



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

Public Hearing Date: July 2, 2025

Case No. and Project Name: PZ2025-122, 4807 Brantley Road

Applicant(s): Margarita Mares

Owner(s): Margarita Mares

Requested Action: Variance to Land Development Regulations (LDR) Section 10.01.03(B)(4) to allow for a 1,248 square foot Accessory Dwelling Unit in lieu of the allowed one thousand two hundred (1,200) square feet or seventy percent (70%) of the air conditioned, enclosed living area of the principal dwelling (excludes garages, patios, porches and the like), whichever is greater.

Case Manager: Corey DeVogel, Planner I

Subject Property Information

Size: 4.88 +/- gross acres

Location: 4807 Brantley Road in the unincorporated Groveland area

Alternate Key No.: 2878983

Future Land Use: Rural Transition (Attachment "A")

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

Flood Zone: ("X")

JPA/ISBA: Groveland ISBA

Overlay/Rural Protection Area: N/A (Attachment "C")

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Agriculture "A"	Agriculture	AG / Pasture
South	Green Swamp Rural	Agriculture "A"	Agriculture	Manufactured Home
East	Rural Transition	Agriculture "A"	Agriculture	Manufactured Home
West	Rural Transition	Agriculture "A"	Agriculture	Manufactured Home

Summary of Request

The subject parcel is identified by Alternate Key Number 2878983 and contains approximately 4.88 +/- gross acres. The subject parcel is zoned as Agriculture "A" and is designated with a Rural Transition Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcel is developed with a mobile home that was permitted in 1993 (Attachment "D"). GIS maps indicate that the subject parcel is located within flood zone "X" and there is no indication that wetlands exist on the site.

The Applicant is requesting a variance to LDR Section 10.01.03(B)(4) to allow for an Accessory Dwelling Unit with an additional 48 square feet over the required limit of one thousand two hundred (1,200) square feet or seventy percent (70%) of the air conditioned, enclosed living area of the principal dwelling (excludes garages, patios, porches and the like), whichever is greater. The proposed development will result in a 1,248 square foot accessory dwelling unit, which is 77% of the principal structure.

Based upon the submitted conceptual plan, the existing Impervious Surface Ratio is 0.07%, or 1,620 square feet. The proposed development with the proposed 1,248 square foot Accessory Dwelling Unit will result in a 1% Impervious surface ratio, or 2,868 square feet. The minimum required Impervious Surface Ratio for Rural Transition land use category is 30%.

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

For informational purposes, the subject property was created through a lot split in 1993 (LLS #93-37). In 1993, the subject property was granted a variance to create a 25-foot-wide road instead of the then required 40-foot-wide road. (BOA 79-92-3).

The Applicant provided a Project Narrative as a justification for the variance request as shown on Attachment "E".

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 LDR Section 10.01.03 is to provide for less expensive housing units to accommodate growth, provide housing for relatives and to provide for security.

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, *"Provide for less expensive housing units to accommodate growth, providing housing for relatives and to provide for security. 10.01.03(A)"*

The Applicant was not able to meet this requirement, in order to achieve enough space through what they have determined to be the necessary amount of living space for the proposed ADU and future family growth.

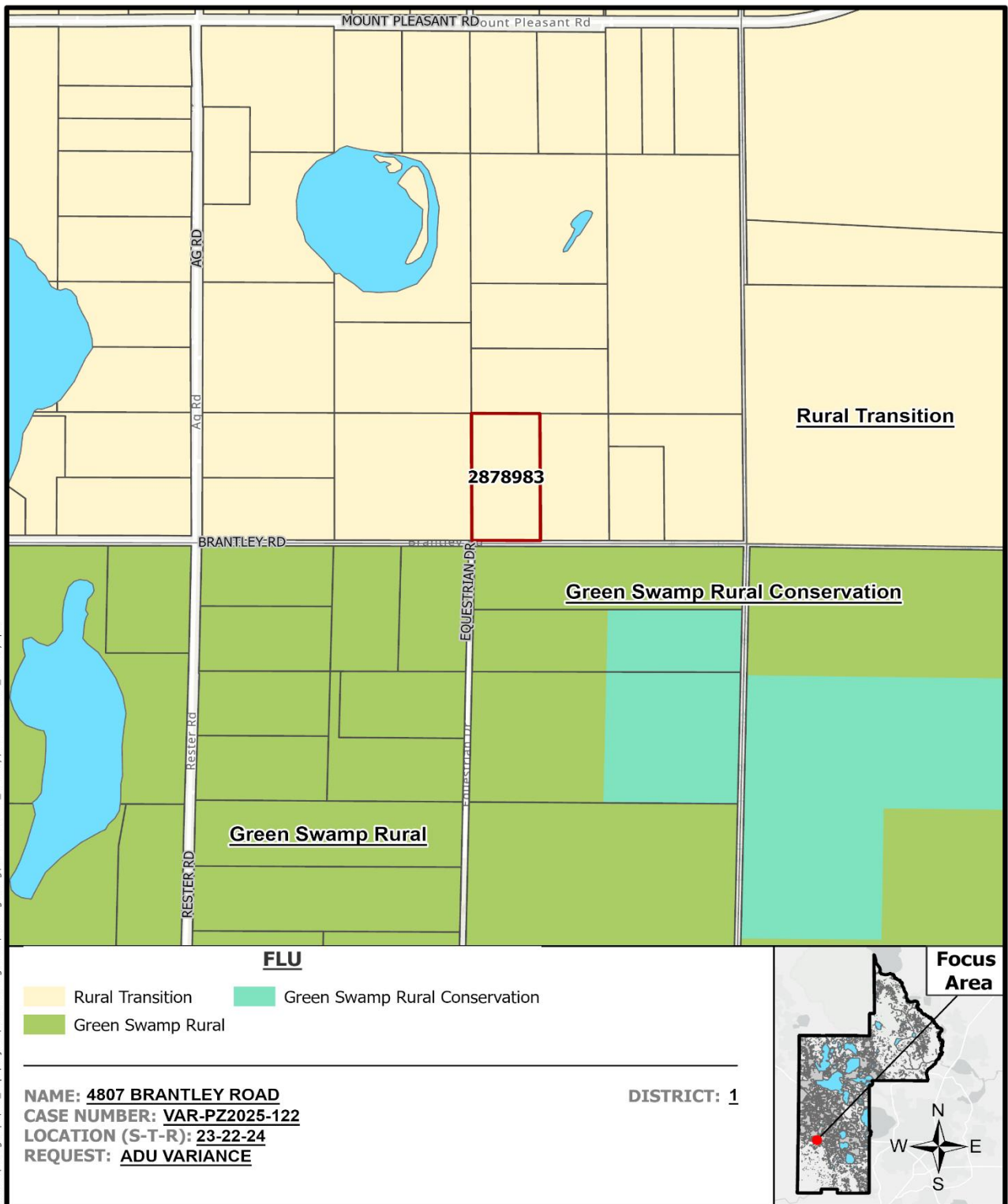
2. The application of a Land Development Regulation would create a substantial hardship or would violate principles of fairness. For purposes of this Section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the

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, *"Allowable square footage is not large enough to accommodate for future plans of family growth to ensure proper living spaces and any additional facilities required to maintain a suitable living area. SFDU is 1,620 square feet, ADU is 1,248 square feet. Asking for an additional approx. 48 square feet."*

Attachment "A" – Future Land Use Map

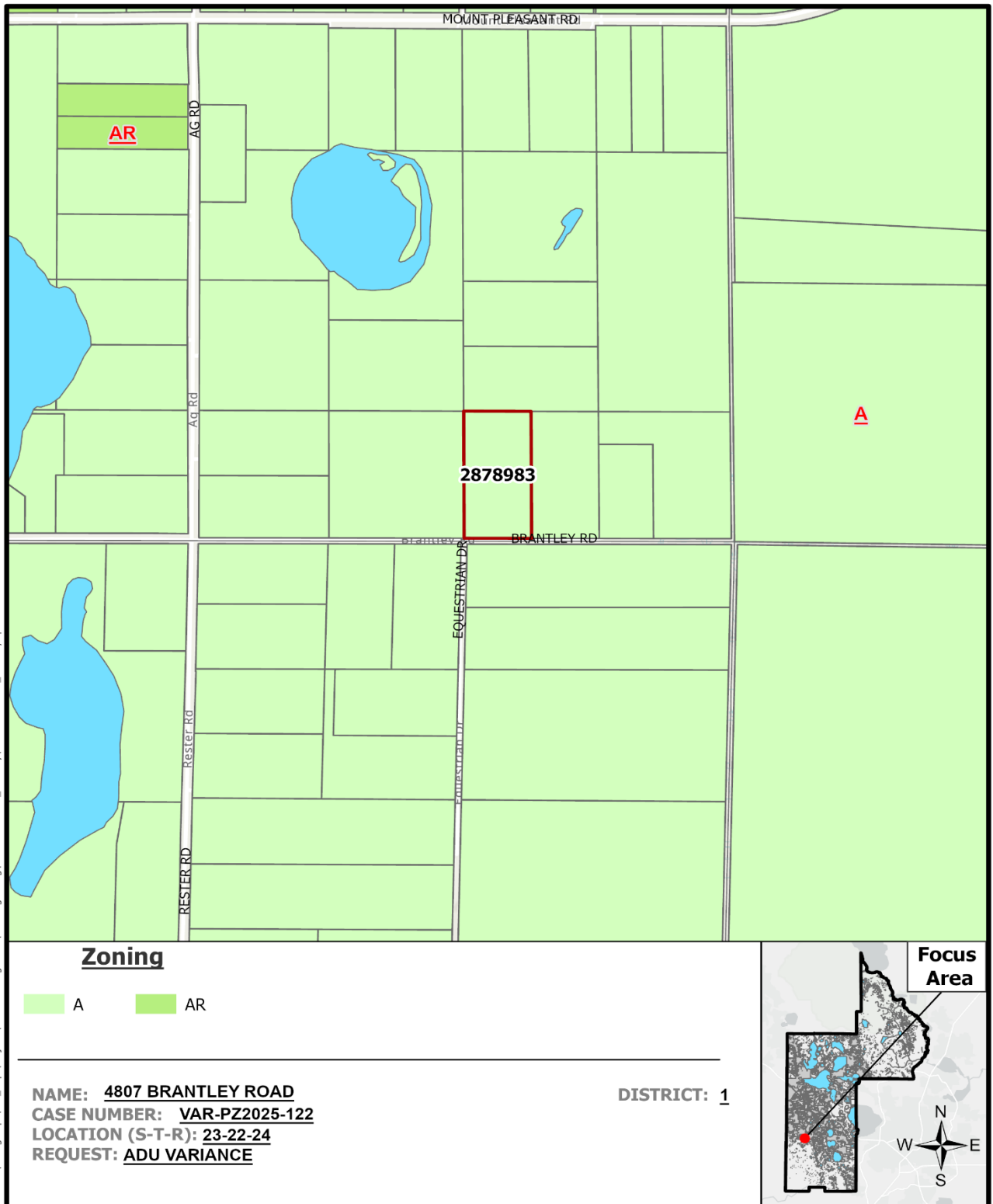
CURRENT FUTURE LAND USE



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5/1/2025

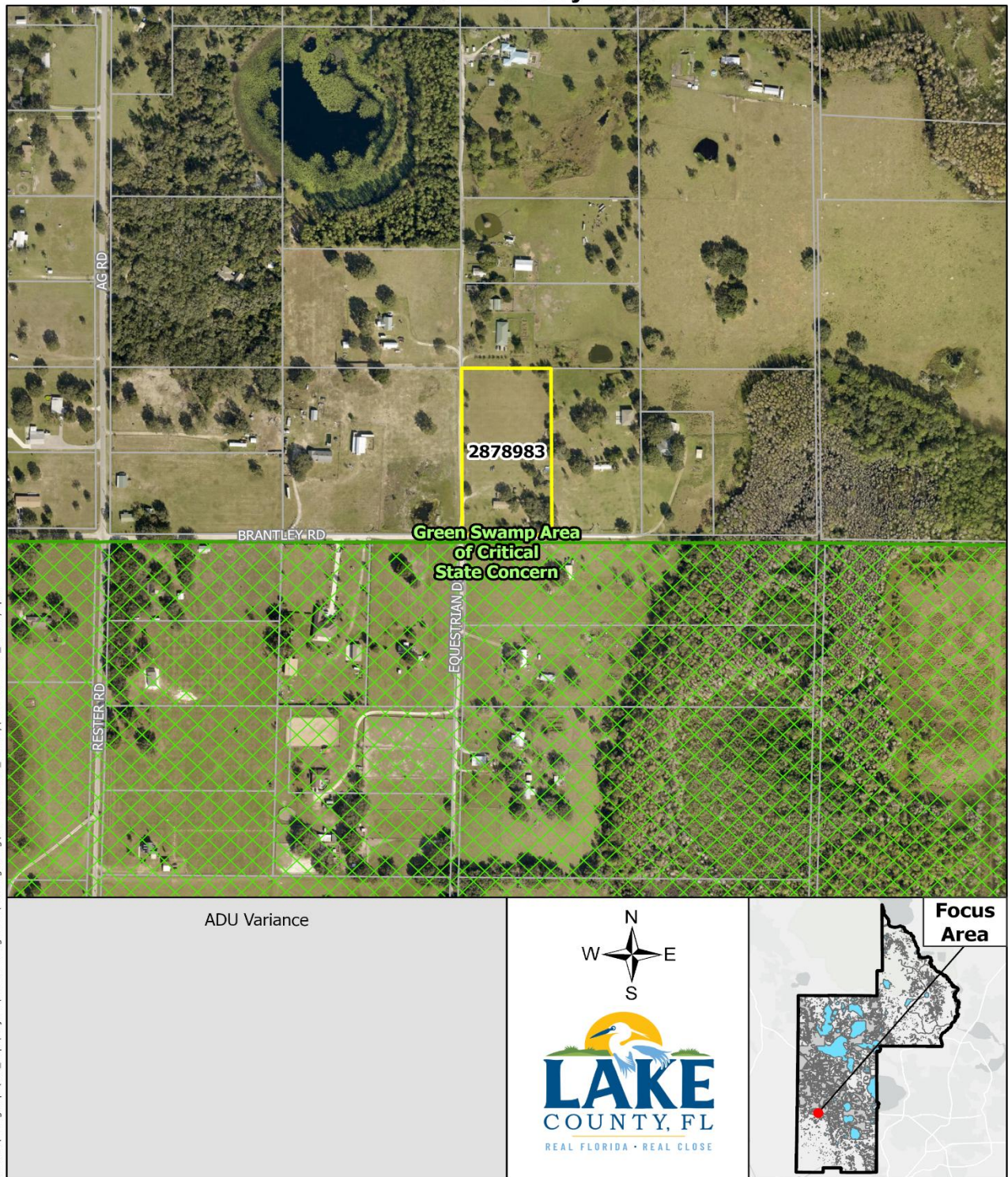
Attachment "B" – Zoning Map

CURRENT ZONING



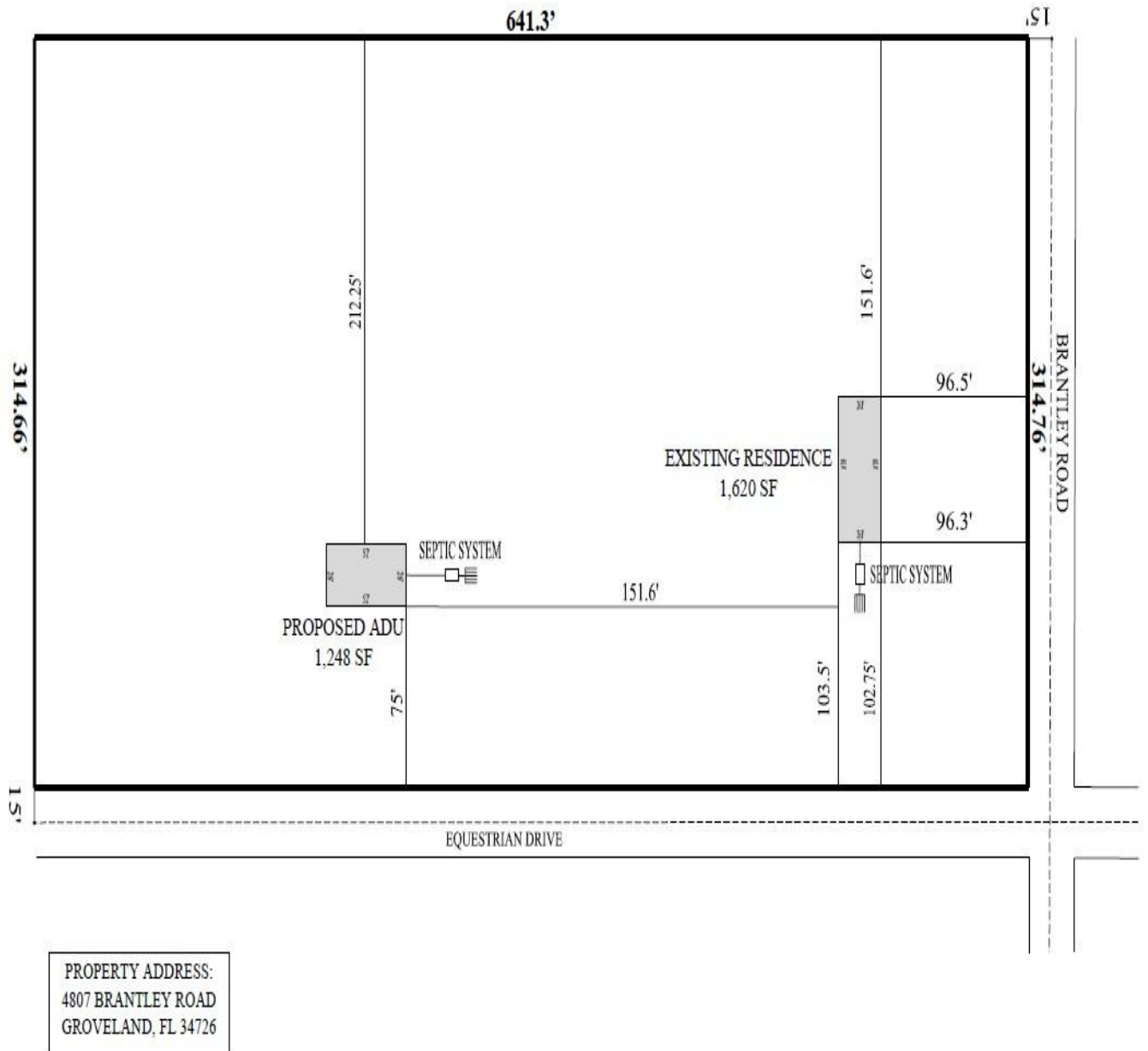
Attachment "C" – Overlay District Map

Var-PZ2025-122
4807 Brantley Road



Attachment "D" – Plot Plan

PLOT PLAN



Attachment “E” – Project Narrative



Office of Planning and Zoning

Project Narrative Variance

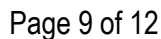
1. What is the substantial hardship in meeting the specific code requirement?

Allowable square footage is not large enough to accommodate for future plans of family growth to ensure proper living spaces and any additional facilities required to maintain a suitable living area.

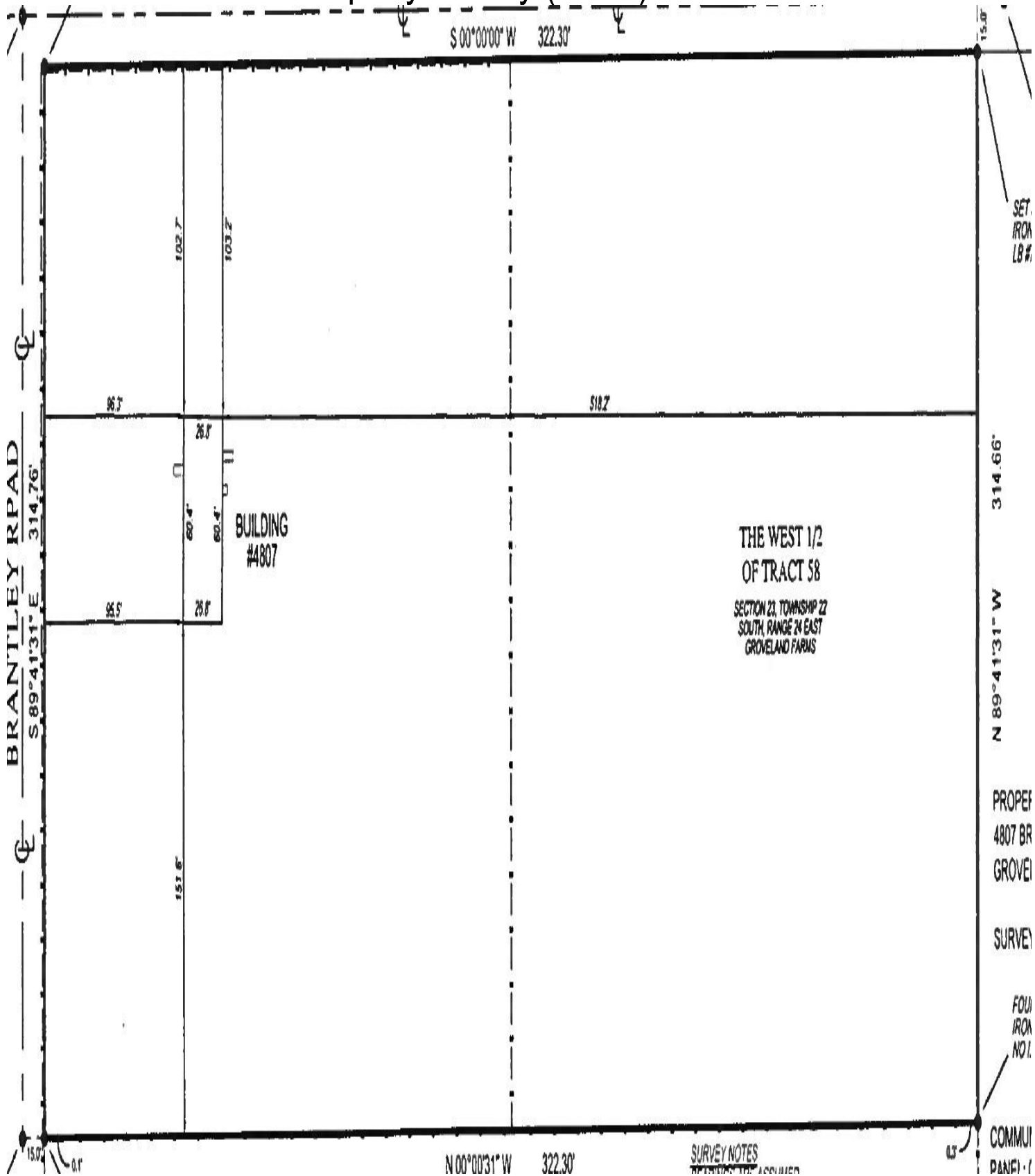
SFDU is 1,620 square feet, ADU is 1,248 square feet. Asking for an additional approx. 48 square feet.

2. Describe how the purpose of the Land Development Regulation will be or has been achieved by other means:

Provide for less expensive housing units to accommodate growth, provide housing for relatives and to provide for security. 10.01.03(A)



Property Survey (2 of 2)

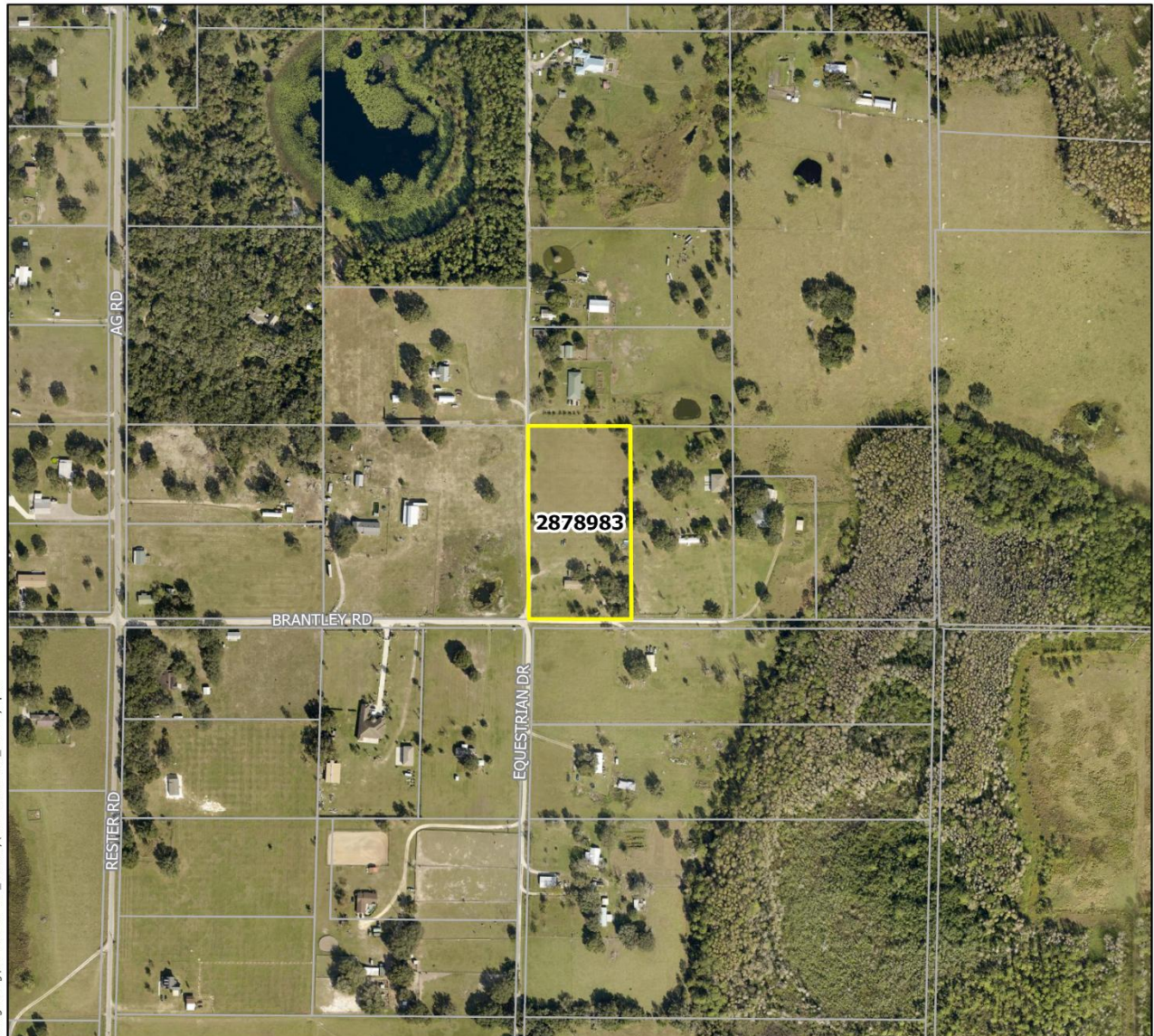


Map of Subject Property

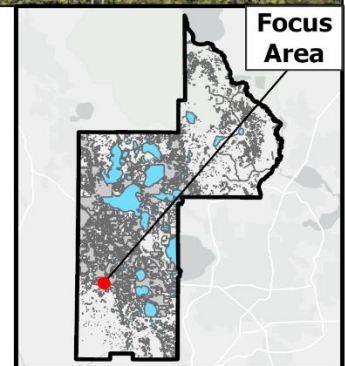


Aerial Map of Subject Property

Var-PZ2025-122
4807 Brantley Road



ADU Variance



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5/1/2025

FINAL DEVELOPMENT ORDER

(PZ2025-122 / AR 6020)

WHEREAS, Margarite Mares (the “Applicant / Owner”) requested a Variance to Land Development Regulations (LDR) Section 10.01.03(B)(4) to allow for a 1,248 square foot Accessory Dwelling Unit in lieu of one thousand two hundred (1,200) square feet or seventy percent (70%) of the air conditioned, enclosed living area of the principal dwelling (excludes garages, patios, porches and the like), whichever is greater; and

WHEREAS, the subject property consists of approximately 4.88 +/- acres located at 4807 Brantley Road in the unincorporated Groveland area in Section 23, Township 22 South, Range 24 East, known as Alternate Key Number 2878983, and more particularly described in Exhibit “A”; and

Exhibit “A”: - Legal Description

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 July 2, 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:** Variance to Land Development Regulations (LDR) Section 10.01.03(B)(4) to allow for a 1,248 square foot Accessory Dwelling Unit in lieu of the allowed one thousand two hundred (1,200) square feet or seventy percent (70%) of the air conditioned, enclosed living area of the principal dwelling (excludes garages, patios, porches and the like), whichever is greater.
2. A separate zoning and building permit must be obtained before any construction can begin.

**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 2nd day of July 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" – Legal Description

THE WEST 1/2 OF TRACT 58, TOGETHER WITH THE EAST 1/2 OF VACATED STREET LYING WEST THEREOF, SECTION 23, TOWNSHIP 22 SOUTH, RANGE 24 EAST, GROVELAND FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 10 AND 11, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. TO INCLUDE A: 2003 KING VIN #N811029A TITLE 90959618 AND 2003 KING VIN #N811029B TITLE 90959689.

