the other structure comes, it will be looked at at that time. Mr. Evans responded that it would be irrelevant at that point because they were here first and she says yes.

Francis Oliver, 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 James Evans, to approve this variance request.

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

**Absent:** Heather Stark

**500 W. Faith Terrace - Request for a side street (east)** [2024-0384](#)  
setback variance from twenty-five (25) feet to zero (0) feet for a  
privacy fence in the RP (Residential Professional) district;  
BV2024-032 (Flor Rodriguez, Applicant) District 3 -  
Constantine (Hilary Padin, Project Manager)

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

Larry Wright asked staff if the fence was already in place and Ms. Padin responded yes.

Chairman Jim Hattaway asked if the current owner is stating that the fence was installed by the previous owner, and do they know for sure when the fence was erected. Ms. Padin responded that her understanding is there was one there prior and they replaced the fence.

Flor Rodriguez, Applicant, was present and stated that she received the letter of the Code Violation in February, and the fence was installed in 2020. The previous owner

did all the renovations of the property, and she bought the property in June 2021. Two (2) years later she received the letters from the County stating that she was in violation because of the fence, so she went to speak with the County and moved the fence two (2) feet and a few inches because of what she understood from the letter that she received, but it was supposed to be twenty-five (25) feet.

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

**Absent:** Heather Stark

**106 Fairway Drive - Request for a front yard setback variance from twenty-five (25) feet to 17.8 feet for a front porch addition in the R-1A (Single Family Dwelling) district; BV2024-024 (Gary Thomas, Applicant) District 5 - Herr (Hilary Padin, Project Manager)**

[2024-0378](#)

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

Gary Thomas, Applicant, was present and stated that he bought the house in 2020 which was built in 1960, and it already had the porch and due to a recent hurricane, he had to remove it because it became unsafe. He stated that he wanted to bring it up to Code and he then realized that it was encroaching on the setback.

Chairman Jim Hattaway asked the applicant if he was only going to enclose the concrete pad and Mr. Thomas responded that the house had a three (3) foot overhang and the previous owner build more into that and they also poured concrete, but he just wants to keep it in the same footprint and pour a proper foundation and do it all new.

Carmine Bravo asked the Applicant if he only was going to add the foundation and the carport, but not add on to the actual house and he responded yes, only the carport.

Michael Rice spoke in support of this request and stated that the porch was there, and all the houses included the front porches when they were built. This property did not have the porch when it was built but it was built shortly thereafter. He visited the Applicant and saw that the porch was a life safety issue and that is why he removed the porch.

No one spoke in opposition to this request.

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

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

**Absent:** Heather Stark

**101 N. Sunland Drive** - Request for a front yard setback variance from twenty-five (25) feet to twenty and one-half (20.5) feet for an addition in the R-1A (Single Family Dwelling) district; BV2024-029 (Robert Tittenhofer, Applicant) District 2 - Zembower (Hilary Padin, Project Manager)

[2024-0383](#)

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

Larry Wright stated that on the site plan the dimension shown is 20.9 feet but, in the staff, report it says twenty and one-half 20.5 feet and it's not perpendicular to the property line and he asked staff how it's being measured. Ms. Padin responded that it's supposed to be measured from the building to the closest point of the property line.

Martin Pawlikowski, Applicant's Representative, was present and stated that it's supposed to be measured perpendicular to the property line to the closest point. Mr. Wright replied that he is just trying to understand where the twenty and one-half 20.5 feet came from because on the site plan its showing 20.9 feet. Ms. Padin added that was the numbers on the application so that's why the number is different from the site plan.

Tom Kunzen added that he is concerned that the twenty and one-half 20.5-foot measurement could be wrong for that structure and Ms. Padin responded that the Applicant added a line for the front yard setback measurement.

Board discussion ensued regarding the measurement.

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

A motion was made by Larry Wright, seconded by Tom Kunzen, to approve this variance request.

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

**Absent:** Heather Stark

## **CLOSED BUSINESS**

none.

## **APPROVAL OF THE MINUTES**

A motion was made by Larry Wright, seconded by Tom Kunzen that the February 26 and March 25, 2024 meeting minutes be approved as submitted. The motion passed unanimously.

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

**Absent:** Heather Stark

**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.