



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1
 Public Hearing Date: October 1, 2025
 Case No. and Project Name: PZ2025-178, Parnell Property Shed
 Commissioner District: District 4 – Leslie Campione
 Applicant(s): Brett Parnell
 Owner(s): Brett Allen Parnell and Jeannette Lynn Parnell
 Requested Action: Variance to Land Development Regulations (LDR) Section 10.01.01(F), Section 7.00.05(C)(1), Table 3.02.05, to 1) allow one accessory structure of different architectural style than the principal dwelling unit, as proposed on the submitted plot plan (Attachment D, contained in the staff report), to be placed in the front yard, in lieu of the required side or rear yard placement, and 2) to allow the accessory structure to be constructed nineteen (19) feet from the front property line, in lieu of the required twenty-five (25) feet.
 Case Manager: Meagan Bracciale, Planner I

Subject Property Information

Size: 1 +/- acre
 Location: 31955 Nutmeg Avenue, in the unincorporated Eustis area
 Alternate Key No.: 3635191
 Future Land Use: Wekiva River Protection Area (WRPA) A-1-20 Sending Area (Attachment “A”)
 Current Zoning District: Rural Residential District (R-1) (Attachment “B”)
 Flood Zone(s): “X” and “AE”
 JPA/ISBA: N/A
 Overlay/Rural Protection Area: Wekiva River Protection Area (Attachment “C”)
 Wekiva Study Area (Attachment “C”)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Wekiva River Protection Area A-1-20 Sending Area	Rural Residential District (R-1)	Lake	Lake Lappin

Direction	Future Land Use	Zoning	Existing Use	Comments
South	Wekiva River Protection Area A-1-20 Sending Area	Rural Residential District (R-1)	Right-of-Way; Residential	Single Family Residence South of Nutmeg Avenue
East	Wekiva River Protection Area A-1-20 Sending Area	Rural Residential District (R-1)	Residential	Vacant
West	Wekiva River Protection Area A-1-20 Sending Area	Rural Residential District (R-1)	Residential	Vacant

Summary of Request

The subject parcel is identified by Alternate Key Number 3635191 and contains approximately 1+/- acre. The subject parcel is zoned as Rural Residential District (R-1) and is designated with a Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The parcel is also situated within the Wekiva River Protection Area (WRPA) and Wekiva Study Area (WSA). The subject parcel is developed with a Single-Family Residence, driveway, sidewalk, and pool, as shown in the attached plot plan depicting the proposed development plan for the shed, which is the basis for the variance request (Attachment “D”).

GIS maps indicate that the subject parcel is located within flood zones “X” and “AE” and there is indication that wetlands exist on the site. On June 26, 2025, the requested action was sent to the Public Works, Flood, and Stormwater staff for a determination of consistency with their regulations. No comments or concerns were provided.

On June 26, 2025, the requested action was sent to the Chief Fire Plans Reviewer for a determination of consistency with their regulations. The Chief Fire Plans Reviewer did not have any comments or concerns.

The Applicant is requesting a variance to Land Development Regulations (LDR) Section 10.01.01(F), Section 7.00.05(C)(1), Table 3.02.05, to 1) allow one accessory structure of different architectural style than the principal dwelling unit, as proposed on the submitted plot plan (Attachment D, contained in the staff report), to be placed in the front yard, in lieu of the required side or rear yard placement, and 2) to allow the accessory structure to be constructed nineteen (19) feet from the front property line, in lieu of the required twenty-five (25) feet.

For background purposes, the topography of the subject parcel (depicted in Attachment “E”) limits the Applicant’s available placement options for the proposed shed. On the west side of the existing single-family residence is the septic and drainage field, on the east side of the existing single-family residence is the underground propane tank, and although the rear of the property allows for a setback in compliance with LDR Section 6.01.04 *Development Near Wetlands and Waterbodies*, it is significantly sloped and does not offer a level surface for structure placement.

The Applicant provided a Project Narrative as a justification for the variance request as shown on Attachment “F”.

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 LDR Section 10.01.01, is to regulate the configuration of accessory structures in order to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas.

The intent of LDR Table 3.02.05 and LDR Section 7.00.05(C)(1), is to encourage a logical development pattern and promote safe setbacks from roads.

Pursuant to LDR 7.00.04(B)(1), *Permitted Uses in the Wekiva River Protection Area*, accessory buildings or structures accompanying single-family residences are permitted.

Pursuant to 7.00.05(D), *General Requirements*, wetlands in the Wekiva River Protection Area shall be protected pursuant to LDR Chapter 6.01.00 . Pursuant to Comprehensive Plan Policy III-2.2.7, *Protection of Shorelines*, and LDR Section 6.01.04, *Development Near Wetlands and Waterbodies*, principal structures, structures, buildings, and impervious surface, excluding water dependent structures, shall be located at least (50) feet from the ordinary high water line, mean high water line, or jurisdictional wetland line, whichever is further landward. The Applicant's requested placement of the proposed accessory structure (shed) on the subject property is approximately two-hundred eleven (211) feet from the Jurisdictional Wetland Line identified on the plot plan of the subject parcel (Attachment "D") and therefore complies with LDR Section 6.01.04 and Comprehensive Plan Policy III-2.2.7, *Protection of Shorelines*.

Likewise, pursuant to Comprehensive Plan Policy I-3.4.3, *Priority for Preservation within the Wekiva Study Area (WSA)*, priority for preservation and dedication shall be given to the following natural resources: Most Effective Recharge Areas, wetlands, wetland buffers, springs, spring runs, sinkholes and karst features with an aquifer connection, as well as sensitive natural habitats including Longleaf Pine, Sand Hill, Xeric Oak Scrub, and Sand Pine Scrub vegetative communities. As previously stated, the Applicant's requested placement of the proposed accessory structure (shed) on the subject property is approximately two-hundred twenty (220) feet from the Jurisdictional Wetland Line identified on the plot plan of the subject parcel (Attachment "D") and therefore complies with Comprehensive Plan Policy I-3.4.3, *Priority for Preservation within the Wekiva Study Area (WSA)*.

Pursuant to LDR Table 3.02.06, *Density, Impervious Surface, Floor Area, and Height Requirements*, the maximum ISR for the Rural Residential District (R-1) is thirty (30%) percent. The resulting ISR is estimated at sixteen (16%) percent and is therefore compliant with LDR Table 3.02.06, *Density, Impervious Surface, Floor Area, and Height Requirements*.

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 request is in compliance with all side and front setback requirements. The wetlands will not be disturbed with the placement of the shed. The impervious Surface does not increase and the overall square footage of this shed is below the maximum allowable amount"*.

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, *"Unable to place the shed in the rear of my property due to wetlands, flood plain and the overall contour of the property. In addition, I am unable to place the shed along the sides due to my drain field/septic tank located on one side and a propane tank located on the other"*.

Attachment "B" – Zoning Map

CURRENT ZONING

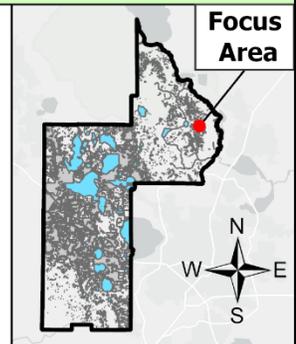


Zoning

A R-1

NAME: PARNELL PROPERTY SHED
CASE NUMBER: PZ2025-178
LOCATION (S-T-R): 5-18-29
REQUEST: PARNELL PROPERTY SHED

DISTRICT: 4



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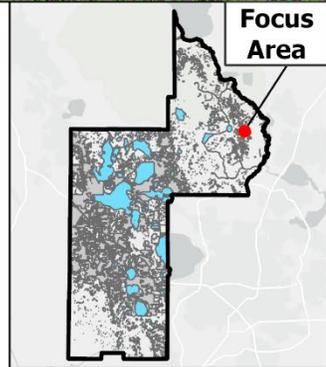
Attachment "C" – Overlay District Map

PZ2025-178 Parnell Property Shed



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Parnell Property Shed



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Attachment "E" – Site Photos



Attachment “F” – Project Narrative

Office of Planning and Zoning



Project Narrative Variance

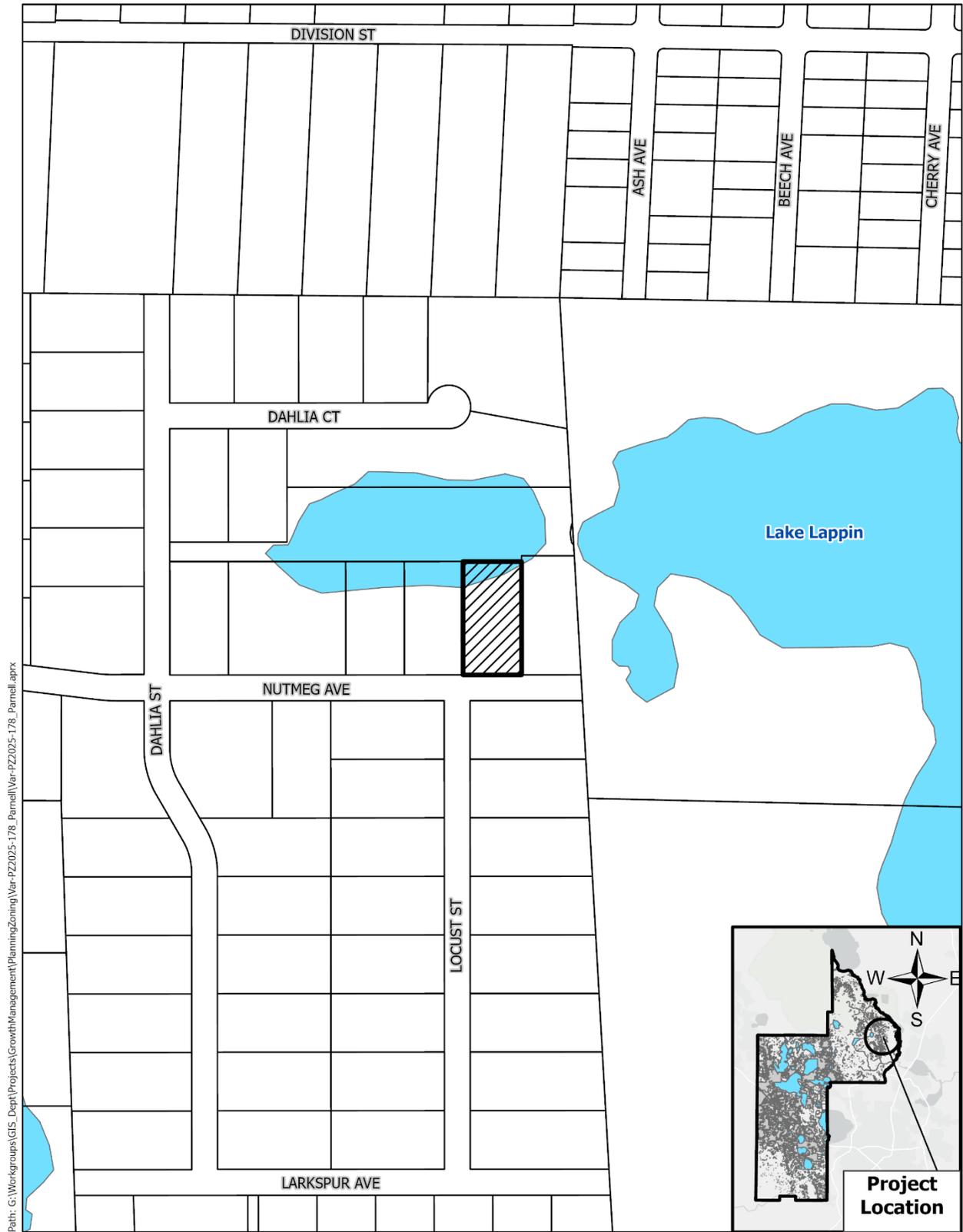
1. What is the substantial hardship in meeting the specific code requirement?

Unable to place the shed in the rear of my property due to wetlands, flood plain and the overall contour of the property. In addition, I am unable to place the shed along the sides due to my drain field/septic tank located on one side and a propane tank located on the other.

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

The request is in compliance with all side and front setback requirements. The wetlands will not be disturbed with the placement of the shed. The impervious Surface does not increase and the overall square footage of this shed is below the maximum allowable amount.

Map of Subject Property

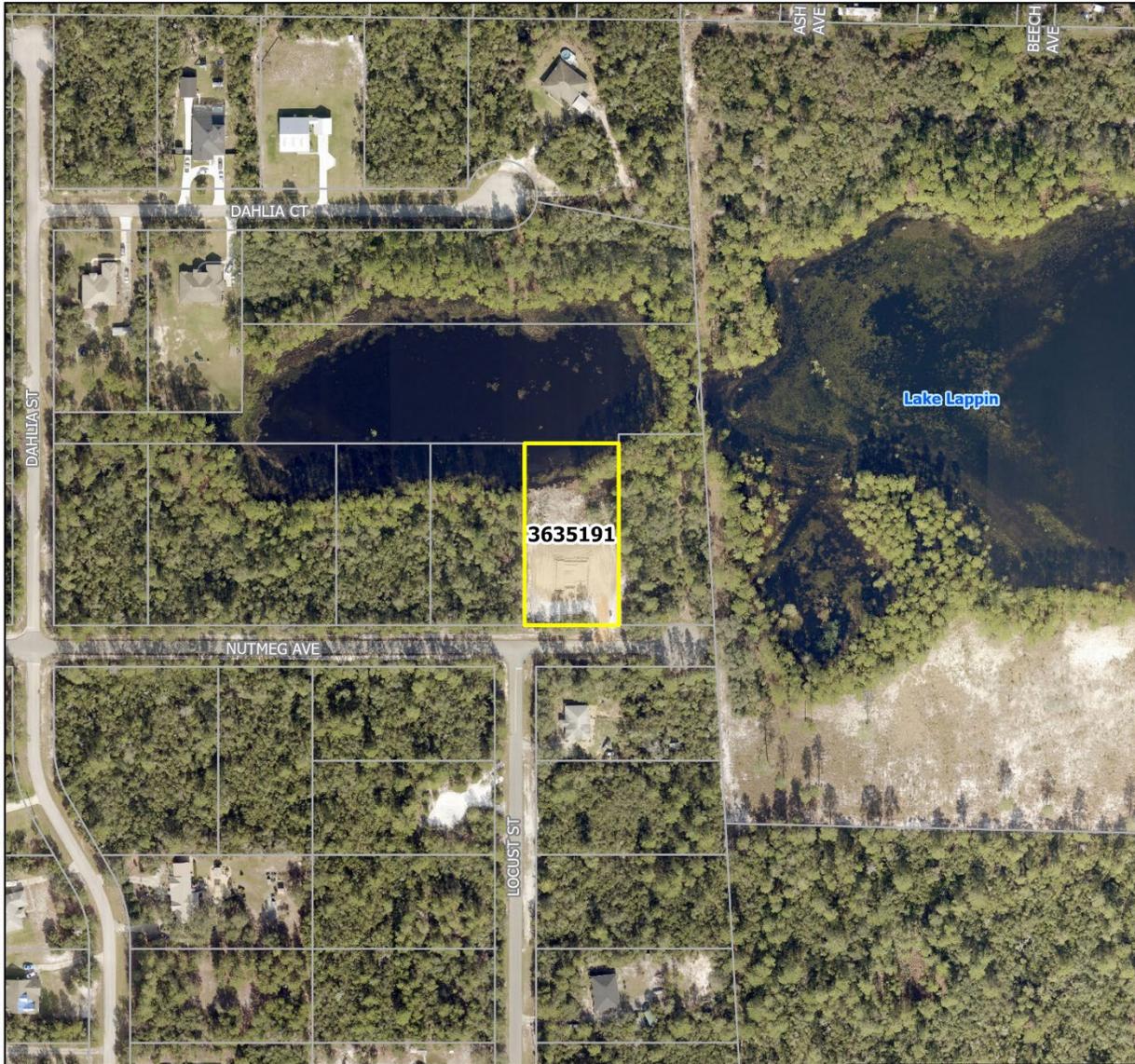


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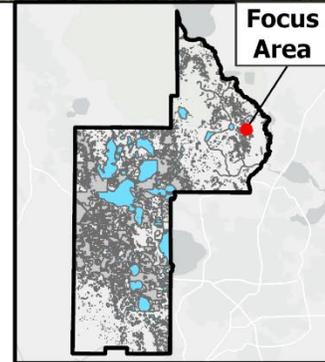
Aerial Map of Subject Property

PZ2025-178
Parnell Property Shed



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Parnell Property Shed



7/7/2025

FINAL DEVELOPMENT ORDER

(PZ2025-178 / AR 6084)

WHEREAS, Brett Allen Parnell and Jeannette Lynn Parnell (the “Owners”) requested a variance to Land Development Regulations (LDR) Section 10.01.01(F), Section 7.00.05(C)(1), Table 3.02.05, to 1) allow one accessory structure of different architectural style than the principal dwelling unit, as proposed on the submitted plot plan (Attachment D, contained in the staff report), to be placed in the front yard, in lieu of the required side or rear yard placement, and 2) to allow the accessory structure to be constructed nineteen (19) feet from the front property line, in lieu of the required twenty-five (25) feet; and

WHEREAS, the subject property consists of approximately 1+/- acre located at 31955 Nutmeg Avenue, in the unincorporated Eustis area in Section 36, Township 17 South, Range 28 East, identified by Alternate Key Number 3635191, 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 October 1, 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) Section 10.01.01(F), Section 7.00.05(C)(1), Table 3.02.05, to 1) allow one accessory structure of different architectural style than the principal dwelling unit, as proposed on the submitted plot plan (Attachment D, contained in the staff report), to be placed in the front yard, in lieu of the required side or rear yard placement, and 2) to allow the accessory structure to be constructed nineteen (19) feet from the front property line, in lieu of the required twenty-five (25) feet.

**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 1st day of October 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 6, Block 87, ROYAL TRAILS - UNIT NO. 1, according to the map or plat thereof as recorded in Plat Book 19, Page 1, Public Records of Lake County, Florida.



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