



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearing Date: January 7, 2026

Case No. and Project Name: PZ2025-256, Holloway Property – Metal Building Garage

Commissioner District: District 4 – Leslie Campione

Applicant(s): Alan Thompson

Owner(s): Roy T. Holloway Jr., a married individual and Monica L. Holloway

Requested Action: A variance to Land Development Regulations (LDR) Table 3.02.05 (Note 3 (a)) to allow a setback of 20 feet for an accessory structure in lieu of the required 25-foot setback required for double frontage lots.

Case Manager: Corey DeVogel, Planner I

Subject Property Information

Size: 0.7 +/- gross acres

Location: 35407 Fox Run Circle, in the unincorporated Eustis area

Alternate Key No.: 2986034

Future Land Use: Rural Transition (Attachment “A”)

Current Zoning District: Estate Residential “R-2” (Attachment “B”)

Flood Zone(s): (“X”)

JPA/ISBA: City of Eustis JPA

Overlay/Rural Protection Area: Wekiva Study Area (Attachment “C”)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Estate Residential “R-2”	Single Family Residential	Developed with a single-family residence
South	Rural Transition	Estate Residential “R-2”	Single Family Residential	Developed with a single-family residence
East	Rural Transition	Estate Residential “R-2”	Single Family Residential	Separated from subject property by Fox Run Circle
West	Rural Transition	Rural Residential “R-1”	Single Family Residential	Separated from subject property by Estes Road

Summary of Request

The subject parcel is identified by Alternate Key Number 2986034 and contains approximately 0.7 gross acres. The subject parcel is zoned as Estate Residential “R-2”; is designated with a Rural Transition Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The parcel is situated within the Wekiva Study Area. The subject parcel is developed with a single-family residence (Attachment “D”).

GIS maps indicate that the subject parcel is located within flood zone “X” and there is no indication that wetlands exist on the site. On September 5, 2025, the requested action was sent to the Public Works Department for review and determination of consistency with applicable regulations. The Public Works Department provided comments and conditions (Attachments “E” & “F”).

The Applicant is requesting a variance to LDR Table 3.02.05 (Note 3(a)) to allow a setback of 20 feet for an accessory structure in lieu of the required 25-foot setback for double frontage lots fronting Minor Collector roads (Estes Road and Fox Run Circle).

The proposed accessory structure will be 79.2% of the primary dwelling unit’s 2525 square feet of living space, and will comply with Section 10.01.01 entitled *General Requirements for Accessory Structures*.

The Current Impervious Surface Ratio (ISR) of the subject property is 24%. The proposed development will result in an ISR of 24%, as the proposed development was permitted in a different location on the subject property as noted in Zoning permit (#60621).

The maximum allowable ISR within the Estate Residential “R-2” zoning is 35%. The maximum allowable ISR within the Rural Transition Future Land Use Category is 30%.

The subject property is located within the City of Eustis Joint Planning Area (JPA) and the application was provided to the City of Eustis to review for a determination of consistency with their regulations. The City of Eustis had no comments (Attachment “G”).

For background purposes, on July 1, 2025, the subject property received a zoning permit (#60621) for a 48’x40’ stand-alone metal building garage over new concrete (Attachment “H”). The Applicant is proposing an increase in the square footage and to relocate the proposed structure from the permitted location for access.

The Applicant provided a Project Narrative as shown on Attachment “I”.

The Applicant has provided a response for the Wekiva Affidavit (Attachment “J”).

Should the Board of Adjustment approve this variance request, the Applicant will be required to obtain zoning and building permits to comply with Lake County Land Development Regulations.

– Staff Analysis –

LDR Section 14.15.02 states that variances will be granted when the person subject to a Land Development Regulation demonstrates that the purpose of the Land Development Regulation will be or has been achieved by other means, and when application of a Land Development Regulation would create a substantial hardship or would violate principles of fairness.

1. The purpose of the Land Development Regulation will be or has been achieved by other means.

The intent of the Code, LDR Section 3.02.05, 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, “*Separation will be obtained from the existing home and proposed building creating useable access [sic]*”.

Analysis: The provided answer is a redundancy that does not accurately answer the question, as the LDR issue is regarding the setback as opposed to the access, and the structure has been previously approved in another form.

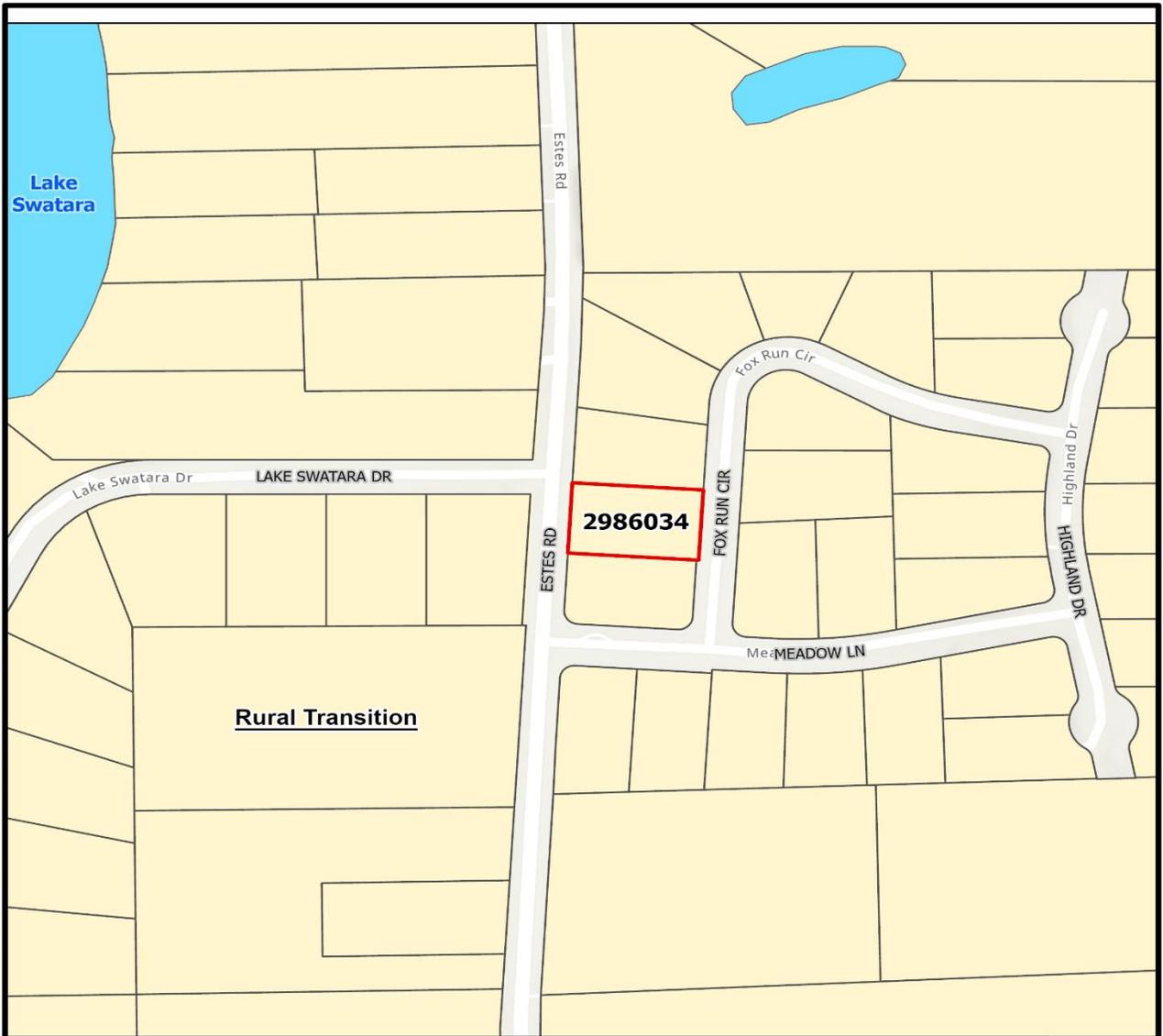
- 2. The application of a Land Development Regulation would create a substantial hardship or would violate principles of fairness. For purposes of this Section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance. 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, “*Building placement unusable due to access restrictions*”.

Analysis: The response provided demonstrates a self-imposed hardship, as a permit was previously approved, and now a larger building is being requested, instead, closer to the road.

Attachment “A” – Future Land Use Map

CURRENT FUTURE LAND USE



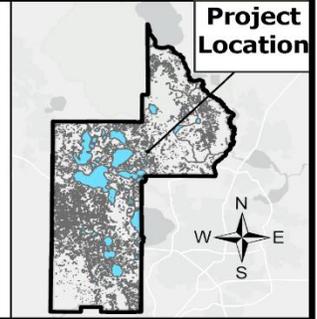
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9/5/2025

FLU

 Rural Transition

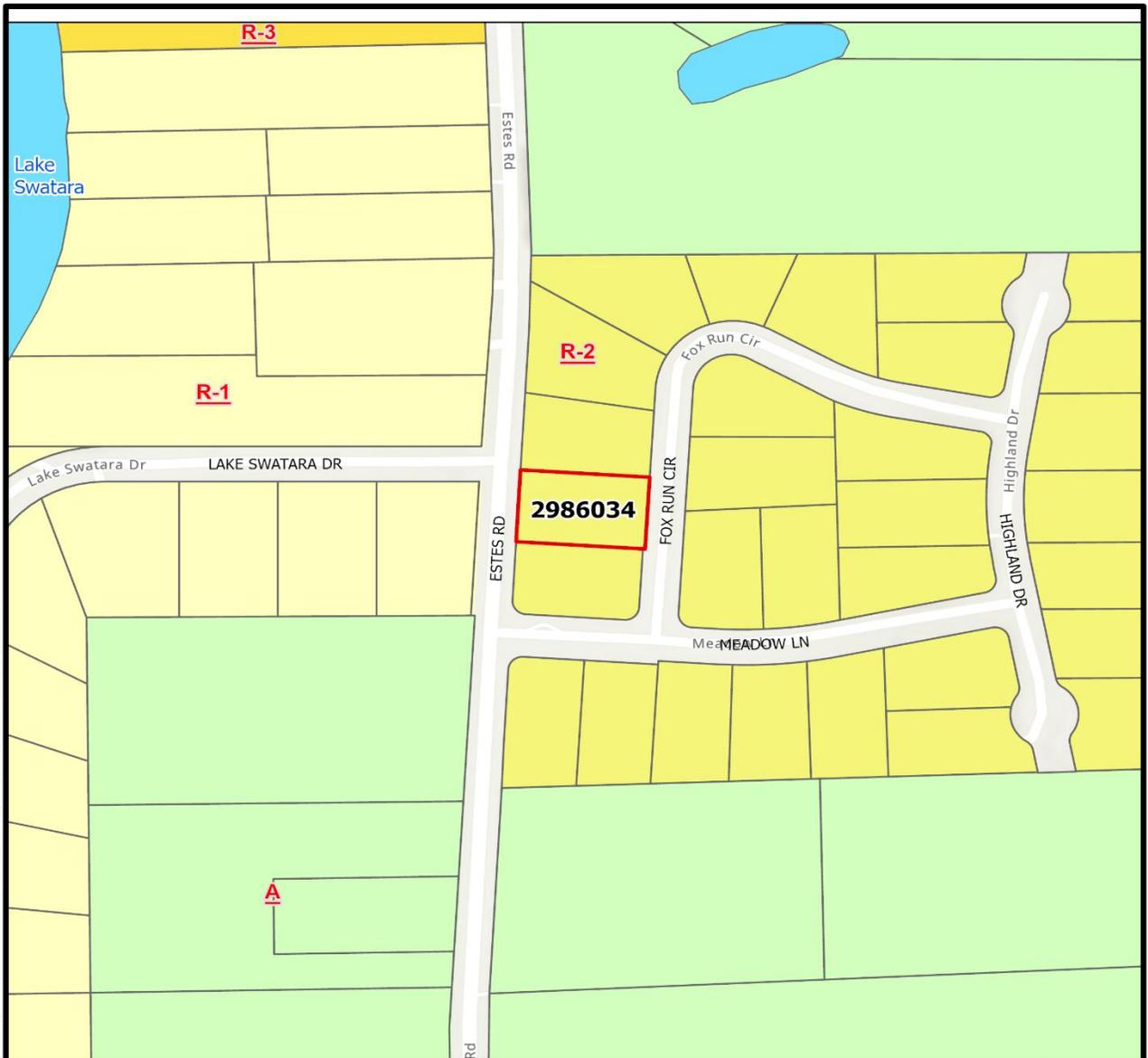
NAME: HOLLOWAY PROPERTY
CASE NUMBER: VAR-PZ2025-256
LOCATION (S-T-R): 05-19-27
REQUEST: CHANGE REAR SET BACK TO 20FT IN LIEU OF 50FT REQUIRED

DISTRICT: 4



Attachment “B” – Zoning Map

CURRENT ZONING



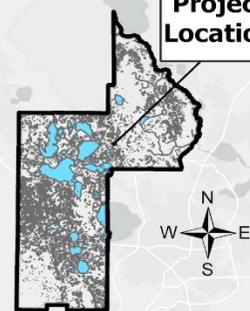
Zoning

- A
- R-1
- R-2
- R-3

NAME: HOLLOWAY PROPERTY
CASE NUMBER: VAR-PZ2025-256
LOCATION (S-T-R): 05-19-27
REQUEST: CHANGE REAR SET BACK TO 20FT IN LIEU OF 50FT REQUIRED

DISTRICT: 4

Project Location



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9/5/2025

Attachment “C” – Overlay District Map

VAR-PZ2025-256
Holloway Property

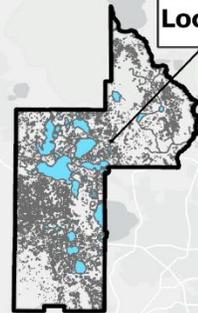


Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\VAR-PZ2025-256-HollowayProperty\VAR-PZ2025-256-HollowayProperty.aprx

Change rear set back to 20ft in lieu of 50ft required

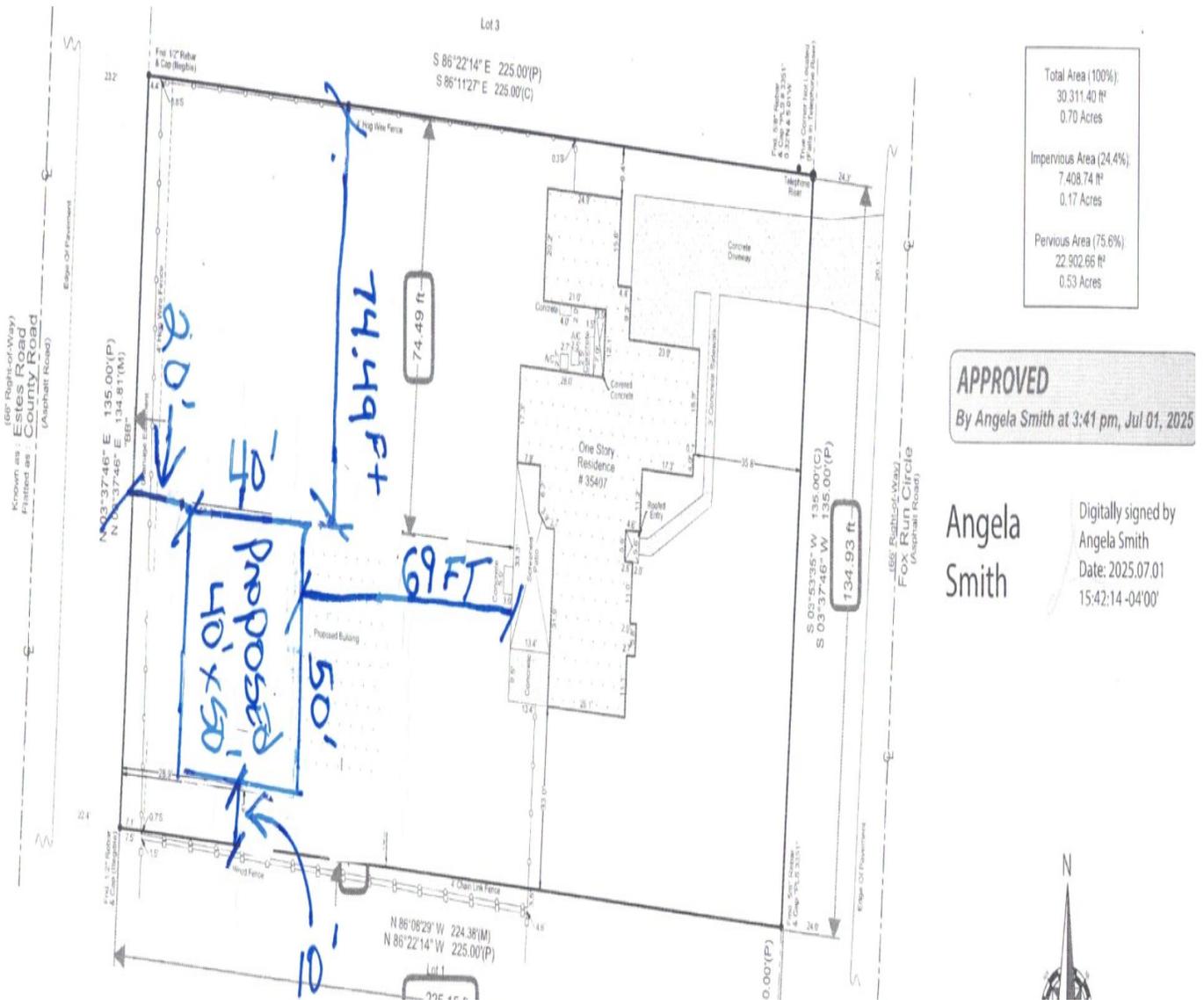


Project Location



9/5/2025

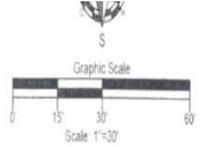
Attachment “D” – Plot Plan Proposal (2 of 3)



Attachment “D” – Plot Plan Proposal (3 of 3)

Revision: Plot Plan Rev - 06-26-25 - ADS
 Revision: Plot Plan Rev - 06-19-25 - ADS

S 03°37'40" W
 100.00 Feet
 100.00 Feet



35407 FOX RUN CIRCLE, EUSTIS, FLORIDA 32736

PLOT PLAN

Legal Description:

LOT 2, FOX HOLLOW, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE(S) 81 AND 82, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.



Flood Information:

CERTIFIED TO:

ROY L. HOLLOWAY JR. AND MONICA L. HOLLOWAY, DA CONSTRUCTION.

Field Date: 6/26/2025 Date Completed: 06/26/25
 Drawn By: P File Number: 15-06786-PP2

Legend:	
C	• Calculated
CB	- Concrete Block
CM	- Concrete Monument
Conk	- Concrete
D	- Description
DE	- Drainage Easement
EM	- Easement
F.F.E.	- Finished Floor Elevation
Fnd	- Found
IP	- Iron Pipe
L	- Length (feet)
M	- Measured
N&D	- Nail & Drive
N.R.	- Non-Radial
ORB	- Official Records Book
P	- Plat
P.B.	- Plat Book
W	- Wood Fence
PC	- Point of Curvature
Pp	- 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
RI	- R-Insulated
Set	- Set of Stake & Rebar Cap 1.875x2
Typ	- Typical
UE	- Utility Easement
WM	- Water Meter
Δ	- Delta (Central Angle)
-O-	- Chain Link Fence

NOTES:
 - Survey is based upon the legal description supplied by client.
 - Allowing Properties Deeds have NOT been reviewed for gaps, overlaps and/or status.
 - All existing structures and/or boundaries of record.
 - Existing lines shown herein are assumed and based upon the information provided with a "B" building line are NOT to be used for easement/property lines.
 - All overlaps, underground utilities and/or fences have NOT been located (UNLESS otherwise noted).
 - All utility lines and/or right-of-way are shown as "NOT" located by appropriate utility companies.
 - All of the Survey for Purpose other than intended. Without further 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 listed.

I hereby certify that the 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 by the State Surveyor. Based on information furnished to me and noted and conforms to the Standard Practice for Land Surveying in the State of Florida in accordance with Chapter 11-17.351 Florida Administrative Code, Pursuant to Section 472.001 Florida Statutes.

4077 PEGGY JANE HAY
 06/26/25
 L.S. 7823

Ireland & Associates Surveying, Inc.
 800 Curceny Circle | Suite 1020
 Lake Mary, Florida 32746
 www.irelandsurveying.com
 Office-407.678.3366 Fax-407.320.8165

Attachment “E” – Public Works Comment

Corey,

Public Works Engineering has the following comments.

1. The property shall not be allowed to have driveway access off Estes Road.
2. The accessory structure shall utilize the existing driveway apron for access off Fox Run Cir.

Thanks,
Seth



SETH LYNCH

Development Engineer/Project Manager

PUBLIC WORKS DEPARTMENT

Engineering Division, Development Section

A P.O. BOX 7800, 350 N. Sinclair Ave, Tavares, FL, 32778

P 352-253-9052

E seth.lynch@lakecountyfl.gov | **W** www.lakecountyfl.gov

Attachment “F” – Floodplain Management Comment

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

Date Mon 9/8/2025 10:28 AM

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

Cc Lynch, Seth <seth.lynch@lakecountyfl.gov>; Dongalo, Ryan <ryan.dongalo@lakecountyfl.gov>

Corey:

Thanks for the opportunity to comment on this Application.

After review, this property is well outside of the closest Special Flood Hazard Areas in this location. As such, Flood staff have no comments on or objections to this application.

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 “G” – City of Eustis comment

Good afternoon!

The City of Eustis does **NOT OPPOSE** the above reference variance.

Have a great afternoon/week!

Best regards,
Mike

Mike Lane, AICP
Director
Development Services
City of Eustis

Attachment “H” – Zoning Permit #60621 (1 of 2)



OFFICE OF PLANNING AND ZONING
Zoning Permit
Valid for 30 days to Submit a Complete Application
to the Office of Building Services

Zoning Permit #60621

Approval Date: July 01, 2025

Address Screen #90421

Type of proposed development: 7/1/25- Zoning clearance for Install 48' x 40' stand-alone metal building garage over new concrete. Accessory structures cannot exceed 80% of the SFDU living space, which is 2020 SF. Issued by AS

***** Note**

*****Accessory Structure is not to be used as an ADU, conduct any Business activities, or for animal purposes.**

Job Address: 35407 FOX RUN CR City:EUSTIS State:FL Zip:32726

Alt. Key: 2986034 Section: 05 Township: 19 Range: 27 Found in Section Lot: 00200 Block: 000

Legal Description: FOX HOLLOW SUB LOT 2 PB 27 PGS 81-82 ORB 5834 PG 478

Owner Information:

HOLLOWAY ROY T JR AND MONICA HOLLOWAY

35407 FOX RUN CIR
EUSTIS, FL 32736

APPROVED
By Angela Smith at 3:46 pm, Jul 01, 2025

Angela Smith
Digitally signed by Angela Smith
Date: 2025.07.01 15:46:40
-04'00'

Site Plan # Project # Application #

Joint Planning Area: EUSTIS Interlocal Service Boundary Agreement: Lot of Record #

Average Setback: Accessory Dwelling Unit ORB PG Unity of Title ORB PG Lot Split ORB PG Lot Line Deviation ORB PG Variance # Ordinance #

Districts:

Commissioner- 4 Road- NE/W School -S Parks-N Zoning-R-2 Land Use Designation-S St. Johns-N Green Swamp-N Wekiva- N JPA- Y Flood Map Page-0357E Zone-X Elevation: Hazard- N Permit #
Wetland Affidavit-N County Road # Maximum ISR: .30 Meets Impervious Surface-N # of Trees required-5 Lot size-.7 AC Min. sf of dwelling- Water/Well-CITY Sewer/Septic-SEWER

Setbacks:

Primary Structure-SFDU Front-62' CL Left- 10' PL Right- 10' PL Rear- 50' ROW
Accessory Structure #1-METAL BLD Front-NC Left-10' PL Right-10' PL Rear-50' ROW
Accessory Structure #2- Front- Left- Right- Rear-

Attachment “I” – Narrative Justification (1 of 3)

Describe the Development Request:

Change REAR SET BACK to
20' in lieu of 50' Required.

Provide Justification for the Request:

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

SEPARATION FROM MAIN HOUSE AND
WILL ALLOW ACCESS FOR USAGE.

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:

N/A

Attachment “I” – Narrative Justification (2 of 3)



Planning and Zoning

Project Narrative Variance

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

Building placement unusable
Due to ACCESS RESTRICTIONS.

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

SEPERATION will be obtained from the
existing home and proposed building
creating usable ACCESS.

Attachment “I” – Narrative Justification (3 of 3)

Office of Planning and Zoning

Reviewer: Corey DeVogel, Planner I, Email: Corey.DeVogel@lakecountyfl.gov, Phone No.: (352) 343-9641 (Ext: 9733)

1. Please provide the height of the proposed structure.

The ridge height is 18'10-1/4" and the eve height is 14'.

P 352.343.9641 • F 352.343.9767

Board of County Commissioners • www.lakecountyfl.gov

Anthony Sabatini
District 1

Sean M. Parks, AICP, QEP
District 2

Kirby Smith
District 3

Leslie Campione
District 4

Timothy Morris
District 5

Attachment "J"-Wekiva Affidavit



Wekiva River Protection Act Application for Consistency Review

The Wekiva River Protection Area Act was enacted in 1988 and codified as Part II, Chapter 369, Florida Statutes, for the purpose of protecting the natural resources of the Wekiva River System. The Act provides for protecting the Wekiva River System and its ecology and prohibits development that is not low-density residential in nature, unless that development has less impacts on natural resources than low-density residential development and requires that residential development have a rural density and character in the aggregate. Regardless of the land use designation or zoning classification assigned to any parcel of property located within the Wekiva River Protection Area, (as defined) no development may be approved upon parcels so located unless it conforms to the provision of the Act and the provisions of the Lake County Comprehensive Plan and Land Development Regulations, as amended.

Please thoroughly answer each of the questions below, in letter format, along with a location map, along with an application rezoning/conditional use permit. The information will assist staff in determining if the proposed activity is consistent with the provisions of the Wekiva River Protection Act. Answers should be detailed and apply and articulate sound and generally accepted planning practices and principles.

A. Describe how the proposed activity will protect each of the following:



1. Water quantity, water quality and hydrology of the Wekiva River System.
2. Wetlands associated with the Wekiva River System.
3. Aquatic and wetland-dependent wildlife species associated with the Wekiva River System.
4. Habitat within the Wekiva River Protection Area of species designated pursuant to Rules 39-27.003, 39-27.004, and 39-27.005, Florida Administrative Code.
5. Native vegetation within the Wekiva River Protection Area.

We are only installing a concrete pad for a metal garage building. We are not building near any wetlands, lakes or waterways.

B. Describe how the proposed development will be consistent with the following provisions:



1. Provisions to ensure the preservation of sufficient habitat for feeding, nesting, roosting, and resting as to maintain viable populations or species designated pursuant to Rules 39.27.003, 39-27.004, and 39-27.005, Florida Administrative Code.
2. Clearing of native vegetation within the 100-year flood plain.
3. The rural character of the Wekiva River Protection Area.
4. Prohibition of development that is not low-density in nature, unless that development has less impact on natural resources than low-density residential development.
5. Provisions for setbacks along the Wekiva River for areas that do not fall within the protection zones established pursuant to Section 373.415, Florida Statutes.
6. Restrictions on intensity of development adjacent to publicly owned lands to prevent adverse impacts to such lands.
7. Restrictions on filling and alteration of wetlands in the Wekiva River Protection Area.
8. Provisions encouraging clustering of residential when it promotes protection of environmentally sensitive areas.
9. Ensuring that residential development in the aggregate is of a rural density and character.
10. Concentrating development farthest from the surface water and wetlands of the Wekiva River System.
11. Land adjacent to the surface water and watercourses of the Wekiva River System may not be subdivided so as to interfere with the implementation of protection zones as established pursuant to Section 373.415, Florida Statutes, to interfere with any applicable setbacks from surface water in the Wekiva River System which are established by local governments, or interfere with the policy of concentrating development in the Wekiva River Protection Area as far from the surface water and wetlands of the Wekiva River Systems as practicable.
12. Location of septic tanks and drain fields in the 100-year flood plain and discharges of stormwater to the Wekiva River System.

Lake County shall, through the implementation of the Comprehensive Plan, preserve and protect the Wekiva River Protection Area and Wekiva Study Area as natural resources of critical state and regional importance. The Wekiva River Protection Area and Wekiva Study Area are shown on the Future Land Use Map.

Please Note: Additional approvals, permits and inspections may be required from the Offices of Planning & Zoning, Building Services, and/or Public Safety prior to commencing or continuing business operations.

Map of Subject Property

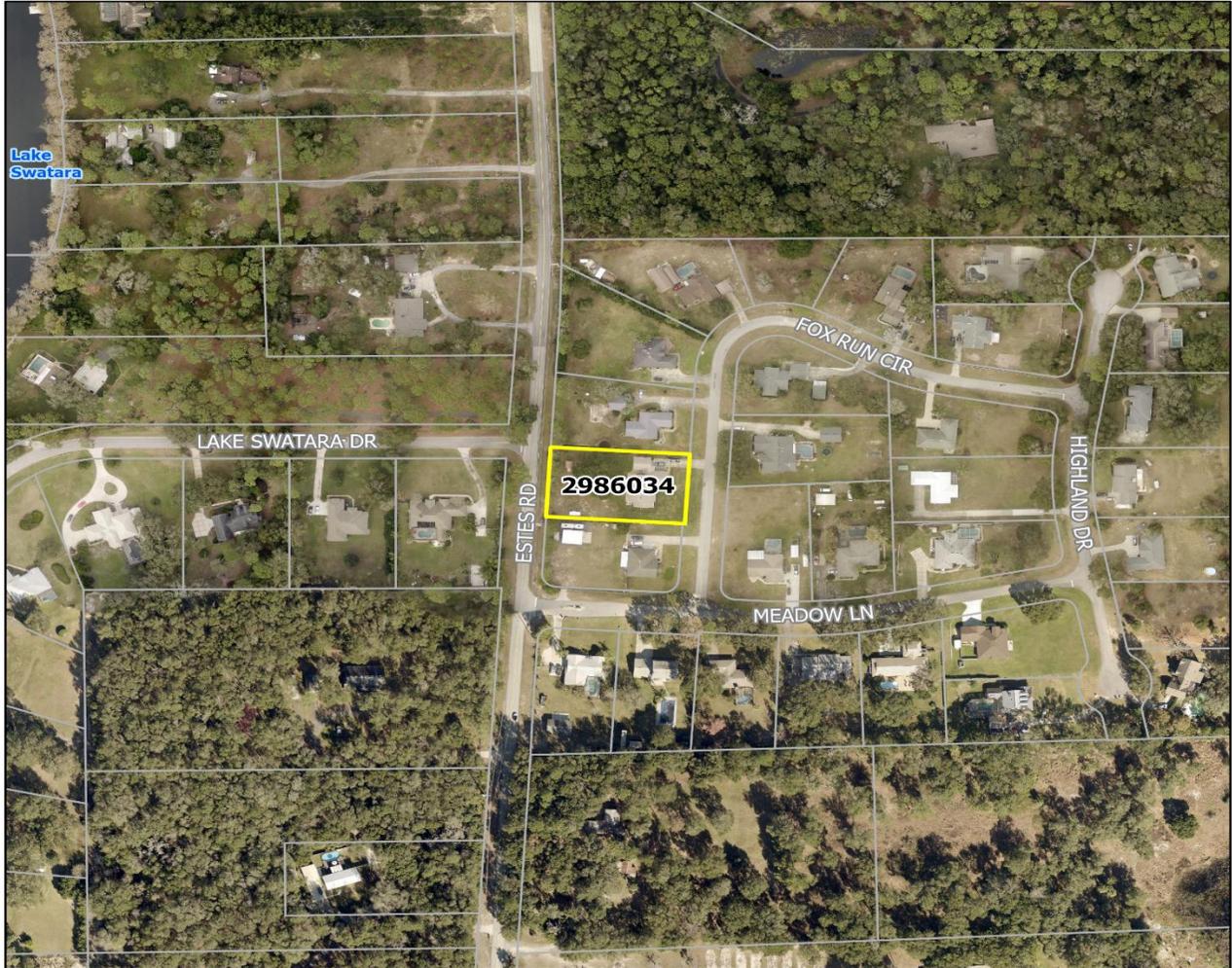


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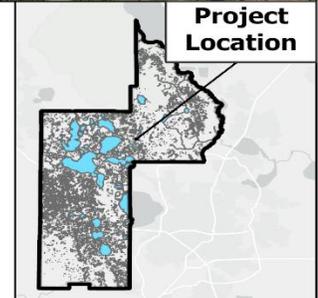
9/5/2025

Aerial Map of Subject Property

**VAR-PZ2025-256
Holloway Property**



Change rear set back to 20ft in lieu of 50ft required



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9/5/2025

FINAL DEVELOPMENT ORDER

(PZ2025-256 / AR 6189)

WHEREAS, Alan Thompson (the “Applicant”) requested a variance on behalf of Roy T. Holloway Jr., a married individual and Monica L. Holloway (the “Owner”), to Land Development Regulations (LDR) Table 3.02.05 (Note 3 (a)) to allow a setback of twenty (20) feet for an accessory structure in lieu of the required 25-foot setback for double frontage lots; and

WHEREAS, the subject property consists of approximately 0.7 +/- acres located at 35407 Fox Run Circle in the unincorporated Eustis area in Section 05, Township 19 South, Range 27 East, identified by Alternate Key Number 2986034, 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 January 7, 2026; 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 Land Development Regulations (LDR) Table 3.02.05 (Note 3(a)) to allow a setback of twenty (20) feet for an accessory structure in lieu of the required 25-foot setback for double frontage lots is hereby granted.
2. **Conditions:** The variance granted above is subject to the following requirements/conditions:
 - a. Driveway access off Estes Road is strictly prohibited.
 - b. The accessory structure shall utilize the existing driveway apron for access off Fox Run Circle.
 - c. A separate building and zoning permit must be obtained before any construction can begin.
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**

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 7th day of January, 2026, 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 2, FOX HOLLOW, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 27, PAGE(S) 81, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

