

MINUTES FOR THE SEMINOLE COUNTY BOARD OF ADJUSTMENT
APRIL 25, 2005
6:00 P.M.

Members Present: Mike Hattaway, Chairman; Dan Bushrui, Wes Pennington, Tom O'Daniel, and Alan Rozon

Staff Present: Tony Walter, Assistant Planning Manager; Earnest McDonald, Principal Coordinator; Kathy Fall, Senior Planner; Francisco Torregrosa, Planner; Michael Rumer, Planner; Arnold Schneider, County Attorney; Patty Johnson, Senior Staff Assistant

Mike Hattaway, Chairman, called the meeting to order at 6:00 P.M. Mr. Hattaway then explained the method by which the meeting would be conducted, rules for the voting and appealing decisions.

PUBLIC HEARING ITEMS

MOBILE HOME SPECIAL EXCEPTIONS:

1. **801 TIFFANY LANE** - Robert Tedesco, applicant; Request for special exception for the two year placement of a mobile home in the A-1(Agriculture District), while a conventional home is under construction; Located on the south side of Tiffany Lane, approximately 0.17 miles from the intersection of Bedford Road and Tiffany Lane; (BM2005-008).

Kathy Fall, Senior Planner

THE APPLICANT WAS NOT PRESENT.

THIS ITEM WAS HEARD LATER IN THE MEETING.

2. **1550 COCHRAN ROAD** - Bruce & Susan Kerr, applicants; Request for special exception for the permanent placement of a mobile home in the A-5 (Rural Zoning Classification); Located on the north side of Cochran Road, approximately 0.12 miles from the intersection of Bi Wood Drive and Cochran Road; (BM2005-010).

Kathy Fall, Senior Planner

Kathy Fall introduced the location of the property and stated that the applicant requested to replace the 1988 mobile home with a 2005 mobile home. She also stated that the area along Cochran Road is a mixed trend of development, there are mobile homes and conventional homes. She further stated that staff recommended approval of the permanent placement of the mobile home.

Susan Kern stated that she had lived there for 17 years. She also stated that they purchased the property from Mr. Hattaway. She further stated that Gilbert Banks

was her father and he died in 1999. She lastly stated that her mother-in law would be moving in with them, which is the reason they were getting a bigger home.

Mr. Pennington made a motion to approve the request.

Mr. Rozon seconded the motion.

The motion passed by unanimous consent (5-0).

VARIANCES:

- 3. 2313 SANDALWOOD DRIVE** - Brian Fresk, applicant; Request for (1) (south) side yard setback variance from 7.5 feet to 5 feet for an existing shed; and (2) (east) rear yard setback variance from 10 feet to 7 feet for an existing shed in the R-1A (Single-Family Dwelling District); Located on the east side of Sandalwood Dr. approximately 500 feet south of the intersection of Sandalwood Drive and South Street; (BV2005-016).

Michael Rumer, Planner

Michael Rumer introduced the location of the property and stated that the applicant received a code violation for building the shed without a permit. He also stated that the applicant had failed to satisfy the criteria for granting a variance. He further stated that staff recommended denial of the request. He lastly stated that the applicant provided three (3) letters of support from his neighbors.

Brain Fresk stated that he put his shed in line with the other sheds in the neighborhood. He also stated that the lots in the neighborhood are small. He further stated that he had letters of support from some of his neighbors and that one neighbor came to speak on his behalf.

John McGilver stated that he was the neighbor across the street. He also stated that the building looks nice and Brain had been a good neighbor. He further stated that Brain keeps up his property and that is a credit to the neighborhood.

Mr. Rozon made a motion to approve the request.

Mr. Bushrui seconded the motion.

The motion passed by unanimous consent (5-0).

- 4. 5265 NORTH LAKE BURKETT LANE** - Kim Le, applicant; Request for (west) minimum rear yard setback variance from 25 feet to 15 feet for a screen room addition in a PUD (Planned Unit Development); Located on the west side of North

Lake Burkett Lane 0.1 mile north of the intersection of North Lake Burkett Lane and Anson Way; (BV2005-017).

Michael Rumer, Planner

Michael Rumer introduced the location of the property and stated that the applicant had failed to satisfy the criteria for granting a variance. He further stated that staff recommended denial of the request. He lastly stated for the Board information the property abuts the neighborhood swimming pool and pool house.

Kim Le stated that she had lived there for 14 years and the family was growing and they needed a room. She also stated that a neighbor two (2) houses down from her had gotten approval from the Board for the same room she is requesting. She further stated that she provided two (2) letters of support from her neighbors.

Mr. Bushrui made a motion to approve the request.

Mr. O'Daniel seconded the motion.

The motion passed by unanimous consent (5-0).

- 5. 615 FELLOWSHIP DRIVE** - Coach Light Estates, applicant; Request for maximum fence height variance from 6.5 feet to 8 feet for a proposed fence in the R-3A (Multiple-Family Dwelling District); Located west of Wilshire Blvd, approximately 0.1 mile north of the intersection of Wilshire Blvd and S.R. 436; (BV2005-020).

Michael Rumer, Planner

Michael Rumer introduced the location of the property and stated that this item was going to be the Consent Item. He further stated that staff recommended approval of the request.

Mr. Hattaway stated that this item would be treated as a Consent Item.

Mr. Rozon made a motion to approve the request.

Mr. O'Daniel seconded the motion.

The motion passed by unanimous consent (5-0).

- 6. 3437 ASHTON OAK COVE** - Michael Dionne, applicant; Request for minimum rear yard setback variance from 25 feet to 17 feet for a proposed addition in the PUD (Planned Unit Development District); Located on the east side of Ashton Oak Cove, approximately 100 feet north of the intersection of Alaqua Lakes Boulevard and Ashton Oak Cove; (BV2005-022).

Francisco Torregrosa, Planner

Francisco Torregrosa introduced the location of the property and stated that the applicant had failed to satisfy the criteria for granting a variance. He further stated that staff recommended denial of the request. He lastly stated that staff received a letter from the Homeowners Association approving the addition pending tonight's meeting and staff received letters of support from four (4) nearby property owners.

The applicant was not present.

Mr. Pennington made a motion to approve the request.

Mr. Bushrui seconded the motion.

The motion passed by unanimous consent (5-0).

- 1. 801 TIFFANY LANE** - Robert Tedesco, applicant; Request for special exception for the two year placement of a mobile home in the A-1(Agriculture District), while a conventional home is under construction; Located on the south side of Tiffany Lane, approximately 0.17 miles from the intersection of Bedford Road and Tiffany Lane; (BM2005-008).

Kathy Fall, Senior Planner

Kathy Fall introduced the location of the property and stated that the zoning for A-1 District only allows the temporary occupancy of a mobile home as limited use for a period of one (1) year while a single family home is under construction, with the ability to renew for an additional year. She also stated that this limited use is only allowed in the rural area of Seminole County. She further stated that staff could not recommend approval of the request because it did not meet the criteria for granting a variance. She also stated that staff received a petition of opposition from a single family neighborhood by the name of Woodbine which is to the north of the applicant's property. She lastly stated that she received two (2) phone calls in reference to this application, one (1) in opposition and the second call was for informational purposes only.

Dawn Lynch stated that she was the fiancée of the applicant, Robert Tedesco and she would present the site plan of the home they were planning to build on Tiffany Lane. She also stated that they would like to put a mobile home on the property to watch and make sure everything is going good with the building of their home. She further stated that they have had some problems out on the site. She showed the location of the home and where the mobile home would be located during the construction of their new home.

Anthony Tedesco stated that he was Bobby's brother and they would be working out on the site and the mobile home would be used as a construction trailer. He also stated that they had been cleaning up and clearing the property. He also stated that they had not pulled any building permits.

Bruce Quinn stated that he lived in the Woodbine subdivision and he presented a letter to the Board about the concerns of the neighborhood. He also stated that the placement of a mobile home is permitted in the rural areas and that this location was not a rural area. He further stated that they were not too happy with a plant nursery in the neighborhood. He also stated that he didn't have a problem with Robert building his home but his plan for commercial activities or storage of large industrial pieces of equipment was certainly a prime concern for the residents of Woodbine and the neighbors on Tiffany Lane.

Bill Nixon stated that he lived at the very end of Tiffany Lane and he maintains the road. He also stated that Tiffany Lane is a dirt road and when you have dump trucks coming in and out it damages the road. He further stated that he was in the construction business and he was in total opposition of a construction trailer on the property because the applicant stated that had a contractor who was going to build their house. He lastly stated that he didn't believe the applicant was going to live in the mobile home.

Anthony Tedesco stated that they were not going to use the mobile home for business. He also stated that his brother would like to be on the property during the construction of his home.

Mr. Pennington made a motion to deny the request.

Mr. Rozon seconded the motion.

The motion passed by unanimous consent (5-0).

- 7. 400 GRANDVIEW PLACE** – Michael Boccard, applicant; Request for (west) minimum side yard setback variance from 10 feet to 2 feet for a proposed garage in the R-1AAA (Single-Family Dwelling District); Located on the south side of Grandview Place, approximately 100 feet west of the intersection of Sweetwater Club Boulevard and Grandview Place; (BV2005-024).

Francisco Torregrosa, Planner

Francisco Torregrosa introduced the location of the property and stated that the applicant had failed to satisfy the criteria for granting a variance. He further stated that staff recommended denial of the request. He lastly stated that staff received a letter of support from the adjacent property owner.

Michael Boccard stated that he was the General Contractor for Dr. Colvin, the owner of the property. He also stated that Dr. Colvin needed more parking space, which is why he was requesting another garage on his property. He further stated that he is currently parking vehicles in front of his home and the neighbors in the Sweetwater Club subdivision don't like that. He lastly stated that the additional

three (3) car garage would be the mere image of what he currently has and it would be facing the other garage.

Mr. Rozon made a motion to approve the request.

Mr. Bushrui seconded the motion.

The motion passed by unanimous consent (5-0).

- 8. 3051 CECELIA DRIVE** - Donald Roberts, applicant; Request for (1) (north) minimum side yard setback variance from 10 feet to 5 feet for a proposed home; and (2) minimum lot width at the building line variance from 90 feet to 60 feet for a proposed home in the R-1AA (Single-Family Dwelling District); Located on the north side of Cecelia Drive, approximately 400 feet north of the intersection of Neil Road and Cecelia Drive; (BV2005-027).
Francisco Torregrosa, Planner

Francisco Torregrosa introduced the location of the property and stated that the applicant had failed to satisfy the criteria for the grant of the requested (1) side yard setback variance from 10 feet to 5 feet for a proposed home therefore staff recommended denial of the request. He further stated that staff recommended approval of the (2) minimum lot at the building line variance from 90 feet to 60 feet. He lastly stated that staff received a letter of support from an adjacent property owner and a letter of opposition from a nearby property owner.

Donald Roberts, Architect stated that the reason for the side yard setback was because of the difficulty getting a boat and trailer back to the boat ramp. He also stated that the applicant needed more space to get to the ramp.

Mario Mariani, the owner of the property stated that he built the ramp and sea wall about 2 years ago. He also stated that he went through all the procedures with the Building Department and did everything he was asked to do. He further stated that he needed a little extra room to pull the boat in and out of the property for maintenance.

Mr. Pennington made a motion to approve the request.

Mr. Bushrui seconded the motion.

The motion passed by unanimous consent (5-0).

- 9. 4090 RUBY STREET** - Virginia Reynolds, applicant; Request for (1) minimum rear yard setback variance from 30 feet to 15 feet for a proposed shed; and (2) minimum front yard setback variance from 46.67 feet to 31.77 feet for a proposed home in the A-1 (Agriculture District); Located on the north side of Ruby Street,

approximately 175 feet east of the intersection of Upsala Road and Ruby Street; (BV2005-028).

Francisco Torregrosa, Planner

Francisco Torregrosa introduced the location of the property and stated that the applicant had failed to satisfy the criteria for granting a variance. He further stated that staff recommended denial of the request.

Virginia Reynolds stated that she was speaking on behalf of her son. She also stated that his current address was 475 White Cedar Road and the property was being developed into townhouses. She further stated that they wanted to move the house and shed on the Ruby Street site. She showed pictures of the house and shed that was going to be moved. She also stated that in order to fit the house and shed on the proposed site she needed approval from the Board of Adjustment for the variances. She further stated that Mr. Youngblood would be moving the shed and house, he talked to the neighbors of a field he has to come across in moving the house and shed and they didn't have a problem with it. She lastly stated that the lady that is selling her the property lives across the street from the site.

Mr. Rozon made a motion to approve request (2) for the house.

Mr. Pennington seconded the motion.

The motion passed by unanimous consent (5-0).

Mr. Pennington made a motion to approve request (1) for the shed.

Mr. O'Daniel seconded the motion.

The motion passed by (3-2) consent. Mr. Hattaway and Mr. Bushrui were in opposition.

APPROVAL OF MARCH 2005 MEETING MINUTES

Mr. Rozon made a motion to approve the Amended March 28, 2005 minutes.

Mr. Pennington seconded the motion.

The motion passed by unanimous consent (5-0).

ADJOURNMENT

Time of adjournment was 7:20 P.M.