



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearing Date: October 1, 2025

Case No. and Project Name: PZ2025-193, Fritzke Accessory Structure

Commissioner District: District 3 – Smith

Applicant(s): Darlene Fritzke

Owner(s): Darlene A. Fritzke

Requested Action: A Variance to LDR 6.01.04(A)(1) to allow for an unpermitted 11-foot high, 364 square foot shed and wood deck with an 18.5-foot and 0-foot rear yard setback, in lieu of the required 50-foot rear yard setback from the ordinary high-water line, mean high-water line or jurisdictional wetland line (seawall), and a variance to LDR Table 3.02.06 to allow for an Impervious Surface Ratio of 34%, in lieu of the maximum allowable Impervious Surface Ratio of 30% .

Case Manager: Corey DeVogel, Planner I

Subject Property Information

Size: 0.33 +/- gross acres

Location: 32007 Bluegill Drive, in the unincorporated Tavares area

Alternate Key No.: 1481660

Future Land Use: Urban Low (Attachment “A”)

Current Zoning District: Rural Residential “R-1” (Attachment “B”)

Flood Zone(s): (“AE”) & (“X”)

JPA/ISBA: Tavares ISBA

Overlay/Rural Protection Area: City of Tavares Interlocal Service Boundary Agreement (ISBA)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low	Rural Residential “R-1”	Single Family Canal Frontage	Residential
South	Urban Low	Rural Residential “R-1”	Single Family Canal Frontage	Residential
East	Urban Low	Rural Residential “R-1”	Single Family Canal Frontage	Residential

PZ2025-193, Fritzke Accessory Structure

Direction	Future Land Use	Zoning	Existing Use	Comments
West	Urban Low	Rural Residential "R-1"	Single Family Canal Frontage	Residential

Summary of Request

The subject parcel is identified by Alternate Key Number 1481660 and contains approximately 0.33+/- gross acres. The subject parcel is zoned as Rural Residential "R-1"; is designated with an Urban Low Future Land Use Category (FLUC) by the 2030 Comprehensive Plan; and located within the Economic Development Overlay District. The subject parcel is developed with a Single-Family Residence, Accessory Dwelling Unit, and two (2) sheds (Attachment "C").

GIS maps indicate that the subject parcel is located within flood zones "AE" and "X" and there is no indication that wetlands exist on the site, though there is indication of a canal and seawall. On July 10, 2025, the requested action was sent to the Public Works and Flood and Stormwater Departments for review for a determination of consistency with their regulations. The Public Works Department had no comment as the structure was pre-existing.

The Flood and Stormwater Department, had the following comment: **"The Applicant's converted accessory structure is too close to the flooding source for me to be comfortable approving it without additional information. Base Flood Elevation for this area is 63.8' NAVD88; and Google Earth arials support the possibility that this structure may have been flooded during Hurricane Milton. As a condition of approval, I'll require an elevation certificate for this structure to show that the finished floor elevation (FFE) is at least above the Design Flood Elevation requirements of 65.3' NAVD88. If the Applicant is able to demonstrate that the structure is at least above DFE, I'll be willing to sign off on it at that time"**. The Applicant has provided a response in the form of a certified Certificate of Elevations. The Flood and Stormwater Department responded that their comment was addressed by the Certificate of Elevation. (Attachment "D").

The Applicant is requestion a Variance to LDR 6.01.04(A)(1) to allow for an unpermitted 11-foot high, 364 square foot shed and wood deck with an 18.5-foot and 0-foot rear yard setback, in lieu of the required 50-foot rear yard setback from the ordinary high-water line, mean high-water line or jurisdictional wetland line (seawall), and a variance to LDR Table 3.02.06 to allow for an Impervious Surace Ratio of 34%, in lieu of the maximum allowable Impervious Surface Ratio of 30% .

The Subject property has an Impervious Surface Ratio of 34%. The maximum allowable Impervious Surface Ratio of properties that have a Rural Residential "R-1" zoning designation is 30%. The maximum allowable Impervious Surface Ratio for properties within the Urban Low Future Land Use category is 60%.

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

For background purposes, On April 5, 2016, the subject property was allowed to have an accessory dwelling unit on the southern end of the property, following a code violation for the structure. Code Case # 2015100225 (Attachment "E"). On May 7, 2024, the Applicant received a code violation for building an unpermitted structure; an 11-foot high, 364 square-foot shed, 18.5 feet from the rear canal on the western side of the property. If approved, this variance will bring the property into compliance and will resolve Code Case #SM2024050032, which only notes a violation for the building, not including the wooden deck (Attachment "F").

On June 21, 2024, the Applicant received an Average Setback (#AS-2024-09) of 37.20 feet from SW/TOB to the exterior wall of the single-family residence (Attachment "G").

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

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 –

A. 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 Applicant provided the following statement as evidence that the intent of the Land Development Regulations will be or has been achieved by other means, *“I have previously attempted the average setback application, I plan on upholding the fundamental goal of protecting canal frontage with a raised deck entrance that allows the natural canal edge vegetation to stay intact, so the setback requirement goal will be maintained. The building is also aesthetically pleasing and will add value to surrounding properties.”*

Due to the structure being built within the setback requirement. The Applicant received an average setback, which was insufficient in allowing the structure to meet setback requirements.

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, *“My property is in close proximity to surrounding canal [sic] and my septic system drainfield, there is limited space to set the shed given this dynamic [sic]. Given location of my property is difficult and almost impossible to adhere to current codes.”*

B. Land Development Regulations Section 14.15.02 Variances and Appeals states that variances to the setback requirements from an ordinary high-water line, mean high water line, or jurisdictional wetland line may be granted if:

1. The lot is a developable Lot of Record, or the lot was legally created through a development order prior to March 2, 1993.

The Orange Blossom Estates subdivision is recorded in Plat Book 12, Page 46, with a recording date of February 9, 1953.

2. All other remedies have been exhausted, such as a variance to all other setback requirements.

The subject structure has been constructed without a permit. Unless the structure is removed and permitted elsewhere on the property, all other remedies have been exhausted. The Applicant has also received an Average Setback, which was insufficient in allowing the structure to meet setback requirements.

3. The maximum developable area shall be limited to 33 feet in width or depth.

The Development Order contains conditions that limit the maximum developable shall be limited to 33 feet in width or depth.

4. The first one inch (1") of storm water runoff shall be captured on site.

The Development Order contains conditions that require stormwater calculations as follows:

- a. Stormwater calculations must be submitted at the time of issuance of each individual zoning permit in form of an interceptor swale that is sized to capture the first one inch (1") of stormwater runoff on the subject parcel.
- b. Stormwater calculations must be reviewed and approved by the Lake County Public Works Department staff.
- c. The stormwater abatement system must be depicted on the to-scale plot plan when applying for the zoning permit; installed prior to any final inspection, inspected, and approved by the Lake County Public Works Department staff.

Stormwater Calculations must be submitted and approved by the Lake County Public Works Department. at the issuance of each individual zoning permit.

5. Development is constructed as far landward on the lot as possible.

The structure has already been constructed without a permit. If it were to be moved, it could potentially be moved further landward.

Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE

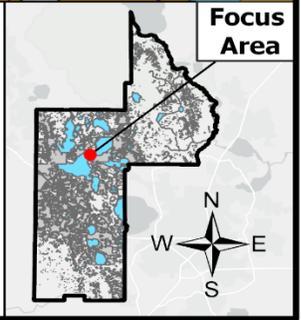


Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\Var-PZ2025-193_Fritzke\Var-PZ2025-193_Fritzke.aprx
7/9/2025

FLU
Urban Low

NAME: FRITZKE ACCESSORY STRUCTURE
CASE NUMBER: VAR-PZ2025-193
LOCATION (S-T-R): 24-19-25
REQUEST: FRITZKE ACCESSORY STRUCTURE

DISTRICT: 3

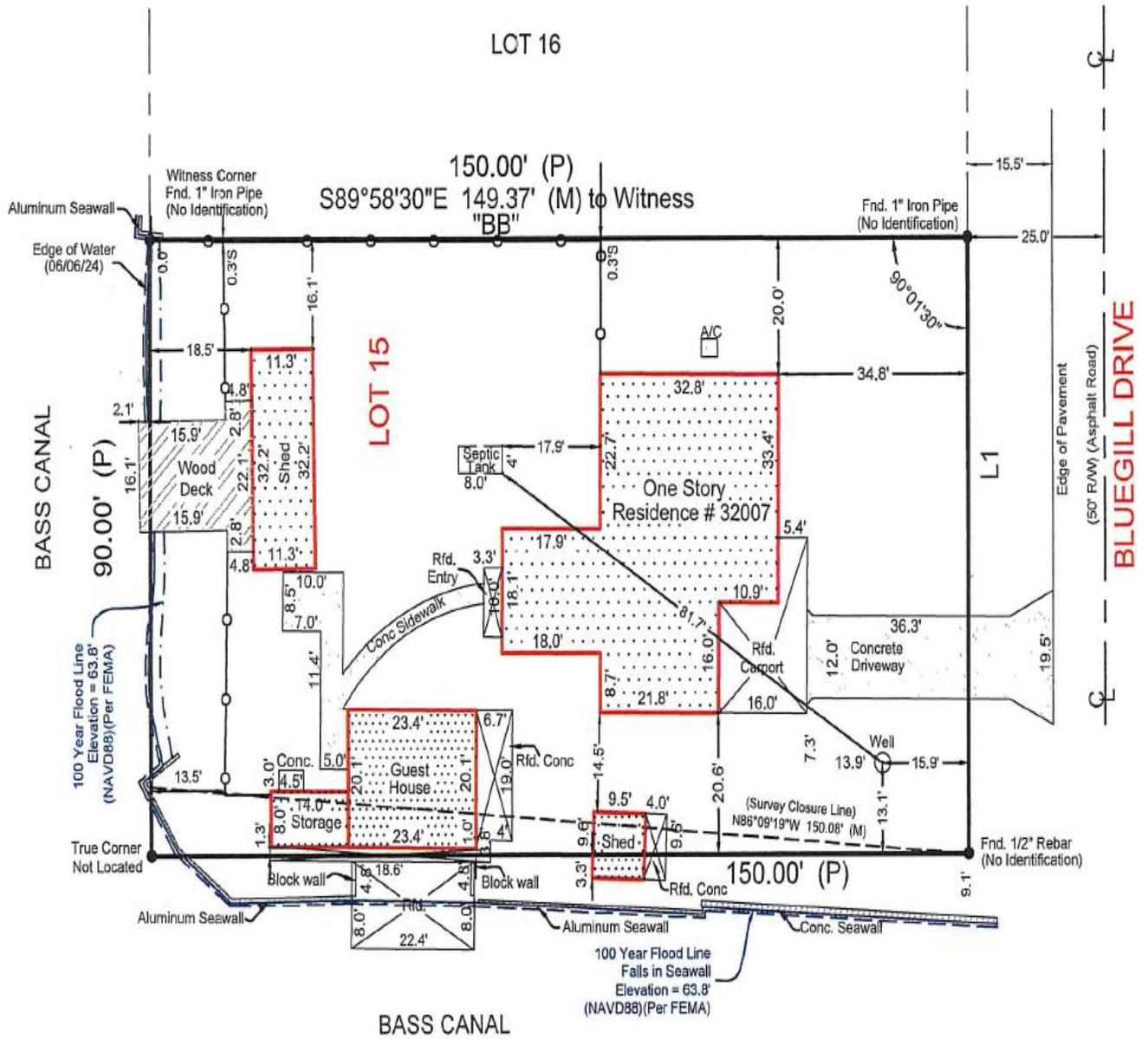


Attachment "B" – Zoning Map

CURRENT ZONING



Attachment "C" – Plot Plan (1 of 4)



Attachment "C" – Plot Plan (2 of 4)

BOUNDARY SURVEY

LEGAL DESCRIPTION:

LOT 15, ORANGE BLOSSOM ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 46, 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. THIS PROPERTY WAS FOUND IN LAKE COUNTY, COMMUNITY NUMBER 120421, DATED 12/18/2012.

CERTIFIED TO:

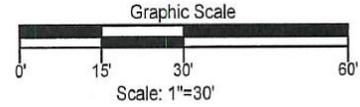
ELMO ADAMS



32007 BLUEGILL DRIVE, TAVARES, FLORIDA 32778

Attachment "C" – Plot Plan (3 of 4)

90.00' (P)
S00°47'23"W 90.02' (M)



Assumed Bearings

Revision: Updated Survey - 06/06/24 - AWW
Revision: Updated Survey - 02/08/19 - TK

Field Date: 6/6/2024		Date Completed: 06/06/24		-NOTES-	
Drawn By: .P.		File Number: JS-48365 U2		>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 basis shown hereon, 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 Drainfield 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 Hereon shall be construed to give ANY Rights or Benefits to Anyone Other than those Certified.	
-Legend-				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 5J-17.052 Florida Administrative Codes, Pursuant to Section 472.027 Florida Statutes.	
C - Calculated CL - Centerline CB - Concrete Block CM - Concrete Monument Conc. - Concrete D - Description DE - Drainage Easement Esmt. - Easement F.E.M.A. - Federal Emergency Management Agency FFE - Finished Floor Elevation Fnd. - Found IP - Iron Pipe L - Length (Arc) M - Measured N&D - Nail & Disk N.R. - Non-Radial ORB - Official Records Book P - Plat P.B. - Plat Book □ - 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 Rad. - Radial R&C - Rebar & Cap Rec. - Recovered Rfd. - Roofed Set - Set 1/2" Rebar & Rebar Cap "LB 7623" Typ. - Typical UE - Utility Easement WM - Water Meter Δ - Delta (Central Angle) -O- - Chain Link Fence	PATRICK IRELAND NO. 6637 STATE OF FLORIDA LAND SURVEYOR			
-POINTS OF INTEREST- ROOFED AREA, SHED, WOOD DECK & SEAWALLS EXTEND OVER PROPERTY LINES.				PATRICK IRELAND 6637 LB: 7623 This survey is intended ONLY for the use of said certified parties. This survey is NOT valid without signature and embossed with Surveyors Seal.	
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 "C" – Plot Plan (4 of 4)

LEGAL DESCRIPTION:

LOT 15, ORANGE BLOSSOM ESTATES, ACCORDING TO THE ³LAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 46, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

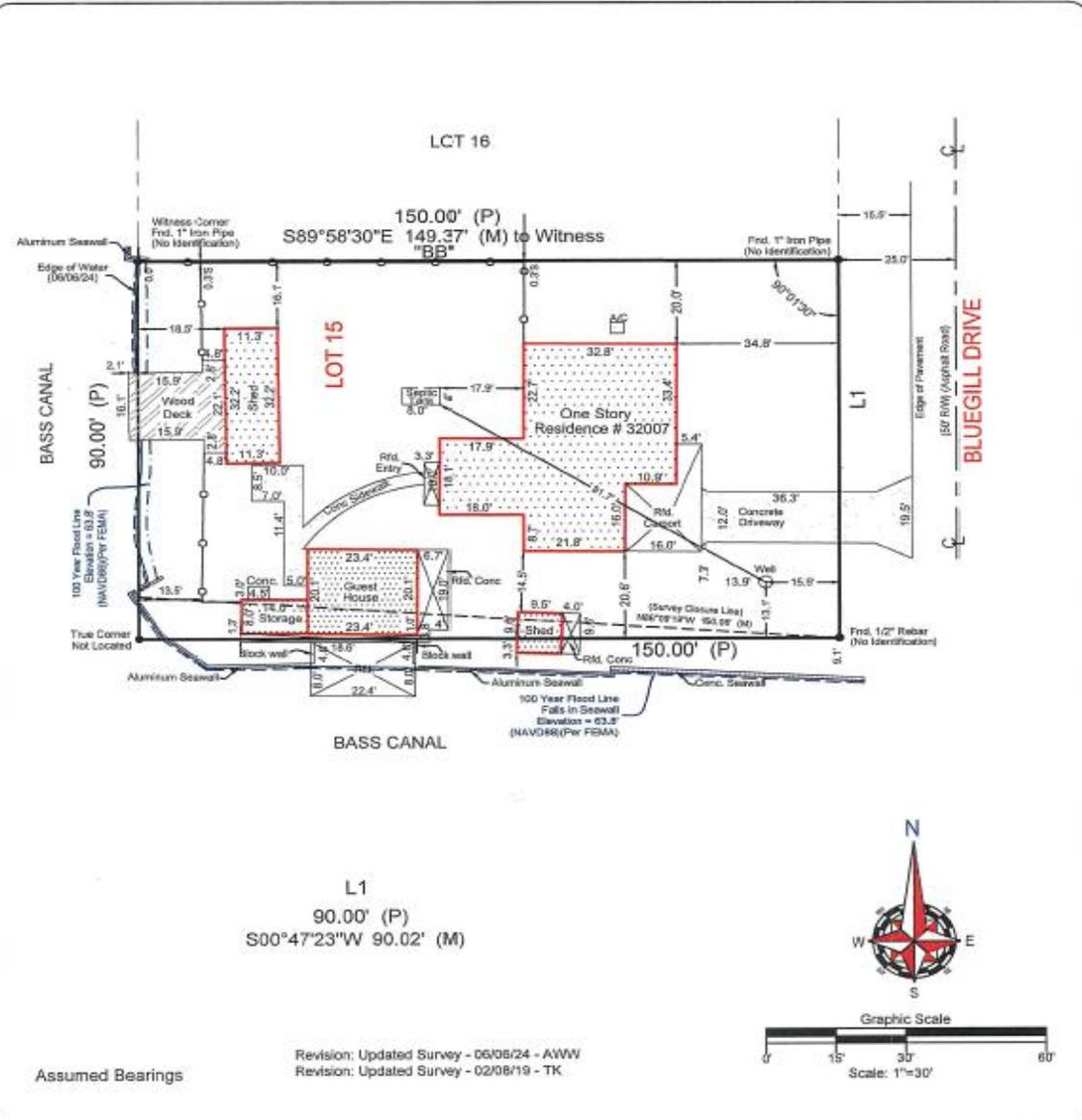
FLOOD INFORMATION:

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

CERTIFIED TO:
ELMO ADAMS



32007 BLUEGILL DRIVE, TAVARES, FLORIDA 32778



Field Date: 05/2024	Date Completed: 05/06/24
Drawn By: J.P.	File Number: JS-48345 U2
<p>Legend</p> <ul style="list-style-type: none"> CC - Calculated CB - Centerline CS - Concrete Stack CM - Concrete Monument CON - Concrete D - Description DE - Drainage Easement EM - Easement F.E.M.A. - Federal Emergency Management Agency F.F.E. - Finished Floor Elevation EW - Easement PC - Point of Curvature PP - Page PI - Point of Intersection P.O.B. - Point of Beginning P.O.I. - Point on Line PP - Power Pole PRM - Permanent Reference Monument PT - Point of Tangency R - Radius Rad. - Radial R&C - Rebar & Cap 	

NOTES:

- > Survey is Based upon the Legal Description Supplied by Client.
- > Abutting Properties Deeds have NOT been researched for Gaps, Overlaps and/or Errors.
- > Subject to any Easements and/or Restrictions of Record.
- > Existing data shown herein, is Assumed and Based upon the Use Disclosed with a "SIC" otherwise noted.
- > Building Ties are NOT to be used to reconstruct Property Lines.
- > Fence Ownership is NOT determined.
- > Shared Overhangs, Underground Utilities and/or Footers have NOT been located UNLESS otherwise noted.
- > Spot, Tack and/or Irregular 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.

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 5J-17.003 Florida Administrative Codes, Pursuant to Section 472.007 Florida Statutes.

Patrick Ireland
PATRICK IRELAND 6437 1.0: 7623
100 WEST STATE ST. TAVARES, FLORIDA 32778

Attachment “D” – Floodplain Management (1 of 7)

RE: Review Request | Fritzke Accessory Structure | VAR | AK 1481660 | AR 6101 | PZ2025-193

From Bursa, Karl <karl.bursa@lakecountyfl.gov>
Date Wed 7/30/2025 12:08 PM
To DeVogel, Corey <corey.devogel@lakecountyfl.gov>

Corey:

Thanks for the opportunity to review this application.

The Applicant’s converted accessory structure is too close to the flooding source for me to be comfortable approving it without additional information. Base Flood Elevation for this area is 63.8’ NAVD88; and the Google Earth aerials support the possibility that this structure may have been flooded during Hurricane Milton.

As a condition of approval, I’ll require an elevation certificate for this structure to show that the finished floor elevation (FFE) is at least above the Design Flood Elevation requirements of 65.3’ NAVD88.

If the Applicant is able to demonstrate that the structure is at least above DFE, I’ll be willing to sign off on it at that time.

Thanks.



KARL W. BURSA, AICP, CFM
Public Works Operations Manager

PUBLIC WORKS

A P.O. Box 7800, 323 N. Sinclair Ave. Tavares, FL 32778

P 352-253-9080 | **F** 352-253-9086

Attachment "D" – Floodplain (2 of 7)

U.S. DEPARTMENT OF HOMELAND SECURITY
Federal Emergency Management Agency
National Flood Insurance Program

OMB Control No. 1660-0008
Expiration Date: 06/30/2026
IS-48365 SHEDEC

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A – PROPERTY INFORMATION	FOR INSURANCE COMPANY USE
A1. Building Owner's Name: <u>DARLENE FRITZKE</u>	Policy Number: _____
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>32007 BLUEGILL DRIVE</u>	Company NAIC Number: _____
City: <u>TAVARES</u> State: <u>FLORIDA</u> ZIP Code: <u>32778</u>	
A3. Property Description (e.g., Lot and Block Numbers or Legal Description) and/or Tax Parcel Number: <u>LOT 15, ORANGE BLOSSOM ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 46, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.</u>	
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.): <u>ACCESSORY STRUCTURE - SHED</u>	
A5. Latitude/Longitude: Lat. <u>28° 48' 55.13" N</u> Long. <u>81° 46' 25.61" W</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input type="checkbox"/> NAD 1983 <input checked="" type="checkbox"/> WGS 84	
A6. Attach at least two and when possible four clear color photographs (one for each side) of the building (see Form pages 7 and 8).	
A7. Building Diagram Number: <u>5</u>	
A8. For a building with a crawlspace or enclosure(s): <ul style="list-style-type: none"> a) Square footage of crawlspace or enclosure(s): <u>N/A</u> sq. ft. b) Is there at least one permanent flood opening on two different sides of each enclosed area? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A c) Enter number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: <u>N/A</u> d) Total net open area of non-engineered flood openings in A8.c: <u>N/A</u> sq. in. e) Total rated area of engineered flood openings in A8.c (attach documentation – see Instructions): <u>N/A</u> sq. ft. f) Sum of A8.d and A8.e rated area (if applicable – see Instructions): <u>N/A</u> sq. ft. 	
A9. For a building with an attached garage: <ul style="list-style-type: none"> a) Square footage of attached garage: <u>N/A</u> sq. ft. b) Is there at least one permanent flood opening on two different sides of the attached garage? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade: Non-engineered flood openings: <u>N/A</u> Engineered flood openings: <u>N/A</u> d) Total net open area of non-engineered flood openings in A9.c: <u>N/A</u> sq. in. e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): <u>N/A</u> sq. ft. f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): <u>N/A</u> sq. ft. 	
SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION	

Attachment "D" – Floodplain (3 of 7)

c) Enter number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade:
 Non-engineered flood openings: N/A Engineered flood openings: N/A

d) Total net open area of non-engineered flood openings in A9.c: N/A sq. in.

e) Total rated area of engineered flood openings in A9.c (attach documentation – see Instructions): N/A sq. ft.

f) Sum of A9.d and A9.e rated area (if applicable – see Instructions): N/A sq. ft.

SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1.a. NFIP Community Name: LAKE COUNTY UNINCORPORATED AREAS B1.b. NFIP Community Identification Number: 120421

B2. County Name: LAKE B3. State: FLORIDA B4. Map/Panel No.: 12069C-0334 B5. Suffix: E

B6. FIRM Index Date: 12/18/2012 B7. FIRM Panel Effective/Revised Date: 12/18/2012

B8. Flood Zone(s): X/AE B9. Base Flood Elevation(s) (BFE) (Zone AO, use Base Flood Depth): 63.8'

B10. Indicate the source of the BFE data or Base Flood Depth entered in Item B9:
 FIS FIRM Community Determined Other: _____

B11. Indicate elevation datum used for BFE in Item B9: NGVD 1929 NAVD 1988 Other/Source: _____

B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Yes No
 Designation Date: N/A CBRS OPA

B13. Is the building located seaward of the Limit of Moderate Wave Action (LiMWA)? Yes No

ELEVATION CERTIFICATE

IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11

IS-48365
SHEDEC

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>32007 BLUEGILL DRIVE</u> City: <u>TAVARES</u> State: <u>FLORIDA</u> ZIP Code: <u>32778</u>	FOR INSURANCE COMPANY USE Policy Number: _____ Company NAIC Number: _____
SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)	
C1. Building elevations are based on: <input type="checkbox"/> Construction Drawings* <input type="checkbox"/> Building Under Construction* <input checked="" type="checkbox"/> Finished Construction *A new Elevation Certificate will be required when construction of the building is complete.	
C2. Elevations – Zones A1–A30, AE, AH, AO, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO, A99. Complete Items C2.a–h below according to the Building Diagram specified in Item A7. In Puerto Rico only, enter meters. Benchmark Utilized: <u>LAKE COUNTY LK 276 – 2015 ; ;</u> Vertical Datum: <u>NAVD88</u>	
Indicate elevation datum used for the elevations in items a) through h) below. <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other: _____	
Datum used for building elevations must be the same as that used for the BFE. Conversion factor used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe the source of the conversion factor in the Section D Comments area.	
Check the measurement used: _____	

Attachment "D" – Floodplain (4 of 7)

Datum used for building elevations must be the same as that used for the B.F.E. Conversion factor used? Yes No
 If Yes, describe the source of the conversion factor in the Section D Comments area.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor):	<u>67.4</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
b) Top of the next higher floor (see Instructions):	<u>N/A</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (see Instructions):	<u>N/A</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
d) Attached garage (top of slab):	<u>N/A</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
e) Lowest elevation of Machinery and Equipment (M&E) servicing the building (describe type of M&E and location in Section D Comments area):	<u>66.8</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest Adjacent Grade (LAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished	<u>65.8</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest Adjacent Grade (HAG) next to building: <input type="checkbox"/> Natural <input checked="" type="checkbox"/> Finished	<u>66.4</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
h) Finished LAG at lowest elevation of attached deck or stairs, including structural support:	<u>65.9</u>	<input checked="" type="checkbox"/> feet <input type="checkbox"/> meters

SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by state law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor? Yes No
 Check here if attachments and describe in the Comments area.

Patrick K Ireland Digitally signed by Patrick K Ireland
 Date: 2025.08.08 10:46:30 -04'00'

Certifier's Name: PATRICK IRELAND License Number: 6637
 Title: PROFESSIONAL SURVEYOR AND MAPPER
 Company Name: IRELAND & ASSOCIATES SURVEYING, INC.
 Address: 800 CURRENCY CIRCLE, SUITE 1020
 City: LAKE MARY State: FLORIDA ZIP Code: 32746
 Signature: *Patrick K. Ireland* Date: 8/8/2025
 Telephone: P: (407)678-3366 Ext.: _____ Email: orders@irelandsurveying.com



Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including source of conversion factor in C2; type of equipment and location per C2.e; and description of any attachments):
 NOTE: C2.E. = AC UNIT LOCATED IN REAR OF STRUCTURE, NOTE: SOURCE OF LATITUDE AND LONGITUDE IS GOOGLE MAPS,

CENTERLINE ROAD ELEVATION:

ELEVATION CERTIFICATE

Attachment "D" – Floodplain (5 of 7)

ELEVATION CERTIFICATE
IMPORTANT: MUST FOLLOW THE INSTRUCTIONS ON INSTRUCTION PAGES 1-11
BUILDING PHOTOGRAPHS

See Instructions for Item A6.

IS-48365
SHEDEC

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>32007 BLUEGILL DRIVE</u>	FOR INSURANCE COMPANY USE Policy Number: _____ Company NAIC Number: _____
City: <u>TAVARES</u> State: <u>FLORIDA</u> ZIP Code: <u>32778</u>	

Instructions: Insert below at least two and when possible four photographs showing each side of the building (for example, may only be able to take front and back pictures of townhouses/rowhouses). Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." Photographs must show the foundation. When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo One

Photo One Caption: Front View 08/08/2025



Attachment "D" – Floodplain (6 of 7)

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.: <u>32007 BLUEGILL DRIVE</u>	FOR INSURANCE COMPANY USE
City: <u>TAVARES</u> State: <u>FLORIDA</u> ZIP Code: <u>32778</u>	Policy Number: _____
	Company NAIC Number: _____

Insert the third and fourth photographs below. Identify all photographs with the date taken and "Front View," "Rear View," "Right Side View," or "Left Side View." When flood openings are present, include at least one close-up photograph of representative flood openings or vents, as indicated in Sections A8 and A9.



Photo Three

Photo Three Caption: Right Side View 08/08/2025



Attachment “D” – Floodplain (7 of 7)

RE: Variance App Fritzke: Your Elevation Certificate IS-48365 ShedEC is complete. Your file number:

From Bursa, Karl <karl.bursa@lakecountyfl.gov>

Date Tue 8/12/2025 9:51 AM

To DeVogel, Corey <corey.devogel@lakecountyfl.gov>

Corey:

Based on the elevation certificate provided, this structure is compliant with minimum Base Flood Elevation, Design Flood Elevation, and Floodplain Management Standards.

Thanks.



KARL W. BURSA, AICP, CFM
Public Works Operations Manager

PUBLIC WORKS

A P.O. Box 7800, 323 N. Sinclair Ave. Tavares, FL 32778

P 352-253-9080 | **F** 352-253-9086

E karl.bursa@lakecountyfl.gov | **W** www.lakecountyfl.gov

NOTE: Florida has a very broad public records law.

Your email communications may be subject to public disclosure.

Attachment "E" – 2016 Code Case Documents (1 of 2)

Code Case

Action Order No. Status Location Office ID

Detail Additional Information Case Type Associated Tables Update Info

Grp	Code	Status	Description
A	0700	VIOLATION	BUILDING WITHOUT A PERMIT

Violations

Violation No. Case No.

Status Unit

Original Visit Date

Comply Visit Comply Date

Code

Description

Ordinance

Visits
Violations
Crews
Schedule
Charges
Notify
Code Board
Citations
Relocation

Attachment "E" – 2016 Code Case Documents (2 of 2)

File

Ref Type AD Ref Key 41616

List Detail Update Info Audit Info

Security Status

NORMAL INFO

Comment

4/5/2016 - PER LDR 1.08.03, THE ACCESSORY DWELLING UNIT MAY CONTINUE TO BE ON THIS PARCEL. WHEN THE OWNER COMES IN SEE TTM TO SIGN OFF ON THE ZONING PERMIT. ENTERED BY RAM.

⏪ ⏩ + - ▲ ✓ ✕ Return

Attachment "F" – 2024 Code Case Documents (1 of 7)



OFFICE OF BUILDING SERVICES NOTICE OF CODE VIOLATION

DATE: 5/7/2024

**DARLENE A FRITZKE
32007 BLUEGILL DR
TAVARES, FL 32778**

LOCATION OF VIOLATION: 32007 BLUEGILL DR., TAVARES

IN ACCORDANCE WITH LAKE COUNTY CODE AND/OR LAND DEVELOPMENT REGULATIONS YOU ARE HEREBY NOTIFIED THAT THE ABOVE-DESCRIBED PROPERTY IS IN VIOLATION OF SECTION(S):

**Lake County Code Chapter 6, Section 6-3(a) PERMITS
Building without a permit.**

IN ORDER TO PREVENT ANY FURTHER ACTION, THE FOLLOWING CORRECTIVE MEASURES MUST BE TAKEN:

A building permit will need to be issued, within 30 days, for both sheds, including any and all electrical, plumbing, A/C and the deck. A final inspection will need to be obtained within the required time frame of the building permit.

DAYS TO COMPLY: 30

**TIM HORTON
LICENSING INVESTIGATOR**

**2024050032
CASE NUMBER**

Attachment “F” – 2024 Code Case Documents (2 of 7)

Date: 7/2/2025

DARLENE A FRITZKE
32007 BLUEGILL DR
TAVARES, FL 32778

CASE NUMBER: SM2024050032
PROPERTY LOCATION: 32007 BLUEGILL DR, TAVARES
ALTERNATE KEY: 1481660
PROPERTY ZONING: RESIDENTIAL
PROPERTY DESCRIPTION: ORANGE BLOSSOM ESTATES LOT 15 PB 12 PG 46 ORB 5947 PG 1727

INSPECTION VISIT DATE: 05/06/2024

YOU ARE HEREBY NOTIFIED that an inspection of the above property disclosed that you have violated the code(s)/ordinance(s) of Lake County, Florida that are itemized and attached to this letter. Therefore you are directed to correct the violations within **TEN (10)** days from receipt of this letter, notice or posting. If you have any questions regarding this matter, we strongly recommend that you contact our office as soon as possible to avoid any further Enforcement action.

Failure to comply with the code/ordinance requirements specified will result in the case being submitted to the Lake County, Florida Special Magistrate where fines may be assessed of up to \$1,000.00 per day, for each of the violation that exists.

ATTENTION: It is your responsibility to notify the Building Division when the violation(s) have been corrected.

For any additional information or remedies please call Investigator Tim Horton at (352)636-4948 or email tim.horton@lakecountyfl.gov.

NOTE: PERMITS MAY BE REQUIRED FOR THE WORK TO BE PERFORMED. Please contact Lake County Building Services 315 W. Main St. Tavares, FL. 32778 (352-343-9653) and provide a copy of this letter.

Sincerely,

Licensing Investigator
Lake County, Florida

Attachment “F” – 2024 Code Case Documents (3 of 7)

Page 2

Code(s)/Ordinance(s) Violated

- Lake County, Florida Code Chapter 6, Section 6-3(a) Permits.

Generally. The erection, alteration, or reconstruction of any building or structure, Shall not be commenced without obtaining a building permit from the Lake County Building Official. No building permit shall be issued without written certification that the plans submitted conform to the applicable regulations.

- Lake County, Florida Code Chapter 6, Section 6-22(e)105.5 Expiration.

Time limitation of Building Permits. Building permits shall expire and become null and void if work authorized by such permits is not commenced, having called for and received a satisfactory inspection, within six (6) months from the date of issuance of the permit, or if the work is not completed within one (1) year from the date of issuance of the building permit, that the time may be extended by the Lake County Building Official, subject to compliance with the provisions of concurrency management procedures.

Corrective Action Required: Obtain building permit for all construction activity.

THE PROPERTY HAS A LARGE SHED, WITH ELECTRICAL, PLUMBING, SEPTIC AND A LARGE DECK, WITHOUT PERMITS, WHICH IS BEING USED AS AN ACCESSORY DWELLING UNIT, WITHOUT A PERMIT.

Attachment "F" – 2024 Code Case Documents (4 of 7)

BEFORE THE SPECIAL MASTER
LAKE COUNTY, STATE OF FLORIDA

LAKE COUNTY,
Petitioner,

vs.

Case No. SM 2024-05-0032

DARLENE A FRITZKE,
Respondent(s).

_____ /

STATEMENT OF VIOLATION
AND
NOTICE OF HEARING

TO: DARLENE A FRITZKE :

YOU ARE NOTIFIED that you are cited for violation of the below provision(s) of the Lake County Code, and that the Lake County Building Official has requested a hearing before the SPECIAL MASTER of Lake County, Florida, on Wednesday, July 16, 2025, at 9:00 a.m. in the Lake County Administration Building, Board Chambers, 2nd floor, 315 W. Main Street, Tavares, Florida.

1. Sections of the Lake County Land Development Regulation/Code alleged to be violated: Section(s) 6-3 (a) PERMITS.
2. Name and address of the violator: DARLENE A FRITZKE, 32007 BLUEGILL DR TAVARES, FL 32778.
3. Description of property where violation is cited: Alternate Key #1481660, 32007 BLUE GILL DR TAVARES, FL; LEGAL DESCRIPTION:

Lot 15, Orange Blossom Estates, according to the map or plat thereof, as recorded in Plat Book 12, Page(s) 46, of the Public Records of Lake County, Florida.
4. Description of violation: The property has a large shed, with electrical, plumbing, septic and a large deck, without permits, which is being used as an Accessory Dwelling Unit, without a permit.
5. Date violation first observed: May 06, 2024.
6. Date violation to be cleared by: July 11, 2025 by obtaining the required permits for all work done/to be done or to remove all unpermitted work and return to original state.

Attachment “F” – 2024 Code Case Documents (5 of 7)

6. Date violation to be cleared by: July 11, 2025 by obtaining the required permits for all work done/to be done or to remove all unpermitted work and return to original state.

If the alleged violation is not corrected by the date in section 6 above, the case will be presented to the Special Master, on July 16, 2025, at 9:00 a.m. in the Lake County Administration Building, 315 W. Main St., 2nd floor-chambers, Tavares, Florida even if the violation has been corrected, and you may be ordered to pay all costs. If the Special Master finds you in violation, an Order of Enforcement will be entered against you and you may be ordered to pay all costs, fees and expenses related to prosecution of this violation. If you fail to comply with the Order of Enforcement, the Special Master may issue an Order of Fine requiring you to pay a fine for each day the violation continues, plus recording fees and costs. Furthermore, the Order of Enforcement and Order of Fine may be recorded in the Official Records of Lake County, Florida and can act as liens against you and any personal or real property that you own.

DARLENE A FRITZKE
SM 2024-05-0032
Page 2

Pursuant to Section 8-4 (b), Lake County Code, you have been provided a reasonable period of time, in light of the nature of the violation, to correct the violation.

If the violation described above is corrected by the date in paragraph 6 above, please contact the Office of Building Services at (352) 343-9653 so that an inspection can be made to confirm compliance. If the violation is corrected, your case may still be presented to the Special Master to enter a remain in compliance order.

Pursuant to Section 8-1 (c), Lake County Code, if you object to Charles D. Johnson presiding as Special Master, you must notify the County no later than ten (10) calendar days prior to the hearing of your objection.

If the Special Master finds the violation to be irreparable or irreversible in nature, he may impose a fine not to exceed \$15,000.00 per violation.

If you desire to request subpoenas for witnesses and evidence to be presented at the hearing, contact the Office of Building Services at least twenty-four (24) hours prior to the hearing.

Attachment “F” – 2024 Code Case Documents (6 of 7)

PLEASE GOVERN YOURSELF ACCORDINGLY

Dated this ___ day of _____, 2025

Dated this ___ day of _____, 2025

William Ondulich
Building Official

Melissa R. Martinez Utley
Attorney for Lake County

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 Special Master, it is the duty of such person to ensure that a verbatim record of the proceedings for such purpose is made. Pursuant to Section 162.11, Florida Statutes, either Lake County or a Respondent may appeal a final order of the Special Master to the Circuit Court in Lake County, Florida. Such an appeal must be filed within thirty (30) days of the execution of the order to be appealed. Pursuant to Section 14.17.00, Lake County Code, Appendix E, Land Development Regulations, any owner who believes an enforcement action is unreasonable or unfairly burdensome to the use of the owner's real property may request a Special Master proceeding within thirty (30) days of receipt of the order.

If you are a person with a disability who needs accommodation in order to participate in this proceeding, you are entitled, at no cost to you, the provision of certain assistance. Please contact Lake County at 352-343-9760, 48 hours in advance of your scheduled hearing, or immediately upon receiving this notification if the time before the hearing is less than 48 hours; if you are hearing or voice impaired, call 711 or 352-253-1840.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Statement of Violation and Notice of Hearing has been furnished by U.S. Certified Mail to: DARLENE A FRITZKE, 32007 BLUEGILL DR TAVARES, FL 32778, this _____ day of _____, 2025.

Public Hearing Coordinator

Attachment "F" – 2024 Code Case Documents (7 of 7)



Attachment “G” – Average Setback

June 21, 2024

Darlene Fritzke
32007 Bluegill Drive
Tavares, FL 32778

Via Email: darlenefritzke@gmail.com

Re: Average Setback Results (AS #AS-2024-09)– Alternate Key #1481660

Dear Darlene Fritzke,

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

32017 Bluegill Dr, Tavares, FL	Front 52.57 Ft.	EOP to Ext Wall of SFR
32017 Bluegill Dr, Tavares, FL	Rear 74.00 Ft.	SW to Ext Wall of SFR
32025 Bluegill Dr, Tavares, FL	Front 45.70 Ft.	EOP to Ext Wall of SFR
32025 Bluegill Dr, Tavares, FL	Rear 37.20 Ft.	TOB to Ext Wall of SFR

The measurements resulted in an Average Front Setback of 49.14 feet from the Edge of Pavement to Exterior Wall of the single-family residence.

The measurements resulted in an Average Rear Setback of 37.20 feet from SW/TOB to 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 karenlee.capps@lakecountyfl.gov.

Sincerely,

Attachment "H" – Project Narrative (1 of 2)

Describe the Development Request:

12x32 shed with electric + water to be used as accessory structure. The mini kitchen will be removed so it does not meet ADU requirements. Previous Average Setback completed

Provide Justification for the Request:

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

My property sits in extremely close proximity to the canal and my septic, moving the shed back 18.7 feet per results of Average Setback would jeopardize the integrity of septic.

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 Setback was completed, noting the shed would need to be moved back 18.7 feet which would compromise my septic system.

Attachment "H" – Project Narrative (2 of 2)

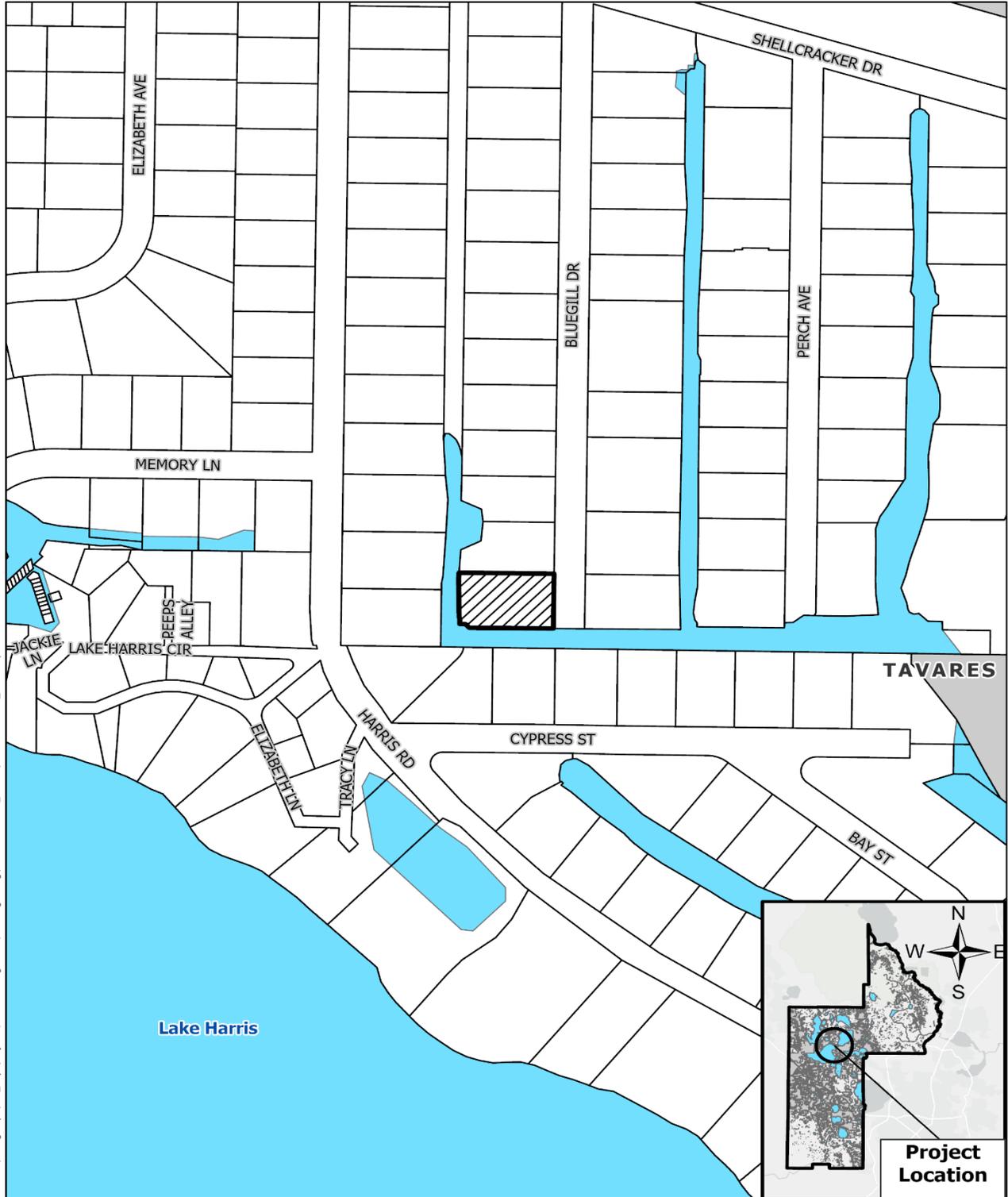
1. What is the substantial hardship in meeting the specific code requirement?

My property is in close proximity to surrounding canal and my septic system drain field, there is limited space to set the shed given this dynamic. Given location of my property it is difficult and almost impossible to adhere to current codes.

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

I have previously attempted the average setback application, I plan on upholding the fundamental goal of protecting canal frontage with a raised deck entrance that allows the natural canal edge vegetation to stay intact. The setback requirement goal will be maintained. The building is also aesthetically pleasing and will add value to surrounding properties.

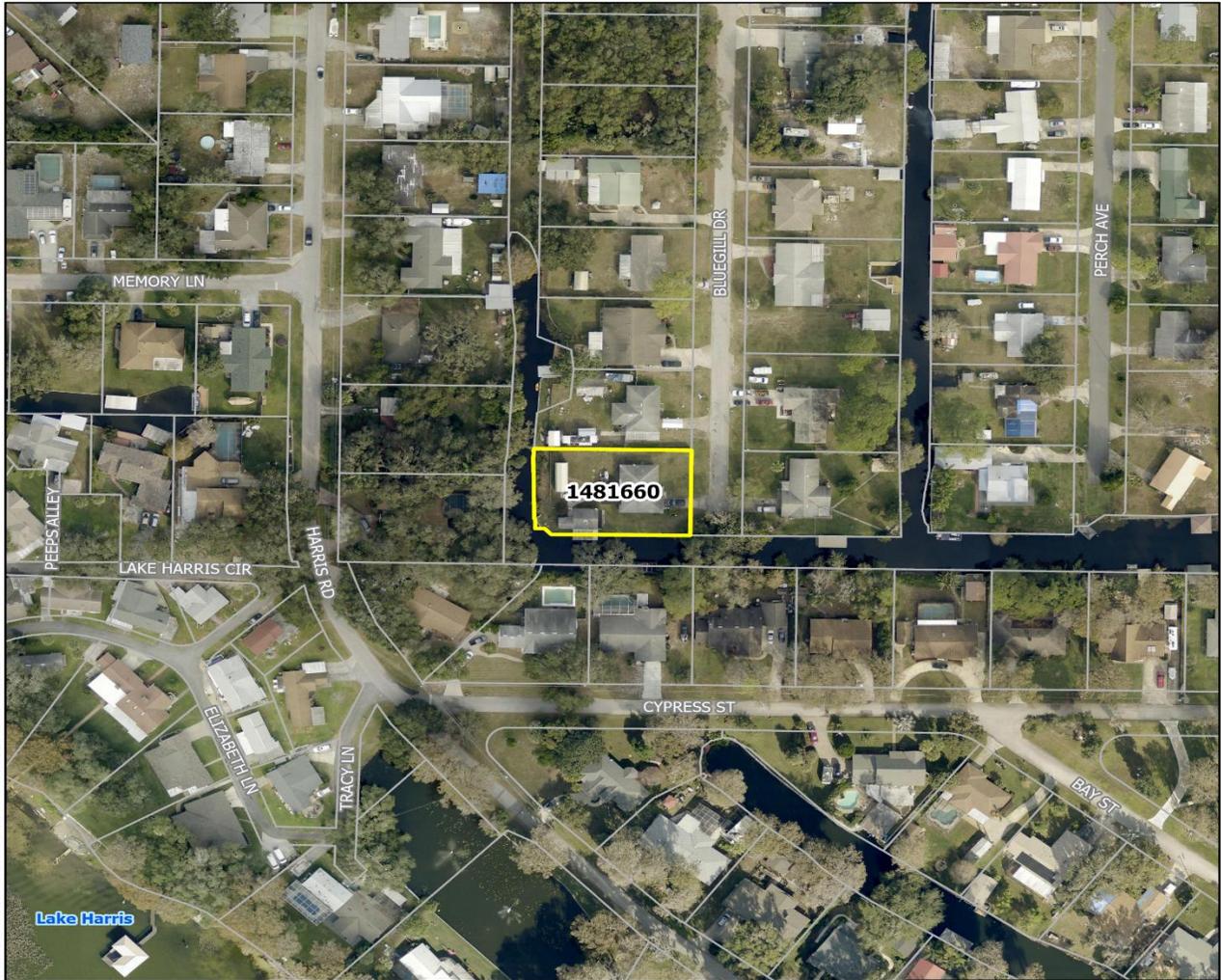
Map of Subject Property



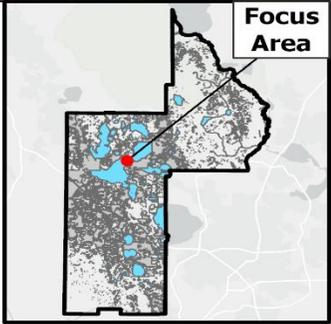
Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\Var-PZ2025-193_Fritzsche.aprx
7/9/2025

Aerial Map of Subject Property

**Var-PZ2025-193
Fritzke Accessory Structure**



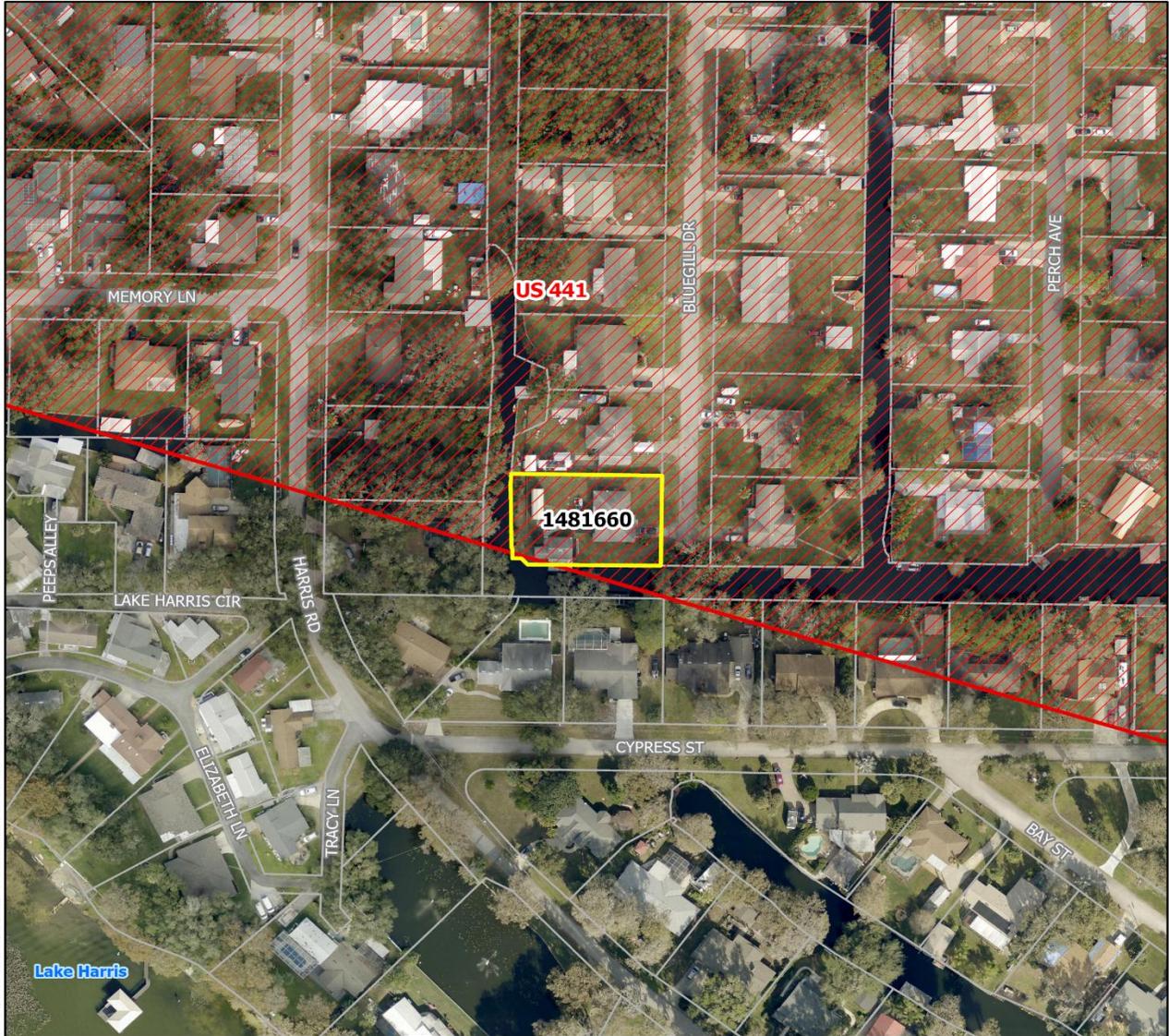
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7/9/2025

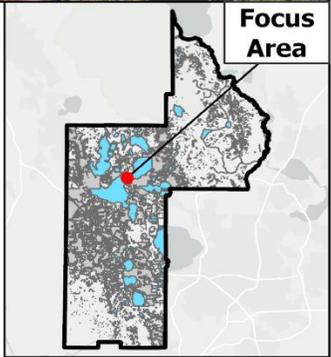
Overlay District Map

Var-PZ2025-193 Fritzsche Accessory Structure



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\Var-PZ2025-193_Fritzsche\Var-PZ2025-193_Fritzsche.aprx

Fritzsche Accessory Structure



7/9/2025

FINAL DEVELOPMENT ORDER

(PZ2025-193 / AR 6101)

WHEREAS, Darlene Fritzke (the “Applicant”) requested a variance on behalf of Darlene A. Fritzke (the “Owner”), to LDR 6.01.04(A)(1) to allow for an unpermitted 11-foot high, 364 square foot shed to be 18.5 feet from the rear property line and to allow a wood deck and an unpermitted 189 square-foot shed with a 0-foot rear yard setback, in lieu of the required 50-foot rear yard setback from the ordinary high-water line, mean high-water line or jurisdictional wetland line (seawall), and a variance to LDR Table 3.02.06 to allow for an Impervious Surface Ratio of 34%, in lieu of the maximum allowable Impervious Surface Ratio of 30%; and

WHEREAS, the subject property consists of approximately 0.33 +/- acres located at 32007 Bluegill Drive in the unincorporated Tavares area in Section 24, Township 19 South, Range 25 East, identified by Alternate Key Number 1481660, 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 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:

1. **Variance Granted**: A variance to LDR 6.01.04(A)(1) to allow for an unpermitted 11-foot high, 364 square foot shed to be 18.5 feet from the rear property line and to allow a wood deck and an unpermitted 189 square-foot shed with a 0-foot rear yard setback, in lieu of the required 50-foot rear yard setback from the ordinary high-water line, mean high-water line or jurisdictional wetland line (seawall), and a variance to LDR Table 3.02.06 to allow for an Impervious Surface Ratio of 34%, in lieu of the maximum allowable Impervious Surface Ratio of 30% is hereby granted.

2. **Conditions**: Prior to the issuance of the zoning permit for the improvement/addition:
 - a. Stormwater calculations must be submitted at the time of issuance of each individual zoning permit for an interceptor/environmental swale that is sized to capture the first one inch (1”) of stormwater runoff on the subject parcel.
 - b. Storm water calculations must be reviewed and approved by the Lake County Public Works Department.
 - c. The storm water abatement system must be depicted on a scaled plot plan with an engineered design that includes a plan and calculations and must be submitted with the zoning permit application for improvement/addition for the site.

- d. A separate building and zoning permit will be required for each structure.
- e. The subject structures are not to have any qualities that could lead to the classification as an accessory dwelling unit.
- f. Development shall be limited to 33 feet in width and depth.
- g. An elevation certificate for this structure to show that the finished floor elevation (FFE) is at least above the Design Flood Elevation requirements of 65.3' NAVD88.

3. **Inspection:** Prior to the issuance of the Final Inspection for the improvement/addition the storm water abatement system must be installed prior to any final inspection, inspected and approved by the Lake County Public Works Department.

4. **Notice to Owner(s):** The property owners, their successors and assigns, are hereby placed on notice that placing structures closer to the Ordinary High-Water Line, Mean High Water Line, or Jurisdictional Wetland Line, may increase the likelihood of flooding on the property subject to this variance, or to adjacent properties. Approval of this variance does not relieve property owners, their successors, or assignees, from responsibility or liability for flooding or other damage that may be incurred from altering the required setbacks.

5. **No Additional Impervious Surface Area Permitted.** No additional structures or improvements resulting in an increased impervious surface area exceeding 34% shall be permitted on this property.

**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)

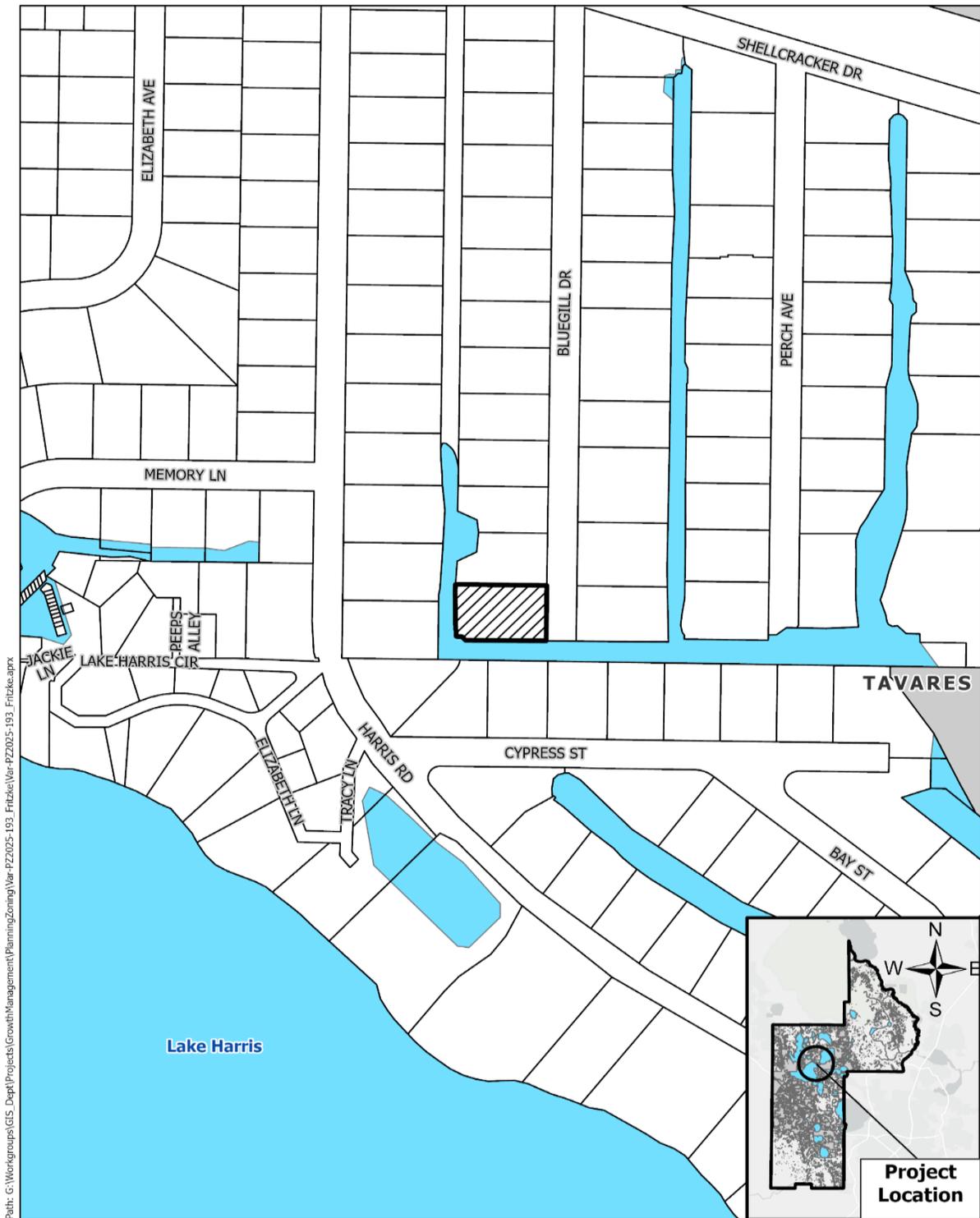
Notary Signature

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 15, Orange Blossom Estates, according to the map or plat thereof, as recorded in Plat Book 12, Page(s) 46, of the Public Records of Lake County, Florida.



Path: c:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\Var-PZ2025-193_Fritzke\Var-PZ2025-193_Fritzke.aprx

7/9/2025