

# **SEMINOLE COUNTY, FLORIDA**

COUNTY SERVICES BUILDING  
1101 EAST FIRST STREET  
SANFORD, FLORIDA



## **Meeting Agenda - Final**

**Monday, May 20, 2024**

**6:00 PM**

**BCC Chambers, Room 1028**

**Board of Adjustment**

**CALL TO ORDER AND ROLL CALL****OPENING STATEMENT****VARIANCES**

**285 N. Orange Avenue** - Request to enlarge a previously approved guard house from 385 square feet to 785 square feet by adding an attached carport in the A-1 (Agriculture) district; BV2024-025 (Jason Turner, Applicant) District 5 - Herr (Angi Gates, Project Manager)

[2024-0577](#)

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

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

**7125 Ivy Court** - Request for a rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition in the R-1 (Single Family Dwelling) district; BV2024-036 (Alan Migliarato, Applicant) District 1 - Dallari (Angi Gates, Project Manager)

[2024-0579](#)

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

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



**6313 Bordeaux Circle** - Request for a rear yard setback variance from seven and one-half (7½) feet to five (5) feet for a pool screen enclosure in the PD (Planned Development) district; BV2024-037 (Chad and Marlene Hochuli, Applicant) District 5 - Herr (Angi Gates, Project Manager)

[2024-0578](#)

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

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

**1108 Bella Vista Circle** - Request for a side yard (east) setback variance from six (6) feet to five (5) feet for an addition in the PD (Planned Development) district; BV2024-039 (Joseph & Stephanie Antequino, Applicants) District 3 - Constantine (Angi Gates, Project Manager)

[2024-0600](#)

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

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

**157 Spring Chase Circle** - Request for a side yard (south) setback variance from ten (10) feet to seven (7) feet for a detached carport in the R-1AAA (Single Family Dwelling) district; BV2024-042 (Andrew & Ellen H. Zelman, Applicants) District 3 - Constantine (Angi Gates, Project Manager)

[2024-0602](#)

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

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

**7413 Barnacle Court**- Request for a side street (west) setback variance from two (2) feet to zero (0) feet for a privacy fence in the R-1A (Single Family Dwelling) district; BV2023-047 (Amanda Ban, Applicant) District 1 - Dallari (Angi Gates, Project Manager)

[2024-0603](#)

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

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

**509 Hillview Drive** - Request for a front yard setback variance from fifty (50) feet to thirty-eight (38) feet for an addition in the A-1 (Agriculture) district; BV2024-050 (Roderick Waller, Applicant) District 3 - Constantine (Angi Gates, Project Manager) [2024-0604](#)

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

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

**107 Raymond Oaks Court** - Request for a rear yard setback variance from thirty (30) feet to twenty-one (21) feet for an addition in the R-1AA (Single Family Dwelling) district; BV2024-052 (Jaime Toro, Applicant) District 3 - Constantine (Angi Gates, Project Manager) [2024-0581](#)

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

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

**2583 Alamosa Place** - Request for a rear yard setback variance from twenty (20) feet to seventeen (17) feet for a screen room addition in the PD (Planned Development) district; BV2024-034 (Michael & Milbia Rometty, Applicants) District 4 - Lockhart (Hilary Padin, Project Manager)

[2024-0609](#)

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

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

**2449 Sipes Avenue** - Request for: (1) a rear yard setback variance from ten (10) feet to five (5) feet; and (2) a side yard (north) setback variance from seven and one-half (7.5) feet to three and one-half (3.5) feet for a shed in the R-1 (Single Family Dwelling) district; BV2024-035 (Darren Price, Applicant) District 5 - Herr (Hilary Padin, Project Manager)

[2024-0610](#)

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

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

**618 Trailwood Drive** - Request for a front yard setback variance from twenty-five (25) feet to nineteen (19) feet for a garage addition in the R-1A (Single Family Dwelling) district; BV2024-043 (Johnny Butts, Applicant) District 3 - Constantine (Hilary Padin, Project Manager)

[2024-0612](#)

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

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

**304 N. Jungle Road** - Request for: (1) a lot size variance from five (5) acres to 23,100 square feet; and (2) a width at the building line variance from 150 feet to 110 feet for a single-family residence in the A-5 (Rural 5) district; BV2024-044 (Brett Baxter, Applicant) District 2 - Zembower (Hilary Padin, Project Manager)

[2024-0614](#)

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

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

**618 Lake Shore Drive** - Request for a side yard (east) setback variance from ten (10) feet to six (6) feet for an addition in the R-1AA (Single Family Dwelling) district; BV2024-046 (Joseph & Sharon Sutura, Applicants) District 3 - Constantine (Hilary Padin, Project Manager) [2024-0619](#)

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

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

**940 Lake Markham Road** - Request for a front yard setback variance from thirty-five (35) feet to ten (10) feet for a gate with pillars in the RC-1 (Country Homes) district; BV2024-048 (Robert Bass, Applicant) District 5 - Herr (Hilary Padin, Project Manager) [2024-0626](#)

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

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

**1277 Brampton Place** - Request for a rear yard setback variance from ten (10) feet to seven (7) feet for a swimming pool in the PD (Planned Development) district; BV2024-049 (Richard & Jennie Lippert, Applicants) District 5 - Herr (Hilary Padin, Project Manager)

[2024-0634](#)

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

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

**CLOSED BUSINESS**

**APPROVAL OF THE MINUTES**

**ADJOURN**

NOTE: PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7940.

PERSONS ARE ADVISED THAT IF THEY DECIDE TO APPEAL ANY DECISIONS MADE AT THIS HEARING, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS ARE MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 286.0105, FLORIDA STATUTES.

FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA, PLEASE CONTACT THE BOARD OF ADJUSTMENT CLERK AT (407) 665-7387.



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0577**

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**Title:**

**285 N. Orange Avenue** - Request to enlarge a previously approved guard house from 385 square feet to 785 square feet by adding an attached carport in the A-1 (Agriculture) district; BV2024-025 (Jason Turner, Applicant) District 5 - Herr (Angi Gates, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

Kathy Hammel

**Contact/Phone Number:**

Angi Gates 407-665-7465

**Motion/Recommendation:**

1. Deny the request to enlarge a previously approved guard house from 385 square feet to 785 square feet by adding an attached carport in the A-1 (Agriculture) district; or
2. Approve the request to enlarge a previously approved guard house from 385 square feet to 785 square feet by adding an attached carport in the A-1 (Agriculture) district; or
3. Continue the request to a time and date certain.

**Background:**

- On April 25, 2022 the Board of Adjustment approved a request for a front yard setback variance from one-hundred feet to ten (10) feet for a 385 square foot accessory structure. The applicant is now requesting to increase the size of the accessory structure to 785 square feet by adding an attached carport.
- The existing 385 square foot accessory structure consists of a guard shack room and a trash receptacle room attached by a covered drive through. The carport addition will add an additional 400 square feet.



- The carport will not be encroaching the ten (10) foot front yard setback but will be increasing the size of the structure that was approved to a site plan within a recorded Development Order. (D.O.#: 22-30000021)

A lot size variance (06-3000063) was approved by the Board of Adjustment from one (1) acre to 37,412.5 square feet on May 22, 2006.

### **Staff Findings:**

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

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

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

*By not adding the additional square footage of the carport to the guard house would not deprive the applicant* reasonable use of the land, building, or structure; therefore, the literal interpretation of the provisions of Chapter 30 would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would not work unnecessary and undue hardship on the applicant. Section 30.3.3.2(b) (4)

### **Staff Conclusion:**

Based upon the foregoing findings, the requested variance is not in the public interest

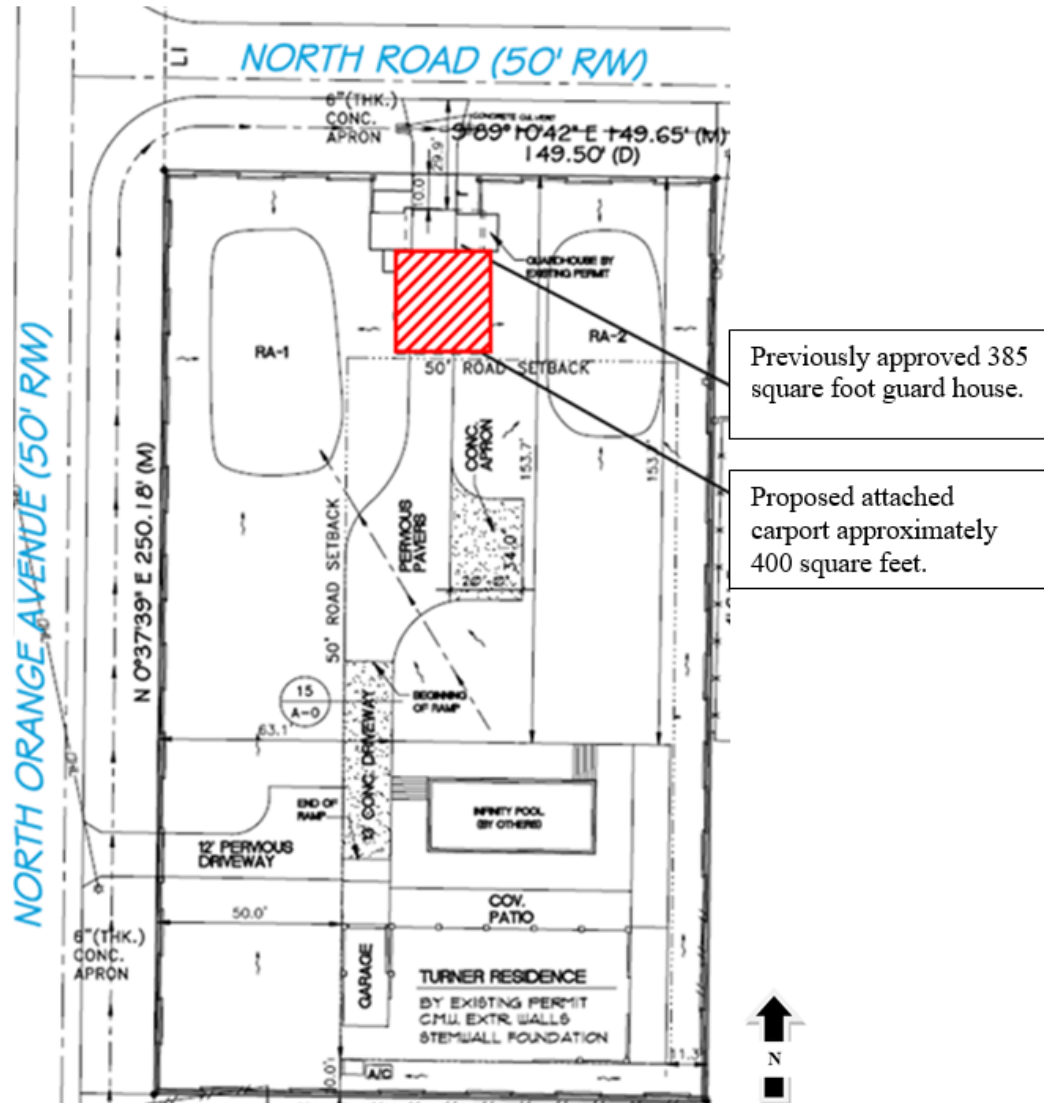
and failure to grant the variance would not result in an unnecessary and undue hardship.

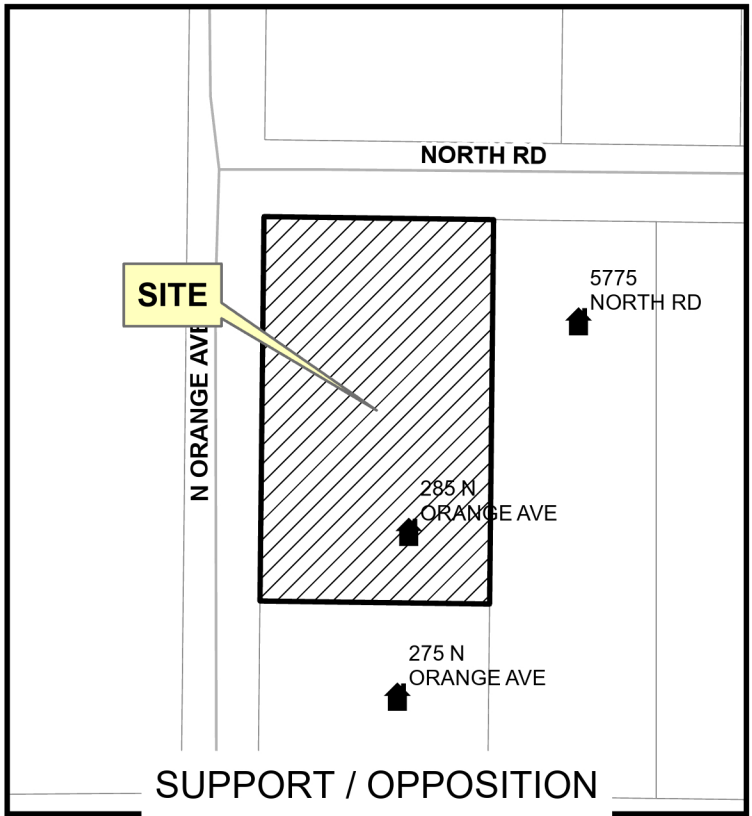
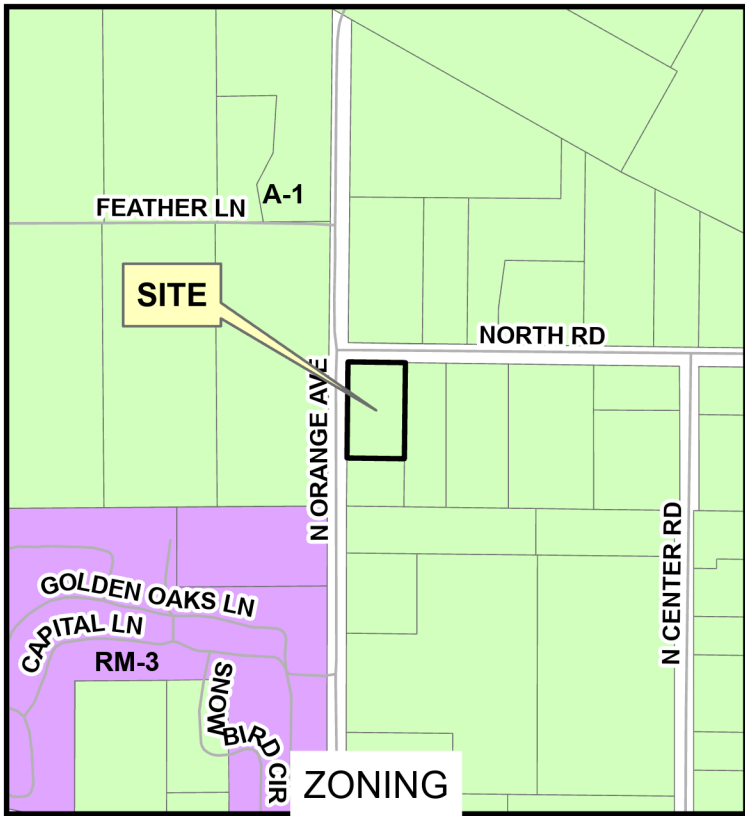
**Staff Recommendation:**

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

1. Any variance granted will apply only to the guard house 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.

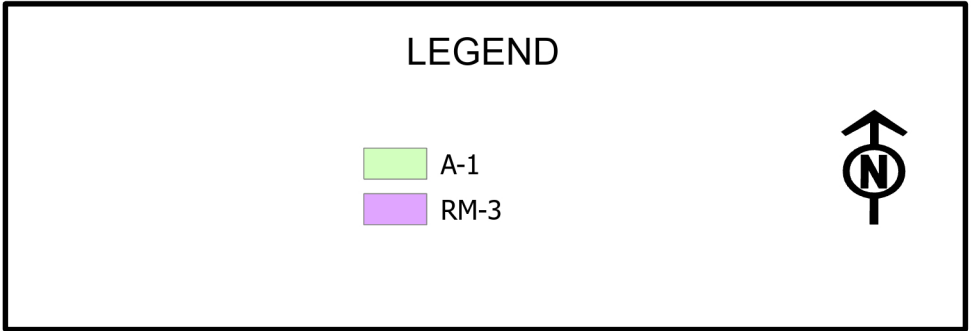
285 N. ORANGE AVE  
VARIANCE





VISION ASSETS LLC/  
JASON TURNER  
285 N ORANGE AVE  
SANFORD, FL 32771

SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
MAY 20, 2024





## 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.

Proposed structure will be attached to existing building for coverage such as a carport or garage.

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

There are currently no special conditions that exist.

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.

Not priority to any variance request that was denied on any other applicants on Property's

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.

longevity and preventative maintenance issues with the operating systems of the gate would be compromised if not approved

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

N/A

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

Proposed variance is additional coverage on existing Guard shack entry gates and electronics

# Property Record Card



**Parcel** 24-19-29-300-004G-0000

**Property Address** 285 N ORANGE AVE SANFORD, FL 32771

## Parcel Location



## Site View

Sorry, No Image  
Available at this Time

## Parcel Information

<b>Parcel</b>	24-19-29-300-004G-0000
<b>Owner(s)</b>	VISON ASSETS LLC
<b>Property Address</b>	285 N ORANGE AVE SANFORD, FL 32771
<b>Mailing</b>	305 E 4TH ST # 101 SANFORD, FL 32771-8500
<b>Subdivision Name</b>	
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	00-VACANT RESIDENTIAL
<b>Exemptions</b>	None
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	0	0
<b>Depreciated Bldg Value</b>		
<b>Depreciated EXFT Value</b>		
<b>Land Value (Market)</b>	\$107,500	\$107,500
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$107,500	\$107,500
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$0	\$0
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$3,440
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$107,500	\$104,060

## 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Non-Hx Cap</b>	<b>\$1,430.61</b>	<b>2023 Tax Savings with Non-Hx Cap</b>	<b>\$27.28</b>
<b>2023 Tax Bill Amount</b>	<b>\$1,403.33</b>		

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

SEC 24 TWP 19S RGE 29E  
N 250 FT OF S 375 FT OF E  
149.5 FT OF W 174.5 FT OF  
GOVT LOT 1

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$107,500	\$0	\$107,500
SJWM(Saint Johns Water Management)	\$107,500	\$0	\$107,500
FIRE	\$107,500	\$0	\$107,500
COUNTY GENERAL FUND	\$107,500	\$0	\$107,500
Schools	\$107,500	\$0	\$107,500

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
QUIT CLAIM DEED	04/07/2023	10421	0597	\$100	No	Vacant
WARRANTY DEED	05/18/2020	09610	0165	\$125,000	Yes	Vacant
WARRANTY DEED	06/01/2006	06321	1616	\$147,900	Yes	Vacant
WARRANTY DEED	07/01/1981	01353	0594	\$100	No	Vacant
WARRANTY DEED	06/01/1981	01344	1966	\$100	No	Vacant

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
ACREAGE			0.86	\$125,000.00	\$107,500

Building Information					
Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
02039	5795 NORTH RD: FENCE/WALL RESIDENTIAL-	County	\$20,000		11/8/2022
02038	5795 NORTH RD: SINGLE FAMILY DETACHED-NEW SFR	County	\$377,730		2/22/2023
02359	5795 NORTH RD: ACCESSORY STRUCTURE RESIDENTIAL-Accessory Structure	County	\$8,925		2/22/2023

Extra Features					
Description	Year Built	Units	Value	New Cost	

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

Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
34.00	FPL	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	NA	NA	NA	NA

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 5 - Andria Herr	Dist 7 - Cory Mills	Dist 36 - RACHEL PLAKON	Dist 10 - Jason Brodeur	1

School Information		
Elementary School District	Middle School District	High School District
Region 1	Markham Woods	Seminole

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On April 25, 2022, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 24 TWP 19S RGE 29E  
N 250 FT OF S 375 FT OF E  
149.5 FT OF W 174.5 FT OF  
GOVT LOT 1

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

**A. FINDINGS OF FACT**

**Property Owner:** JASON TURNER  
746 LULLWATER DR  
OVIEDO, FL 32765

**Project Name:** NORTH RD (5795)

**Variance Approval:**

Request for a front yard setback variance from one-hundred feet to ten (10) feet for an accessory structure in the A-1 (Agricultural) district.

The findings reflected in the record of the April 25, 2022, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

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



## Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the accessory structure (approximately 385 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**

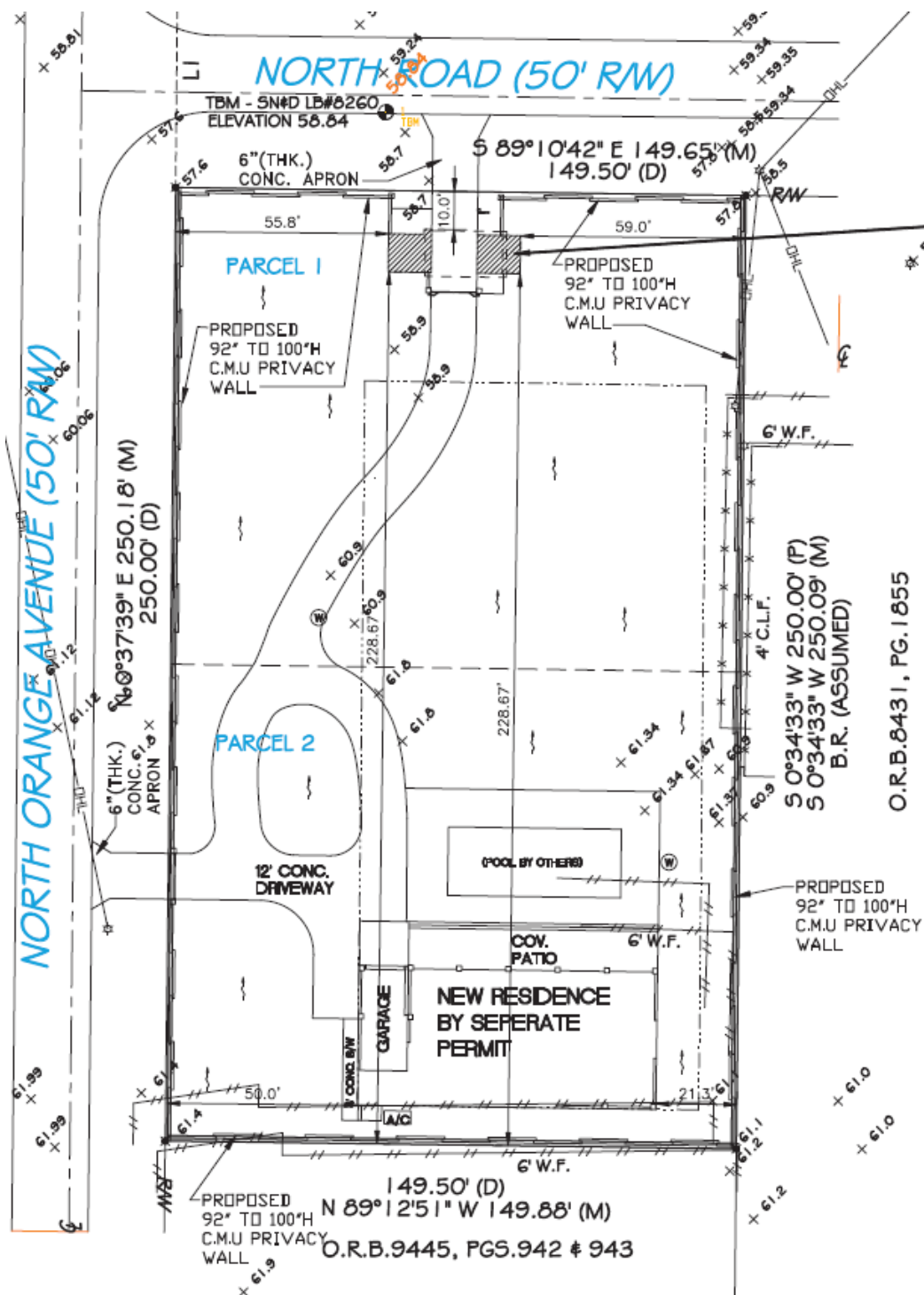
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Mary Moskowitz, who is personally known to me and who executed the foregoing instrument.

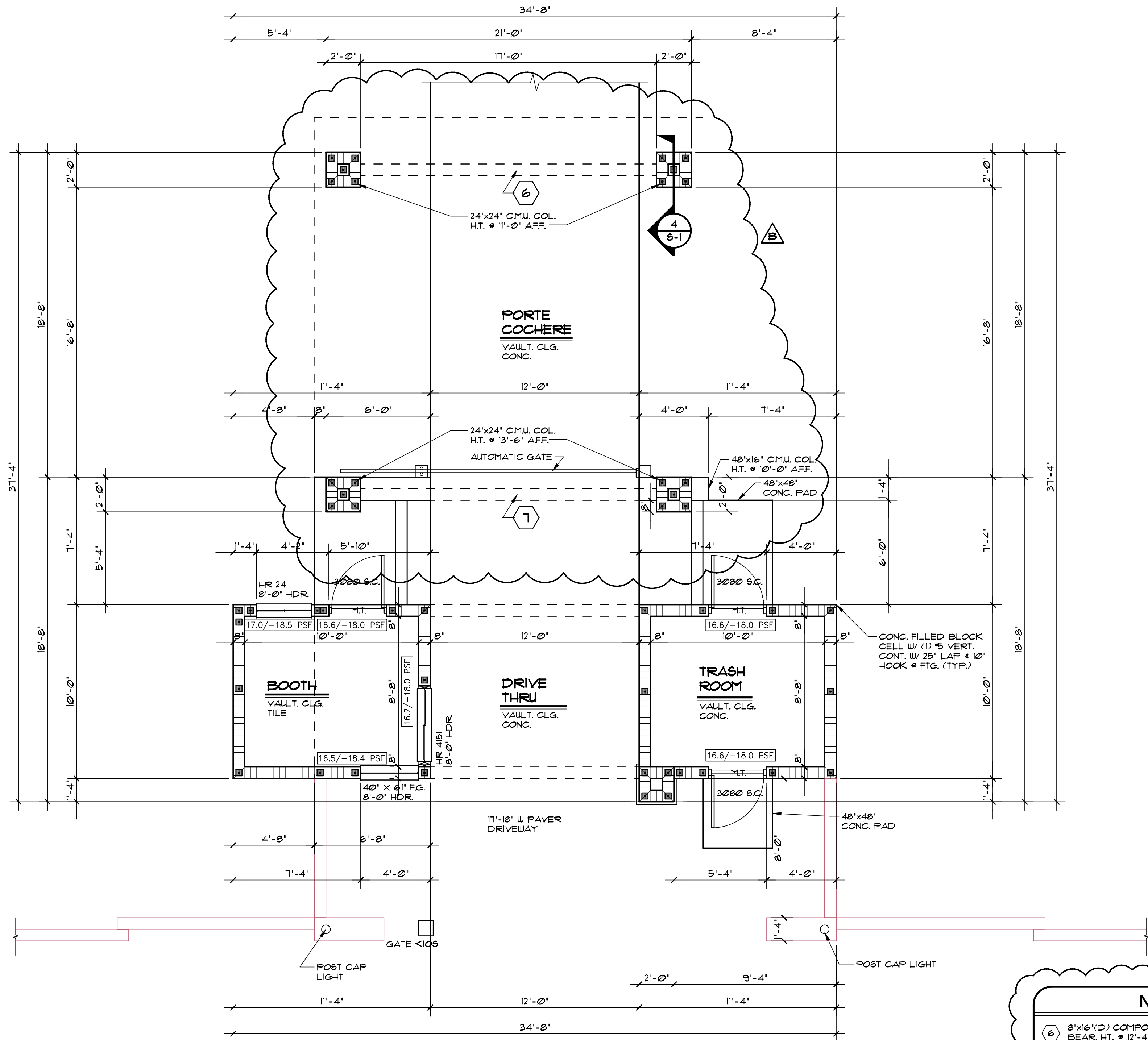
**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of May, 2022.

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

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

## EXHIBIT A





- NOTES**
- 6 8"x16"(D) COMPOSITE CONC. LINTEL BEAM, BEAR HT. # 12'-4" AFF.
  - 7 8"x16"(D) COMPOSITE CONC. LINTEL BEAM, BEAR HT. # 14'-10" AFF.

FLOOR PLAN

SCALE: 1/4" = 1'-0"

VERSION - 3

**FLOOR PLAN**

GUARD SHACK/WALL FOR:  
**Jason Turner**  
285 North Orange Ave., Sanford, FL

THE ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY GERALD R. GROSS, AIA, F.A.S.A., ON THE DATE AND/OR TIME SHOWN BELOW USING A DIGITAL SIGNATURE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND SIGNATURE MUST BE VERIFIED ON ANY EDITIONS COPIES.

DIGITAL SIGNATURE

STATE OF FLORIDA  
2/16/24  
REGISTERED ARCHITECT

**GERALD R. GROSS**  
AIA, F.A.S.A.  
205T North 18th Drive  
Briar Breezes, Florida 33403  
386-574-9088  
FL REG. ARCHITECT  
NO. AR0006998

PROJECT NO.:  
1.TURNER.GH2A1

DATE:  
27 JAN 2022

DRAWN BY:  
TMTL

SHEET NO.:  
**A-1**

**white heart designs**  
ARCHITECTURAL DESIGNER  
790 Dakota Blvd., Suite 100  
Duluth, Florida 32725 888.674.8288 voice  
888.674.8988 fax

**REVISIONS**

NO.	DATE	BY	DESCRIPTION
A	1/4/23	PLAN	REVISED
B	2/16/24	PLAN	FORTE COCHERE

DESIGNER HEREBY EXPRESSLY RESERVES HIS COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN PERMISSION AND CONSENT OF WHITE HEART DESIGNS.

## **SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 24 TWP 19S RGE 29E  
N 250 FT OF S 375 FT OF E  
149.5 FT OF W 174.5 FT OF  
GOVT LOT 1

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

### **A. FINDINGS OF FACT**

**Property Owner:** JASON TURNER, VISION ASSETS, LLC  
305 E. 4<sup>th</sup> ST #101  
SANFORD, FL 32771

**Project Name:** 285 N. ORANGE AVE

#### **Requested Variance:**

Request to enlarge a previously approved guard house from 385 square feet to 785 square feet by adding an attached carport in the A-1 (Agriculture) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **A. CONCLUSIONS OF LAW**

Approval was sought to add a 400 square foot carport to an existing guard house. The Board of Adjustment has found and determined that one or more of the six (6) criteria under the Seminole County Land Development Code for granting a variance have not been satisfied and that failure to grant the variance would not result in an unnecessary and undue hardship. The Property Owner still retains reasonable use of the property without the granting of the requested variance.

### **B. DECISION**

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 24 TWP 19S RGE 29E  
N 250 FT OF S 375 FT OF E  
149.5 FT OF W 174.5 FT OF  
GOVT LOT 1

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

**A. FINDINGS OF FACT**

**Property Owner:** JASON TURNER, VISION ASSETS, LLC  
305 E. 4<sup>th</sup> ST #101  
SANFORD, FL 32771

**Project Name:** 285 N. ORANGE AVE

**Variance Approval:**

Request to enlarge a previously approved guard house from 385 square feet to 785 square feet by adding an attached carport in the A-1 (Agriculture) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

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

## Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the guard house (approximately 785 square feet) as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.



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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

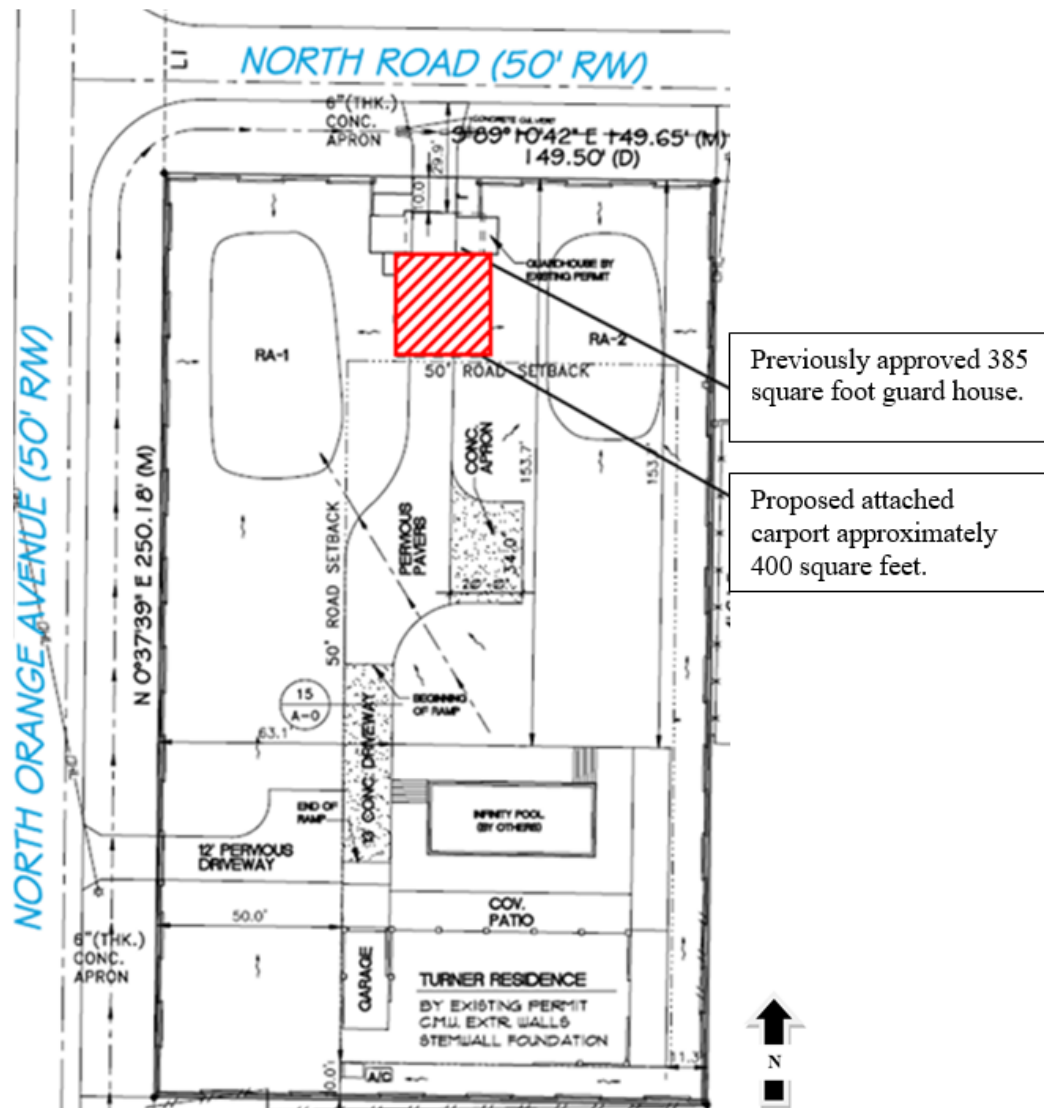
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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

# EXHIBIT A SITE PLAN





# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0579**

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**Title:**

**7125 Ivy Court** - Request for a rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition in the R-1 (Single Family Dwelling) district; BV2024-036 (Alan Migliarato, 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 rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition in the R-1 (Single Family Dwelling) district; or
2. Approve the request for a rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition in the R-1 (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Wrenwood Heights Unit 2 subdivision.
- The proposed addition will be approximately 720 square feet (36' x 20') and will encroach ten (10) feet into the required rear yard setback.
- The addition will consist of a covered porch and game room with kitchenette. The kitchenette area will not have cooking facilities or 220v setup (wiring or outlets).
- The request is for a variance to Section 30.7.3.1 of the Seminole County Land Development Code, which states that the minimum rear yard setback for this zoning district is thirty (30) feet.

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

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

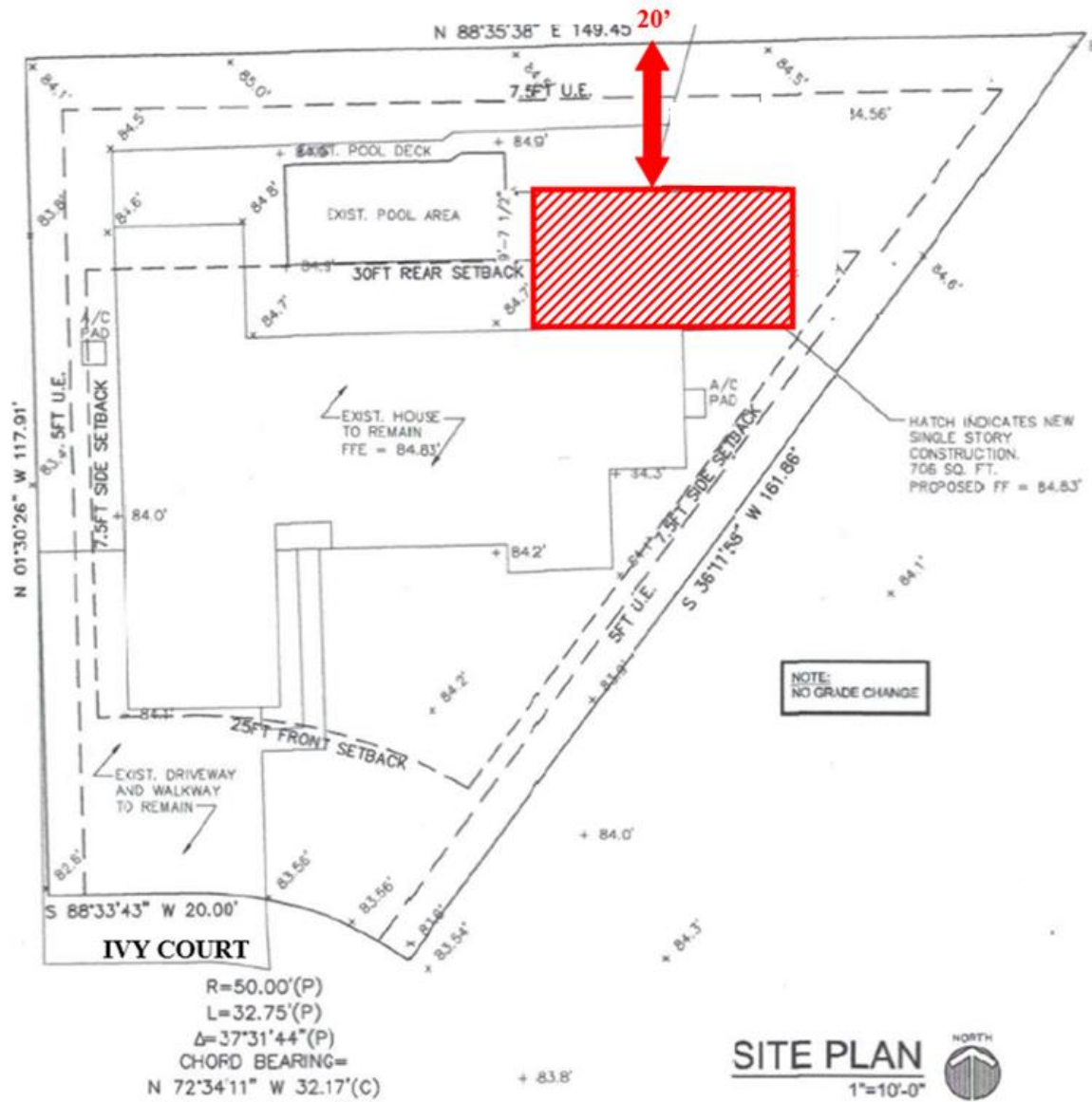
**Staff Recommendation:**

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

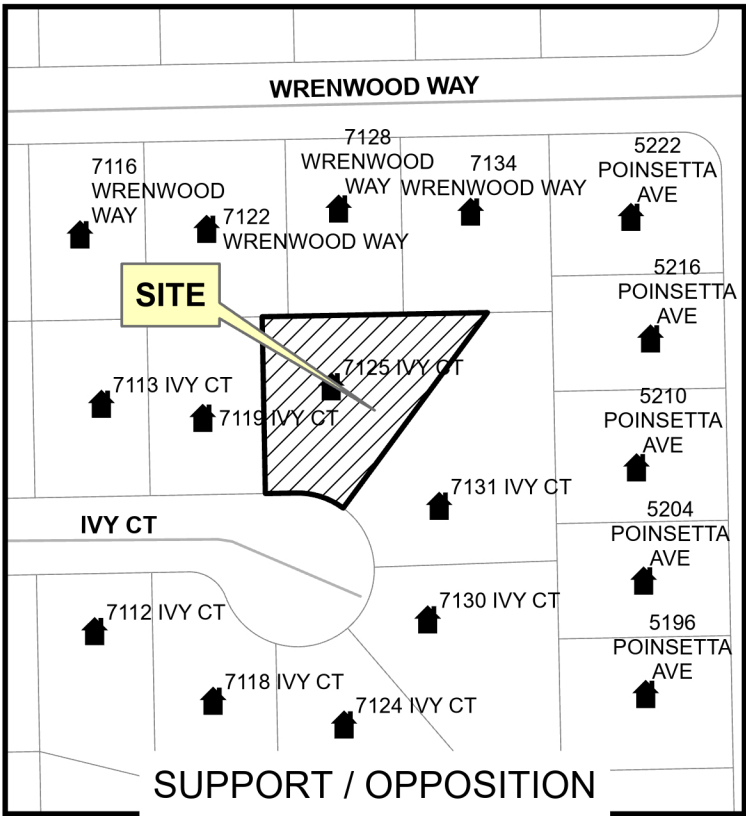
variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the addition 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.

# 7125 IVY COURT VARIANCE

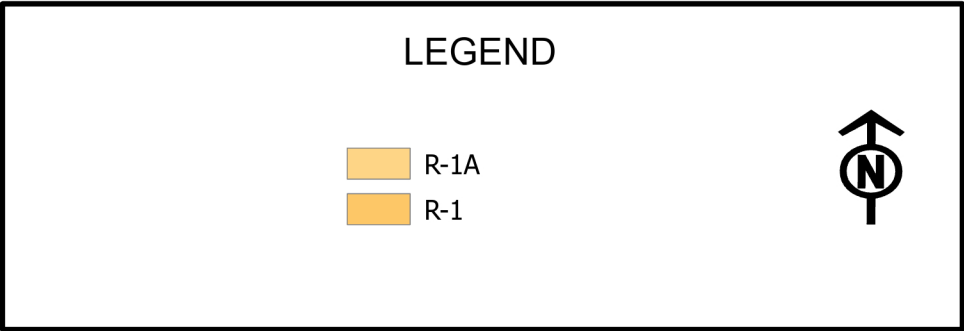






**ALAN MIGLIARATO**  
**7125 IVY CT**  
**WINTER PARK, FL 32792**

**SEMINOLE COUNTY**  
**BOARD OF ADJUSTMENT**  
**MAY 20, 2024**





## 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 variance we are looking to attain will allow extra sq footage to the existing home that is critically needed

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

We propose this variance request due to the sq. footage that we would like achieved on the family home.

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

This variance we don't want nor to be looked at as a privilege. We are looking to use the backyard at its best capacity. Especially due to the lot size and location.

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.

This variance is critical as we will be caring for a terminally ill relative. This allows a little more room for comfort. This room also allows family to visit in comfort.

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

The importance of this variance is dire. We realistically can not help this relative if we do not have this space. We are the only living relatives to help with their care. The home has been with

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

This variance not only adds to the value of our home but also the neighborhood, it encourages families to help each other, but ~~continues~~ continuous membership of a home for decades.



for many years - moving is financially  
not a option, nor do we want to  
leave our home.

# Property Record Card



**Parcel** 34-21-30-5DG-0000-2530

**Property Address** 7125 IVY CT WINTER PARK, FL 32792

## Parcel Location



## Site View



3421305DG00002530 04/24/2022

## Parcel Information

<b>Parcel</b>	34-21-30-5DG-0000-2530
<b>Owner(s)</b>	MIGLIARATO, ALAN A
<b>Property Address</b>	7125 IVY CT WINTER PARK, FL 32792
<b>Mailing</b>	7125 IVY CT WINTER PARK, FL 32792-7226
<b>Subdivision Name</b>	WRENWOOD HEIGHTS UNIT 2
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(2003)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$318,056	\$304,258
<b>Depreciated EXFT Value</b>	\$24,800	\$24,800
<b>Land Value (Market)</b>	\$85,000	\$85,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$427,856	\$414,058
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$232,307	\$224,205
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$195,549	\$189,853

## 2023 Certified Tax Summary

2023 Tax Amount w/o Exemptions \$5,510.28 2023 Tax Savings with Exemptions \$3,581.21  
2023 Tax Bill Amount \$1,929.07

\* Does NOT INCLUDE Non Ad Valorem Assessments

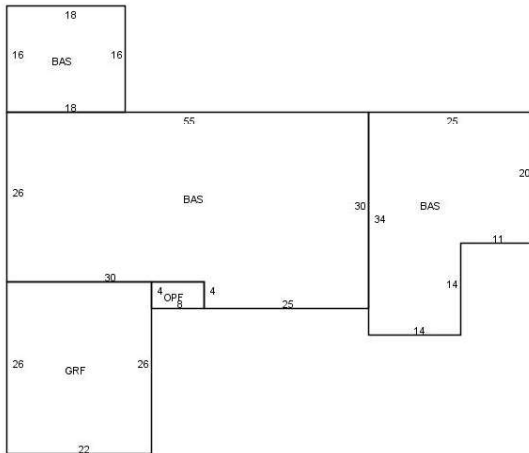
## Legal Description

LOT 253  
WRENWOOD HEIGHTS UNIT 2  
PB 18 PGS 77 + 78

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$195,549	\$55,000	\$140,549
SJWM(Saint Johns Water Management)	\$195,549	\$55,000	\$140,549
FIRE	\$195,549	\$55,000	\$140,549
COUNTY GENERAL FUND	\$195,549	\$55,000	\$140,549
Schools	\$195,549	\$30,000	\$165,549

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	09/01/2002	04534	0106	\$100	No	Improved
WARRANTY DEED	01/01/1976	01094	0937	\$34,100	Yes	Improved
WARRANTY DEED	01/01/1974	01027	1551	\$33,300	Yes	Improved

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

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1974	4	3.0	12	1,530	3,118	2,514	CB/STUCCO FINISH	\$318,056	\$447,966	Description	Area
												BASE	288.00
												GARAGE FINISHED	572.00
												OPEN PORCH FINISHED	32.00
												BASE	696.00

Building 1 - Page 1

Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
07157	INGROUND POOL	County	\$18,000		6/28/2007
07648	VINYL FENCE W/2 GATES	County	\$5,754		7/12/2007
09769	BEDROOM ADDITION	County	\$84,643		8/23/2006
13597	REROOF DUE TO HURRICANE DAMAGE	County	\$6,880		11/2/2004
17440	REROOF W/SHINGLES DUE TO STORM DAMAGE	County	\$6,144		12/27/2004
09242	7125 IVY CT: REROOF RESIDENTIAL-Single Family Residence [WRENWOOD HEIGHTS UNIT 2]	County	\$12,000		5/28/2021

Extra Features				
Description	Year Built	Units	Value	New Cost
FIREPLACE 1	11/01/2007	1	\$1,800	\$3,000
ROOM ENCLOSURE 1	11/01/1990	1	\$2,000	\$5,000
POOL 1	11/01/2007	1	\$21,000	\$35,000

Zoning			
Zoning	Zoning Description	Future Land Use	Future Land Use Description
R-1	Low Density Residential	LDR	Single Family-8400

Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
23.00	DUKE	CENTURY LINK	CASSELBERRY	CITY OF CASSELBERRY	TUE/FRI	TUE	WED	Waste Pro

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 1 - Bob Dallari	Dist 7 - Cory Mills	Dist 38 - DAVID SMITH	Dist 10 - Jason Brodeur	67

School Information		
Elementary School District	Middle School District	High School District
Eastbrook	Tuskawilla	Lake Howell





## **SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 253  
WRENWOOD HEIGHTS UNIT 2  
PB 18 PGS 77 + 78

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

### **A. FINDINGS OF FACT**

**Property Owner:** ALAN MIGLIARATO  
7125 IVY COURT  
WINTER PARK, FL 32792

**Project Name:** 7125 IVY COURT

#### **Requested Variance:**

Request for a rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition in the R-1 (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

### **C. DECISION**

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 253  
WRENWOOD HEIGHTS UNIT 2  
PB 18 PGS 77 + 78

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

### **A. FINDINGS OF FACT**

**Property Owner:** ALAN MIGLIARATO  
7125 IVY COURT  
WINTER PARK, FL 32792

**Project Name:** 7125 IVY COURT

#### **Variance Approval:**

Request for a rear yard setback variance from thirty (30) feet to twenty (20) feet for an addition in the R-1 (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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



### Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the addition (36' x 20') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

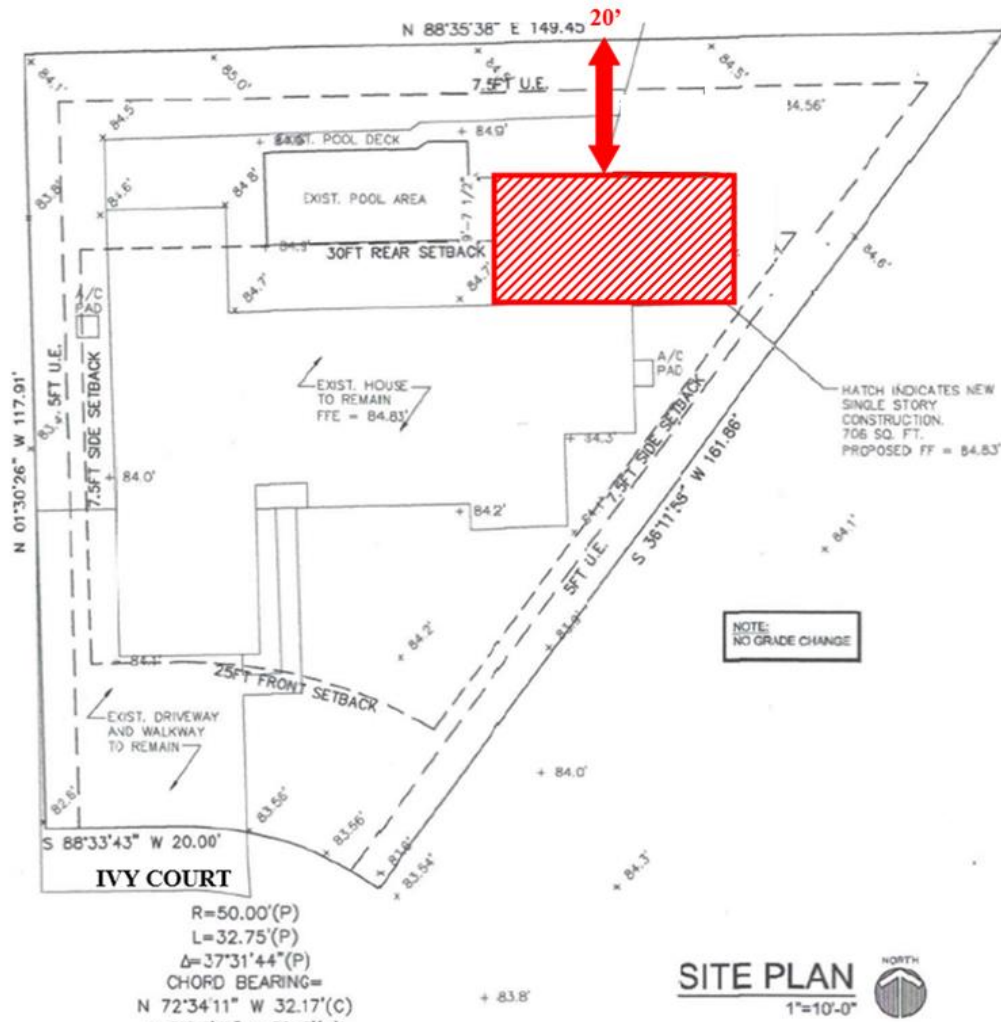
**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

EXHIBIT A  
SITE PLAN



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0578**

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**Title:**

**6313 Bordeaux Circle** - Request for a rear yard setback variance from seven and one-half (7½) feet to five (5) feet for a pool screen enclosure in the PD (Planned Development) district; BV2024-037 (Chad and Marlene Hochuli, Applicant) District 5 - Herr (Angi Gates, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

Kathy Hammel

**Contact/Phone Number:**

Angi Gates 407-665-7465

**Motion/Recommendation:**

1. Deny the request for a rear yard setback variance from seven and one-half (7½) feet to five (5) feet for a pool screen enclosure in the PD (Planned Development) district; or
2. Approve the request for a rear yard setback variance from seven and one-half (7½) feet to five (5) feet for a pool screen 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 Buckingham Estates Phase 2 subdivision and is within the Buckingham Estates Planned Development (PD).
- The rear of the property abuts a retention/open space easement.
- The request is for a variance to Section 30.8.5.11 of the Seminole County Land Development Code for Development Standards for Planned Developments.
- There have not been any prior variances for the subject property.

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

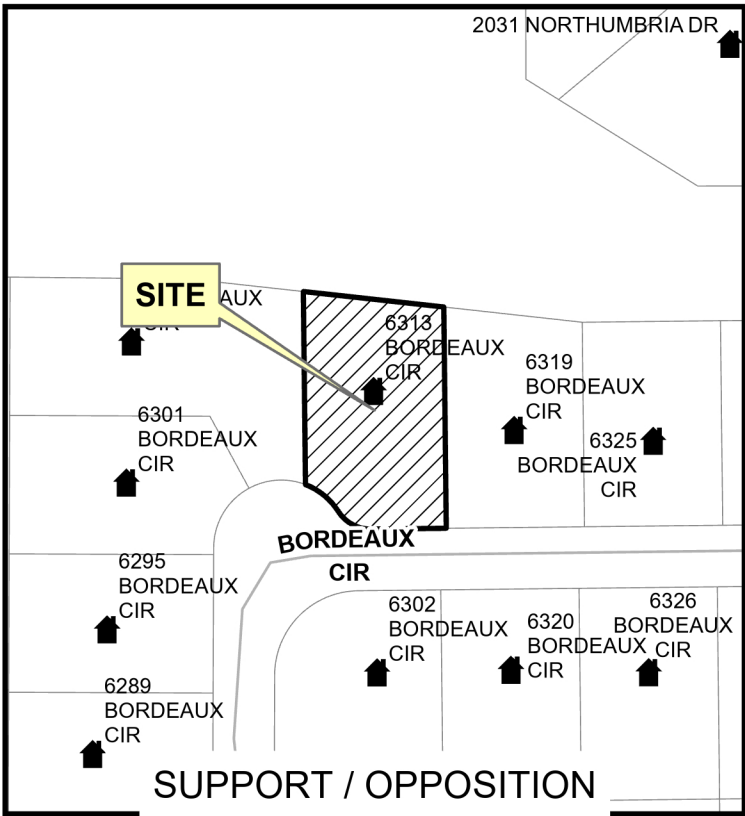
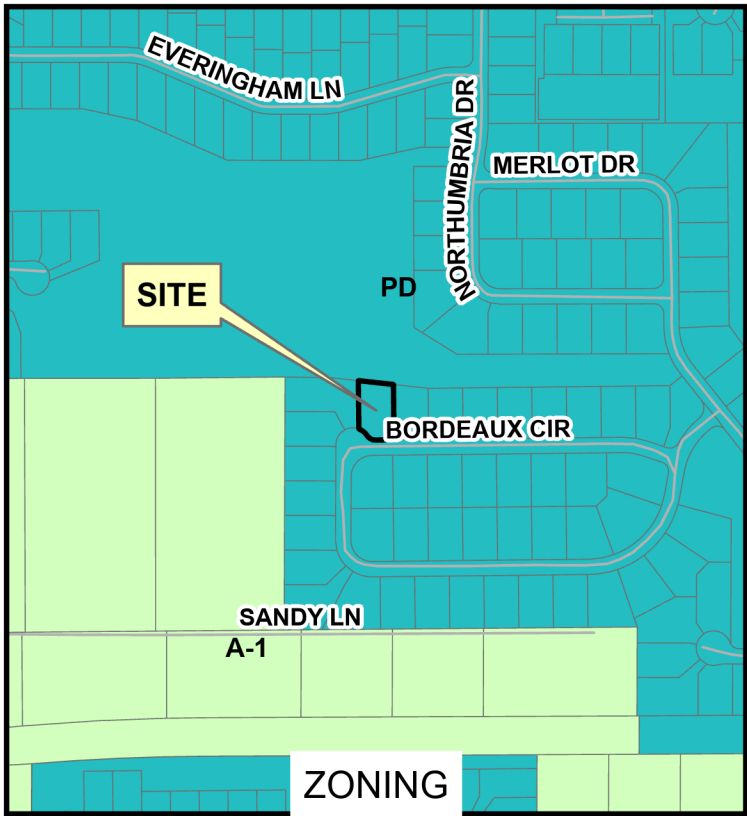
**Staff Recommendation:**

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

1. Any variance granted will apply only to the pool screen 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.



[illegible]



CHAD HOCHULI &  
MARLENE HOCHULI  
6313 BORDEAUX CIR  
SANFORD, FL 32771

SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
MAY 20, 2024





## 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 Pool is an existing pool that was built close to the setback. There is a fence located near the property line that will be removed. The property back yard is facing a retention pond where no new structures will be constructed in the future.
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.  
The home was purchased with an existing open pool that was set near the required setback. There is also an existing trellis that will be impacted if the required setback is enforced with the minimum 7.5 ft. The desire is to enclose the area with the trellis included.
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 Proposed enclosure will remain within the property line. The existing fence will be removed which currently sits beyond the proposed 5 ft requested variance. The overall footprint of the enclosure will take up less space than what is existing now.
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.  
If the 7.5 ft setback is enforced, the owner will need to remove the existing trellis structure which is part of the the overall intent of enclosing the space. Because the pool is open to the rear, the owner has experienced a negative impact of wild life in the pool along with debris from existing trees that are a constant menace to pool equipment and lack of enjoyment of the pool.
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.  
The requested 2.5 ft variance will allow the screen enclosure to pass slightly beyond the existing trellis. The owner does not wish to extend beyond the the requested 5 ft. As stated above in a previous answer, the overall footprint of the screen enclosure footprint will be less than what is existing with the existing fence and pavers. The owner believes that the overall impact will be minimal.
6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.  
The owner has met with the with Buckingham Estates community board and they have approved what has been submitted to the County. They are in agreement that the overall impact will be less than what is existing today.



# Property Record Card



**Parcel** 36-19-29-511-0000-1530

**Property Address** 6313 BORDEAUX CIR SANFORD, FL 32771

## Parcel Location



## Site View



36192951100001530 04/20/2023

## Parcel Information

<b>Parcel</b>	36-19-29-511-0000-1530
<b>Owner(s)</b>	HOCHULI, CHAD - Tenancy by Entirety HOCHULI, MARLENE - Tenancy by Entirety
<b>Property Address</b>	6313 BORDEAUX CIR SANFORD, FL 32771
<b>Mailing</b>	6313 BORDEAUX CIR SANFORD, FL 32771-6489
<b>Subdivision Name</b>	BUCKINGHAM ESTATES PHASE 2
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(2020)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$516,938	\$504,112
<b>Depreciated EXFT Value</b>	\$30,895	\$30,895
<b>Land Value (Market)</b>	\$115,000	\$115,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$662,833	\$650,007
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$115,097	\$118,224
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$547,736	\$531,783

## 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Exemptions</b>	\$8,650.29	<b>2023 Tax Savings with Exemptions</b>	\$2,104.27
<b>2023 Tax Bill Amount</b>	\$6,546.02		

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

LOT 153  
BUCKINGHAM ESTATES PHASE 2  
PB 66 PG 1

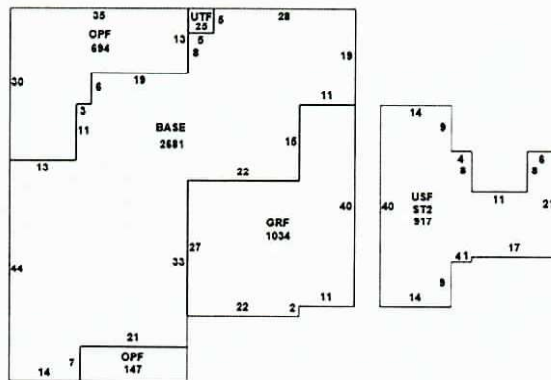


Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$547,736	\$50,000	\$497,736
SJWM(Saint Johns Water Management)	\$547,736	\$50,000	\$497,736
FIRE	\$547,736	\$50,000	\$497,736
COUNTY GENERAL FUND	\$547,736	\$50,000	\$497,736
Schools	\$547,736	\$25,000	\$522,736

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	11/19/2019	09483	1600	\$600,000	Yes	Improved
TRUSTEE DEED	04/01/2014	08255	1474	\$550,000	Yes	Improved
SPECIAL WARRANTY DEED	01/01/2014	08202	1232	\$100	No	Improved
WARRANTY DEED	12/01/2004	05549	1583	\$145,000	Yes	Vacant

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

Building Information												
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages
1	SINGLE FAMILY	2005	4	4.0	16	2,681	5,498	3,598	CB/STUCCO FINISH	\$516,938	\$552,875	Description Area



UTILITY FINISHED	25.00
GARAGE FINISHED	1034.00
OPEN PORCH FINISHED	694.00
OPEN PORCH FINISHED	147.00
UPPER STORY FINISHED	917.00

Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
06673	160' X 5' ALUMINUM FENCE	County	\$2,493		6/7/2006
09044	SUMMER KITCHEN & WOOD FIREPLACE	County	\$3,000		8/4/2006
02139	SWIMMING POOL	County	\$16,500		2/24/2006
16623		County	\$400,000	11/18/2005	12/14/2004
13726	6313 BORDEAUX CIR: REROOF RESIDENTIAL- [BUCKINGHAM ESTATES PHASE]	County	\$10,000	10/4/2019	9/30/2019

Extra Features								
Description			Year Built	Units	Value	New Cost		
POOL 2			06/01/2006	1	\$27,000	\$45,000		
SUMMER KITCHEN 1			06/01/2006	1	\$2,170	\$5,000		
FIREPLACE 1			06/01/2006	1	\$1,725	\$3,000		
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
34.00	FPL	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	MON/THU	MON	WED	Waste Pro
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 5 - Andria Herr		Dist 7 - Cory Mills		Dist 36 - RACHEL PLAKON		Dist 10 - Jason Brodeur		2
School Information								
Elementary School District			Middle School District			High School District		
Region 1			Markham Woods			Seminole		
Copyright 2024 © Seminole County Property Appraiser								



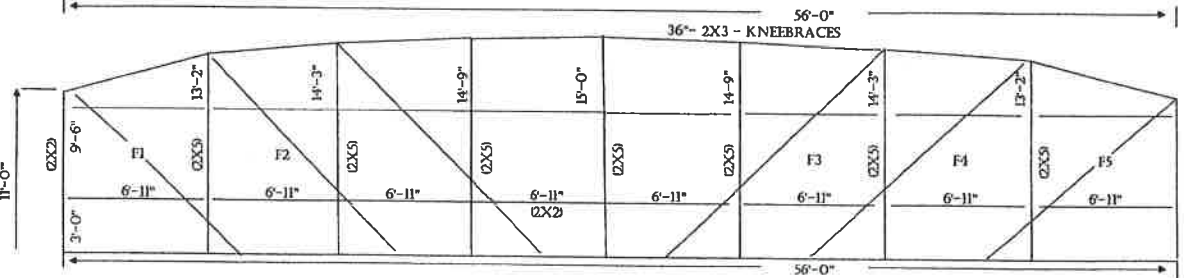
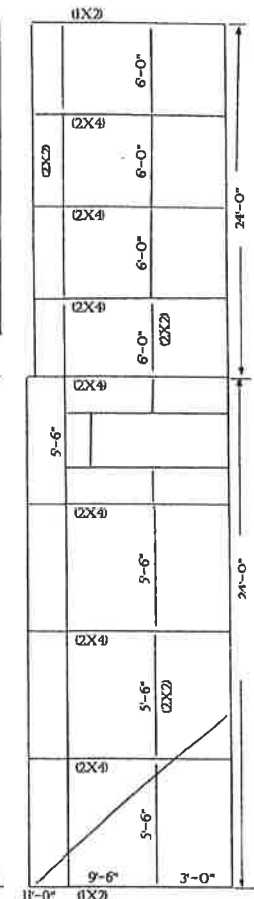
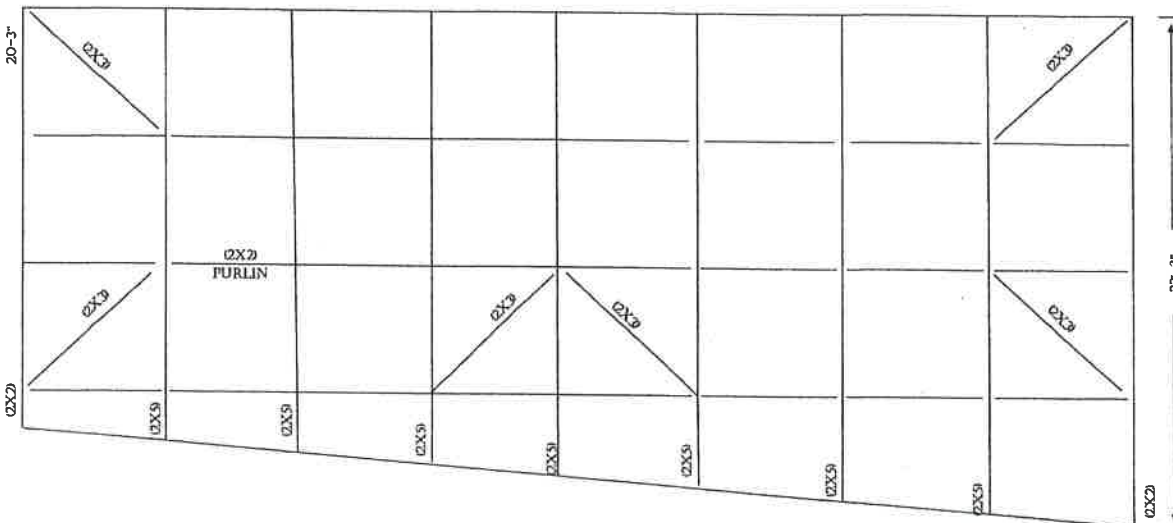
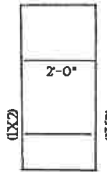
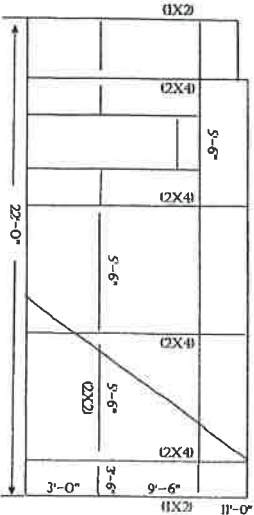
Dome profile with  
Rise 4' Above Fascia height

# ADVANCED ALUMINUM

10 1/2' to  
bottom of  
gutter

Screen wall will attach to  
bottom of gutter system 55

11' to Fascia



12/14/23  
ADVANCED ALUMINUM  
CHAD LECESSE  
63613 BORDEAUX CIRCLE  
SANORD, FLORIDA 32771  
130 MPH EXP \*C\*  
EGI ENGINEERING  
DOME SCREEN ENCLOSURE  
BRONZE METAL & SCREEN

**SEMINOLE COUNTY  
DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 153  
BUCKINGHAM ESTATES PHASE 2  
PB 66 PG 1

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

**A. FINDINGS OF FACT**

**Property Owner:** CHAD AND MARLENE HOCHULI  
6313 BORDEAUX CIRCLE  
SANFORD, FL 32771

**Project Name:** 6313 BORDEAUX CIRCLE

**Requested Variance:**

Request for a rear yard setback variance from seven and one-half (7½) feet to five (5) feet for a pool screen enclosure in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**A. CONCLUSIONS OF LAW**

Approval was sought to construct a pool screen enclosure within the required 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.

**B. DECISION**

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 153  
BUCKINGHAM ESTATES PHASE 2  
PB 66 PG 1

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

**A. FINDINGS OF FACT**

**Property Owner:** CHAD AND MARLENE HOCHULI  
6313 BORDEAUX CIRCLE  
SANFORD, FL 32771

**Project Name:** 6313 BORDEAUX CIRCLE

**Variance Approval:**

Request for a rear yard setback variance from seven and one-half (7½) feet to five (5) feet for a pool screen enclosure in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

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

## Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the Pool Screen Enclosure (Approximately 1,300 square feet) as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

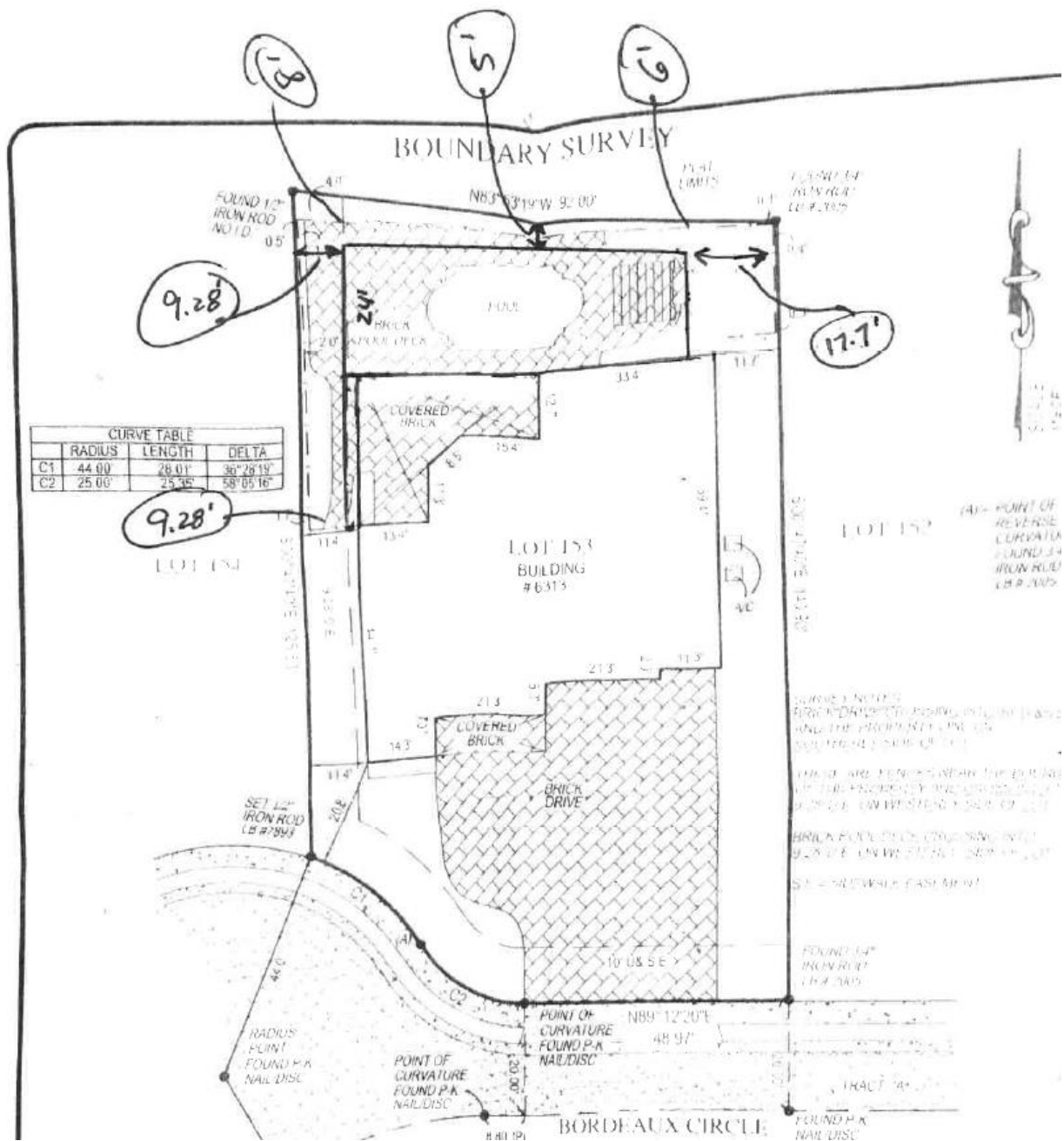
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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

# EXHIBIT A SITE PLAN





# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0600**

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**Title:**

**1108 Bella Vista Circle** - Request for a side yard (east) setback variance from six (6) feet to five (5) feet for an addition in the PD (Planned Development) district; BV2024-039 (Joseph & Stephanie Antequino, Applicants) 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 (east) setback variance from six (6) feet to five (5) feet for an addition in the PD (Planned Development) district; or
2. Approve the request for a side yard (east) setback variance from six (6) feet to five (5) feet for an 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 Bella Vista subdivision and is within the Bella Vista Planned Development (PD).
- The proposed garage addition will be 225 square feet (9' x 25') and will encroach one (1) foot into the required side yard (east) setback.
- The Bella Vista at Lake Forest Homeowners Association approved the construction of the garage addition.
- The request is for a variance to Section 30.8.5.11 of the Seminole County Land Development Code for Development Standards for Planned Developments.



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

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

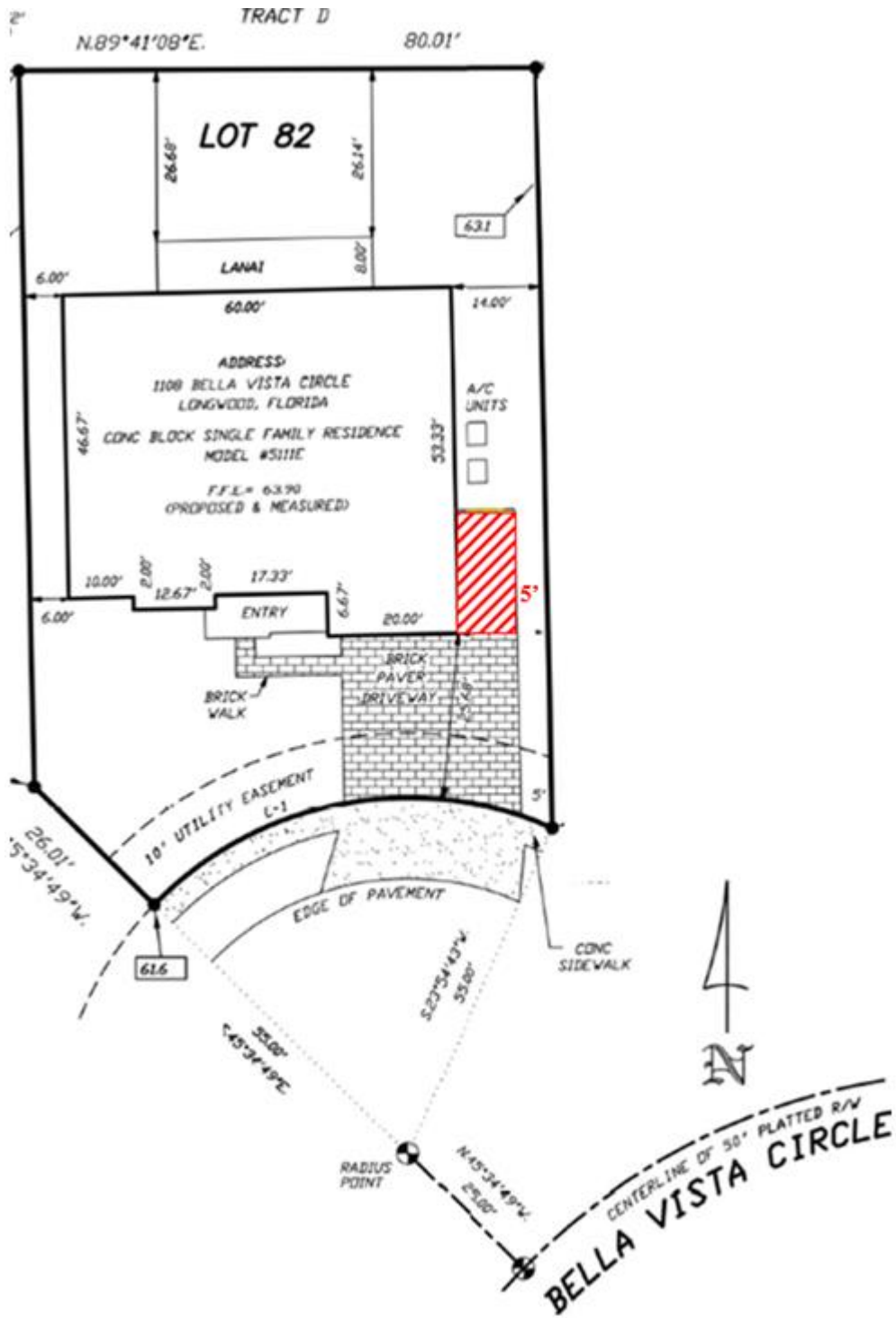
**Staff Recommendation:**

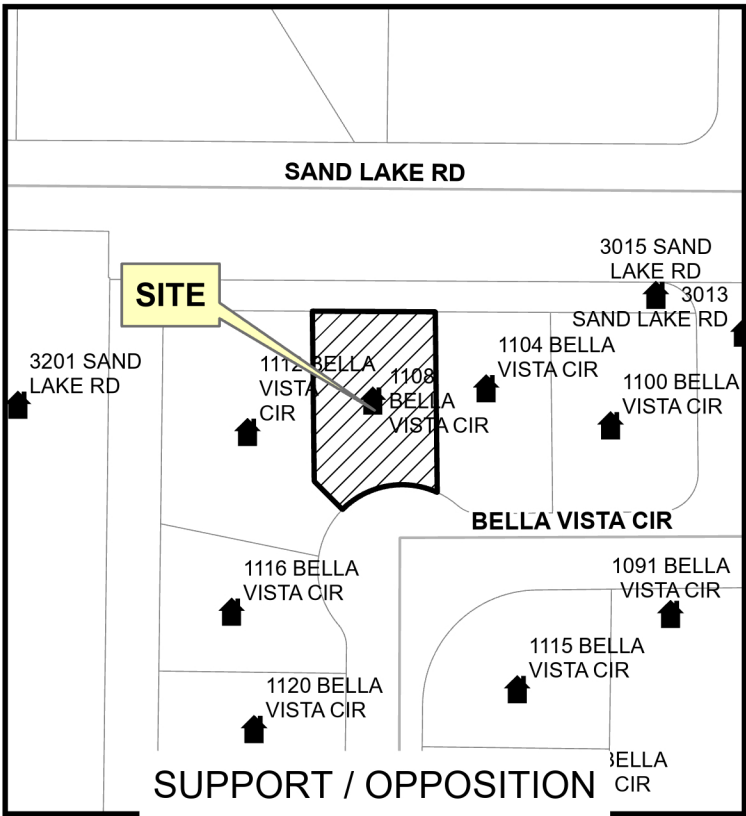
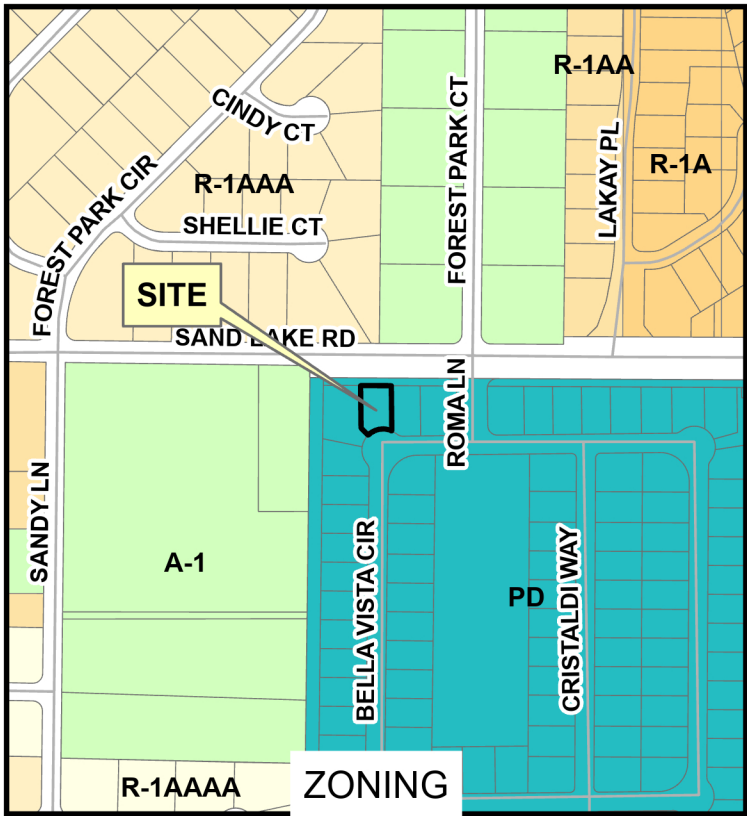
Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a

variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the addition 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.

# 1108 BELLA VISTA CIRCLE VARIANCE





**STEPHANIE ANTEQUINO &  
JOSEPH ANTEQUINO**  
1108 BELLA VISTA CIR  
LONGWOOD, FL 32779

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT**  
MAY 20, 2024

**LEGEND**

A-1	R-1A
R-1AAAA	PD
R-1AAA	
R-1AA	



# 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 in the Bella Vista subdivision is wider (80 ft vs. 75 ft) than the typical lot.

It currently has a surveyed and approved paver driveway that extends along the side of the home that is already 5-feet from the eastern property line.

It was installed by the builder (Meritage Homes) when the home was originally constructed.

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

This lot was originally platted and constructed upon by the builder (Meritage Homes) within all Seminole County guidelines.

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 Bella Vista HOA Architectural Review Committee has reviewed this request and has found that this lot is unique in layout and width, and a special privilege for a 1-foot side yard variance to construct an attached garage would not confer a special privilege.

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

We are seeking this variance in order to construct a third-car garage. Many homes in the Bella Vista community already have 3-car garages and at least 10 have attached third-car side garage styles similar to what we are seeking (see attached photos). This variance would allow us to enjoy the ability to garage and protect an additional car from the elements as many in the community already do today. Without this variance, we would struggle to construct a garage that would comfortably accommodate entering/exiting a car.

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

While we would like to have a wider garage and request a 2-4 foot variance, we are respectful of the current set back guidelines and boundaries. We are only requesting the minimum variance to construct a garage capable of accommodating a compact to mid-size vehicle. We will only require the 1-foot variance for a length of approximately 25 feet. This length is only about 1/5th of the length of the eastern property line.

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

Granting this variance will be in harmony with the general purpose of the zoning regulations that currently allow for a 6-foot side variance between homes. Since our eastern neighbor's home is 7.5 feet from the property line, granting this 1-foot variance still allows for 12.5 feet between homes (and only for about 25 feet) which is greater than the minimum of 12 feet (6+6). Additionally, this addition will remove the side-driveway and allow this home to conform to the 3-car garage layouts seen throughout Bella Vista.



# Property Record Card



**Parcel** 08-21-29-524-0000-0820

**Property Address** 1108 BELLA VISTA CIR LONGWOOD, FL 32779

## Parcel Location



## Site View



## Parcel Information

<b>Parcel</b>	08-21-29-524-0000-0820
<b>Owner(s)</b>	ANTEQUINO, STEPHANIE M - Tenancy by Entirety ANTEQUINO, JOSEPH F - Tenancy by Entirety
<b>Property Address</b>	1108 BELLA VISTA CIR LONGWOOD, FL 32779
<b>Mailing</b>	1108 BELLA VISTA CIR LONGWOOD, FL 32779-5864
<b>Subdivision Name</b>	BELLA VISTA
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(2015)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$708,773	\$689,363
<b>Depreciated EXFT Value</b>	\$66,381	\$65,979
<b>Land Value (Market)</b>	\$120,000	\$120,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$895,154	\$875,342
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$317,980	\$314,979
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$577,174	\$560,363

## 2023 Certified Tax Summary

2023 Tax Amount w/o Exemptions **\$11,649.05** 2023 Tax Savings with Exemptions **\$4,722.69**  
2023 Tax Bill Amount **\$6,926.36**

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

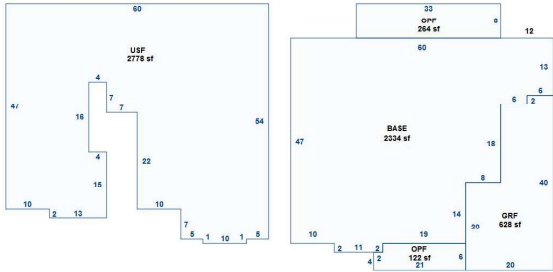
LOT 82  
BELLA VISTA  
PB 72 PGS 57 - 61

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$577,174	\$50,000	\$527,174
SJWM(Saint Johns Water Management)	\$577,174	\$50,000	\$527,174
FIRE	\$577,174	\$50,000	\$527,174
COUNTY GENERAL FUND	\$577,174	\$50,000	\$527,174
Schools	\$577,174	\$25,000	\$552,174

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
SPECIAL WARRANTY DEED	02/01/2014	08212	0764	\$469,900	Yes	Improved
SPECIAL WARRANTY DEED	07/01/2011	07598	0445	\$2,604,000	Yes	Vacant

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

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	2014	5	5.0	22	2,334	6,126	5,112	CB/STUCCO FINISH	\$708,773	\$736,388	Description	Area
												OPEN PORCH FINISHED	264.00
												GARAGE FINISHED	628.00
												OPEN PORCH FINISHED	122.00
												UPPER STORY FINISHED	2778.00



Sketch by Apex Sketch

Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
02422	10/28/2013 03:34:56 PM Created by: Kim Permit Key 12013040302422 was added!	County	\$570,300	2/4/2014	4/3/2013
04243	POOL ENCLOSURE	County	\$5,628		4/15/2016
02079	SWIMMING POOL	County	\$57,548		2/26/2016
07860	1108 BELLA VISTA CIR: EZ MECHANICAL - RESIDENTIAL- [BELLA VISTA]	County	\$9,700		5/16/2023



Extra Features								
Description			Year Built		Units	Value		New Cost
POOL 3			11/01/2016		1	\$57,750		\$70,000
ELECTRIC HEATER			11/01/2016		1	\$661		\$1,653
WATER FEATURE			11/01/2016		1	\$1,068		\$1,294
SCREEN ENCL 2			11/01/2016		1	\$6,902		\$9,000
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
13.00	DUKE	CENTURY LINK	SUNSHINE WATER SERVICES	SUNSHINE WATER SERVICES	MON/THU	THU	WED	Waste Management
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 3 - Lee Constantine		Dist 7 - Cory Mills		Dist 39 - DOUG BANKSON		Dist 10 - Jason Brodeur		37
School Information								
Elementary School District			Middle School District			High School District		
Wekiva			Teague			Lake Brantley		
Copyright 2024 © Seminole County Property Appraiser								

To: Seminole County Board of Adjustment

Re: Variance at 1108 Bella Vista Circle for Sideyard Setback to construct enclosed garage

On behalf of the BELLA VISTA AT FOREST LAKE HOMEOWNERS ASSOCIATION, INC., we have reviewed the request for a 1 foot sideyard setback adjustment from 6 feet to 5 feet in order to construct an enclosed garage attached to the home at 1108 Bella Vista Circle. **We support this request.**

The applicants, Joseph and Stephanie Antequino, have agreed to fully comply with the standards and approvals of the Bella Vista Architectural Review Committee before any construction should occur after the 1-foot sideyard setback adjustment has been approved by the Seminole County Board of Adjustment.

Respectfully submitted,

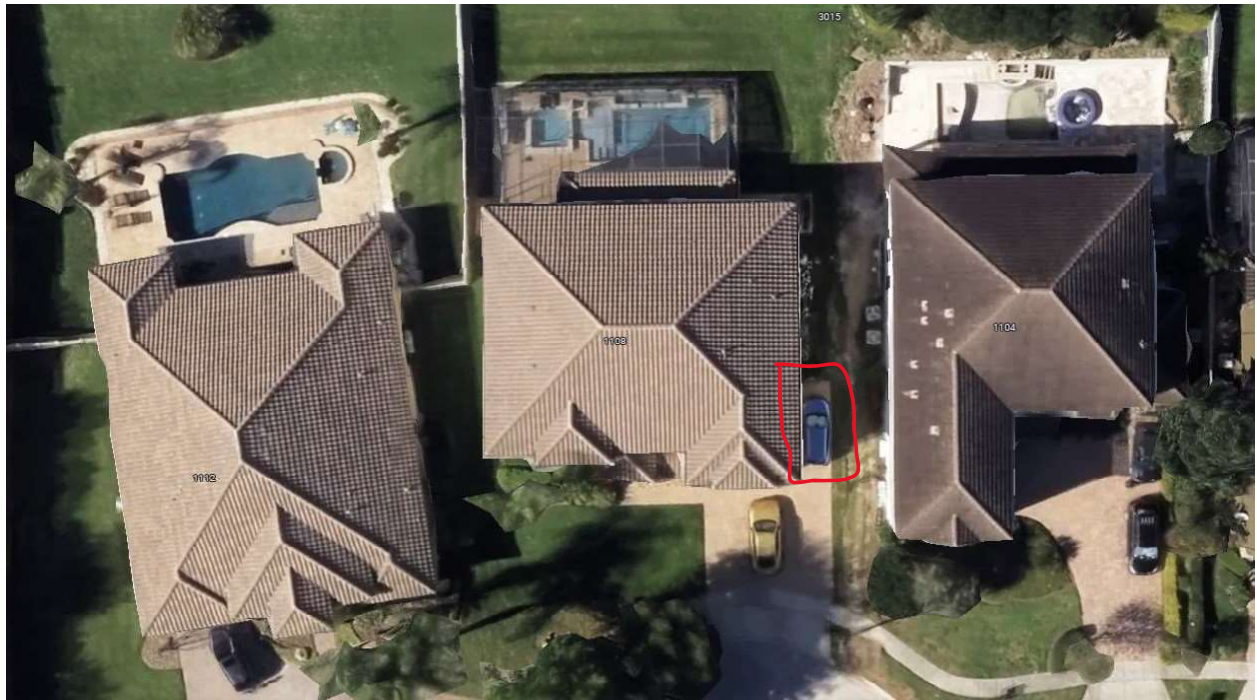
  
\_\_\_\_\_  
Signature

3/18/21  
\_\_\_\_\_  
Date

Printed Name: AARON SATTELL

Title: HOA PRESIDENT.

BELLA VISTA AT FOREST LAKE HOMEOWNERS ASSOCIATION, INC.









Example of attached third-car garage in the same Bella Vista community (1186 Bella Vista Circle)



## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 82  
BELLA VISTA  
PB 72 PGS 57 - 61

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

### A. FINDINGS OF FACT

**Property Owner:** JOSEPH & STEPHANIE ANTEQUINO  
1108 BELLA VISTA CIR  
LONGWOOD, FL 32779

**Project Name:** 1108 BELLA VISTA CIRCLE

#### **Requested Variance:**

Request for a side yard (east) setback variance from six (6) feet to five (5) feet for an addition in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### B. CONCLUSIONS OF LAW

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

### C. DECISION

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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



## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 82  
BELLA VISTA  
PB 72 PGS 57 - 61

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

### **A. FINDINGS OF FACT**

**Property Owner:** JOSEPH & STEPHANIE ANTEQUINO  
1108 BELLA VISTA CIR  
LONGWOOD, FL 32779

**Project Name:** 1108 BELLA VISTA CIRCLE

#### **Variance Approval:**

Request for a side yard (east) setback variance from six (6) feet to five (5) feet for an addition in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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

## Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the garage addition (9' x 25') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

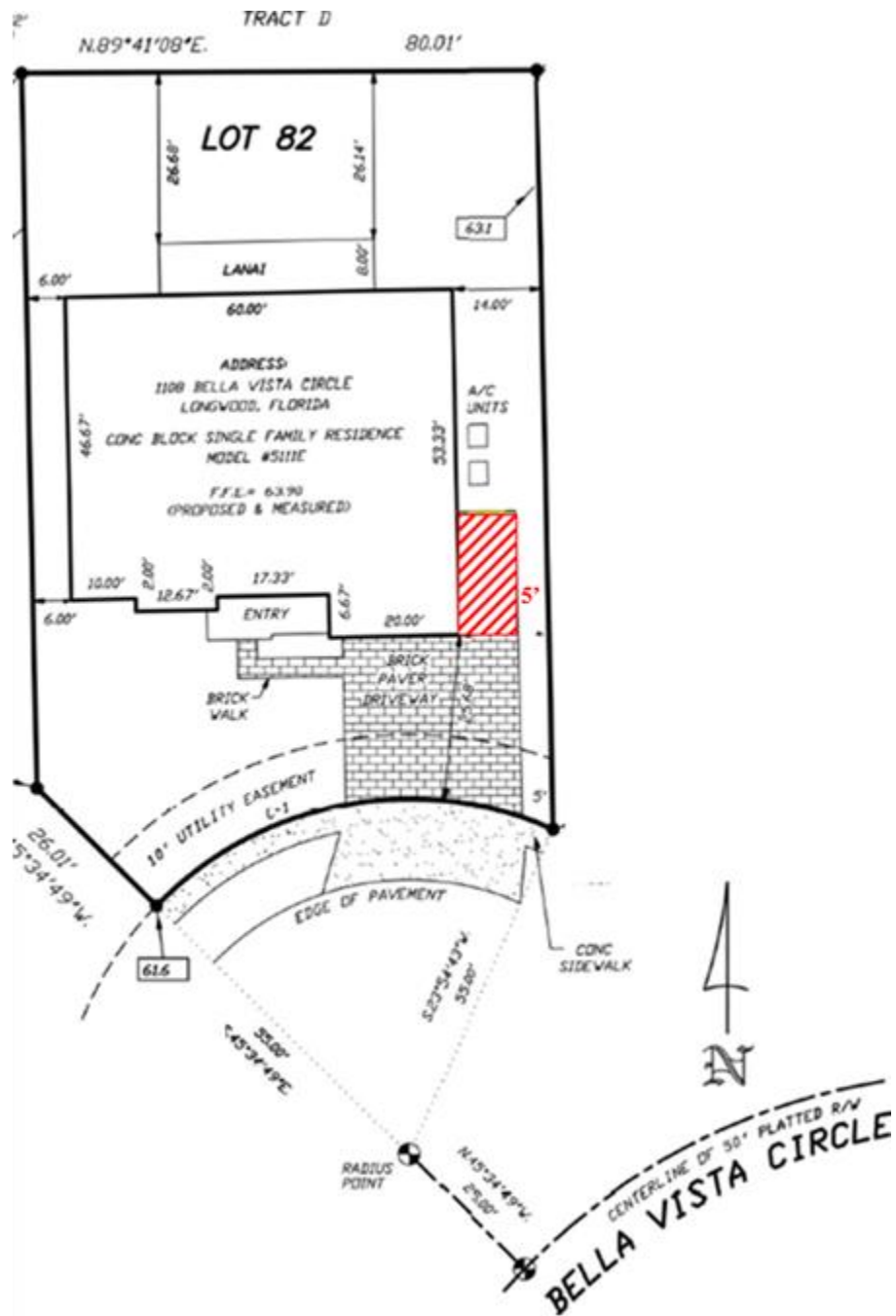
**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

EXHIBIT A  
SITE PLAN



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0602**

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**Title:**

**157 Spring Chase Circle** - Request for a side yard (south) setback variance from ten (10) feet to seven (7) feet for a detached carport in the R-1AAA (Single Family Dwelling) district; BV2024-042 (Andrew & Ellen H. Zelman, Applicants) 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 (south) setback variance from ten (10) feet to seven (7) feet for a detached carport in the R-1AAA (Single Family Dwelling) district; or
2. Approve the request for a side yard (south) setback variance from ten (10) feet to seven (7) feet for a detached carport in the R-1AAA (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Spring Valley Chase subdivision.
- The proposed carport will be 240 square feet (12' x 20') and will encroach three (3) feet into the required side yard (south) setback.
- Two letters of support were received from adjacent neighbors.
- Section 30.7.3.1(1) of the Seminole County Land Development Code requires any accessory building exceeding 200 square feet in size and/or twelve (12) feet in height, and any accessory dwelling unit, regardless of size, to meet all of the

setback requirements applicable to the main residential structure located on the parcel.

- The request is for a variance to Section 30.7.3.1 of the Seminole County Land Development Code, which states that the minimum side yard setback for the R-1AAA zoning district is ten (10) feet.
- There have not been any prior variances for the subject property.

### **Staff Findings:**

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

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

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

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

### **Staff Conclusion:**

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



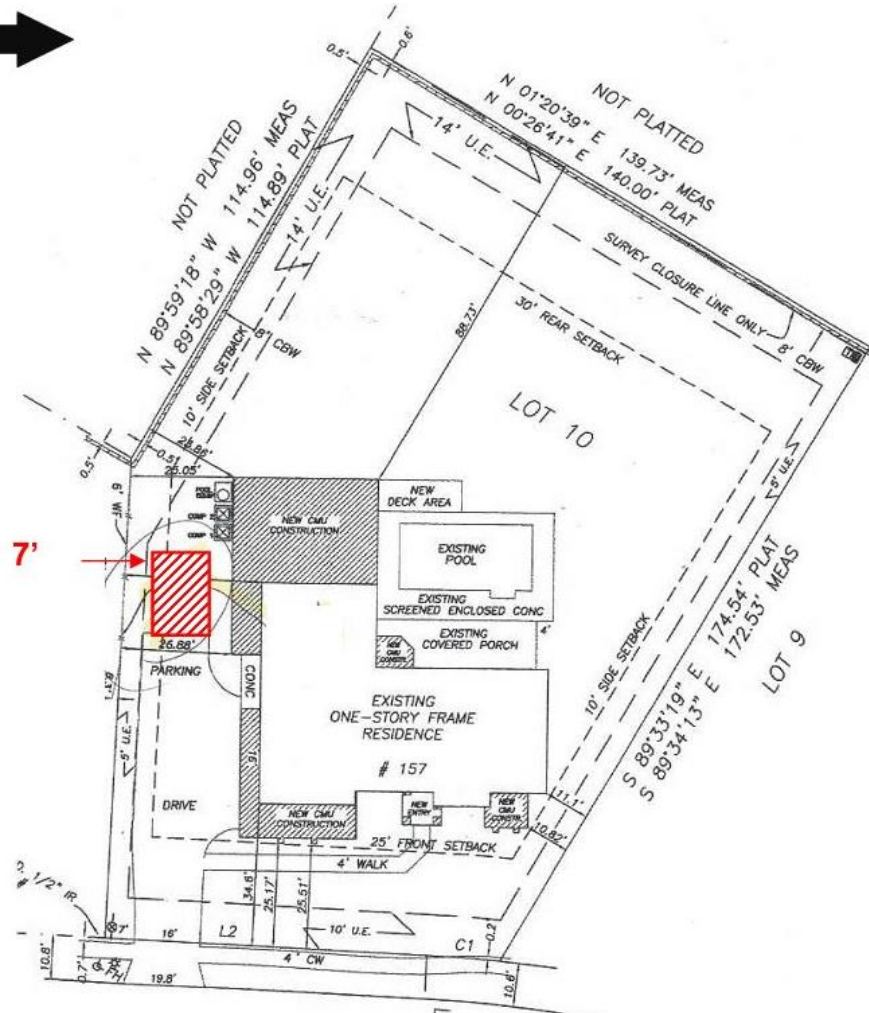
hardship.

**Staff Recommendation:**

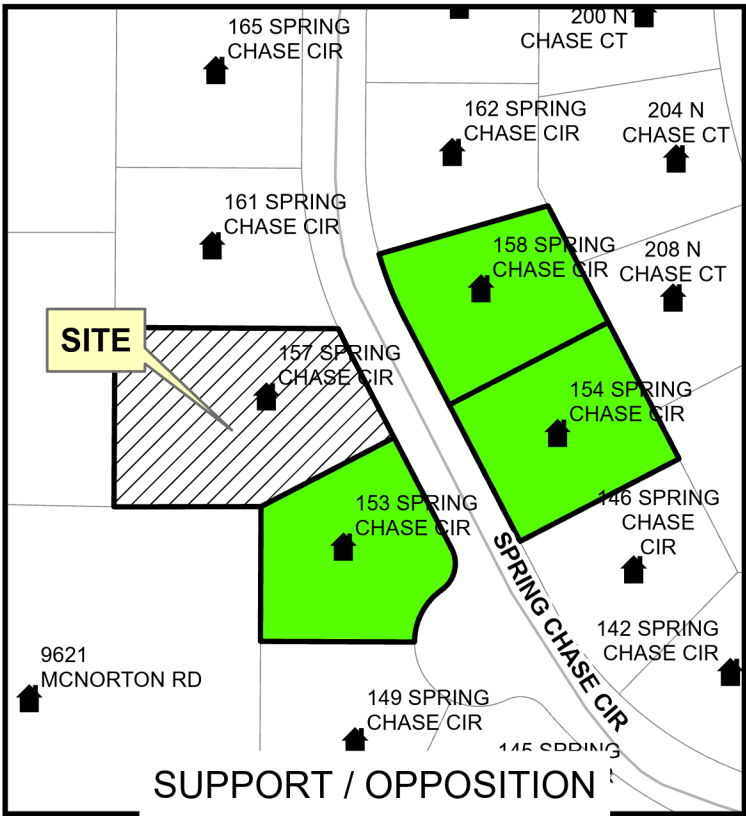
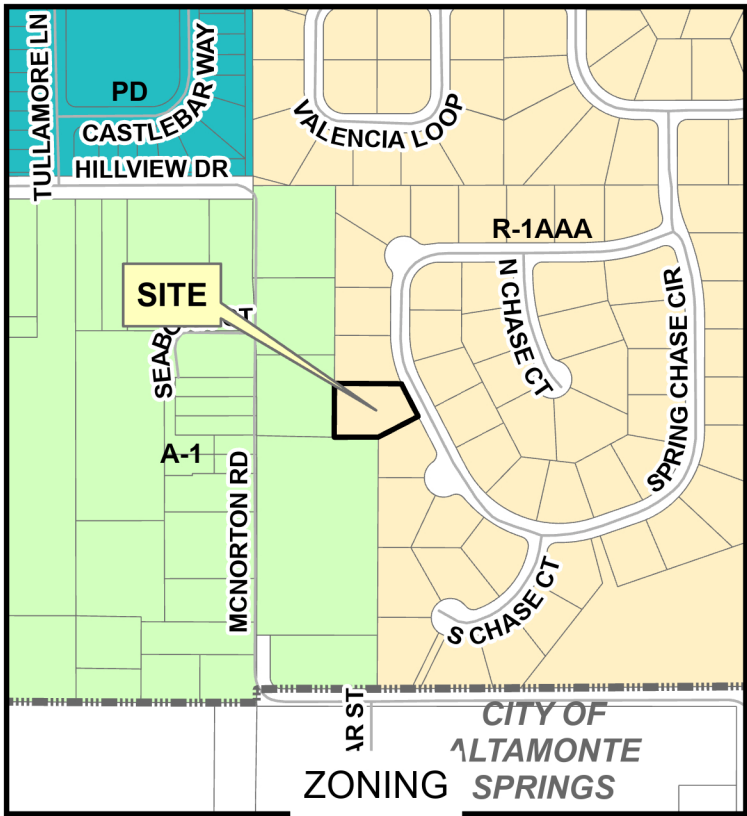
Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions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

1. Any variance granted will apply only to the detached carport 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.

# 157 SPRING CHASE CIR VARIANCES

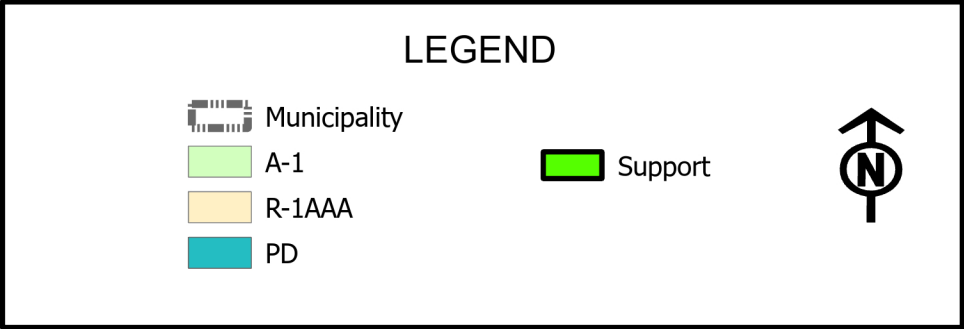


SPRING CHASE CIRCLE



**ANDREW ZELMAN &  
ELLEN ZELMAN  
157 SPRING CHASE CIR  
ALTAMONTE SPRINGS, FL 32714**

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
MAY 20, 2024**





## VARIANCE CRITERIA

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

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

We have one of the larger lots in the neighborhood but with less road frontage than most. Due to the placement of the home close to the road frontage there is limited side and back yard access.

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

We are the second purchasers- the home was built to the front of the lot prior to our purchase.

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

This is a relatively minimal variance request seeking a reduction of the side setback in this limited area from 10' to 7'.

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 literal interpretation of the side setback requirement would make it very difficult to make practical use of and enjoy our property.

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

It balances our need for greater access and utilization of our side yard with a relatively minimal variance of the 10' setback requirement.

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

The proposed carport is to the very rear of the driveway. The gable end would face the street, minimizing its visual impact. There are similar structures throughout the neighborhood.

# Property Record Card



**Parcel** 22-21-29-511-0000-0100

**Property Address** 157 SPRING CHASE CIR ALTAMONTE SPRINGS, FL 32714

## Parcel Location



## Site View



22212951100000100 04/04/2022

## Parcel Information

<b>Parcel</b>	22-21-29-511-0000-0100
<b>Owner(s)</b>	ZELMAN, ANDREW - Tenancy by Entirety ZELMAN, ELLEN H - Tenancy by Entirety
<b>Property Address</b>	157 SPRING CHASE CIR ALTAMONTE SPRINGS, FL 32714
<b>Mailing</b>	157 SPRING CHASE CIR ALTAMONTE SPG, FL 32714-6528
<b>Subdivision Name</b>	SPRING VALLEY CHASE
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(1994)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$518,415	\$405,663
<b>Depreciated EXFT Value</b>	\$28,865	\$28,579
<b>Land Value (Market)</b>	\$90,000	\$75,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$637,280	\$509,242
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$261,463	\$144,371
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$375,817	\$364,871

## 2023 Certified Tax Summary

2023 Tax Amount w/o Exemptions \$6,776.99 2023 Tax Savings with Exemptions \$2,452.24  
2023 Tax Bill Amount \$4,324.75

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

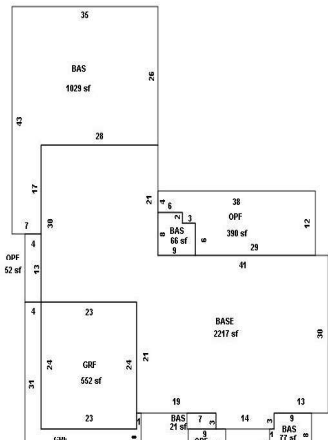
LOT 10  
SPRING VALLEY CHASE  
PB 27 PGS 87 & 88



Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$375,817	\$50,000	\$325,817
SJWM(Saint Johns Water Management)	\$375,817	\$50,000	\$325,817
FIRE	\$375,817	\$50,000	\$325,817
COUNTY GENERAL FUND	\$375,817	\$50,000	\$325,817
Schools	\$375,817	\$25,000	\$350,817

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	05/01/1988	01963	1153	\$172,500	Yes	Improved
WARRANTY DEED	12/01/1984	01604	1364	\$166,000	Yes	Improved
WARRANTY DEED	06/01/1984	01563	1668	\$42,900	Yes	Vacant

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

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1984/2004	4	3.0	12	2,217	4,744	3,410	WD/STUCCO FINISH	\$518,415	\$557,435	Description	Area
												BASE	66.00
												OPEN PORCH FINISHED	390.00
												BASE	1029.00
												OPEN PORCH FINISHED	52.00
												GARAGE FINISHED	295.00
												GARAGE FINISHED	552.00
												OPEN PORCH FINISHED	45.00
												BASE	77.00
												BASE	21.00

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
05039	REROOF (18 SQ)	County	\$2,000		6/1/1998
00613	ADDITIONS & RENOVATIONS DRAWN	County	\$200,000		1/19/2007
02662	REROOF	County	\$12,000		3/15/2007
03448	ELECTRICAL	County	\$1,999		4/4/2007
02623	SCREEN ENCLOSURE	County	\$10,000		3/14/2007

Extra Features								
Description				Year Built	Units	Value	New Cost	
POOL 1				10/01/1984	1	\$21,000	\$35,000	
ELECTRIC HEATER				10/01/1990	1	\$661	\$1,653	
FIREPLACE 2				10/01/1984	1	\$2,400	\$6,000	
SCREEN ENCL 2				10/01/2009	1	\$4,804	\$9,000	
Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
R-1AAA		Low Density Residential		LDR		Single Family-13500		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
12.00	DUKE	CENTURY LINK	ALTAMONTE SPRINGS	CITY OF ALTAMONTE SPRINGS	TUE/FRI	WED	WED	Waste Management
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 3 - Lee Constantine		Dist 7 - Cory Mills		Dist 38 - DAVID SMITH		Dist 10 - Jason Brodeur		53
School Information								
Elementary School District			Middle School District			High School District		
Spring Lake			Milwee			Lyman		
Copyright 2024 © Seminole County Property Appraiser								

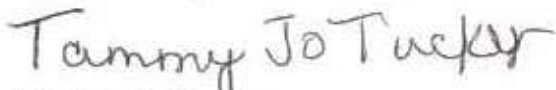
**NEIGHBOR APPROVAL OF ZELMAN SIDE SETBACK VARIANCE REQUEST AT  
157 SPRING CHASE CIRCLE, ALTAMONTE SPRINGS, FL 32714**

March 20, 2024

To whom it may concern:

I, Tammy Jo Tucker, the owner of the property immediately adjacent to the property line where the Zelman's are requesting a side setback variance reduction from 10' to 7' in order to construct an open 12'x20' carport on the existing slab at the back of their driveway, have no objection to the requested variance.

Respectfully,

A handwritten signature in black ink that reads "Tammy Jo Tucker". The signature is written in a cursive, flowing style.

Tammy Jo Tucker  
153 Spring Chase Cir.  
Altamonte Springs, FL 32714

**NEIGHBOR APPROVAL OF ZELMAN SIDE SETBACK VARIANCE REQUEST AT  
157 SPRING CHASE CIRCLE, ALTAMONTE SPRINGS, FL 32714**

March 20, 2024

To whom it may concern:

We, the owners of the property across the street and in view of the property line where the Zelman's are requesting a side setback variance reduction from 10' to 7' in order to construct an open 12'x20' carport on the existing slab at the back of their driveway, have no objection to the requested variance.

Respectfully,

A handwritten signature in cursive script, appearing to read 'Gladys F. Gonzalez', written in black ink.

Manuel Gonzalez

Gladys F. Gonzalez

153 Spring Chase Cir.

Altamonte Springs, FL 32714

**NEIGHBOR APPROVAL OF ZELMAN SIDE SETBACK VARIANCE REQUEST AT  
157 SPRING CHASE CIRCLE, ALTAMONTE SPRINGS, FL 32714**

March 20, 2024

To whom it may concern:

We, the owners of the property across the street and in view of the property line where the Zelman's are requesting a side setback variance reduction from 10' to 7' in order to construct an open 12'x20' carport on the existing slab at the back of their driveway, have no objection to the requested variance.

Respectfully,

Jorge Angulo  
Kendale Angulo  
158 Spring Chase Cir.  
Altamonte Springs, FL 32714

A handwritten signature in black ink, appearing to read "Kendale Angulo", written over the printed name and address.

## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 10  
SPRING VALLEY CHASE  
PB 27 PGS 87 & 88

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

### A. FINDINGS OF FACT

**Property Owner:** ANDREW & ELLEN H. ZELMAN  
157 SPRING CHASE CIR  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** SPRING CHASE CIR (157)

#### **Requested Variance:**

Request for a side yard (south) setback variance from ten (10) feet to seven (7) feet for a detached carport in the R-1AAA (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### B. CONCLUSIONS OF LAW

Approval was sought to construct a detached carport within 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: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 10  
SPRING VALLEY CHASE  
PB 27 PGS 87 & 88

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

### **A. FINDINGS OF FACT**

**Property Owner:** ANDREW & ELLEN H. ZELMAN  
157 SPRING CHASE CIR  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** SPRING CHASE CIR (157)

#### **Variance Approval:**

Request for a side yard (south) setback variance from ten (10) feet to seven (7) feet for a detached carport in the R-1AAA (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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

### Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the detached carport (12' x 24') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

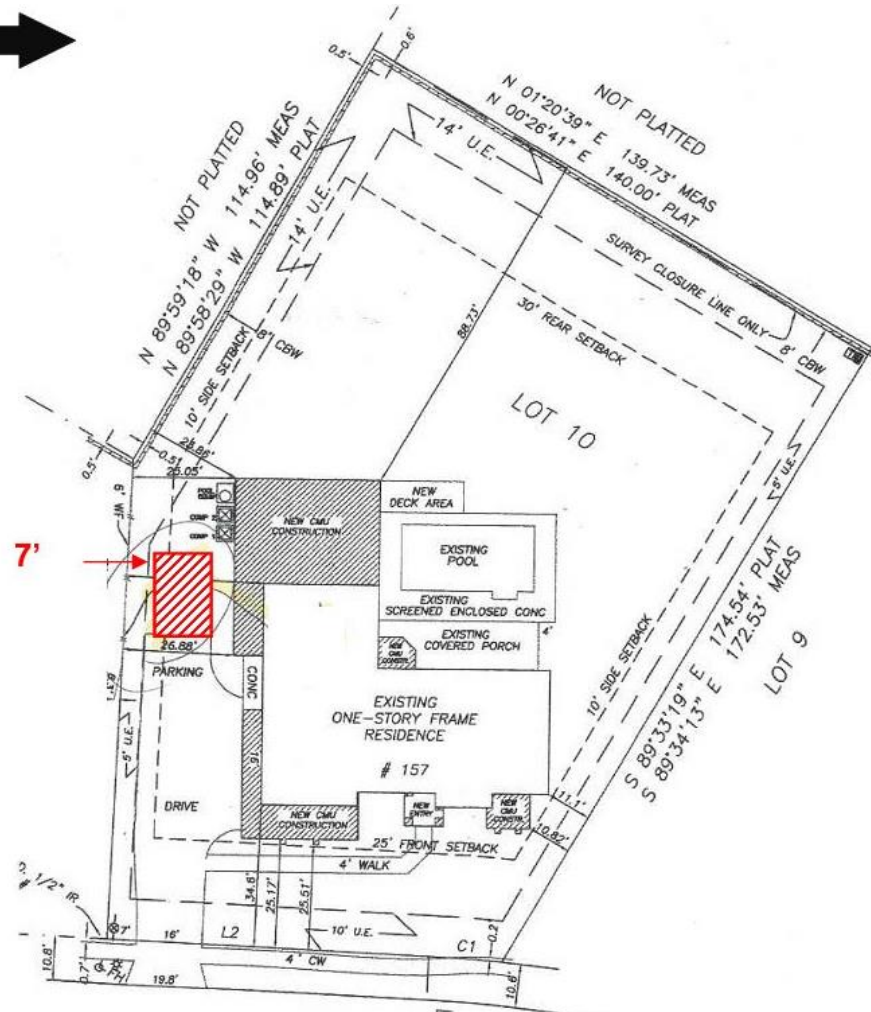
**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

EXHIBIT A  
SITE PLAN

SPRING CHASE CIRCLE



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0603**

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**Title:**

**7413 Barnacle Court-** Request for a side street (west) setback variance from two (2) feet to zero (0) feet for a privacy fence in the R-1A (Single Family Dwelling) district; BV2023-047 (Amanda Ban, Applicant) District 1 - Dallari (Angi Gates, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

Kathy Hammel

**Contact/Phone Number:**

Angi Gates 407-665-7465

**Motion/Recommendation:**

1. Deny the request for a side street (west) setback variance from two (2) feet to zero (0) feet for a privacy fence in the R-1A (Single Family Dwelling) district; or
2. Approve the request for a side street (west) setback variance from two (2) feet to zero (0) feet for a privacy fence in the R-1A (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Woodcrest Unit 5 subdivision.
- The subject property is a corner lot and is considered to have two (2) front yards for setback purposes. The front of the house faces Barnacle Court, and the N. Woodcrest Drive side is where the variance is being sought.
- The existing privacy fence was previously approved for a side street setback variance from twenty-five (25) feet to two (2) feet on January 22, 2024. On April 11, 2024 the Seminole County Building Department inspected the fence (BP24-6484) and it was determined that the fence is located at zero (0) feet and not two (2) feet, requiring the applicant to apply for another variance.



- The request is for a variance to Section 30.14.19(b) of the Seminole County Land Development Code, which states:

(b) Residential zoning classifications: fences and walls are limited to a maximum height of four (4) feet within the front yard and side street setbacks and six (6) feet six (6) inches within the side and rear yard setbacks except as provided in (f) of this Section. 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.
- Traffic Engineering has no objection to the placement of the fence as it relates to sight visibility.

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

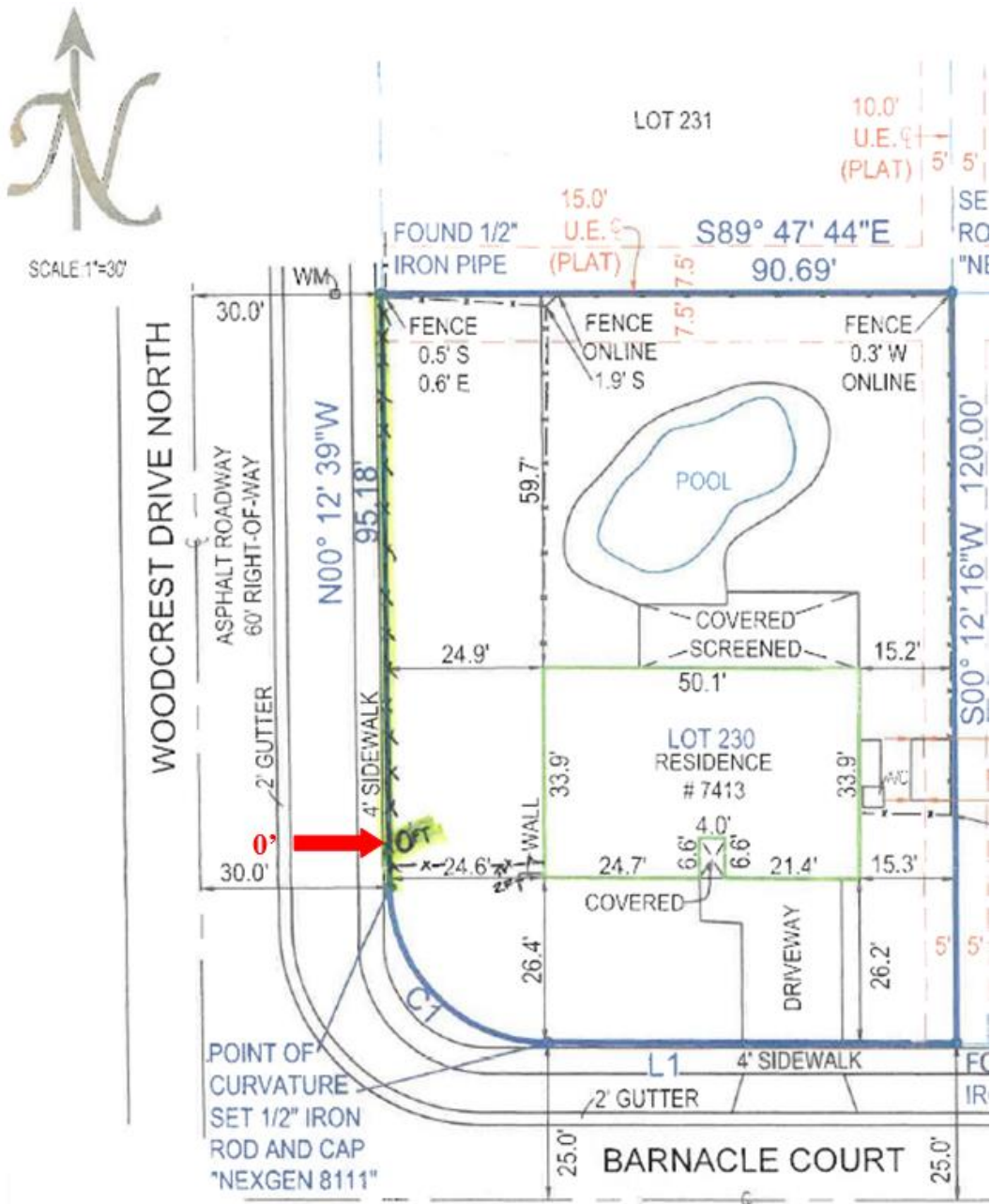
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

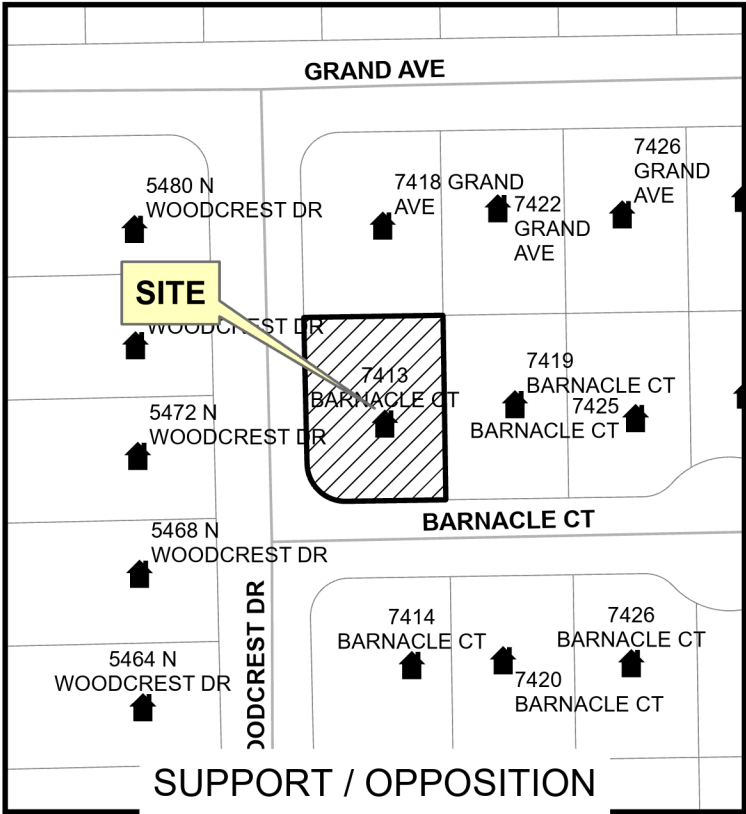
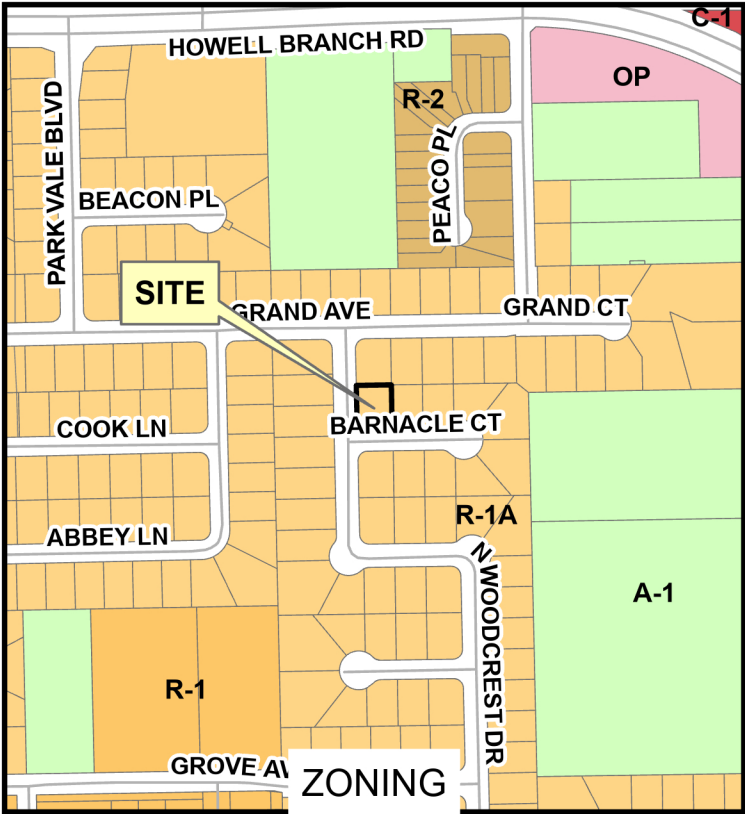
**Staff Recommendation:**

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

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

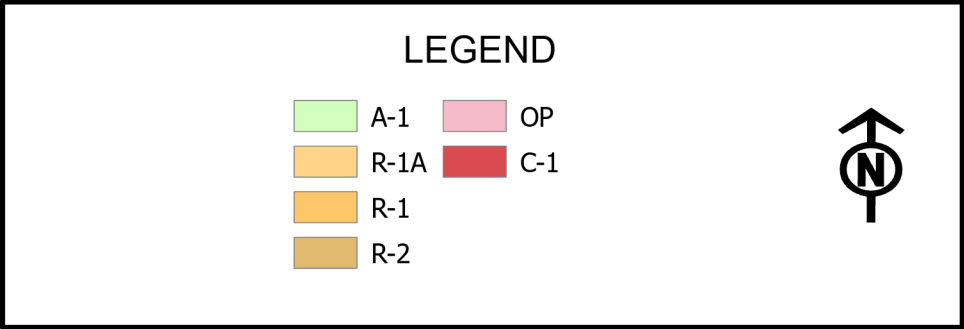
7413 BARNACLE COURT  
VARIANCE





**AMANDA BAN**  
**7413 BARNACLE CT**  
**WINTER PARK, FL 32792**

**SEMINOLE COUNTY**  
**BOARD OF ADJUSTMENT**  
**MAY 20, 2024**





## 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.

Unlike other parcels found within the county my particular lot is found on the corner of two respectively low trafficked roads, has a 4' wide side walk, 11' wide grass easement and 2' wide gutter between my east facing property line and the road. Where other parcels are much closer to the road the 3 features mentioned previously contribute to a majority of the view of traffic. Thus the acreage found between my home and east property line are special as it does not aid significantly in the view of traffic.

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

The special condition explained above is a result of city planning and features that as the home owner I do not have authority or capability to make any adjustments to.

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 granting of the setback variance I have requested would not result in any special privilege denied by Chapter 30 of the Land Development Code since it would not adversely affect the public interest, or have an adverse effect on traffic. It is also not detrimental to the character of the neighborhood and in fact would allow my fence and property to align more with other properties found within the neighborhood.

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.

By continuing to following the current zoning setback regulations I will continue to be deprived of enjoying the safety and privacy of a large majority of my property and have the unnecessary stress that comes with trying to enjoy my current side lot. As my lot has two street frontages a large portion of my acreage is restricted by current setback regulations that do not impact my neighbors who have one street frontages and are able to fully enjoy the safety and privacy of a large backyard on their properties.

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

By requesting to position my fence closer to my east property line I would now be able to reasonably use my land as a safe backyard. Currently, my dog is restricted in where he can safely run and when my nieces and nephew come to visit there is only a small area they can run and play or set up toys without us having to constantly worry if a car is coming by or if someone walking by could hurt or try and take them. Approving this variance would make the possibility of using my property extremely less stressful and provide a safe space for my dog and future kids to keep playing.

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.

After reading through Seminole County Comprehensive Plan I truly believe that the granting of this variance would be in harmony with my R-1A, Single Family-9000, LDR zoned property. By allowing me to move my fence the county would be supporting their goal to "protect residential neighborhoods" as this would allow me to make my home safer and more attractive, thus contributing to long term viability of my neighborhood while complying with the Land Development Code.

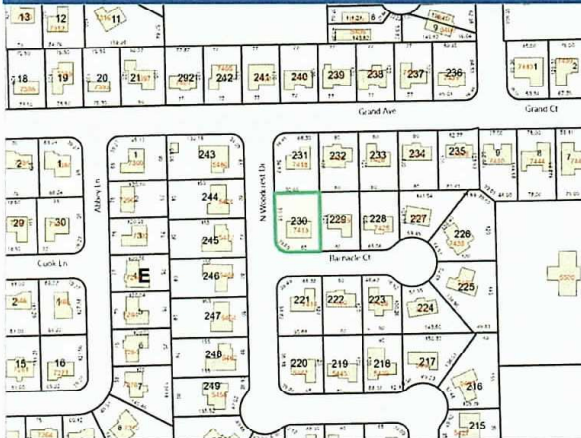


## Property Record Card



**Parcel** 35-21-30-512-0000-2300  
**Property Address** 7413 BARNACLE CT WINTER PARK, FL 32792

### Parcel Location



### Site View



### Parcel Information

<b>Parcel</b>	35-21-30-512-0000-2300
<b>Owner(s)</b>	BAN, AMANDA M
<b>Property Address</b>	7413 BARNACLE CT WINTER PARK, FL 32792
<b>Mailing</b>	7413 BARNACLE CT WINTER PARK, FL 32792-7301
<b>Subdivision Name</b>	WOODCREST UNIT 5
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(2024)
<b>AG Classification</b>	No

### Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$164,349	\$148,482
<b>Depreciated EXFT Value</b>	\$22,400	\$22,200
<b>Land Value (Market)</b>	\$90,000	\$85,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$276,749	\$255,682
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$0	\$0
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$34,387
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$276,749	\$221,295

### 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Non-Hx Cap</b>	\$3,402.62	<b>2023 Tax Savings with Non-Hx Cap</b>	\$272.69
<b>2023 Tax Bill Amount</b>	\$3,129.93		

\* Does NOT INCLUDE Non Ad Valorem Assessments

### Legal Description

LOT 230  
WOODCREST UNIT 5  
PB 17 PG 35



## Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$276,749	\$50,000	\$226,749
SJWM(Saint Johns Water Management)	\$276,749	\$50,000	\$226,749
FIRE	\$276,749	\$50,000	\$226,749
COUNTY GENERAL FUND	\$276,749	\$50,000	\$226,749
Schools	\$276,749	\$25,000	\$251,749

## Sales

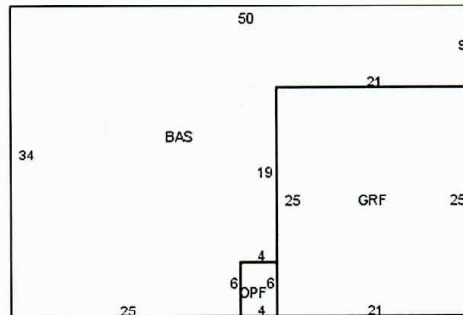
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	09/06/2023	10504	0725	\$350,000	Yes	Improved
ADMINISTRATIVE DEED	04/26/2019	09364	0729	\$100	No	Improved
QUIT CLAIM DEED	04/26/2019	09364	0733	\$68,900	No	Improved
QUIT CLAIM DEED	04/01/2019	09364	0732	\$68,900	No	Improved
QUIT CLAIM DEED	01/01/2018	09067	0370	\$140,600	No	Improved
CORRECTIVE DEED	05/01/2000	03850	1629	\$100	No	Improved
QUIT CLAIM DEED	01/01/1998	03364	1598	\$17,000	No	Improved
WARRANTY DEED	07/01/1984	01566	0460	\$65,000	Yes	Improved
WARRANTY DEED	01/01/1977	01118	0975	\$32,000	Yes	Improved
WARRANTY DEED	01/01/1976	01080	0579	\$7,500	No	Vacant

## Land

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

## Building Information

#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages
1	SINGLE FAMILY	1976	3	2.0	6	1,151	1,700	1,151	CONC BLOCK	\$164,349	\$225,136	<div> <div>Description</div> <div>Area</div> <div>OPEN PORCH FINISHED</div> <div>24.00</div> <div>GARAGE FINISHED</div> <div>525.00</div> </div>



Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
16611	INSTALL 264' X 6' TALL WOOD FENCE W/60" WALK GATE	County	\$3,250		12/13/2004
14373	REROOF W/SHINGLES DUE TO HURRICANE DAMAGE	County	\$4,640		11/10/2004
09891	7413 BARNACLE CT: ELECTRICAL - RESIDENTIAL-Single Family Home [WOODCREST UNIT 5]	County	\$2,250		6/14/2022
13474	7413 BARNACLE CT: EZ REROOF RESIDENTIAL- [WOODCREST UNIT 5]	County	\$13,250		8/24/2023
15745	7413 BARNACLE CT: WINDOW / DOOR REPLACEMENT- [WOODCREST UNIT 5]	County	\$6,748		10/9/2023
17322	7413 BARNACLE CT: MISC BUILDING - RESIDENTIAL- [WOODCREST UNIT 5]	County	\$300		11/7/2023
17567	7413 BARNACLE CT: MISC BUILDING - RESIDENTIAL- [WOODCREST UNIT 5]	County	\$2,000		11/29/2023

Extra Features				
Description	Year Built	Units	Value	New Cost
POOL 1	10/01/1981	1	\$21,000	\$35,000
SCREEN PATIO 1	10/01/1985	1	\$1,400	\$3,500

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

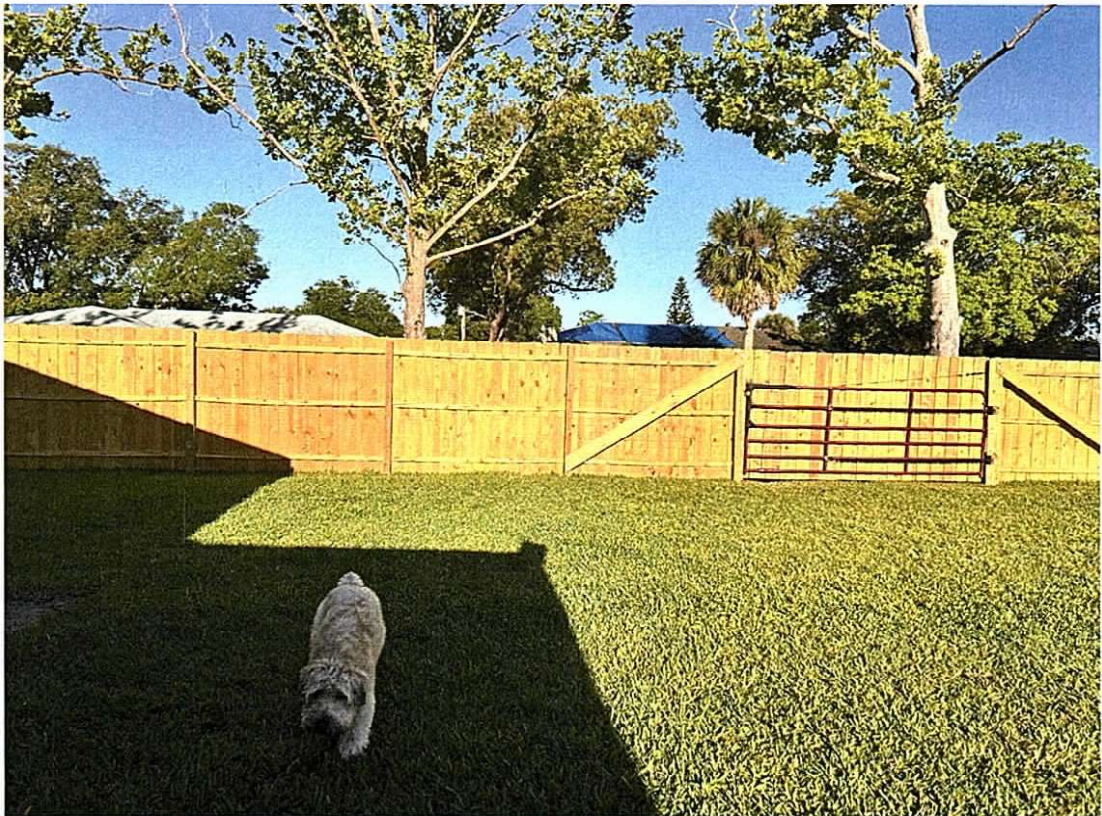
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
23.00	DUKE	CENTURY LINK	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	TUE/FRI	TUE	WED	Waste Pro

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 1 - Bob Dallari	Dist 7 - Cory Mills	Dist 38 - DAVID SMITH	Dist 10 - Jason Brodeur	67

School Information		
Elementary School District	Middle School District	High School District
Eastbrook	Tuskawilla	Lake Howell

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## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 230  
WOODCREST UNIT 5  
PB 17 PG 35

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

### A. FINDINGS OF FACT

**Property Owner:** AMANDA BAN  
7413 BARNACLE COURT  
WINTER PARK, FL 32792

**Project Name:** 7413 BARNACLE CT

### Requested Variance:

Request for a side street (west) setback variance from two (2) feet to zero (0) feet for a privacy fence in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### B. CONCLUSIONS OF LAW

Approval was sought to construct a privacy fence within the required side street (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: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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



## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 230  
WOODCREST UNIT 5  
PB 17 PG 35

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

### **A. FINDINGS OF FACT**

**Property Owner:** AMANDA BAN  
7413 BARNACLE COURT  
WINTER PARK, FL 32792

**Project Name:** 7413 BARNACLE CT

#### **Variance Approval:**

Request for a side street (west) setback variance from two (2) feet to zero (0) feet for a privacy fence in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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

### Order

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

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

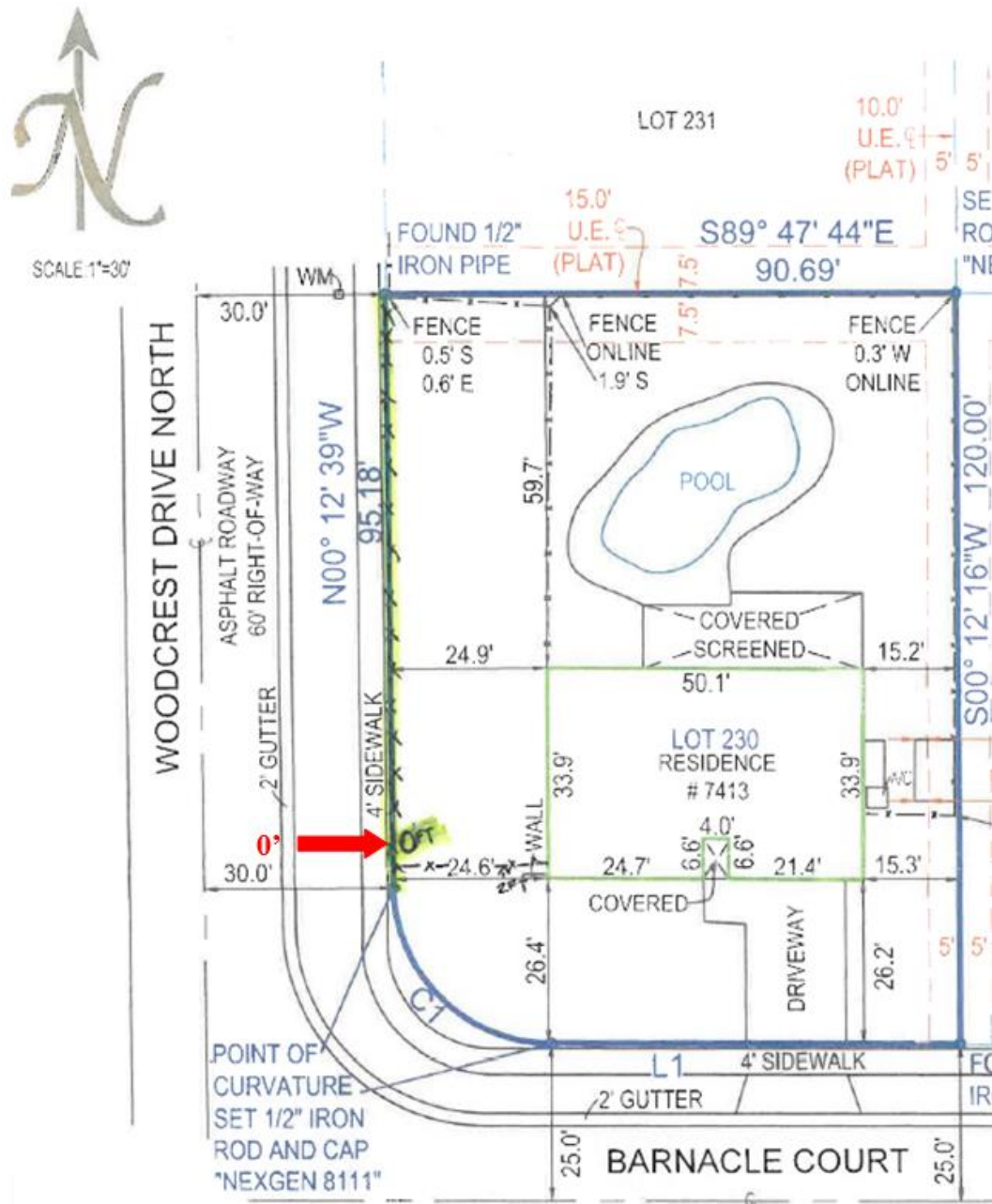
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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

# EXHIBIT A SITE PLAN





# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0604**

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**Title:**

**509 Hillview Drive** - Request for a front yard setback variance from fifty (50) feet to thirty-eight (38) feet for an addition in the A-1 (Agriculture) district; BV2024-050 (Roderick Waller, 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 front yard setback variance from fifty (50) feet to thirty-eight (38) feet for an addition in the A-1 (Agriculture) district; or
2. Approve the request for a front yard setback variance from fifty (50) feet to thirty-eight (38) feet for an addition in the A-1 (Agriculture) district; or
3. Continue the request to a time and date certain.

**Background:**

- The proposed front porch addition will be 280 square feet (20' x 14') and will encroach twelve (12) feet into the required front yard setback.
- The request is for a variance to Section 30.7.3.1 of the Seminole County Land Development Code, which states that the front yard setback for this zoning district is fifty (50) feet.
- There have not been any prior variances for the subject property.

**Staff Findings:**

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



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

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

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

**Staff Conclusion:**

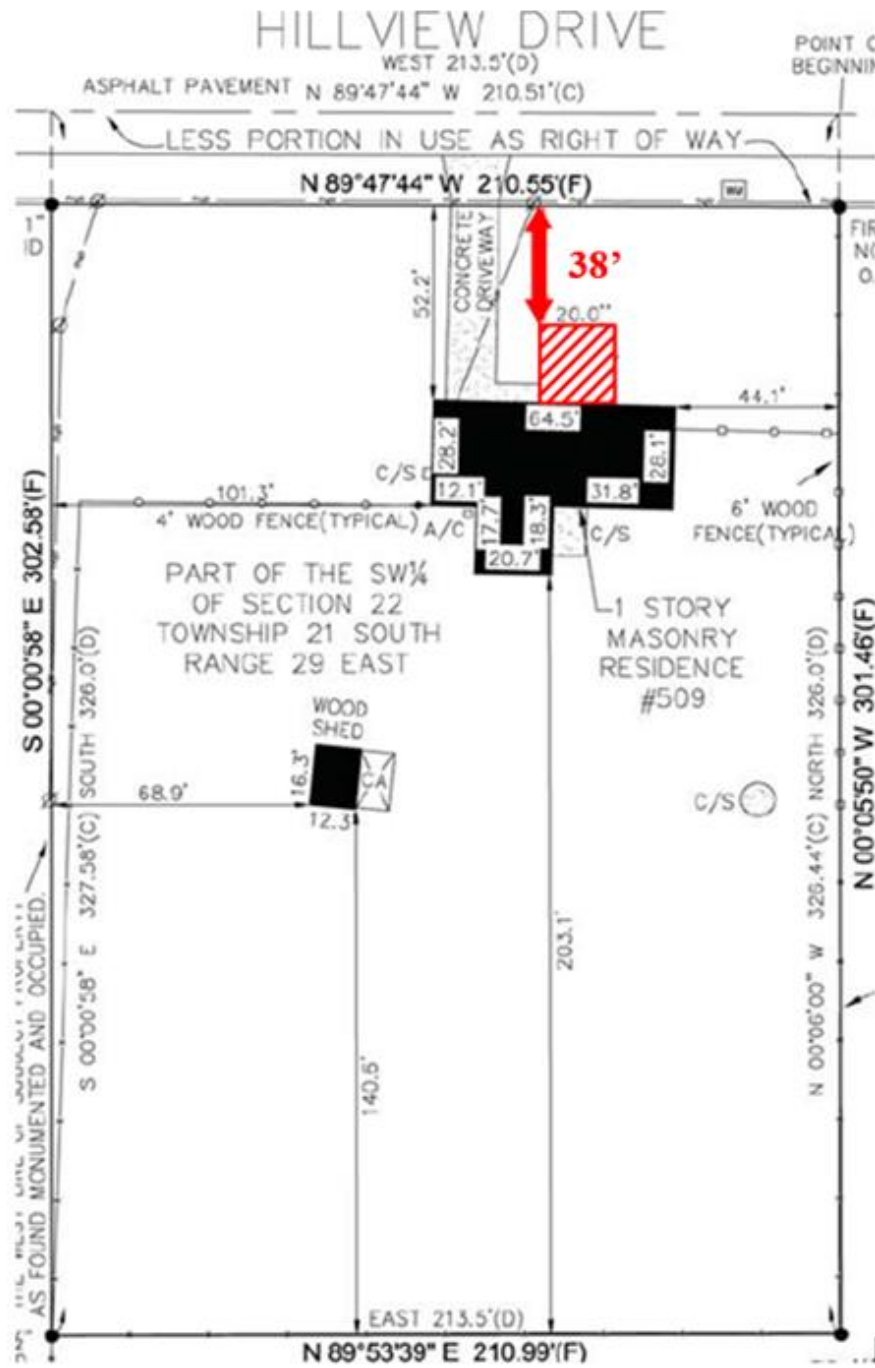
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

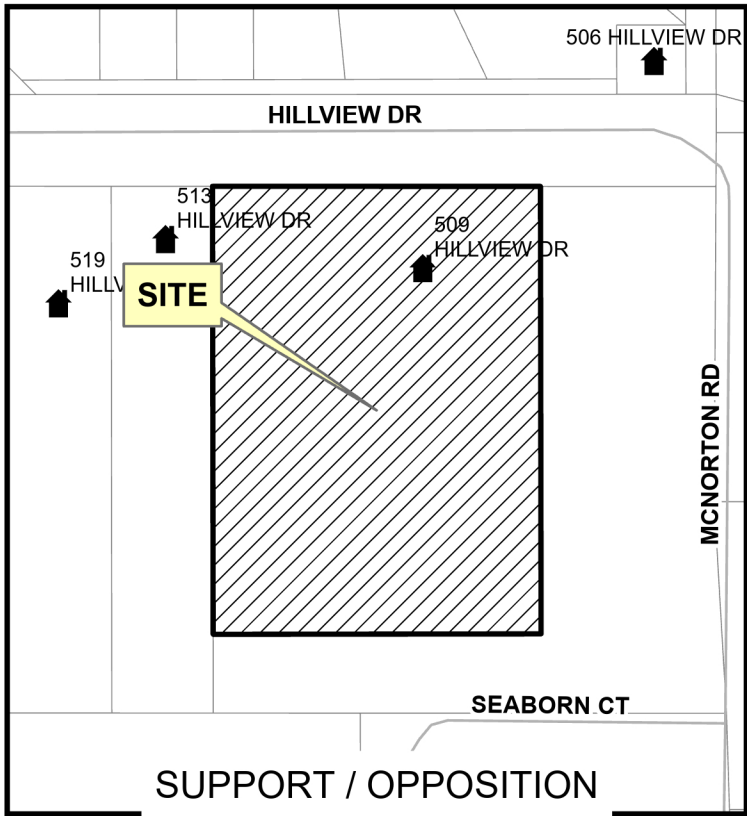
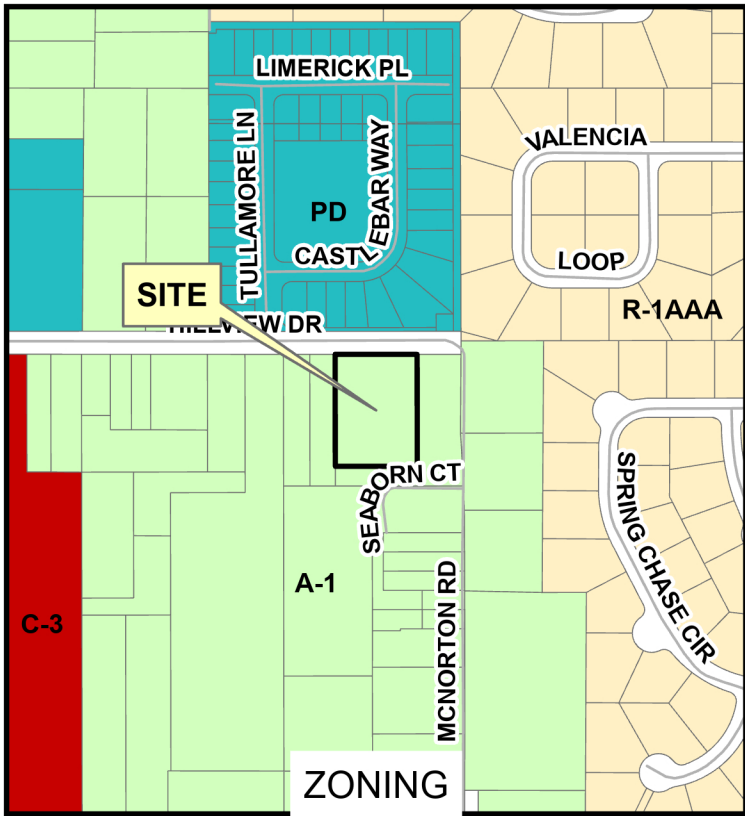
**Staff Recommendation:**

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

1. Any variance granted will apply only to the addition 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.

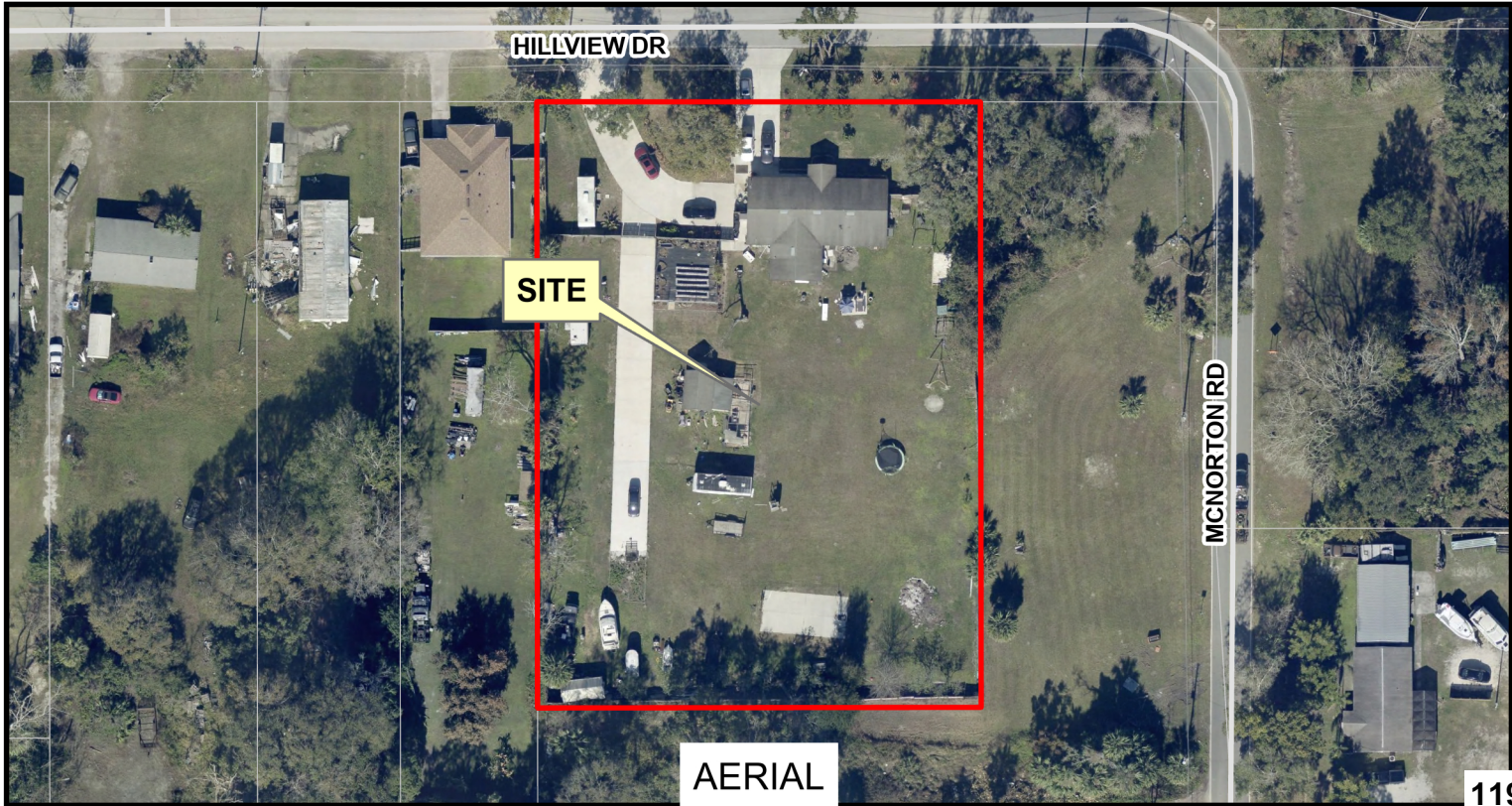
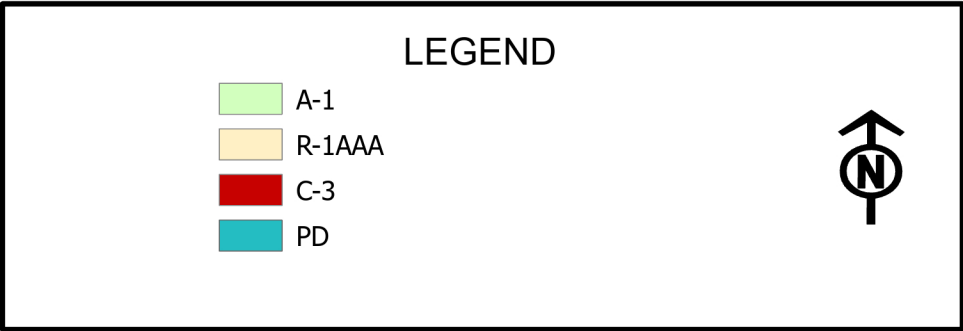
# 509 HILLVIEW DRIVE VARIANCE





**RODERICK WALLER**  
**509 HILLVIEW DR**  
**ALTAMONTE SPRINGS, FL 32714**

**SEMINOLE COUNTY**  
**BOARD OF ADJUSTMENT**  
**MAY 20, 2024**



## 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.

Increasing existing porch space for disable family member so there is more space and easy access to door.

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

Current Porch was built smaller and was like this when purchased home.

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

This would not confer applicant its will actually give more safety to disable family member and family in general.

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 limits our ability to have more social time out doors with disable family members,without getting

wet if it rains Improving overall wellness

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

This variance is necessary to achieve space to accommodated disable family member.

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

The proposed changes to porch is keeping the aesthetics of neighborhood & will not have

any negative visual impact on community



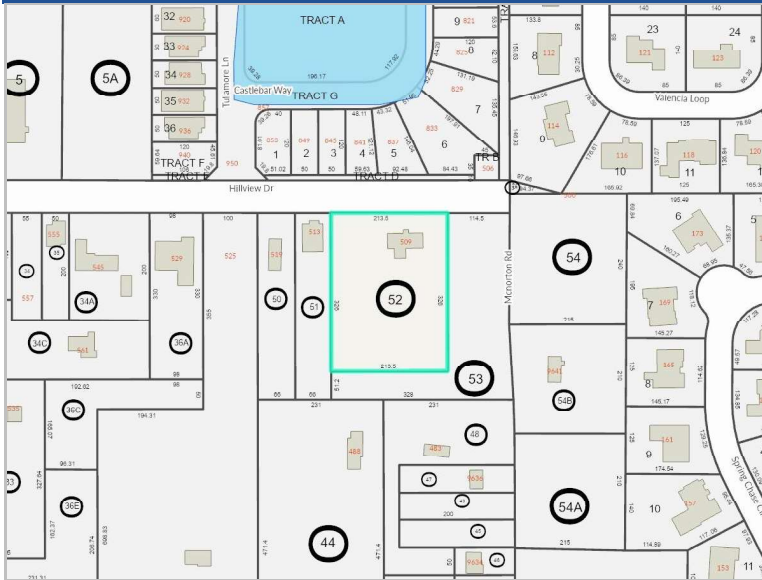
# Property Record Card



**Parcel** 22-21-29-300-0520-0000

**Property Address** 509 HILLVIEW DR ALTAMONTE SPRINGS, FL 32714

## Parcel Location



## Site View



## Parcel Information

<b>Parcel</b>	22-21-29-300-0520-0000
<b>Owner(s)</b>	WALLER, RODERICK J
<b>Property Address</b>	509 HILLVIEW DR ALTAMONTE SPRINGS, FL 32714
<b>Mailing</b>	509 HILLVIEW DR ALTAMONTE SPG, FL 32714-1602
<b>Subdivision Name</b>	
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(2017)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$132,052	\$129,834
<b>Depreciated EXFT Value</b>	\$1,000	\$691
<b>Land Value (Market)</b>	\$96,000	\$96,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$229,052	\$226,525
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$16,610	\$20,271
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$212,442	\$206,254

## 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Exemptions</b>	<b>\$3,014.59</b>	<b>2023 Tax Savings with Exemptions</b>	<b>\$800.71</b>
<b>2023 Tax Bill Amount</b>	<b>\$2,213.88</b>		

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

SEC 22 TWP 21S RGE 29E  
BEG 114.5 FT W OF NE COR OF SW 1/4  
RUN W 213.5 FT S 326 FT E 213.5 FT  
N 326 FT TO BEG

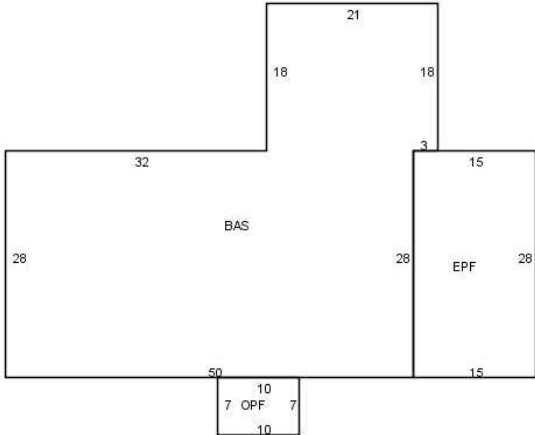


Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$212,442	\$50,000	\$162,442
SJWM(Saint Johns Water Management)	\$212,442	\$50,000	\$162,442
FIRE	\$212,442	\$50,000	\$162,442
COUNTY GENERAL FUND	\$212,442	\$50,000	\$162,442
Schools	\$212,442	\$25,000	\$187,442

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	04/01/2016	08674	1111	\$200,000	Yes	Improved
WARRANTY DEED	05/01/1997	03247	0478	\$89,500	Yes	Improved
SPECIAL WARRANTY DEED	03/01/1996	03071	0779	\$51,000	No	Improved
CERTIFICATE OF TITLE	09/01/1995	02963	0142	\$100	No	Improved
QUIT CLAIM DEED	08/01/1992	02465	0171	\$100	No	Improved
WARRANTY DEED	08/01/1992	02465	0172	\$62,000	Yes	Improved
CERTIFICATE OF TITLE	03/01/1991	02271	1038	\$100	No	Improved
WARRANTY DEED	11/01/1984	01610	0072	\$47,000	Yes	Improved
WARRANTY DEED	08/01/1984	01570	1556	\$100	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
ACREAGE			1.6	\$60,000.00	\$96,000

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1957/1977	4	2.0	7	1,778	2,268	2,198	CB/STUCCO FINISH	\$132,052	\$178,449	Description	Area
												OPEN PORCH FINISHED	70.00
												ENCLOSED PORCH FINISHED	420.00



Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
01914	SFR-INTER RENOV & FENCE	County	\$1,780		3/1/1996
06083	REROOF W/SHINGLES	County	\$3,000		3/23/2005
01290	ELECTRICAL	County	\$2,500		2/22/2013

Extra Features				
Description	Year Built	Units	Value	New Cost
PATIO NO VALUE	05/01/1970	1	\$0	
SHED - NO VALUE	05/01/1970	2	\$0	
ACCESSORY BLDG 1	05/01/2006	1	\$1,000	\$2,500

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
13.00	DUKE	CENTURY LINK	NA	NA	TUE/FRI	WED	WED	Waste Management

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 3 - Lee Constantine	Dist 7 - Cory Mills	Dist 38 - DAVID SMITH	Dist 10 - Jason Brodeur	52

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



This item has been electronically signed and sealed by Joseph Simmons, III, P.E. 02/01/2021 on the date and time stamp shown using a digital signature. Printed copies of this document are not considered signed and sealed and the signature must be verified by a Notary Public. Certificate Authority: no any electronic copy. FBC 107(14-100)



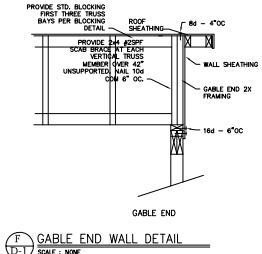
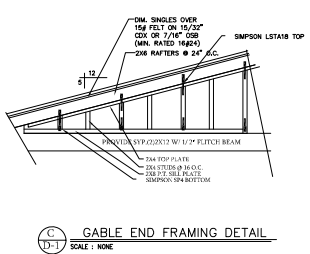
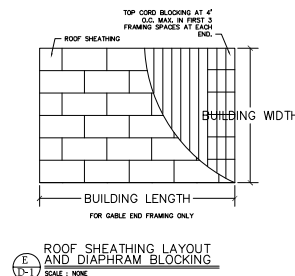
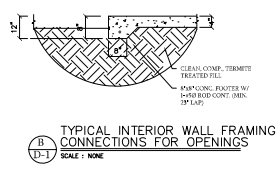
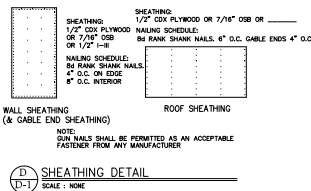
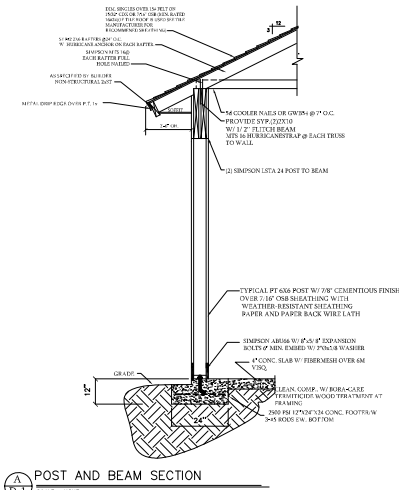
RODERICK J. WALLER  
509 HILLVIEW DRIVE  
ALTA MONTE SPRINGS, FL 32714

DESIGNWEST ENGINEERS AND ASSOCIATES INC.

The Architectural and Engineering Design  
111 E. MONUMENT AVE., STE. 300, MIAMI, FL 33137  
TEL: 305-555-1421 FAX: 305-555-1422  
WWW.DESIGNWEST.COM

SHEET NO  
D-1  
OF SHEETS

JOSEPH SIMMONS III, P.E.



STRUCTURAL NOTES

- \*\*\*GRAVITY LOADS\*\*\*  
ROOF - ALL DEAD LOADS PLUS 40 PSF LIVE LOAD  
FLOOR - ALL DEAD LOADS PLUS 40 PSF LIVE LOAD  
\*\*\*WIND LOADS\*\*\*  
160 MPH  
\*\*\*CODES\*\*\*  
FBC 2020 7TH EDITION SECTION 301.1  
BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE (ACI-308)  
MANUAL OF STANDARD PRACTICE FOR DETAILING REINFORCED CONCRETE (ACI 318-83)  
AMERICAN CONCRETE INSTITUTE  
NATIONAL CONCRETE MASONRY ASSOCIATION  
AMERICAN INSTITUTE OF STEEL CONSTRUCTION
- \*\*\*MATERIALS\*\*\*  
A. CONCRETE: ALL CONCRETE SHALL BE NORMAL WEIGHT, (USD TYPE CONCRETE) WITH A MINIMUM COMPRESSIVE STRENGTH OF 3000 PSI AT 28 DAYS OF AGE.  
B. REINFORCING STEEL: ALL REINFORCING STEEL SHALL BE OF NEW BULLET STOCK, CONFORMING WITH ASTM A-615 GRADE 60. CONCRETE PROTECTION FOR REINFORCING BARS: THE FOLLOWING CONCRETE COVER SHALL BE PROVIDED:  
FOOTINGS: 3 INCHES  
BEAMS AND COLUMNS: 1 1/2 INCHES  
SLAB ON GRADE: 2 INCHES

- C. STRUCTURAL STEEL: STRUCTURAL STEEL SHALL BE ASTM A36, FABRICATED AND ERRECTED IN ACCORDANCE WITH AISC SPECIFICATIONS AND STANDARDS. ALL BOLTS TO BE ASTM A307. ALL WELDS TO BE PERFORMED BY CERTIFIED WELDERS ONLY. SUBMIT SHOP DRAWINGS FOR ARCHITECT/ENGINEER APPROVAL PRIOR TO FABRICATION.  
COLD-FORMED STEEL TUBING: ASTM A500, GRADE B  
HOT-FORMED STEEL TUBING: ASTM A501  
STEEL PIPE: ASTM A53, TYPE E OR S, GRADE B  
ANCHOR BOLTS: ASTM A307, J-TYPE U.G.N.  
HEADED STUD TYPE SHEAR CONNECTORS: ASTM A108, GRADE 1015 OR 1020, COLD FINISHED CARBON STEEL, WITH DIMENSIONS COMPLYING WITH AISC SPECIFICATIONS.

- UNFINISHED THREADED FASTENERS: ASTM A307, GRADE A, REGULAR LOW CARBON STEEL BOLTS AND NUTS, PROVIDED EITHER HEXAGONAL, OR SQUARE, HEADS AND NUTS, EXCEPT USE ONLY HEXAGONAL UNITS FOR EXPOSED CONNECTORS.  
D. LUMBER: ALL FRAMING LUMBER SHALL BE STRESS GRADE NO. 2 SPF LUMBER WITH MINIMUM F<sub>b</sub> = 1200 PSI AND MOISTURE CONTENT NOT TO EXCEED 19%. ALL FRAMING LUMBER IN CONTACT WITH CONCRETE, MASONRY, EARTH, OR STEEL SHALL BE PRESURE TREATED LUMBER.

- E. UNREINFORCED CONCRETE MASONRY: ALL MASONRY WALLS SHALL BE OF CONCRETE BLOCK UNITS CONFORMING TO ASTM C90 PLACED IN RUNNING BOND PATTERN WITH TYPE "S" MORTAR AND REINFORCED WITH DUR-O-WALL OR EQUAL EVERY OTHER COURSE.  
F. EXCAVATION AND BACKFILL: ALL EXCAVATIONS SHALL BE KEPT DRY. EXCAVATE TO DEPTHS AND DIMENSIONS INDICATED. TAKE EVERY PRECAUTION TO GUARD AGAINST ANY MOVEMENT OR SETTLEMENT OF ADJACENT STRUCTURE, UTILITIES, PIPING, ETC. PROVIDE END BRACING OR SHORING NECESSARY TO AVOID SETTLEMENT OR DISPLACEMENT OF EXISTING FOUNDATIONS OR STRUCTURES. BACKFILL IN HORIZONTAL LAYER, MAXIMUM OF 12" THICK, AND COMPACT TO A MINIMUM OF 95% MAXIMUM STANDARD PROCTOR DENSITY. PLACE BACKFILL SYMMETRICALLY, TAKING CARE TO PREVENT ANY ECCENTRIC LOADING OR REDDING ACTION AGAINST WALLS OR BUILDINGS.

Building design shall conform with the 2020 Florida Building Code, Edition and include the applicable wind criteria (Ultimate design wind speed (Vult) and 3-second gust minimum wind speed (Vasd) both in miles per hour, wind exposure and risk category. All documents are properly signed, dated and sealed as required for the method of submittal. (FBC 107)





## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 22 TWP 21S RGE 29E  
BEG 114.5 FT W OF NE COR OF SW 1/4  
RUN W 213.5 FT S 326 FT E 213.5 FT  
N 326 FT TO BEG

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

### A. FINDINGS OF FACT

**Property Owner:** RODERICK WALLER  
509 HILLVIEW DRIVE  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** 509 HILLVIEW DRIVE

#### **Requested Variance:**

Request for a front yard setback variance from fifty (50) feet to thirty-eight (38) feet for an addition in the A-1 (Agriculture) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### A. CONCLUSIONS OF LAW

Approval was sought to construct and addition 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.

### B. DECISION

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 22 TWP 21S RGE 29E  
BEG 114.5 FT W OF NE COR OF SW 1/4  
RUN W 213.5 FT S 326 FT E 213.5 FT  
N 326 FT TO BEG

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

### **A. FINDINGS OF FACT**

**Property Owner:** RODERICK WALLER  
509 HILLVIEW DRIVE  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** 509 HILLVIEW DRIVE

#### **Variance Approval:**

Request for a front yard setback variance from fifty (50) feet to thirty-eight (38) feet for an addition in the A-1 (Agriculture) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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

### Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the addition (20' x 14') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

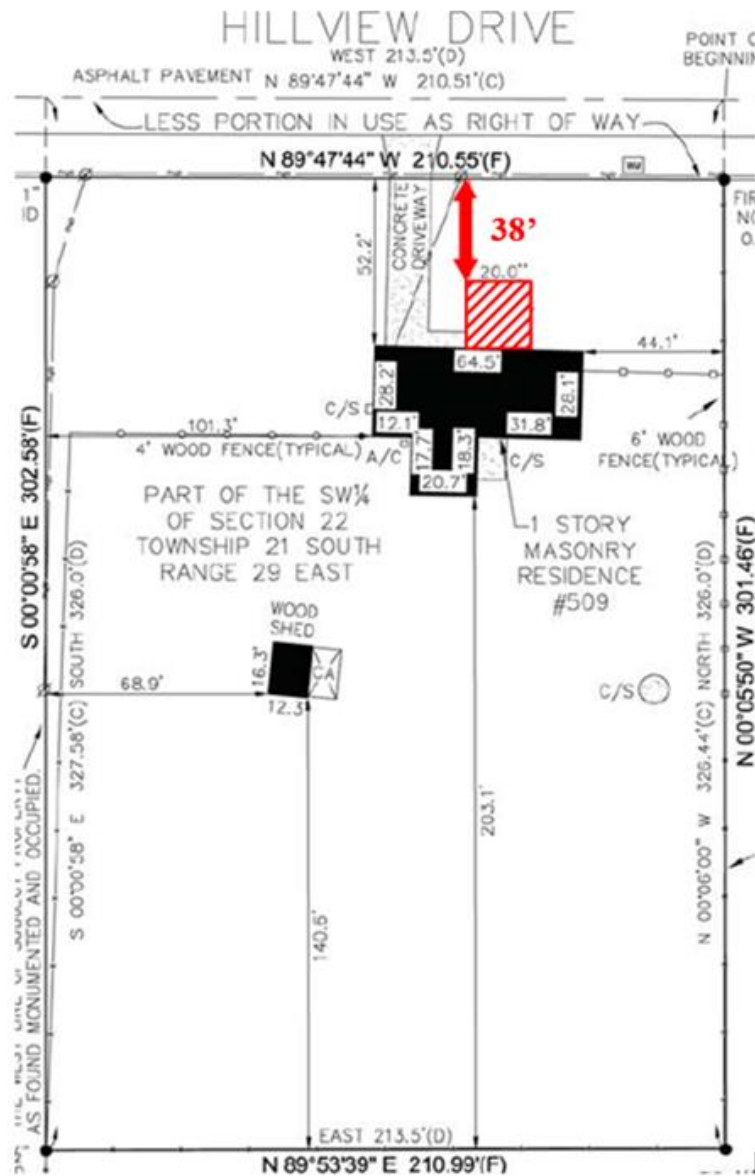
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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



EXHIBIT A  
SITE PLAN



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0581**

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### **Title:**

**107 Raymond Oaks Court** - Request for a rear yard setback variance from thirty (30) feet to twenty-one (21) feet for an addition in the R-1AA (Single Family Dwelling) district; BV2024-052 (Jaime Toro, 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 rear yard setback variance from thirty (30) feet to twenty-one (21) feet for an addition in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for a rear yard setback variance from thirty (30) feet to twenty-one (21) feet for an addition in the R-1AA (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

### **Background:**

- The subject property is located in the Raymond Oaks subdivision.
- The proposed covered patio will be 384 square feet (12' x 32') and will encroach nine (9) feet into the required rear yard setback.
- The request is for a variance to Section 30.7.3.1 of the Seminole County Land Development Code, which states that the rear yard setback for this zoning district is thirty (30) feet.

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

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

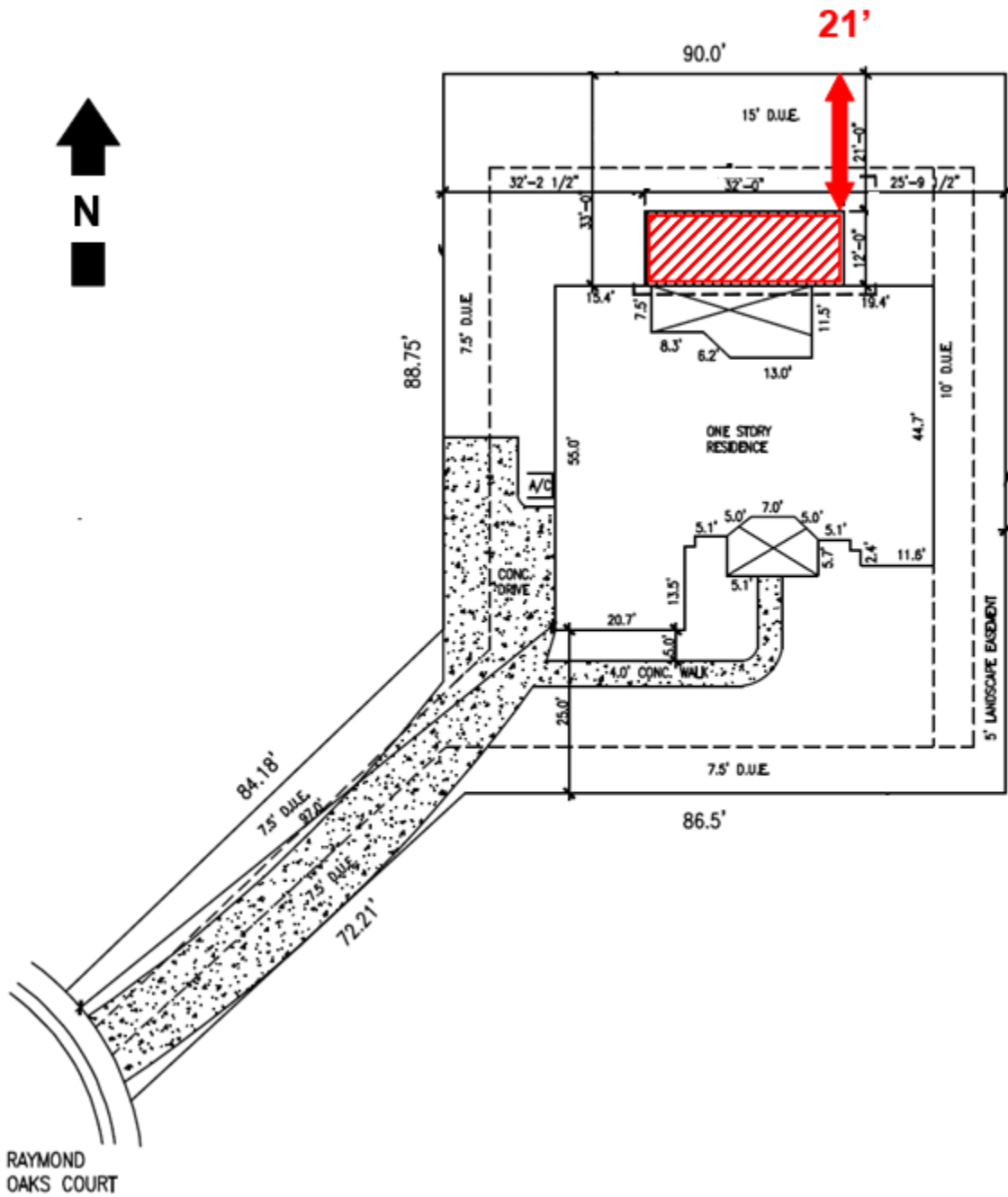
**Staff Recommendation:**

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

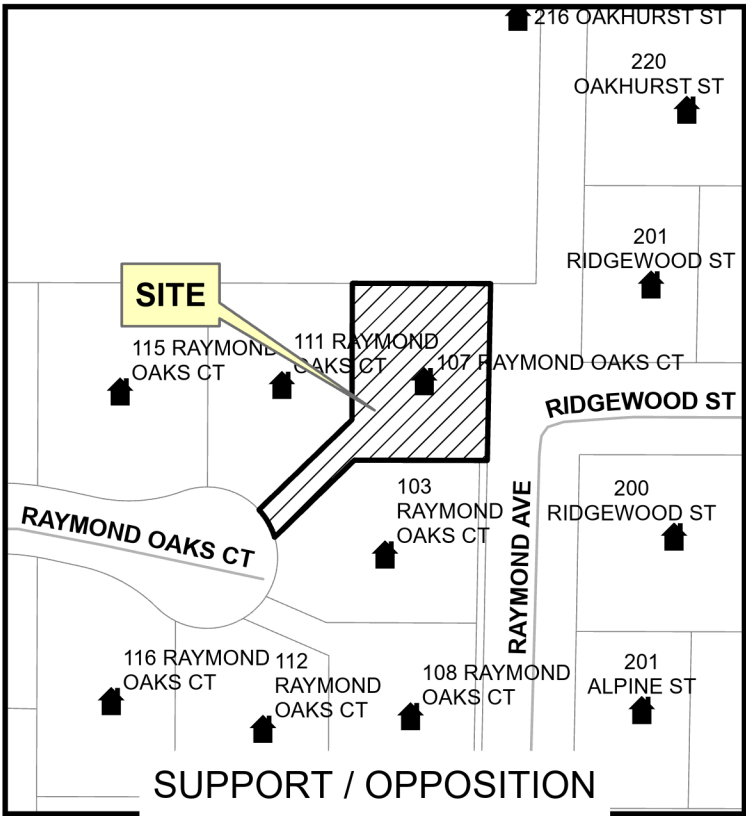
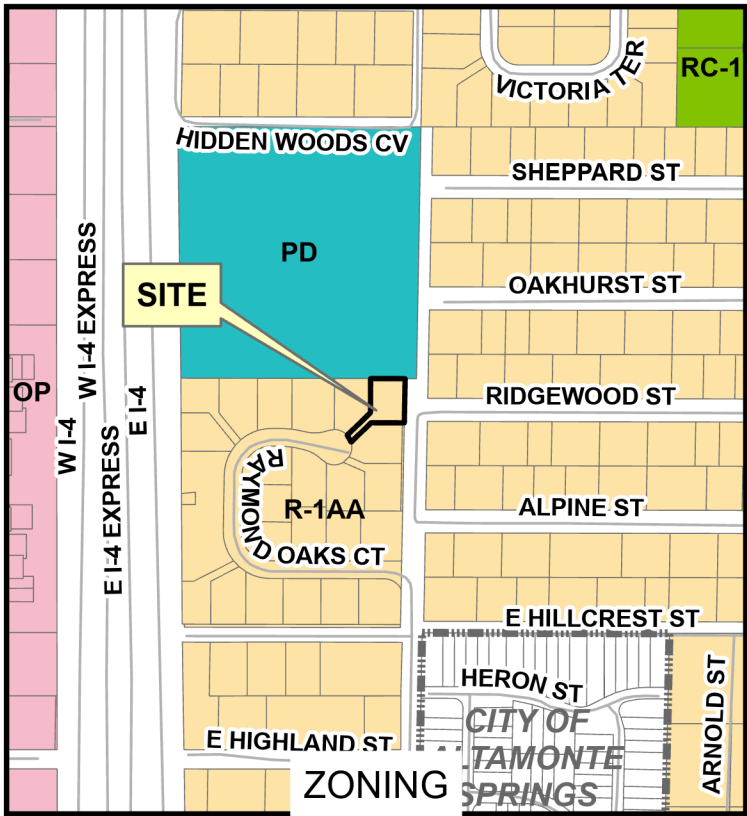
variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the addition 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.

107 RAYMOND OAKS CT  
VARIANCE













**JAMIE TORO &  
MIRIAN MEDINA-CRUZ  
107 RAYMOND OAKS CT  
ALTAMONTE SPRINGS, FL 32701**

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
MAY 20, 2024**

**LEGEND**

	Municipality		PD
	RC-1		
	R-1AA		
	OP		







## 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 custom designed pergola maximizes its usable space and enhanced the aesthetic appeal of the property, contributing positively to the overall neighborhood landscape.

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

Zoning regulations and building codes are established by local authorities and are not within our control.

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 decision to grant a variance is typically based on a thorough review of factors such as public interest, health, safety, and welfare, ensuring that any potential benefits are in the communities interest.

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.

Due to the zoning regulations, I am limited to the ability to use the property's full land use. This limits me to enhance the property and maximize the potential value.

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

By requesting the minimal variance necessary, I demonstrate a commitment to respecting the intent and purpose of zoning regulations without seeking undue or excessive relief.

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

The proposed variance is expected to contribute positively to property values within the neighborhood by improving the visual appeal and desirability of the area.

# Property Record Card



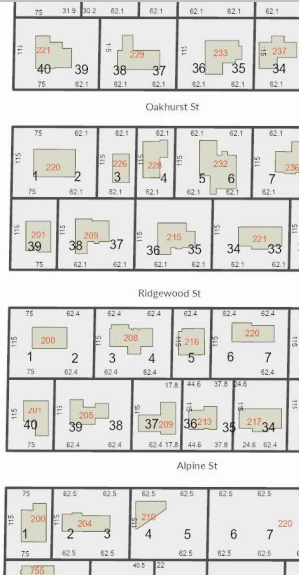
**Parcel** 11-21-29-532-0000-0130

**Property Address** 107 RAYMOND OAKS CT ALTAMONTE SPRINGS, FL 32701

## Parcel Location



## Site View



11212953200000130 05/15/2022

## Parcel Information

<b>Parcel</b>	11-21-29-532-0000-0130
<b>Owner(s)</b>	TORO, JAIME A - Tenancy by Entirety MEDINA-CRUZ, MIRIAN - Tenancy by Entirety
<b>Property Address</b>	107 RAYMOND OAKS CT ALTAMONTE SPRINGS, FL 32701
<b>Mailing</b>	107 RAYMOND OAKS CT ALTAMONTE SPG, FL 32701-7312
<b>Subdivision Name</b>	RAYMOND OAKS
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(2019)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Building Value</b>	\$285,933	\$278,996
<b>Depreciated Other Features</b>	\$2,400	\$2,400
<b>Land Value (Market)</b>	\$54,000	\$54,000
<b>Land Value Agriculture</b>		
<b>Just/Market Value</b>	\$342,333	\$335,396
<b>Portability Adjustment</b>		
<b>Save Our Homes Adjustment</b>	\$52,903	\$54,396
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adjustment</b>	\$0	\$0
<b>Assessed Value</b>	\$289,430	\$281,000

## 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Exemptions</b>	<b>\$4,463.45</b>	<b>2023 Tax Savings with Exemptions</b>	<b>\$1,254.85</b>
<b>2023 Tax Bill Amount</b>	<b>\$3,208.60</b>		

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

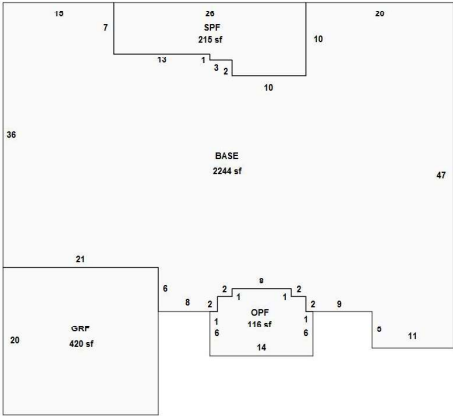
LOT 13  
RAYMOND OAKS  
PB 51 PGS 52 & 53

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$289,430	\$50,000	\$239,430
SJWM(Saint Johns Water Management)	\$289,430	\$50,000	\$239,430
FIRE	\$289,430	\$50,000	\$239,430
COUNTY GENERAL FUND	\$289,430	\$50,000	\$239,430
Schools	\$289,430	\$25,000	\$264,430

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	05/01/2018	09142	1595	\$305,000	Yes	Improved
WARRANTY DEED	11/01/2013	08166	1733	\$100	No	Improved
WARRANTY DEED	07/01/2004	05410	1759	\$275,000	Yes	Improved
WARRANTY DEED	09/01/2003	05059	0395	\$227,500	Yes	Improved
WARRANTY DEED	11/01/1997	03328	1529	\$40,900	Yes	Vacant

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$54,000.00	\$54,000

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	11	2,244	2,995	2,244	CB/STUCCO FINISH	\$285,933	\$317,703	Description	Area
												SCREEN PORCH FINISHED	215.00
												GARAGE FINISHED	420.00
												OPEN PORCH FINISHED	116.00



Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
00302		County	\$172,616	5/13/1998	1/1/1998
17810	107 RAYMOND OAKS CT: REROOF RESIDENTIAL- [RAYMOND OAKS]	County	\$15,400		12/19/2019
11127	107 RAYMOND OAKS CT: PLUMBING - RESIDENTIAL- [RAYMOND OAKS]	County	\$1,785		6/16/2021
08673	107 RAYMOND OAKS CT: FENCE/WALL RESIDENTIAL- [RAYMOND OAKS]	County	\$9,397		6/7/2023

Other Features				
Description	Year Built	Units	Value	New Cost
FIREPLACE 2	06/01/1998	1	\$2,400	\$6,000

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
12.00	DUKE	CENTURY LINK	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	TUE/FRI	FRI	WED	Waste Management
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 3 - Lee Constantine		Dist 7 - Cory Mills		Dist 38 - DAVID SMITH		Dist 10 - Jason Brodeur		43
School Information								
Elementary School District			Middle School District			High School District		
Altamonte			Milwee			Lyman		
Copyright 2024 © Seminole County Property Appraiser								



## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 13  
RAYMOND OAKS  
PB 51 PGS 52 & 53

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

### **A. FINDINGS OF FACT**

**Property Owner:** JAIME TORO &  
MIRAN MEDINA-CRUZ  
107 RAYMOND OAKS CT  
ALTAMONTE SPRINGS, FL 32701

**Project Name:** 107 RAYMOND OAKS CT

#### **Variance Approval:**

Request for a rear yard setback variance from thirty (30) feet to twenty-one (21) feet for an addition in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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

### Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the addition (12' x 32') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.



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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

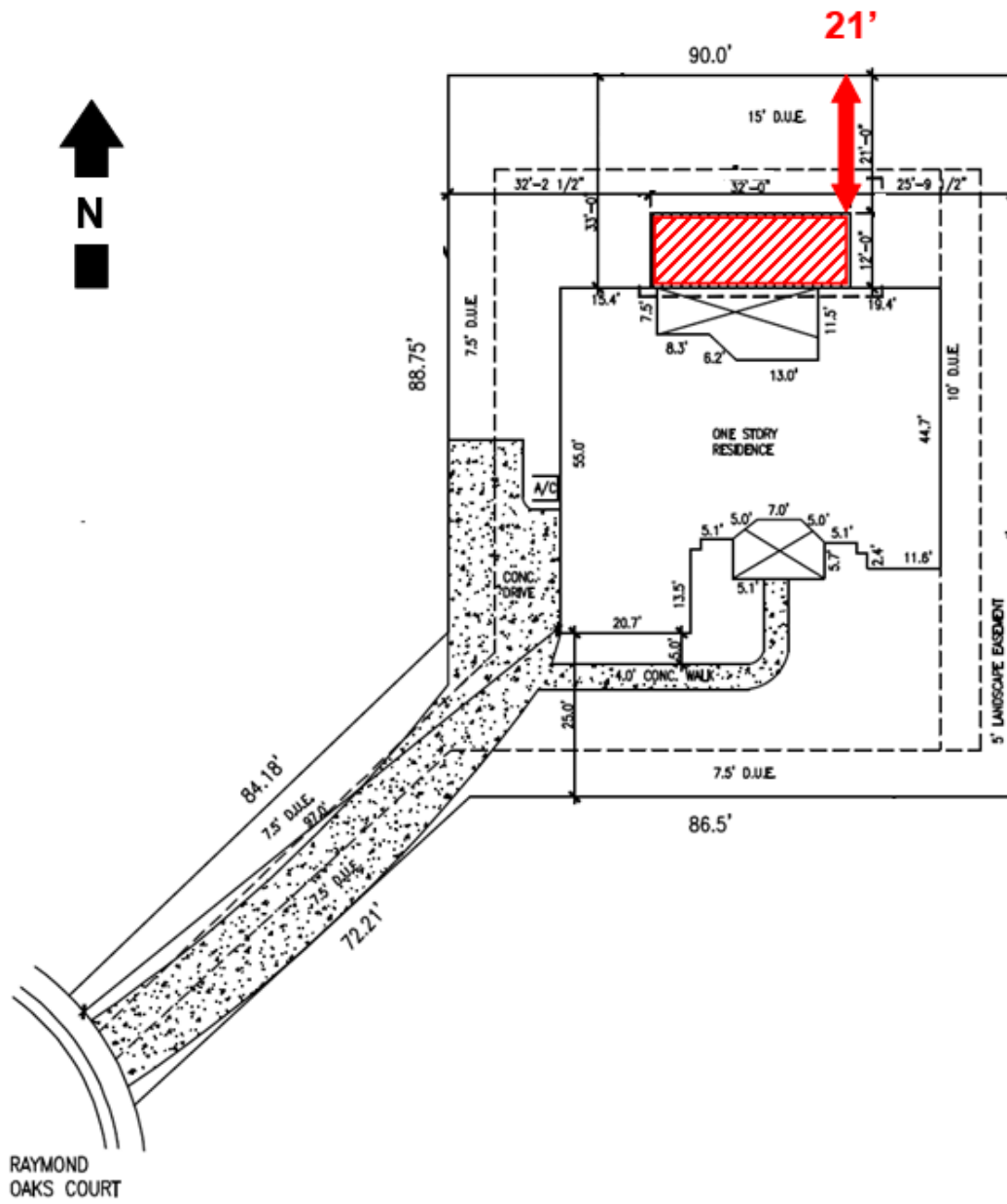
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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

EXHIBIT A  
SITE PLAN



## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 13  
RAYMOND OAKS  
PB 51 PGS 52 & 53

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

### A. FINDINGS OF FACT

**Property Owner:** JAIME TORO &  
MIRAN MEDINA-CRUZ  
107 RAYMOND OAKS CT  
ALTAMONTE SPRINGS, FL 32701

**Project Name:** 107 RAYMOND OAKS CT

#### **Requested Variance:**

Request for a rear yard setback variance from thirty (30) feet to twenty-one (21) feet for an addition in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### B. CONCLUSIONS OF LAW

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

### C. DECISION

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

---

**File Number: 2024-0609**

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**Title:**

**2583 Alamosa Place** - Request for a rear yard setback variance from twenty (20) feet to seventeen (17) feet for a screen room addition in the PD (Planned Development) district; BV2024-034 (Michael & Milbia Rometty, Applicants) District 4 - Lockhart (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 seventeen (17) 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 seventeen (17) 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 Chase Groves subdivision and Planned Development (PD).
- The request is to construct a twelve (12) foot by twenty-two (22) foot screen room addition three (3) feet into the rear yard setback.
- The Subdivision's Architectural Review Board has reviewed and approved the patio enclosure.
- Two (2) letters of support have been received from the adjacent neighbors.

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

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

**Staff Recommendation:**

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



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

1. Any variance granted will apply only to the screen room addition (12' x 22') 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.

Proposed Erect 12'x22' Screen room, LOT 6 Form & Pour 12'x25' slab

UNPLATTED S 53° 33' 37" W 105.25'

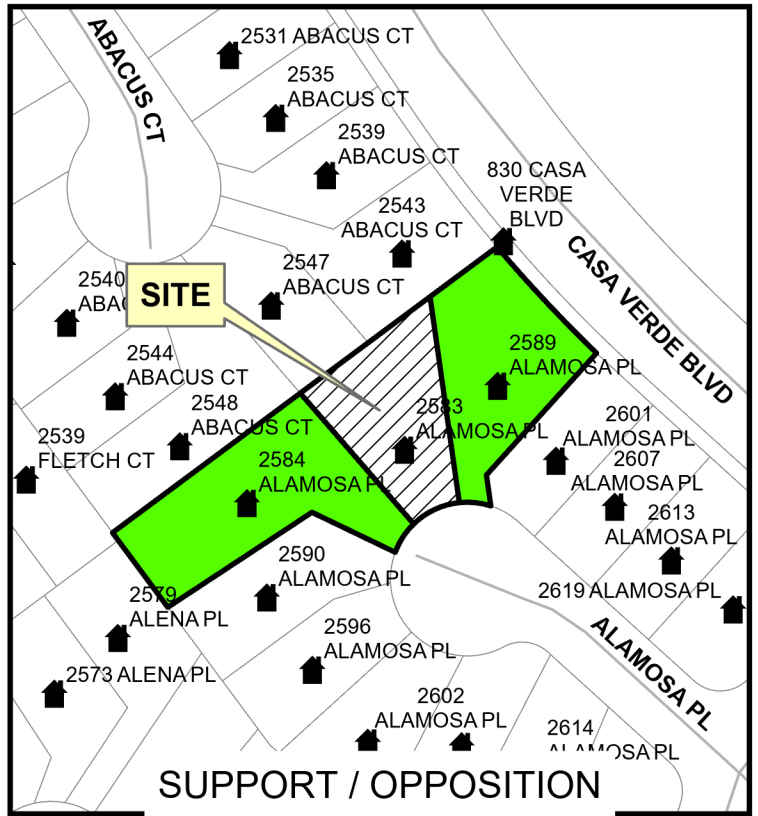
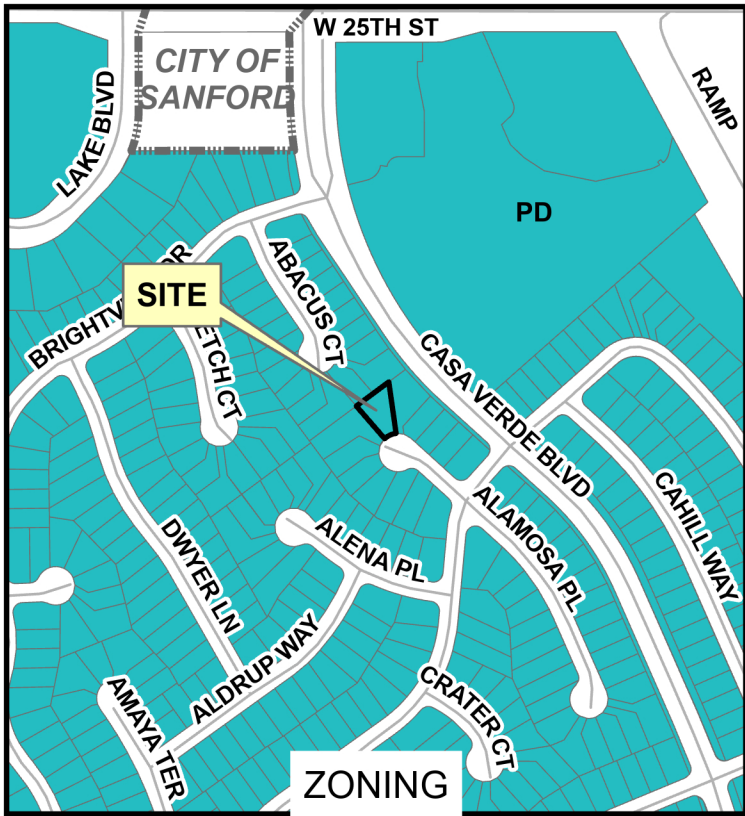
LOT 6  
"A" GRADING  
7.970 SQ. FT.

MODEL NO. 1660  
ONE STORY RESIDENCE  
FIN. FL. ELEV. 54.8

12'x22' SCREEN ROOM  
12'x25' SLAB

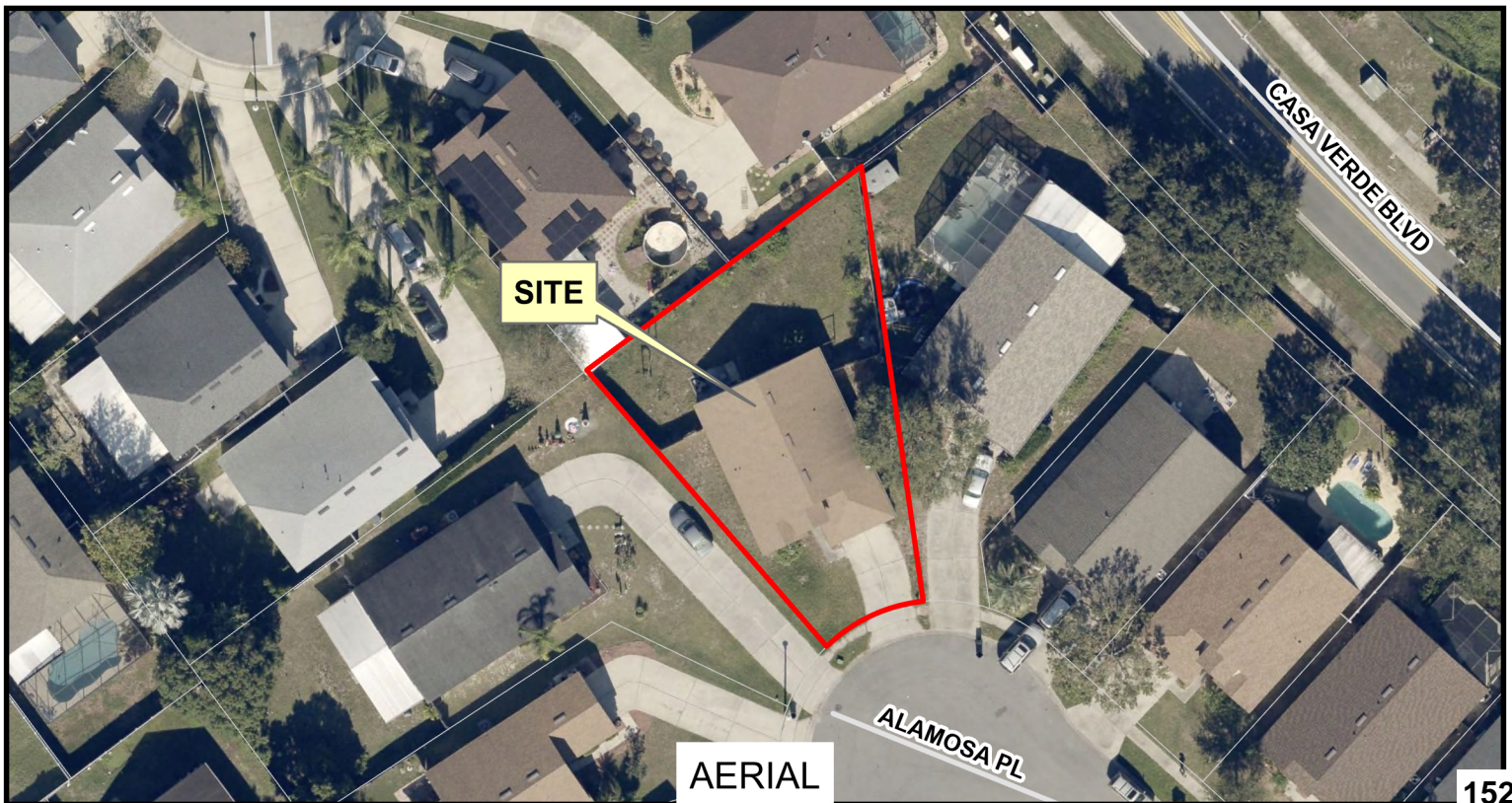
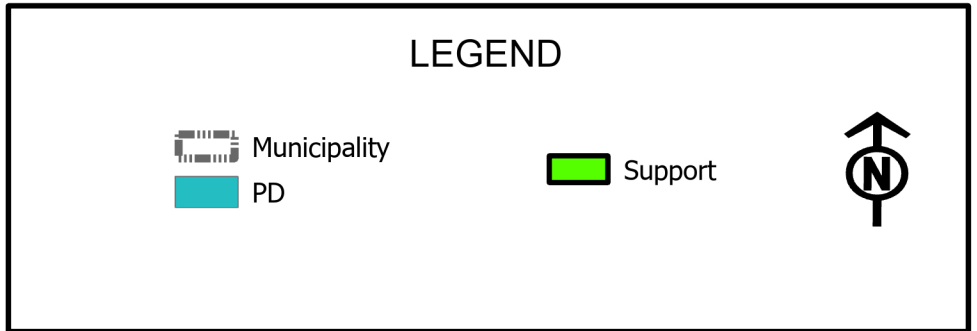
PEDESTAL  
C/L EL. 52.1

LOT 5



**MICHAEL ROMETTY &  
MILBIA HERNANDEZ - ROMETTY**  
2583 ALAMOSA PL  
LAKE MARY, FL 32746

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
MAY 20, 2024**





## 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.

*\* see attached  
answers on  
separate  
sheet*

2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner.
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.
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.
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
6. Describe how the granting of the variance will be in harmony with the general intent and purpose of the zoning regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

1. This house was constructed toward the rear of the lot leaving very little rear yard space. Hence the need for a deviation from the standard 20' setback.
2. The location of house in relation to the rear and side yard was established before the home was purchased by the existing owner and no action on the part of the existing homeowner created the issue. Current situation was existing.
3. The granting of a variance will afford no special privilege that has not already been provided to others in this same community. Other variances have been obtained.
4. The strict adherence to the existing setback requirement (20') would make it impossible to utilize the rear yard space in a reasonable manner as it would not allow a new screen room.
5. The request is for a deviation of 3' feet off of the required 20' setback. We are asking for a new setback of 17' from the rear property line which is the smallest practical setback to utilize our rear yard space.
6. The granting of this deviation will allow the construction of a room that is identical to others previously erected in this same community by others. It is in harmony with the design and character of this neighborhood.

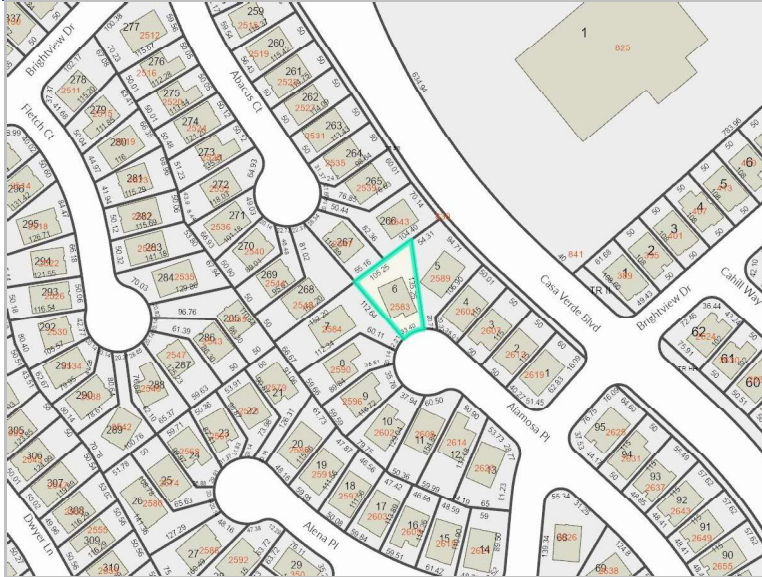
# Property Record Card



**Parcel** 03-20-30-520-0000-0060

**Property Address** 2583 ALAMOSA PL LAKE MARY, FL 32746

## Parcel Location



## Site View



03203052000000060 05/19/2023

## Parcel Information

<b>Parcel</b>	03-20-30-520-0000-0060
<b>Owner(s)</b>	ROMETTY, MICHAEL T - Tenancy by Entirety HERNANDEZ-ROMETTY, MILBIA - Tenancy by Entirety
<b>Property Address</b>	2583 ALAMOSA PL LAKE MARY, FL 32746
<b>Mailing</b>	2583 ALAMOSA PL LAKE MARY, FL 32746-2378
<b>Subdivision Name</b>	CHASE GROVES UNIT 5A
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	None
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$253,753	\$253,001
<b>Depreciated EXFT Value</b>		
<b>Land Value (Market)</b>	\$85,000	\$85,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$338,753	\$338,001
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$0	\$0
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$50,238
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$338,753	\$287,763

## 2023 Certified Tax Summary

**2023 Tax Amount w/o Non-Hx Cap**

**\$4,498.12**

**2023 Tax Savings with Non-Hx Cap**

**\$398.39**

**2023 Tax Bill Amount**

**\$4,099.73**

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

LOT 6  
CHASE GROVES UNIT 5A  
PB 50 PGS 95 & 96

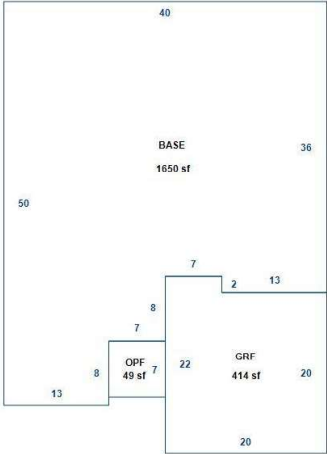


Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$338,753	\$0	\$338,753
SJWM(Saint Johns Water Management)	\$338,753	\$0	\$338,753
FIRE	\$338,753	\$0	\$338,753
COUNTY GENERAL FUND	\$338,753	\$0	\$338,753
Schools	\$338,753	\$0	\$338,753

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	04/21/2023	10427	0751	\$380,000	Yes	Improved
SPECIAL WARRANTY DEED	06/23/2020	09633	1662	\$100	No	Improved
WARRANTY DEED	05/01/1997	03241	1905	\$99,000	Yes	Improved
QUIT CLAIM DEED	04/01/1997	03239	1298	\$100	No	Vacant
WARRANTY DEED	10/01/1996	03152	0883	\$445,000	No	Vacant

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

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1997	3	2.0	7	1,650	2,113	1,650	CB/STUCCO FINISH	\$253,753	\$283,523	Description	Area
												OPEN PORCH FINISHED	49.00
												GARAGE FINISHED	414.00



Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
01667	6' HIGH WOOD FENCE	County	\$1,100		3/1/1999
00724		County	\$120,896	4/28/1997	2/1/1997
01833	2583 ALAMOSA PL: WINDOW / DOOR REPLACEMENT- [CHASE GROVES UNIT 5A]	County	\$5,000		2/9/2024

Extra Features				
Description	Year Built	Units	Value	New Cost
PATIO NO VALUE	11/01/1997	1	\$0	

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
33.00	FPL	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	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 36 - RACHEL PLAKON		Dist 10 - Jason Brodeur		14
School Information								
Elementary School District			Middle School District			High School District		
Region 2			Millennium			Seminole		
Copyright 2024 © Seminole County Property Appraiser								

Seminole County Planning Division

March 20<sup>th</sup>, 2024

Attention: Seminole county zoning department

RE: Variance Application at 2583 Alamosa Place, Lake Mary

To whom it may concern;

This letter is to signify that we have no objection to our adjacent neighbors, Michael and Milbia Rometty, 2583 Alamosa Pl Lake Mary, Florida, building an aluminum screen room on the rear of their home. It will not adversely affect our home next door and we consent to allowing the project to be built.

Thank you,

Signed



—

Printed Name

Andrew Price

Address

2589 Alamosa Pl

Seminole County Planning Division

March 20<sup>th</sup>, 2024

Attention: Seminole county zoning department

RE: Variance Application at 2583 Alamosa Place, Lake Mary

To whom it may concern;

This letter is to signify that we have no objection to our adjacent neighbors, Michael and Milbia Rometty, 2583 Alamosa Pl Lake Mary, Florida, building an aluminum screen room on the rear of their home. It will not adversely affect our home next door and we consent to allowing the project to be built.

Thank you,

Signed

Michael R Davis

—  
Printed Name

MICHAEL R DAVIS

Address

2584 ALAMOSA PL Lake Mary

C/O Vista C.A.M.  
323 Circle Dr.  
Maitland, FL 32751

HOA approval

February 26, 2024

Michael Rometty & Milbia Hernandez-Rometty  
2583 Alamosa Place  
Lake Mary, FL 32746

RE: ARB 937 / 2583 Alamosa Place

### **ARCHITECTURAL REVIEW APPROVAL**

Dear Michael Rometty,

Congratulations! Your Architectural Application has been reviewed.

We appreciate your cooperation in submitting this Request for Approval. An attractive Community helps all of us get the full value from our homes when we decide to sell.

#### **The Application has been approved for the following:**

- patio enclosure

You must begin all work no later than six (6) months after the date of this approval letter. The work must be completed in ninety (90) days after the date of commencement. We reserve the right to make a final inspection of the change to make sure it matches the request you submitted. Please follow the plan as submitted or submit an additional request form if for any reason you cannot follow the original plan.

You must follow all local building codes and setback requirements when making this change, when applicable. A Building Permit may be needed and you are responsible for obtaining this permit if applicable. This can be applied for at the County offices. This approval should not be taken as any certification as to the construction worthiness or of structural integrity of the change you propose. Be aware that you are responsible for contacting the appropriate Utility Companies before digging.

Again, we would like to thank you for following the Architectural Review process set forth by your Community's Governing Documents, and wish you all the best with your upcoming improvement project. The enclosed document(s) are for your records, please store in a safe place. If you should have any further concerns please do not hesitate to contact this office.

Respectfully Submitted  
The Board of Directors and ARB



## **SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 6  
CHASE GROVES UNIT 5A  
PB 50 PGS 95 & 96

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

### **A. FINDINGS OF FACT**

**Property Owner:** MICHAEL & MILBIA ROMETTY  
5583 ALAMOSA PL  
LAKE MARY, FL 32746

**Project Name:** ALAMOSA PL (2583)

#### **Requested Variance:**

A rear yard setback variance from twenty (20) feet to seventeen (17) feet for a screen room addition in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

### **C. DECISION**

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 6  
CHASE GROVES UNIT 5A  
PB 50 PGS 95 & 96

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

**A. FINDINGS OF FACT**

**Property Owner:** MICHAEL & MILBIA ROMETTY  
5583 ALAMOSA PL  
LAKE MARY, FL 32746

**Project Name:** ALAMOSA PL (2583)

**Variance Approval:**

Request for a rear yard setback variance from twenty (20) feet to seventeen (17) feet for a screen room addition in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

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

## Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the screen room addition (12' x 22') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

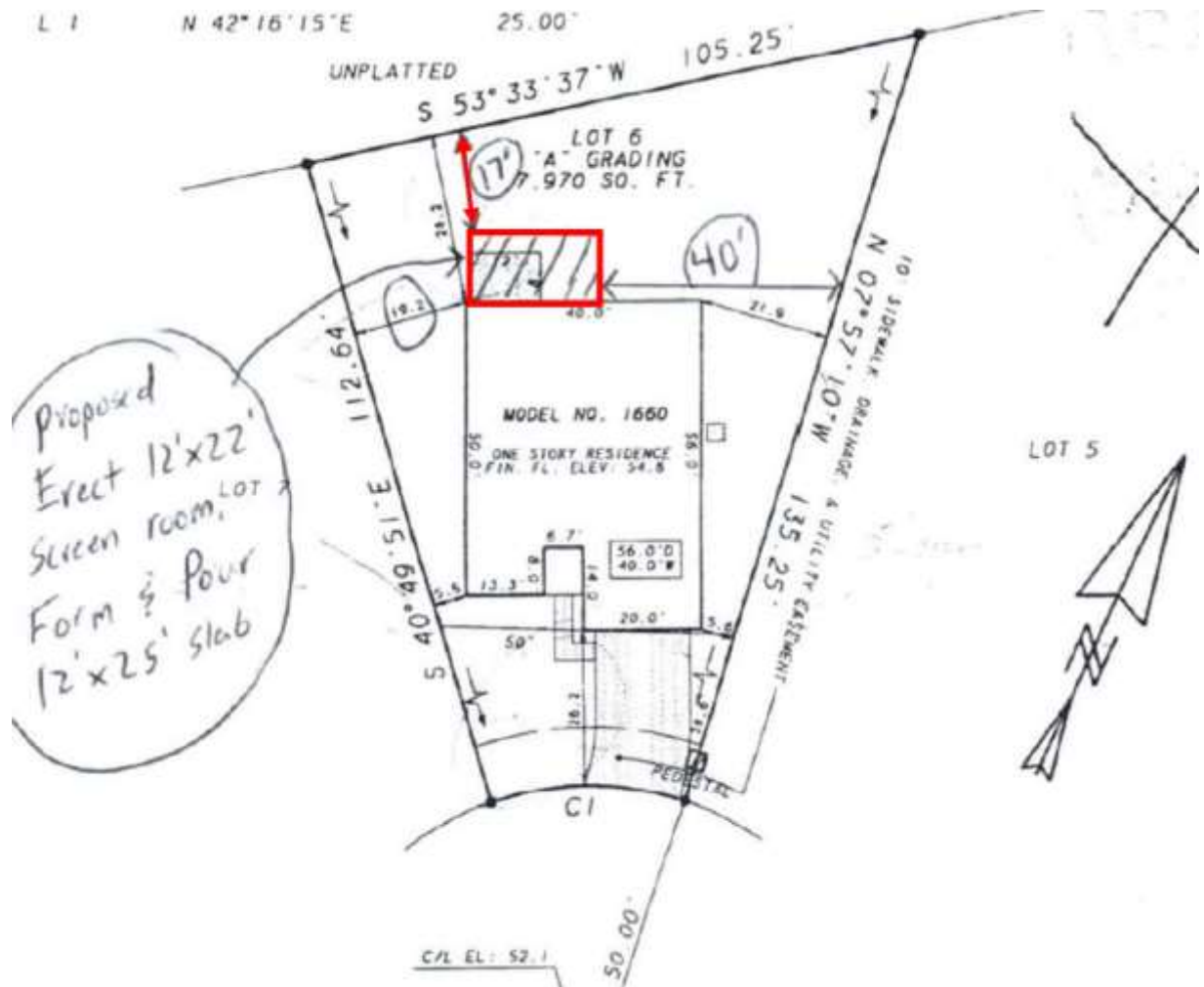
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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



EXHIBIT A  
SITE PLAN



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0610**

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**Title:**

**2449 Sipes Avenue** - Request for: (1) a rear yard setback variance from ten (10) feet to five (5) feet; and (2) a side yard (north) setback variance from seven and one-half (7.5) feet to three and one-half (3.5) feet for a shed in the R-1 (Single Family Dwelling) district; BV2024-035 (Darren Price, Applicant) District 5 - Herr (Hilary Padin, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

**Kathy Hammel**

**Contact/Phone Number:**

Hilary Padin - (407) 665-7331

**Motion/Recommendation:**

1. Deny the request for: (1) a rear yard setback variance from ten (10) feet to five (5) feet; and (2) a side yard (north) setback variance from seven and one-half (7.5) feet to three and one-half (3.5) feet for a shed in the R-1 (Single Family Dwelling) district; or
2. Approve the request for: (1) a rear yard setback variance from ten (10) feet to five (5) feet; and (2) a side yard (north) setback variance from seven and one-half (7.5) feet to three and one-half (3.5) feet for a shed in the R-1 (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Packards 1<sup>st</sup> Addition to Midway subdivision.
- A Code Enforcement violation (24-44) was issued for the shed located in the setbacks, resulting in the necessity of this variance.
- The request is to bring into compliance the construction of an eight (8) foot by

ten (10) foot shed five (5) feet into the rear yard setback and four (4) feet into the north side yard setback.

- The requests are for variances to Section 30.7.3.1 of the Seminole County Land Development Code, which states that detached accessory structures under 200 square feet in size and twelve (12) feet in height have a ten (10) foot rear yard setback and a seven and one-half (7.5) foot side yard setback.
- The rear of the property abuts an eight (8) foot alley with a church on the other side of it and a vacant parcel owned by the church on the north side.
- There have not been prior variances for the subject property.
- The subject property is located within the Midway Target Area.

**Staff Findings:**

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

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

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

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

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

**Staff Conclusion:**

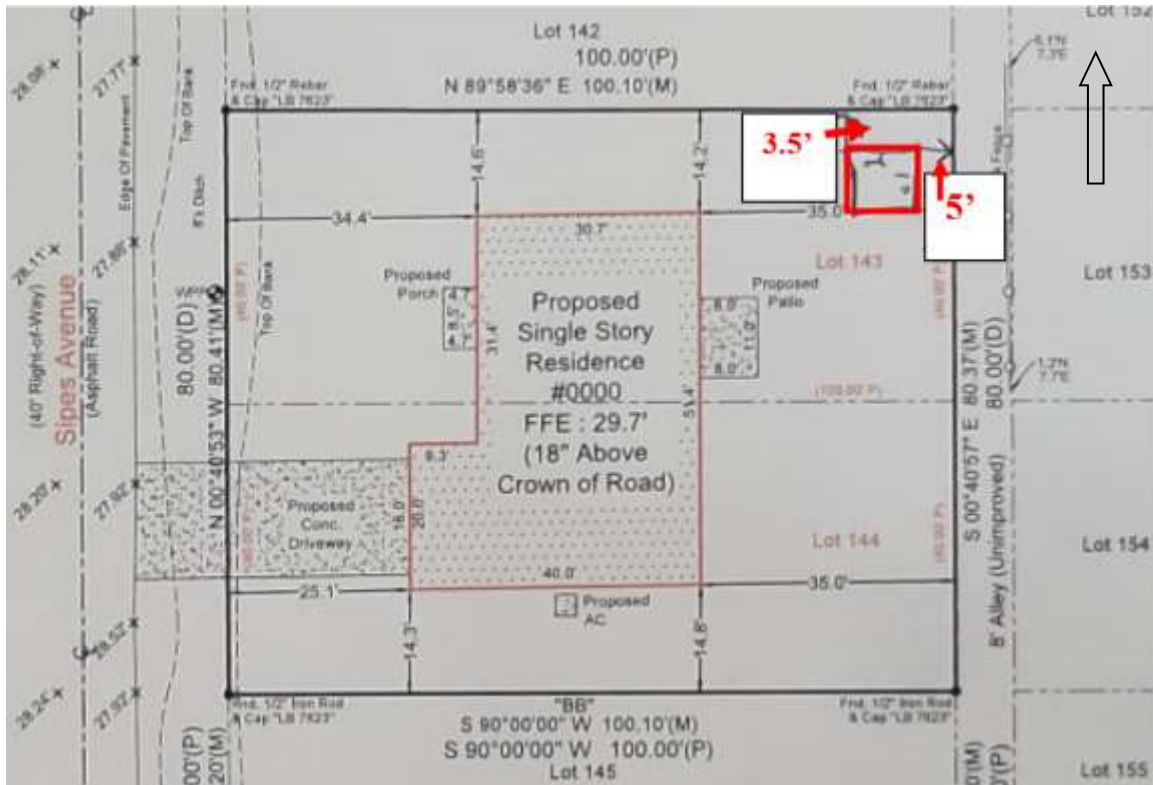
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

**Staff Recommendation:**

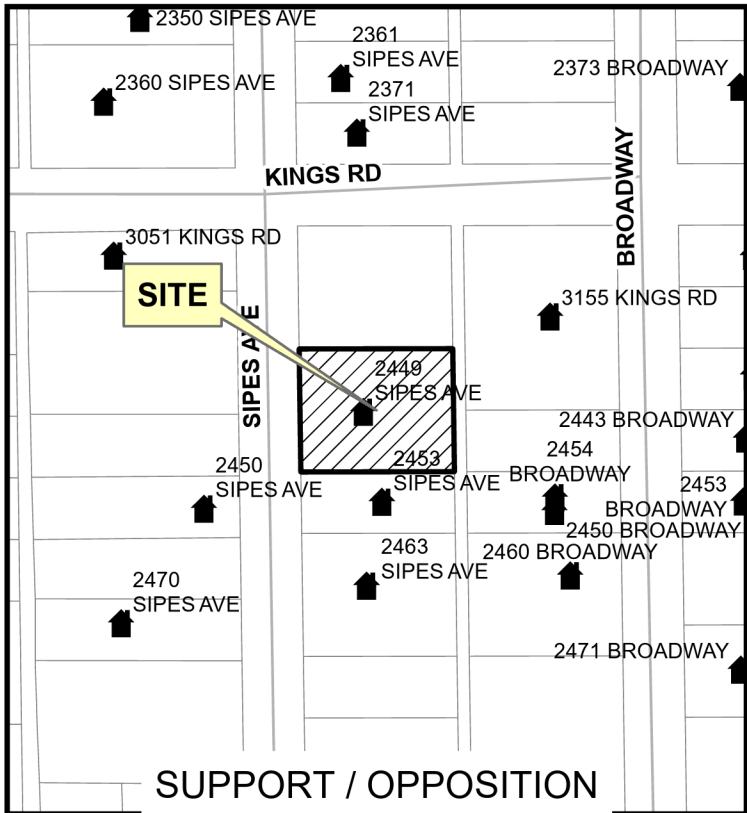
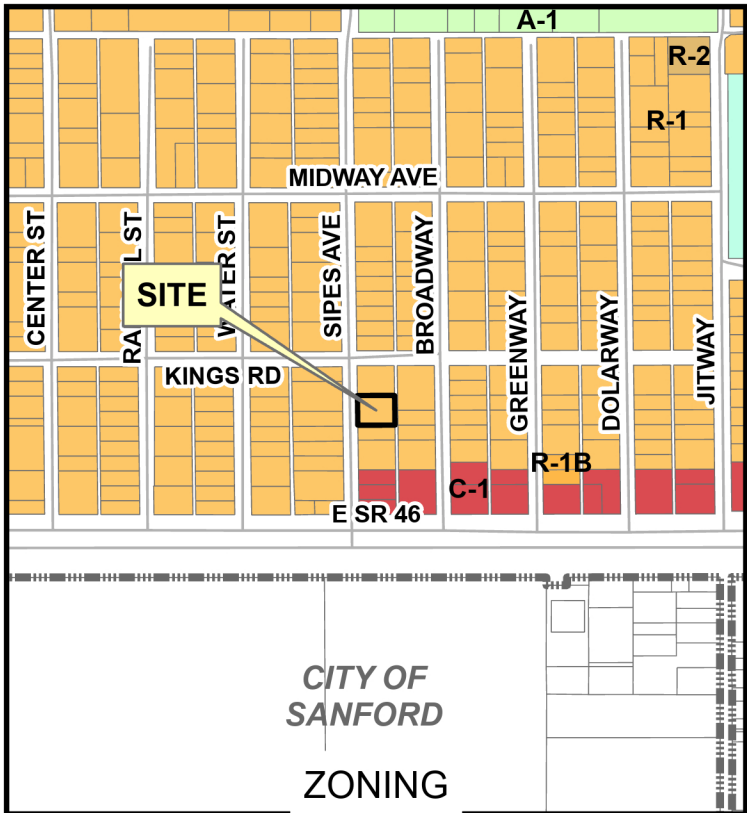
Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions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

1. Any variance granted will apply only to the shed (8' x 10') 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.

# SIPES AVE (2449) VARIANCES







**DARREN PRICE LL**  
**2449 SIPES AVE**  
**SANFORD, FL 32771**

**SEMINOLE COUNTY**  
**BOARD OF ADJUSTMENT**  
**MAY 20, 2024**

**LEGEND**

Municipality	R-2
A-1	C-1
R-1	PLI
R-1B	





## 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.

At 2449 Sipes, there is an above ground Septic tank in the backyard. Building on top of the Septic tank is an option that is not available. Unfortunately, the septic tank reduces available square footage to locate a shed. If setbacks are met, little room for

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

The septic tank was installed prior to my involvement with the home.

backyard  
will remain

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.

When purchasing a home, I searched with intent for a home with a backyard. Now that my backyard has transformed from a dream to reality, I am being asked to move my shed into a location that will remove my right to an open backyard

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.

If the Setback numbers are met then my animals and I will not have a backyard to enjoy as the shed will be in the center of my yard. Meeting setback will deprive me of a yard, one of the priorities I had when I was

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

In allowing this variance to take place, I will have a backyard for my dog to run around, a garden to produce fresh veggies, and space for my family to gather. I believe everyone deserves a backyard and the septic/hill

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

I have a fence between the property line and my shed. The shed is on my property and no where near hinging on to someone else's property. There is also 3 1/2 feet of walking space between the side property fence and shed. I have at least 4 feet of walking space between the back property fence and the shed.



# Property Record Card

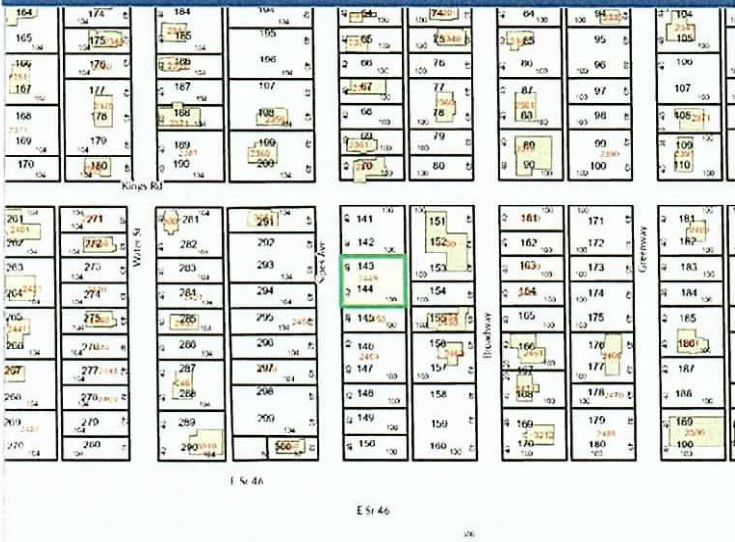


Parcel 33-19-31-507-0000-1430

Property Address 2449 SIPES AVE SANFORD, FL 32771

## Parcel Location

## Site View



33193150700001430 05/11/2023

## Parcel Information

## Value Summary

	Parcel	33-19-31-507-0000-1430	2024 Working Values		2023 Certified Values	
			Cost/Market		Cost/Market	
Owner(s)	PRICE, DARREN T II					
Property Address	2449 SIPES AVE SANFORD, FL 32771					
Mailing	2449 SIPES AVE SANFORD, FL 32771-9635					
Subdivision Name	PACKARDS 1ST ADD TO MIDWAY					
Tax District	01-COUNTY-TX DIST 1					
DOR Use Code	01-SINGLE FAMILY					
Exemptions	None					
AG Classification	No					
Valuation Method						
Number of Buildings			1		1	
Depreciated Bldg Value			\$225,695		\$203,164	
Depreciated EXFT Value						
Land Value (Market)			\$45,864		\$42,336	
Land Value Ag						
Just/Market Value			\$271,559		\$245,500	
Portability Adj						
Save Our Homes Adj			\$0		\$0	
Non-Hx 10% Cap (AMD 1)			\$1,509		\$0	
P&G Adj			\$0		\$0	
Assessed Value			\$270,050		\$245,500	

## 2023 Certified Tax Summary

2023 Tax Amount w/o Exemptions/Cap	\$3,267.11
2023 Tax Bill Amount	\$3,267.11

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

LOTS 143 + 144  
J O PACKARDS 1ST ADD TO  
MIDWAY  
PB 2 PG 104



## Taxes

Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$270,050	\$0	\$270,050
SJWM(Saint Johns Water Management)	\$270,050	\$0	\$270,050
FIRE	\$270,050	\$0	\$270,050
COUNTY GENERAL FUND	\$270,050	\$0	\$270,050
Schools	\$271,559	\$0	\$271,559

## Sales

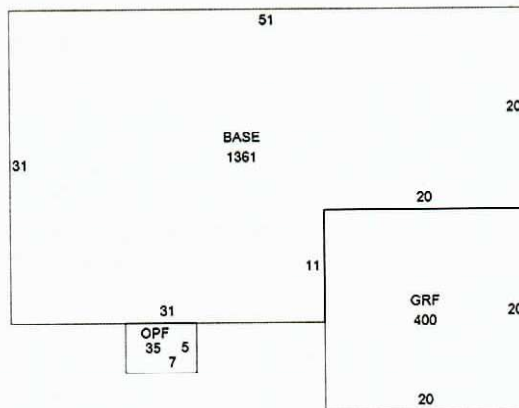
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	05/11/2022	10237	1984	\$315,000	Yes	Improved
WARRANTY DEED	03/09/2021	09868	1736	\$27,000	Yes	Vacant
QUIT CLAIM DEED	04/01/2006	06224	1654	\$100	No	Vacant
ADMINISTRATIVE DEED	09/01/1994	02827	1670	\$100	No	Vacant
PROBATE RECORDS	03/01/1994	02747	1490	\$100	No	Vacant
WARRANTY DEED	01/01/1977	01118	0781	\$1,000	No	Vacant

## Land

Method	Frontage	Depth	Units	Units Price	Land Value
FRONT FOOT & DEPTH	84.00	104.00	1	\$650.00	\$45,864

## Building Information

#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	2022	3	2.0	6	1,361	1,796	1,361	CB/STUCCO FINISH	\$225,695	\$226,829	Description	Area
												GARAGE FINISHED	400.00
												OPEN PORCH FINISHED	35.00



Building 1 - Page 1

\*\* Year Built (Actual / Effective)

## Permits

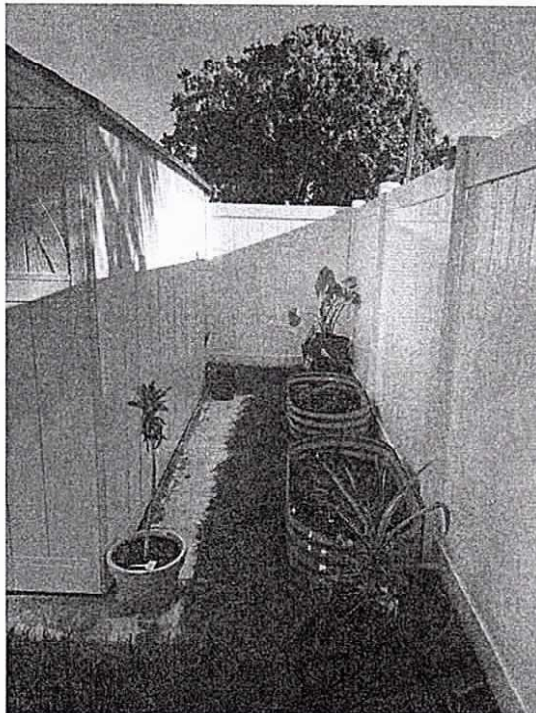
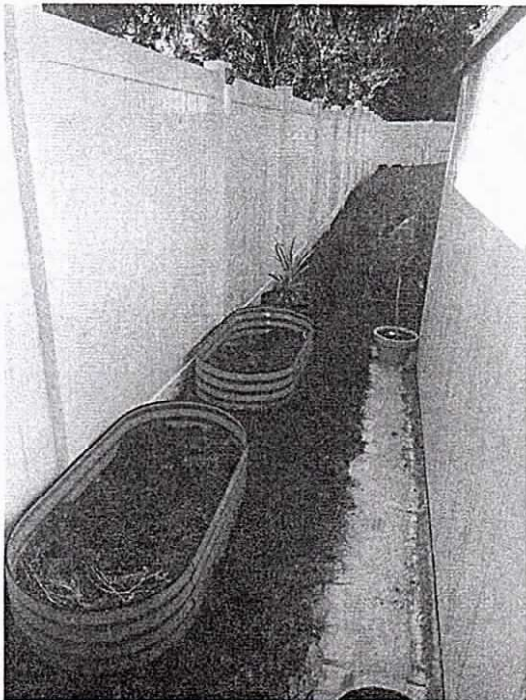
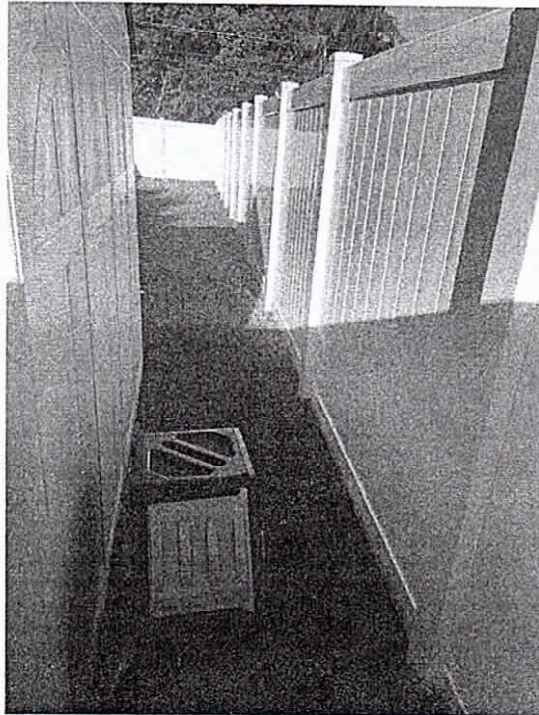
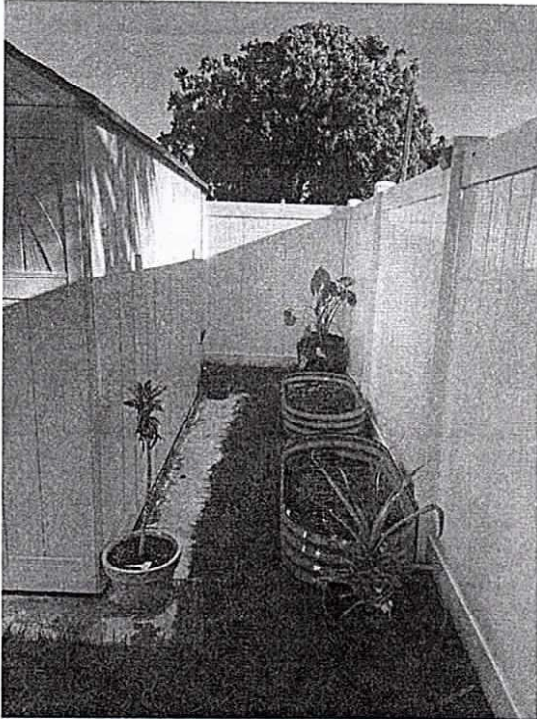
Permit #	Description	Agency	Amount	CO Date	Permit Date
10182	2449 SIPES AVE: SINGLE FAMILY DETACHED-New SFR [PACKARDS 1ST ADD TO MIDWA]	County	\$207,639	2/28/2022	7/27/2021

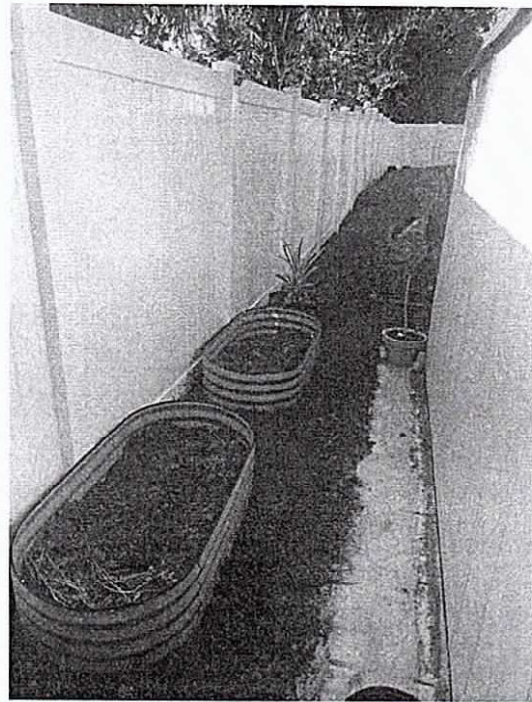
## Extra Features

Description	Year Built	Units	Value	New Cost
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Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
R-1		Low Density Residential		LDR		Single Family-8400		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
41.00	FPL	AT&T	MIDWAY CANAAN UTILITIES	MIDWAY CANAAN UTILITIES	TUE/FRI	TUE	WED	WASTE PRO
Political Representation								
Commisioner		US Congress		State House		State Senate		Voting Precinct
Dist 5 - Andria Herr		Dist 7 - Cory Mills		Dist 36 - RACHEL PLAKON		Dist 10 - Jason Brodeur		10
School Information								
Elementary School District			Middle School District			High School District		
Region 3			Millennium			Seminole		
Copyright 2024 © Seminole County Property Appraiser								









**SEMINOLE COUNTY  
DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOTS 143 + 144  
J O PACKARDS 1ST ADD TO  
MIDWAY  
PB 2 PG 104

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

**A. FINDINGS OF FACT**

**Property Owner:** DARREN PRICE  
2449 SIPES AVE  
SANFORD, FL 32771

**Project Name:** SIPES AVE (2449)

**Requested Variances:**

(1) A rear yard setback variance from ten (10) feet to five (5) feet; and (2) a side yard (north) setback variance from seven and one-half (7.5) feet to three and one-half (3.5) feet for a shed in the R-1 (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, 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 a shed within the side and rear yard setbacks. The Board of Adjustment has found and determined that one or more of the six (6) criteria under the Seminole County Land Development Code for granting a variance have not been satisfied and that failure to grant the variances 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 variances.

**C. DECISION**

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

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

By: \_\_\_\_\_

Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOTS 143 + 144  
J O PACKARDS 1ST ADD TO  
MIDWAY  
PB 2 PG 104

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

**A. FINDINGS OF FACT**

**Property Owner:** DARREN PRICE  
2449 SIPES AVE  
SANFORD, FL 32771

**Project Name:** SIPES AVE (2449)

**Variance Approval:**

Request for: (1) a rear yard setback variance from ten (10) feet to five (5) feet; and (2) a side yard (north) setback variance from seven and one-half (7.5) feet to three and one-half (3.5) feet for a shed in the R-1 (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

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

### Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the shed (8' x 10') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

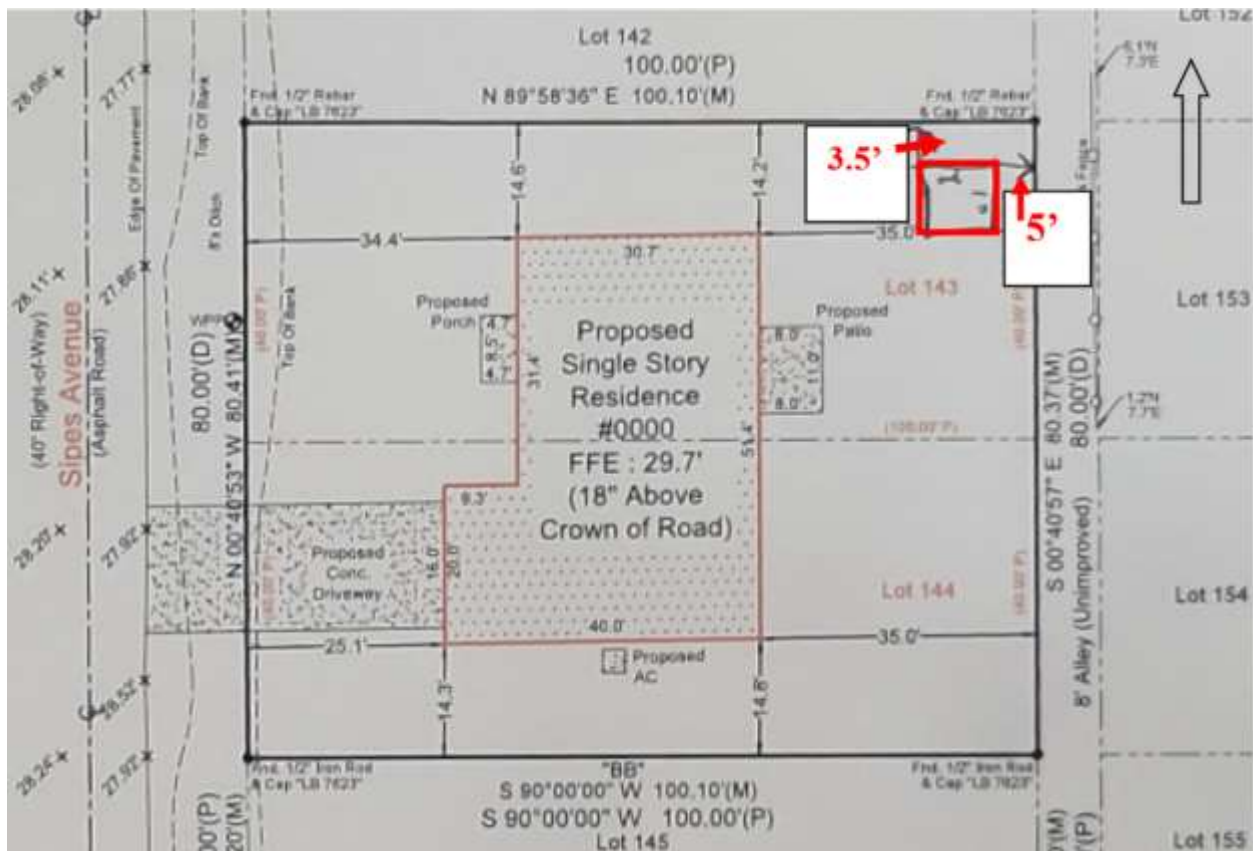
**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of June, 2024.

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

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



# EXHIBIT A SITE PLAN





# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0612**

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**Title:**

**618 Trailwood Drive** - Request for a front yard setback variance from twenty-five (25) feet to nineteen (19) feet for a garage addition in the R-1A (Single Family Dwelling) district; BV2024-043 (Johnny Butts, 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 front yard setback variance from twenty-five (25) feet to nineteen (19) feet for a garage addition in the R-1A (Single Family Dwelling) district; or
2. Approve the request for a front yard setback variance from twenty-five (25) feet to nineteen (19) feet for a garage addition 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 Trailwood Estates subdivision.
- The request is to construct a nine (9) foot by twenty-one (21) foot garage addition approximately six (6) feet into the front yard setback.
- The request is for a variance to Section 30.7.3.1 of the Seminole County Land Development Code, which states that the front yard setback is twenty-five (25) feet.
- The distance of nineteen (19) feet would be close to the minimum recommended between the proposed garage and the front property line to allow for a car to

park in the driveway without interfering with the existing sidewalk.

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

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

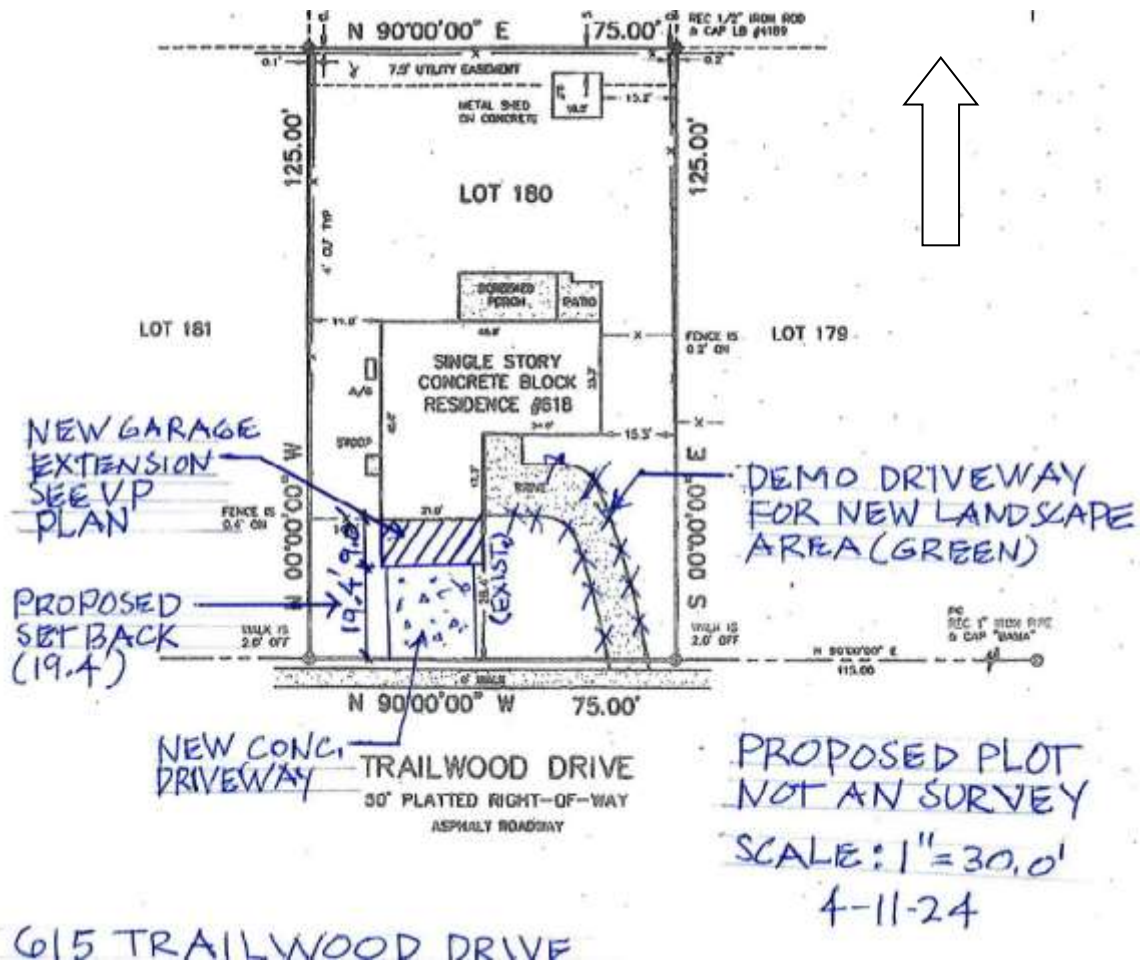
**Staff Recommendation:**

Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under

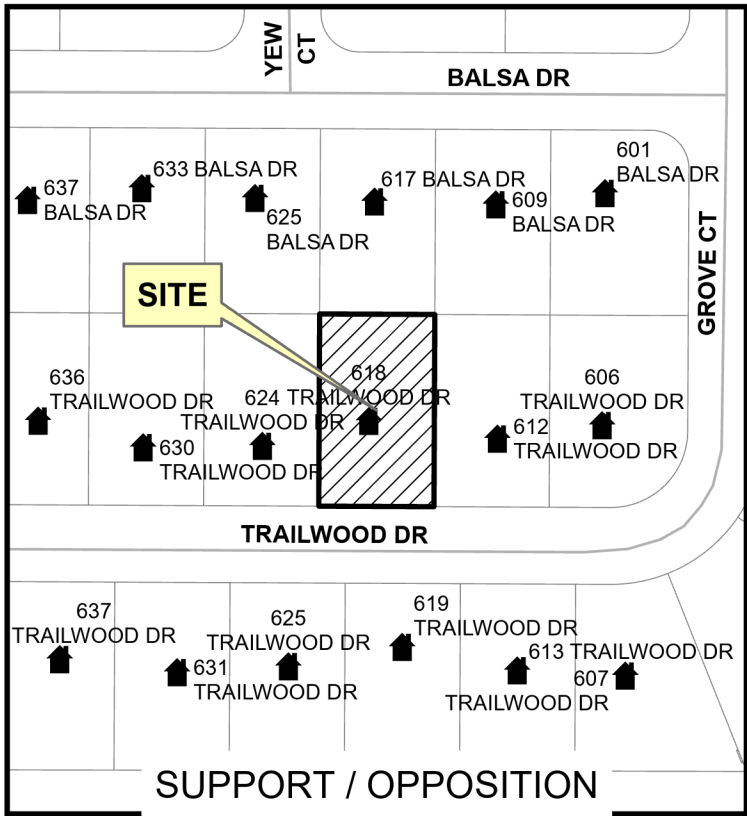
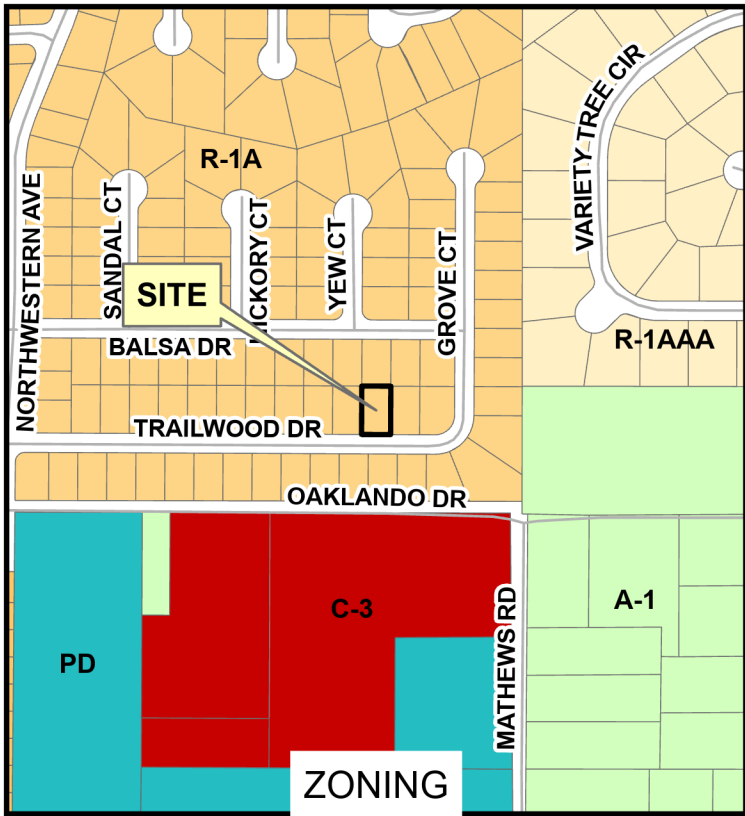
Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the garage addition (9' x 21') 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.

# TRAILWOOD DR (618) VARIANCES

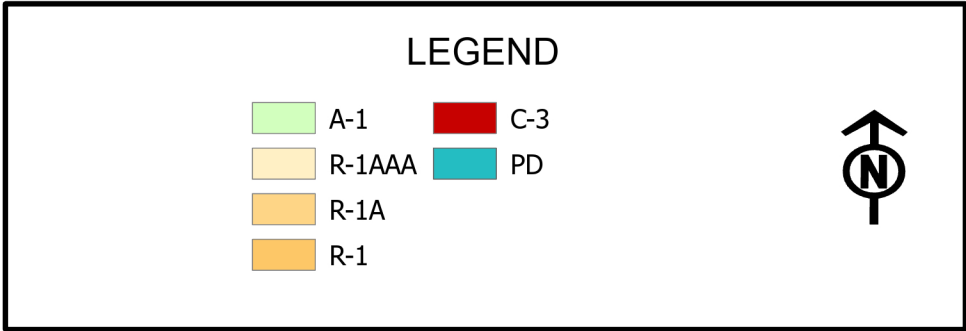






**JOHNNY BUTTS**  
**618 TRAILWOOD DR**  
**ALTAMONTE SPRINGS, FL 32714**

**SEMINOLE COUNTY**  
**BOARD OF ADJUSTMENT**  
**MAY 20, 2024**





## 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 BUILDING EXTENSION OF GARAGE WILL NOT BE OUT OF ALIGNMENT WITH TO SFR ALREADY EXTENDED ON THIS STREET.

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

EXISTING ONE CAR GARAGE TOO

SMALL FOR PARKING IN WITH LAWN MOVER AND GYM EQUIPMENT ETC, DUE TO HEALTH CONDITION ETC, ALWAYS GETTING OUT OF VEHICLE IN THE RAIN.

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.

EXISTING SFR ON SAME SIDE OF STREET EXTEND OUT TOWARDS STREET, SAME AS OTHERS LOTS TO THE LEFT OF MY PROPERTY.

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 EXTENSION WILL ALIGN UP TO OTHER SFR ON THE SAME SIDE OF THE STREET, ABOUT FIVE LOTS TO THE LEFT OF MY PROPERTY.

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

THE 9 FEET EXTENSION OF GARAGE WILL ALIGN WITH OTHER SFR ON THE SAME SIDE OF STREET, TO THE LEFT OF MY 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.

THE 9 FEET EXTENSION OF GARAGE WILL ALIGN UP TO OTHER SFR ON THE SAME SIDE OF STREET, TO THE LEFT OF MY PROPERTY.



# Property Record Card



**Parcel** 21-21-29-5CN-0000-1800

**Property Address** 618 TRAILWOOD DR ALTAMONTE SPRINGS, FL 32714

## Parcel Location



## Site View



## Parcel Information

<b>Parcel</b>	21-21-29-5CN-0000-1800
<b>Owner(s)</b>	BUTTS, JOHNNY SR
<b>Property Address</b>	618 TRAILWOOD DR ALTAMONTE SPRINGS, FL 32714
<b>Mailing</b>	618 TRAILWOOD DR ALTAMONTE SPG, FL 32714-1455
<b>Subdivision Name</b>	TRAILWOOD ESTATES SEC 1
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(1999)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$175,997	\$145,365
<b>Depreciated EXFT Value</b>	\$1,400	\$1,200
<b>Land Value (Market)</b>	\$85,000	\$75,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$262,397	\$221,565
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$168,555	\$130,456
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$93,842	\$91,109

## 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Exemptions</b>	\$2,948.59	<b>2023 Tax Savings with Exemptions</b>	\$2,333.60
<b>2023 Tax Bill Amount</b>	\$614.99		

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

LOT 180  
TRAILWOOD ESTATES SEC 1  
PB 16 PG 28

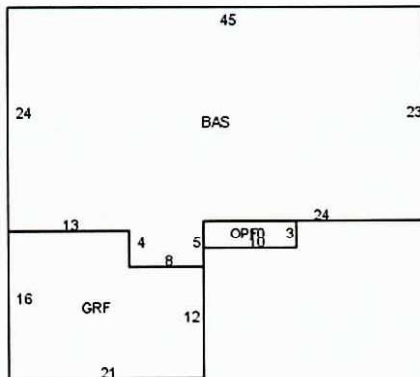


Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$93,842	\$55,000	\$38,842
SJWM(Saint Johns Water Management)	\$93,842	\$55,000	\$38,842
FIRE	\$93,842	\$55,000	\$38,842
COUNTY GENERAL FUND	\$93,842	\$55,000	\$38,842
Schools	\$93,842	\$30,000	\$63,842

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
QUIT CLAIM DEED	07/01/2016	08739	0878	\$100	No	Improved
WARRANTY DEED	04/01/1998	03416	0306	\$72,200	Yes	Improved
WARRANTY DEED	11/01/1995	02997	1294	\$66,000	No	Improved
TRUSTEE DEED	06/01/1993	02614	1156	\$49,900	No	Improved
QUIT CLAIM DEED	04/01/1993	02571	1813	\$100	No	Improved
WARRANTY DEED	01/01/1976	01093	1211	\$24,500	Yes	Improved
WARRANTY DEED	01/01/1972	00930	0049	\$18,100	Yes	Improved

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

Building Information												
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages
1	SINGLE FAMILY	1972/1992	2	2.0	6	1,088	1,422	1,088	CONC BLOCK	\$175,997	\$202,878	<div><div>Description</div><div>Area</div><div>OPEN PORCH</div><div>FINISHED</div><div>30.00</div><div>GARAGE FINISHED</div><div>304.00</div></div>



Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
01321	GFI & SMOKE DETECTOR	County	\$300		2/1/1998
07961	MECHANICAL & CONDENSOR	County	\$1,932		8/1/2002
05270	REROOF	County	\$6,425		5/14/2015
07765	618 TRAILWOOD DR: ELECTRICAL - RESIDENTIAL- [TRAILWOOD ESTATES SEC 1]	County	\$6,590		5/30/2019
08193	618 TRAILWOOD DR: MECHANICAL - RESIDENTIAL-SFR [TRAILWOOD ESTATES SEC 1]	County	\$9,105		6/27/2019

Extra Features								
Description			Year Built		Units		Value	New Cost
SCREEN PATIO 1			10/01/1990		1		\$1,400	\$3,500
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
13.00	DUKE	CENTURY LINK	SUNSHINE WATER SERVICES	SUNSHINE WATER SERVICES	TUE/FRI	WED	NO SERVICE	Waste Management
Political Representation								
Commissioner		US Congress	State House		State Senate		Voting Precinct	
Dist 3 - Lee Constantine		Dist 7 - Cory Mills	Dist 38 - DAVID SMITH		Dist 10 - Jason Brodeur		53	
School Information								
Elementary School District			Middle School District			High School District		
Spring Lake			Teague			Lake Brantley		
Copyright 2024 © Seminole County Property Appraiser								



Hi THIS IS MR. JOHNNY BUTTS. I'm WRITING  
this LETTER to get APPROVAL for a VARIANCE  
SO I CAN ENLARGE my garage to be able  
to get in and out of my CAR in the RAIN  
due to my disabilities and being disabled  
due to hip REPLACEMENT and back SURGERY  
and having to walk with a walking device and  
living in this AREA OVER 20 YEARS. SEEING  
approvals made on VARIANCE and SETBACK  
many of times I am hoping you all APPROVE  
me for a good cause.

Johnny Butts

## **SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 180  
TRAILWOOD ESTATES SEC 1  
PB 16 PG 28

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

### **A. FINDINGS OF FACT**

**Property Owner:** JOHNNY BUTTS  
618 TRAILWOOD DR  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** TRAILWOOD DR (618)

#### **Requested Variance:**

A front yard setback variance from twenty-five (25) feet to nineteen (19) feet for a garage addition in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

Approval was sought to construct a garage addition within the 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: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 180  
TRAILWOOD ESTATES SEC 1  
PB 16 PG 28

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

**A. FINDINGS OF FACT**

**Property Owner:** JOHNNY BUTTS  
618 TRAILWOOD DR  
ALTAMONTE SPRINGS, FL 32714

**Project Name:** TRAILWOOD DR (618)

**Variance Approval:**

Request for a front yard setback variance from twenty-five (25) feet to nineteen (19) feet for a garage addition in the R-1A (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

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

## Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the garage addition (9' x 21') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.



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

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

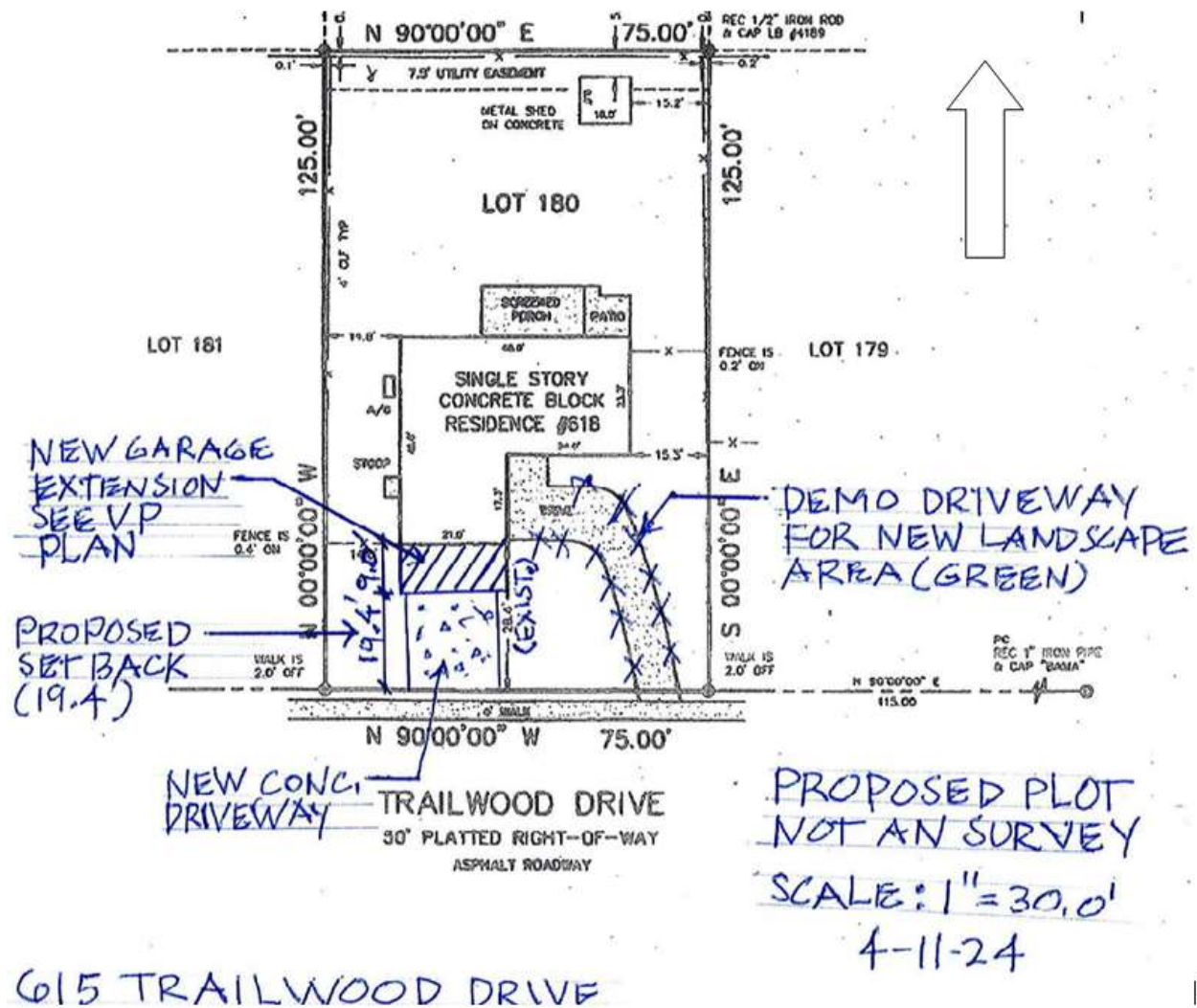
**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

EXHIBIT A  
SITE PLAN



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0614**

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### **Title:**

**304 N. Jungle Road** - Request for: (1) a lot size variance from five (5) acres to 23,100 square feet; and (2) a width at the building line variance from 150 feet to 110 feet for a single-family residence in the A-5 (Rural 5) district; BV2024-044 (Brett Baxter, Applicant) District 2 - Zembower (Hilary Padin, Project Manager)

### **Department/Division:**

Development Services - Planning and Development

### **Authorized By:**

Kathy Hammel

### **Contact/Phone Number:**

Hilary Padin - (407) 665-7331

### **Motion/Recommendation:**

1. Approve the request for: (1) a lot size variance from five (5) acres to 23,100 square feet; and (2) a width at the building line variance from 150 feet to 110 feet for a single-family residence in the A-5 (Rural 5) district; or
2. Deny the request for: (1) a lot size variance from five (5) acres to 23,100 square feet; and (2) a width at the building line variance from 150 feet to 110 feet for a single-family residence in the A-5 (Rural 5) district; or
3. Continue the request to a time and date certain.

### **Background:**

- The requests are for a lot size variance from five (5) acres to 23,100 square feet and a lot width variance from 150 feet to 110 feet to construct a single-family home.
- The parcel is a parcel of record prior to the adoption of the Land Development Code in 1960. When the Land Development Code was adopted, this property was assigned an A-1 zoning classification, which allowed for 100 foot wide lots on 10,000 square feet, which has since been amended leaving this property to

no longer meet the requirement.

- The property abuts two (2) similarly portioned developed parcels on the north and south sides, constructed in 1963 and 1979, and a developed ten (10) acre parcel in the rear.
- The request is for a variance to Section 30.7.3.2 of the Seminole County Land Development Code, which states that the minimum area required is five (5) acres and the minimum width at the building line is 150 feet.
- There have not been prior variances for the subject property.

### **Staff Findings:**

The applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance as listed below:

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

Staff finds that the following variance criteria have been satisfied:

This parcel is a legal parcel of record, along with other non-conforming lots around it, established prior to the subdivision regulations; therefore, special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other lands, structures, or buildings in the same zoning classification (Section 30.3.3.2(b)(1)).

This parcel was created prior to the assignment of the A-5 zoning district and prior to

the ownership of the applicant; therefore, special conditions and circumstances do not result from the actions of the applicant (Section 30.3.3.2(b)(2)).

The property existed prior to the creation of the subdivision regulations and retains entitlements to be built upon; therefore, the granting of the variance requested would not confer on the applicant special privileges that are denied by Chapter 30 to other lands, buildings, or structures in the same zoning classification (Section 30.3.3.2(b)(3)).

When the Land Development Code was adopted in 1960, this property was assigned an A-1 zoning classification, which allowed for 100 foot wide lots on 10,000 square feet, which has since been amended leaving this property to no longer meet the requirement; therefore, the literal interpretation of the provisions of Chapter 30 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning classification and would work unnecessary and undue hardship on the applicant (Section 30.3.3.2(b)(4)).

This parcel is half of an acre and 110 feet wide, which exceeds the minimum requirement for the A-1 zoning district at the time the Land Development Code was enacted; therefore, the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure (Section 30.3.3.2(b)(5)).

At the implementation of the Land Development Code, the property met all requirements of the zoning district at that time; therefore, the grant of the variance will be in harmony with the general intent and purpose of Chapter 30 and would not be injurious to the neighborhood, and otherwise detrimental to the public welfare (Section 30.3.3.2(b)(6)).

**Staff Conclusion:**

Based upon the foregoing findings, the requested variance is in the public interest and failure to grant the variance would result in an unnecessary and undue hardship.

**Staff Recommendation:**

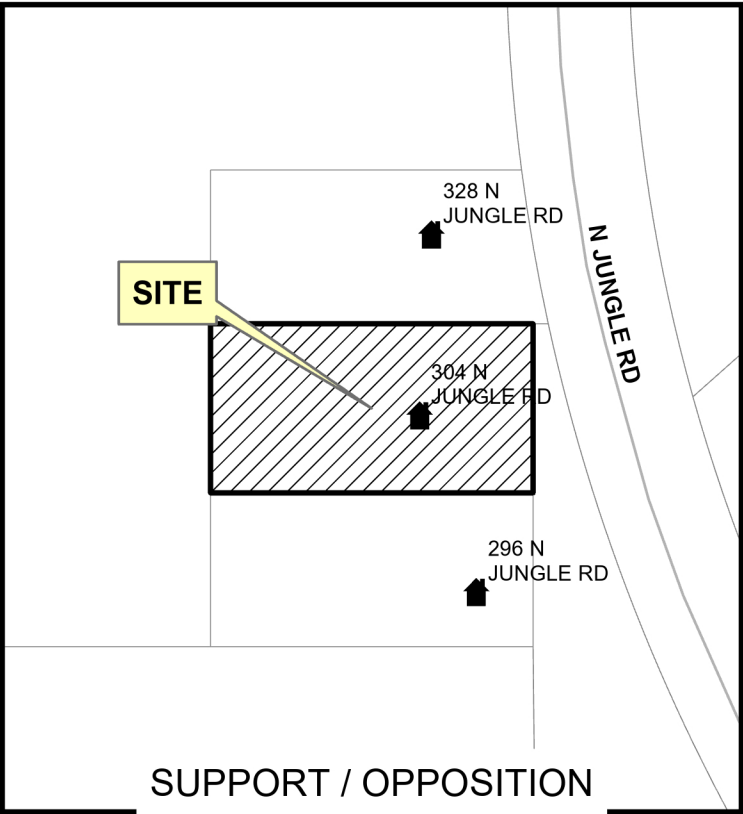
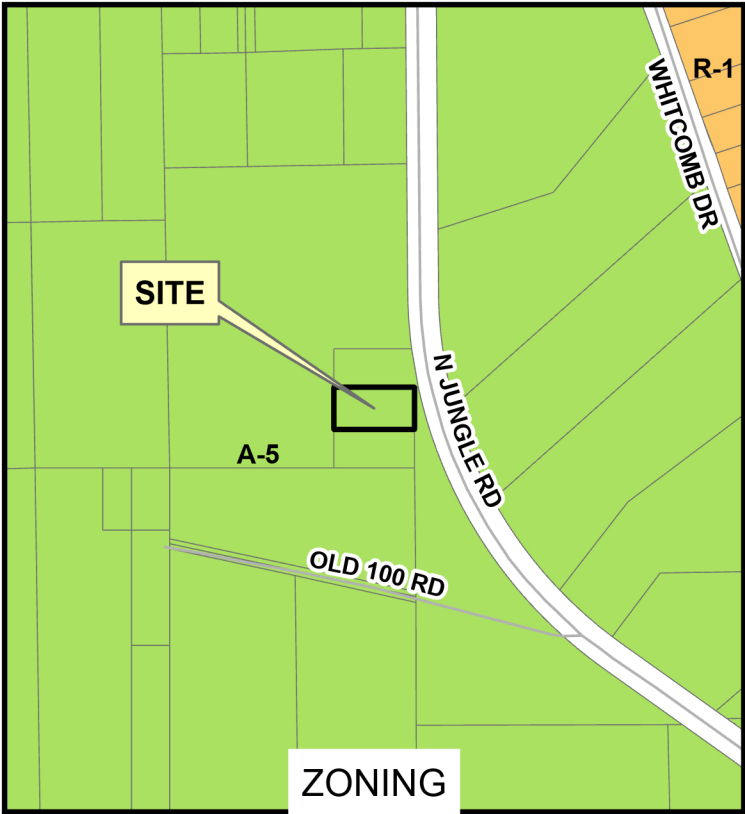
Based on the stated findings, staff recommends approval of the request, and if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions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

1. Any variance granted will apply only to the parcel (110' x 210') 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.



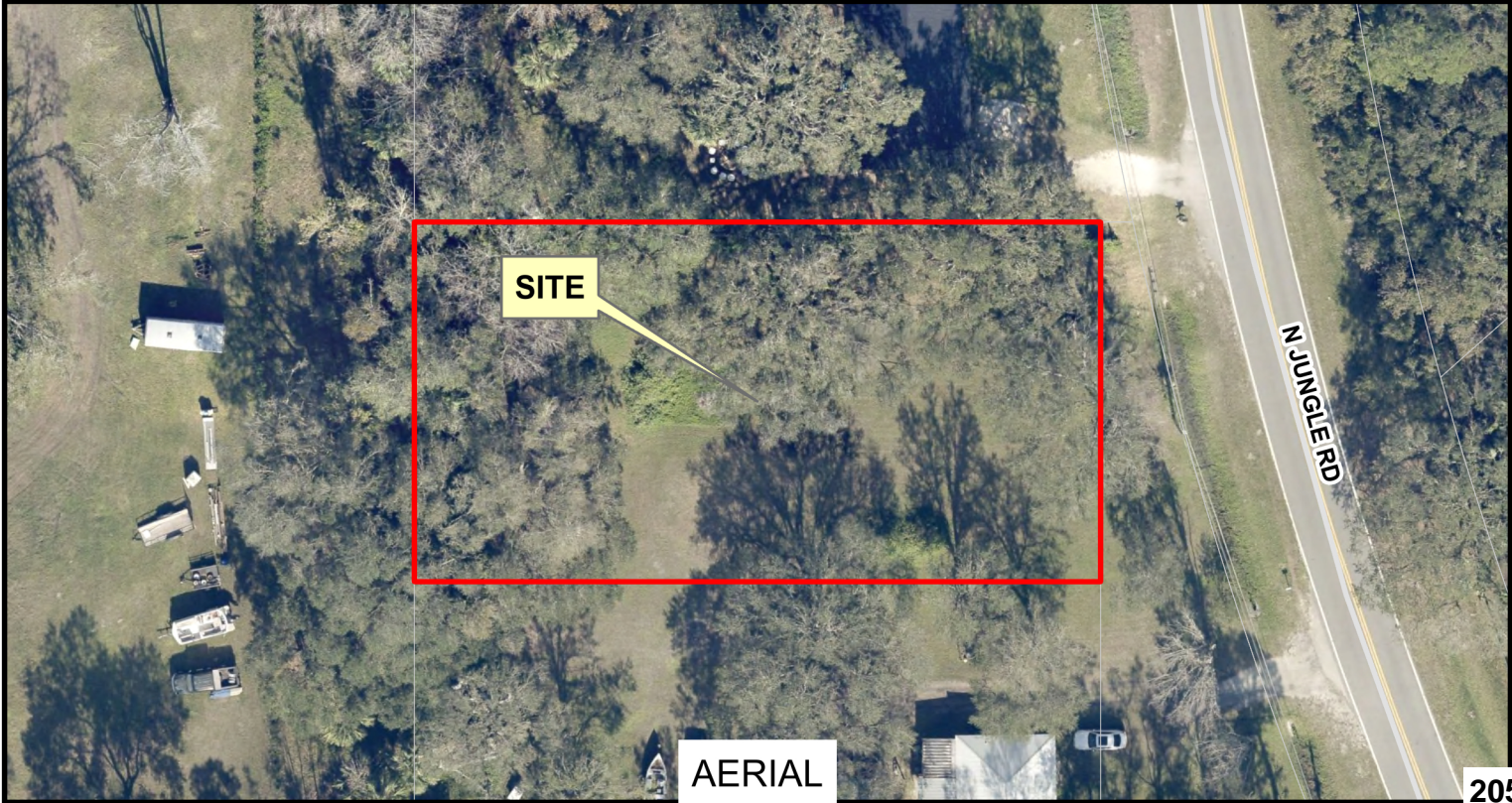
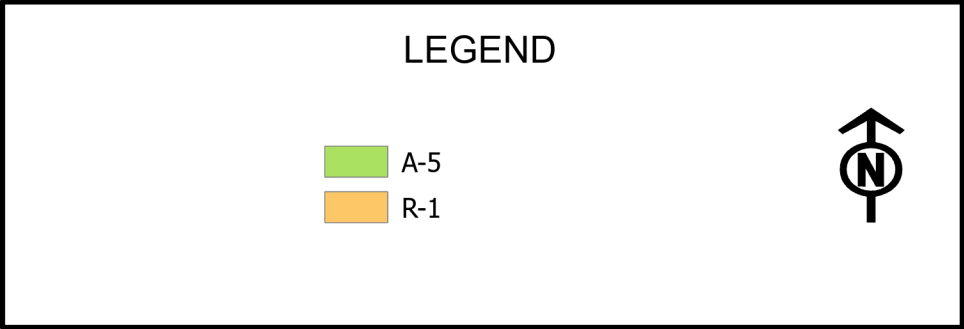






**BRETT BAXTER**  
304 N JUNGLE RD  
GENEVA, FL 32732

**SEMINOLE COUNTY**  
**BOARD OF ADJUSTMENT**  
**MAY 20, 2024**





## 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.

PROPERTY FIRST PLATTED IN 1964, WELL BEFORE SECTION 30 CREATION RESTRICTING LAND OWNER USE. PROPERTY SHALL BE CONSIDERED UNDER LEGALY PROVISIONS.

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

LOT IN QUESTION PLATTED WELL BEFORE PRESENT OWNERSHIP

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.

NO PRIVILEGE SOUGHT OTHER THAN RULES IN EFFECT AT TIME OF LOT CREATION

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.

DENYING USAGE OF PROPERTY WOULD CAUSE UNDUE HARM TO APPLICANT RELATING TO ADJACENT STRUCTURES HAVING BEEN CONSTRUCTED ON SIMILAR SIZED LOTS

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

IT WILL ALLOW RESIDENTIAL STRUCTURE ON PAR WITH EXISTING STRUCTURES ON ADJACENT LOTS

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.

VARIANCE SHOULD BE GRANTED IN THE SPIRIT OF PREVIOUS GRANDFATHERED CODES AND REGULATIONS AS WERE ADJACENT STRUCTURES AND TO BE UTILIZED AS INTENDED

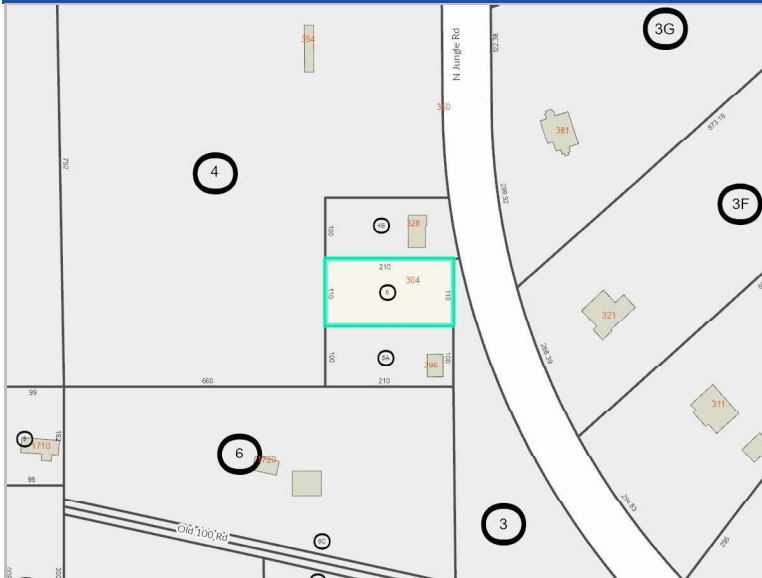
# Property Record Card



**Parcel** 23-20-32-300-0050-0000

**Property Address** 304 N JUNGLE RD GENEVA, FL 32732

## Parcel Location



## Site View

Sorry, No Image  
Available at this Time

## Parcel Information

<b>Parcel</b>	23-20-32-300-0050-0000
<b>Owner(s)</b>	BAXTER, BRETT L
<b>Property Address</b>	304 N JUNGLE RD GENEVA, FL 32732
<b>Mailing</b>	904 S STEEL BRIDGE RD EATONTON, GA 31024-8182
<b>Subdivision Name</b>	
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	00-VACANT RESIDENTIAL
<b>Exemptions</b>	None
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	0	0
<b>Depreciated Bldg Value</b>		
<b>Depreciated EXFT Value</b>		
<b>Land Value (Market)</b>	\$28,620	\$27,560
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$28,620	\$27,560
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$0	\$0
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$7
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$28,620	\$27,553

## 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Non-Hx Cap</b>	<b>\$366.77</b>	<b>2023 Tax Savings with Non-Hx Cap</b>	<b>\$0.06</b>
<b>2023 Tax Bill Amount</b>	<b>\$366.71</b>		

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

SEC 23 TWP 20S RGE 32E  
N 110 FT OF S 210 FT OF E 210 FT OF NW  
1/4 OF NE 1/4



Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$28,620	\$0	\$28,620
SJWM(Saint Johns Water Management)	\$28,620	\$0	\$28,620
FIRE	\$28,620	\$0	\$28,620
COUNTY GENERAL FUND	\$28,620	\$0	\$28,620
Schools	\$28,620	\$0	\$28,620

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
QUIT CLAIM DEED	10/01/2017	09011	0118	\$100	No	Vacant
QUIT CLAIM DEED	05/01/1979	01237	1573	\$100	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
ACREAGE	110.00	210.00	0.53	\$54,000.00	\$28,620

Building Information					
Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
08454	REROOF W/SHINGLES	County	\$2,200		7/22/2004

Extra Features				
Description	Year Built	Units	Value	New Cost

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

Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
42.00	FPL	AT&T	LAKE HARNEY WATER ASSOC.	NA	MON/THU	MON	WED	Waste Pro

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 2 - Jay Zembower	Dist 7 - Cory Mills	Dist 36 - RACHEL PLAKON	Dist 10 - Jason Brodeur	19

School Information		
Elementary School District	Middle School District	High School District
Geneva	Chiles	Oviedo

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 23 TWP 20S RGE 32E  
N 110 FT OF S 210 FT OF E 210 FT OF NW  
1/4 OF NE 1/4

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

### **A. FINDINGS OF FACT**

**Property Owner:** BRETT L BAXTER  
904 S STEEL BRIDGE  
EATONTON, GA 31024

**Project Name:** N JUNGLE RD (304)

#### **Variance Approval:**

Request for: (1) a lot size variance from five (5) acres to 23,100 square feet; and (2) a width at the building line variance from 150 feet to 110 feet for a single-family residence in the A-5 (Rural 5) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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

### Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the parcel (110' x 210') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

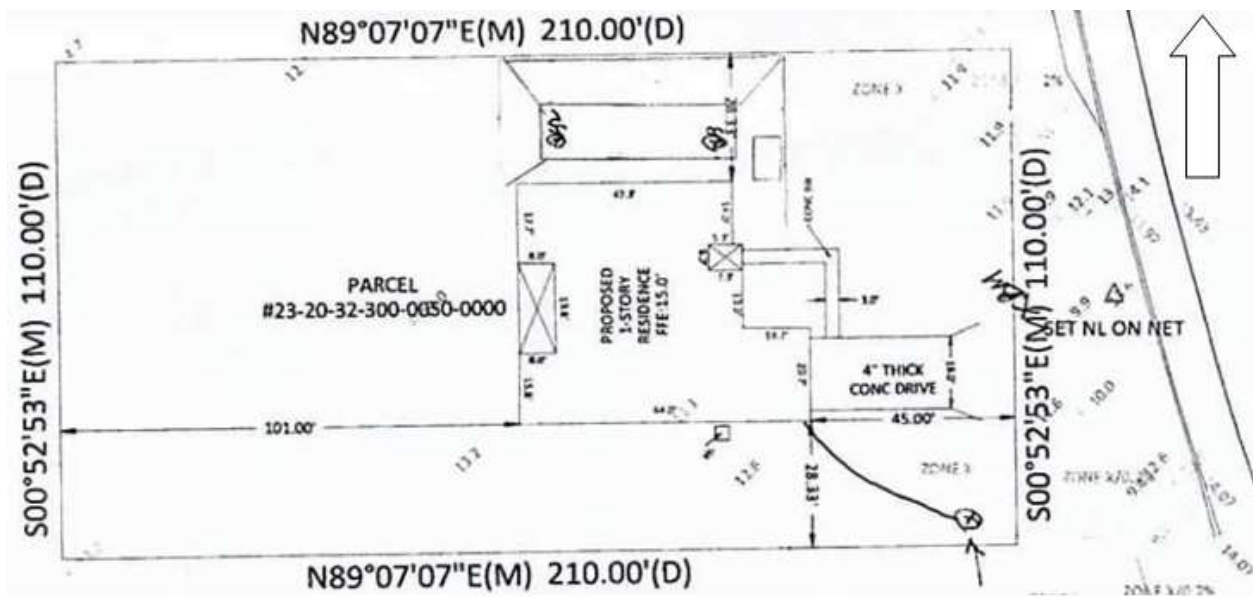
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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

# EXHIBIT A SITE PLAN





## **SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 23 TWP 20S RGE 32E  
N 110 FT OF S 210 FT OF E 210 FT OF NW  
1/4 OF NE 1/4

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

### **A. FINDINGS OF FACT**

**Property Owner:** BRETT L BAXTER  
904 S STEEL BRIDGE  
EATONTON, GA 31024

**Project Name:** N JUNGLE RD (304)

#### **Requested Variances:**

(1) A lot size variance from five (5) acres to 23,100 square feet; and (2) a width at the building line variance from 150 feet to 110 feet for a single-family residence in the A-5 (Rural 5) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

Approval was sought to construct a single family home on a parcel that is substandard in area and width. 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 variances 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 variances.

### **C. DECISION**

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0619**

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**Title:**

**618 Lake Shore Drive** - Request for a side yard (east) setback variance from ten (10) feet to six (6) feet for an addition in the R-1AA (Single Family Dwelling) district; BV2024-046 (Joseph & Sharon Sutura, Applicants) District 3 - Constantine (Hilary Padin, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

**Kathy Hammel**

**Contact/Phone Number:**

Hilary Padin - (407) 665-7331

**Motion/Recommendation:**

1. Deny the request for a side yard (east) setback variance from ten (10) feet to six (6) feet for an addition in the R-1AA (Single Family Dwelling) district; or
2. Approve the request for a side yard (east) setback variance from ten (10) feet to six (6) feet for an addition in the R-1AA (Single Family Dwelling) district; or
3. Continue the request to a time and date certain.

**Background:**

- The subject property is located in the Oakland Shores subdivision.
- The request is to construct an approximate 413 square foot bedroom and bathroom addition approximately four (4) feet into the side yard setback.
- Four (4) letters of support have been received from the surrounding neighbors.
- The request is for a variance to Section 30.7.3.1 of the Seminole County Land Development Code, which states that the side yard setback is ten (10) feet.
- There have not been prior variances for the subject property.

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

**Staff Recommendation:**

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

1. Any variance granted will apply only to the addition 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.



ISAGAKITMA

↑

LOT 11 Block H

One Story Concrete Block Addition #118

Shed Area

6'

7'

Lake Shore Drive

100' (Minimum Width)

0.83°11'40" E 25.30'(P)  
0.83°11'40" E 25.37'(M)  
216.14' (100.00')  
700'

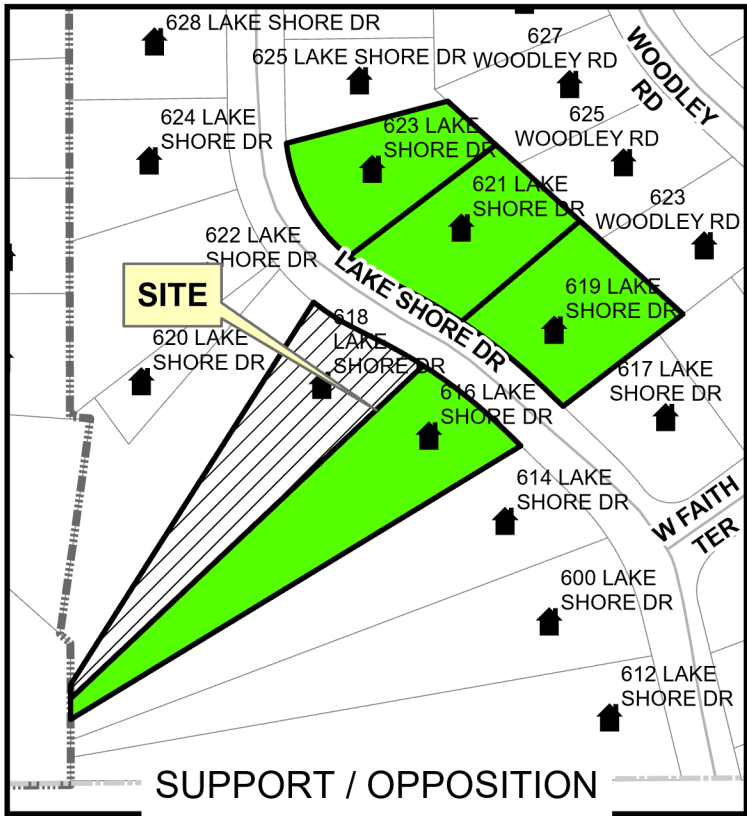
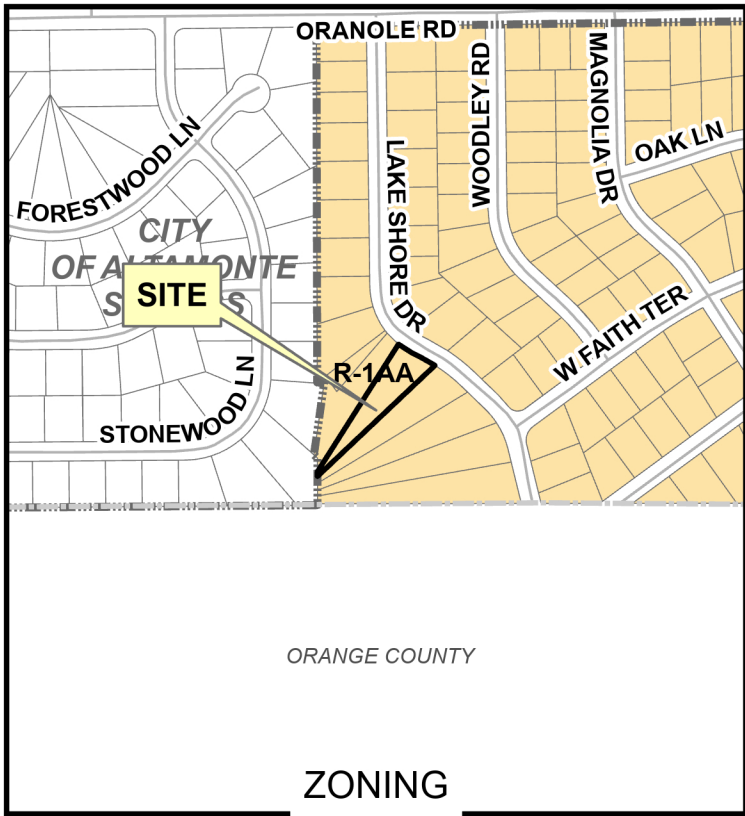
N 32°03'41" W 204.21'(P)  
N 32°03'41" W 204.23'(M) to street

Front Zone "20"

Front Zone "30"

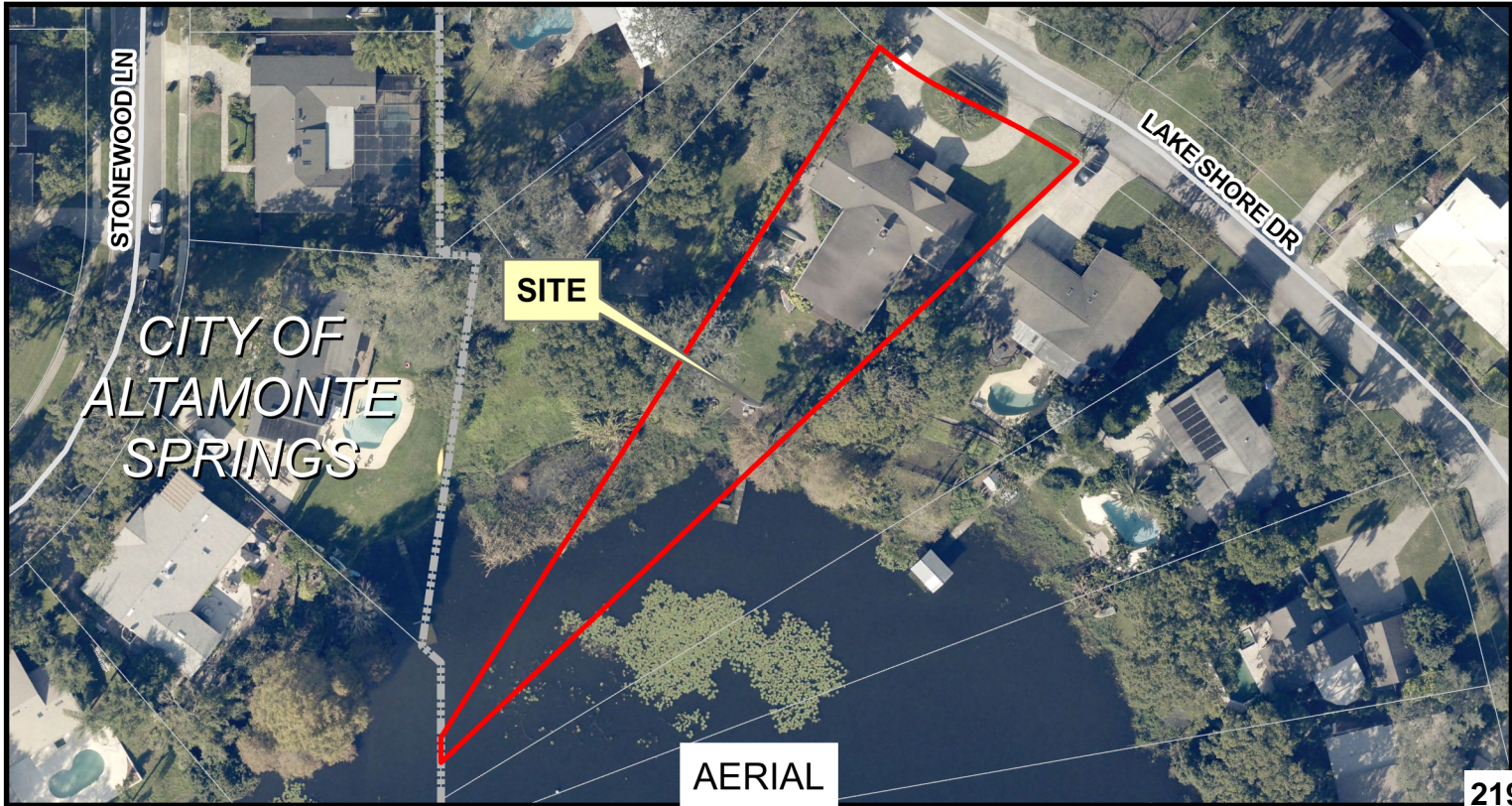
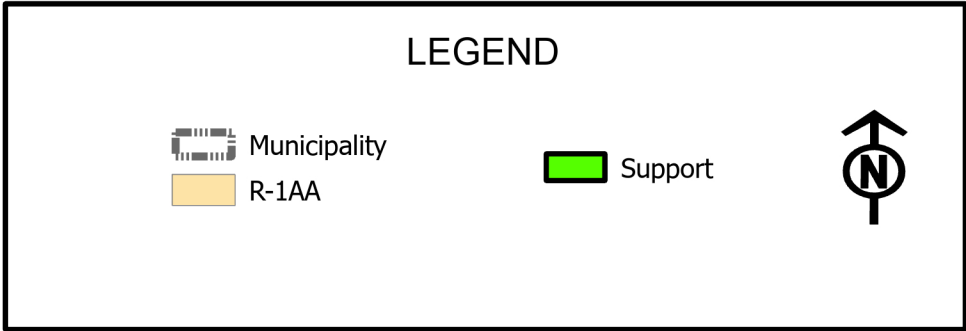
Lot 12 Block H

S 46°50'00" W 193.37'(P)  
S 46°48'00" W 420.10'(P)



**JOSEPH SUTERA &  
SHARON SUTERA  
618 LAKE SHORE DR  
MAITLAND, FL 32751**

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
MAY 20, 2024**





## 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. (SEE ATTACHMENT)
2. Describe how special conditions and circumstances that currently exist are not the result of the actions of the applicant or petitioner. (SEE ATTACHMENT)
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. (SEE ATTACHMENT)
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. (SEE ATTACHMENT)
5. Describe how the requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure. (SEE ATTACHMENT)
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. (SEE ATTACHMENT)

## VARIANCE CRITERIA #1

***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 special conditions and circumstances specific to our lot and our structure involved in this variance request are unique and distinguishable. These peculiarities include:

A. **Triangular Lot Shape:** The property in question features a triangular lot shape, which is distinct from the typical rectangular or square lots found in the surrounding area. This irregular geometry presents inherent challenges in terms of site development, setbacks, and building placement. Unlike properties with more conventional lot shapes, the triangular configuration limits the feasible options for expansion or improvement without encroaching on setback requirements.

B. **Limited Building Envelope:** Due to the triangular lot shape, the available building envelope is constrained compared to properties with more regular lot shapes. This limitation restricts the placement and size of structures on the property and necessitates careful consideration to optimize land use while adhering to zoning regulations.

C. **Neighboring Property Configurations:** The special conditions are further influenced by the configurations of neighboring properties. Adjacent easement, in our case, may impact the available space for expansion and affect setback requirements in a manner that is unique to our property. These conditions contribute to the need for a variance to accommodate the proposed improvements and make this home more suitable for senior living needs.

D. **Preservation of Existing Structure:** The existing structure on the property also contributes to the special conditions necessitating the variance request. Any constraints imposed by the location, size, or configuration of the existing building are specific to our property and may not be applicable to other properties in the same zoning district.

In summary, the special conditions, and circumstances peculiar to the lot, structure, or building involved in this variance request are primarily attributable to the triangular lot shape, limited building envelope, configurations of neighboring properties, and the existing structure on the property. These factors are creating unique challenges that distinguish our property from others in the same zoning district and necessitate a variance to enable reasonable development or improvement to make this expansion and addition senior friendly.

## VARIANCE CRITERIA #2



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

The special conditions and circumstances that currently exist, necessitating the variance request, are not the result of any actions or decisions made by the applicant or petitioner. Instead, they are inherent characteristics of the property and its surroundings, which predate the ownership or occupancy of the applicant. Several key factors contribute to these special conditions:

A. **Triangular Lot Shape:** One of the primary special conditions affecting the property is its triangular lot shape. This unique geometry creates challenges in terms of site layout, building placement, and compliance with setback requirements. The lot shape predates the applicant's ownership and is beyond their control or influence.

B. **Existing Building Configuration:** This house was built in 1959; the age, current layout, and configuration of the existing structure on the property; small bedrooms with tiny closets, and exceedingly small bathrooms, are very difficult to live with. The structure was not designed to allow seniors to move freely in those spaces. To solve this restraint and find a solution to these challenges, we are presenting this variance request for your consideration. Any limitations imposed by the existing building footprint or structural constraints are not the result of actions taken by the applicant but rather reflect the historical development of the property.

C. **Surrounding Features:** Special conditions with an easement are influencing our special setback requirements. This condition is unique in our neighborhood, independent of our actions and cannot be altered or mitigated without your permission. Many years ago, the natural superficial drain was replaced by an underground 18" corrugated metal pipe.

In summary, the special conditions and circumstances that currently exist, requiring the variance request, are inherent attributes of the property and its surroundings that predate our involvement. They are not the result of any actions or decisions made by us but rather represent external factors beyond our control. Therefore, the variance request is a reasonable response to address these special conditions and changes made to the reason the easement was put in place; and enable us to make necessary improvements to our home.

VARIANCE CRITERIA #3

**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 granting of the variance request would not confer any special privilege to the applicant that is denied by Chapter 30 to other lands, buildings, or structures in the same zoning district for several reasons:

A. Equal Treatment: The variance request is not seeking preferential treatment or special privileges. It is merely intended to allow us to make reasonable improvements to our property, consistent with the evolving needs of the occupants and the constraints of the site. All property owners in the same zoning district have the right to seek variances under similar circumstances to address unique challenges or requirements.

B. Adherence to Zoning Regulations: While the variance request involves a deviation from certain setback requirements, it is made in accordance with the established procedures and criteria outlined in Chapter 30 of the zoning regulations. We have followed due process and provided justification for the requested variance, ensuring transparency and fairness in the decision-making process.

C. No Precedent for Special Treatment: Granting the variance request would not set a precedent for special treatment or favoritism toward the applicant. Each variance request is evaluated on its own merits, considering the specific circumstances of the property and the proposed improvements. The decision to grant or deny the variance is based on objective criteria and considerations of equity and consistency.

D. Balancing Individual Needs with Zoning Objectives: The variance request is consistent with the broader objectives of zoning regulations, which seek to balance the needs of individual property owners with the goals of promoting orderly development, protecting public health and safety, and preserving the character of the neighborhood and respecting our neighbor's rights. By allowing us to undertake these improvements that comply with the spirit and intent of the zoning regulations, the variance request aligns with these objectives without conferring any undue privilege.

In summary, the granting of the variance request would not confer any special privilege to us but instead it is a measured response to address the unique circumstances of our property while upholding the principles of fairness, equity, and adherence to zoning regulations."

#### VARIANCE CRITERIA #4

***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 literal interpretation of the provisions of the zoning regulations, particularly regarding setback requirements, would result in undue hardship and deprive us of rights commonly enjoyed by other properties in the same zoning district for several reasons:

A. Unique Property Constraints: Our property is characterized by a triangular shape, which presents inherent limitations in terms of available space and building footprint. Unlike properties with more conventional lot shapes, such as rectangular or square lots, the triangular configuration imposes significant constraints on the feasible locations for building expansions and improvements.

B. Restrictions on Reasonable Use: Strict adherence to setback requirements, as outlined in the zoning regulations, would severely limit our ability to undertake reasonable improvements to our property. In this case, the literal interpretation of setback provisions would effectively prohibit the expansion of the existing guest room into a main bedroom with a senior-friendly bathroom and closet, thereby depriving us of rights commonly enjoyed by other properties in the same zoning district.

C. Disproportionate Impact: Enforcing strict setback requirements without considering the unique circumstances of our property would impose unnecessary and undue hardship. It would result in a disproportionate burden on us compared to other property owners who are able to undertake similar expansions without facing the same regulatory obstacles.

D. Preservation of Property Rights: We are seeking to exercise our property rights responsibly by making improvements that enhance the livability and functionality of our home. Denying the requested variance would unfairly curtail these rights and prevent Us from enjoying the same opportunities for property enhancement available to others in the zoning district.

In summary, the literal interpretation of the zoning regulations, particularly regarding setback requirements, would create unnecessary and undue hardship on Us while depriving us of rights commonly enjoyed by other properties in the same zoning district. Granting the requested variance is essential to ensure equitable treatment and enable us to reasonably improve our property in accordance with our needs and circumstances."

#### ***VARIANCE CRITERIA #5***

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

In describing how the requested variance is the minimum variance necessary to enable the reasonable use of the land, building, or structure, it's important to highlight the specific



constraints of the property and the efforts made to minimize the variance. Here's a response to address this question:

The requested variance for a setback reduction of 5 feet on the NE side of the house is deemed the minimum variance essential to facilitate the reasonable use of the land and the proposed expansion project for several reasons:

A. **Triangular Lot Shape:** The property's triangular shape presents inherent challenges in optimizing the use of the available space while adhering to zoning regulations. The unique geometry of the lot restricts the feasible options for expansion without encroaching on required setbacks.

B. **Optimization of Space:** Despite many efforts to explore alternative designs and configurations, it has been determined that the requested setback reduction of 5 feet is the minimum necessary to accommodate the expansion of the existing guest room into a main bedroom with a senior-friendly bathroom and closet. This reduction will leave more than 6 feet open and available for the efficient utilization of the remaining easement without compromising the functionality or aesthetics of the proposed project.

C. **Preservation of Existing Structure:** The proposed variance is carefully tailored to minimize the impact on the existing structure while still achieving the desired improvements. By limiting the variance to 5 feet, we aim to preserve the integrity and structural stability of the house while accommodating the necessary expansion.

D. **Balancing Needs with Zoning Requirements:** The requested variance strikes a delicate balance between the need to accommodate the evolving needs of the occupants and the requirements of the zoning regulations. It represents a judicious compromise that enables the reasonable use of the land while respecting the intent and purpose of the zoning ordinance.

In conclusion, the requested setback reduction of 5 feet is the minimum variance required to enable the reasonable use of the land, building, or structure for the proposed expansion project. Efforts have been made to mitigate the need for a larger variance while ensuring that the project meets the functional requirements and enhances the livability of the property."

#### VARIANCE CRITERIA #6

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

The granting of the variance to expand the existing guest room into a main bedroom with a senior-friendly bathroom and closet will align with the general intent and purpose of the zoning regulations in several significant ways:

1. **Enhancement of Property Value and Livability:** By expanding the guest room into a main bedroom and incorporating a senior-friendly bathroom and closet, the proposed project will significantly enhance the livability and functionality of the property. This improvement will not only accommodate the changing needs of the occupants but also contribute to the overall value of the property.
2. **Preservation of Neighborhood Aesthetics:** The proposed expansion will be designed to harmonize with the existing architectural character of the neighborhood. Careful attention will be paid to ensure that the scale, design, and materials used are in line with the surrounding properties, thereby preserving the aesthetic integrity of the neighborhood.
3. **Mitigation of Adverse Impact:** Despite the need for a variance to accommodate the triangular shape of the lot, the proposed expansion will not result in any adverse impacts on neighboring properties or the public welfare. The setback variance of 5 feet on the side of the house is necessary to optimize the use of the available space while maintaining a respectful distance from adjacent properties.
4. **Promotion of Aging in Place:** The incorporation of a senior-friendly bathroom and closet in the main bedroom aligns with the broader goals of promoting aging in place and providing accessible housing options for residents of all ages. This aspect of the project contributes positively to the welfare of the community by allowing individuals to remain in their homes comfortably and safely as they age.

In summary, the granting of the requested variance will support the objectives of the zoning regulations by enhancing property value, preserving neighborhood aesthetics, mitigating adverse impacts, and promoting accessibility and inclusivity. The proposed expansion will contribute positively to the overall welfare of the neighborhood and its residents without compromising the integrity of the zoning regulations.



# Property Record Card



**Parcel** 24-21-29-508-0H00-0120

**Property Address** 618 LAKE SHORE DR MAITLAND, FL 32751

## Parcel Location



## Site View



## Parcel Information

<b>Parcel</b>	24-21-29-508-0H00-0120
<b>Owner(s)</b>	SUTERA, JOSEPH - Tenancy by Entirety SUTERA, SHARON - Tenancy by Entirety
<b>Property Address</b>	618 LAKE SHORE DR MAITLAND, FL 32751
<b>Mailing</b>	618 LAKE SHORE DR MAITLAND, FL 32751-3214
<b>Subdivision Name</b>	OAKLAND SHORES 1ST ADD
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	0130-SINGLE FAMILY WATERFRONT
<b>Exemptions</b>	00-HOMESTEAD(2024)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$388,117	\$378,448
<b>Depreciated EXFT Value</b>	\$5,788	\$5,475
<b>Land Value (Market)</b>	\$170,000	\$170,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$563,905	\$553,923
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$0	\$0
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$563,905	\$553,923

## 2023 Certified Tax Summary

<b>2023 Tax Amount w/o Exemptions/Cap</b>	<b>\$7,371.61</b>
<b>2023 Tax Bill Amount</b>	<b>\$7,371.61</b>

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

LOT 12 BLK H  
OAKLAND SHORES 1ST ADD  
PB 10 PG 59

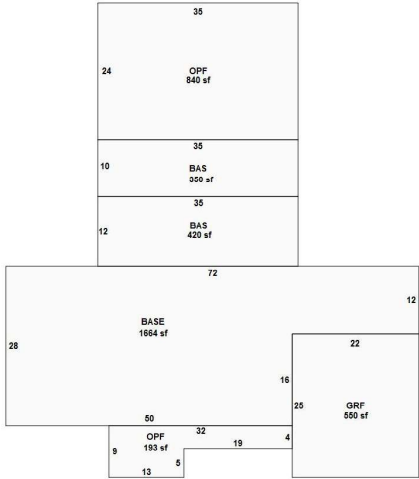


Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$563,905	\$50,000	\$513,905
SJWM(Saint Johns Water Management)	\$563,905	\$50,000	\$513,905
FIRE	\$563,905	\$50,000	\$513,905
COUNTY GENERAL FUND	\$563,905	\$50,000	\$513,905
Schools	\$563,905	\$25,000	\$538,905

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
QUIT CLAIM DEED	03/20/2023	10419	1108	\$180,000	No	Improved
WARRANTY DEED	03/15/2021	09877	0388	\$600,000	Yes	Improved
WARRANTY DEED	01/01/1993	02540	1407	\$165,000	Yes	Improved
WARRANTY DEED	06/01/1981	01341	0151	\$130,000	Yes	Improved
WARRANTY DEED	09/01/1978	01187	1083	\$71,900	Yes	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
LOT			1	\$170,000.00	\$170,000

Building Information													
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages	
1	SINGLE FAMILY	1959/1995	4	2.0	6	1,664	4,017	2,434	CONC BLOCK	\$388,117	\$438,550	Description	Area
												GARAGE FINISHED	550.00
												OPEN PORCH FINISHED	193.00
												BASE	420.00
												BASE	350.00
												OPEN PORCH FINISHED	840.00



Building 1 - Page 1

\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
12388	ADDITION-DRAWN	County	\$47,000		10/15/2004
04736	REPLACE SIDE ENTRY DOOR	County	\$581		5/1/2003

Extra Features				
Description	Year Built	Units	Value	New Cost
BOAT DOCK 1	05/01/1995	1	\$1,200	\$3,000
PATIO 2	05/01/2008	1	\$2,188	\$3,500
FIREPLACE 1	05/01/1959	2	\$2,400	\$6,000

Zoning								
Zoning		Zoning Description		Future Land Use		Future Land Use Description		
R-1AA		Low Density Residential		LDR		Single Family-11700		
Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
14.00	DUKE	CENTURY LINK	SUNSHINE WATER SERVICES	NA	TUE/FRI	WED	WED	Waste Management
Political Representation								
Commissioner	US Congress		State House		State Senate		Voting Precinct	
Dist 3 - Lee Constantine	Dist 7 - Cory Mills		Dist 38 - DAVID SMITH		Dist 10 - Jason Brodeur		55	
School Information								
Elementary School District			Middle School District			High School District		
Lake Orienta			Milwee			Lyman		
Copyright 2024 © Seminole County Property Appraiser								

March 24, 2024

Joseph & Sharon Sutura  
618 Lake Shore Drive  
Maitland, Florida 32751

A handwritten signature in blue ink, appearing to read "Ron & Kathryn Kaplan", with a long horizontal line extending to the right.

Ron & Kathryn Kaplan  
616 Lake Shore Drive  
Maitland, Florida 32751

Dear Neighbors:

I hope this letter finds you well. As you may know, we are planning to make some improvements to our home at 618 Lake Shore Drive in the Oakland Shores 1St. Add neighborhood. We wanted to reach out to you directly to inform you of our plans and seek your support for our proposed expansion project.

After careful consideration and consultation with architects and contractors, we have decided to expand one of our guest rooms and add a bathroom to our house. These improvements are intended to enhance the functionality and comfort of our home while also adding value to the property.

We understand that any construction project may have an impact on our neighbors, which is why we want to ensure that you are fully informed and comfortable with our plans. To that end, we have attached drawings and plans for the proposed expansion for your review. We have also included a brief overview of the project, highlighting the changes that will be made to our home.

If you have any questions or concerns about the proposed expansion, please do not hesitate to reach out to us. We value your input and want to address any issues you may have before moving forward with the project.

We would greatly appreciate your support for our plans. If you are comfortable with the proposed expansion, we kindly ask that you sign and return the attached letter to indicate your approval. Your support will be instrumental in helping us obtain the necessary approvals from the Seminole County Zoning and Planning Department.

Thank you for taking the time to consider our request. We are excited about the opportunity to improve our home and contribute positively to our neighborhood. We look forward to hearing from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph & Sharon", written over the word "Sincerely,".

Joseph & Sharon

Enclosed: Drawings, Overview of Project.

March 24, 2024

Joseph & Sharon Sutera  
618 Lake Shore Drive  
Maitland, Florida 32751

 4/9/24  
George & Cynthia Dades  
619 Lake Shore Drive  
Maitland, Florida 32751

Dear Neighbors:

I hope this letter finds you well. As you may know, we are planning to make some improvements to our home at 618 Lake Shore Drive in the Oakland Shores 1St. Add neighborhood. We wanted to reach out to you directly to inform you of our plans and seek your support for our proposed expansion project.

After careful consideration and consultation with architects and contractors, we have decided to expand one of our guest rooms and add a bathroom to our house. These improvements are intended to enhance the functionality and comfort of our home while also adding value to the property.

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Thank you for taking the time to consider our request. We are excited about the opportunity to improve our home and contribute positively to our neighborhood. We look forward to hearing from you soon.

Sincerely,

Joseph & Sharon

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Enclosed: Drawings, Overview of Project.

March 24, 2024

Joseph & Sharon Sutera  
618 Lake Shore Drive  
Maitland, Florida 32751



**Rick & Cheryl Anderson**  
621 Lake Shore Drive  
Maitland, Florida 32751

Dear Neighbors:

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We would greatly appreciate your support for our plans. If you are comfortable with the proposed expansion, we kindly ask that you sign and return the attached letter to indicate your approval. Your support will be instrumental in helping us obtain the necessary approvals from the Seminole County Zoning and Planning Department.

Thank you for taking the time to consider our request. We are excited about the opportunity to improve our home and contribute positively to our neighborhood. We look forward to hearing from you soon.

Sincerely,

Joseph & Sharon

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Enclosed: Drawings, Overview of Project.

March 24, 2024

Joseph & Sharon Sutera  
618 Lake Shore Drive  
Maitland, Florida 32751

Kathi Taylor  
623 Lake Shore Drive  
Maitland, Florida 32751

A handwritten signature in blue ink, appearing to read 'Kathi Taylor', written in a cursive style.

Dear Neighbors:

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After careful consideration and consultation with architects and contractors, we have decided to expand one of our guest rooms and add a bathroom to our house. These improvements are intended to enhance the functionality and comfort of our home while also adding value to the property.

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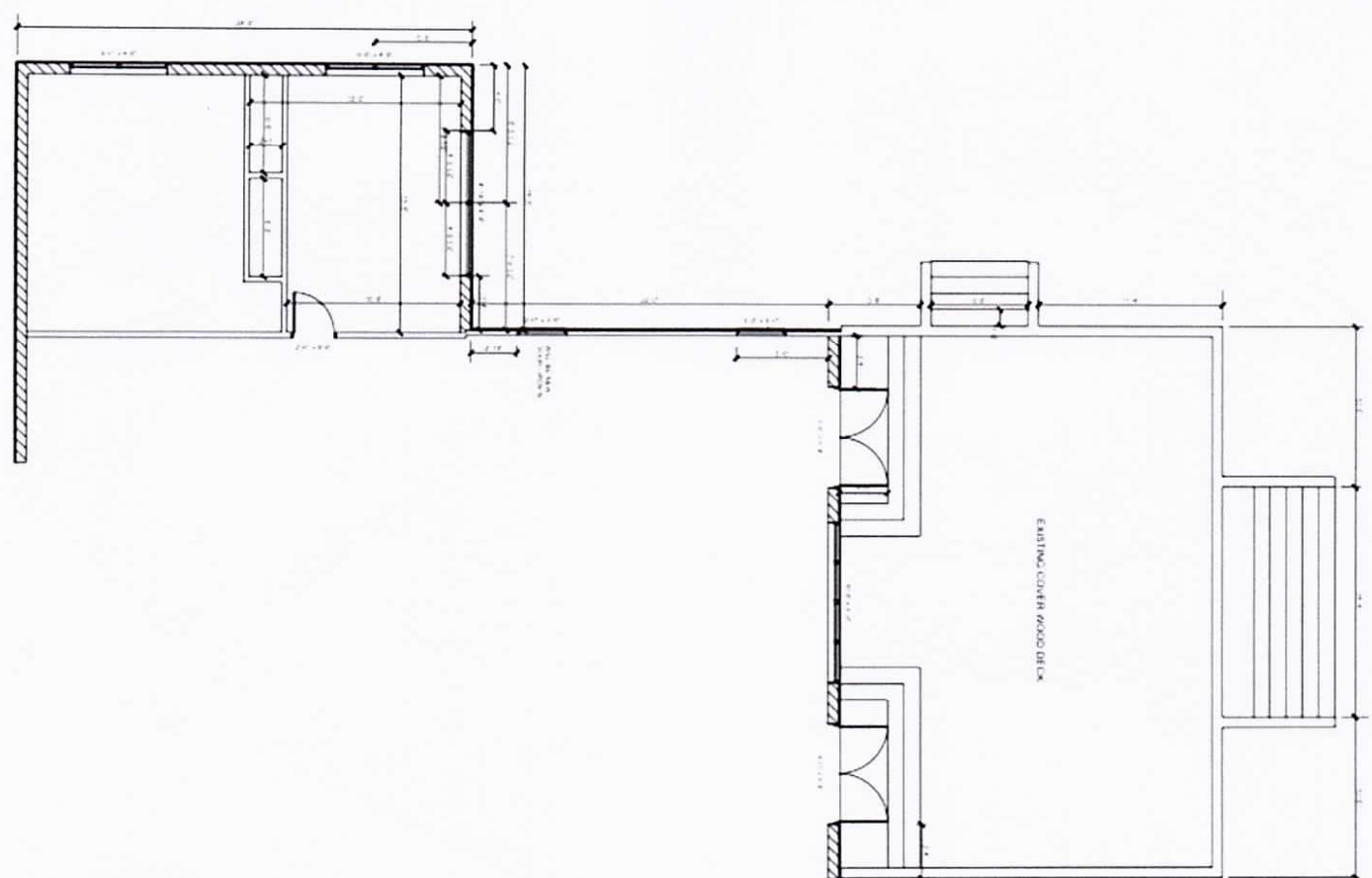
If you have any questions or concerns about the proposed expansion, please do not hesitate to reach out to us. We value your input and want to address any issues you may have before moving forward with the project.

We would greatly appreciate your support for our plans. If you are comfortable with the proposed expansion, we kindly ask that you sign and return the attached letter to indicate your approval. Your support will be instrumental in helping us obtain the necessary approvals from the Seminole County Zoning and Planning Department.

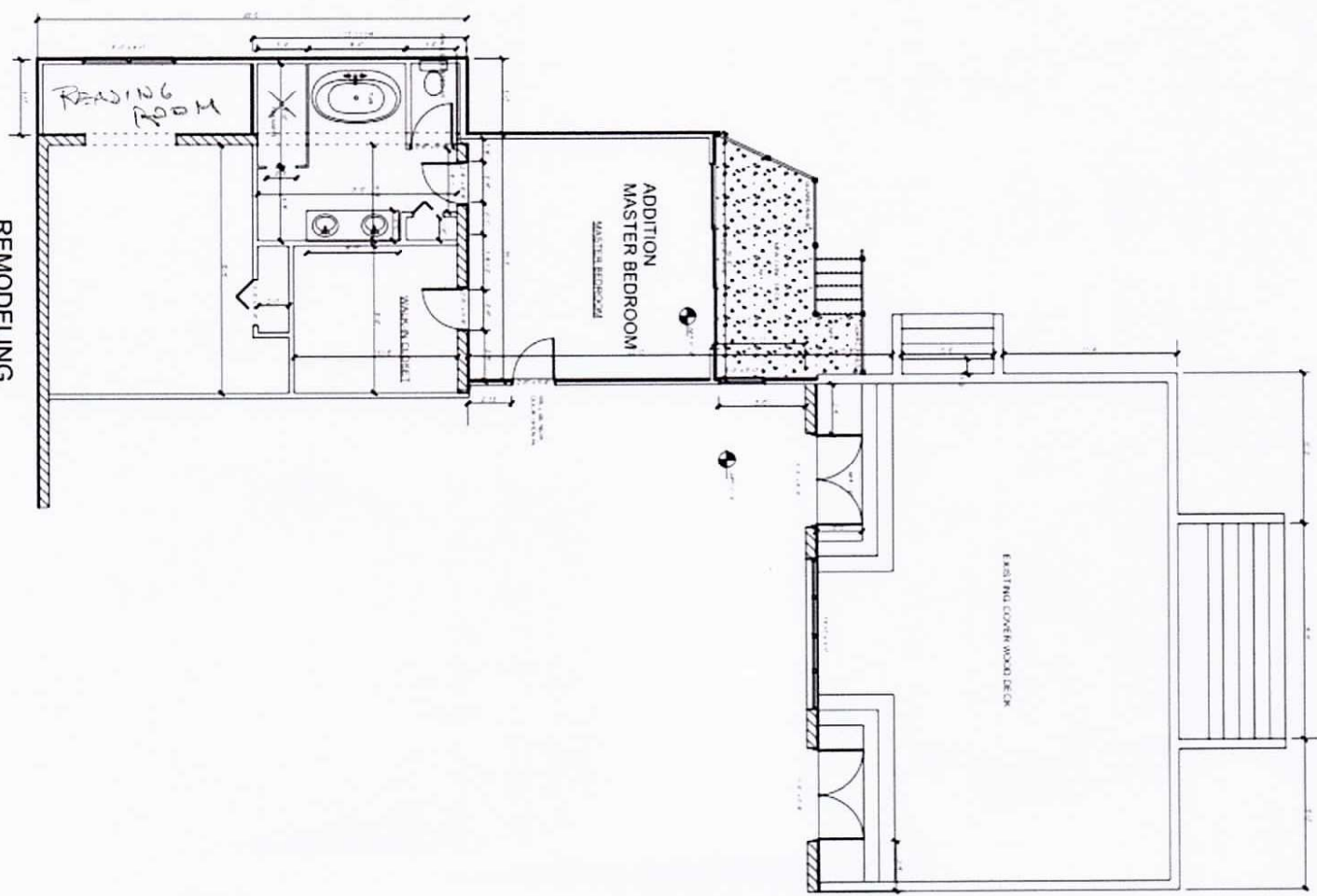
Thank you for taking the time to consider our request. We are excited about the opportunity to improve our home and contribute positively to our neighborhood. We look forward to hearing from you soon.



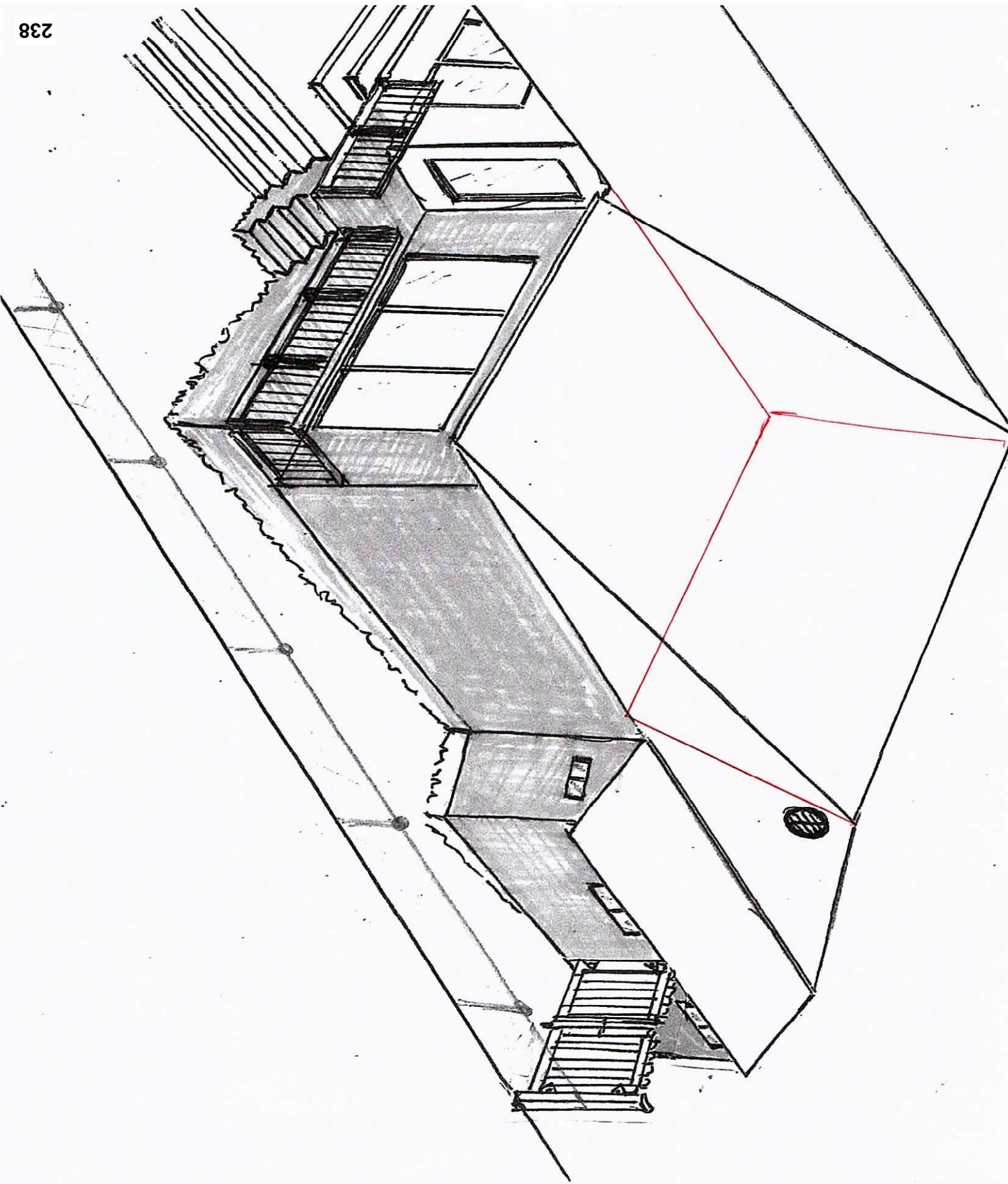
EXISTING

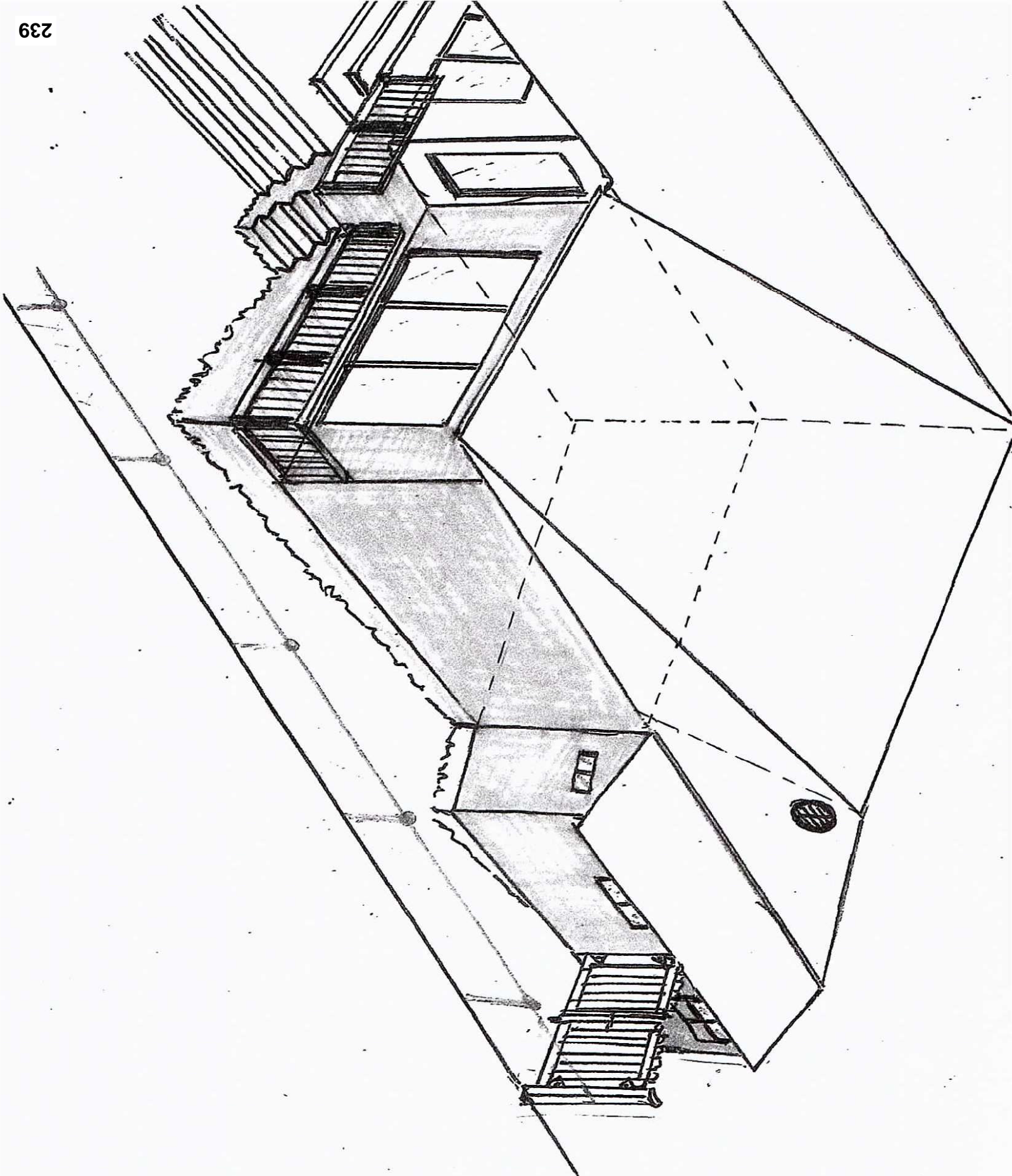


REMODELING  
W/ 5' EXTENSION









**SEMINOLE COUNTY  
DENIAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 12 BLK H  
OAKLAND SHORES 1ST ADD  
PB 10 PG 59

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

**A. FINDINGS OF FACT**

**Property Owner:** JOSEPH & SHARON SUTERA  
618 LAKE SHORE DR  
MAITLAND, FL 32751

**Project Name:** LAKE SHORE DR (618)

**Requested Variance:**

A side yard (east) setback variance from ten (10) feet to six (6) feet for an addition in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

**C. DECISION**

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

**SEMINOLE COUNTY  
APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 12 BLK H  
OAKLAND SHORES 1ST ADD  
PB 10 PG 59

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

**A. FINDINGS OF FACT**

**Property Owner:** JOSEPH & SHARON SUTERA  
618 LAKE SHORE DR  
MAITLAND, FL 32751

**Project Name:** LAKE SHORE DR (618)

**Variance Approval:**

Request for a side yard (east) setback variance from ten (10) feet to six (6) feet for an addition in the R-1AA (Single Family Dwelling) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

**B. CONCLUSIONS OF LAW**

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

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



## Order

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

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

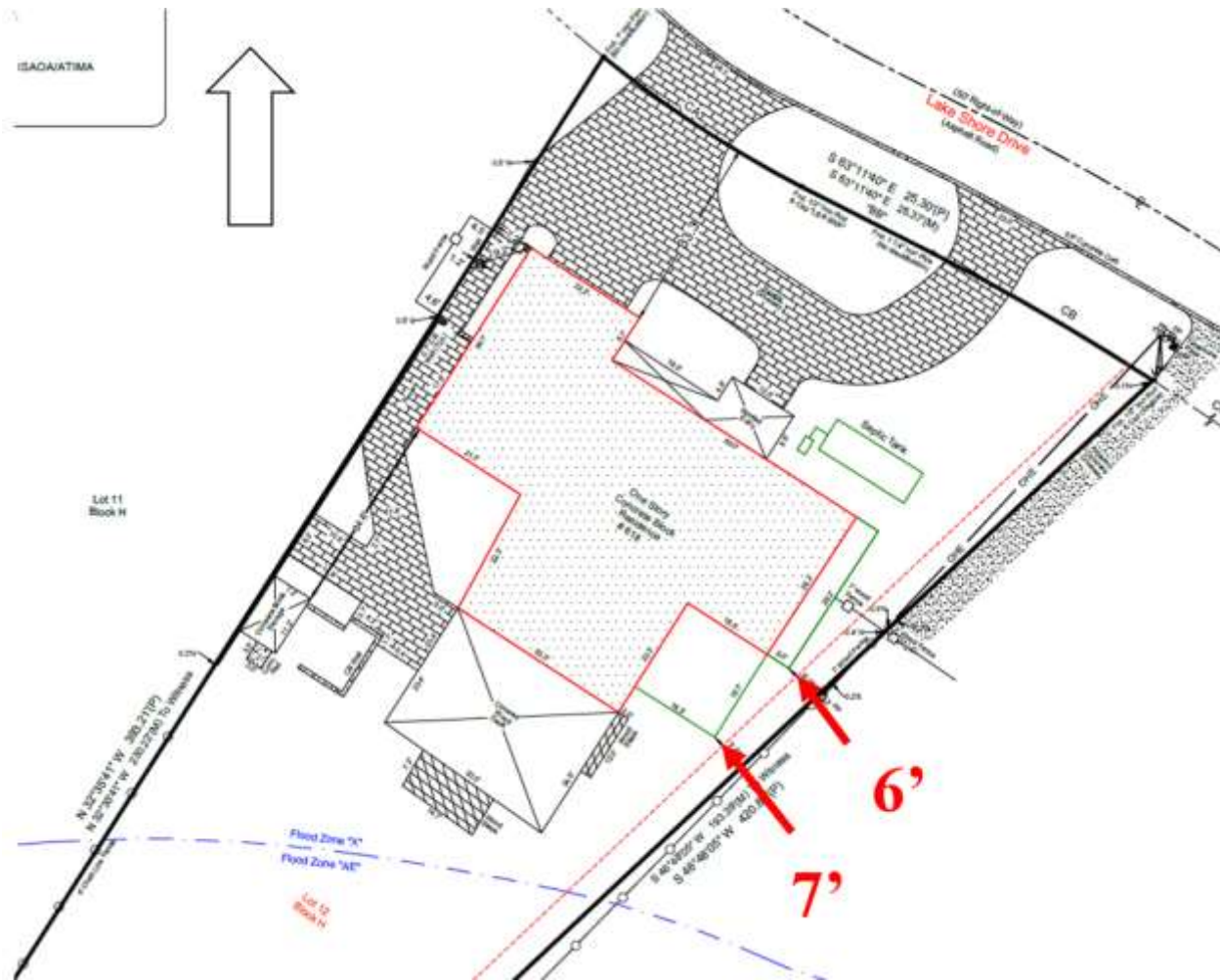
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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

EXHIBIT A  
SITE PLAN





# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0626**

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**Title:**

**940 Lake Markham Road** - Request for a front yard setback variance from thirty-five (35) feet to ten (10) feet for a gate with pillars in the RC-1 (Country Homes) district; BV2024-048 (Robert Bass, Applicant) District 5 - Herr (Hilary Padin, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

**Kathy Hammel**

**Contact/Phone Number:**

Hilary Padin - (407) 665-7331

**Motion/Recommendation:**

1. Deny the request for a front yard setback variance from thirty-five (35) feet to ten (10) feet for a gate with pillars in the RC-1 (Country Homes) district; or
2. Approve the request for a front yard setback variance from thirty-five (35) feet to ten (10) feet for a gate with pillars in the RC-1 (Country Homes) district; or
3. Continue the request to a time and date certain.

**Background:**

- The request is to construct two (2) five (5) feet tall, two (2) feet by two (2) feet square decorative pillars with a sliding gate twenty-five (25) feet into the front yard setback.
- The applicant plans to put four (4) foot hedging along the sides of the pillars.
- The request is for a variance to Section 30.1349(a) of the Land Development Code of Seminole County, which states that 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.

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

**Staff Findings:**

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

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

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

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

In addition, placement of the pillars this distance from the front property line may cause vehicles waiting to enter the proposed gate to overhang the existing sidewalk in this area.

**Staff Conclusion:**

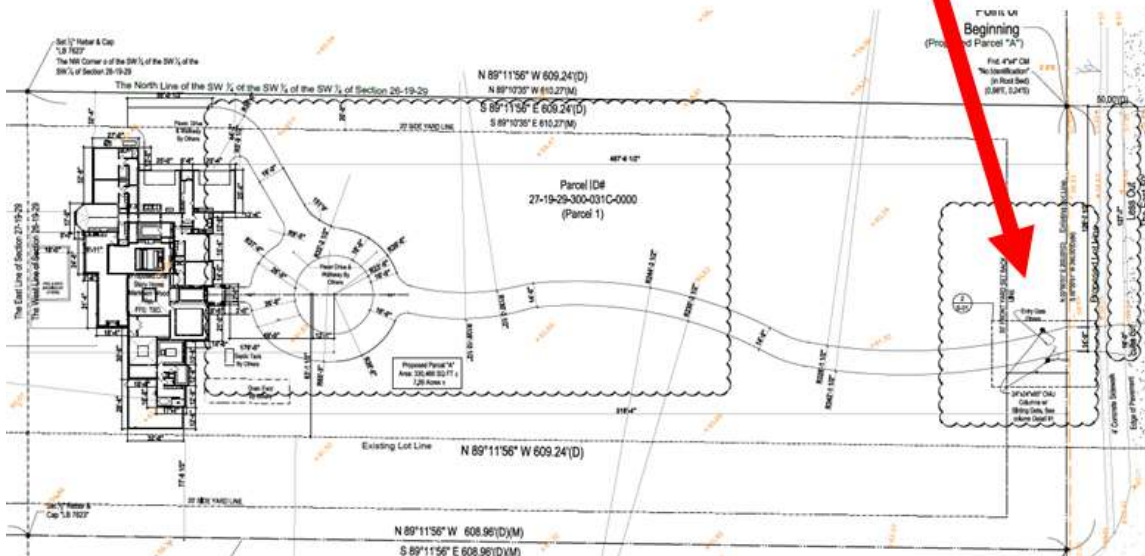
Based upon the foregoing findings, the requested variance is not in the public interest and failure to grant the variance would not result in an unnecessary and undue hardship.

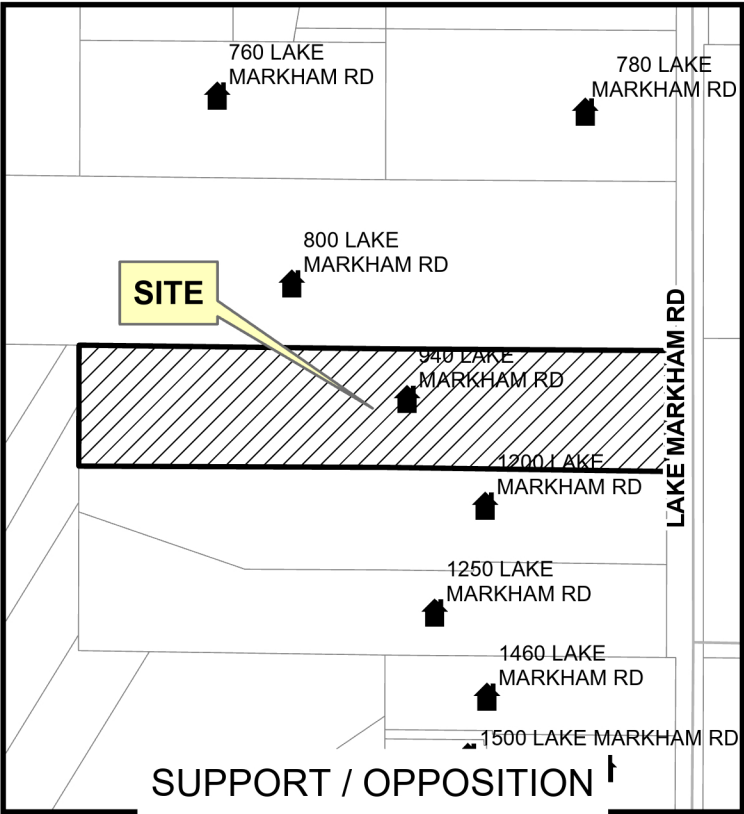
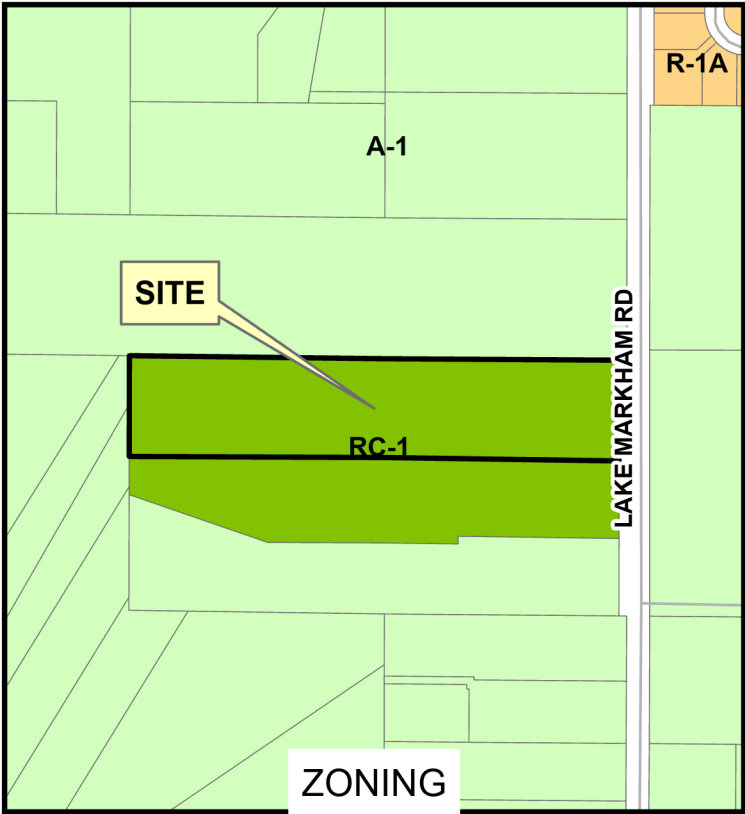
**Staff Recommendation:**



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

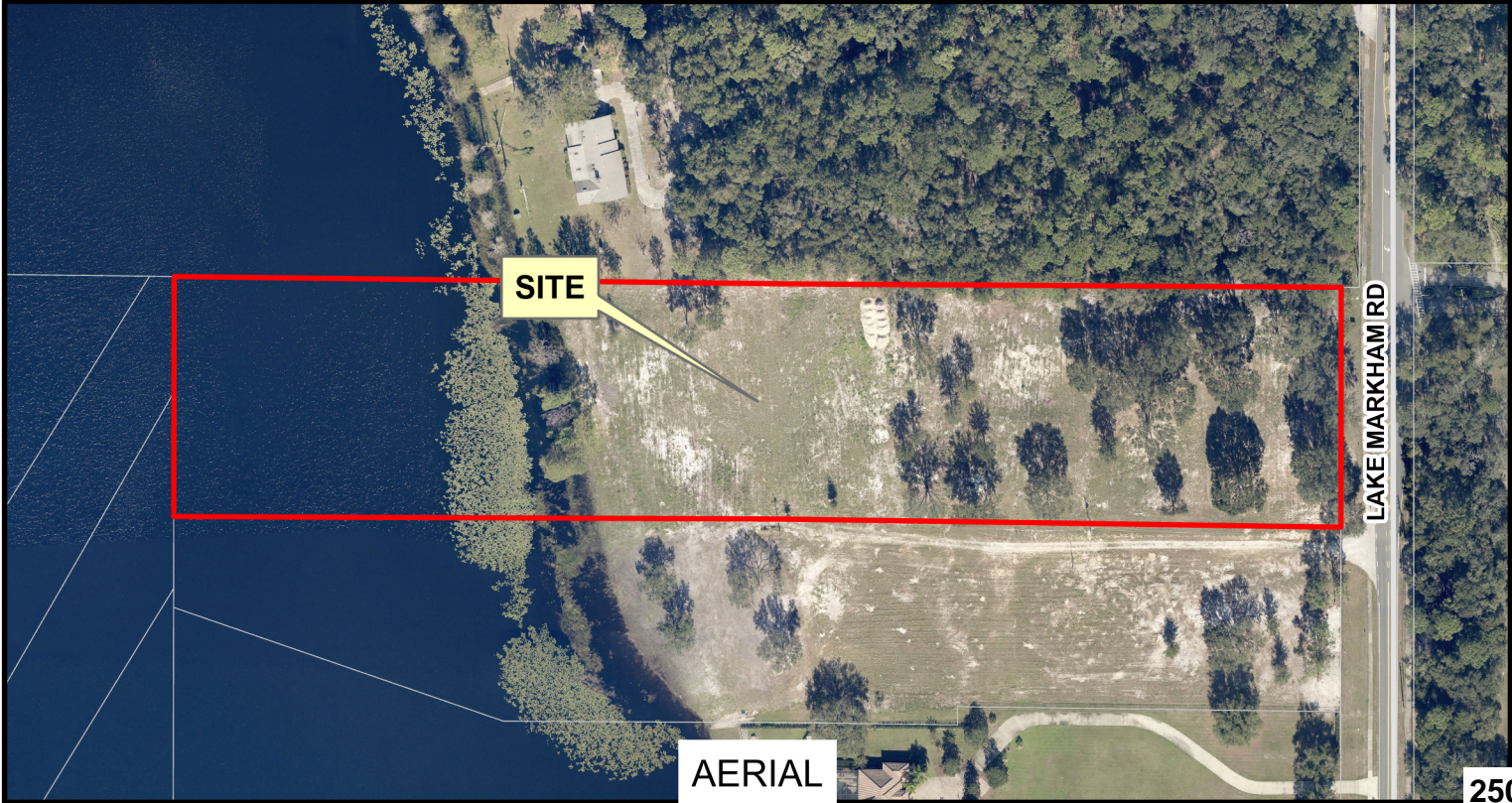
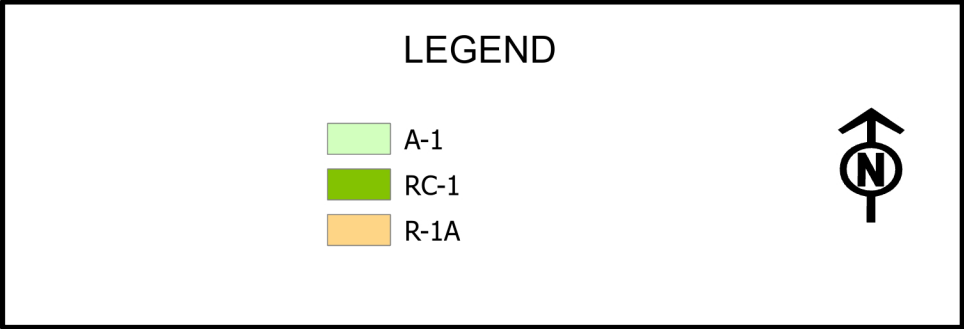
1. Any variance granted will apply only to the gate with pillars as depicted on the attached site plan; and
2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.





**ROBERT BASS &  
SREE YERNENI**  
940 LAKE MARKHAM RD  
SANFORD, FL 32771

**SEMINOLE COUNTY  
BOARD OF ADJUSTMENT**  
MAY 20, 2024





## 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 property line is already 35 feet from the road and the additional setback specified in the standard would place the entry columns a full 70 feet from the road causing the property entrance to be set too deep. The variance we request would place the entrance at a comfortable distance of 45 feet from the road and in fact be like the other properties on the road. There are numerous recently built properties on Lake Markham Road that have walls, columns, and/or gates either on or within 10 or 15 feet of their property line. We are merely asking to be consistent with the neighboring homes. See attached exhibit for examples.

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

As per above, we are not claiming special circumstances, only asking for a consistent appearance across our neighborhood and that our entrance columns be placed at a reasonable distance from the road.

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.

Many other homes in the nearby area already have structures well in line with our variance request, so granting this variance would not grant us any special privileges.

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.

Requiring us to set our columns 35 feet back from the property line would seem to enforce a standard not required of many neighboring properties. Having our entry columns set back so far from the road (70 feet) to meet the stipulated standard defeats the purpose of providing a clear entry designation.

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

Allowing the columns to be placed within a reasonable distance of the road will make our entry more visible. It will be far easier for visitors/deliveries to see house address numbers placed on the columns at a setback of 10 feet and it will make it easier for people searching for this address without impeding traffic.

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.

Given the minimal size of these columns and their decorative and practical use, it seems like placing them in a more obvious and visible location will only enhance the neighborhood and the public welfare.

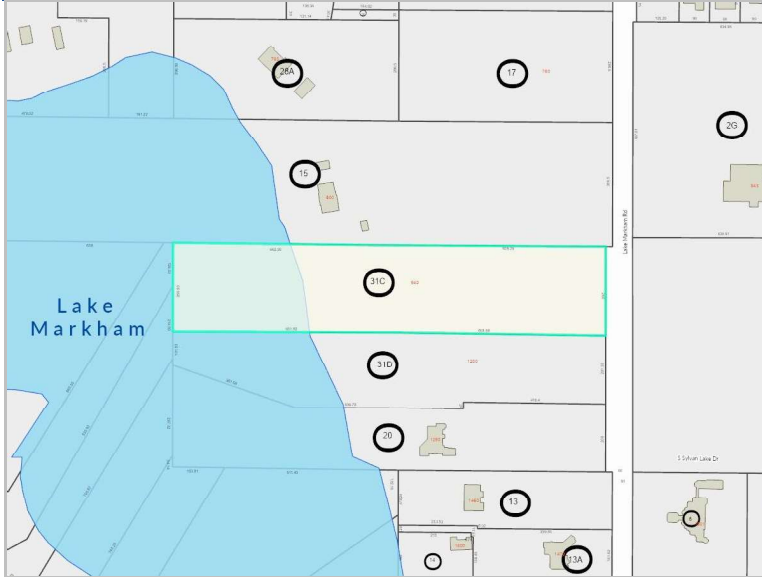
# Property Record Card



**Parcel** 27-19-29-300-031C-0000

**Property Address** 940 LAKE MARKHAM RD SANFORD, FL 32771

## Parcel Location



## Site View

Sorry, No Image  
Available at this Time

## Parcel Information

<b>Parcel</b>	27-19-29-300-031C-0000
<b>Owner(s)</b>	BASS, ROBERT T - Tenancy by Entirety YERNENI, SREE S - Tenancy by Entirety
<b>Property Address</b>	940 LAKE MARKHAM RD SANFORD, FL 32771
<b>Mailing</b>	1780 WELHAM ST APT 316 ORLANDO, FL 32814-6830
<b>Subdivision Name</b>	
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	0030-VACANT WATERFRONT
<b>Exemptions</b>	None
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	0	0
<b>Depreciated Bldg Value</b>		
<b>Depreciated EXFT Value</b>		
<b>Land Value (Market)</b>	\$1,520,000	\$1,520,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$1,520,000	\$1,520,000
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$0	\$0
<b>Non-Hx 10% Cap (AMD 1)</b>	\$398,528	\$500,480
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$1,121,472	\$1,019,520

## 2023 Certified Tax Summary

**2023 Tax Amount w/o Non-Hx Cap** \$20,228.16 **2023 Tax Savings with Non-Hx Cap** \$3,968.81  
**2023 Tax Bill Amount** \$16,259.35

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

SEC 27 TWP 19S RGE 29E  
BEG NE COR OF SW 1/4 OF SW 1/4 IN 26-19-29 RUN W 1321.54 FT S 259.93 FT S 89 DEG 47 MIN 40 SEC E  
661.92 FT S 89 DEG 11 MIN 56 SEC E 608.96 FT N 00 DEG 00 MIN 51 SEC E 260 FT TO BEG (LESS RD)



Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$1,121,472	\$0	\$1,121,472
SJWM(Saint Johns Water Management)	\$1,121,472	\$0	\$1,121,472
FIRE	\$1,121,472	\$0	\$1,121,472
COUNTY GENERAL FUND	\$1,121,472	\$0	\$1,121,472
Schools	\$1,520,000	\$0	\$1,520,000

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
QUIT CLAIM DEED	02/13/2023	10389	0771	\$100	No	Vacant
WARRANTY DEED	09/15/2021	10055	0265	\$2,150,000	Yes	Vacant
WARRANTY DEED	12/01/2003	05158	1803	\$1,200,000	No	Improved

Land					
Method	Frontage	Depth	Units	Units Price	Land Value
ACREAGE			7.6	\$200,000.00	\$1,520,000

Building Information					
Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
19882	940 LAKE MARKHAM RD: SINGLE FAMILY DETACHED-New Single Family Residence	County	\$2,349,205		3/29/2023
12748	940 LAKE MARKHAM RD: SWIMMING POOL RESIDENTIAL-new pool for existing SFR	County	\$90,000		8/14/2023
15351	940 LAKE MARKHAM RD: FENCE/WALL RESIDENTIAL-770" of 5" black 3 rail aluminum fence	County	\$24,500		11/13/2023

Extra Features				
Description	Year Built	Units	Value	New Cost

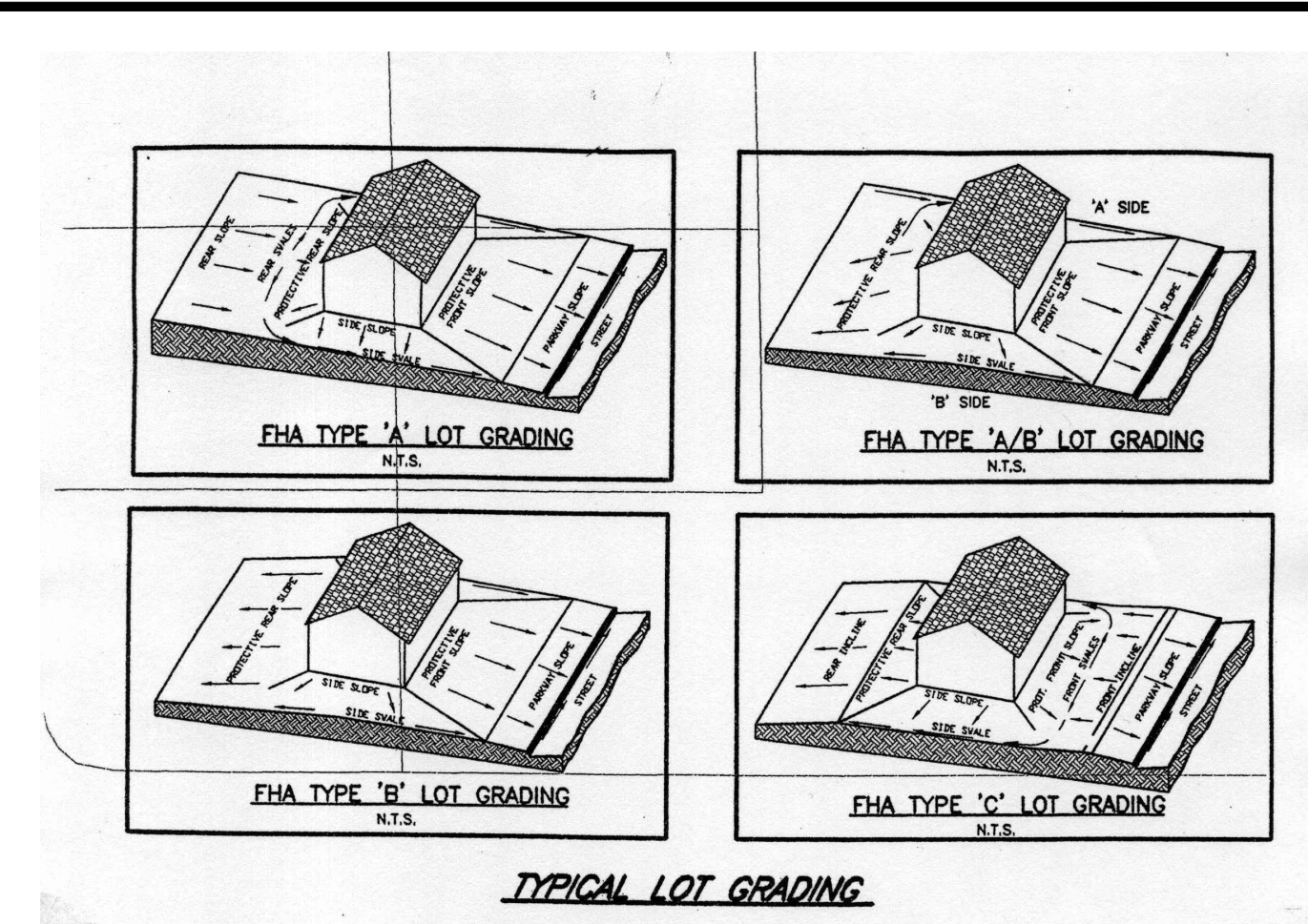
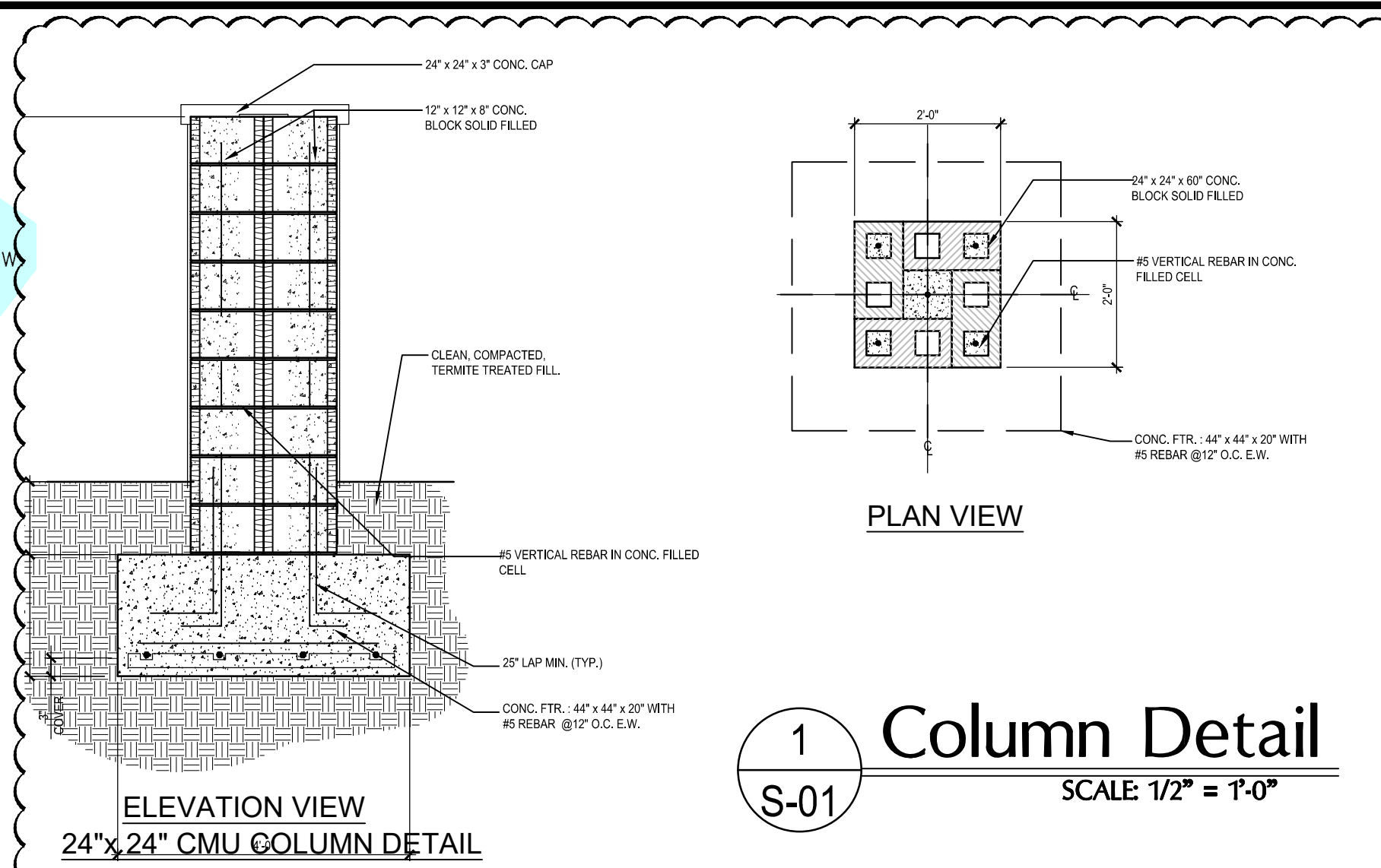
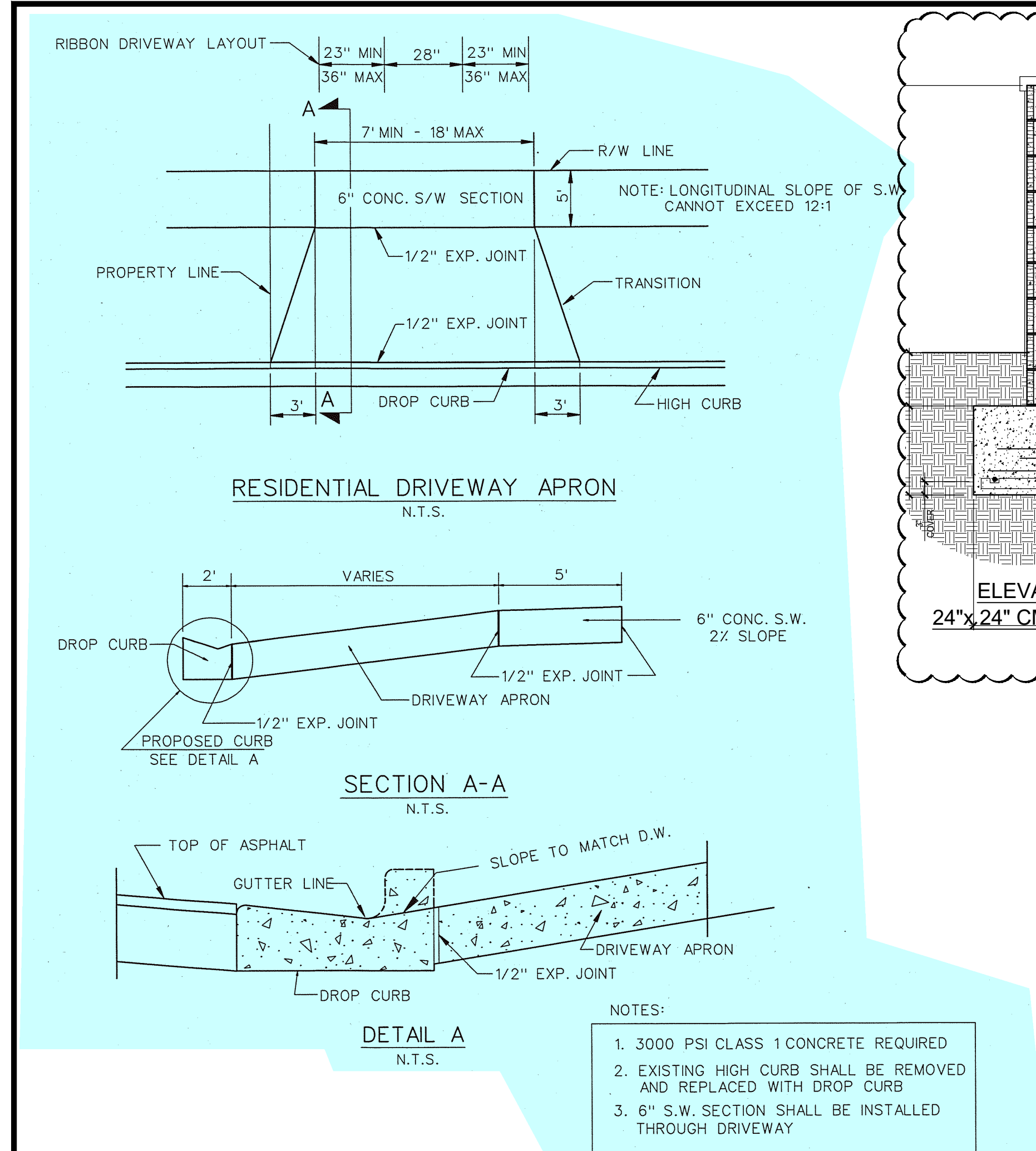
Zoning			
Zoning	Zoning Description	Future Land Use	Future Land Use Description
RC-1	Suburban Estates	SE	Country Homes-1Ac

Utility Information								
Fire Station	Power	Phone(Analog)	Water Provider	Sewer Provider	Garbage Pickup	Recycle	Yard Waste	Hauler
34.00	FPL	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	NA	NA	NA	NA

Political Representation				
Commissioner	US Congress	State House	State Senate	Voting Precinct
Dist 5 - Andria Herr	Dist 7 - Cory Mills	Dist 36 - RACHEL PLAKON	Dist 10 - Jason Brodeur	2

School Information		
Elementary School District	Middle School District	High School District
Region 1	Markham Woods	Seminole





GENERAL NOTES KEY:

THIS IS NOT A SURVEY. MJS, INC. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY. THE OWNER AND CONTRACTOR ARE TOTALLY RESPONSIBLE FOR PLACING THE BUILDING ON THE PROPERTY.

POOL DESIGN AND LOCATION SHOWN ARE ONLY SUGGESSTED. THE OWNER AND CONTRACTOR ARE RESPONSIBLE FOR FINAL POOL DESIGN AND LOCATION.

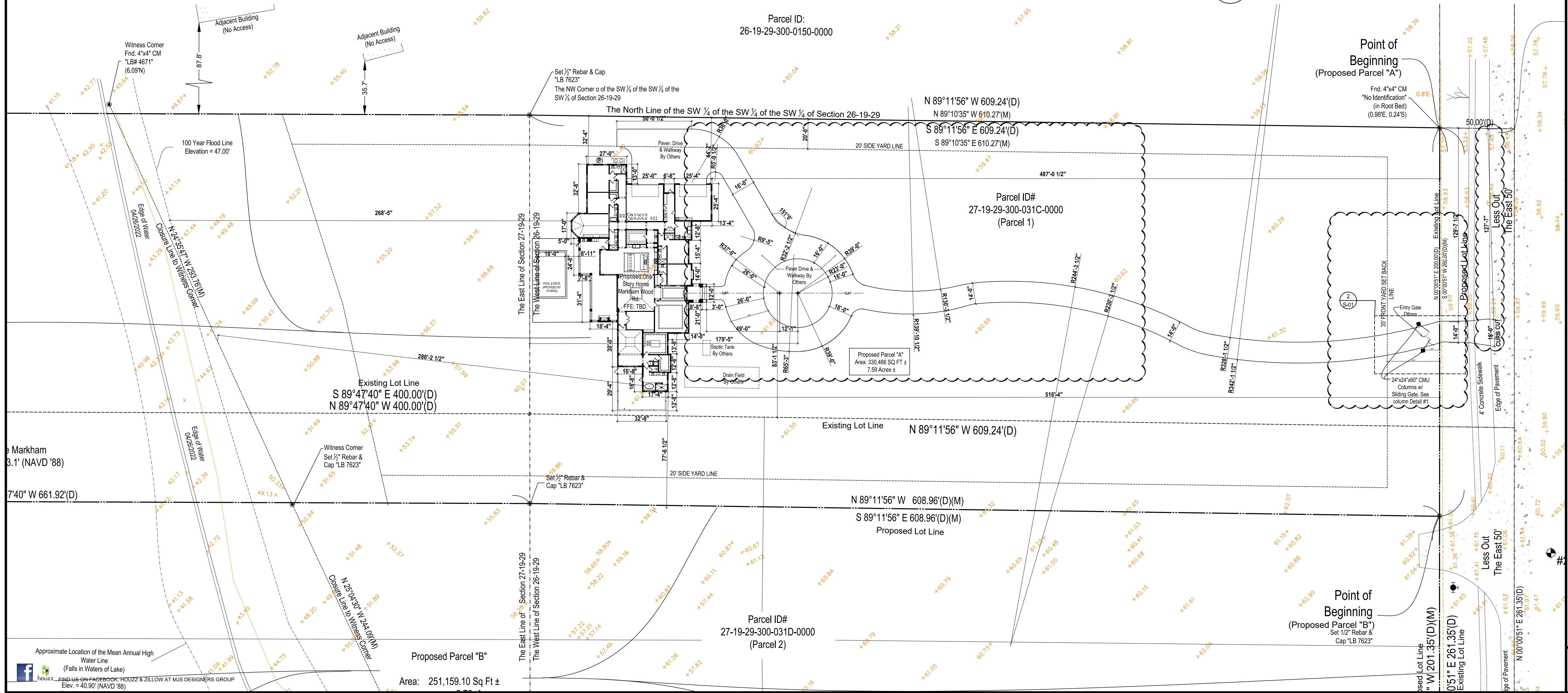
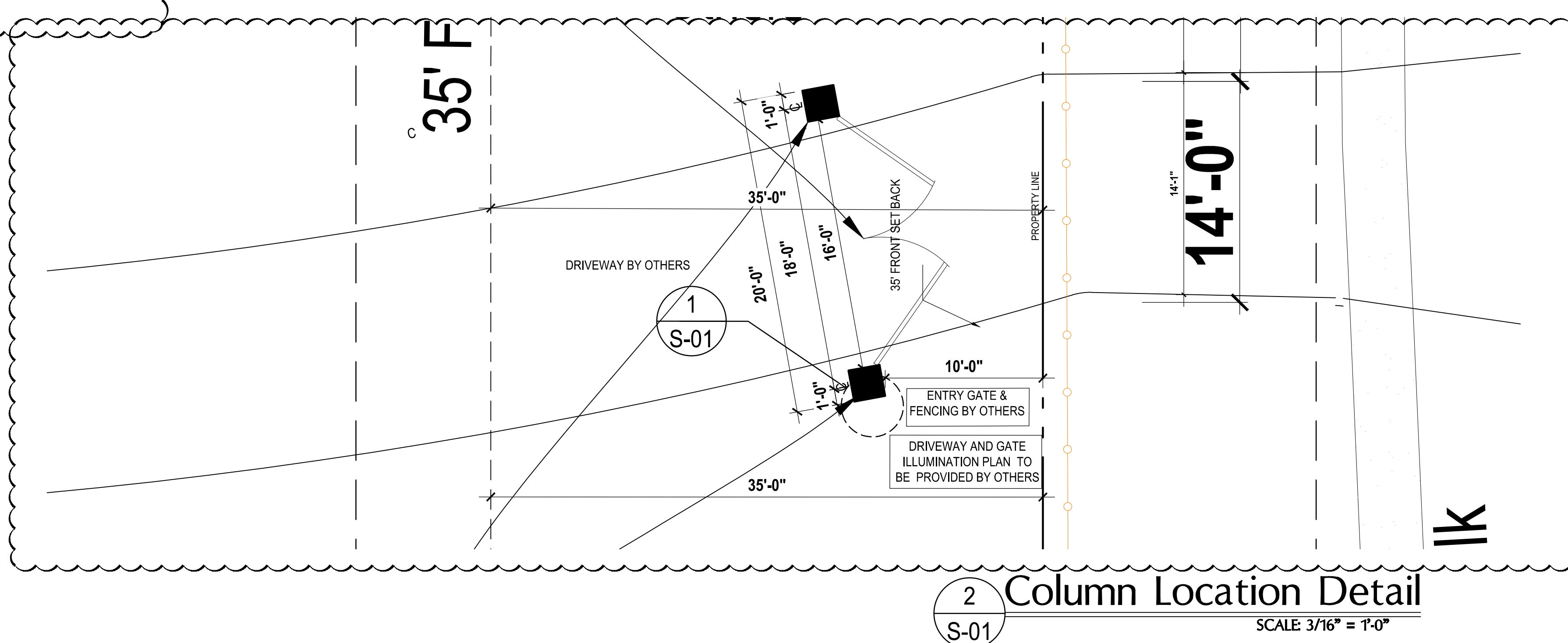
LANDSCAPING DESIGN BY OTHERS.

MJS, INC. ASSUMES NO RESPONSIBILITY FOR SEPTIC DESIGN OR LOCATION. SEPTIC IF SHOWN ON PLANS IS PER BUILDER OR OWNER REQUIREMENTS. SEPTIC SYSTEMS ARE TO BE DESIGNED AND LOCATED PER DEPT. OF HEALTH REQUIREMENTS OR AS PER GOVERNING CODES.

**NOTE:**  
THE DRAINAGE MUST BE DIRECTED TOWARDS  
A DRAINAGE EASEMENT WITH A POSITIVE  
OUTFALL OR TO THE ROADWAY R/W. INCREASE  
OR CREATION OF "WATER PONDING" TO  
ADJACENT PROPERTIES IS PROHIBITED.

**NOTE:**  
PROPOSED IMPROVEMENTS WILL HAVE MINIMAL IMPACT TO EXISTING RUNOFF DRAINAGE PATTERNS. NO FILL WILL BE IMPORTED TO SITE EXCEPT FOR RESIDENCE FOUNDATION.

ZONING DISTRICT: RC-1



**DISCLAIMER:**  
THE SCOPE OF WORK FOR THIS DRAWING IS TO PROVIDE A PROPOSED LAYOUT TO ENSURE HOUSE FITMENT ON THE LOT AND COVERS THE FULL EXTENT OF MJS RESPONSIBILITY. IT IS THE RESPONSIBILITY OF THE BUILDER, SURVEY COMPANY, CIVIL ENGINEER (IF APPLICABLE), AND HOMEOWNER TO VERIFY ALL DIMENSIONS, B.F.E. & F.F.E. FOR THE ACTUAL PLACEMENT OF THE HOUSE. MJS DESIGNERS GROUP AND THE ENGINEER OF RECORD WILL NOT BE HELD LIABLE FOR ANY WORK COMPLETED OUTSIDE OF THIS SCOPE OF WORK.

## Site Layout

SCALE: 1" = 30'.0"

**RKE ENTERPRISES**  
**LLC.**  
Florida Reg. #47515  
4707 Wild Turkey Rd.  
Mims, FL. 32754


**RKE**  
**ENTERPRISES, LLC**  
assignment & construction services  
FL PE #47515 CGC 1510470

This was first been electronically signed & sealed by Edward S. Strickland, P.E. on the date and/or time shown above using a digital signature. The digital certificate of this document can be verified by clicking on the "Verify" button.

815 Orienta Ave., Suite #1040  
Altamonte Springs, FL 32701  
Ph: (407) 629-6711  
Fax: (407) 629-6776  
[www.mjsdesignersgroup.com](http://www.mjsdesignersgroup.com)



MJS  
designers group  
residential • commercial • architecture



**Bass-Yerneni House**  
Sanford, FL. 32771

Maitland Ave., # 313  
Maitland, FL 32751  
k.konkolcustom.com  
CGC057805

**Kantkol**  
CUSTOM HOMES & REMODELING, LLC

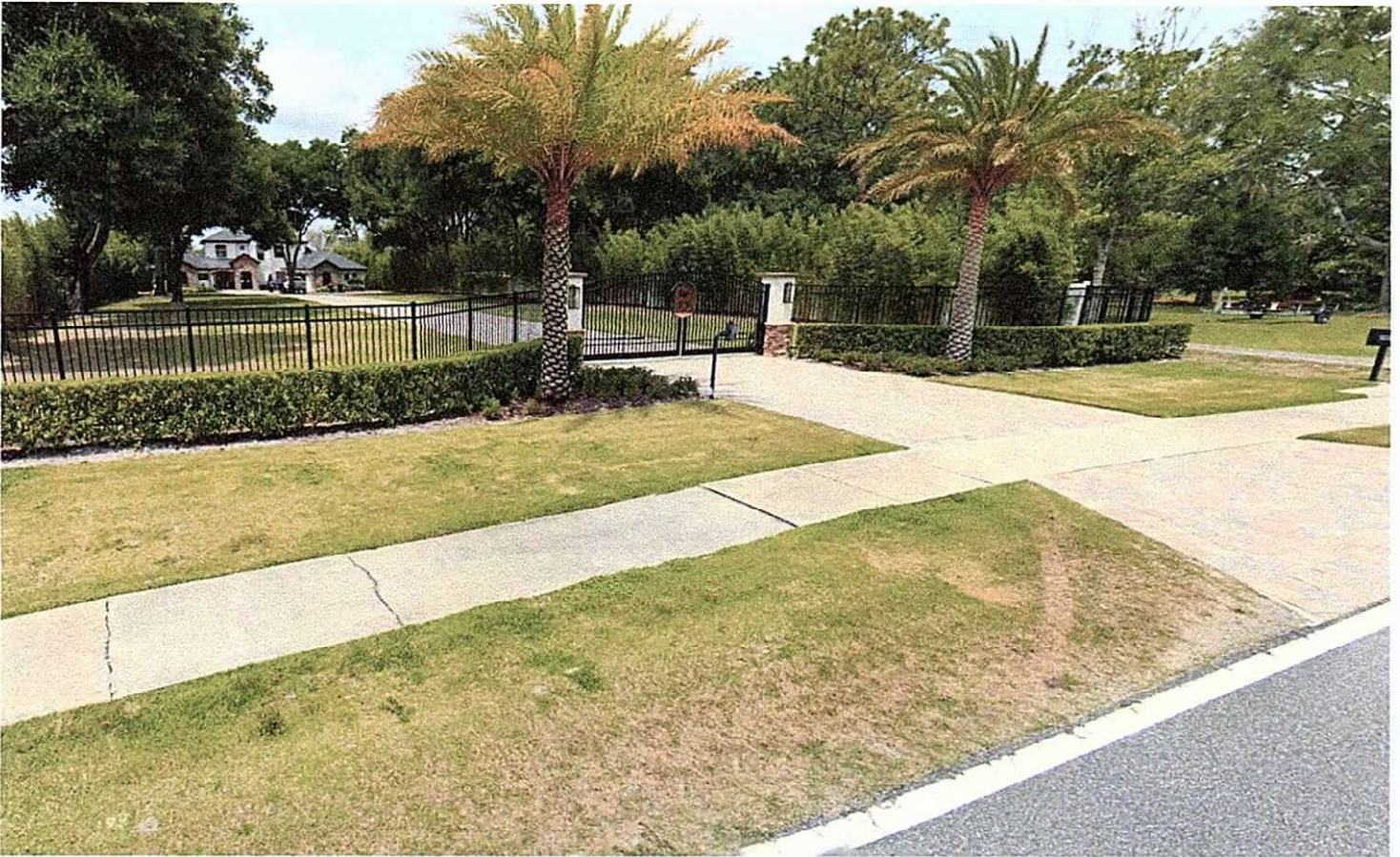
<b>ISSUE DATE</b>	11/16/2022
<b>REVISIONS</b>	
<b>SITE PLAN REVISIONS</b>	02/27/2024
<b>PROJECT:</b>	22-0120
<b>SCALE:</b>	AS NOTED
<b>DRAWN BY:</b>	JML /CC /P
<b>DESIGNED BY:</b>	MJS

SITE PLAN

S-01



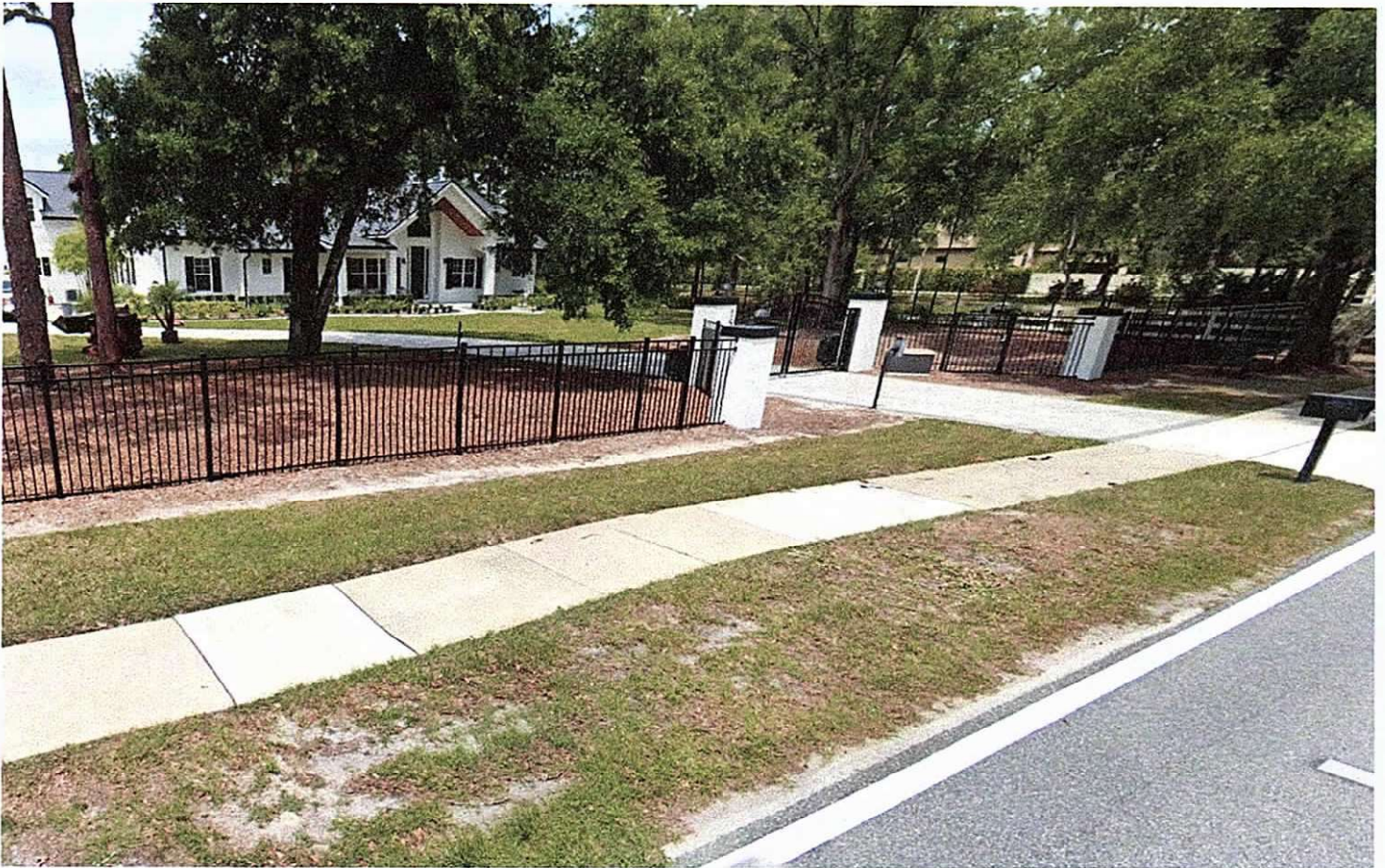
1820 Lake Markham Road – Fence is on property line and columns and gate are setback about 10 feet





A-1 zoned property with  
different requirements - HP

1592 Lake Markham Road – Fence is on property line and columns and gate are setback about 10 feet





1250 Lake Markham Road – Fence is on property line and columns and gate are setback about 10 feet





## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 27 TWP 19S RGE 29E  
BEG NE COR OF SW 1/4 OF SW 1/4 OF SW 1/4 IN 26-19-29 RUN W  
1321.54 FT S 259.93 FT S 89 DEG 47 MIN 40 SEC E 661.92 FT S 89 DEG 11 MIN 56  
SEC E 608.96 FT N 00 DEG 00 MIN 51 SEC E 260 FT TO BEG (LESS RD)

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

### A. FINDINGS OF FACT

**Property Owner:** ROBERT BASS  
940 LAKE MARKHAM RD  
SANFORD, FL 32771

**Project Name:** LAKE MARKHAM RD (940)

#### **Requested Variance:**

A front yard setback variance from thirty-five (35) feet to ten (10) feet for a gate with pillars in the RC-1 (Country Homes) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### B. CONCLUSIONS OF LAW

Approval was sought to construct a gate with pillars within the 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: \_\_\_\_\_  
Dale Hall, AICP, ASLA, MPA  
Planning and Development Manager

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

SEC 27 TWP 19S RGE 29E  
BEG NE COR OF SW 1/4 OF SW 1/4 OF SW 1/4 IN 26-19-29 RUN W  
1321.54 FT S 259.93 FT S 89 DEG 47 MIN 40 SEC E 661.92 FT S 89 DEG 11 MIN 56  
SEC E 608.96 FT N 00 DEG 00 MIN 51 SEC E 260 FT TO BEG (LESS RD)

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

### **A. FINDINGS OF FACT**

**Property Owner:** ROBERT BASS  
940 LAKE MARKHAM RD  
SANFORD, FL 32771

**Project Name:** LAKE MARKHAM RD (940)

#### **Variance Approval:**

Request for a front yard setback variance from thirty-five (35) feet to ten (10) feet for a gate with pillars in the RC-1 (Country Homes) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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

### Order

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

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

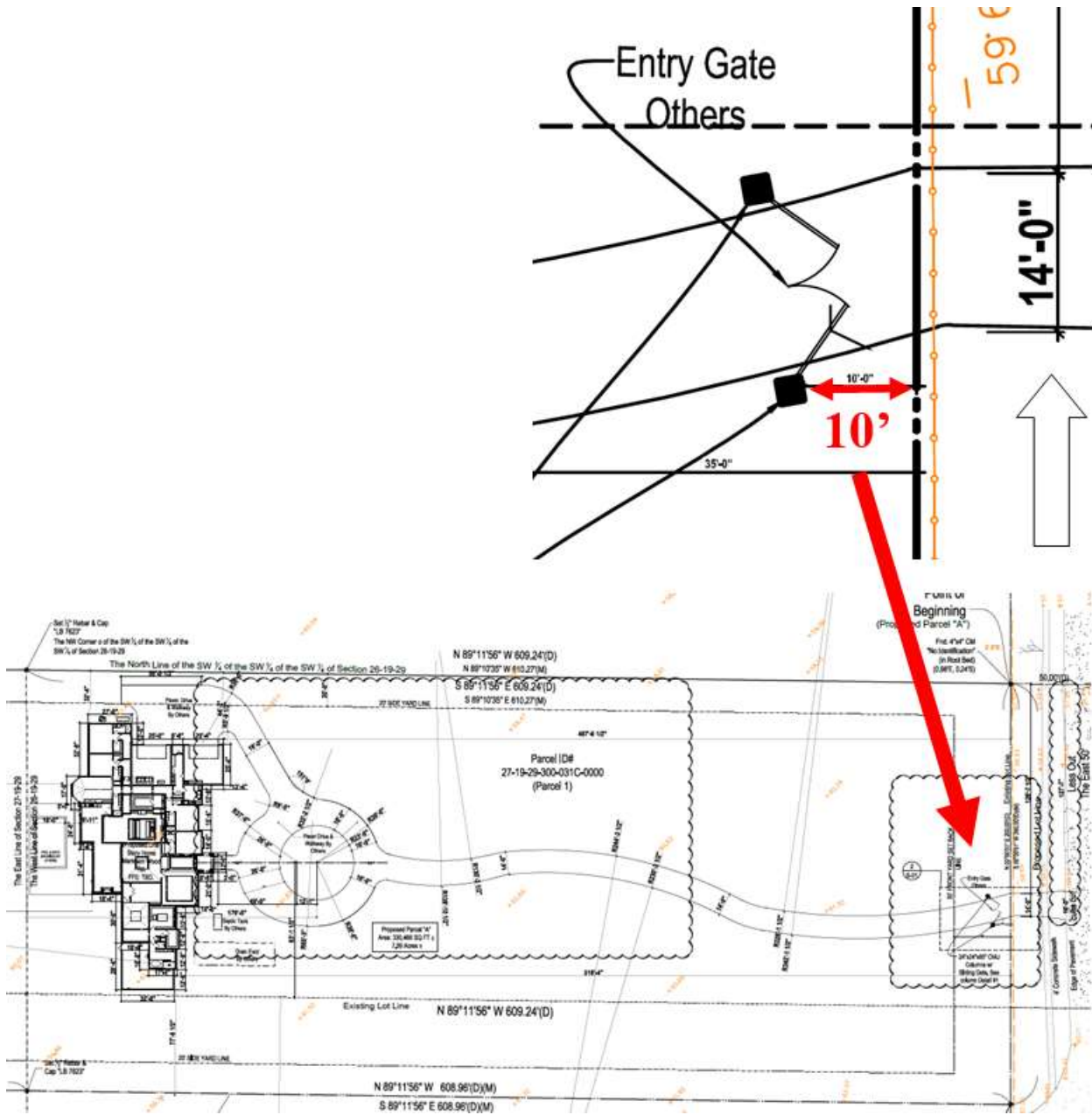
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

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

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

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



EXHIBIT A  
SITE PLAN



# SEMINOLE COUNTY, FLORIDA

## Agenda Memorandum

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

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**File Number: 2024-0634**

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**Title:**

**1277 Brampton Place** - Request for a rear yard setback variance from ten (10) feet to seven (7) feet for a swimming pool in the PD (Planned Development) district; BV2024-049 (Richard & Jennie Lippert, Applicants) District 5 - Herr (Hilary Padin, Project Manager)

**Department/Division:**

Development Services - Planning and Development

**Authorized By:**

**Kathy Hammel**

**Contact/Phone Number:**

Hilary Padin - (407) 665-7331

**Motion/Recommendation:**

1. Deny the request for a rear yard setback variance from ten (10) feet to seven (7) feet for a swimming pool in the PD (Planned Development) district; or
2. Approve the request for a rear yard setback variance from ten (10) feet to seven (7) feet for a swimming pool 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 Brampton Cove subdivision and is within the Heathrow Planned Development (PD).
- The request is to construct an eighteen (18) foot by thirty (30) foot swimming pool three (3) feet into the rear yard setback.
- The property abuts an open space tract on the north and east sides.
- A letter of support has been received from the only adjacent neighbor on the west.
- The request is for a variance to Section 30.8.5.11 of the Seminole County Land

Development Code for Development Standards for Planned Developments.

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

**Staff Findings:**

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

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

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

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

**Staff Conclusion:**

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

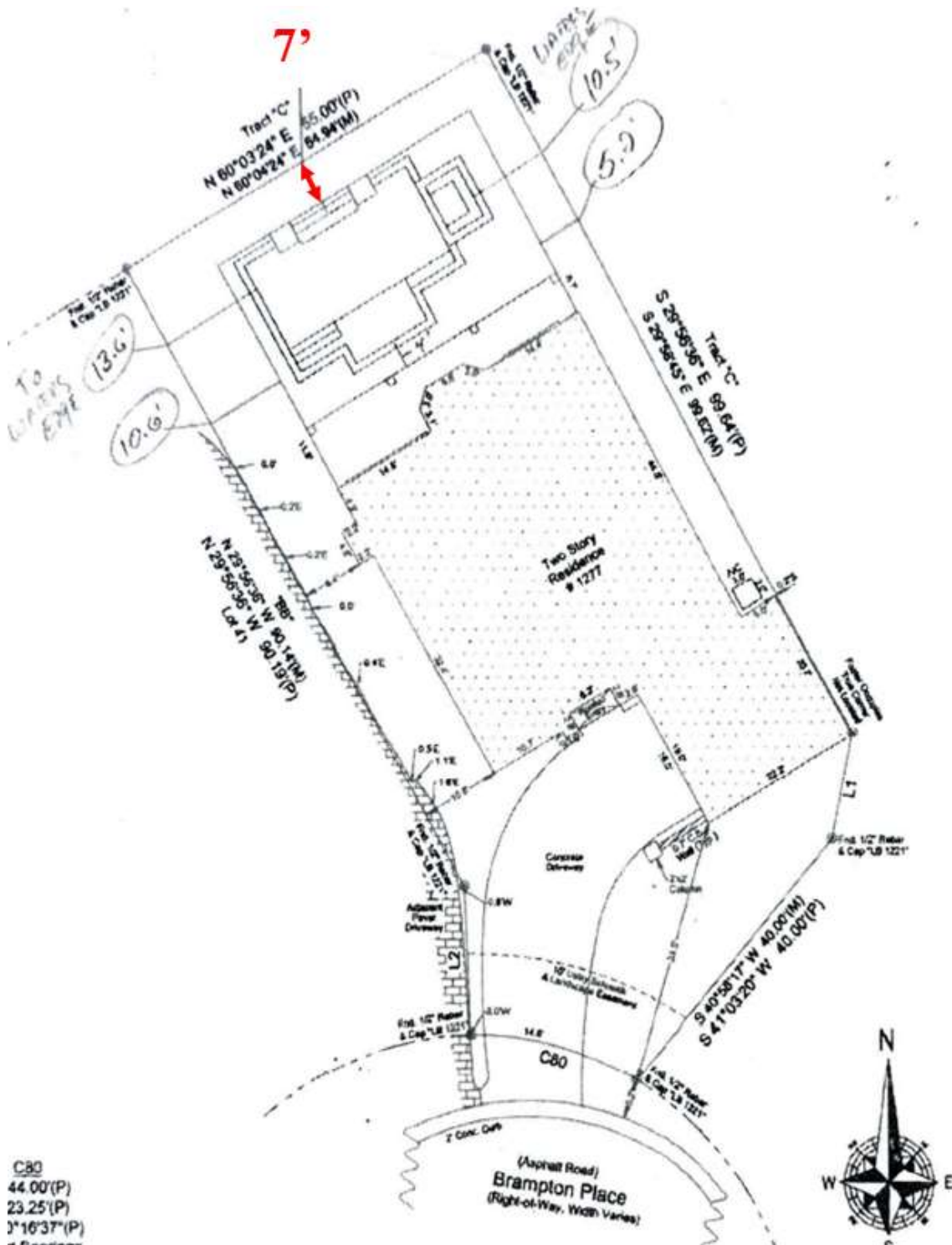
**Staff Recommendation:**

Based on the stated findings, staff recommends denial of the request, but if the Board of Adjustment determines that the applicant has satisfied all six (6) criteria under

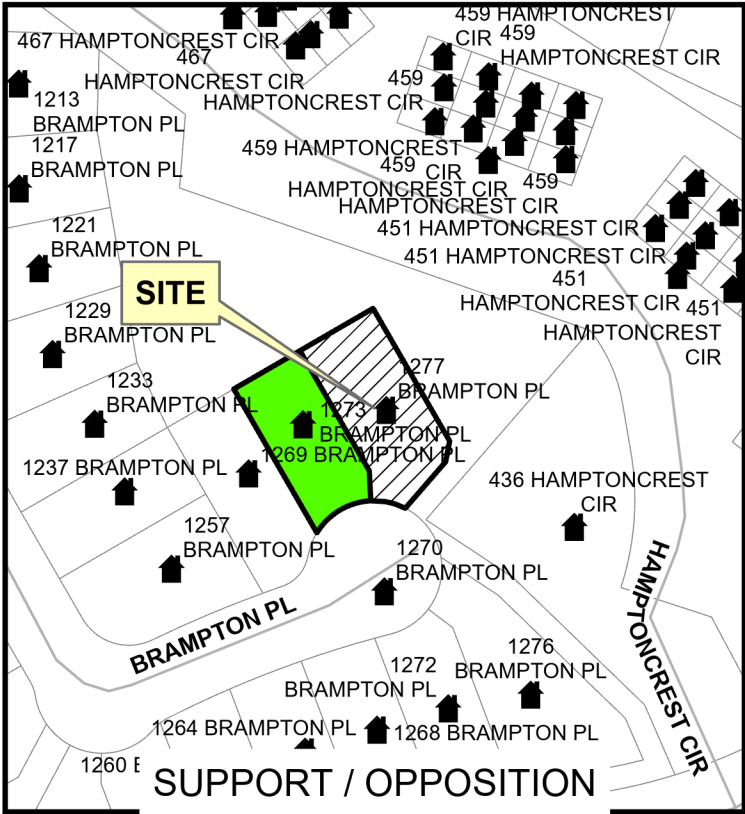
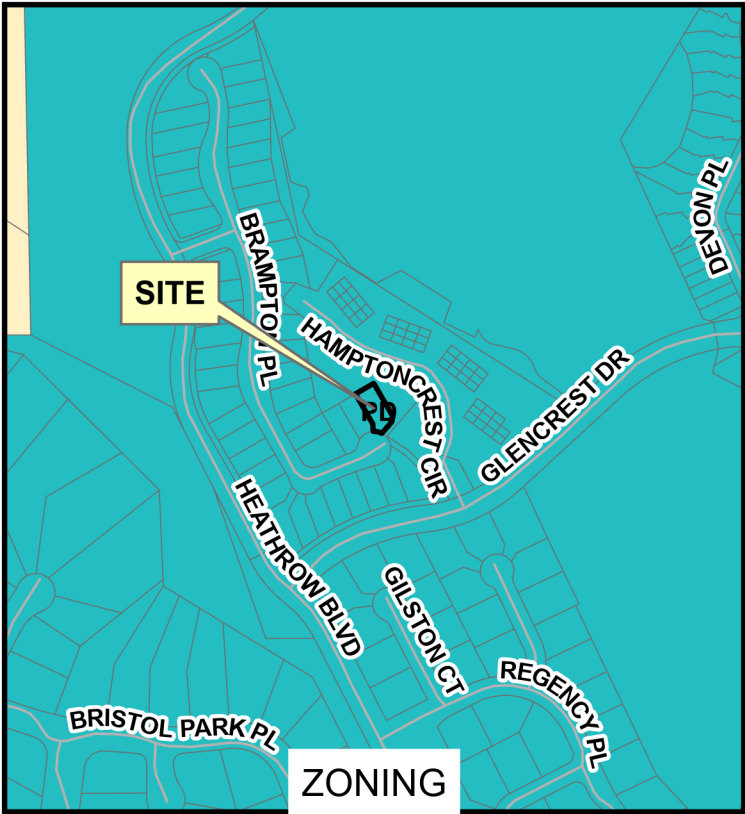
Section 30.3.3.2(b) of the Seminole County Land Development Code for granting a variance, staff recommends the following conditions of approval:

1. Any variance granted will apply only to the swimming pool (18' x 30') as depicted on the attached site plan; and
2. Any additional condition(s) deemed appropriate by the Board of Adjustment, based on information presented at the public hearing.

# BRAMPTON PL (1277) VARIANCES

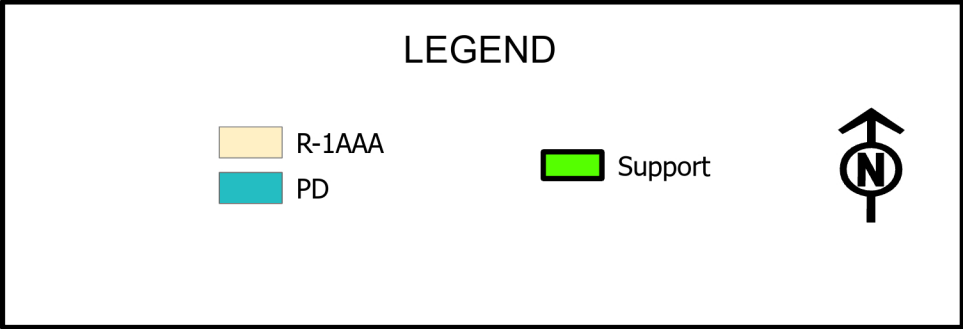






JENNIE LIPPERT &  
RICHARD LIPPERT  
1277 BRAMPTON PL  
LAKE MARY, FL 32746

SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
MAY 20, 2024





## 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 variance request is to allow for more space between the existing single family home and the new pool. There are no other properties to the rear, only an unused wooded area.

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

This variance would not interfere with any use of the property directly behind as it is a wooded area. The proposed change is within our property boundaries and is the best use of the space.

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 is no special privilege associated with granting this variance as the proposed pool construction is within our property lines and there are no neighbors or occupants in rear.

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.

This proposed variance for the building of a new pool is the best use of the space & an improvement to the existing land.

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

This request is to change the required rear setback only by (3) feet<sup>2 inches</sup>, which is the minimum variance to allow slightly more space.

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

This variance is in harmony with zoning regulations as it substantially applies the 10ft. property line to water's edge requirement in the rear of the property less merely 3 feet, 269



# Property Record Card



**Parcel** 12-20-29-510-0000-0400

**Property Address** 1277 BRAMPTON PL LAKE MARY, FL 32746

## Parcel Location



## Site View



## Parcel Information

<b>Parcel</b>	12-20-29-510-0000-0400
<b>Owner(s)</b>	LIPPERT, JENNIE Z - Tenancy by Entirety LIPPERT, RICHARD D III - Tenancy by Entirety
<b>Property Address</b>	1277 BRAMPTON PL LAKE MARY, FL 32746
<b>Mailing</b>	1277 BRAMPTON PL LAKE MARY, FL 32746-5027
<b>Subdivision Name</b>	BRAMPTON COVE
<b>Tax District</b>	01-COUNTY-TX DIST 1
<b>DOR Use Code</b>	01-SINGLE FAMILY
<b>Exemptions</b>	00-HOMESTEAD(2021)
<b>AG Classification</b>	No

## Value Summary

	2024 Working Values	2023 Certified Values
<b>Valuation Method</b>	Cost/Market	Cost/Market
<b>Number of Buildings</b>	1	1
<b>Depreciated Bldg Value</b>	\$355,347	\$372,611
<b>Depreciated EXFT Value</b>	\$4,000	\$3,800
<b>Land Value (Market)</b>	\$85,000	\$85,000
<b>Land Value Ag</b>		
<b>Just/Market Value</b>	\$444,347	\$461,411
<b>Portability Adj</b>		
<b>Save Our Homes Adj</b>	\$82,684	\$110,282
<b>Non-Hx 10% Cap (AMD 1)</b>	\$0	\$0
<b>P&amp;G Adj</b>	\$0	\$0
<b>Assessed Value</b>	\$361,663	\$351,129

## 2023 Certified Tax Summary

**2023 Tax Amount w/o Exemptions** \$6,140.46 **2023 Tax Savings with Exemptions** \$1,998.59  
**2023 Tax Bill Amount** \$4,141.87

\* Does NOT INCLUDE Non Ad Valorem Assessments

## Legal Description

LOT 40  
BRAMPTON COVE  
PB 38 PGS 81 TO 84

Taxes			
Taxing Authority	Assessment Value	Exempt Values	Taxable Value
ROAD DISTRICT	\$361,663	\$50,000	\$311,663
SJWM(Saint Johns Water Management)	\$361,663	\$50,000	\$311,663
FIRE	\$361,663	\$50,000	\$311,663
COUNTY GENERAL FUND	\$361,663	\$50,000	\$311,663
Schools	\$361,663	\$25,000	\$336,663

Sales						
Description	Date	Book	Page	Amount	Qualified	Vac/Imp
WARRANTY DEED	07/31/2020	09669	0084	\$358,000	Yes	Improved
WARRANTY DEED	11/18/2019	09483	1411	\$360,700	Yes	Improved
WARRANTY DEED	06/01/2003	04973	0960	\$238,000	Yes	Improved
WARRANTY DEED	01/01/2001	04004	0129	\$215,000	Yes	Improved
QUIT CLAIM DEED	07/01/1997	03271	0243	\$97,600	No	Improved
WARRANTY DEED	05/01/1992	02429	1564	\$175,000	Yes	Improved
SPECIAL WARRANTY DEED	02/01/1991	02266	0268	\$2,133,200	No	Vacant
WARRANTY DEED	06/01/1988	01966	0400	\$1,258,000	No	Vacant

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

Building Information																						
#	Description	Year Built**	Bed	Bath	Fixtures	Base Area	Total SF	Living SF	Ext Wall	Adj Value	Repl Value	Appendages										
1	SINGLE FAMILY	1992	4	2.5	10	1,675	2,909	2,145	WD/STUCCO FINISH	\$355,347	\$409,622	<table><thead><tr><th>Description</th><th>Area</th></tr></thead><tbody><tr><td>OPEN PORCH FINISHED</td><td>281.00</td></tr><tr><td>OPEN PORCH FINISHED</td><td>21.00</td></tr><tr><td>GARAGE FINISHED</td><td>462.00</td></tr><tr><td>UPPER STORY FINISHED</td><td>470.00</td></tr></tbody></table>	Description	Area	OPEN PORCH FINISHED	281.00	OPEN PORCH FINISHED	21.00	GARAGE FINISHED	462.00	UPPER STORY FINISHED	470.00
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<div><p>The floor plan diagram illustrates the layout of the building. It includes a main rectangular base labeled 'BASE 1675' with dimensions 42x15. Attached to the top of the base is a porch area labeled 'OPF 281' with dimensions 9x15. To the right of the base is a smaller rectangular area labeled 'GRF 462' with dimensions 21x22. Above the main base is a complex shape with dimensions 39, 8, 14, 15, 42, 13, 2, 7, 1, 19, 22, 17, 2, 10, 11, 15, 10, 22, 14, 8, 13. This area includes a porch labeled 'OPF 21' with dimensions 7x1. To the right of the main base is a complex shape with dimensions 17, 2, 10, 11, 15, 10, 22, 14, 8, 13. This area includes a porch labeled 'OPF 21' with dimensions 7x1. To the right of the main base is a complex shape with dimensions 17, 2, 10, 11, 15, 10, 22, 14, 8, 13. This area includes a porch labeled 'OPF 21' with dimensions 7x1. To the right of the main base is a complex shape with dimensions 17, 2, 10, 11, 15, 10, 22, 14, 8, 13. 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\*\* Year Built (Actual / Effective)

Permits					
Permit #	Description	Agency	Amount	CO Date	Permit Date
17965	1277 BRAMPTON PL: REROOF RESIDENTIAL [BRAMPTON COVE]	County	\$7,500		1/4/2018
11301	1277 BRAMPTON PL: PLUMBING - RESIDENTIAL-Repipe- whole house, hot and cold. [BRAMPTON COVE]	County	\$3,150	7/31/2020	7/29/2020
13885	1277 BRAMPTON PL: MECHANICAL - RESIDENTIAL-Single-Home [BRAMPTON COVE]	County	\$8,497		9/5/2023

Extra Features								
Description			Year Built		Units	Value		New Cost
SCREEN ENCL 1			06/01/1998		1	\$1,600		\$4,000
FIREPLACE 2			10/01/1992		1	\$2,400		\$6,000
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
36.00	DUKE	AT&T	SEMINOLE COUNTY UTILITIES	SEMINOLE COUNTY UTILITIES	MON/THU	WED	NO SERVICE	Waste Pro
Political Representation								
Commissioner		US Congress		State House		State Senate		Voting Precinct
Dist 5 - Andria Herr		Dist 7 - Cory Mills		Dist 36 - RACHEL PLAKON		Dist 10 - Jason Brodeur		11
School Information								
Elementary School District			Middle School District			High School District		
Heathrow			Markham Woods			Seminole		
Copyright 2024 © Seminole County Property Appraiser								



Connie Boswell  
1273 Brampton Place  
Heathrow, FL 32746

April 12, 2024

Dear Seminole County Board of Adjustment Representatives:

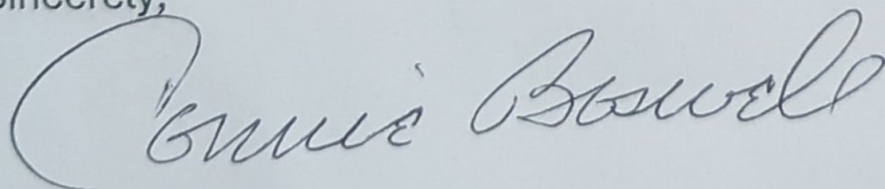
I am the owner of 1273 Brampton Place, the property adjacent to 1277 Brampton Place.

I write to you in support the Lipperts' variance request to change the 10 feet required setback from the rear property line to the water's edge of the pool to approximately 7 feet as outlined in their proposed pool design.

As the only home adjacent to the Lipperts' home, I have had the opportunity to review the pool designs they said are being submitting with their application and do not believe that granting a variance for the back of the Lipperts' property will infringe on the use of my property.

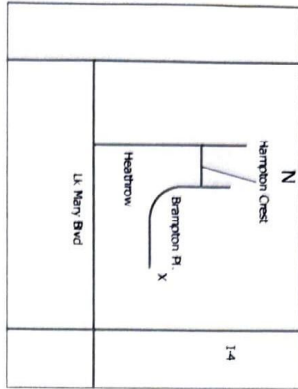
Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Connie Boswell". The signature is written in dark ink and is positioned below the word "Sincerely,".

Connie Boswell

The drawing and its principle design is the exclusive property of Artesian Pools, Inc. It cannot be copied, loaned, or reproduced without written consent.

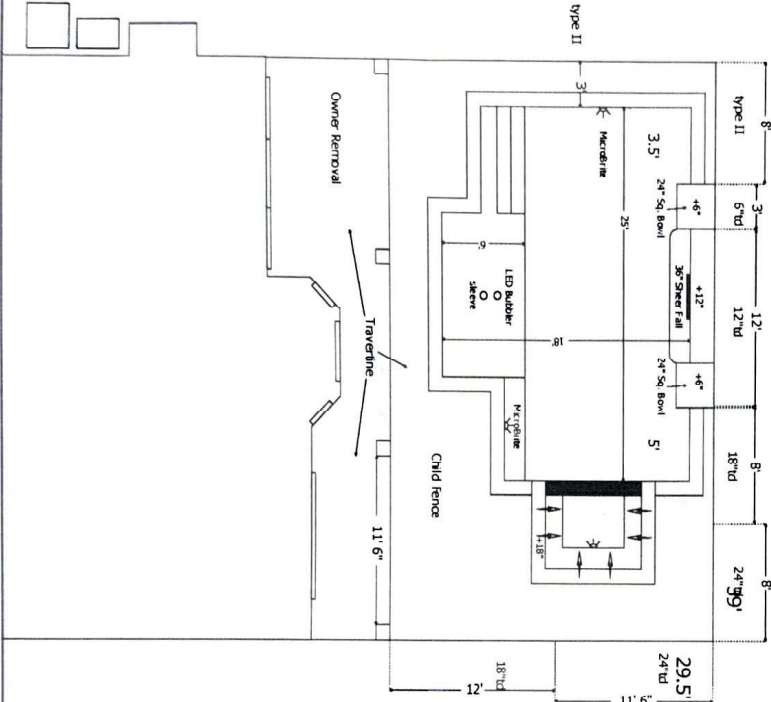


**Termite Artesian**  
**Barrier/Alarms Floater x2**  
**Solar**



Color	Bronze
Roof Style	Dome
Wall Height	10'
Elite Roof	
Doors	2
Gutter	
Quote	
Job Notes	

All drawings and blueprints are not valid from left to right, some and must be read, please ask



**POOL**  
 REFERENCE NO. \_\_\_\_\_ DEPTH 3.5 - 5'  
 WIDTH & LENGTH 18 x 25' EST. TOTAL GALLONS 11,500  
 SWIMOUT YES HAND RAIL / GRAB RAIL NO  
**DECK & TILE**

ACRYLIC COLOR btd TILE Glass and Veneer stone  
 RE-TOP EXISTING Travertine GROUT btd  
 COLOR BAND no STEP TILE no  
 CANTILEVER no DECO TILE no  
 TRAV COLOR Snow White PAVEMENT PATTERN French  
 BRICK COPING no TRAV COPING Snow White  
 INTERIOR MATERIAL: Tier 1 Mini Pebble  
 NOTES:

PUMP SIZE VS3hp/Superflow POOL RETURNS 3  
 FILTER Cartridge 200 LIGHT Microbrite x 2  
 CLEANING SYSTEM: no  
 CHLORINATOR Ozone / Ultra UV / Tab Feeder

SPA Yes + 18" GRANITE SIZE none  
 THERAPY JETS 6 SPA FOUNTAIN no  
 BLOWER YES SPA LIGHT microbrite  
 HEATER Ultra Temp 120 AUTO IntelliCenter 15  
 BOX WATERFALL 35" DECK JETS no  
 WATER BOWL 24" square x2 FIRE BOWL no  
 FOUNTAIN no FOUNTAIN LIGHT no  
 ROCKWORK no

ACCESS APPROVAL yes DRIVEWAY APPROVAL yes  
 DIRT REMOVAL yes FENCE REMOVAL na  
 TREE REMOVAL owner FENCE RE-INSTALL na  
 STUMP REMOVAL no CONCRETE REMOVAL yes  
 SKIMMERS, DUAL MAIN DRAINS, NORMAL ELECTRICAL, TIME CLOCK, TEST  
 KIT, BRUSH, POLE, MANUAL VAC, VACUUM, THERMOMETER,  
 ROPES/FLOATS/HOOKS ARE INCLUDED.  
 BROKEN SPRINKLER LINES WILL BE CAPED AFTER PREGRADE AND RE-  
 ROUTED BY HOMEOWNER

Other Options Sunshelf with sleeve and Led Bubbler  
 Remove existing Elite Roof and Concrete

NAME: Treign & Jennie Jipert  
 ADDRESS: 1277 Brampton Race  
 CITY: Heathrow ZIP 32746  
 CELL PHONE 407-883-0542 WORK PHONE  
 CELL PHONE pb 38/81-84 SUBDIVISION Brampton Cv  
 LOT 40 DESIGNER Henry Sutton DATE  
 Job # CUSTOMER

I have reviewed and I give the approval to proceed with the const

## SEMINOLE COUNTY DENIAL DEVELOPMENT ORDER

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 40  
BRAMPTON COVE  
PB 38 PGS 81 TO 84

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

### A. FINDINGS OF FACT

**Property Owner:** RICHARD & JENNIE LIPPERT  
1277 BRAMPTON PL  
LAKE MARY, FL 32746

**Project Name:** BRAMPTON PL (1277)

#### **Requested Variance:**

A rear yard setback variance from ten (10) feet to seven (7) feet for a swimming pool in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### B. CONCLUSIONS OF LAW

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

### C. DECISION

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

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

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

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

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

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

## **SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On May 20, 2024, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LOT 40  
BRAMPTON COVE  
PB 38 PGS 81 TO 84

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

### **A. FINDINGS OF FACT**

**Property Owner:** RICHARD & JENNIE LIPPERT  
1277 BRAMPTON PL  
LAKE MARY, FL 32746

**Project Name:** BRAMPTON PL (1277)

#### **Variance Approval:**

Request for a rear yard setback variance from ten (10) feet to seven (7) feet for a swimming pool in the PD (Planned Development) district.

The findings reflected in the record of the May 20, 2024, Board of Adjustment meeting are incorporated in this Order by reference.

### **B. CONCLUSIONS OF LAW**

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

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



### Order

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

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development must fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits, including all impact fee ordinances, to the extent that such requirements are not inconsistent with this Development Order.
- (3) The conditions upon this development approval are as follows:
  - a. The variance granted applies only to the swimming pool (18' x 30') as depicted on the site plan, attached hereto as Exhibit A.
- (4) This Development Order touches and concerns the above-described property and the conditions, commitments and provisions of this Development Order will perpetually burden, run with and follow this property and be a servitude and binding upon this property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity with this Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order is found to be invalid or illegal then the entire order will be null and void.
- (6) All applicable state or federal permits must be obtained before commencement of the development authorized by this Development Order.
- (7) Issuance of this Development Order does not in any way create any rights on the part of the Applicant or Property Owner to receive a permit from a state or federal agency, and does not create any liability on the part of Seminole County for issuance of the Development Order if the Applicant or Property Owner fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

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

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

**STATE OF FLORIDA  
COUNTY OF SEMINOLE**

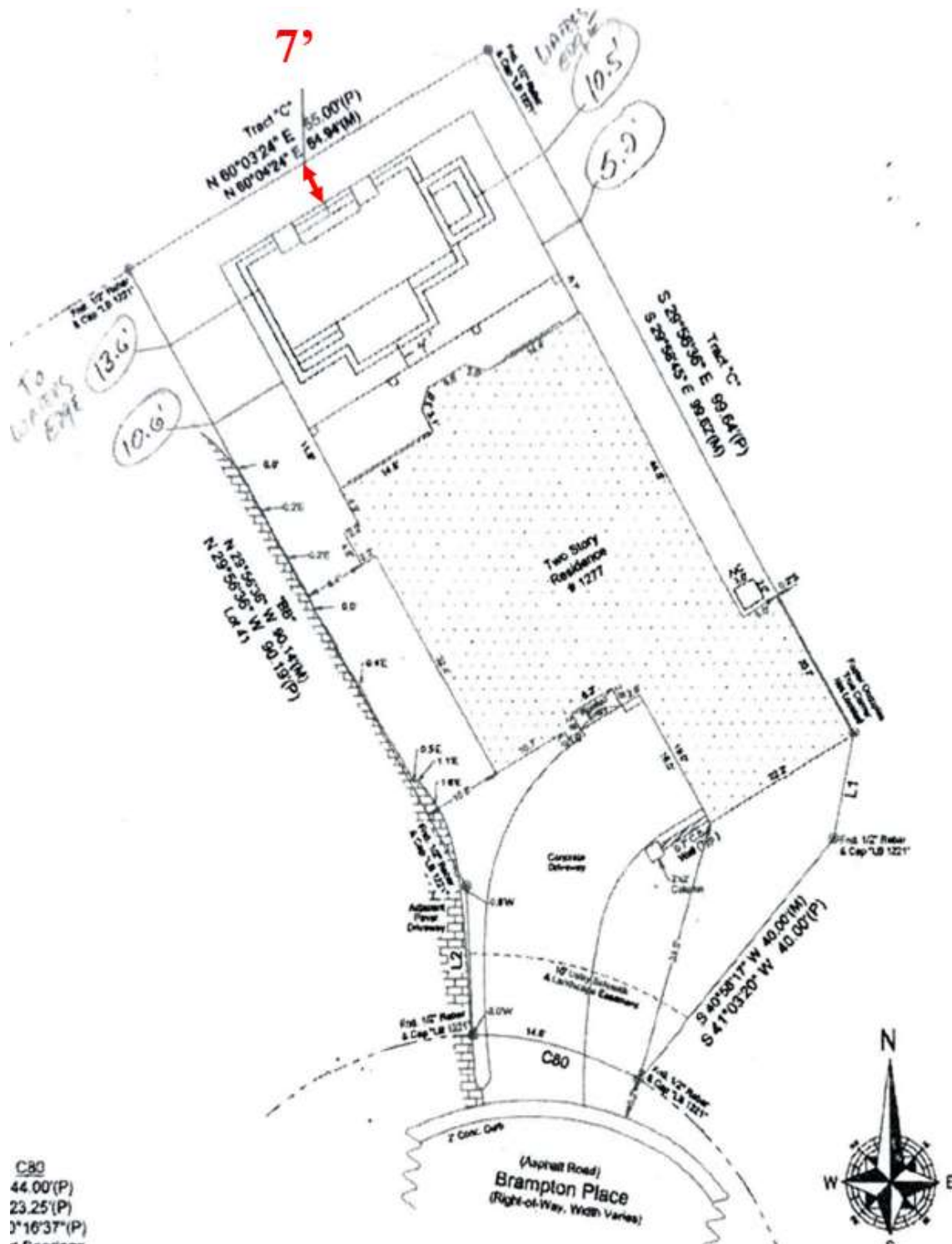
**I HEREBY CERTIFY** that on this day, before me by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Dale Hall, who is personally known to me and who executed the foregoing instrument.

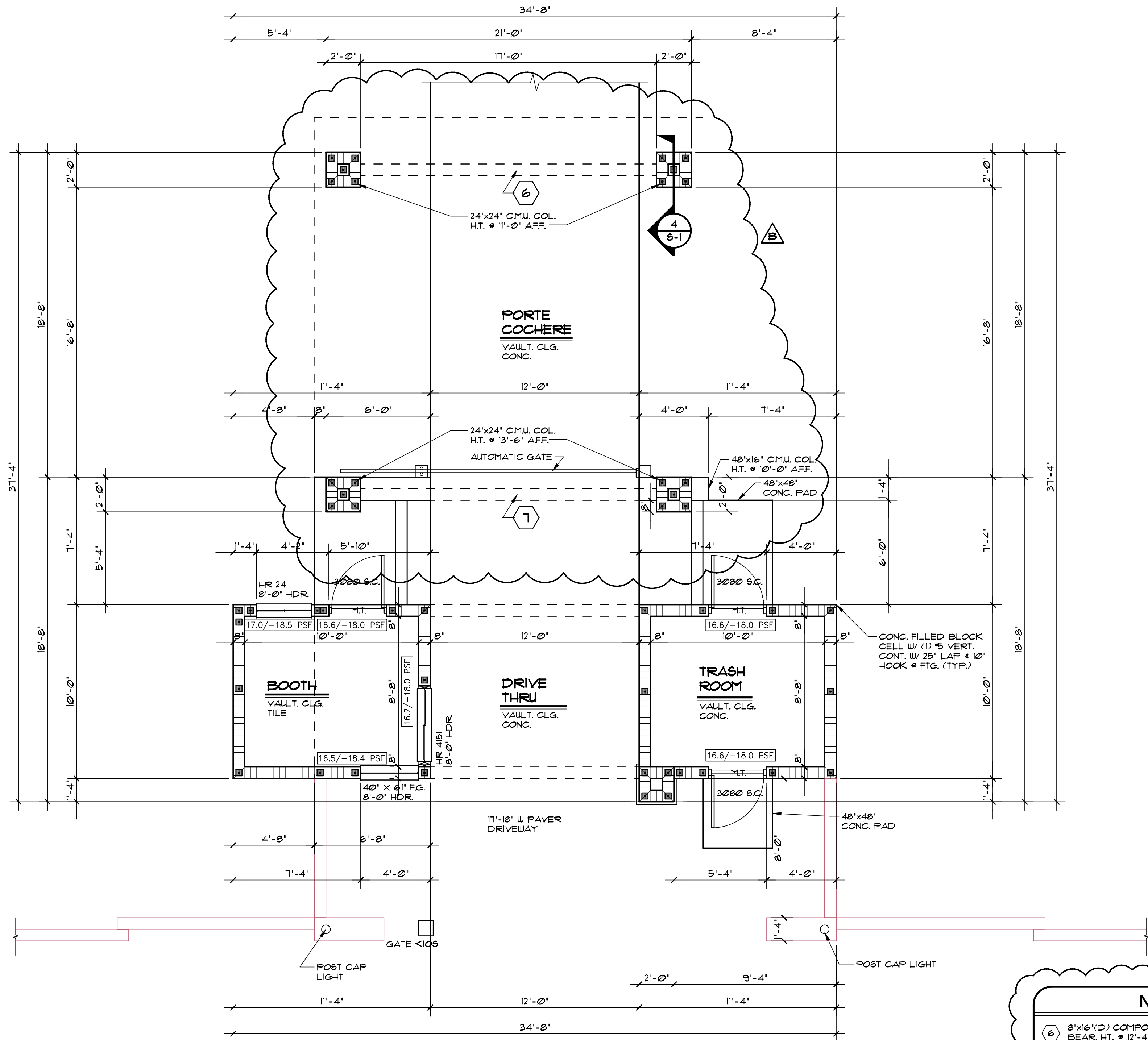
**WITNESS** my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of June, 2024.

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

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

# EXHIBIT A SITE PLAN





#### NOTES

- 6 8"x16"(D) COMPOSITE CONC. LINTEL BEAM,  
BEAR. HT. # 12'-4" AFF.
- 7 8"x16"(D) COMPOSITE CONC. LINTEL BEAM,  
BEAR. HT. # 14'-10" AFF.

## FLOOR PLAN

SCALE: 1/4" = 1'-0"

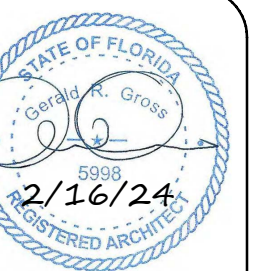
VERSION - 3

**FLOOR PLAN**  
GUARD SHACK/WALL FOR  
**Jason Turner**  
285 North Orange Ave., Sanford, FL

THE ITEM HAS BEEN ELECTRONICALLY  
SIGNED AND SEALED BY GERALD R. GROSS,  
AIA, F.A.S.A., ON THE DATE AND/OR THE  
STAMP SHOWING A LEGAL SIGNATURE.

PRINTED COPIES OF THIS DOCUMENT ARE  
NOT CONSIDERED SIGNED AND SEALED  
AND SIGNATURE MUST BE VERIFIED ON ANY  
ELECTRONIC COPIES.

DIGITAL SIGNATURE



**GERALD R. GROSS**  
AIA, F.A.S.A.  
205T North 13th Drive  
Briar Breezes, Florida 33403  
386-574-9088  
FL REG. ARCHITECT  
NO. AR0006998

PROJECT NO.:  
1.TURNER.GH2A1  
DATE:  
27 JAN 2022  
DRAWN BY:  
TMTL

SHEET NO.:

**A-1**

REVISIONS	
A	14/0/23 PLAN REV/BUILD
B	2/16/24 PORTE COCHERE

**white heart designs**  
ARCHITECTURAL DESIGNER  
790 Dakota Blvd., Suite 100  
Duluth, Florida 32725 986.674.8288 voice  
986.674.8988 fax

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