

LAKE COUNTY PLANNING AND ZONING DIVISION
VARIANCE STAFF REPORT

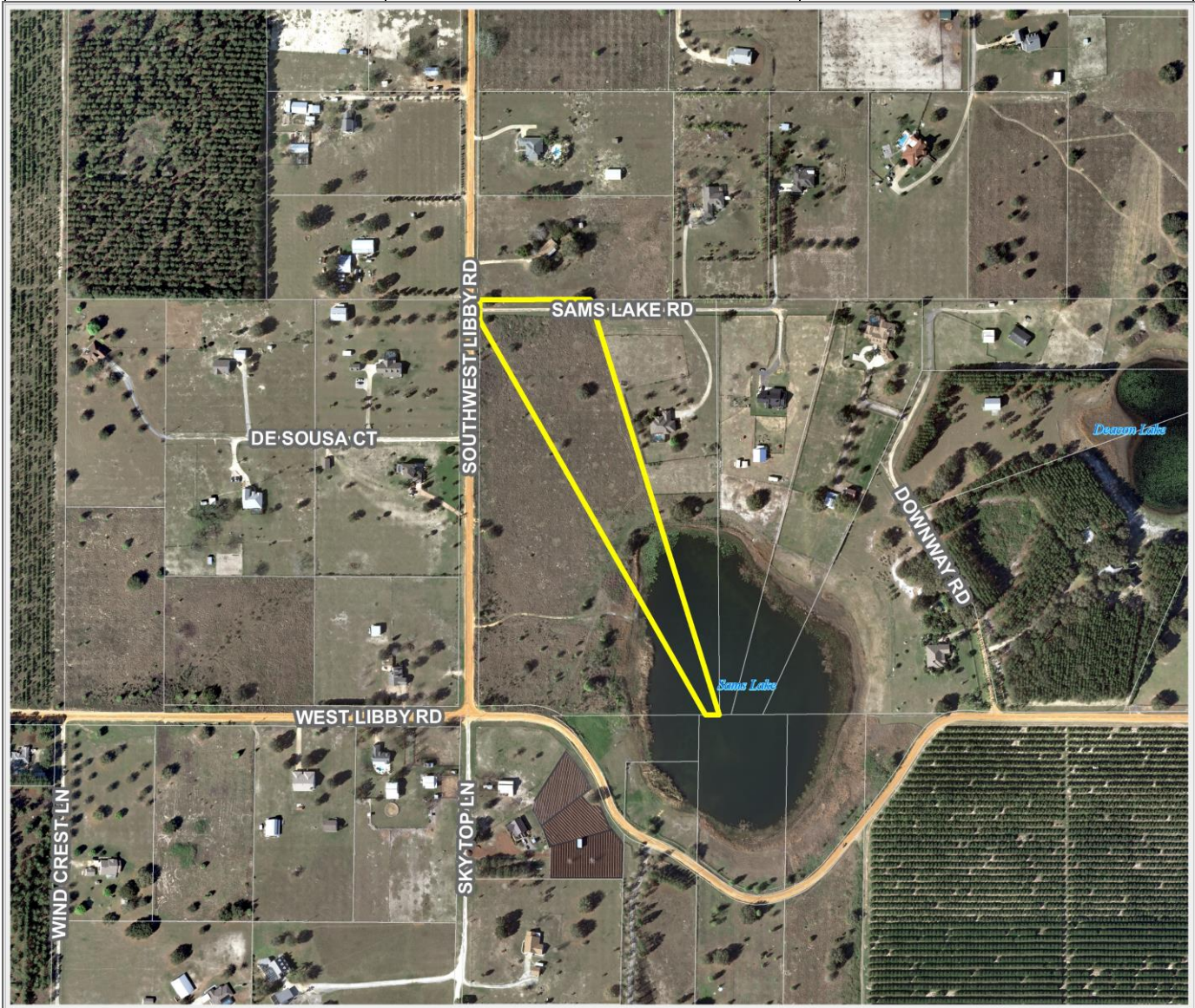


Board of Adjustment

May 12, 2016

LAKE COUNTY
FLORIDA

VAR-16-12-1 Helfrich Property	District 1	Agenda Item # 1
----------------------------------	------------	-----------------



Requested Action: A variance to Land Development Regulation (LDR) Section 3.01.02.A.1.a. to allow a structure less than twenty-four (24) feet, three (3) inches wide to be used as a single family residence.

Owner and Applicant: Erik Banks and Grace Brett Helfrich (the "Owners" and "Applicants")

- Site Location & Information -

Size	6.81 +/- acres
Property Address	9100 Sam's Lake Road, Groveland
Location	West of Southwest Libby Road, in the Groveland area
Alternate Key No.	3771889
Future Land Use	Rural
Zoning District	Agriculture (A)
Overlay Districts	NA
Joint Planning Area/ISBA Area	Groveland ISBA

-Land Use Table-

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	Agriculture	Residential	Single Family Residences on large lots
South	Rural	Agriculture	Residential	Single Family Residences on large lots
East	Rural	Agriculture	Residential	Single Family Residences on large lots
West	Rural	Agriculture	Residential and Vacant	Single Family Residences on large lots

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the variance request to (LDR) Section 3.01.02.A.1.a to allow a structure less than twenty-four (24) feet, three (3) inches wide to be used as a single family residence.

-Staff Analysis-

The subject property is 6.81 +/- acres and is located west of Southwest Libby Road in the Groveland area. The Lake County Geographic Information Services (GIS) wetland map indicate that there are wetlands on the southern portion of the property. According to the 2012 Federal Emergency Management Agency (FEMA) maps, the southern portion of the lot lies within the 100-year flood zone. The property is zoned Agriculture (A) and is part of the Rural Future Land Use Category. The property is located within the Groveland ISBA. The property is currently vacant.

The owner/applicant is applying for a variance to Land Development Regulation (LDR) Section 3.01.02.A.1.a. which requires single family residences to be a minimum of twenty-three (23) feet four (4) inches wide at the narrowest point, excluding any attached screened room, architectural design features, garages, carports or utility area. The applicant wishes to construct a structure sixteen (16) feet at its narrowest point to be used as a single family residence (as seen in Exhibit A).

The proposed structure would be a custom built residence designed to maximize energy efficiency by utilizing passive cooling techniques. Passive cooling is a building design approach that focuses on heat gain control and heat dissipation in a building in order to improve the indoor thermal comfort with low or nil energy consumption. Cross ventilation is a vital component of passive cooling and involves providing windows on both sides of the structure to allow air to flow freely. Since internal walls can obstruct the flow of air, this cooling technique is ideal for narrow buildings. The proposed residence was designed to incorporate the property's lake and topography to provide energy efficient cooling techniques (as seen in Exhibit B).

The **intent of the Code**, LDR Section 3.01.01, is to allow Development and use of property only in compliance with the goals, objectives and policies of Lake County as expressed in the Lake County Comprehensive Plan. Comprehensive Plan (CP) Policy III-4.2.6 *Reduce Architectural Consumption of Energy*, states that the County shall promote the reduction of architectural energy consumption by encouraging the incorporation of energy efficient site design techniques into all new

VAR-16-12-1

developments. The intent of this section is to establish provisions that promote the conservation of energy used for the thermal conditioning of buildings. The plans for the proposed single family residence are in alignment with this regulation.

The **intent of this section**, 3.01.02.A.1.b, is to provide a minimum architectural standard for single-family dwelling units to ensure compatibility with the surrounding neighborhood, while allowing a mixture of architectural styles. The proposed single family residence is 1,400 square feet and is consistent with Table 3.02.09 which requires the minimum structure size to be 850 square feet in the Agriculture zoning district. The surrounding area consists of single family residences on large lots; since the subject property is greater than five (5) acres, allowing a single family residence with a reduced width will not adversely affect the character of the surrounding area.

The applicants submitted the following reasons as proof of **meeting the intent of the Code** and proof that the application of the Land Development Regulation would create a **substantial hardship or would violate principles of fairness**:

“This home is not a mobile structure; it is a permanent home designed for the purpose of maximum efficiency. This home has been designed to maximize energy efficiency through passive cooling utilizing airflow, extended overhangs, window placement and narrow structure (using Florida Cracker house principles of cooling).”

FINDINGS OF FACT: Staff has reviewed the application for this variance request and found:

1. This request is consistent with LDR Table 3.01.03, which allows residential uses within the Agriculture Zoning District; and
2. The request is consistent with LDR Table 3.02.09 which requires the minimum structure size to be 850 square feet in the Agriculture zoning district; and
3. The intent of the Code (3.01.02) is to allow development and use of property in compliance with the goals, objectives and policies of Lake County as expressed in the Lake County Comprehensive Plan; and
4. This request is consistent with Comprehensive Plan Policy III-4.2.6, which promotes the conservation of energy used for the thermal conditioning of buildings; and
5. The request is consistent with LDR 3.01.02.A.1.b, which attempts to protect surrounding properties and uses by creating a minimum standard. The proposed residence will be situated on a large lot and surrounded by single family residences on large lots. The proposed residence will not alter the character of the neighborhood or create adverse impacts on the adjacent lots, which is the intent of the regulation.

The owner and applicant have submitted proof of meeting the intent of the Code and have shown proof of a substantial hardship or that the application of the Code would violate principles of fairness. Based on the Findings of Fact and Analysis stated above, Staff recommends **approval** of the variance request to allow a structure sixteen (16) feet wide to be used as a single family residence.

WRITTEN COMMENTS FILED:

Support: -0-

Questions: -0-

Opposition: -0-

Case Planner: Michele Janiszewski

Exhibit A

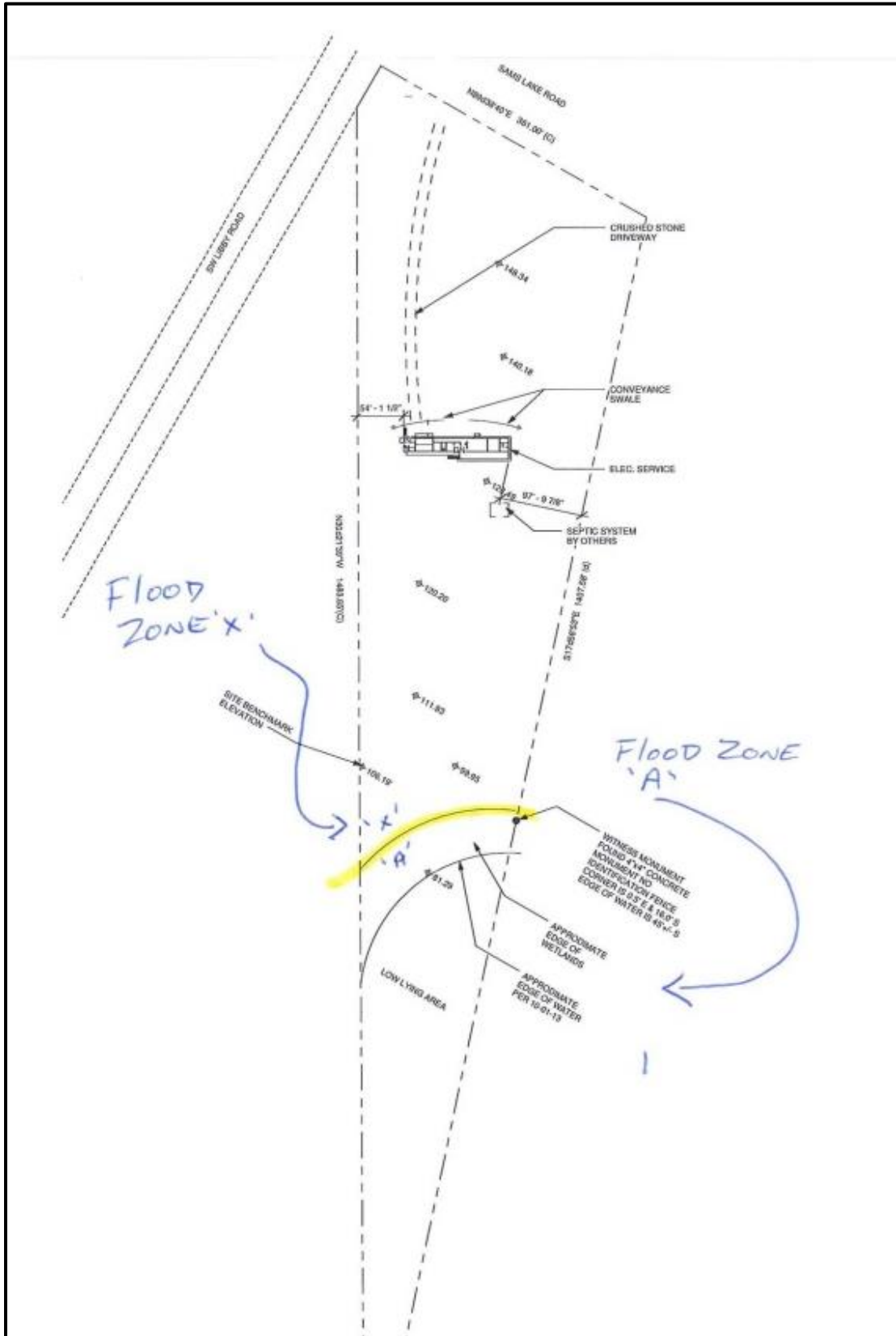


Exhibit B

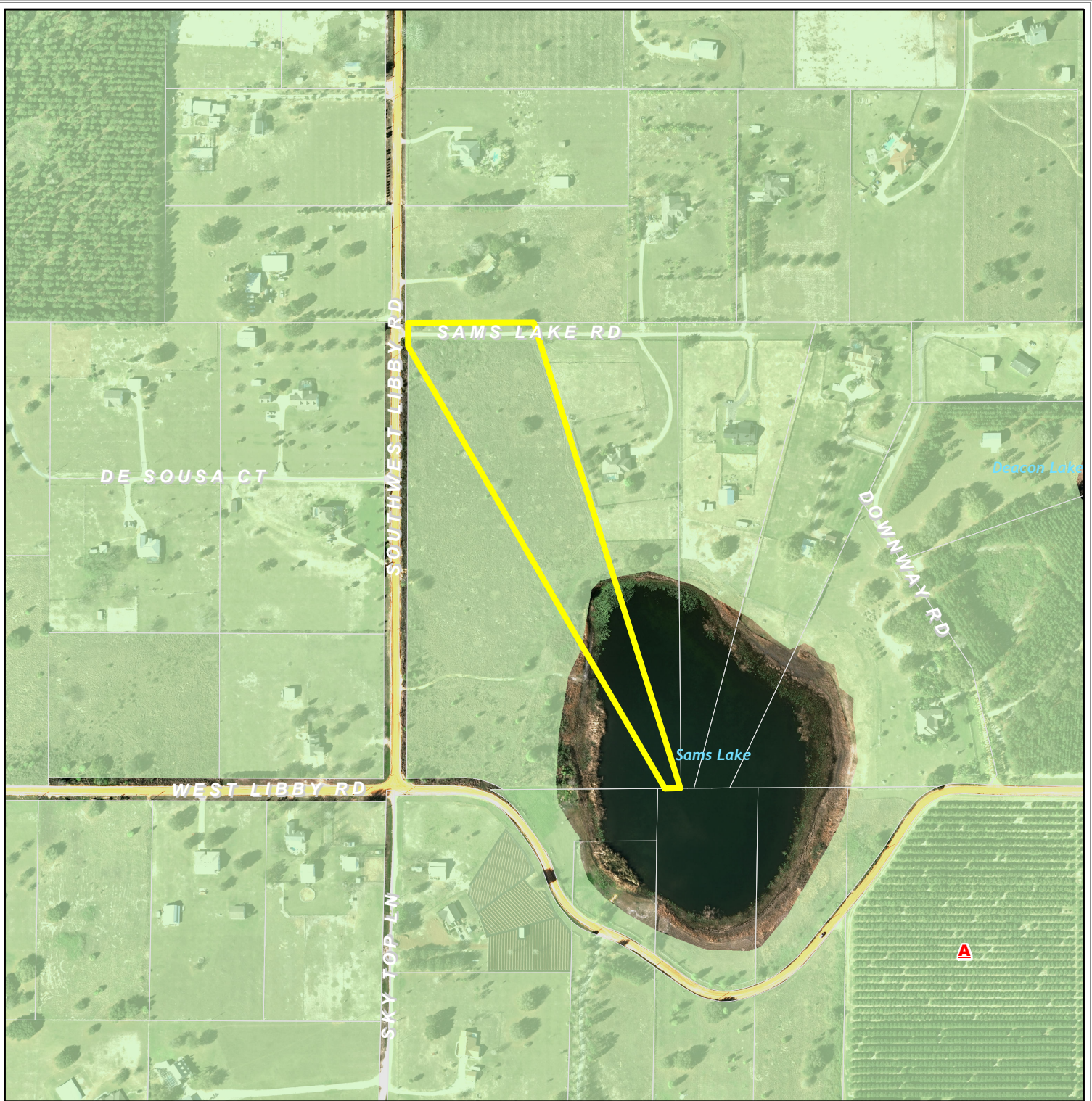
Architectural drawings for the Helfrich Residence, Florida. The drawings include a main elevation (top), a section (middle), and two smaller elevations (bottom left and bottom right). The main elevation shows a long, low profile with a gabled roof and a brick chimney. The section shows the interior layout with rooms and a staircase. The smaller elevations show different views of the building's facade.

**HELFRICH RESIDENCE
FLORIDA**

**Green Apple
Architecture.com**
PO BOX 1401
WINTER PARK, FLORIDA 32790
PHONE: 407.647.9894
A426002707

A301
SHEET INFORMATION
ELEVATIONS
SCALE: 3/8" = 1'-0"

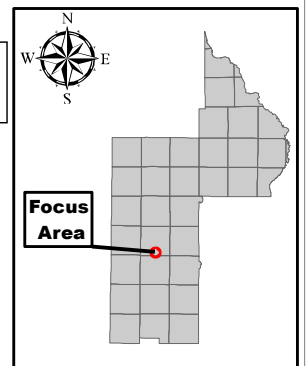
SCALE: 3/8" = 1'-0"
DATE: 08/2016
DRAWN BY: JANE LING

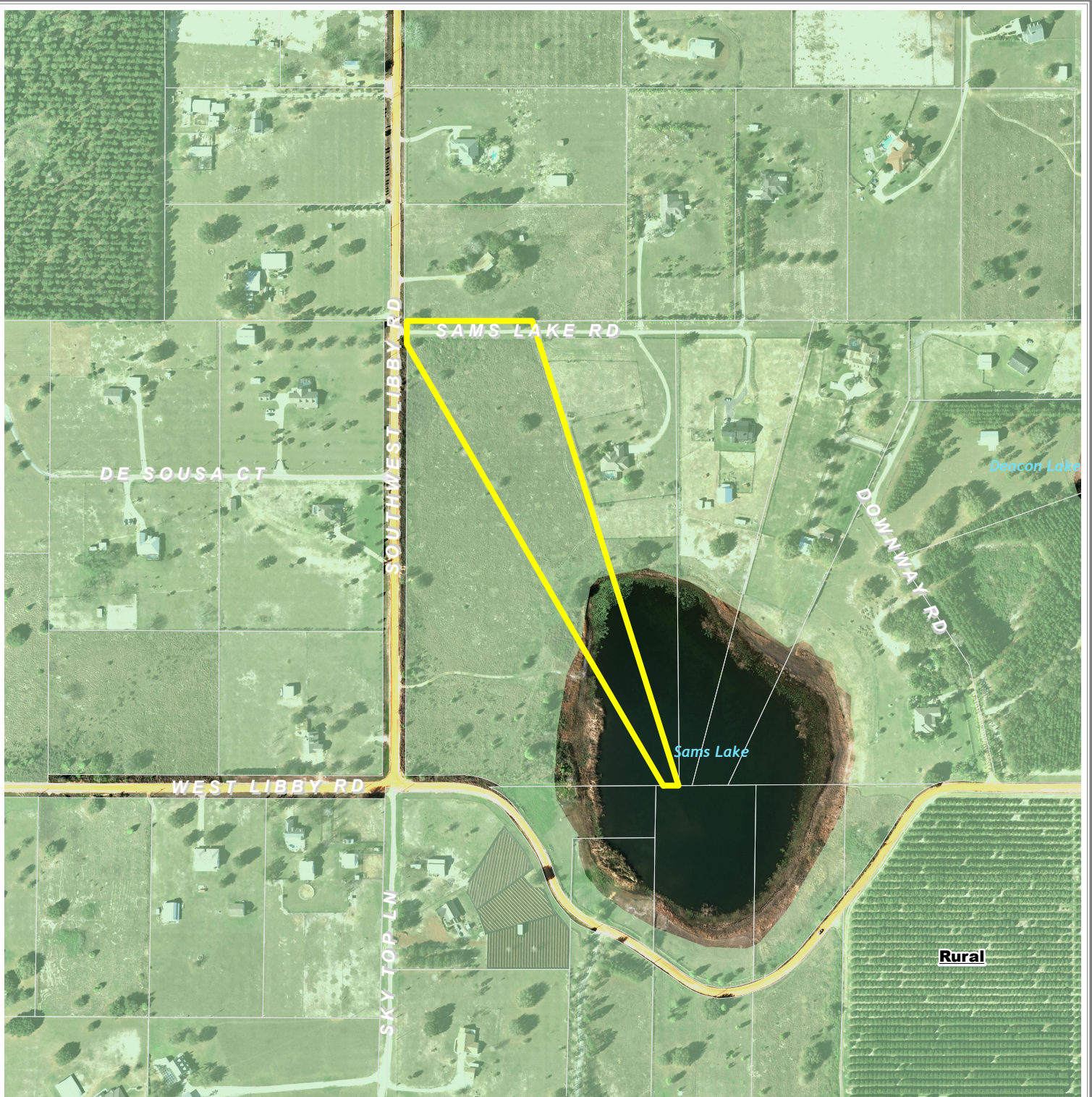


ZONING LEGEND

A	RA	R-2	R-4	R-7	RMRP	RV	C-2	LM	MP	PUD
AR	R-1	R-3	R-6	RP	RM	C-1	CP	HM	CFD	

NAME: ERIK BANKS HELFRICH
CASE NUMBER: VAR-16-12-1
LOCATION (S-T-R): 34-21-25
REQUEST: SINGLE FAMILY RESIDENCE VARIANCE

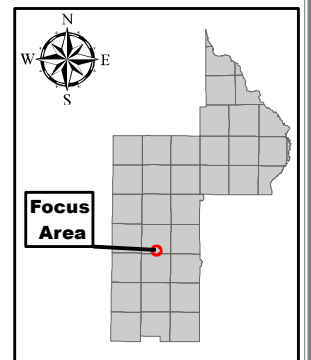




FUTURE LAND USE LEGEND

- | | | | |
|--------------------------------|--|---------------------|----------------------|
| Bella Collina | Heavy Industrial | Recreation | Urban Low Density |
| Cagans Crossing | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Medium Density |
| Conservation | Mt Plymouth-Sorrento Neighborhood | Rural | |
| Green Swamp Core Conservation | Mt Plymouth-Sorrento Receiving Area | Rural Transition | |
| Green Swamp Ridge | Regional Office | Sending Area A-1-20 | |
| Green Swamp Rural | Public Service Facility and Infrastructure | Sending Area A-1-40 | |
| Green Swamp Rural Conservation | Receiving Area A-1-20 | Urban High Density | |

NAME: ERIK BANKS HELFRICH
CASE NUMBER: VAR-16-12-1
LOCATION (S-T-R): 34-21-25
REQUEST: SINGLE FAMILY RESIDENCE VARIANCE



Final Development Order
Helfrich Residence
VAR-16-12-1

A VARIANCE OF THE LAKE COUNTY BOARD OF ADJUSTMENT AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Erik Banks and Grace Brett Helfrich (the "Applicants" and the "Owners") requested a variance to Land Development Regulation (LDR) Section 3.01.02.A.1.a. to allow a structure less than twenty-four (24) feet, three (3) inches wide to be used as a single family residence; and

WHEREAS, the subject property consists of 6.81+/- acres and is located west of Southwest Libby Road in the Groveland area, in Section 34, Township 21 South, Range 25 East, Alternate Key Number 3771889 and is more particularly described below (hereinafter referred to as the "Property"):

PARCEL 8: COMMENCE AT THE WEST 1/4 SECTION CORNER OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA AND RUN NORTH 00°17'07" WEST ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 34 FOR A DISTANCE OF 1343.48 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE AFORESAID NORTHWEST 1/4 AND THE POINT OF BEGINNING; THENCE RUN NORTH 89°38'40" EAST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE AFORESAID NORTHWEST 1/4 FOR A DISTANCE OF 394.00 FEET; THENCE LEAVING SAID NORTH LINE RUN SOUTH 17°56'53" EAST FOR A DISTANCE OF 1407.58 FEET TO THE SOUTH LINE OF THE AFORESAID NORTHWEST 1/4; THENCE SOUTH 89°31'26" WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 44.56 FEET; THENCE LEAVING SAID SOUTH LINE RUN NORTH 30° 21'39" WEST FOR A DISTANCE OF 1439.51 FEET TO THE POINT OF BEGINNING. SUBJECT TO AND TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER THE NORTH 50.00 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 34, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA.

WHEREAS, after giving Notice of Hearing on petition for a variance to the Lake County Land Development Regulations, including notice that said variance would be presented to the Board of Adjustment of Lake County, Florida, on May 12, 2016; and

WHEREAS, the Board of Adjustment reviewed said petition, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised; and

WHEREAS, on May 12, 2016, the Lake County Board of Adjustment approved the variance for the above property.

NOW THEREFORE, BE IT ORDAINED by the Board of Adjustment of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above subject property, subject to the following terms:

Section 1. Recitals: The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Terms: The County Manager or designee shall amend the Official Zoning Map to reflect the approval of VAR-16-12-1 to allow a structure sixteen (16) feet wide to be used as a single family residence on the subject property.

Section 3. Severability: If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 12th day of May, 2016.

EFFECTIVE May 12, 2016.

**BOARD OF ADJUSTMENT
LAKE COUNTY, FLORIDA**

Donald Schreiner, Chairman

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this May 12, 2016 by DONALD SCHREINER, who is personally known to me.

(SEAL)

Signature of Acknowledger