

SEMINOLE COUNTY, FLORIDA

COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA



Meeting Agenda 3 - Final

Monday, March 27, 2023

6:00 PM

BCC Chambers

Board of Adjustment

CALL TO ORDER AND ROLL CALL**OPENING STATEMENT****CONTINUED ITEMS**

402 South Street - Request for a side yard (west) setback variance from seven and one-half (7½) feet to five (5) feet for a garage in the R-1A (Single Family Dwelling) district; BV2022-60 (Kyle Danziger, Applicant) 4 - Lockhart (Angi Gates, Project Manager)

[2023-226](#)

Attachments: [Site Plan](#)
[Zoning Map](#)
[Justification Statement](#)
[Property Data Sheet](#)
[Photographs](#)
[Denial Development Order](#)
[Approval Development Order](#)

VARIANCES

2082 Apalachicola Lane - Request for a side street (south) setback variance from fifteen (15) feet to ten (10) feet for a fence in the PD (Planned Development) district; BV2023-004 (Sathya Hariharasubramanian, Applicant) District 5 - Herr (Angi Gates, Project Manager)

[2023-233](#)

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

104 Crestwood Drive - Request for a side yard (west) setback variance from ten (10) feet to eight (8) feet for a pool enclosure in the PD (Planned Development) district; BV2023-006 (Jack Hogan, Applicant) District 3 - Constantine (Angi Gates, Project Manager)

[2023-235](#)

Attachments: [Site Plan](#)
[Zoning Map](#)
[Justification Statement](#)
[Property Record Card](#)
[Letters of support](#)
[Pool enclosure plan](#)
[Denial Development Order](#)
[Approval Development Order](#)

2838 Red Bug Lake Road - Request for a front yard (south) setback variance from (100) feet to forty-four (44) feet for an accessory dwelling unit in the A-1 (Agriculture) district; BV2023-008 (Jeremy Swift, Applicant) District 1 - Dallari (Angi Gates, Project Manager)

[2023-246](#)

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

2805 Oranole Way - Request for a rear yard setback variance from thirty (30) feet to nine (9) feet for an accessory dwelling unit in the R-1AA (Single Family Dwelling) district; BV2023-003 (Jose Jimenez, Applicant) District 3 - Constantine (Hilary Padin, Project Manager)

[2023-214](#)

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

3484 Scout Lake Lane - Request for a rear yard setback variance from twenty (20) feet to 14.33 feet for a screen room addition in the PD (Planned Development) district; BV2023-009 (John & Jennifer Staines, Applicants) District 1 - Dallari (Hilary Padin, Project Manager)

[2023-221](#)

Attachments: [Site Plan PD8](#)
[Zoning Map](#)
[Justification Statement](#)
[Property Record Card](#)
[Photos](#)
[HOA Approval Letter](#)
[Denial Development Order](#)
[Approval Development Order](#)

101 Caspian Cove - Request for a front yard setback variance from 161 feet to 100 feet to allow an accessory structure to project beyond the established front building line of the primary structure for solar ground mounted panels in the R-1AA (Single Family Dwelling) district; BV2023-015 (Joshua Skiendziel, Applicant) District 4 - Lockhart (Kathy Hammel, Project Manager)

[2023-265](#)

Attachments: [Site Plan](#)
[Site Plan 2](#)
[Justification Statement](#)
[Property Record Card](#)
[Photos](#)
[Signed Petitions](#)
[Map 2 of Petition Signers](#)
[Denial Development Order](#)
[Approval Development Order.pdf](#)

CLOSING BUSINESS

FENCE WORKSHOP AND ETHICS (SEE ATTACHED AGENDA)

APPROVAL OF THE MINUTES

ADJOURN



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

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

File Number: 2023-226

Title:

402 South Street - Request for a side yard (west) setback variance from seven and one-half (7½) feet to five (5) feet for a garage in the R-1A (Single Family Dwelling) district; BV2022-60 (Kyle Danziger, Applicant) 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 (west) setback variance from seven and one-half (7½) feet to five (5) feet for a garage in the R-1A (Single Family Dwelling) district; or
2. Approve the request for a side yard (west) setback variance from seven and one-half (7½) feet to five (5) feet for a 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 Lake Ridge Park.
- The existing 418 square foot garage was built in 1976 and encroaches two and one-half (2½) feet into the minimum required side yard (west) setback.
- A single family dwelling permit was applied for (permit number 23-1681). The residence and existing garage will be attached
- The request is for a variance to Section 30.206(a)(2) 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.

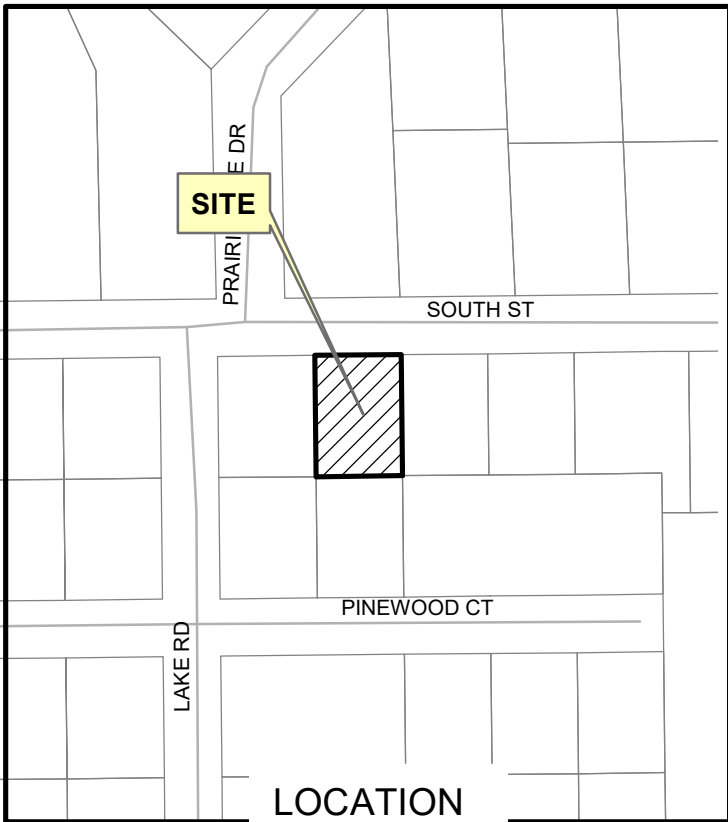
Staff Recommendation:

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 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.

(50' Right-of-Way)
South Street
(Asphalt Road)







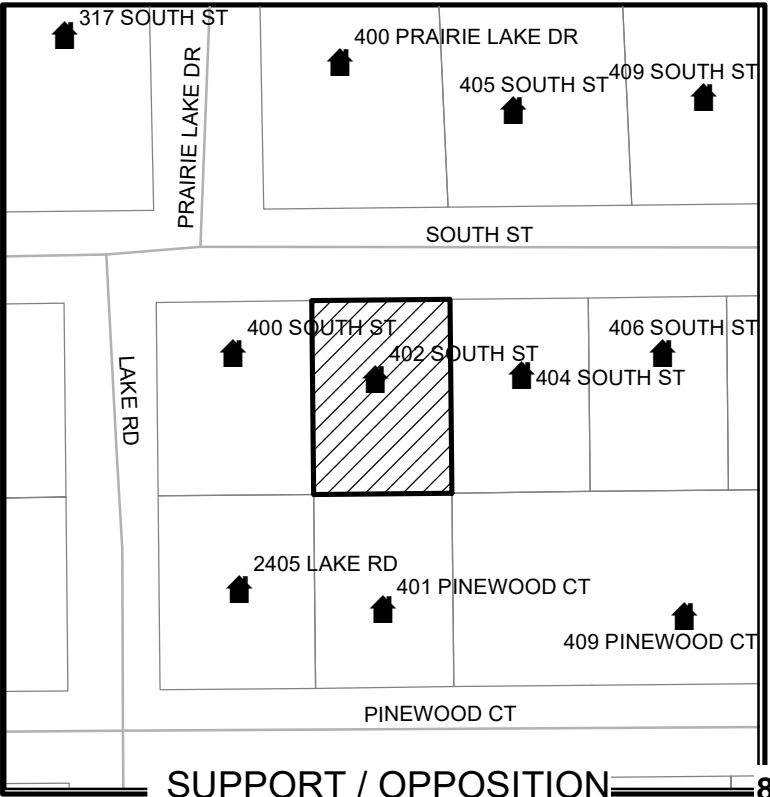
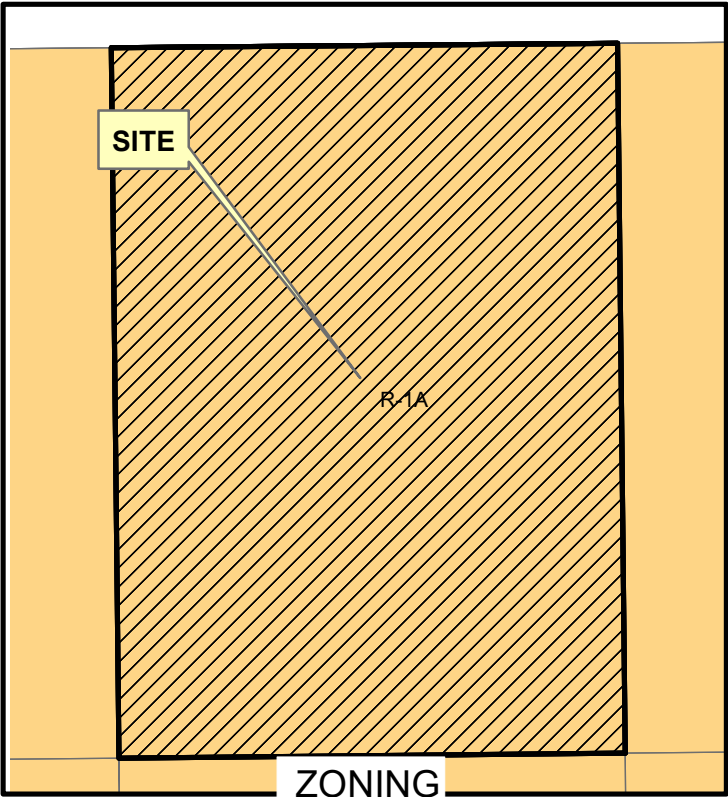


KYLE DANZIGER & SARA NEWMAN
402 SOUTH STREET
FERN PARK, FL 32730

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MARCH 27, 2023

LEGEND

 Site	 Support
 R-1A	 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.

Garage is 2.5 feet outside buildable line on west side.

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

We bought the property on June 10, 2022, this structure has been there since 1976.

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.

There are no other proposed structures in this zoning that have been constituted.

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.

Using the garage would allow us to reduce financial hardship^{due} to the economy inflation rates and resources and material available. This would ~~also~~ potentially increase property value in Seminole County.

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

2.5 ft setback at width of building line will allow for use of existing resources on property to eventually be able to build a high valued house.

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.

Allowing structure to remain will not impede public welfare, neighboring property or view from the road.

Property Record Card



Parcel 19-21-30-503-0200-0020
Property Address 402 SOUTH ST FERN PARK, FL 32730

Parcel Information		Value Summary		
Parcel	19-21-30-503-0200-0020		2022 Working Values	2021 Certified Values
Owner(s)	DANZIGER, KYLE - Tenants in Common :50 NEWMAN, SARA - Tenants in Common :50	Valuation Method	Cost/Market	Cost/Market
Property Address	402 SOUTH ST FERN PARK, FL 32730	Number of Buildings	1	1
Mailing	3009 BARRYMORE CT ORLANDO, FL 32835-6146	Depreciated Bldg Value	\$6,656	\$6,278
Subdivision Name	LAKE RIDGE PARK	Depreciated EXFT Value		
Tax District	01-COUNTY-TX DIST 1	Land Value (Market)	\$60,000	\$50,000
DOR Use Code	07-MISCELLANEOUS RESIDENTIAL	Land Value Ag		
Exemptions	None	Just/Market Value	\$66,656	\$56,278
Agricultural Classification	No	Portability Adj		
		Save Our Homes Adj	\$0	\$0
		Amendment 1 Adj	\$0	\$23,458
		P&G Adj	\$0	\$0
		Assessed Value	\$66,656	\$32,820



2021 Tax Amount without Exemptions: \$776.33
 2021 Tax Bill Amount: \$589.38
 2021 Tax Savings with Exemptions: \$186.95
** Does NOT INCLUDE Non Ad Valorem Assessments*

Legal Description

LOT 2 BLK 2
 LAKE RIDGE PARK
 PB 9 PG 69

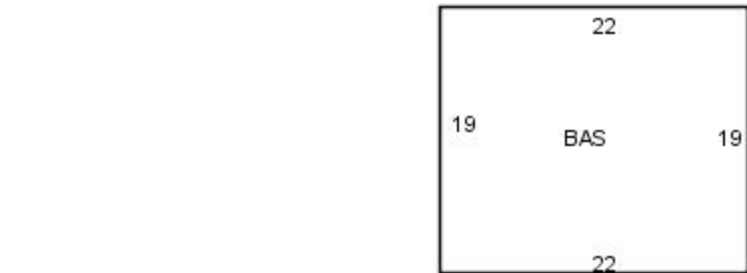
Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$66,656	\$0	\$66,656
SJWM(Saint Johns Water Management)	\$66,656	\$0	\$66,656
FIRE	\$66,656	\$0	\$66,656
COUNTY GENERAL FUND	\$66,656	\$0	\$66,656
Schools	\$66,656	\$0	\$66,656

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	06/10/2022	10257	1685	\$100,000	Yes	Improved
ADMINISTRATIVE DEED	03/31/2022	10209	0983	\$56,000	No	Improved
PROBATE RECORDS	11/01/2021	10209	0979	\$100	No	Improved

WARRANTY DEED	06/01/2002	04446	1510	\$29,500	Yes	Improved
WARRANTY DEED	11/01/1994	02854	0352	\$23,900	Yes	Improved
ADMINISTRATIVE DEED	11/01/1991	02367	1187	\$19,500	No	Vacant

Land						
Method	Frontage	Depth	Units	Units Price	Land Value	
LOT			1	\$60,000.00	\$60,000	

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	BARNS/SHEDS	1976			0	418	418	418	CONC BLOCK	\$6,656	\$8,874	Description	Area



Building 1 - Page 1

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date

Extra Features				
Description	Year Built	Units	Value	New Cost

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

Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
22.00	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 4 - Amy Lockhart	Dist 7 - Stephanie Murphy	Dist 30 - Joy Goff-Marcil	Dist 9 - Jason Brodeur	56

School Information		
Elementary School District	Middle School District	High School District
English Estates	South Seminole	Lyman













**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 2 BLK 2
LAKE RIDGE PARK
PB 9 PG 69

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

A. FINDINGS OF FACT

Property Owner: KYLE DANZIGER
402 SOUTH STREET
FERN PARK, FL 32730

Project Name: SOUTH ST (402)

Requested Variance:

Request for a side yard (west) setback variance from seven and one-half (7½) feet to five (5) feet for a garage in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the March 27, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

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

C. DECISION

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

Done and Ordered on the date first written above.

By: _____
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 April, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 2 BLK 2
LAKE RIDGE PARK
PB 9 PG 69

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

A. FINDINGS OF FACT

Property Owner: KYLE DANZIGER
402 SOUTH STREET
FERN PARK, FL 32730

Project Name: SOUTH ST (402)

Variance Approval:

Request for a side yard (west) setback variance from seven and one-half (7½) feet to five (5) feet for a garage in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the March 27, 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 garage (416 square feet) 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**

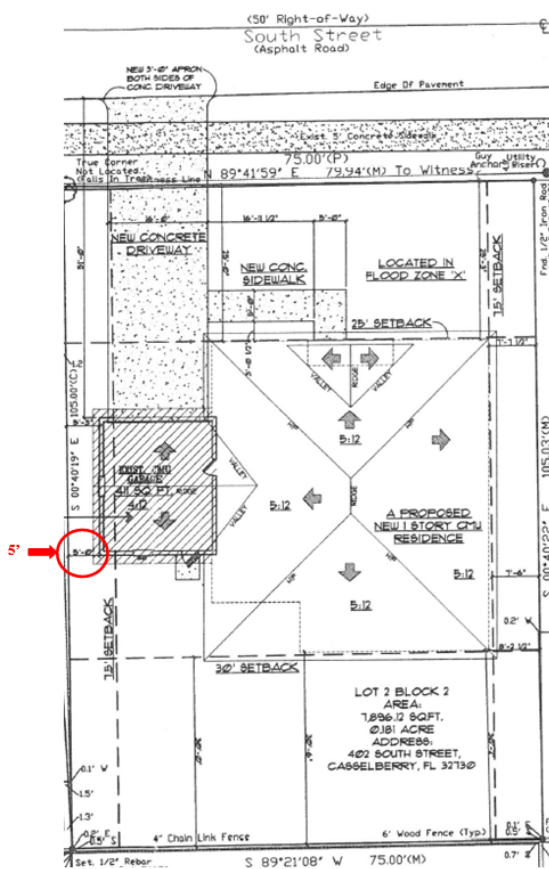
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of April, 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: 2023-233

Title:

2082 Apalachicola Lane - Request for a side street (south) setback variance from fifteen (15) feet to ten (10) feet for a fence in the PD (Planned Development) district; BV2023-004 (Sathya Hariharasubramanian, Applicant) District 5 - Herr (Angi Gates, Project Manager)

Department/Division:

Development Services - Planning and Development

Authorized By:

Kathy Hammel

Contact/Phone Number:

Angi Kealhofer 407-665-7465

Motion/Recommendation:

1. Deny the request for a side street (south) setback variance from fifteen (15) feet to ten (10) feet for a fence in the PD (Planned Development) district; or
2. Approve the request for a side street (south) setback variance from fifteen (15) 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 Phase 4 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 Apalachicola Lane. The Twin Flower Lane street 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 Riverbend at Cameron Heights Homeowners Association has approved the proposed location of the fence.
- Letters of support have been received from five of the adjacent neighbors.
- The proposed privacy fence will be ten (10) feet from the sidewalk and twenty and one-half (20½) 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.

Hand-drawn site plan for a property at the intersection of Twin Flower Lane and Apalachicola Lane. The plan shows a rectangular lot with a hatched area labeled "ONE STORY STUCCO & FRAME # 2082". The lot is bounded by a north line (N 89°38'55" E 124.40') and a south line (S 00°20'48" E 29.06'). The lot area is 448 sq ft. The building footprint is 23.88' x 23.33' with a proposed footprint of 23.85'. The lot is divided into a "LANAI" (14.5' x 15.3') and a "CONC DRIVE" (20.4' x 20.4'). The lot is surrounded by a 10' setback (indicated by a red double-headed arrow) and a 10' double gate (indicated by a blue arrow). The lot is also bounded by a 10' setback (indicated by a red double-headed arrow) and a 10' double gate (indicated by a blue arrow). The lot is also bounded by a 10' setback (indicated by a red double-headed arrow) and a 10' double gate (indicated by a blue arrow).

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 house is located on a corner lot, so we need a variance for the south side of the home to adjust the current set back requirement.

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

We were not aware of the set back restrictions before purchasing the property but would like to be afforded the same courtesy as many other corner lots in the community (even directly across the street).

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.

There are multiple corner lots that have already been granted the variance approval (even the one right across the 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.

We won't be able to have any privacy and my kids won't be able to enjoy the full view of the yard and play there. My wife won't be able to nurse my newborn in patio as there is no privacy.

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 requesting a ten feet set back from the side walk which is very reasonable and has been done already in this area.

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.

1. We have adjacent letters agreeing to the fence placement.

Revised 2019 2. This will not impede when coming to a stop. Again this was done directly across the street with no issues. 29

Property Record Card



Parcel 33-19-31-521-0000-4480

Property Address 2082 APALACHICOLA LN SANFORD, FL 32771

Parcel Location

Site View



Sorry, No Image Available at this Time

Parcel Information

Value Summary

Parcel	33-19-31-521-0000-4480	2023 Working Values	2022 Certified Values
Owner(s)	HARIHARASUBRAMANIAN, SATHYA N - Tenancy by Entirety SUNDARAM, MEENAKSHI - Tenancy by Entirety	Valuation Method	Cost/Market
Property Address	2082 APALACHICOLA LN SANFORD, FL 32771	Number of Buildings	1
Mailing	2082 APALACHICOLA LN SANFORD, FL 32771-4026	Depreciated Bldg Value	\$178,975
Subdivision Name	RIVERBEND AT CAMERON HEIGHTS PHASE 4	Depreciated EXFT Value	
Tax District	01-COUNTY-TX DIST 1	Land Value (Market)	\$67,000
DOR Use Code	01-SINGLE FAMILY	Land Value Ag	
Exemptions	None	Just/Market Value	\$245,975
AG Classification	No	Portability Adj	
		Save Our Homes Adj	\$0
		Amendment 1 Adj	\$0
		P&G Adj	\$0
		Assessed Value	\$245,975

2022 Certified Tax Summary

2022 Tax Amount without Exemptions \$898.34

2022 Tax Bill Amount \$898.34

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 448 RIVERBEND AT CAMERON HEIGHTS PHASE 4 PB {87} PGS {28-33}

Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$245,975	\$0	\$245,975
SJWM(Saint Johns Water Management)	\$245,975	\$0	\$245,975
FIRE	\$245,975	\$0	\$245,975
COUNTY GENERAL FUND	\$245,975	\$0	\$245,975
Schools	\$245,975	\$0	\$245,975

Sales

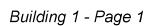
Land

Method	Frontage	Depth	Units	Units Price	Land Value
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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
---	-------------	--------------	-----	------	----------	-----------	----------	-----------	----------	-----------	------------	------------

<div> <div>OPF</div> <div>S4</div> </div>	6	16	<table> <tr> <td>OPEN PORCH FINISHED</td><td>30.00</td></tr> </table>	OPEN PORCH FINISHED	30.00
OPEN PORCH FINISHED	30.00				
14			<table> <tr> <td>OPEN PORCH FINISHED</td><td>84.00</td></tr> </table>	OPEN PORCH FINISHED	84.00
OPEN PORCH FINISHED	84.00				
			<table> <tr> <td>GARAGE FINISHED</td><td>399.00</td></tr> </table>	GARAGE FINISHED	399.00
GARAGE FINISHED	399.00				



Permits

Permit #	Description	Agency	Amount	CO Date	Permit Date
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Extra Features

Description	Year Built	Units	Value	New Cost
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Zoning

Zoning	Zoning Description	Future Land Use	Future Land Use Description
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Utility Information

Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
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Political Representation

Commissioner	US Congress	State House	State Senate	Voting Precinct
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School Information

Elementary School District	Middle School District	High School District
Alameda County Office of Education 700 California Street San Francisco, CA 94108 (415) 680-6000 www.alameda.k12.ca.us	Alameda County Office of Education 700 California Street San Francisco, CA 94108 (415) 680-6000 www.alameda.k12.ca.us	Alameda County Office of Education 700 California Street San Francisco, CA 94108 (415) 680-6000 www.alameda.k12.ca.us

Region 3	Millennium	Seminole
<div></div>		

LETTER OF SUPPORT FROM ADJACENT PROPERTY OWNERS

TO

SEMINOLE COUNTY

PLANNING AND DEVELOPMENT DIVISION

SANFORD

FLORIDA – 32771

RESPECTED SIR/MADAM,

THIS IS TO CERTIFY THAT I

Ayanna Albertson
RESIDING IN 2096 Apalachicola Lane

HAVE NO OBJECTION IN ALLOWING SATHYA NARAYANAN HARIHARASUBRAMANIAN AND MEENAKSHI SUNDARAM TO PUT PRIVACY FENCE 10 FOOT FROM THE SIDEWALK. WE ARE IN COMPLETE AGREEMENT WITH THIS.

THANKS.

PRINTED NAME: Ayanna Albertson

SIGNATURE: Ayanna Albertson

DATE: 1-11-2023

LETTER OF SUPPORT FROM ADJACENT PROPERTY OWNERS

TO
SEMINOLE COUNTY
PLANNING AND DEVELOPMENT DIVISION
SANFORD
FLORIDA – 32771

RESPECTED SIR/MADAM,

THIS IS TO CERTIFY THAT I

Manish Rastogi

RESIDING IN 2098 Apalakichala Ln., Sanford, FL 32771

HAVE NO OBJECTION IN ALLOWING SATHYA NARAYANAN HARIHARASUBRAMANIAN AND MEENAKSHI SUNDARAM TO PUT PRIVACY FENCE 10 FOOT FROM THE SIDEWALK. WE ARE IN COMPLETE AGREEMENT WITH THIS.

THANKS.

PRINTED NAME: Manish Rastogi

SIGNATURE: Manish Rastogi

DATE: 01/10/23

LETTER OF SUPPORT FROM ADJACENT PROPERTY OWNERS

TO

SEMINOLE COUNTY

PLANNING AND DEVELOPMENT DIVISION

SANFORD

FLORIDA – 32771

RESPECTED SIR/MADAM,

THIS IS TO CERTIFY THAT I

Sean Nevins

RESIDING IN 2100 Twin Flower Lane, Sanford, FL 32771

HAVE NO OBJECTION IN ALLOWING SATHYA NARAYANAN HARIHARASUBRAMANIAN AND MEENAKSHI SUNDARAM TO PUT PRIVACY FENCE 10 FOOT FROM THE SIDEWALK. WE ARE IN COMPLETE AGREEMENT WITH THIS.

THANKS.

PRINTED NAME: Sean Nevins

SIGNATURE: Sean Nevins

DATE: 1/10/23

LETTER OF SUPPORT FROM ADJACENT PROPERTY OWNERS

TO

SEMINOLE COUNTY

PLANNING AND DEVELOPMENT DIVISION

SANFORD

FLORIDA – 32771

RESPECTED SIR/MADAM,

THIS IS TO CERTIFY THAT I

Nordia Hue

RESIDING IN

2095 Apache Apalachicola Ln

HAVE NO OBJECTION IN ALLOWING SATHYA NARAYANAN HARIHARASUBRAMANIAN AND MEENAKSHI SUNDARAM TO PUT PRIVACY FENCE 10 FOOT FROM THE SIDEWALK. WE ARE IN COMPLETE AGREEMENT WITH THIS.

THANKS.

PRINTED NAME:

Nordia Hue

SIGNATURE:



DATE:

1/10/2023

LETTER OF SUPPORT FROM ADJACENT PROPERTY OWNERS

TO
SEMINOLE COUNTY
PLANNING AND DEVELOPMENT DIVISION
SANFORD
FLORIDA – 32771

RESPECTED SIR/MADAM,

THIS IS TO CERTIFY THAT I

Delia Rodriguez

RESIDING IN 2069 Apalachicola Ln

HAVE NO OBJECTION IN ALLOWING SATHYA NARAYANAN HARIHARASUBRAMANIAN AND MEENAKSHI SUNDARAM TO PUT PRIVACY FENCE 10 FOOT FROM THE SIDEWALK. WE ARE IN COMPLETE AGREEMENT WITH THIS.

THANKS.

PRINTED NAME:

Delia Rodriguez

SIGNATURE:

Abdullah

DATE:

1-10-23

Riverbend at Cameron Heights
C/O Access Management
215 Celebration Place
Celebration, FL, 34747



**NOTICE OF APPROVAL
ARCHITECTURAL MODIFICATION REQUEST**

December 27, 2022

Sathya N. Hariharasubramanian and Meenakshi Sundaram
2082 Apalachicola Lane
Sanford, FL 32771

RE: Architectural Modification Request Approval for 2082 Apalachicola Lane

Dear Sathya N. Hariharasubramanian and Meenakshi Sundaram;

Please accept this letter as evidence that your Architectural Modification Application has been reviewed by the Architectural Review Committee for Riverbend at Cameron Heights. Specifically, you are approved to proceed with the following as submitted:

Fence Installation with minimum of 10ft setback from front and side of home.

Please note that all work must be performed in accordance with your community's Governing Documents, any and all permits must be secured by the homeowner, and all applicable building codes and ordinances must be adhered to in relation to this project. It is the lot owner's responsibility to ensure that all municipal processes are completed and approved prior to work commencing.

You have up to 90 days from the date of official approval as indicated on this notification, to have the approved work completed. Should you need an extension or will not have the project completed within this time frame, please contact us at 407-480-4200 or by e-mail at cprince@accessdifference.com.

Thank you for your compliance and adherence to the Architectural guidelines for the community.

On Behalf of the Board of Directors

Christie Prince
Community Association Manager

Property that requires variance on north side



front view of the property that has fence installed 10' from side walks



Back view of the property



Opposite property that has privacy fence 10' from side walk whose variance is approved



SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 448
RIVERBEND AT CAMERON HEIGHTS PHASE 4
PB 87 PGS 28-33

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

A. FINDINGS OF FACT

Property Owner: SATHYA HARIHARASUBRAMANIAN
2082 APALACHICOLA LANE
SANFORD, FL 32771

Project Name: APALACHICOLA LN (2082)

Requested Variance:

Request for a side street (south) setback variance from fifteen (15) feet to ten (10) feet for a fence in the PD (Planned Development) district.

The findings reflected in the record of the March 27, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to construct a 6-foot privacy fence with the required side yard (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 April, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 448
RIVERBEND AT CAMERON HEIGHTS PHASE 4
PB 87 PGS 28-33

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

A. FINDINGS OF FACT

Property Owner: SATHYA HARIHARASUBRAMANIAN
2082 APALACHICOLA LANE
SANFORD, FL 32771

Project Name: APALACHICOLA LN (2082)

Variance Approval:

Request for a side street (south) setback variance from fifteen (15) feet to ten (10) feet for a fence in the PD (Planned Development) district.

The findings reflected in the record of the March 27, 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**

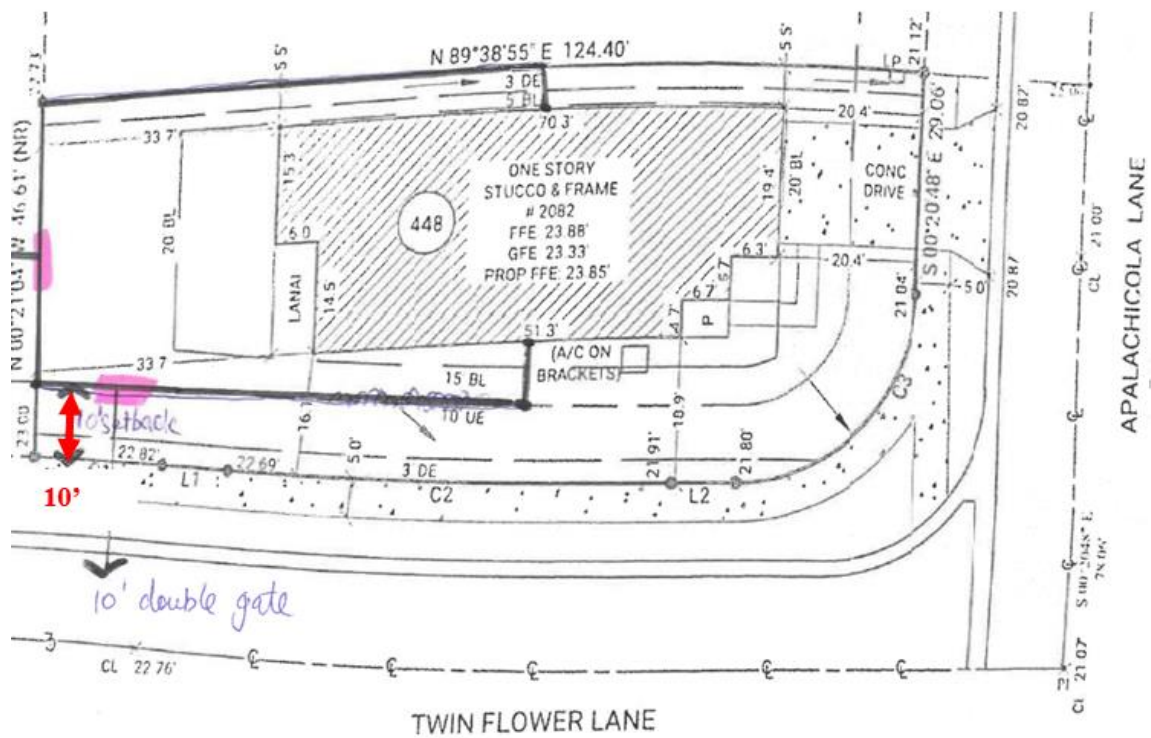
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of April, 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: 2023-235

Title:

104 Crestwood Drive - Request for a side yard (west) setback variance from ten (10) feet to eight (8) feet for a pool enclosure in the PD (Planned Development) district; BV2023-006 (Jack Hogan, 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 yard (west) setback variance from ten (10) feet to eight (8) feet for a pool enclosure in the PD (Planned Development) district; or
2. Approve the request for a side yard (west) setback variance from ten (10) feet to eight (8) feet for a pool enclosure 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 Sweetwater Oaks Section 15 subdivision.
- The replacement pool screen enclosure that was built in 1976 will not exceed the existing footprint.
- The pool enclosure is 1,087.2 square feet (24' x 45.3') and encroaches two (2) feet into the side yard (west) setback.
- Letters of support were received from two of the adjacent 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 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 pool enclosure 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.

CRESTWOOD DR (104) VARIANCES



L1(P)	S 72°43'03" W	48.081'
L1(M)	S 72°20'01" W	48.14'
L2(P)	S 17°16'57" E	54.157'
L2(M)	S 17°16'57" E	54.16'
L3(P)	N 17°16'57" W	49.216'
L3(M)	S 18°15'24" E	49.11'

C1(P)	75.00'	90°00'00"	117.810'
C1(M)	75.00'	90°12'25"	118.08'

SCALE: 1"=30'

HIS SURVEY IS NOT TO BE USED FOR
CONSTRUCTION OR PERMITTING OF ANY KIND.
AD FILES WILL NOT BE PROVIDED.

LOT 5
BLOCK "C"

LOT 2
BLOCK "C"

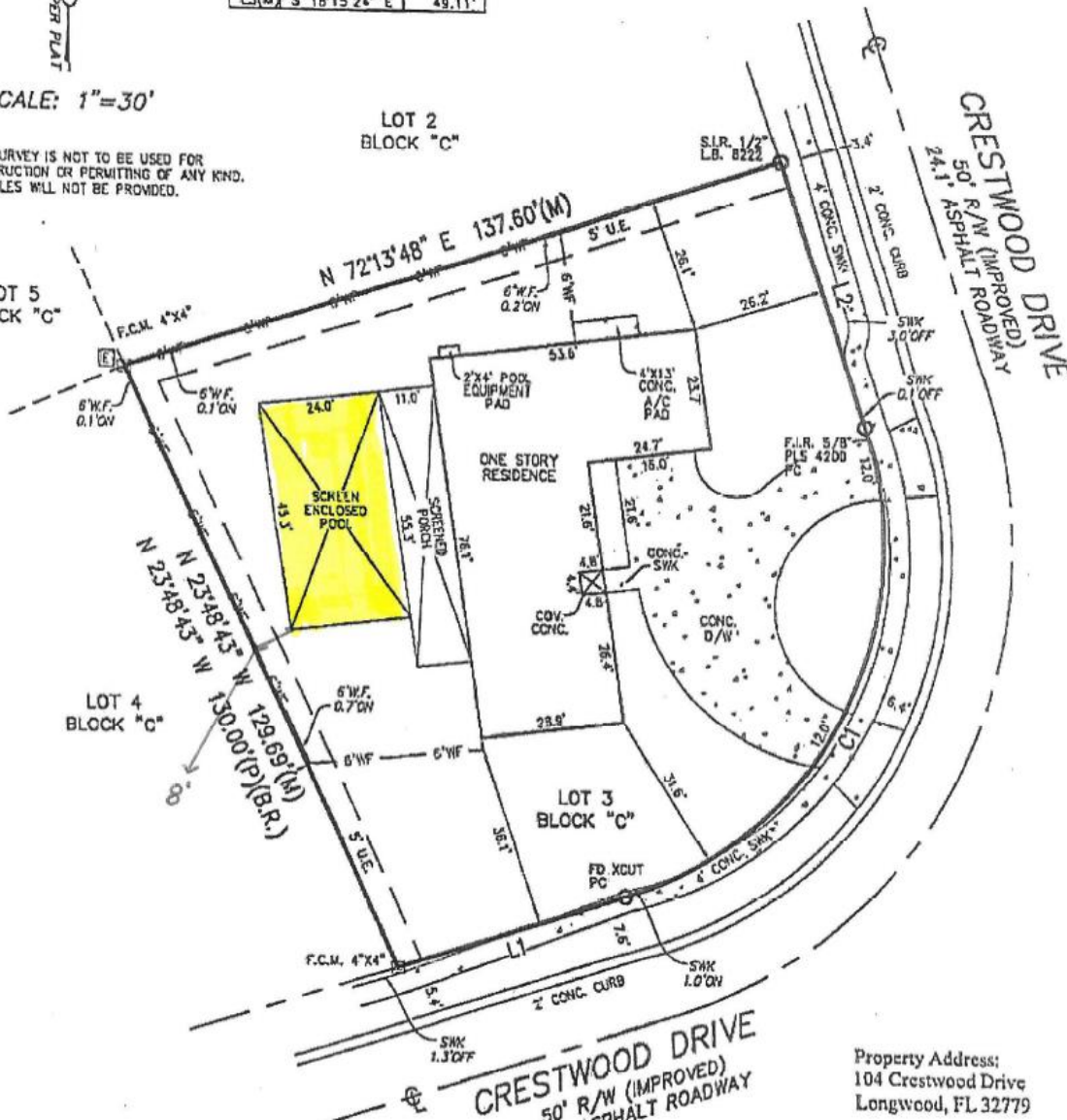
LOT 4
BLOCK "C"

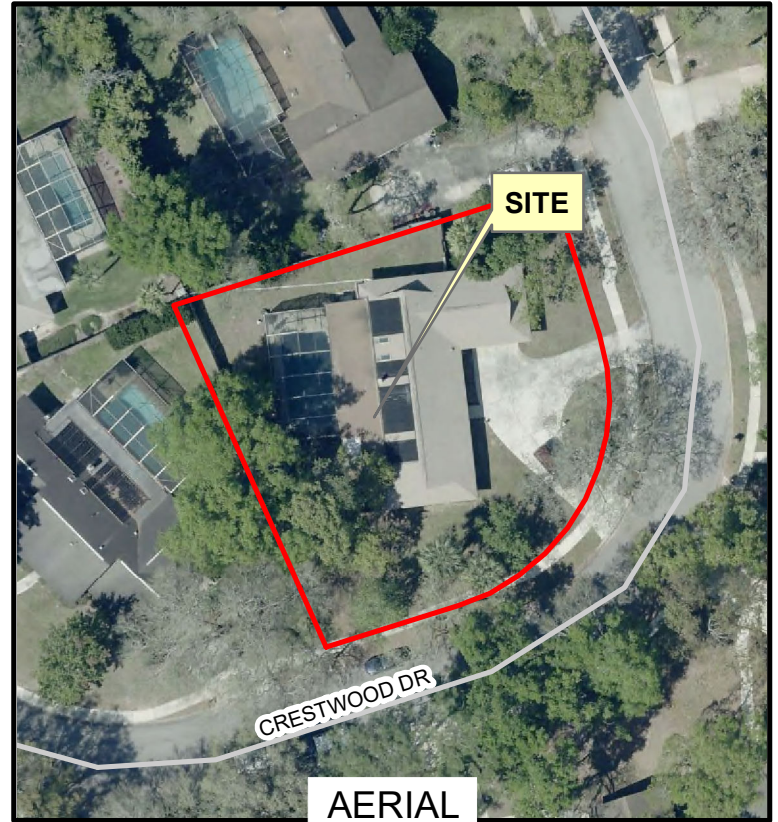
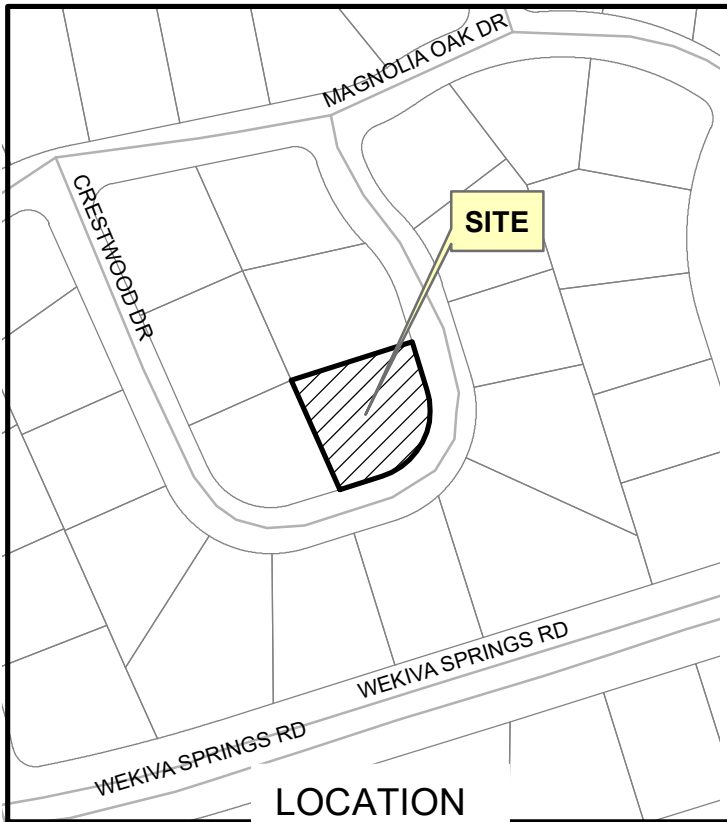
LOT 3
BLOCK "C"

CRESTWOOD DRIVE
50' R/W (IMPROVED)
24.1' ASPHALT ROADWAY

CRESTWOOD DRIVE
50' R/W (IMPROVED)
24.1' ASPHALT ROADWAY

Property Address:
104 Crestwood Drive
Longwood, FL 32779







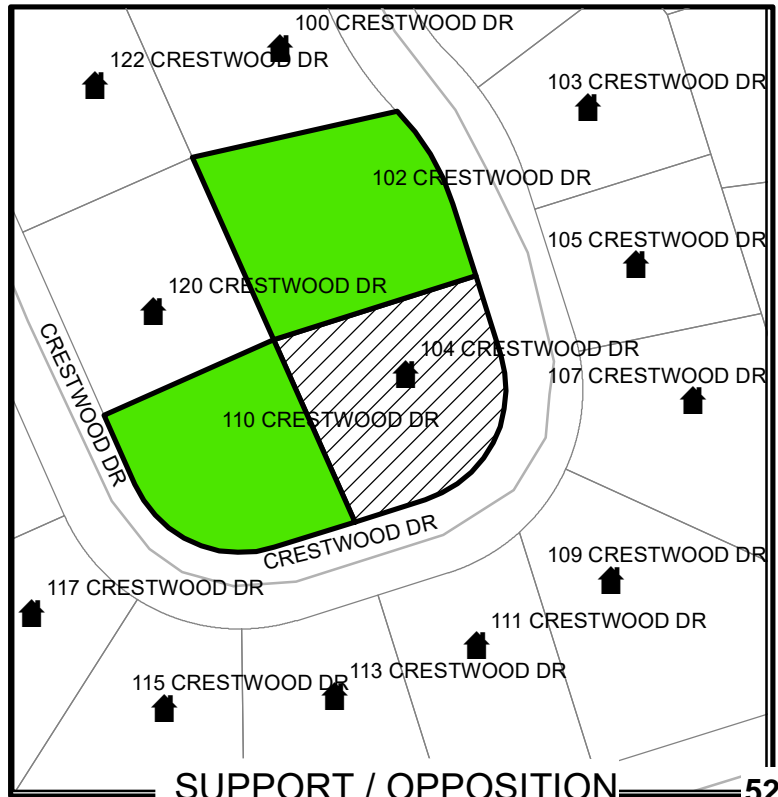
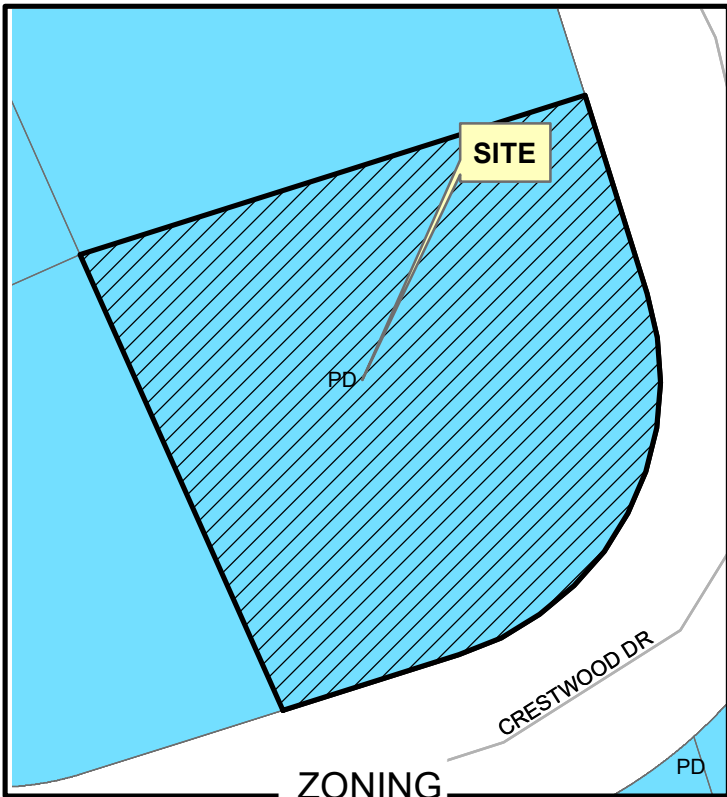


JACK HOGAN
104 CRESTWOOD DR
LONGWOOD, FL 32779

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MARCH 27, 2023

LEGEND

 Site	 Support
 PD	 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 enclosure has been in the same spot for 46 years

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

Pool enclosure were built in 1977 by previous owner

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.

enclosure was approved 46 years ago

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.

Working to put enclosure back in the same spot

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

Not asking for additional size

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.

Neighbor beside to rear sending approval letters

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.

This cage has been in the same spot for 46 yrs.

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

Pool & Enclosure were built in 1977 by previous owner

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.

Cage was approved 46 years ago.

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.

Wanting to put cage back in same spot

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

Not asking for additional size

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.

Neighbor beside & to Rear sending approval letters.

Property Record Card



Parcel 32-20-29-506-0C00-0030

Property Address 104 CRESTWOOD DR LONGWOOD, FL 32779

Parcel Location



Site View



Parcel Information

Parcel	32-20-29-506-0C00-0030
Owner(s)	HOGAN, JACK - Tenants in Common :50 THEGE, ERIN - Tenants in Common :50
Property Address	104 CRESTWOOD DR LONGWOOD, FL 32779
Mailing	104 CRESTWOOD DR LONGWOOD, FL 32779-2405
Subdivision Name	SWEETWATER OAKS SEC 15
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	\$318,711	\$278,263
Depreciated EXFT Value	\$27,800	\$21,200
Land Value (Market)	\$88,000	\$78,000
Land Value Ag		
Just/Market Value	\$434,511	\$377,463
Portability Adj		
Save Our Homes Adj	\$0	\$0
Amendment 1 Adj	\$19,302	\$0
P&G Adj	\$0	\$0
Assessed Value	\$415,209	\$377,463

2022 Certified Tax Summary

2022 Tax Amount without Exemptions **\$5,061.06**
2022 Tax Bill Amount **\$5,061.06**

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 3 BLK C
SWEETWATER OAKS SEC 15
PB 20 PG 19

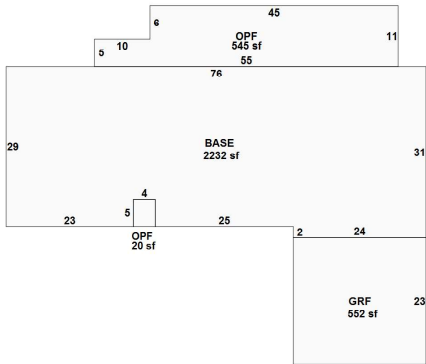
Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$415,209	\$0	\$415,209
SJWM(Saint Johns Water Management)	\$415,209	\$0	\$415,209
FIRE	\$415,209	\$0	\$415,209
COUNTY GENERAL FUND	\$415,209	\$0	\$415,209
Schools	\$434,511	\$0	\$434,511

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	01/02/2021	09842	1123	\$392,500	Yes	Improved
WARRANTY DEED	03/01/2012	07741	1279	\$100	No	Improved
WARRANTY DEED	05/01/1985	01644	0814	\$153,000	Yes	Improved
WARRANTY DEED	01/01/1977	01125	0261	\$76,000	Yes	Improved
WARRANTY DEED	01/01/1976	01101	0279	\$16,900	No	Vacant

Land						
Method	Frontage	Depth	Units	Units Price	Land Value	
LOT			1	\$88,000.00	\$88,000	

Building Information												
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages
1	SINGLE FAMILY	1977/1997	4	3.0	12	2,232	3,349	2,232	CB/STUCCO FINISH	\$318,711	\$354,123	<div> <div>Description</div> <div>Area</div> <div>OPEN PORCH FINISHED545.00</div> <div>OPEN PORCH FINISHED20.00</div> <div>GARAGE FINISHED552.00</div> </div>



Building 1 - Page 1

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
04718	REROOF	County	\$12,750		6/14/2010
03895	SOLAR	County	\$4,350		4/13/2015

Extra Features				
Description	Year Built	Units	Value	New Cost
POOL 1	10/01/1977	1	\$21,000	\$35,000
SCREEN ENCL 2	10/01/1977	1	\$3,400	\$8,500
FIREPLACE 2	10/01/1977	1	\$2,400	\$6,000
SOLAR HEATER	10/01/2015	1	\$0	
COVERED PATIO 1	01/01/1977	1	\$1,000	\$2,500

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
16.00	DUKE	CENTURY LINK	SUNSHINE WATER SERVICES	SUNSHINE WATER SERVICES	MON/THU	MON	WED	Advanced Disposal
Political Representation								
Commissioner	US Congress		State House		State Senate		Voting Precinct	
Dist 3 - Lee Constantine	Dist 7 - Stephanie Murphy		Dist 29 - Scott Plakon		Dist 9 - Jason Brodeur		31	
School Information								
Elementary School District			Middle School District			High School District		
Sabal Point			Rock Lake			Lake Brantley		
Copyright 2023 © Seminole County Property Appraiser								

Seminole Co BOA

I, Michael Cooper, Homeowner at 102
Crestwood Dr, beside Jack Hogan's home at 104
Crestwood Dr. Longwood

Understand they have to get a variance to
replace the same cage and we are fine with the
1 foot 3 inch encroachment into the 10 foot
setback.

Signature



Date 01-29-2023

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Seminole Co BOA

I, Terrance Curley Homeowner at 110
Crestwood Dr, behind Jack Hogan's home at
104 Crestwood Dr. Longwood

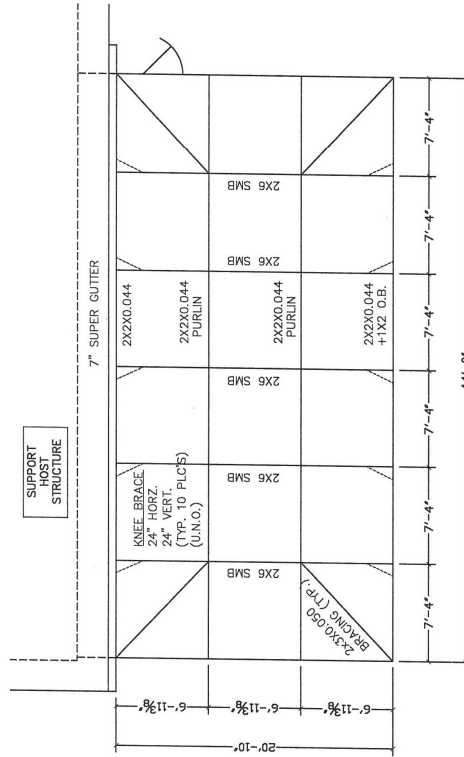
Understand they have to get a variance to
replace the same cage and we are fine with the
1 foot 3 inch encroachment into the 10 foot
setback.

Signature Terrance Curley

Date 2/1/23

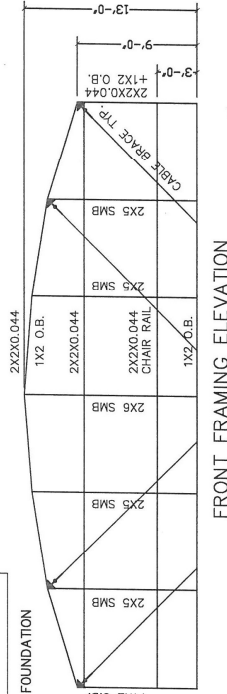


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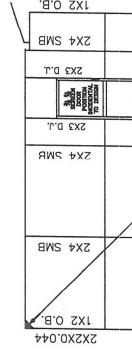


SCREEN AREA 917 SQ.FT.

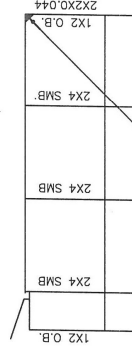
EXISTING FOUNDATION



FRONT FRAMING ELEVATION



RIGHT FRAMING ELEVATION



LEFT FRAMING ELEVATION

POOL ENCLOSURE PLAN

Florida Pool Enclosures

1400 S. Ronald Reagan Blvd.
Longwood, FL 32750
407-260-2800
fax 407-260-6411

Job # 144265

Project Address:

Jack Hogan
104 Crestwood Dr.
Longwood, FL 32779

tax district:

Seminole County

date: 08/23/2022

scale: NTS

prepared by: Allen Thompson



The locations of doors are incidental to the design.
Girts remain the same throughout the design unless otherwise noted.
Dimensions are to center of walls and members.
Length given for knee braces represents horizontal and vertical displacements.

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 3 BLK C
SWEETWATER OAKS SEC 15
PB 20 PG 19

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

A. FINDINGS OF FACT

Property Owner: JACK HOGAN
104 CRESTWOOD DRIVE
LONGWOOD, FL 32779

Project Name: CRESTWOOD DR (104)

Requested Variance:

Request for a side yard (west) setback variance from ten (10) feet to eight (8) feet for a pool enclosure in the PD (Planned Development) district.

The findings reflected in the record of the March 27, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to reconstruct a pool screen enclosure within the side yard (west) 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 April, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 3 BLK C
SWEETWATER OAKS SEC 15
PB 20 PG 19

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

A. FINDINGS OF FACT

Property Owner: JACK HOGAN
104 CRESTWOOD DRIVE
LONGWOOD, FL 32779

Project Name: CRESTWOOD DR (104)

Variance Approval:

Request for a side yard (west) setback variance from ten (10) feet to eight (8) feet for a pool enclosure in the PD (Planned Development) district.

The findings reflected in the record of the March 27, 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 pool screen enclosure (24' x 45.3') 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**

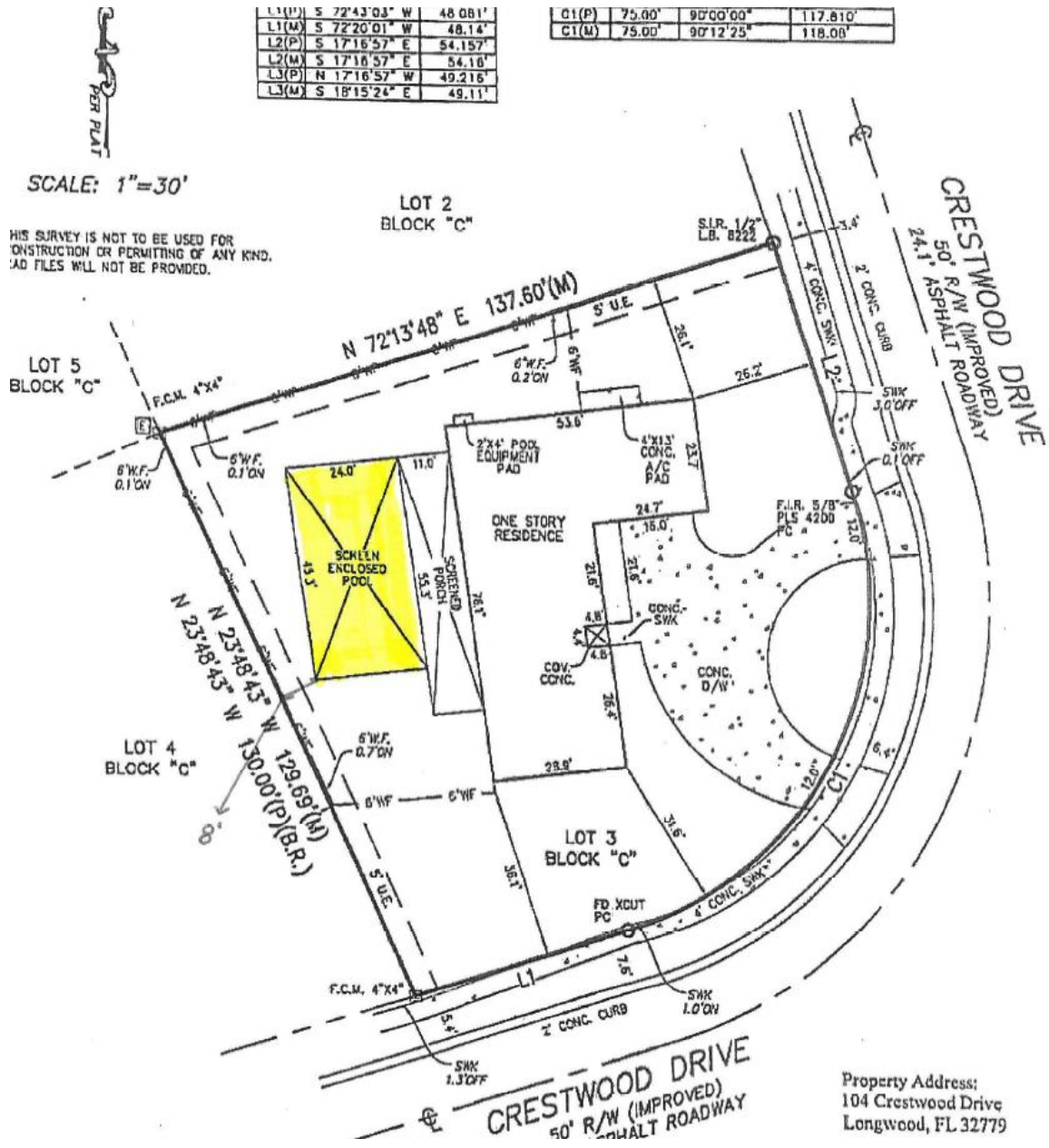
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of April, 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: 2023-246

Title:

2838 Red Bug Lake Road - Request for a front yard (south) setback variance from (100) feet to forty-four (44) feet for an accessory dwelling unit in the A-1 (Agriculture) district; BV2023-008 (Jeremy Swift, 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 front yard (south) setback variance from (100) feet to forty-four (44) feet for an accessory dwelling unit in the A-1 (Agriculture) district; or
2. Approve the request for a front yard (south) setback variance from (100) feet to forty-four (44) feet for an accessory dwelling unit in the A-1 (Agriculture) district; or
3. Continue the request to a time and date certain.

Background:

- The existing accessory dwelling unit is 500 square feet (20' x 25') and encroaches fifty-six (56) feet into the required front yard setback.
- No building permits were found on record for the accessory dwelling unit. A building permit will be required.
- The request is for a variance to Section 30.128(a)(b) of the Land Development Code of Seminole County, which states:
 - (a)The following minimum front, rear, and side yards shall be observed:
 - (b)Accessory buildings or structures which are not intended to be used for the housing or shelter of livestock or poultry and which are accessory to the residential use, shall maintain the same front and side yards as the main structure and shall maintain rear yards of a minimum of ten (10) feet. Accessory buildings or structures shall not project beyond the established building line unless set back a minimum of one hundred (100) feet from the front property line.
- 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 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:

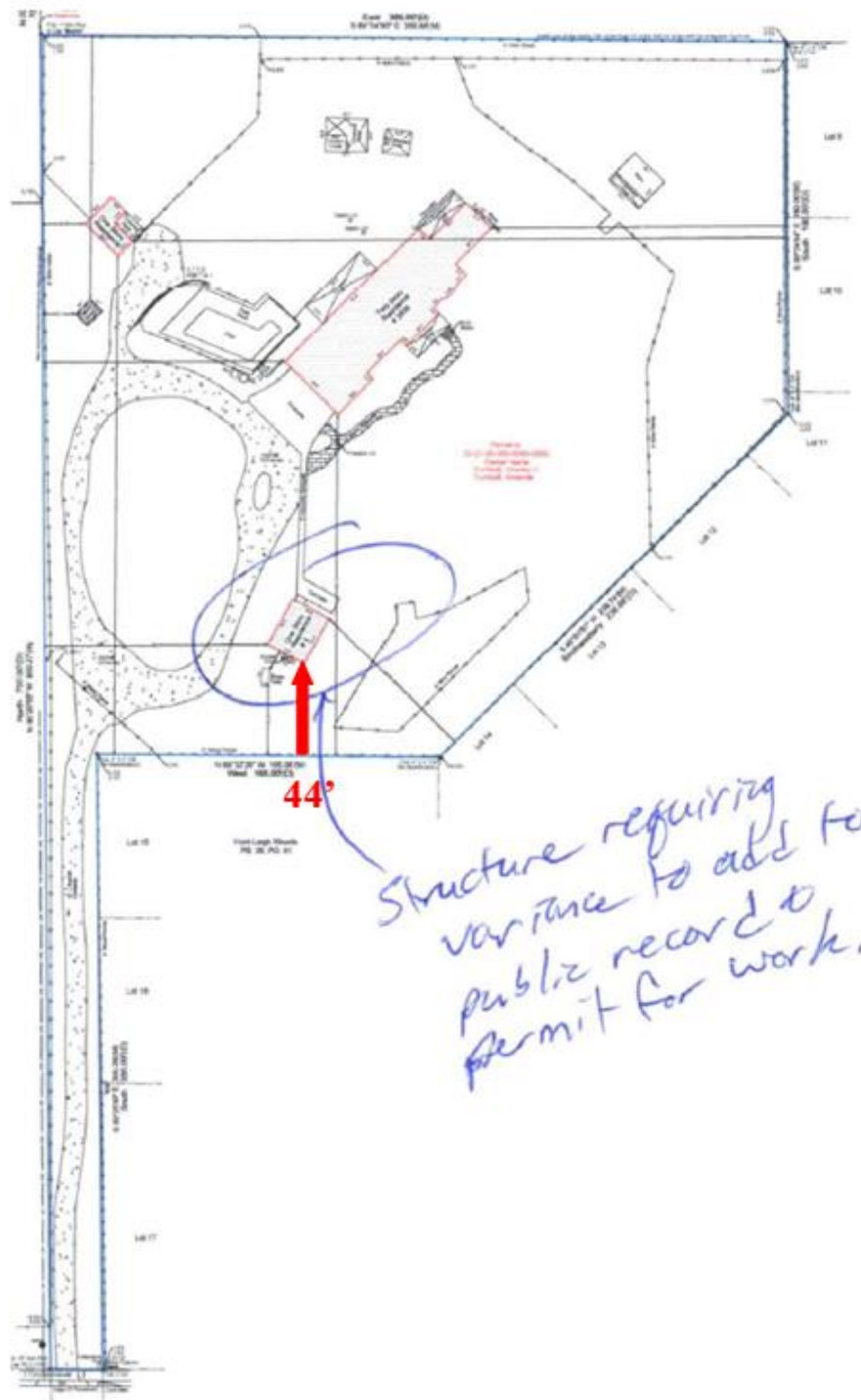
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

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 accessory dwelling unit 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.

RED BUG LAKE ROAD (2838)
VARIANCE



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.

This is a pre-existing building on property that does not show on public record. It currently has electric and water to building, we wish to upgrade and make safe these components. Lot is secluded 2.95 acre site not visible from street, private entrance 308' from street to main property.

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

Building was existing before the purchase of the property. The building is evidently very old based upon old copper plumbing and cloth sheathing electrical wire.

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.

Granting of the variance request will not interfere with the sightlines or property values of surrounding properties.

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 accessory building is located technically in the "front" of the front elevation line of the main house. The structure already had a kitchen and full bath.

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

Existing exterior walls and roof will not change at all. The structure is already there. The variance simply allows permittavle work to remodel interior.

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. For whatever reason, the structure is not of public record, otherwise it would be "grandfathered" in.

The lot is very seclusive and the variance changes nothing from the neighbors perspective.

Property Record Card



Parcel 22-21-30-300-0080-0000

Property Address 2838 RED BUG LAKE RD CASSELBERRY, FL 32707

Parcel Location



Site View



Parcel Information

Parcel	22-21-30-300-0080-0000
Owner(s)	SWIFT, JEREMY D - Tenancy by Entirety SWIFT, ANDREA D - Tenancy by Entirety
Property Address	2838 RED BUG LAKE RD CASSELBERRY, FL 32707
Mailing	2838 RED BUG LAKE RD CASSELBERRY, FL 32707-5813
Subdivision Name	
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	\$512,419	\$360,084
Depreciated EXFT Value	\$40,245	\$23,630
Land Value (Market)	\$327,600	\$118,000
Land Value Ag		
Just/Market Value	\$880,264	\$501,714
Portability Adj		
Save Our Homes Adj	\$0	\$0
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$880,264	\$501,714

2022 Certified Tax Summary

2022 Tax Amount without Exemptions

\$6,727.03

2022 Tax Bill Amount

\$6,193.13

2022 Tax Savings with Exemptions

\$533.90

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

SEC 22 TWP 21S RGE 30E
BEG NW COR OF S 700 FT OF E 1/2
OF SW 1/4 OF NW 1/4 RUN E 360 FT S
180 FT SWLY 240 FT W 165 FT S
350 FT W 25 FT N 700 FT TO BEG
(LESS S 50 FT FOR RD)

Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$880,264	\$0	\$880,264
SJWM(Saint Johns Water Management)	\$880,264	\$0	\$880,264
FIRE	\$880,264	\$0	\$880,264
COUNTY GENERAL FUND	\$880,264	\$0	\$880,264
Schools	\$880,264	\$0	\$880,264

Sales

Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	09/15/2022	10317	1006	\$1,150,000	Yes	Improved
WARRANTY DEED	08/01/2015	08529	0829	\$428,000	Yes	Improved
WARRANTY DEED	08/01/1996	03117	1461	\$320,000	Yes	Improved
WARRANTY DEED	05/01/1990	02181	0696	\$277,000	Yes	Improved
WARRANTY DEED	10/01/1989	02115	1452	\$250,000	No	Improved

Land

Method	Frontage	Depth	Units	Units Price	Land Value
ACREAGE			2.73	\$120,000.00	\$327,600

Building Information

#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages																		
1	SINGLE FAMILY	1967/2020	4	3.0	11	2,590	6,241	4,458	CONC BLOCK	\$512,419	\$517,595	<table><tr><th>Description</th><th>Area</th></tr><tr><td>UPPER STORY FINISHED</td><td>1280.00</td></tr><tr><td>BASE SEMI FINISHED</td><td>588.00</td></tr><tr><td>OPEN PORCH UNFINISHED</td><td>84.00</td></tr><tr><td>OPEN PORCH UNFINISHED</td><td>20.00</td></tr><tr><td>OPEN PORCH UNFINISHED</td><td>175.00</td></tr><tr><td>OPEN PORCH FINISHED</td><td>184.00</td></tr><tr><td>OPEN PORCH FINISHED</td><td>360.00</td></tr><tr><td>GARAGE FINISHED</td><td>960.00</td></tr></table>	Description	Area	UPPER STORY FINISHED	1280.00	BASE SEMI FINISHED	588.00	OPEN PORCH UNFINISHED	84.00	OPEN PORCH UNFINISHED	20.00	OPEN PORCH UNFINISHED	175.00	OPEN PORCH FINISHED	184.00	OPEN PORCH FINISHED	360.00	GARAGE FINISHED	960.00
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GARAGE FINISHED	960.00																													

Building 1 - Page 1

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

Permits

Permit #	Description	Agency	Amount	CO Date	Permit Date
04930	REROOF	County	\$2,400		6/17/2011
08995	REROOF	County	\$17,000		8/11/2015
10892	REMODEL & PORCH ADDITION	County	\$275,000		9/24/2015

Extra Features

Description	Year Built	Units	Value	New Cost
FIREPLACE 1	11/01/1967	2	\$2,400	\$6,000
POOL 2	11/01/2016	1	\$37,125	\$45,000
SHED	11/01/2016	1	\$720	\$1,000

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
25.00	DUKE	CENTURY LINK	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	MON/THU	MON	WED	Waste Pro
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 1 - Bob Dallari		Dist 7 - Stephanie Murphy		Dist 28 - David "Dave" Smith		Dist 9 - Jason Brodeur		59
School Information								
Elementary School District			Middle School District			High School District		
Sterling Park			South Seminole			Lake Howell		
Copyright 2023 © Seminole County Property Appraiser								

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 22 TWP 21S RGE 30E BEG NW COR OF S 700 FT OF E 1/2
OF SW 1/4 OF NW 1/4 RUN E 360 FT S 180 FT SWLY 240 FT W 165 FT S
350 FT W 25 FT N 700 FT TO BEG (LESS S 50 FT FOR RD)

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

A. FINDINGS OF FACT

Property Owner: JEREMY SWIFT
2838 RED BUG LAKE ROAD
CASSELBERRY, FL 32707

Project Name: RED BUG LAKE ROAD (2838)

Requested Variance:

Request for a front yard (south) setback variance from (100) feet to forty-four (44) feet for an accessory dwelling unit in the A-1 (Agriculture) district.

The findings reflected in the record of the March 27, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to bring into compliance the construction of an existing accessory dwelling unit within the required front 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 April, 2023.

Notary Public

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

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 22 TWP 21S RGE 30E
BEG NW COR OF S 700 FT OF E 1/2
OF SW 1/4 OF NW 1/4 RUN E 360 FT S
180 FT SWLY 240 FT W 165 FT S
350 FT W 25 FT N 700 FT TO BEG
(LESS S 50 FT FOR RD)

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

A. FINDINGS OF FACT

Property Owner: JEREMY SWIFT
2838 RED BUG LAKE ROAD
CASSELBERRY, FL 32707

Project Name: RED BUG LAKE ROAD (2838)

Variance Approval:

Request for a front yard (south) setback variance from (100) feet to forty-four (44) feet for an accessory dwelling unit in the A-1 (Agriculture) district.

The findings reflected in the record of the March 27, 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 dwelling unit (20' x 25') 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**

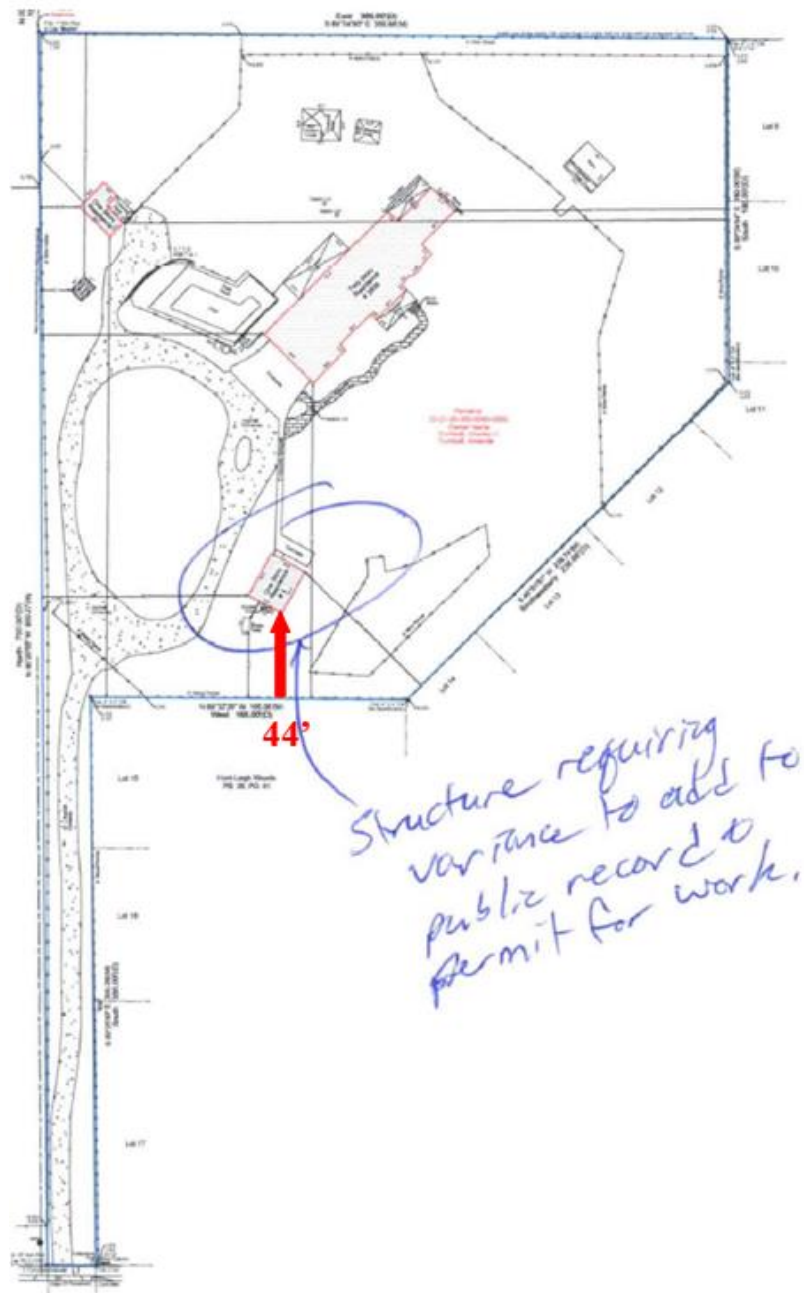
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of April, 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: 2023-214

Title:

2805 Oranole Way - Request for a rear yard setback variance from thirty (30) feet to nine (9) feet for an accessory dwelling unit in the R-1AA (Single Family Dwelling) district; BV2023-003 (Jose 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 a rear yard setback variance from thirty (30) feet to nine (9) feet for an accessory dwelling unit in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for a rear yard setback variance from thirty (30) feet to nine (9) feet for an accessory dwelling unit 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 Bear Lake Estates subdivision.
- The request is to convert an existing non-conforming 600 square foot detached garage into an accessory dwelling unit, which encroaches twenty-one (21) feet into the thirty (30) foot rear yard setback.
- The request is for a variance to Section 30.206(b)(3) of the Land Development Code of Seminole County, which states that the rear yard setback is thirty (30) feet.
- There have not been prior variances for the subject property.

Staff Findings:

The applicant has not satisfied all six (6) criteria under Section 30.43(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:

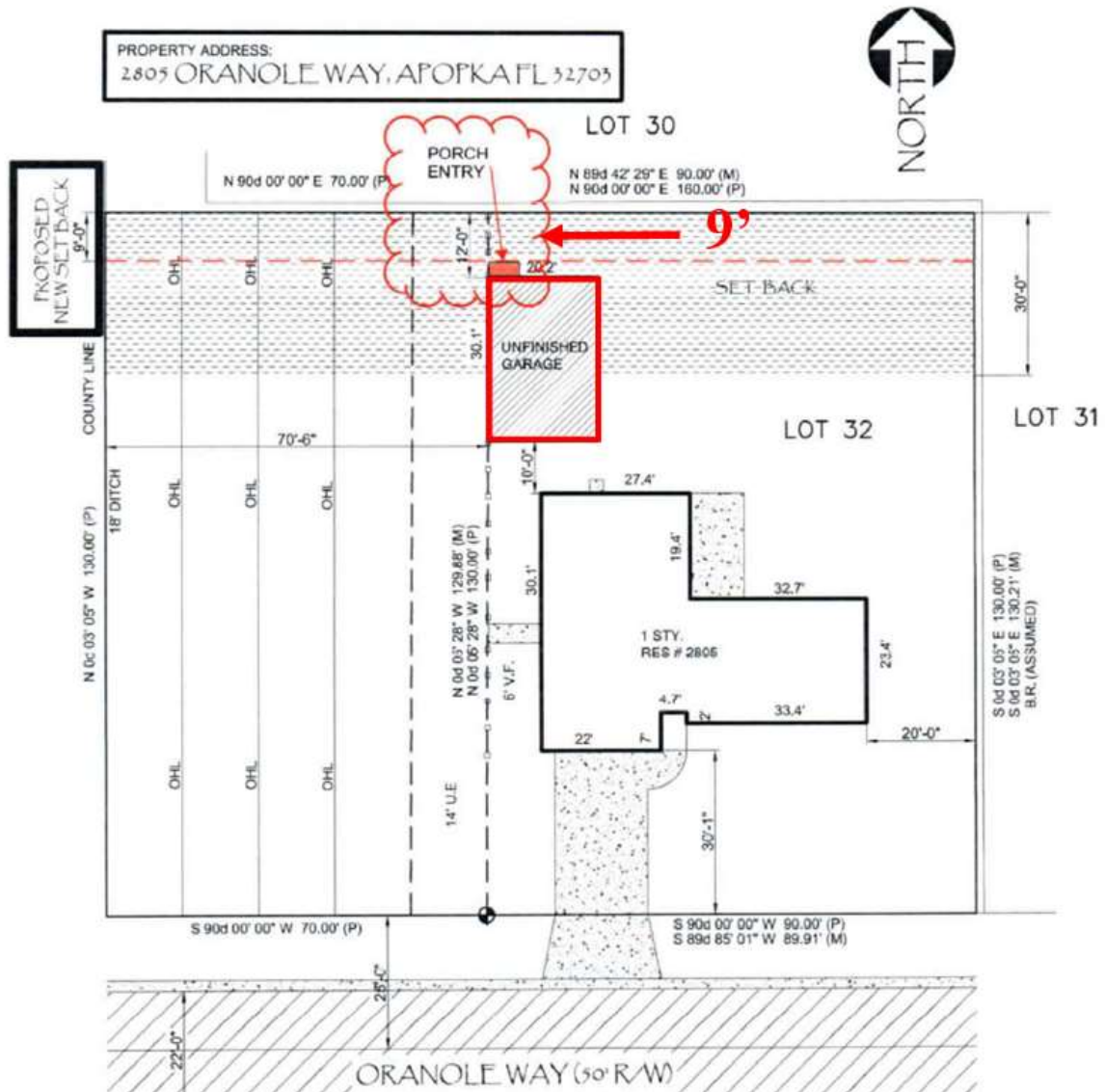
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

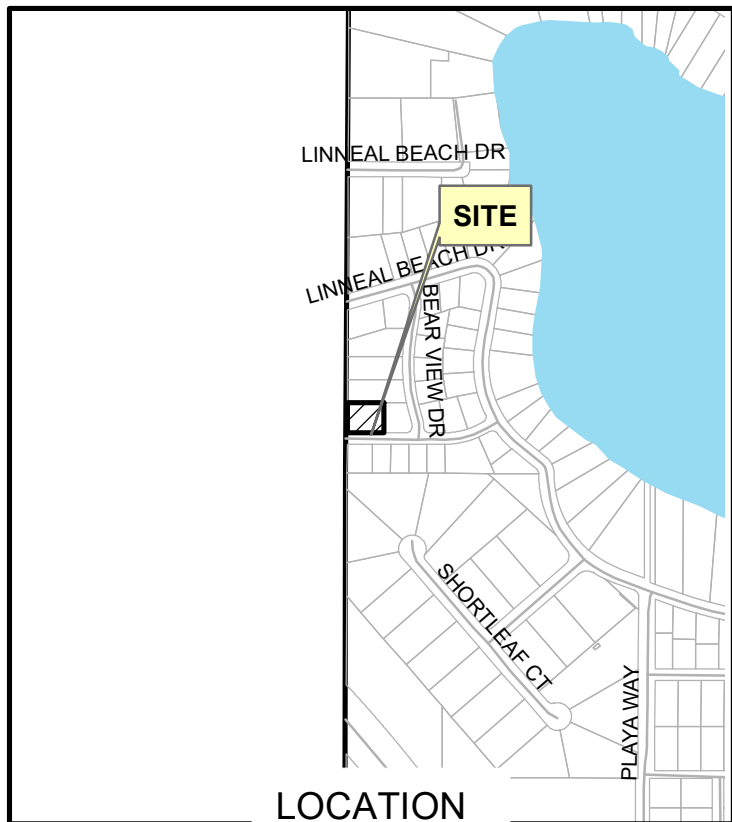
Staff Recommendation:

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 dwelling unit (20.2' x 30.1') as depicted on the attached site plan;
2. Pursuant to Section 30.1345(g)(1)(B) of the Seminole County Land Development Code, the property owner shall occupy either the principal dwelling unit or the accessory dwelling unit. At the time of building permitting, the property must reflect a homestead exemption or approved homestead application with the Seminole County Property Appraiser;
3. All other requirements governing accessory dwelling units under Section 30.1345 of the Seminole County Land Development Code shall be complied with at the time of building permitting; and
4. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

ORANOLE WAY (2805) VARIANCES










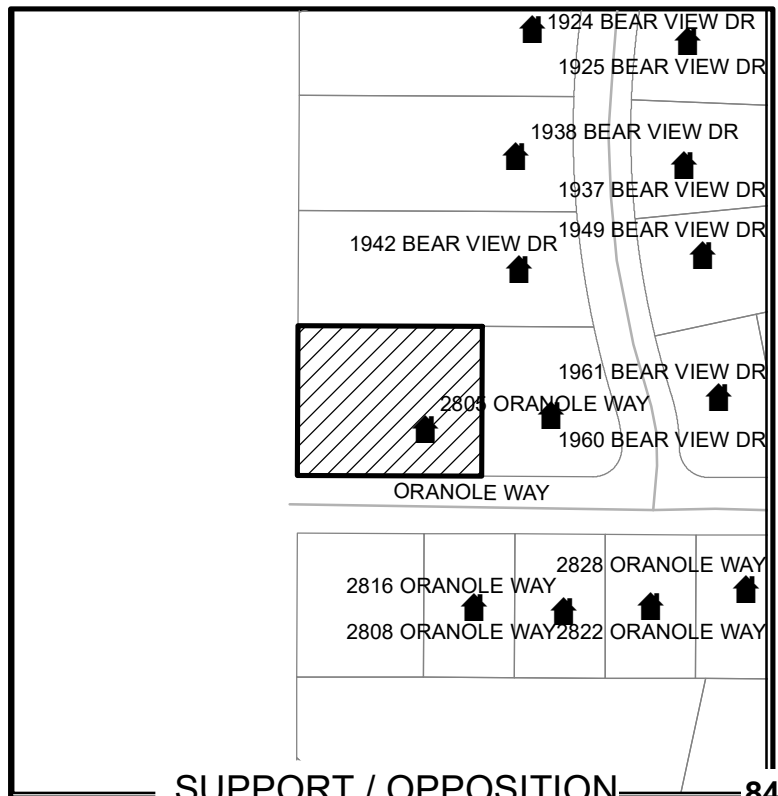
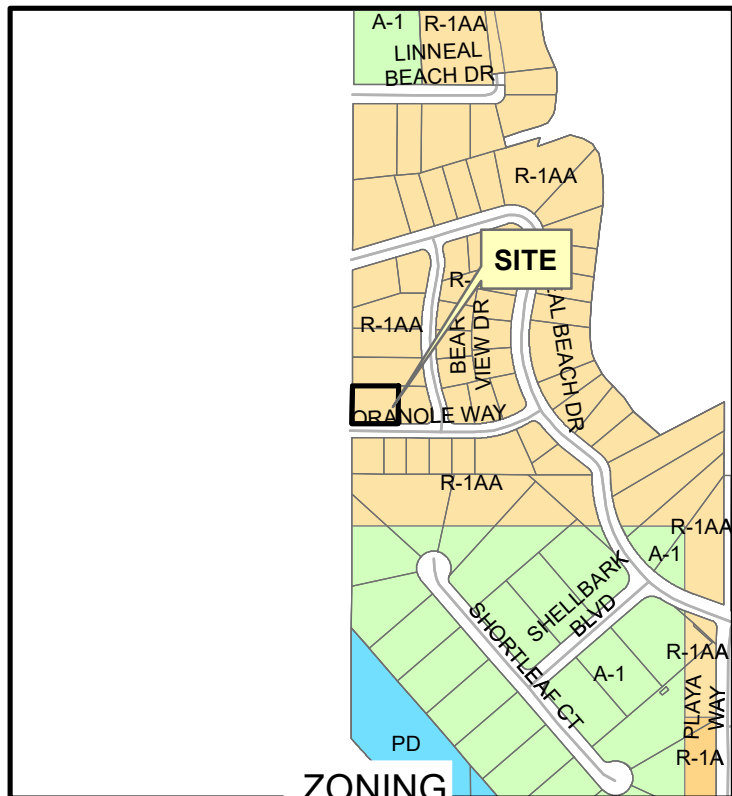


JOSE JIMENEZ
2805 ORANOLE WAY
APOPKA, FL 32703

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MARCH 27, 2023

LEGEND

- | | | | | | |
|---|-------|---|------------|--|------|
|  | R-1A |  | Support |  | Site |
|  | R-1AA |  | Opposition | | |
|  | A-1 | | | | |
|  | PD | | | | |



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 OWNER PLANING TO TRANSFORM THIS UNFINISH GARAGE
IN TO A LIVING SPACE SEE SHEET A1-001 FLOOR PLAN.

I DID APPY FOR BUILDING, PERMIT RELATED TO THIS TRANSFORMATION

PERMIT # BP22 - 00005699

UPDATE

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

THIS GARAGE WAS ALREADY BULD & UNFINISHED WHEN OWNER
PURCHASED THIS 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.

THE OWNER JUST WANTO TO FINISH THE EXISTING STRUGURE

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.

WITH THE LITERAL INTERPRETATION THE OWNER WILL NOT BE
ABUE TO OBTAIN A PERMIT TO FINISH THIS PROJECT

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

IF THIS VARIANCE IS APPROVED THE OWNER WILL BE ABLE TO
FINISH THE PROEET & TO HAVE A BETTER PROPERTY

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 DOESNT AFFECT THE NEIGHBORHOOD SINCE THE STRUGURE
IS ALREADY BULDED.

Property Record Card



Parcel 19-21-29-501-0000-0320

Property Address 2805 ORANOLE WAY APOPKA, FL 32703

Parcel Location



Site View



Parcel Information

Parcel	19-21-29-501-0000-0320
Owner(s)	JIMENEZ, JOSE
Property Address	2805 ORANOLE WAY APOPKA, FL 32703
Mailing	2805 ORANOLE WAY APOPKA, FL 32703-7809
Subdivision Name	BEAR LAKE ESTATES
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	\$241,409	\$224,189
Depreciated EXFT Value	\$1,000	\$800
Land Value (Market)	\$75,100	\$75,100
Land Value Ag		
Just/Market Value	\$317,509	\$300,089
Portability Adj		
Save Our Homes Adj	\$0	\$0
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$317,509	\$300,089

2022 Certified Tax Summary

2022 Tax Amount without Exemptions **\$4,023.62**
2022 Tax Bill Amount **\$4,023.62**

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 32
BEAR LAKE ESTATES
PB 12 PG 95

Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$317,509	\$0	\$317,509
SJWM(Saint Johns Water Management)	\$317,509	\$0	\$317,509
FIRE	\$317,509	\$0	\$317,509
COUNTY GENERAL FUND	\$317,509	\$0	\$317,509
Schools	\$317,509	\$0	\$317,509

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	10/08/2021	10074	1343	\$340,000	Yes	Improved
WARRANTY DEED	12/01/2017	09052	1848	\$265,000	Yes	Improved
WARRANTY DEED	03/01/2017	08885	1879	\$170,000	No	Improved
QUIT CLAIM DEED	02/01/2005	05690	1963	\$100	No	Improved
WARRANTY DEED	11/01/1998	03536	1261	\$93,500	Yes	Improved
WARRANTY DEED	08/01/1982	01410	1725	\$65,000	Yes	Improved
WARRANTY DEED	01/01/1977	01142	0180	\$38,000	Yes	Improved
WARRANTY DEED	01/01/1976	01084	0873	\$6,000	No	Vacant

Land						
Method	Frontage	Depth	Units	Units Price	Land Value	
LOT			1	\$75,000.00	\$75,000	
ACREAGE			1	\$100.00	\$100	

Building Information

#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages
1	SINGLE FAMILY	1977	4	2.0	6	1,591	2,528	2,053	CONC BLOCK	\$241,409	\$321,878	<div> <div>Description</div> <div>Area</div> </div> <div> <div>BASE SEMI FINISHED</div> <div>462.00</div> </div> <div> <div>OPEN PORCH FINISHED</div> <div>35.00</div> </div> <div> <div>DETACHED GARAGE UNFINISHED</div> <div>440.00</div> </div>

Sketch by Aspen Sketch

Building 1 - Page 1

** Year Built (Actual / Effective)

Permits						
Permit #	Description	Agency	Amount	CO Date	Permit Date	
15674	2805 ORANOLE WAY: REROOF RESIDENTIAL- [BEAR LAKE ESTATES]	County	\$8,000		8/12/2021	

Extra Features					
Description	Year Built	Units	Value	New Cost	
COVERED PATIO 1	06/01/1990	1	\$1,000	\$2,500	

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	SUNSHINE WATER SERVICES	SEMINOLE COUNTY UTILITIES	MON/THU	WED	WED	Advanced Disposal
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 3 - Lee Constantine		Dist 7 - Stephanie Murphy		Dist 30 - Joy Goff-Marcil		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								



PROJECT
PROPOSED MOTHER IN LAW
UNDER GARAGE ROOF AREA
JOSE JIMENEZ
2805 ORANOLE WAY
APOEKA FLORIDA 32703

REVISED	K.E.
SCALE	1/4"=1'-0"
DATE	11-15-21
SHEET	A1
	001 of 3

[illegible]

[illegible]

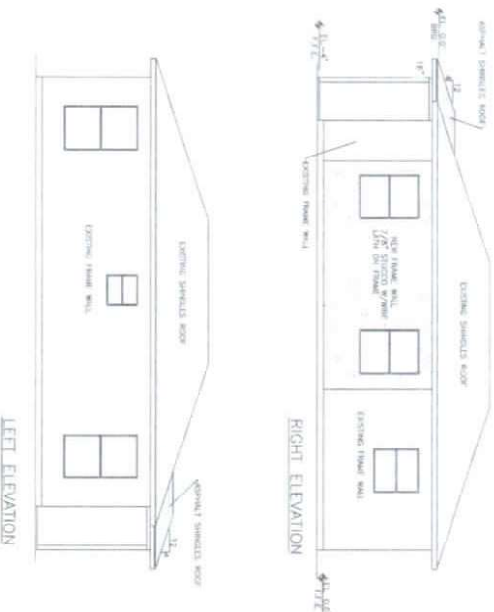
background. He works in Finance at the U.S. Navy, and has been given Military Supply support responsibilities, serving a flight instructor position, and a flight deck instructor position. He has worked in the aircraft industry, and is currently a flight deck instructor at the flight deck simulator.

NEW EDITION P.E.
ENC. 3204 No 18243
6034 FALCONBROOK P.
MOUNT DORA, FL 32757
TEL: 1-305-383-2537

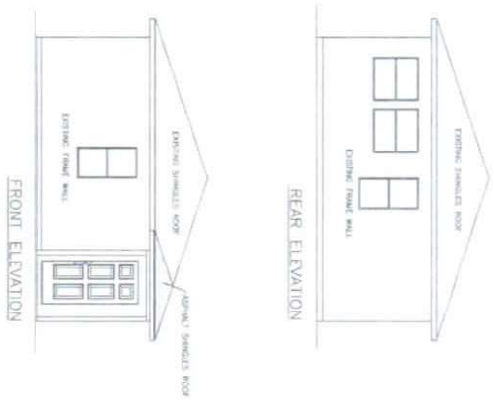
POSED MOTHER IN LAW
R GARAGE ROOF AREA
JOSE JIMENEZ
2805 GRANTLE WAY
APOPKA, FLORIDA 32703

Estor Ayala Drafting
1001 ARMADA COURT
OCFEE, FLORIDA 34761
OFFICE # (407) 856-5083
CELL # (321) 458-7338
E-MAIL: estorayala@ingrathome.com

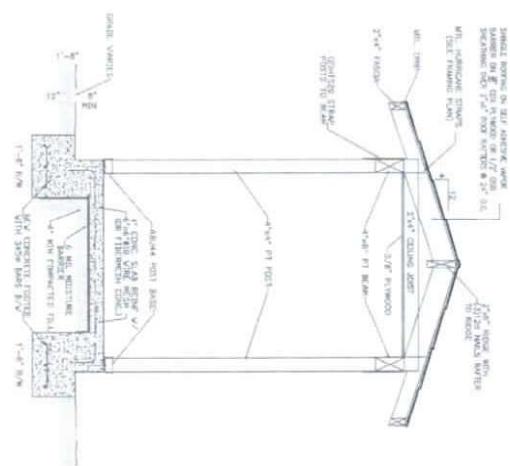
11/10/21	
2021	A2



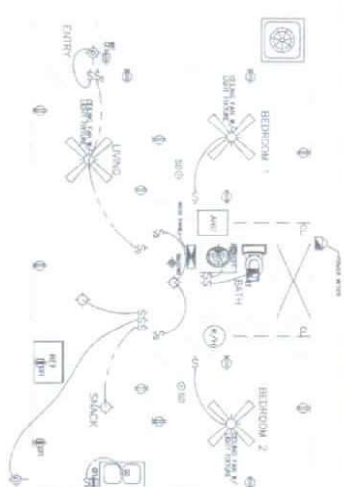
LEFT ELEVATION



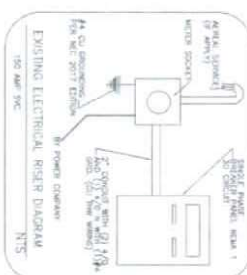
FRONT ELEVATION



PORCH COLUMN SECTION



ELECTRICAL DISTRIBUTION



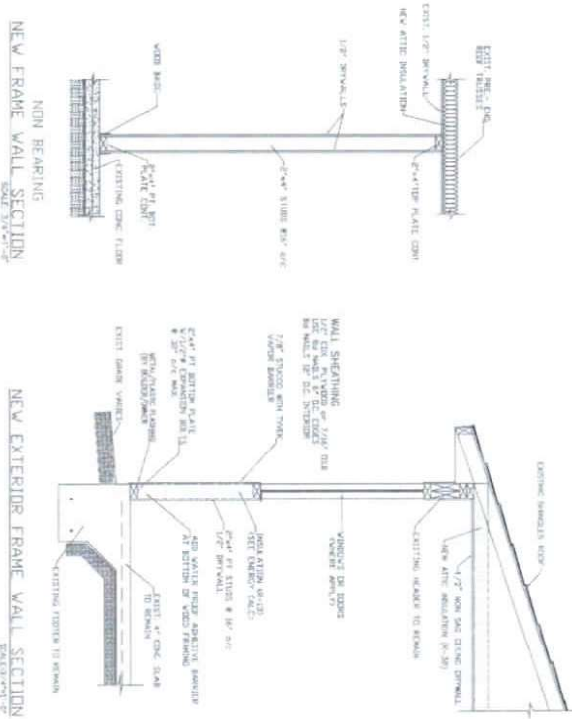
611

ELECTRICAL LEGEND

- ⊕ 110 V. DOMESTIC OUTLET ⊕ 115 A.F.T.
- ⊕ 110 V. 30 AMPERE OUTLET ⊕ 45 A.F.T.
- ⊕ 250 V. 15 AMPERE OUTLET ⊕ 45 A.F.T.
- ⊕ 250 V. 30 AMPERE OUTLET ⊕ 45 A.F.T.
- ⊕ 5 AMPERE INT. G.S. OUTLINE
- ⊕ BUILT IN G.S. OUTLINE
- ⊕ EVALUATED TAIL
- ⊕ SHOCK DETECTOR
- ⊕ CONDUIT, SHOCK/ARSON MONITORING DETECTOR

ELECTRICAL LEGEND

- ## ELECTRICAL NOTES:
1. ALL NEW ELECTRICAL WIRING AND LIGHT FIXTURES SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE CITY OF CHICAGO ELECTRICAL CODE.
 2. ALL ELECTRICAL SHALL BE A UL LISTED MANUFACTURER AND ALL NEW ELECTRICAL SHALL ALSO BE MARKED RECOGNIZED TRADEMARKS.
 3. ALL WIRING, ELECTRICAL AND LIGHTING SHALL BE IN ACCORDANCE WITH THE CITY OF CHICAGO ELECTRICAL CODE AND THE NATIONAL ELECTRICAL CODE.
 4. SPECIAL LIGHT FIXTURES SHALL BE USED TO PROVIDE THE BEST LIGHTING EFFECTS POSSIBLE.

NEW FRAME WALL SECTION
SCALE: 3/8"=1'-0"

2000年12月31日

**SEMINOLE COUNTY
DENIAL DEVELOPMENT ORDER**

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 32
BEAR LAKE ESTATES
PB 12 PG 95

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

A. FINDINGS OF FACT

Property Owner: JOSE JIMENEZ
8010 TORRO CT
ORLANDO, FL 32810

Project Name: ORANOLE WAY (2805)

Requested Variance:

A rear yard setback variance from thirty (30) feet to nine (9) feet for an accessory dwelling unit in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the March 27, 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 garage into an accessory dwelling unit 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 April, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 32
BEAR LAKE ESTATES
PB 12 PG 95

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

A. FINDINGS OF FACT

Property Owner: JOSE JIMENEZ
8010 TORRO CT
ORLANDO, FL 32810

Project Name: ORANOLE WAY (2805)

Variance Approval:

Request for a rear yard setback variance from thirty (30) feet to nine (9) feet for an accessory dwelling unit in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the March 27, 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 dwelling unit (20.2' x 30.1') as depicted on the site plan;
 - b. Pursuant to Section 30.1345(g)(1)(B) of the Seminole County Land Development Code, the property owner shall occupy either the principal dwelling unit or the accessory dwelling unit. At the time of building permitting, the property must reflect a homestead exemption or approved homestead application with the Seminole County Property Appraiser; and
 - c. All other requirements governing accessory dwelling units under Section 30.1345 of the Seminole County Land Development Code shall be complied with at the time of building permitting.
- (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**

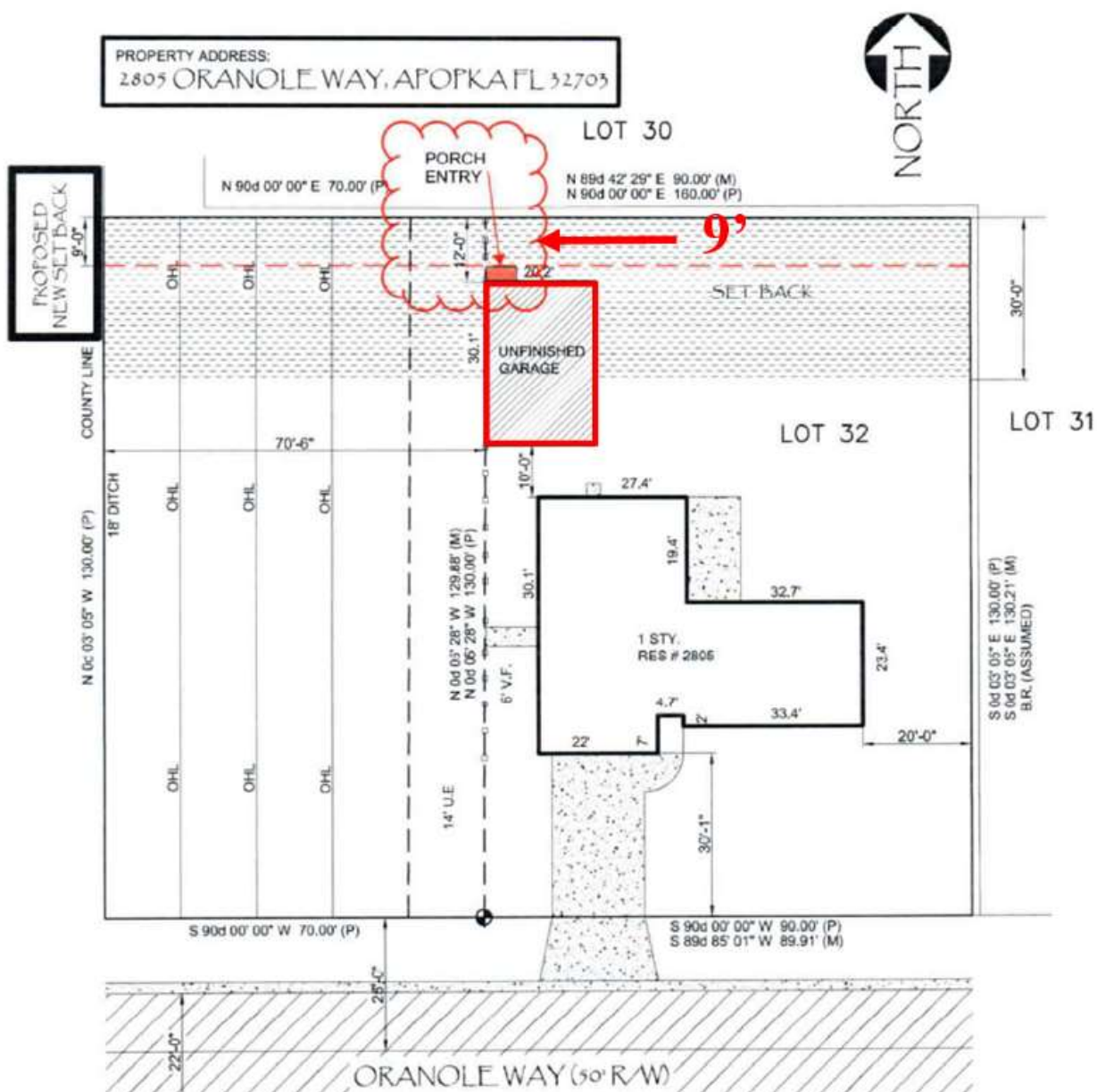
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of April, 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: 2023-221

Title:

3484 Scout Lake Lane - Request for a rear yard setback variance from twenty (20) feet to 14.33 feet for a screen room addition in the PD (Planned Development) district; BV2023-009 (John & Jennifer Staines, 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 rear yard setback variance from twenty (20) feet to 14.33 feet for a screen room addition in the PD (Planned Development) district; or
2. Approve the request for a rear yard setback variance from twenty (20) feet to 14.33 feet for a screen room addition in the PD (Planned Development) district; or
3. Continue the request to a time and date certain.

Background:

- The subject property is located in the Carillon subdivision and Planned Development (PD).
- The request is to construct a 528 square foot screen room addition 5.67 feet into the required twenty (20) foot rear yard setback.
- The Carillon Community Residential 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:

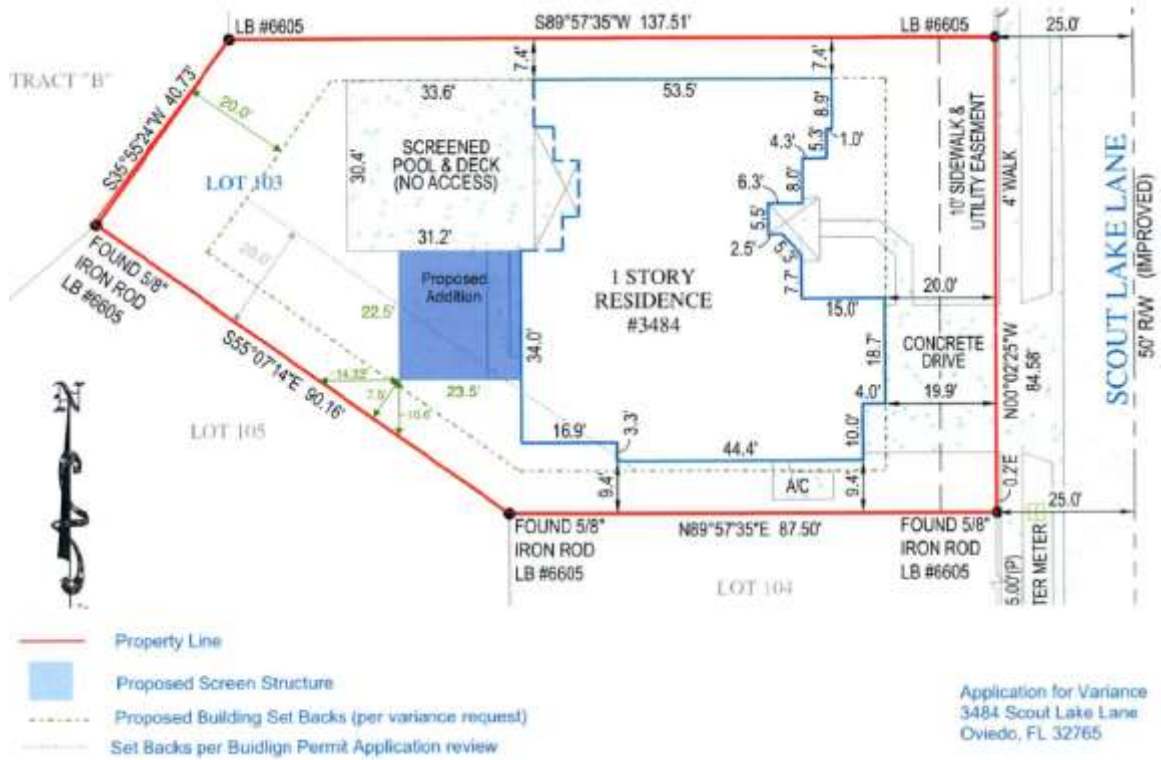
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

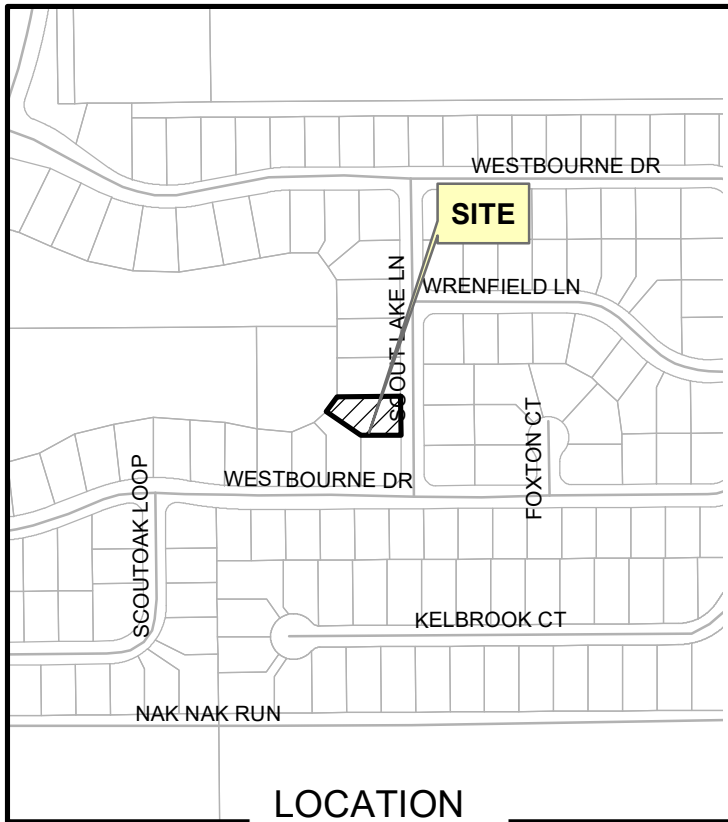
Staff Recommendation:

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 screen room addition (22.5' x 23.5') 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.

SCOUT LAKE LANE (3484) VARIANCES



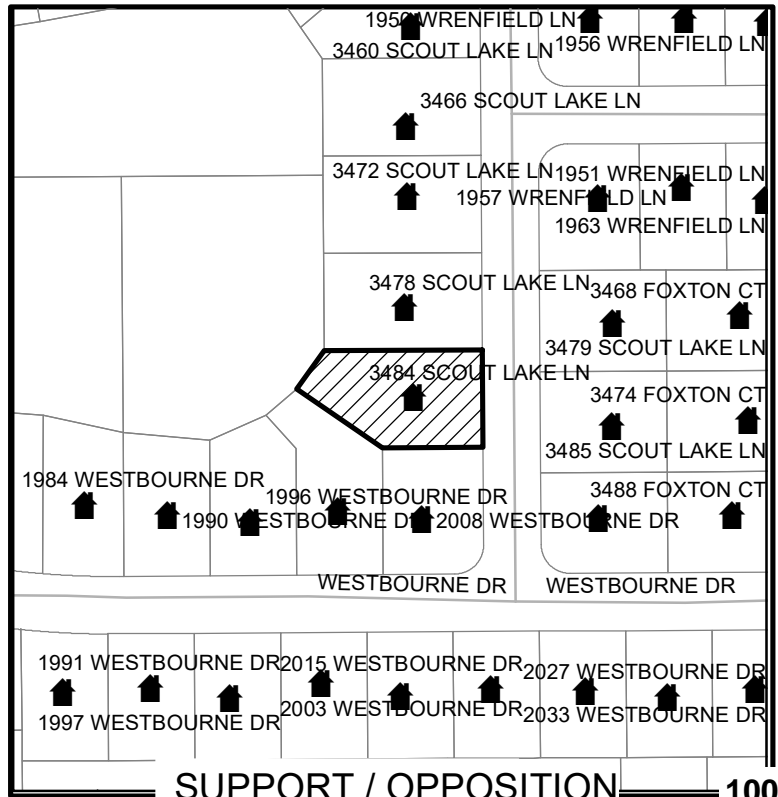
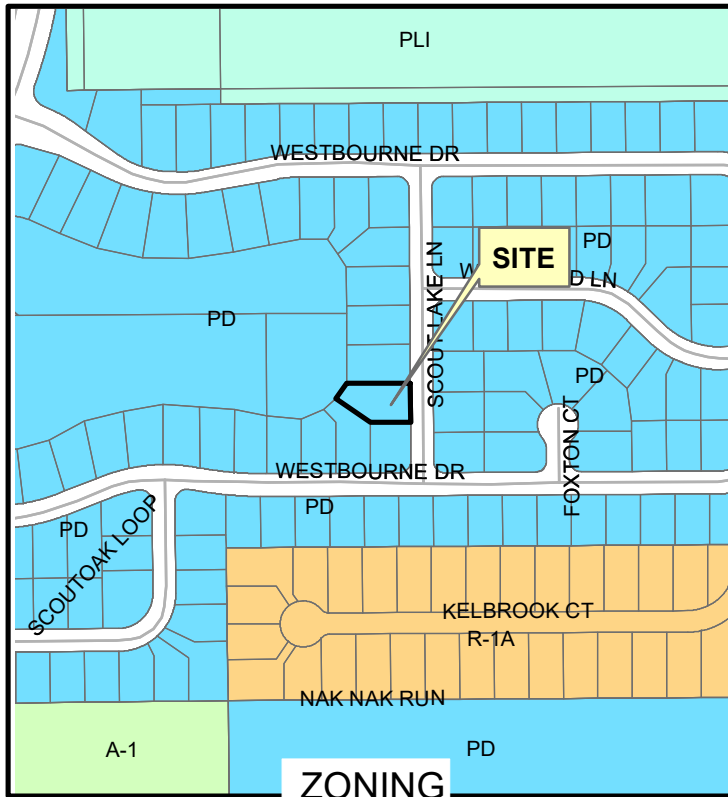


JOHN & JENNIFER STAINES
3484 SCOUT LAKE LN
OVIEDO, FL 32765

SEMINOLE COUNTY
BOARD OF ADJUSTMENT
MARCH 27, 2023

LEGEND

R-1A	Support	Site
A-1	Opposition	
PD		
PLI		



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.

This lot is 5 sided. The setback that we are seeking the variance for is a property line that should be considered a side lot line and not a rear lot line.

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

The property was created in this shape by the developer.

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 property clearly has a front lot line and a rear lot line. Due to the shape of the property the south side lot line is not in one continuous straight line, there is a change in direction. Due to the standard operating procedure of determining the rear property line this variance is needed because the standard operating procedure does not account for lots with more than 4 sides. Also this lot line must have been considered a side lot line rather than a rear when the subdivision was created because the house as originally constructed would not comply with a 20' 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.

It would not be equitable to impose two lot line with a 20' setback on this 5 sided lot. Other properties do not have multiple rear lot lines. Other properties do not have multiple 20' setbacks. Imposing two rear lot lines deprives me of utilizing my property as other get to utilize theirs. Also HOA approval was granted without hesitation by the Community ARB.

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

7.5' is the minimum setback for a side lot line. The proposed screen room would be well over 7.5' from the lot line in every area except the very South-West corner because the screen room is square to the house and the lot line runs at an angle. See attached survey and plot plan of Proposed Screen Room.

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.

HOA Architectural Review Board for the community has already approved the project as proposed. The intent of having a larger rear lot line setback (20') is still fulfilled as shown on the attached plot plan.

Property Record Card



Parcel 36-21-31-501-0000-1030

Property Address 3484 SCOUT LAKE LN OVIEDO, FL 32765

Parcel Location



Site View



Parcel Information

Parcel	36-21-31-501-0000-1030
Owner(s)	STAINES, JOHN P - Tenancy by Entirety STAINES, JENNIFER L - Tenancy by Entirety
Property Address	3484 SCOUT LAKE LN OVIEDO, FL 32765
Mailing	3484 SCOUT LAKE LN OVIEDO, FL 32765-5171
Subdivision Name	CARILLON TRACT 105 PH 2 AT
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	\$377,422	\$347,838
Depreciated EXFT Value	\$30,042	\$23,642
Land Value (Market)	\$100,000	\$100,000
Land Value Ag		
Just/Market Value	\$507,464	\$471,480
Portability Adj		
Save Our Homes Adj	\$176,910	\$150,554
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$330,554	\$320,926

2022 Certified Tax Summary

2022 Tax Amount without Exemptions

\$6,321.65

2022 Tax Bill Amount

\$3,769.10

2022 Tax Savings with Exemptions \$2,552.55

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

LOT 103
TRACT 105 PH 2 AT CARILLON
PB 47 PGS 39 THRU 41

Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$330,554	\$50,000	\$280,554
SJWM(Saint Johns Water Management)	\$330,554	\$50,000	\$280,554
FIRE	\$330,554	\$50,000	\$280,554
COUNTY GENERAL FUND	\$330,554	\$50,000	\$280,554
Schools	\$330,554	\$25,000	\$305,554

Sales

Description	Date	Book	Page	Amount	Qualified	Vac/Imp
SPECIAL WARRANTY DEED	08/01/2014	08320	0502	\$370,000	No	Improved
CERTIFICATE OF TITLE	11/01/2013	08170	1570	\$100	No	Improved
SPECIAL WARRANTY DEED	11/01/2013	08160	1618	\$100	No	Improved
WARRANTY DEED	10/01/2013	08160	1607	\$228,100	No	Improved
QUIT CLAIM DEED	10/01/2009	07286	0575	\$100	No	Improved
WARRANTY DEED	03/01/1998	03390	1250	\$26,500	No	Vacant
WARRANTY DEED	12/01/1997	03342	1039	\$106,000	No	Vacant

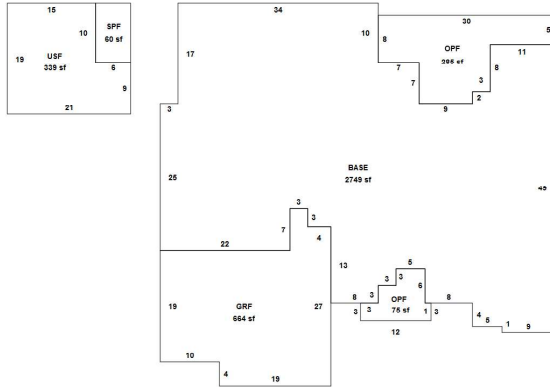
Land

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	1998	4	3.0	12	2,749	4,172	3,088	CB/STUCCO FINISH	\$377,422	\$417,041	<table><tr><th>Description</th><th>Area</th></tr><tr><td>OPEN PORCH FINISHED</td><td>285.00</td></tr><tr><td>GARAGE FINISHED</td><td>664.00</td></tr><tr><td>OPEN PORCH FINISHED</td><td>75.00</td></tr><tr><td>UPPER STORY FINISHED</td><td>339.00</td></tr><tr><td>SCREEN PORCH FINISHED</td><td>60.00</td></tr></table>	Description	Area	OPEN PORCH FINISHED	285.00	GARAGE FINISHED	664.00	OPEN PORCH FINISHED	75.00	UPPER STORY FINISHED	339.00	SCREEN PORCH FINISHED	60.00
Description	Area																							
OPEN PORCH FINISHED	285.00																							
GARAGE FINISHED	664.00																							
OPEN PORCH FINISHED	75.00																							
UPPER STORY FINISHED	339.00																							
SCREEN PORCH FINISHED	60.00																							



Sketch by Apex Sketch

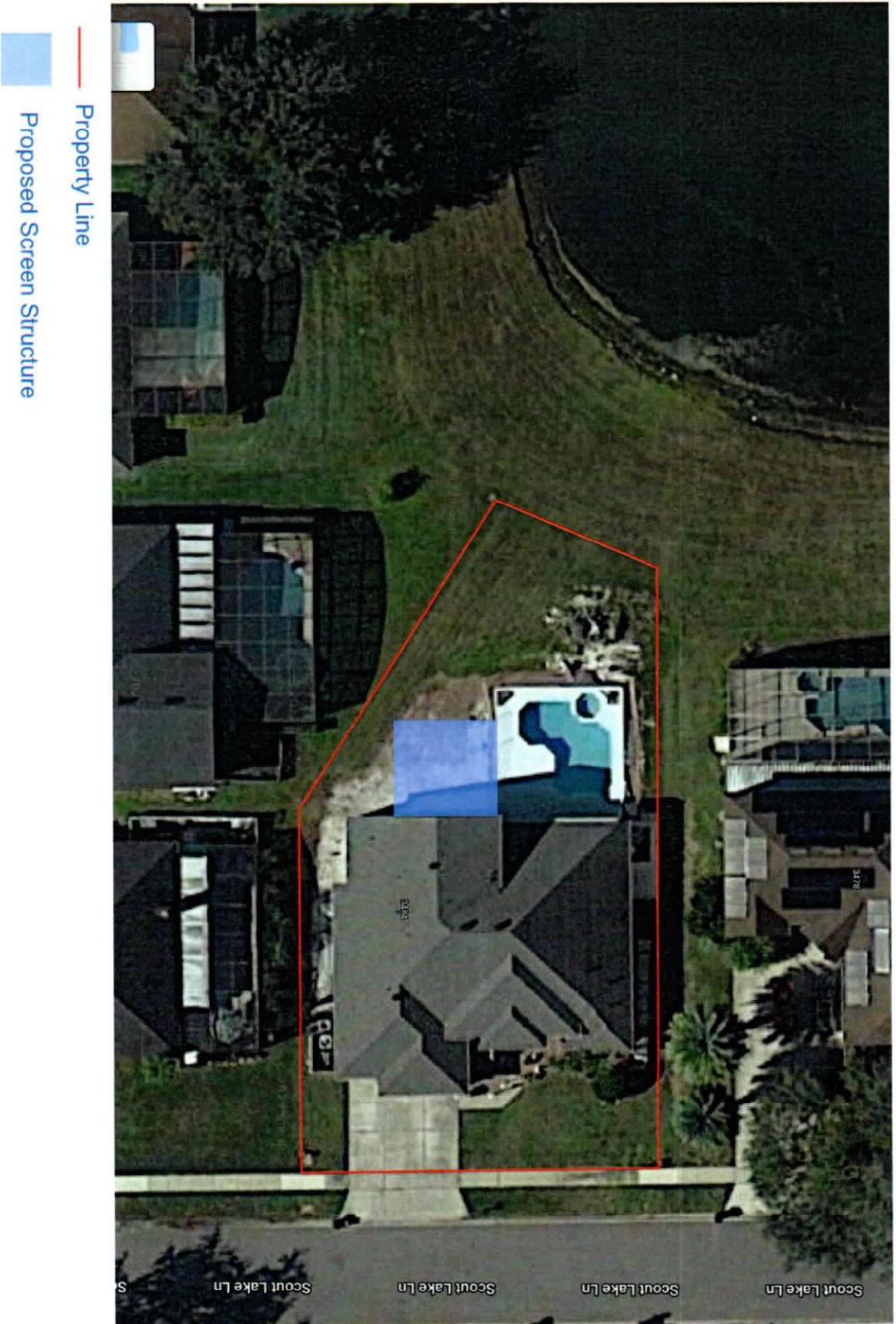
Building 1 - Page 1

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

Permits

Permit #	Description	Agency	Amount	CO Date	Permit Date
06213	POOL SCREEN ENCLOSURE	County	\$3,400		8/1/1998
02852		County	\$235,694	8/4/1998	4/1/1998
03589	POOL W/SPA	County	\$18,000		5/1/1998
00739	SCREEN POOL ENCLOSURE - HURRICANE DAMAGE	County	\$3,600		1/12/2005
00041	REROOF	County	\$18,600		1/3/2017
11187	3484 SCOUT LAKE LN: WINDOW / DOOR REPLACEMENT- [CARILLON TRACT 105 PH 2 A]	County	\$31,807		8/1/2019
09001	3484 SCOUT LAKE LN: SCREEN ROOM-Pool Enclosure + Screen Room [CARILLON TRACT 105 PH 2 A]	County	\$37,800		6/8/2021
19280	3484 SCOUT LAKE LN: ELECTRICAL - RESIDENTIAL-screen room [CARILLON TRACT 105 PH 2 A]	County	\$2,000		2/11/2022
17459	3484 SCOUT LAKE LN: SWIMMING POOL RESIDENTIAL-Renovating Existing inGround Gunite Pool [CARILLON TRACT 105 PH 2 A]	County	\$20,000		4/7/2022

Extra Features								
Description			Year Built		Units	Value		New Cost
FIREPLACE 2			06/01/1998		1	\$2,400		\$6,000
POOL 2			06/01/1998		1	\$27,000		\$45,000
GAS HEATER			06/01/1998		1	\$642		\$1,605
Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
PD		Low Density Residential		LDR		Planned Development		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
65.00	DUKE	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	TUE/FRI	FRI	WED	Waste Pro
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 1 - Bob Dallari		Dist 7 - Stephanie Murphy		Dist 28 - David "Dave" Smith		Dist 9 - Jason Brodeur		80
School Information								
Elementary School District			Middle School District			High School District		
Carillon			Jackson Heights			Hagerty		
Copyright 2023 © Seminole County Property Appraiser								



Application for Variance:
 3484 Scout Lake Lane
 Oviedo, FL 32765

Foot print of proposed Screen Structure

Application for Variance:
3484 Scout Lake Lane
Oviedo, FL 32765



2005
Carillon Community Residential Association, Inc.
6972 Lake Gloria Blvd.
Orlando, FL 32809

April 28, 2022

John P. and Jennifer L. Staines
3484 Scout Lake Ln
Oviedo, FL 32765

Architectural Application Approved

Re: 3484 Scout Lake Ln

Dear John P. and Jennifer L. Staines,

Thank you for submitting an architectural application. The Committee has reviewed your request for the **Screen Enclosure and Pool Renovation**.

Please be advised that the application has been Approved.

Please note it is your obligation to obtain all necessary permits.
The improvement must meet all municipal guidelines or restrictions (if applicable) in addition to Architectural Guidelines established for the community.

If you require further assistance, please do not hesitate to contact our office.

Architectural Review Processing Department:

Phone: 407-781-1406

Email: arb@lelandmanagement.com

For other association matters, please contact:

Jill Rygh, Community Association Manager

Phone: (407) 233-3520

Email: jrygh@lelandmanagement.com

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 103
TRACT 105 PH 2 AT CARILLON
PB 47 PGS 39 THRU 41

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

A. FINDINGS OF FACT

Property Owner: JOHN & JENNIFER STAINES
3484 SCOUT LAKE LANE
OVIEDO, FL 32765

Project Name: SCOUT LAKE LANE (3484)

Requested Variance:

A rear yard setback variance from twenty (20) feet to 14.33 feet for a screen room addition in the PD (Planned Development) district.

The findings reflected in the record of the March 27, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

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

C. DECISION

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

Done and Ordered on the date first written above.

By: _____
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 April, 2023.

Notary Public

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

**SEMINOLE COUNTY
APPROVAL DEVELOPMENT ORDER**

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 103
TRACT 105 PH 2 AT CARILLON
PB 47 PGS 39 THRU 41

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

A. FINDINGS OF FACT

Property Owner: JOHN & JENNIFER STAINES
3484 SCOUT LAKE LANE
OVIEDO, FL 32765

Project Name: SCOUT LAKE LANE (3484)

Variance Approval:

Request for a rear yard setback variance from twenty (20) feet to 14.33 feet for a screen room addition in the PD (Planned Development) district.

The findings reflected in the record of the March 27, 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 screen room addition (22.5' x 23.5') 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**

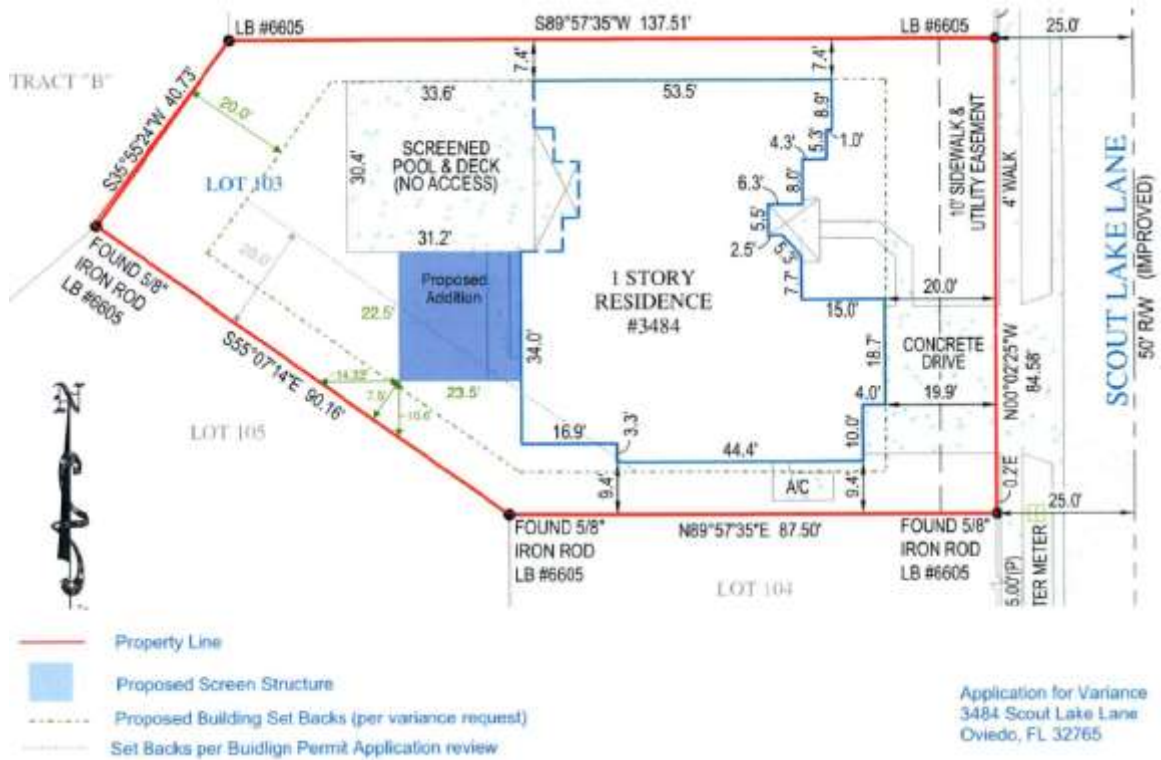
I HEREBY CERTIFY that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of April, 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: 2023-265

Title:

101 Caspian Cove - Request for a front yard setback variance from 161 feet to 100 feet to allow an accessory structure to project beyond the established front building line of the primary structure for solar ground mounted panels in the R-1AA (Single Family Dwelling) district; BV2023-015 (Joshua Skiendziel, Applicant) District 4 - Lockhart (Kathy Hammel, Project Manager)

Department/Division:

Development Services - Planning and Development

Contact/Phone Number:

Kathy Hammel

Motion/Recommendation:

1. Deny the request for a front yard setback variance from 161 feet to 100 feet to allow an accessory structure to project beyond the established front building line of the primary structure for solar ground mounted panels in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for a front yard setback variance from 161 feet to 100 feet to allow an accessory structure to project beyond the established front building line of the primary structure for solar ground mounted panels 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 Loch Arbor Isle of Pines Section 2 subdivision and is within the R-1AA (Single Family Dwelling District).
- The request is for a variance for solar ground mounted panels which are considered an accessory structure/building. The ground mounted solar panels are 11'9" x 82'4" or 980.56 square feet. The mean height is 15 feet in which the roof sloop is 7 feet to 20 feet.
- The Applicant originally entered the permit for the solar panels into the County's system as roof mounted solar panels, which do not need to meet setback regulations. However, the actual application and plans indicated a solar ground mounted panels which are considered an accessory structure/building and should have been routed to zoning for review. The plans were not originally routed for zoning review and were subsequently issued a building permit. The ground mounted solar panels were constructed beyond the established front building line of the primary structure which is not allowed in the R-1AA (Single Family Dwelling) district. The issue was brought to the County's attention from a neighbor and staff meet with the property owners and applicant to discuss moving the solar panels to meet the zoning regulations. It was discovered that moving the solar panels would mean they would be closer

to the water and create the need for additional trees to be removed, and possibly create more of a visual intrusion for the neighbors. For these reasons and because of the considerable cost to move the solar array, the property owner and solar company have elected to apply for a variance.

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:

Under Section 30.1345(c) of the Seminole County Land Development Code no detached accessory building shall project beyond the established building line; therefore, the granting of the variance requested would confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning district. Section 30.43(b)(3)(c)

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 solar ground mounted panels 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.

Legal Description:
A PORTION OF LOT 4, BLOCK 2, A PORTION OF LOT 9 AND ALL OF LOT 10, BLOCK 3 AND A PORTION OF VACATED SOUTH CRYSTAL DRIVE, BEL-ISLE SECTION OF LOCH ARBOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 72, OF THE PUBUC RECORDS OF SEMINOLE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 4, BLOCK 2, LOTS 9 AND 10, BLOCK 3, AND VACATED SOUTH CRYSTAL DRIVE, BEL-ISLE SECTION OF LOCH ARBOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 72, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

LESS:

BEGIN AT THE SOUTHEAST CORNER OF LOT 5, BLOCK 2, BEL-ISLE SECTION OF LOCH ARBOR, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 7, PAGE 72, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA AND RUN NORTH 14° 35' EAST ALONG THE WEST LOT LINE OF LOT 4, BLOCK 2 OF SAID BEL-ISLE SECTION OF LOCH ARBOR, THENCE RUN NORTH 17° 11' 28" EAST, 55.00 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 2 OF SAID BEL-ISLE SECTION OF LOCH ARBOR, THENCE RUN NORTH 25° 37' 02" EAST, 29.45 FEET TO THE NORTHEAST CORNER OF SAID LOT 4, THENCE RUN SOUTH 76° 59' 17" EAST ALONG THE NORTH LINE OF SAID LOT 4 AND THE NORTH LINE OF THE SOUTH 112° 48' 02" EAST, 112.48 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4, THENCE RUN SOUTH 28° 30' 52" WEST, 128.62 FEET; THENCE RUN NORTH 89° 58' 41" WEST, 17323 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH CRYSTAL DRIVE OF SAID BEL-ISLE SECTION OF LOCH ARBORS THENCE RUN NORTH 18° 00' 32" WEST ALONG SAID RIGHT-OF-WAY LINE 59.93 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 24.42 FEET, A CHORD OF 29.29 FEET AND A CHORD BEARING OF SOUTH 53° 28' 30" EAST; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE 31.37 FEET THROUGH A CENTRAL ANGLE OF 70° 07' TO THE END OF SAID CURVE, THENCE RUN SOUTH 89° 58' 41" EAST TO THE POINT OF BEGINNING.

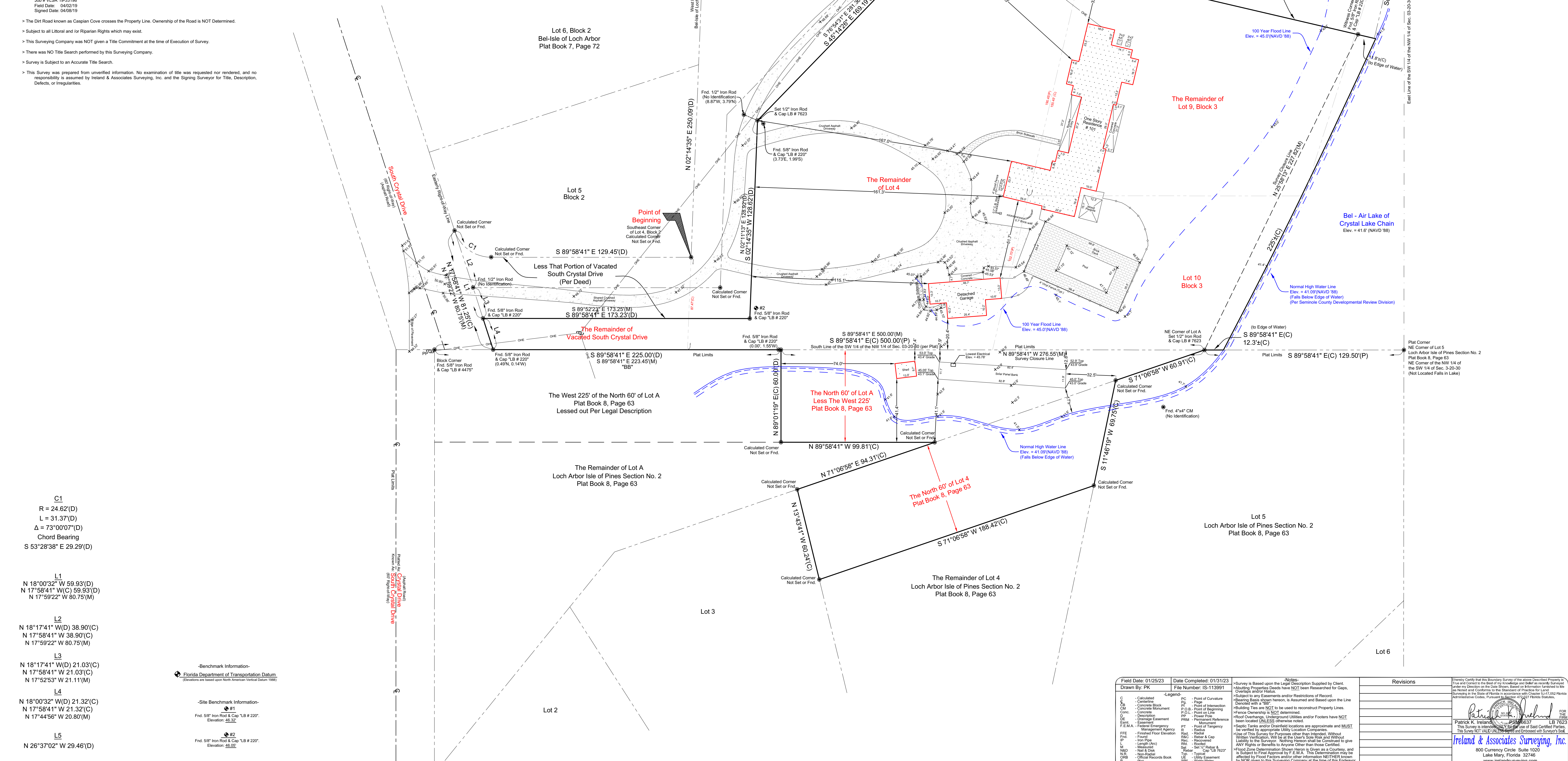
TOGETHER WITH THE NORTH 60 FEET OF LOT A (LESS WEST 225 FEET) AND THE NORTH 60 FEET OF LOT 4, LOCH ARBOR ISLE OF PINES SECTION NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 63, OF THE PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA.

FLOOD DISCLAIMER:
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONES X & AE.
THIS PROPERTY WAS FOUND IN SEMINOLE COUNTY, COMMUNITY NUMBER 120289, DATED 09/28/2007.

CERTIFIED TO:
JAMIE JAMIESON

-Surveyor's Notes-

- The Boundary shown hereon is based upon a Prior Survey of the Subject Property given to Ireland & Associates Surveying, Inc. by the Client.
- This Prior Survey was performed by Vision Land Service.
Job # W-EST-15-33118
Field Date: 04/02/19
Signed Date: 04/08/19
- The Dkt Road known as Caspian Cove crosses the Property Line. Ownership of the Road is NOT Determined.
- Subject is Allodial and no Riparian Rights may exist.
- This Surveying Company was NOT given a Title Commitment at the time of Execution of Survey.
- There was NO Title Search performed by this Surveying Company.
- Survey is Subject to an Accurate Title Search.
- This Survey was prepared from unverified information. No examination of title was requested nor rendered, and no responsibility is assumed by Ireland & Associates Surveying, Inc. and the Signing Surveyor for Title, Description, or other inaccuracies.

[illegible]

JACK GRITTER
NEW GRID-INTERACTIVE PHOTOVOLTAIC SYSTEM
DC SYSTEM SIZE (20.64 KW)

BP22-00019123

11/23/22

SCOTT WYSSLING SOLAR LLC.
112 N. 1ST STREET, SUITE 505
SANFORD, FL 32771, USA.
EC: 13010776
CONTACT: (662) 765-2486

SYSTEM DETAILS

DESCRIPTION	NEW GRID-INTERACTIVE PHOTOVOLTAIC SYSTEM WITH NO BATTERY STORAGE
DC RATING OF SYSTEM	SYSTEM SIZE :20.64 KW DC STC
AC RATING OF SYSTEM	22.8 kw
AC OUTPUT CURRENT	95.00 A
NO. OF MODULES	(48) JKM430M-78H-V (430W) JINKO SOLAR MODULES
NO. OF INVERTERS	(02) SE11400H-US SOLAREDGE INVERTERS
POINT OF CONNECTION	LINE SIDE TAP IN THE MSP
ARRAY STRINGING	(4) BRANCHES OF 12 MODULES

SITE DETAILS

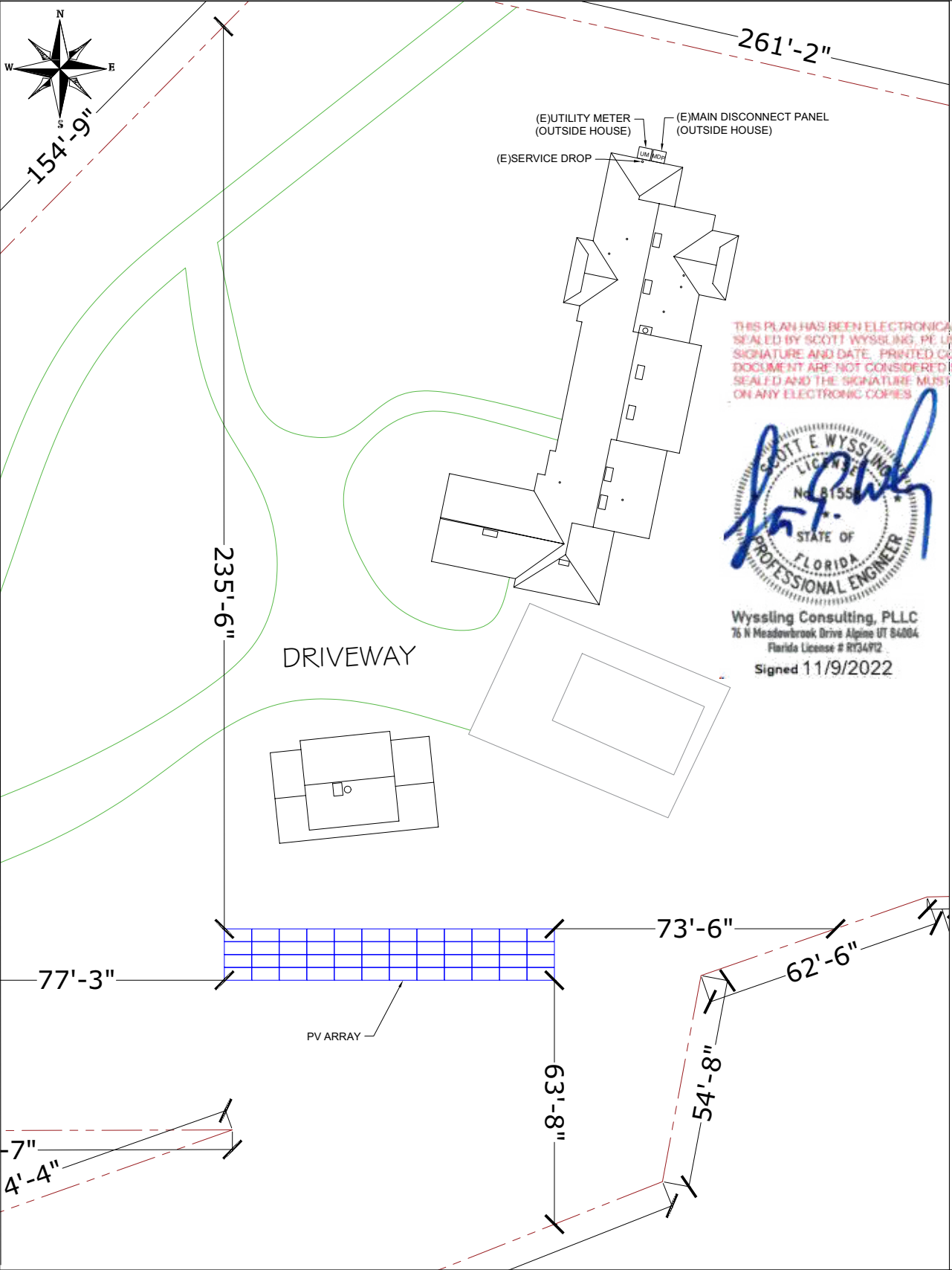
ASHRAE EXTREME LOW	1 °C
ASHRAE 2% HIGH	34 °C
GROUND SNOW LOAD	0 PSF
WIND SPEED	140MPH (ASCE 7-16)
RISK CATEGORY	II
WIND EXPOSURE CATEGORY	B

GOVERNING CODES

FLORIDA RESIDENTIAL CODE, 7TH EDITION 2020 (FRC)
FLORIDA BUILDING CODE, 7TH EDITION 2020 (FBC)
FLORIDA FIRE PREVENTION CODE, (FFPC)7TH EDITION, NFPA 1, 2018
NATIONAL ELECTRICAL CODE, NEC 2017 CODE BOOK, NFPA 70

SHEET INDEX

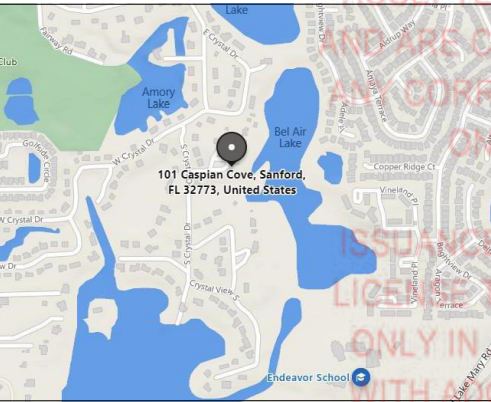
SHEET NO.	SHEET NAME
A - 00	SITE MAP & VICINITY MAP
S - 01	SYMBOLS & SYSTEM DESCRIPTION
S - 02	ROOF PLAN & MODULES
S - 03	ARRAY LAYOUT
S - 04	STRUCTURAL ATTACHMENT DETAIL
E - 01	ELECTRICAL LINE DIAGRAM
E - 02	WIRING CALCULATIONS
E - 03	SYSTEM LABELING
DS - 01	MODULE DATASHEET
DS - 02	INVERTER DATASHEET
DS - 03	OPTIMIZER DATASHEET
DS - 04	ATTACHMENT DATASHEET
DS - 05	GROUNDING AND BONDING DATASHEET



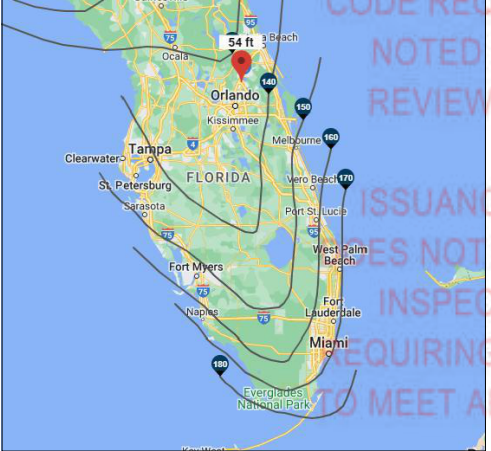
SITE MAP (N.T.S)



VICINITY MAP



WIND FLOW MAP



Signature with Seal
Digitally signed by Scott Wyssling, PE
DN: C=US, S=Utah, L=Alpine, O=Wyssling Consulting, OU=Engineering, CN="Scott Wyssling, PE", E=swyssling@wysslingconsulting.com
Reason: I am the author of this document
Location: your signing location here
Date: 2022.11.09 11:53:21-0700
Foxit PDF Editor
Version: 11.1.0

JACK GRITTER
101 CASPIAN COVE,
SANFORD FLORIDA 32773

REVISIONS	DATE	DESCRIPTION
REV	ENGG.	

PERMIT DEVELOPER

DATE	11/04/2022
DESIGNER	OSS
REVIEWER	

SHEET NAME
SITE MAP & VICINITY MAP

SHEET NUMBER
A-00

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.

This property is located in the Bel-Isle section of Loch Arbor. While most properties in the area have 4 property lines and are standard square or rectangular lots, this lot is unique in that it is the only lot of its type with 14 linear changes/property lines. Additionally, while most properties in this area are adjacent to the main roads throughout the development, this home is 170' back from the closest main road. The private drive that leads back to this home is unique to only this and one other lot. The home is completely obscured from view.

The primary structure on the property is setback 161.3' from the adjacent frontage property line. The accessory structure in question, the solar ground mount, is closer to a different, more conservative, front property line which is 13' further east, or around 148.3' from the primary structure. The solar ground mount is installed 102' behind the adjacent front property line. We are requesting a variance reduction from 161.3' to 102' from the solar ground mount to the adjacent front property line.

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

Though the planset clearly and accurately reflects this project as a ground mount, it was never routed for review by zoning due to a clerical error related to the application. Though this project was reviewed, approved, and stamped by the Building Department and the permit was issued on it was never routed to the zoning department and neither Solcium Solar nor the Homeowner were advised of any potential code violations. As such, the solar ground mount was installed using the approved Building Plans, stamped by Seminole County. During the inspection process, we were notified for the first time of zoning concerns.

While conferring with Rebecca Hammock, Development Services Director and Meggan Znorowski, Project Coordinator Planning & Development on February 13th, we learned that this error was identified following a complaint that County Commissioner Lockhart, who resides in the neighborhood, received from a neighbor.

Had Solcium solar received any direction from zoning prior to installation, we would have shifted the intended position of the installation 41' to right which (reduction in production which leads to larger ground mount, increased cost, additional agricultural impact, etc.)

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 petitioner has the land space for solar - protected by solar laws (Statute below). the solar system will remain as a ground mount regardless. It is a question of whether it is the result of additional destruction and deforestation of an additional 50' of his property, the ground mount being more visible to the rest of the community.

FLORIDA STATUTE 163.04

(1) submit for your review: Section 2 of Florida Statute 163.04 (Energy devices based on renewable resources).

(2) A deed restriction, covenant, declaration, or similar binding agreement may not prohibit or have the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on the lots or parcels covered by the deed restriction, covenant, declaration, or binding agreement. A property owner may not be denied permission to install solar collectors or other energy devices by any entity granted the power or right in any deed restriction, covenant, declaration, or similar binding agreement to approve, forbid, control, or direct alteration of property with respect to residential dwellings and within the boundaries of a condominium unit.

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 in this case is related to the statement of facts that the petitioner would not find himself in this position if the permit was approved in error of issuance.

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

The current location of the solar ground mount was designed with the environment in mind and resulted in the least amount of deforestation. The location of the ground mount is also the most southern facing which results in a maximum solar production.

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.

Adjusting the location of the solar ground mount will result in the deforestation of an additional 50' of mature shoreline trees. These include magnolias, southern live oaks, myrtle oaks, southern pine, and sable palms. By moving the ground mount further to the northeast, it will result in a production loss of 15-20% and will require the solar ground mount to have to increase in size in order to meet production.

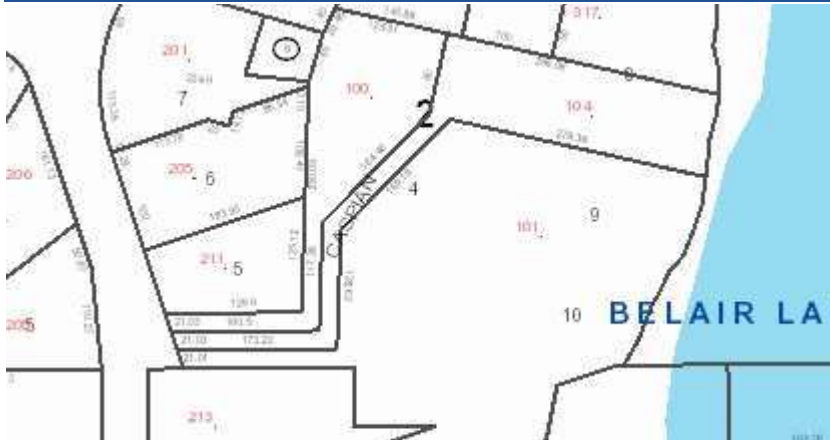
Property Record Card



Parcel 03-20-30-506-0200-0040

Property Address 101 CASPIAN CV SANFORD, FL 32773

Parcel Location



Site View



Parcel Information

Parcel	03-20-30-506-0200-0040
Owner(s)	GRITTER, JACK E - Tenancy by Entirety GRITTER, ELIZABETH O - Tenancy by Entirety
Property Address	101 CASPIAN CV SANFORD, FL 32773
Mailing	101 CASPIAN CV SANFORD, FL 32773-4859
Subdivision Name	BEL-ISLE SEC OF LOCH ARBOR
Tax District	01-COUNTY-TX DIST 1
DOR Use Code	0130-SINGLE FAMILY WATERFRONT
Exemptions	00-HOMESTEAD(2000)
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	\$202,544	\$184,252
Depreciated EXFT Value	\$28,200	\$22,000
Land Value (Market)	\$192,060	\$177,804
Land Value Ag		
Just/Market Value	\$422,804	\$384,056
Portability Adj		
Save Our Homes Adj	\$159,386	\$128,310
Amendment 1 Adj	\$0	\$0
P&G Adj	\$0	\$0
Assessed Value	\$263,418	\$255,746

2022 Certified Tax Summary

2022 Tax Amount without Exemptions

\$5,149.46

2022 Tax Bill Amount

\$2,895.16

2022 Tax Savings with Exemptions \$2,254.30

* Does NOT INCLUDE Non Ad Valorem Assessments

Legal Description

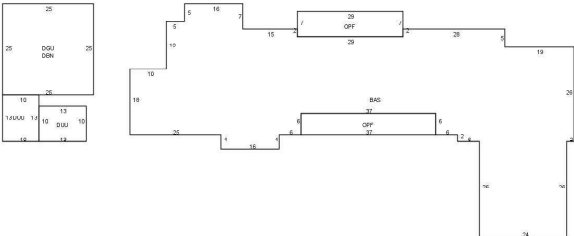
BEG SE COR LOT 10 BLK 3 RUN W TO
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00 MIN 32 SEC W 21.01 FT E 173.23
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SHORE LINE SLY ALONG SHORE LI TO
BEG
BEL-ISLE SEC OF LOCH ARBOR
PB 7 PG 72
& N 60 FT OF LOT A (LESS W 225 FT)
& N 60 FT OF LOT 4
LOCH ARBOR ISLE OF PINES SEC NO 2
PB 8 PG 63

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$263,418	\$50,000	\$213,418
SJWM(Saint Johns Water Management)	\$263,418	\$50,000	\$213,418
FIRE	\$263,418	\$50,000	\$213,418
COUNTY GENERAL FUND	\$263,418	\$50,000	\$213,418
Schools	\$263,418	\$25,000	\$238,418

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
QUIT CLAIM DEED	01/01/2001	04003	0846	\$100	No	Improved
WARRANTY DEED	10/01/1998	03517	1077	\$178,500	Yes	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$156,816.00	\$156,816
ACREAGE			1.78	\$66,000.00	\$35,244

Building Information																								
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages												
1	SINGLE FAMILY	1949/1955	4	2.5	9	3,927	5,237	3,927	CONC BLOCK	\$202,544	\$415,474	<table><tr><th>Description</th><th>Area</th></tr><tr><td>OPEN PORCH FINISHED</td><td>203.00</td></tr><tr><td>OPEN PORCH FINISHED</td><td>222.00</td></tr><tr><td>DETACHED GARAGE UNFINISHED</td><td>625.00</td></tr><tr><td>DETACHED UTILITY UNFINISHED</td><td>130.00</td></tr><tr><td>DETACHED UTILITY UNFINISHED</td><td>130.00</td></tr></table>	Description	Area	OPEN PORCH FINISHED	203.00	OPEN PORCH FINISHED	222.00	DETACHED GARAGE UNFINISHED	625.00	DETACHED UTILITY UNFINISHED	130.00	DETACHED UTILITY UNFINISHED	130.00
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DETACHED UTILITY UNFINISHED	130.00																							



Building 1 - Page 1

** Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
08609	REROOF 60 SQ	County	\$9,000		10/1/1998
09903	4' CHAIN-LINK AROUND POOL	County	\$470		12/1/1998
12923	101 CASPIAN CV: REROOF RESIDENTIAL-Wood [BEL-ISLE SEC OF LOCH ARBO]	County	\$34,629		8/25/2020
19123	101 CASPIAN CV: ELECTRIC SOLAR WIRING-Roof Mounted PV Solar Installation [BEL-ISLE SEC OF LOCH ARBO]	County	\$74,043		11/30/2022

Extra Features				
Description	Year Built	Units	Value	New Cost
FIREPLACE 1	11/01/1949	1	\$1,200	\$3,000
POOL 2	11/01/1970	1	\$27,000	\$45,000

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
33,00	FPL	AT&T	NA	NA	MON/THU	MON	WED	Waste Pro
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		14
School Information								
Elementary School District			Middle School District			High School District		
Region 2			Millennium			Seminole		
Copyright 2023 © Seminole County Property Appraiser								

101 Caspian Cove, Sanford, FL Variance Application



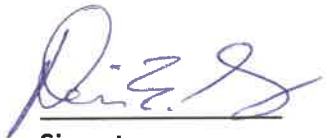
RE: Solar Mount

To Whom It May Concern:


I / we are neighbors of Jack and Elizabeth Gritter who own and reside at 101 Caspian Cove, Sanford, Florida 32773.


I / we are aware of the Gritter's request for a zoning variance to leave the ground mount solar system in its current location, even though it extends past the front building elevation of their home. We are opposed to relocating the ground mount system 40+ feet to the east, which would require clearing much of the tree coverage and foliage along the Lake Belaire frontage. We would prefer that land area to remain natural and have no concerns with the current location of the ground mount solar system.


Respectfully,

<u>Dennis E. Scott</u>	<u>201 S. CRYSTAL DR</u>	<u></u>
Name	Address	Signature

<u>Dennis Connell</u>	<u>104 Caspian Cove</u>	<u></u>
Name	Address	Signature

<u>EDWARD ALAN AMBER</u>	<u>201 211 S. CRYSTAL DR.</u>	<u></u>
Name	Address	Signature

<u>Richard W. Willink</u>	<u>208 S. Crystal Dr</u>	<u></u>
Name	Address	Signature

<u>Emanuel Bragg</u>	<u>100 Caspian Cove</u>	<u></u>
Name	Address	Signature

<u>ELONA LAMAR</u>	<u>100 CASPIAN COVE</u>	<u></u>
Name	Address	Signature

_____	_____	_____
Name	Address	Signature

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I / we have been assured that the Gritters will install and maintain foliage between the ground mount system and the lake frontage to block most or all of the system from our view and that of other residents across the lake. The planned foliage will be of a type and variety to achieve a height of at least 10-12 feet at maturity.

Respectfully,

DARLENE MOULDER
Darlene Moulder
Name

501 N. CRYSTAL VIEW SANFORD
Address

Darlene Moulder
Signature 2/26/2023

TOM RUFFING
Name

501 N. CRYSTAL VIEW
Address

Tom Ruffing
Signature 2/26/2023

Name

Address

Signature

Name

Address

Signature

RE: Solar Mount

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I / we have been assured that the Gritters will install and maintain foliage between the ground mount system and the lake frontage to block most or all of the system from our view and that of other residents across the lake. The planned foliage will be of a type and variety to achieve a height of at least 10-12 feet at maturity.

Respectfully,

 _____ Name	<u>212 S. Crystal Dr.</u> _____ Address	 _____ Signature
_____ Name	_____ Address	_____ Signature
_____ Name	_____ Address	_____ Signature
_____ Name	_____ Address	_____ Signature

SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

BEG SE COR LOT 10 BLK 3 RUN W TO ELY R/W SOUTH CRYSTAL DR N 18 DEG
00 MIN 32 SEC W 21.01 FT E 173.23 FT N 2 DEG 14 MIN 35 SEC E 128.62
FT N 45 DEG 14 MIN 26 SEC E 169.19 FT S 76 DEG 59 MIN 17 SEC E TO
SHORE LINE SLY ALONG SHORE LI TO BEG BEL-ISLE SEC OF LOCH ARBOR
PB 7 PG 72 & N 60 FT OF LOT A (LESS W 225 FT) & N 60 FT OF LOT 4
LOCH ARBOR ISLE OF PINES SEC NO 2 PB 8 PG 63

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

A. FINDINGS OF FACT

Property Owner: JACK GRITTER
101 CASPAIN COVE
SANFORD, FL 32773

Project Name: CASPIAN CV (101)

Requested Variance:

Request for a front yard setback from 161 feet to 100 feet to allow an accessory structure to project beyond the established front building line of the primary structure for ground mounted solar panels in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the March 27, 2023, Board of Adjustment meeting are incorporated in this Order by reference.

B. CONCLUSIONS OF LAW

Approval was sought to bring into compliance the construction of ground mounted solar panels. 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 March, 2023.

Notary Public

Prepared by: KATHY HAMMEL, Planner
1101 East First Street
Sanford, Florida 32771

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On March 27, 2023, Seminole County issued this Development Order relating to and touching and concerning the following described property:

BEG SE COR LOT 10 BLK 3 RUN W TO ELY R/W SOUTH CRYSTAL DR N 18 DEG
00 MIN 32 SEC W 21.01 FT E 173.23 FT N 2 DEG 14 MIN 35 SEC E 128.62
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LOCH ARBOR ISLE OF PINES SEC NO 2 PB 8 PG 63

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

A. FINDINGS OF FACT

Property Owner: JACK GRITTER
101 CASPAIN COVE
SANFORD, FL 32773

Project Name: CASPIAN CV (101)

Variance Approval:

Request for a front yard setback from 161 feet to 100 feet to allow an accessory structure to project beyond the established front building line of the primary structure for ground mounted solar panels in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the March 27, 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 ground mounted solar panels (11'9" x 82'4") 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 March, 2023.

Notary Public

Prepared by: KATHY HAMMEL, Planner
1101 East First Street
Sanford, Florida 32771

EXHIBIT A

