

**MINUTES FOR THE SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
JULY 24, 2006  
6:00 p.m.**

**Members Present:** Mike Hattaway, Chairman; Dan Bushrui, Alan Rozon, Tom O'Daniel and Melanie Chase

**Staff Present:** Kathy Fall, Principal Planner; Ian Sikonia, Planner; Denny Gibbs, Senior Planner, Kimberly Laucella, Assistant County Attorney; Patty Johnson, Senior Staff Assistant

Mr. 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 voting and appealing decisions.

## **CONSENT ITEM**

1. **Jack Court (Lot 5)** - Golden Rule Housing CDC, applicant; Request for (1) a lot size variance from 8,400 square feet to 8,340 square feet; and a (2) width at the building line from 70 feet to 60 feet for a proposed home in R-1 (Single Family Dwelling District); Located on the west side of Jack Court, approximately 300 feet south of 20<sup>th</sup> Street; (BV2006-102).  
Denny Gibbs, Senior Planner

**Mr. Rozon made a motion to approve Consent Agenda Item #1.**

**Mr. Bushrui seconded the motion.**

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

## **PUBLIC HEARING ITEMS**

**Kathy Fall stated that Items 2-12 were Public Hearing Items and staff did not have the authority to recommend approval to the Board of Adjustment. She further stated that Item 13 had been withdrawn by staff.**

2. **6233 Hedgesparrows Lane** - Holland Pools, applicant; Request for a rear yard setback variance from 7.5 feet to 6 feet for an existing pool screen enclosure in PUD (Planned Unit Development District); Located on

the south side of Hedgesparrows Lane, approximately 1500 feet north of Markham Road, west of Sandy Lane; (BV2006-093).  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant had constructed a pool screen enclosure that encroached 1.5 feet into the required 7.5 feet rear yard setback. She further stated that the applicant had submitted a Building permit application for the screen enclosure. She then stated that there was currently no code enforcement or building violations for this property. She lastly stated that there were no prior variances granted for the property.

Mark Shaughnessy stated that he worked for Holland Pool and this was his personal mistake and to correct the mistake he had to request for a variance. He further stated that there was only 6 feet remaining after the pool screen enclosure and the required setback is 7.5 feet. He also stated that they had spoken to the neighbors and they didn't have a problem with the request.

**Mr. Bushrui made a motion to approve the request.**

**Mr. O'Daniel seconded the motion.**

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

3. **8121 Via Bonita** - Susan Jackson, applicant; Request for a front yard setback variance from 25 feet to 20 feet for a proposed front porch extension and second story garage addition in R-1A (Single Family Dwelling District); Located on the south side of Via Bonita approximately 1000 feet east of Longwood Markham Road; (BV2006-097).  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant proposed to extend the garage out 5 feet and construct a second story over the existing garage which would encroach 5 feet into the required 25 feet front yard setback. She further stated that the applicant also proposed to extend the existing front porch out 5 feet. She then stated that the applicant had submitted letters of support from the immediate neighbors. She also stated that there was currently no code enforcement or building violations for this property. She lastly stated that there were no prior variances granted for the property.

Susan Jackson stated that she was hoping to expand the usability of her house. She further stated that the house current size was 1290 square feet. She then stated that she recently got married and her husband has a

7 year old son and they needed more storage space. She further stated that she has a boat and she would like to put it in her garage and remove it from in front of the house because in her opinion it distract from the house as well as the neighborhood. She then stated that she wanted to extend the garage and add a front porch. She also stated that she was hoping to put a second story over the garage, but she would have to redo the foundation under the garage to support the second story. She lastly stated that she appreciated the Board consideration to her request.

**Mrs. Chase made a motion to approve the request.**

**Mr. Rozon seconded the motion.**

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

4. **2911 Boland Drive** - Steve Gorwig, applicant; Request for a side yard setback variance from 10 feet to 0 feet for a proposed boat cover structure in R-1AA (Single Family Dwelling District); Located on the east side of Boland Drive, approximately 1000 feet north of Carrigan Avenue, east of Alafaya Trail; (BV2006-104).  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant proposed to construct a boat cover that would encroach 10 feet into the 10 feet side yard setback. She further stated that the applicant had received approval on two (2) prior variances in 2001, for a shed and fence. She lastly stated that there was currently no code enforcement or building violations for the property.

Steve Gorwig stated that the proposed boat cover would be a free standing structure. He further showed the Board the location of his boat and the proposed cover. He then stated that he anticipated on having 6 poles (4 inch steel) to support the boat cover. He further stated that the structure would not have any sides or front and would only be visible from the north side of the property. He lastly stated that he would hang the sun cover over the boat.

**Mr. O'Daniel made a motion to approve the request.**

**Mr. Rozon seconded the motion.**

**The motion passed by (3-2) vote. Mr. Hattaway and Mrs. Chase were in opposition.**

5. **119 Beasley Road** - David Spencer, applicant; Request for (1) a front yard setback variance from 25 feet to 12 feet 2.5 inches; and (2) a side yard setback variance from 10 feet to 8 feet 2.5 inches for a proposed garage addition in R-1AA (Single Family Dwelling District); Located on the south side of Beasley Road approximately 500 feet west of Alafaya Trail; (BV2006-105).

Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant proposed to construct a garage addition approximately 990 square feet that would encroach 12 feet 9.5 inches into the required 25 feet front yard setback and encroach 1 foot 9.5 inches into the required 10 feet side yard setback. She further stated that Beasley Road was an improved dead end road. She then stated that there was currently no code enforcement or building violations for this property. She lastly stated that there was no record of prior variances for this property.

David Spencer stated that he would like to put a three (3) car garage along the side lot line and make an L shape driveway going into the garage. He then showed the Board a picture of the proposed three (3) car garage and stated that he wanted to change the shape of the property. He further stated that his neighbor is 100 feet away from his property. He then stated that all of the adjacent neighbors are very supportive of his request. He further stated that he was getting ready to renovate his property before hurricane Charlie but since then he has removed 16 trees.

**Mr. Bushrui made a motion to approve the request for (1) a front yard setback variance from 25 feet to 12 feet 2.5 inches; and (2) a side yard setback variance from 10 feet to 9 feet 8 inches for a proposed garage addition.**

**Mr. Rozon seconded the motion.**

**The motion passed by a (3-2) vote. Mr. Hattaway and Mr. O'Daniel were in opposition.**

6. **1254 Forest Lake Drive West** – Joseph Calder, applicant; Request for a side yard (west) setback variance from 7.5 feet to 5 feet for a proposed garage in the R-1A (Single-Family Dwelling District); Located on the north side of Forest Lake Drive West approximately ½ mile south of the intersection of SR 436 and Forest Lake Drive; (BV2006-091).

Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to construct a 700 square foot garage to the front of the existing of the existing 1961 single-family home. He further stated that

there was currently no code enforcement or building violations for the property. He lastly stated that there was no record of any prior variances granted for the property.

Joseph Calder stated that he was representing the owner of the property. He then showed the Board a picture of the survey with the proposed two car garage and work shop. He further stated that he received four (4) letters of support from the neighbors.

**Mrs. Chase made a motion to approve the request.**

**Mr. Bushrui seconded the motion.**

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

7. **3125 Cecelia Drive** – Horecio Gonzalez, applicant; Request for a width at the building line variance from 90 feet to 79 feet 5 inches for a proposed home in the R-1AA (Single-Family Dwelling District); Located on the east side of Cecelia Drive approximately 600 feet south of the intersection of Neil Road and Cecelia Drive; (BV2006-095).

Ian Sikonia, Planner

**The applicant was not present.**

**This item was continued until August 28, 2006.**

8. **923 North Jerico Drive** – John Jordan, applicant; Request for a rear yard setback variance from 30 feet to 14 feet 4 inches for a proposed covered screened room in the R-1A (Single-Family Dwelling District); Located on the east side of North Jerico Drive approximately ¼ mile north of the intersection of Red Bug Lake Road and North Jerico Drive; (BV2006-096).

Ian Sikonia, Planner

Ian Sikonia introduced the location of the application and stated that the applicant proposed to construct a 650 square foot covered screen room to the rear of the existing single-family home. He further stated that the applicant had submitted plans to the building department for the covered screen room on May 15, 2006. He then stated that there was currently no code enforcement or building violation for the property. He lastly stated that the property owner two (2) parcels to the north received a variance for a rear yard setback from 30 feet to 22 feet on July 20, 1987.

John Jordan stated that he represented the owner of the property. He further stated that the applicant's family had grown and they wanted to expand the house. He then showed the Board a picture of the survey with

the existing family room and the proposed addition, which would be at the rear of the property. He also stated that the applicant wanted to extend an existing porch across the length of the back of the house for the proposed screen room. He lastly stated that the he received a letter of support from the neighbor to the right and the neighbor to the left came to the meeting with him.

**Mr. Rozon made a motion to approve the request.**

**Mr. Bushrui seconded the motion.**

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

9. **3516 Seaford Lane** – Jim McSweeney, applicant; Request for a rear yard setback variance from 30 feet to 7.5 feet for a proposed detached garage in the R-1AA (Single-Family Dwelling District); Located on the west side of Seaford Lane approximately 400 feet north of the intersection of Medford Road and Seaford lane; (BV2006-098).

Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to construct a 760 square foot detached garage in the rear of the property. He further stated that the applicant had submitted a letter from the Howell Cove Homeowners Association stating they had no objection to the proposed detached garage. He then stated that the applicant had also submitted a petition with signatures from three (3) adjacent neighbors in support of the request. He also stated that there was currently no code enforcement or building violations for the property. He lastly stated that there was no record of prior variances granted for the property.

Jim McSweeney stated that he proposed to build a detached two (2) car garage in the rear of the property. He further stated that the yards sloped about 5 feet from the back to the front and he would have to take out about 100 yards of soil. He then stated that the garage would not be intrusive to his neighbors behind him. He lastly stated that the garage would be for storage of his older cars.

**Mr. O'Daniel made a motion to approve the request.**

**Mr. Rozon seconded the motion.**

**The motion passed by (4-1) vote. Mr. Hattaway was in opposition.**

10. **608 Oakhurst Street** – Frank Locasio, applicant; Request for a rear yard setback variance from 30 feet to 10 feet for a proposed detached storage garage in the R-1AA (Single-Family Dwelling District); Located on the south side of Oakhurst Street approximately 300 feet east of the intersection of Grove Avenue and Oakhurst Street; (BV2006-099).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the application and stated that the applicant proposed a 1200 square foot storage garage in the southwest portion of the property. He further stated that the applicant had also submitted a petition from 11 surrounding neighbors who had no objection to the proposed storage shed. He also stated that there was currently no code enforcement or building violations for the property. He lastly stated that there was no record of prior variances granted for the property.

Frank Locascio stated that the property he purchased is currently an eyesore. He further stated that he had cleared over 50 very large mangled trees from the lot and had removed four 30 yard dumpster loads of trash. He then stated that he had applied for and received a building permit to renovate and upgrade the property. He also stated that he could not begin the improvements without the shed. He further stated that he needed a place to store building materials while working on the house. He then stated he would also need to store some personal property in the shed as he sold his home to get the funds to do the work on this property. He also stated that the shed would actually be an improvement to the lot as attested by the petition. He further stated that one neighbor is upset that he had not begun the improvements. He then stated that if he could get the proposed shed built he could proceed with the plans and appease the disgruntled neighbor. He lastly stated that he really wanted to complete the work and move into the home.

**Mr. O’Daniel made a motion to approve the request.**

**Mr. Rozon seconded the motion.**

**The motion failed by a 2-3 vote. Mr. Hattaway, Mr. Bushrui and Mrs. Chase were in opposition.**

**Mr. Bushrui made a motion to deny the request.**

**Mr. Chase seconded the motion.**

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

11. **964 Campello Street** – David Fulsang, applicant; Request for a side yard setback variance from 10 feet to 8 feet for a replacement pool screen enclosure in the R-1AA (Single-Family Dwelling District); Located on the north side of Campello Street approximately 400 feet east of the intersection of Seminole Avenue and Campello Street; (BV2006-100).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that applicant proposed to construct a replacement pool screen enclosure on the existing slab. He further stated that the applicant submitted plans for the screen enclosure to the Building Division on April 20, 2006. He then stated that there was currently no code enforcement or building violations for the property. He lastly stated that there was no record of prior variances granted for the property.

David Fulsang stated that he wanted to replace his screen enclosure. He further stated that during hurricane Charlie his neighbor's tree fell on the screen enclosure and tore it down. He then submitted a letter from the neighbor to the Board.

**Mr. Rozon made a motion to approve the request.**

**Mr. Bushrui seconded the motion.**

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

12. **1105 Cardinal Creek Place** – Steve & Linda Kohn, applicants; Request for a rear yard setback variance from 30 feet to 24 feet for a proposed addition in the R-1A (Single-Family Dwelling District); Located on the east side of Cardinal Creek Place approximately ¼ mile northeast of the intersection of Tuskawilla Road and Cardinal Creek Place; (BV2006-103).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to construct an addition to the rear of an existing single-family home that would encroach 6 feet into the minimum 30 feet rear yard setback. He further stated that the property has a 15 foot drainage easement in the rear and a 5 foot utility easement on the sides of the property. He then stated that the applicant had submitted one letter from the neighbor to the north and the east that had no objection to the proposed addition. He also stated that there was currently no code enforcement or building violation for the property. He lastly stated that there was no record of any prior variances granted for the property.



Linda Kohn stated that they were planning for the future and wanted to add on to their house. She further stated that they had a big family and on Sunday's the family had dinner together and they needed more room.

**Mr. Rozon made a motion to approve the request.**

**Mrs. Chase seconded the motion.**

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

13. **100 Idyllwilde Drive** – Stefanie & Russell Kitner, applicants; Request for a side street setback variance from 40 feet to 25 feet for a proposed pool that projects in front of the building line in the R-1AA (Single-Family Dwelling District); Located on the north west corner of the Intersection of SR 46A and Idyllwilde Drive; (BV2006-121).

Kathy Fall, Principal Planner

**This Item was withdrawn by Staff.**

## **MOBILE HOMES**

14. **1281 Burnt Tree Road** – James Williamson, applicant; Request for a special exception for the 10 year placement of an existing mobile home in the A-5 (Rural District); Located on the east side of Shawnee Trail and Burnt Tree Road approximately 0.13 mile from the intersection of Harney Heights Road and Meade Road; (BM2006-016).

Kathy Fall, Principal Planner

Kathy Fall introduced the location of the property and stated that the applicant requested the 10 year placement of a 1979 double wide mobile home. She further stated that a special exception was granted in 1996 for the 10 year placement of a mobile home. She then stated that available records indicated that the majority of the lots in the surrounding area have mobile homes that the Board of Adjustment had approved temporary placement, except one mobile home that had received permanent placement in 2001 for a new double wide mobile home. She lastly stated that based upon the trend of development of existing mobile homes in the surrounding area staff would consider the approval of a new mobile home that meet conventional home design standards.

James Williamson stated that with the hurricanes and health issues he needed more time. He further stated that he had been improving the property inside and out. He lastly stated that he planned to build, but he needed more time, therefore he was requesting a 10 year renewal of the existing mobile home.

**Mrs. Chase made a motion to approve the request.**

**Mr. O'Daniel seconded the motion.**

**The motion passed by (4-0) vote. Mr. Bushrui was in opposition.**

15. **906 Meade Road** – Denise St. Amant, applicant; Request for a special exception for the 10 year placement of a mobile home in the A-5 (Rural District); Located on the north side of Meade Road approximately 0.35 mile from the intersection of Harney Heights Road and Meade Road; (BM2006-017).  
Kathy Fall, Principal Planner

Kathy Fall introduced the location of the property and stated that the applicant requested the 10 year placement of a 1995 double wide mobile home. She further stated that a special exception was granted in 1986 for the 3 year placement of a mobile home. She then stated that available records indicated that the majority of lots in the surrounding area had mobile homes that the Board of Adjustment had approved for temporary placement except one mobile home that received permanent placement in 2003 for a new double wide mobile home. She lastly stated that based upon the trend of development of existing mobile homes in the surrounding area staff would consider the approval of a new mobile home to meet conventional home design standards.

Denise St. Amant stated that she was requesting to put a 1995 double wide mobile home on the property. She then showed the Board pictures of the proposed 1995 mobile home. She also showed the Board where the home would be located on the property. She lastly stated that she planned on building a home in the future.

**Mr. Rozon made a motion to approve the request.**

**Mr. Bushrui seconded the motion.**

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

16. **2071 Squirrel Run** – Joerg Whitehead, applicant; Request for a special exception for the permanent placement of a mobile home in the A-5 (Rural District); Located on the west side Squirrel Run approximately 0.13 mile from the intersection of South Cochran Road and Squirrel Run; (BM2006-018).  
Kathy Fall, Principal Planner

Kathy Fall introduced the location of the property and stated that the applicant requested the permanent placement of a 2006 double wide mobile home. She further stated that a special exception was granted in 1979 for the 3 year placement of a single wide mobile home. She then stated that there was an existing 1982 single wide mobile home on the property. She further stated that available records indicated that the majority of the surrounding parcels in the immediate vicinity had mobile homes or conventional single family homes. She then stated that in the past two (2) years there had been several mobile homes granted permanent placement or lifetime placement of mobile homes in the surrounding area. She lastly stated that based on the stated findings staff recommended the permanent of a 2006 or newer mobile home based on the following conditions:

- Only one (1) single-family mobile home unit shall occupy the site, as shown on the proposed plan
- The mobile home shall be a 2006 or newer double wide mobile home
- Shingled roof, vinyl siding, skirting and other conventional home design condition deemed appropriate by the Board of Adjustment
- The mobile home shall otherwise conform to applicable building codes, including standards for anchoring, utility accessibility and skirting

Monica Whitehead stated that they had received signatures of support from all of their neighbors on Squirrel Run. She further stated that they had lived on the property for 9 years in a 1982 mobile home that is falling apart. She then stated that they plan to continue to live on the property with a 2006 double wide mobile home. She lastly stated that the property is 5 acres.

**Mr. Rozon made a motion to approve the special exception for the life of the mobile home.**

**Mr. Bushrui seconded the motion.**

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

## **SPECIAL EXCEPTIONS**

**17.925 Oklahoma Street** - Girls and Boys Town of Central Florida, applicant; Request for an amendment to expand an existing special exception with additional buildings and a charter school in A-1 (Agriculture District); Located on the northeast corner of SR 426 and Oklahoma Street; (BS2006-004)

Kathy Fall, Principal Planner

Kathy Fall introduced the location of the property and stated that the applicant proposed to expand an existing group home by adding four (4) group homes, administrative building, school, kitchen and a basketball pavilion. She further stated that the applicant is expanding the current site, which currently has seven (7) group homes, in order to increase services within the Central Florida area. She then stated that the current use of the site was established in 1980 with the approval of a special exception for three (3) group homes. Since that time there had been numerous amendments to the special exception to expand the use. She further stated that the request would be more intensive in nature, but impact of the uses would be minimal by layout of uses depicted in the site plan master plan. Concentrating the more intense uses along CR 426 and imbedding the proposed group homes within the existing group homes will ensure compatibility with the adjacent uses. She lastly stated that staff recommended approval subject to the proposed amendment of the existing special exception based upon the following conditions:

- The general layout of the proposed uses as depicted on the master plan shall not change
- No building shall be increased more than 10% without Board of Adjustment approval
- All buildings that are not group homes shall be for the exclusive purpose of serving the on-site residents
- Prior to the issuance of development permits, a site plan that meets the requirements of Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee

Jack Walsh stated that he worked for Boyer Singleton & Associates, and he represented the applicant, Girls and Boys Town of Central Florida. He further stated that he had read the staff report and he was in support of all the recommendations from staff.

**Mr. O'Daniel made a motion to approve the special exception request.**

**Mr. Rozon seconded the motion.**

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

18. **1161 Moton Avenue** – Vernon Thompson, applicant; Request for a special exception for a proposed off street parking facility and an addition to an existing church in the R-1 (Single-Family Dwelling District); Located at the southeast and southwest section of the intersection of Dubois Street and Moton Avenue; (BS2006-003).

Ian Sikonia, Planner

**After a lengthy discussion this Item was Continued until August 28, 2006.**

## **APPROVAL OF JUNE 2006 MEETING MINUTES**

**Mr. Bushrui made a motion to approve June 26, 2006 Minutes.**

**Mr. Rozon seconded the motion.**

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

## **ADJOURNMENT**

**Time of Adjournment was 9:15 P.M.**