



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 5

Public Hearing Date: January 13, 2022

Case No. and Project Name: VAR-21-83-1, Blocker Property

Owners: Victoria L. Blocker

Applicant: Vance Short

Requested Action: Variance to Land Development Regulations (LDR) Section 10.01.03.B(5), to allow an accessory dwelling unit to be constructed that has a different architectural style than the principal dwelling unit.

Case Manager: Ruth Mitchell, Planner

Subject Property Information

Size: 4.96 +/- acres

Location: 21301 Quail Hammock Lane, Groveland.

Alternate Key No.: 3643909

Future Land Use: Rural

Current Zoning District: Agriculture (A)

Flood Zones: "A" and "X"

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

Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Agriculture (A)	Residential	Single-Family Dwelling Unit
South	Rural	Agriculture (A)	Right-of-Way, Residential	Youth Camp Road, Single-Family Dwelling Unit South of the R-O-W
East	Rural	Agriculture (A)	Residential	Single-Family Dwelling Unit
West	Rural	Agriculture (A)	Residential	Single-Family Dwelling Unit

Summary of Request.

The subject property, identified as Alternate Key Number 3643909, contains 4.96 +/- acres, is zoned Agriculture (A), and is designated with a Rural Future Land Use Category by the 2030 Comprehensive Plan. The subject parcel is generally located north of Youth Camp Road and west of Quail Hammock Lane in the Groveland area. The concept plan shows that the parcel is developed with a single-family dwelling unit, driveway, pool, barn and three sheds (Attachment "A").

Land Development Regulations (LDR) 10.01.03.B(5) states that an accessory dwelling unit shall be the same architectural style as the principal dwelling. The existing principal dwelling is a manufactured home. The Applicant seeks to construct a site built accessory dwelling unit; therefore, does not meet the same architectural design.

The variance application was sent to the Public Works Department for a determination of consistency with their regulations and the Department of Public Works no objections or concerns to the request.

The subject parcel is located within the City of Leesburg ISBA and the application was sent to the City of Leesburg for a determination of consistency with their regulations. The City of Leesburg had no comments or objections to the request.

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.

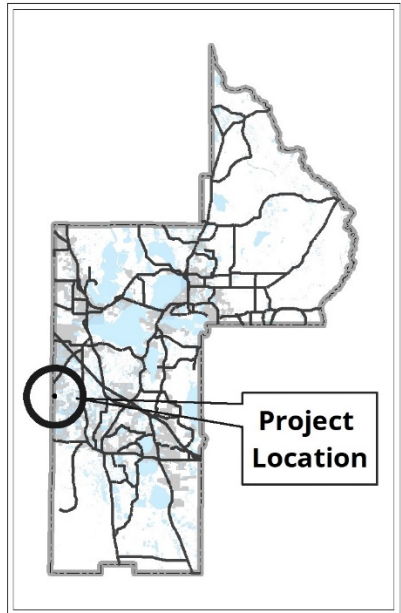
The intent of the Code, LDR Section 10.01.03, *Accessory Structures that are Dwellings*, is to provide for less expensive housing units to accommodate growth, provide housing for relatives, and to provide for security. Additional regulations are set in place for an accessory dwelling unit (ADU) to ensure that the ADU meets the characteristics of the surrounding neighborhood and does not negatively impact overall regional density.

To show that the intent of the code will be or has been achieved by other means, the Applicant provided the following statement: *"The accessory dwelling unit will be meeting the setbacks and size requirement"*.

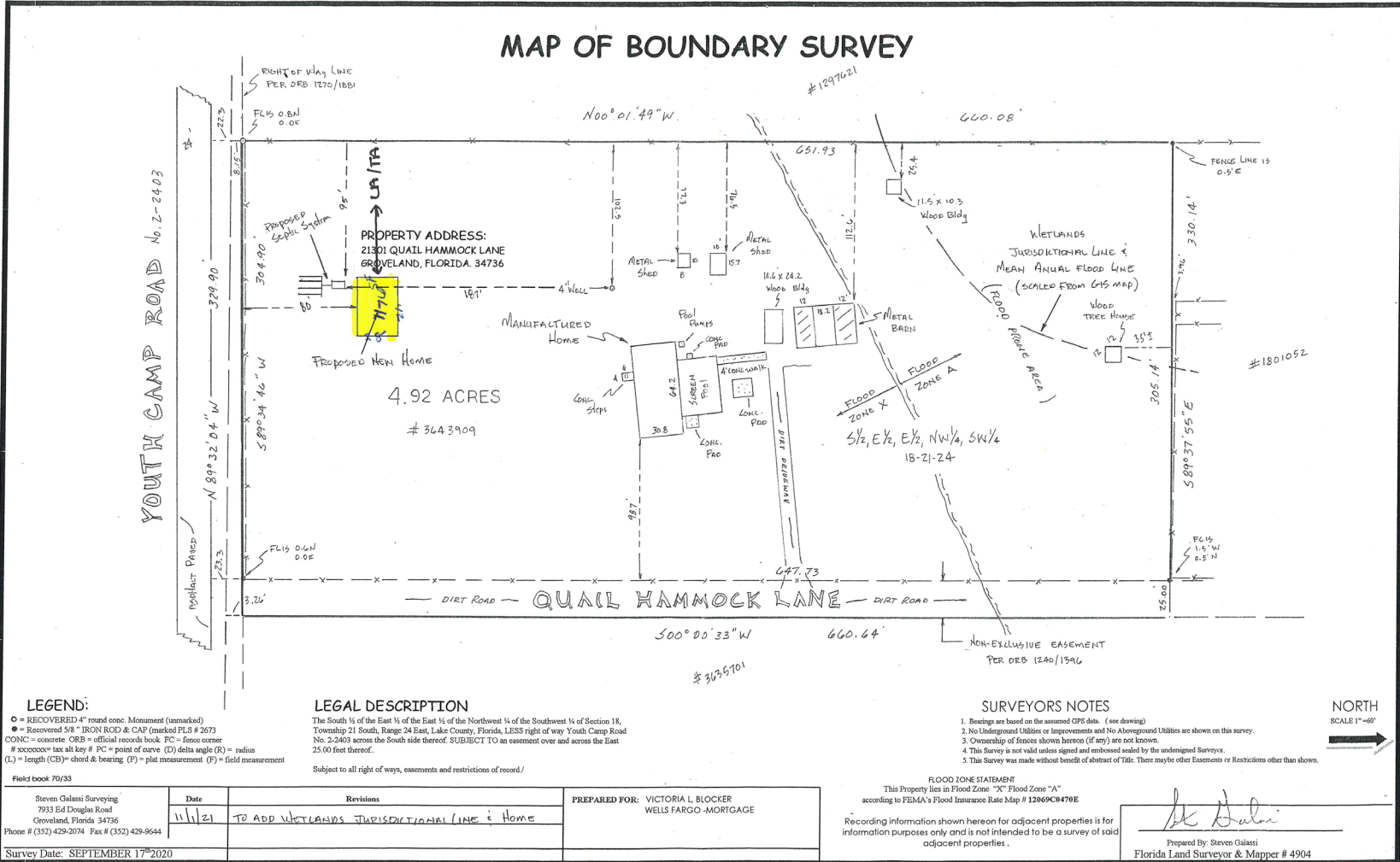
2. The application of a Land Development Regulation would create a substantial hardship or would violate principles of fairness. For purposes of this Section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance. For 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.

To show substantial hardship, the Applicant provided the following statement: *"Family care – mother inlaw and less expensive to build than a mobile home"*.

Map of Subject Property



Attachment "A" - Plot Plan



**Final Development Order
VAR-21-83-1
Blocker Property**

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

WHEREAS, Vance Short (the “Applicant”) requested a variance to Lake County Land Development Regulations (LDR) Section 10.01.03.(B)(5) on behalf of Victoria Blocker (the “Owner”), to allow an accessory dwelling unit to be constructed that has a different architectural style than the principal dwelling unit; and

WHEREAS, the subject property consists of 4.96 +/- acres, located at 21301 Quail Hammock Lane, in the unincorporated Groveland area of Lake County, Florida, in Section 18, Township 21, Range 24, having Alternate Key Number 3643909 and more particularly described below; and

A parcel of land in Section 20, Township 19 South, Range 24 East, Lake County, Florida, described as follows:

The South 1/2 of the East 1/2 of the East 1/2 of the Northwest 1/4 of the Southwest 1/4 of Section 18, Township 21 South, Range 24 East, Lake County, Florida, LESS right of way for Youth Camp Road No. 2-2403 across the South side thereof, Subject to an easement over and across the East 25.00 feet thereof.

WHEREAS, after giving notice of the hearing on the 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 13, 2022; 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 13, 2022, 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-2183-1 to allow an accessory dwelling unit to be constructed that has a different architectural style than the principal dwelling unit.

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 13th day of January 2022.

EFFECTIVE January 13, 2022.

**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 13th day of January 2022, by James Argento, as Chairman of the Lake County Board of Adjustment.

Personally Known OR Produced Identification

Type of Identification Produced _____

Notary Signature

(SEAL)