

**MINUTES FOR THE SEMINOLE COUNTY  
BOARD OF ADJUSTMENT  
SEPTEMBER 25, 2006  
6:00 p.m.**

**Members Present:** Mike Hattaway, Chairman; Dan Bushrui, Alan Rozon, Mike Bass and Wes Pennington

**Staff Present:** Kathy Fall, Principal Planner; Ian Sikonia, Planner; Denny Gibbs, Senior Planner; Austin Watkins, Planner; Courtney Counts, Planning Intern; 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 ITEMS**

1. **330 Golfview Avenue** – David Long, applicant; Request for a lot size variance from 1 acre to 0.86 acre for a proposed home in A-1 (Agriculture District); Located on the west side of Golfview Avenue approximately 0.12 mile north of the intersection of Overlook Drive and Golfview Avenue; (BV2006-135).  
Kathy Fall, Principal Planner

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

**Mr. Bushrui seconded the motion.**

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

**CONTINUED ITEMS**

2. **642 Tall Oaks** – Ivelisse Fernandez, applicant; Request for a side street (west) setback variance from 20 feet to 0 feet for a proposed 6 foot high fence in PUD (Planned Unit Development District); Located on the southeast corner of Tall Oaks Terrace and High Point Loop approximately 850 feet north of SR 427; (BV2006-126)  
Denny Gibbs, Senior Planner

**This Item was withdrawn by the applicant.**

## **PUBLIC HEARING ITEMS**

3. **4391 Weeping Willow Circle** – Hesham Abudaif, applicant; Request for a rear yard (south) setback variance from 25 feet to 6 feet - 8 inches for an existing screen room in the PUD (Planned Unit Development District); Located on the south side of Weeping Willow Circle approximately 560 feet west of the intersection of Dodd Road and Weeping Willow Circle; (BV2006-130).  
Austin Watkins, Planner

**The applicant was not present at the start of the meeting this item was moved until later in the meeting.**

4. **113 West Ridge Drive** – Larry Johnson, applicant; Request for a side street (south) setback variance from 25 feet to 6 feet for an existing fence in the R-1A (Single Family Dwelling District); Located on the northwest corner of West Ridge Drive and Lakeview Avenue approximately 600 feet south of Lake Mary Blvd; (BV2006-134).  
Austin Watkins, Planner

Austin Watkins introduced the location of the property and stated that the applicant constructed a 6 feet high wooden privacy fence, which encroached 19 feet into the required 25 feet side street setback. He further stated that the property was a corner lot which required a front setback for both street sides of 25 feet. He then stated that on July 20, 2006 Seminole County Code Enforcement issued a notice of violation for unpermitted construction. He lastly stated that there was no record of prior variances granted for the property.

Larry Johnson stated that when he moved in to his house he continued the fence onto the side of the property. He further stated that after he finished the fence he received a notice from Code Enforcement and was told that the fence was considered to be on his front yard. He then stated that he had a petition of support from all his neighbors. He lastly stated that he didn't see the fence causing a visibility problem.

Mr. Pennington stated that the he had a problem with sight distance.

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

**Mr. Bushrui seconded the motion.**

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

5. **124 Sandy Oaks Place** – Joseph Tamulonis, applicant; Request for a rear yard setback variance from 30 feet to 10 feet for a proposed shed in A-1 (Agricultural District); Located on the north side of Sandy Oaks Place approximately 700 feet west of the intersection of Sandy Oaks Place and Markham Woods Road; (BV2006-150).

Courtney Counts, Planning Intern

Courtney Counts introduced the location of the property and stated that the applicant proposed to construct a 682 square foot shed, which would encroach 20 feet into the required 30 feet rear yard setback. She further stated that the proposed shed would have no electricity and dirt flooring. She then stated that there were currently no code enforcement or building violations for the property. She lastly stated that there was no record of prior variances granted for the property.

Joseph Tamulonis stated that he was requesting a variance of 10 feet for the proposed shed. He further stated that if he put the shed at the required setback it would not be in uniform with the existing sheds in the neighborhood, which are at 10 feet. He then stated that the area in his back yard has approximately 28 large trees. He lastly stated that he spoke with his neighbor behind him and they didn't have a problem with the proposed shed.

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

**Mr. Bass seconded the motion.**

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

6. **917 Stillwell Lane** – Steve Kerr, applicant; Request for a (1) rear yard setback variance from 10 feet to 6 feet and (2) side yard setback variance from 10 feet to 6.5 feet for a proposed pool in the PUD (Planned Unit Development District); Located on the south side of Stillwell Lane approximately 200 feet west of the intersection of Stillwell Lane and Silversmith Circle; (BV2006-148).

Courtney Counts, Planning Intern

Courtney Counts introduced the location of the property and stated that the applicant proposed to encroach 4 feet into the required 10 feet rear yard setback for a proposed pool. She further stated that the applicant submitted a letter of support from the adjacent neighbor to the east. She then stated that there was currently no code enforcement or building violations for the property. She lastly stated that there was no record of prior variances granted for the property.

Steve Kerr stated that he also requested a side yard setback variance from 10 feet to 6.5 feet for the proposed pool. He further stated that he received approval from his neighbor. He lastly stated that dealing with the Planning Department was great and that every one was very helpful.

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

**Mr. Bass seconded the motion.**

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

7. **800 Morse Street** – Gilbert Alexander, applicant; Request for a rear yard (east) setback variance from 30 feet to 5 feet for an existing garage addition in R-1 (Single Family Dwelling District); Located on the southeast corner of Station Street and Morse Street approximately 800 feet east of SR 427; (BV2006-128).

Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant constructed an addition to an existing unpermitted garage structure. She further stated that the addition encroached 25 feet into the 30 feet rear yard setback and the garage encroached approximately 10 feet into the required 30 feet rear yard setback. She then stated that the applicant was cited by Code Enforcement on June 23, 2006 for unpermitted construction. She lastly stated that there was no record of prior variances granted for the property.

Mr. Hattaway asked the applicant if he would like to say anything to the Board about the structure.

Gilbert Alexander stated he was at the mercy of the Board and he would like to work in harmony with the Board's suggestions. He further stated that he was waiting on the decision of the Board to apply for a building permit.

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

**Mr. Bushrui seconded the motion.**

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

8. **3759 Okeechobee Circle** – Mahmoud Sabrkhani, applicant; Request for a rear yard (south) setback variance from 15 feet to 9.5 feet to convert an existing screen room into an enclosed family room addition in PUD (Planned Unit Development District); Located on the south side of

Okeechobee Circle approximately 200 feet south of Dodd Road; (BV2006-137)

Denny Gibbs, Senior Planner

**The applicant was not present. This item was continued until the October 30, 2006 meeting.**

9. **257 Whitesand Court** – Frances & T.H. Simpson, applicant; Request for a rear yard (east) setback variance from 30 feet to 12 feet for a proposed screen room addition in R-1A (Single Family Dwelling District); Located on the east side of Whitesand Court approximately 650 feet south of Center Drive; (BV2006-139)  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant proposed to construct a screen room addition that would encroach 13 feet into the required 30 feet rear yard setback. She further stated that there were currently no code enforcement or building violations for the property. She lastly stated that there was no record of prior variances granted for the property.

T. H. Simpson stated that she wanted to be allowed to build a porch in the back of her home. She further stated that she checked with the neighbor directly in back of her house and they didn't have a problem with the request. She lastly stated that she received approval from her Homeowner's Association.

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

**Mr. Bass seconded the motion.**

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

10. **812 Fairview Avenue** – Daniel Gerola, applicant; Request for a side street (north) setback variance from 25 feet to 14.5 feet for a proposed privacy fence in R-1AA (Single Family Dwelling District); Located on the west side of Fairview Avenue approximately 650 feet east of Seminole Avenue; (BV2006-140)  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant proposed to construct a privacy fence that would encroach 10.5 feet into the required 25 feet side street setback. She further stated that there were currently no code enforcement or building violations for the property. She lastly stated that there was no record of prior variances granted for the property.

Daniel Gerola passed out a packet to the Board of Adjustment showing pictures of the proposed fence and distances from the side street and property line. He further stated that he lived on a corner lot and the fence would not be a visual obstruction. He lastly stated that he received 17 petitions of support from his neighbors.

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

**Mr. Bass seconded the motion.**

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

11. **103 Elizabeth Avenue** – James & Elia Thompson, applicant; Request for a rear yard (east) setback variance from 30 feet to 11.5 feet for a proposed screen room addition in R-1AA (Single Family Dwelling District); Located on the east side of Elizabeth Avenue approximately 200 feet south of North Street; (BV2006-146)  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant proposed to construct a 245 square feet addition along with a 490 square feet screen room that would encroach 18.5 feet into the required 30 feet rear yard setback. She further stated that there were currently no code enforcement or building violations for the property. She lastly stated that there was no record of prior variances granted for the property.

James Thompson stated that they were expanding an existing patio and adding a screen room. He further stated that he provided the proposed plans to the Board of Adjustment. He lastly stated that he talked to his adjacent neighbors and they didn't object to the request.

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

**Mr. Pennington seconded the motion.**

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

12. **1418 Arbitus Circle** – Mike & Shannon Akerson, applicant; Request for a side yard (west) setback variance from 25 feet to 16.5 feet for a proposed fence in R-1A (Single Family Dwelling District); Located on the southeast corner of Arbitus Circle 1100 feet west of Tuskawilla Road; (BV2006-147)  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the application and stated that the applicant proposed to construct a fence on the northwest side of their house that would encroach 8.5 feet into the required 25 feet side yard setback. She further stated that there were currently no code enforcement or building violations for the property. She lastly stated that there was no record of prior variances granted for the property.

Mike Akerson stated that he requested the fence to enclose his pool pump and have a play ground for his kids.

**Mr. Rozon made a motion to approve the request per the drawings submitted by the applicant.**

**Mr. Bass seconded the motion.**

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

13. **2011 Lake Drive** – Robert Issac, applicant; Request for a side yard (east) setback variance from 7.5 feet to 0 feet for an existing garage in R-1A (Single Family Dwelling District); Located on the north side of Lake Drive approximately 800 feet west of E. Lake Drive; (BV2006-149)  
Denny Gibbs, Senior Planner

Denny Gibbs introduced the location of the property and stated that the applicant added a second story loft onto the existing garage during the time they were putting on a new roof, these improvements were done without a building permit. She further stated that according to the applicant and support by the property appraiser historical information, the house and garage were build in 1946. She then stated that the applicant was cited by Code Enforcement on December 22, 2004, and in response to the citation the applicant applied for a Building Permit on December 27, 2004. She further stated that the applicant received an extension on their Code citation until October 11, 2006. She lastly stated that there was no record of prior variances granted for the property.

Diana Issac stated that she was representing her husband, Robert Issac. She further stated that they had a leak in the garage, and while during the roof they build a loft and added an attic for storage.

**Mr. Bushrui made a motion to approve the request with a restriction of no occupancy for the loft.**

**Mr. Bass seconded the motion.**

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

14. **213 Sunland Drive** – Scott Rabb, applicant; Request for a height variance from 6 feet 6 inches to 8 feet for an existing fence in the R-1A (Single Family Dwelling District); Located on the south side of Sunland Drive approximately ¼ mile north of the intersection of Ronald Reagan Boulevard and Sunland Drive; (BV2006-094).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant constructed an approximately 20 foot long, 8 feet tall privacy fence on the eastern portion of the property. He further stated that the applicant was cited by the Building Division on June 17, 2004 for the unpermitted construction of an 8 feet tall fence on the property. He then stated that the applicant submitted for a permit on April 3, 2006 to install a fence 6 feet in height on the property, the permit was not issued due to the portion of the fence being 8 feet tall. He lastly stated that there were no prior variances granted for the property.

**The applicant was not present.**

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

**Mr. Pennington seconded the motion.**

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

15. **9800 Bear Lake Road** – Cesar & Margaret Baro, applicants; Request for a front yard setback variance from 25 feet to 0 feet for a proposed 6 foot opaque wall in the R-1 (Single Family Dwelling District); Located on the west side of Bear Lake Road approximately 700 feet north of the intersection of Bear Lake Circle and Bear Lake Road; (BV2006-136).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to build a circular driveway and would like a wall to be constructed between the two driveway entrances. He further stated that the proposed 6 feet tall opaque wall would extend 50 feet along the front property line along Bear Lake Road. He then stated that there were 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.

Cesar Baro stated that when they bought the property there was a hedge about 6 or 7 feet high growing across the front of the property to protect from site and noise. He further stated that they were changing to a circular driveway, which they had been approved to do. He then stated that he wanted to protect his property from cars running into his home and



from the noise from Bear Lake Road. He lastly stated that the wall would sit back 9 feet from the property line and in between the two driveways of the circular driveway.

Mr. Hattaway asked if Mr. Baro had a drawing of what the proposed wall would look like.

Cesar Baro stated no.

**Mr. Bass made a motion to approve the request with the masonry, basic wall not to exceed 6 feet.**

**Mr. Pennington seconded the motion.**

**The motion failed 2-3 vote. Mr. Bushrui, Mr. Hattaway and Mr. Rozon were in opposition.**

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

**Mr. Bushrui seconded the motion.**

**The motion passed (3-2) vote. Mr. Bass and Mr. Pennington were in opposition.**

16. **853 Shell Lane** – Jeff & Lisa Jones, applicant; Request for a side yard (east) setback variance from 10 feet to 3.5 feet for a proposed room addition in the PUD (Planned Unit Development District); Located on the north side of Shell Lane approximately 200 feet west of the intersection of Tall Oaks Terrace and Shell Lane; (BV2006-138).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to build an approximately 350 square feet room addition to the rear of the single-family home. He further stated that there were currently no code enforcement of building violations for the property. He lastly stated that there was no record of prior variances granted for the property.

Jeff Jones stated that he was requesting an extension to an existing room. He further stated that he had five letters of support from his surrounding neighbors and approval from his Homeowner's Association.

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

**Mr. Rozon seconded the motion.**

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

17. **230 Varsity Circle** – Kenneth & Cindy Robinson, applicants; Request for a side yard (west) setback variance from 7.5 feet to 0 feet for a proposed garage addition in R-1A (Single Family Dwelling District); Located on the north side of Varsity Circle approximately 500 feet south of the intersection of Forest Lake Drive and Varsity Circle; (BV2006-141).  
Ian Sikonia, Planner

**The applicant was not present. This item was continued until the October 30, 2006 meeting.**

18. **617 Brightview Drive** – Mark McGrath, applicant; Request for a rear yard setback variance from 20 feet to 15 feet for a proposed covered screen room addition in PUD (Planned Unit Development District); Located on the south side of Brightview Drive approximately 300 feet east of Casa Verde Boulevard and Brightview Drive; (BV2006-142).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to construct an approximately 480 square feet covered screen room to the rear of the single-family home. He further stated that the applicant submitted plans for the covered screen room addition to the Building Division on June 25, 2006. He then stated that to the rear of the property is a drainage and conservation easement designed as Tract Y on the Chase Groves Unit 6 plat. He further stated that there were currently no code enforcement of building violations for the property. He lastly stated that there was no record of prior variances granted for the property, however similar variances were approved within the subdivision.

Mark McGrath stated that he was a part of the construction team that would construct the proposed screen room addition. He further stated that they had received verbal approval from the Homeowner's Association and was waiting for written approval. He lastly stated that they had support from the neighbors.

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

**Mr. Bass seconded the motion.**

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

19. **2460 Westwood Drive** – Mary Sullivan, applicant; Request for (1) a rear yard setback variance from 30 feet to 10 feet for an existing shed; and (2) a side yard (east) setback variance from 10 feet to 0 feet for a proposed carport in the R-1AA (Single Family Dwelling District); Located on the

north side of Westwood Drive approximately ¼ mile north of the intersection of Westwood Drive and Oak Drive; (BV2006-143).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to raise the roof of the existing shed from 12 feet to 15 feet for a proposed loft. He further stated that given the proposed height of the roof the existing shed would have to meet the same setback applicable to the main residence. He then stated that the applicant also proposed to construct a carport that would encroach 10 feet into the minimum 10 feet side yard setback. He further stated that there were 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.

Mary Sullivan stated that she would like to show the Board of Adjustment some pictures. She then showed the Board pictures of the location of the proposed shed and the height and thickness of the bamboo surrounding her house. She further stated that she wanted to put a loft on top of the shed to allow her to do some art work. She then stated that she had two (2) neighbors behind her property that didn't object to the shed. She also showed pictures of the location of the proposed carport. She then stated that she had a letter of support from her adjacent neighbor. She further stated that through out her neighborhood were carports and she showed pictures of some of the carports in the neighborhood. She then stated that one of her neighbors was present and she objected to the shed. She further stated that her neighbor was selling her home and stated that the shed would bring down the value of her home. She lastly stated that she had a financial hardship.

Leslie Turner stated that she lived directly behind the applicant. She further stated that she didn't have a problem with the applicant building the shed as long as she kept it 12 feet in height, because 15 feet was extremely tall. She then stated she had safety concerns, because the applicant had no contractor or engineer helping her. She further stated that she was afraid that if a storm came the roof of the shed would come off and break her fence or come into her pool or house. She also stated that the loft should be at the bottom and storage at the top of the shed. She lastly stated that her house was up for sale and she was looking out for the buyer's interest.

Mary Sullivan stated that the shed would be build to code. She further stated that she had been talking to the Building Department and they informed her of all the requirements for the structure. She then stated that it was unreasonable to think she could put all her items on top of the shed

for storage and the bottom for the art studio. She lastly stated that she needed to make art to increase her income.

**Mr. Pennington made a motion to approve the carport 3 feet from the property line.**

**Mr. Rozon seconded the motion.**

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

**Mr. Pennington made a motion to deny the shed.**

**Mr. Rozon seconded the motion.**

**The motion passed with a (4-1) vote. Mr. Bass was in opposition.**

20. **187 Lake Boulevard** – Robert & Vanessa Groner, applicants; Request for a rear yard setback variance from 30 feet to 20 feet for a proposed detached garage in PUD (Planned Unit Development District); Located on the south side of Lake Boulevard approximately 600 feet southwest of the intersection of 25<sup>th</sup> Street and Lake Boulevard; (BV2006-144).  
Ian Sikonia, Planner

Ian Sikonia introduced the location of the property and stated that the applicant proposed to construct an approximately 1,080 square feet garage in the rear of the property. He further stated that there were no code enforcement or building violations for the property. He lastly stated that there was no record of prior variances granted for the property.

Robert Groner stated that they were proposing to construct a garage and to create a better balance they wanted to put it in the rear of the property. He further stated that the garage would be a stucco structure with cement floors. He then stated that he planned to put electricity in the garage. He also stated that the garage would have 2 cars and a boat in it. He lastly stated that they did not have a Homeowner's Association.

**Mr. Pennington made a motion to approve the proposed garage that would match the style of the home and be a stucco structure.**

**Mr. Rozon seconded the motion.**

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

21. **3060 Harbor Lake Court** – David Kosich, applicant; Request for a side yard (east) setback variance from 10 feet to 2 feet for an existing shed in R-1AA (Single Family Dwelling District); Located on the north side of

Harbor Lake Court approximately 170 feet north of the intersection of Walnut Grove Place and Harbor Lake Court; (BV2006-132).  
Kathy Fall, Principal Planner

Kathy Fall introduced the location of the property and stated that the applicant constructed a storage shed without a permit. She further stated that the shed was 160 square feet and encroached 8 feet into the east side yard setback. She then stated that the shed was located in the 5 feet drainage and utility easement and the applicant was currently in the process of vacating the easement. She lastly stated that there was no record of prior variances granted for the property.

David Kosich stated that he has a stream in the back of his property that has caused his yard to slope downward, which is why he did not put the existing shed in the rear of the property. He further stated that he recently got approval from the Homeowner's Association pending the approval from the Board. He then stated that he had a letter of support from a neighbor.

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

**Mr. Bushrui seconded the motion.**

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

3. **4391 Weeping Willow Circle** – Hesham Abudaif, applicant; Request for a rear yard (south) setback variance from 25 feet to 6 feet - 8 inches for an existing screen room in the PUD (Planned Unit Development District); Located on the south side of Weeping Willow Circle approximately 560 feet west of the intersection of Dodd Road and Weeping Willow Circle; (BV2006-130).

Austin Watkins, Planner

Austin Watkins introduced the location of the property and stated that the applicant constructed an 800 square foot screen room, which encroached 18 feet 4 inches into the required 25 feet rear yard setback. He further stated that the screen room encroached 9 inches into the 7.5 feet utility easement and if the variance is approved the applicant would be required to vacate the easement. He then stated that there was no record of prior variances granted for this property, however there was similar rear yard setback variances approved in the immediate vicinity.

Hesham Abudaif apologized to the Board for not being on time to the meeting, he stated that the traffic was really bad. He further stated that he

didn't know he needed a permit until his Homeowner's Association told him. He then stated that he went to the Building Department to apply for a permit and was told he needed a variance. He also stated that he was told he would have to call the utility companies or move the existing screen room 6 inches out of the easement.

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

**Mr. Bass seconded the motion.**

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

## **MOBILE HOMES**

**22.2880 Stone Street** – David Lanier, applicant; Request for a special exception for the permanent placement of a mobile home in the A-10 (Rural District); Located on the west side Stone Street approximately ¼ mile south of the intersection of Packard Avenue and Stone Street; (BM2006-021).

Kathy Fall, Principal Planner

Kathy Fall introduced the location of the property and stated that the applicant was requesting the permanent placement of a 2006 double wide mobile home on a vacate lot. She further stated that available records indicate that the majority of the surrounding parcels in the immediate vicinity had a mix of mobile homes, single-family homes and vacant lots. She then stated that the majority of mobile homes in the general vicinity had temporary approvals and / or expired approvals. She also stated that the most recent approvals in the area are for new double wide mobile homes with permanent approval. She lastly stated that staff recommended the permanent placement of the 2006 double wide mobile home with the following conditions:

- Only one (1) single- family mobile home unit shall occupy the site, as shown on the site plan
- The mobile home shall be a 2006 or newer double wide mobile home
- Shingled roof, vinyl siding, skirting and other conventional home design conditional deemed appropriate by the Board of Adjustment

David Lanier stated that he was the owner of the property and that staff did the research on the property and he agreed with staff recommendation and conditions.

Tom McCord stated that he lived about one block west of the applicant property. He further stated that his first question was why this request was before the Board again, because it was less than 2 years ago that

someone presented this same request before the Board and they denied the request. He then stated that he was concerned with the property values of the properties in the neighborhood, because mobile homes do not increase in value they depreciate, and they bring down the property adjacent to them. He also stated that single family construction on properties in the neighborhood was increasing. He lastly stated that Black Hammond is a rural neighborhood and they had worked hard to be an upscale community.

David Lanier stated that he has owned the property about 3 years and he didn't know any one applied for a mobile home special exception and was denied. He furthered stated that he had planned to build a home on the property, but could not afford too, so they decided to put a mobile home on the property. He lastly stated that they had already bought a mobile home to put on the property.

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

**Mr. Rozon seconded the motion.**

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

## **APPROVAL OF AUGUST 2006 MEETING MINUTES**

**Mr. Pennington made a motion to approve the August 28, 2006 minutes.**

**Mr. Bushrui seconded the motion.**

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

## **ADJOURNMENT**

**Time of Adjournment was 9:05 P.M.**