



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

Public Hearing Date: October 1, 2025

Case No. and Project Name: PZ2025-98, 1027 Nell Way

Commissioner District: District 5 – Timothy Morris

Applicant: Karen A. Adams

Owner: Karen A. Adams

Requested Action: Variance to Land Development Regulations (LDR) Section 3.02.05.D and Table 3.02.06 to allow 1) a front setback of 35 feet from the edge of pavement in lieu of the required Average Front Setback of 36.18 feet and 2) an Impervious Surface Ratio (ISR) of 0.70 in lieu of the maximum ISR of 0.65.

Case Manager: Eddie Montanez, Planner I

Subject Property Information

Size: 0.16 +/- net acres

Location: 1027 Nell Way, in the unincorporated Lady Lake area

Alternate Key No.: 1371201

Future Land Use: Urban Medium Density (Attachment “A”)

Current Zoning District: Mixed Home Residential (RM) (Attachment “B”)

Flood Zone(s): A

JPA/ISBA: Lady Lake ISBA

Overlay/Rural Protection Area: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Lady Lake	Town of Lady Lake	Golf Course	Orange Blossom Gardens Unit 13 (Tract A)
South	Urban Medium Density	Mixed Home Residential (RM)	Residential	Nell Way (ROW); Vacant Residential
East	Urban Medium Density	Mixed Home Residential (RM)	Residential	Single-Family Residence
West	Urban Low Density	Mixed Home Residential (RM)	Residential	Single-Family Residence

Summary of Request

The subject parcel identified by Alternate Key Number 1371201 contains approximately 0.16 gross acres, is zoned Mixed Home Residential (RM), and is designated with an Urban Medium Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan.

GIS maps indicate that the subject parcel is located fully within flood zone "A" and there is no indication that wetlands exist on the site. The Property Record Card (PRC) indicates that the subject parcel is vacant.

The Applicant is requesting a variance to LDR Section 3.02.05.D, *Average Front Setbacks*, and Table 3.02.06, *Density, Impervious Surface, Floor Area, and Height Requirements*, to allow 1) a front setback of 35 feet from the edge of pavement in lieu of the required 36.18 feet based on the Average Front Setback Determination for existing development, and 2) an Impervious Surface Ratio (ISR) of 0.70 in lieu of the maximum ISR of 0.65.

The Plot Plan (Attachment "C") depicts the proposed single-family dwelling in the desired location 35 feet from the edge of pavement and includes a calculation of the proposed ISR.

A Building Elevation Certificate has been provided (Attachment "D") and staff has verified that the proposed single-family dwelling does not exceed the maximum height of forty feet (40') allowed within the RM District per LDR Table 3.02.06.

Per Comprehensive Plan Policy I-1.3.3, entitled *Urban Medium Density Future Land Use Category*, the maximum ISR shall be 0.70. The requested variance to the ISR requirement does not exceed the maximum ISR for the FLUC.

The requested action was sent to the Public Works Department and the Chief Fire Plans Examiner to determine if the request is consistent with applicable regulations.

Public Works provided the following informational comments:

"Any lot grading or drainage will be reviewed at time of building permit review."

"The parcel is in an A Flood Zone with a Community-determined Base Flood Elevation (BFE) of 64' NVAD88. The Design Flood Elevation for all new or substantially improved structures is 65.5' NVAD88. Floodplain Management Staff has no objection or comments to the proposed variance."

The Chief Fire Plans Examiner had no comment.

The subject property is located within the Lady Lake Interlocal Service Boundary Agreement (ISBA). The application was provided to Lady Lake for review and comment. No response was received.

For background purposes, the required front setback was established via Average Setback Determination Number 2024-013 dated July 10, 2024 (Attachment "E") as allowed pursuant to LDR Section 3.02.05.D.

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 Table 3.02.05, entitled *Setback Requirements*, is to promote a logical development pattern, provide for safe setbacks between structures and encourage a visually pleasing environment. LDR Section 3.02.05.D provides relief for existing structures that do not conform to the front setbacks established in Table 3.02.05. The Average Front Setback is determined by using the minimum front setback on the same side of the street as the subject property. Average Setback Determination Number 2024-013 dated July 10, 2024 (Attachment "E") for this property is calculated at 36.18 feet. The proposed design of the single-family home only allows for a 35-foot front setback.

The intent of LDR Table 3.02.06, entitled *Density, Impervious Surface, Floor Area, and Height Requirements*, is to protect public health, safety and welfare by limiting the amount of impervious surface to reduce flooding and increase water quality.

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, *"Average Front Setback was approved at 36.18 from edge of payment [sic] to house and 21.18 from boundary to house July 2024. Requested a variance for a 35' front setback from edge of payment to house and 20' front from front boundary. The lots in Orange Blossom Gardens have a variety of setbacks from 20'-22'. A 20' setback and for a new home would be in keeping with the LDR. Requested a variance to increase my ISR from 65% to 68%. I contacted SJRWM and they responded with a Letter of July 11, 2025, that said that a Letter of Determination was not required. Therefore, the ISR is in keeping with the LDR"*.

The Floodplain Determination from Lake County Public Works has been included as Attachment "F".

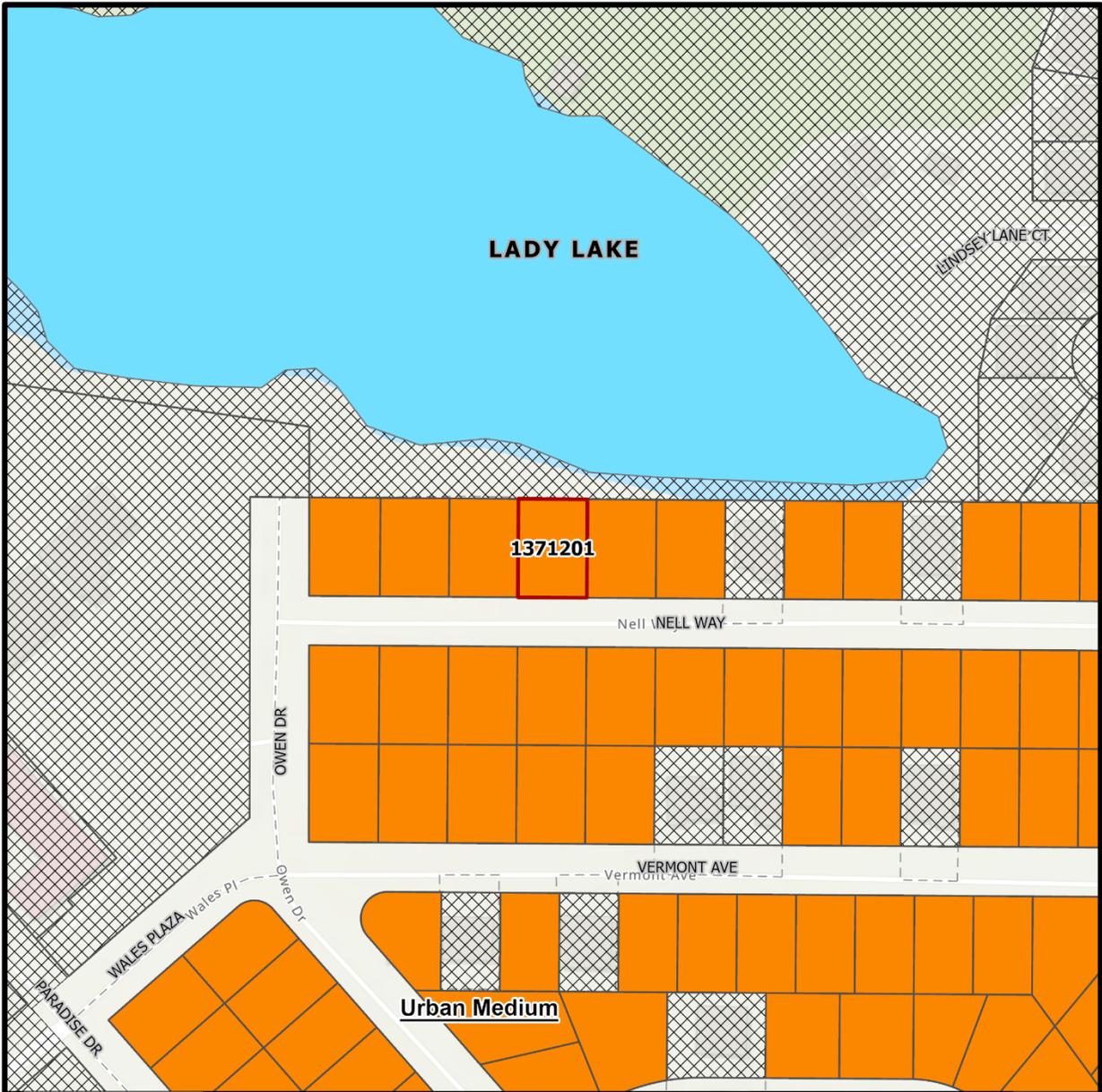
The Applicant provided a letter (Attachment "G") from St. Johns River Water Management District dated July 11, 2025, stating that based on the information provided a District permit is not required.

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, *"The hardship is that the driveway needs to be larger on a narrow street, making it easier for neighbors and the community to traverse the street safely. I do have a large family and require accessibility to use wheelchairs/walkers to get in and out safely. I am requesting a variance for a 35' front setback from the edge of pavement to the building structure (instead of the original 36.18' approved front setback) which was based on the average setback of the two adjacent manufactured homes. This request allows me to add 1' addition to the back porch (13' x 56'). This also gives me an option for a pool/spa. (See survey of plot plan). Since Orange Blossom Gardens has various setbacks, the hardship would not allow one to optimize the space to what is reasonable and within the intent of the LDR."*

Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE

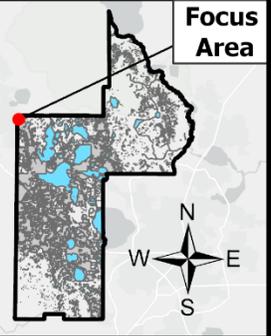


FLU

Urban Medium

NAME: VAR PZ2025-98 1027 NELL WAY
CASE NUMBER: PZ 2025-98
LOCATION (S-T-R): 06-18-24
REQUEST: VARIANCE TO FRONT SETBACK AND ISR

DISTRICT: 1



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5/20/2025

Attachment "B" – Zoning Map

CURRENT ZONING

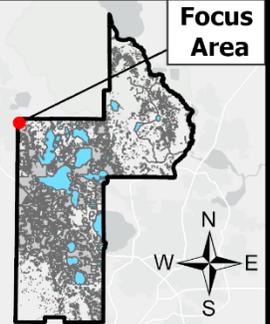


Zoning

RM

NAME: VAR PZ2025-98 1027 NELL WAY
CASE NUMBER: PZ 2025-98
LOCATION (S-T-R): 06-18-24
REQUEST: VARIANCE TO FRONT SETBACK AND ISR

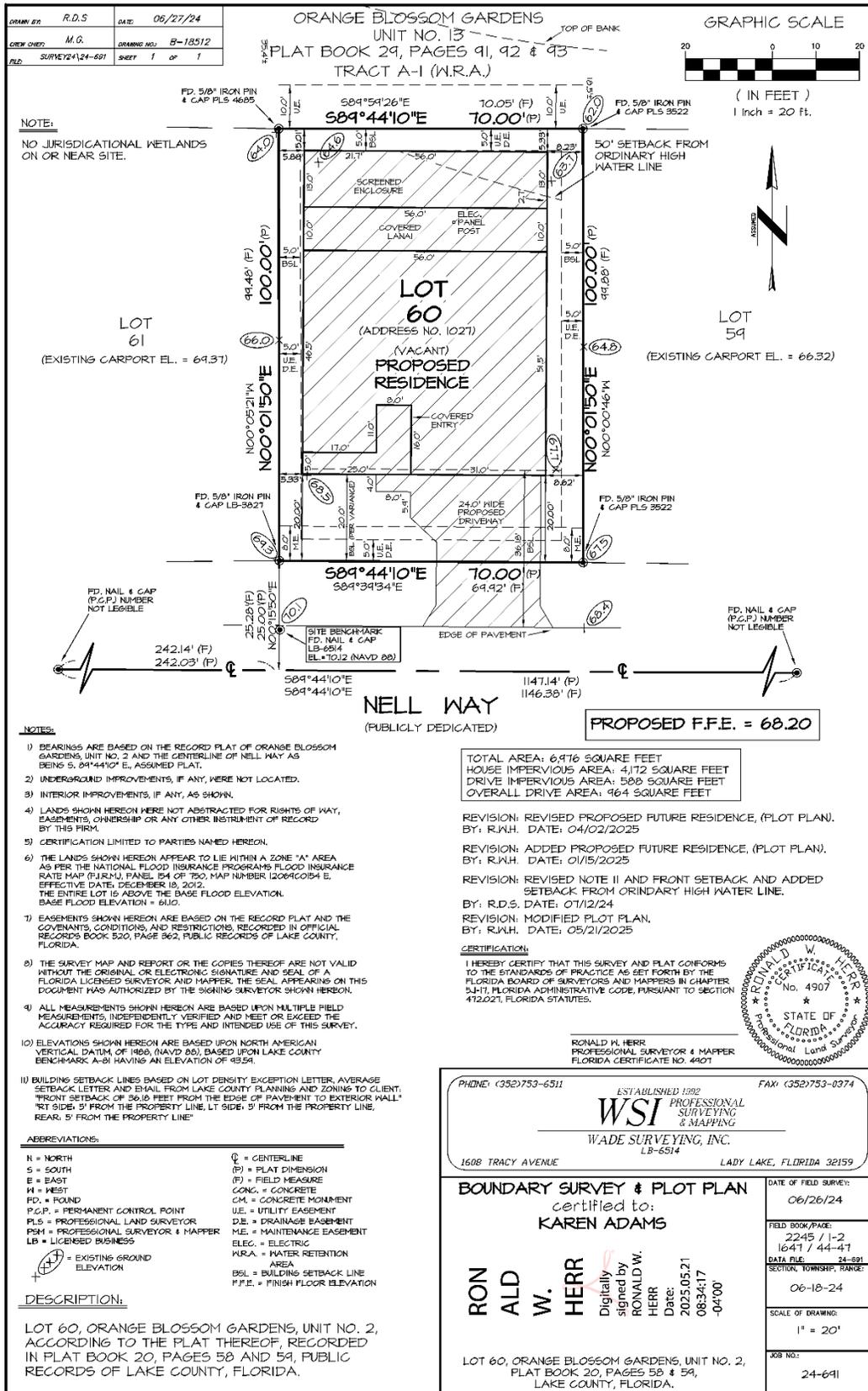
DISTRICT: 1



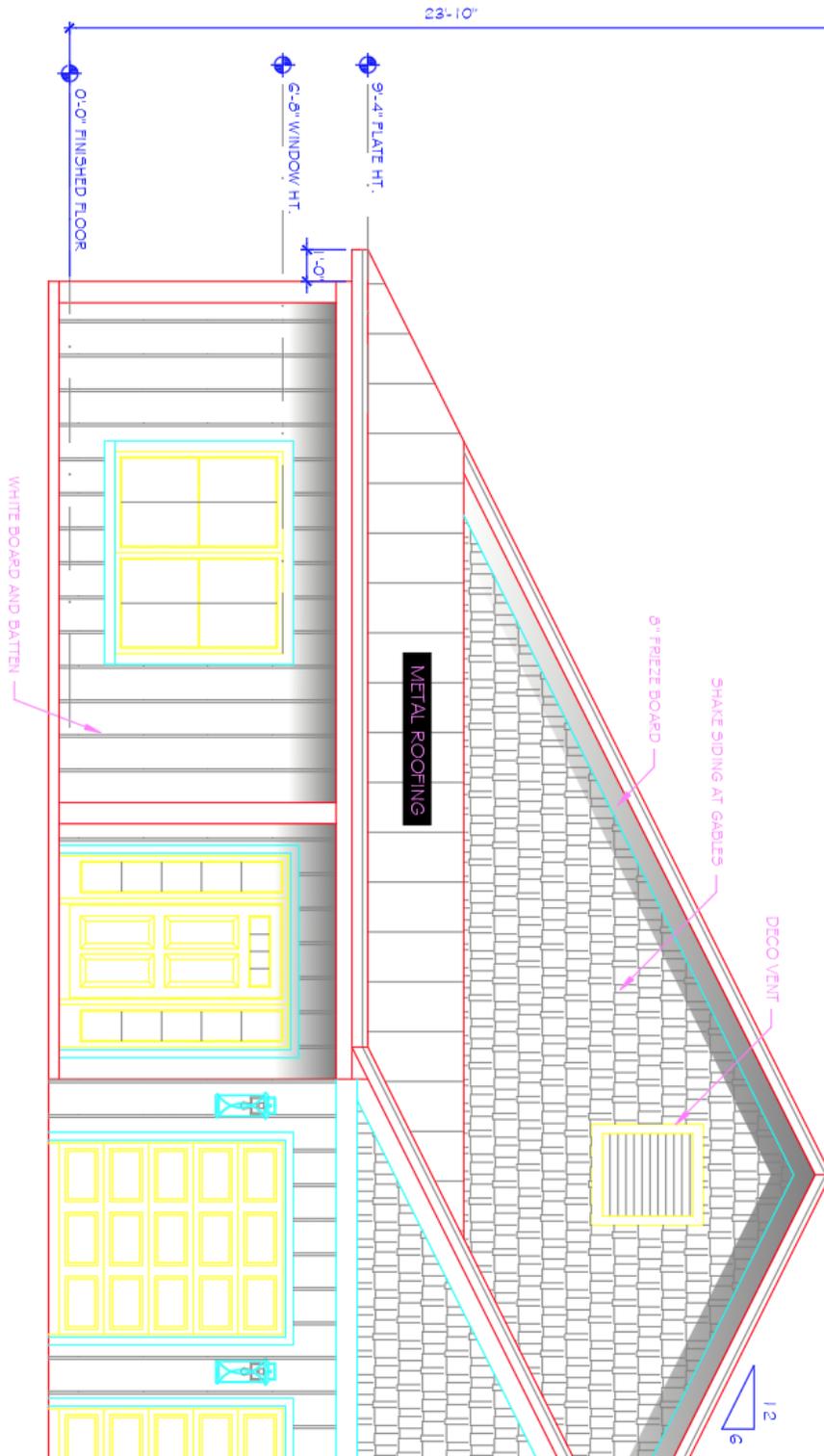
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5/20/2025

Attachment "C" – Plot Plan



Attachment "D" – Building Elevation



Attachment "E" – Average Setback



Office of Planning & Zoning

P.O. Box 7800 • 315 W. Main St., Suite 510 • Tavares, FL 32778

July 10, 2024

Karen Ann Adams
1043 Aloha Way
Lady Lake, FL 32159

Via Email: adamsk0311@gmail.com

Re: Average Setback Results (AS #AS-2024-013)– Alternate Key #1371201

Dear Karen Ann Adams,

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

1029 Nell Way, Lady Lake, FL	Front 36.48 Ft.	EOP to Ext Wall of SFR
1025 Nell Way , Lady Lake, FL	Front 35.87 Ft.	EOP to Ext Wall of SFR

The measurements resulted in an Average Front Setback of **36.18** feet from the Edge of Pavement 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,

Karenlee Capps
Associate Planner

P 352.353.9641 • F 352.343.9767
Board of County Commissioners • www.lakecountyfl.gov

Douglas B. Shields
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Josh Blake
District 5

Attachment "F" – Floodplain Determination (1 of 2)



FLOODPLAIN DETERMINATION

Applicant Name: Karen Adams

Floodplain Determination Address: 1027 Nell Way Lady Lake, FL 32159

Alternate Key #: 1371201

Applicant E-mail Address: adamsk0311@gmail.com

*****TO BE COMPLETED BY STAFF*****

Flood Zone: A **Base Flood Elevation (BFE):** 64' NAVD88

Design Flood Elevation* (DFE): 65.5' NAVD88

Additional Comments: This determination was made utilizing data from FEMA FIRM Panel 0154E.

***Lake County requires all structures in Special Flood Hazard Areas to be elevated 18 inches (1.5 feet) above the BFE. Lake County recommends even those outside the Special Flood Hazard Areas be elevated at least 18 inches above existing adjacent grade.**

Lake County Base Flood Elevation Determinations of "A" zones may be used for development activities not requiring commercial/ subdivision site plan approval and which are less than five (5) acres or fifty (50) lots. Reference Lake County Land Development Code Chapter IX & IV and Title 44 CFR Sec. 60.3.

Lake County participates in the National Flood Insurance Program (NFIP). The NFIP makes federally backed flood insurance available for all buildings (whether inside or outside of a floodplain). Flood insurance covers direct losses caused by surface flooding, including a river flowing over its banks, a lake or ocean storm, and local drainage problems.

As of October 1, 2014 there is a \$15.00 fee charged for each flood determination. For additional information on flood zones in Unincorporated Lake County you may call 352-253-9080, fax to 352-253-6016 or email: flood@lakecountyfl.gov. For addition information please visit www.lakecountyfl.gov

IF YOUR PROPERTY HAS A FEMA DESIGNATED FLOOD ZONE LOCATED ON IT, YOU MAY BE REQUIRED TO HAVE A FLOODPLAIN CONSTRUCTION AUTHORIZATION PERMIT.

Lake County Public Works - 323 N. Sinclair Ave., Tavares, FL 32778 Phone 352-253-9081 / Revised 2024

Attachment "F" – Floodplain Determination (2 of 2)

②

FLOODPLAIN DETERMINATION MAP



Attachment "G" – SJWMD Letter



St. Johns River Water Management District

Michael A. Register, P.E., Executive Director

2501 S. Binion Road • Apopka, FL 32703 • 407-659-4800 • www.sjrwmd.com

July 11, 2025

Karen Ann Adams
1043 Aloha Way
Lady Lake, FL 32159-2305
Sent via Email: adamsk0311@gmail.com

Re: Vacant Lot: 1027 Nell Way
The Villages (Orange Blossom Gardens), Lady Lake, FL 32159
Permit Determination No.: 237341-1
(Please reference the PDEX number on all correspondence.)

Dear Ms. Adams:

On June 10, 2025, the St. Johns River Water Management District (District) received your letter and plans, requesting a permit determination. The project involves the construction of a single family home at 1027 Nell Way, The Villages (fka Orange Blossom Gardens Unit 2).

It appears that the construction of Unit 2 pre-dates District regulatory requirements. As such, an Environmental Resource Permit was not found. Based on the information provided, this project does not exceed any permitting thresholds pursuant to Chapter 62-330.020, Florida Administrative Code (F.A.C.). Therefore, a District permit is not required. Please be aware that this determination only applies to the District and does not relieve you from the permitting requirements of other agencies, The \$100 application fee will be refunded under separate cover.

Thank you for your cooperation with the permitting and compliance process. If you have any questions, please contact the District at (407) 659-4837 or by email at MCook@sjrwmd.com.

Sincerely,

Marjorie Cook
Supervising Professional Engineer
Division of Regulatory Services

CC: Regulatory File

GOVERNING BOARD

Rob Bradley, CHAIR
FLEMING ISLAND

Maryam H. Ghyabi-White, VICE CHAIR
ORMOND BEACH

J. Chris Peterson, SECRETARY
WINTER PARK

Cole Oliver, TREASURER
MERRITT ISLAND

Ryan Atwood
MOUNT DORA

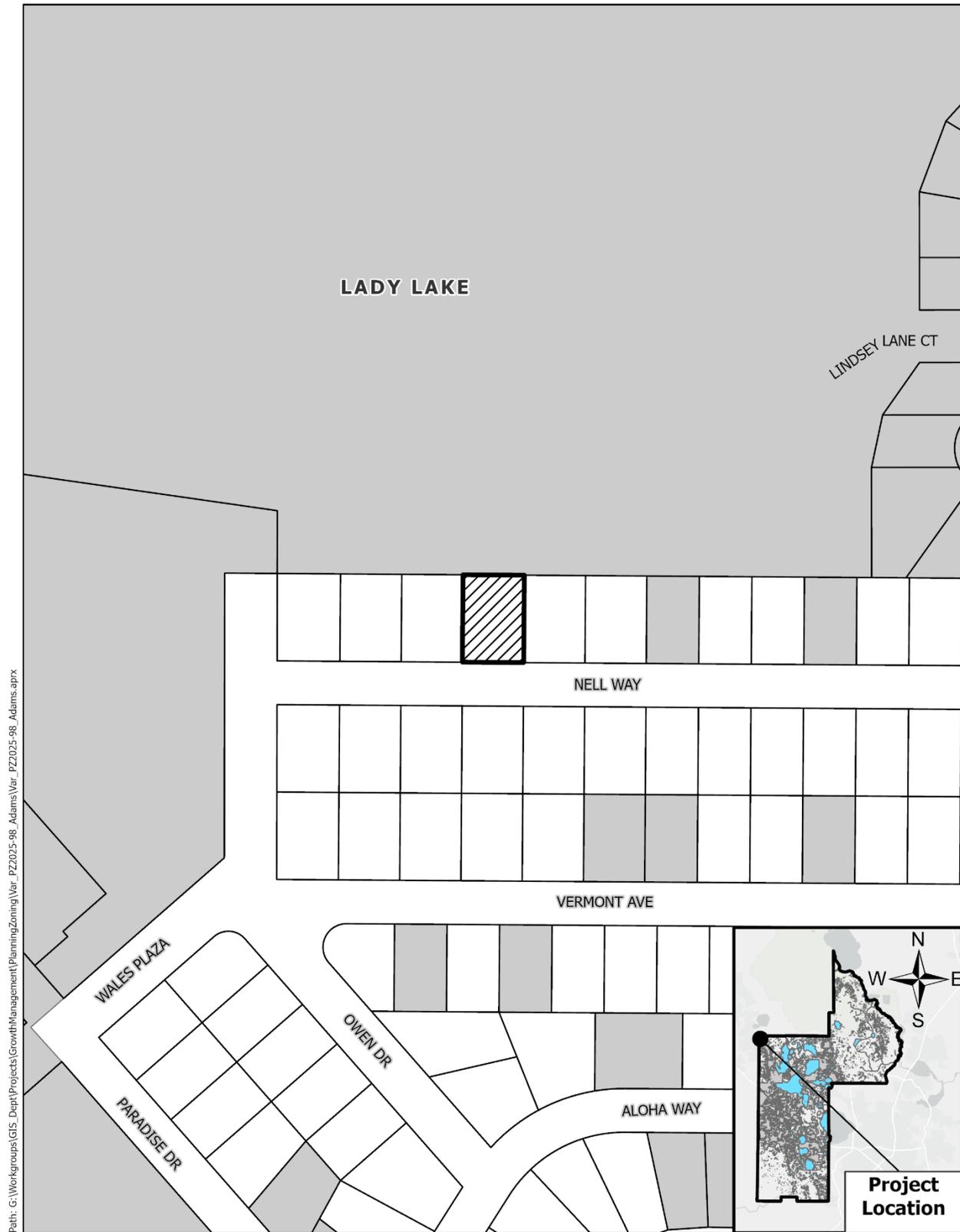
Doug Bournique
VERO BEACH

Douglas Burnett
ST. AUGUSTINE

Ron Howse
COCOA

Janet Price
FERNANDINA BEACH

Map of Subject Property

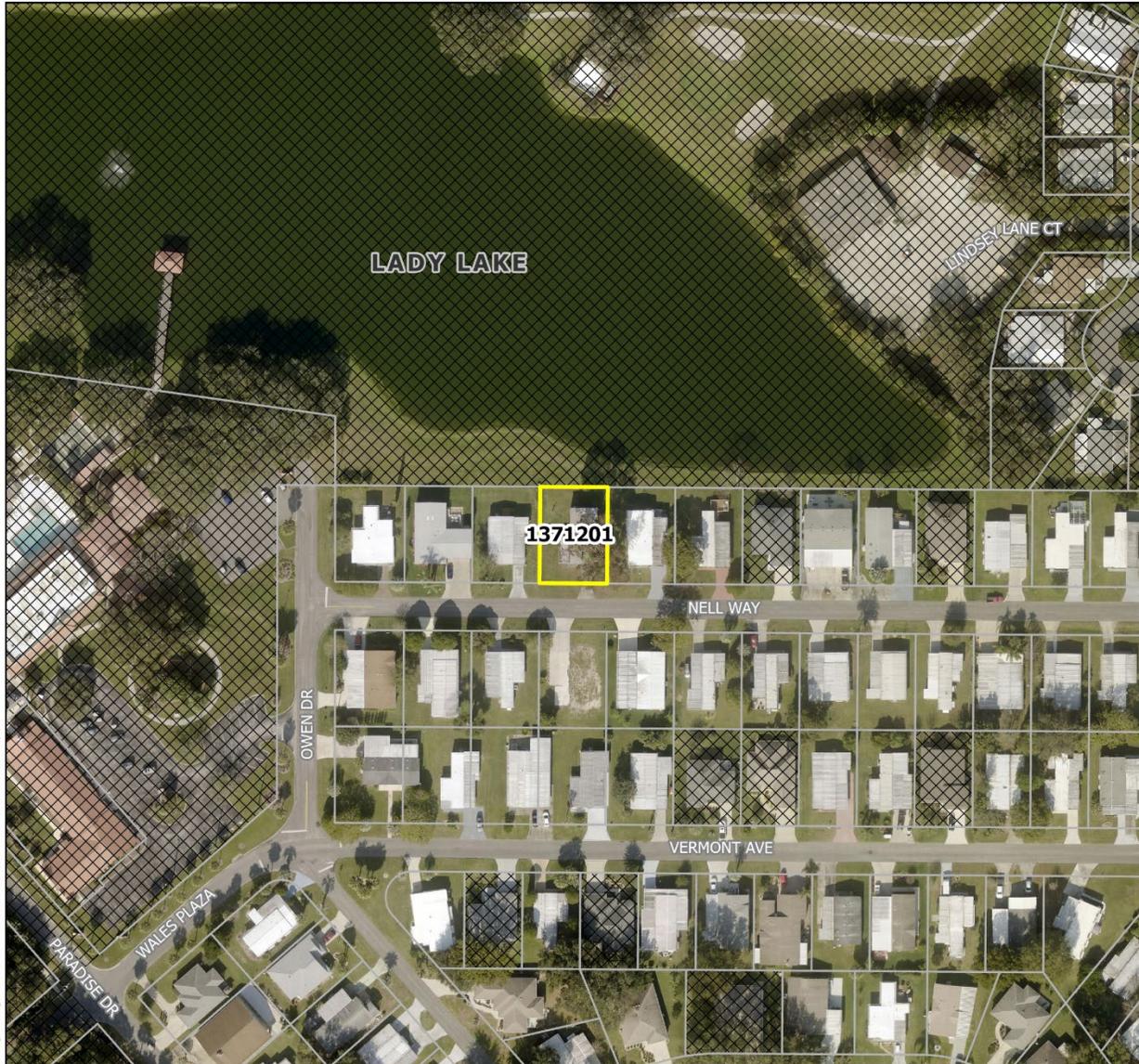


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8/11/2025

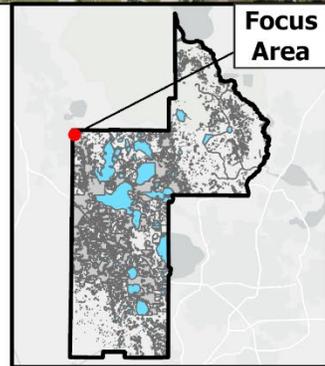
Aerial Map of Subject Property

Var - PZ 2025-98
1027 Nell Way



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Variance to front setback and ISR



8/13/2025

FINAL DEVELOPMENT ORDER

(PZ2025-98 / AR 5995)

WHEREAS, Karen A. Adams (the "Applicant") requested a variance on behalf of Karen A. Adams (the "Owner"), to Land Development Regulations (LDR) Section 3.02.05(D), *Average Front Setbacks*, and Table 3.02.06, *Density, Impervious Surface, Floor Area, and Height Requirements*, to allow 1) a front setback of 35 feet from the edge of pavement in lieu of the required Average Front Setback of 36.18 feet from the edge of pavement, and 2) an Impervious Surface Ratio (ISR) of 0.70 in lieu of the maximum ISR of 0.65; and

WHEREAS, the subject property consists of approximately 0.16 +/- acres located at 1027 Nell Way in the unincorporated Lady Lake area in Section 6, Township 18 South, Range 24 East, identified by Alternate Key Number 1371201, 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:

1. Variance Granted: A variance to LDR Section 3.02.05(D) and Table 3.02.06 to allow 1) a front setback of 35 feet from the edge of pavement in lieu of the required Average Front Setback of 36.18 feet from the edge of pavement and 2) an Impervious Surface Ratio (ISR) of 0.70 in lieu of the maximum ISR of 0.65 is hereby granted.

2. No Additional Impervious Surface Area Permitted. No additional structures or improvements resulting in an increased impervious surface area exceeding 70% 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

PARCEL ID #: 0618240200-000-06000

Lot 60, Unit 2, Orange Blossom Gardens, according to the plat thereof recorded in Plat Book 20, Pages 58 through 59, Public Records of Lake County, Florida.

