

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

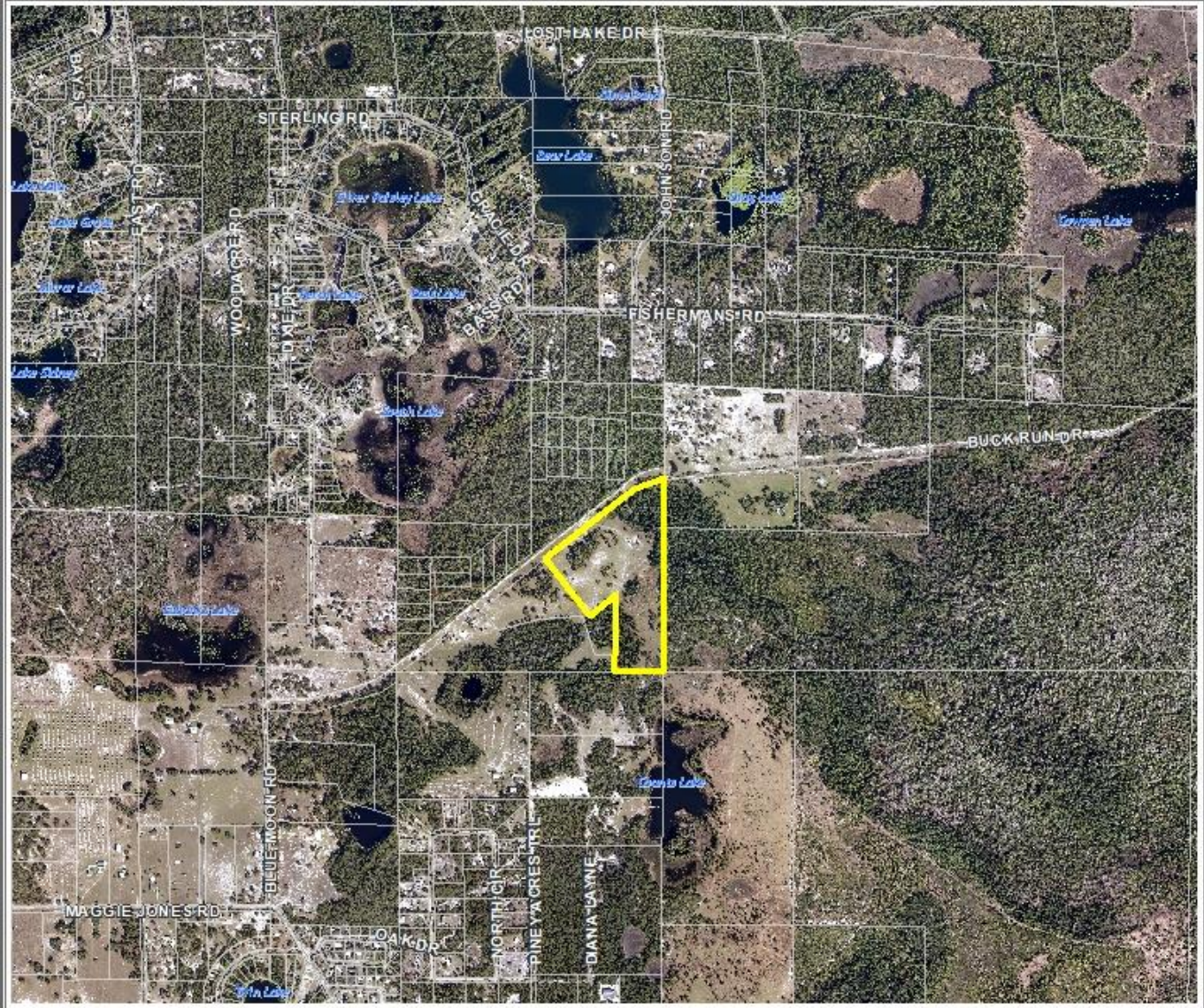
Board of Adjustment



LAKE COUNTY
FLORIDA

January 10, 2019

<p>VAR-18-61-5 Wilhoite and Medico Property</p>	<p>Commissioner District 5 Blake</p>	<p>Agenda Item #2</p>
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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 (SFDU) to have a roof pitch of two and one-half (2.5) feet of rise for each twelve (12) feet of horizontal run in lieu of the one (1) foot of rise for each four (4) feet of horizontal run.

Owners: Dolores Wilhoite and Robert Medico (the "Owners")

Applicants: Clay Rector, Clay Rector Construction (the "Applicant")

- Site Location & Information -

Size	30.57 +/- acres
Location	43250 Buck Run Drive, Paisley, FL 32767
Alternate Key #	3846171
Future Land Use	Rural
Existing Zoning District	Agricultural (A)
ISBA	N/A
Overlay Protection Area	Wekiva-Ocala Rural Protection Area (RPA)
Commission District	5

-Land Use Table-

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	N/A	N/A	Street	Buck Run Drive
South	Rural	Agricultural (A)	Residential	Large Agricultural Tract with Wetland and Flood Zone Indication
East	Conservation	Rural Residential (R-1)	Vacant	Large Conservation Tract with Wetland and Flood Zone Indication
West	Rural	Agricultural (A)	Residential	Large Agricultural Tract with Wetland and Flood Zone Indication

- 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 (SFDU) to have a roof pitch of two and one-half (2.5) feet of rise for each twelve (12) feet 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 3846171. The parcel is zoned Agricultural (A) 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 survey (Attachment A) delineates wetlands and flood zones.

The subject property was created via Lot Split (MLS 99-041) which was recorded in Official Record Book 1723 Page 1620 on June 8, 1999, and a Lot Line Deviation (LLD 2007-0025) was approved and recorded in Official Record Book 3445 Page 2445 on June 6, 2007.

-Reason for Request-

On October 3, 2018, Staff approved a zoning permit for a replacement modular single-family dwelling unit with the dimensions of sixty-eight (68) feet by forty (40) feet. 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.

The purpose of 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 applicant submitted the following statement as proof of their intention to meet the code,

"The compatibility does not pertain in this instance because the nearest homestead near where this one is being placed is at least 600 feet apart. The homesteads on this particular road are also all modular or manufactured homes also. We cannot achieve a 3:12 pitch roof either because the height on the trailer it's being transported on will exceed the FL-DOT maximum height allowance."

Per the Applicant's statement, the trailer utilized for transport of the single family residence (SFR) would exceed the FL-DOT maximum height allowance if the SFR were to have the roof pitch required by the code. However the manufactured home being placed will still be compatible with the surrounding neighborhood, as surrounding parcels have similar SFR's of similar architectural style.

The proposed single-family dwelling unit will still meet the intention of the code, as it is consistent with all 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.

There is nothing contained in the Florida Building Code which would prevent the construction of a single family residence with a pitch of two and one-half (2.5) feet of rise for each twelve (12) feet of horizontal run. The roof would need to be engineered to provide adequate drainage, constructed of durable materials, and in compliance with other applicable Florida Building Codes.

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.

The Applicant submitted the following statement as proof of their hardship, *"[The requirement] Can't be met and transported to sight [sic] because height (this is a DCA approved) modular home 2,700 sqf."*

Per the earlier provided statement, the hardship from the applicant comes in the requirement by another agency regarding height of the transportation trailer. The contractor will not be able to transport the single family residence

to the building site if the mobile home is required to have a roof pitch of one (1) foot of rise for each four (4) feet of horizontal run.

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 slightly reduced roof pitch will not adversely affect the character of the surrounding neighborhood. The proposed single family residence is consistent with the other provisions contained in LDR Section 3.01.02.A.1 which contains the other design standards for single family residences including the minimum width of the structure, a solid foundation or permanent skirting, and enclosed or removed transportation apparatuses.

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:

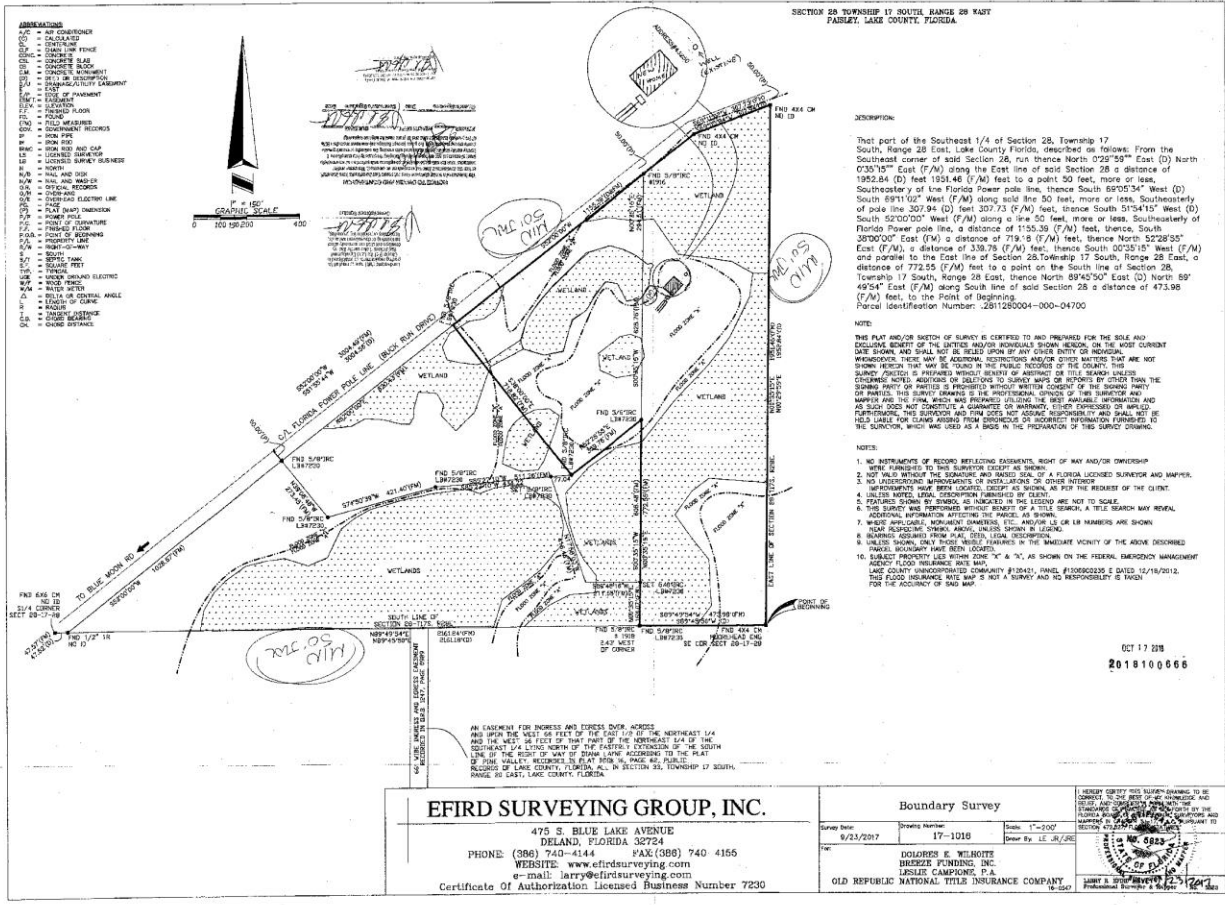
1. This request is partially consistent with Land Development Regulations (LDR) Section 3.01.02(A), *Classification of Uses*, which states that the single-family dwelling unit will have a minimum width of twenty-three (23) feet four (4) inches at the narrowest point, excluding any attached screened room, 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;
2. The request is consistent with the purpose and intention of LDR 3.01.02(A)(1)(b), which attempts to protect surrounding properties and uses by creating minimum standard requirements for proposed structures. The proposed residence will be situated on a large lot and surrounding parcels are similarly developed. The proposed residence will not alter the character of the neighborhood or create adverse impacts on the adjacent lots, which is the intention of the regulation.
3. The Florida Building Code does not prohibit flat or low roof pitches on single family residences; and
4. This request is consistent with Comprehensive Plan Policy I-1.4.4, *Rural Future Land Use Category*, which allows residential uses; and
5. This request is consistent with Land Development Regulations (LDR) Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits single family residences and accessory structures in the Agricultural (A) Zoning District.

The Owners have submitted evidence of meeting the intent of the Code and have provided evidence of a substantial 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 (SFDU) to have a roof pitch of two and one-half (2.5) feet of rise for each twelve (12) feet 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-**

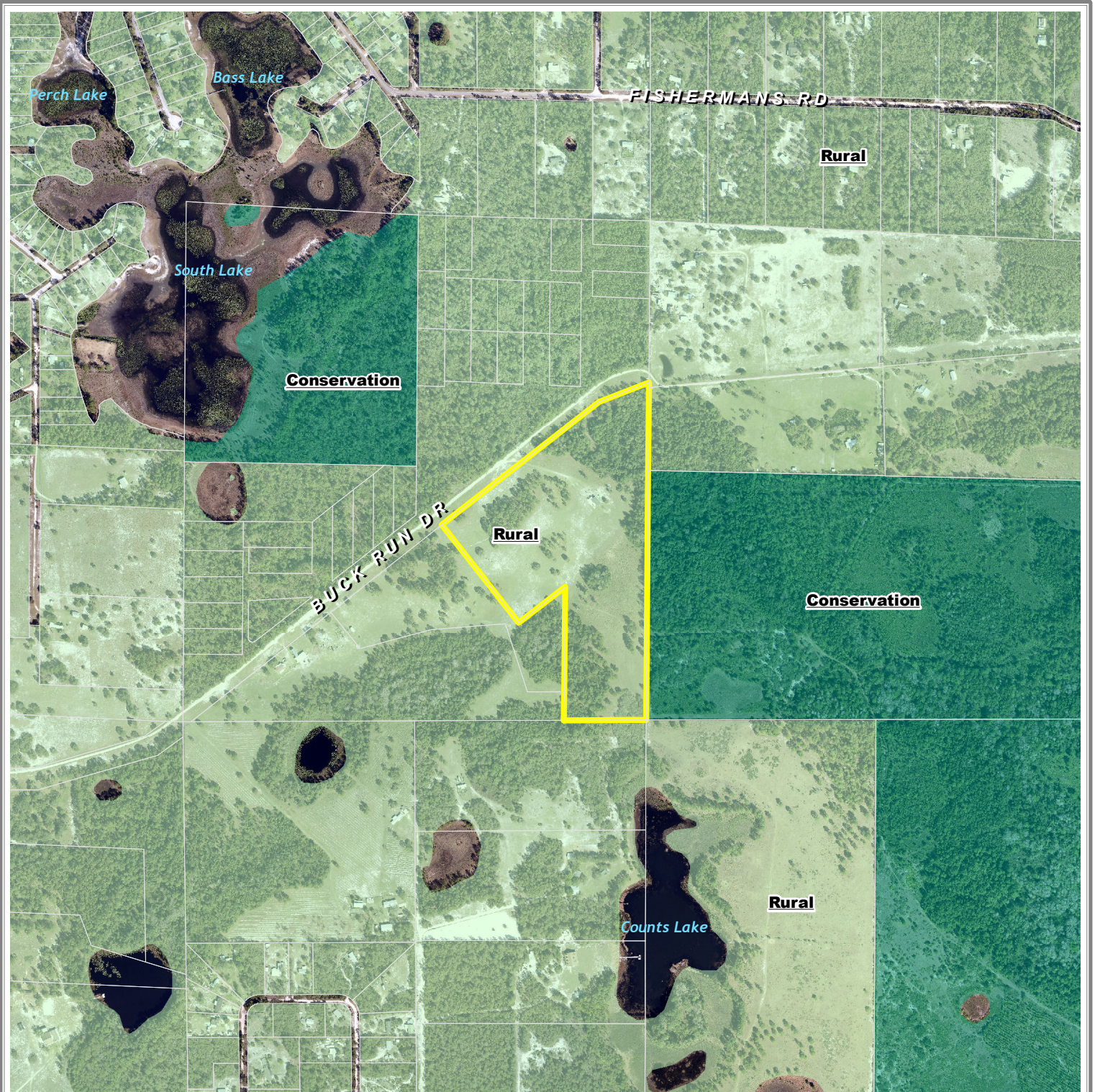
Case Manager: Emily W. Johnson, Associate Planner

Attachment A. Plot Plan



Attachment B – Truss Layout.

Job 90734	Truss P608110	Truss Type KINGPOST	Qty 1	Ply 1	Palm Harbor 216 FL Ref. #2163036
Universal Forest Products Inc., Grand Rapids, MI 49525, Weston Gorbey 8.130 e Dec 12 2017 MiTek Industries, Inc. Mon Jan 29 10:03:44 2018 Page 1 of 1 Copyright © 2018 Universal Forest Products, Inc. All Rights Reserved					
Plate Offsets (X,Y)– [2:0-1-9,0-1-8], [3:0-4-0,Edge], [4:0-1-9,0-1-8], [6:0-1-8,Edge], [7:0-1-6,0-0-1], [8:0-2-6,Edge], [9:0-1-7,0-0-0], [13:0-1-7,0-0-8], [14:0-2-6,Edge], [15:0-1-6,0-0-9], [16:0-1-8,Edge]					
SPACING- 2-0-0 LOADING (psf) TCLL 20.0 TCCL 6.0 BCCL 0.0 * BCDL 10.0	SPACING- 1-4-0 LOADING (psf) TCLL 30.0 TCCL 9.0 BCCL 0.0 * BCDL 15.0	SPACING- 2-0-0 Plate Grip DOL 1.25 Lumber DOL 1.25 Rep Stress Incr YES Code FBC2017/TPI2014	CSI. TC 0.66 BC 0.69 WB 0.71 Matrix-R	DEFL. in (loc) l/defn L/d Vert(LL) 0.32 10 >479 240 Vert(CT) 0.31 10 >500 180 Horz(CT) -0.14 6 n/a n/a	PLATES GRIP MT20 197/144 Weight: 29 lb FT = 0%
LUMBER- TOP CHORD 2x3 SPF No.2 BOT CHORD 2x2 SPF No.2 WEBS 2x2 SPF Stud *Except* W1: 2x3 SPF No.3					
BRACING- TOP CHORD Structural wood sheathing directly applied or 5-4-9 oc purlins, except end verticals. BOT CHORD Rigid ceiling directly applied or 3-7-10 oc bracing.					
REACTIONS. (lb/size) 16=461/0-3-8 (min. 0-1-8), 6=461/0-3-8 (min. 0-1-8) Max Horz 16=111(LC 6) Max Uplift 16=441(LC 5), 6=441(LC 6)					
FORCES. (lb) - Maximum Compression/Maximum Tension TOP CHORD 1-2=-45/97, 2-3=-766/1048, 3-4=-766/1048, 4-5=-45/76, 14-16=-432/594, 1-14=-87/162, 6-8=-432/594, 5-8=-87/162 BOT CHORD 15-16=-23/41, 13-14=-807/737, 12-13=-784/740, 11-12=-782/742, 10-11=-782/742, 9-10=-784/740, 8-9=-807/737, 6-7=0/23, 13-15=-8/37, 7-9=0/37 WEBS 3-11=-19/141, 2-12=0/122, 4-10=0/122, 2-14=-783/987, 4-8=-783/987					
NOTES- 1) This truss has been checked for uniform roof live load only, except as noted. 2) Wind: ASCE 7-10; Vult=150mph (3-second gust) Vasd=116mph @24in o.c.; TCCL=2.4psf, BCCL=2.0psf; (Alt. 180mph @16in o.c.; TCCL=3.6psf, BCCL=3.0psf); h=30ft; Cat. II; Exp D; End., GCpi=0.18; MWFRS (envelope) gable end zone and C-C Exterior(2) zone; end vertical left and right exposed; C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60 3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads. 4) * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members. 5) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 441 lb uplift at joint 16 and 441 lb uplift at joint 6. 6) Fixity of members 1 - 2, 4 - 5, 14 - 1, 8 - 5 have been changed. 7) Based on: P608108 8) Revision: Updated code					
E-signed by Kevin Freeman					
The professional engineering seal indicates that a licensed professional has reviewed the design under the standards referenced within this document, not necessarily the current state building code. The engineering seal is not an approval to use in a specific state. The final determination on whether a truss design is acceptable under the locally adopted building code rest with the building official or designated appointee.					
WARNING - Verify design parameters and READ NOTES Truss shall not be cut or modified without approval of the truss design engineer. This component has only been designed for the loads noted on this drawing. Construction and lifting forces have not been considered. The builder is responsible for lifting methods and system design. Builder responsibilities are defined under TPI1. This design is based only upon parameters shown, and is for an individual building component to be installed and loaded vertically. Applicability of design parameters and proper incorporation of component is responsibility of building designer - not truss designer. Bracing shown is for lateral support of individual web members only. Additional temporary bracing to insure stability during construction is the responsibility of the erector. Additional permanent bracing of the overall structure is the responsibility of the building designer. For general guidance regarding fabrication, quality control, storage, delivery, erection and bracing, consult BCSI 1-06 from the Wood Truss Council of America and Truss Plate Institute Recommendation available from WTCA, 6300 Enterprise LN, Madison, WI 53719 J:\support\MitekSupp\templates\ufp.tpa					
Universal Forest Products, Inc. 2801 EAST BELTLINE RD NE PHONE (616)-364-6161 FAX (616)-365-0060 GRAND RAPIDS MI 49525					



FUTURE LAND USE LEGEND

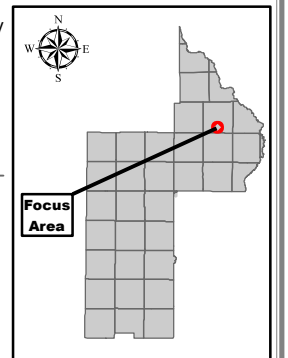
- | | | | |
|--------------------------------|--|--------------------------|----------------------|
| Bella Collina | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Low Density |
| Cagan Crossings | Mt Plymouth-Sorrento Neighborhood | Rural | Urban Medium Density |
| Conservation | 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: WILHOITE & MEDICO PROPERTY

CASE NUMBER: VAR-18-61-5

LOCATION (S-T-R): 28-17-28

REQUEST: ROOF PITCH ADJUSTMENT



Final Development Order
VAR-18-61-5
Wilhoite and Medico Property

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

WHEREAS, Clay Rector, of Clay Rector Construction (the “Applicant”) made a variance request on behalf of Dolores Wilhoite and Robert Medico (the “Owners”) 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 two and one-half (2.5) feet rise for each twelve (12) feet 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 30.57 +/- acres and is located at 43250 Buck Run Drive in the unincorporated Paisley area, in Section 28, Township 17, Range 28, having an Alternate Key Number 3846171 and is more particularly described below as:

That part of the Southeast ¼ of Section 28, Township 17 South, Range 28 East, Lake County Florida, described as follows: From the Southeast corner of said section 28, run thence North 0°29’59” East (D) North 0°35’15” East (F/M) along the East line of said Section 28 a distance of 1952.84 (D) feet 1951.46 (F/M) feet to a point 50 feet, more or less, Southeasterly of the Florida Power plot line, thence South 69°05’34” West (D) South 69°11’02” West (F/M) along said line 50 feet, more or less, Southeasterly of pole line 307.94 (D) feet 307.73 (F/M) feet, thence South 51°54’15” West (D) South 52°00’00” West (F/M) along a line 50 feet, more or less, Southeasterly of the Florida Power pole line a distance of 1155.39 (F/M) feet, thence South 30°00’00” East (F/M) a distance of 719.18 (F/M) feet, thence North 52°28’55” East (F/M), a distance of 339.76 (F/M) feet, thence South 0°35’15” West (F/M) feet to a point on the South line of Section 28, Township 17 South, Range 28 East, thence North 89°45’50” East (D) North 89°49’54” East (F/M) along the South line of said Section 28 a distance of 473.98 (F/M) feet, to the Point of Beginning.

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 January 10, 2019; 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 January 10, 2019, 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-18-61-5 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 two and one-half

(2.5) feet of rise for each twelve (12) feet 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.

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

ENACTED this 10th day of January, 2019.

EFFECTIVE January 10, 2019.

**BOARD OF ADJUSTMENT
LAKE COUNTY, FLORIDA**

Tim Morris, Chairman

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 10th day of January, 2019, 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