



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2
Public Hearing Date: September 3, 2025
Case No. and Project Name: PZ2024-328, Deffes Property
Commissioner District: District 3 – Kirby Smith

Applicant(s): Jimmy D. Crawford, Esq.
Owners: David C. Deffes and Rita Y. Deffes
Requested Action: Variance to Land Development Regulations (LDR) Tables 3.02.05 and 3.02.06 to (1) allow a rear setback of 1.4 feet from the property line in lieu of the required 10 feet and (2) allow an Impervious Surface Ratio (ISR) of 0.58 in lieu of the required 0.30 maximum ISR.
Case Manager: Eddie Montanez, Planner I

Subject Property Information

Size: 0.56 +/- gross acres
Location: 2104 County Club Drive, in the unincorporated Eustis area
Alternate Key No.: 1395283
Future Land Use: Urban Low Density (Attachment “A”)
Current Zoning District: Rural Residential (R-1) (Attachment “B”)
Flood Zone(s): “X”
JPA/ISBA: Eustis JPA
Overlay/Rural Protection Area: Wekiva Study Area (WSA) (Attachment “C”)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	Rural Residential (R-1)	Right-of-Way; Residential	Country Club Drive; Single-Family Residence
South	Urban Low Density	Rural Residential (R-1)	Residential	Single-Family Residence
East	Urban Low Density	Rural Residential (R-1)	Residential	Single-Family Residence
West	Urban Low Density	Estate Residential (R-2)	Residential	Single-Family Residence

Summary of Request

The subject parcel is identified by Alternate Key Number 1395283 and contains approximately 0.56 gross acres. The subject parcel is zoned Rural Residential (R-1) and is designated with an Urban Low Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The parcel is also situated within the Wekiva Study Area (WSA).

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 subject parcel is developed with a single-family residence, driveway, carport, swimming pool, deck, and pavers. (Attachment "D"). The Owners wish to replace the existing wood deck with a smaller concrete deck and to widen the eaves of the home as shown in the Concept Plan (Attachment "D").

The Applicant is requesting a variance to LDR Tables 3.02.05 and 3.02.06 to (1) allow a rear setback of 1.4 feet from the property line in lieu of the required 10 feet and (2) allow an Impervious Surface Ratio (ISR) of 0.58 in lieu of the required 0.30 maximum ISR.

Per Comprehensive Plan Policy I-1.3.2, entitled *Urban Low Future Land Use Category*, the maximum Impervious Surface Ratio (ISR) within the Urban Low Density FLUC shall be 0.60. The request for a variance to the ISR requirement does not exceed the maximum IRS allowed within the FLUC.

The subject parcel is located within the Wekiva Study Area (WSA) and is consistent with the WSA requirements outlined in the Comprehensive Plan.

The requested action was sent to the Public Works Engineering and Flood Sections and the Chief Fire Plans Examiner to review for a determination of consistency with applicable regulations. Neither the Chief Fire Plans Examiner, nor the Public Works Department, had any comments.

The subject property is located within the Eustis Joint Planning Area (JPA) and the application was provided to the City of Eustis to review for a determination of consistency with their regulations. No response has been received.

Should the Board of Adjustment 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 LDR Section 3.02.05, entitled *Setbacks*, is to promote a logical development pattern, provide for safe setbacks between structures and encourage a visually pleasing environment.

The intent of the LDR Section 3.02.06, entitled *Density, Impervious Surface, Floor Area, and Height Requirements*, is to protect the public health, safety and welfare by limiting the amount of impervious surface to reduce flooding and increase water quality. An impervious surface ratio is a measurement of the amount of the base site area that is covered by any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land.

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, *"The improvements on the property will improve water flow within the property and control runoff preventing degradation of the hillside and wash outs. These improvements will*

promote safety of the residents and prevent the pool from being an attractive nuisance in the area. These improvements will minimize and prevent health hazards and will establish a more permanent and secure structure”.

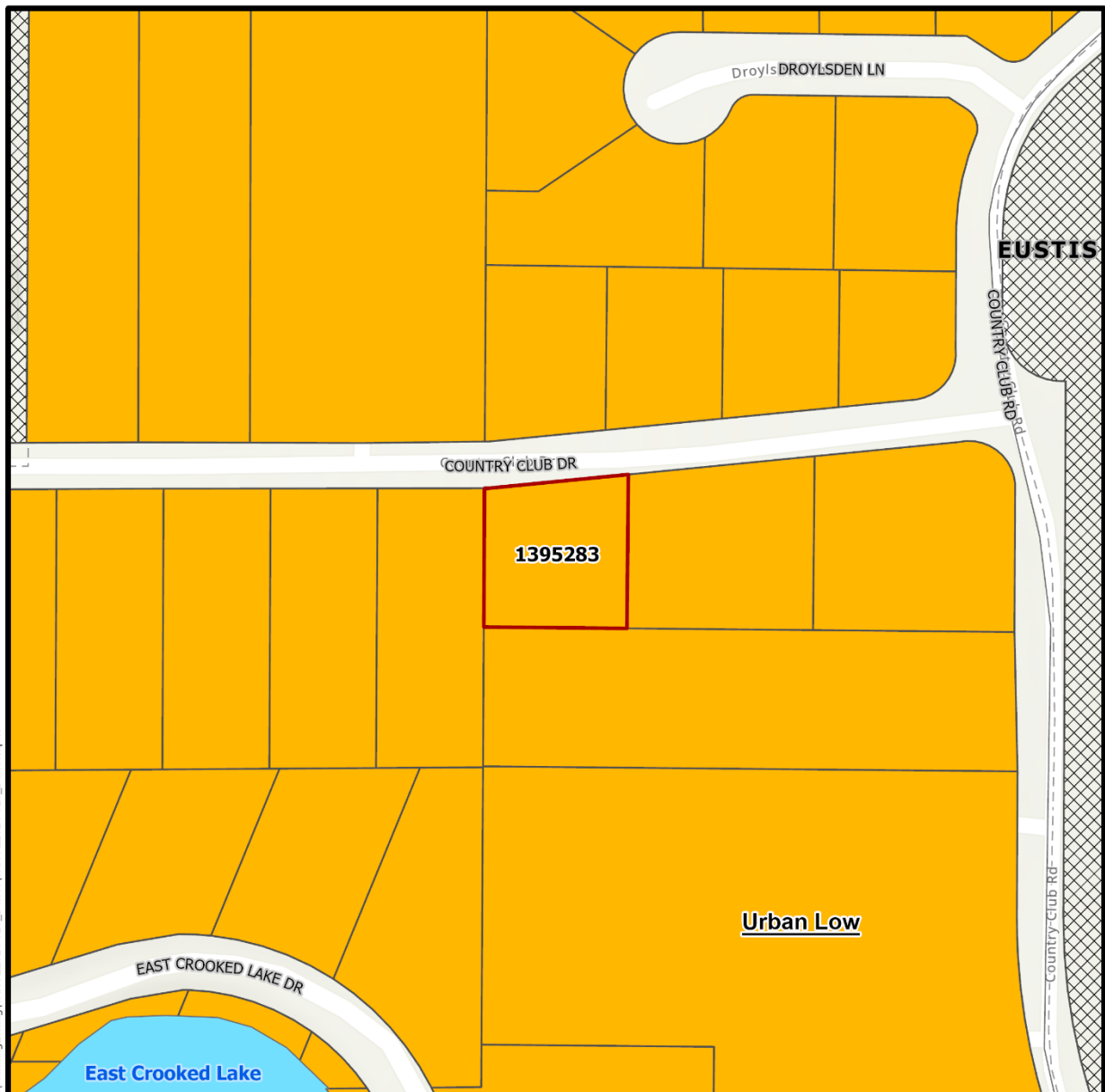
The Property Record Card (PRC) indicates the home was built in 1974. At the time of construction the setback requirements were 5 feet from side and rear property lines for single family dwelling units.

- 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, *“Due to the unique and hilly topography of the house, it was sited on the property line when constructed in 1974. This sitting places the existing structure requiring reconstruction within the rear setback. Additionally, the improved concrete deck will assist in the stabilization of the hill and improve water control with the assistance of widened eaves. Further, this will improve security and safety in and near the pool, specifically for the minor child residing at the home... 1) Impervious Surface Area: The site currently has an impervious surface area that exceeds the ration allowed by code, However, the proposed modification and improvement of the roofline and deck will ultimately reduce the impervious surface area, mitigating this non-conformity. 2) Setbacks: Due to the original sitting of the house on the hillside, the existing structure is located just 1.4 feet from the property line, while the roof modifications will not further reduce the setback, they will expand the roof within the setback area. A variance is necessary to allow for this reasonable improvement while maintaining the integrity of the property’s layout”.*

Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE

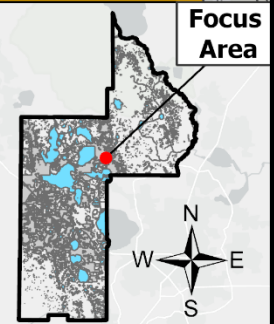


FLU

Urban Low

NAME: DEFFES PROPERTY
CASE NUMBER: VAR-PZ2024-328
LOCATION (S-T-R): 13-19-26
REQUEST: VARIANCE TO SETBACK AND IMPERVIOUS SURFACE RATIO (ISR) REQUIREMENTS.

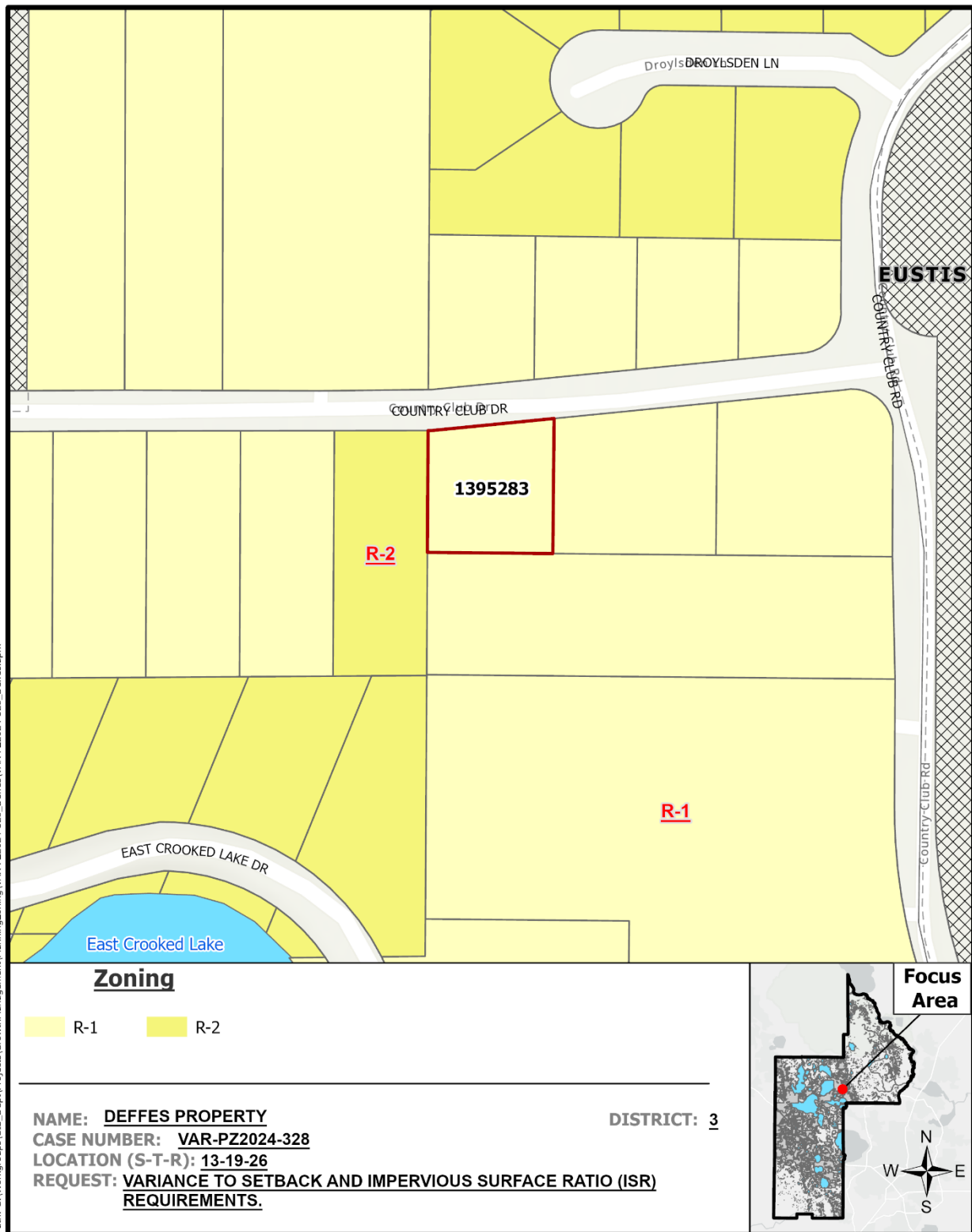
DISTRICT: 3



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6/19/2025

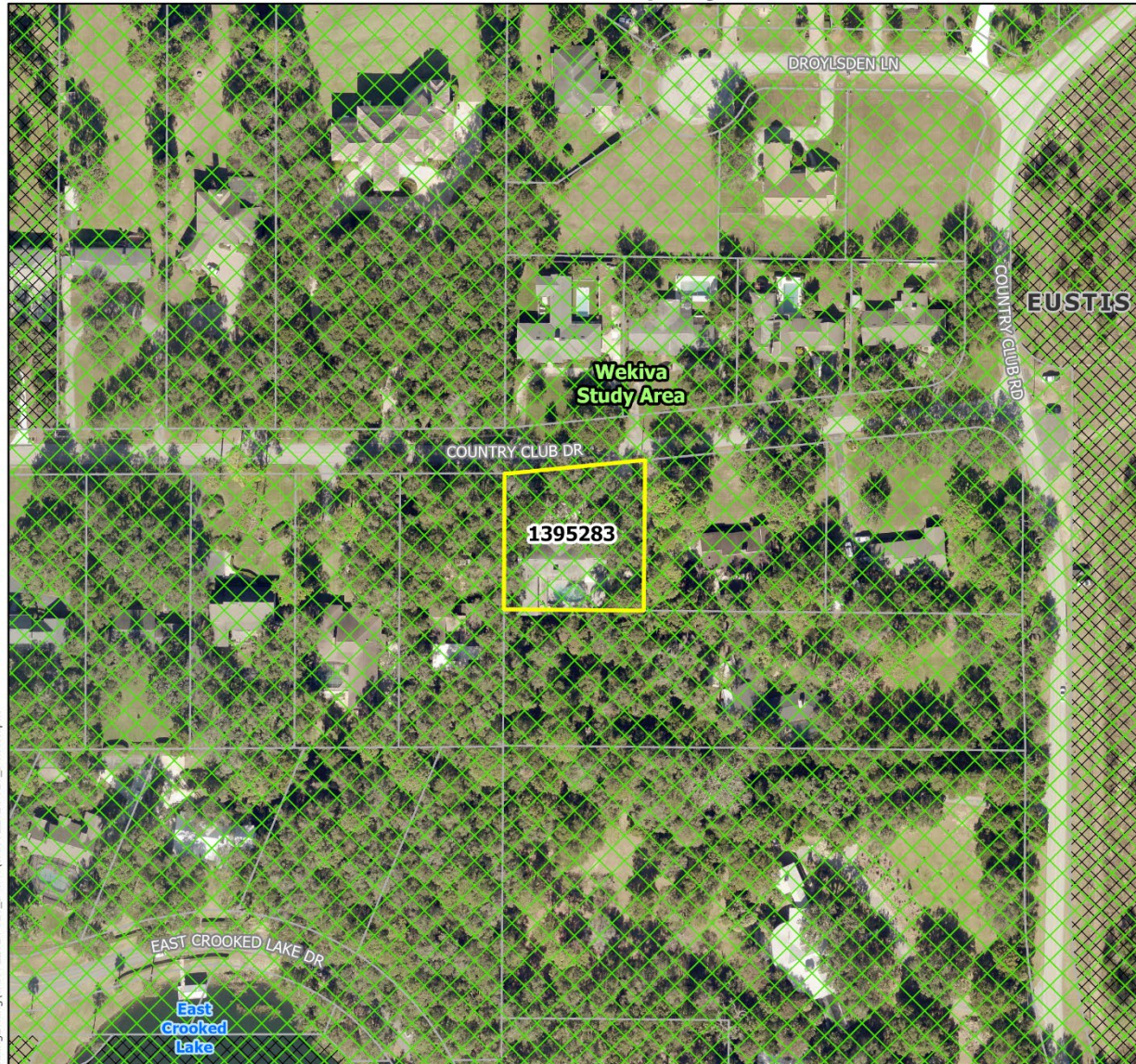
Attachment "B" – Zoning Map

CURRENT ZONING

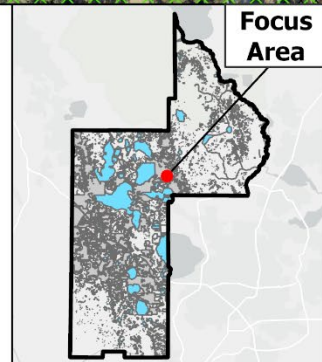


Attachment "C" – Overlay District Map

Var-PZ2024-328 Deffes Property



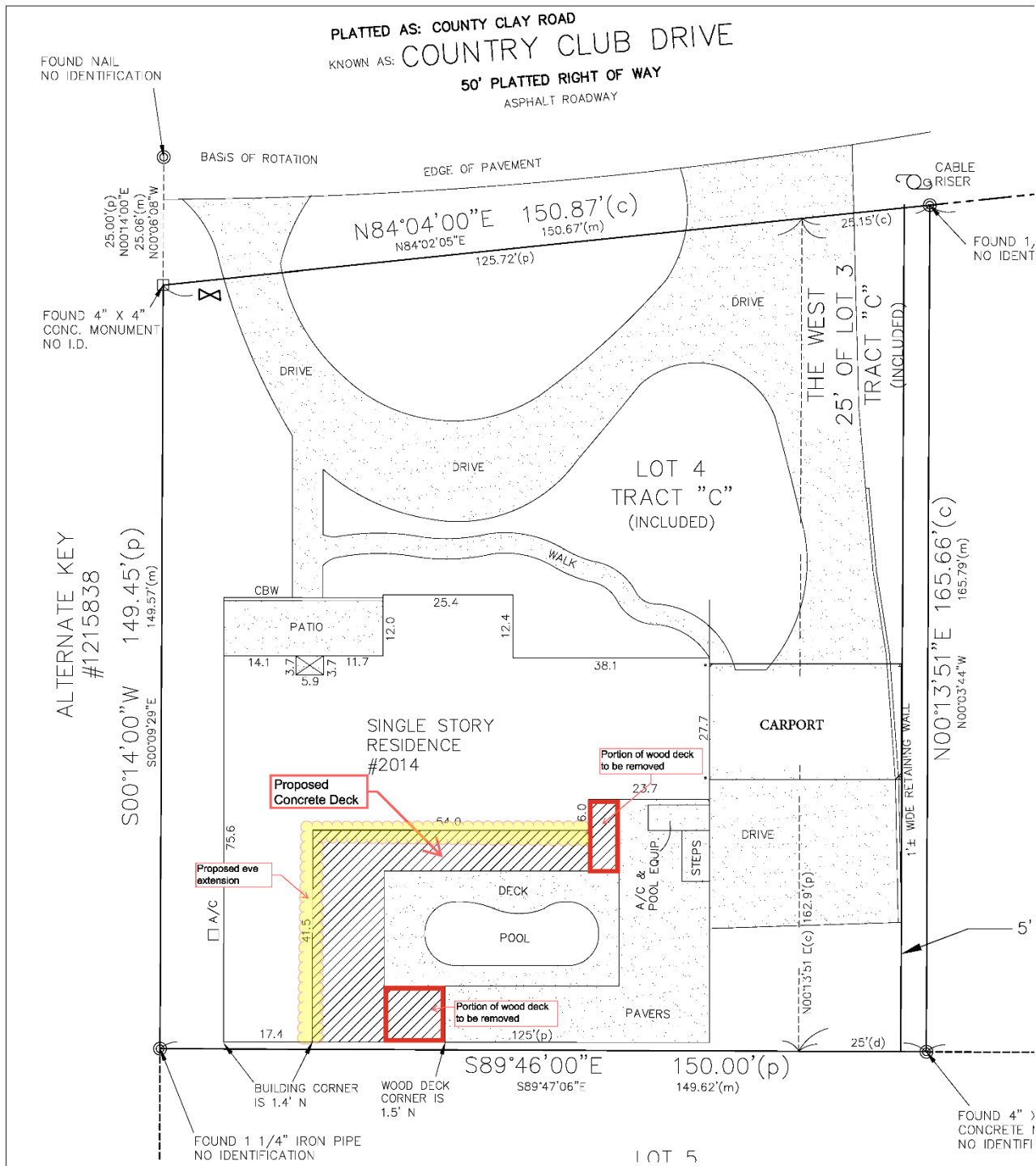
Variance to setback and Impervious Surface Ratio (ISR) requirements.



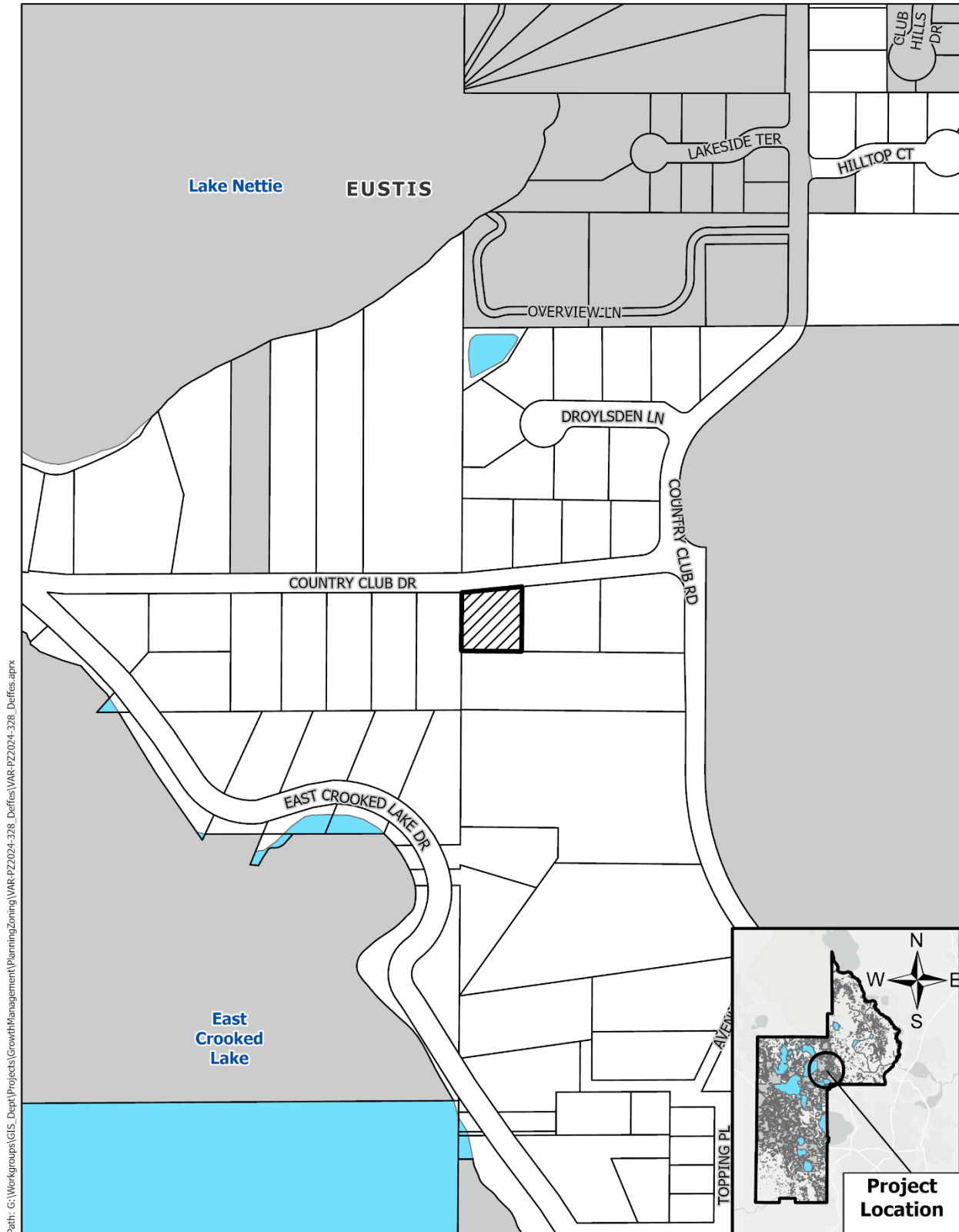
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6/19/2025

Attachment "D" – Concept Plan

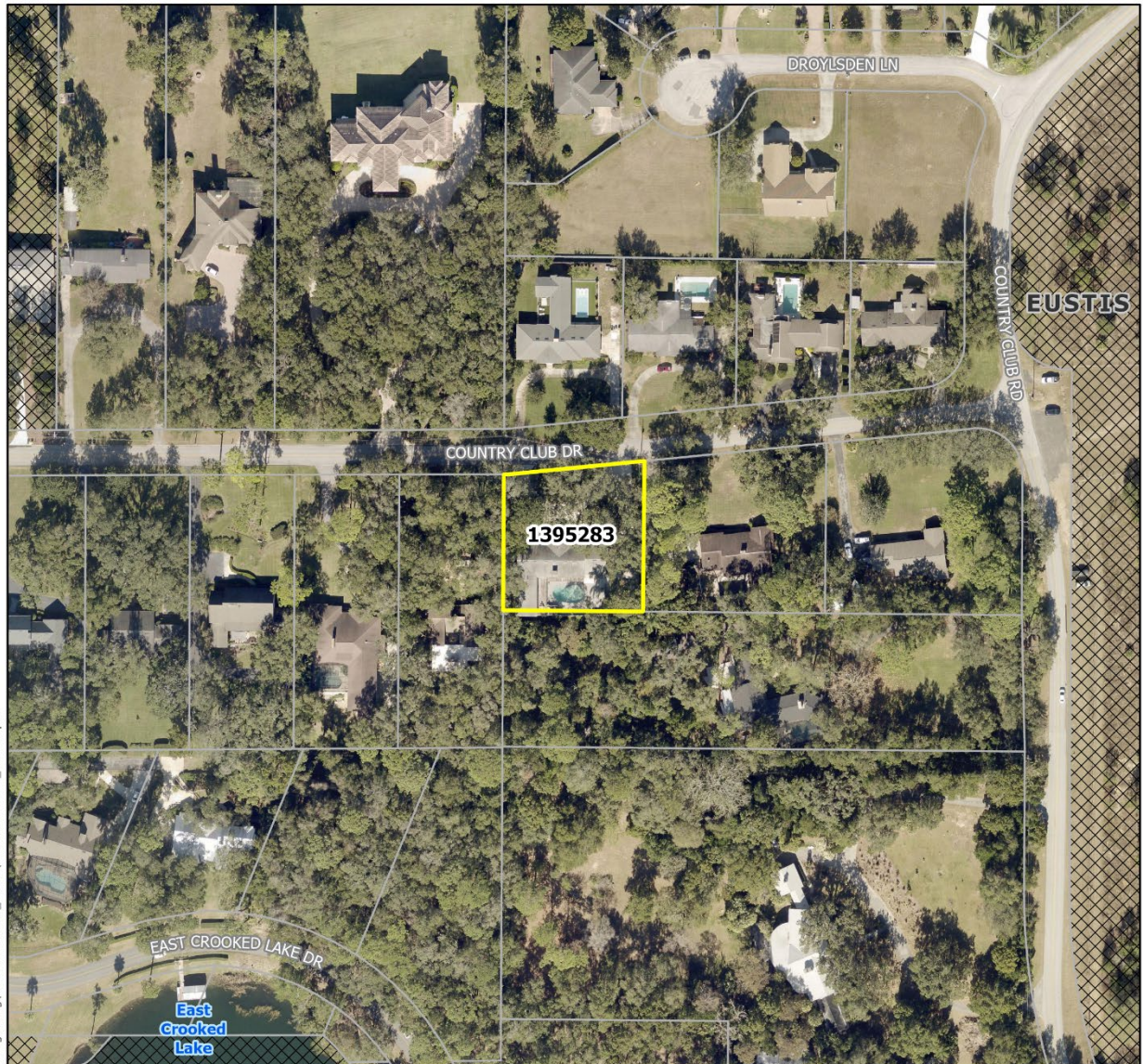


Map of Subject Property

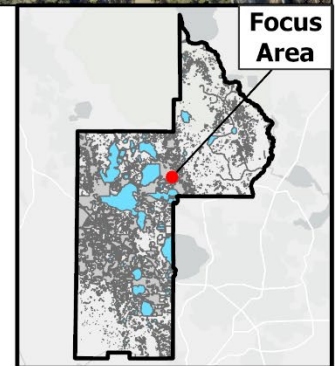


Aerial Map of Subject Property

**Var-PZ2024-328
Deffes Property**



Variance to setback and Impervious Surface Ratio (ISR) requirements.



FINAL DEVELOPMENT ORDER

(PZ2025-328 / AR 5875)

WHEREAS, Jimmy D. Crawford (the "Applicant") requested a variance on behalf of David C. Deffes and Rite Y. Deffes (the "Owner"), to Land Development Regulations (LDR) Tables 3.02.05 and 3.02.06 to (1) allow a rear setback of 1.4 feet from the property line in lieu of the required 10 feet and (2) allow an Impervious Surface Ratio (ISR) of 0.58 in lieu of the required 0.30 maximum ISR; and

WHEREAS, the subject property consists of approximately 0.56 +/- acres located at 2104 County Club Drive in the unincorporated Eustis area in Section 13, Township 19 South, Range 26 East, known as Alternate Key Number 1395283, 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 September 3, 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 LDR Tables 3.02.05 and 3.02.06 to (1) allow a rear setback of 1.4 feet from the property line in lieu of the required 10 feet and (2) allow an Impervious Surface Ratio (ISR) of 0.58 in lieu of the required 0.30 maximum ISR is hereby granted.
2. The variance granted above is subject to the following requirements/conditions:
 - a. The proposed deck shall not exceed the footprint shown in Exhibit "B".
 - b. The portion of the wood deck to be removed shall remain undeveloped.
 - c. No further increase in the ISR shall be permitted.

**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 3rd day of September 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

Lot 4 and the West 25 feet of Lot 3 in Tract C, in Eichelberger Estates Subdivision No. 2, a Subdivision in Lake County, Florida, according to the Plat thereof as recorded in Plat Book 13, Page 14, Public Records of Lake County, Florida.

