



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearing Date: February 5, 2025

Case No. and Project Name: PZ2023-156 Ferrell Property

Owners: John Ferrell

Requested Action: Variance to Land Development Regulations (LDR) Section 10.02.04.B.1 to allow for Temporary Housing for the Care of the Infirm, Terminally Ill, or Disabled Persons on an agriculturally zoned parcel less than 5 acres and LDR Section 10.02.04.B.5. to allow for a 21 foot setback from the rear property line in lieu of the required 50 foot.

Case Manager: Christopher Boyce, Compliance & Monitoring Specialist

Subject Property Information

Size: 0.95 +/- acres

Location: 20915 US Highway 27, in the unincorporated Groveland area

Alternate Key No.: 3774572

Future Land Use: Urban Low Density (Attachment "A")

Current Zoning District: Agriculture (A) (Attachment "B")

Flood Zones: "X"

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

Overlay Districts: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	ROW	ROW	Road ROW	US Highway 27
South	City of Groveland	City of Groveland	Agriculture and Lake	Large Agriculture Tract of Land and Church Lake
East	Urban Low	Planned Unit Development (PUD)	Residential	Manufactured Home Park - Rental
West	City of Groveland	City of Groveland	Agriculture and Lake	Large Agriculture Tract of Land and Church Lake

Summary of Request

The subject property, identified as Alternate Key Number 3774572, contains 0.95 +/- acres, is zoned Agriculture (A), and is designated with an Urban Low Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject property is located at 20915 US Highway 27 in the unincorporated Groveland area. The Plot Plan (Attachment "C") indicates that the subject parcel is developed with a single-family residence, retail store, and accessory structures. GIS maps indicate that the subject parcel is located within flood zones "X" and there is no indication that wetlands exist on the site.

The Applicant has requested a variance to LDR Section 10.02.04.B.1 to allow for Temporary Housing for the Care of the Infirm, Terminally Ill, or Disabled Persons on an agriculturally zoned parcel less than 5 acres and LDR Section 10.02.04.B.5. to allow for a 21 foot setback from the rear property line in lieu of the required 50 foot. LDR Section 10.02.04.B.1 states *"The lot or parcel on which the mobile home is to be placed must be located within an Agricultural or Residential zoning district and contain a minimum of five (5) acres. Such lot or parcel must meet all other requirements of the applicable zoning district"*. LDR Section 10.02.04.B.5. states *"The temporary dwelling shall be located behind the established front building line of the primary residence and shall be set back from side and rear property lines a minimum of fifty (50) feet"*.

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 and the Chief Fire Plans Examiner did not identify any comments.

The subject property is located within the City of Groveland Interlocal Service Boundary Agreement (ISBA). The variance request was provided to the City of Groveland for review, and the City of Groveland had no comments.

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.

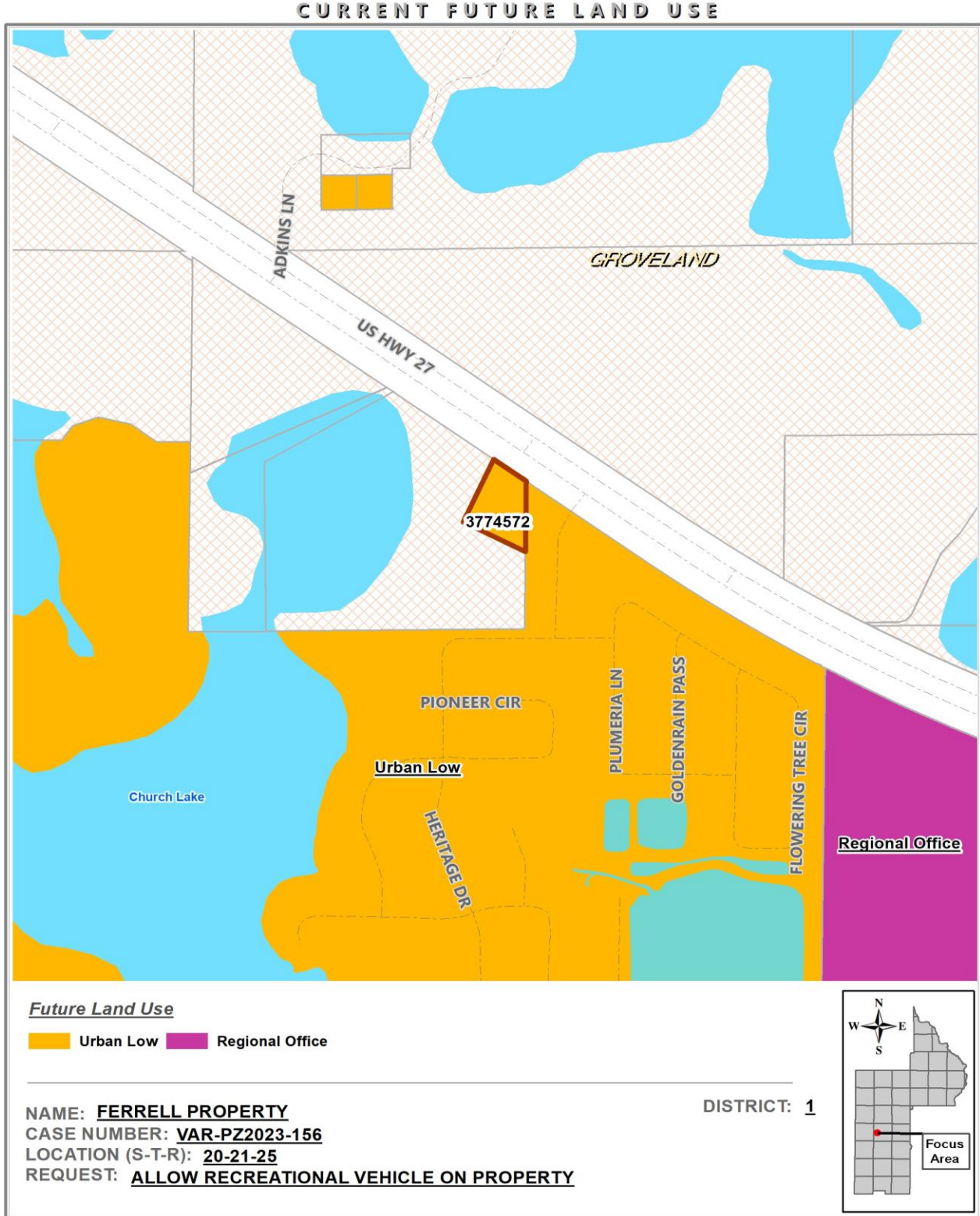
The Applicant provided the following statement as evidence that the intent of the Land Development Regulations will be or has been achieved by other means, *"I have a elderly 87 year old Father, I am his caregiver. My father has had multiple hip replacements can-not easily walk, he has fell several times and needed medical assistance and has called on me several times to help him off the ground. My Father is suffering with a slight case of demetia [sic], he needs adult assistance from time to time. I make sure his daily needs are met on daily basis, since my mother has passed away, he is alone. I have done several improvements and repairs, allow him to have a normal home life as possible through his late years, someone needs to be accessible for him on a daily basis. I have assess [sic] to bathroom facility, shower, laundry room and cooking facility"*.

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, *"Residence Would have to move RV-Trailer and could not care of my father needs through out the day!"*.

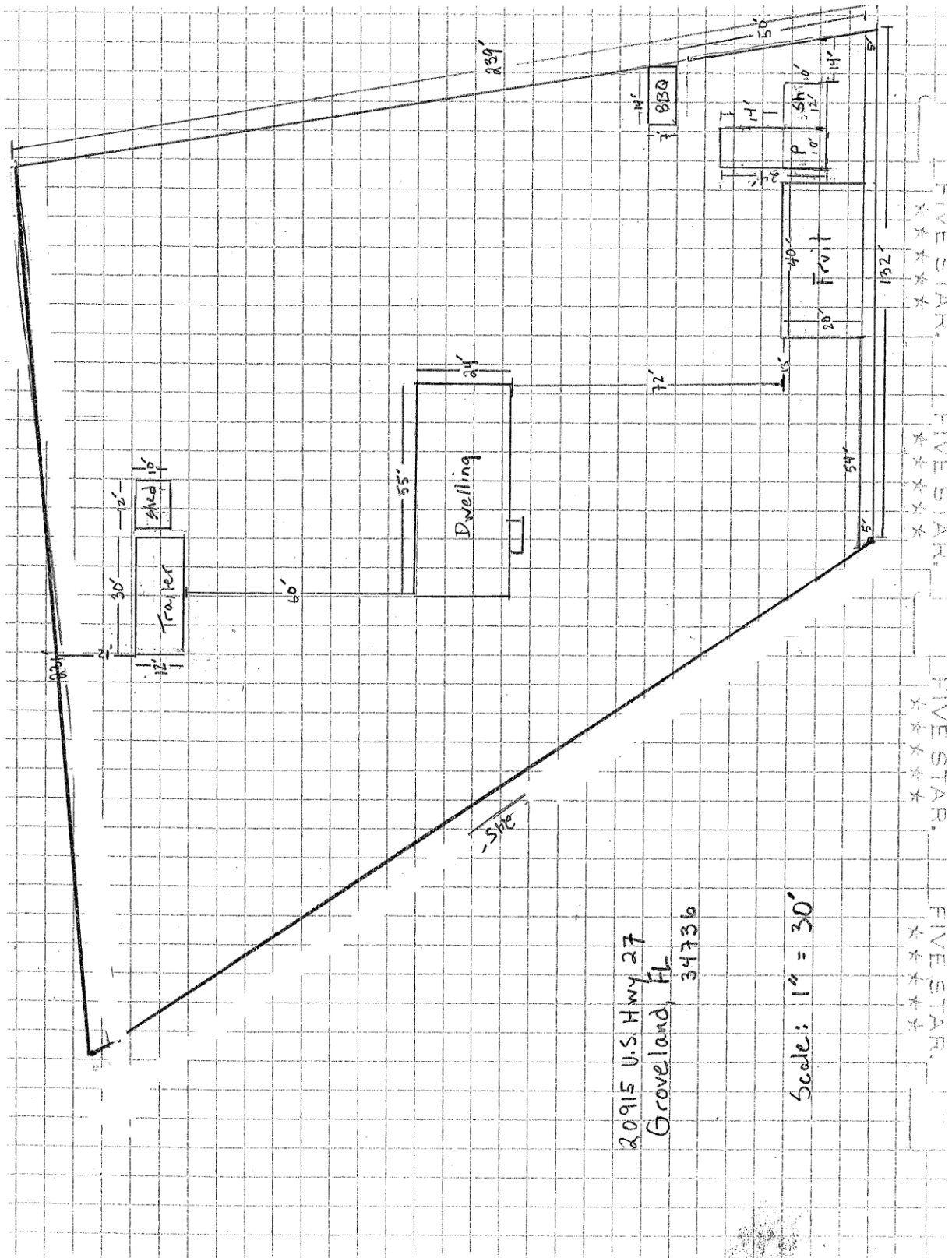
Attachment "A" – Future Land Use Map



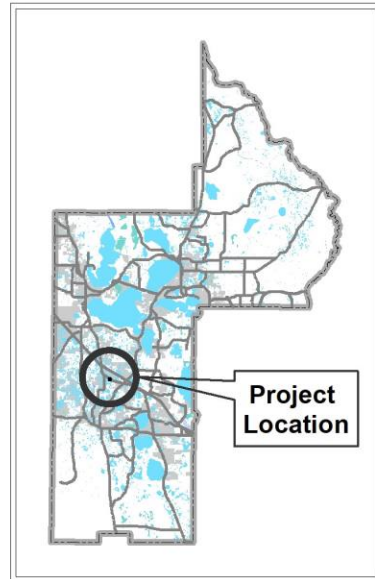
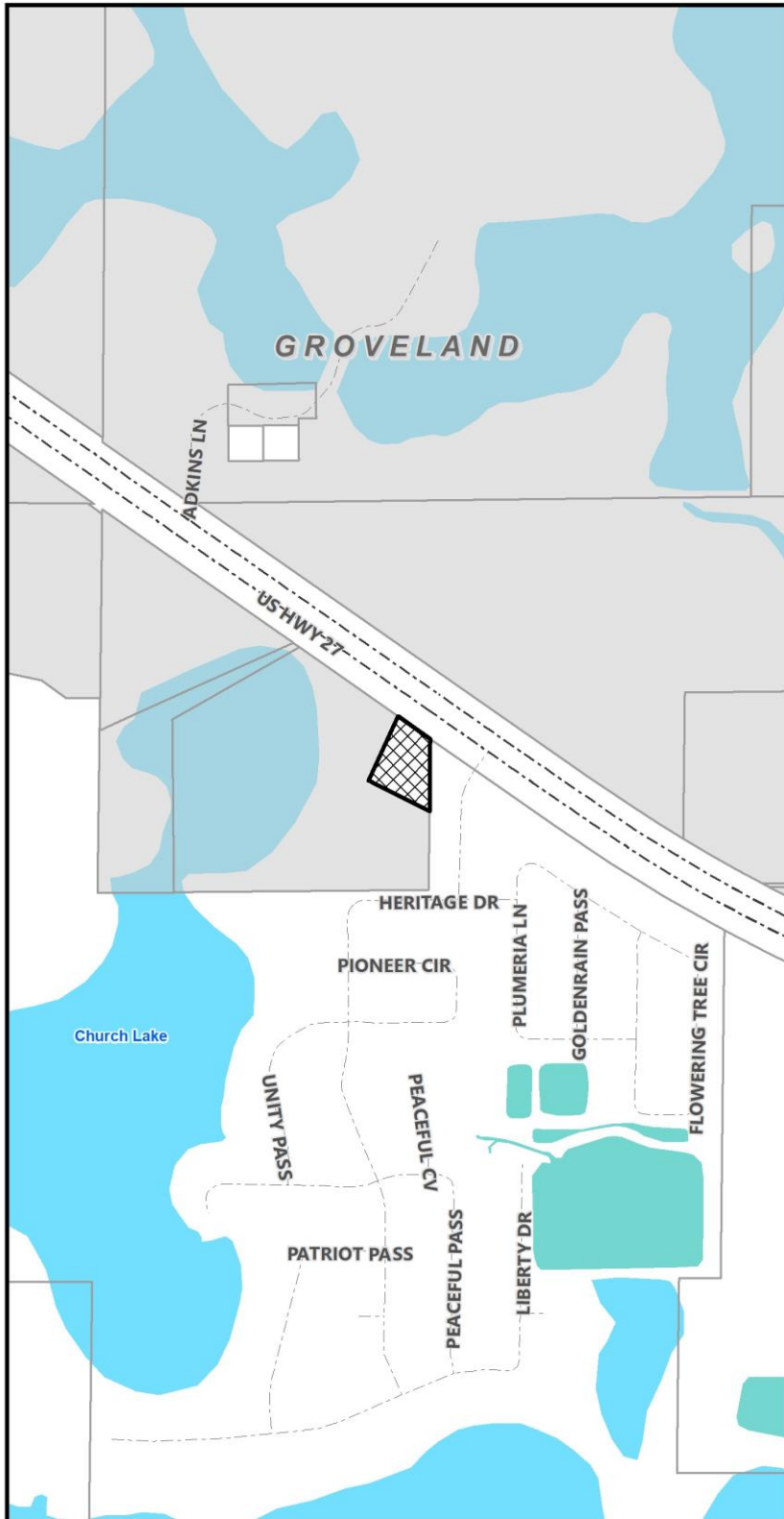
Attachment "B" – Zoning Map



Attachment "C" – Plot Plan



Map of Subject Property



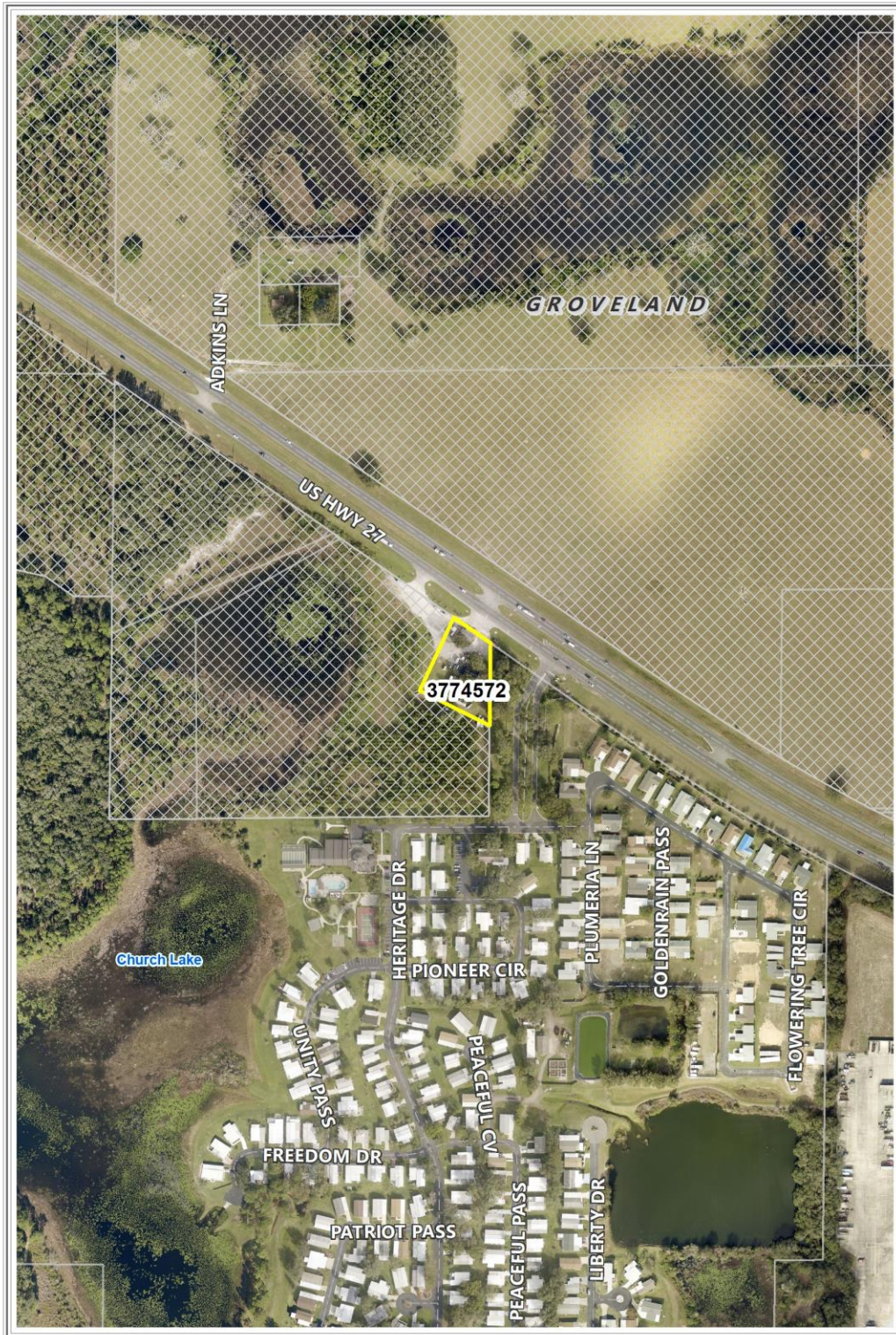
Aerial Map of Subject Property



VAR-PZ2023-156
Ferrell Property



Allow Recreational Vehicle
on Property



Final Development Order

WHEREAS, John Ferrell, (the “Owner” and “Applicant”) requested a variance to Land Development Regulations (LDR) Section 10.02.04.B.1 to allow for Temporary Housing for the Care of the Infirm, Terminally Ill, or Disabled Persons on an agriculturally zoned parcel less than 5 acres and LDR Section 10.02.04.B.5. to allow for a 21 foot setback from the rear property line in lieu of the required 50 foot; and

WHEREAS, the subject property consists of 0.95 +/- acres, is located at 20915 US Highway 27, in the unincorporated Groveland area of Lake County, in Section 20, Township 21 South, Range 25 East, having Alternate Key Number 3774572, and more particularly described as:

Being a portion of the NW 1/4 of the NW 1/4 of Section 20, Township 21 South, Range 25 East, described as follows:

Beginning at the NE corner of the SW 1/4 of the NW 1/4; thence run S.89°29'56" W. 200 ft. along the South line of said NW 1/4 of NW 1/4; thence run N.0°43'30"E. parallel to the E. line of NW 1/4 of NW 1/4 267.04 ft. to Point of Beginning; thence continuing N.0°43'30"N. 245 ft. to the Southerly R/W line of U.S. Highway 27; thence N.55°09'10"W. along said R/W for 130 ft.; thence S.25°00'33"W. 237 ft.; thence S.63°23'26"E. 232 ft. to the Point of Beginning.

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 February 5, 2025; 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:

1. **Variance Granted:** A variance to Section 10.02.04.B.1 to allow Temporary Housing for the Care of the Infirm, Terminally Ill, or Disabled Persons on an agriculturally zoned parcel less than 5 acres and to Section 10.02.04.B.5. to allow a setback of 21 feet from rear property line.
2. The variance granted above is subject to the following requirements:
 - a. The applicant shall execute an agreement with the County, which shall be signed by the County Manager or designee on behalf of the County, in which the applicant agrees to all of the terms and conditions of Section 10.02.04.
 - b. The Recreational Vehicle shall not be placed on the property until property owners have demonstrated that sanitary waste facilities have been installed or demonstrate how waste will be properly disposed.

- c. Applicant will provide documentation of the need for health care or living assistance by supplying a physician's affidavit on a form provided by the County as per Section 10.02.04.B.2.
- d. Applicant shall post a surety bond in the amount of five thousand dollars (\$5,000) as per Section 10.02.04.C.2.
- e. Applicant agrees to annual renewal provisions which allows for the County verification that the need still exists, that when there is no further need for the temporary structure the structure will be removed, and all of the terms and conditions in Section 10.02.04.C.

**BOARD OF ADJUSTMENT
LAKE COUNTY, FLORIDA**

Bea 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 5th day of February 2025, by Bea Meeks, as Chairman of the Lake County Board of Adjustment.

Personally Known OR Produced Identification

Type of Identification Produced _____

(SEAL)

Notary Signature

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.