



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4
 Public Hearing Date: March 10, 2022
 Case No. and Project Name: VAR-21-89-1 Fazio Property
 Owners: George J. Fazio
 Applicant: George J. Fazio
 Requested Action: Variance to Section III.A.1.d.1 of PUD Ordinance #2005-45 to allow a screen room with concrete to be located five (5) feet from the rear property line in lieu of fifteen (15) feet.
 Case Manager: Ryan Winkler, Planner

Subject Property Information

Size: 0.13 +/- acres
 Location: 21935 Royal Saint Georges Lane, in the unincorporated Leesburg area
 Alternate Key No.: 3757556
 Future Land Use: Urban Low Density
 Current Zoning District: Planned Unit Development (PUD)
 Flood Zones: "X"
 Joint Planning Area (JPA) / ISBA: Leesburg Interlocal Service Boundary Area
 Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	N/A	ROW	Royal St George Lane Right-of-Way
South	Urban Low Density	PUD	Golf Course	Monarch Golf Course
East	Urban Low Density	PUD	Residential	Single Family Residence (Lot 289) of the Royal Highlands Phase 1-A subdivision
West	Urban Low Density	PUD	Residential	Single Family Residence (Lot 291) of the Royal Highlands Phase 1-A subdivision

Summary of Request.

The subject property, identified as Alternate Key Number 3757556, contains 0.13 +/- 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 north Royal St Georges Lane in the Royal Highlands Phase 1-A subdivision, in the unincorporated Leesburg area of Lake County. The subject property is located within the Leesburg Interlocal Service Boundary Area (ISBA). The subject property is currently developed with a single-family dwelling unit.

The Applicant has requested a variance to Section III.A.1.d.1 of PUD Ordinance #2005-45 to allow a screen room with concrete to be located five (5) feet from the rear property line in lieu of fifteen (15) feet. The accessory structures are proposed to be located five (5) feet from the rear property line, the location of which is depicted on the plot plan (Attachment "A").

The Lake County Department of Public Works reviewed the variance application and had no comment to make on the variance 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.

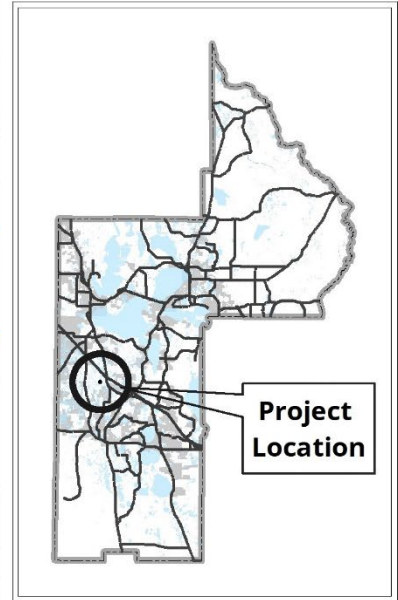
The intent of the Code, LDR Section 3.02.05, Setbacks, is to ensure that structures are located as safe distance from rights-of-way and neighboring properties, and to avoid impediment of proper drainage.

To show that the intent of the code will be or has been achieved by other means, the Applicant provided the following statement, *"Being the Monarch Golf Course abutts [sic] the property there is ample open space between the proposed screened enclosure, allowing still the 5 foot easement, and the open space beyond."*

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, *"House abutts [sic] the Monarch Golf Course and although the area is open behind the house my property size doesn't allow for the required 15 feet."*

Map of Subject Property



**Final Development Order
VAR-21-89-1
Fazio Property**

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

WHEREAS, George J. Fazio (the "Owner"), requested a variance to Section III.A.1.d.1 of PUD Ordinance 2005-45 to allow a screen room with concrete to be located five (5) feet from the rear property line in lieu of fifteen (15) feet; and

WHEREAS, the subject property consists of 0.13 +/- acres and is located at 21935 Royal Saint George Lane, in the Leesburg area of unincorporated Lake County, in Section 13, Township 21, Range 24, having Alternate Key Number 3757556, and more particularly described below; and

Lot 290, Royal Highlands Phase 1-A, according to the map or plat thereof as recorded in Plat Book 38, Pages 16 through 21, 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 March 10, 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 March 10, 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-21-89-1 to allow a screen room with concrete to be located five (5) feet from the rear property line in lieu of fifteen (15) feet.

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 10th day of March, 2022.

EFFECTIVE March 10, 2022.

**BOARD OF ADJUSTMENT
LAKE COUNTY, FLORIDA**

Bea Meeks, Vice Chairman

State of Florida

County of Lake

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this _____ day of _____, 2022, by Bea Meeks, Vice Chairman of the Lake County Board of Adjustment.

Personally Known OR Produced Identification

Type of Identification Produced _____

**Notary Signature
(SEAL)**