



# VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 5

Public Hearing Date: November 5, 2025

Case No. and Project Name: PZ2025-272, Collins Property

Commissioner District: District 4 – Leslie Campione

Applicant: Elizabeth Powell

Owner(s): Anthony N. Collins and Curtis Neil Collins

Requested Action: Variance to Land Development Regulations (LDR) Table 3.02.05 to allow a proposed 30’X 50’ accessory structure (storage barn) to be constructed 10-feet from the southern property line in lieu of the required 25-feet.

Case Manager: Eddie Montanez, Planner I

### Subject Property Information

Size: 3.02 +/- gross acres

Location: 406443 Maxwell Road, in the unincorporated Umatilla area

Alternate Key No.: 1406609

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

Current Zoning District: Agriculture (Attachment “B”)

Flood Zone(s): “AE” and “X”

JPA/ISBA: N/A

Overlay/Rural Protection Area: N/A

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	City of Umatilla	City of Umatilla	Vacant; Municipal	City of Umatilla; Government Submerged Land and Collins Lake
South	Urban Low Density	Agriculture District (A)	Vacant	Lakefront Residential and Collins Lake
East	City of Umatilla	City of Umatilla	Right-of-Way; Improved Municipal	City of Umatilla and Communications Tower Site East of Maxwell Road
West	City of Umatilla	City of Umatilla	Lake and Residential	Lakefront Single-Family Residence and Collins Lake

## Summary of Request

The subject parcel is identified by Alternate Key Number 1406609 and contains approximately 3.02 +/- gross acres. The subject parcel is zoned Agriculture and is designated with an Urban Low Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcel is developed with a single-family residence, driveway, three sheds, gazebo, and wood dock as depicted on the Plot Plan (Attachment "C"). The GIS maps and Plot Plan (Attachment "C") indicate that the subject parcel is located within flood zones "AE" and "X" and there is indication that wetlands exist on the site.

The Applicant is requesting a variance to LDR Table 3.02.05 to allow a proposed 30'X 50' accessory structure (barn) to be constructed 10-feet from the southern property line in lieu of the required 25-feet.

On October 7, 2025, the Applicant provided a response letter (Attachment "D") stating that the accessory structure will be 16 feet in height (peak) and that the proposed Impervious Surface Ratio (ISR) is 9.07%. An elevation sheet was also included with the letter (Attachment "E"). The proposed structure height and ISR are consistent with LDR Table 3.02.06 entitled *Density, Impervious Surface, Floor Area, and Height Requirements*.

The proposed barn as shown on the Plot Plan (Attachment "C") is also consistent with LDR Section 10.01.01 entitled *General Requirements for Accessory Structures*, as there is a lawful dwelling unit on the property and the structure will be more than 100 feet from the front property line.

The requested action was sent to both the Public Works Department and the Chief Fire Plans Examiner to determine consistency with County regulations.

The Public Works Department provided the following conditions to be incorporated should the Board of Adjustment (BOA) approve the variance request:

- 1) A spreader swale will be required within the 10-foot setback to capture all stormwater run-off from the building and not to encroach to the other property.
- 2) A grading plan and lot grading inspection will be required with the site plan.

The Chief Fire Plans Examiner reviewed the request and had no comment.

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.

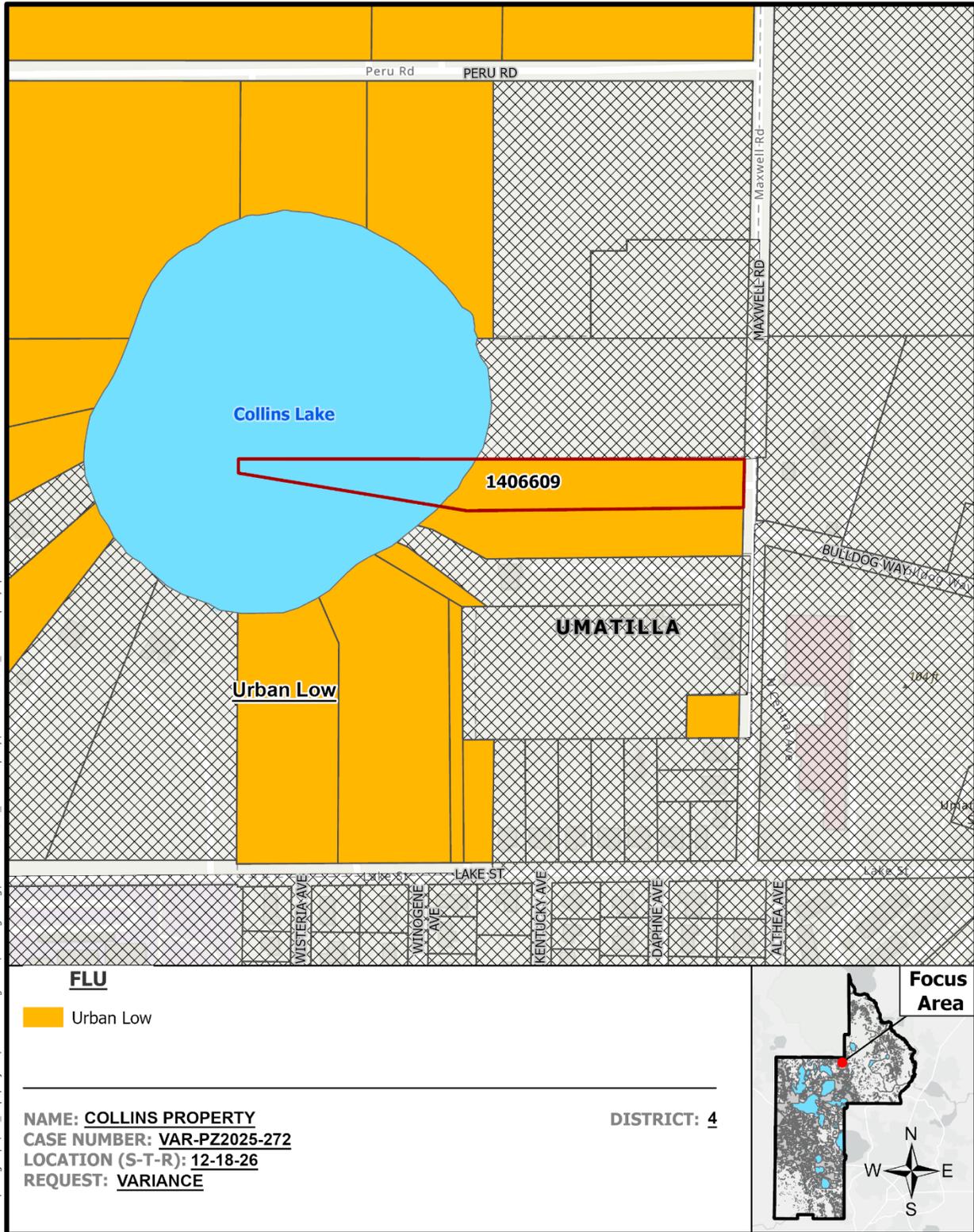
The Applicant provided the following statement as evidence that the intent of the Land Development Regulations will be or has been achieved by other means, "*The Land Development Regulation will be achieved by being in compliance with the conditions that Public works has requested with a spreader swale withing a 10ft setback allowing the storm water to remain on the property and not reach another neighboring property*".

- 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, *"If we are required to meet the 25' min setback on the South side of the property then the proposed 30x50 accessory structure will be over the existing driveway and will be almost under the power lines"*.

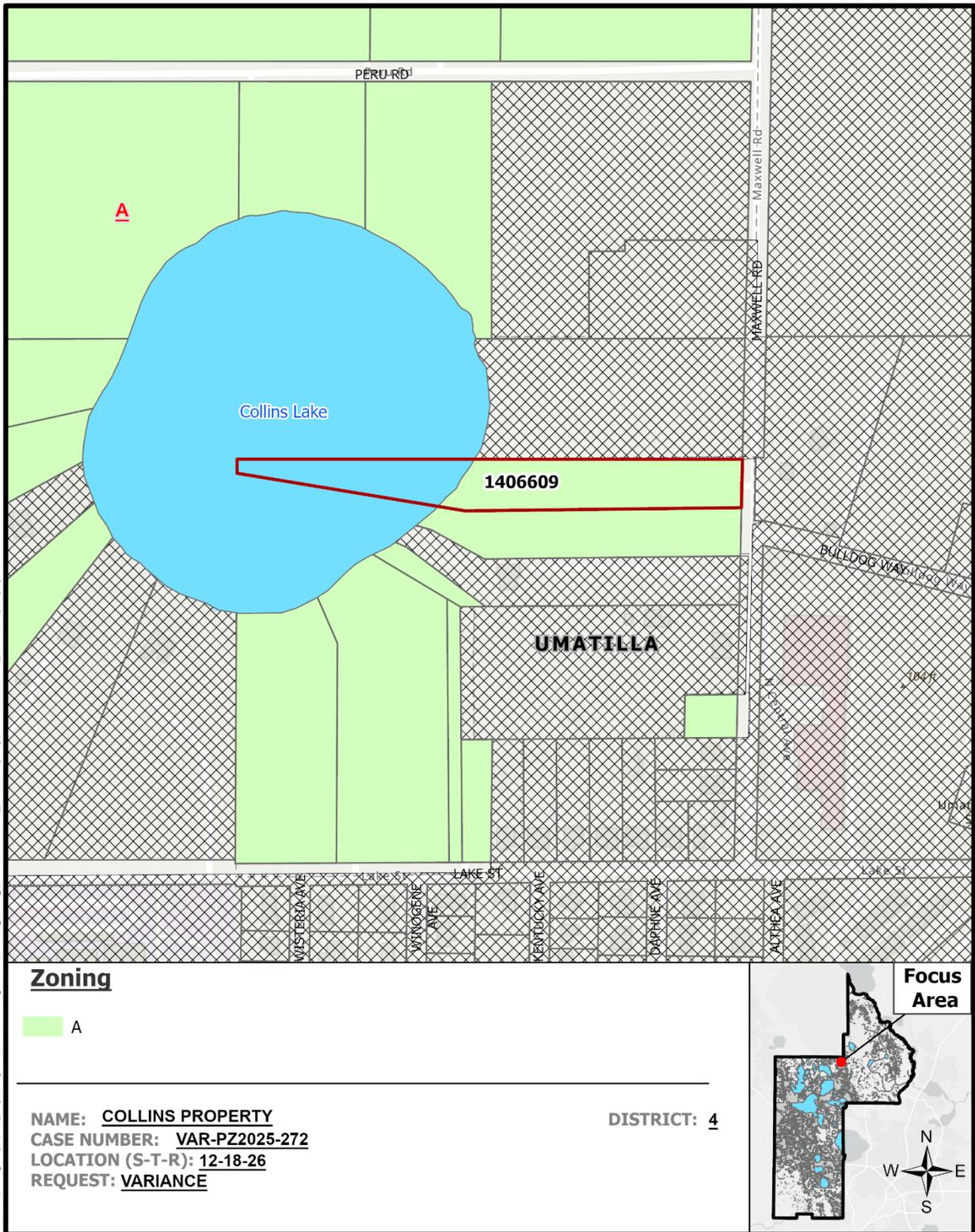
# Attachment "A" – Future Land Use Map

## CURRENT FUTURE LAND USE



# Attachment "B" – Zoning Map

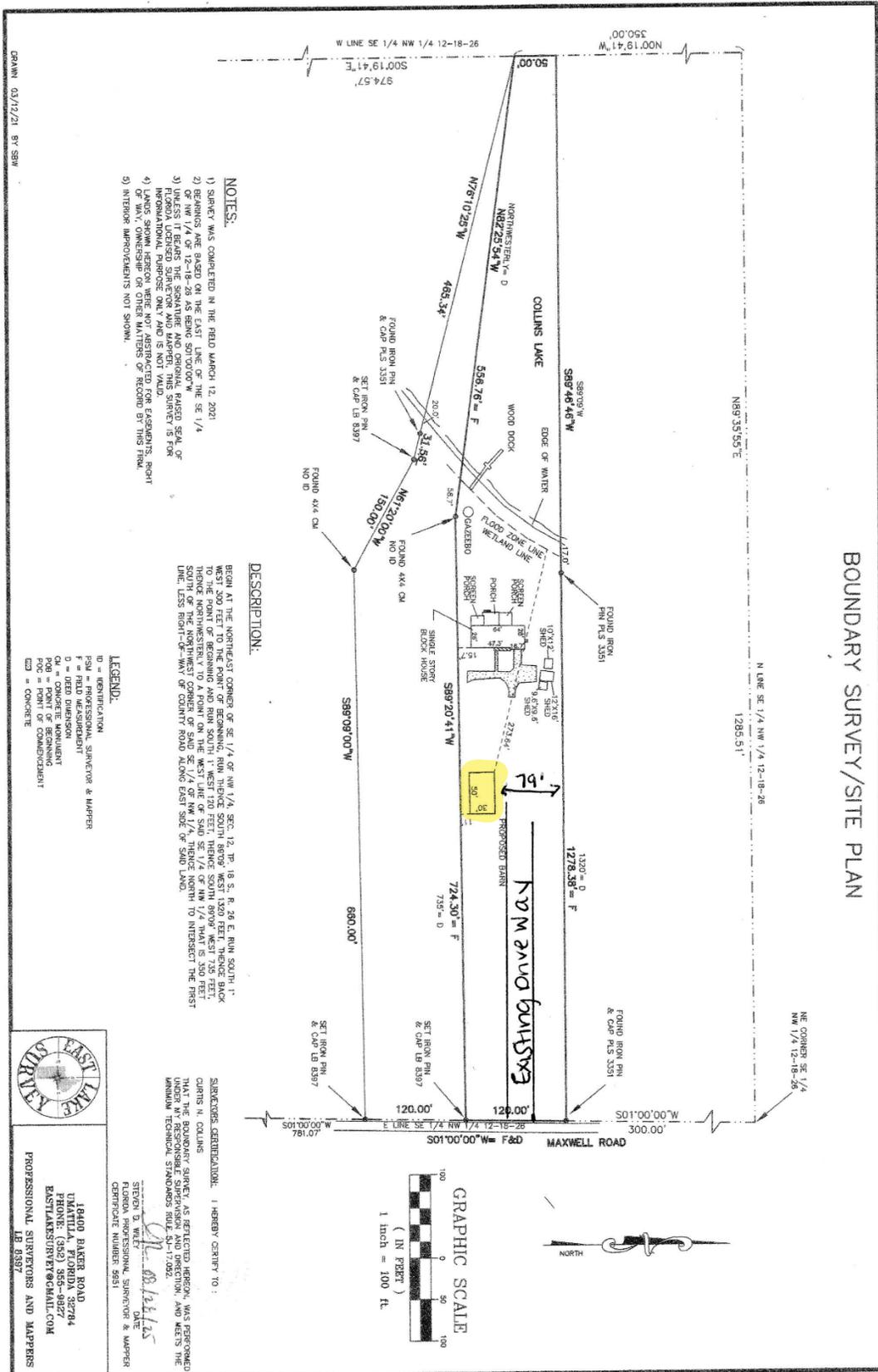
## CURRENT ZONING



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10/13/2025

# Attachment "C" - Plot Plan



# Attachment “D” – Letter

10/07/2025

## Response Comments Letter

Project name PZ2025-272, AR No. 6202  
Alternate Key No. 1406609

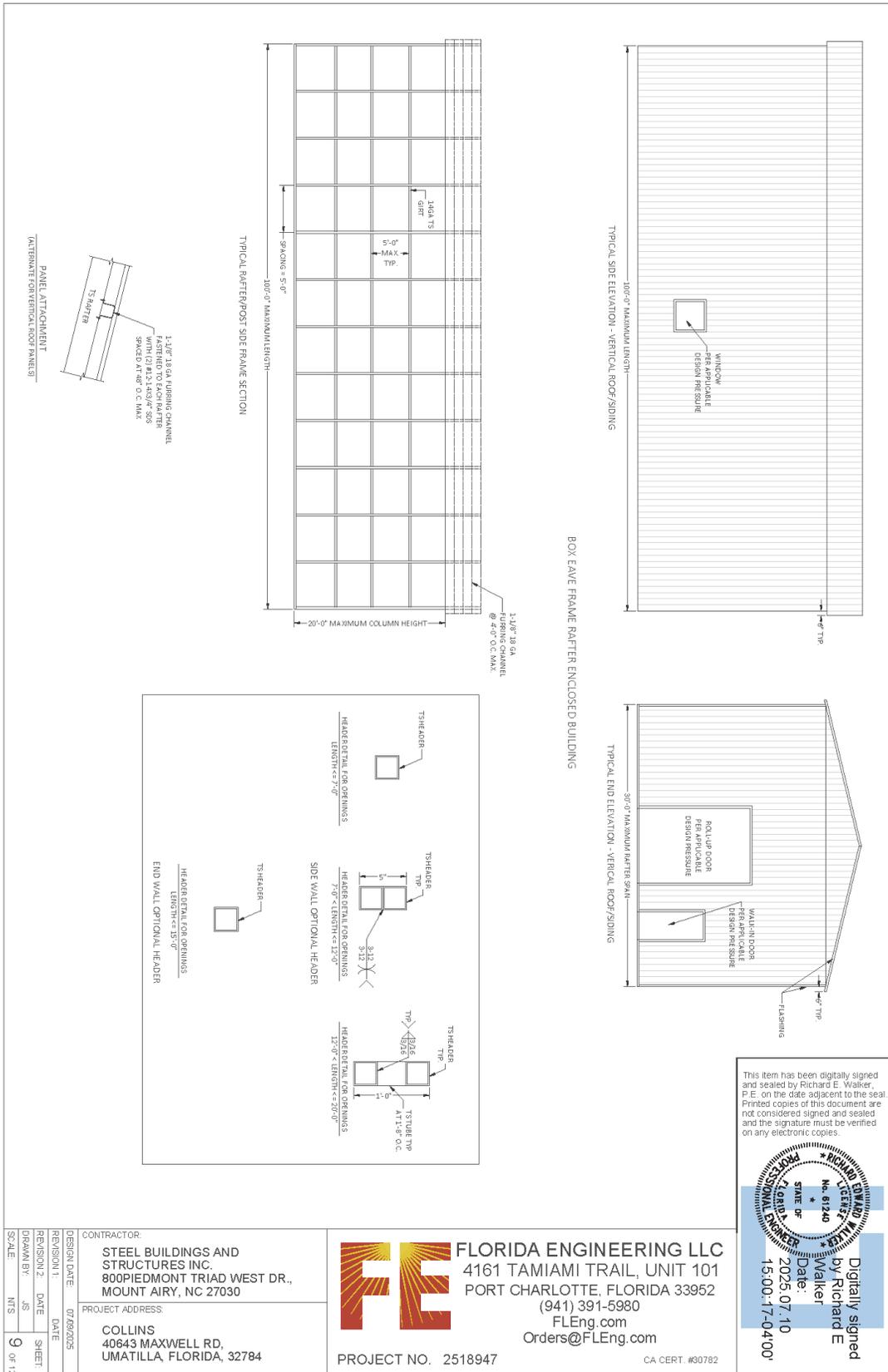
To the office of Planning and Zoning

A. The height of the proposed accessory structure will be 16 feet at the peak in height.  
B. The existing ISR of the property is 7.35%. The proposed ISR is 9.07%.  
C. The Land Development Regulation will be achieved by being in compliance with the conditions that Public Works has requested with a spreader swale within a 10ft setback allowing the storm water to remain on the property and not reach another neighboring property.

2. An elevation drawing has been attached to this response letter.

Elizabeth Powell  
Powell's Permitting Services LLC  
352-454-3247  
[powellspemitting@gmail.com](mailto:powellspemitting@gmail.com)

# Attachment "E" – Elevation Sheet



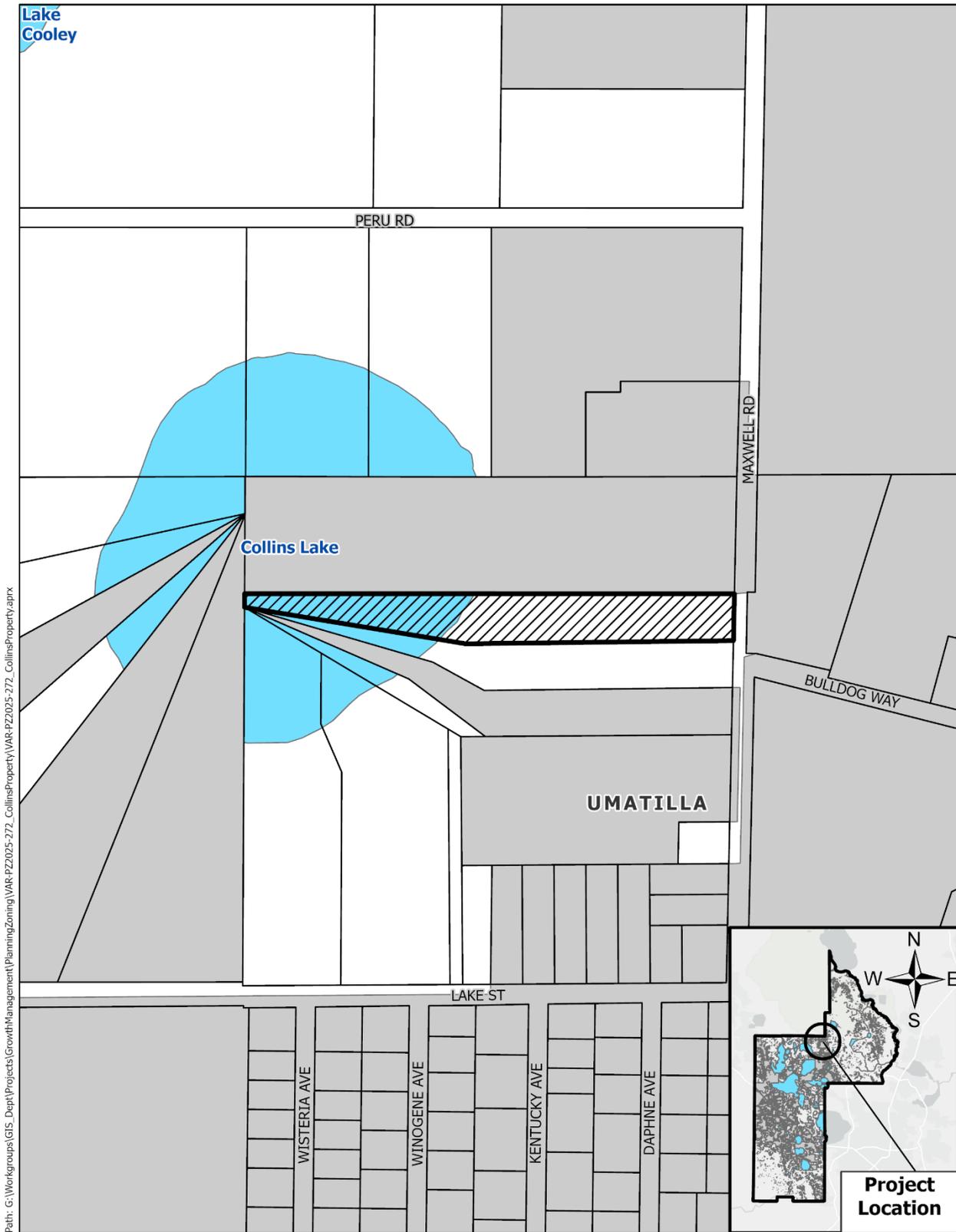
This item has been digitally signed and sealed by Richard E. Walker, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Digitally signed  
 by Richard E Walker  
 Date: 2025.07.10  
 15:00:17-0400

CONTRACTOR:	
STEEL BUILDINGS AND STRUCTURES INC. 800 PIEDMONT TRIAD WEST DR., MOUNT AIRY, NC 27030	
PROJECT ADDRESS:	
COLLINS 40643 MAXWELL RD, UMATILLA, FLORIDA, 32784	
DESIGN DATE:	07/09/2025
REVISION 1:	DATE
REVISION 2:	DATE
DRAWN BY:	JS
SCALE:	N.T.S.
SHEET:	9 of 12

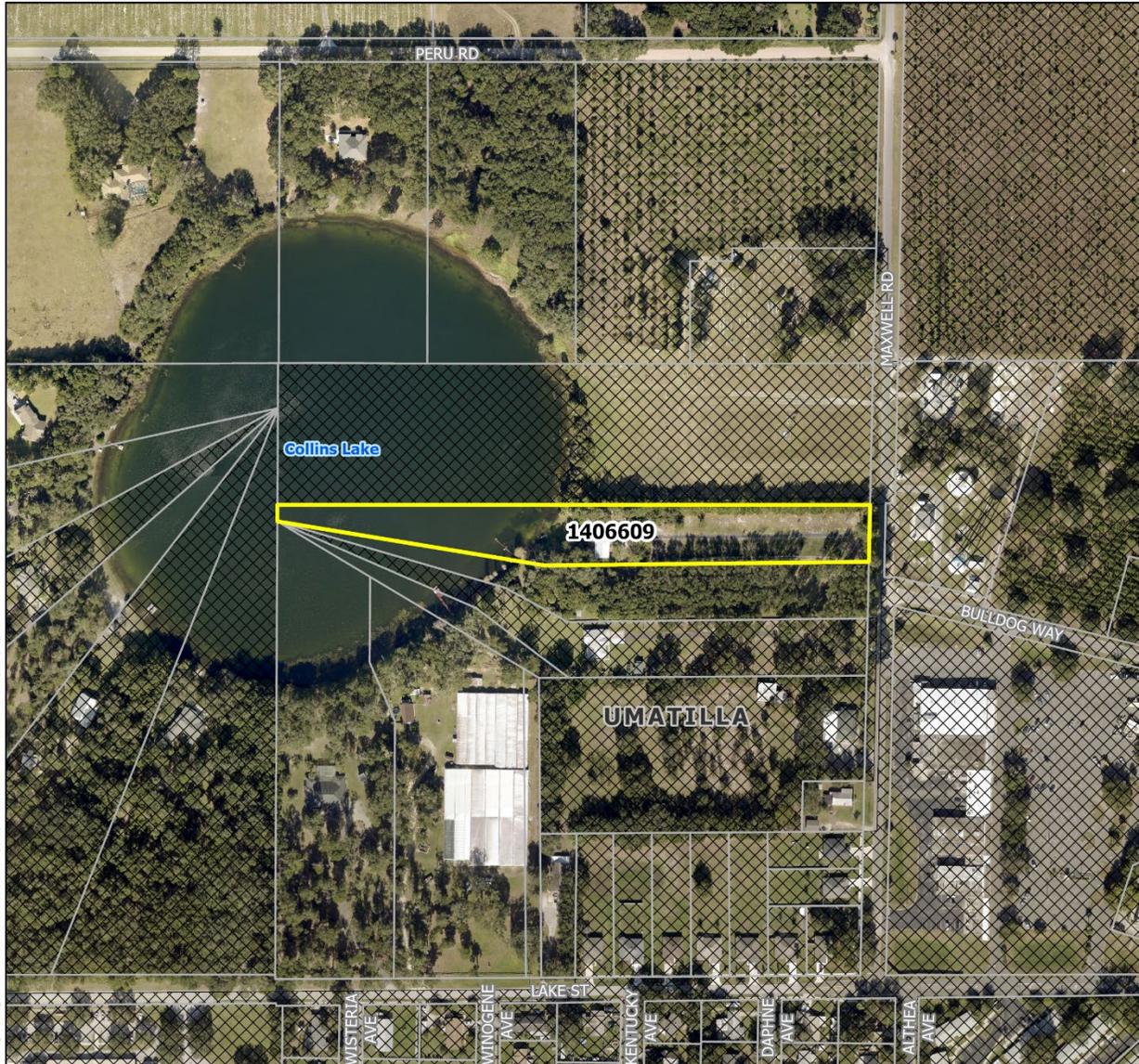
**FLORIDA ENGINEERING LLC**  
 4161 TAMiami TRAIL, UNIT 101  
 PORT CHARLOTTE, FLORIDA 33952  
 (941) 391-5980  
 FLEng.com  
 Orders@FLEng.com  
 PROJECT NO. 2518947  
 CA CERT. #30782

# Map of Subject Property

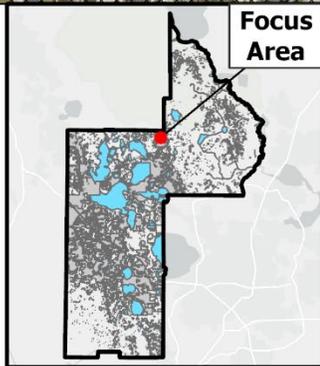
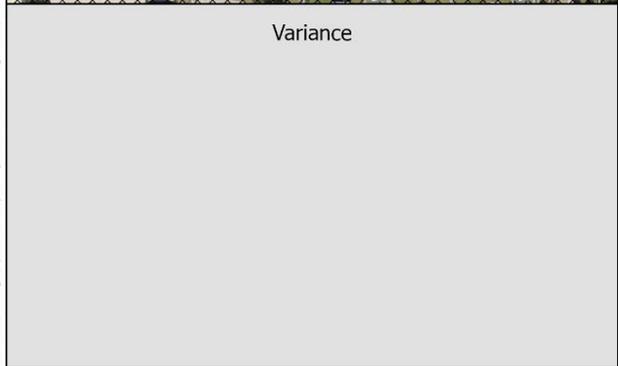


# Aerial Map of Subject Property

VAR-PZ2025-272  
Collins Property



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10/13/2025

# FINAL DEVELOPMENT ORDER

(PZ2025-272 / AR 6202)

**WHEREAS**, Elizabeth Powell (the “Applicant”) requested a variance on behalf of Anthony N. Collins and Curtis Neil Collins (the “Owners”), to Land Development Regulations (LDR) Table 3.02.05 to allow a proposed 30’X 50’ accessory structure (storage barn) to be constructed 10-ft from the southern property line in lieu of the required 25-feet; and

**WHEREAS**, the subject property consists of approximately 3.02 +/- acres located at 406443 Maxwell Road in the unincorporated Umatilla area in Section 12, Township 18 South, Range 26 East, identified by Alternate Key Number 1406609, 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 November 5, 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:** The following variance to Land Development Regulations (LDR) Table 3.02.05 to allow a proposed 30’x50’ accessory structure (storage barn) to be constructed 10-feet from the southern property line in lieu of the required 25-feet is hereby granted.
2. **Conditions:** The variance granted above is subject to the following requirements/conditions:
  - a. A spreader swale will be required within the 10-foot setback to capture all stormwater run-off from the building and not encroach on neighboring properties.
  - b. A grading plan and lot grading inspection will be required with the site plan.
  - c. The proposed barn is not to be used to conduct any business activities or for animal purposes.
  - d. The proposed barn must be a minimum of 100 feet from the front property line.
3. **No Estoppel:** Approval of this variance cannot be relied upon to assert a claim of estoppel against the County if the property identified herein cannot be developed due to the inability to meet other requirements under the applicable Land Development Regulations. The Owner is solely responsible for performing any necessary due diligence to ensure the property will appropriately support future development.

**BOARD OF ADJUSTMENT  
LAKE COUNTY, FLORIDA**

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**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 5th day of November 2025, by Bea Meeks, as Chairman of the Lake County Board of Adjustment.**

**Personally Known OR Produced Identification**

**Type of Identification Produced** \_\_\_\_\_

**(SEAL)**

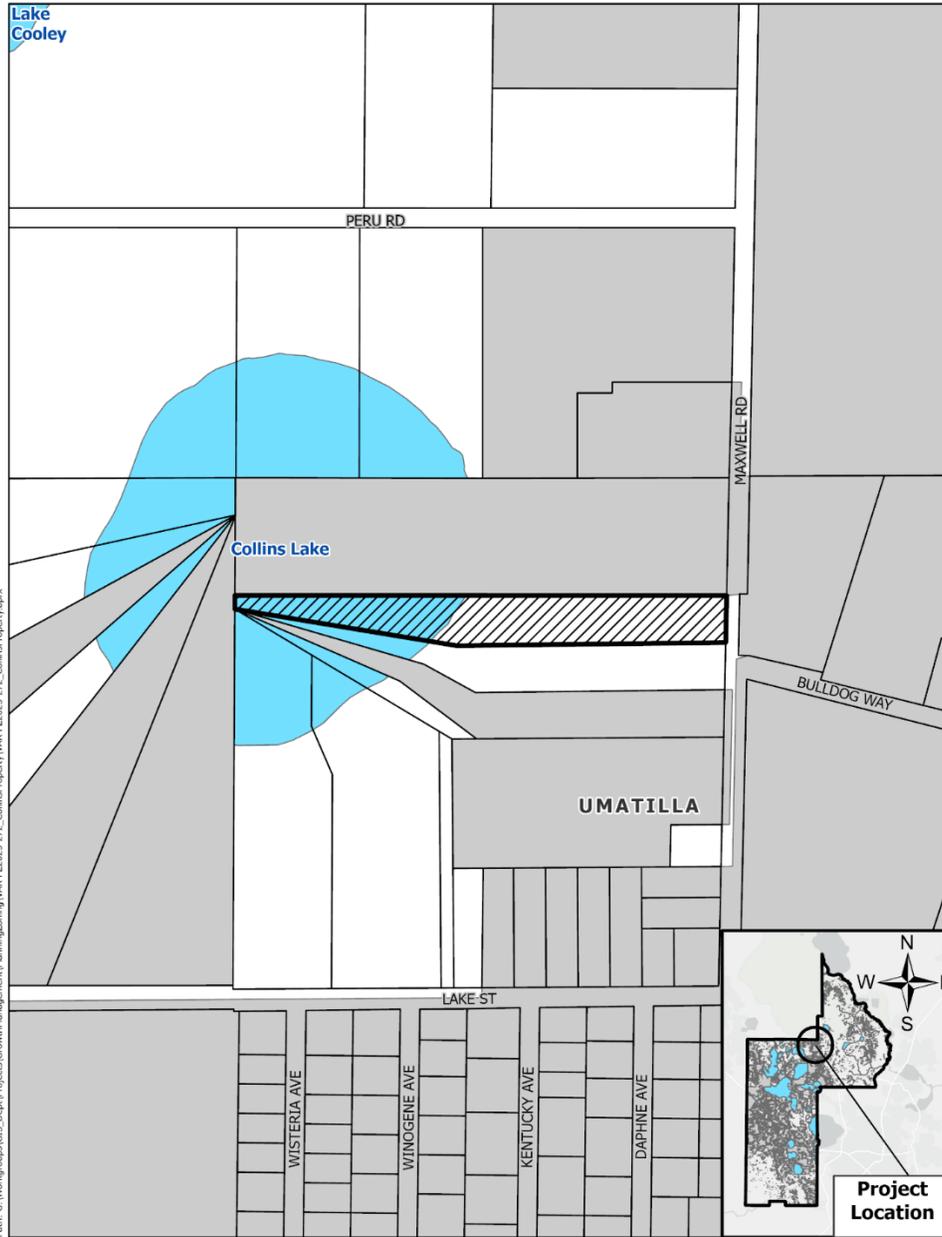
\_\_\_\_\_  
**Notary Signature**

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

Begin at the Northeast corner of  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$ , Sec. 12, Tp. 18 S, R. 26 E, run South  $1^{\circ}$  West 300 feet to the point of beginning, run thence South  $89^{\circ}09'$  West 1320 feet, thence back to point of beginning and run South  $1^{\circ}$  West 120 feet, thence South  $89^{\circ}09'$  West 735 feet, thence Northwesterly to a point on the West line of said  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$  that is 350 feet South of the Northwest corner of said  $SE\frac{1}{4}$  of  $NW\frac{1}{4}$ , thence North to intersect the first line, LESS right-of-way of County Road along the East side of said land.



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