



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearing Date: January 12, 2023

Case No. and Project Name: VAR-22-50-5, Grasland Property

Owners/Applicants: Jacques Jean Grasland and Jacqueline Grasland

Requested Action: Variance to Lake County Land Development Regulations (LDR) Section 3.01.02.A.1.b to allow a single-family dwelling unit and accessory dwelling unit to be constructed with a roof pitch of less than one (1) foot rise for each four (4) feet of horizontal run.

Case Manager: Janie Barrón, Chief Planner

Subject Property Information

Size: 2.35 +/- acres

Location: East Grantham Court and west of Darlington Avenue, in the unincorporated Lady Lake area

Alternate Key No.: 3861278

Future Land Use: Rural Transition

Current Zoning District: Rural Residential District (R-1)

Flood Zone: "X"

Joint Planning Area (JPA) / ISBA: Town of Lady Lake Interlocal Service Boundary Agreement (ISBA)

Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Rural Residential District (R-1)	Residential	Single-Family Residence
South	Rural Transition	Rural Residential District (R-1)	Residential	Single-Family Residences
East	Rural Transition	Rural Residential District (R-1)	Right-of-Way and Residential	Darlington Avenue, Large Tract of Vacant Land and Single-Family Residence East of the R-O-W
West	Rural Transition	Rural Residential District (R-1)	Right-of-Way and Residential	Graham Court and Large Tract of Vacant Land West of the R-O-W

Summary of Request.

The subject parcel, identified as Alternate Key Number 3861278 contains 2.35 +/- acres (Attachment "A"), is zoned Agriculture (A), and is designated with a Rural Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcel is described as Lot 13, Windsor Green, Phase 1, according to the plat thereof as recorded in Plat Book 61, Pages 3 through 8, inclusive of the public records of Lake County, Florida. The subject parcel generally located east of Grantham Court and west of Darlington Avenue, in the unincorporated Lady Lake area of Lake County. The subject property is currently vacant and undeveloped.

The Applicant has requested a Variance to Lake County Land Development Regulations (LDR) Section 3.01.02.A.1.b to allow a single-family dwelling unit (SFDU) and accessory dwelling unit (ADU) to be constructed with a roof pitch of less than one (1) foot rise for each four (4) feet of horizontal run. The Applicant is requested to allow the SFDU with a roof pitch of quarter (.25) inch for each foot of horizontal run as depicted on the construction plans (Attachment "B"). LDR Section 3.01.02.A.1 requires that single-family dwelling units (SFDU) comply with the following regulations:

- a) SFDU shall 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. Prior to the issuance of any Building or use Permits, site plans set forth under the general provision section Shall be submitted to the County Manager or designee for his approval;
- b) The pitch of the main roof shall not be less than one (1) foot of rise for each four (4) feet of horizontal run and a minimal overhang of six (6) inches. Installed gutter may be counted as part of the six (6) inch overhang;
- c) A solid foundation or permanent skirting be required around the perimeter of the unit; and
- d) Any wheels, tongue or any transportation apparatus must be removed or enclosed.

The SFDU meets all the criteria listed above except for the roof pitch minimum requirement. However, at the time that the zoning approval was issued for the single-family dwelling unit, the owner signed the zoning permit letter (Attachment "C") indicating that the above criteria would be met.

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.

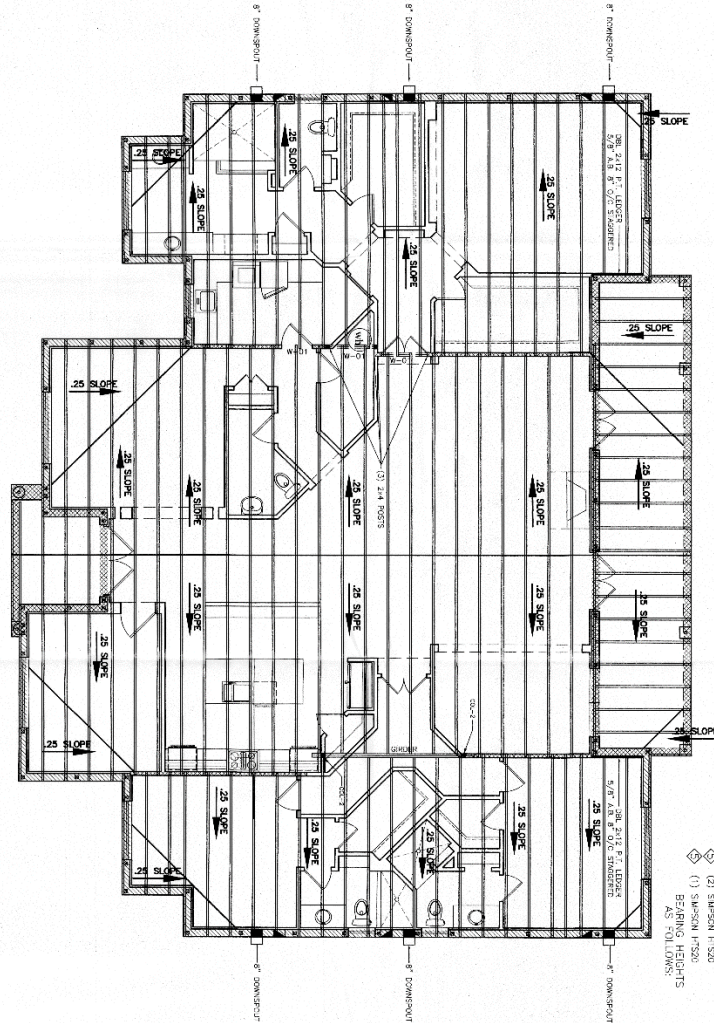
The intent of the Code, LDR Section 3.01.02 is to allow development and use of property only in compliance with the goals, objectives and policies of Lake County as expressed in the Lake County Comprehensive Plan.

To show that the intent of the Code will be or has been achieved by other means, the Applicant provided the following statement, "*All other Land Development Regulations have been achieved except the roof pitch.*"

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, "*The homes are already 80% built and it will cost thousands of dollars to reingeneere [sic] the all [sic] process, etc.*"

Attachment "B" – Roof Framing Construction Plan Sheet



- ROOF STRAPPING**
- ◊ CWU TO WOOD:
 - ◊ TYPICAL SWAPSON HEZAD (L.O.N.)
 - ◊ (2) SWAPSON HEZAD
 - ◊ (2) SWAPSON HEZAD & (1) HIRAF'S
 - ◊ (2) SWAPSON HEZAD & (1) LAT
 - ◊ (1) SWAPSON HEZAD & (1) LAT
- WOOD TO WOOD:**
- ◊ SWAPSON H-10 AND
 - ◊ (2) 1x6 TOP WALK (L.O.N.)
 - ◊ (2) SWAPSON H-1520
 - ◊ (1) SWAPSON H-1520
- BEARING HEIGHTS AS NOTED**

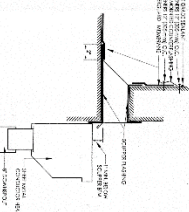
GENERAL NOTES:

- 1. THIS IS NOT A SWAPSON ROOF
- 2. SWAPSON HEZAD HEZAD & HIRAF'S
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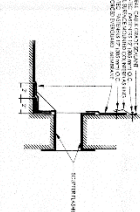
Roof Framing

Scale 1/4" = 1'-0"

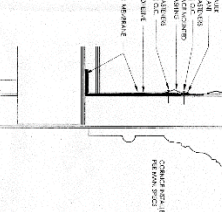
Thru-wall Scupper



Overflow Scupper



Parapet Flashing



COMELLO ASSOCIATES
CUSTOMER SERVICE REPRESENTATIVE
1300 W. UNIVERSITY BLVD. SUITE 100
TALLAHASSEE, FL 32310
TEL: 904-486-2822
FAX: 904-486-2822
WWW.COMELLOASSOCIATES.COM

APEX
Standard Construction
Consulting Engineers, P.L.L.C.
1000 W. UNIVERSITY BLVD. SUITE 100
TALLAHASSEE, FL 32310
TEL: 904-486-2822
FAX: 904-486-2822
WWW.APEXCONSULTING.COM

Client: Clemment Grasland
2889 E. Venice Ave #412
Venice, FL 34992
Phone: 941-299-2589
Email: jason@cm.com

Project Name: Custom Residence

Site: 14113 Dunlop Ave
at Windsor Green
Lakeland, FL 32119

Scale: 1/4" = 1'-0"

Sheet: AS5
OF 18 SHEETS

Attachment "C" - SF DU Zoning Permit Letter (Page 1 of 2)



OFFICE OF PLANNING AND ZONING
Zoning Permit
Valid for 30 days to Submit a Complete Application
to the Office of Building Services

2022040096
Zoning Permit #43241

APR 04 2022

Approval Date: March 24, 2022

Address Screen #165028

Type of proposed development: 03/24/2022 - SF DU WITH DETACHED GARAGE. TOTAL SF: 3954. LIVING SF: 3426. FLOOD ZONE X. DRIVEWAY, LANAL. MINIMUM OF 5 TREES TO MEET LANDSCAPING REQUIREMENTS. ISSUED BY AWH

Job Address: DARLINGTON AV City: LADY LAKE State: FL Zip: 32159-
Alt. Key: 3861278 Section: 10 Township: 18 Range: 24 Found in Section 0200 Lot: 01300 Block: 000

Legal Description: WINDSOR GREEN PHASE I SUB LOT 13 PB PB 61 PG 3-8

Owner Information:
WINDSOR GREEN RCR LLC

1049 N 21ST AVE
HOLLYWOOD, FL 33020

AWH
03/24/2022

Site Plan # ___ Project # ___ Application #
Joint Planning Area: Interlocal Service Boundary Agreement: LADY LAKE Lot of Record #
Average Setback: [[ADDRESS AVG SETBACK_NBR]] Accessory Dwelling Unit ORB PG Unity of Title ORB PG Lot
Split ORB PG Lot Line Deviation ORB PG Variance # Ordinance #

Districts:
Commissioner- 5 Road- C School -S Parks-C Zoning-R-1 Land Use Designation-RT St. Johns-N Green Swamp-N
Wekiva- N JPA- N Flood Map Page-0170E Zone- X Elevation: Hazard- N Permit #
Wetland Affidavit- N County Road #NYA Maximum ISR: 30 Meets Impervious Surface- N # of Trees required- 5 Lot
size- 2.35 AC Min. sf of dwelling- 900 Water/Well- WELL Sewer/Septic- SEPTIC

Setbacks:
Primary Structure- SF DU Front- 25' RW Left- 10' PL Right- 10' PL Rear- 25' RW
Accessory Structure #1- Front- Left- Right- Rear-
Accessory Structure #2- Front- Left- Right- Rear-

Health Department Use Only

Staff _____ Septic Permit # _____
No. of Bedrooms _____ Height above natural grade _____ Date _____
Comments _____

Notice to Owner and Contractor

This issuance of a zoning permit does not assure that setbacks have been met or that the development does not encroach on an easement, The owner and/or contractor have the sole responsibility of bringing the property into compliance. I hereby certify that the costs associated with meeting the setbacks or restoring easements are my responsibility.

I understand that I have to meet all lot grading requirements as established in Chapter 9 of the Land Development Regulations (LDR). I also certify that my development shall not adversely affect surrounding or downstream wetlands, floodplains or neighboring properties.


Attachment "B" – SFDU Zoning Permit Letter (Page 2 of 2)

I understand that I shall meet all Single-Family Dwelling Unit requirements as established by Land Development Regulations, Section 3.01.02 Residential Uses which defines a single-family dwelling unit as:

- a) Single-Family Dwelling Units Shall 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. Prior to the issuance of any Building or use Permits, site plans set forth under the general provision section Shall be submitted to the County Manager or designee for his approval.
- b) The pitch of the main roof Shall not be less than one (1) foot of rise for each four (4) feet of horizontal run and a minimal overhang of six (6) inches. Installed gutter may be counted as part of the six (6) inch overhang.
- c) A solid foundation or Permanent skirting Shall be required around the perimeter of the unit.
- d) Any wheels, tongue or any transportation apparatus must be removed or enclosed.

Issuance of a development permit or development order by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. A municipality shall attach such a disclaimer to the issuance of development permits and shall include a permit condition that all other applicable state or federal permits be obtained before commencement of the development.

No grass (except Bahaigrass) can cover more than 60% of the pervious landscape area and all grass must be irrigated separately. Any new irrigation system shall be installed in accordance with LDR Section 9.01.05.E.2. The system has be designed to provide the minimum irrigation necessary to ensure the survival of the plan material and shall be designed to avoid runoff and promote optimal percolation.

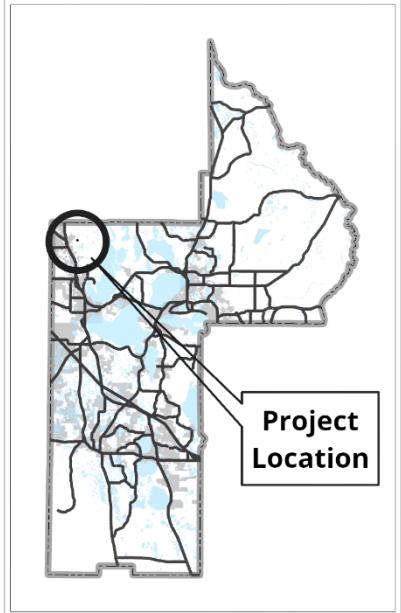
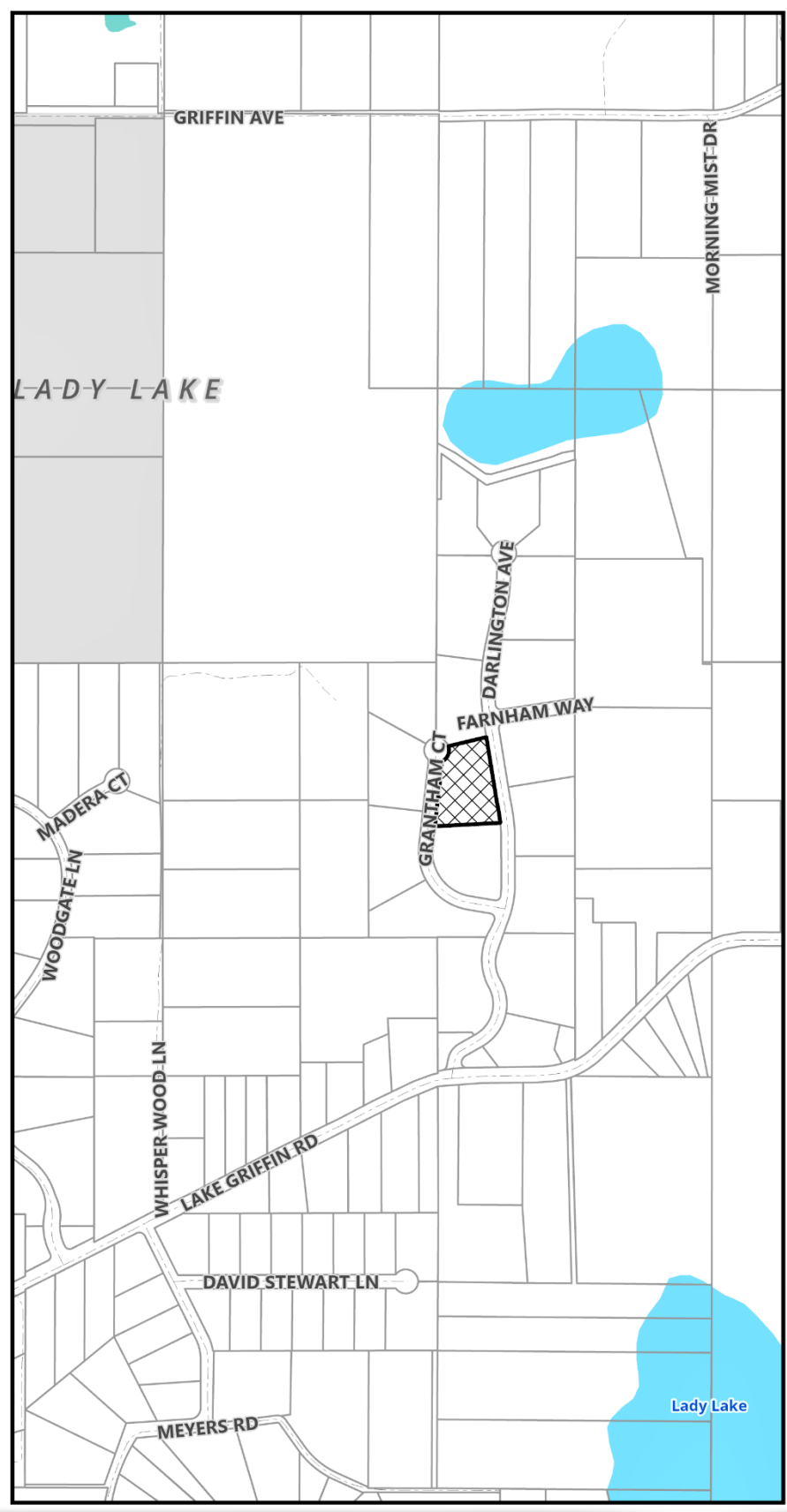
 03-24-2022
Signature & Date

J. GRASLAND
Printed Name

43241
Zoning Permit No.

THIS ZONING PERMIT IS NOT VALID UNTIL IT IS SIGNED BY THE APPLICANT

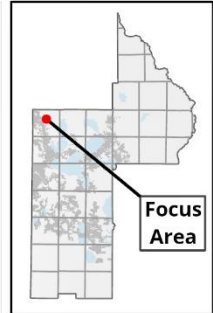
Map of Subject Property



Aerial Map



VAR-22-50-5
Grasland Property



Roof Pitch
Adjustment

**Final Development Order
VAR-22-50-5
Grasland Property**

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

WHEREAS, Jacques Jean Grasland and Jacqueline Grasland (the “Applicants” and “Owners”), requested a Variance to Land Development Regulations (LDR) Section 3.01.02.A.1.b to allow a single-family dwelling unit and accessory dwelling unit to be constructed with a roof pitch of less than one (1) foot rise for each four (4) feet of horizontal run; and

WHEREAS, the subject property consists of 2.35 +/- acres and is located east of Grantham Court and west of Darlington Avenue, in the unincorporated Lady Lake area of Lake County, in Section 10, Township 18, Range 24, having Alternate Key Number 3861278 and more particularly described below;

Lot 13, Windsor Green, Phase 1, according to the plat thereof as recorded in Plat Book 61, Pages 3 through 8, inclusive 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 January 12, 2023; 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 12, 2023, 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-22-50-5 to allow a single-family dwelling unit and accessory dwelling unit to be constructed with a roof pitch of less than one (1) foot 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 12th day of January 2023.

EFFECTIVE January 12, 2023.

**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 12th day of January 2023, by James Argento, as Chairman of the Lake County Board of Adjustment.

Personally Known OR Produced Identification

Type of Identification Produced _____

Notary Signature

(SEAL)