



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearing Date: May 7, 2025

Case No. and Project Name: PZ2025-08, Allgeier Property

Applicant(s): Dan Allgeier

Owner(s): All-Ways Solutions, LLC

Requested Action: Variance to Land Development Regulations (LDR) Table 3.02.05 and Section 6.01.04(A)(1) to allow for an accessory structure (detached shed) to be constructed 36 feet from the center line of the road, in lieu of the required 62 feet and 14 feet from the rear canal, in lieu of the required 45.10 feet.

Case Manager: Corey DeVogel, Planner I

Subject Property Information

Size: 0.35 +/- gross acres

Location: 31930 Tropical Shores Dr, in the unincorporated Tavares area.

Alternate Key No.: 1502497

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

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

Flood Zones: "AE" and "X"

JPA/ISBA: Tavares Interlocal Service Area Boundary (ISBA)

Overlay/Rural Protection Area: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Medium Density	Urban Residential District (R-6)	Single Family Lake Frontage	Lake in rear yard.
South	Urban Medium Density	Urban Residential District (R-6)	Single Family Canal Frontage	Shares a canal in the rear yard with the subject property.
East	Urban Medium Density	Urban Residential District (R-6)	Single Family Canal Frontage	Canal in rear yard.
West	Urban Medium Density	Urban Residential District (R-6)	Single Family Canal Frontage	Canal in rear yard.

The subject parcel identified by Alternate Key Number 1502497 and contains approximately .35 +/- acres. The Applicant is requesting a variance to LDR Section 6.01.04(A)(1) and LDR Table 3.02.05. The property is located at 31930 Tropical Shores Drive. The subject parcel is zoned as "R-6"; is designated with an Urban Medium Density Future Land Use Category (FLUC) by the 2030 Comprehensive (Comp Plan). The subject parcel is developed with a single-family residence (1962), seawall (2003), concrete pad (2012), wooden shed (1999). The Applicant intends to demolish the existing shed pursuant to the submitted application (Attachment "E").

Pursuant to the survey GIS maps indicate that the subject parcel is located within flood zones "AE" & "X" and there is indication that wetlands exist on the site.

The Applicant is requesting a variance to LDR Section Table 3.02.05 and Section 6.01.04(A)(1) to allow for an accessory structure (detached shed) to be constructed 36 feet from the center line of the road, in lieu of the required 62 feet and 14 feet from the rear canal, in lieu of the required 45.10 feet.

On January 27, 2025, the variance application was sent to the Public Works Department for review for a determination of consistency with their regulations. Public Works had no comments.

The Survey (Attachment "C") depicts a proposed concrete slab (20'x35'), to be used for a future proposed shed that will store various lawn equipment. The proposed location of the slab will be replacing the current existing shed, which is noted to be demolished. The proposed location of the slab is 14' from the rear canal cut out, 17' from the rear Jurisdictional Wetland Line, 10' from the front property line, and 36' from the Center Line of Tropical Shores Drive.

Staff reviewed the request and found that the proposed project will result in a 35% Impervious Surface Ratio (ISR). The maximum ISR allowed within the Urban Residential District "R-6" is 55%. The maximum ISR allowed within the Urban Medium Density Future Land Use Category is 70%.

The subject property is located within the Tavares Interlocal Service Boundary Agreement (ISBA) and the application was provided to the City of Tavares for review and comment. The City of Tavares had no comments.

The Applicant submitted for an average setback (Attachment "D") and the average setback resulted in 45.10 feet from the seawall to the exterior wall of the Single-Family Residence.

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 6.01.04, is to protect valuable natural resources requiring protection from erosion, sedimentation, water pollution and other negative impacts, which may be associated with land use activities. It is the intent of this section to minimize such negative impacts through protection standards for development of adjacent lands.

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.

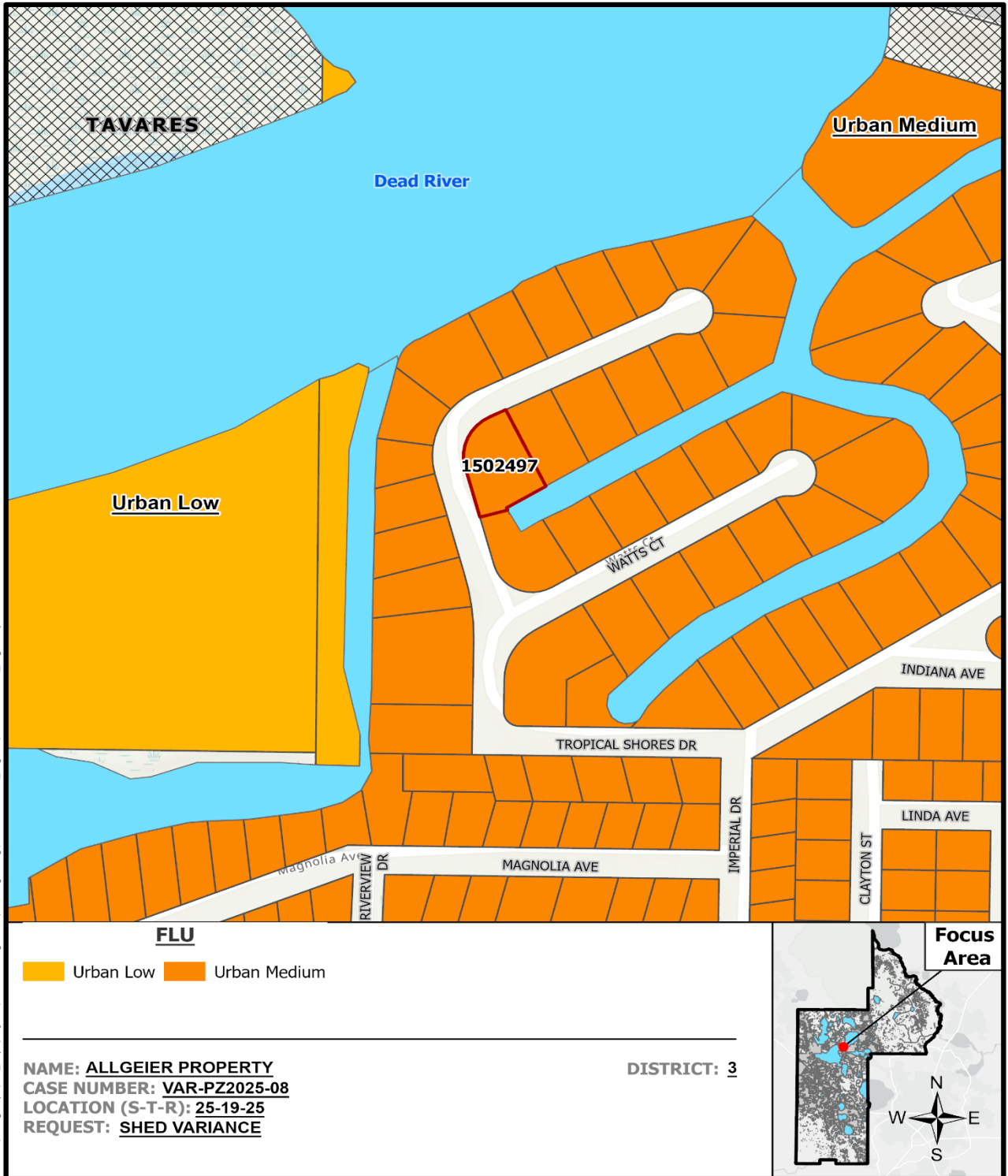
The Applicant provided the following statement as evidence that the intent of the Land Development Regulations will be or has been achieved by other means, *"Will grant permission to install shed on my property"*.

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, *"No safe and secure storage for lawn maintenance equipment and utility trailer."*

Attachment "A" – Future Land Use Map

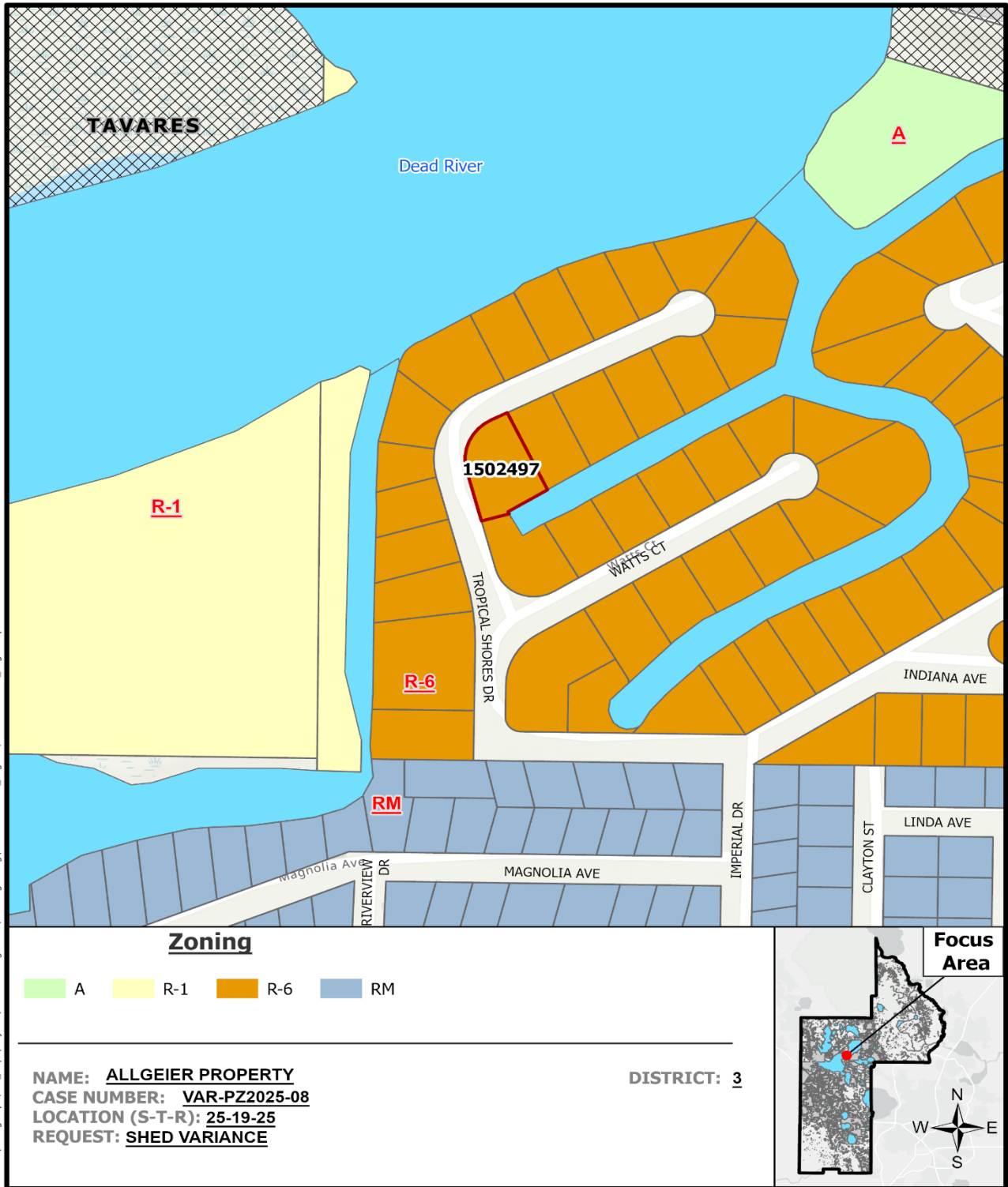
CURRENT FUTURE LAND USE



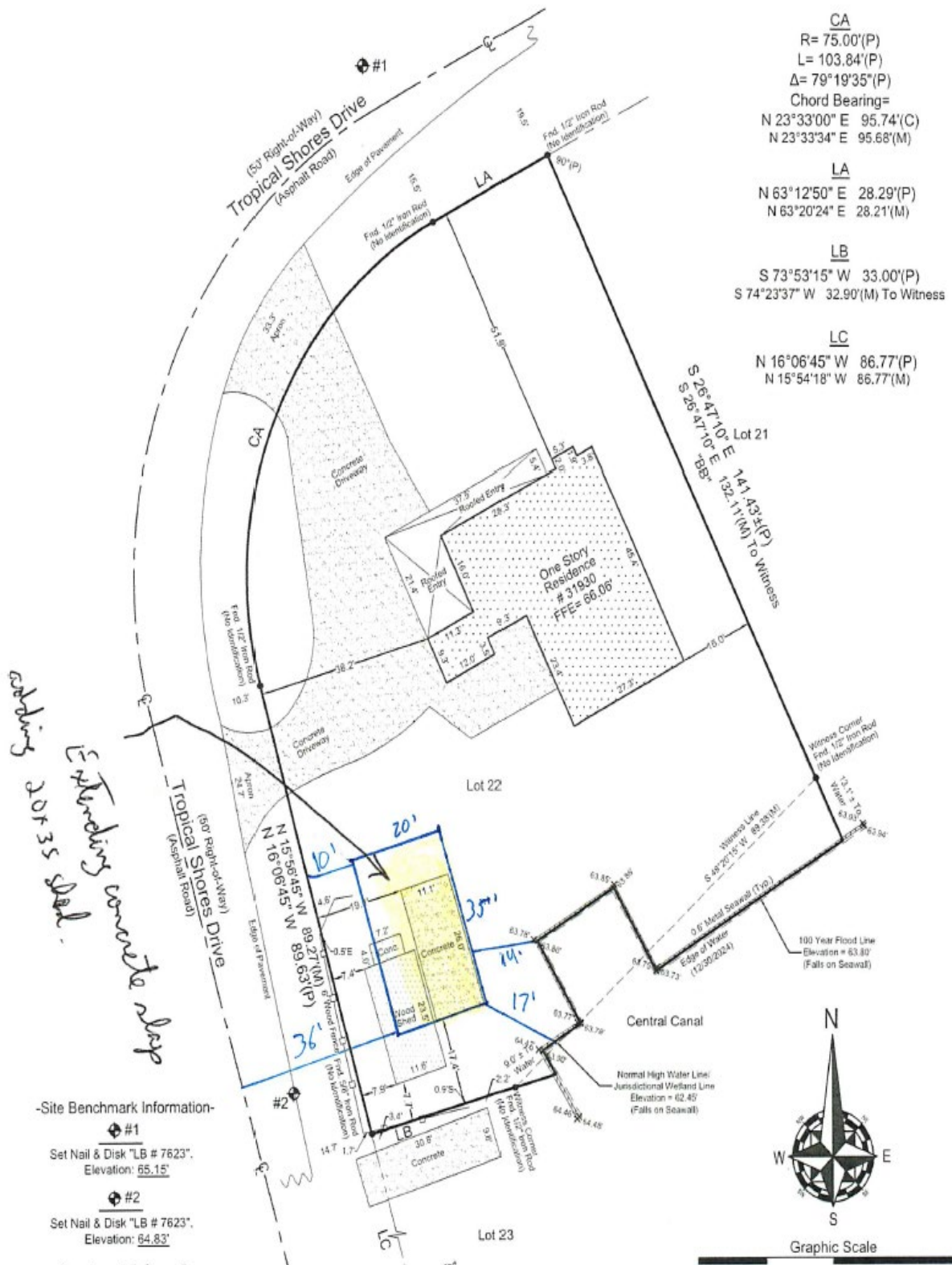
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4/23/2025

Attachment "B" – Zoning Map

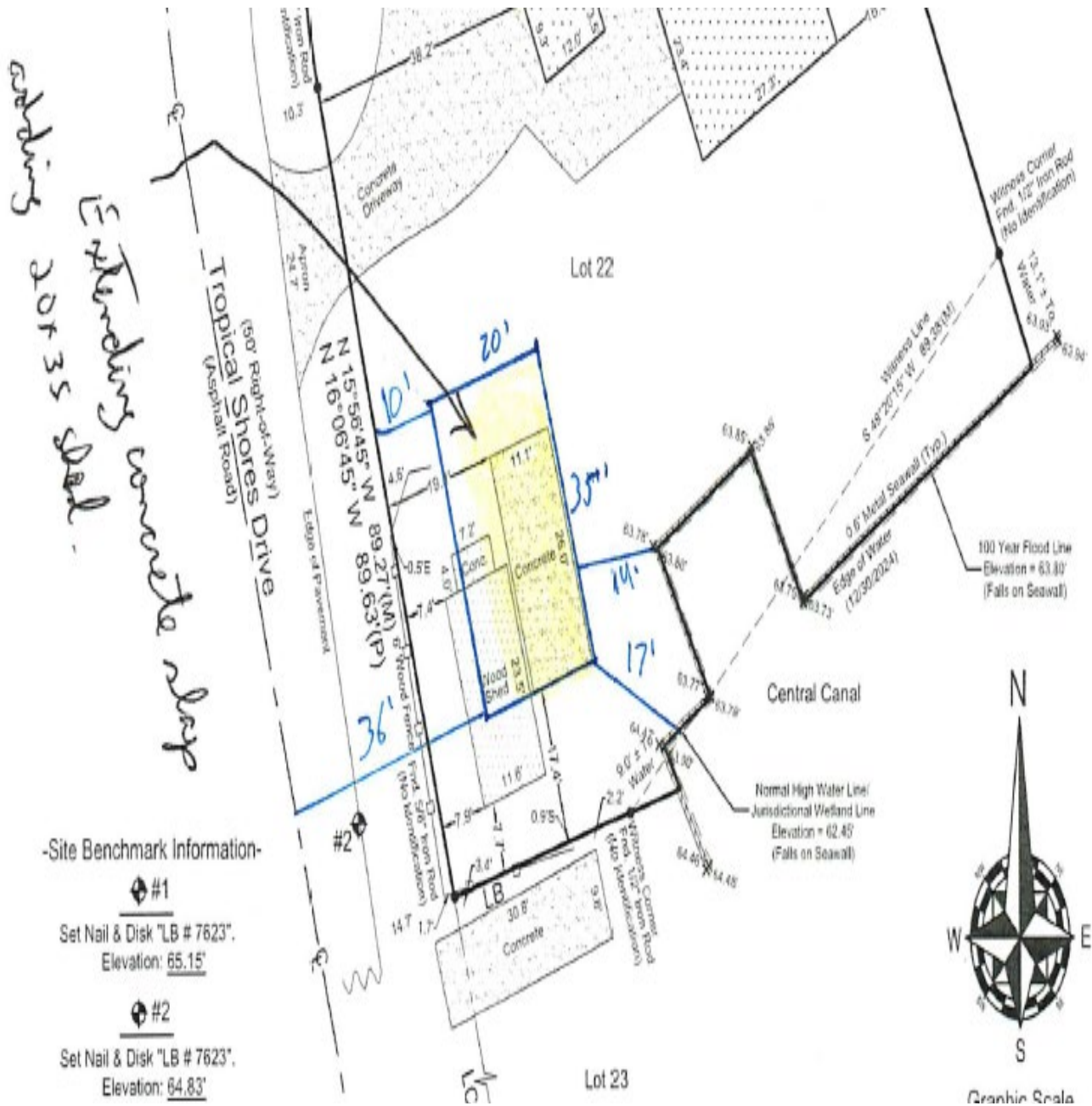
CURRENT ZONING



Attachment "C" – Survey (Page 1 of 3)



Attachment "C" – Survey (Page 2 of 3)



Attachment "C" – Survey (Page 3 of 3)

BOUNDARY SURVEY

LEGAL DESCRIPTION:

LOT 22, VENETIAN PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 53, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

FLOOD INFORMATION:

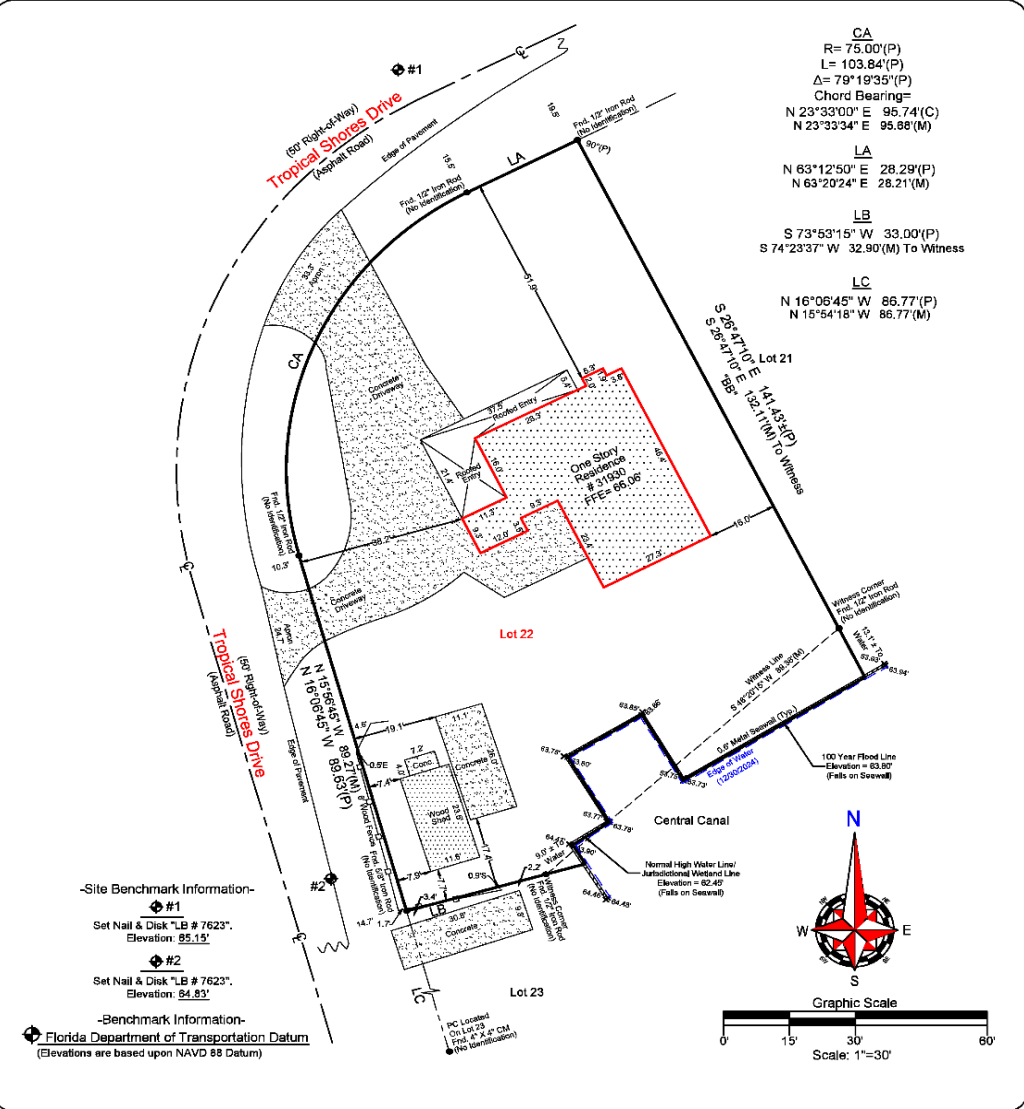
BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE LOCATED IN ZONE AE, X (WITH A BASE FLOOD ELEVATION OF 63.8). THIS PROPERTY WAS FOUND IN LAKE COUNTY, COMMUNITY NUMBER 120421, DATED 12/18/2012.

CERTIFIED TO:

DAN ALLGEIER



31930 TROPICAL SHORES DRIVE, TAVARES, FLORIDA 32778



Field Date: 12/30/2024 Date Completed: 01/02/25
Drawn By: G.S. File Number: S-138034

-Legend-	
C	Calculated
CB	Centimeter
CM	Concrete Block
Conc.	Concrete Monument
D	Description
DE	Drainage Easement
LE	Leasement
F.E.M.A.	Federal Emergency Management Agency
F.F.E.	Finished Floor Elevation
Fnd.	Found
I.P.	Iron Pipe
L	Length (Arc)
M	Measured
NSD	Nail & Disk
N.R.	Non-Radial
ORH	Official Records Book
P	Plot
P.B.	Plot Book
W	Wood Fence
PC	Point of Curvature
Pg.	Page
PI	Point of Intersection
P.O.B.	Point of Beginning
P.O.L.	Point on Line
PP	Power Pole
PRM	Permanent Reference Monument
PT	Point of Tangency
R	Radius
RAC	Rebar & Cap
Rad.	Radial
RAC	Rebar & Cap
Rec.	Recovered
RIG.	Rooted
Set	Set 1/2" Rebar & Cap "LB 7623"
Typ.	Typical
UL	Utility Easement
WM	Water Meter
Δ	Delta (Central Angle)
—O—	Chain Link Fence

NOTES:
 > Survey is Based upon the Legal Description Supplied by Client.
 > Abutting Properties Deeds have NOT been Researched for Gaps, Overlaps and/or Hiatus.
 > Subject to any Easements and/or Restrictions of Record.
 > Bearing back shown herein, is Assumed and Based upon the Line Denoted with a "BB".
 > Building Ties are NOT to be used to reconstruct Property Lines.
 > Fence Ownership is NOT determined.
 > Roof Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
 > Septic Tanks and/or Drilled locations are approximate and MUST be verified by appropriate Utility Location Companies.
 > Use of This Survey for Purposes other than Intended, Without Written Verification, Will be at the User's Sole Risk and Without Liability to the Surveyor. Nothing Herein shall be construed to give ANY Rights or Benefits to Anyone Other than those Certified.

NONE VISIBLE

-POINTS OF INTEREST-

I hereby certify that this Boundary Survey of the above Described Property is True and Correct to the Best of my Knowledge and Belief as recently Surveyed under my Direction on the Date Shown. Based on Information furnished to me as Noted and Conforms to the Standards of Practice for Land Surveying in the State of Florida in accordance with Chapter 33-17.032 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.



Patrick Ireland 6637

LB: 7623

Ireland & Associates Surveying, Inc.
 800 Currency Circle | Suite 1020
 Lake Mary, Florida 32746
 www.IrelandSurveying.com
 Office-407.678.3366 Fax-407.320.8165

Attachment "D" – Average Setback Results



Office of Planning & Zoning
P.O. Box 7800 • 315 W. Main St., Suite 510 • Tavares, FL 32778

January 2, 2025

Dan Allgeier
1931 Payton Circle
Colorado Springs, CO
Email: danallgeier@msn.com

Re: Average Setback Results – AS-2024-033
Alternate Key No: 1502497

Dear Mr. Allgeier,

Upon your request for a rear average setback from the canal; staff visited the area and measured the structures at the following addresses:

31936 Tropical Shores Dr	Rear 48.50 FT	From S/W to Ext Wall of SFR
31940 Tropical Shores Dr	Rear 41.70 FT	From S/W to Ext Wall of SFR

The measurements resulted in an Average Rear Setback of 45.10 feet from the Seawall to the Exterior Wall of the Single-Family Residence.

If you have any questions, or if we can be of further service, please contact our office at (352) 343-9641 or email me at Abigail.White@lakecountyfl.gov

Sincerely,

Abigail White

Digitally signed by Abigail
White
Date: 2025.01.02 13:08:46
-05'00'

Abigail White
Associate Planner

cc: Mike Fitzgerald, AICP, Director, Office of Planning and Zoning
Ronald Branch, Associate Planner Supervisor, Office of Planning and Zoning
File

Project Narrative

Provide Justification for the request:

*Please also fill out the additional corresponding Project Narrative if included in the application packet.

REQUIRE A SECURE SHED TO STORE AND PROTECT LAWN MAINTENANCE EQUIPMENT,
AND TRAILER UTILITY. REPLACING AN EXISTING 24'x14' W THAT HAS DETERIORATED.

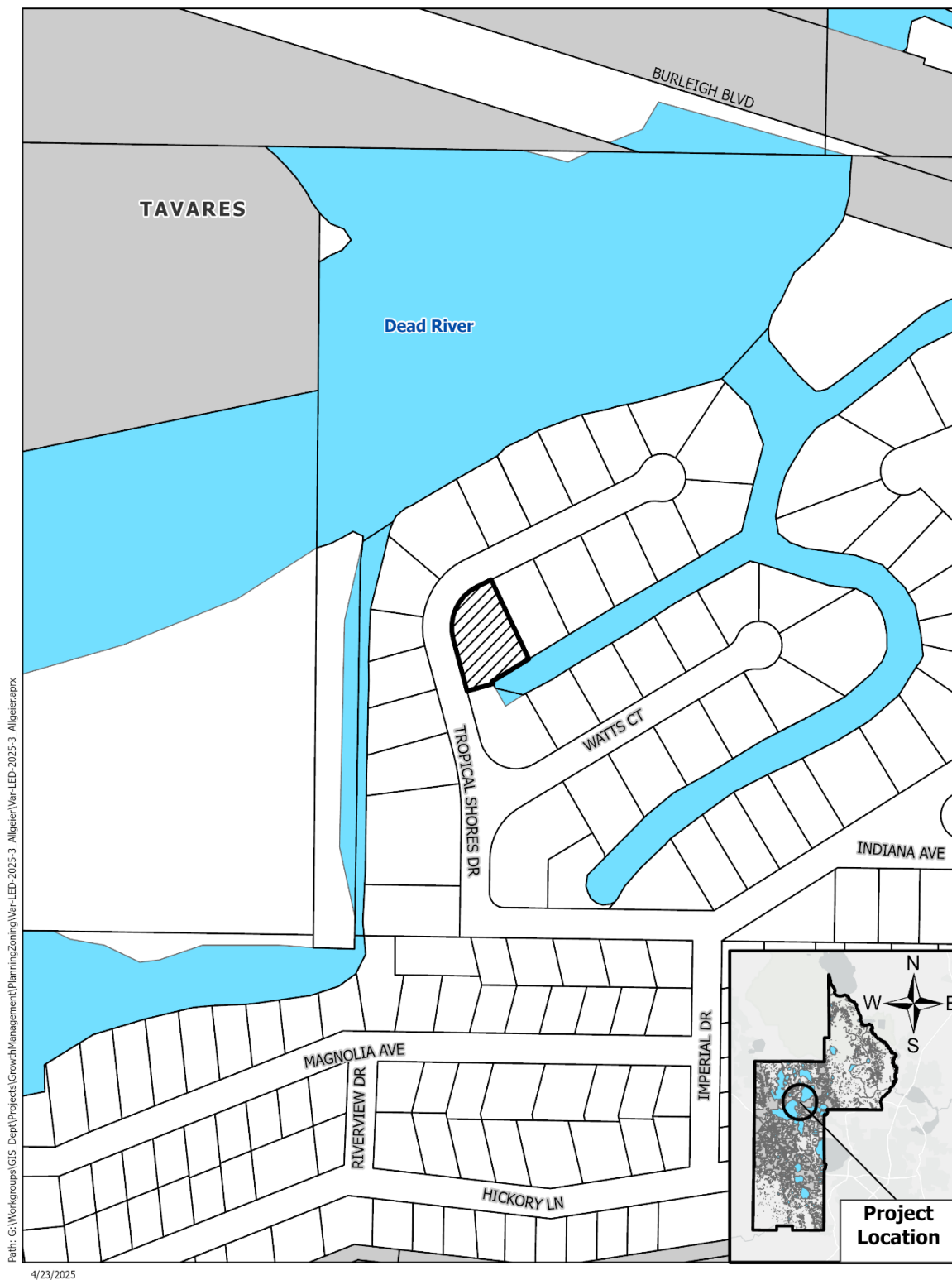
Has any other application been filed within the last year in connection with this property?

☒ Yes ☐ No

If yes, briefly describe the nature of the request:

AVERAGE SET BACK COMPLETED

Map of Subject Property



Aerial Map of Subject Property

**Var-PZ2025-08
Allgeier Property**



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\Var-LED-2025-3_Allgeier\Var-LED-2025-3_Allgeier.aprx

4/23/2025

Final Development Order
(PZ2025-08; AR 5892)

WHEREAS, Dan Allgeier (the “Applicant”) requested a variance on behalf of All-Ways Solutions, LLC, a Colorado Limited Liability Company (the “Owner”), to Land Development Regulations (LDR) Table 3.02.05 and Section 6.01.04(A)(1) to allow for an accessory structure (detached shed) to be constructed 36 feet from the center line of the road, in lieu of the required 62 feet and 14 feet from the canal, in lieu of the required 45.10 feet; and

WHEREAS, the subject property consists of approximately 0.35 +/- acres located at 31930 Tropical Shores Drive, in the unincorporated Tavares area in Section 25, Township 19, Range 25, known as Alternate Key Number 1502497 and more particularly described as:

Lot 22, Venetian Park, according to the Plat thereof, recorded in Plat Book 13, Page(s) 53, 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 May 7, 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:

Variance Granted: A variance to Land Development Regulations (LDR) Table 3.02.05 and Section 6.01.04(A)(1) to allow for an accessory structure (detached shed) to be constructed 36 feet from the center line of the road, in lieu of the required 62 feet and 14 feet from the rear canal, in lieu of the required 45.10 feet is hereby granted subject to the following conditions:

Conditions:

1. A demolition permit must be obtained, and the existing wooden shed must be removed and properly disposed of prior to extending the existing concrete slab and adding the new 20x35 shed. The new shed must be in the location as shown on the attached Concept Plan, Exhibit A.
2. A separate building and zoning permit will be required before construction.

**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 7th day of May 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.

EXHIBIT A: CONCEPT PLAN

