



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 8

Public Hearing Date: June 10, 2021

Case No. and Project Name: VAR-21-24-3, Duane Property

Owners: James and Deborah Duane

Applicants: James and Deborah Duane

Requested Action: Variance to PUD Ordinance #2005-45 Section 3.A(1)(d)(1) to allow a patio and screen enclosure to be setback 18-feet from the rear property line, in lieu of 25-feet from the rear property line.

Case Manager: Emily W. Johnson, Senior Planner

Subject Property Information

Size: 0.15 +/- acres

Location: 20720 Prince Ranier Place, Leesburg.

Alternate Key No.: 3819933

Future Land Use: Urban Low Density

Current Zoning District: Planned Unit Development (PUD) by Ordinance #2005-45

Flood Zone: "X"

Joint Planning Area (JPA) / ISBA: City of Leesburg

Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	PUD	Residential	Single-Family Residence
South	Urban Low Density	PUD	Residential	Single-Family Residence
East	City of Groveland	City of Groveland	Agriculture	Large Agriculture Tract within City of Groveland
West	Urban Low Density	PUD	Residential	Single-Family Residence adjacent to Prince Ranier Place

Summary of Request.

The subject property, identified as Alternate Key Number 3819933, contains 0.15 +/- acres, is zoned Planned Unit Development (PUD) in accordance with PUD Ordinance #2005-45, and is designated with an Urban Low Density Future Land Use Category by the 2030 Comprehensive Plan. Generally, the subject property is located east of Prince Ranier Place, in the unincorporated Leesburg area of Lake County. The subject property is currently developed with a single-family dwelling unit.

The subject property is recognized at Lot 1458 of Royal Highlands Phase 2-B subdivision. Because the subject property lies along the subdivision boundary, the PUD Ordinance mandates a setback of 25-feet from the rear property line. The Applicant has requested a variance to PUD Ordinance #2005-45 Section 3.A(1)(d)(1) to allow a patio and screen enclosure to be setback 18-feet from the rear property line, in lieu of 25-feet from the rear property line. The plot plan (Attachment "A") depicts the location of the existing development and proposed patio.

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 intent of the Code, PUD Ordinance #2005-45 Section 3.A(1)(d), is to promote a logical development pattern, provide for safe setbacks between structures, and encourage a visually pleasing environment within the subdivision.

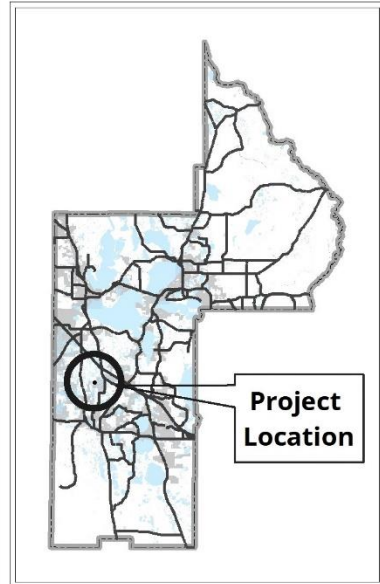
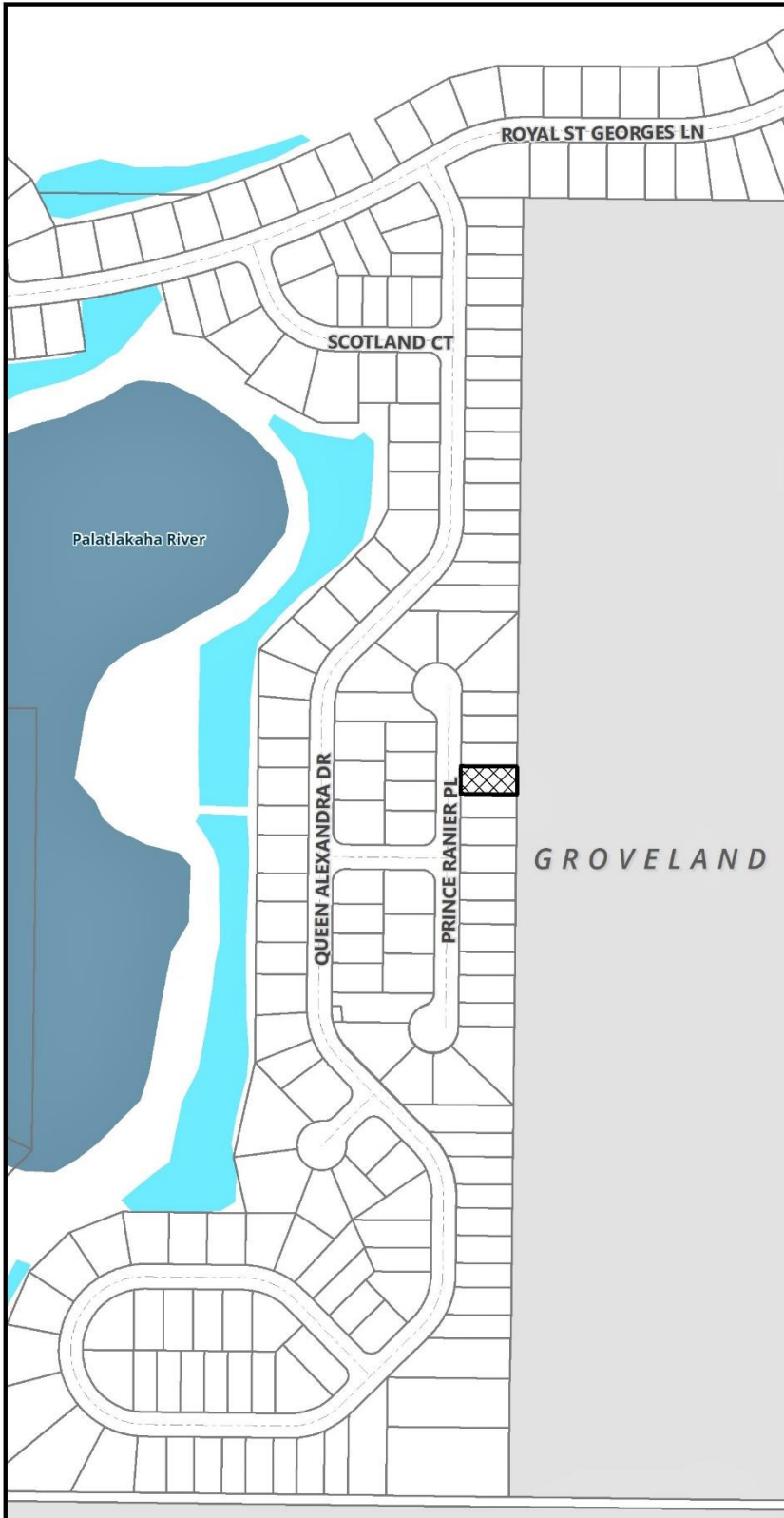
As proof that the intent of the code will be or has been achieved by other means, the Applicant provided the following statement, *"We would like to add a patio to the back of our home to entertain family and friends. Adding the patio would enhance the property value of our neighborhood. Our addition has already been approved by Royal Highlands [Attachment "B"] Numerous variances have been given in our community for pools and patio additions."*

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.

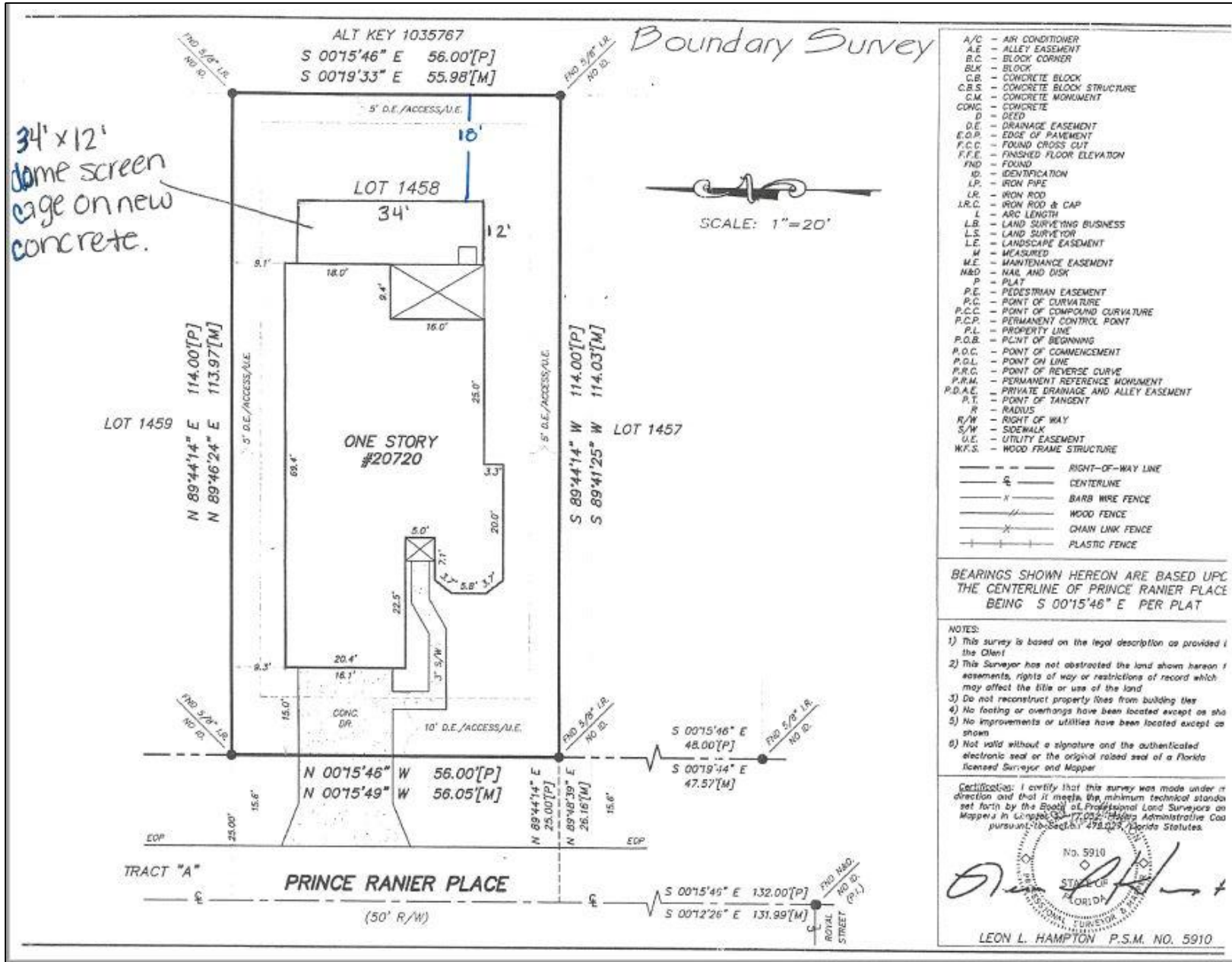
LDR Section 14.15.04, states that for the purposes of this section "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requested the variance.

As proof of a substantial hardship, the Applicant provided the following statement, *"Our street has a 25 foot setback while the rest of the community has a 15 foot setback. We are requesting a variance of an additional 7 feet to complete our patio which would leave us with a 18 foot setback which is more than most of the community, especially the homes that have had variance[s] approved (for pools and patios) on lots with 15 foot setbacks."*

Map of Subject Property



Attachment "A" - Plot Plan



Attachment "B" – Letter from HOA



ROYAL HIGHLANDS

February 18, 2021

Architectural Application Approved

James and Deborah Duane
20720 Prince Ranier Pl
Leesburg, FL 34748

Re: 20720 Prince Ranier Pl

Dear James and Deborah Duane,

Thank you for submitting an architectural application. The Board or Committee has reviewed your request for the **Patio Extension**.

Please be advised that the application has been: Approved

Please note that if an approval was granted, it is your obligation to obtain all necessary permits. The improvement must meet all municipal guidelines or restrictions (if applicable) in addition to Architectural Guidelines established for the community.

If you require further assistance, please do not hesitate to contact our office.

Architectural Review
Phone: (352) 326-8007
Email: highlandsactivity@comcast.net

5350 Monarch Blvd., Leesburg, Florida 34748
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**Final Development Order
VAR-21-24-3
Duane Property**

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

WHEREAS, James and Deborah Duane (the “Applicants” and the “Owners”) requested a variance to PUD Ordinance #2005-45 Section 3.A(1)(d)(1) to allow a patio and screen enclosure to be setback 18-feet from the rear property line, in lieu of 25-feet from the rear property line; and

WHEREAS, the subject property consists of 0.15 +/- acres and is located at 20720 Prince Ranier Place, in the Leesburg area of unincorporated Lake County, in Section 24, Township 21, Range 24, having Alternate Key Number 3819933, and more particularly described below; and

Lot 1458, Royal Highlands, Phase 2-B, according to the map or plat thereof as recorded in Plat Book 50, Page 30, of the 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 request for a variance would be presented to the Board of Adjustment of Lake County, Florida, on June 10, 2021; 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 10, 2021, 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-21-24-3, to allow a patio and screen enclosure to be setback 18-feet from the rear property line, in lieu of 25-feet from the rear property line.

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 June 2021.
EFFECTIVE June 10, 2021.**

**BOARD OF ADJUSTMENT
LAKE COUNTY, FLORIDA**

James Argento, Chairman

State of Florida

County of Lake

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 10th day of June 2021, by James Argento, as Chairman of the Lake County Board of Adjustment.

Personally Known OR Produced Identification

Type of Identification Produced _____

**Notary Signature
(SEAL)**