



**SEMINOLE COUNTY, FLORIDA**  
**Board of Adjustment**  
**Meeting Agenda - Final**

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Monday, December 2, 2024

6:00 PM

BCC Chambers, Room 1028

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**CALL TO ORDER AND ROLL CALL**

**OPENING STATEMENT**

**VARIANCES**

1. **1518 Balmy Beach Drive** - Request for: (1) a side street [2024-1458](#) (north) setback variance from five (5) feet to zero (0) feet for a fence; and (2) a side yard (west) setback variance from seven and one-half (7½) feet to five and one-half (5½) feet for a shed in the R-1A (Single Family Dwelling) district; BV2024-125 (Leticia Lopez, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

***Development Services - Planning and Development***

**Attachments:** [Site Plan](#)  
[Zoning Map](#)  
[Justification Statement](#)  
[Property Record Card](#)  
[Building Code Violation](#)  
[Code Violation Photos](#)  
[Denial Development Order](#)  
[Approval Development Order](#)

2. **3571 N CR 426-** Request for: (1) a side yard (north) setback variance from ten (10) feet to eight (8) feet for a shed; and (2) a side yard (north) setback variance from fifty (50) feet to twenty-six and one-half (26½) feet for a carport; and (3) a side street (south) setback variance from fifty (50) feet to twenty-two (22) feet; and (4) a front yard setback variance from (100) feet to forty-seven and one-half (47½) feet for a gazebo in the A-1 (Agriculture) district; BV2024-119 (Juana M. Vega-Olazabal, Applicant) District 2 - Zembower (Angi Gates, Project Manager) [2024-1460](#)

***Development Services - Planning and Development***

**Attachments:** [Site Plan](#)  
[Zoning Map](#)  
[Shed Justification Statement](#)  
[Carport Justification Statement](#)  
[Gazebo Justification Statement](#)  
[Property Record Card](#)  
[Building Code Violation](#)  
[Denial Development Order](#)  
[Approval Development Order](#)

3. **1386 Swinton Court** - Request for a rear yard setback variance from twenty (20) feet to ten and one-half (10.5) feet for a screen room addition in the PD (Planned Development) district; BV2024-121 (Gireesh Behara, Applicant) District 5 - Herr (Hilary Padin, Project Manager) [2024-1494](#)

***Development Services - Planning and Development***

**Attachments:** [Site Plan](#)  
[Zoning Map](#)  
[Justification Statement](#)  
[Property Record Card](#)  
[Building Plan](#)  
[Denial Development Order](#)  
[Approval Development Order](#)

4. **213 Montego Inlet Boulevard** - Request for a Normal High Water Line setback variance from thirty (30) feet to seven (7) feet for a swimming pool in the R-1A (Single Family Dwelling) district; BV2024-122 (Matthew Olberding, Applicant) District 3 - Constantine (Hilary Padin, Project Manager) [2024-1495](#)

***Development Services - Planning and Development***

**Attachments:** [Site Plan](#)  
[Zoning Map](#)  
[Justification Statement](#)  
[Property Record Card](#)  
[Letters of Support](#)  
[FDEP Letter](#)  
[Proposed Pool](#)  
[Pool Drawing](#)  
[Photo of existing pools in the neighborhood](#)  
[HOA Letter](#)  
[Denial Development Order](#)  
[Approval Development Order](#)

5. **916 Mimosa Drive** - Request for a rear yard setback variance from thirty (30) feet to six (6) feet for an accessory structure in the R-1A (Single Family Dwelling) district; BV2024-124 (Wesley Arnes, Applicant) District 1 - Dallari (Hilary Padin, Project Manager) [2024-1496](#)

***Development Services - Planning and Development***

**Attachments:** [Site Plan](#)  
[Zoning Map](#)  
[Justification Statement](#)  
[Property Record Card](#)  
[Denial Development Order](#)  
[Approval Development Order](#)

**CLOSING BUSINESS**

**APPROVAL OF THE MINUTES**

**ADJOURN**

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.



# SEMINOLE COUNTY, FLORIDA

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

## Agenda Memorandum

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**File Number: 2024-1458**

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**Title:**

**1518 Balmy Beach Drive** - Request for: (1) a side street (north) setback variance from five (5) feet to zero (0) feet for a fence; and (2) a side yard (west) setback variance from seven and one-half (7½) feet to five and one-half (5½) feet for a shed in the R-1A (Single Family Dwelling) district; BV2024-125 (Leticia Lopez, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

Kathy Hammel

**Contact/Phone Number:**

Angi Gates 407-665-7465

**Motion/Recommendation:**

1. Deny the request for: (1) a side street (north) setback variance from five (5) feet to zero (0) feet for a fence; and (2) a side yard (west) setback variance from seven and one-half (7½) feet to five and one-half (5½) feet for a shed in the R-1A (Single Family Dwelling) district; or
2. Approve the request for: (1) a side street (north) setback variance from five (5) feet to zero (0) feet for a fence; and (2) a side yard (west) setback variance from seven and one-half (7½) feet to five and one-half (5½) feet for a shed in the R-1A (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Paradise Point 3<sup>rd</sup> Section. subdivision.
- The subject property is a corner lot and is considered to have two (2) front yards for setback purposes. The front of the house faces Balmy Beach Drive, and the unimproved Cameilla Lane street side is where the variance is being sought for

the privacy fence.

- The existing shed is 100 square feet (10' x 10') and encroaches two (2) feet into the required side yard (west) setback and the existing privacy fence encroaches five (5) feet into the required side street setback.
- On October 7, 2024, a Building Code violation (case #: 24-274) was issued for the privacy fence and shed for unpermitted construction without the required permits, resulting in the necessity of this variance.
- The request is for a variance to Section 30.7.3.1 of the Seminole County Land Development Code, which states that the rear yard setback for this zoning district is seven and one-half (7½) feet.
- The request is for a variance to Section 30.14.19(f)(2) of the Seminole County Land Development Code, which states that on corner lots in residentially zoned properties, the secondary front yard or side street setback may be reduced to five (5) feet provided the visual clearance requirements can be met and with approval by the Seminole County Traffic Engineering Division.
- There have not been any prior variances for the subject property.

**Staff Findings:**

The applicant has not satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance as listed below:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning classification; and
2. That the special conditions and circumstances do not result from the actions of the applicant; and
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning classification; and
4. That the literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant; and
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
6. That the grant of the variance will be in harmony with the general intent and purpose of Chapter 30, will not be injurious to the neighborhood, or otherwise

detrimental to the public welfare.

Staff finds that the following variance criteria have not been satisfied:

The general intent of the Land Development Code is to maintain consistent setbacks; therefore, the grant of the variance will not be in harmony with the general intent and purpose of Chapter 30, would be injurious to the neighborhood, and otherwise detrimental to the public welfare. Section 30.3.3.2(b)(6)

**Staff Conclusion:**

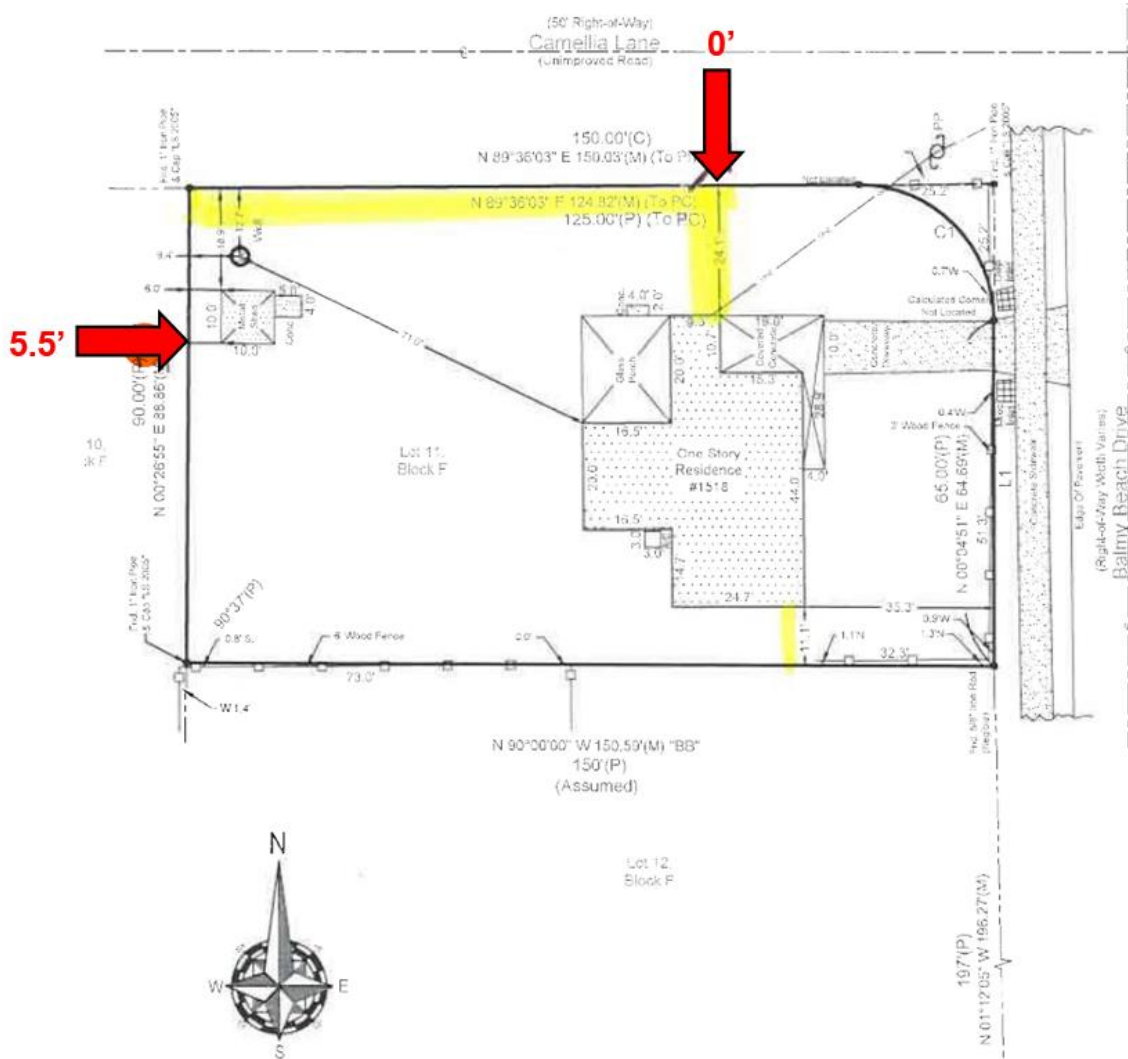
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

**Staff Recommendation:**

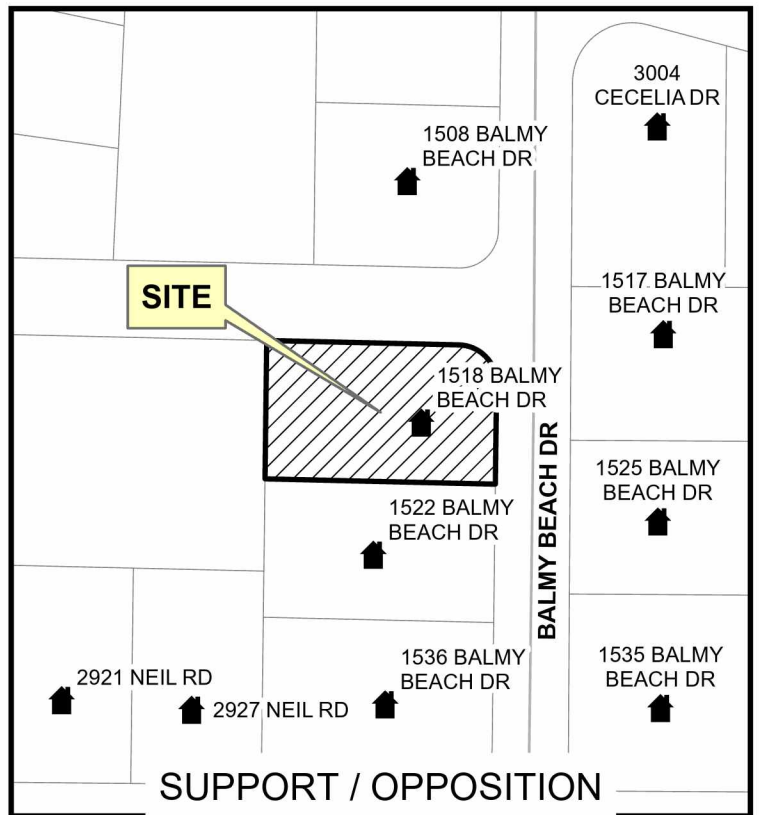
Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the shed and privacy fence as depicted on the attached site plan; and
2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

# BALMY BEACH DR (1518) VARIANCES

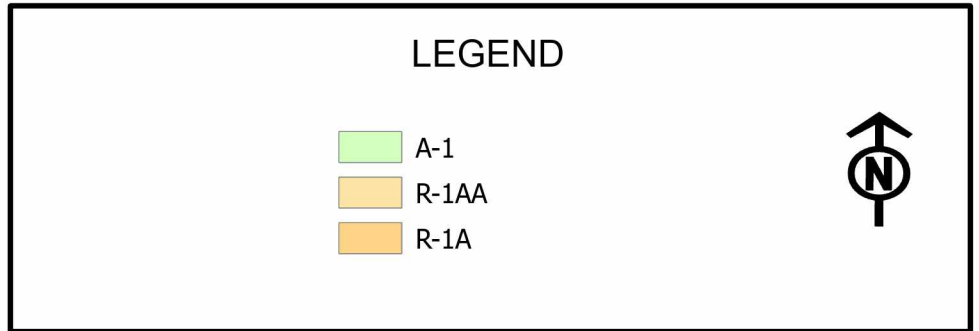






LETICIA LOPEZ  
 1518 BALMY BEACH DR  
 APOPKA, FL 32703

SEMINOLE COUNTY  
 BOARD OF ADJUSTMENT  
 DECEMBER 2, 2024



## VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district?

(Fence) property its next to an easement, not able to find/see Road side/topography too clear.  
(Shed) was installed before I purchased property.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

Fence - Misinformation from company who installed.  
Shed - was already at the property before I took ownership.

3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?

For the fence should not confer, cause its installed in my property.  
For the shed, was there many years back since I purchased this home.

4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?

- Not been well orientated by the fence installed, Not cause intended Actions from homeowner.  
- The storage shed been there, well installed, before I purchased this house.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

Fence its installed in my property, and its necessary for safety and privacy.  
Storage shed is been there, well installed before I purchased the house.

6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

Since fence its installed in my property.  
Shed its been there for many years, before I took ownership/purchased the house (also has an easement on the back).

# Property Record Card



**Parcel:** 18-21-29-507-0F00-0110  
**Property Address:** 1518 BALMY BEACH DR APOPKA, FL 32703  
**Owners:** LOPEZ, LETICIA  
 2025 Market Value \$248,937 Assessed Value \$248,937  
 2024 Tax Bill \$2,719.86 Tax Savings with Exemptions \$528.47  
 The 3 Bed/2 Bath Single Family property is 1,440 SF and a lot size of 0.31 Acres

## Parcel Location



## Site View



1821295070F000110 01/23/2024

## Parcel Information

Parcel	18-21-29-507-0F00-0110
Property Address	1518 BALMY BEACH DR APOPKA, FL 32703
Mailing Address	1518 BALMY BEACH DR APOPKA, FL 32703-7848
Subdivision	PARADISE POINT 3RD SEC
Tax District	01:County Tax District
DOR Use Code	01:Single Family
Exemptions	00-HOMESTEAD (2022)
AG Classification	No

## Value Summary

	2025 Working Values	2024 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Building Value	\$154,937	\$151,918
Depreciated Other Features	\$4,000	\$4,000
Land Value (Market)	\$90,000	\$90,000
Land Value Agriculture	\$0	\$0
Just/Market Value	\$248,937	\$245,918
Portability Adjustment	\$0	\$0
Save Our Homes Adjustment/Maximum Portability	\$0	\$0
Non-Hx 10% Cap (AMD 1)	\$0	\$0
P&G Adjustment	\$0	\$0
Assessed Value	\$248,937	\$245,918

## 2024 Certified Tax Summary

Tax Amount w/o Exemptions	\$3,248.33
Tax Bill Amount	\$2,719.86
Tax Savings with Exemptions	\$528.47

Note: Does NOT INCLUDE Non Ad Valorem Assessments

## Owner(s)

Name - Ownership Type  
LOPEZ, LETICIA

## Legal Description

LOT 11 BLK F PARADISE POINT 3RD SEC PB 9  
PG 74

## Taxes

Taxing Authority	Assessed	Exempt Amount	Taxable
COUNTY GENERAL FUND	\$248,937	\$50,000	\$198,937
Schools	\$248,937	\$25,000	\$223,937
FIRE	\$248,937	\$50,000	\$198,937
ROAD DISTRICT	\$248,937	\$50,000	\$198,937
SJWM(Saint Johns Water Management)	\$248,937	\$50,000	\$198,937

## Sales

Deed Type	Date	Sale Amount	Book / Page	Sale Type	Qualified?
WARRANTY DEED	4/16/2021	\$250,000	09923/1087	Improved	Yes
WARRANTY DEED	1/1/2004	\$100	05168/1840	Improved	No
WARRANTY DEED	1/1/1977	\$35,500	01139/0661	Improved	Yes

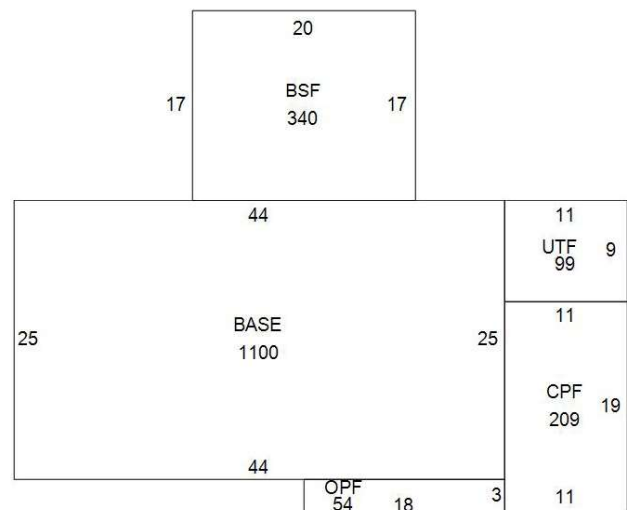
## Land

Units	Rate	Assessed	Market
1 Lot	\$90,000/Lot	\$90,000	\$90,000

## Building Information

#	1
Use	SINGLE FAMILY
Year Built*	1972/1985
Bed	3
Bath	2.0
Fixtures	6
Base Area (ft <sup>2</sup> )	1100
Total Area (ft <sup>2</sup> )	1802
Constuction	CONC BLOCK
Replacement Cost	\$191,873
Assessed	\$154,937

\* Year Built = Actual / Effective



Building 1

## Appendages

Description	Area (ft <sup>2</sup> )
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BASE SEMI FINISHED	340
CARPORT FINISHED	209
OPEN PORCH FINISHED	54
UTILITY FINISHED	99

### Permits

Permit #	Description	Value	CO Date	Permit Date
15065	1518 BALMY BEACH DR: PLUMBING - RESIDENTIAL- [PARADISE POINT 3RD SEC]	\$10,000		10/4/2024
05030	A/C CHANGEOUT	\$9,435		5/13/2008
02749	REPLACE CARPORT DOOR	\$541		3/13/2006
16558	REROOF W/SHINGLES DUE TO HURRICANE DAMAGE	\$4,840		12/13/2004

### Extra Features

Description	Year Built	Units	Cost	Assessed
ROOM ENCLOSURE 2	1990	1	\$10,000	\$4,000
HOME-SOLAR HEATER	2013	1	\$0	\$0

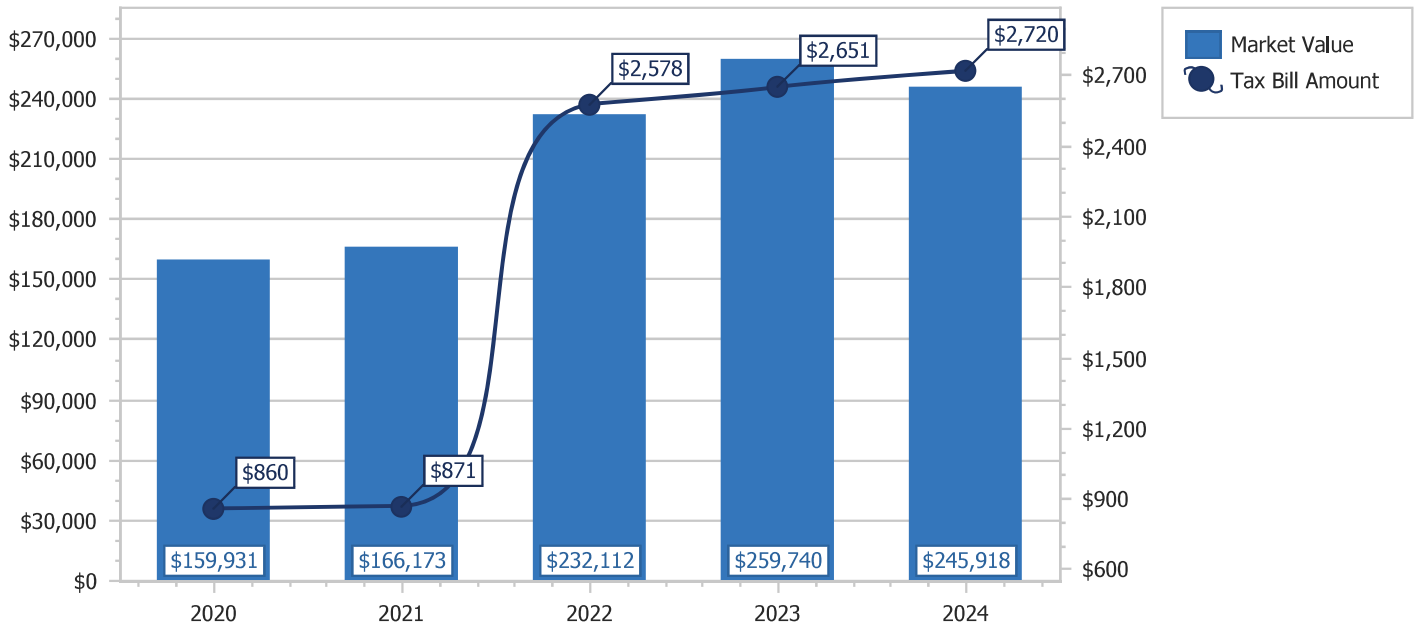
Zoning	
Zoning	R-1A
Description	Single Family-9000
Future Land Use	LDR
Description	Low Density Residential

School Districts	
Elementary	Bear Lake
Middle	Teague
High	Lake Brantley

Political Representation	
Commissioner	District 3 - Lee Constantine
US Congress	District 7 - Cory Mills
State House	District 39 - Doug Bankson
State Senate	District 10 - Jason Brodeur
Voting Precinct	Precinct 38

Utilities	
Fire Station #	Station: 13 Zone: 133
Power Company	DUKE
Phone (Analog)	AT&T
Water	Seminole County Utilities
Sewage	Seminole County Utilities
Garbage Pickup	MON/THU
Recycle	THU
Yard Waste	NO SERVICE
Hauler #	Waste Management

## Property Value History



Copyright 2025 © Seminole County Property Appraiser

# NOTICE OF CODE VIOLATION

**LOCATION OF VIOLATION:** 1518 BALMY BEACH DR, AOPKA FL 32703

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF:

- SEMINOLE COUNTY CODE CHAPTER 40 APPENDIX "A," SEC 105.1, PERMIT(S) REQUIRED
- LAND DEVELOPMENT CODE CHAPTER 30 SEC 30.14.19, FENCE PERMIT REQUIRED

**DESCRIPTION OF VIOLATION:**

INSTALLATION OF A FENCE, 2 SHEDS, ~~WATER-CONDITIONING SYSTEM,~~  
ROOFTOP SOLAR PANEL FOR WATER HEATER, NEW ELECTRIC FOR  
ENCLOSURE, REPLACEMENT OF ELECTRIC PANEL, AND ENCLOSURE OF PORCH  
AT REAR TO CREATE LIVING SPACE (SIDING, WINDOWS, & DOORS ADDED TO  
AN ALUMINUM FRAME W/AN EXISTING INSULATED ALUMINUM ROOF)  
WITHOUT THE REQUIRED PERMITS

**CORRECTIVE ACTIONS:**

**\*\* OBTAIN REQUIRED PERMITS FOR ALL WORK THAT HAS BEEN DONE. \*\***

NOTE: Continuing to work on this project without a permit and inspections may result in additional cost and require removal of materials to expose concealed work for inspection

**THE ABOVE CORRECTIVE ACTIONS MUST BE TAKEN BY:** OCTOBER 31 2024

FAILURE TO CORRECT THE ABOVE VIOLATIONS WILL RESULT IN THE MATTER BEING SCHEDULED FOR A CODE ENFORCEMENT HEARING FOR RESOLUTION. THE CODE ENFORCEMENT PROCESS CAN RESULT IN FINES UP TO AND INCLUDING \$250.00 BEING LEVIED PER DAY FOR EVERY DAY THE VIOLATIONS EXIST.

- IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS



**For further information contact:**

**Seminole County Building Division  
1101 East First Street, Room 1020  
Sanford, FL 32771-1468**

**Phone: (407) 665-7338**

**DATE:** 10/7/24  
**CASE NO:** 24-274

**INSPECTOR:** JASON RUCKER









**SEMINOLE COUNTY  
DENIAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 11 BLK F  
PARADISE POINT 3RD SEC  
PB 9 PG 74

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** LETICIA LOPEZ  
1518 BALMY BEACH DRIVE  
APOPKA, FL 32703

**Project Name:** BALMY BEACH DR (1518)

**Requested Variance:**

Request for: (1) a side street (north) setback variance from five (5) feet to zero (0) feet for a fence; and (2) a side yard (west) setback variance from seven and one-half (7½) feet to five and one-half (5½) feet for a shed in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

Approval was sought to bring an existing privacy fence and shed into compliance. The Board of Adjustment has found and determined that one or more of the six (6) criteria under the Seminole County Land Development Code for granting a variance have not been satisfied and that failure to grant the variance would not result in an unnecessary and undue hardship. The Property Owner still retains reasonable use of the property without the granting of the requested variance.

**C. DECISION**

The requested development approval is hereby **DENIED**.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Angi Gates, Planner  
1101 East First Street  
Sanford, Florida 32771

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 11 BLK F  
PARADISE POINT 3RD SEC  
PB 9 PG 74

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** LETICIA LOPEZ  
1518 BALMY BEACH DRIVE  
APOPKA, FL 32703

**Project Name:** BALMY BEACH DR (1518)

**Variance Approval:**

Request for: (1) a side street (north) setback variance from five (5) feet to zero (0) feet for a fence; and (2) a side yard (west) setback variance from seven and one-half (7½) feet to five and one-half (5½) feet for a shed in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

All six (6) criteria for granting a variance under the Land Development Code have been satisfied.

The development approval sought is consistent with the Seminole County Comprehensive Plan and is in compliance with applicable land development regulations and all other applicable regulations and ordinances.

## Order

### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must 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, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the privacy fence and shed (10' x 10') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

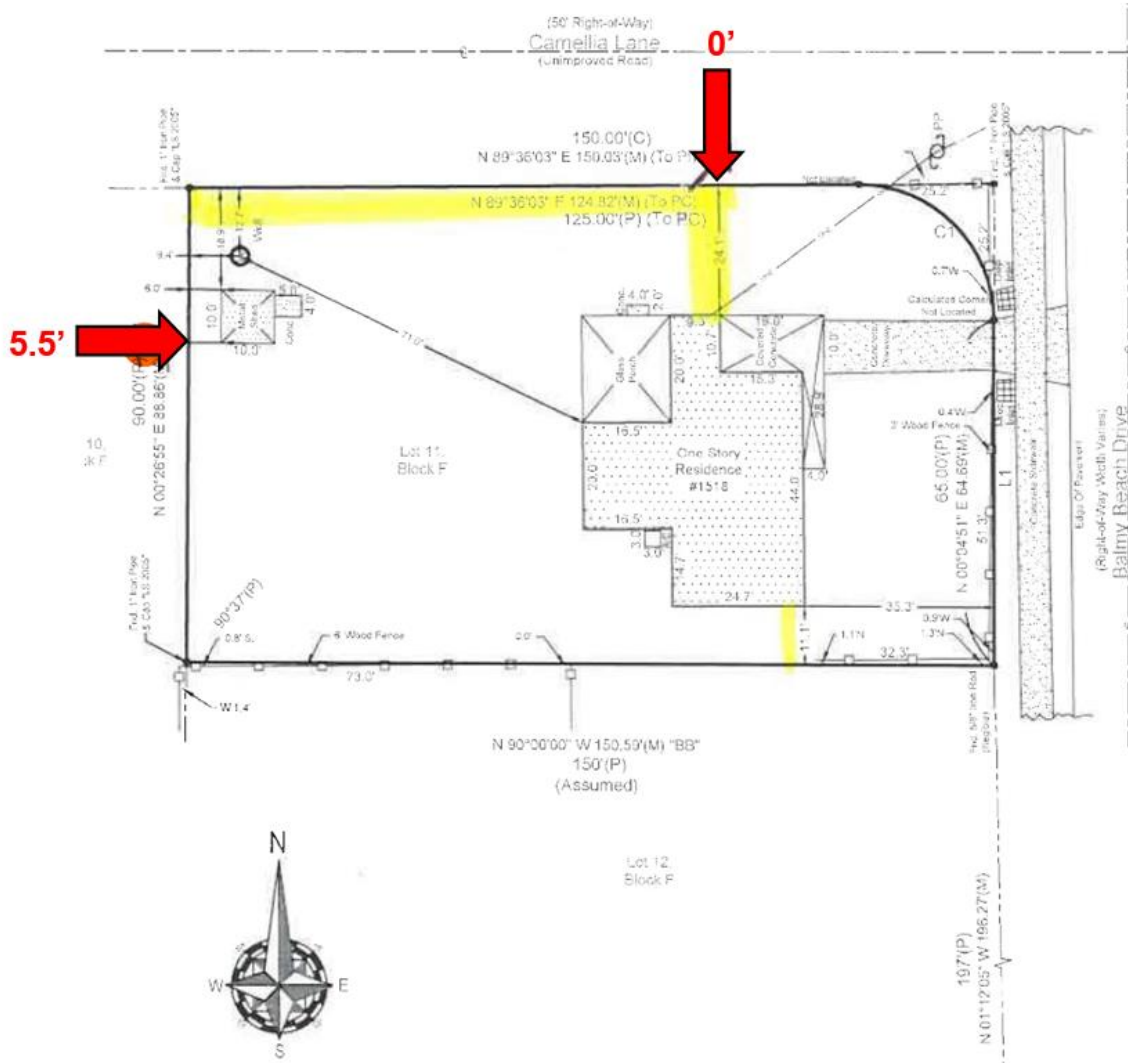
**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Angi Gates, Planner  
1101 East First Street  
Sanford, Florida 32771

### EXHIBIT A SITE PLAN







# SEMINOLE COUNTY, FLORIDA

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

## Agenda Memorandum

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**File Number: 2024-1460**

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**Title:**

**3571 N CR 426-** Request for: (1) a side yard (north) setback variance from ten (10) feet to eight (8) feet for a shed; and (2) a side yard (north) setback variance from fifty (50) feet to twenty-six and one-half (26½) feet for a carport; and (3) a side street (south) setback variance from fifty (50) feet to twenty-two (22) feet; and (4) a front yard setback variance from (100) feet to forty-seven and one-half (47½) feet for a gazebo in the A-1 (Agriculture) district; BV2024-119 (Juana M. Vega-Olazabal, Applicant) District 2 - Zembower (Angi Gates, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

Kathy Hammel

**Contact/Phone Number:**

Angi Gates 407-665-7465

**Motion/Recommendation:**

1. Deny the request for: (1) a side yard (north) setback variance from ten (10) feet to eight (8) feet for a shed; and (2) a side yard (north) setback variance from fifty (50) feet to twenty-six and one-half (26½) feet for a carport; and (3) a side street (south) setback variance from fifty (50) feet to twenty-two (22) feet; and (4) a front yard setback variance from (100) feet to forty-seven and one-half (47½) feet for a gazebo in the A-1 (Agriculture) district; or
2. Approve the request for: (1) a side yard (north) setback variance from ten (10) feet to eight (8) feet for a shed; and (2) a side yard (north) setback variance from fifty (50) feet to twenty-six and one-half (26½) feet for a carport; and (3) a side street (south) setback variance from fifty (50) feet to twenty-two (22) feet; and (4) a front yard setback variance from (100) feet to forty-seven and one-half (47½) feet for a gazebo in the A-1 (Agriculture) district; or
3. Continue the request to a time and date certain.

**Background:**

- The shed is 120 square feet (10' x 12') and encroaches two (2) feet into the required side yard (north) setback and is being used for storage.
- The carport is 455 square feet (25' x 18.2') and encroaches twenty-three and one-half (23½) feet into the required side yard (north) setback and is being used for agricultural purposes.
- The gazebo is approximately 250 square feet and encroaches fifty-two and one-half (52½) feet into the required front yard setback and twenty-two (22) feet into the required side street (south) setback and is being used for agricultural purposes.
- A building code violation (Case #: 24-172) was issued for unpermitted construction of all three (3) structures, resulting in the necessity of this variance.
- The request is for a variance to Section 30.7.3 of the Seminole County Land Development Code, which states that the side yard setback for structures accessory to the residence for this zoning district is ten (10) feet.
- The request is for a variance to Section 30.7.3 of the Seminole County Land Development Code, which states:
  - (2) Setback shall be equal to or greater than the main residence unless setback is equal to or greater than 100 feet.
  - (3) Barns and structures for livestock and structures for agricultural use shall have a minimum fifty (50) foot front, side and rear yard setbacks and be distanced a minimum of 100 feet from any residential structure on an adjacent lot or parcel.
- There have not been prior variances for the subject property.

**Staff Findings:**

The applicant has not satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance as listed below:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning classification; and
2. That the special conditions and circumstances do not result from the actions of the applicant; and

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning classification; and
4. That the literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant; and
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
6. That the grant of the variance will be in harmony with the general intent and purpose of Chapter 30, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Staff finds that the following variance criteria have not been satisfied:

The general intent of the Land Development Code is to maintain consistent setbacks; therefore, the grant of the variance will not be in harmony with the general intent and purpose of Chapter 30, would be injurious to the neighborhood, and otherwise detrimental to the public welfare. Section 30.3.3.2(b)(6)

**Staff Conclusion:**

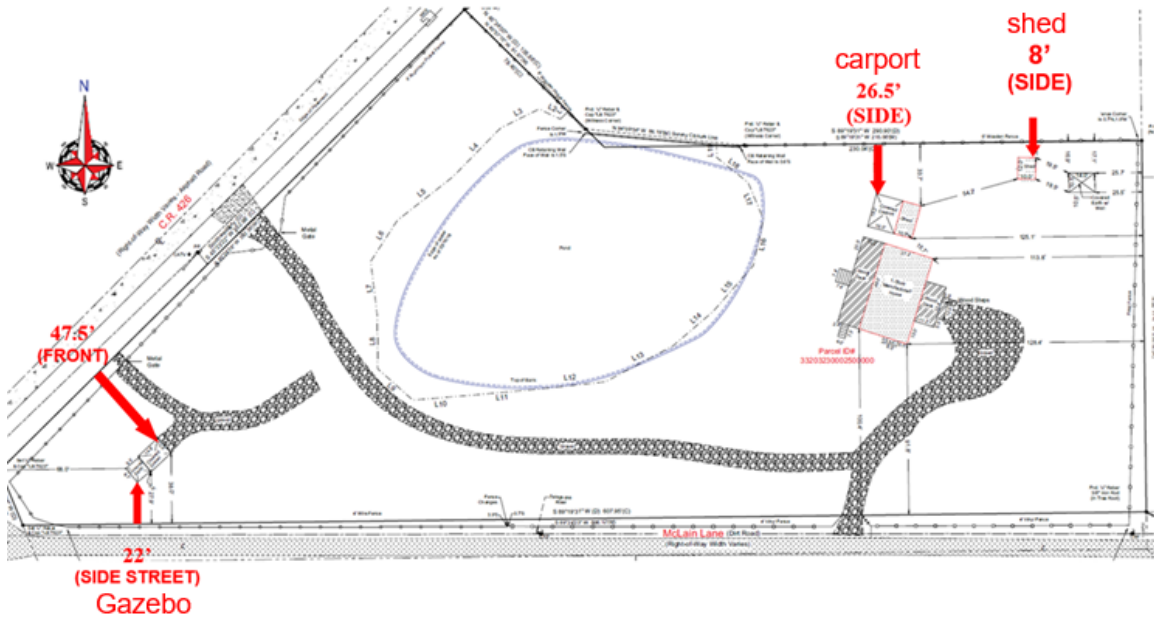
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

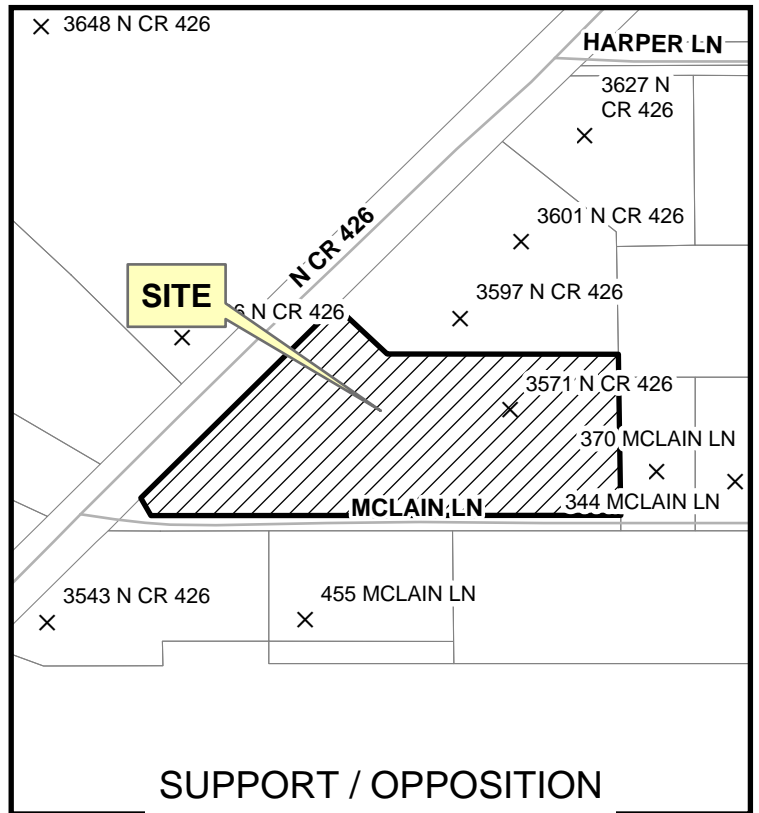
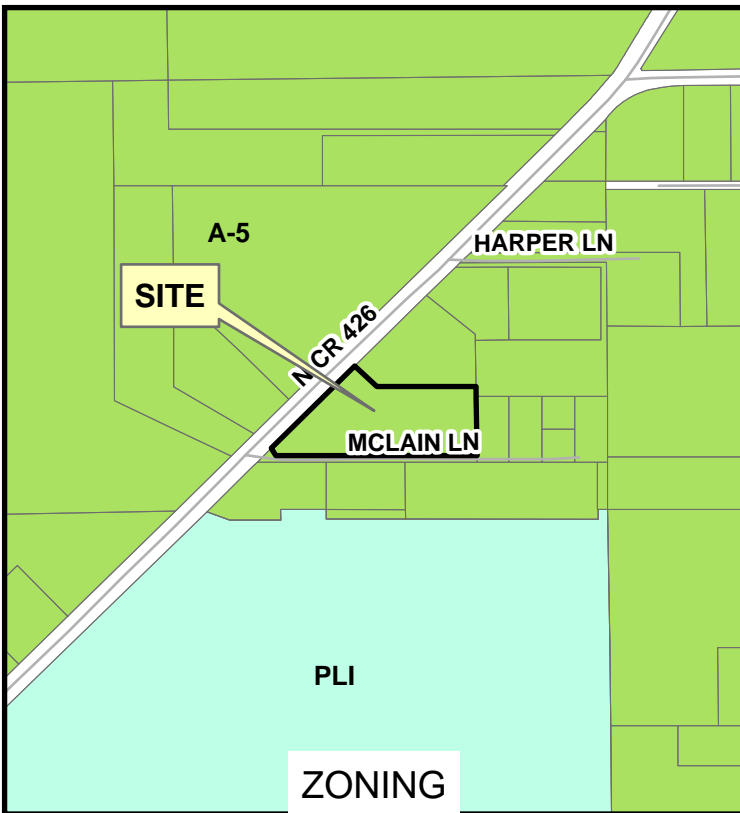
**Staff Recommendation:**

Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the shed, carport and gazebo as depicted on the attached site plan; and
2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

3571 N CR 426  
VARIANCES





**JUAN OLAZABAL-SEGOVIA,  
MARIA VEGA-GUIZADO &  
JUANA OLAZABAL-VEGA**  
3571 N CR 426  
GENEVA, FL 32732

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
DECEMBER 2, 2024**

**LEGEND**

- A-5
- PLI

F



## VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district?

Small shed use to store some household items, we decided to place it close to the well to store salts used for the well filter and other equipment for maintenance of land and well.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

It was a small shed that came in a box purchased at home depot and we were not aware at that time we needed a special permit or setback requirements.

3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?

There is only 1.5 ft missing to meet the setback requirements, it is a small structure that we use to store things that cannot get rain in it.

4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?

We would need to move the structure or destroy it and we spent time and effort assembling it and put a concrete floor underneath so our items dont get flooded with rain.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

This variance will allow us to get the permit required to have this shed in the property and close the current violation.

6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

It is a very small shed that we use to store things that cannot be exposed to rain in our property.

## VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district?

This carport is used to store equipment used for agricultural purposes. We have it close to the house because it is safe to have it closer because of the value of the items.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

We want to have the carport close to our house for security purposes.

3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?

We use this carport for agricultural use, and this equipment is necessary for our daily use.

4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?

We would need to move and unassemble ~~the~~ the structure which we invested time and money to keep our ~~is~~ agricultural items safe inside of it.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

We would ~~be~~ able to keep our structure in place having all our items stored.

6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

It is a carport that doesn't cause damage or harm to anyone and is used for agricultural purposes.

## VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district?

This gazebo is used for agricultural purposes. We use it to store fertilizers needed for our plants in the nursery.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

We wanted to have the gazebo close to the nursery because we use it to store our fertilizers and other things that we need close to the nursery.

3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?

We use this ~~gazebo~~ gazebo for agricultural use, and this is necessary for our daily use.

4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?

We would need to move the ~~gazebo~~ gazebo further from our nursery and we already spent time, money and ~~lots of time~~ effort assembling it.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

We would be able to keep our structure in place having all our items stored that we use for the nursery and the care of our plants.

6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

It is a small gazebo that ~~is~~ is not ~~is~~ injurious to the neighborhood, or detrimental to the public welfare. We use it for our plant nursery and the location is perfect for us for being close to our plants.



# Property Record Card



**Parcel:** 33-20-32-300-0250-0000  
**Property Address:** 3571 N CR 426 GENEVA, FL 32732  
**Owners:** OLAZABAL-SEGOVIA, JUAN G; VEGA-GUIZADO, MARIA M; OLAZABAL VEGA, JUANA M  
 2024 Market Value \$229,037 Assessed Value \$220,656  
 2023 Tax Bill \$2,740.84 Tax Savings with Non-Hx Cap \$254.60  
 The 3 Bed/2 Bath Mobile/Manufactured Home property is 1,344 SF and a lot size of 2.69 Acres

## Parcel Location



## Site View

## Parcel Information

Parcel	33-20-32-300-0250-0000
Property Address	3571 N CR 426 GENEVA, FL 32732
Mailing Address	3571 N COUNTY ROAD 426 GENEVA, FL 32732-9766
Subdivision	
Tax District	01:County Tax District
DOR Use Code	02:Mobile/Manufactured Home
Exemptions	00-HOMESTEAD (2024)
AG Classification	No

## Value Summary

	2024 Working Values	2023 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Building Value	\$110,677	\$106,726
Depreciated Other Features	\$0	\$0
Land Value (Market)	\$118,360	\$118,360
Land Value Agriculture	\$0	\$0
Market Value	\$229,037	\$225,086
Portability Adjustment	\$0	\$0
Save Our Homes Adjustment/Maximum Portability	\$0	\$0
P&G Adjustment	\$8,381	\$32,107
Non-Hx 10% Cap (AMD 1)	\$0	\$0
Assessed Value	\$220,656	\$192,979

## 2023 Certified Tax Summary

Tax Amount w/o Exemptions	\$2,995.44
Tax Bill Amount	\$2,740.84
Tax Savings with Exemptions	\$254.60

## Owner(s)

### Name - Ownership Type

OLAZABAL-SEGOVIA, JUAN G - Tenancy by Entirety :25  
 VEGA-GUIZADO, MARIA M - Tenancy by Entirety :25  
 OLAZABAL VEGA, JUANA M - Tenants in Common :50

Note: Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

SEC 33 TWP 20S RGE 32E  
 BEG 176.9 FT N & 400 FT W  
 OF SE COR OF NW 1/4 OF NE  
 1/4 RUN N 199.75 FT W  
 290.9 FT N 45 DEG 34 MIN W  
 TO RD SWLY ALONG RD 344.57 FT S 22 DEG 35  
 MIN 46 SEC E TO A PT W OF BEG E TO BEG

## Taxes

Taxing Authority	Assessed	Exempt Amount	Taxable
COUNTY GENERAL FUND	\$220,656	\$50,000	\$170,656
Schools	\$229,037	\$25,000	\$204,037
FIRE	\$220,656	\$50,000	\$170,656
ROAD DISTRICT	\$220,656	\$50,000	\$170,656
SJWM(Saint Johns Water Management)	\$220,656	\$50,000	\$170,656

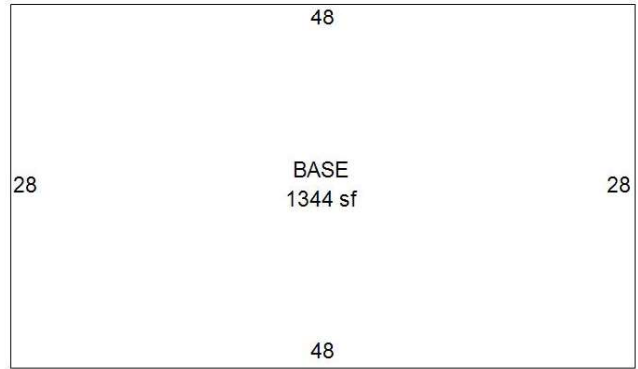
## Sales

Deed Type	Date	Sale Amount	Book / Page	Sale Type	Qualified?
QUIT CLAIM DEED	7/3/2023	\$100	10478/1105	Improved	No
WARRANTY DEED	3/1/2018	\$82,000	09113/1981	Vacant	Yes
TRUSTEE DEED	1/1/2012	\$100	07715/0499	Vacant	No
WARRANTY DEED	12/1/2010	\$100	07492/0585	Vacant	No
QUIT CLAIM DEED	9/1/2010	\$1,000	07438/1847	Vacant	No
TRUSTEE DEED	10/1/1994	\$100	02856/0963	Vacant	No
QUIT CLAIM DEED	1/1/1976	\$100	01079/1097	Vacant	No
WARRANTY DEED	1/1/1975	\$100	01067/0442	Vacant	No

## Land

Units	Rate	Assessed	Market
2.69 Acres	\$44,000/Acre	\$118,360	\$118,360

Building Information	
#	1
Use	MOBILE HOME
Year Built*	2021
Bed	3
Bath	2.0
Fixtures	7
Base Area (ft <sup>2</sup> )	1344
Total Area (ft <sup>2</sup> )	1344
Constuction	MOBILE HOME ABOVE AV
Replacement Cost	\$112,936
Assessed	\$110,677



Building 1

\* Year Built = Actual / Effective

Permits				
Permit #	Description	Value	CO Date	Permit Date
11018	3571 N CR 426 : SIGN (POLE,WALL,FACIA)-sign	\$0		8/19/2024
08494	3571 N CR 426 : FENCE/WALL RESIDENTIAL-Fence	\$10,000		8/12/2024
04508	3571 N CR 426 : ELECTRICAL - RESIDENTIAL-	\$100		3/15/2021
18151	3571 N CR 426 : MOBILE HOME-MOBILE HOME	\$10,000	3/9/2021	1/22/2021

Extra Features				
Description	Year Built	Units	Cost	Assessed

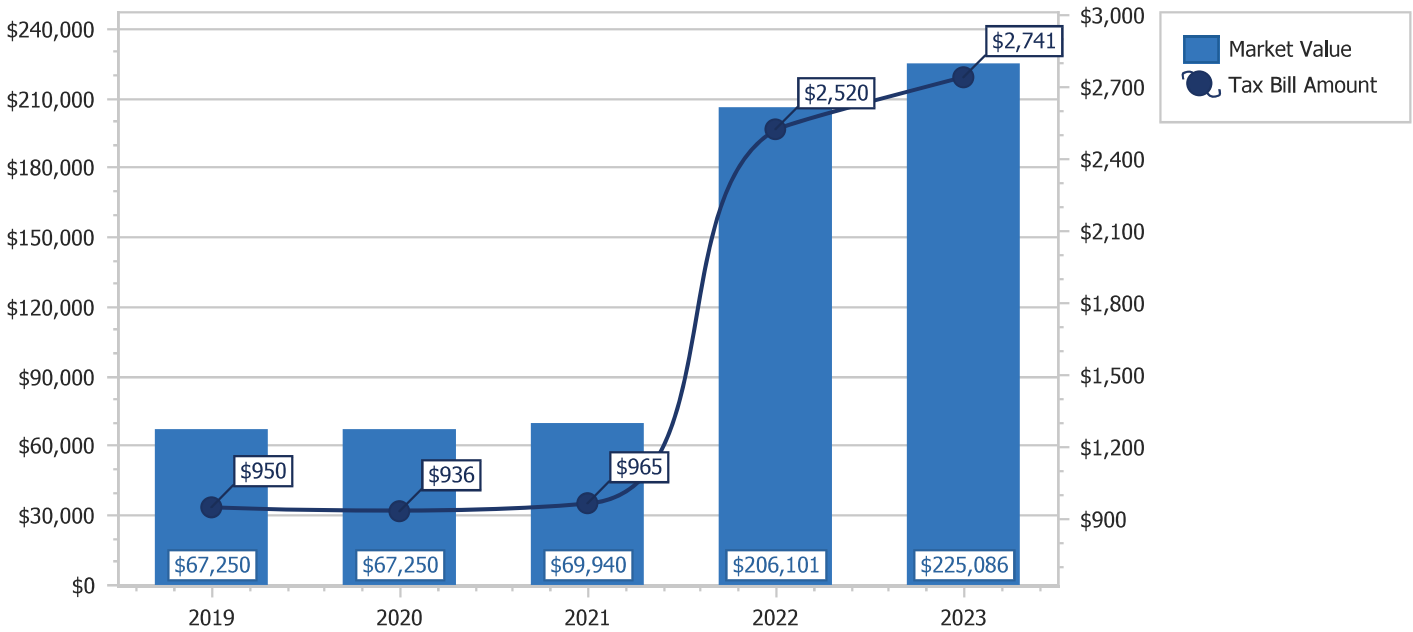
Zoning	
Zoning	A-5
Description	Rural-5Ac
Future Land Use	R5
Description	Rural-5

School Districts	
Elementary	Geneva
Middle	Chiles
High	Oviedo

Political Representation	
Commissioner	District 2 - Jay Zembower
US Congress	District 7 - Cory Mills
State House	District 37 - Susan Plasencia
State Senate	District 10 - Jason Brodeur
Voting Precinct	Precinct 73

Utilities	
Fire Station #	Station: 42 Zone: 424
Power Company	FPL
Phone (Analog)	AT&T
Water	
Sewage	
Garbage Pickup	TUE/FRI
Recycle	FRI
Yard Waste	WED
Hauler #	Waste Pro

### Property Value History



Copyright 2024 © Seminole County Property Appraiser

# NOTICE OF CODE VIOLATION

**LOCATION OF VIOLATION:** 3571 N CR 426, GENEVA FL 32732

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF THE SEMINOLE COUNTY CODE CHAPTER FORTY APPENDIX "A", SECTION 105.1, PERMITS REQUIRED.

**DESCRIPTION OF VIOLATION:**

INSTALLATION OF ~~SPLIT RAIL AND ALUMINUM FENCE WITH GATE AND OPENER~~ IN FRONT AND REAR (~~ACCESS CONTROL~~), SHED, CARPORT WITH ENCLOSURE, PAVILION STRUCTURE, AND CONSTRUCTION OF FRONT AND REAR DECK OF HOME WITHOUT THE REQUIRED PERMITS

**CORRECTIVE ACTIONS:**

**\*\* OBTAIN REQUIRED PERMITS FOR ALL WORK THAT HAS BEEN DONE. \*\***

NOTE: Continuing to work on this project without a permit and inspections may result in additional cost and require removal of materials to expose concealed work for inspection

JUNE 19, 2024

**THE ABOVE CORRECTIVE ACTIONS MUST BE TAKEN BY:** AUGUST 1, 2024

SEPTEMBER 3, 2024

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING SCHEDULED FOR A CODE ENFORCEMENT HEARING FOR RESOLUTION. THE CODE ENFORCEMENT PROCESS CAN RESULT IN FINES UP TO AND INCLUDING \$250.00 BEING LEVIED PER DAY FOR EVERY DAY THE VIOLATIONS EXIST.

IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS



**For further information contact:**

**Seminole County Building Division  
1101 East First Street, Room 1020  
Sanford, FL 32771-1468**

**Phone: (407) 665-7338**

**DATE:** 6/5/24 7/17/24 8/20/24

**CASE NO:** Pending 24-172

**INSPECTOR:** JASON RUCKER

## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 33 TWP 20S RGE 32E BEG 176.9 FT N & 400 FT W OF SE COR OF NW 1/4 OF NE 1/4  
RUN N 199.75 FT W 290.9 FT N 45 DEG 34 MIN W TO RD SWLY ALONG RD 344.57 FT S 22  
DEG 35 MIN 46 SEC E TO A PT W OF BEG E TO BEG

(The above described legal description has been provided by Seminole County Property Appraiser)

### A. FINDINGS OF FACT

**Property Owner:** JUANA M. VEGA-OLAZABAL  
3571 N CR 426  
GENEVA, FL 32732

**Project Name:** 3571 N CR 426

#### **Requested Variance:**

Request for: (1) a side yard (north) setback variance from ten (10) feet to eight (8) feet for a shed; and (2) a side yard (north) setback variance from fifty (50) feet to twenty-six and one-half (26½) feet for a carport; and (3) a side street (south) setback variance from fifty (50) feet to twenty-two (22) feet; and (4) a front yard setback variance from (100) feet to forty-seven and one-half (47½) feet for a gazebo in the A-1 (Agriculture) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### A. CONCLUSIONS OF LAW

Approval was sought to bring an existing shed, carport and gazebo into compliance. The Board of Adjustment has found and determined that one or more of the six (6) criteria under the Seminole County Land Development Code for granting a variance have not been satisfied and that failure to grant the variance would not result in an unnecessary and undue hardship. The Property Owner still retains reasonable use of the property without the granting of the requested variance.

### B. DECISION

The requested development approval is hereby **DENIED**.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Angi Gates, Planner  
1101 East First Street  
Sanford, Florida 32771

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 33 TWP 20S RGE 32E BEG 176.9 FT N & 400 FT W OF SE COR OF NW 1/4 OF NE 1/4 RUN N 199.75 FT W 290.9 FT N 45 DEG 34 MIN W TO RD SWLY ALONG RD 344.57 FT S 22 DEG 35 MIN 46 SEC E TO A PT W OF BEG E TO BEG

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** JUANA M. VEGA-OLAZABAL  
3571 N CR 426  
GENEVA, FL 32732

**Project Name:** 3571 N CR 426

**Variance Approval:**

Request for: (1) a side yard (north) setback variance from ten (10) feet to eight (8) feet for a shed; and (2) a side yard (north) setback variance from fifty (50) feet to twenty-six and one-half (26½) feet for a carport; and (3) a side street (south) setback variance from fifty (50) feet to twenty-two (22) feet; and (4) a front yard setback variance from (100) feet to forty-seven and one-half (47½) feet for a gazebo in the A-1 (Agriculture) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

All six (6) criteria for granting a variance under the Land Development Code have been satisfied.

The development approval sought is consistent with the Seminole County Comprehensive Plan and is in compliance with applicable land development regulations and all other applicable regulations and ordinances.



## Order

### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must 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, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the shed (10' x 12'), gazebo (approximately 250 square feet) and carport (25' x 18.2') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

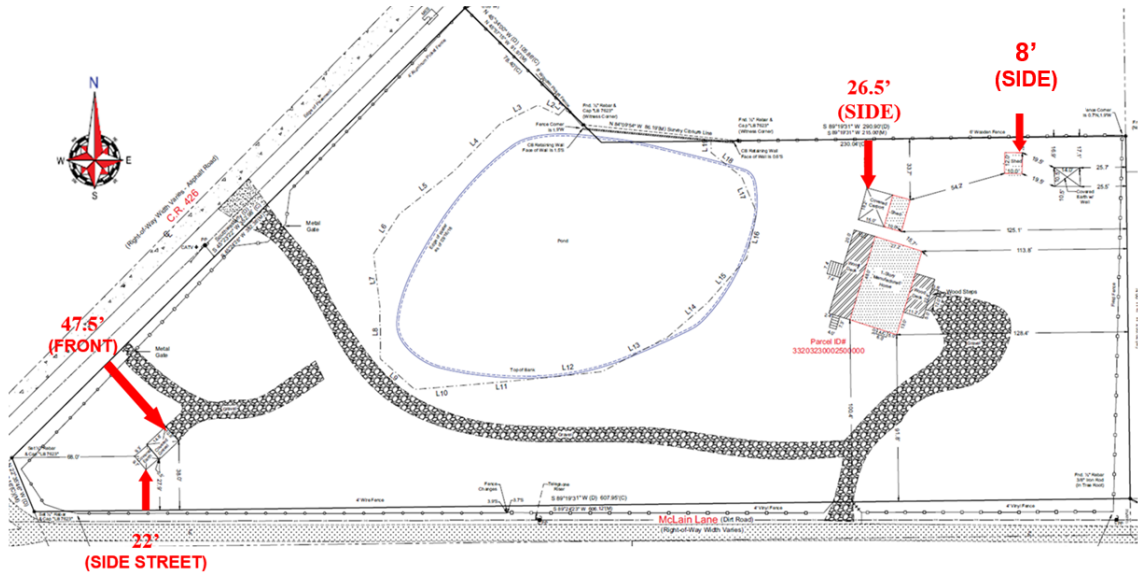
**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Angi Gates, Planner  
1101 East First Street  
Sanford, Florida 32771

# EXHIBIT A SITE PLAN





# SEMINOLE COUNTY, FLORIDA

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

## Agenda Memorandum

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**File Number: 2024-1494**

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**Title:**

**1386 Swinton Court** - Request for a rear yard setback variance from twenty (20) feet to ten and one-half (10.5) feet for a screen room addition in the PD (Planned Development) district; BV2024-121 (Gireesh Behara, Applicant) District 5 - Herr (Hilary Padin, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

**Kathy Hammel**

**Contact/Phone Number:**

Hilary Padin - (407) 665-7331

**Motion/Recommendation:**

1. Deny the request for a rear yard setback variance from twenty (20) feet to ten and one-half (10.5) feet for a screen room addition in the PD (Planned Development) district; or
2. Approve the request for a rear yard setback variance from twenty (20) feet to ten and one-half (10.5) feet for a screen room addition in the PD (Planned Development) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Estuary at St. John's subdivision and is within the Gateway at St. John's Planned Development (PD).
- The request is to construct a 1,022 square foot screen room addition encroaching nine and one-half (9.5) feet into the twenty (20) foot rear yard setback.
- The rear of the property abuts a landscape buffer and open space tract owned

by the Estuary at St. John's Homeowners Association.

- The request is for a variance to Section 30.8.5.11 of the Seminole County Land Development Code for Development Standards for Planned Developments.
- There have not been prior variances for the subject property.

**Staff Findings:**

The applicant has not satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance as listed below:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning classification; and
2. That the special conditions and circumstances do not result from the actions of the applicant; and
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning classification; and
4. That the literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant; and
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
6. That the grant of the variance will be in harmony with the general intent and purpose of Chapter 30, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Staff finds that the following variance criteria has not been satisfied:

The general intent of the Land Development Code is to maintain consistent setbacks; therefore, the grant of the variance will not be in harmony with the general intent and purpose of Chapter 30, would be injurious to the neighborhood, and otherwise detrimental to the public welfare. Section 30.3.3.2(b)(6)

**Staff Conclusion:**

Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue

hardship.

**Staff Recommendation:**

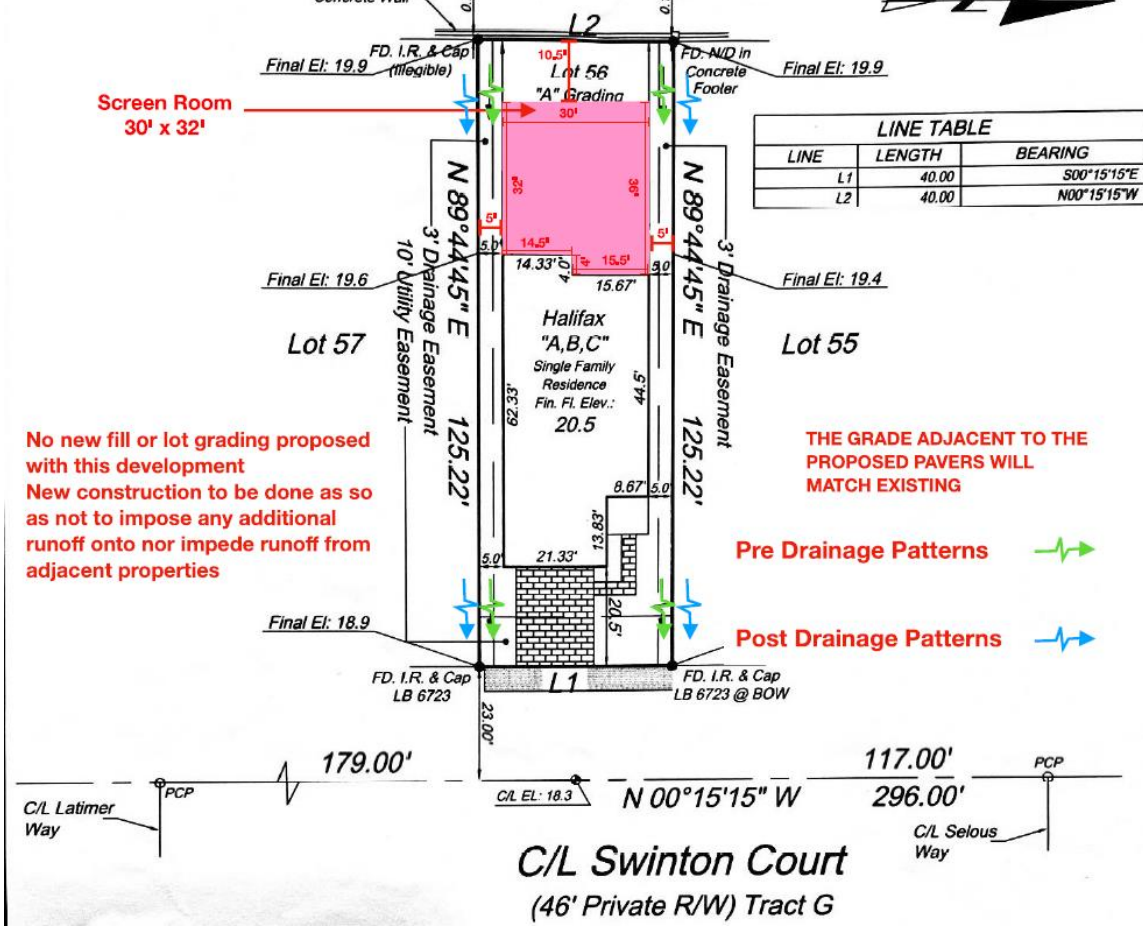
Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the screen room addition (30' x 36') as depicted on the attached site plan; and
2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

# SWINTON COURT (1386) VARIANCES

*Rigo Sanchez*  
8/12/24

*Tract RW-1 Right-Of-Way Dedicated By This Plat*  
**Tract B Landscape Buffer/Open Space**

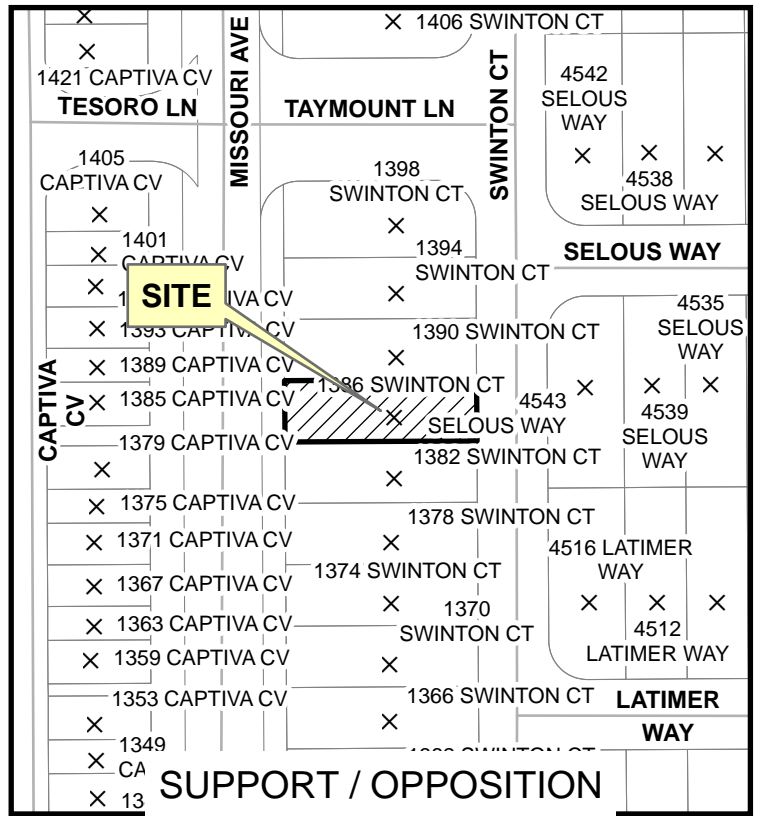
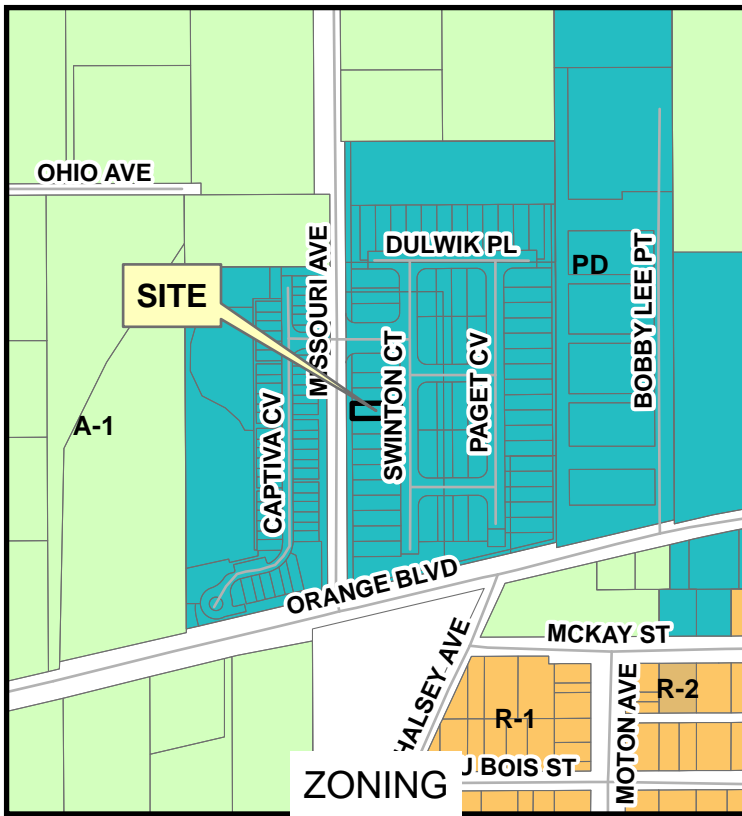


No new fill or lot grading proposed with this development  
New construction to be done as so as not to impose any additional runoff onto nor impede runoff from adjacent properties

THE GRADE ADJACENT TO THE PROPOSED PAVERS WILL MATCH EXISTING

Pre Drainage Patterns





Post Drainage Patterns



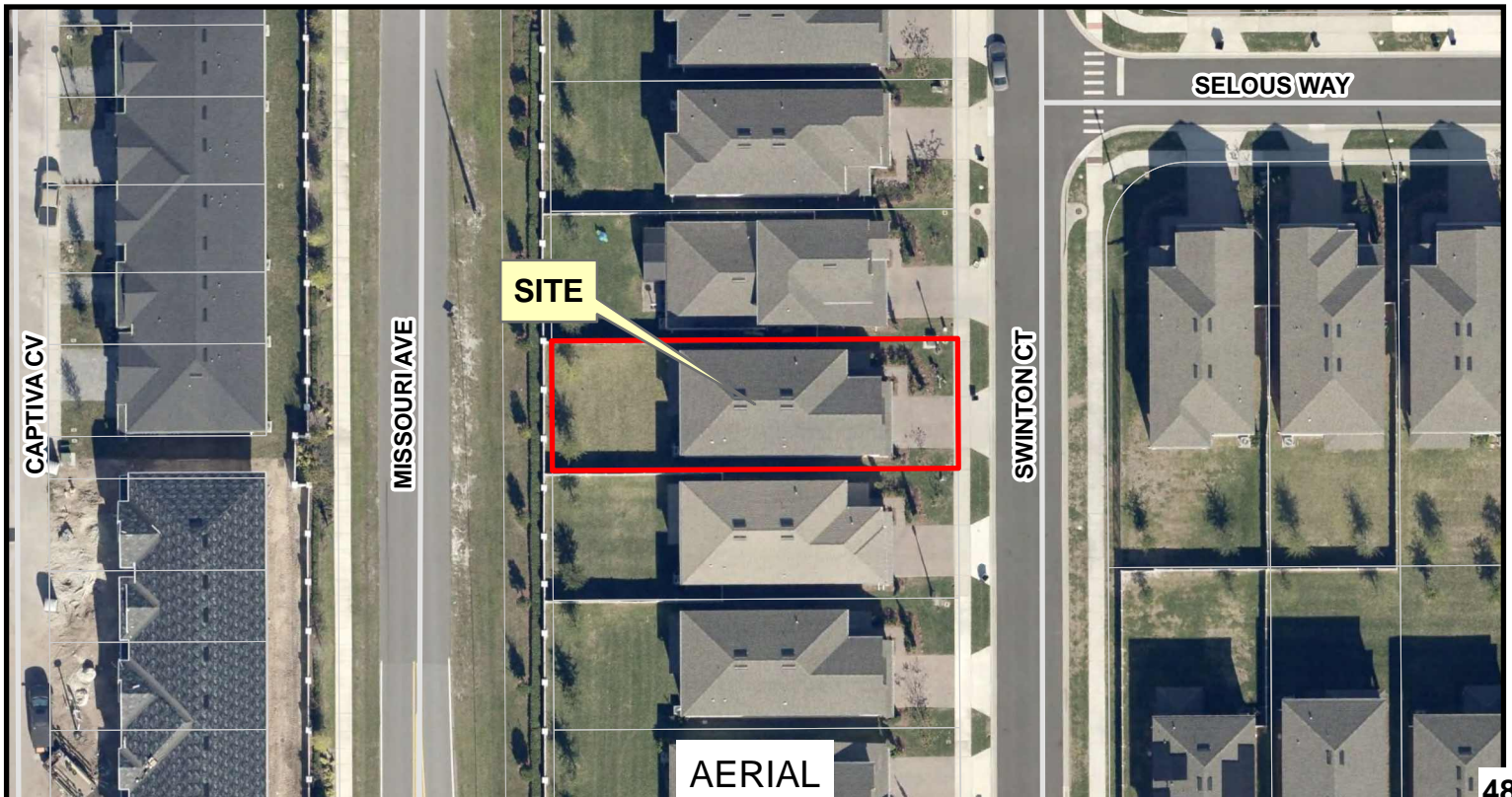
**GIREESH BEHARA &  
SWATHI ANKAM  
1386 SWINTON CT  
SANFORD, FL 32771**

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
DECEMBER 2, 2024**

**LEGEND**

 A-1	 R-2
 R-1	 PD

**F**





## VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district?

**There are no current existing special conditions and/or circumstances with respect to the land, proposed building of the structure or building involved.**

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

**The are no special conditions and circumstances applicable.**

3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?

**The granting of the variance request would not confer any special privileges due to the proposed aluminum structure to be built would be on the proposed pavers within the parameters set by the zoning district.**

4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?

**By denying approval the applicant would surely be deprived of the same rights commonly enjoyed by other properties since the proposed structure is to be built with no new fill or lot grading proposed with this development New construction to be done as so as not to impose any additional runoff onto nor impede runoff from adjacent properties**

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

**Reasonable use of proposed structure would be possible as it is to be built on top of pavers No new fill or lot grading proposed with this development**

**New construction to be done as so as not to impose any additional runoff onto nor impede runoff from adjacent properties**

6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

**Granting Variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare and be in harmony with the general intent and pupose of the zoning regulations due to the proposed structure is to be built on proposed pavers and not affect any other pre existing grades or structures**

**etc.**

# Property Record Card



Parcel: **17-19-30-5VQ-0000-0560**  
 Property Address: **1386 SWINTON CT SANFORD, FL 32771**  
 Owners: **BEHARA, GIREESH K; ANKAM, SWATHI**  
 2025 Market Value \$482,320 Assessed Value \$434,320  
 2024 Tax Bill \$5,041.36 Tax Savings with Exemptions \$1,204.94  
 The 4 Bed/2.5 Bath Single Family property is 2,883 SF and a lot size of 0.11 Acres

## Parcel Location



## Site View



## Parcel Information

Parcel	17-19-30-5VQ-0000-0560
Property Address	1386 SWINTON CT SANFORD, FL 32771
Mailing Address	1386 SWINTON CT SANFORD, FL 32771-8653
Subdivision	ESTUARY AT ST JOHNS
Tax District	01:County Tax District
DOR Use Code	01:Single Family
Exemptions	00-HOMESTEAD (2022)
AG Classification	No

## Value Summary

	2025 Working Values	2024 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Building Value	\$394,320	\$384,882
Depreciated Other Features	\$0	\$0
Land Value (Market)	\$88,000	\$88,000
Land Value Agriculture	\$0	\$0
Just/Market Value	\$482,320	\$472,882
Portability Adjustment	\$0	\$0
Save Our Homes Adjustment/Maximum Portability	\$48,000	\$51,212
Non-Hx 10% Cap (AMD 1)	\$0	\$0
P&G Adjustment	\$0	\$0
Assessed Value	\$434,320	\$421,670

## 2024 Certified Tax Summary

Tax Amount w/o Exemptions	\$6,246.30
Tax Bill Amount	\$5,041.36
Tax Savings with Exemptions	\$1,204.94

Note: Does NOT INCLUDE Non Ad Valorem Assessments

## Owner(s)

Name - Ownership Type

BEHARA, GIREESH K - Tenancy by Entirety  
 ANKAM, SWATHI - Tenancy by Entirety

## Legal Description

LOT 56 ESTUARY AT ST JOHNS PLAT BOOK 85  
PAGES 15-17

## Taxes

Taxing Authority	Assessed	Exempt Amount	Taxable
COUNTY GENERAL FUND	\$434,320	\$50,000	\$384,320
Schools	\$434,320	\$25,000	\$409,320
FIRE	\$434,320	\$50,000	\$384,320
ROAD DISTRICT	\$434,320	\$50,000	\$384,320
SJWM(Saint Johns Water Management)	\$434,320	\$50,000	\$384,320

## Sales

Deed Type	Date	Sale Amount	Book / Page	Sale Type	Qualified?
WARRANTY DEED	1/14/2021	\$442,600	09817/0989	Improved	Yes

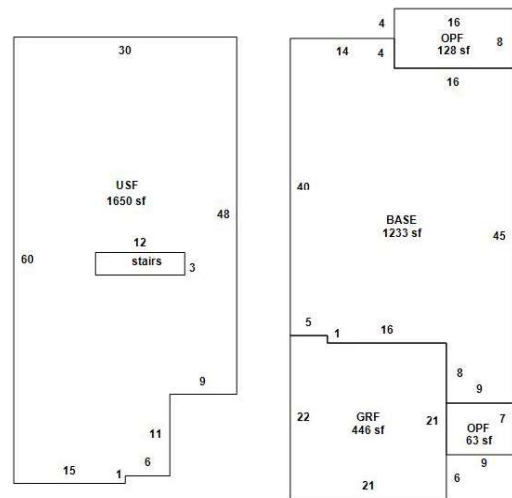
## Land

Units	Rate	Assessed	Market
1 Lot	\$88,000/Lot	\$88,000	\$88,000

## Building Information

#	1
Use	SINGLE FAMILY
Year Built*	2020
Bed	4
Bath	2.5
Fixtures	10
Base Area (ft <sup>2</sup> )	1233
Total Area (ft <sup>2</sup> )	3520
Constuction	CB/STUCCO FINISH
Replacement Cost	\$402,367
Assessed	\$394,320

\* Year Built = Actual / Effective



Building 1

## Appendages

Description	Area (ft <sup>2</sup> )
GARAGE FINISHED	446
OPEN PORCH FINISHED	128

**Permits**

Permit #	Description	Value	CO Date	Permit Date
10450	1386 SWINTON CT: ELECTRIC SOLAR WIRING-Roof Mounted Solar PV Installation [ESTUARY AT ST JOHNS]	\$35,482		7/18/2023
01014	1386 SWINTON CT: PLUMBING - RESIDENTIAL- [ESTUARY AT ST JOHNS]	\$250		1/20/2021
12687	1386 SWINTON CT: SINGLE FAMILY DETACHED-NEW SFR [ESTUARY AT ST JOHNS]	\$381,488	12/30/2020	8/27/2020

**Extra Features**

Description	Year Built	Units	Cost	Assessed
HOME-SOLAR POWER	2023	1	\$0	\$0

**Zoning**

Zoning	PD
Description	Planned Development
Future Land Use	PD
Description	Planned Development

**School Districts**

Elementary	Region 1
Middle	Sanford
High	Seminole

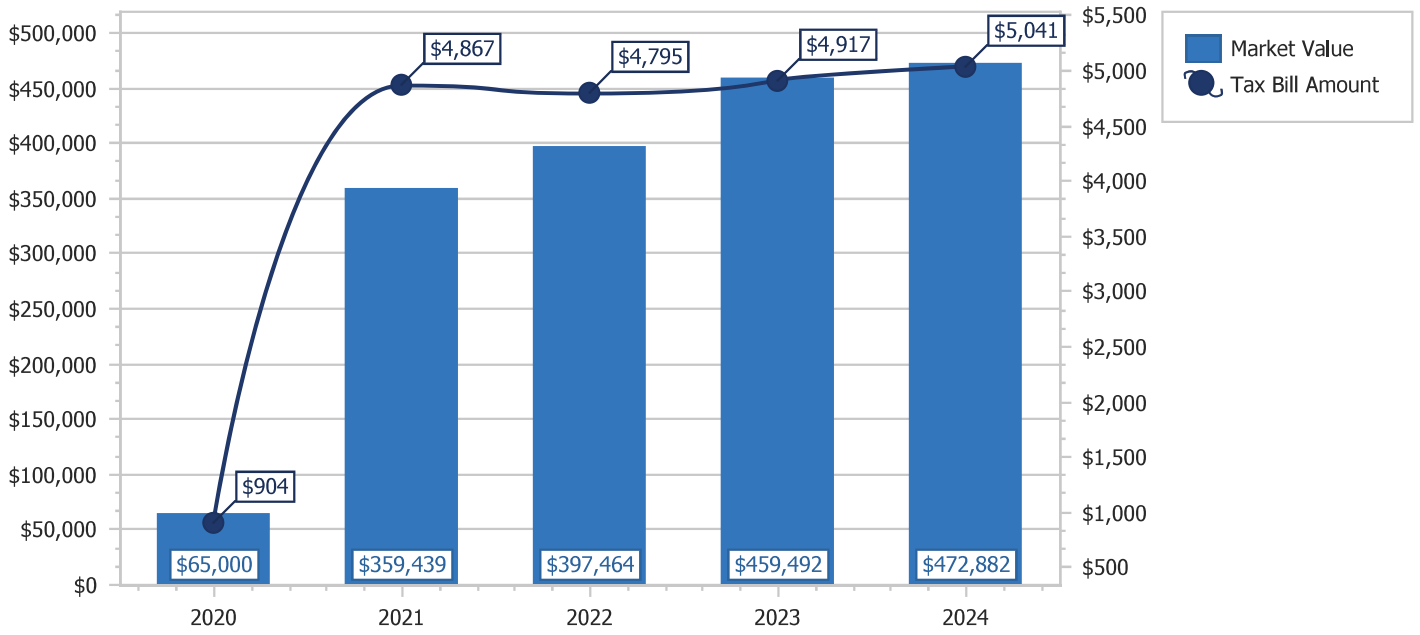
**Political Representation**

Commissioner	District 5 - Andria Herr
US Congress	District 7 - Cory Mills
State House	District 36 - Rachel Plakon
State Senate	District 10 - Jason Brodeur
Voting Precinct	Precinct 1

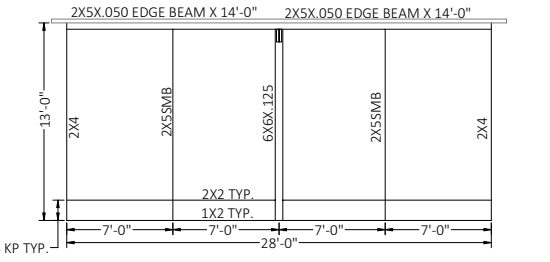
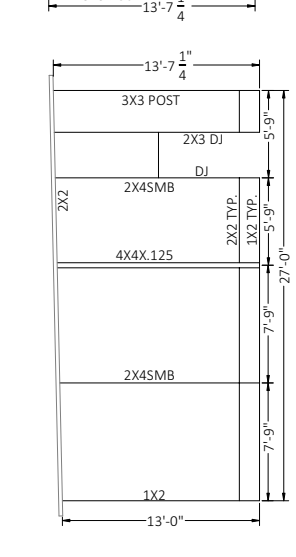
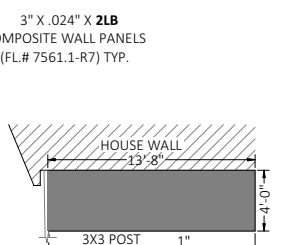
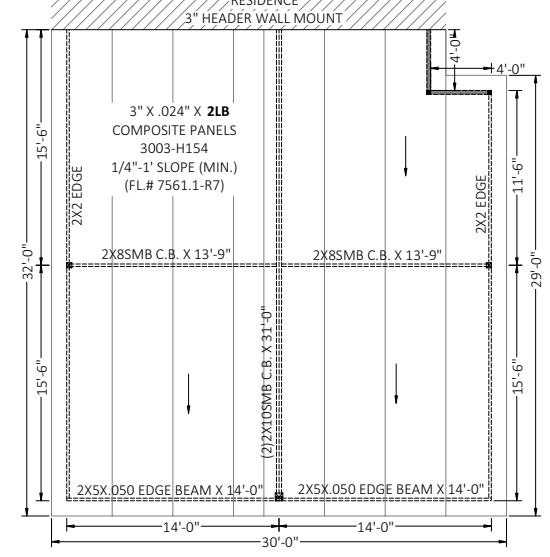
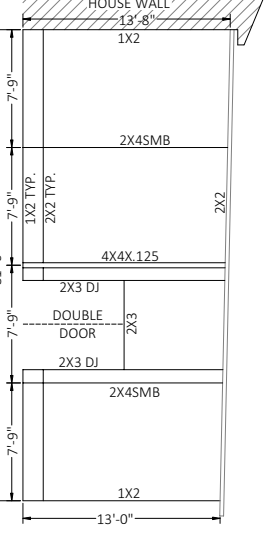
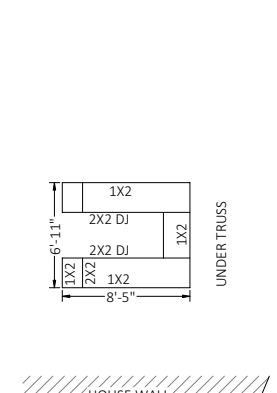
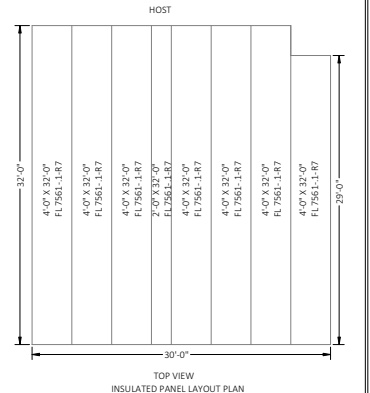
**Utilities**

Fire Station #	Station: 34 Zone: 341
Power Company	FPL
Phone (Analog)	AT&T
Water	Seminole County Utilities
Sewage	Seminole County Utilities
Garbage Pickup	MON/THU
Recycle	MON
Yard Waste	WED
Hauler #	Waste Pro

## Property Value History

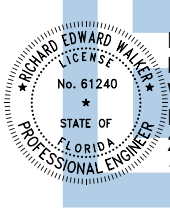


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PROPOSED MONOSLOPE SCREEN ROOM

This item has been digitally signed and sealed by Richard E. Walker, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.



Digitally signed by Richard E Walker  
Date: 2024.09.10 15:21:27-04'00'

HATCH	INDICATES
	EXIST. STRUCTURE
	INSULATED WALL PANEL

NOTE: ALL MAY NOT APPLY  
 = 4X4X.125  
 = 3X3X.125  
 = 6X6X.125

**FLORIDA ENGINEERING LLC**  
 4161 TAMiami TRAIL, UNIT 101  
 PORT CHARLOTTE, FLORIDA 33952  
 (941) 391-5980  
 FLEng.com  
 Orders@FLEng.com

**PROJECT NO. 2422617**

CA CERT. #30782

CONTRACTOR: OUTDOOR DESIGNS	PROJECT ADDRESS: BEHARA 1386 SWINSON CT, SANF ORD, FL 32771
DESIGN DATE: 09/03/2024	DATE
REVISION 1:	DATE
REVISION 2:	DATE
DRAWN BY: SV - NK	SHEET: 02
SCALE: NTS	

**SEMINOLE COUNTY  
DENIAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 56  
ESTUARY AT ST JOHNS  
PLAT BOOK 85 PAGES 15-17

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** GIREESH BEHARA  
1386 SWINTON COURT  
SANFORD, FL 32771

**Project Name:** SWINTON COURT (1386)

**Requested Variance:**

A rear yard setback variance from twenty (20) feet to ten and one-half (10.5) feet for a screen room addition in the PD (Planned Development) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

Approval was sought to construct a screen room addition within the rear yard setback. The Board of Adjustment has found and determined that one or more of the six (6) criteria under the Seminole County Land Development Code for granting a variance have not been satisfied and that failure to grant the variance would not result in an unnecessary and undue hardship. The Property Owner still retains reasonable use of the property without the granting of the requested variance.

**C. DECISION**

The requested development approval is hereby **DENIED**.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Hilary Padin, Planner  
1101 East First Street  
Sanford, Florida 32771



**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 56  
ESTUARY AT ST JOHNS  
PLAT BOOK 85 PAGES 15-17

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** GIREESH BEHARA  
1386 SWINTON COURT  
SANFORD, FL 32771

**Project Name:** SWINTON COURT (1386)

**Variance Approval:**

Request for a rear yard setback variance from twenty (20) feet to ten and one-half (10.5) feet for a screen room addition in the PD (Planned Development) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

All six (6) criteria for granting a variance under the Land Development Code have been satisfied.

The development approval sought is consistent with the Seminole County Comprehensive Plan and is in compliance with applicable land development regulations and all other applicable regulations and ordinances.

## Order

### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must 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, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the screen room addition (30' x 36') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

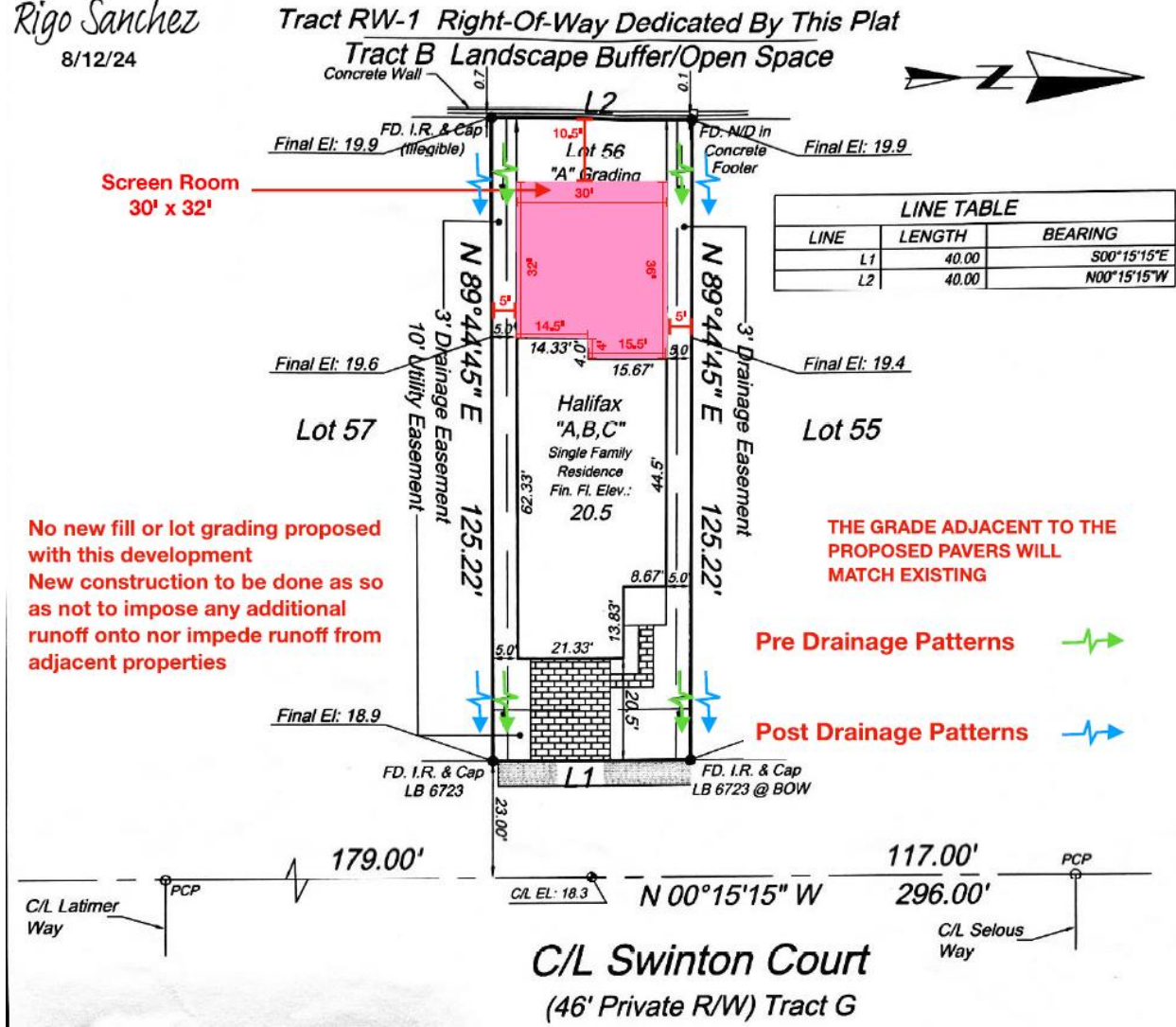
**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Hilary Padin, Planner  
1101 East First Street  
Sanford, Florida 32771

EXHIBIT A  
SITE PLAN

Rigo Sanchez  
8/12/24





# SEMINOLE COUNTY, FLORIDA

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

## Agenda Memorandum

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**File Number: 2024-1495**

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**Title:**

**213 Montego Inlet Boulevard** - Request for a Normal High Water Line setback variance from thirty (30) feet to seven (7) feet for a swimming pool in the R-1A (Single Family Dwelling) district; BV2024-122 (Matthew Olberding, Applicant) District 3 - Constantine (Hilary Padin, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

**Kathy Hammel**

**Contact/Phone Number:**

Hilary Padin - (407) 665-7331

**Motion/Recommendation:**

1. Deny the request for a Normal High Water Line setback variance from thirty (30) feet to seven (7) feet for a swimming pool in the R-1A (Single Family Dwelling) district; or
2. Approve the request for a Normal High Water Line setback variance from thirty (30) feet to seven (7) feet for a swimming pool in the R-1A (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Shadowbay subdivision.
- The request is to construct a fourteen (14) foot by twenty-eight (28) foot swimming pool twenty-three (23) feet into the thirty (30) foot Normal High Water Line setback.
- The property abuts a natural canal on Lake Brantley.

- The Shadowbay Homeowners Association has approved the swimming pool.
- Two (2) letters of support have been received from both adjacent neighbors.
- The request is for a variance to Section 30.7.2.3(c)(2) of the Seminole County Land Development Code, which states that the water's edge of a pool shall be located a minimum distance of thirty (30) feet from the shoreline of a Natural Water Body as determined by the Normal High Waer Elevation.
- On September 26, 2022, the Board of Adjustment approved a rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition on this property.

**Staff Findings:**

The applicant has not satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance as listed below:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning classification; and
2. That the special conditions and circumstances do not result from the actions of the applicant; and
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning classification; and
4. That the literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant; and
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
6. That the grant of the variance will be in harmony with the general intent and purpose of Chapter 30, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Staff finds that the following variance criteria has not been satisfied:

The general intent of the Land Development Code is to maintain consistent setbacks; therefore, the grant of the variance will not be in harmony with the general intent and purpose of Chapter 30, would be injurious to the neighborhood, and otherwise

detrimental to the public welfare. Section 30.3.3.2(b)(6)

**Staff Conclusion:**

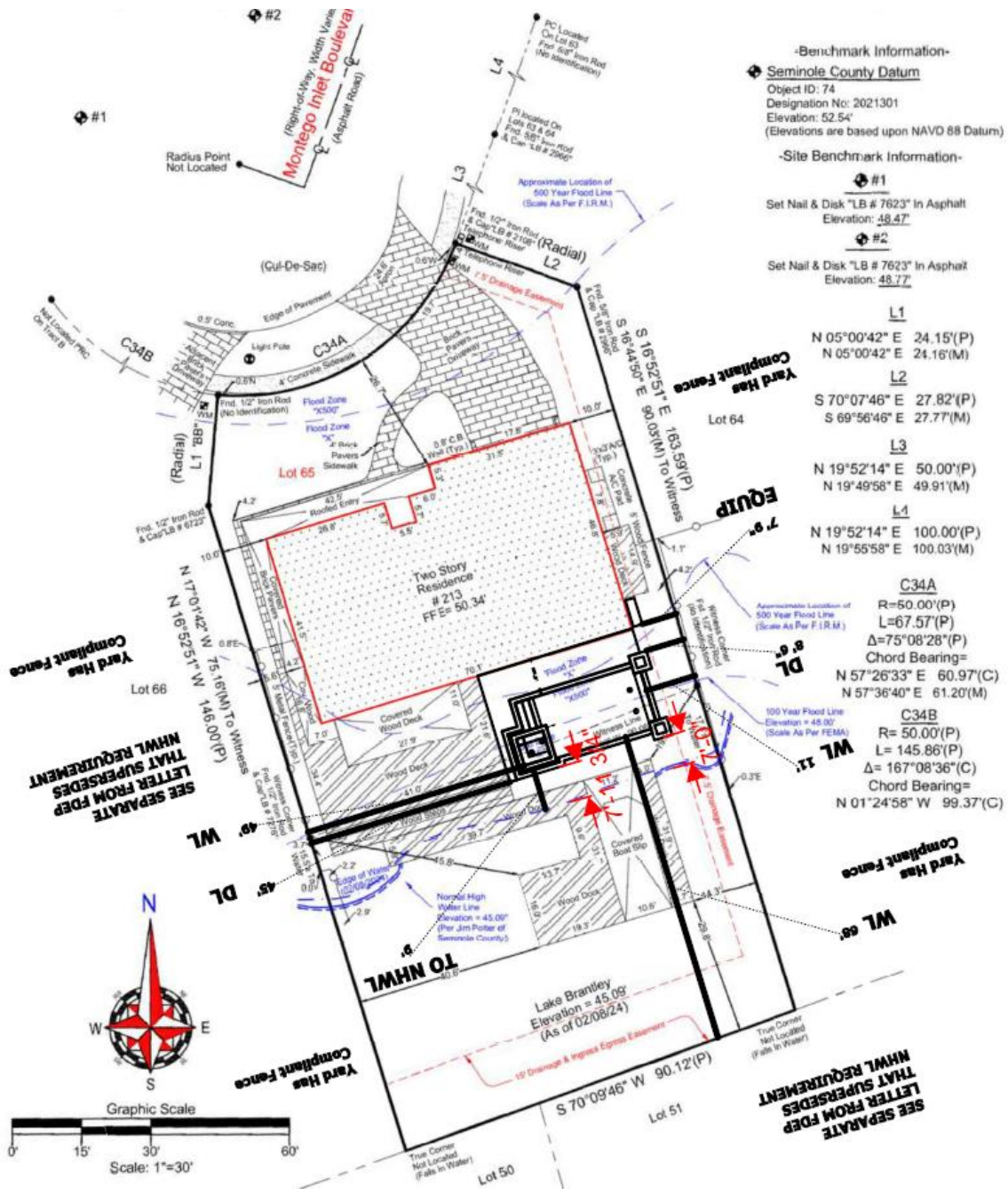
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

**Staff Recommendation:**

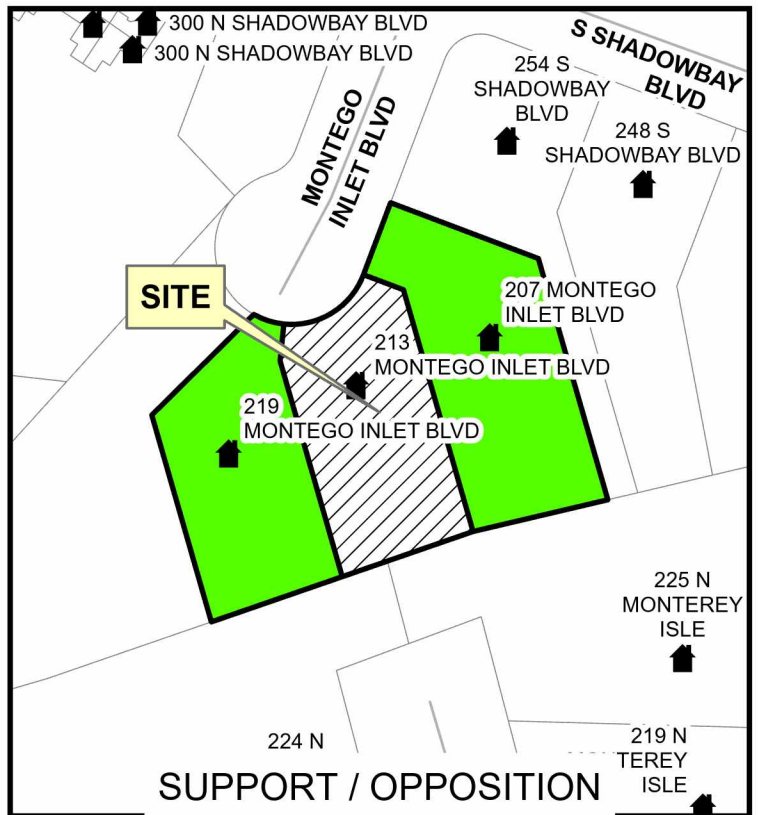
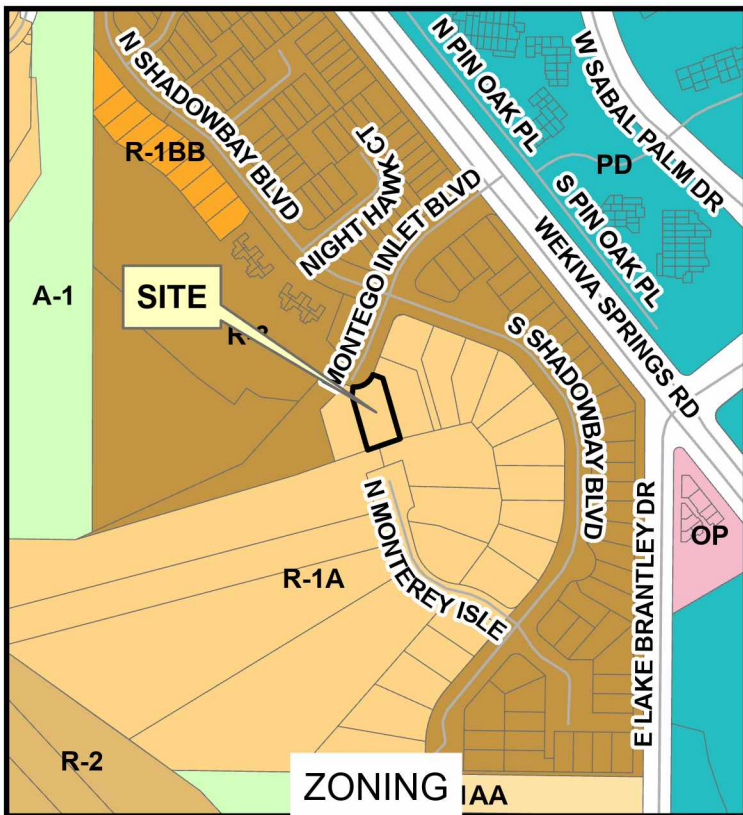
Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the swimming pool (14' x 28') as depicted on the attached site plan; and
2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

# MONTEGO INLET BLVD (213) VARIANCES

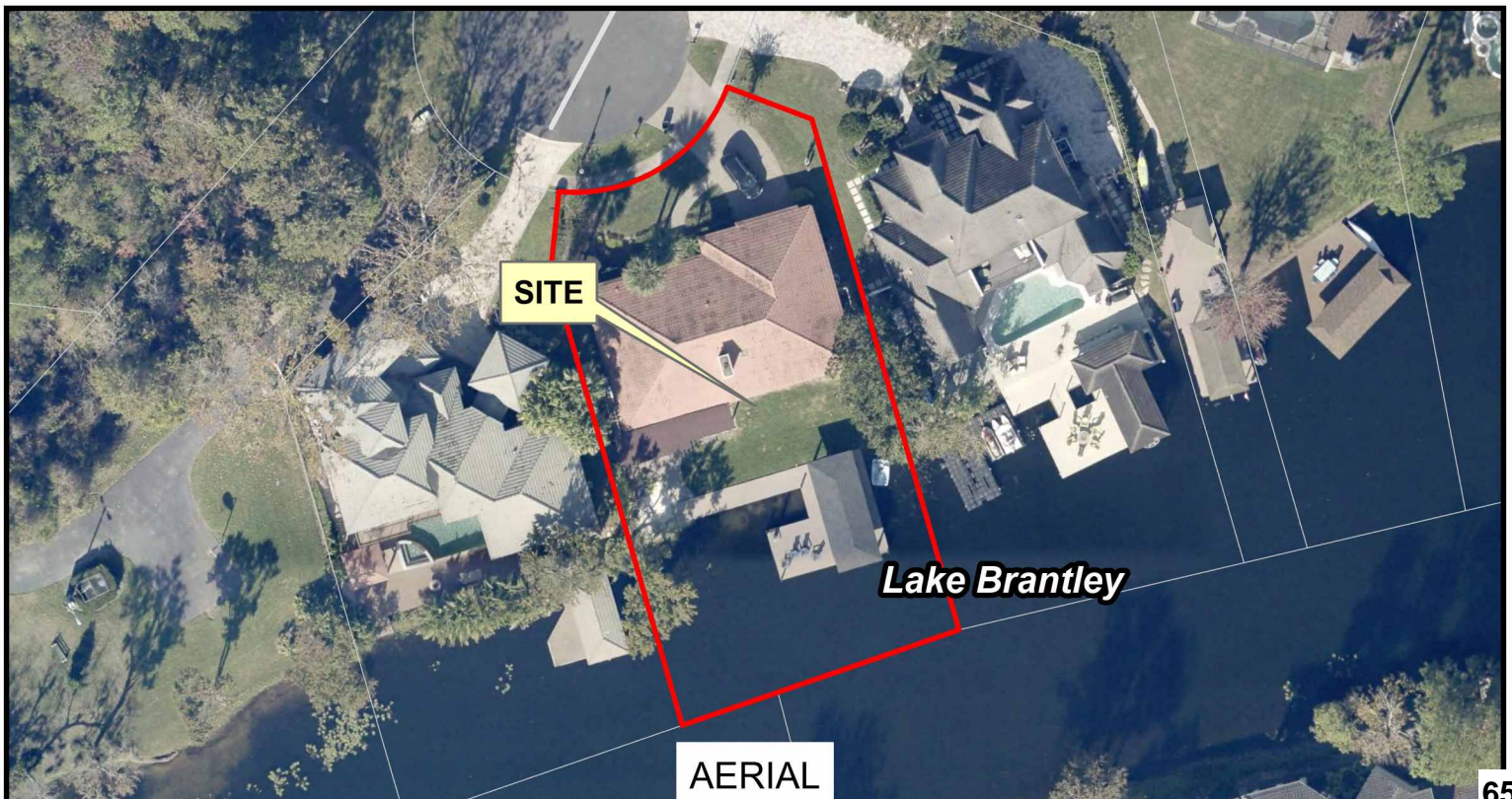
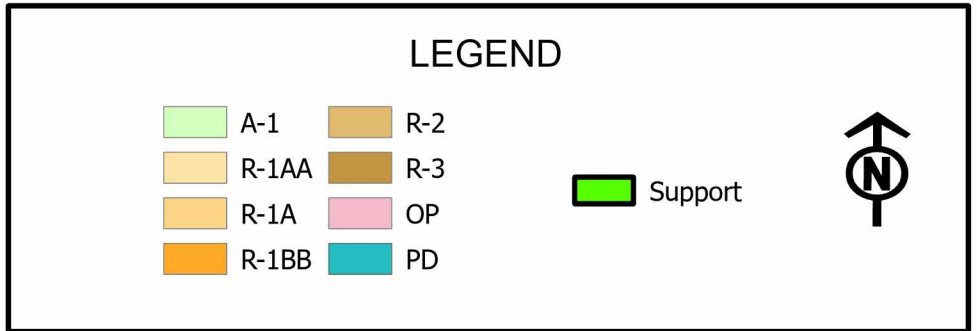






**MATTHEW OLBERDING**  
 213 MONTEGO INLET BLVD  
 LONGWOOD, FL 32779

**SEMINOLE COUNTY**  
 BOARD OF ADJUSTMENT  
 DECEMBER 2, 2024



## VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district?

The setback requirements that are being pushed onto the subject property appear not to apply to numerous other properties in the same development. Our proposed pool will still have a further setback than other pools in the same development that are located on the same canal. Please reference included exhibit indicating other properties with pools close to the canal.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

Currently, there are other homes in our development with pools that are located closer to the canal, that have been previously approved by the County. The County is stating that there is a 30' setback from a Natural Body of Water determined by the Normal High Water Elevation. However, per the enclosed FDEP Memo, the subject property is located on a canal that has been dredged and altered. The letter recommends that the requirements normally applied to state owned lands not apply landward of the entrances to the canal.

3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?

The County granting this variance would not allow the applicant to have any additional privileges than what are already precedent on the canal. The other residences in the same neighborhood and zoning district currently have privileges that are being withheld from the applicant. The applicant's request and proposed plans have been reviewed and approved by the subdivision HOA.

4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?

The literal interpretation of the zoning provisions are preventing the applicant from enjoying reduced setback requirements that are being enjoyed by other homeowners in the same neighborhood on the same canal, which are in the same zoning district. The literal interpretation prevents the applicant from building their proposed pool and could affect the value of the home, as other properties in the same neighborhood have pools that are located just as close to the canal.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

The requested variance is the minimum variance needed to install an average sized pool in the backyard of the subject property. The location of the pool is positioned so there is appropriate distance from the house to follow other code requirements.

6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

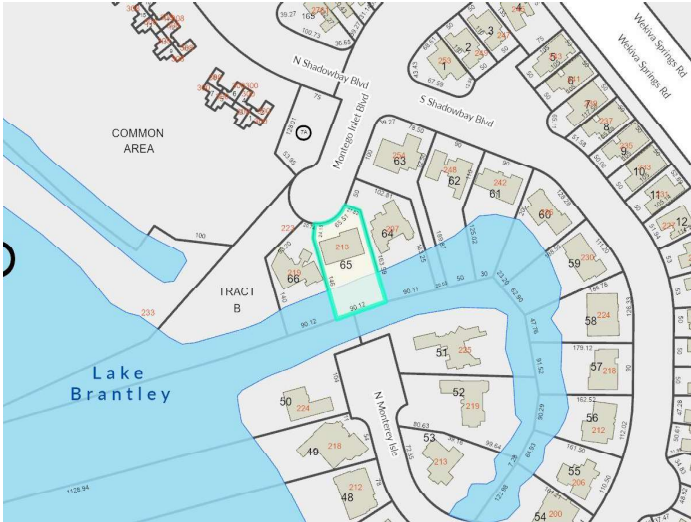
Granting the variance would not be setting any precedent, as other properties on the same canal in the same neighborhood have pools that are just as close or closer to the canal. This variance would not be injurious to the neighborhood, as we have already submitted the plans to the HOA and have received approval from the HOA along with the enclosed letters of approval from our immediate neighbors.

# Property Record Card



**Parcel:** 04-21-29-520-0000-0650  
**Property Address:** 213 MONTEGO INLET BLVD LONGWOOD, FL 32779  
**Owners:** OLBERDING, MATTHEW  
 2025 Market Value \$753,490 Assessed Value \$545,006  
 2024 Tax Bill \$6,460.83 Tax Savings with Exemptions \$3,372.28  
 The 4 Bed/3 Bath Single Family Waterfront property is 2,514 SF and a lot size of 0.35 Acres

## Parcel Location



## Site View



## Parcel Information

Parcel	04-21-29-520-0000-0650
Property Address	213 MONTEGO INLET BLVD LONGWOOD, FL 32779
Mailing Address	213 MONTEGO INLET BLVD LONGWOOD, FL 32779-4867
Subdivision	SHADOWBAY UNIT 1
Tax District	01:County Tax District
DOR Use Code	0130:Single Family Waterfront
Exemptions	00-HOMESTEAD (2022)
AG Classification	No

## Value Summary

	2025 Working Values	2024 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Building Value	\$415,270	\$405,565
Depreciated Other Features	\$18,220	\$18,860
Land Value (Market)	\$320,000	\$320,000
Land Value Agriculture	\$0	\$0
Just/Market Value	\$753,490	\$744,425
Portability Adjustment	\$0	\$0
Save Our Homes Adjustment/Maximum Portability	\$208,484	\$215,293
Non-Hx 10% Cap (AMD 1)	\$0	\$0
P&G Adjustment	\$0	\$0
Assessed Value	\$545,006	\$529,132

## 2024 Certified Tax Summary

Tax Amount w/o Exemptions	\$9,833.11
Tax Bill Amount	\$6,460.83
Tax Savings with Exemptions	\$3,372.28

## Owner(s)

Name - Ownership Type  
 OLBERDING, MATTHEW

Note: Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

LOT 65 SHADOWBAY UNIT 1 PB 24 PG 99 & 10C

## Taxes

Taxing Authority	Assessed	Exempt Amount	Taxable
COUNTY GENERAL FUND	\$545,006	\$50,000	\$495,006
Schools	\$545,006	\$25,000	\$520,006
FIRE	\$545,006	\$50,000	\$495,006
ROAD DISTRICT	\$545,006	\$50,000	\$495,006
SJWM(Saint Johns Water Management)	\$545,006	\$50,000	\$495,006

## Sales

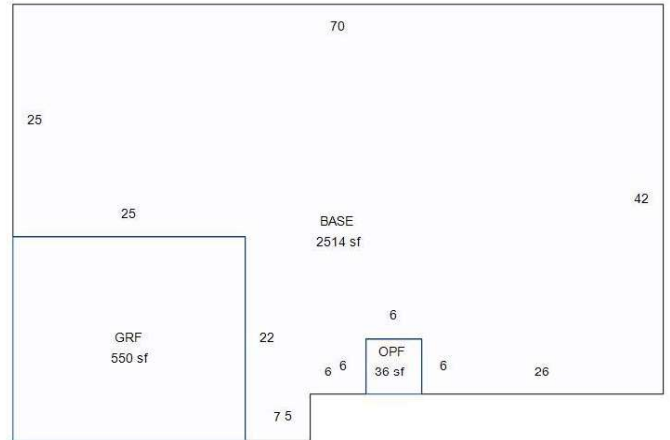
Deed Type	Date	Sale Amount	Book / Page	Sale Type	Qualified?
WARRANTY DEED	11/10/2021	\$730,000	10097/1418	Improved	Yes
SPECIAL WARRANTY DEED	10/1/2008	\$540,000	07077/0134	Improved	Yes
QUIT CLAIM DEED	10/1/2008	\$100	07077/0132	Improved	No
QUIT CLAIM DEED	12/1/2001	\$93,600	04240/1761	Improved	No
QUIT CLAIM DEED	1/1/1992	\$100	02379/1219	Improved	No
QUIT CLAIM DEED	12/1/1991	\$100	02374/0170	Improved	No
WARRANTY DEED	2/1/1984	\$180,000	01518/0747	Improved	No
CERTIFICATE OF TITLE	4/1/1983	\$189,300	01451/1787	Improved	No
WARRANTY DEED	5/1/1981	\$85,000	01342/0515	Improved	Yes

## Land

Units	Rate	Assessed	Market
1 Lot	\$320,000/Lot	\$320,000	\$320,000

Building Information	
#	1
Use	SINGLE FAMILY
Year Built*	1982/2002
Bed	4
Bath	3.0
Fixtures	11
Base Area (ft <sup>2</sup> )	2514
Total Area (ft <sup>2</sup> )	3100
Constuction	CUSTOM CONCRETE BLOCK STUCCO
Replacement Cost	\$453,847
Assessed	\$415,270

\*Year Built = Actual / Effective



Building 1

Appendages	
Description	Area (ft <sup>2</sup> )
GARAGE FINISHED	550
OPEN PORCH FINISHED	36

Permits				
Permit #	Description	Value	CO Date	Permit Date
01321	213 MONTEGO INLET BLVD: RES ALTERATIONS, NO CHANGE IN UNITS- Motorized screens on existing structure [SHADOWBAY UNIT 1]	\$23,000		3/4/2024
07503	213 MONTEGO INLET BLVD: GAS - RESIDENTIAL-GAS PIPING TO 1 RANGE [SHADOWBAY UNIT 1]	\$0		5/12/2023
07187	213 MONTEGO INLET BLVD: REROOF RESIDENTIAL-RERROF TO SHINGLES ON SFR & BOATHOUSE [SHADOWBAY UNIT 1]	\$11,760		5/8/2023
20997	213 MONTEGO INLET BLVD: RES ADDITION TO EXISTING STRUCTURE- Residential addition [SHADOWBAY UNIT 1]	\$219,890	9/25/2023	3/8/2023
20421	213 MONTEGO INLET BLVD: MECHANICAL - RESIDENTIAL- [SHADOWBAY UNIT 1]	\$8,100		12/7/2022
21488	213 MONTEGO INLET BLVD: DOCK - BOATHOUSE-Remove and Replace Boat Dock, Seawall [SHADOWBAY UNIT 1]	\$17,760		1/18/2022
01740	BOAT HOUSE ON EXISTING DOCK	\$7,500		3/1/1998

Extra Features				
Description	Year Built	Units	Cost	Assessed

FIREPLACE 2	1982	1	\$6,000	\$2,400
COVERED PATIO 1	1982	1	\$2,750	\$1,100
BOAT DOCK 2	2022	1	\$8,000	\$7,360
BOAT COVER 2	2022	1	\$8,000	\$7,360

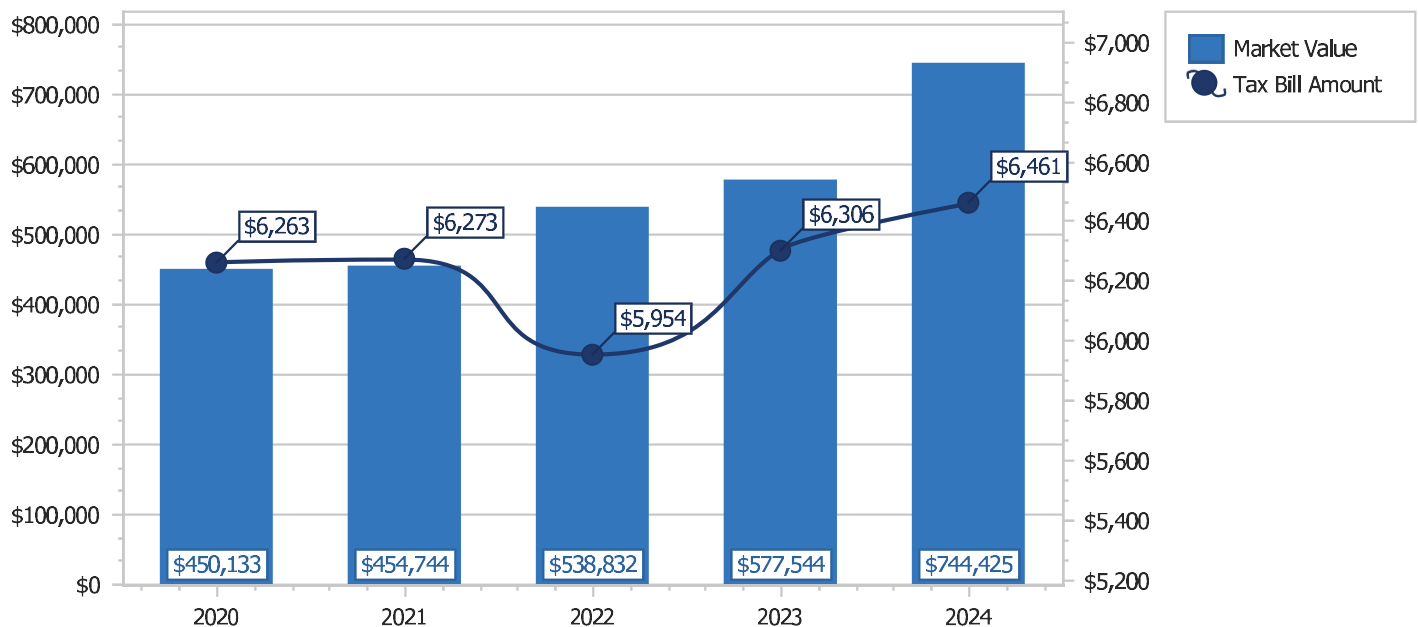
Zoning	
Zoning	R-1A
Description	Single Family-9000
Future Land Use	LDR
Description	Low Density Residential

School Districts	
Elementary	Sabal Point
Middle	Rock Lake
High	Lake Brantley

Political Representation	
Commissioner	District 3 - Lee Constantine
US Congress	District 7 - Cory Mills
State House	District 39 - Doug Bankson
State Senate	District 10 - Jason Brodeur
Voting Precinct	Precinct 35

Utilities	
Fire Station #	Station: 16 Zone: 161
Power Company	DUKE
Phone (Analog)	CENTURY LINK
Water	Sunshine Water Services
Sewage	Sunshine Water Services
Garbage Pickup	MON/THU
Recycle	MON
Yard Waste	WED
Hauler #	Waste Management

### Property Value History





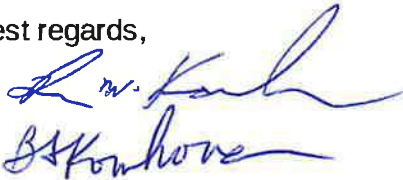
October 5, 2024

Brenda and Brian Kouwenhoven  
207 Montego Inlet Blvd  
Longwood, FL 32779

To Whom It May Concern,

As the property owners of the adjacent neighbors to 213 Montego Inlet Blvd, we have reviewed the plans and renderings of Laura and Matthew Olberding's pool. We want to express our support and approval of the plans.

Best regards,

The image shows two handwritten signatures in blue ink. The top signature is 'B. Kouwenhoven' and the bottom signature is 'B. Kouwenhoven'. Both are written in a cursive, flowing style.

Brian and Brenda Kouwenhoven



October 5, 2024

Jim and Jan Zirkel  
219 Montego Inlet Blvd  
Longwood, FL 32779

To Whom It May Concern,

As the property owners of the adjacent neighbors to 213 Montego Inlet Blvd, we have reviewed the plans and renderings of Laura and Matthew Olberding's pool. We want to express our support and approval of the plans.

Best regards,



Jim and Jan Zirkel



# FLORIDA DEPARTMENT OF Environmental Protection

Marjory Stoneman Douglas Building  
3900 Commonwealth Boulevard  
Tallahassee, FL 32399

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Interim Secretary

## Memorandum

**TO:** Matthew Olberding  
213 Montego Inlet Boulevard  
Longwood, FL 32779  
Telephone: 941-321-3327  
Email: [mattolberd@gmail.com](mailto:mattolberd@gmail.com)

**FROM:** Kevin Mears, PLS II  
Email: [Kevin.Mears@FloridaDEP.gov](mailto:Kevin.Mears@FloridaDEP.gov)

**SUBJECT: Safe Upland Line (SUL)**  
**River/Lake: Lake Brantley**  
**County: Seminole**  
**STR: Section 4, Township 21 South, Range 29 East**

**DATE: December 15, 2021**

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Dear Mr. Olberding:

Records in the Title and Records Section indicate that the submerged lands lying below the Ordinary High Water Line (OHWL) of Lake Brantley, prior to alterations of the shoreline, are state owned. The submerged lands of the subject canal, adjacent to your site, appear to have been dredged and altered. Currently there is insufficient information to determine the location of the OHWL prior to alterations. Therefore, we recommend that the proprietary requirements normally applied to state owned lands not apply landward of the entrances to the canal.

An ordinary high water line has not been determined at this site. Based on available records, as of this date, an elevation of 45.3 feet North American Vertical Datum of 1988, along the natural shoreline is sufficient for a safe upland line. The safe upland line is at or above the ordinary high water line. The ordinary high water line is an ambulatory boundary that will shift in response to long term natural changes in the shoreline (i.e., accretion, erosion, reliction and submergence).

Please contact me at the letterhead address, mail station 105, or by phone at (850) 245-2640.

Reference: Title Worksheet 97487, 114906



Pool Studio

Provence Pool / Pool / Pool



Premier Pools of Central Florida  
4572 N. Palmetto Drive  
Winter Park, FL  
LIC#: CPC056822  
407-896-4744  
www.premierpoolsfl.com

CUSTOMER: Matt & Laura Olberding  
STREET: 213 Montego Inlet Blvd  
CITY: Longwood ZIP: 32779  
CELL#: 352-284-6985 CELL #:

SUBDIVISION: Shadow Bay  
COUNTY: Seminole  
LOT #: 65 BK: 24 PG: 99-100  
EMAIL: lauraolberding84@gmail.com

JOB #: 2024110  
SUPER: HAL

**POOL SPECS**

STYLE: Rectangle  
PERIMETER: 93 LF AREA: 361 SF  
WIDTH: 14' 0" LENGTH: 28' 0"  
DEPTH: 3' 6" X 6' 0"  
M.D.: 2 - 2.5" (SDX) RTNS: 3  
SKIM: 1 - 2" LIGHT: 12v ColorLogic  
DOUBLE STEEL: Yes P.C.: Plumb in  
BEAM: 10" pool & spa GALLONS: 11,053  
NOTES: Preplumb 2 rear returns in pool shell (LDS)

**SPA SPECS**

STYLE: 6' x 6' Flush 360 Spa  
PERIMETER: 24 LF AREA: 36 SF  
T-JETS: 4 RTNS #: 2" CMP  
LIGHT: 12v ColorLogic M.D.: 2 - 2.5" (SDX)  
SPILLWAY: 56 LF TYPE: Glass Tile  
HEIGHT: Flush - 0 BLOWER: 1 hp  
NOTES: Pre-Plumb spa

**TILE & FEATURE SPECS**

+6": 32 +12": --- +18": ---  
BUBBLER: N/A  
NOTES: 149 LF of 6x6 Tile  
. 56 LF of glass tile on top of spa beam

**DECK SPECS**

TYPE: Artistic Deck w/ Flat Edge Travertine Coping  
DIMENSION: 24' x 35' AREA: 288 SF  
FOOTER: N/A COPING: 119 LF  
DECK DRAIN: 55 LF CONC. RISER: N/A  
LANAI: N/A SAFETY FENCE: N/A  
TURN DOWN DECK EDGE:  
6": --- 12": 4.5 18": 5  
24": 5 30": 5 36": ---  
NOTES: Texture / Paint exposed beam and back  
. of risers

**COLOR SELECTIONS**

POOL: WetEdge - Tahoe  
TILE: NPT - Catania: Blue Ocean  
GLASS: NPT - EQX - Obsidian 1x2 Black Steel  
GROUT: Natural Gray  
STEP TILE: Glass Tile  
PTRN: 2" Stripes (46 LF)  
DECK COLOR: 16x16 Artistic Ivory Shelloak  
DECK PTRN: Offset Running Bond (Left to Right)  
COPING: 12x24 FE Travertine - Caesars Palace  
COPING GROUT: Match  
FLOORHEAD: SDX - Light Gray

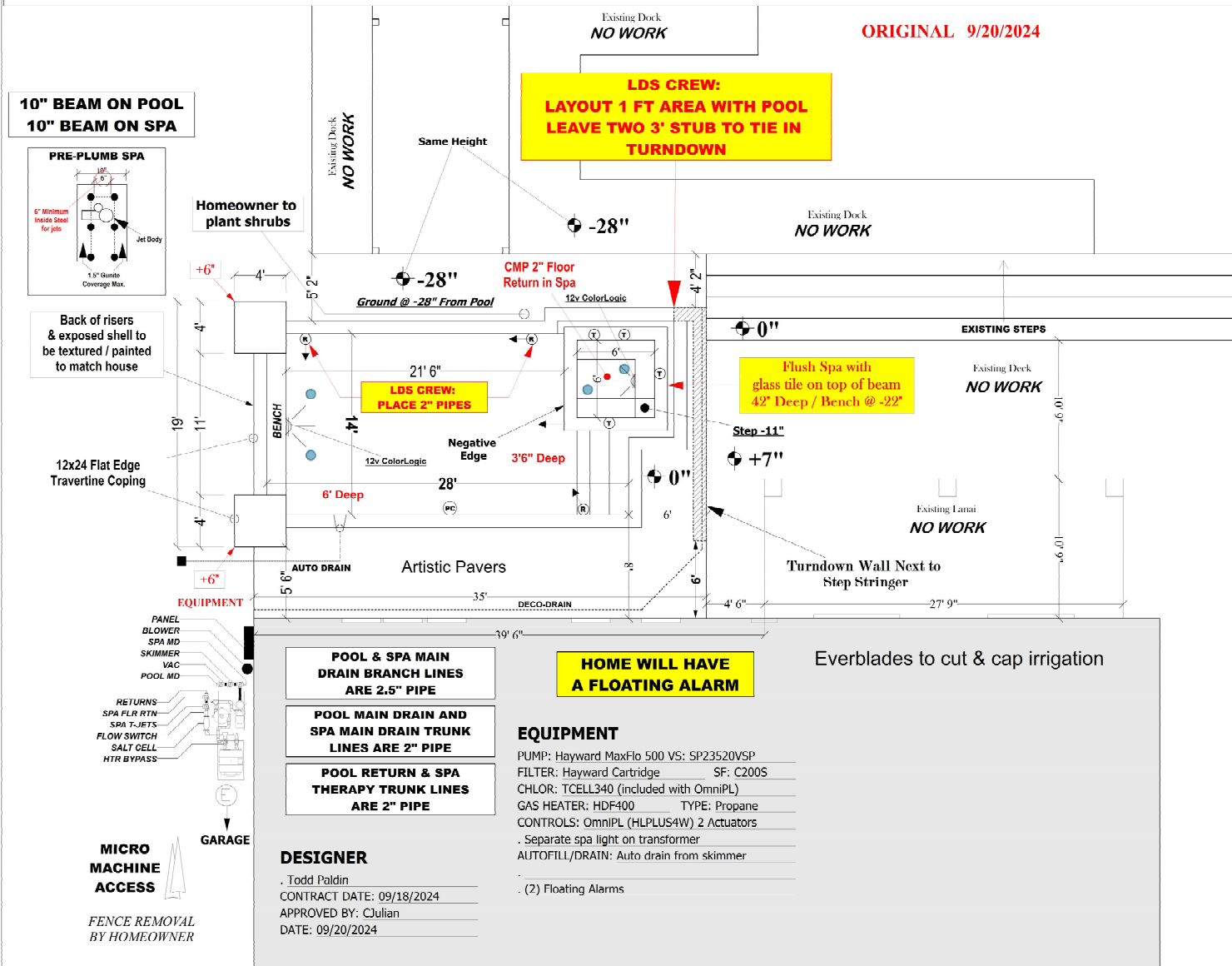
**NOTES**

. Everblades: Cut / Cap irrigation before start  
. Fence removal / reinstall by homeowner

**SITE SPECIFICATIONS**

DIG TYPE: Micro Excavation / Haul  
ELEVATION: YDS: 25  
NOTES: Out of ground forming / return pipe note

Scale: 1/8" = 1 ft



**POOL & SPA MAIN DRAIN BRANCH LINES ARE 2.5" PIPE**

**POOL MAIN DRAIN AND SPA MAIN DRAIN TRUNK LINES ARE 2" PIPE**

**POOL RETURN & SPA THERAPY TRUNK LINES ARE 2" PIPE**

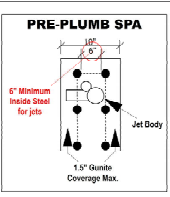
**EQUIPMENT**

PUMP: Hayward MaxFlo 500 VS: SP23520VSP  
FILTER: Hayward Cartridge SF: C200S  
CHLOR: TCELL340 (included with OmniPL)  
GAS HEATER: HDF400 TYPE: Propane  
CONTROLS: OmniPL (HLPLUS4W) 2 Actuators  
. Separate spa light on transformer  
AUTOFILL/DRAIN: Auto drain from skimmer  
. (2) Floating Alarms

**DESIGNER**

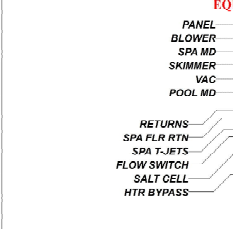
. Todd Paldin  
CONTRACT DATE: 09/18/2024  
APPROVED BY: CJulian  
DATE: 09/20/2024

**10" BEAM ON POOL  
10" BEAM ON SPA**



Back of risers & exposed shell to be textured / painted to match house

12x24 Flat Edge Travertine Coping



**MICRO MACHINE ACCESS**

FENCE REMOVAL BY HOMEOWNER



Subject Property  
Proposed Location

Existing Pool  
Less than 7' from  
OHWL

Existing Pool  
Less than 10'  
from OHWL

Existing Pool  
Less than 5' from  
OHWL

Existing Pool  
Less than 4' from  
OHWL

Shadowbay Homeowners' Association, Inc.  
1000 Pine Hollow Point  
Altamonte Springs, FL 32714

October 02, 2024  
Reference: 213 Montego Inlet Blvd.

Matthew Olberding  
213 Montego Inlet Blvd.  
Longwood, FL 32779

Dear Matthew Olberding,

Your Request for an Architectural Modification on your property at 213 Montego Inlet Blvd. has been approved by the Architectural Review Committee of Shadowbay Homeowners' Association, Inc.. Specifically, you have approval to proceed with the following request as submitted: **Pool - Approval is based upon the following condition(s):**

Please be sure that all the construction material for your pool project remains on your property. You are not permitted to use HOA common property without prior permission from the HOA. Thank you.

Please note that the ARC reserves the right to make a final inspection to ensure that your project is compliant with all the Architectural Design Standards applicable to your neighborhood.

Thank you for adhering to the architectural guidelines of the community. We appreciate your patience while this information was being reviewed.

Sincerely,

Shadowbay Homeowners' Association, Inc.

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This Community is Professionally Managed By:  
Specialty Management Company  
(407) 647-2622

**SEMINOLE COUNTY  
DENIAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 65  
SHADOWBAY UNIT 1  
PB 24 PG 99 & 100

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** MATTHEW OLBERDING  
213 MONTEGO INLET BLVD  
LONGWOOD, FL 32779

**Project Name:** MONTEGO INLET BLVD (213)

**Requested Variance:**

A Normal High Water Line setback variance from thirty (30) feet to seven (7) feet for a swimming pool in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

Approval was sought to construct a swimming pool within the Normal High Water Line setback. The Board of Adjustment has found and determined that one or more of the six (6) criteria under the Seminole County Land Development Code for granting a variance have not been satisfied and that failure to grant the variance would not result in an unnecessary and undue hardship. The Property Owner still retains reasonable use of the property without the granting of the requested variance.

**C. DECISION**

The requested development approval is hereby **DENIED**.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Hilary Padin, Planner  
1101 East First Street  
Sanford, Florida 32771



**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 65  
SHADOWBAY UNIT 1  
PB 24 PG 99 & 100

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** MATTHEW OLBERDING  
213 MONTEGO INLET BLVD  
LONGWOOD, FL 32779

**Project Name:** MONTEGO INLET BLVD (213)

**Variance Approval:**

Request for a Normal High Water Line setback variance from thirty (30) feet to seven (7) feet for a swimming pool in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

All six (6) criteria for granting a variance under the Land Development Code have been satisfied.

The development approval sought is consistent with the Seminole County Comprehensive Plan and is in compliance with applicable land development regulations and all other applicable regulations and ordinances.

## Order

### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must 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, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the swimming pool (14' x 28') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

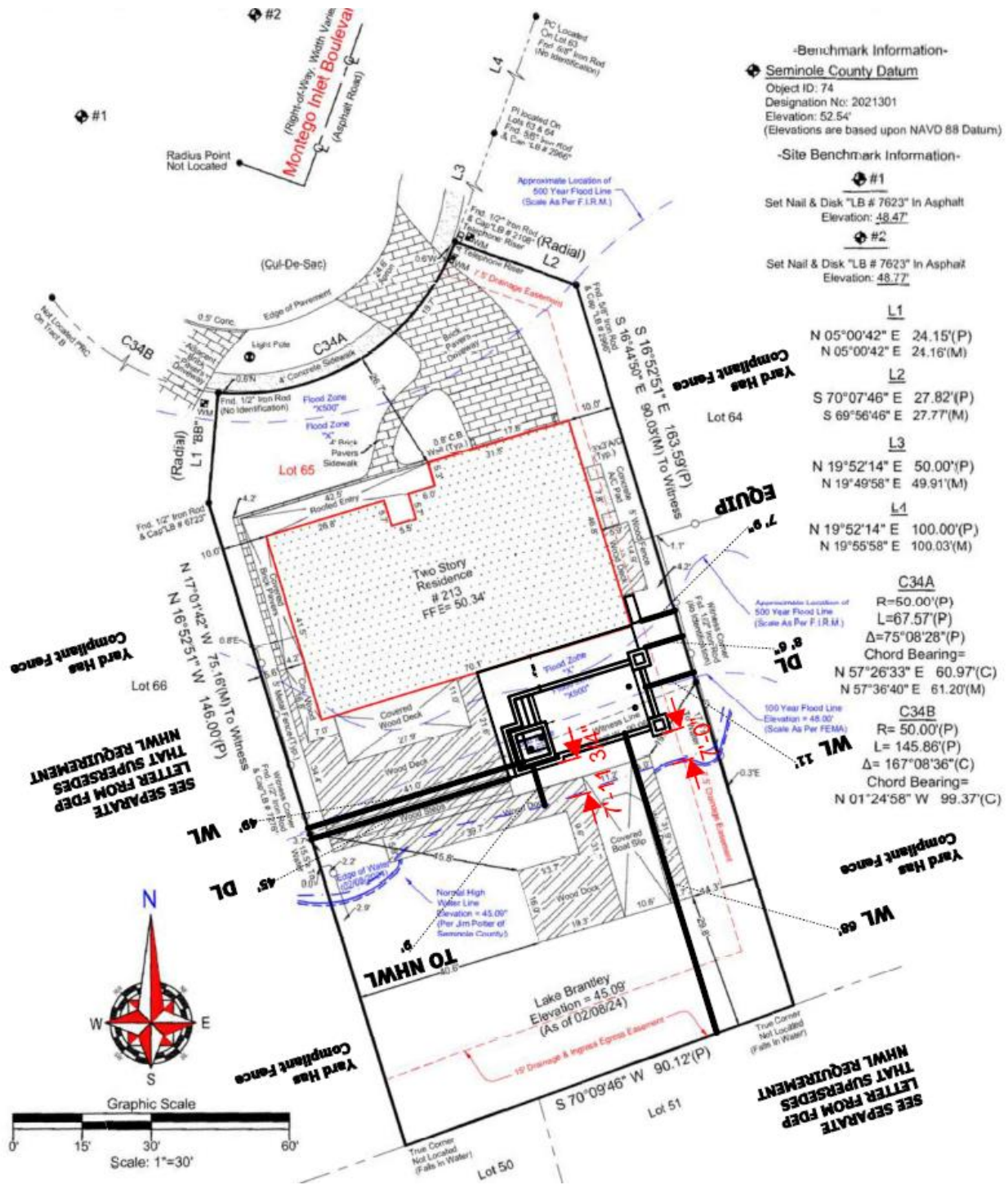
**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Hilary Padin, Planner  
1101 East First Street  
Sanford, Florida 32771

EXHIBIT A  
SITE PLAN





# SEMINOLE COUNTY, FLORIDA

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

## Agenda Memorandum

**File Number: 2024-1496**

**Title:**

**916 Mimosa Drive** - Request for a rear yard setback variance from thirty (30) feet to six (6) feet for an accessory structure in the R-1A (Single Family Dwelling) district; BV2024-124 (Wesley Arnes, Applicant) District 1 - Dallari (Hilary Padin, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

**Kathy Hammel**

**Contact/Phone Number:**

Hilary Padin - (407) 665-7331

**Motion/Recommendation:**

1. Deny the request for a rear yard setback variance from thirty (30) feet to six (6) feet for an accessory structure in the R-1A (Single Family Dwelling) district; or
2. Approve the request for a rear yard setback variance from thirty (30) feet to six (6) feet for an accessory structure in the R-1A (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Lake Mills Shores subdivision.
- The request is to construct a 660 square foot, twenty-two (22) foot by thirty (30) foot accessory structure encroaching twenty-four (24) feet into the rear yard setback.
- Section 30.7.3.1(1) of the Seminole County Land Development Code requires any accessory building exceeding 200 square feet in size and/or twelve (12) feet in height, and any accessory dwelling unit, regardless of size, to meet all of the setback requirements applicable to the main residential structure located on the parcel.
- The request is for a variance to Section 30.7.3.1 of the Seminole County Land

Development Code, which states that the rear yard setback for this zoning district is thirty (30) feet.

- There have not been prior variances for the subject property.

**Staff Findings:**

The applicant has not satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance as listed below:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning classification; and
2. That the special conditions and circumstances do not result from the actions of the applicant; and
3. That granting the variance requested will not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning classification; and
4. That the literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant; and
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure; and
6. That the grant of the variance will be in harmony with the general intent and purpose of Chapter 30, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Staff finds that the following variance criteria has not been satisfied:

The general intent of the Land Development Code is to maintain consistent setbacks; therefore, the grant of the variance will not be in harmony with the general intent and purpose of Chapter 30, would be injurious to the neighborhood, and otherwise detrimental to the public welfare. Section 30.3.3.2(b)(6)

**Staff Conclusion:**

Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

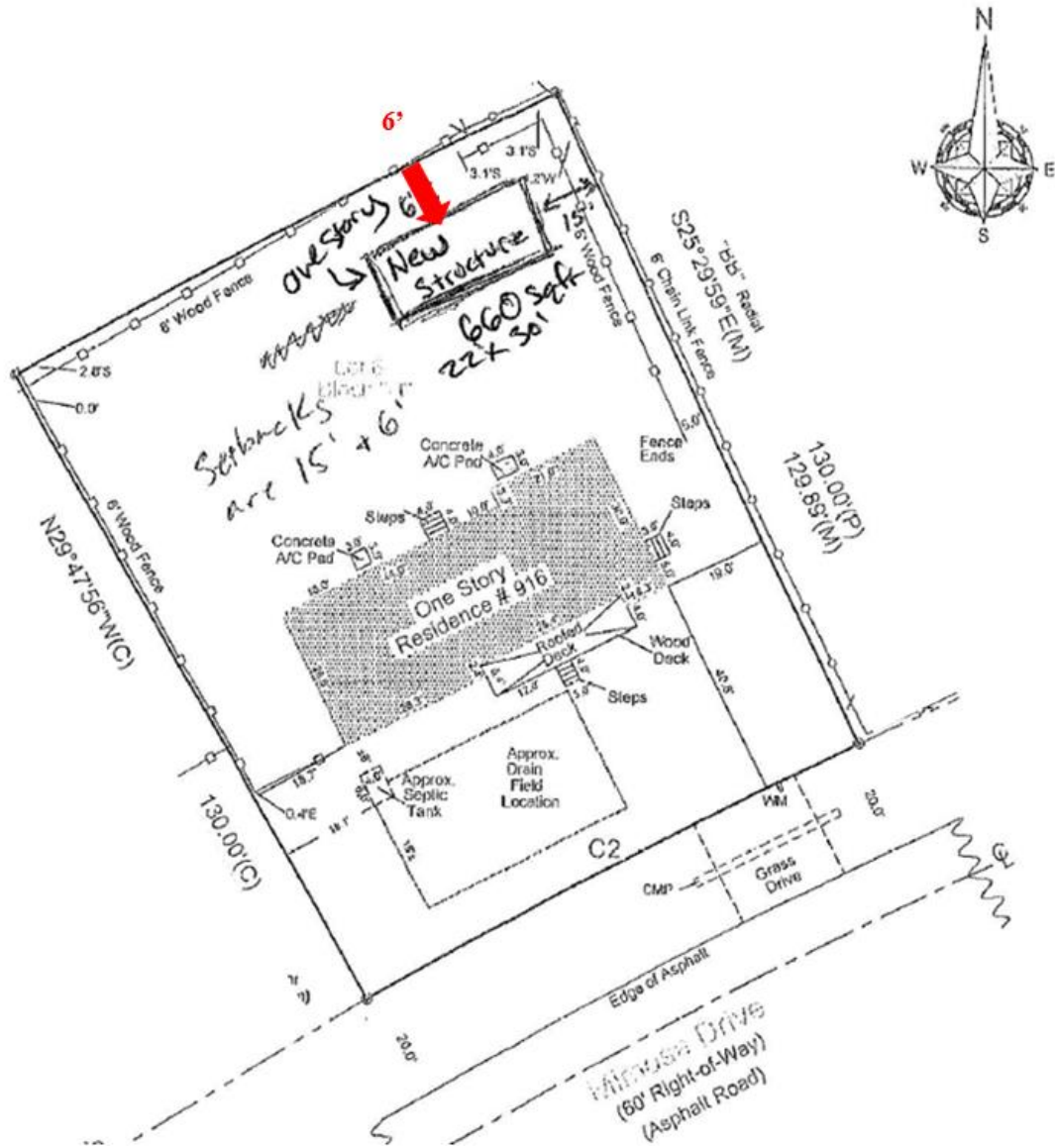
**Staff Recommendation:**

Based on the stated findings, staff recommends denial of the request, but if the Board

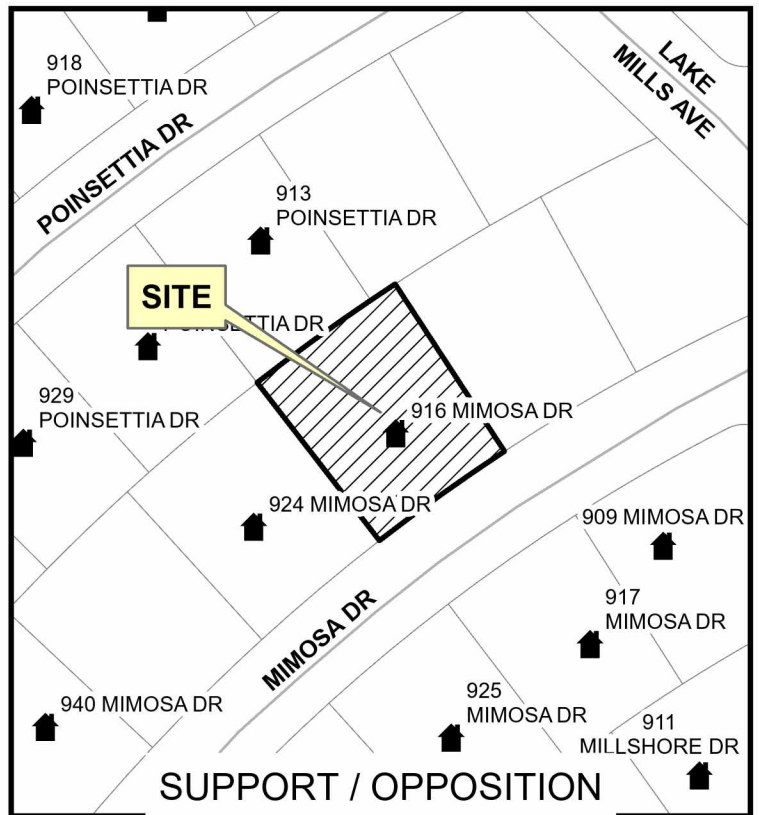
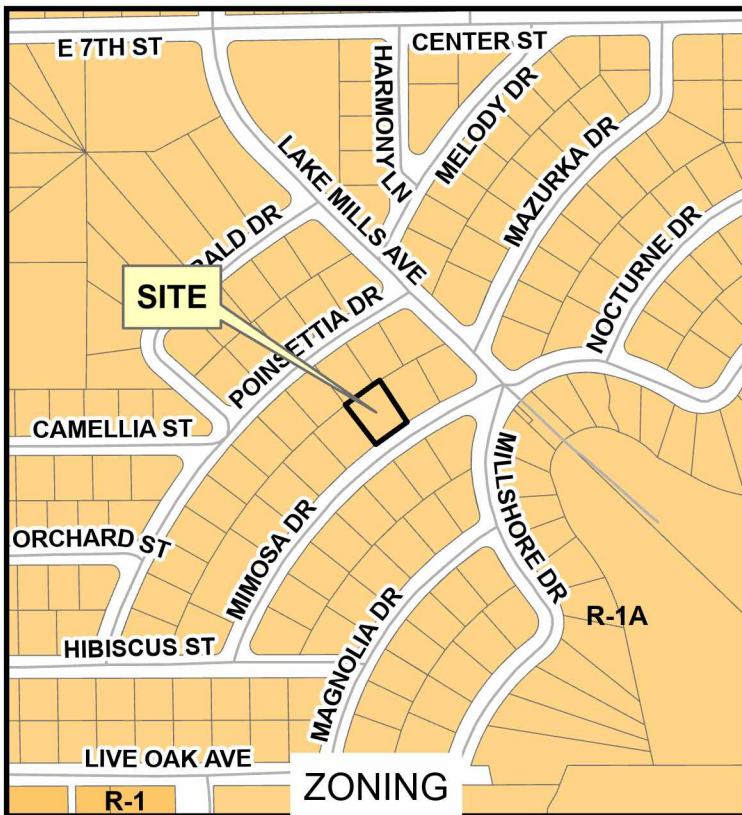
of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the accessory structure (22' x 30') as depicted on the attached site plan; and
2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

MIMOSA DR (916)  
VARIANCES







**HARRY, LESSA, WESLEY  
AND TAYLOR ARNES  
916 MIMOSA DR  
CHULUOTA, FL 32766**

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
DECEMBER 2, 2024**

**LEGEND**

- R-1A
- R-1



## VARIANCE CRITERIA

Respond completely and fully to all 6 criteria listed below to demonstrate that the request meets the standards of Seminole County Land Development Code Section 30.3.3.2(b) for the granting of a variance:

1. What are the special conditions and circumstances that exist that are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district?

The proposed building is too large for the reasonable setback requirement, but the proposed building is similar size to existing garages in the neighborhood.

2. How are the special conditions and circumstances that exist not the result of the actions of the applicant?

The house was originally built with the existing setbacks which are too close to add the garage.

3. How would the granting of the variance request not confer on the applicant any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district?

I would only be adding a garage space that most of the neighbor already has.

4. How would the literal interpretation of the provisions of the zoning regulations deprive the applicant of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant?

It would eliminate yard space for my children to play in and enjoy.  
It would ~~also~~ also be too close to the existing house.

5. How would the requested variance be the minimum variance that will make possible the reasonable use of the land, building, or structure?

It would allow me to construct the garage away from the house and maintain ample yard space for my children.

6. How would the granting of the variance be in harmony with the general intent and purpose of the zoning regulations and not be injurious to the neighborhood, or otherwise detrimental to the public welfare?

The newly constructed garage would not be injurious in any way to the neighborhood.

# Property Record Card



Parcel: **28-21-32-501-0H00-0080**  
 Property Address: **916 MIMOSA DR CHULUOTA, FL 32766**  
 Owners: **ARNES, HARRY S; ARNES, LEESA M; ARNES, WESLEY S; ARNES, TAYLOR A**  
 2025 Market Value \$308,204 Assessed Value \$308,204  
 2024 Tax Bill \$1,082.97 Tax Savings with Exemptions \$2,930.45  
 The 3 Bed/2 Bath Single Family property is 1,734 SF and a lot size of 0.31 Acres

## Parcel Location



## Site View



2821325010H000080 02/01/2022

## Parcel Information

Parcel	28-21-32-501-0H00-0080
Property Address	916 MIMOSA DR CHULUOTA, FL 32766
Mailing Address	916 MIMOSA DR CHULUOTA, FL 32766-9337
Subdivision	LAKE MILLS SHORES
Tax District	01:County Tax District
DOR Use Code	01:Single Family
Exemptions	HOMESTEAD - WAITING FOR OWNER RESPONSE
AG Classification	No

## Value Summary

	2025 Working Values	2024 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Building Value	\$223,998	\$219,607
Depreciated Other Features	\$1,033	\$1,060
Land Value (Market)	\$83,173	\$83,173
Land Value Agriculture	\$0	\$0
Just/Market Value	\$308,204	\$303,840
Portability Adjustment	\$0	\$0
Save Our Homes Adjustment/Maximum Portability	\$0	\$181,844
Non-Hx 10% Cap (AMD 1)	\$0	\$0
P&G Adjustment	\$0	\$0
Assessed Value	\$308,204	\$121,996

## 2024 Certified Tax Summary

Tax Amount w/o Exemptions	\$4,013.42
Tax Bill Amount	\$1,082.97
Tax Savings with Exemptions	\$2,930.45

Note: Does NOT INCLUDE Non Ad Valorem Assessments

## Owner(s)

Name - Ownership Type

ARNES, HARRY S - Tenancy by Entirety :25  
 ARNES, LEESA M - Tenancy by Entirety :25  
 ARNES, WESLEY S - Tenancy by Entirety :25  
 ARNES, TAYLOR A - Tenancy by Entirety :25

## Legal Description

LOT 8 BLK H LAKE MILLS SHORES PB 11 PG 15

## Taxes

Taxing Authority	Assessed	Exempt Amount	Taxable
COUNTY GENERAL FUND	\$308,204	\$0	\$308,204
Schools	\$308,204	\$0	\$308,204
FIRE	\$308,204	\$0	\$308,204
ROAD DISTRICT	\$308,204	\$0	\$308,204
SJWM(Saint Johns Water Management)	\$308,204	\$0	\$308,204

## Sales

Deed Type	Date	Sale Amount	Book / Page	Sale Type	Qualified?
WARRANTY DEED	7/9/2024	\$389,000	10659/1855	Improved	Yes
WARRANTY DEED	5/3/2024	\$372,200	10623/0446	Improved	Yes
WARRANTY DEED	1/1/2001	\$69,900	03996/1430	Improved	Yes
QUIT CLAIM DEED	11/1/1990	\$100	02255/1972	Improved	No
WARRANTY DEED	12/1/1986	\$49,000	01809/0710	Improved	Yes
WARRANTY DEED	4/1/1983	\$7,900	01452/1605	Vacant	Yes
WARRANTY DEED	3/1/1982	\$29,100	01383/0068	Vacant	No

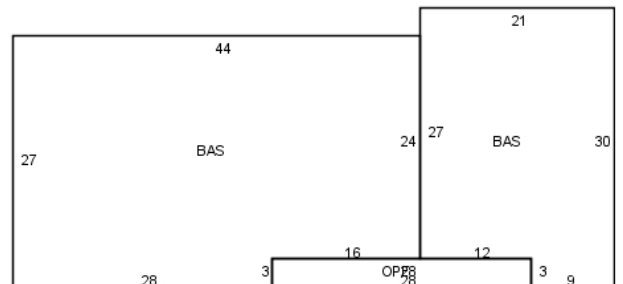
## Land

Units	Rate	Assessed	Market
103 feet X 130 feet	\$850/Front Foot	\$83,173	\$83,173

## Building Information

#	1
Use	SINGLE FAMILY
Year Built*	1984
Bed	3
Bath	2.0
Fixtures	6
Base Area (ft <sup>2</sup> )	1140
Total Area (ft <sup>2</sup> )	1818
Constuction	SIDING GRADE 3
Replacement Cost	\$279,998
Assessed	\$223,998

\* Year Built = Actual / Effective



Building 1

Appendages	
Description	Area (ft <sup>2</sup> )
BASE	594
OPEN PORCH FINISHED	84

Permits				
Permit #	Description	Value	CO Date	Permit Date
11194	916 MIMOSA DR: REROOF RESIDENTIAL-single family home [LAKE MILLS SHORES]	\$11,751		7/30/2024
02278	916 MIMOSA DR: PLUMBING - RESIDENTIAL-Residential [LAKE MILLS SHORES]	\$100		2/14/2022
00407	916 MIMOSA DR: PLUMBING - RESIDENTIAL-House [LAKE MILLS SHORES]	\$3,608		1/13/2022
08727	ADDITION	\$111,000	5/2/2007	7/27/2006

Extra Features				
Description	Year Built	Units	Cost	Assessed
SHED	1984	1	\$1,000	\$400
PATIO 1	2007	1	\$1,100	\$633

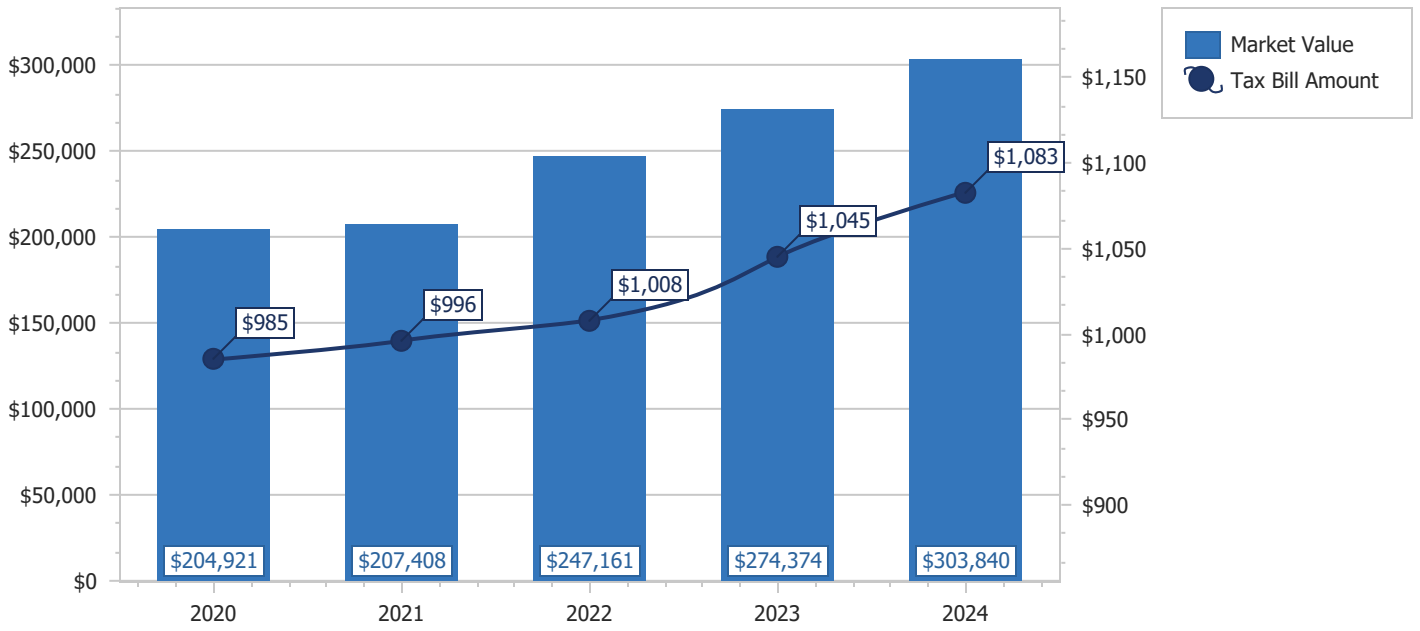
Zoning	
Zoning	R-1A
Description	Single Family-9000
Future Land Use	LDR
Description	Low Density Residential

School Districts	
Elementary	Walker
Middle	Chiles
High	Hagerty

Political Representation	
Commissioner	District 1 - Bob Dallari
US Congress	District 7 - Cory Mills
State House	District 37 - Susan Plasencia
State Senate	District 10 - Jason Brodeur
Voting Precinct	Precinct 82

Utilities	
Fire Station #	Station: 43 Zone: 433
Power Company	FPL
Phone (Analog)	AT&T
Water	Florida Govt Utility Authority
Sewage	Florida Govt Utility Authority
Garbage Pickup	MON/THU
Recycle	THU
Yard Waste	WED
Hauler #	Waste Pro

## Property Value History



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**SEMINOLE COUNTY  
DENIAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 8 BLK H  
LAKE MILLS SHORES  
PB 11 PG 15

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** WESLEY ARNES  
916 MIMOSA DRIVE  
CHULUOTA, FL 32766

**Project Name:** MIMOSA DR (916)

**Requested Variance:**

A rear yard setback variance from thirty (30) feet to six (6) feet for an accessory structure in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

Approval was sought to construct an accessory structure within the rear yard setback. The Board of Adjustment has found and determined that one or more of the six (6) criteria under the Seminole County Land Development Code for granting a variance have not been satisfied and that failure to grant the variance would not result in an unnecessary and undue hardship. The Property Owner still retains reasonable use of the property without the granting of the requested variance.

**C. DECISION**

The requested development approval is hereby **DENIED**.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Hilary Padin, Planner  
1101 East First Street  
Sanford, Florida 32771



**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On December 2, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 8 BLK H  
LAKE MILLS SHORES  
PB 11 PG 15

(The above described legal description has been provided by Seminole County Property Appraiser)

**A. FINDINGS OF FACT**

**Property Owner:** WESLEY ARNES  
916 MIMOSA DRIVE  
CHULUOTA, FL 32766

**Project Name:** MIMOSA DR (916)

**Variance Approval:**

Request for a rear yard setback variance from thirty (30) feet to six (6) feet for an accessory structure in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the December 2, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

All six (6) criteria for granting a variance under the Land Development Code have been satisfied.

The development approval sought is consistent with the Seminole County Comprehensive Plan and is in compliance with applicable land development regulations and all other applicable regulations and ordinances.

## Order

### **NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must 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, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the accessory structure (22' x 30') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

**Done and Ordered on the date first written above.**

By: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

**I HEREBY CERTIFY** that on this day, before me by means of  physical presence or  online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of December, 2024.

\_\_\_\_\_  
Notary Public

Prepared by: Hilary Padin, Planner  
1101 East First Street  
Sanford, Florida 32771

EXHIBIT A  
SITE PLAN

