



SEMINOLE COUNTY, FLORIDA
Board of Adjustment
Meeting Agenda - Final

Monday, May 22, 2023

6:00 PM

BCC Chambers

CALL TO ORDER AND ROLL CALL

OPENING STATEMENT

VARIANCES

1. **1201 Pomelo Court-** Request for a side street (east) setback variance from fifty (50) feet to thirty-seven (37) feet for a detached garage in the A-1 (Agriculture) district; BV2023-011 (James Dunn, Applicant) District 5 - Herr (Angi Gates, Project Manager) **[2023-254](#)**

Development Services - Planning and Development

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

2. **4073 Silverstream Terrace -** Request for a side street (north) setback variance from twenty (20) feet to ten (10) feet for a fence in the PD (Planned Development) district; BV2023-026 (Elroy Pascoe, Applicant) District 5 - Herr (Angi Gates, Project Manager) **[2023-487](#)**

Development Services - Planning and Development

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

3. **347 Beach Avenue-** Request for a side yard (east) setback variance from ten (10) feet to one and one-half (1½) feet for a shed in the R-1AA (Single Family Dwelling) district; BV2023-030 (David S. Huysman III, Applicant) District 4 - Lockhart (Angi Gates, Project Manager) **[2023-489](#)**

Development Services - Planning and Development

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

4. **801 Bill Dot Drive** - Request for a side street (north) setback variance from twenty-five (25) feet to twenty-one (21) feet for a fence in the R-1AA (Single Family Dwelling) district; BV2023-032 (Julio Blanco, Applicant) District 3 - Constantine (Angi Gates, Project Manager) **[2023-491](#)**

Development Services - Planning and Development

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

5. **1080 Dyson Drive** - Request for a side street (east) setback variance from thirty-five (35) feet to twenty-six (26) feet for a fence in the RC-1 (Single Family Dwelling) district; BV2023-034 (Dianne Johnson, Applicant) District 2 - Zembower (Angi Gates, Project Manager) **2023-493**

Development Services - Planning and Development

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

6. **5001 Palmetto Avenue** - Request for a side street (south) setback variance from twenty-five (25) feet to thirteen and one-half (13½) feet for a detached garage in the R-1A (Single Family Dwelling) district; BV2023-028 (Jacob Kuzman, Applicant) District 1 - Dallari (Angi Gates, Project Manager) **2023-488**

Development Services - Planning and Development

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

7. **1105 Otter Lane** - Request for a side yard (south) setback variance from twenty (20) feet to thirteen (13) feet eleven (11) inches for an accessory structure in the RC-1 (Country Homes) district; BV2023-025 (James & Krystal Goodman, Applicants) District 2 - Zembower (Hilary Padin, Project Manager) [2023-471](#)

Development Services - Planning and Development

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

8. **3238 Upland Point** - Request for a side street (south) setback variance from fifteen (15) feet to three and one-half (3.5) feet for a privacy fence in the PD (Planned Development) district; BV2023-029 (Michael & Katrina Dantes, Applicants) District 1 - Dallari (Hilary Padin, Project Manager) [2023-476](#)

Development Services - Planning and Development

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

9. **1301 Blue Stem Lane** - Request for a side street (north) setback variance from fifteen (15) feet to eight (8) feet for a privacy fence in the PD (Planned Development) district; BV2023-031 (Alexander & Brittany Baumgartner, Applicants) District 1 - Dallari (Hilary Padin, Project Manager) [2023-477](#)

Development Services - Planning and Development

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

10. **3153 Cecelia Drive** - Request for a rear yard setback variance from thirty (30) feet to twenty three (23) feet for a swimming pool in the R-1AA (Single Family Dwelling) district; BV2023-033 (Jonathan & Eva Albert, Applicants) District 3 - Constantine (Hilary Padin, Project Manager) [2023-481](#)

Development Services - Planning and Development

Attachments: [Site Plan](#)
[Zoning Map](#)
[Property record card](#)
[Letters of support](#)
[Denial Development Order](#)
[Approval Development Order](#)

11. **605 Oranole Road** - Request for: (1) a front yard setback variance from twenty-five (25) feet to 24.9 feet; and (2) a side yard (east) setback variance from ten (10) feet to 8.3 feet for an addition in the R-1AA (Single Family Dwelling) district; BV2023-035 (Sebastian Jimenez, Applicant) District 3 - Constantine (Hilary Padin, Project Manager) [2023-490](#)

Development Services - Planning and Development

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

CLOSING BUSINESS

APPROVAL OF THE MINUTES

ADJOURN



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-254

Title:

1201 Pomelo Court- Request for a side street (east) setback variance from fifty (50) feet to thirty-seven (37) feet for a detached garage in the A-1 (Agriculture) district; BV2023-011 (James Dunn, Applicant) District 5 - Herr (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 a side street (east) setback variance from fifty (50) feet to thirty-seven (37) feet for a detached garage in the A-1 (Agriculture) district; or
2. Approve the request for a side street (east) setback variance from fifty (50) feet to thirty-seven (37) feet for a detached garage in the A-1 (Agriculture) district; or
3. Continue the request to a time and date certain.

Background:

- The subject property is located in the Mandarin Section 1 subdivision.
- The proposed detached garage will be 864 square feet (24' x 36') and will encroach thirteen (13) feet into the required side street (south) setback.
- The request is for a variance to Section 30.128(a)(3) of the Land Development Code of Seminole County, which states:
 - (a) The following minimum front, rear, and side yards shall be observed:
 - (3) Side. Ten (10) feet as measured from the side property line or lot line, except where a side yard abuts a street or road, in which case, the side yard shall be fifty (50) feet.
- There have not been any prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

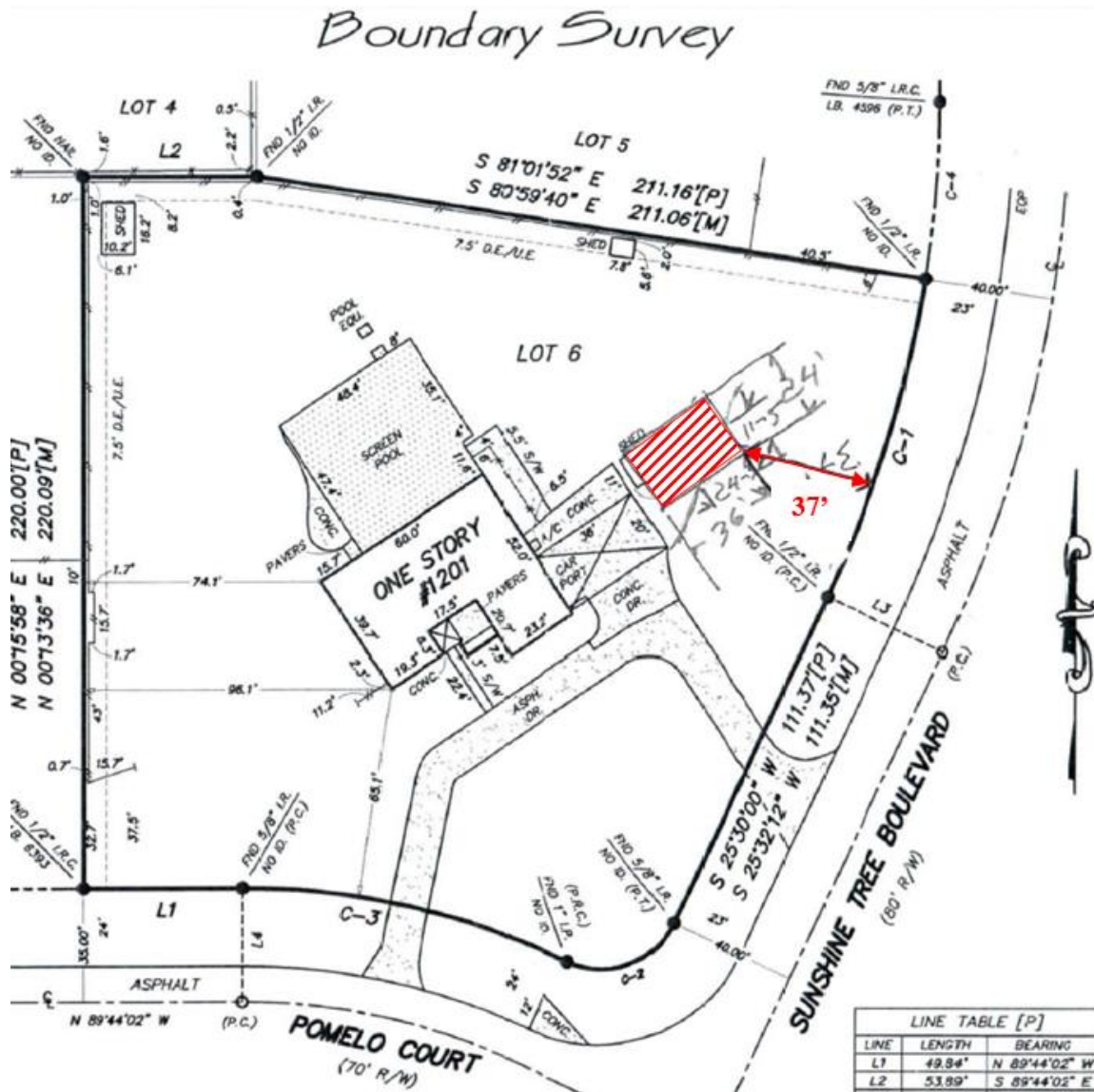
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

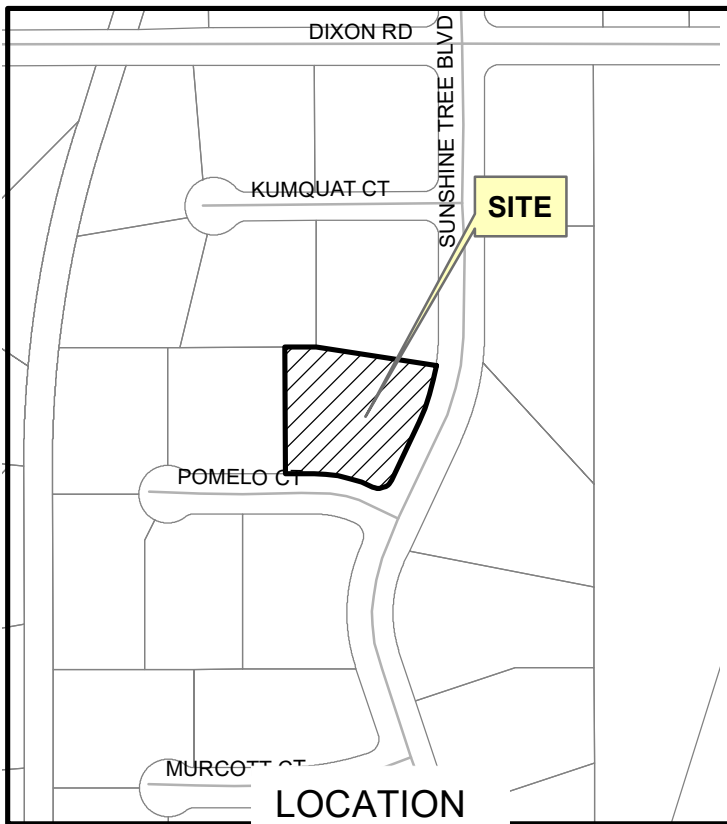
Staff Recommendation:

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 30.43(b)(3) 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 detached garage 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.

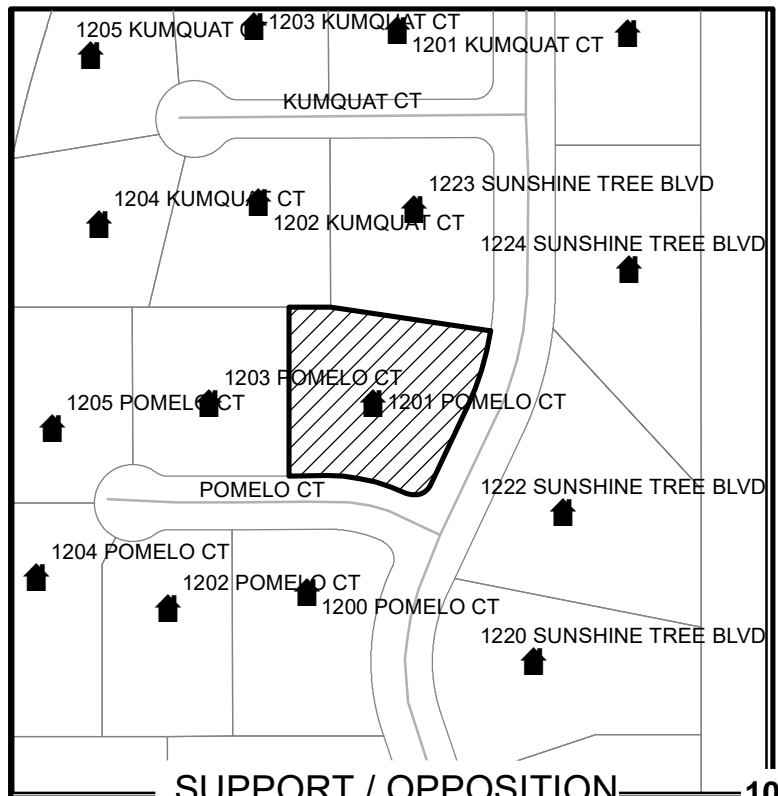
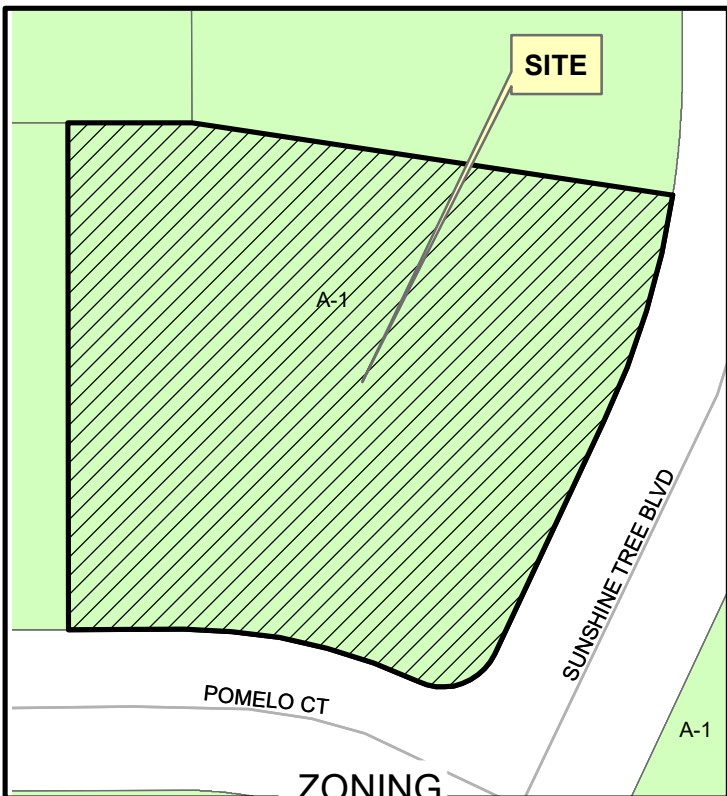
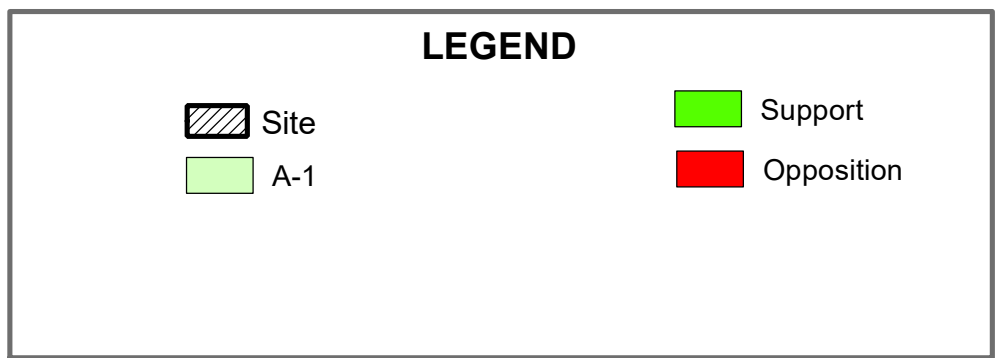
POMELO CT (1201) VARIANCES





JAMES DUNN
1201 POMELO CT
LONGWOOD, FL 32779

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 24, 2022



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

There is not enough space in the back and side yards for the proposed structure.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

First, we are dealing with an irregular shaped lot. The pre-existing property boundaries required set-backs, residential structure, swimming pool, carport and septic system are impediments.

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

This is a typical variance request that governing bodies grant to applicants/petitioners.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

It would deprive applicant of right to have garage that does not encroach on residential structure, swimming pool or septic system on the property.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Applicant is requesting variance for placement of garage on property in location on property that would require the minimum variance.

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

Granting of the variance would allow the placement of proposed garage in location on the property in the

typically acceptable location of a garage adjacent to the residential structure and on the existing driveway in architectural harmony.

Property Record Card



Parcel 26-20-29-503-0000-0060

Property Address 1201 POMELO CT LONGWOOD, FL 32779

Parcel Location



Site View



Parcel Information

Parcel	26-20-29-503-0000-0060
Owner(s)	DUNN, JAMES F - Tenancy by Entirety DUNN, MARTHA E - Tenancy by Entirety
Property Address	1201 POMELO CT LONGWOOD, FL 32779
Mailing	1201 POMELO CT LONGWOOD, FL 32779-2728
Subdivision Name	MANDARIN SEC 1
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2016)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$256,642	\$238,121
Depreciated EXFT Value	\$37,800	\$31,509
Land Value (Market)	\$100,000	\$100,000
Land Value Ag		
Just/Market Value	\$394,442	\$369,630
Portability Adj		
Save Our Homes Adj	\$125,499	\$108,520
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$268,943	\$261,110

2022 Certified Tax Summary

2022 Tax Amount without Exemptions

\$4,956.04

2022 Tax Savings with Exemptions

\$1,988.96

2022 Tax Bill Amount

\$2,967.08

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 6
MANDARIN SEC 1
PB 20 PGS 42 & 43

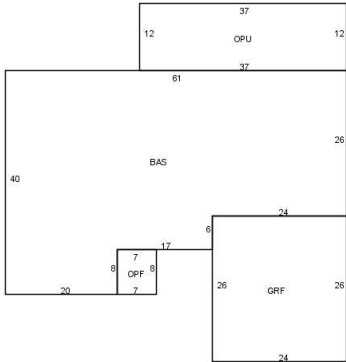
Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$268,943	\$50,000	\$218,943
SJWM(Saint Johns Water Management)	\$268,943	\$50,000	\$218,943
FIRE	\$268,943	\$50,000	\$218,943
COUNTY GENERAL FUND	\$268,943	\$50,000	\$218,943
Schools	\$268,943	\$25,000	\$243,943

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
SPECIAL WARRANTY DEED	12/01/2014	08384	1352	\$267,000	Yes	Improved
CERTIFICATE OF TITLE	07/01/2014	08305	1405	\$100	No	Improved
WARRANTY DEED	07/01/2006	06367	1172	\$380,000	Yes	Improved
QUIT CLAIM DEED	04/01/2000	03869	1987	\$100	No	Improved
FINAL JUDGEMENT	02/01/2000	03809	1685	\$100	No	Improved
WARRANTY DEED	04/01/1994	02763	0766	\$134,400	No	Improved
QUIT CLAIM DEED	05/01/1990	02189	0510	\$100	No	Improved
WARRANTY DEED	10/01/1986	01788	0353	\$109,500	Yes	Improved
WARRANTY DEED	06/01/1983	01465	1541	\$104,800	Yes	Improved
WARRANTY DEED	01/01/1980	01263	1508	\$87,800	Yes	Improved

Land						
Method	Frontage	Depth	Units	Units Price	Land Value	
LOT			1	\$100,000.00	\$100,000	

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1980	3	2.0	6	1,968	3,092	1,968	CB/STUCCO FINISH	\$256,642	\$329,028	Description	Area
												OPEN PORCH FINISHED	56.00
												GARAGE FINISHED	624.00
												OPEN PORCH UNFINISHED	444.00



Building 1 - Page 1

** Year Built (Actual / Effective)

Permits						
Permit #	Description	Agency	Amount	CO Date	Permit Date	
03734	FOOTER & PATIO COVER ROOF	County	\$6,216	6/16/1994	5/1/1994	
03977	DOME POOL ENCLOSURE	County	\$5,560		6/1/1994	
08166	REPLACE WINDOWS	County	\$8,352		7/21/2003	
16979	REROOF W/SHINGLES	County	\$17,000		9/14/2005	
06798	CARPORT & FOOTINGS	County	\$8,600		6/1/2003	
17494	REMOVE & REPLACE SCREEN POOL ENCLOSURE DUE TO HURRICANE DAMAGE	County	\$15,000		12/28/2004	
15371	1201 POMELO CT: ELECTRIC SOLAR WIRING-single family residential [MANDARIN SEC 1] - VOIDED	County	\$51,839		8/23/2021	

Extra Features				
Description	Year Built	Units	Value	New Cost
CARPORT 3	07/01/2003	1	\$2,400	\$6,000
FIREPLACE 2	07/01/1980	1	\$2,400	\$6,000
POOL 2	07/01/1987	1	\$27,000	\$45,000
SOLAR HEATER	07/01/2004	1	\$0	
SCREEN ENCL 3	07/01/2005	1	\$6,000	\$15,000

Zoning			
Zoning	Zoning Description	Future Land Use	Future Land Use Description
A-1	Suburban Estates	SE	Agricultural-1Ac

Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
36.00	DUKE	CENTURY LINK	SUNSHINE WATER SERVICES	SUNSHINE WATER SERVICES	TUE/FRI	TUE	WED	Waste Pro

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 5 - Andria Herr	Dist 7 - Stephanie Murphy	Dist 29 - Scott Plakon	Dist 9 - Jason Brodeur	32

School Information		
Elementary School District	Middle School District	High School District
Woodlands	Markham Woods	Lake Mary

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 6
MANDARIN SEC 1
PB 20 PGS 42 & 43

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

A. FINDINGS OF FACT

Property Owner: JAMES DUNN
1201 POMELO COURT
LONGWOOD, FL 32779

Project Name: POMELO CT (1201)

Requested Variance:

Request for a side street (east) setback variance from fifty (50) feet to thirty-seven (37) feet for a detached garage in the A-1 (Agriculture) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a detached garage within the side street (south) 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 6
MANDARIN SEC 1
PB 20 PGS 42 & 43

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

A. FINDINGS OF FACT

Property Owner: JAMES DUNN
1201 POMELO COURT
LONGWOOD, FL 32779

Project Name: POMELO CT (1201)

Variance Approval:

Request for a side street (east) setback variance from fifty (50) feet to thirty-seven (37) feet for a detached garage in the A-1 (Agriculture) district.

The findings reflected in the record of the May 22, 2023, 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 detached garage (24' x 36') as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

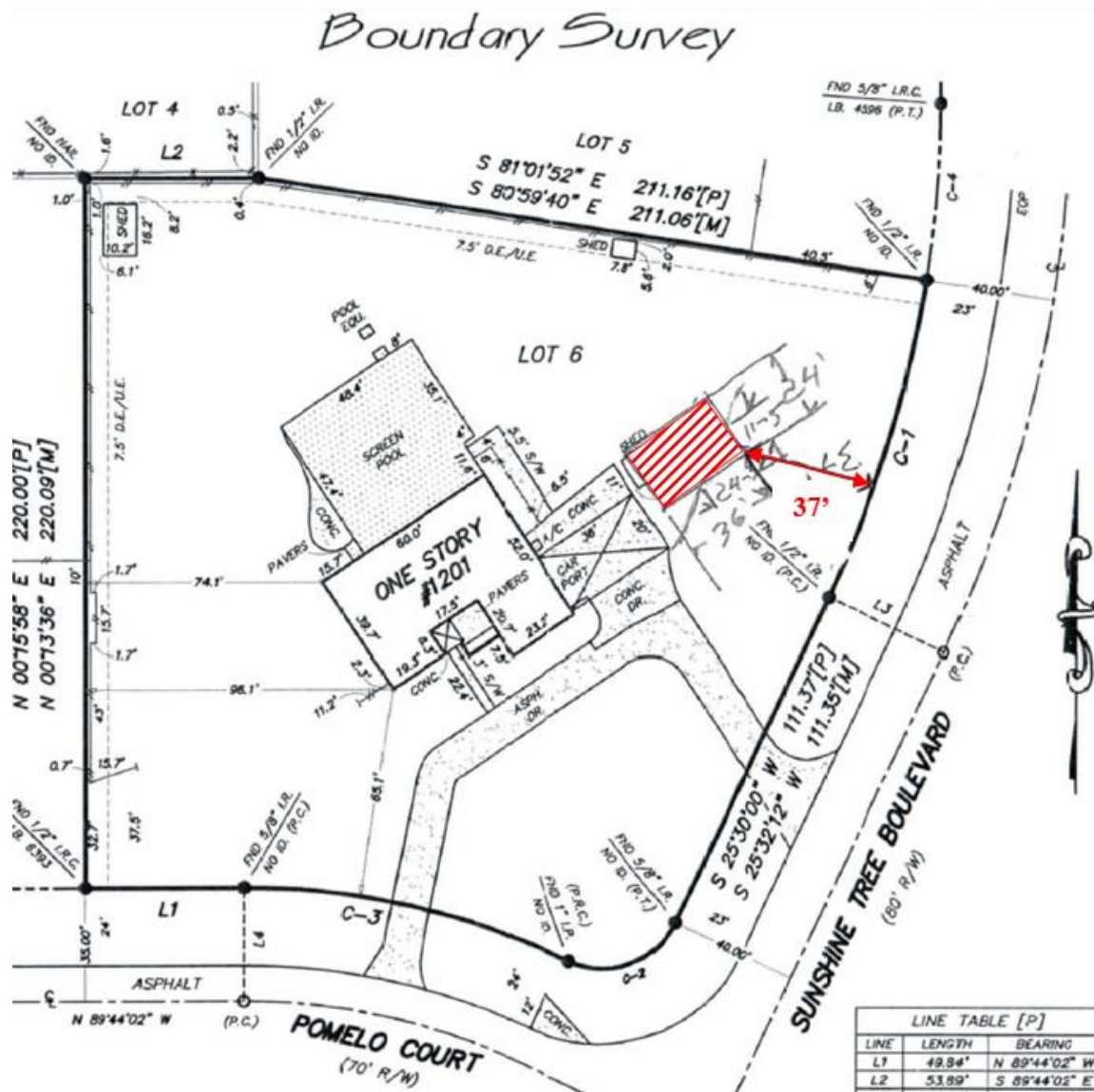
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-487

Title:

4073 Silverstream Terrace - Request for a side street (north) setback variance from twenty (20) feet to ten (10) feet for a fence in the PD (Planned Development) district; BV2023-026 (Elroy Pascoe, Applicant) District 5 - Herr (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 a side street (north) setback variance from twenty (20) feet to ten (10) feet for a fence in the PD (Planned Development) district; or
2. Approve the request for a side street (north) setback variance from twenty (20) feet to ten (10) feet for a fence 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 Riverbend at Cameron Heights subdivision and is within the Cameron Heights Planned Development (PD).
- The subject property is a corner lot and considered to have two (2) front yards for setback purposes. The front of the house faces Silver Stream Terrace, and the Looking Glass Place side is where the variance is being sought.
- Traffic Engineering has no objection to the placement of the fence as it relates to site visibility.
- The proposed privacy fence will be ten (10) feet from the sidewalk and twenty-three (23) feet from the edge of pavement.
- The request is for a variance to Section 30.451 of the Land Development Code of Seminole County for Development Standards for Planned Developments.
- The request is for a variance to Section 30.1349 of the Land Development Code of Seminole County, which states:
 - (a) On property assigned a residential zoning classification, a closed fence or wall in excess of

three (3) feet in height shall maintain the same district front yard setback requirement as the main or principal dwelling structure except where backing up to a limited access highway or where regulations require such fences. In the case of corner lots, the lot shall be considered to have a front yard or yards on any side or sides abutting a road right-of-way.

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

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

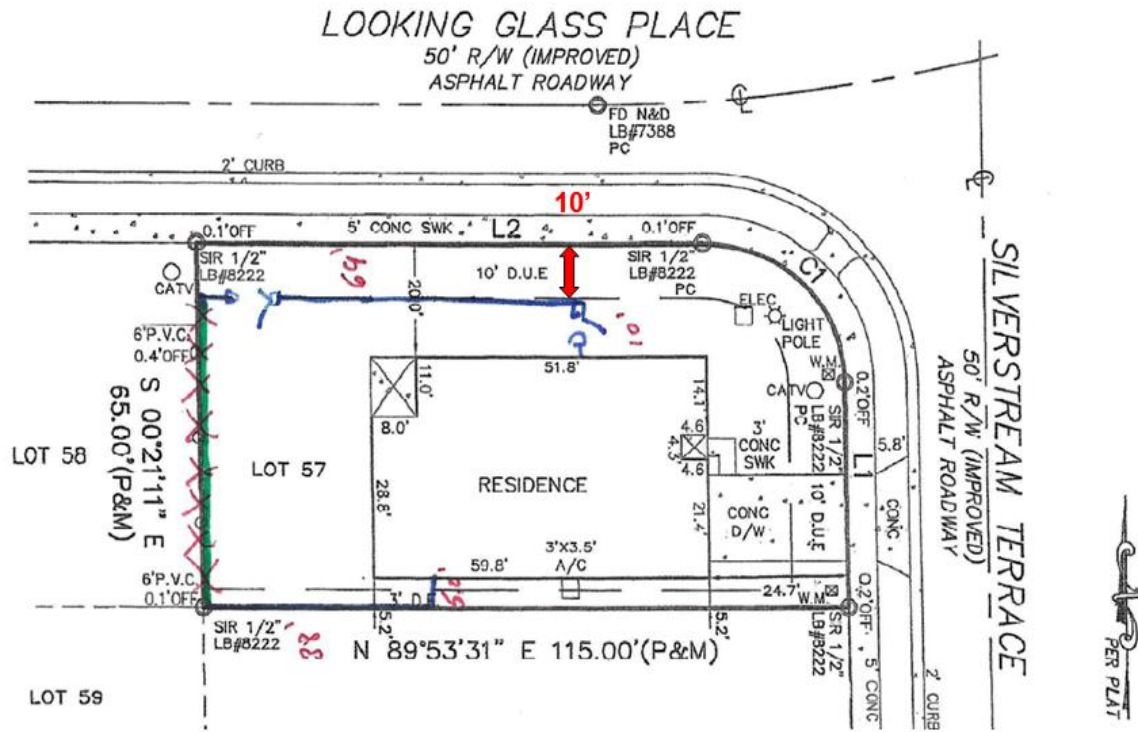
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

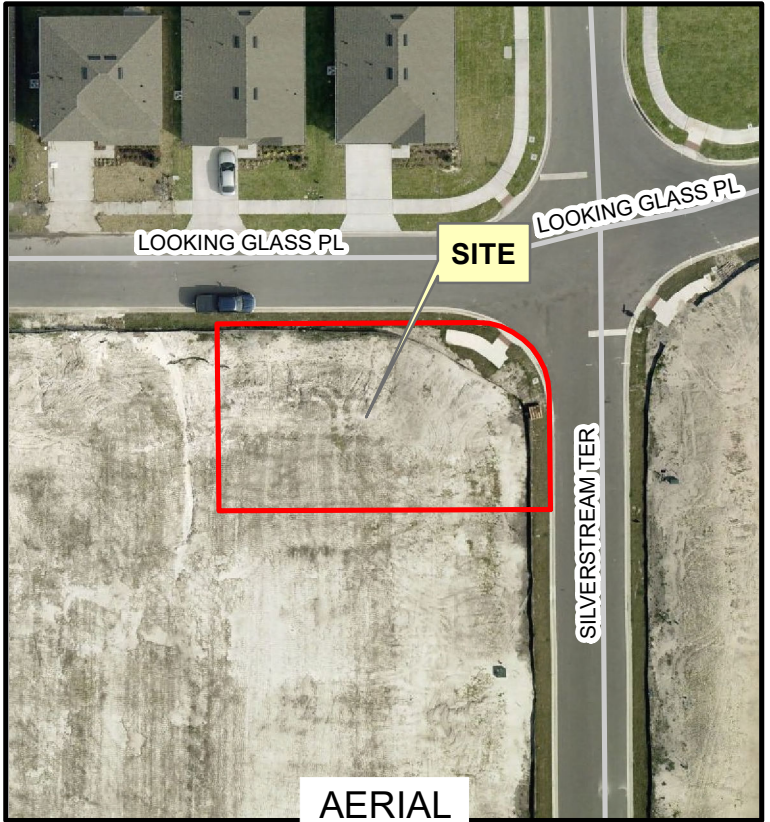
Staff Recommendation:

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 30.43(b)(3) 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 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.

SILVERSTREAM TER (4073) VARIANCES

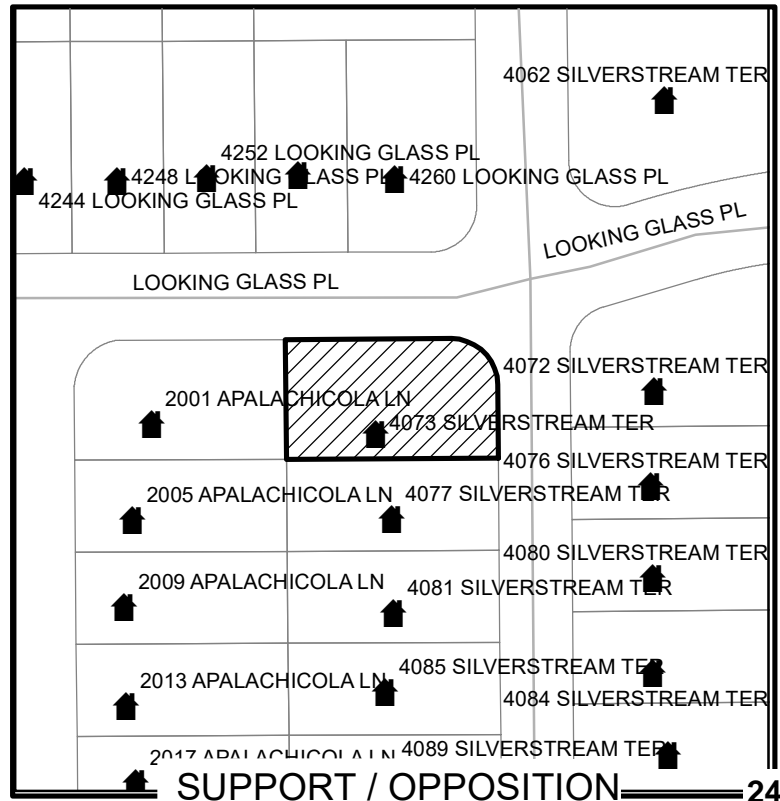
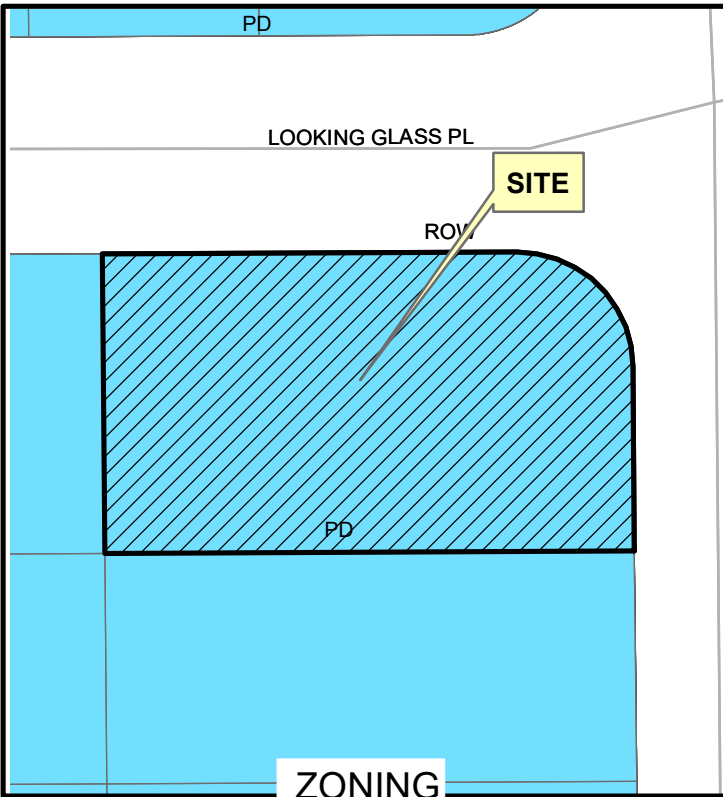
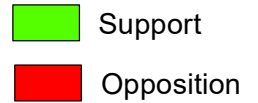
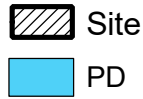




ELROY PASCOE
4073 SILVERSTREAM TER
SANFORD, FL 32771

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023

LEGEND



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

Corner lot with property line 20 ft to sidewalk. Requesting for Fence to go further and still have 10ft distance from the sidewalk.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

House built on corner lot.

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

This will not interfere with street views of cars driving around the corner or pedestrians crossing street.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

Losing out on 10ft of land to be closed off for privacy.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

There would be 10ft still from sidewalk to fence.

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

This will still allow 10' from the sidewalk and not interfere with street views of cars coming around the corner.

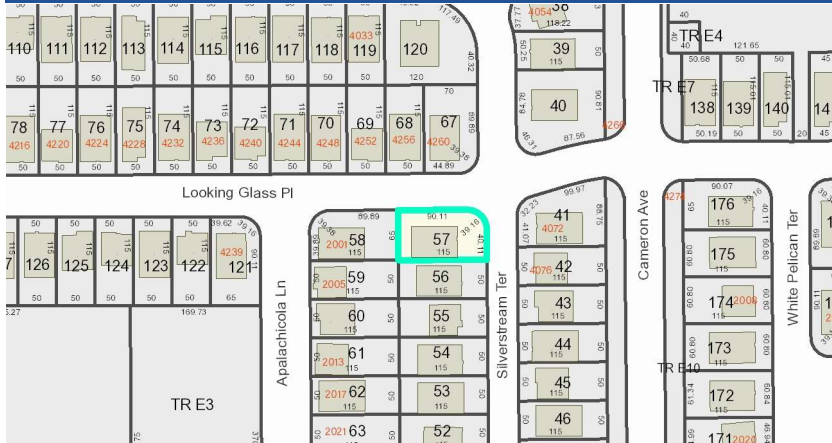
Property Record Card



Parcel 33-19-31-5VH-0000-0570

Property Address 4073 SILVERSTREAM TER SANFORD, FL 32771

Parcel Location



Site View



3319315VH00000570 11/24/2021

Parcel Information

Parcel	33-19-31-5VH-0000-0570
Owner(s)	MARIE GORDON, KAREN I - Tenancy by Entirety PASCOE, ELROY K - Tenancy by Entirety
Property Address	4073 SILVERSTREAM TER SANFORD, FL 32771
Mailing	4073 SILVERSTREAM TER SANFORD, FL 32771-4024
Subdivision Name	RIVERBEND AT CAMERON HEIGHTS
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	HOMESTEAD - WAITING FOR OWNER RESPONSE
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$256,525	\$232,505
Depreciated EXFT Value		
Land Value (Market)	\$85,000	\$75,000
Land Value Ag		
Just/Market Value	\$341,525	\$307,505
Portability Adj		
Save Our Homes Adj	\$0	\$59,377
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$341,525	\$248,128

2022 Certified Tax Summary

2022 Tax Amount without Exemptions

\$4,123.06

2022 Tax Bill Amount

\$2,793.02

2022 Tax Savings with Exemptions \$1,330.04

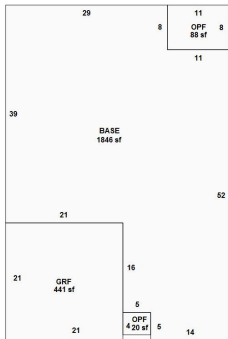
* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 57 RIVERBEND AT CAMERON HEIGHTS PLAT BOOK {83} PAGES {31-38}

Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$341,525	\$0	\$341,525
SJWM(Saint Johns Water Management)	\$341,525	\$0	\$341,525
FIRE	\$341,525	\$0	\$341,525
COUNTY GENERAL FUND	\$341,525	\$0	\$341,525
Schools	\$341,525	\$0	\$341,525

Sales													
Description						Date	Book	Page	Amount	Qualified	Vac/Imp		
WARRANTY DEED						06/30/2022	10274	0030	\$430,000	Yes	Improved		
SPECIAL WARRANTY DEED						10/30/2019	09470	1285	\$284,500	Yes	Improved		
Land													
Method						Frontage	Depth	Units	Units Price	Land Value			
LOT								1	\$85,000.00	\$85,000			
Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	2019	4	2.0	7	1,846	2,395	1,846	CB/STUCCO FINISH	\$256,525	\$260,431	Description	Area
												OPEN PORCH FINISHED	88.00
												GARAGE FINISHED	441.00
												OPEN PORCH FINISHED	20.00
Building 1 - Page 1													
** Year Built (Actual / Effective)													
Permits													
Permit #	Description								Agency	Amount	CO Date	Permit Date	
05409	4073 SILVERSTREAM TER: SINGLE FAMILY DETACHED-RIVERBEND AT CAMERON HEIGHTS LOT 57 [RIVERBEND AT CAMERON HEIG]								County	\$242,052	9/27/2019	5/24/2019	
Extra Features													
Description								Year Built	Units	Value	New Cost		
Zoning													
Zoning		Zoning Description						Future Land Use		Future Land Use Description			
PD		Planned Development						PD		Planned Development			
Utility Information													
Fire Station	Power	Phone(Analog)			Water Provider		Sewer Provider		Garbage Pickup	Recycle	Yard Waste	Hauler	
41.00	FPL	AT&T			SANFORD		CITY OF SANFORD		TUE/FRI	TUE	WED	Waste Pro	
Political Representation													
Commissioner		US Congress			State House			State Senate		Voting Precinct			
Dist 5 - Andria Herr		Dist 7 - Cory Mills			Dist 28 - David "Dave" Smith			Dist 9 - Jason Brodeur		10			
School Information													
Elementary School District				Middle School District				High School District					
Region 3				Millennium				Seminole					
Copyright 2023 © Seminole County Property Appraiser													

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 57
RIVERBEND AT CAMERON HEIGHTS
PB 83 PGS 31-38

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

A. FINDINGS OF FACT

Property Owner: ELROY PASCOE
4073 SILVERSTREAM TER
SANFORD, FL 32771

Project Name: SILVERSTREAM TER (4073)

Requested Variance:

Request for a side street (north) setback variance from twenty (20) feet to ten (10) feet for a fence in the PD (Planned Development) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a fence within the required side street (north) 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 57
RIVERBEND AT CAMERON HEIGHTS
PB 83 PGS 31-38

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

A. FINDINGS OF FACT

Property Owner: ELROY PASCOE
4073 SILVERSTREAM TER
SANFORD, FL 32771

Project Name: SILVERSTREAM TER (4073)

Variance Approval:

Request for a side street (north) setback variance from twenty (20) feet to ten (10) feet for a fence in the PD (Planned Development) district.

The findings reflected in the record of the May 22, 2023, 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 fence as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

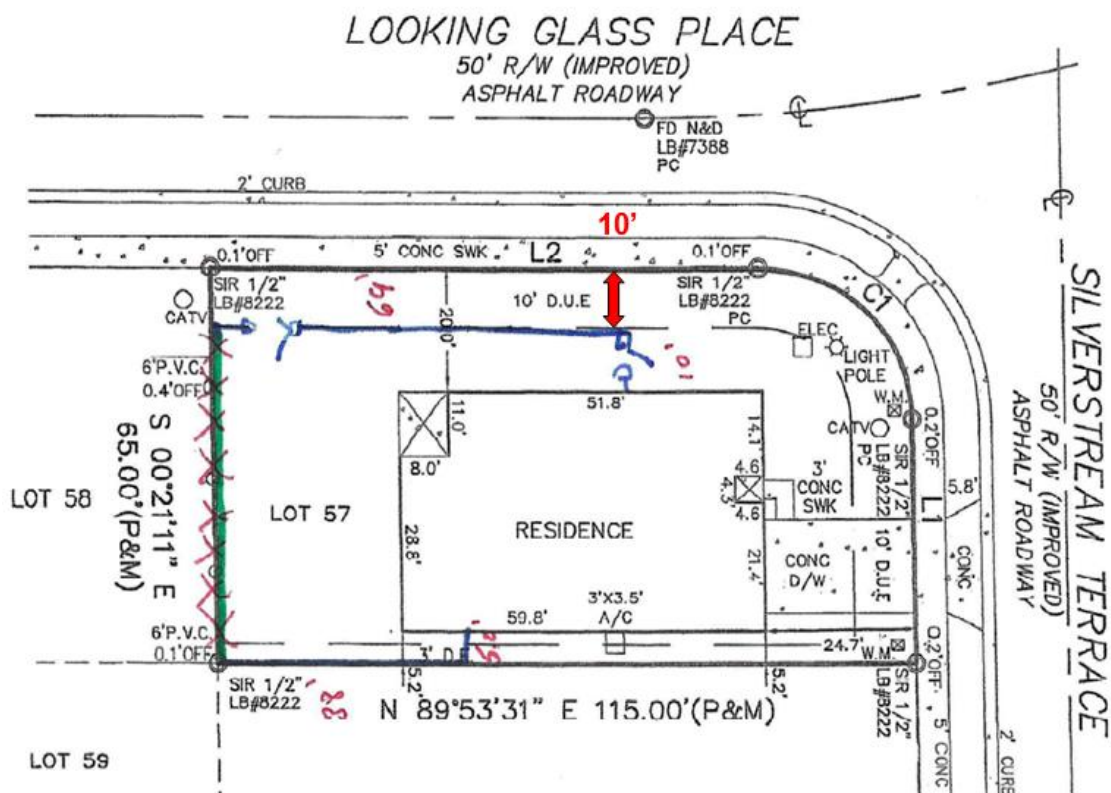
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-489

Title:

347 Beach Avenue- Request for a side yard (east) setback variance from ten (10) feet to one and one-half (1½) feet for a shed in the R-1AA (Single Family Dwelling) district; BV2023-030 (David S. Huysman III, Applicant) District 4 - Lockhart (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 a side yard (east) setback variance from ten (10) feet to one and one-half (1½) feet for a shed in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for a side yard (east) setback variance from ten (10) feet to one and one-half (1½) feet for a shed in the R-1AA (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

Background:

- The subject property is located in the Sanlando Springs subdivision.
- The proposed shed will be 120 square feet (15' x 8') and will encroach eight and one-half (8½) feet into the required east side yard setback.
- Three (3) letters of support were submitted by adjacent neighbors.
- The request is for a variance to Section 30.206(b)(2) of the Land Development Code of Seminole County, which states:
 - (b) On properties assigned the R-1AA, R-1AAA and R-1AAAA zoning classifications, the following minimum yards shall be observed:
 - (2) Side. Ten (10) feet inside, twenty-five (25) feet street side.
- There have not been any prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County

Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

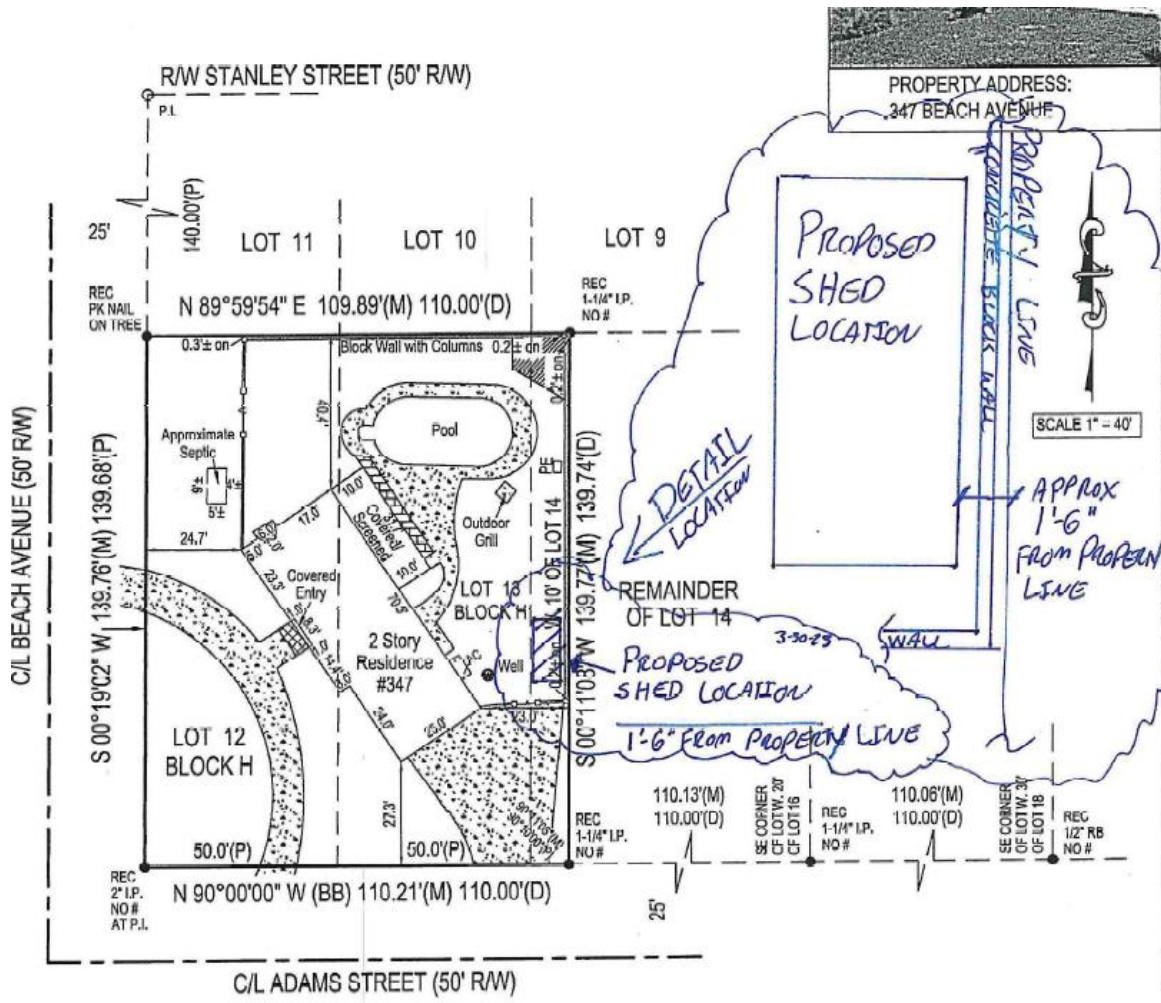
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

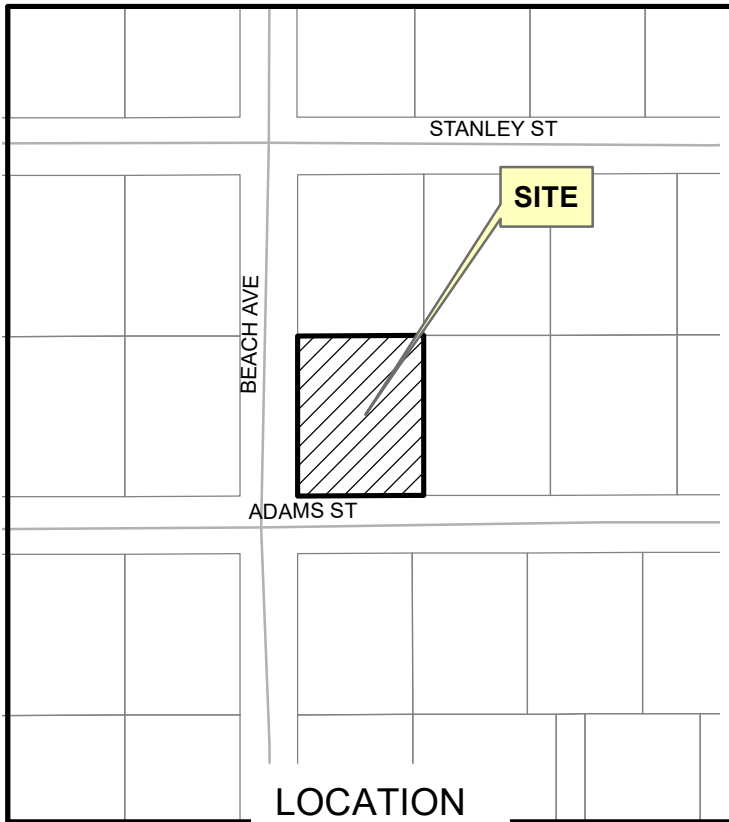
Staff Recommendation:

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 30.43(b)(3) 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 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.

BEACH AVE (347) VARIANCES





DAVID & CHRISTINA HUYSMAN
347 BEACH AVE
LONGWOOD, FL 32750

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023

LEGEND



Site



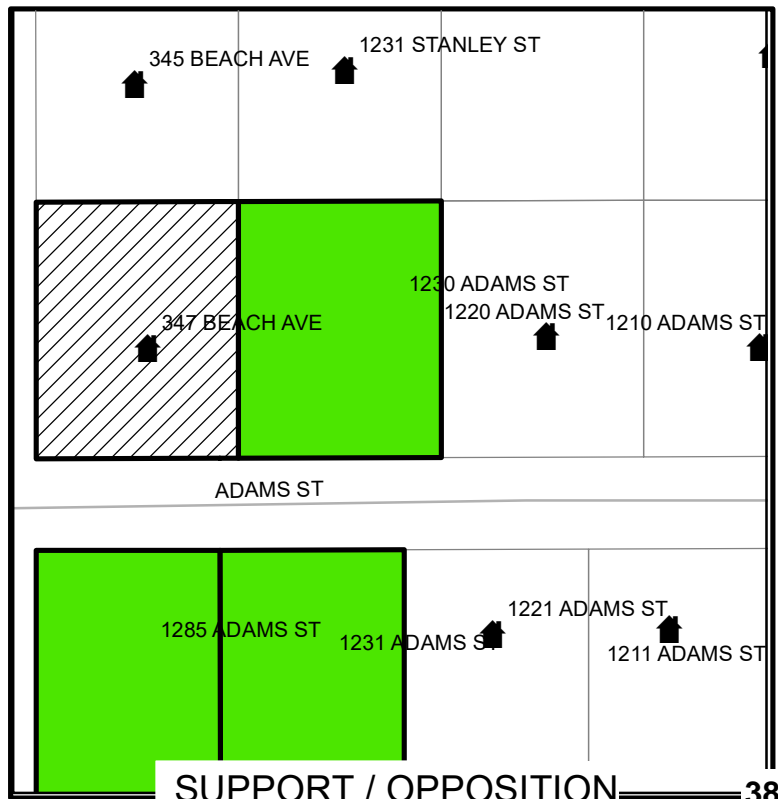
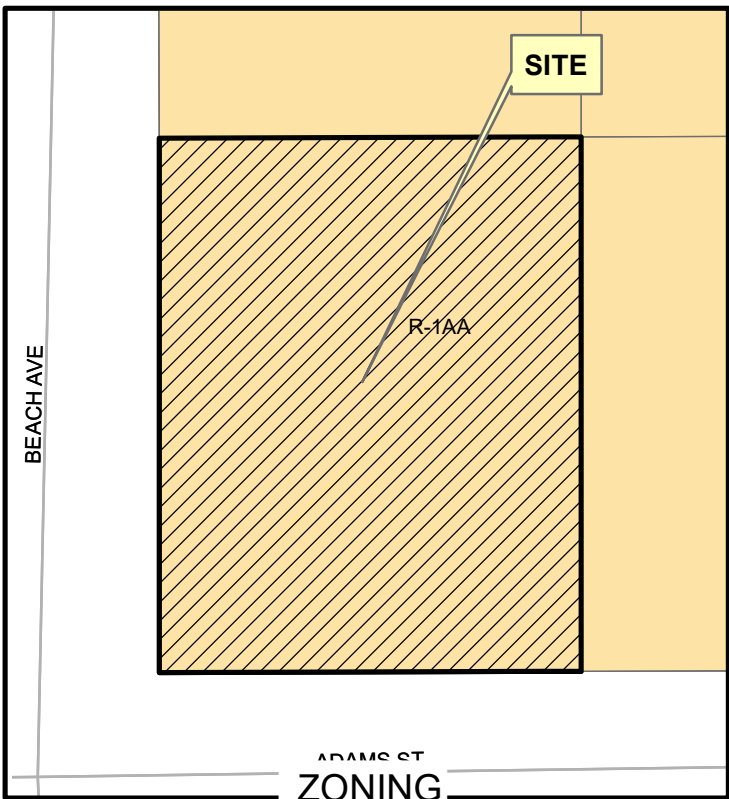
R-1AA



Support



Opposition



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

We are wanting to put a 15' x 8' shed in the SE Corner of our backyard. The required setback is 10' and would not allow space for shed placement. Our house sits diagonally on a corner lot and the entire backyard is surrounded by a 5'ish high brick wall. There is a pool in the center and NW rear corner of our backyard with a mature fruit bearing orange tree on the NW corner. Our septic system drain field is in the NW corner of our front yard with the associated plumbing running through the NW corner of the rear yard. Our well is near the SE center of backyard. There is no other reasonable location in our backyard that can house the shed. We are requesting the location of the shed to be 1'-6" from the eastern property line for the shed variance.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

All conditions existed before we bought the house. Lack of storage space in house necessitates addition of storage shed as well as the bevy of lawn tools required for the property.

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

Addition of storage shed would not cause any hardship upon any party involved. All neighbors nearby are agreeable to it's placement. Many other sheds exist in the neighborhood in the same relative location to property lines. Letters of support have been supplied from all nearby neighbors.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

Lack of storage in the house and garage would be eased by the addition of a storage shed. Unfortunately the only location that it would fit would be inside the utility easement on the SW corner of our backyard. Without the variance we would be unable to install a storage shed on the property.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Space in owners backyard is not being used for anything, is cordoned off by a concrete wall and is hemmed in by walkway and wall locations.

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

Proposed shed location makes sense and fits with the layout of the backyard. Many neighbors have existing storage sheds in backyard in similar locations. Most of proposed shed would be hidden from sight behind existing brick wall that encloses our backyard. Proposed shed is aesthetically pleasing and of sound construction.

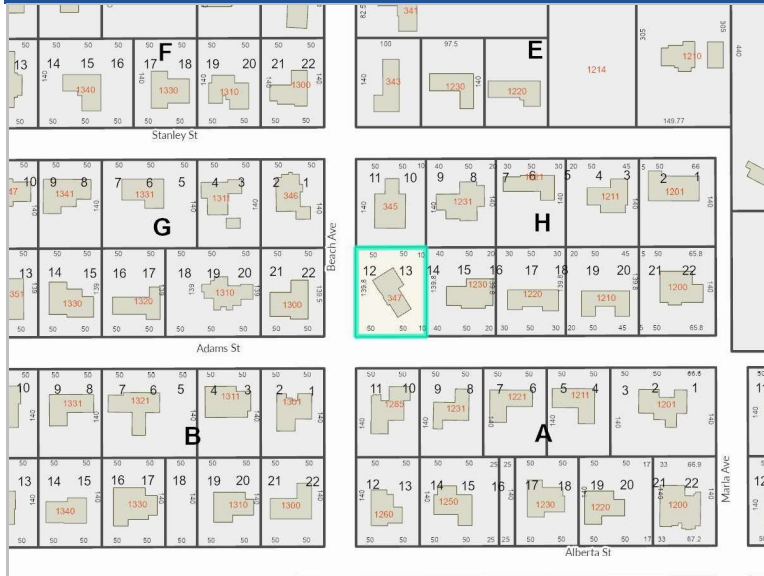
Property Record Card



Parcel 01-21-29-5CK-100H-0120

Property Address 347 BEACH AVE LONGWOOD, FL 32750

Parcel Location



Site View



0121295CK100H0120 02/05/2022

Parcel Information

Parcel	01-21-29-5CK-100H-0120
Owner(s)	HUYSMAN, DAVID S III - Tenancy by Entirety HUYSMAN, CHRISTINA C - Tenancy by Entirety
Property Address	347 BEACH AVE LONGWOOD, FL 32750
Mailing	347 BEACH AVE LONGWOOD, FL 32750-7529
Subdivision Name	SANLANDO SPRINGS
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2021)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$303,755	\$276,686
Depreciated EXFT Value	\$25,296	\$19,816
Land Value (Market)	\$90,000	\$85,000
Land Value Ag		
Just/Market Value	\$419,051	\$381,502
Portability Adj		
Save Our Homes Adj	\$141,161	\$111,706
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$277,890	\$269,796

2022 Certified Tax Summary

2022 Tax Amount without Exemptions \$5,115.22 **2022 Tax Savings with Exemptions** \$2,031.67

2022 Tax Bill Amount \$3,083.55

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOTS 12 & 13 & W 10 FT OF
LOT 14 BLK H TRACT 10
SANLANDO SPRINGS
PB 5 PG 56

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$277,890	\$50,000	\$227,890
SJWM(Saint Johns Water Management)	\$277,890	\$50,000	\$227,890
FIRE	\$277,890	\$50,000	\$227,890
COUNTY GENERAL FUND	\$277,890	\$50,000	\$227,890
Schools	\$277,890	\$25,000	\$252,890

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	08/06/2020	09682	1224	\$355,000	Yes	Improved
WARRANTY DEED	08/01/2018	09210	0332	\$299,000	Yes	Improved
QUIT CLAIM DEED	01/01/2009	07119	1012	\$100	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$90,000.00	\$90,000

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1972/1982	4	2.5	8	1,209	3,478	2,488	CB/STUCCO FINISH	\$303,755	\$379,694	Description	Area
												UTILITY FINISHED	70.00
												SCREEN PORCH FINISHED	320.00
												GARAGE FINISHED	600.00
												UPPER STORY FINISHED	1279.00

32

SPF

320 sf

10

36

BASE

1209 sf

28

23

1

9

1

14

7

UTF

70 sf

10

38

24

GRF

600 sf

25

46

USF

ST2

1279 sf

28

23

1

9

1

14

Sketch by Apex Sketch

Building 1 - Page 1

46

USF ST2

1279 sf

28

23

1

9

1

14

UTILITY FINISHED

70.00

SCREEN PORCH FINISHED

320.00

GARAGE FINISHED

600.00

UPPER STORY FINISHED

1279.00

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
05735	WINDOW REPLACEMENT	County	\$12,118		6/1/2001
14247	REROOF	County	\$17,370		10/18/2017
03679	347 BEACH AVE: EZ ELECTRICAL - RESIDENTIAL- [SANLANDO SPRINGS]	County	\$2,875		3/3/2021
03790	347 BEACH AVE: MECHANICAL - RESIDENTIAL- [SANLANDO SPRINGS]	County	\$5,348		3/5/2021

Extra Features								
Description				Year Built		Units	Value	New Cost
COVERED PATIO 1				06/01/1980		1	\$1,000	\$2,500
BLOCK WALL				10/01/1972		280	\$896	\$2,240
FIREPLACE 1				10/01/1972		2	\$2,400	\$6,000
POOL 1				10/01/1980		1	\$21,000	\$35,000
Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
R-1AA		Low Density Residential		LDR		Single Family-11700		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
11.00	DUKE	CENTURY LINK	ALTAMONTE SPRINGS	NA	TUE/FRI	FRI	WED	Advanced Disposal
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 4 - Amy Lockhart		Dist 7 - Cory Mills		Dist 29 - Rachel Plakon		Dist 9 - Jason Brodeur		27
School Information								
Elementary School District			Middle School District			High School District		
Altamonte			Milwee			Lyman		
Copyright 2023 © Seminole County Property Appraiser								

Letter of Support

RE: Shed placement for 347 Beach Ave, Longwood FL

To whom it may concern,

I , a neighbor of 347 Beach Ave located at

1231 Adams Street, Longwood FL 32750, have no objection or complaint about the proposed

Location or existence of a storage shed constructed in the SE corner of the backyard located at 347

Beach Ave, Longwood FL 32750.

Let this be considered a letter of support for its construction and placement on this day

3-20-2023

(Date and time signed)

Sincerely,

Samuel Keith Clark

(Printed Name)



(Signature)

Letter of Support

RE: Shed placement for 347 Beach Ave, Longwood FL

To whom it may concern,

I JAMES LAPIANA, a neighbor of 347 Beach Ave located at

1295 Adams Street, Longwood FL 32750, have no objection or complaint about the proposed

Location or existence of a storage shed constructed in the SE corner of the backyard located at 347

Beach Ave, Longwood FL 32750.

Let this be considered a letter of support for its construction and placement on this day

3/26/2023

(Date and time signed)

Sincerely,

JAMES LAPIANA

(Printed Name)

[Signature]

(Signature)

Letter of Support

RE: Shed placement for 347 Beach Ave, Longwood FL

To whom it may concern,

I William Hughes, a neighbor of 347 Beach Ave located at

1230 Adams Street, Longwood FL 32750, have no objection or complaint about the proposed

Location or existence of a storage shed constructed in the SE corner of the backyard located at 347

Beach Ave, Longwood FL 32750.

Let this be considered a letter of support for its construction and placement on this day

326 23

(Date and time signed)

Sincerely,

William Hughes
(Printed Name)

(Signature)



PROPOSED SHED LOCATION
STAKES SHOW ROUGH OUTLINE















SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOTS 12 & 13 & W 10 FT OF
LOT 14 BLK H TRACT 10
SANLANDO SPRINGS
PB 5 PG 56

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

A. FINDINGS OF FACT

Property Owner: DAVID S. HUYSMAN III
347 BEACH AVENUE
LONGWOOD, FL 32750

Project Name: BEACH AVE (347)

Requested Variance:

Request for a side yard (east) setback variance from ten (10) feet to one and one-half (1½) feet for a shed in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a shed within the east side 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOTS 12 & 13 & W 10 FT OF
LOT 14 BLK H TRACT 10
SANLANDO SPRINGS
PB 5 PG 56

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

A. FINDINGS OF FACT

Property Owner: DAVID S. HUYSMAN III
347 BEACH AVENUE
LONGWOOD, FL 32750

Project Name: BEACH AVE (347)

Variance Approval:

Request for a side yard (east) setback variance from ten (10) feet to one and one-half (1½) feet for a shed in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, 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 (15' x 8') as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

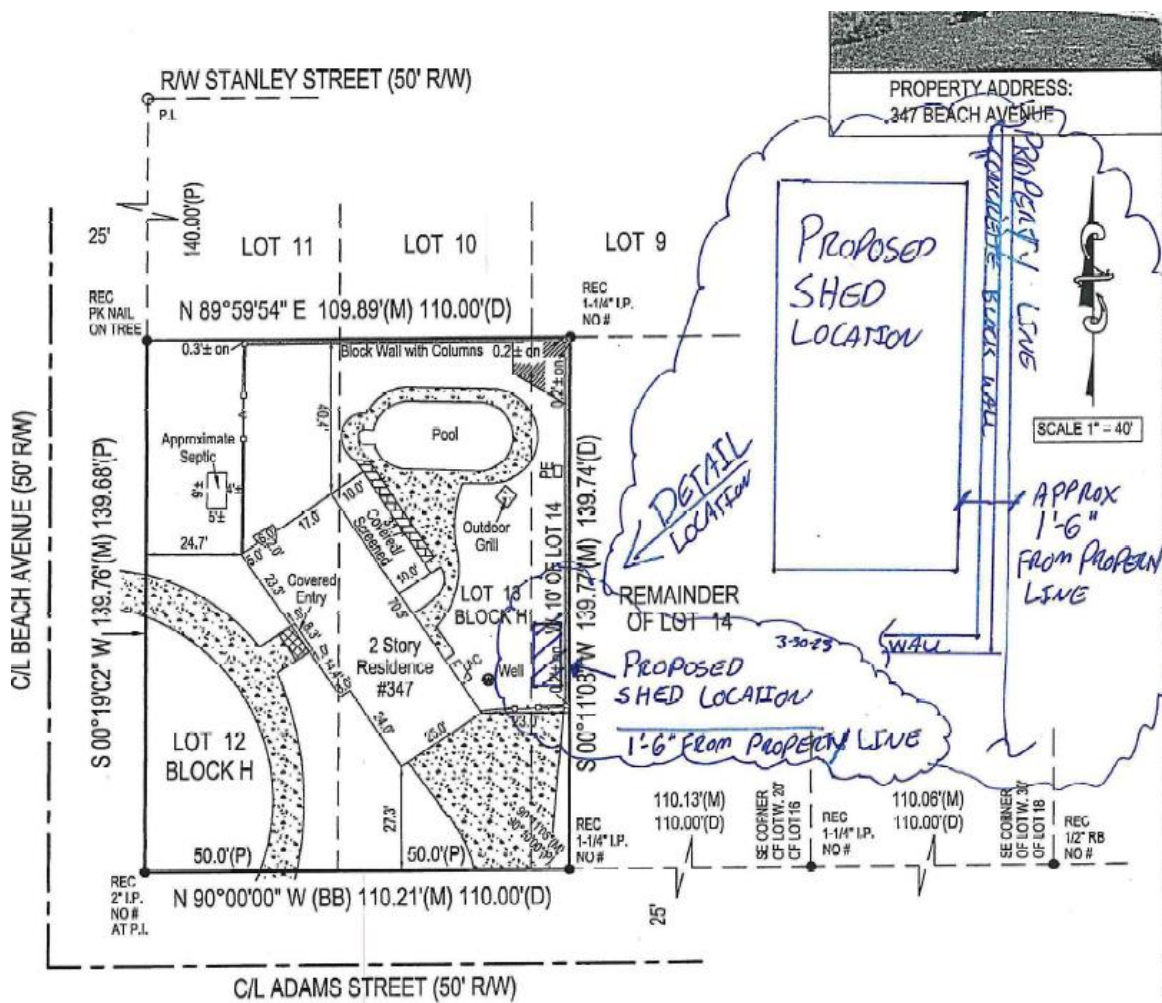
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-491

Title:

801 Bill Dot Drive - Request for a side street (north) setback variance from twenty-five (25) feet to twenty-one (21) feet for a fence in the R-1AA (Single Family Dwelling) district; BV2023-032 (Julio Blanco, 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 a side street (north) setback variance from twenty-five (25) feet to twenty-one (21) feet for a fence in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for a side street (north) setback variance from twenty-five (25) feet to twenty-one (21) feet for a fence in the R-1AA (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

Background:

- The subject property is located in the Trim Acres subdivision.
- This property is a corner lot and is considered to have two (2) front yards for setback purposes. The front of the house faces Bill Dot Drive. The Mayflower Lane side is where the variance is being sought.
- Traffic Engineering has no objection to the placement of the fence as it relates to sight visibility.
- The replacement privacy fence is fifty-four (54) feet from the edge of pavement. There are no sidewalks in place at this time.
- The request is for a variance to Section 30.206(b)(2) of the Land Development Code of Seminole County, which states:

(b)On properties assigned the R-1AA, R-1AAA and R-1AAAA zoning classifications, the following minimum yards shall be observed:

(2) Side. Ten (10) feet inside, twenty-five (25) feet street side.

- The request is for a variance to Section 30.1349 of the Land Development Code of Seminole County, which states:
 - (a) On property assigned a residential zoning classification, a closed fence or wall in excess of three (3) feet in height shall maintain the same district front yard setback requirement as the main or principal dwelling structure except where backing up to a limited access highway or where regulations require such fences. In the case of corner lots, the lot shall be considered to have a front yard or yards on any side or sides abutting a road right-of-way.
- A Code Enforcement violation (23-34) for unpermitted construction of a white privacy fence was issued for this structure, resulting in the necessity of this variance.
- There have not been any prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

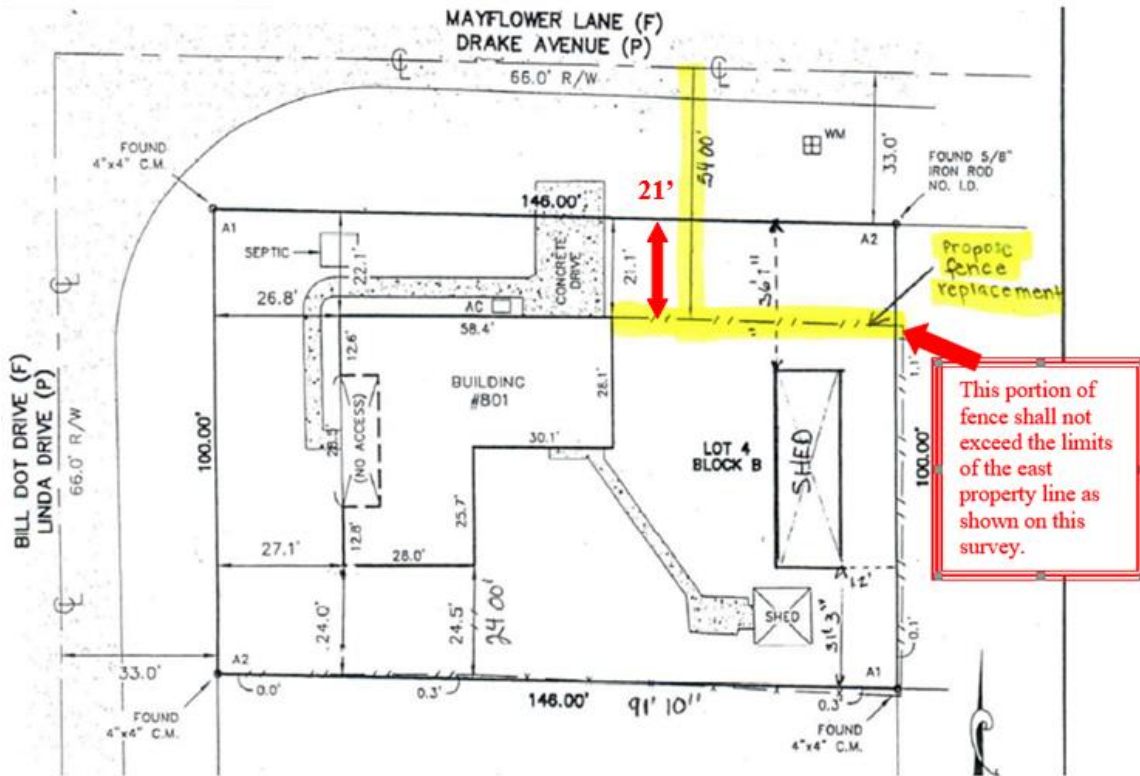
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

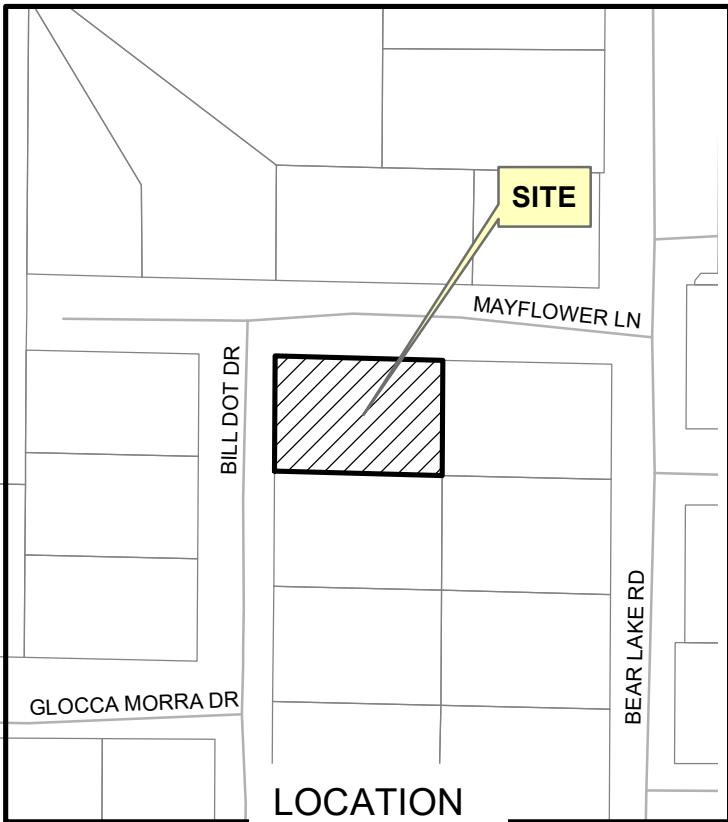
Staff Recommendation:

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 30.43(b)(3) 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 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.

BILL DOT DR (801) VARIANCES









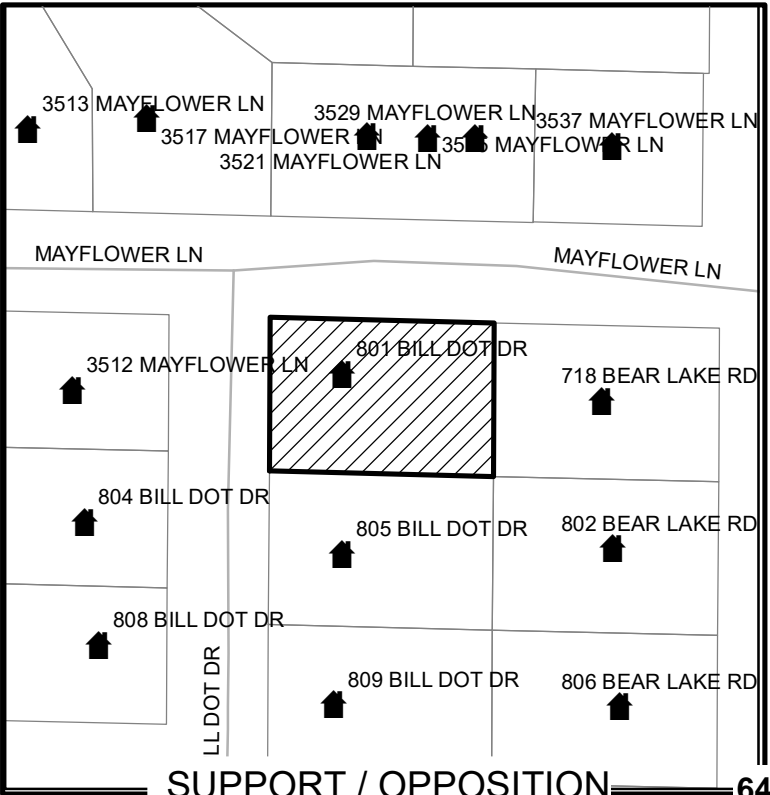
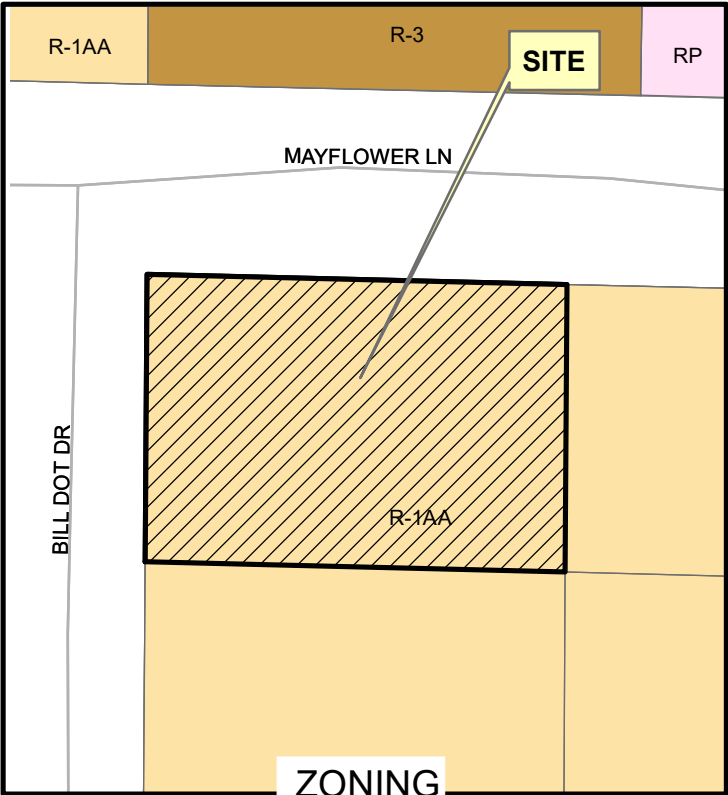


**JULIO BLANCO &
LISNELDI RODRIGUEZ
801 BILL DOT DR
APOPKA, FL 32703**

**SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023**

LEGEND

 Site	 Support
 R-1AA	 Opposition
 RP	
 R-3	



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district. When I bought the house back in 2014, the fence was already placed where it is right now, however, it was a wood fence. The building (house) has windows in the garage wall that is closer to the fence. The fence was placed where it is because if not it will be obstructing one of the windows of the house. To be exact, the fence will be right in the middle of the window.
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner. The conditions or circumstances that currently exist are not the result of the actions of the petitioner because the fence was already placed where it is right now when the petitioner bought the house back in 2014.
3. Explain how the granting of the variance request would not confer on the applicant, or petitioner, any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district. As I mentioned before, I (the petitioner) bought the house back in 2014, however, the house was built in 1957. I have lived in that house for 9 yrs. now. The fence has always been in the same place even before I bought the house. The only thing I did was to change the wood fence to a vinyl fence, but I placed the vinyl fence exactly where the wood fence was. The old wood fence was in a really bad condition, which means it had to be at least 10 yrs. old.
4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner. I have lived at the property for 9 yrs. now and the fence, which had to be at least 10 yrs. old due to its bad condition, was already there. No one has ever complain about the fence been where it is. As I already mentioned, I only replaced the old wood fence for a vinyl fence, but placed the new fence in the exact same place where it has always been even before I moved to the house.
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. This variance will help me to be in compliance with the county and also will help me to not move the fence where the window of the house will be obstructed making the property look ugly for me and the neighborhood. As I mentioned earlier, if the fence is moved it will be right in the middle of the garage window.
6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. The variance is needed to be in compliance with the county, which is important. As of the neighborhood, which is well maintained, moving the fence will make the house ugly due to the issue with the window, and this will be a situation with the well maintained neighborhood. Also, for the years I have lived in the house, having the fence where it is, right now has not been an issue for anyone in my neighborhood that I know of.

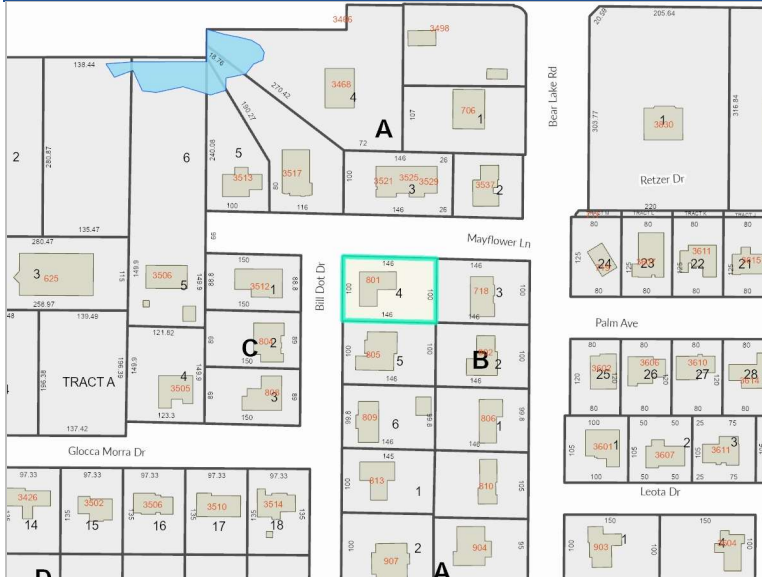
Property Record Card



Parcel 18-21-29-501-0B00-0040

Property Address 801 BILL DOT DR APOPKA, FL 32703

Parcel Location



Site View



Parcel Information

Parcel	18-21-29-501-0B00-0040
Owner(s)	BLANCO, JULIO H - Tenancy by Entirety RODRIGUEZ, LISNELDI - Tenancy by Entirety
Property Address	801 BILL DOT DR APOPKA, FL 32703
Mailing	801 BILL DOT DR APOPKA, FL 32703-6014
Subdivision Name	TRIM ACRES
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2015)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$211,212	\$195,318
Depreciated EXFT Value	\$2,880	\$200
Land Value (Market)	\$45,000	\$45,000
Land Value Ag		
Just/Market Value	\$259,092	\$240,518
Portability Adj		
Save Our Homes Adj	\$109,595	\$98,171
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$149,497	\$142,347

2022 Certified Tax Summary

2022 Tax Amount without Exemptions \$3,224.89 2022 Tax Savings with Exemptions \$1,850.19
2022 Tax Bill Amount \$1,374.70

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 4 BLK B
TRIM ACRES
PB 10 PG 38

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$149,497	\$50,000	\$99,497
SJWM(Saint Johns Water Management)	\$149,497	\$50,000	\$99,497
FIRE	\$149,497	\$50,000	\$99,497
COUNTY GENERAL FUND	\$149,497	\$50,000	\$99,497
Schools	\$149,497	\$25,000	\$124,497

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	03/01/2014	08244	1696	\$149,000	Yes	Improved
QUIT CLAIM DEED	11/01/2013	08174	1669	\$81,400	No	Improved
CERTIFICATE OF TITLE	09/01/2013	08126	0251	\$100	No	Improved
WARRANTY DEED	10/01/2004	05494	0825	\$100	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$45,000.00	\$45,000

Building Information

#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1957/1990	4	2.0	6	1,176	2,352	1,608	CB/STUCCO FINISH	\$211,212	\$245,595	Description	Area
												GARAGE FINISHED	504.00
												OPEN PORCH FINISHED	240.00
												BASE	96.00
												BASE	96.00
												BASE	240.00

Building 1 - Page 1

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
04083	PLUMBING	County	\$0		5/1/2001
14299	APPROXIMATELY 80' X 6' TALL WOOD FENCE W/SINGLE GATE & DOUBLE GATE	County	\$2,000		7/26/2005
09427	MECHANICAL & CONDENSOR	County	\$4,300		10/17/2000
04458	801 BILL DOT DR: SHED/BARN RESIDENTIAL-SHED PREFAB WOOD 12X34 [TRIM ACRES]	County	\$10,000		5/17/2022

Extra Features				
Description	Year Built	Units	Value	New Cost
SHED	12/13/2022	1	\$2,880	\$1,000

Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
R-1AA		Low Density Residential		LDR		Single Family-11700		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
13.00	DUKE	CENTURY LINK	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	MON/THU	THU	WED	Advanced Disposal
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 3 - Lee Constantine		Dist 7 - Cory Mills		Dist 30 - Susan Plasencia		Dist 9 - Jason Brodeur		38
School Information								
Elementary School District			Middle School District			High School District		
Bear Lake			Teague			Lake Brantley		
Copyright 2023 © Seminole County Property Appraiser								

**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 4 BLK B
TRIM ACRES
PB 10 PG 38

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

A. FINDINGS OF FACT

Property Owner: JULIO BLANCO
801 BILL DOT DRIVE
APOPKA, FL 32703

Project Name: BILL DOT DR (801)

Requested Variance:

Request for a side street (north) setback variance from twenty-five (25) feet to twenty-one (21) feet for a fence in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a fence within the required side street 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 4 BLK B
TRIM ACRES
PB 10 PG 38

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

A. FINDINGS OF FACT

Property Owner: JULIO BLANCO
801 BILL DOT DRIVE
APOPKA, FL 32703

Project Name: BILL DOT DR (801)

Variance Approval:

Request for a side street (north) setback variance from twenty-five (25) feet to twenty-one (21) feet for a fence in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, 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 fence as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

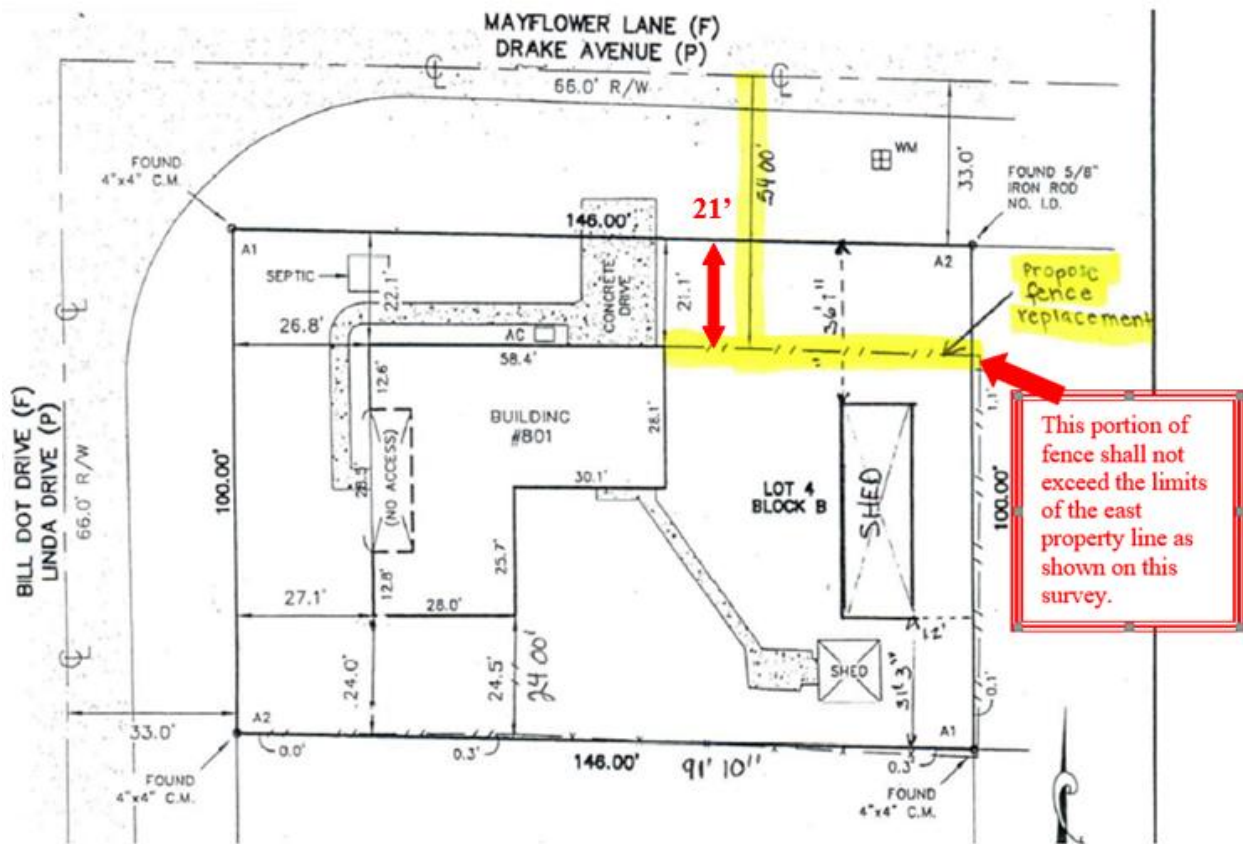
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WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-493

Title:

1080 Dyson Drive - Request for a side street (east) setback variance from thirty-five (35) feet to twenty-six (26) feet for a fence in the RC-1 (Single Family Dwelling) district; BV2023-034 (Dianne Johnson, 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 a side street (east) setback variance from thirty-five (35) feet to twenty-six (26) feet for a fence in the RC-1 (Single Family Dwelling) district; or
2. Approve the request for a side street (east) setback variance from thirty-five (35) feet to twenty-six (26) feet for a fence in the RC-1 (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

Background:

- The subject property is located in the Winter Springs 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 Dyson Drive and the Deer Run side is where the variance is being sought.
- Traffic Engineering has no objection to the placement of the fence as it relates to sight visibility.
- Five letters of support were received from surrounding neighbors.
- The replacement privacy fence will be forty-nine (49) feet from the edge of pavement. There are no sidewalks in place at this time.
- The request is for a variance to Section 30.166 of the Land Development Code of Seminole County, which states:
 - (a) The following minimum front, side, and rear yard setbacks shall be observed with regard to all primary structures:

(1) Front. Thirty-five (35) feet.

- The request is for a variance to Section 30.1349 of the Land Development Code of Seminole County, which states:
 - (a) On property assigned a residential zoning classification, a closed fence or wall in excess of three (3) feet in height shall maintain the same district front yard setback requirement as the main or principal dwelling structure except where backing up to a limited access highway or where regulations require such fences. In the case of corner lots, the lot shall be considered to have a front yard or yards on any side or sides abutting a road right-of-way.
- There have not been any prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

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:

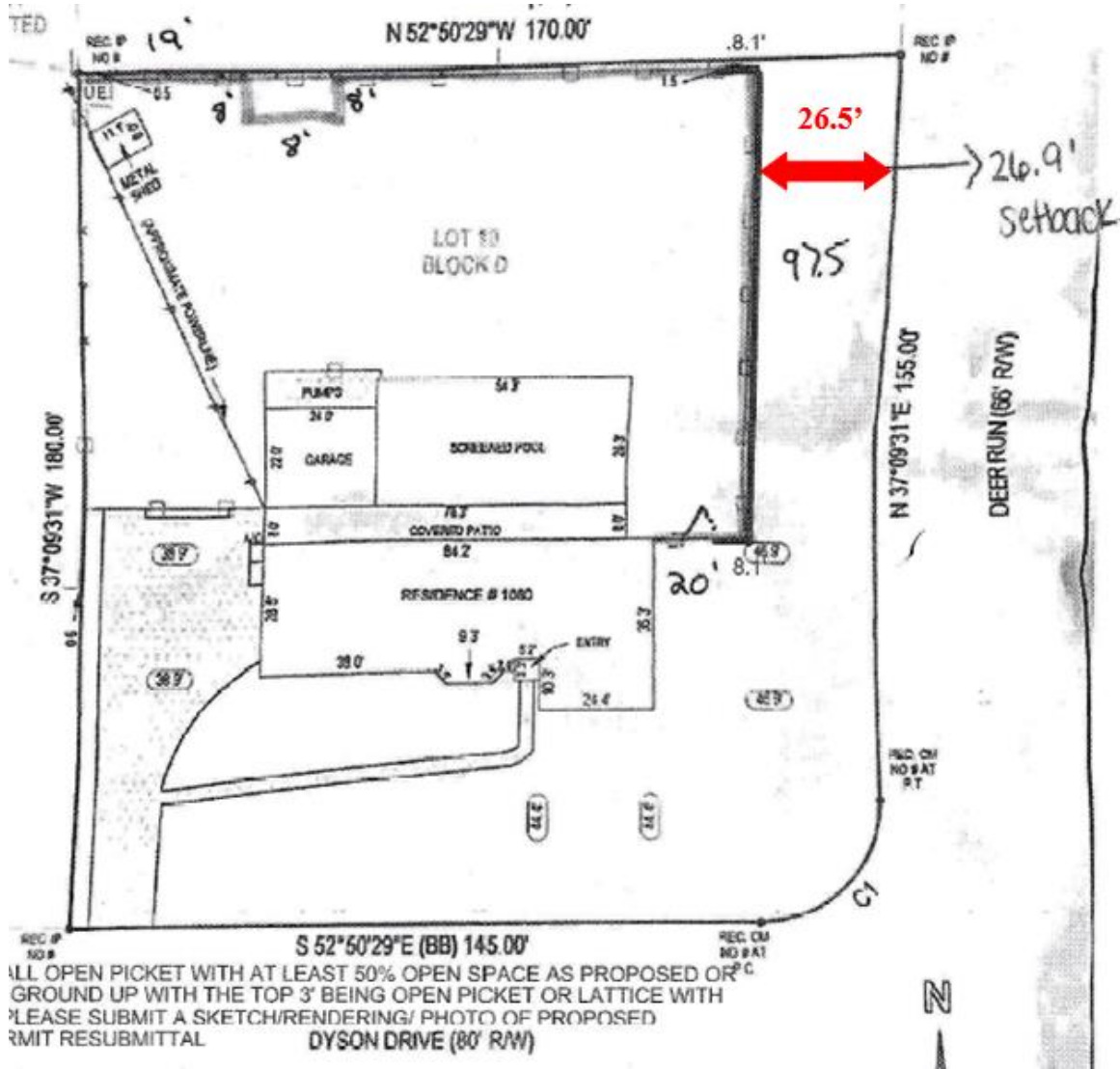
Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

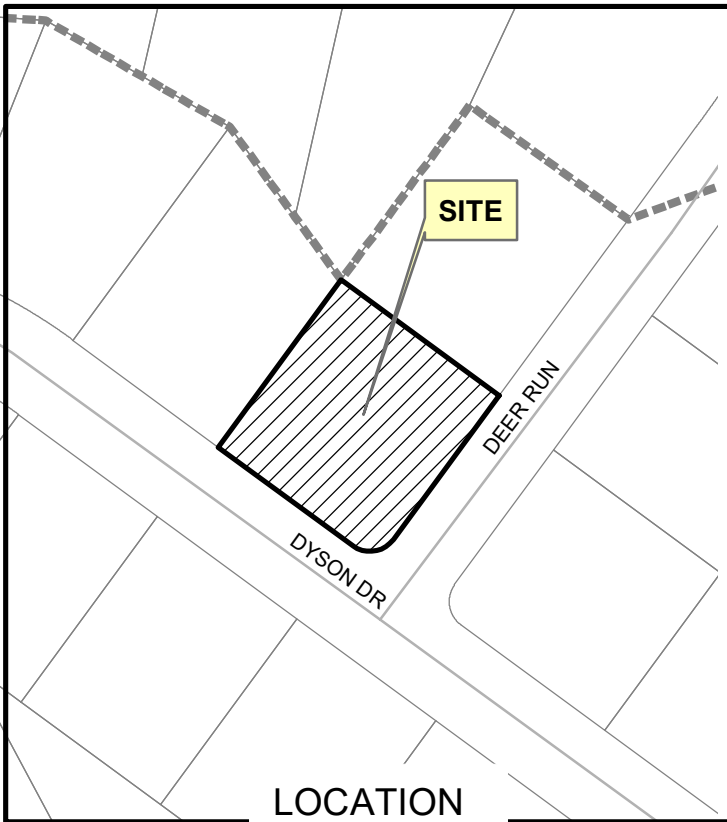
1. Any variance granted will apply only to the fence as depicted on the attached site plan;

and

2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

DYSON DR (1080) VARIANCES





**SCOTT & DIANNE JOHNSON
1080 DYSON DR
WINTER SPRINGS, FL 32708**

**SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023**

LEGEND



Site



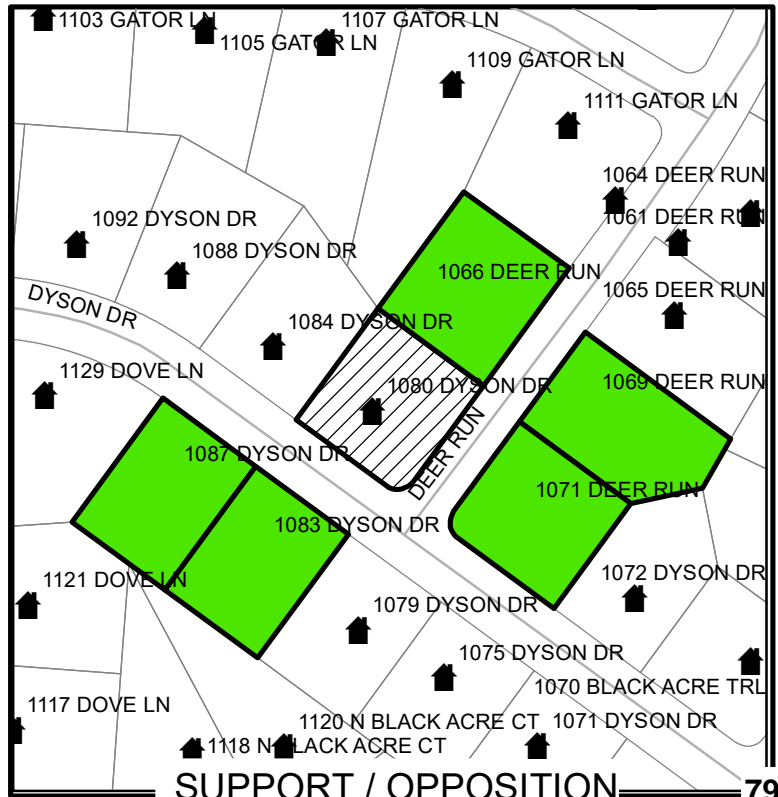
RC-1



Support



Opposition



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district. *Our fence has been in place since before we moved in, therefore it's been there for at least 9 years and has not caused any problems with neighbors, traffic on the county/city.*
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner. *I did not originally put up the fence. I moved into the house long after the fence was installed.*

3. Explain how the granting of the variance request would not confer on the applicant, or petitioner, any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district. *If the purpose of denying our permit was due to reduced visibility, I aim to prove there is no visibility issue due to our fence location. I was told that if I make the top 1/3 of the fence lattice (50% visibility) that this would be approved by the Planning & Development Dept.*
4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

Our bushes & swingset would have to be moved and a fence with the proper visibility (1/3 with 50% visibility) is ^{\$3500 more.} ~~double~~ the cost. Estimate available in photos for \$14,814

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. *If we can replace our fence in the same location & replace it with the same kind of fence we will not have to move our bushes, swingset or posts for the gate that face Dyson.*

6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. *I have at least five letters from my neighbors and photos demonstrating the safe distance the fence is from the street and not interfering with visibility of drivers, cyclists or pedestrians.*

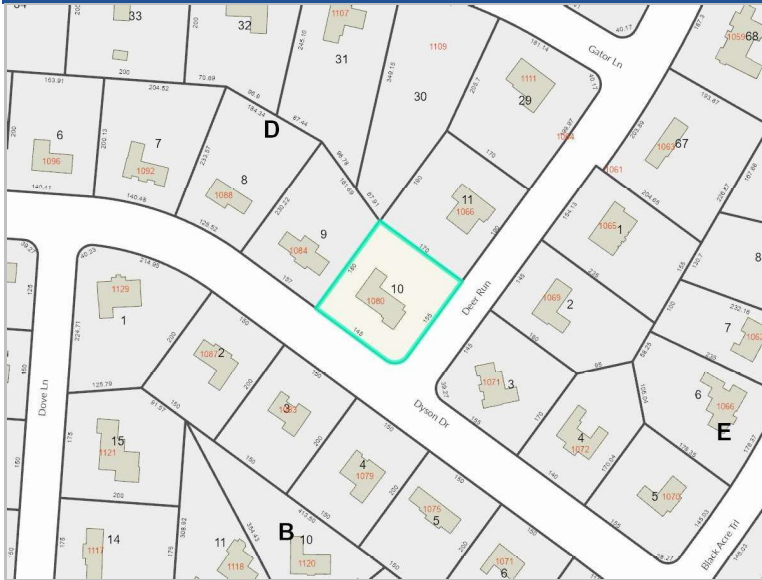
Property Record Card



Parcel 13-21-30-502-0D00-0100

Property Address 1080 DYSON DR WINTER SPRINGS, FL 32708

Parcel Location



Site View



Parcel Information

Parcel	13-21-30-502-0D00-0100
Owner(s)	JOHNSON, SCOTT - Tenancy by Entirety JOHNSON, DIANNE - Tenancy by Entirety
Property Address	1080 DYSON DR WINTER SPRINGS, FL 32708
Mailing	1080 DYSON DR WINTER SPGS, FL 32708-4526
Subdivision Name	WINTER SPRINGS
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2016)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$336,624	\$306,284
Depreciated EXFT Value	\$24,400	\$18,400
Land Value (Market)	\$115,000	\$105,000
Land Value Ag		
Just/Market Value	\$476,024	\$429,684
Portability Adj		
Save Our Homes Adj	\$208,566	\$170,016
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$267,458	\$259,668

2022 Certified Tax Summary

2022 Tax Amount without Exemptions \$5,761.25 **2022 Tax Savings with Exemptions** \$2,813.50

2022 Tax Bill Amount \$2,947.75

* Does NOT INCLUDE Non Ad Valorem Assessments

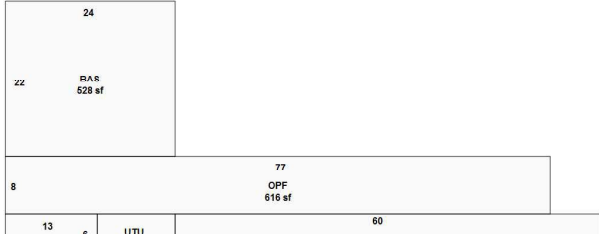
Legal Description

LOT 10 BLK D
WINTER SPRINGS
PB 15 PG 81

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$267,458	\$50,000	\$217,458
SJWM(Saint Johns Water Management)	\$267,458	\$50,000	\$217,458
FIRE	\$267,458	\$50,000	\$217,458
COUNTY GENERAL FUND	\$267,458	\$50,000	\$217,458
Schools	\$267,458	\$25,000	\$242,458

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	01/01/2014	08197	0645	\$295,000	Yes	Improved
WARRANTY DEED	11/01/2011	07670	0294	\$229,000	No	Improved
WARRANTY DEED	08/01/2001	04169	0003	\$221,000	Yes	Improved
WARRANTY DEED	08/01/1997	03283	1486	\$140,000	Yes	Improved
QUIT CLAIM DEED	07/01/1997	03283	1484	\$100	No	Improved
QUIT CLAIM DEED	11/01/1993	02713	0322	\$100	No	Improved
WARRANTY DEED	02/01/1993	02547	1614	\$100	No	Improved
QUIT CLAIM DEED	06/01/1990	02201	0893	\$100	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$115,000.00	\$115,000

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1970/2000	5	3.0	9	1,862	3,698	2,390	CONC BLOCK	\$336,624	\$367,895	Description	Area
												GARAGE FINISHED	606.00
												UTILITY UNFINISHED	66.00
												OPEN PORCH FINISHED	616.00
												BASE	528.00
												OPEN PORCH FINISHED	20.00

** Year Built (Actual / Effective)

Permits								
Permit #	Description				Agency	Amount	CO Date	Permit Date
06626	6' HIGH WOOD FENCE				County	\$985		8/1/1998
04937	REROOF				County	\$6,460		5/1/2003
02961	SOLAR				County	\$5,300		4/3/2014
04892	MECHANICAL				County	\$8,389		4/8/2019
19612	REROOF				County	\$22,375		11/21/2018
14340	1080 DYSON DR: MECHANICAL - RESIDENTIAL- [WINTER SPRINGS]				County	\$6,405		10/16/2019
Extra Features								
Description				Year Built		Units	Value	New Cost
POOL 1				10/01/1987		1	\$21,000	\$35,000
SCREEN ENCL 2				10/01/1987		1	\$3,400	\$8,500
SOLAR HEATER				10/01/2014		1	\$0	
Zoning								
Zoning		Zoning Description			Future Land Use		Future Land Use Description	
RC-1		Low Density Residential			LDR		Country Homes-1Ac	
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
26.00	DUKE	CENTURY LINK	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	TUE/FRI	TUE	WED	Advanced Disposal
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 2 - Jay Zembower		Dist 7 - Cory Mills		Dist 28 - David "Dave" Smith		Dist 9 - Jason Brodeur		49
School Information								
Elementary School District			Middle School District			High School District		
Keeth			Indian Trails			Winter Springs		
Copyright 2023 © Seminole County Property Appraiser								

To Seminole County

The fence at 1080 Dixon Dr
on the Deer Run site has
NEVER impeded the passage of
traffic on Deer Run for neither
my husband or I. We've lived
here approximately 17 years.

321-439-7969 *Dixon Jones*
Mary Jones

To Seminole County Permit Department,
At 1080 Dyson Dr., The fence on
the Deer Run Side does not obstruct
my view of the Stop Sign, or traffic.

Am Lukar (Jessica)
1069 Deer Run Dr.
407 538 6080

TO SEMINOLE COUNTY PERMIT DEPT,

THE FENCE AT 1080 DYSON DRIVE ON
THE DEER RUN SIDE DOES NOT BLOCK MY
VISION WHEN DRIVING IN THE NEIGHBORHOOD.
I'VE LIVED HERE FOR 30 YEARS AND
THERE HAS NEVER BEEN AN ISSUE WITH
THE POSITION OF THE FENCE AS IT CURRENTLY
STANDS.

Ricky Cross
407-325-6795

1087 Dyson Dr. Winter Springs,
FL 32708.

To: Permit Dept, Seminole County
Re: 1080 Dyson Dr. Winter Springs

The fence as it is currently situated does not block line of approaching corner of Deer Run & Dyson Dr. from either direction. Visibility has never been an issue over 10 years of my residency.

Paul Reese

1083 Dyson Dr.

Winter Springs FL 32708

Subject: House at the corner of Dyson and Deer Run Dr.
From: Vera May Gasparini <veramay2001@gmail.com>
Date: 3/27/2023, 4:13 PM
To: "diannej@cfl.rr.com" <diannej@cfl.rr.com>

To Whom it May Concern,

I live in the home behind the house in question for 25 years. The fence where it is currently located does not impair or prevent the vision of traffic coming or going at the intersection of Deer Run and Dyson. There, to my knowledge, has never been an accident or traffic flow issue caused by the fence location.

Sincerely,

Vera M. Gasparini
1066 Deer Run Dr.
Winter Springs, FL 32798

--

Vera M. Gasparini









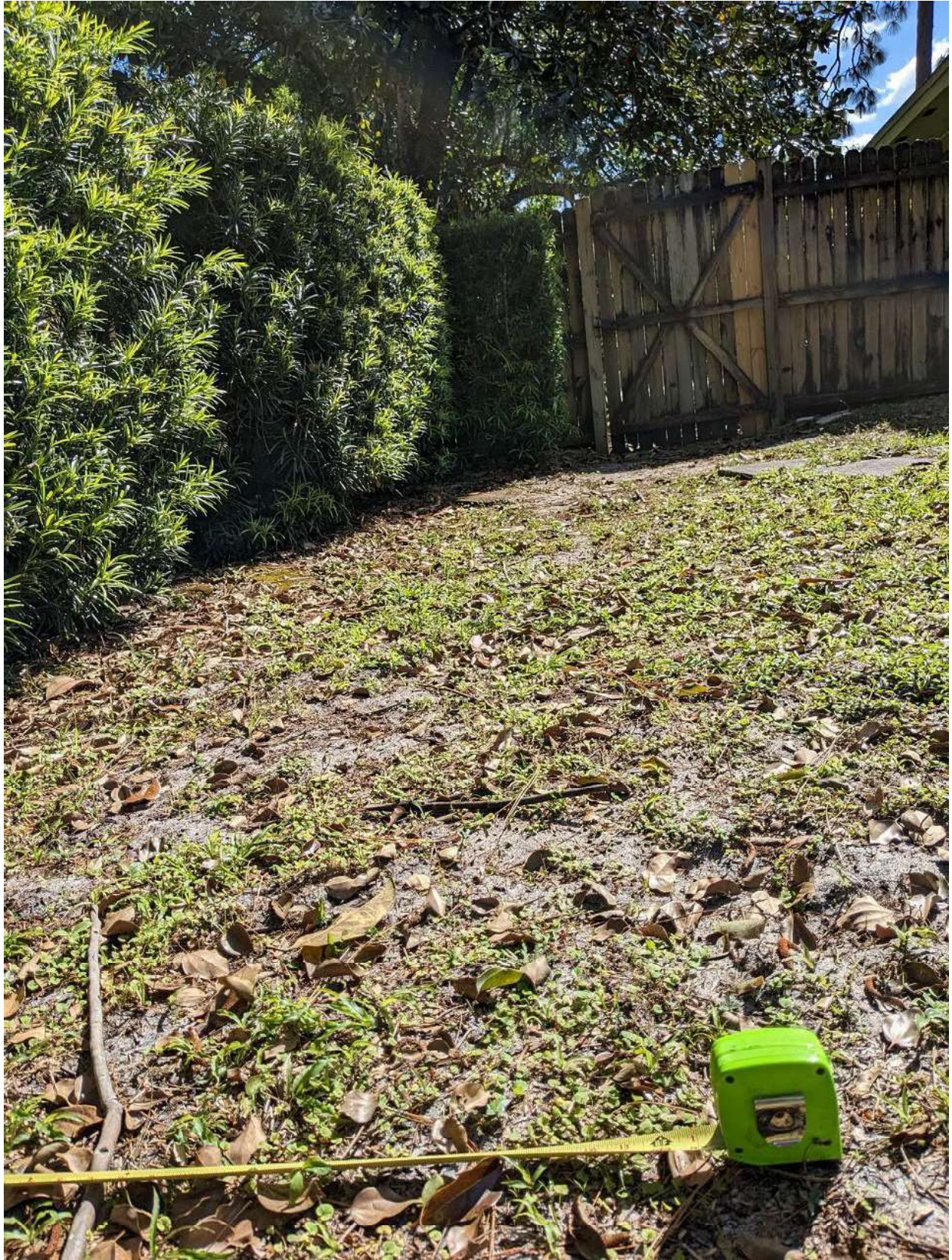












SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 10 BLK D
WINTER SPRINGS
PB 15 PG 81

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

A. FINDINGS OF FACT

Property Owner: DIANNE JOHNSON
1080 DYSON DRIVE
WINTER SPRINGS, FL 32708

Project Name: DYSON DR (1080)

Requested Variance:

Request for a side street (east) setback variance from thirty-five (35) feet to twenty-six (26) feet for a fence in the RC-1 (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a fence within the required side street 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 10 BLK D
WINTER SPRINGS
PB 15 PG 81

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

A. FINDINGS OF FACT

Property Owner: DIANNE JOHNSON
1080 DYSON DRIVE
WINTER SPRINGS, FL 32708

Project Name: DYSON DR (1080)

Variance Approval:

Request for a side street (east) setback variance from thirty-five (35) feet to twenty-six (26) feet for a fence in the RC-1 (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, 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 fence as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

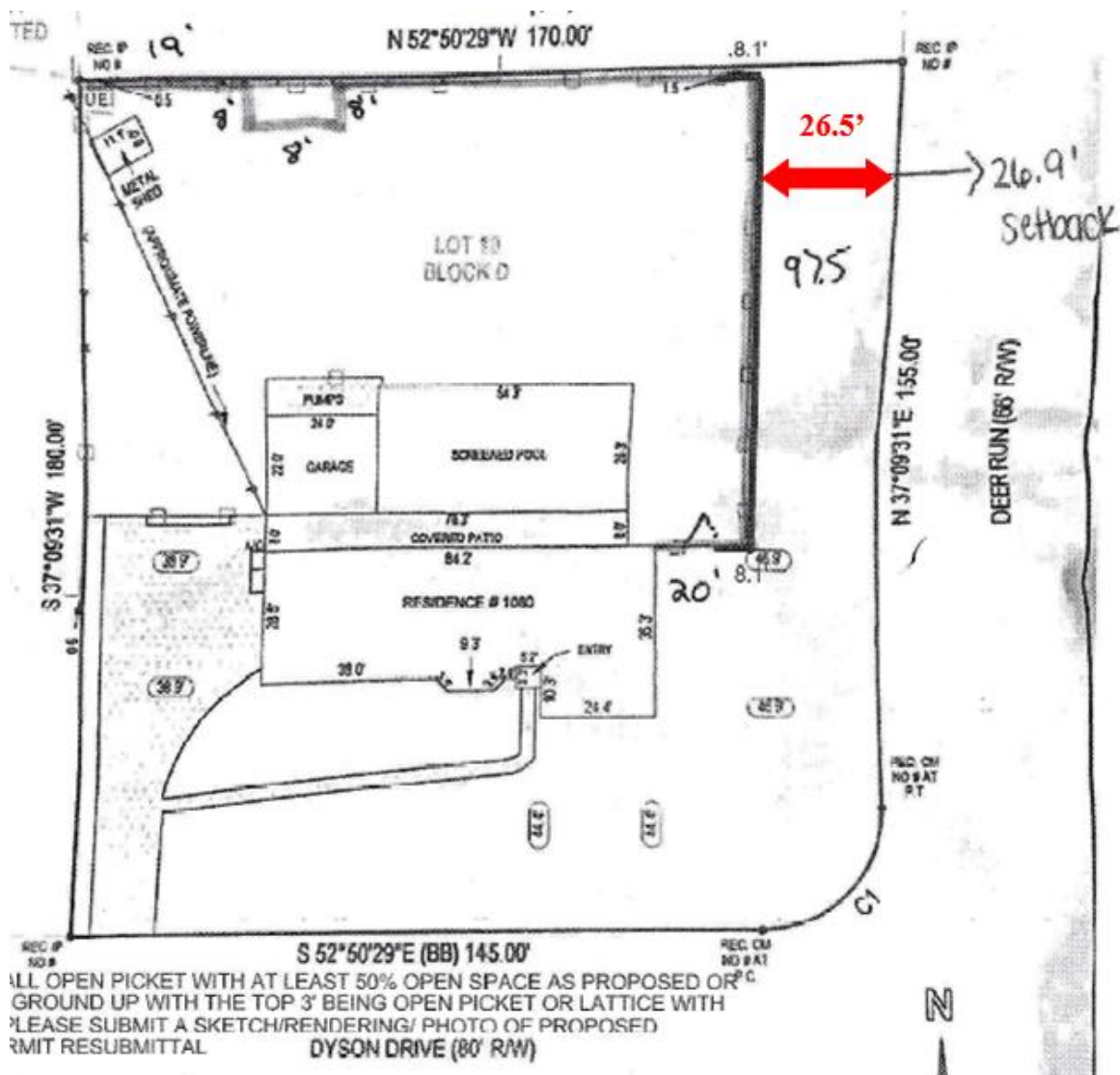
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-488

Title:

5001 Palmetto Avenue - Request for a side street (south) setback variance from twenty-five (25) feet to thirteen and one-half (13½) feet for a detached garage in the R-1A (Single Family Dwelling) district; BV2023-028 (Jacob Kuzman, Applicant) District 1 - Dallari (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 a side street (south) setback variance from twenty-five (25) feet to thirteen and one-half (13½) feet for a detached garage in the R-1A (Single Family Dwelling) district; or
2. Approve the request for a side street (south) setback variance from twenty-five (25) feet to thirteen and one-half (13½) feet for a detached garage 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 Woodcrest Unit 1 subdivision.
- The subject property is a corner lot and considered to have two (2) front yards for setback purposes. The front of the house faces Palmetto Avenue. The Citrus Avenue side is where the variance is being sought.
- The existing 1,280 square foot detached garage was issued a building permit (22-5727) that was approved to be constructed at a fifteen (15) foot side street (south) setback but was built at thirteen and one-half (13½) feet.
- After inspection, Traffic Engineering has no objection to the placement of the detached garage as it relates to sight visibility.
- The request is for a variance to Section 30.206 of the Land Development Code of Seminole County, which states:

(a) On properties assigned the R-1A zoning classification, the following minimum yards shall be observed:

(2) Side. Seven and one-half (7½) feet inside, twenty-five feet (25') street side; provided, however, that the twenty-five (25) feet street side minimum yard shall be reduced to fifteen (15) feet for corner lots to be located on intersections without geometric restrictions or other sight limitations. Where there are corner sight obstructions or restrictions due to the horizontal or vertical controls, each case must be individually reviewed and approved by the Traffic Engineer to ensure a safe design in accordance with the AASHTO requirements.

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

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

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.

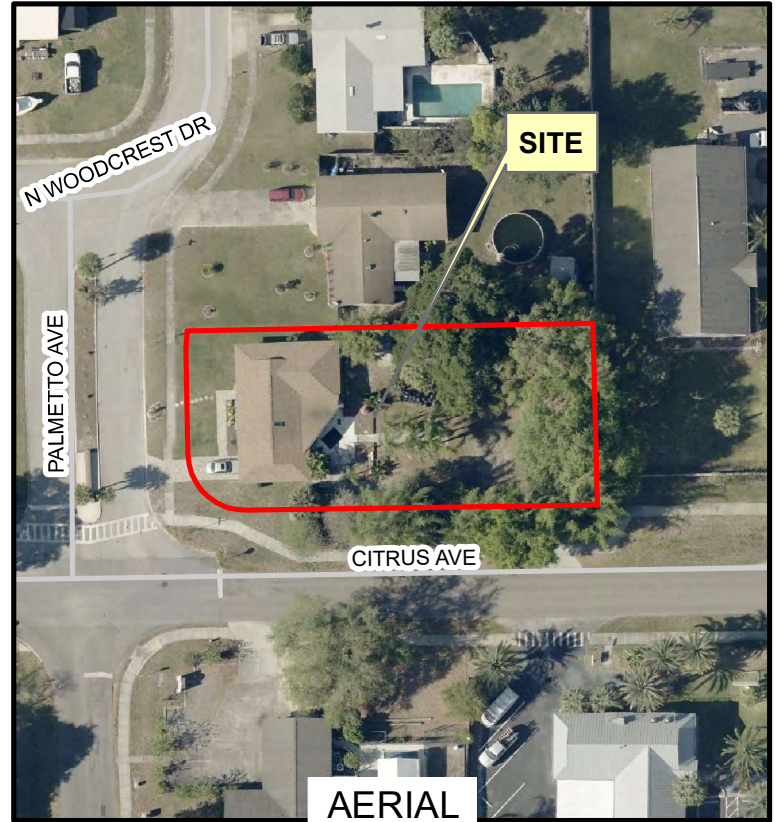
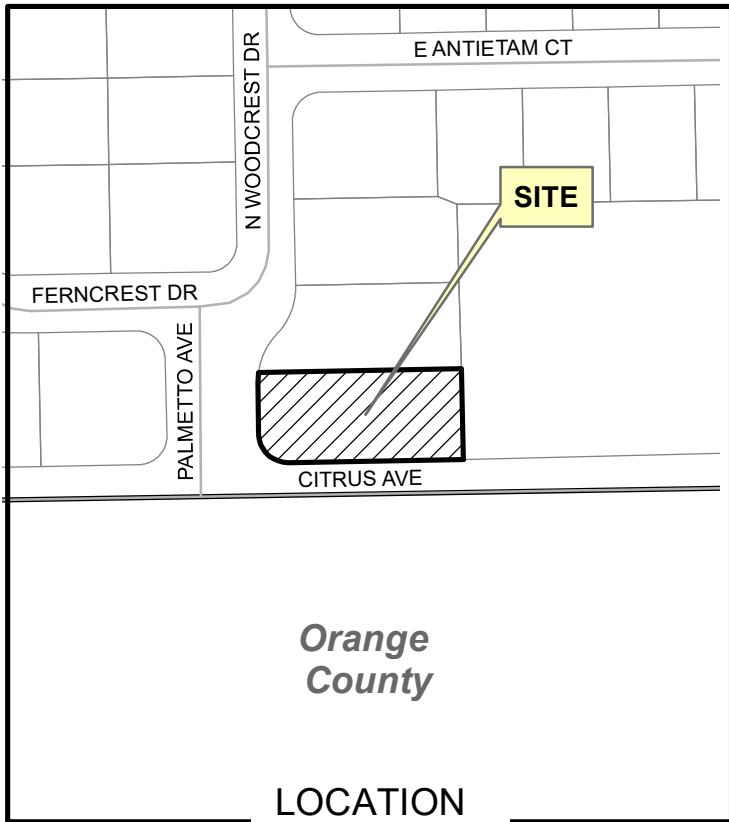
Staff Recommendation:

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 30.43(b)(3) 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 detached garage as depicted on the

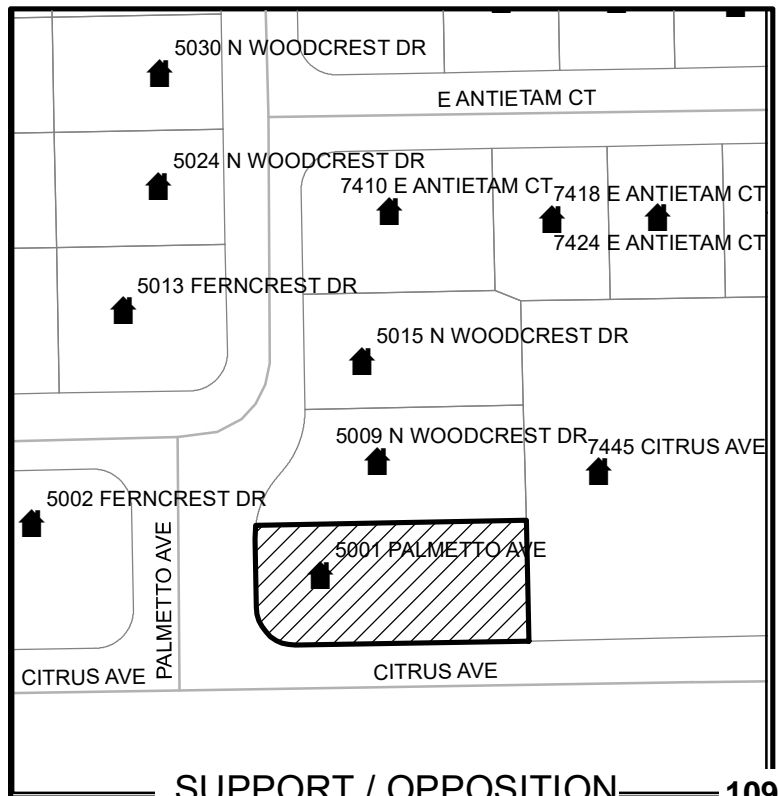
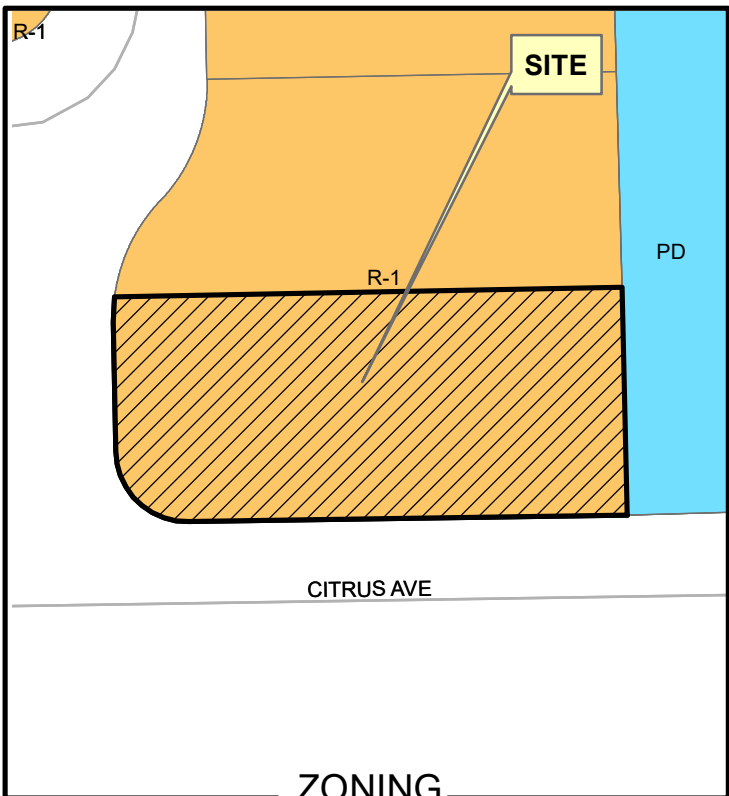
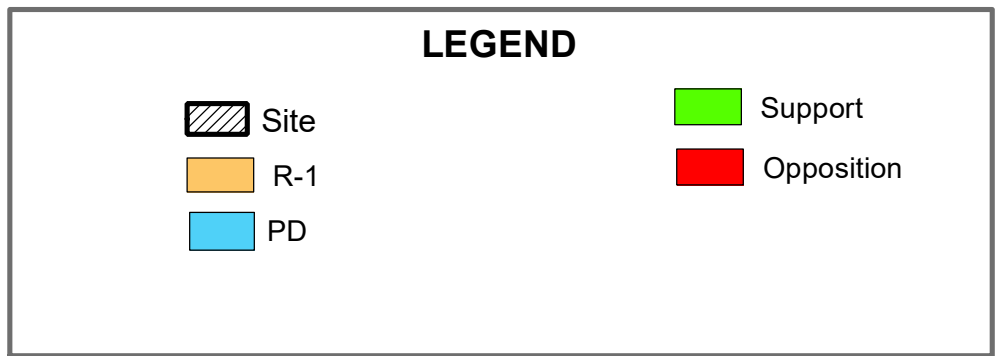
attached site plan; and

2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.



JACOB & HEATHER KUZMAN
2749 ABBEY RD
WINTER PARK, FL 32792

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
JUNE 26, 2023



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

Very Unique Corner lot with expanded and much larger than normal setbacks, ~~properly~~ right of ways etc.

Our current home is located 13.5ft off property line.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

The circumstances that exist currently is only a result of me personally visiting planning offices, presenting a variance Application, \$300 check, and 3'x4' site plan with proposed setback of 13.5 ft. to then go before Traffic review - and resulted in Planning telling me

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

Our proposal would not affect anyone or anything due to fact the the building is located in the middle of my back yard. Edge of Building is 42' from street, 32' from sidewalk, and is farther back from all boundaries then the SFR is.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

The hardship would be a massive financial loss of over \$65K based on language and answers we were provide by the Planning Admin Office Personell that handled my original 13.5' Variance Application and request back in 2022.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

By moving Building north another 1.5ft it will not allow me enough room to properly steer RV 32' with a wide enough radius to pull into the Garage Storage Door located a north of Building.

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

By lining the ~~the~~ Garage up with the existing house, it creates harmony by hiding the Building Best as possible behind the house when at the home from the front elevation. It is more cohesive to the overall plan and makes it look like a proper plan, rather than after

- Variance Criteria

Page lot 4 (cont'd)

Question #2 Expanded

Upon discussing my variance Application request and needs with a male representative at the large left planning counter desk, we were interrupted and introduced to a nice lady that stepped in that was very helpful. We had a slight issue in that the next scheduled variance hearing was well over 30 days away and we were on a time crunch, She stated she would do the following to assist. The following will be explained in detail below:

Since the Existing SFR Home on lot was already at 13.5ft from the property line, and because our Variance request only requested a variance for the New Detached Garage to be placed from the already approved 15ft to the new request of 13.5ft to line it up with the existing house for echstetic reasons, She did this!

- * - She Collected a 3ft x 4ft Site Plan from me showing Proposed Bldg location at 13.5ft from S. Property line,
- * - She collected a fully filled out variance application requesting the 13.5ft revision to be approved instead of the 15' that was already approved thru permitting,
- * - She collected a Personal check for \$ 300 For Application fee
- * - She explained she was going to submit the new Plan and request to Traffic : Engineering thinking it may be an easy Approval from Traffic since the existing home was already at 13.5ft.
- * - Cont'd on next page →

- ✱ She explained that is Traffic + Engineering does ~~not~~ approve, ~~and then~~ then she would follow up with me personally and also not submit the \$300 check on application to save me that money and time since it would not be needed.
- ✱ She explained that if Traffic does not approve for any reason, then the \$300 check and variance application would be processed immediately and I would go thru those processes.
- ✱ This was a completely acceptable process and I agreed. So I left office, leaving with the Plan admin Person
1. 3 Ft x 4 ft Plan 2. \$300 check 3. Completed Application
- ✱ Several Days later I received a call from Planning office relaying good news, in that Traffic/Engineer. stated they have no issues with us lining up the garage with the house at 13.5 Ft.
- ✱ She explained I do not need to enter or wait for a Variance hearing.
- ✱ She asked me: "What would you like me to do with your \$300 check?"
She gave me options of: 1. Mailing it back to me or
2. Just Destroy it
I explained she can just destroy it, as I don't need it.
- ✱ After that call, I made an erroneous assumption, In that I assumed Planning Office speaks and Communicated with Building/Permitting, ^{cont'd}

* And because the Plan admin worker did not give me further instructions, such as explaining to me that I must now go resubmit the 13.5ft proposed site plan back to Building/Permitting, I never did that.

* Instead - once I got that Approval, I sent my surveyors back out to property to re-identify the property line and instructed concrete crew to move forms from the 15ft back to the 13.5ft line.

We then moved forward with building after the Foundation inspections were completed and signed off on.

Once foundation was approved/final inspected, the builder then commenced building the structure.

The Garage Structure was finished beginning of March 2023

I came back to permitting office 3rd week of March 2023 to submit for Window Permits. Upon being told that we needed to migrate all building permit info over to the window permit application folder, I noticed 2 discrepancies.

those were: 1. 3 picture window frameouts were adjusted on site, and I needed Engineer Revisions from Builder before I call out the Engineer Inspector to do a final.

2. I also noticed that the site plan was still showing

- the original 15ft setback instead of the revised 13.5 ft that we all built to based on the communication from Planning Offices that the Traffic/Engineer dept supposedly approved internally w Planning office, thus then Planning admin person calling me, saying official variance + payment not needed and I was good to go.

Thank you

A handwritten signature in blue ink, appearing to be 'Scott M.', written in a cursive style.

Property Record Card



Parcel 35-21-30-506-0000-0270

Property Address 5001 PALMETTO AVE WINTER PARK, FL 32792

Parcel Location



Site View



35213050600000270 04/23/2022

Parcel Information

Parcel	35-21-30-506-0000-0270
Owner(s)	KUZMAN, HEATHER A - Tenancy by Entirety KUZMAN, JACOB M - Tenancy by Entirety
Property Address	5001 PALMETTO AVE WINTER PARK, FL 32792
Mailing	2749 ABBEY RD WINTER PARK, FL 32792-3518
Subdivision Name	WOODCREST UNIT 01
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	None
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$233,654	\$214,840
Depreciated EXFT Value	\$1,200	\$1,000
Land Value (Market)	\$85,000	\$75,000
Land Value Ag		
Just/Market Value	\$319,854	\$290,840
Portability Adj		
Save Our Homes Adj	\$0	\$0
Amendment 1 Adj	\$18,224	\$16,631
P&G Adj	\$0	\$0
Assessed Value	\$301,630	\$274,209

2022 Certified Tax Summary

2022 Tax Amount without Exemptions	\$3,899.61	2022 Tax Savings with Exemptions	\$132.18
2022 Tax Bill Amount	\$3,767.43		

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 27
WOODCREST UNIT 1
PB 15 PG 55

Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$301,630	\$0	\$301,630
SJWM(Saint Johns Water Management)	\$301,630	\$0	\$301,630
FIRE	\$301,630	\$0	\$301,630
COUNTY GENERAL FUND	\$301,630	\$0	\$301,630
Schools	\$319,854	\$0	\$319,854

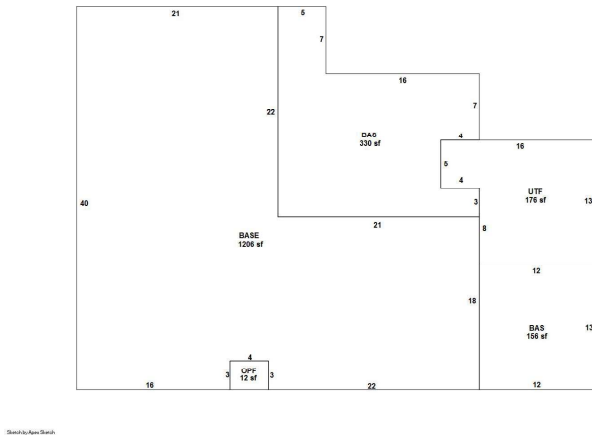
Sales

Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	09/01/2018	09210	1526	\$276,500	No	Improved
WARRANTY DEED	02/01/2005	05618	0306	\$170,000	Yes	Improved
WARRANTY DEED	12/01/1997	03353	0682	\$79,900	Yes	Improved
WARRANTY DEED	07/01/1987	01868	0524	\$65,000	Yes	Improved
WARRANTY DEED	01/01/1984	01516	0401	\$65,000	Yes	Improved
WARRANTY DEED	01/01/1973	00971	0767	\$26,900	Yes	Improved

Land

Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$85,000.00	\$85,000

Building Information

[illegible]

Building 1 - Page 1

** Year Built (Actual / Effective)

Permits

Permit #	Description	Agency	Amount	CO Date	Permit Date
09563	MECHANICAL	County	\$4,251		12/31/2012
08345	WINDOW/DOOR REPLACEMENT	County	\$3,546		5/11/2018
01962	5001 PALMETTO AVE: REROOF RESIDENTIAL [WOODCREST UNIT 01]	County	\$9,687		2/19/2018
05727	5001 PALMETTO AVE: RES GARAGE & CARPORTS-30x40x18 w/ 12x40x10 lean to on concrete [WOODCREST UNIT 01]	County	\$29,562		7/15/2022
17739	5001 PALMETTO AVE: PLUMBING - RESIDENTIAL-rough in plumbing for future use [WOODCREST UNIT 01]	County	\$350		10/31/2022

Extra Features									
Description				Year Built		Units		Value	New Cost
FIREPLACE 1				06/01/1988		1		\$1,200	\$3,000
Zoning									
Zoning		Zoning Description			Future Land Use		Future Land Use Description		
R-1		Low Density Residential			LDR		Single Family-8400		
Utility Information									
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler	
23.00	DUKE	CENTURY LINK	CASSELBERRY	CITY OF CASSELBERRY	TUE/FRI	TUE	WED	Waste Pro	
Political Representation									
Commissioner		US Congress		State House		State Senate		Voting Precinct	
Dist 1 - Bob Dallari		Dist 7 - Cory Mills		Dist 30 - Susan Plasencia		Dist 9 - Jason Brodeur		67	
School Information									
Elementary School District			Middle School District			High School District			
Eastbrook			Tuskawilla			Lake Howell			
Copyright 2023 © Seminole County Property Appraiser									

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On June 26, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 124
SAN LANTA 3RD SEC
PB 13 PG 75

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

A. FINDINGS OF FACT

Property Owner: JACOB KUZMAN
2749 ABBEY ROAD
WINTER PARK, FL 32792

Project Name: PALMETTO AVE (5001)

Requested Variance:

Request for a side street (south) setback variance from twenty-five (25) feet to thirteen and one-half (13½) feet for a detached garage in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the June 26, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to bring into compliance a detached garage that encroaches into the side street (south) 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 July, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On June 26, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 124
SAN LANTA 3RD SEC
PB 13 PG 75

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

A. FINDINGS OF FACT

Property Owner: JACOB KUZMAN
2749 ABBEY ROAD
WINTER PARK, FL 32792

Project Name: PALMETTO AVE (5001)

Variance Approval:

Request for a side street (south) setback variance from twenty-five (25) feet to thirteen and one-half (13½) feet for a detached garage in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the June 26, 2023, 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 detached garage (40' x42') as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

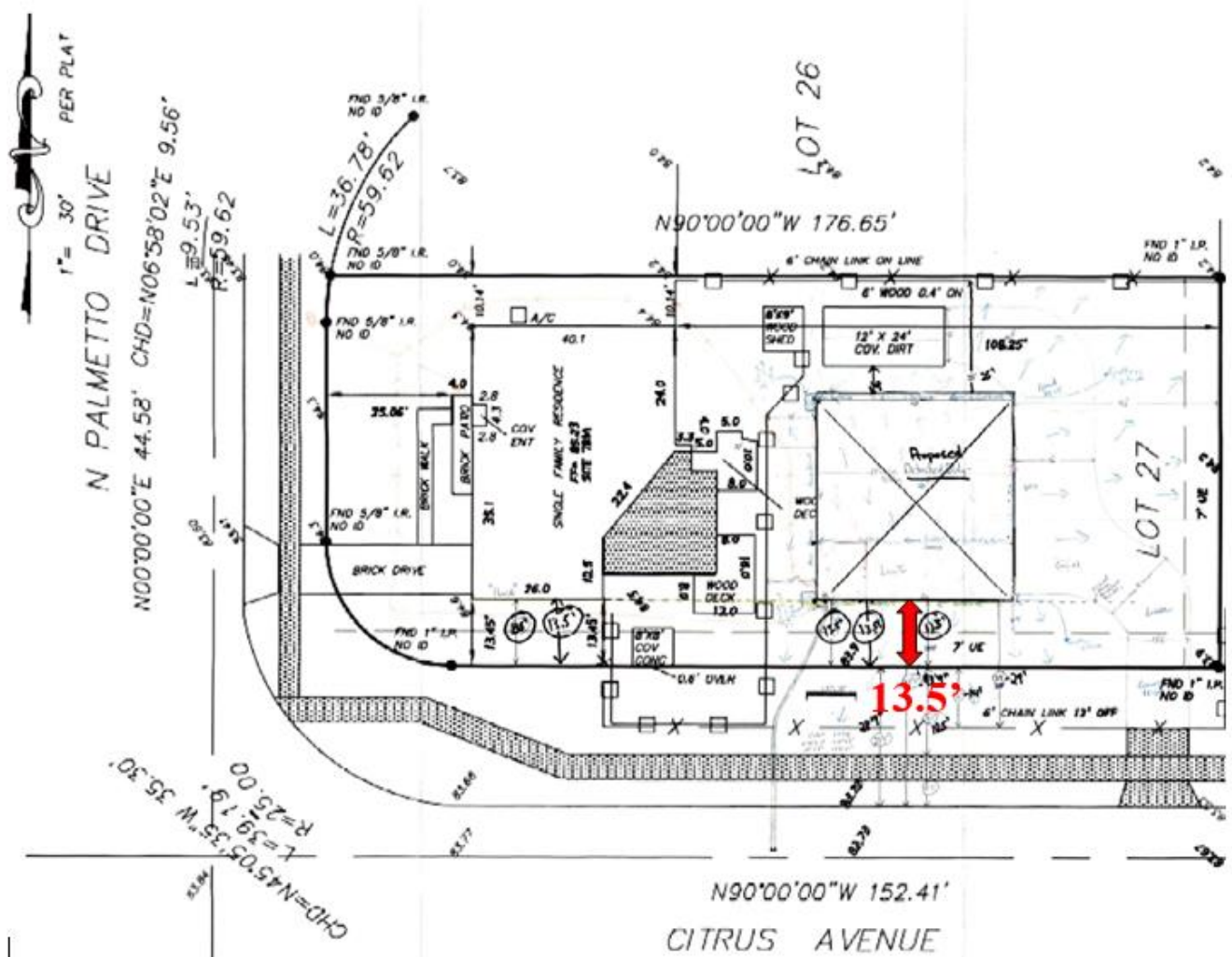
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of July, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-471

Title:

1105 Otter Lane - Request for a side yard (south) setback variance from twenty (20) feet to thirteen (13) feet eleven (11) inches for an accessory structure in the RC-1 (Country Homes) district; BV2023-025 (James & Krystal Goodman, Applicants) District 2 - Zembower (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 side yard (south) setback variance from twenty (20) feet to thirteen (13) feet eleven (11) inches for an accessory structure in the RC-1 (Country Homes) district; or
2. Approve the request for a side yard (south) setback variance from twenty (20) feet to thirteen (13) feet eleven (11) inches for an accessory structure in the RC-1 (Country Homes) district; or
3. Continue the request to a time and date certain.

Background:

- The subject property is located in the Winter Springs subdivision.
- The request is to convert an existing detached gazebo into a 508 square foot game room six (6) feet and one (1) inch into the side yard setback.
- The request is for a variance to Section 30.166(c)(1) of the Land Development Code of Seminole County, which states that the side yard setback for accessory structures is twenty (20) feet.
- There have not been prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and

- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

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 30.43(b)(3) 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 (35.5' x 14.3') 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.

OTTER LANE (1105) VARIANCES



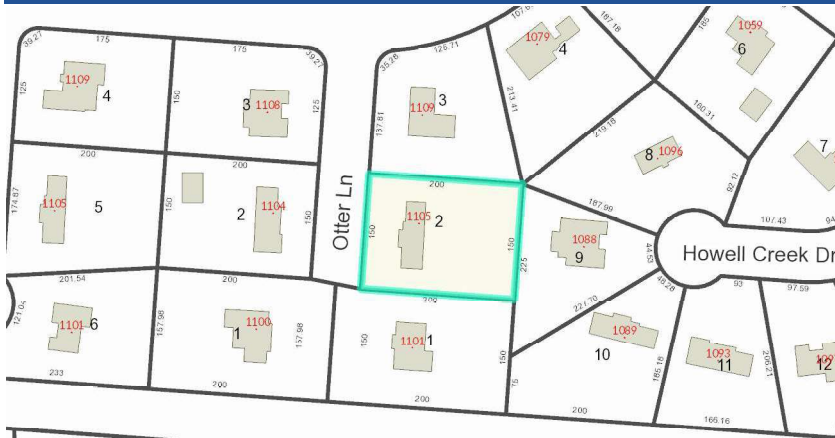
Property Record Card



Parcel 13-21-30-502-0F00-0020

Property Address 1105 OTTER LN WINTER SPRINGS, FL 32708

Parcel Location



Site View



Parcel Information

Parcel	13-21-30-502-0F00-0020
Owner(s)	GOODMAN, KRYSTALA - Joint Tenants with right of Survivorship GOODMAN, JAMES M - Joint Tenants with right of Survivorship OAKES, BARBARA A - Joint Tenants with right of Survivorship
Property Address	1105 OTTER LN WINTER SPRINGS, FL 32708
Mailing	1105 OTTER LN WINTER SPGS, FL 32708-4403
Subdivision Name	WINTER SPRINGS
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2021)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$294,415	\$292,586
Depreciated EXFT Value	\$29,382	\$23,482
Land Value (Market)	\$115,000	\$105,000
Land Value Ag		
Just/Market Value	\$438,797	\$421,068
Portability Adj		
Save Our Homes Adj	\$145,445	\$136,260
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$293,352	\$284,808

2022 Certified Tax Summary

2022 Tax Amount without Exemptions

\$5,645.72

2022 Tax Bill Amount

\$3,284.83

2022 Tax Savings with Exemptions \$2,360.89

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 2 BLK F
WINTER SPRINGS
PB 15 PG 82

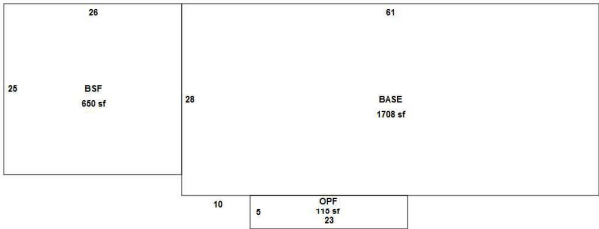
Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$293,352	\$50,000	\$243,352
SJWM(Saint Johns Water Management)	\$293,352	\$50,000	\$243,352
FIRE	\$293,352	\$50,000	\$243,352
COUNTY GENERAL FUND	\$293,352	\$50,000	\$243,352
Schools	\$293,352	\$25,000	\$268,352

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
QUIT CLAIM DEED	02/19/2021	09856	0942	\$100	No	Improved
WARRANTY DEED	09/25/2020	09719	1090	\$487,500	Yes	Improved
WARRANTY DEED	12/01/2014	08383	0092	\$327,500	Yes	Improved
WARRANTY DEED	04/01/2008	06984	1940	\$319,500	Yes	Improved
WARRANTY DEED	08/01/1999	03709	0981	\$136,000	Yes	Improved
QUIT CLAIM DEED	11/01/1998	03536	0967	\$100	No	Improved
WARRANTY DEED	01/01/1974	01035	0912	\$55,900	Yes	Improved
WARRANTY DEED	01/01/1971	00852	0557	\$31,900	Yes	Improved

Land						
Method	Frontage	Depth	Units	Units Price	Land Value	
LOT			1	\$115,000.00	\$115,000	

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1971/2010	4	3.0	10	1,708	2,473	2,358	CONC BLOCK	\$294,415	\$308,288	Description	Area
												BASE SEMI FINISHED	650.00
												OPEN PORCH FINISHED	115.00



Sketch by Apex Sketch

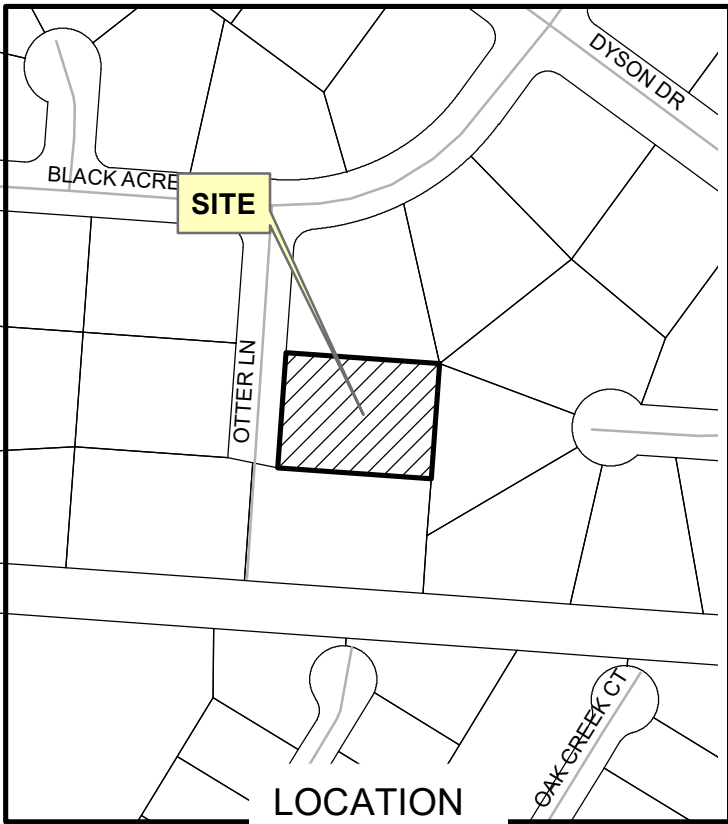
Building 1 - Page 1

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
07571	STORAGE SHED	County	\$1,961		9/1/1999
01889	ALTERATION	County	\$7,319		3/1/2000
09983	ENCLOSE GARAGE	County	\$5,500		12/1/1999
09979	RE-ROOF	County	\$3,200		12/1/2013
14803	REPLACE EXISTING FENCE W/311.5' OF 6'H PVC FENCE W/3 GATES	County	\$7,902		12/28/2016
09993	1105 OTTER LN: REROOF RESIDENTIAL-Re-Roof Barn Only [WINTER SPRINGS]	County	\$3,750		6/15/2022

Extra Features				
Description	Year Built	Units	Value	New Cost
POOL 2	04/01/1971	1	\$27,000	\$45,000
ALUM GLASS PORCH	04/01/1999	348	\$2,382	\$5,954






Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
RC-1		Low Density Residential		LDR		Country Homes-1Ac		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
26,00	DUKE	CENTURY LINK	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	TUE/FRI	TUE	WED	Advanced Disposal
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 2 - Jay Zembower		Dist 7 - Cory Mills		Dist 28 - David "Dave" Smith		Dist 9 - Jason Brodeur		49
School Information								
Elementary School District			Middle School District			High School District		
Rainbow			Indian Trails			Winter Springs		
Copyright 2023 © Seminole County Property Appraiser								

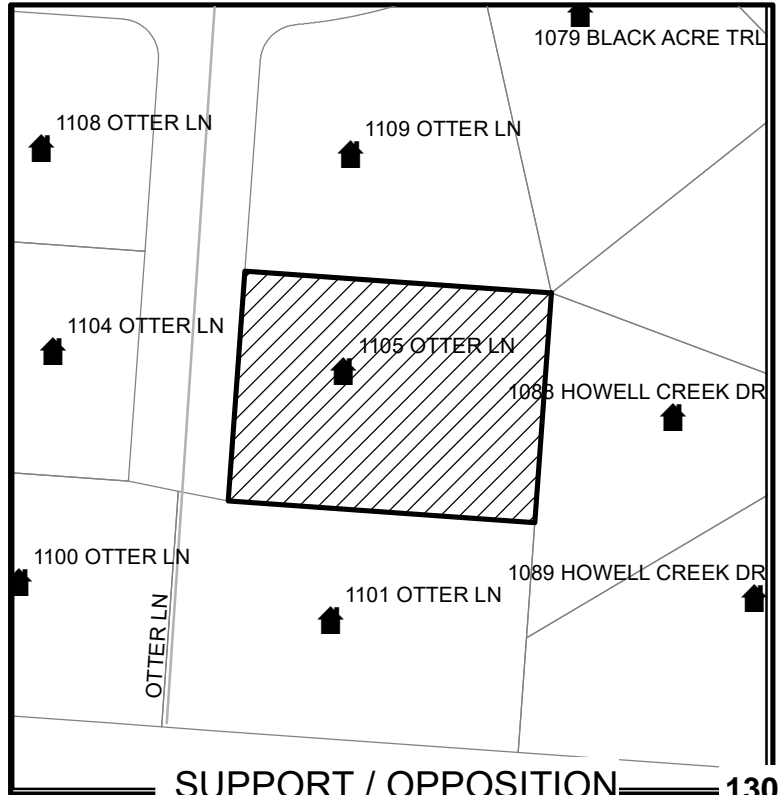
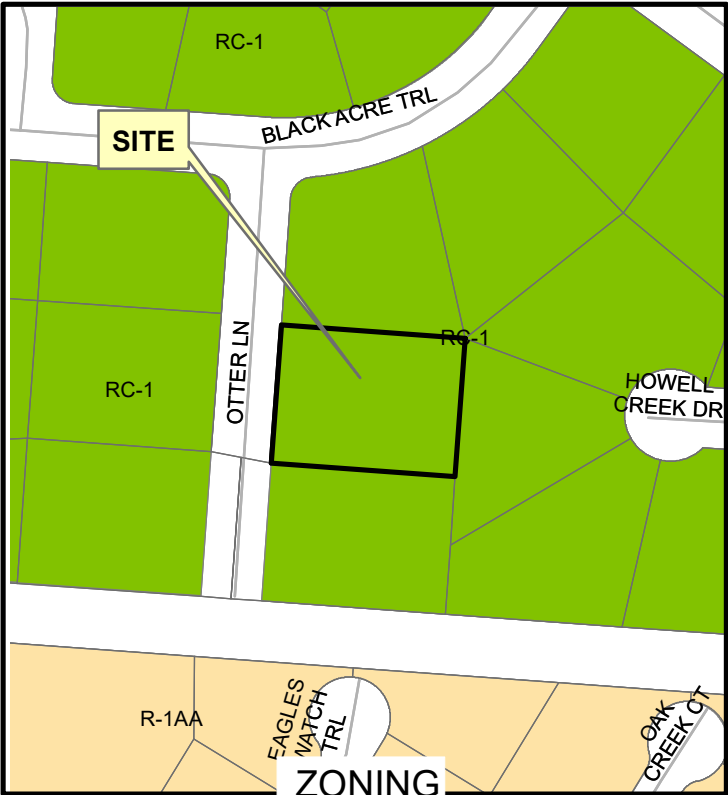


**KRYSTAL & JAMES GOODMAN
BARBARA OAKES
1105 OTTER LANE
WINTER SPRINGS FL, 32708**

**SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023**

LEGEND

	RC-1		Support		Site
	R-1AA		Opposition		



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

The structure and condition are exactly the same it's a Single Family Home, no changes will be made. In the back yard there is an existing structure (Gasebo) where we want to close, put internal walls, doors and windows to make a games room. For to do this remodeling we need to do the permits and for that a variation must be made. It does not affect or harm in any way the houses or lots of the neighborhood. What is needed is to change the setbacks to get the permissions out.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

The circumstance is that the structure is existing when the house was purchased. When trying to make improvements to the structure (Gasebo) they realized the patios are not in accordance with the current regulations. That is why we are asking for the variation to be able to make the changes in the current structure

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

The existing structure does not confer any extra privilege to the petitioner. The structure is internal and is completely legal, it is a space that will be used by the owners (bathroom and game room). It does not affect the structure of the house or give it a different privilege.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

The zoning regulations are the same, that is not being changed, they are the same rights that the zoning allows. Unnecessary and undue hardship will not be generated towards the other owners in the area with the request. The variance request does not create any unnecessary and undue hardship.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The requested variation is the minimum that is needed for the Gazebo. It is an existing construction that only wants to make improvements. The variation is from the side of the property. Setback required 20" and proposed 13-11"

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

The requested variation is in harmony. It does not have the intention or purpose of harming the neighborhood in any way. It's still a Single Family Home. It's a Gazebo close to the pool where the family can spend time of recreation and one bathroom.

Revised 2019

GENERAL DEMOLITION NOTES

GENERAL:

1. FIELD VERIFY ALL EXISTING CONDITIONS AND NOTIFY ARCHITECT OF ANY DISCREPANCIES IN WRITING PRIOR TO ONSET OF DEMOLITION. DEMOLITION/RESTORATION ITEMS MAY NOT BE ALL INCLUSIVE. THE DEMOLITION CONTRACTOR IS TO REVIEW THE REQUIREMENTS OF NEW CONSTRUCTION AND IS TO COMPLETE ALL DEMOLITION/ RESTORATION, CUTTING, AND PATCHING NECESSARY TO ACHIEVE INTENDED NEW CONDITION AND QUALITY.
2. SELECTIVE DEMOLITION IS NOT INDICATED IN AREAS WHERE IT MAY BE NECESSARY TO DEMOLISH ALL OR PART OF AN EXISTING BUILDING COMPONENT TO GAIN ACCESS TO AREAS FOR TIE-IN TO BUILDING SYSTEMS, OR WHICH MAY BE REQUIRED TO INSTALL NEW CONSTRUCTION INDICATED ON THE DRAWINGS. DEMOLITION FOR THESE PURPOSES SHALL BE DONE AT NO ADDITIONAL COST TO THE OWNER, AND THE AREAS SHALL BE RETURNED TO THEIR ORIGINAL CONDITION PRIOR TO BEGINNING CONSTRUCTION.
3. DEMOLITION WORK SHALL BE EXECUTED IN CONFORMANCE WITH THE LOCAL BUILDING CODES.
4. EXERCISE EXTREME CAUTION IN THIS DEMOLITION. COST OF REPAIR TO ANY ADJACENT CONDITIONS WHICH ARE DAMAGED AS A RESULT OF THIS DEMOLITION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
5. RELOCATION OF MATERIAL: RELOCATION OF ANY ITEMS INVOLVED IN THE PROJECT IS SUBJECT TO THE ABILITY, TO DO SO WITHOUT PERMANENTLY DAMAGING OR MARRING THE ITEMS TO BE RELOCATED. IF RELOCATION OF ANY ITEM IS NOT POSSIBLE AS PRESCRIBED HEREIN, NEW MATERIALS SHALL BE SUBSTITUTED TO MATCH EXISTING. SAFELY STORE MATERIAL TO BE REUSED UNTIL TIME OF INSTALLATION.
6. CERTAIN ITEMS ARE TO BE RETURNED TO THE BUILDING OWNER. COORDINATE WITH THE BUILDING OWNER WHICH ITEMS ARE TO BE RETURNED AND THE LOCATION SAID ITEMS ARE TO BE STORED.
7. ALL MATERIALS TO BE DISPOSED OF ARE TO BE DISPOSED OF BY THE CONTRACTOR OFF THE PROJECT SITE IN ACCORDANCE WITH LOCAL RESTRICTIONS UNLESS NOTED OTHERWISE HEREIN.
8. ALL AREAS SHALL BE KEPT IN A BROOM CLEAN CONDITION AT ALL TIMES.

ARCHITECTURE:

1. ALL DOORS TO BE REMOVED ARE TO BE PUT IN STORAGE FOR FUTURE USE BY BUILDING OWNER. BUILDING OWNER IS TO DIRECT CONTRACTOR AS TO WHERE THESE ITEMS SHOULD BE STORED.

STRUCTURAL:

1. PROTECT ALL STRUCTURAL MEMBERS FROM DAMAGE.

FINISHES:

1. REMOVE ALL EXISTING WALL COVERING ON PARTITIONS DESIGNATED TO REMAIN AND PATCH AND REPAIR ALL WALL SURFACES UNLESS NOTED OTHERWISE ON PLANS, SCHEDULES, OR NOTES.
2. REMOVE ALL EXISTING FLOOR FINISHES AND PREPARE SLAB TO RECEIVE NEW FLOOR FINISHES UNLESS NOTED OTHERWISE ON PLANS, SCHEDULES, OR NOTES.
3. PATCH AND REPAIR ALL AREAS WHERE A DEMOLISHED WALL INTERSECTS A REMAINING WALL. EITHER FINISH EXISTING WALL TO MATCH ADJACENT SURFACES, OR PREPARE WALL TO RECEIVE NEW FINISHES, AS DIRECTED BY FINISH PLANS, SCHEDULES, AND NOTES.

ADOPTED CODES

THIS STRUCTURE HAS BEEN DESIGNED TO MEET OR EXCEED REQUIREMENTS OF THE FOLLOWING CODE EDITIONS:

- FLORIDA BUILDING CODE - 7TH EDITION, 2020
- FLORIDA BUILDING CODE RESIDENTIAL - 7TH EDITION, 2020
- FLORIDA BUILDING CODE EXISTING BUILDING - 7TH EDITION, 2020
- FLORIDA BUILDING CODE ACCESSIBILITY - 7TH EDITION, 2020
- FLORIDA BUILDING CODE MECHANICAL - 7TH EDITION, 2020
- FLORIDA BUILDING CODE PLUMBING - 7TH EDITION, 2020
- NATIONAL ELECTRICAL CODE (NEC) - 2017
- FLORIDA FIRE PREVENTION CODE - 7TH EDITION, 2020

SCOPE OF WORK

DRAWINGS FOR AN EXISTING GAZEBO ENCLOSURE. ALL WORK TO COMPLY WITH OWNER REQUIREMENTS AND FLORIDA BUILDING CODE, 2020

CONSTRUCTION TYPE V-B
RESIDENTIAL

NUMBER OF STORIES- ONE
BUILDING HEIGHT-
20' MAX.

STRUCTURAL DESIGN CRITERIA

EXPOSURE CATEGORY: B
BASIC WIND SPEED: 140
INTERNAL PRESSURE COEFFICIENTS:
WIND IMPORTANCE FACTOR:
BUILDING, ENCLOSED - +/- 0.18 1
ROOF DESIGN WIND PRESSURE: 30 P.S.F.
FBC, SECTION 1604.6
ROOF LOADS:
TOP CHORD LIVE LOAD: 20.0
TOP CHORD DEAD LIVE LOAD: 7.0/15.0
BOTTOM CHORD DEAD LIVE LOAD: 10.0
ROOF LIVE LOAD EQUALS WIND LOADS, FBC 1604.6
ROOF DEAD LOAD EQUALS WEIGHTS OF MATERIALS
AND CONSTRUCTION.FBC TABLE A1 SECT. 4101.

FLOOR

LIVE LOAD- 40 P.S.F.
DEAD LOAD- 20 P.S.F.
SOIL BEARING PRESSURE = 2,000. P.S.F. MIN.

ROOF & WIND LOADS

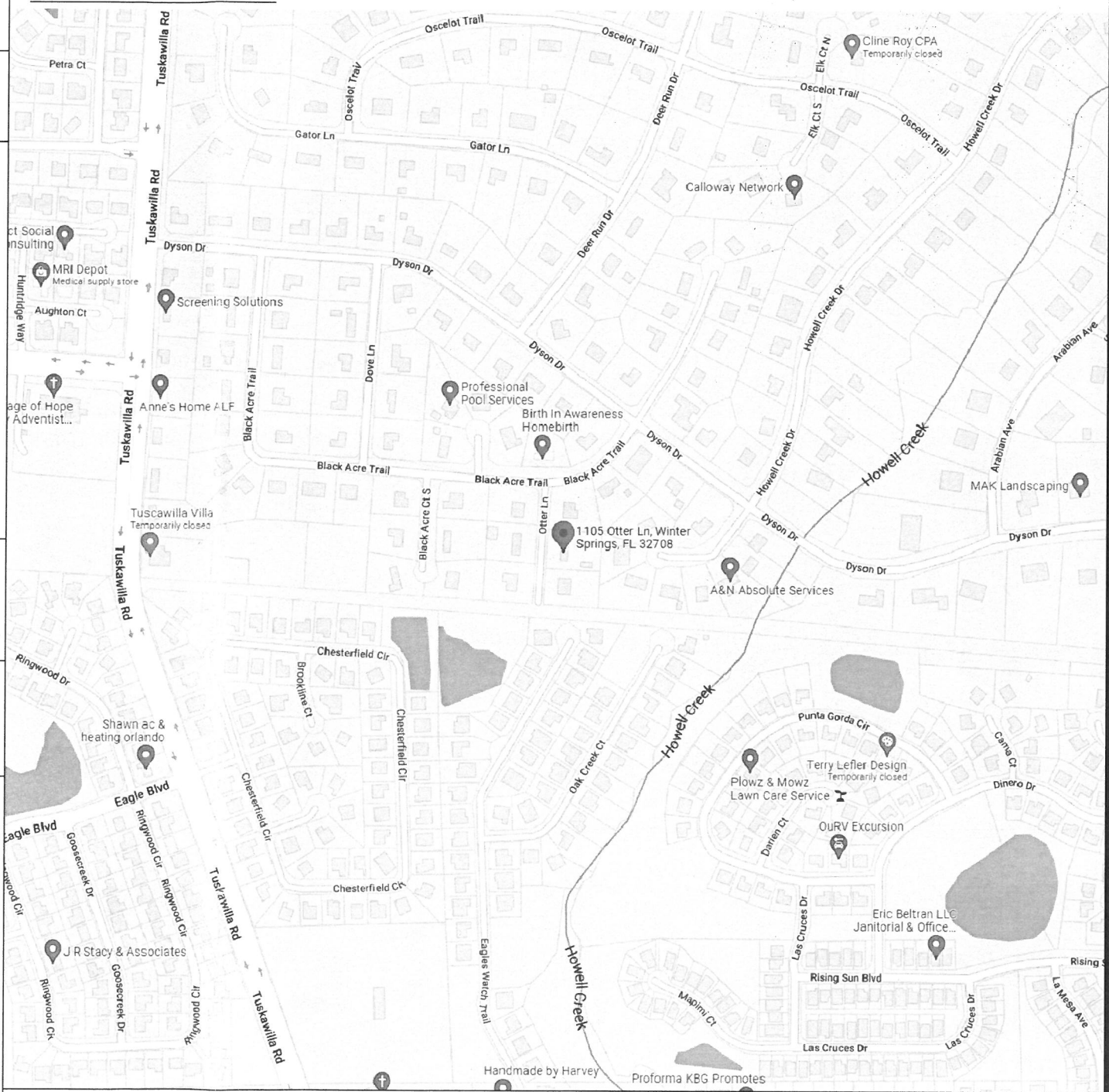
ROOF LIVE LOAD- 30 P.S.F.
ROOF DEAD LOAD- SHINGLE: 20 P.S.F.
TILE: 40 P.S.F.

FLOOR LOADS:

FLOOR LIVE LOAD EQUALS LOAD PRODUCED BY
RESIDENTIAL OCCUPANCY. FBC TABLE 1604.1
FLOOR DEAD LOAD EQUALS WEIGHTS OF MATERIALS
AND CONSTRUCTION. FBC TABLE A1 SECT. A101.
WINDOW DESIGN WIND PRESSURE:
A. POSITIVE PRESSURE OF 22 P.S.F.
B. NEGATIVE PRESSURE OF 30 P.S.F.
DOOR DESIGN WIND PRESSURE:
SLIDING GLASS DOORS: ALL SIZES
A. POSITIVE PRESSURE OF 21 P.S.F.
B. NEGATIVE PRESSURE OF 28 P.S.F.
ENTRY DOORS: ALL CONFIGURATIONS
A. POSITIVE PRESSURE OF 20 P.S.F.
B. NEGATIVE PRESSURE OF 25 P.S.F.
GARAGE DOORS: ALL GARAGE DOORS
A. POSITIVE PRESSURE OF 20 P.S.F.
B. NEGATIVE PRESSURE OF 24.5 P.S.F.

WIND IMPORTANCE FACTOR- 1.00
BASIC WIND SPEED- 140 M.P.H.
WIND IMPORTANCE FACTOR- 1.00
WIND EXPOSURE- B
APPLICABLE INTERNAL PRESSURE
COEFFICIENT- + INCREASE + .18
NEGATIVE INCREASE .4
DESIGN PARAMETERS
2- STORY MAX. HGT. - 35'-0" = 26.8 P.S.F. @ 140 M.P.H.

LOCATION MAP



DRAWING INDEX

SHEET NO. C-S	COVER SHEET
SHEET NO. A-0	SITE PLAN
SHEET NO. A-1	EXISTING FLOOR PLAN & ELEVATIONS
SHEET NO. A-2	PROPOSED FLOOR PLAN
SHEET NO. A-3	PROPOSED ELEVATIONS & SECTION
SHEET NO. A-4	STRUCTURAL DETAILS
SHEET NO. A-5	ELECTRICAL & MECHANICAL LAYOUT PLAN

REVISIONS BY



ACROSS STATE
SERVICES, L.L.C.

ENGINEERING * INSPECTION
1225 BENNETT DR., SUITE 129 LONGWOOD,
FL 32750
PHONE: (407) 221-0619
EMAIL: acrossstateservices@gmail.com

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GAZEBO ENCLOSURE

KRISTAL & JAMES GOODMAN

LOCATION: 1105 OTTER LN.,
WINTER SPRINGS, FL. 32708
13-21-30-502-0F00-0020

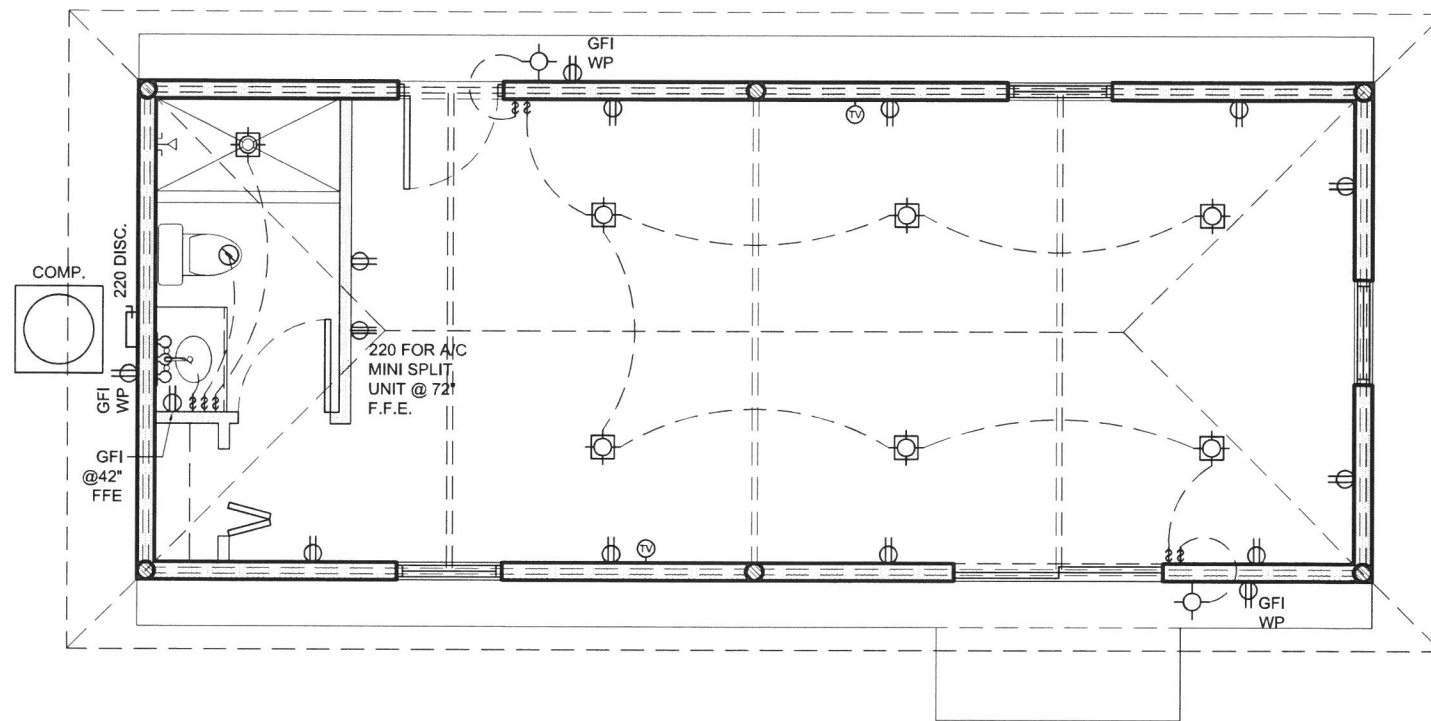
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FACTOR IN COMPLIANCE WITH SECTION 1600 OF
2020 FLORIDA BUILDING CODE RESIDENTIAL,
REVISIONS AND SUPPLEMENTS.

WILLIAM SANCHEZ ADORNO, PE
P.E. # 68868

DRAWN BY: RL	DESIGN BY: WS
DATE: 09/22/22	CHECKED BY: WS
SUB.#: 11-20220830-1	SCALE: AS NOTED

SHEET #:
G-1

APPROVAL STAMPS OF A&I

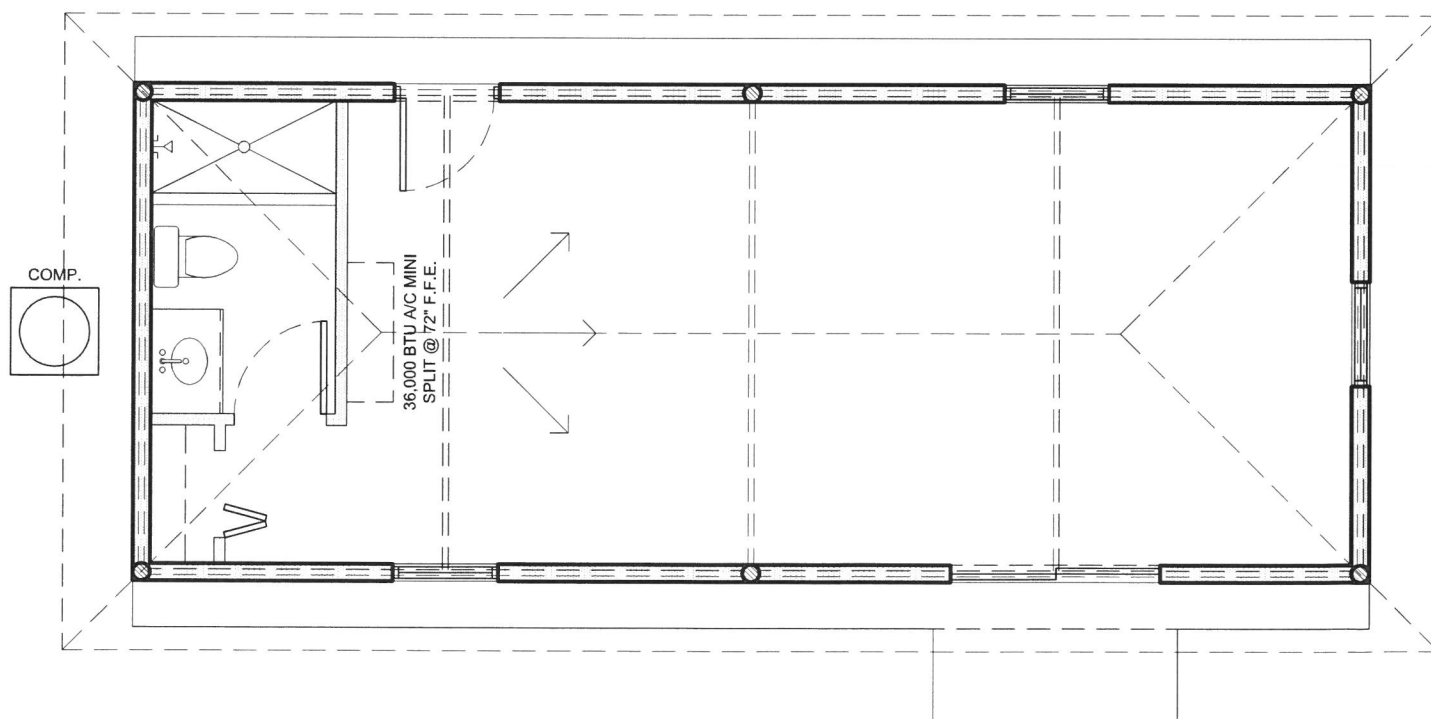


1
A-5

ELECTRICAL LAYOUT PLAN

SCALE : 3/16"=1'-0"

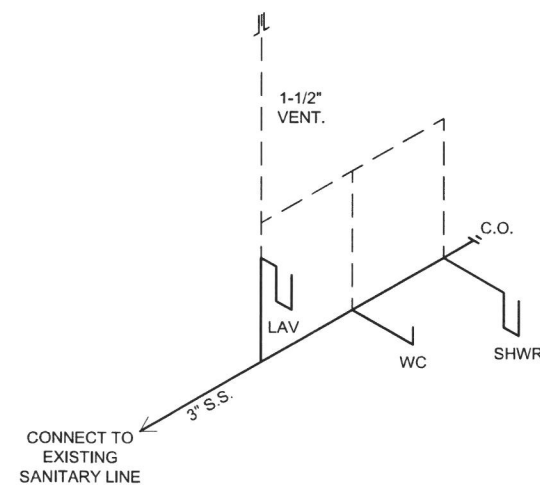
GENERAL ELECTRICAL NOTES:
CONNECT NEW ELECTRICAL FIXTURES TO EXISTING
ELECTRICAL PANEL.



2
A-5

MECHANICAL LAYOUT PLAN

SCALE : 3/16"=1'-0"

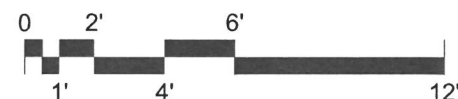


3
A-5

SANITARY ISOMETRIC

NOT TO SCALE

SCALE 3/16"=1'-0"



ELECTRICAL LEGEND

SYMBOL	DESCRIPTION
	CEILING MOUNTED LIGHT
	RECESSED LIGHT
	WALL MOUNTED LIGHT
	PENDANTS LIGHT
	CHANDELIER
	CEILING FAN
	WALL MOUNTED MULTI-LIGHT FIXTURE
	TRACK LIGHT
	FLUORESCENT LIGHT
	SPOT LIGHT
	EXHAUST FAN
	FAN / LIGHT COMBINATION
	DOORBELL CHIME
	PUSH BOTTOM
	WALL SWITCH
	3 WAY SWITCH
	DIMMER SWITCH
	DUPLEX RECEPTACLE
	220 V RECEPTACLE
	1/2 HOT, 1/2 SWITCHED RECEPTACLE
	WEATHER PROOF RECEPTACLE
	FLOOR RECEPTACLE
	GROUND FAULT INTERRUPT
	PRE-WIRED FOR CEILING FAN
	PRE-WIRED GARAGE DOOR OPENER
	CABLE JACK
	TELEPHONE JACK
	METER
	ELECTRICAL PANEL
	DISCONNECT SWITCH
	SMOKE DETECTOR & CARBON MONOXIDE COMBO
	GARBAGE DISPOSAL MOTOR

REVISIONS BY

ASS

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KRISTAL & JAMES GOODMAN
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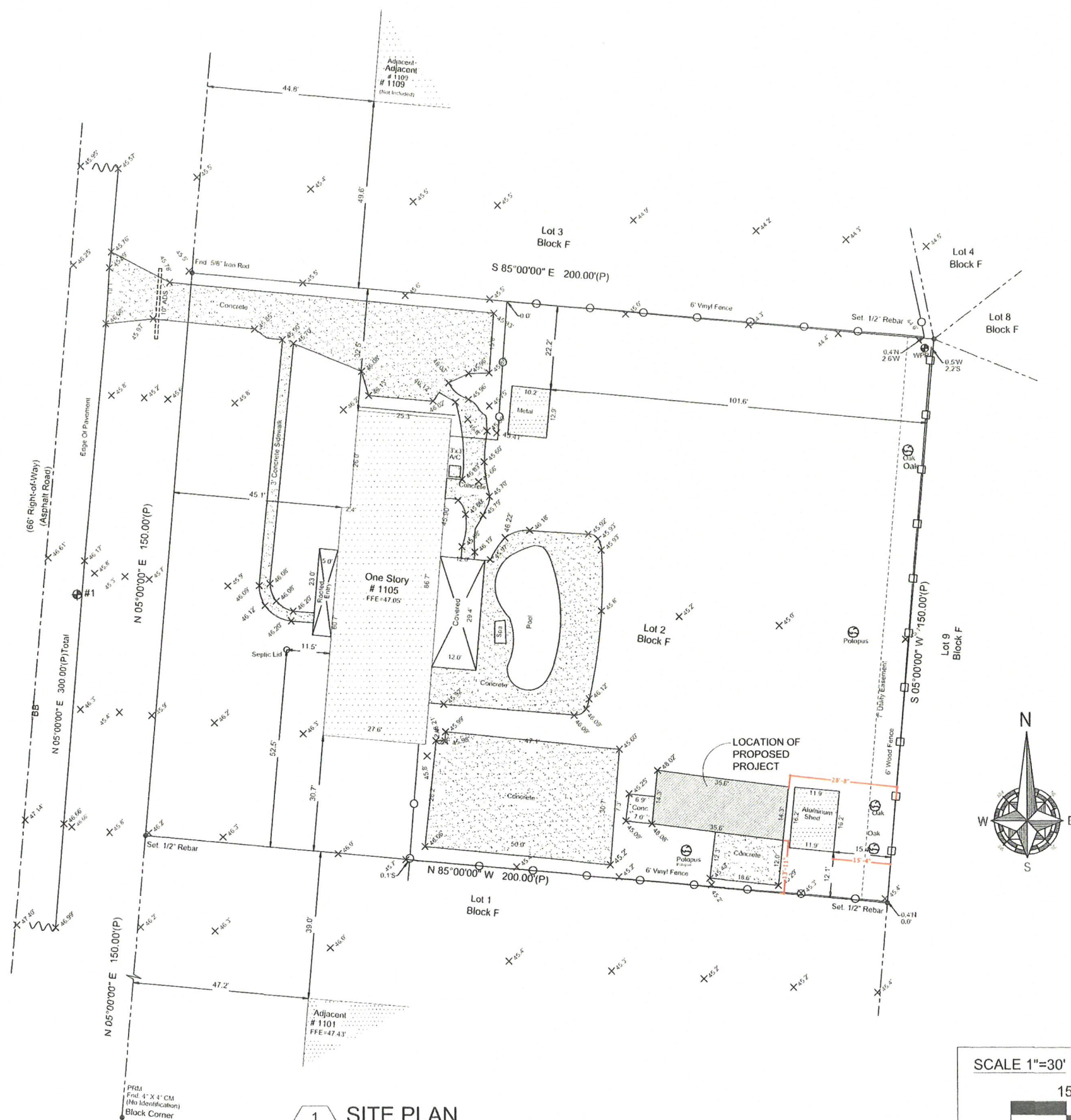
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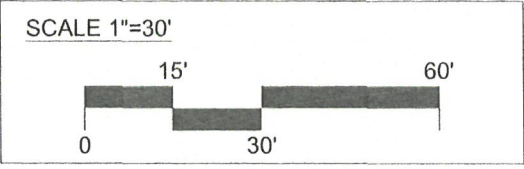
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DATE: 09/22/22	CHECKED BY: WS
JOB.#: 11-20220830-1	SCALE: AS NOTED

SHEET #:
A-5

APPROVAL STAMPS OF AHI



1 SITE PLAN
A-0 SCALE : 1"=30'



REVISIONS	BY

ASS
ACROSS STATE SERVICES, L.L.C.
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KRISTAL & JAMES GOODMAN
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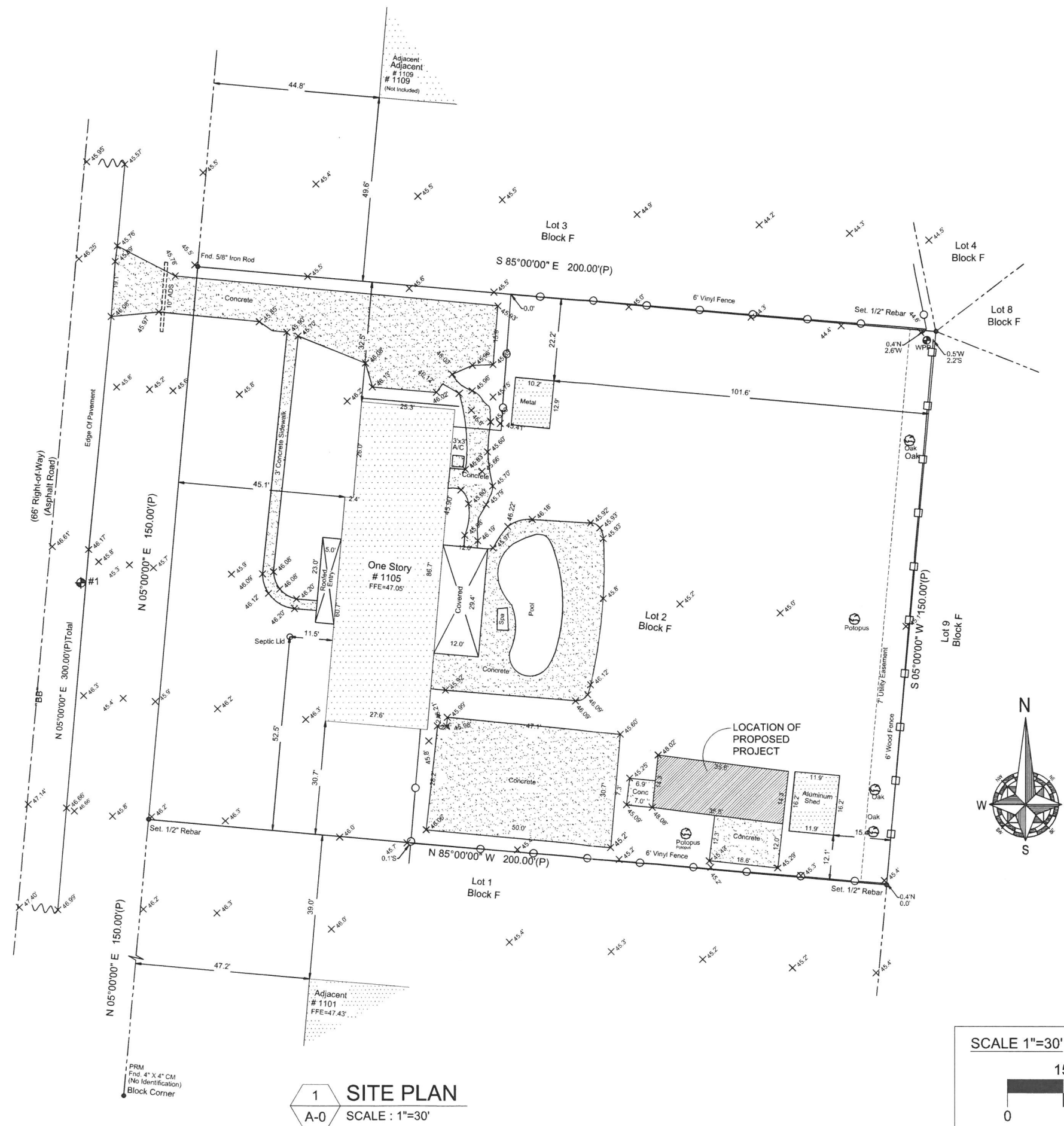
William Sanchez
2022.10.27
09:12:07 -04'00

WILLIAM SANCHEZ ADORNO, PE
P.E. # 68868

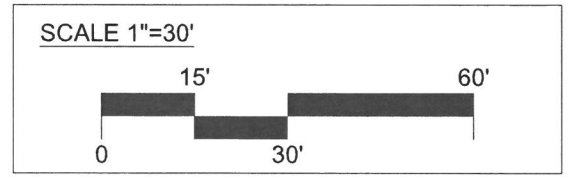
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DRAWN BY: 09/22/22	CHECKED BY: WS
NO. 11 11-20220830-1	SCALE: AS NOTED

SHEET #1
A-0

APPROVAL STAMPS OF ARI



1 SITE PLAN
A-0 SCALE : 1"=30'



REVISIONS	BY



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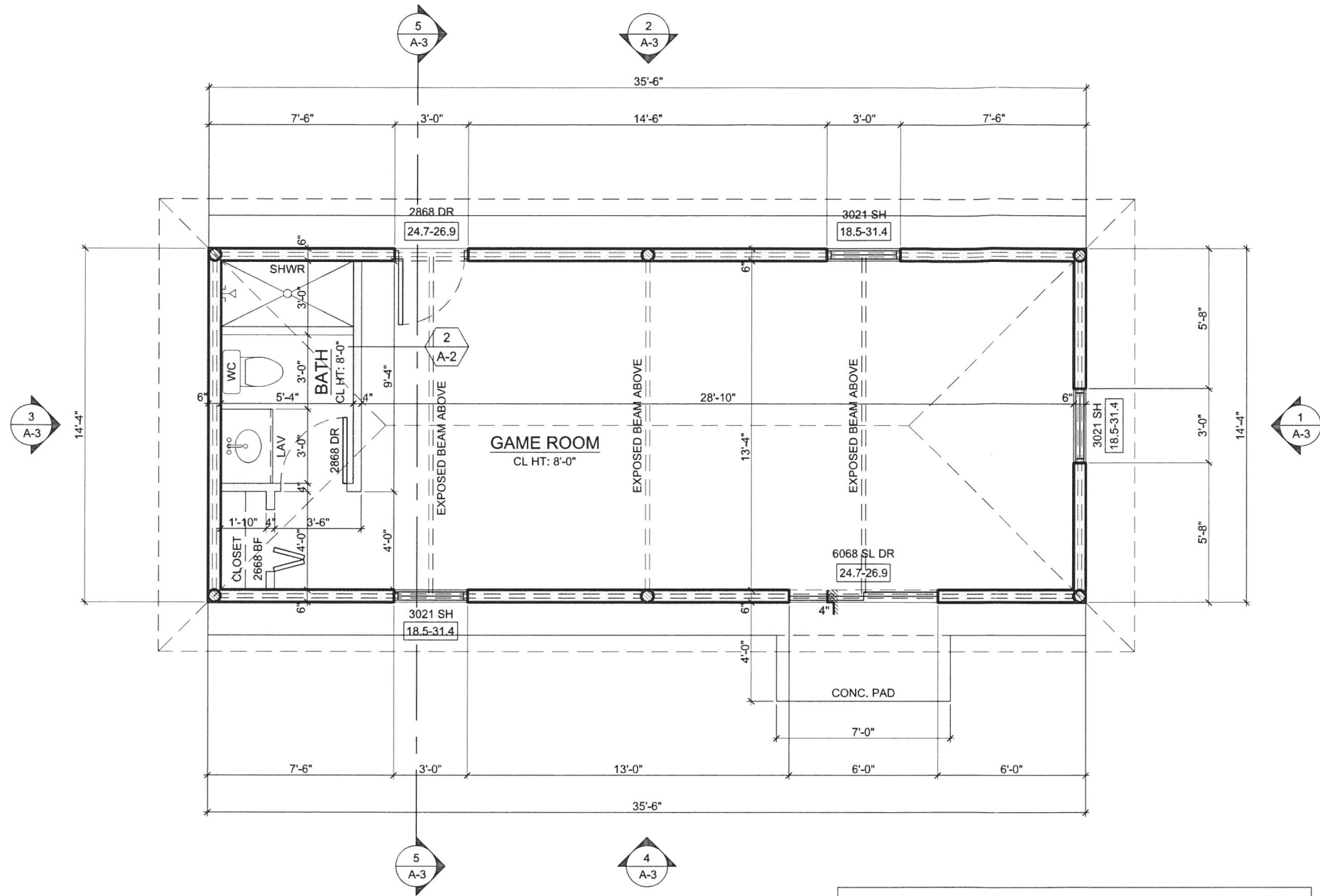
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A-0

APPROVAL STAMPS OF AHI



1
A-2

PROPOSED FLOOR PLAN

SCALE : 3/16"=1'-0"

WOOD NOTES:

- ALL WOOD FRAMING SHALL BE DESIGNED, DETAILED AND FABRICATED IN ACCORDANCE WITH THE PROCEDURES AND REQUIREMENTS OUTLINED IN THE LATEST EDITION OF THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION.
- FOR STRUCTURAL LUMBER, PROVIDE THE FOLLOWING GRADE AND SPECIES (EQUIVALENT OR BETTER) U.O.N.: SOUTHERN PINE OR SPRUCE PINE FIR SURFACES DRY USED AT 19% MAX. M.C. GRADE NO. 2.
- ALL WOOD FRAMING IN DIRECT CONTACT WITH EARTH OR CONCRETE TO BE PRESSURE TREATED. THE USE OF METAL SEAT PLATES IN LIEU OF PRESSURE TREATED WOOD IS ACCEPTABLE.
- PROVIDE GALVANIZED METAL HANGERS AND FRAMING ANCHORS OF THE SIZE AND TYPE AS SHOWN IN THESE DOCUMENTS, CONNECT AS PER MANUFACTURER RECOMMENDATIONS. (SIMPSON STRONG TIE OR EQUIVALENT)
- PROVIDE FRAMING MEMBERS OF SIZES AND OF SPACING SHOWN, OR IF NOT SHOWN, COMPLY WITH THE RECOMMENDATIONS OF THE FLORIDA BUILDING CODE, LATEST EDITION.
- DO NOT SPLICE STRUCTURAL MEMBERS BETWEEN SUPPORTS.
- PROVIDE ANCHORAGE AND NAILING FOR MEMBERS AND SHEATHING AS SHOWN IN THE DWG'S AND TO COMPLY WITH THE FLORIDA BUILDING CODE, LATEST EDITION.
- ROOF FRAMING SHEATHING: 7/16" INCH THICK CDX, RATED "EXP. 1".

AREAS SCHEDULE

GAME ROOM / BATH	508 SQ FT
TOTAL AREA	508 SQ FT

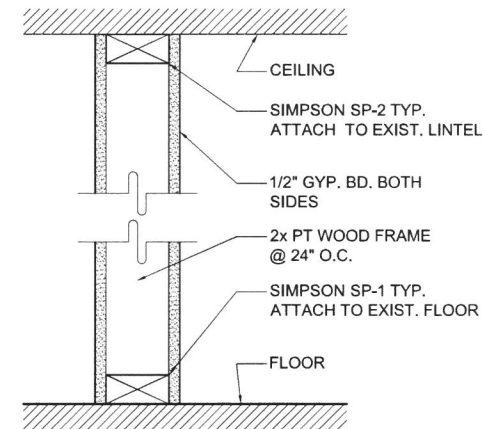
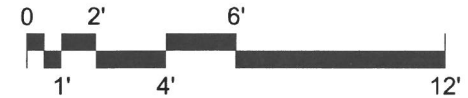
WINDOW SCHEDULE

MARK	SIZE	QT.	COMMENTS
3021 SH	3'-0" x 2'-1"	3	SINGLE HUNG

DOOR SCHEDULE

DOOR	SIZE	THKNS	MAT'L.	FRAME	COMMENTS
6068 SL DR	6'-0"x6'-8"	1 3/4"	ALUMINUM / GLASS	ALUM	SLIDING DOOR
2868 DR	2'-8"x6'-8"	1 3/4"	ALUMINUM / GLASS	ALUM	EXTERIOR DOOR
2868 DR	2'-8"x6'-8"	1 3/8"	HOLLOW CORE WOOD	WD	INTERIOR DOOR
2668 BF	2'-6"x6'-8"	-	WOOD	-	BI-FOULDED DOOR

SCALE 3/16"=1'-0"



2
A-2

INTERIOR WALL DETAIL

NOT TO SCALE 4-1/2" THICKNESS
NON RATED PARTITION

NOTES:

- ALL TUB & SHOWER UNITS WILL HAVE ANTI-SCALDING DEVICES INSTALLED.
- ALL DOORS TO BE 6'-8" TALL U.N.O. OR PER BUILDER / CLIENT.
- MULTIPLE 2x4 STUDS NAILED TOGETHER W/ (1) 10d NAILS @ 8" O.C. EA PLY STAGGERED TYP.

ROOM FINISH SCHEDULE

ROOM NAME	FLOOR FINISH	WALL BASE	WALL FINISH	CEILING FINISH
	CERAMIC TILE			
	POLISH CEMENT			
	CARPET			
	4" HIGH BASE (BY OWNER)			
			GYP. BD. - EGGSHELL ENAMEL PAINT	
			GYP. BD. - EGGSHELL ENAMEL PAINT	
GAME ROOM				
BATHROOMS				

REVISIONS

BY



**ACROSS STATE
SERVICES, L.L.C.**

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GAZEBO ENCLOSURE

KRISTAL & JAMES GOODMAN

LOCATION: 1105 OTTER LN.,
WINTER SPRINGS, FL. 32708

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WILLIAM SANCHEZ ADORNO, PE
P.E. # 68868

DRAWN BY:

RL

DESIGN BY:

WS

DATE:

09/22/22

CHECKED BY:

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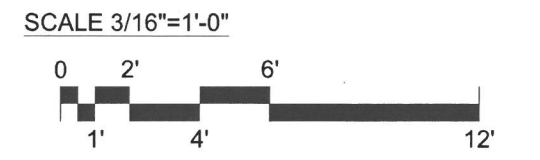
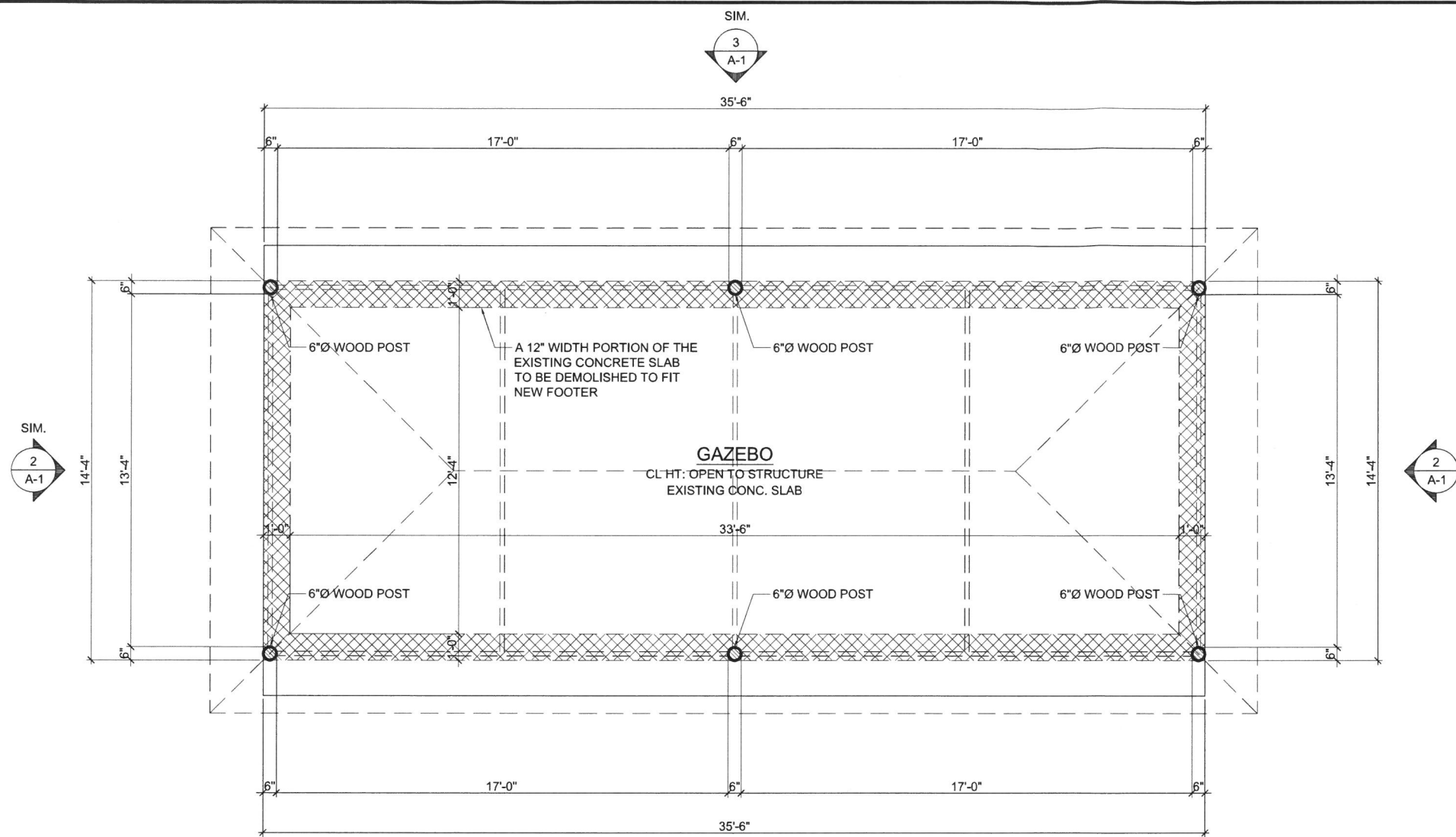
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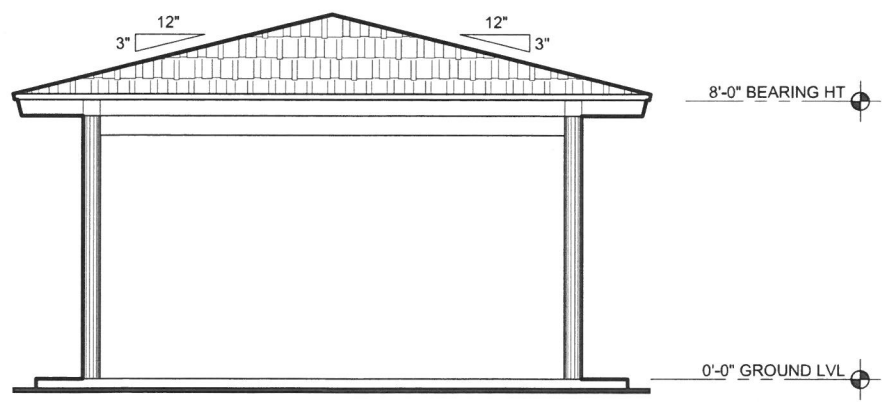
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A-2

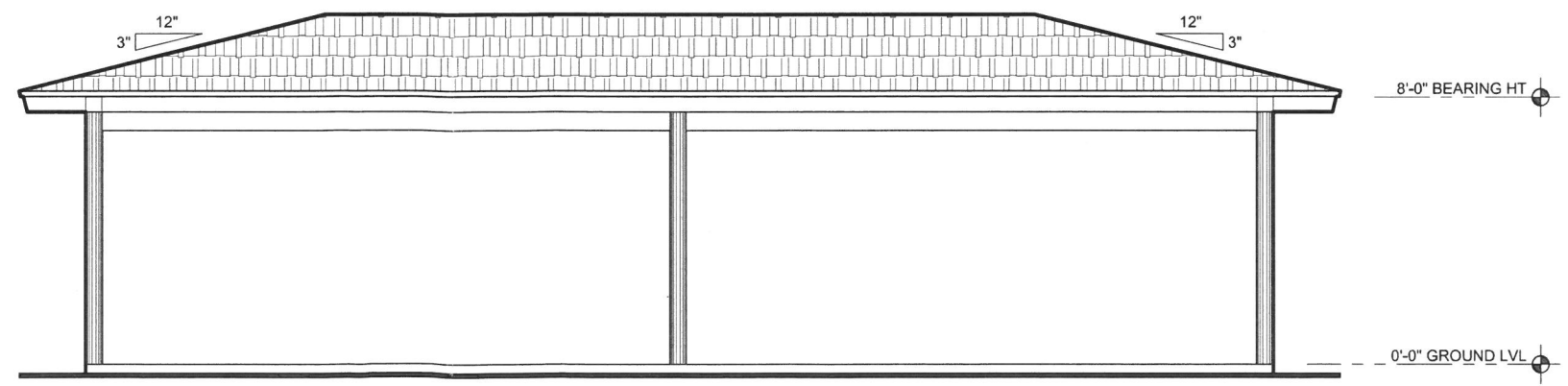
APPROVAL STAMPS OF AHS



1 EXISTING FLOOR PLAN
SCALE : 3/16"=1'-0"



2 EXISTING FRONT / REAR ELEVATION
SCALE : 3/16"=1'-0"



3 EXISTING SIDE ELEVATION
SCALE : 3/16"=1'-0"

REVISIONS	BY

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SHEET #:
A-1

APPROVAL STAMPS OF AHI

**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 2 BLK F
WINTER SPRINGS
PB 15 PG 82

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

A. FINDINGS OF FACT

Property Owner: JAMES & KRYSTAL GOODMAN, BARBARA OAKES
1105 OTTER LANE
WINTER SPRINGS, FL 32708

Project Name: OTTER LANE (1105)

Requested Variance:

A side yard (south) setback variance from twenty (20) feet to thirteen (13) feet eleven (11) inches for an accessory structure in the RC-1 (Country Homes) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to convert an existing gazebo into a detached game room within the side 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 2 BLK F
WINTER SPRINGS
PB 15 PG 82

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

A. FINDINGS OF FACT

Property Owner: JAMES & KRYSTAL GOODMAN, BARBARA OAKES
1105 OTTER LANE
WINTER SPRINGS, FL 32708

Project Name: OTTER LANE (1105)

Variance Approval:

Request for a side yard (south) setback variance from twenty (20) feet to thirteen (13) feet eleven (11) inches for an accessory structure in the RC-1 (Country Homes) district.

The findings reflected in the record of the May 22, 2023, 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 (35.5' x 14.3') as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

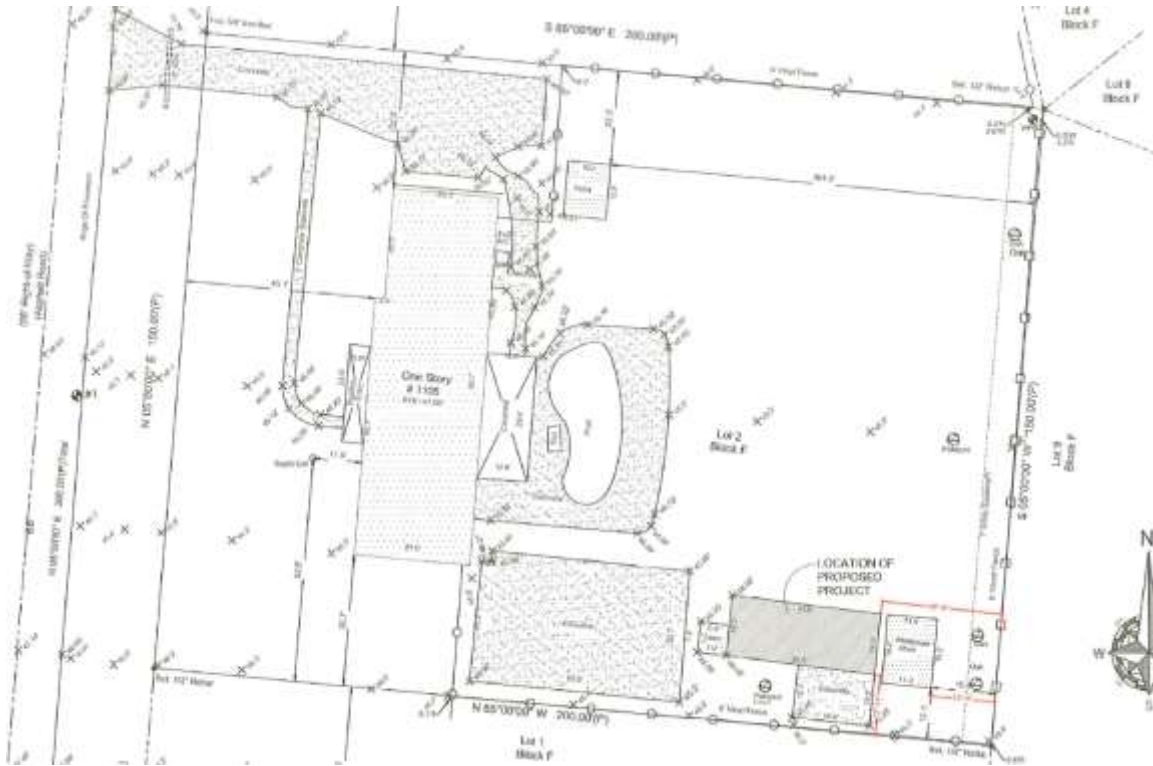
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-476

Title:

3238 Upland Point - Request for a side street (south) setback variance from fifteen (15) feet to three and one-half (3.5) feet for a privacy fence in the PD (Planned Development) district; BV2023-029 (Michael & Katrina Dantes, Applicants) 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 side street (south) setback variance from fifteen (15) feet to three and one-half (3.5) feet for a privacy fence in the PD (Planned Development) district; or
2. Approve the request for a side street (south) setback variance from fifteen (15) feet to three and one-half (3.5) feet for a privacy fence 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 Hideaway Cove at Oviedo subdivision and is within the Hideaway Cove Planned Development (PD).
- The subject property is a corner lot and, as such, considered to have two (2) front yards for setback purposes. The front of the house faces Upland Point. The Scenic Edge Way side is where the variance is being sought.
- The request is to construct a six (6) foot vinyl privacy fence eleven and one-half (11.5) feet into the required side street setback.
- The proposed privacy fence is three and one-half (3.5) feet from the sidewalk and fifteen (15) feet from the edge of pavement.
- The proposed fence encroaches into a utility easement and at building permitting will be required to meet the criteria for placement with an estoppel letter.
- Traffic Engineering has no objection to the placement of the fence as it relates to site visibility.
- Two (2) letters of support have been received from neighbors.

- The request is for a variance to Section 30.451 of the Land Development Code of Seminole County 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 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

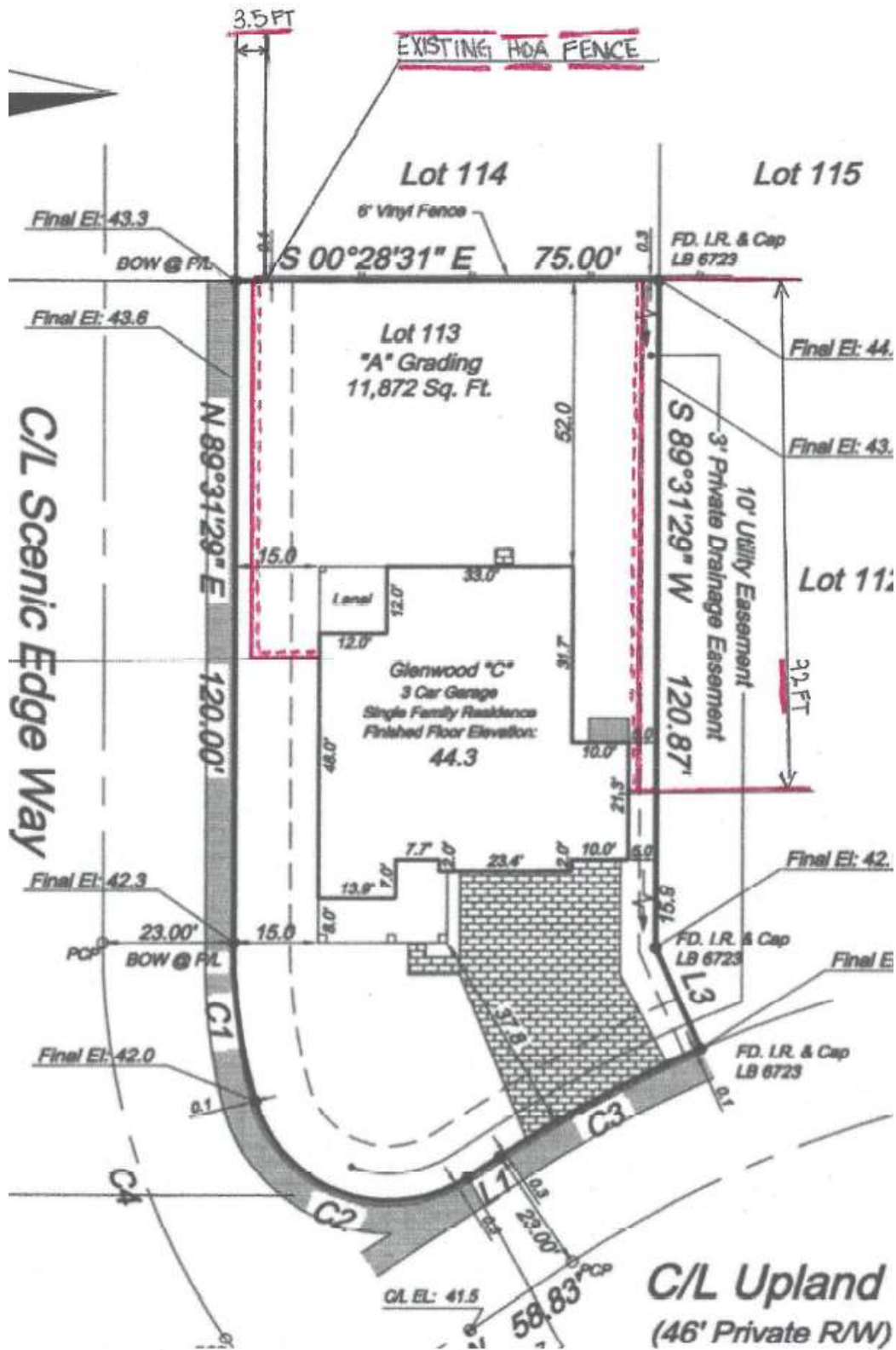
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

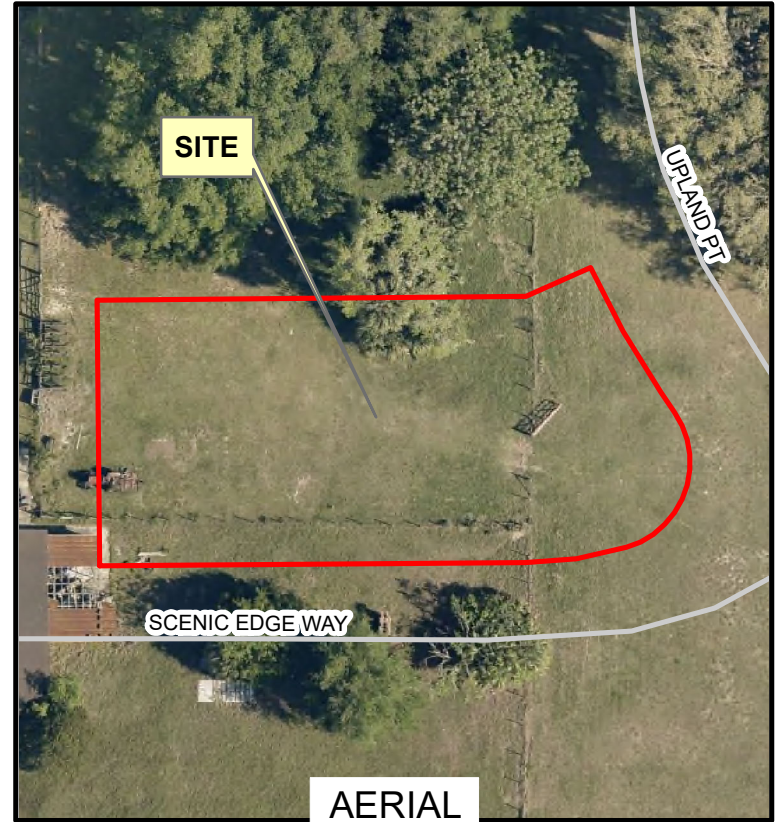
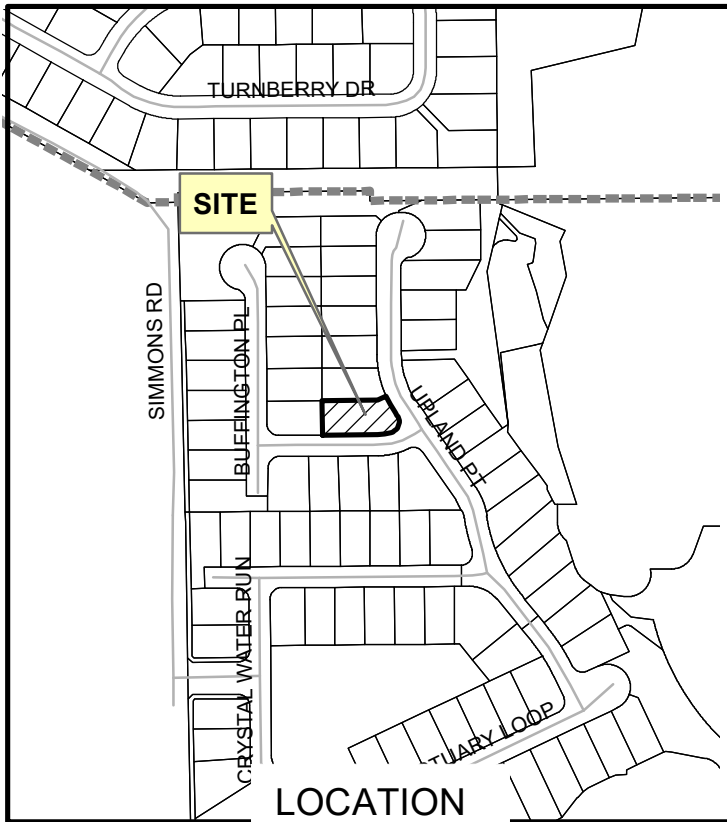
Staff Recommendation:

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 30.43(b)(3) 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 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.

UPLAND PT (3238)
VARIANCES







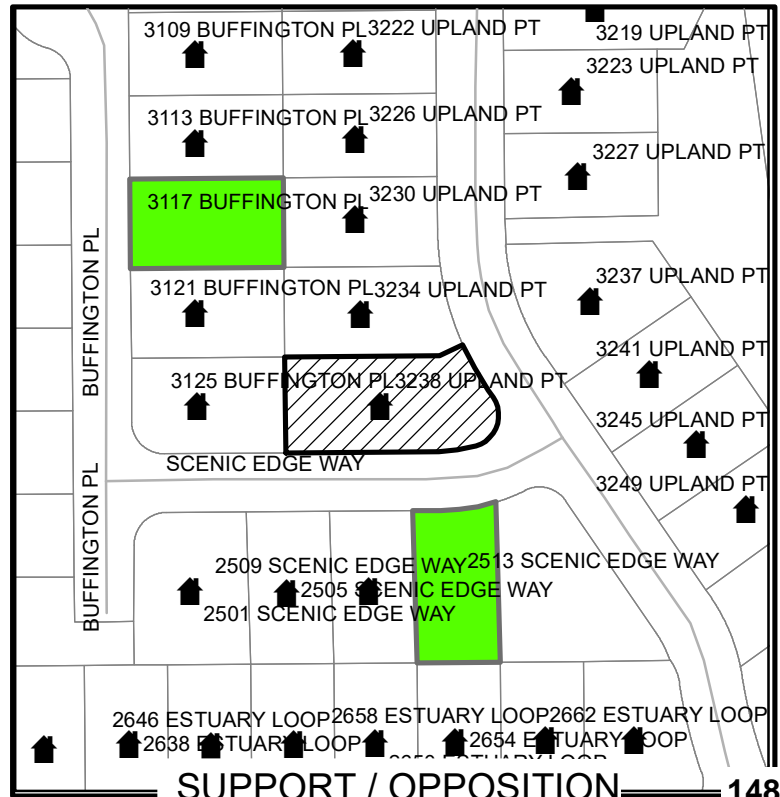
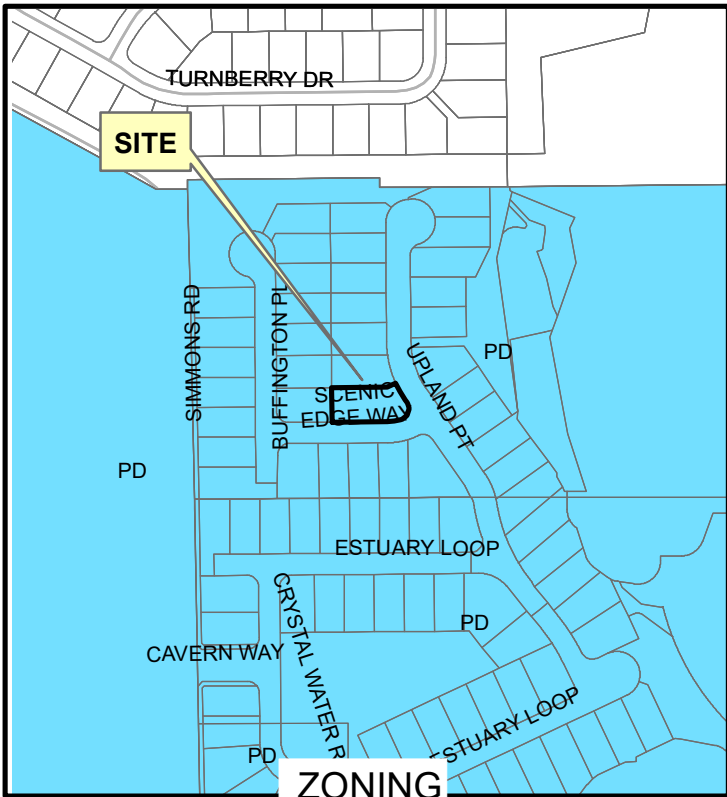


MICHAEL & KATRINA DANTES
ANITA HEFLEY
3238 UPLAND PT
OVIDO, FL 32765

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023

LEGEND

 PD	 Support	 Site
	 Opposition	



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district. We own a corner lot, where as most of the other homes in our neighborhood are not corner lots and are not held to the same zoning restrictions that we are with regards to their setbacks for fencing.
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner. The special conditions exist only because this property is on a corner lot and setbacks are determined by the county and not by the homeowner. Hence are not the result of the actions of the applicant.
3. Explain how the granting of the variance request would not confer on the applicant, or petitioner, any special privilege that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district. We are requesting to attach to an already existing fence owned by our HOA, installed by the builder, which currently has a 3' setback, as to provide privacy and safety for our family. Extend the fence 68 linear ft. to enclose our backyard and the pool, leaving ~~the~~ approximately 110 ft. from stop sign, not impeding any visibility.
4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner. It would prevent us from being able to utilize our entire backyard. We would be left with very little space between pool and fence if we were to put fence according to current 15ft. setback. Where as other lots in our community are not subject to these same restrictions. We would like to provide the maximum privacy + security to our family, same as afforded to other lots.
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. We are currently installing a pool and with the current zoning setbacks we would not have enough space for pool and yard for kids and pets. The variance will enable us to utilize the backyard to the maximum, while still having plenty of side yard as to not impede with any visibility from stop sign.
6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. There will still be sufficient distance between the fence and edge of the street. The fence will also have a front setback of approximately 110 ft. and fence will not cause any issues with the community. Revised 2019 OR ~~not~~ hinder visibility of any traffic controlling devices. We also have included letters of support.

Property Record Card



Parcel 25-21-31-506-0000-1130

Property Address 3238 UPLAND PT OVIEDO, FL 32765

Parcel Location



Site View



Parcel Information

Parcel	25-21-31-506-0000-1130
Owner(s)	DANTES, MICHAEL - Joint Tenants with right of Survivorship DANTES, KATRINA - Joint Tenants with right of Survivorship HEFLEY, ANITA - Joint Tenants with right of Survivorship
Property Address	3238 UPLAND PT OVIEDO, FL 32765
Mailing	3238 UPLAND PT OVIEDO, FL 32765-6877
Subdivision Name	HIDEAWAY COVE AT OVIEDO PHASE 3
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2023)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	0
Depreciated Bldg Value	\$570,245	
Depreciated EXFT Value		
Land Value (Market)	\$131,000	\$131,000
Land Value Ag		
Just/Market Value	\$701,245	\$131,000
Portability Adj	\$162,838	
Save Our Homes Adj		\$0
Amendment 1 Adj	\$0	\$43,000
P&G Adj	\$0	\$0
Assessed Value	\$538,407	\$88,000

2022 Certified Tax Summary

2022 Tax Amount without Exemptions	\$1,756.46	2022 Tax Savings with Exemptions	\$341.77
2022 Tax Bill Amount	\$1,414.69		

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 113 HIDEAWAY COVE AT OVIEDO PHASE 3 PLAT BOOK 86 PAGES 54-59

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$538,407	\$50,000	\$488,407
SJWM(Saint Johns Water Management)	\$538,407	\$50,000	\$488,407
FIRE	\$538,407	\$50,000	\$488,407
COUNTY GENERAL FUND	\$538,407	\$50,000	\$488,407
Schools	\$538,407	\$25,000	\$513,407

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	05/13/2022	10246	1432	\$734,300	Yes	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$131,000.00	\$131,000

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	2022	5	3.0	12	1,889	5,301	4,025	CB/STUCCO FINISH	\$570,245	\$570,245	Description	Area
												OPEN PORCH FINISHED	260.00
												OPEN PORCH FINISHED	144.00
												UPPER STORY FINISHED	2136.00
												OPEN PORCH FINISHED	169.00
												GARAGE FINISHED	703.00
<div><div></div></div>													

Building 1 - Page 1

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
14941	3238 UPLAND PT: SINGLE FAMILY DETACHED-NEW SFR [HIDEAWAY COVE AT OVIEDO P] - Apex	County	\$596,628	4/27/2022	8/20/2021
18861	3238 UPLAND PT: SWIMMING POOL RESIDENTIAL-pool and deck [HIDEAWAY COVE AT OVIEDO P]	County	\$76,000		11/30/2022

Extra Features				
Description	Year Built	Units	Value	New Cost

Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
A-1		Low Density Residential		LDR		Agricultural-1Ac		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
48,00	DUKE	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	NA	NA	NA	NA
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 1 - Bob Dallari		Dist 7 - Cory Mills		Dist 28 - David "Dave" Smith		Dist 9 - Jason Brodeur		80
School Information								
Elementary School District			Middle School District			High School District		
Carillon			Chiles			Hagerty		
Copyright 2023 © Seminole County Property Appraiser								

March 29, 2023

Re: Dantes Fence Variance – 3238 Upland Pt, Oviedo, FL 32765

To Whom it May Concern:

We are submitting this letter in support of our neighbor's request for a fence variance. The Dantes family currently has a pool under construction and require a variance to install a 6' PVC privacy fence around their backyard. It is my understanding that the Dantes need a variance as their home is located on a corner lot. While the Dantes' property is technically on a corner lot, the way that their home is positioned allows for erection of a fence without compromising safety or visibility of traffic and/or pedestrians. When driving around the neighborhood, there are several other homes on corner lots that have the same 6' PVC privacy fence installed. The fence, whose variance was approved, on the Northeast corner of Upland Pt and Estuary Loop, disrupts sight lines for traffic turning north off of Estuary Loop and onto Upland Pt. The fence on the Northeast corner of the bend at Estuary Loop, by the mailboxes, is set back from the front of their home as not to impede traffic sight lines or be a hazard to pedestrians. The Dantes fence, as proposed, would not impede anyone's sight line whether going straight or making a turn on/from the corner of Upland Pt and Scenic Edge Way. We reside just to the south of the Dantes home at 2513 Scenic Edge Way. So, we actually have a vested interest in keeping the area safe from hazards.

Please do not hesitate to contact us with any questions.

Regards,

Handwritten signatures of Brian and Jennifer Lester. The signature on the left is "Brian" and the signature on the right is "Jennifer A Lester".

Brian and Jennifer Lester

2513 Scenic Edge Way, Oviedo, FL

(847)274-7207

March 29, 2023

Subject: 3238 Upland Pt. Oviedo, FL 32765 - Fence Variance

To Whom it May Concern:

We are neighbors of the Dantes Family who reside at 3238 Upland Pt., Oviedo, FL 32765, in the Hideaway Cove Subdivision. We live on the street behind them at 3117 Buffington Place. They have spoken with us about their proposed plans to install a 6' privacy fence along their side yard, closing off their backyard, with a 3ft setback. While we do not live adjacent to them, we do travel down the side street that their side/backyard faces (Scenic Edge Way) regularly when travelling in and out of the neighborhood.

We support their plans for their fence as this will give their family privacy and security from the street. We do not see this creating any visibility issues with incoming or outgoing traffic.

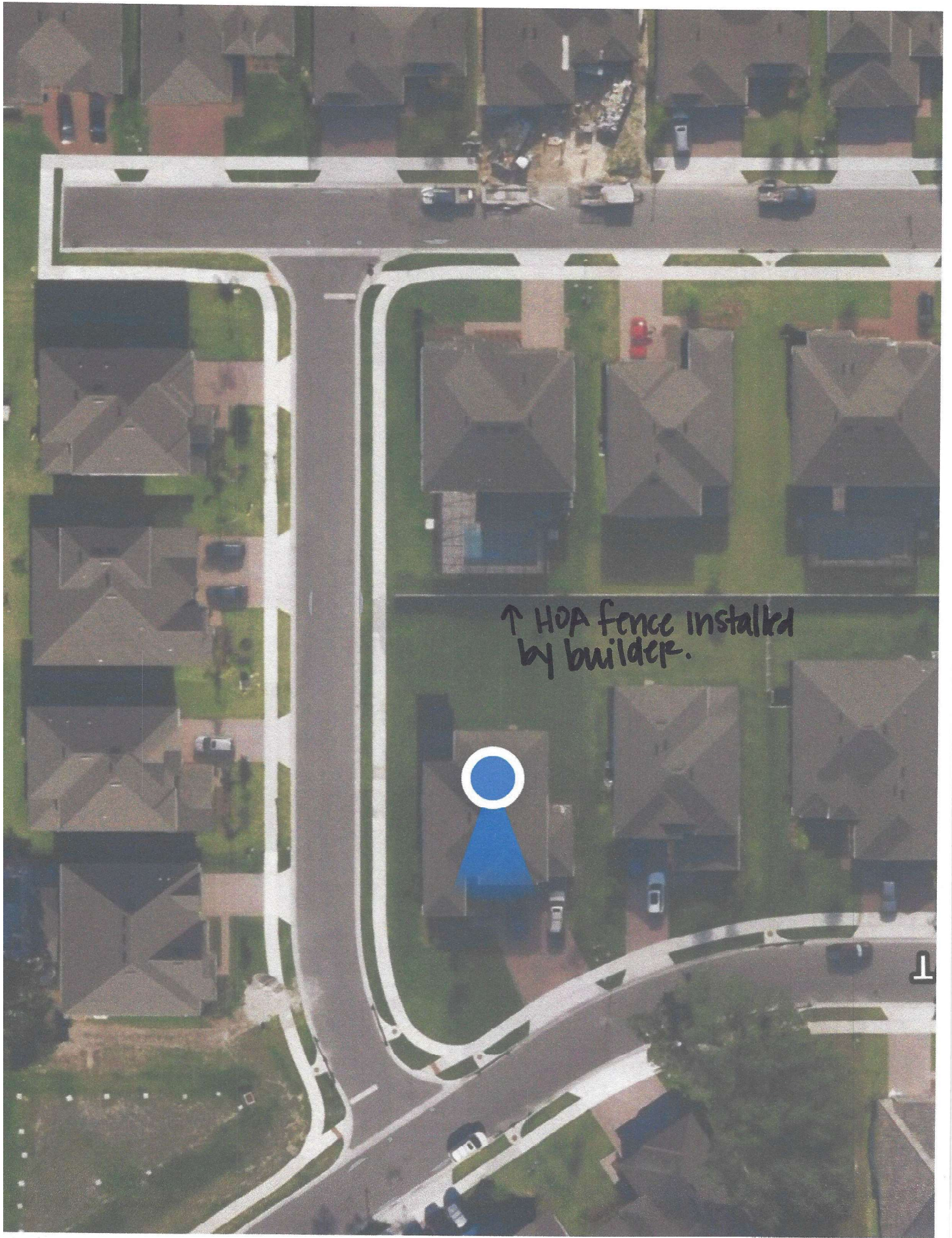
Thank you,

A handwritten signature in black ink, appearing to be 'Jason and Tingping Lin', written in a cursive, flowing style.


Jason and Tingping Lin

3117 Buffington Place

Oviedo, FL 32765



↑ HOA fence installed
by builder.



* Distance
from HOA installed
fence along our
backyard to the
sidewalk.

**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 113
HIDEAWAY COVE AT OVIEDO
PHASE 3
PLAT BOOK 86
PAGES 54-59

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

A. FINDINGS OF FACT

Property Owner: MICHAEL & KATRINA DANTES
3238 UPLAND POINT
OVIEDO, FL 32765

Project Name: UPLAND PT (3238)

Requested Variance:

A side street (south) setback variance from fifteen (15) feet to three and one-half (3.5) feet for a privacy fence in the PD (Planned Development) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a privacy fence within the side street 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 113
HIDEAWAY COVE AT OVIEDO
PHASE 3
PLAT BOOK 86
PAGES 54-59

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

A. FINDINGS OF FACT

Property Owner: MICHAEL & KATRINA DANTES
3238 UPLAND POINT
OVIEDO, FL 32765

Project Name: UPLAND PT (3238)

Variance Approval:

Request for a side street (south) setback variance from fifteen (15) feet to three and one-half (3.5) feet for a privacy fence in the PD (Planned Development) district.

The findings reflected in the record of the May 22, 2023, 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 as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

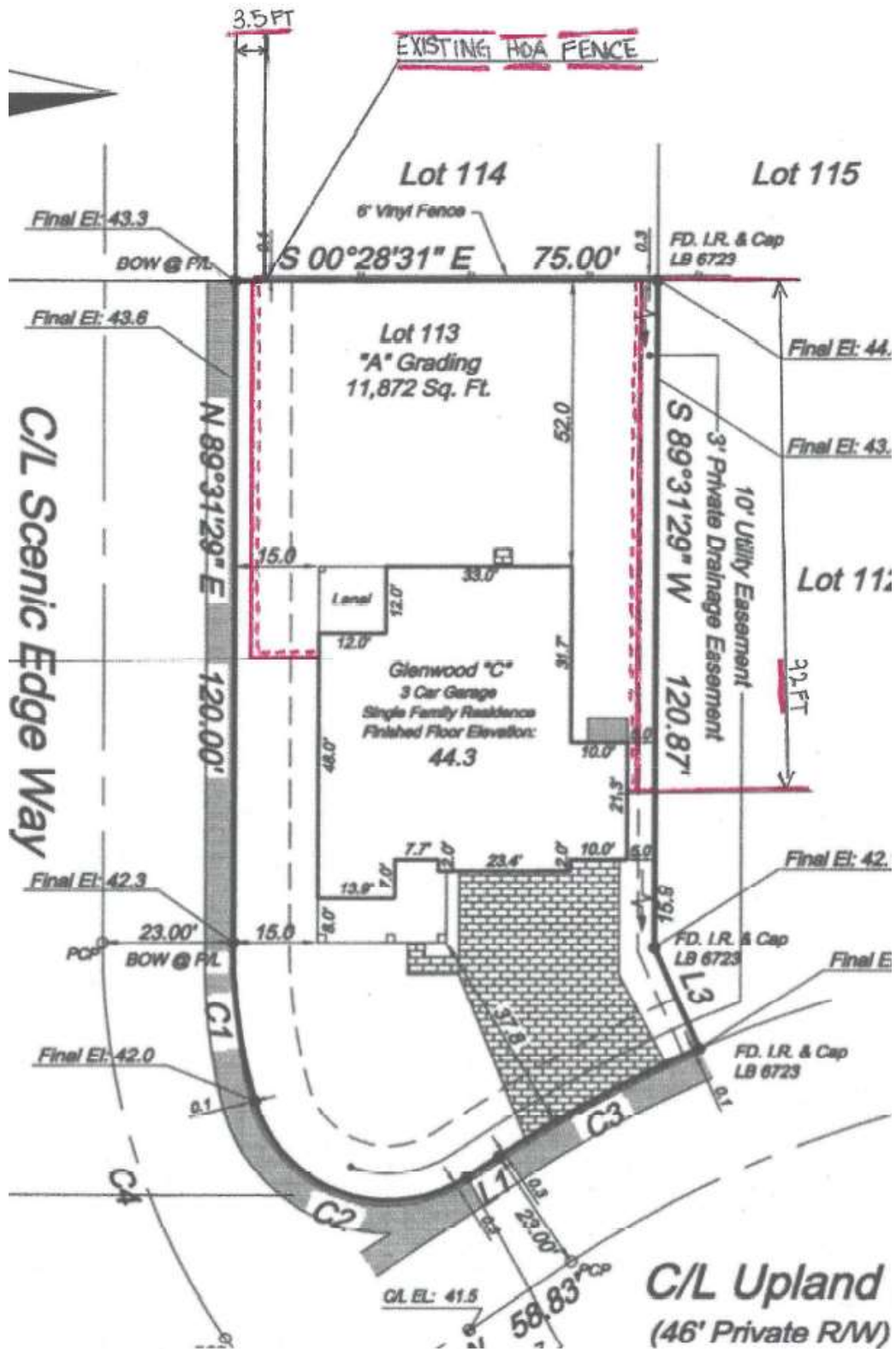
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-477

Title:

1301 Blue Stem Lane - Request for a side street (north) setback variance from fifteen (15) feet to eight (8) feet for a privacy fence in the PD (Planned Development) district; BV2023-031 (Alexander & Brittany Baumgartner, Applicants) 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 side street (north) setback variance from fifteen (15) feet to eight (8) feet for a privacy fence in the PD (Planned Development) district; or
2. Approve the request for a side street (north) setback variance from fifteen (15) feet to eight (8) feet for a privacy fence 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 Landings at Hawks Crest subdivision and is within the San Pedro Planned Development (PD).
- The subject property is a corner lot and, as such, considered to have two (2) front yards for setback purposes. The front of the house faces Blue Stem Lane. The Kestrel Perch Place side is where the variance is being sought.
- The request is to construct a six (6) foot vinyl privacy fence seven (7) feet into the side street setback.
- The proposed privacy fence encroaches into a utility easement and at building permitting will be required to meet the criteria for placement with an estoppel letter.
- The proposed privacy fence is eight (8) feet from the sidewalk and 19.8 feet from the edge of pavement.
- Traffic Engineering has no objection to the placement of the fence as it relates to site visibility.
- The Hawks Crest at Winter Park Homeowners Association has approved the request.

- The request is for a variance to Section 30.451 of the Land Development Code of Seminole County 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 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

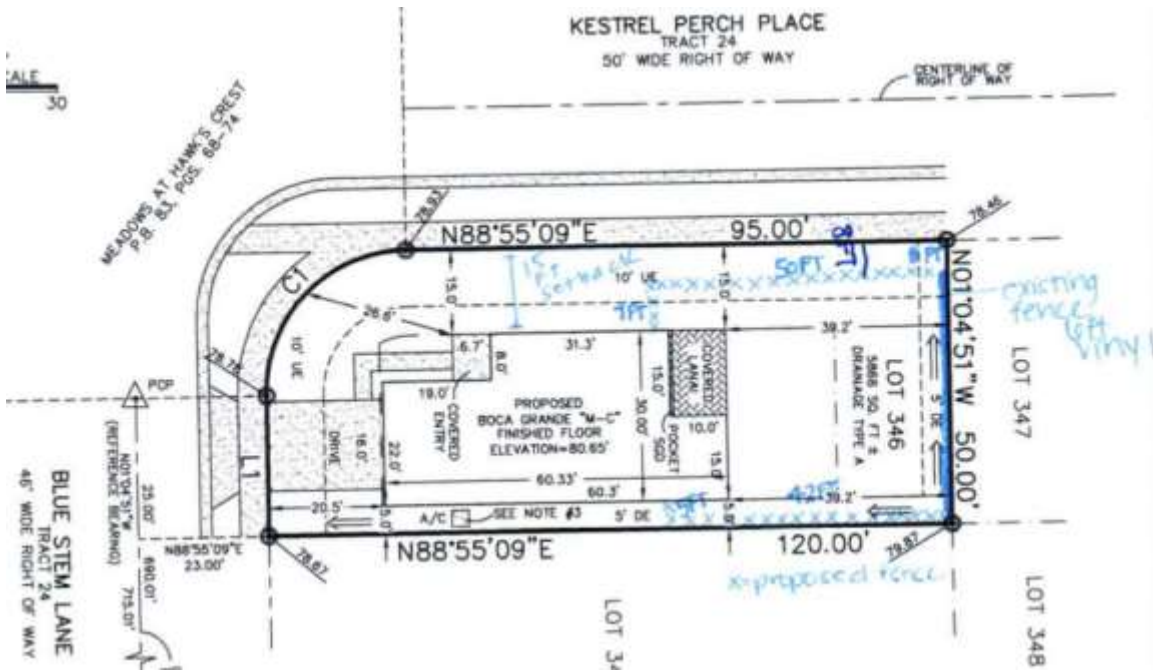
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

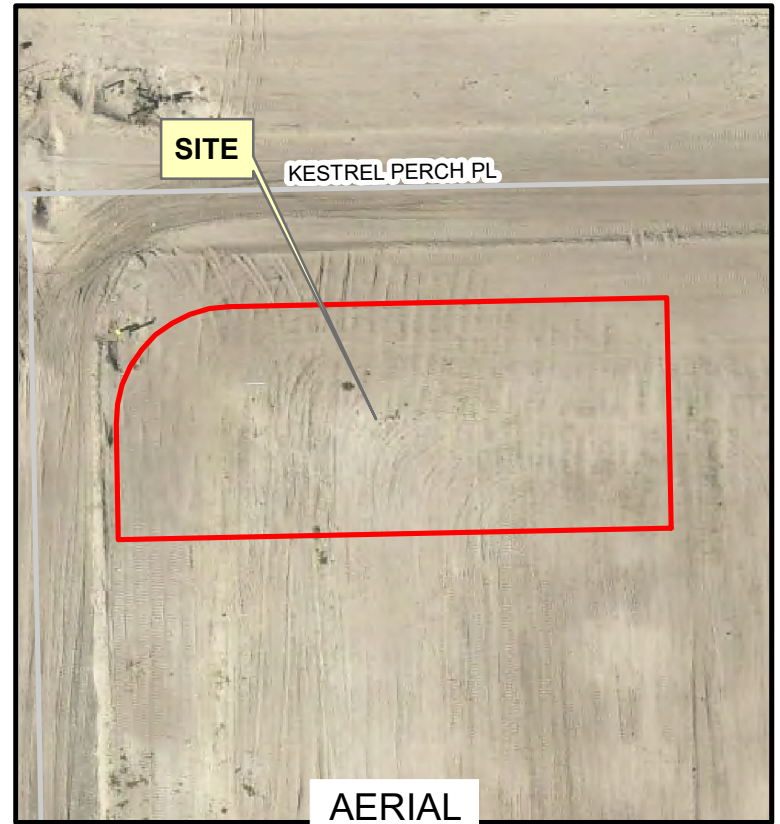
Staff Recommendation:

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 30.43(b)(3) 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 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.

BLUE STEM LANE (1301)
VARIANCES





**ALEXANDER & BRITTANY
BAUMGARTNER
1301 BLUE STEM LN
WINTER PARK, FL 32792**

**SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023**

LEGEND



PD



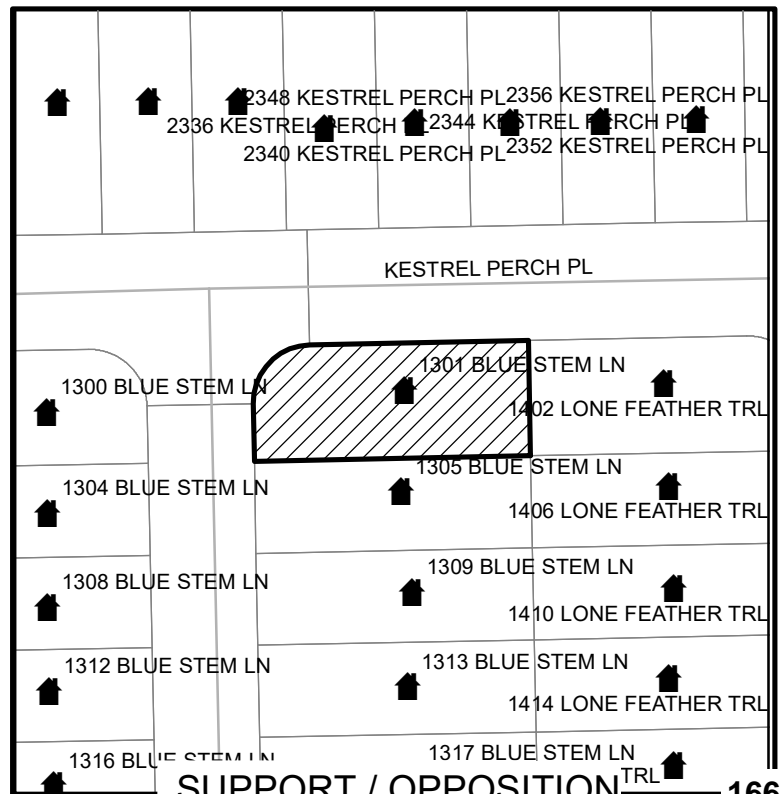
Support



Site



Opposition



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

We have the community mailboxes in our yard and there is direct line of sight into our home which is why we are requesting a privacy fence. Our home is 15ft from the sidewalk so a fence with a 15ft setback would not cover our patio/windows facing the mailboxes.

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

We built our home in a new community and were not made aware the mailboxes would be in our yard when we chose the lot.

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

This is a unique circumstance where the community mailboxes are in our backyard. There are several other corner lots in our community with privacy fences with < 15ft setback.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

There are several homes (see attached photos) with fences less than the setback in the neighborhood that get to enjoy their privacy. We would like to enjoy time with family and our children without the constant stares and traffic at the mailbox in our yard.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

There is already a community fence on the back of the property 8ft from the sidewalk. It would be reasonable to line up the existing and proposed fence so that it appears streamlined and uniform for members of the community utilizing the mailboxes.

6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. It is for the safety of our children on a corner lot and for the privacy of our family, which we should have a right to. It would be most beneficial to the community to line up the existing and proposed fence.

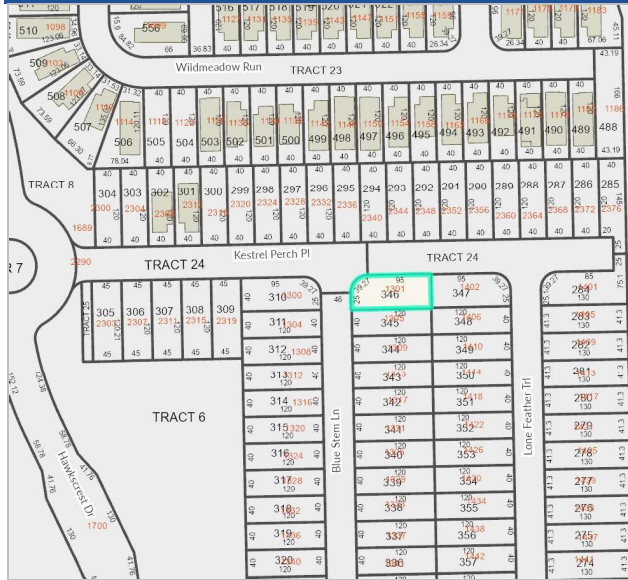
Property Record Card



Parcel 27-21-30-513-0000-3460

Property Address 1301 BLUE STEM LN WINTER PARK, FL 32792

Parcel Location



Site View



Parcel Information

Parcel	27-21-30-513-0000-3460
Owner(s)	BAUMGARTNER, ALEXANDER J - Tenancy by Entirety BAUMGARTNER, BRITTANY - Tenancy by Entirety
Property Address	1301 BLUE STEM LN WINTER PARK, FL 32792
Mailing	1301 BLUE STEM LN WINTER PARK, FL 32792-3038
Subdivision Name	LANDINGS AT HAWKS CREST
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	None
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	0
Depreciated Bldg Value	\$375,186	
Depreciated EXFT Value		
Land Value (Market)	\$120,000	\$105,000
Land Value Ag		
Just/Market Value	\$495,186	\$105,000
Portability Adj		
Save Our Homes Adj	\$0	\$0
Amendment 1 Adj	\$0	\$6,000
P&G Adj	\$0	\$0
Assessed Value	\$495,186	\$99,000

2022 Certified Tax Summary

2022 Tax Amount without Exemptions	\$1,407.85	2022 Tax Savings with Exemptions	\$47.69
2022 Tax Bill Amount	\$1,360.16		

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 346 LANDINGS AT HAWKS CREST PLAT BOOK 85 PAGES 51-55

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$495,186	\$0	\$495,186
SJWM(Saint Johns Water Management)	\$495,186	\$0	\$495,186
FIRE	\$495,186	\$0	\$495,186
COUNTY GENERAL FUND	\$495,186	\$0	\$495,186
Schools	\$495,186	\$0	\$495,186

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
SPECIAL WARRANTY DEED	12/28/2022	10375	0106	\$625,600	Yes	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$120,000.00	\$120,000

Building Information

#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages										
1	SINGLE FAMILY	2022	4	2.5	11	992	3,128	2,416	CB/STUCCO FINISH	\$375,186	\$375,186	<table> <tr> <th>Description</th> <th>Area</th> </tr> <tr> <td>OPEN PORCH FINISHED</td> <td>150.00</td> </tr> <tr> <td>OPEN PORCH FINISHED</td> <td>56.00</td> </tr> <tr> <td>GARAGE FINISHED</td> <td>506.00</td> </tr> <tr> <td>UPPER STORY FINISHED</td> <td>1424.00</td> </tr> </table>	Description	Area	OPEN PORCH FINISHED	150.00	OPEN PORCH FINISHED	56.00	GARAGE FINISHED	506.00	UPPER STORY FINISHED	1424.00
Description	Area																					
OPEN PORCH FINISHED	150.00																					
OPEN PORCH FINISHED	56.00																					
GARAGE FINISHED	506.00																					
UPPER STORY FINISHED	1424.00																					

Building 1 - Page 1

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
23051	1301 BLUE STEM LN: SINGLE FAMILY DETACHED-New SFR with Tug [LANDINGS AT HAWKS CREST]	County	\$353,220	12/16/2022	12/28/2021

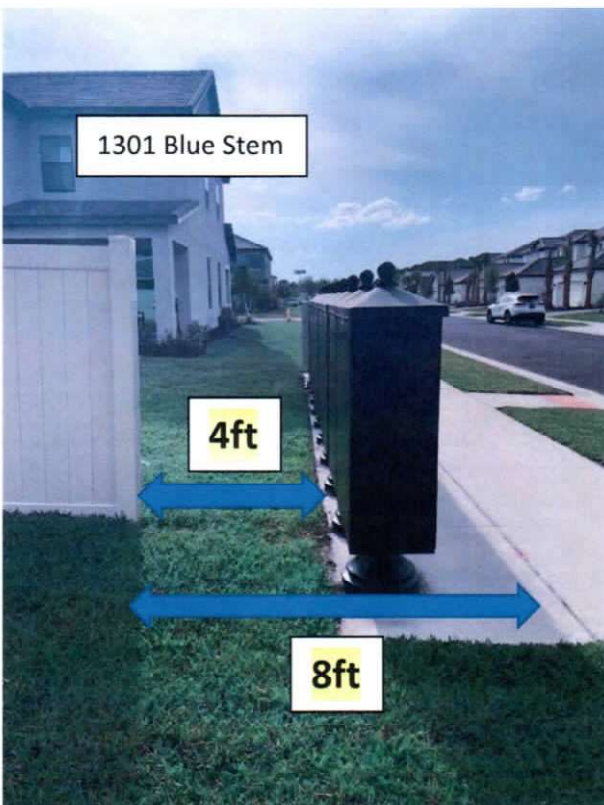
Extra Features				
Description	Year Built	Units	Value	New Cost

Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
PD		Planned Development		PD		Planned Development		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
23.00	DUKE	CENTURY LINK	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	NA	NA	NA	NA
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 1 - Bob Dallari		Dist 7 - Cory Mills		Dist 30 - Susan Plasencia		Dist 9 - Jason Brodeur		65
School Information								
Elementary School District			Middle School District			High School District		
Eastbrook			Tuskawilla			Lake Howell		
Copyright 2023 © Seminole County Property Appraiser								



1301 Blue Stem Lane Winter Park, FL 32792

Existing community fence is 7ft from home,
8ft from the sidewalk



Corner lot homes in Hawk's Crest neighborhood with vinyl fence less than 15ft from sidewalk



1232 Verdant Glade Place
9/26/2022 - Variance granted for a side street
setback reduction from 15 to 5 feet.

BELOW PHOTO:

1224 Verdant Glade Winter Park, FL 32792

9/28/2020 - Variance granted for a side street
setback reduction from 15 to 5 feet.



~~1132 Wildflower Winter Park, FL 32792~~



2129 Laurelwood Way

2129 ~~Marx Sedge~~

Winter Park, FL 32792

3/23/2021 - On appeal, the BCC granted the side street setback reduction from 15 to 5 feet.



2079 Laurelwood

Winter Park, FL 32792

7/27/2020 - Variance granted for a side street setback reduction from 15 to 5 feet.



1004 Wading Waters
Winter Park, FL 32792

****NO VARIANCE****



2046 Soaring Oak
Winter Park, FL
32792

5/24/21 - Variance granted for a
side street setback reduction
from 15 to 5 feet.



2197 Green Glade
Winter Park, FL
32792

****NO VARIANCE****



Hawks Crest at Winter Park HOA
c/o FirstService Residential
2300 Maitland Center Pkwy Suite 101
Maitland FL 32751
Phone: (866) 378-1099
Email: CFArc@fsresidential.com

Date: January 17, 2023

Project Ref: [24907015] ORB40000034601
Property Address: 1301 Blue Stem Ln
Modification: Fence

Brittany Baumgartner
1301 Blue Stem Ln
Winter Park FL 32792

Dear Brittany Baumgartner,

The approval is contingent upon compliance with the specifications set forth in the approved application. If your change or addition requires a county, city or state permit, it is the responsibility of the homeowner to obtain this before starting construction.

Please retain this letter in your files. If you have any questions regarding this matter, please contact our office at (866) 378-1099 or e-mail us at CFArc@fsresidential.com.

Should you sell your home, this document needs to be transferred to the new owner. Thank you for your patience and cooperation during the approval process and good luck with your project.

On Behalf of the Architectural/ACC/DRC Committee.

Respectfully,

Community Association Manager
Hawks Crest at Winter Park HOA

**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 346
LANDINGS AT HAWKS CREST
PLAT BOOK 85
PAGES 51-55

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

A. FINDINGS OF FACT

Property Owner: ALEXANDER & BRITTANY BAUMGARTNER
1301 BLUE STEM LANE
WINTER PARK, FL 32792

Project Name: BLUE STEM LANE (1301)

Requested Variance:

A side street (north) setback variance from fifteen (15) feet to eight (8) feet for a privacy fence in the PD (Planned Development) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a privacy fence within the side street 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 346
LANDINGS AT HAWKS CREST
PLAT BOOK 85
PAGES 51-55

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

A. FINDINGS OF FACT

Property Owner: ALEXANDER & BRITTANY BAUMGARTNER
1301 BLUE STEM LANE
WINTER PARK, FL 32792

Project Name: BLUE STEM LANE (1301)

Variance Approval:

Request for a side street (north) setback variance from fifteen (15) feet to eight (8) feet for a privacy fence in the PD (Planned Development) district.

The findings reflected in the record of the May 22, 2023, 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 as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

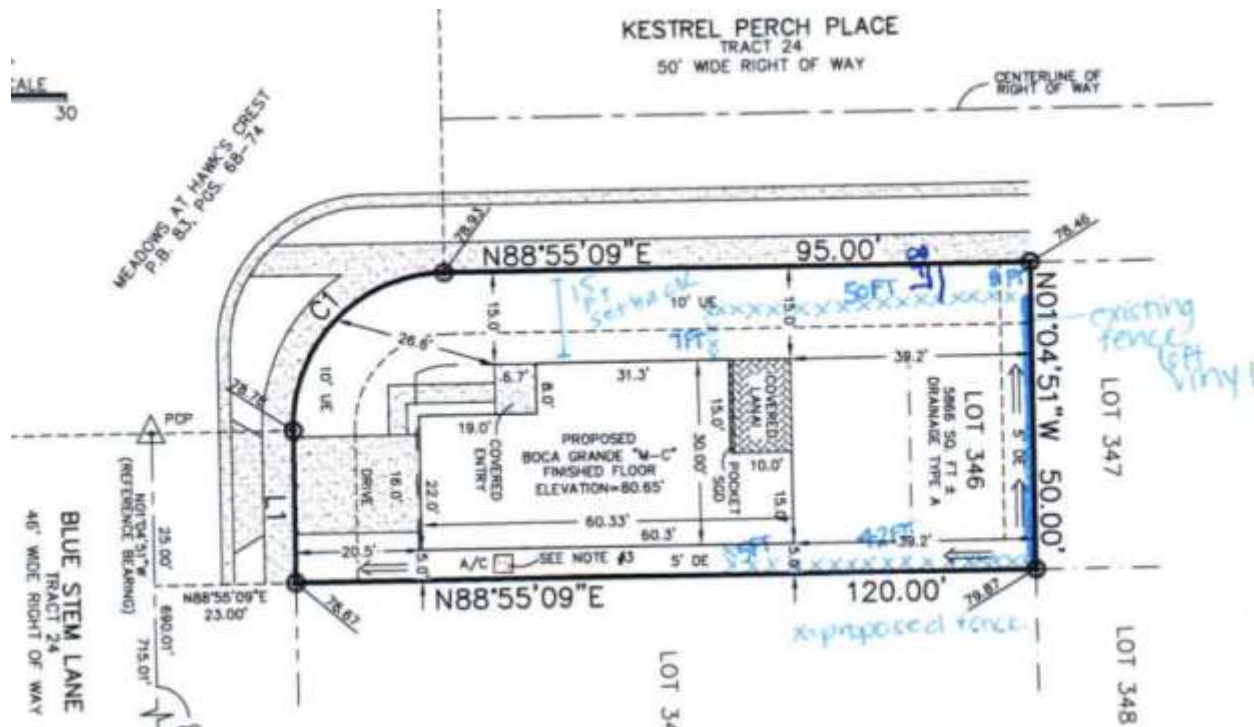
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-481

Title:

3153 Cecelia Drive - Request for a rear yard setback variance from thirty (30) feet to twenty three (23) feet for a swimming pool in the R-1AA (Single Family Dwelling) district; BV2023-033 (Jonathan & Eva Albert, Applicants) 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 rear yard setback variance from thirty (30) feet to twenty three (23) feet for a swimming pool in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for a rear yard setback variance from thirty (30) feet to twenty three (23) feet for a swimming pool in the R-1AA (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 subdivision.
- The request is to construct a twelve (12) foot by seventy-eight (78) foot swimming pool seven (7) feet into the rear yard setback.
- Two (2) letters of support have been received from the adjacent neighbors.
- The request is for a variance to Section 30.1345.1(a) of the Land Development Code of Seminole County, which states that the water's edge of a pool shall be a minimum of thirty (30) feet from the normal high water line of a natural water body.
- There have not been prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the

same zoning district; and

- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

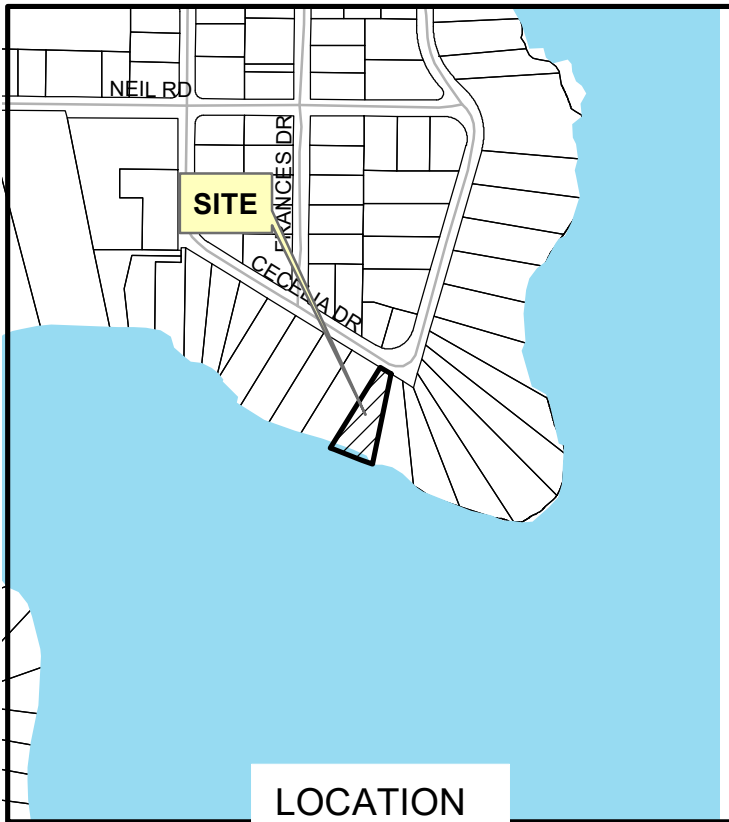
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

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 30.43(b)(3) 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 (12' x 78') 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.





[illegible]

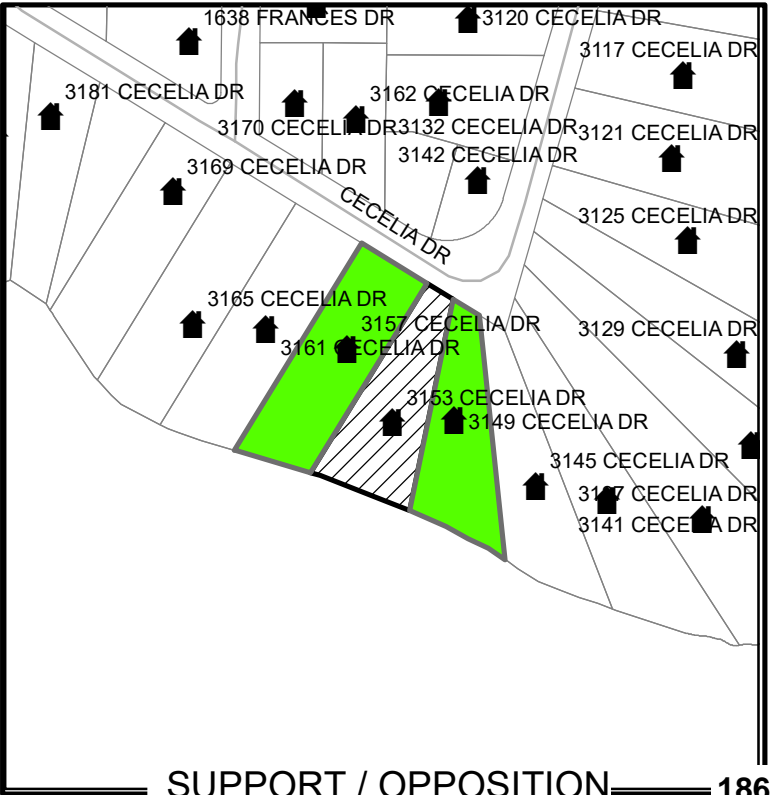
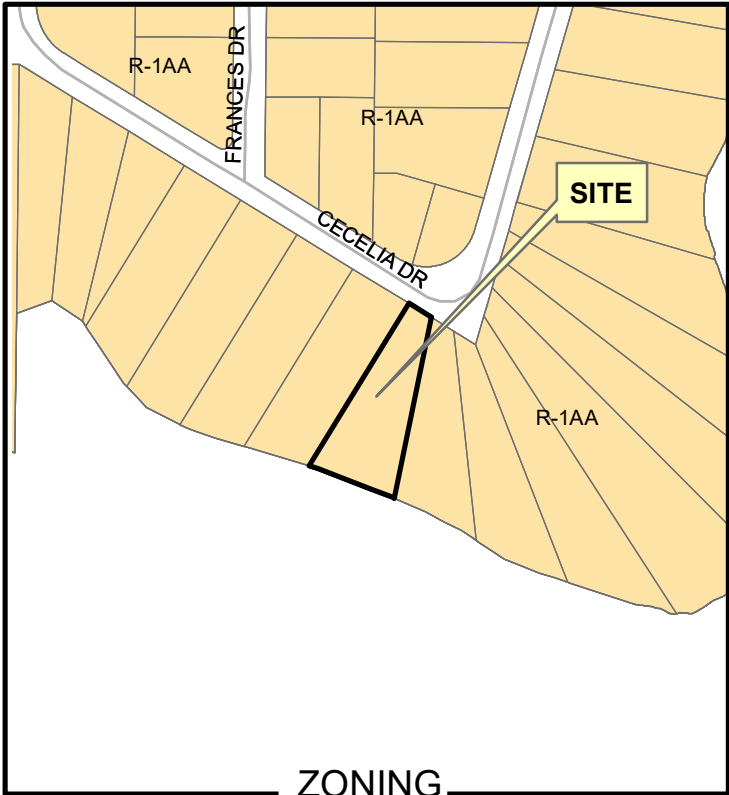


JONATHAN & EVA ALBERT
3153 CECELIA DR
APOPKA, FL 32703

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023

LEGEND

 R-1AA	 Support	 Site
	 Opposition	



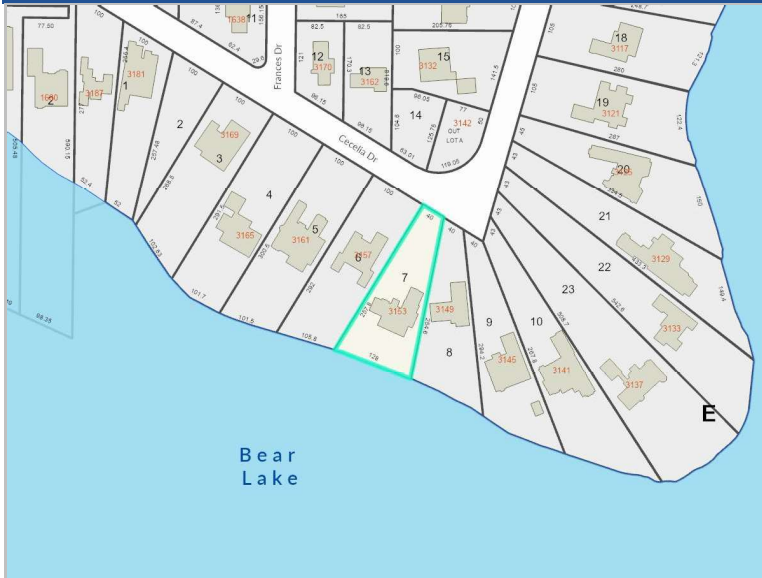
Property Record Card



Parcel 18-21-29-510-0E00-0070

Property Address 3153 CECELIA DR APOPKA, FL 32703

Parcel Location



Site View



1821295100E000070 03/14/2022

Parcel Information

Parcel	18-21-29-510-0E00-0070
Owner(s)	ALBERT, JONATHAN A - Tenancy by Entirety ALBERT, EVA M - Tenancy by Entirety
Property Address	3153 CECELIA DR APOPKA, FL 32703
Mailing	3153 CECELIA DR APOPKA, FL 32703-7815
Subdivision Name	PARADISE POINT
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	0130-SINGLE FAMILY WATERFRONT
Exemptions	00-HOMESTEAD(2016)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$536,871	\$493,797
Depreciated EXFT Value	\$22,547	\$22,134
Land Value (Market)	\$588,693	\$588,693
Land Value Ag		
Just/Market Value	\$1,148,111	\$1,104,624
Portability Adj		
Save Our Homes Adj	\$218,418	\$202,009
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$929,693	\$902,615

2022 Certified Tax Summary

2022 Tax Amount without Exemptions **\$14,810.91** 2022 Tax Savings with Exemptions **\$3,242.46**
 2022 Tax Bill Amount **\$11,568.45**

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

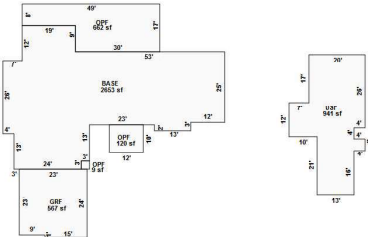
LOT 7 BLK E
PARADISE POINT
PB 7 PG 87

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$929,693	\$50,000	\$879,693
SJWM(Saint Johns Water Management)	\$929,693	\$50,000	\$879,693
FIRE	\$929,693	\$50,000	\$879,693
COUNTY GENERAL FUND	\$929,693	\$50,000	\$879,693
Schools	\$929,693	\$25,000	\$904,693

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	12/01/2010	07513	1836	\$415,000	No	Improved
PROBATE RECORDS	05/01/2004	05330	0937	\$100	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
FRONT FOOT & DEPTH	97.00	255.00	0	\$5,100.00	\$588,693

Building Information																								
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages												
1	SINGLE FAMILY	2014	4	3.0	18	2,653	4,952	3,594	CUSTOM CONCRETE BLOCK STUCCO	\$536,871	\$556,343	<table><thead><tr><th>Description</th><th>Area</th></tr></thead><tbody><tr><td>OPEN PORCH FINISHED</td><td>662.00</td></tr><tr><td>GARAGE FINISHED</td><td>567.00</td></tr><tr><td>OPEN PORCH FINISHED</td><td>9.00</td></tr><tr><td>OPEN PORCH FINISHED</td><td>120.00</td></tr><tr><td>UPPER STORY FINISHED</td><td>941.00</td></tr></tbody></table>	Description	Area	OPEN PORCH FINISHED	662.00	GARAGE FINISHED	567.00	OPEN PORCH FINISHED	9.00	OPEN PORCH FINISHED	120.00	UPPER STORY FINISHED	941.00
Description	Area																							
OPEN PORCH FINISHED	662.00																							
GARAGE FINISHED	567.00																							
OPEN PORCH FINISHED	9.00																							
OPEN PORCH FINISHED	120.00																							
UPPER STORY FINISHED	941.00																							



Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
00642	PLUMBING	County	\$0	10/31/2001	1/1/2001
10907	PLUMBING	County	\$0		12/1/2000
10337	REROOF	County	\$4,400		10/1/2002
09900	02/27/2014 08:52:58 AM Created by: Sharon Permit Key 12013112609900 was added!	County	\$539,000	9/24/2014	11/26/2013
05888	SOLAR	County	\$4,950		6/16/2014
07269	COLUMNS ON SIDES OF DRIVEWAY	County	\$1,250		7/24/2014
09760	DEMOLISH EXISTING SFR	County	\$4,900		11/20/2013
06500	136' X 2' HIGH SEAWALL	County	\$7,000		8/10/2011
06292	BOAT HOUSE	County	\$27,000		8/2/2011
09920	3153 CECELIA DR: GENERATOR-Single Family Home [PARADISE POINT]	County	\$12,728		7/29/2019

Extra Features				
Description	Year Built	Units	Value	New Cost
BOAT DOCK 2	11/01/2011	1	\$4,160	\$8,000
BOAT COVER 2	11/01/2011	1	\$4,160	\$8,000
FIREPLACE 1	11/01/2014	1	\$2,325	\$3,000
HOME-SOLAR HEATER	11/01/2014	1	\$0	
SUMMER KITCHEN 1	11/01/2014	1	\$3,502	\$5,000
STANDBY GENERATOR 1	12/05/2019	1	\$8,400	\$10,000

Zoning			
Zoning	Zoning Description	Future Land Use	Future Land Use Description
R-1AA	Low Density Residential	LDR	Single Family-11700

Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
13.00	DUKE	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	MON/THU	THU	WED	Advanced Disposal

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 3 - Lee Constantine	Dist 7 - Cory Mills	Dist 30 - Susan Plasencia	Dist 9 - Jason Brodeur	38

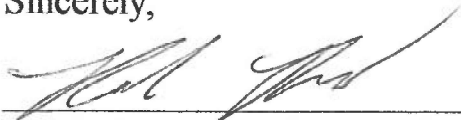
School Information		
Elementary School District	Middle School District	High School District
Bear Lake	Teague	Lake Brantley

March 29, 2023


To Whom It May Concern:

I have reviewed Jonathan and Eva Albert's Application for Variance for swimming pool at 3153 Cecelia Drive, Apopka, Florida 32703 and I approve of said request.

Sincerely,



Robert Bernard
3157 Cecelia Drive
Apopka, Fl 32703



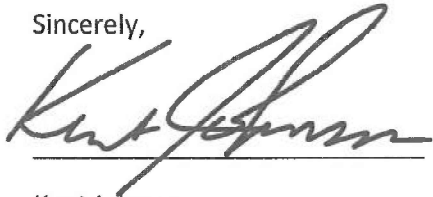
Jennifer Bernard
3157 Cecelia Drive
Apopka, Fl 32703

March 29, 2023

To Whom It May Concern:

I have reviewed Jonathan and Eva Albert's Application for Variance for swimming pool at 3153 Cecelia Drive, Apopka, Florida 32703 and I approve of said request.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent Johnson", written over a horizontal line.

Kent Johnson
3149 Cecelia Drive
Apopka, FL 32703

A handwritten signature in black ink, appearing to read "Kelli Johnson", written over a horizontal line.

Kelli Johnson
3149 Cecelia Drive
Apopka, FL 32703

**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 7 BLK E
PARADISE POINT
PB 7 PG 87

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

A. FINDINGS OF FACT

Property Owner: JONATHAN & EVA ALBERT
3153 CECELIA DRIVE
APOPKA, FL 32703

Project Name: CECELIA DR (3153)

Requested Variance:

A rear yard setback variance from thirty (30) feet to twenty-three (23) feet for a swimming pool in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, 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 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 7 BLK E
PARADISE POINT
PB 7 PG 87

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

A. FINDINGS OF FACT

Property Owner: JONATHAN & EVA ALBERT
3153 CECELIA DRIVE
APOPKA, FL 32703

Project Name: CECELIA DR (3153)

Variance Approval:

Request for a rear yard setback variance from thirty (30) feet to twenty-three (23) feet for a swimming pool in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, 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 (12' x 78') as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
Planning and Development Manager

**STATE OF FLORIDA
COUNTY OF SEMINOLE**

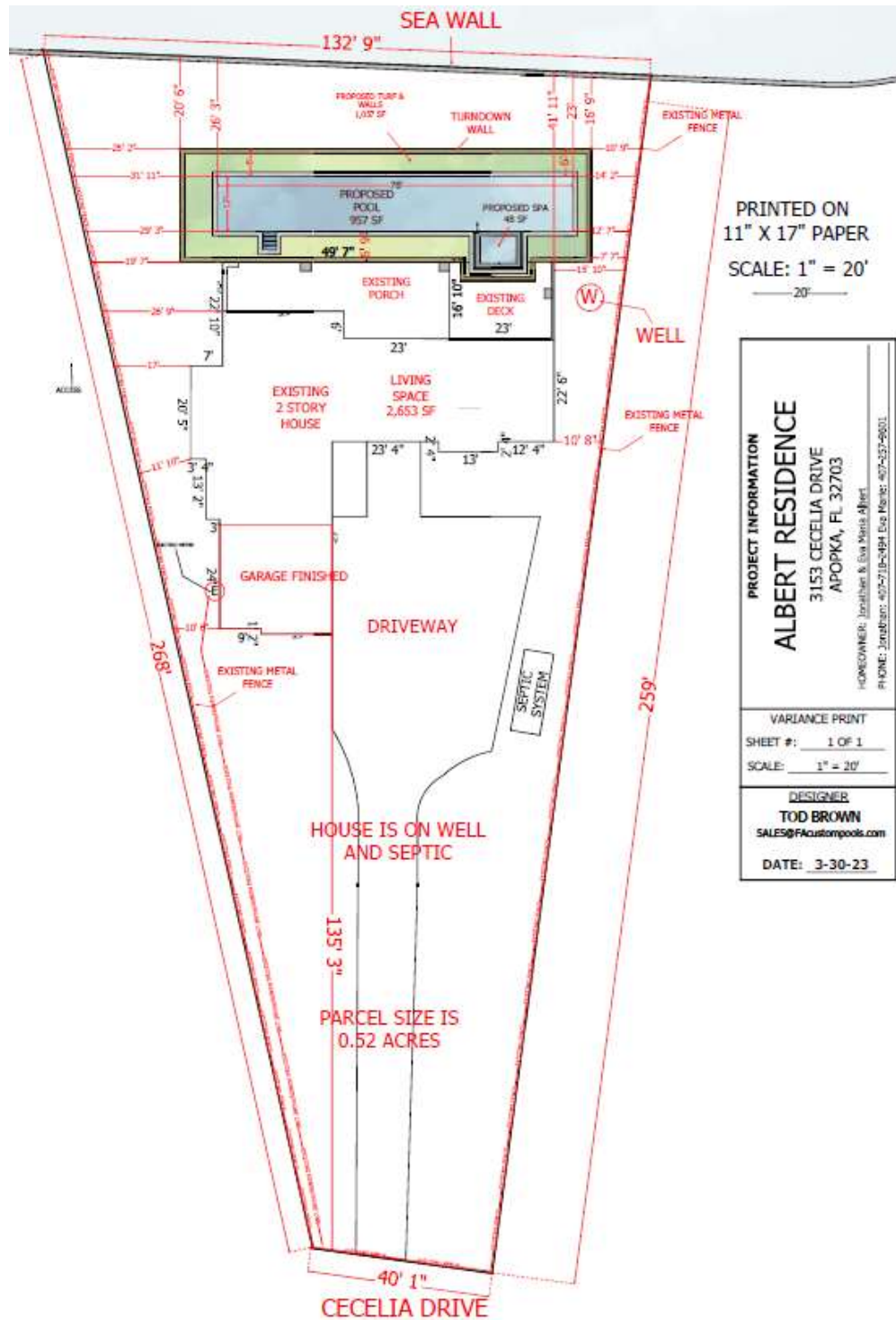
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of June, 2023.

Notary Public

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

EXHIBIT A





SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-490

Title:

605 Oranole Road - Request for: (1) a front yard setback variance from twenty-five (25) feet to 24.9 feet; and (2) a side yard (east) setback variance from ten (10) feet to 8.3 feet for an addition in the R-1AA (Single Family Dwelling) district; BV2023-035 (Sebastian Jimenez, 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: (1) a front yard setback variance from twenty-five (25) feet to 24.9 feet; and (2) a side yard (east) setback variance from ten (10) feet to 8.3 feet for an addition in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for: (1) a front yard setback variance from twenty-five (25) feet to 24.9 feet; and (2) a side yard (east) setback variance from ten (10) feet to 8.3 feet for an addition in the R-1AA (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

Background:

- The subject property is located in the Oakland Shores subdivision.
- The request is to enclose an existing 430 square foot, non-conforming carport and convert it into additional living space 0.1 foot into the front yard setback and 1.7 feet into the east side yard setback.
- The request is for a variance to Section 30.206(b) of the Land Development Code of Seminole County, which states that the front yard setback is twenty-five (25) feet and the side yard setback is ten (10) feet.
- There have not been prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(b)(3) of the Seminole County

Land Development Code for granting a variance as listed below:

- a. That special conditions or circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or building in the same zoning district; and
- b. That the special conditions and circumstances do not result from the actions of the applicant; and
- c. That the granting of the variance requested will not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district; and
- d. That the literal interpretation of the provisions of Chapter 30 will deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification; and
- e. That the variance requested is the minimum variance that will make possible reasonable use of the land, building or structure; and
- f. That the grant of the variance would be in harmony with the general intent of Chapter 30.

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 would not be in harmony with the general intent of Chapter 30. Section 30.43(b)(3)(f)

Staff Conclusion:

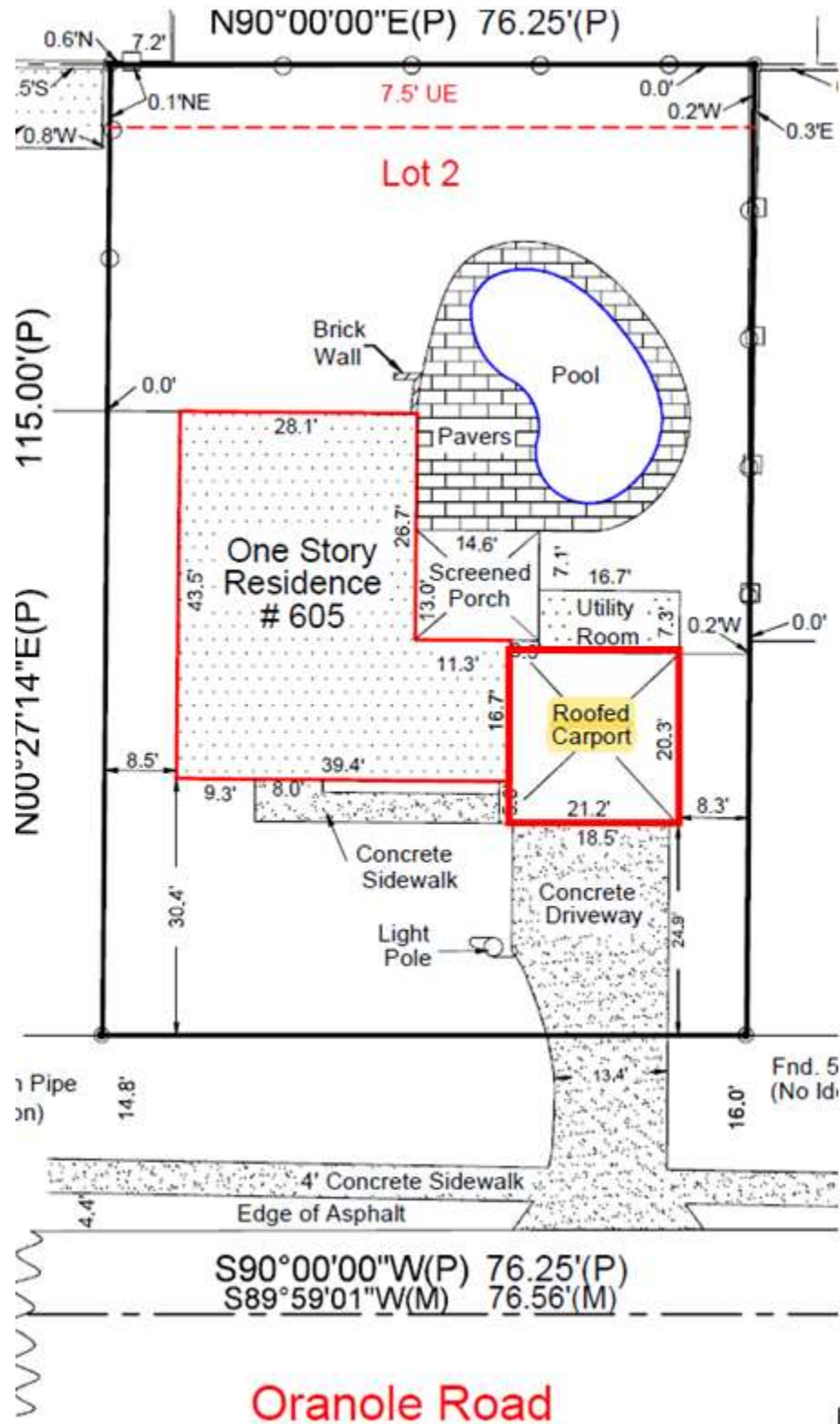
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

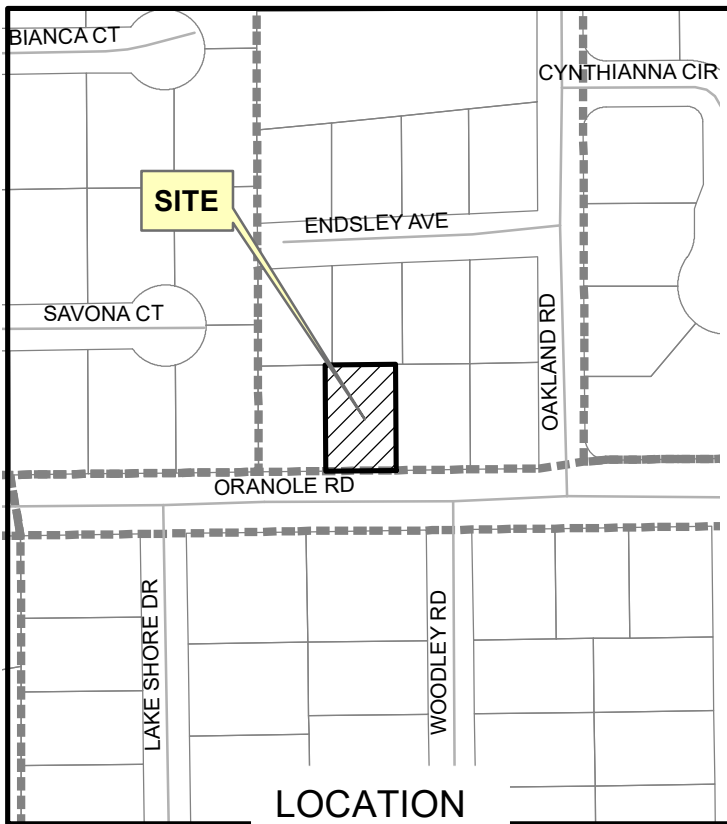
Staff Recommendation:

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 30.43(b)(3) 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 addition (21.2' x 20.3') 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.

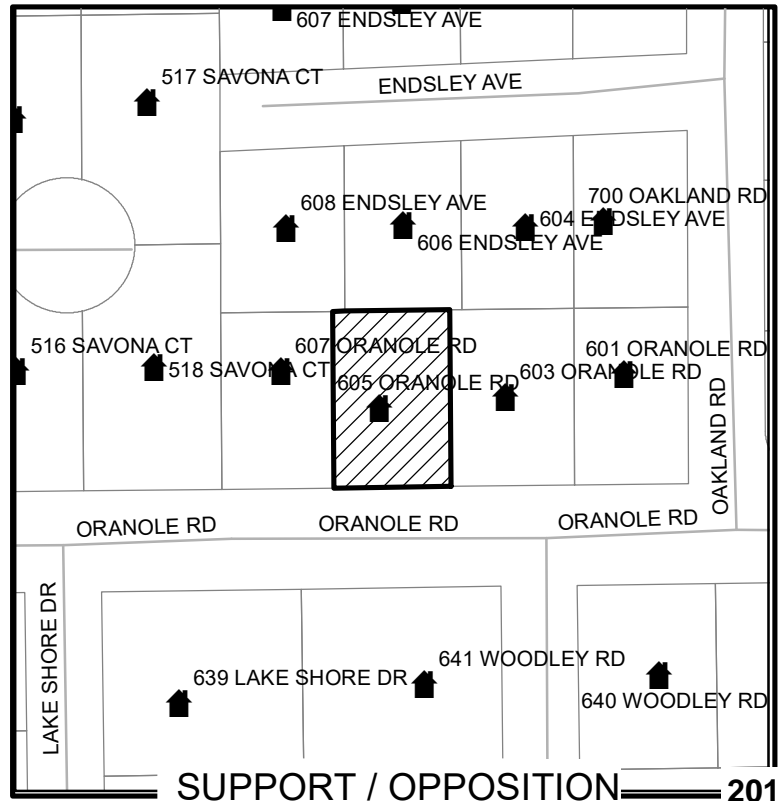
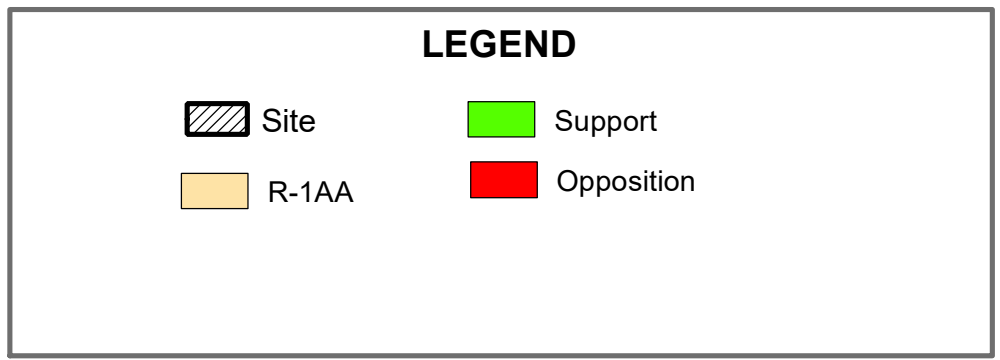
ORANOLE RD (605)
VARIANCES





**SEBASTIAN JIMENEZ &
MONICA MOLNAR
605 ORANOLE ROAD
MAITLAND, FL 32751**

**SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MAY 22, 2023**



Variance Criteria

Respond completely and fully to all six criteria listed below to demonstrate that the request meets the standards of Land Development Code of Seminole County Sec. 30.43(3) for the granting of a variance:

1. Describe the special conditions and circumstances that 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 district.

Home was built in 1958 with existing carport and side setback of 8.3ft

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.

The structure is already there when we purchased the home 2020.

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

This variance only seeks to enclose an existing structure. No special privileges are sought to expand beyond the existing setback.

4. Describe how the literal interpretation of the provisions of the zoning regulations would deprive the applicant, or petitioner, of rights commonly enjoyed by other properties in the same zoning district and would work unnecessary and undue hardship on the applicant or petitioner.

Other properties enjoy the benefit of having their homes built to existing zoning regulations. Regardless of the existing structure, I was told a variance application would be needed.

5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Enclosing the carport to add living room space is the most reasonable way to make use of the existing structure.

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

There are several homes in the area that have enjoyed enclosing of their carports. This variance poses no injury or harm to the public welfare.

Property Record Card



Parcel 24-21-29-506-0000-0020

Property Address 605 ORANOLE RD MAITLAND, FL 32751

Parcel Location



Site View



Parcel Information

Parcel	24-21-29-506-0000-0020
Owner(s)	JIMENEZ, SEBASTIAN G - Joint Tenants with right of Survivorship MOLNAR, MONICA N - Joint Tenants with right of Survivorship
Property Address	605 ORANOLE RD MAITLAND, FL 32751
Mailing	605 ORANOLE RD MAITLAND, FL 32751-3223
Subdivision Name	OAKLAND SHORES 3RD ADD REPLAT
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	01-SINGLE FAMILY
Exemptions	00-HOMESTEAD(2021)
AG Classification	No

Value Summary

	2023 Working Values	2022 Certified Values
Valuation Method	Cost/Market	Cost/Market
Number of Buildings	1	1
Depreciated Bldg Value	\$195,205	\$180,150
Depreciated EXFT Value	\$22,200	\$16,000
Land Value (Market)	\$71,250	\$71,250
Land Value Ag		
Just/Market Value	\$288,655	\$267,400
Portability Adj		
Save Our Homes Adj	\$45,058	\$30,898
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$243,597	\$236,502

2022 Certified Tax Summary

2022 Tax Amount without Exemptions	\$3,585.33	2022 Tax Savings with Exemptions	\$948.19
2022 Tax Bill Amount	\$2,637.14		

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 2
OAKLAND SHORES 3RD ADD
REPLAT
PB 11 PG 93

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value

ROAD DISTRICT	\$243,597	\$50,000	\$193,597
SJWM(Saint Johns Water Management)	\$243,597	\$50,000	\$193,597
FIRE	\$243,597	\$50,000	\$193,597
COUNTY GENERAL FUND	\$243,597	\$50,000	\$193,597
Schools	\$243,597	\$25,000	\$218,597

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp

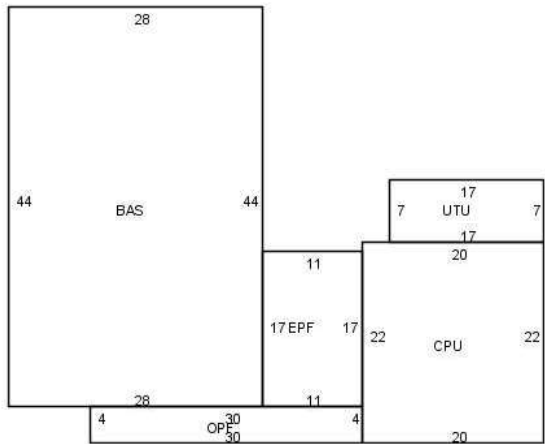
WARRANTY DEED	10/09/2020	09732	1554	\$300,000	Yes	Improved
WARRANTY DEED	01/10/2020	09519	0489	\$216,600	No	Improved
PROBATE RECORDS	01/07/2020	09515	1302	\$100	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value

LOT	1	\$95,000.00	\$71,250
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Building Information												
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages

1	SINGLE FAMILY	1958/1995	3	2.0	6	1,232	2,098	1,419	CONC BLOCK	\$195,205	\$219,331	Description	Area
												ENCLOSED PORCH FINISHED	187.00
												OPEN PORCH FINISHED	120.00
												UTILITY UNFINISHED	119.00
												CARPORT UNFINISHED	440.00



Building 1 - Page 1

**** Year Built (Actual / Effective)**

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date

05961	2.5 TON HEAT PUMP	County	\$4,727	8/1/1997
01848	REROOF	County	\$6,145	2/1/2003
04015	MECHANICAL & CONDENSOR	County	\$7,300	5/19/2010
00446	REROOF	County	\$4,800	1/15/2015
00673	REROOF	County	\$14,400	1/18/2017
01347	605 ORANOLE RD: ELECTRICAL - RESIDENTIAL- [OAKLAND SHORES 3RD ADD RE]	County	\$1,754	2/3/2020
09769	605 ORANOLE RD: PLUMBING - RESIDENTIAL-Single Family Home [OAKLAND SHORES 3RD ADD RE]	County	\$4,170	7/1/2020
06652	605 ORANOLE RD: WINDOW / DOOR REPLACEMENT-replace 9 windows size for size [OAKLAND SHORES 3RD ADD RE]	County	\$8,612	5/2/2022

Extra Features								
Description				Year Built		Units	Value	New Cost
POOL 1				10/01/1969		1	\$21,000	\$35,000
SCREEN PATIO 1				10/01/1990		1	\$1,200	\$3,000
Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
R-1AA		Low Density Residential		LDR		Single Family-11700		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
14.00	DUKE	CENTURY LINK	SUNSHINE WATER SERVICES	NA	TUE/FRI	WED	WED	Advanced Disposal
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 3 - Lee Constantine		Dist 7 - Cory Mills		Dist 30 - Susan Plasencia		Dist 9 - Jason Brodeur		55
School Information								
Elementary School District			Middle School District			High School District		
Lake Orienta			Milwee			Lyman		
Copyright 2023 © Seminole County Property Appraiser								



**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 2
OAKLAND SHORES 3RD ADD
REPLAT
PB 11 PG 93

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

A. FINDINGS OF FACT

Property Owner: SEBASTIAN JIMENEZ
605 ORANOLE ROAD
MAITLAND, FL 32751

Project Name: ORANOLE RD (605)

Requested Variances:

(1) A front yard setback variance from twenty-five (25) feet to 24.9 feet; and (2) a side yard (east) setback variance from ten (10) feet to 8.3 feet for an addition in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to convert an existing non-conforming carport into living space within the front and side yard setbacks. 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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On May 22, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 2
OAKLAND SHORES 3RD ADD
REPLAT
PB 11 PG 93

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

A. FINDINGS OF FACT

Property Owner: SEBASTIAN JIMENEZ
605 ORANOLE ROAD
MAITLAND, FL 32751

Project Name: ORANOLE RD (605)

Variance Approval:

Request for: (1) a front yard setback variance from twenty-five (25) feet to 24.9 feet; and (2) a side yard (east) setback variance from ten (10) feet to 8.3 feet for an addition in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 22, 2023, 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 addition (21.2' x 20.3') as depicted on the site plan.
- (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: _____
Mary Moskowitz, AICP, CPM
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 Mary Moskowitz, 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 June, 2023.

Notary Public

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

EXHIBIT A

