



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

Public Hearing Date: April 2, 2025 *** CONTINUED ***

Public Hearing Date: May 7, 2025

Case No. and Project Name: PZ2024-309, Duffield Property

Applicant(s): Michael Rankin, LPG Urban and Regional Planners

Owner(s): Jason Duffield and Kristen Michelle Duffield

Requested Action: Variance to Land Development Regulations (LDR) Section 14.11.01.G to allow the creation of three (3) lots through the family density exception process, from a parcel that was originally created through a minor lot split, in lieu of creating the parcels through the preliminary plat process.

Case Manager: Eddie Montanez Planner I

Subject Property Information

Size: 20 +/- gross acres

Location: South of Butterbean Lane, in the unincorporated Eustis area

Alternate Key No.: 3930069

Future Land Use: Wekiva River Protection Area (WRPA) A-1-20 Sending Area (Attachment "A")

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

Flood Zone(s): "X"

JPA/ISBA: N/A

Overlay/Rural Protection Area: Wekiva River Protection Area (WRPA)
Wekiva Study Area (WSA) (Attachment "C")

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Wekiva RPA A-1-20 Sending Area	Agriculture (A)	Agriculture	AG exempt; timber. Wetlands present. (Vacant)
South	Wekiva RPA A-1-20 Receiving Area	Agriculture (A)	Residential Subdivision (Philipsburg)	Vacated lots (7 and 10). Single-family dwelling
East	Wekiva RPA A-1-20 Sending Area	Agriculture (A)	Agriculture	AG exempt; timber. (Vacant)
West	Wekiva RPA A-1-20 Sending Area	Agriculture (A)	Agriculture	AG exempt; timber. (Vacant)

– Summary of Request –

The subject parcel is identified by Alternate Key Number 3930069 and contains twenty (20) gross acres. The subject property is zoned Agriculture (A); is designated with a Wekiva River Protection Area (RPA) A-1-20 Sending Area Future Land Use Category (FLUC) by the 2030 Comprehensive (Comp) Plan; and located within the WRPA and WSA Overlay Districts. Survey and GIS maps indicate that the subject parcel is not located within a flood prone area and there is no indication that wetlands exist on the site.

The Applicant is requesting a variance to LDR Section 14.11.01.G to allow the creation of three (3) lots through the family density exception process, from a parcel that was originally created through a minor lot split, in lieu of creating the parcels through the preliminary plat.

The Plot Plan (Attachment “D”) depicts the proposed family density exception creating Parcels A, B, and C, consisting of two five (5) acre parcels, and one ten (10) acre parcel respectively. The current access for the parcel is through Butterbean Lane, a 50-foot-wide publicly dedicated easement (Attachment “E”, page 7) that connects to Lake Norris Road. The plan also depicts the proposed 50-foot-wide easement in yellow providing access to Parcel C which will provide the required 150-feet of frontage consistent with LDR Table 3.10.00. The proposed easement connects to Butterbean Lane.

The subject property is located within the WRPA and WSA and the request is consistent with LDR Section 7.00.04, as residential uses are permitted.

The purpose of LDR Section 14.11.01.G is to set forth the application and review procedures required for obtaining development orders to recognize newly created parcels as legal lots for zoning purposes. The intent behind these regulations is to prevent the creation of *de facto* subdivisions.

Per LDR Section 14.11.01.G, for lot split applications approved after January 1, 2020, once the minor lot split is approved and recorded, neither the original parcel nor the newly created parcels will be eligible for further lot splits under LDR Section 14.11.00, which includes Family Density Exceptions. Any further subdivision of the properties may be accomplished through the submittal of a preliminary plat application.

For background purposes:

- On January 4, 2020, Lake County granted a subdivision of property (LS2020-001-5) to create four (4) parcels from a 199- acre parent parcel.
- On May 27, 2021, Lake County granted a subdivision of property (LS2021-10-5) to create two (2) parcels from one of the lots created under the 2020 lot split process.

The subject property has been a part of two previous lot splits (Attachment “E”). The first was completed on January 4, 2021, and created four parcels from a 200-acre parent parcel. The second lot split, completed on May 27, 2022, and created two parcels from a 41-acre parent parcel.

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.

– Board of Adjustment April 2, 2025, Meeting Summary –

An errata memo was provided to the BOA that contained the opposition correspondence. Errata memo and opposition correspondence is documented as Attachment “F”.

The Applicant spoke with the case manager and verbally requested that the case be continued minutes before the Board of Adjustment (BOA) meeting as their counsel was not present. Staff presented the continuation request at agenda update and the BOA voted unanimously, with a vote of 3-0 to approve the continuance request to the May 7, 2025, BOA meeting. The Applicant sent a formal continuation request via email after the BOA meeting (Attachment “G”).

Additionally, during the public comment section of the BOA meeting, Ben Champion, the realtor who sold the property to the current owner, spoke in favor of 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 LDR Section 14.11.01 is to set forth the application and review procedures required for obtaining development orders to recognize newly created parcels as legal lots for zoning purposes. The intent behind these regulations is to prevent the creation of *de facto* subdivisions.

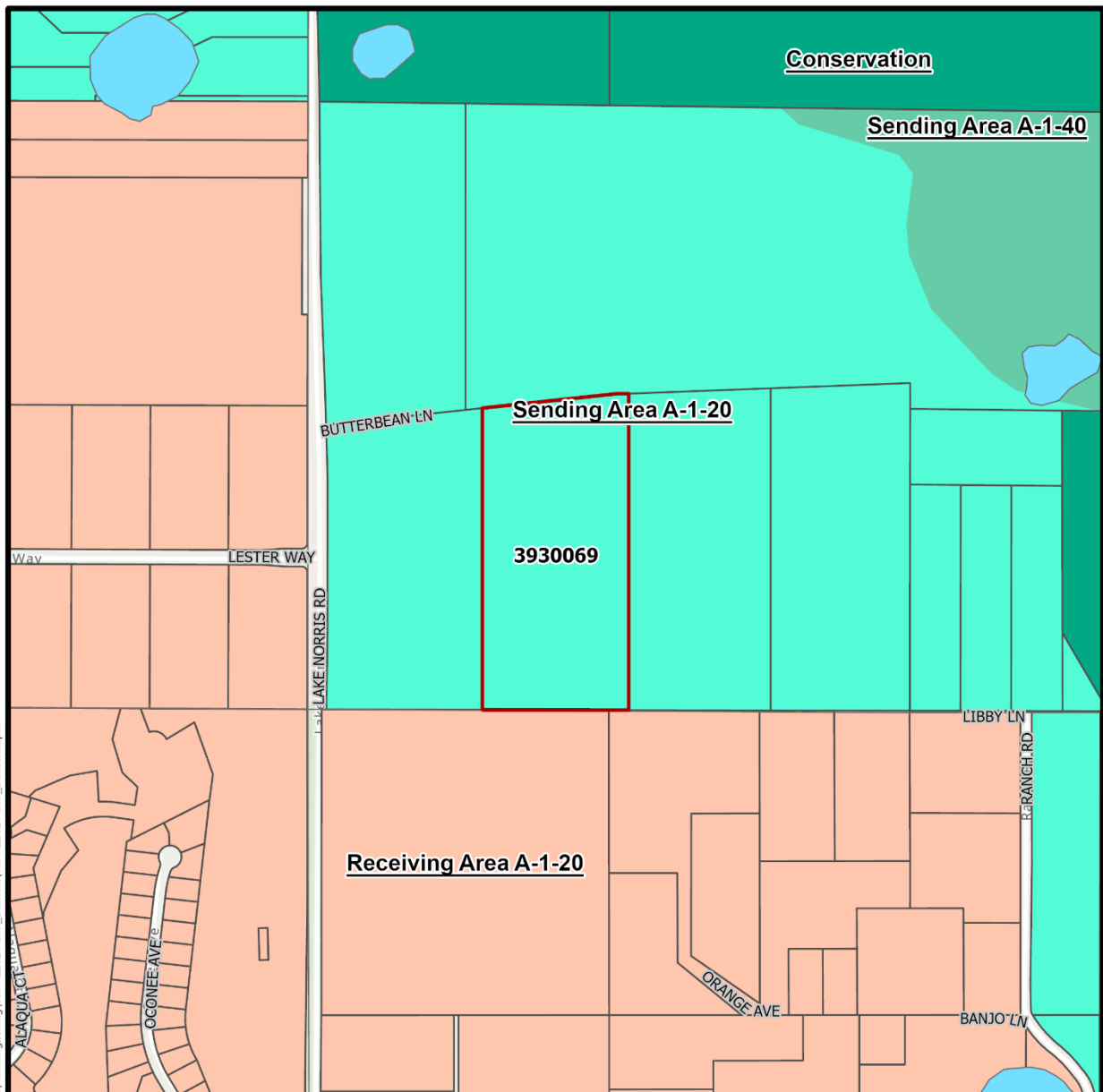
The Applicant provided a Justification Statement (Attachment “H”) as evidence that the intent of the Land Development Regulations will be or has been achieved by other means.

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 a Justification Statement (Attachment “H”) detailing the substantial hardship for this request.

Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE



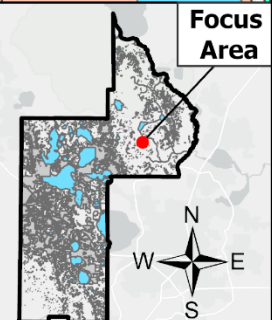
FLU

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| Conservation | Sending Area A-1-20 |
| Sending Area A-1-40 | Receiving Area A-1-20 |

NAME: DUFFIELD PROPERTY
CASE NUMBER: VAR-PZ2024-309
LOCATION (S-T-R): 29-18-28

DISTRICT: 4

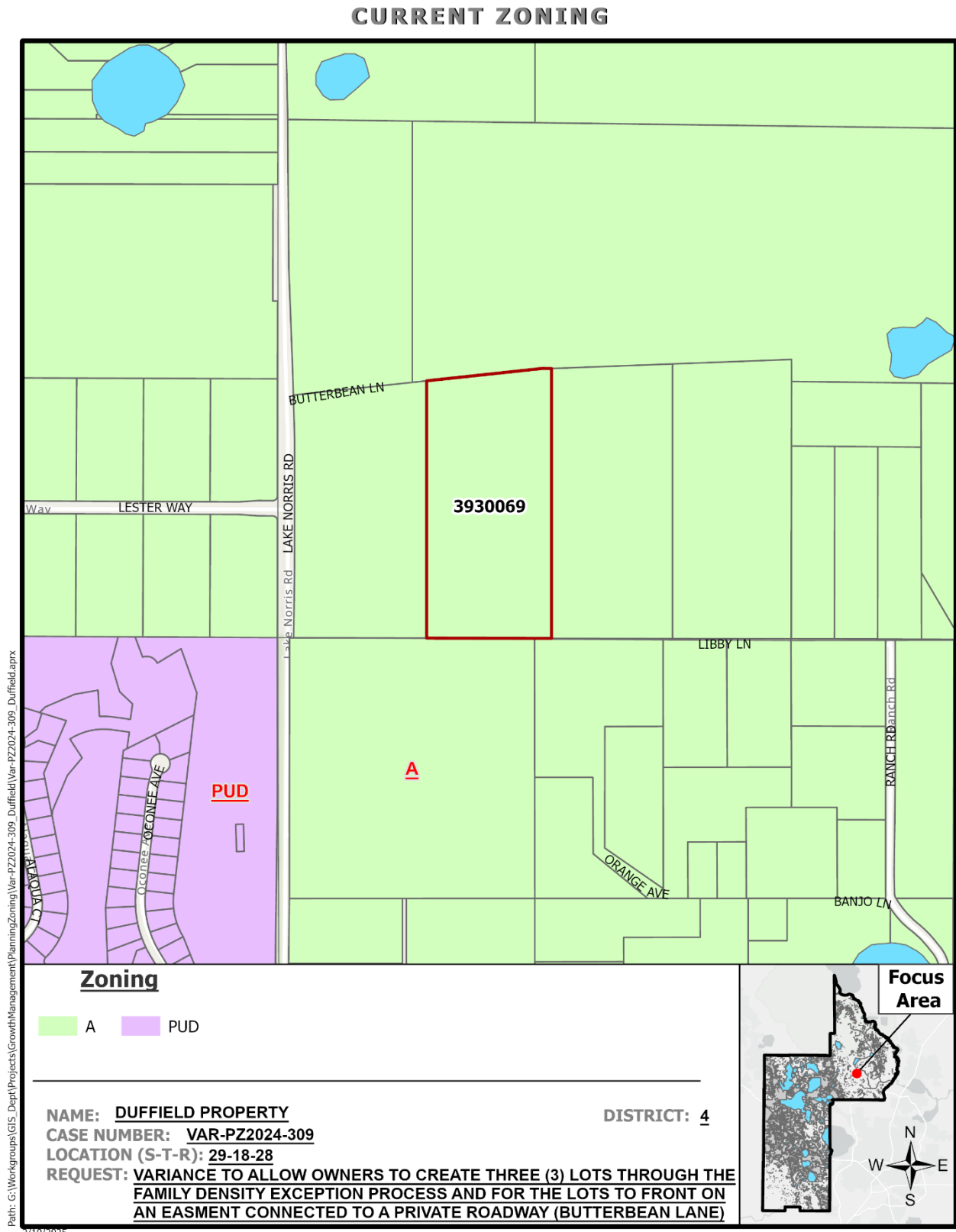
REQUEST: VARIANCE TO ALLOW OWNERS TO CREATE THREE (3) LOTS THROUGH THE FAMILY DENSITY EXCEPTION PROCESS AND FOR THE LOTS TO FRONT ON AN EASMENT CONNECTED TO A PRIVATE ROADWAY (BUTTERBEAN LANE)



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\PlanningZoning\Var-PZ2024-309_Duffield\Var-PZ2024-309_Duffield.aprx

2/10/2025

Attachment "B" – Zoning Map

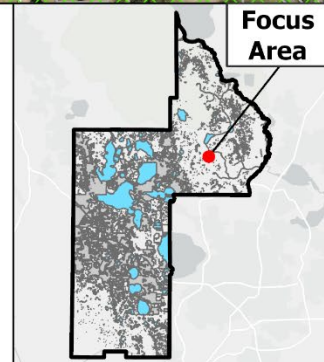


Attachment "C" – Overlay District Map

Var-PZ2024-309 Duffield Property



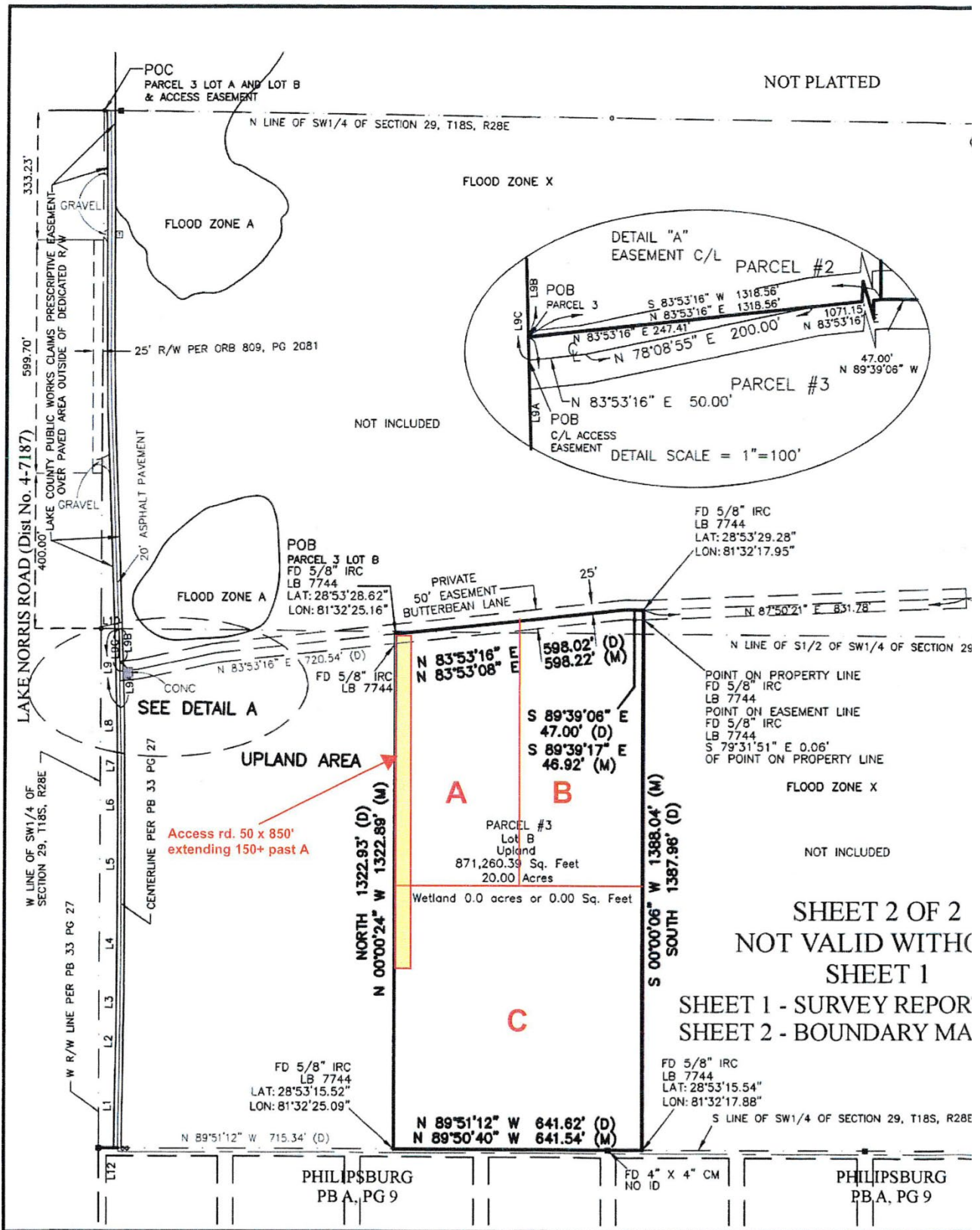
Variance to allow owners to create three (3) lots through the family density exception process and for the lots to front on an easment connected to a private roadway (Butterbean Lane)



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\Var-PZ2024-309_Duffield\Var-PZ2024-309_Duffield.aprx

2/10/2025

Attachment "D" – Plot Plan



Attachment "E" – Previous Lot Splits (Page 1 of 8)

INSTRUMENT#: 2021000662 OR BK 5612 PG 1171 PAGES: 3 1/4/2021 5:08:34 PM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: \$27.00



Please return original to: Lake County Planning and Zoning Division

NOTICE OF SUBDIVISION OF PROPERTY

Owner(s): SYP Timber, LLC / Ben Champion C/O Rick Hartenstein - Wicks Engineering Service, Inc. As Agent

Lake County, a political subdivision of the State of Florida, hereby grants administrative subdivision approval for Agricultural Lot Split **2020-001-5** pursuant to Section 14.11.03, Lake County Land Development Regulations, Appendix E, Lake County Codification. The property described in Exhibit "A" attached hereto and incorporated herein by reference is hereby subdivided to be Parcel "1", Parcel "2", Parcel "3" and Parcel "4" as described in Exhibit "B".

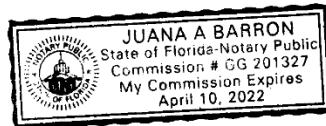
FOR LAKE COUNTY, FLORIDA

Sheila M. Short
Senior Planner

State of Florida
County of Lake

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 14 th
day of December, 2020, by Sheila M. Short.

Personally Known OR Produced Identification
Type of Identification Produced

Notary Signature
(SEAL)

Office of Planning and Zoning
P.O. Box 7800 • 315 W. Main Street, Suite 510, Tavares, FL 32778
P 352.353.9641 • F 352.343.9767
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District

Leslie Campione

Josh Blake

Previous Lot Splits (Page 2 of 8)

INSTRUMENT# 2021000662 OR BOOK 5612/PAGE 1172 PAGE 2 of 3

EXHIBIT "A" **(Parent Parcel Legal Description)**

Description per Official Records Book 4786 page 2090, Lake County, Florida
The NW 1/4 of SE 1/4; and the SW 1/4, LESS that part of S 1/2 of the SW 1/4 lying
West of County Road 4-7187, Section 29, Township 18 South, Range 28 East, Lake
County, Florida.

Previous Lot Splits (Page 3 of 8)

INSTRUMENT# 2021000662

OR BOOK 5612/PAGE 1173

PAGE 3 of 3

Exhibit "B"

PARCEL 1

Commence at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 89°14'24" E along the North line of the Southwest 1/4 of said Section 29. For a distance of 1359.15' to the Point of Beginning, thence continuing along said North Line run S 89°14'24" E, for a distance of 2605.08 feet; thence run along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 29, S 00°06'33" E, for a distance of 1311.64 feet; thence run along the South line of the Northwest 1/4 of the Southeast 1/4 of said Section 29, N 89°19'10" W, for a distance of 1326.17 feet; thence run N 00°02'40" W, for a distance of 113.19 feet; thence run S 87°50'21" W, for a distance of 1,235.06 feet; thence run N 89°39'06" W, for a distance of 47.00 feet; thence run N 00°00'00" W, for a distance of 1,263.52 feet; to the point of beginning.
Containing 3,318,509.856 square feet, 76.183 acres, more or less.

PARCEL 2

Beginning at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 89°14'24" E along the North line of the Southwest 1/4 of said Section 29, for a distance of 1,359.15 feet; thence run S 00°00'00" E, for a distance of 1,263.52 feet; thence run S 83°53'16" W, for a distance of 1,318.56 feet; thence run N 01°33'57" W, for a distance of 88.67 feet; thence run N 89°32'35" W, for a distance of 46.01 feet; thence run along the West line of the Southwest 1/4 of said Section 29, N 00°01'11" E, for a distance of 1,332.94 feet; to the point of beginning.
Containing 1,824,332.006 square feet, 41.881 acres, more or less.

PARCEL 3

Commence at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 00°01'11" W along the West line of the Southwest 1/4 of said Section 29, for a distance of 1,332.94 feet; thence run S 89°32'35" E, for a distance of 46.01 feet; thence run S 01°33'57" E, for a distance of 88.67 feet, to the point of beginning, thence run N 83°53'16" E, for a distance of 1,318.56 feet; thence run S 89°39'06" E, for a distance of 47.00 feet; thence run S 00°00'00" E, for a distance of 1,387.96 feet; thence run along the South line of the Southwest 1/4 of said Section 29, N 89°51'12" W, for a distance of 1,356.96 feet; thence run the following 9 courses along the centerline of Lake Norris Road
thence run N 00°44'26" E, for a distance of 224.60 feet; thence run N 01°18'35" E, for a distance of 98.02 feet; thence run N 00°07'35" E, for a distance of 103.00 feet; thence run N 00°08'05" E, for a distance of 199.99 feet; thence run N 00°09'06" W, for a distance of 204.00 feet; thence run N 00°07'55" E, for a distance of 100.99 feet; thence run N 00°27'01" W, for a distance of 96.00 feet; thence run N 01°31'43" W, for a distance of 104.04 feet; thence run N 01°33'57" W, for a distance of 113.87 feet; to the point of beginning.
Containing 1,784,583.170 square feet, 40.968 acres, more or less.

PARCEL 4

Commence at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 00°01'11" W along the West line of the Southwest 1/4 of said Section 29, for a distance of 1,332.94 feet; thence run S 89°32'35" E, for a distance of 46.01 feet; thence run S 01°33'57" E, for a distance of 88.67 feet; thence run N 83°53'16" E, for a distance of 1,318.56 feet; thence run S 89°39'06" E, for a distance of 47.00 feet, to the point of beginning, thence run N 87°50'21" E, for a distance of 1,235.06 feet; thence run S 00°02'40" E, for a distance of 113.19 feet; thence run along the East line of the Southwest 1/4 of said Section 29, S 00°03'12" W, for a distance of 1,324.50 feet; thence run along the South line of the Southwest 1/4 of said Section 29, N 89°51'12" W, for a distance of 1,233.04 feet; thence run N 00°00'00" W, for a distance of 1,387.96 feet; to the point of beginning.
Containing 1,742,992.725 square feet, 40.014 acres, more or less.

Previous Lot Splits (Page 4 of 8)

INSTRUMENT#: 2022074517 OR BK 5965 PG 371 PAGES: 5 5/27/2022 11:03:33 AM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT & COMPTROLLER, LAKE COUNTY, FLORIDA
REC FEES: \$44.00



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

NOTICE OF SUBDIVISION OF PROPERTY

Owner(s): SYP Timber LLC/Ben Champion C/O Wicks Engineering - Rick Hartenstein, As Agent

Lake County, a political subdivision of the State of Florida, hereby grants administrative subdivision approval for Minor Lot Split **LS 2021-10-5** pursuant to Section 14.11.01, Lake County Land Development Regulations, Appendix E, Lake County Codification. The property described in Exhibit "A" attached hereto and incorporated herein by reference is hereby subdivided to be Parcel "2A" and Parcel "2B" as described in Exhibit "B".

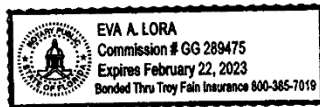
FOR LAKE COUNTY, FLORIDA

Sheila M. Short
Senior Planner

State of Florida
County of Lake

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 13th day of May, 2022, by Sheila M. Short.

Personally Known OR Produced Identification
Type of Identification Produced


Notary Signature
(SEAL)

Please return original to the Office of Planning and Zoning.



P 352.343.9641 • F 352.343.9767
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Previous Lot Splits (Page 5 of 6)

INSTRUMENT# 2022074517

OR BOOK 5965/PAGE 372

PAGE 2 of 5

Exhibit "A" (PARENT PARCEL)

PARCEL 2

Beginning at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 89°14'24" E along the North line of the Southwest 1/4 of said Section 2, for a distance of 1,359.15 feet; thence run S 00°00'00" E, for a distance of 1,263.52 feet; thence run S 83°53'16" W, for a distance of 1,318.56 feet; thence run N 01°33'57" W, for a distance of 88.67 feet; thence run N 89°32'35" W, for a distance of 46.01 feet; thence run along the West line of the Southwest 1/4 of said Section 29, N 00°01'11" E, for a distance of 1,332.94 feet; to the point of beginning.
Containing 1,824,332.006 square feet, 41.881 acres, more or less.

Previous Lot Splits (Page 6 of 8)

INSTRUMENT# 2022074517 OR BOOK 5965/PAGE 373 PAGE 3 of 5

Exhibit "B" (NEW PARCELS)

PARCEL 2 LOT A

Beginning at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 89°14'24" E along the North line of the Southwest 1/4 of said Section 2, for a distance of 690.82 feet; thence run S 00°00'00" E, for a distance of 1,343.95 feet; thence run S 83°53'16" W, for a distance of 646.47 feet; thence run N 01°33'57" W, for a distance of 88.67 feet; thence run N 89°32'35" W, for a distance of 46.01 feet; thence run along the West line of the Southwest 1/4 of said Section 29, N 00°01'11" E, for a distance of 1,332.94 feet, to the point of beginning. Containing 953,087.68 square feet, 21.88 acres, more or less.

PARCEL 2 LOT B

Commence at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 89°14'24" E along the North line of the Southwest 1/4 of said Section 2, for a distance of 690.82 feet to the point of beginning; thence continue S 89°14'24" E along the North line of the Southwest 1/4 of said Section 2, for a distance of 668.33 feet; thence run S 00°00'00" E, for a distance of 1,263.52 feet; thence run S 83°53'16" W, for a distance of 672.09 feet; thence run North, for a distance of 1,343.95 feet, to the point of beginning. Containing 871,244.33 square feet, 20.00 acres, more or less.

Previous Lot Splits (Page 7 of 8)

INSTRUMENT# 2022074517 OR BOOK 5965/PAGE 374 PAGE 4 of 5

Office of planning and zoning



Parcel ID# 29-18-28-003-000-00500, 29-18-28-003-000-02500, 29-18-28-003-000-02600,
29-18-28-003-000-02700

This instrument prepared by: Ben Champion, Manager of Structured Management LLC as Manager
of SYP Timber LLC

NON-EXCLUSIVE EASEMENT DEED (Individual)

THIS INDENTURE, made this 17th day of March, 2022, between

SYP Timber LLC of 15012 Colley Dr, Tavares FL 32778

County of Lake, State of Florida, hereinafter referred to as "Grantor"; and

Lake County, a political subdivision of the State of Florida, Post Office Box 7800, Tavares, FL
32778-7800.

WITNESSETH, that Grantor, for and in consideration, for the sum of TEN DOLLARS (\$10.00)
and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged,
has granted, bargained, sold and conveyed to Lake County, its successors and assigns, the following
described easement, situate, lying and being in Lake County, Florida:

AS SET FORTH ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

Said easement is hereby dedicated to the public for road, road-related, utility, and drainage
purposes. Nothing herein shall be construed as creating an obligation upon Lake County to perform any act
of construction or maintenance within said easement.

IN WITNESS WHEREOF, Grantor has executed this instrument in the manner provided by law,
on the day and year first above written. Signed, Sealed, and Delivered in our presence as witnesses:

Witnesses:

Declarant (s):
For SYP Timber LLC

Beverly Thomas
(Signature)

Beverly Thomas
(Print Name)

Barbara Kreidel
(Signature)

Barbara Kreidel
(Print Name)

[Signature]
(Signature)
Ben Champion, Manager of Structured
Management LLC as Manager of SYP Timber LLC
(Print Name)

State of Florida
County of Lake

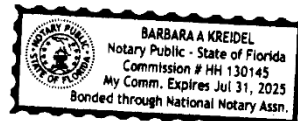
The foregoing instrument was acknowledged before me this 17th day of March, 2022,
by Ben Champion who is personally known to me or who has

produced Driver's License as identification.

Barbara Kreidel
Notary Public

My Commission Expires: 7/31/25

(Seal)



Previous Lot Splits (Page 8 of 8)

INSTRUMENT# 2022074517

OR BOOK 5965/PAGE 375

PAGE 5 of 5

NON-EXCLUSIVE EASEMENT DEED

EXHIBIT "A"

LEGAL DESCRIPTION OF EASEMENT

A 50.00 foot wide strip of land lying 25.00' on both sides and parallel to the following described centerline. Commence at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 00°01'11" W along the West line of the Southwest 1/4 of said Section 29, for a distance of 1,332.94 feet; thence run S 89°32'35" E, for a distance of 46.01 feet; thence run S 01°33'57" E, for a distance of 108.73 feet, to the point of beginning, thence run N 83°53'16" E, for a distance of 50.00 feet; thence run N 78°08'55" E, for a distance of 200.00 feet; thence run N 83°53'16" E, for a distance of 1071.15 feet; thence run S 89°39'06" E, for a distance of 47.00 feet; thence run N 87°50'21" E, for a distance of 831.78 feet; to a point of terminus.
Containing 109,996.499 square feet, 2.525 acres, more or less.

Attachment “F” – Errata Memo and Opposition Correspondence (Page 1 of 2)



MEMORANDUM

Lake County Board of County Commissioners • Office of Planning & Zoning
315 W. Main St., Suite 510, Tavares, FL 32778 • www.lakecountyfl.gov

To: Board of Adjustment

Through: Janie Barrón, Planning Manager, Office of Planning and Zoning

From: Eddie Montanez, Planner I, Office of Planning and Zoning

Date: April 2, 2025

Subject: Update to Tab 1 – Duffield Property PZ2024-309

This memo is provided to inform the Planning and Zoning Board of changes to the subject cases that will be presented for consideration at the April 2, 2025, BOA meeting. Since the public hearing documents were distributed, staff has received opposition correspondence for Tab 1.

Tab 1 – PZ2024-309, Duffield Property

Staff has included the correspondence received.

Staff Recommendation – Tab 1 -PZ2024-309, Duffield Property

Staff recommends the BOA accept the opposition correspondence for Tab 1 and move the case to the Regular Agenda.

EM

Anthony Sabatini
District 1

Sean M. Parks, AICP, GEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Timothy Morris
District 5

Attachment “F” – Errata Memo and Opposition Correspondence (Page 2 of 2)

From: glenda libby <qtsailing@yahoo.com>

Sent: Tuesday, April 1, 2025 6:32 PM

To: PZ Info <pzinfo@lakecountyfl.gov>

Subject: Variance Duffield Property

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern...

Re: Duffield Property Variance

I have multiple concerns:

- 1.The property is in an environmentally sensitive area protecting the wildlife and aquifer. It was sold as a 20 acre tract allowing 1 home and 1 mother in law dwelling which is the minimum set forth by the future use plan to protect our natural resources.
 2. Subdividing into 3 lots increases the number of wells, septic tanks, legal easement development, access for emergency services, as well as human activity, noise and light pollution at night disturbing the nesting habits of the wildlife.
 3. An approval would increase the amount of fencing and land clearing per tract, restricting the wildlife corridor. This area is home to bear, turkey, fox, deer, gopher tortoise and the list goes on.
 4. If you go into the plat maps and look at the aerial view of the original 200 acre tract from 2023 and compare it to the current tract view, I believe you might find it hard to believe that so much land could have already been altered and developed without proper studies on the environmental impact of such land clearing. And I wonder if any of this was done with a permit?
- Finally, I feel your approval on this variance will give the surrounding landowners a "loophole" to follow suit and soon you will have a large subdivision which will destroy an environmentally sensitive area.

Thank you,
Glenda Libby

Attachment "G" – Continuation Request

From: [Michael](#)
To: [Montanez, Eddie](#)
Cc: [Jimmy Crawford](#); [cat](#); [Tanner K](#); [Amanda Bogous](#); [Jason Duffield](#); [Sherie](#); [Tim Cantrell](#); [Barron, Janie](#)
Subject: Re: Duffield Property Variance Application | AK 3930069
Date: Wednesday, April 2, 2025 3:28:51 PM

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As our counsel is currently out of the country, we respectfully request postpone until date certain 7 May.

Michael Rankin
Applicant for Duffield PZ2024-309

Michael William Rankin, Owner/Managing Member
Cell 352-638-4407


Regional Planners, LLC.
2050 CLASSIQUE LANE
TAVARES, FLORIDA 32778
www.landplanninggroup.com
Office 352-385-1940

From: Montanez, Eddie <eddie.montanez@lakecountyfl.gov>
Sent: Wednesday, April 2, 2025 3:25 PM
To: Michael <MichaelR@lpgurp.com>
Cc: Jimmy Crawford <jcrawford@cmhlawyers.com>; cat <cat@lpgurp.com>; Tanner K <TannerK@lpgurp.com>; Jason Duffield <jduffield@greenwayelecsvc.com>; Sherie Lindh <sherie@lpgurp.com>; Tim Cantrell <tcantrell@lpgurp.com>; Barron, Janie <janie.barron@lakecountyfl.gov>
Subject: RE: Duffield Property Variance Application | AK 3930069

Mike,

Please provide me with a statement explaining why this agenda item was postponed so that it can be added to the file.

Thanks,

Attachment “H” – Justification Statement

REQUEST AND JUSTIFICATION

The applicant is requesting a variance from Chapter 14, Section 14.11.01(G) and Section 14.11.02(D)(7)(b).

The applicant is requesting a variance from Chapter 14, Section 14.11.01(G) which states “No Further Subdivision Permitted. For lot splits approved after January 1, 2020, once the minor lot split is approved and recorded, neither the original parcel nor the newly created parcels will be eligible for any further lot splits under Section 14.11.00 of the Land Development Regulations. Any further subdivision of the properties may be accomplished through submittal of a preliminary plat application or a site plan application as applicable.”

The section referenced is in regard to lot splits. The applicant initially applied for a Family Density Exception under Section 14.11.02 in 2023 and was denied based on the regulations in effect (Ordinance 2022-40), Section 14.11.01(G) which states “No Further Subdivision Permitted. Once the minor lot split is approved and recorded, neither the parent parcel nor the newly created parcels will be eligible for any further lot splits under Section 14.01.00 of these regulations. Any further subdivision of the properties shall be through the platting process.” It is the applicant’s position that Section 14.11.01 should not apply as the application was to Section 14.11.02 (Minor Lot Splits) and family density exceptions clearly have standards that apply including platting requirements if the proposed division meets Chapter 177, Section 177.031. The applicant does acknowledge that the subject 20-acre parcel was created utilizing the lot split process in 2023. The proposed family density exception is to create two (2) lots for their son and daughter of five (5) acres each leaving a ten (10) acre parent parcel. The proposed lots exceed the minimum lot requirement of one (1) acre. The Florida Statutes allow the division of property without platting (Chapter 177, Section 177.031(18)) and the LDR definition of subdivision is consistent with the Florida Statutes and platting is not required. Further, platting would require paving of Butterbean Lane from Lake Norris Road to the eastern property boundary which is economically unfeasible. Paving costs would exceed \$700,000. Further, Family Density Exceptions are allowed per FLU Policy I-1.2.4 and I-1.2.10.

The applicant is also requesting a variance from Chapter 14, Section 14.11.02(D)(7)(b) to allow a lot fronting on a 50’ easement connected to a 50’ private easement known as Butterbean Lane which is improved with asphalt millings and privately maintained. Butterbean Lane is connected to Lake Norris Road which is a publicly maintained road. Butterbean Lane has low traffic and meets the intent of providing improved access to the proposed lots created via the Family Density Exception. As Butterbean Lane is an existing private easement, requiring the connect easement to be public would serve no purpose.

The variances if approved would be consistent with the comprehensive plan and not affect the health, safety, and welfare of the surrounding property owners. The lots in the general area range from 5 acres to 20 acres, which is consistent with the proposed lots. The creation of 2 additional lots will have a de minimis traffic impact.



Map of Subject Property

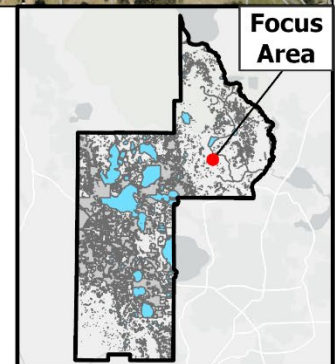


Aerial Map of Subject Property

Var-PZ2024-309
Duffield Property



Variance to allow owners to create three (3) lots through the family density exception process and for the lots to front on an easment connected to a private roadway (Butterbean Lane)



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\Var-PZ2024-309_Duffield\Var-PZ2024-309_Duffield.aprx

2/10/2025

Final Development Order **(PZ2024-309 / AR 5850)**

WHEREAS, Michael Rankin (the “Applicant”) requested a variance on behalf of Jason Duffield and Kristen Michelle Duffield (the “Owner”), to allow the creation of three (3) lots through the family density exception process, from a parcel that was originally created through a minor lot split, in lieu of not creating the parcels through the preliminary plat process; and

WHEREAS, the subject property consists of approximately 20 +/- acres located South of Butterbean Lane in the unincorporated Eustis area in Section 29, Township 18 South, Range 28 East, known as Alternate Key Number(s) 3930069, and more particularly described in Exhibit “A”; and

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 LDR Section 14.11.01.G to allow the creation of three (3) lots through the family density exception process, from a parcel that was originally created through a minor lot split, in lieu of creating the parcels through the preliminary plat process is hereby granted. No further lot splits or family density exceptions shall be permitted for the parcels created hereunder. Any future subdivision of these lots must be accomplished through the platting process.

**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 Weeks, 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" – Legal Description

A portion of the Southwest ¼, Section 29, Township 18 South, Range 28 East, Lake County, Florida; more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East; thence run S 00°01'11" W along the West line of the Southwest 1/4 of said Section 29, for a distance of 1,332.94 feet; thence run S 89°32'35" E, for a distance of 46.01 feet; thence run S 01°33'57" E, for a distance of 88.67 feet, thence run N 83°53'16" E, for a distance of 720.54 feet, to the point of beginning; thence continue N 83°53'16" E, for a distance of 598.02 feet; thence run S 89°39'06" E, for a distance of 47.00 feet; thence run South, for a distance of 1,387.96 feet; thence run along the South line of the Southwest 1/4 of said Section 29, N 89°51'12" W, for a distance of 641.62 feet; thence leaving said line, run North, for a distance of 1,322.93 feet, to the point of beginning. Containing 871,260.39 square feet, 20.00 acres, more or less.

Together with a 50 foot non-exclusive ingress-egress easement recorded in ORB 5965 Page 371, being more particularly described as a 50.00 foot wide strip of land lying 25.00' on both sides and parallel to the following described centerline.

Commence at the Northwest corner of the Southwest 1/4 of Section 29, Township 18 South, Range 28 East, Lake County, Florida; thence run S 00°01'11" W along the West line of the Southwest 1/4 of said Section 29, for a distance of 1,332.94 feet; thence run S 89°32'35" E, for a distance of 46.01 feet; thence run S 01°33'57" E, for a distance of 108.73 feet, to the point of beginning, thence run N 83°53'16" E, for a distance of 50.00 feet; thence run N 78°08'55" E, for a distance of 200.00 feet; thence run N 83°53'16" E, for a distance of 1071.15 feet; thence run S 89°39'06" E, for a distance of 47.00 feet; thence run N 87°50'21" E, for a distance of 831.78 feet; to a point of terminus.

