

LAKE COUNTY OFFICE OF PLANNING AND ZONING
BOARD OF ADJUSTMENT STAFF REPORT

Board of Adjustment



June 14, 2018

VAR-18-30-1 Florida DF LLC	Commissioner District 1 Sullivan	Agenda Item #1
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Requested Action: Variance from Lake County Land Development Regulations (LDR) 3.01.02.A.1.b., to allow a single-family dwelling unit to have a roof pitch of 1/4 inch rise for each one (1) foot of horizontal run in lieu of the one (1) foot of rise for each four (4) feet of horizontal run.

Owners: Florida DF, LLC (the "Owner")

Applicants: Stefanee M. Puchlopek, Boulder Construction and Development Company, Inc. (the "Applicant")

- Site Location & Information -

Size	0.75 +/- acres
Location	3079 No Wake Lane, Groveland, FL 34736
Alternate Key #	3827103
Future Land Use	Rural
Existing Zoning District	Planned Unit Development (PUD) by Ordinance #2001-156
ISBA	Mascotte
Overlay Protection Area	N/A
Commission District	1

-Land Use Table-

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	Planned Unit Development (PUD)	Unplatted Area/Lake	Large Unplatted Tract/Unnamed Lake
South	N/A	N/A	Street	No Wake Lane
East	Rural	Planned Unit Development (PUD)	Vacant	Lot 1 of Sunset Landing Phase II
West	Rural	Planned Unit Development (PUD)	Vacant	Lot 3 of Sunset Landing Phase II

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the variance from Lake County Land Development Regulations (LDR) 3.01.02.A.1.b., to allow a single-family dwelling unit to have a roof pitch of 1/4 inch rise for each one (1) foot of horizontal run in lieu of the one (1) foot of rise for each four (4) feet of horizontal run.

- Background -

The subject property is described as Alternate Key Number 3827103. The parcel is zoned Planned Unit Development (PUD) by Ordinance #2001-156 and is designated by the 2030 Comprehensive Plan as Rural Future Land Use Category. According to the GIS Map, the parcel is located within the flood-prone area (Flood Zones "A" and "X"), and contains wetlands.

The subject property is located within the Sunset Landing Phase II subdivision. The subject parcel is in the process of being developed with a residence, garage, driveway, sidewalk, gazebo, wall, pool and pool deck (Attachment A).

-Reason for Request-

On February 8, 2018, Staff approved a zoning permit for single-family dwelling unit, driveway, walkway, gazebo, wall, pool and pool deck. It was discovered in plan review that the pitch of the main roof did not meet the one (1) foot of rise for each four (4) feet of horizontal run as required by the Land Development Regulations as seen in Attachment B.

-Staff Analysis-

LDR Section 14.15.02 states that variances will be granted when the person subject to a Land Development Regulation demonstrates that the purpose of the Land Development Regulation will be or has been achieved by other means, and when application of a Land Development Regulation would create a substantial hardship or would violate principles of fairness

1. The purpose of the Land Development Regulation will be or has been achieved by other means.

“Change the pitch of the roof, but it would be change the entire look of the home that the homeowner would like to achieve for their new home.”

The intent of the Code, Land Development Regulations (LDR) 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 dwelling unit is consistent with the other provisions contained in Land Development Regulations (LDR) Section 3.01.02.A.1., which states that the single-family dwelling unit must have:

- A minimum width of twenty-three (23) feet four (4) inches at the narrowest point, excluding any attached screened room, architectural design features, garages, carports, or utility area;
- A solid foundation or permanent skirting will be required around the perimeter of the unit; and
- Any wheels, tongue or any transportation apparatus must be removed or enclosed.

2. The application of a Land Development Regulation would create a substantial hardship or would violate principles of fairness. For purposes of this Section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance. For purposes of this Section, "principles of fairness" are violated when the literal application of a Land Development Regulation affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the Land Development Regulation.

“Zoning Code 3.01.02, #1B the pitch of the main roof requirement is less than what we the above zoning ordinance requires and we would like to do a flat roof with a slope built in as per plans submitted under permit #2018020362, with 1 layer of 1 inch ISO insulation and 45 MILL GAF TPO Roof system as proposed.”

Lake County is looking to update the Land Development Regulations in the future to better support modern architecture.

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

- This request is consistent with Land Development Regulations (LDR) Section 3.01.02(A), *Classification of Uses*, which states that the single-family dwelling unit will have a minimum width of twenty-three (23) feet four (4) inches at the narrowest point, excluding any attached screened room, architectural design features, garages, carports, or utility area. A solid foundation or permanent skirting will be required around the perimeter of the unit. Any wheels, tongue or any transportation apparatus must be removed or enclosed;
- This request is consistent with Comprehensive Plan Policy I-1.4.4, *Rural Future Land Use Category*, which allows residential uses; and
- This request is consistent with Planned Unit Development Ordinance #2001-156, which allows for dwelling units.

hardship indicating 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 variance to Lake County Land Development Regulations (LDR) 3.01.02.A.1.b., to allow a single-family dwelling unit to have a roof pitch of 1/4 inch rise for each one (1) foot of horizontal run in lieu of the one (1) foot of rise for each four (4) feet of horizontal run.

WRITTEN COMMENTS FILED:

Supportive: -0-

Concern: -0-

Opposition: -0-

Case Manager: Ruth Mitchell, Associate Planner

Attachment A. Plot Plan

Map of Boundary Survey

Description:

Lot 2, SUNSET LANDING PHASE II,
according to the plat thereof, as recorded in
Plat Book 51, Pages 97-99,
Public Records of Lake County, Florida.

Notes:

- Bearings based on the West line of Lot 2 as being N 27°57'18" E, an assumed meridian.
- Legal description supplied by client.
- No title commitment or abstract has been provided for the subject property. There may be recorded or unrecorded documents which could affect this parcel.
- No adjacent or underground improvements, other than those shown, located this date.
- Subject property contains 0.750 acres, more or less, and is subject to any rights of way or easements of record.

LEGEND:

- Denotes found 1/2" iron rod & cap marked "LB 4709"
- Denotes set 1/2" iron rod & cap marked "LB 6980"

OSTDS BM

lot area = 32,679 SF
impervious area = 7,950 SF
percentage impervious = 24.3%

Proposed 1,350 gal septic tank & 450 dosing tank if gravity cannot be maintained

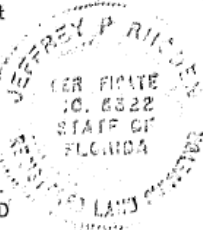
Surveyor's Certification

I hereby certify to Boulder Construction that this Map of Boundary Survey meets the Standards of Practice for surveys as set forth in Chapter 5J-17 Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Jeffrey P. Rhoden
JEFFREY P. RHODEN PSM #5322
STATE OF FLORIDA

01/23/18

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.



Lake County

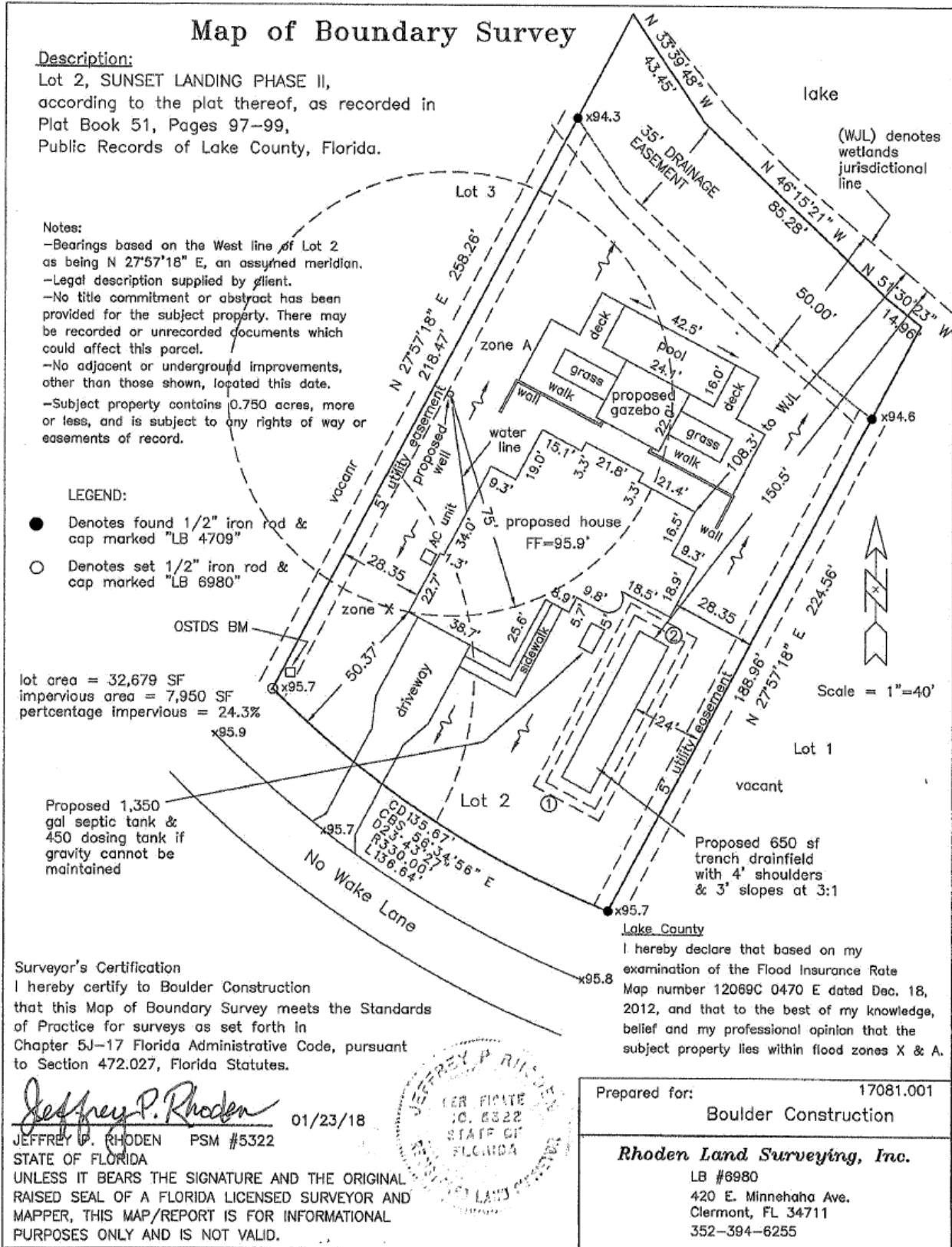
I hereby declare that based on my examination of the Flood Insurance Rate Map number 12069C 0470 E dated Dec. 18, 2012, and that to the best of my knowledge, belief and my professional opinion that the subject property lies within flood zones X & A.

Prepared for: 17081.001

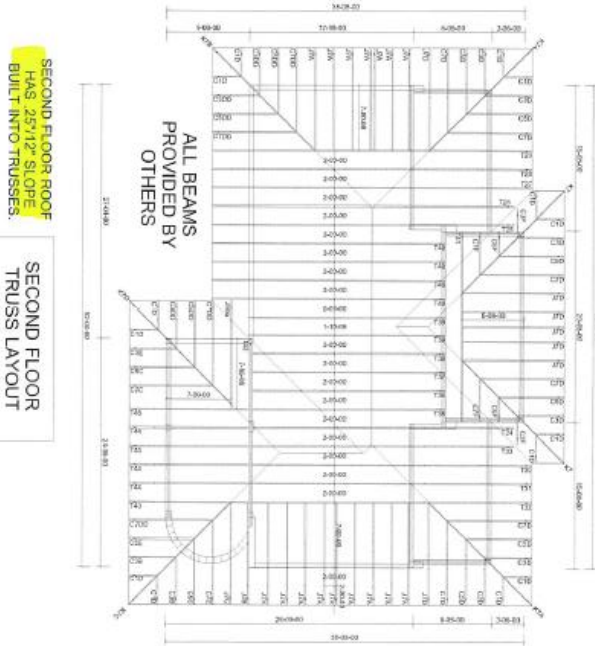
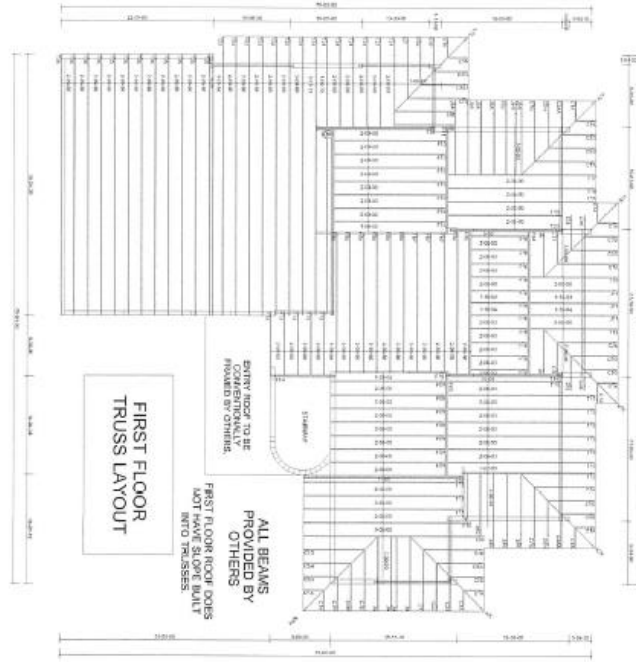
Boulder Construction

Rhoden Land Surveying, Inc.

LB #6980
420 E. Minnehaha Ave.
Clermont, FL 34711
352-394-6255



Attachment B – Truss Layout.



200 East Main Street
 Leesburg, FL 34748
 Ph: 352-787-5334
 Fx: 352-326-2404

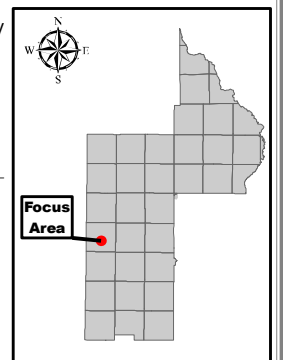
Customer Name
Boulder Construction
 Job Name
Fribourg Residence
 Designer
 Add #
180026



FUTURE LAND USE LEGEND

- | | | | |
|--------------------------------|--|--------------------------|----------------------|
| Bella Collina | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Low Density |
| Cagan Crossings | Mt Plymouth-Sorrento Neighborhood | Rural | Urban Medium Density |
| Conservation | Mt Plymouth-Sorrento Receiving Area | Rural Transition | Urban High Density |
| Green Swamp Core Conservation | Regional Office | Sending Area A-1-20 | Wellness Way 1 |
| Green Swamp Interlachen | Public Service Facility and Infrastructure | Sending Area A-1-40 | Wellness Way 2 |
| Green Swamp Ridge | Receiving Area A-1-20 | South Lake Regional Park | Wellness Way 3 |
| Green Swamp Rural | Recreation | Summer Bay | Wellness Way 4 |
| Green Swamp Rural Conservation | | | Towncenter |
| Heavy Industrial | | | |

NAME: FLORIDA DF LLC
CASE NUMBER: VAR-18-30-1
LOCATION (S-T-R): 22-21-24
REQUEST: ROOF PITCH ADJUSTMENT

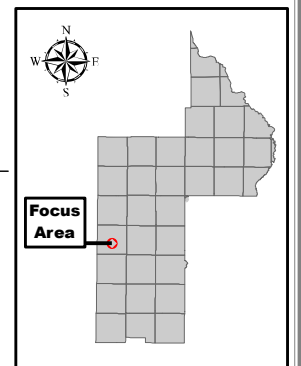




ZONING LEGEND

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: FLORIDA DF LLC
CASE NUMBER: VAR-18-30-1
LOCATION (S-T-R): 22-21-24
REQUEST: ROOF PITCH ADJUSTMENT



**Final Development Order
VAR-18-30-1
Florida DF, LLC Property**

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

WHEREAS, Stefanee M. Puchlopek (the “Applicant”) made a variance request on behalf of Florida DF, LLC (the “Owner”) to Lake County Land Development Regulations (LDR) 3.01.02.A.1.b., to allow a single-family dwelling unit to have a roof pitch of 1/4 inch rise for each one (1) foot of horizontal run in lieu of the one (1) foot of rise for each four (4) feet of horizontal run; and

WHEREAS, the subject property consists of 0.75 +/- acres and is located north of No Wake Lane in the Groveland area, in Section 22, Township 21, Range 24, having an Alternate Key Number 3827103 and is more particularly described below as:

Lot 2, SUNSET LANDING PHASE II, according to the map or plat thereof as recorded in Plat Book 51, Page 97, Public Records of Lake County, Florida.

WHEREAS, after giving notice of a hearing on a petition for a variance to the Lake County Land Development Regulations, including notice that the variance would be presented to the Board of Adjustment of Lake County, Florida, on June 14, 2018; and

WHEREAS, the Board of Adjustment reviewed the 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 June 14, 2018, 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:

Section 1. Terms: The County Manager or designee shall amend the Official Zoning Map to reflect the approval of VAR-18-30-1 to Lake County Land Development Regulations (LDR) Section 3.01.02.A.1.b., to allow a single-family dwelling unit to have a roof pitch of 1/4 inch rise for each one (1) foot of horizontal run in lieu of the one (1) foot of rise for each four (4) feet of horizontal run.

Section 2. Severability: If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity of the remaining portions of this Ordinance.

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Section 3. Effective Date. This Ordinance will become effective as provided by law.

ENACTED this 14th day of June, 2018.

EFFECTIVE June 14, 2018.

**BOARD OF ADJUSTMENT
LAKE COUNTY, FLORIDA**

Catherine Hanson, Chairman

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 14th day of June, 2018, by _____, who is personally known to me or who has produced _____, as identification and who did _____ or did not _____ take an oath.

(SEAL)

Signature of Acknowledger