



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearing Date: December 4, 2024

Case No. and Project Name: PZ2024-121, C.F. Partners in Construction, LLC Property

Applicant/Owners: C.F. Partners in Construction, LLC

Requested Action: Variance to Land Development Regulations (LDR) Table 3.02.05 to allow a single-family dwelling to be constructed fifty-four (54) feet from the centerline of Luana Drive, in lieu of the required sixty-two (62) feet.

Case Manager: Meagan Bracciale, Planner I

Subject Property Information

Size: 0.32 +/- acres

Location: Luana Drive, in the unincorporated Leesburg area of Lake County

Alternate Key No.: 3948097

Future Land Use Category: Urban Medium Density (Attachment "A")

Current Zoning District: Urban Residential District (R-6) (Attachment "B")

Flood Zones: "X" and "AE"

Joint Planning Area (JPA) / ISBA: Leesburg Interlocal Services Boundary Agreement (ISBA) Area (Attachment "C")

Overlay District: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Medium	Urban Residential District (R-6)	Lake	Lake Claire
South	Urban Medium	Urban Residential District (R-6)	Right-Of-Way, Residential	Single-Family Residence South of Luana Drive
East	Urban Medium	Urban Residential District (R-6)	Residential	Single-Family Residence
West	Urban Medium	Urban Residential District (R-6)	Residential	Single-Family Residence

- Summary of Request -

The subject property, identified by Alternate Key Number 3948097, contains 0.32+/- acres, is zoned Urban Residential District (R-6), designated with an Urban Medium Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject property is located North of Luana Drive, in the Leesburg area of unincorporated Lake County. GIS maps indicate that the parcel lies within flood zones "X" and "AE".

The Applicant has requested a variance to LDR Table 3.02.05 to allow a single-family dwelling to be constructed fifty-four (54') feet from the centerline of Luana Drive, in lieu of the required sixty-two (62') feet, as depicted in the Plot Plan (Attachment "D"). LDR Table 3.02.05 requires that Urban Residential (R-6) District parcels, adjacent to roads other than state, federal, and County secondary highways shall maintain, for any structure, a setback of sixty-two (62') feet from the centerline of the road or twenty-five (25') feet from the road ROW, whichever is greater.

On October 8, 2024, the variance application was sent to the Public Works Department and the Chief Fire Plans Examiner for review for a determination of consistency with their regulations. The Public Works Department had no comment for the request as long as the proposed primary dwelling is at least 25-feet from the right-of-way, as dictated in the submitted Plot Plan (Attachment "D"). The Chief Fire Plans Examiner had no objection to the request.

The subject property is located within the City of Leesburg Interlocal Service Boundary Agreement (ISBA) Area. The variance request was provided to the City of Leesburg for review for a determination of consistency with their regulations. The City of Leesburg had "no issues with this request."

Should the Board of Adjustments approve this variance request, the Applicant will be required to obtain zoning and building permits to comply with Lake County Land Development Regulations.

- 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, is to promote a logical development pattern, provide for safe setbacks between structures, and encourage a visually pleasing environment.

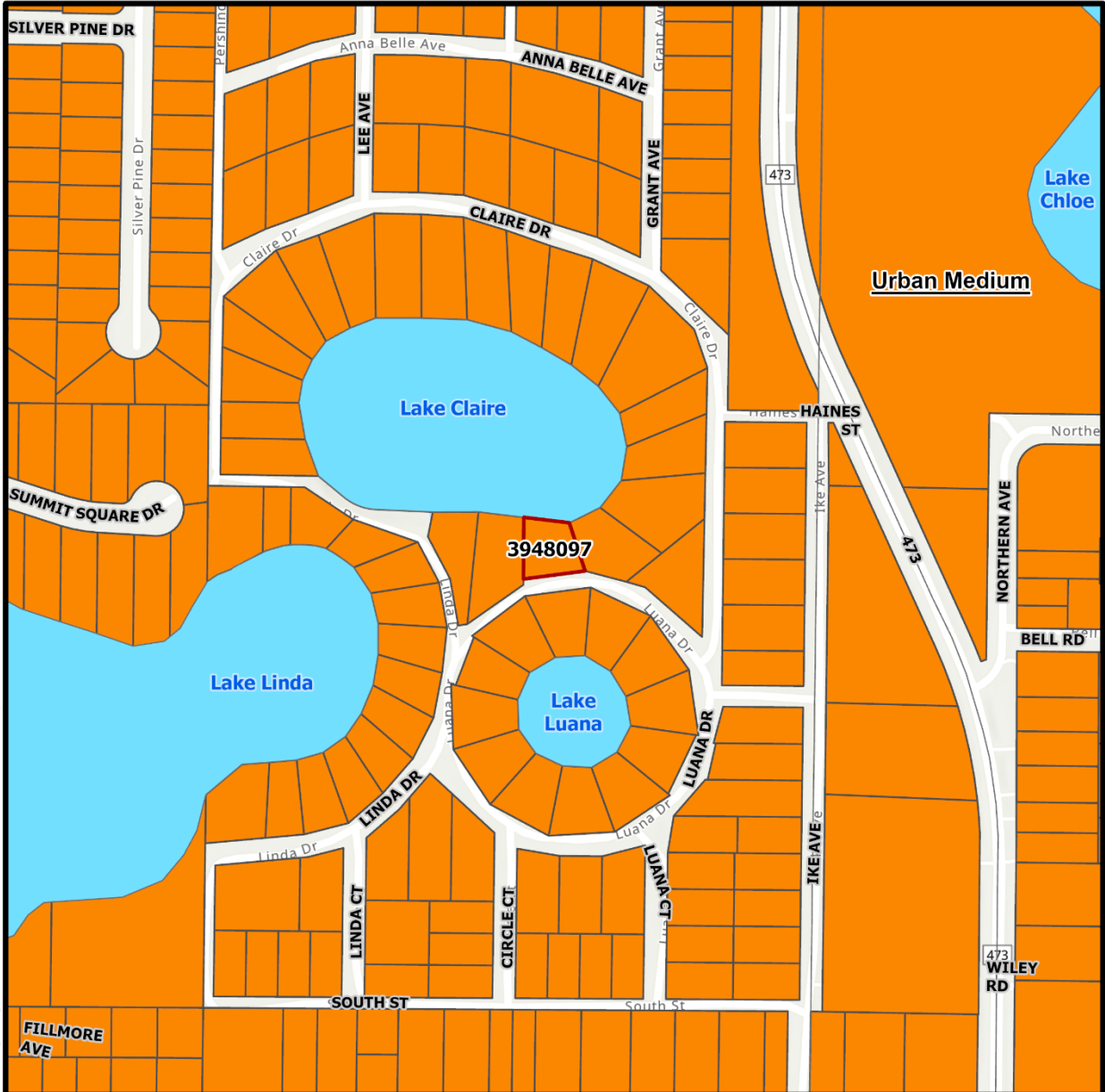
The Applicant provided the following statement as evidence that the intent of the Land Development Regulations will be or has been achieved by other means, *"We still intend to maintain the side and rear setback requirements. In addition, there will only be a small portion of the house footprint that will encroach into the front setback 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.

The Applicant provided the following statement, *"Both lots 19 and 20 were purchased with the intent to construct a 1,400 sf SFR on each. Lot 20, based on the current setback requirements, will only be able to fit floor plans around 1000 sf, without designing a 2-story SFR. It appears the current setback requirements will make the construction a reasonably sized single-family residence more financially challenging."*

Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE

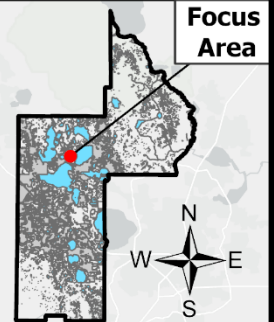


FLU

Urban Medium

NAME: C.F. PARTNER IN CONSTRUCTION, LLC PROPERTY
CASE NUMBER: VAR-PZ2024-121
LOCATION (S-T-R): 14-19-25
REQUEST: REQUESTED A VARIANCE TO LDR TABLE 3.02.05 TO ALLOW A SINGLE-FAMILY DWELLING TO BE CONSTRUCTED FIFTY-FOUR (54') FEET FROM THE CENTERLINE OF LUANA DRIVE, IN LIEU OF THE REQUIRED SIXTY-TWO (62') FEET

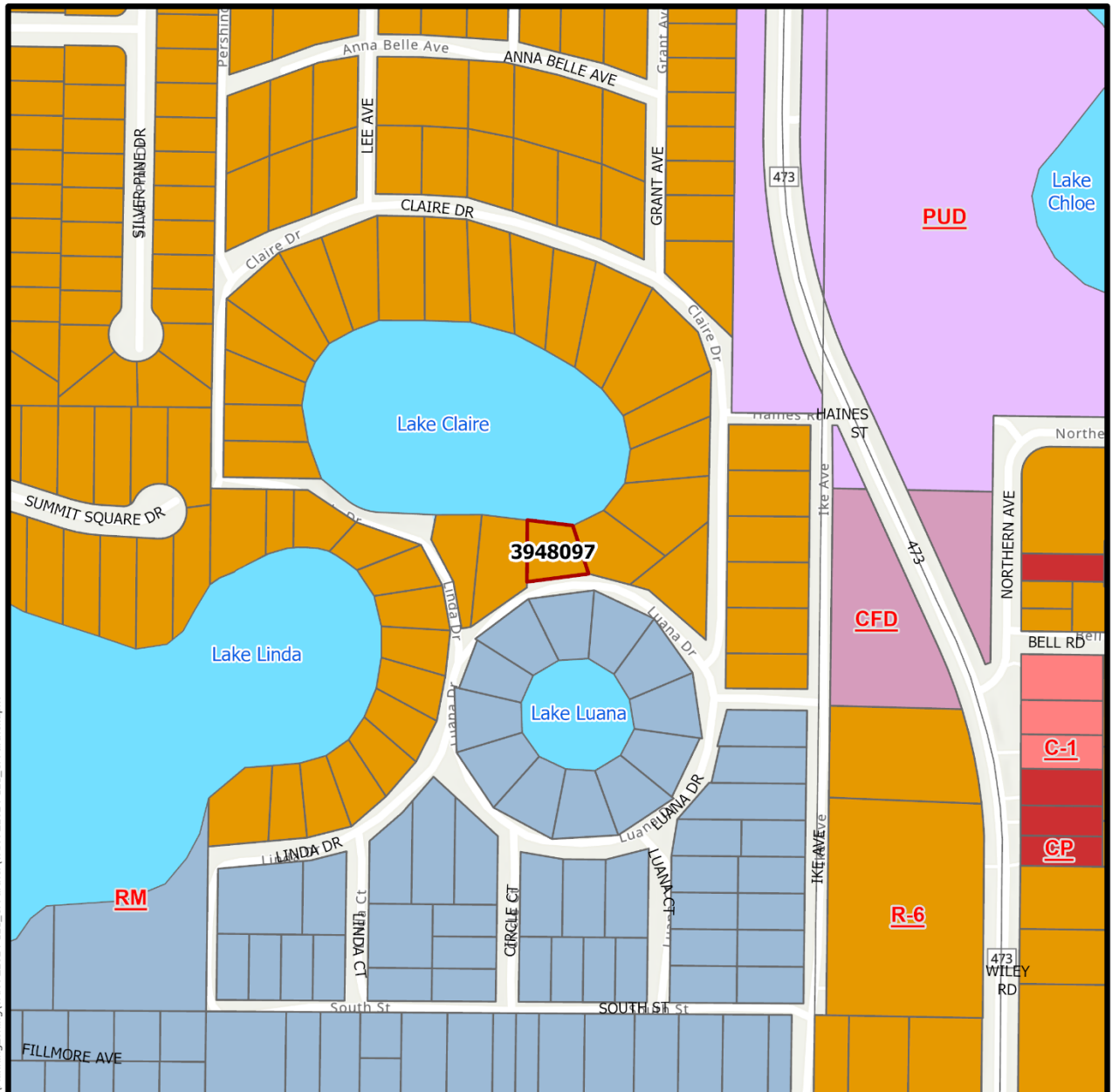
DISTRICT: 5



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10/28/2024

Attachment "B" – Zoning Map

CURRENT ZONING



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Zoning

- R-6
- RM
- C-1
- CP
- CFD
- PUD

NAME: C.F. PARTNER IN CONSTRUCTION, LLC PROPERTY

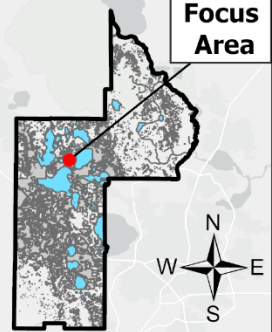
DISTRICT: 5

CASE NUMBER: VAR-PZ2024-121

LOCATION (S-T-R): 14-19-25

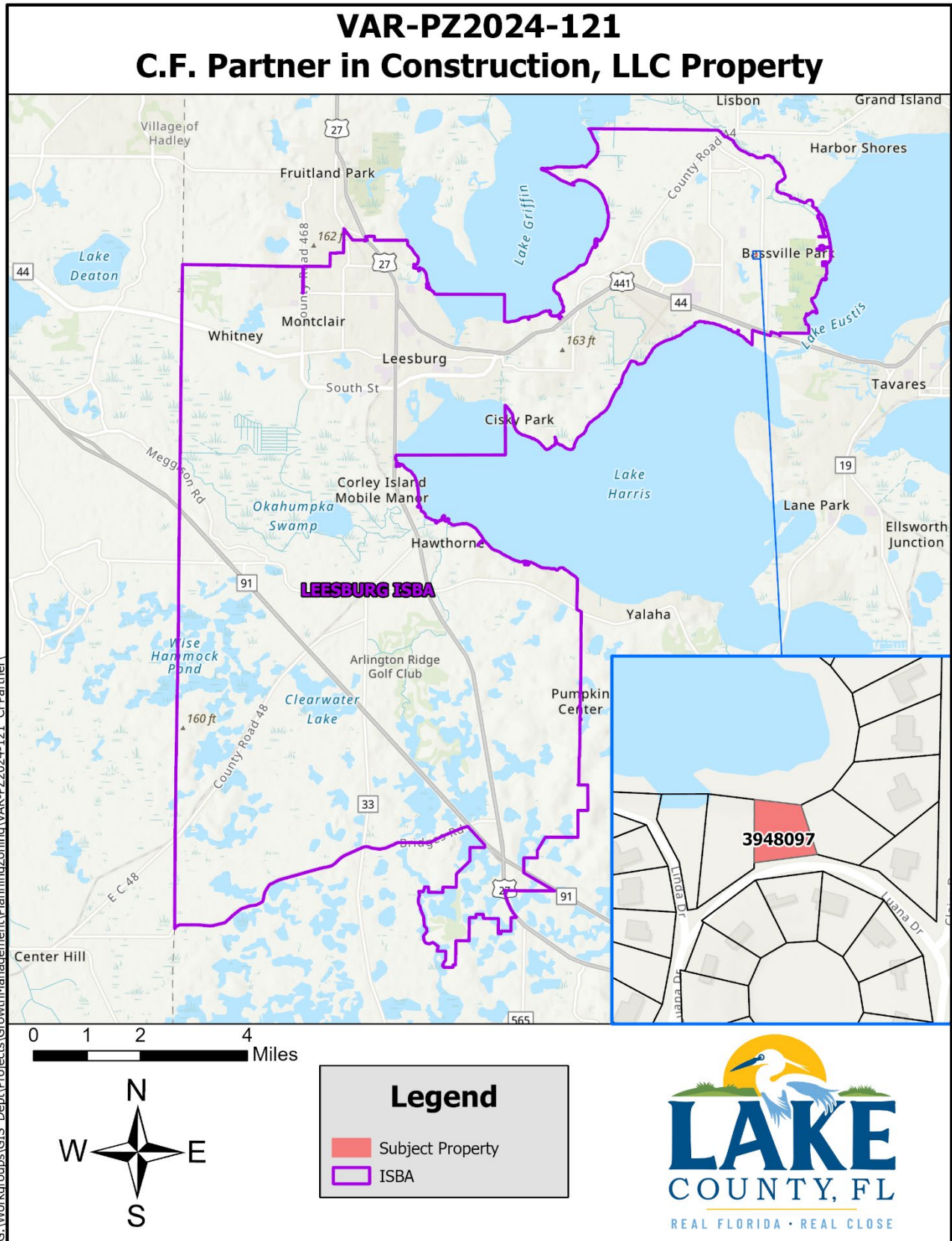
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Focus Area



10/28/2024

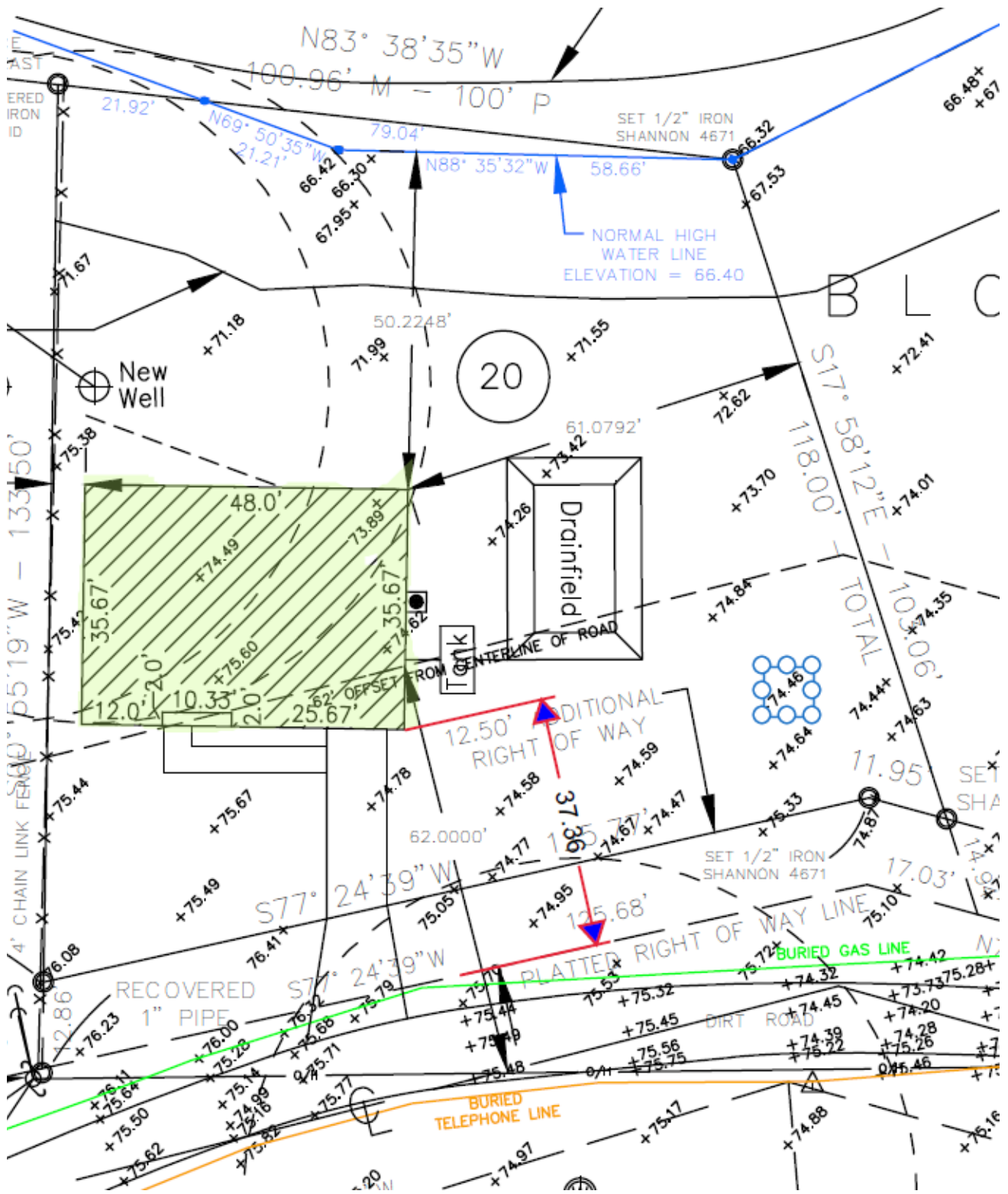
Attachment "C" – ISBA Map



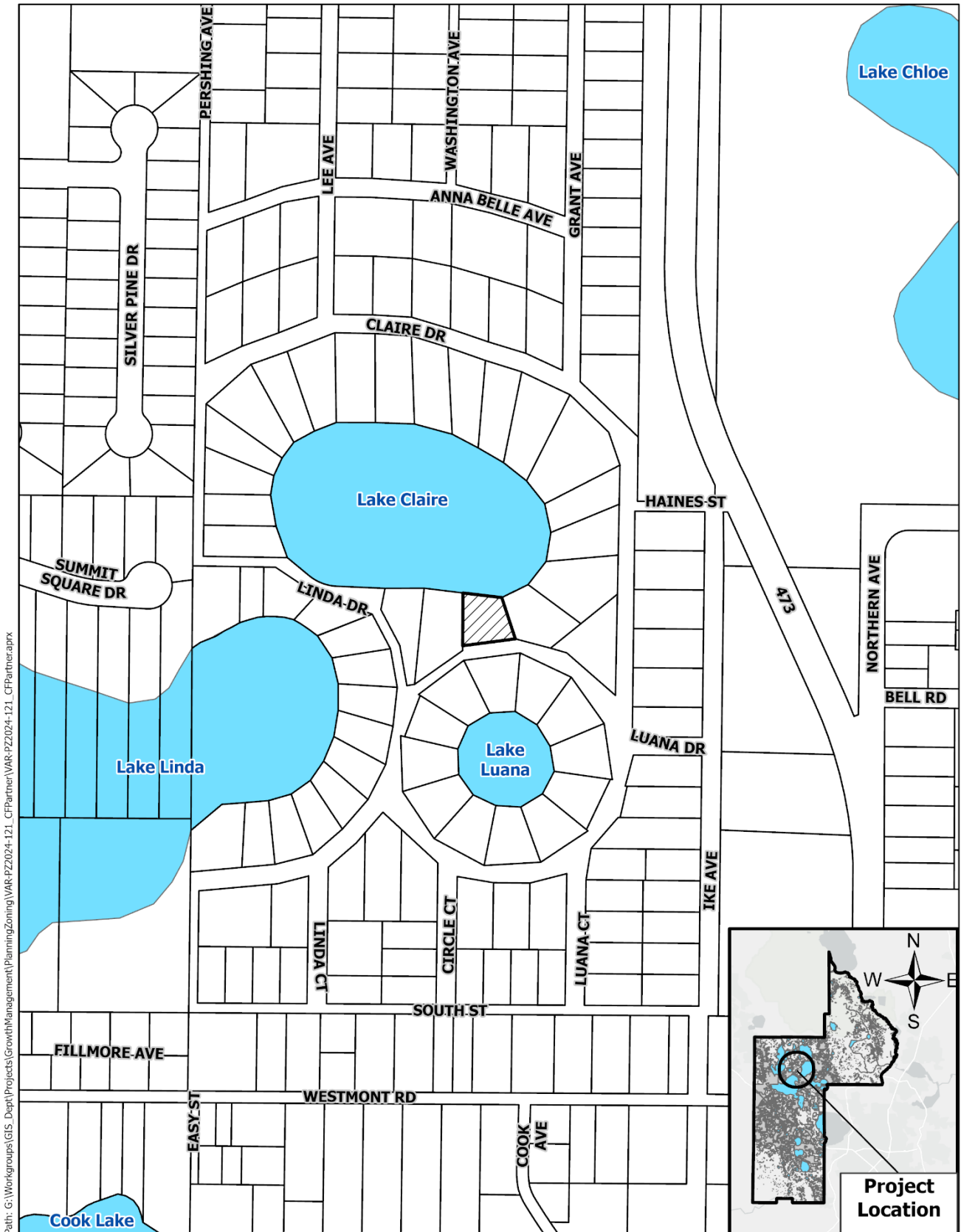
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10/28/2024

Attachment "D" – Plot Plan



Map of Subject Property



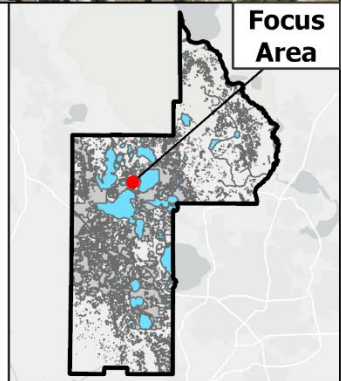
Aerial Map of Subject Property

VAR-PZ2024-121
C.F. Partner in Construction, LLC Property



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\VAR-PZ2024-121_CFPartner\VAR-PZ2024-121_CFPartner.aprx

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Final Development Order

WHEREAS, C.F. Partner in Construction, LLC (the "Owner") requested a variance to Land Development Regulations (LDR) Table 3.02.05 to allow a single-family dwelling to be constructed fifty-four (54) feet from the centerline of Luana Drive, in lieu of the required sixty-two (62) feet; and

WHEREAS, the subject property consists of 0.32 +/- acres, located on Luana Drive, in the unincorporated Leesburg area of Lake County, in Section 12, Township 19 South, Range 25 East, having Alternate Key Number 3948097 and more particularly described below; and

Lot 19 and 20, Block Claire, Hilltop Subdivision Number 3, according to the map or plat thereof, as recorded in Plat Book 14, Page(s) 4 and 4A, of the Public Records of Lake County, Florida, less the Southerly 12.5 feet thereof, for road right-of-way.

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 December 4, 2024; 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.

DONE AND ORDERED by the Board of Adjustment of Lake County, Florida, that:

Variance Granted: A variance to Land Development Regulations (LDR) Table 3.02.05 to allow a single-family dwelling to be constructed fifty-four (54) feet from the centerline of Luana Drive, in lieu of the required sixty-two (62) feet, is hereby granted.

**BOARD OF ADJUSTMENT
LAKE COUNTY, FLORIDA**

Bea L. Meeks, Chairman

**State of Florida
County of Lake**

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 4th day of December 2024, by Bea L. Meeks, Chairman of the Lake County Board of Adjustment.

Personally Known OR Produced Identification

Type of Identification Produced _____

Notary Signature

(SEAL)

Pursuant to Section 286.0105, Florida Statutes, if any person desires to appeal any decision with respect to a matter considered at a public meeting or hearing of the Board of Adjustment, such person will need a record of the proceedings, and such person may need to ensure that a verbatim record for such purpose is made, which record includes the testimony and evidence upon which the appeal is based.

A final administrative order of the Board of Adjustment may be appealed to the Circuit Court in Lake County, Florida. Such an appeal shall be filed within thirty (30) days of the execution of this Order. Those filing an appeal of an administrative order must comply with all applicable Florida Rules of Appellate Procedure.