



# VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearing Date: January 7, 2026

Case No. and Project Name: PZ2025-303 , Davis Property - Carport

Commissioner District: District 4 – Leslie Campione

Applicant(s): Elizabeth Davis

Owner(s): Augustus M. Davis, Jr. and Elizabeth L. Davis, husband and wife

Requested Action: A Variance to Land Development Regulation (LDR) Table 3.02.05, to allow for the construction of a 1,080 square-foot carport 8-feet from the side property line, in lieu of the required 25-foot setback.

Case Manager: Corey DeVogel, Planner I

### Subject Property Information

Size: 5.01 +/- gross acres

Location: 41540 N Babb Rd, in the unincorporated Umatilla area

Alternate Key No.: 3777884

Future Land Use: Rural (Attachment “A”)

Current Zoning District: Agriculture "A" (Attachment “B”)

Flood Zone(s): (“AE”) & (“X”)

JPA/ISBA: N/A

Overlay/Rural Protection Area: Economic Development Overlay, Umatilla Service Area (Attachment “C”)

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Agriculture “A”	Single Family Lake Frontage	Residential Building
South	Rural	Agriculture “A”	AG / Pasture Improved	Detached Garage
East	Rural	Agriculture “A”	Wetland / Vacant Access Parcel	Island Lake
West	Rural	Agriculture “A”	Agricultural Homesite	Separated by North Babb Road

## Summary of Request

The subject parcel is identified by Alternate Key Number 3777884 and contains approximately 5.1+/- gross acres. The subject parcel is zoned as Agriculture "A"; is designated with a Rural Future Land Use Category (FLUC) by the 2030 Comprehensive Plan; and located within the Economic Development Overlay District and Umatilla Utility Service Area. The subject parcel is developed with a 2,338 square foot single-family residence, a 676 square-foot attached garage, a 402 square-foot attached porch, a 296 square-foot boat dock, and a 360 square foot boat house (Attachment "D").

GIS maps indicate that the subject parcel is located within flood zones "AE" & "X", and there is indication that wetlands exist on the site. On October 27, 2025, the requested action was sent to the Public Works Department and Fire Rescue Office for a determination of consistency with applicable regulations, including flood and stormwater requirements. Public Works and Fire Rescue did not have any concerns or comments regarding the requested variance (Attachment "E").

The Applicant is requesting a variance to LDR Table 3.02.05, to allow for the construction of a 1,080 square-foot carport 8-feet from the side property line, in lieu of the required 25-foot setback.

The subject property is not located within a Joint Planning Area (JPA) or Interlocal Service Boundary Agreement (ISBA).

For background purposes, the subject property was part of a previous Minor Lot Split (LS 92-64).

There are no associated Code Enforcement cases for the subject property.

The proposed development will have a height of 12-feet at the eaves and a height of 16-feet at the peak of the structure.

The current Impervious Surface Ratio (ISR) for the subject property is 5%. The proposed development will result in an impervious surface ratio of 6%. The maximum allowable ISR within the Agriculture "A" zoning district is 10%. The maximum allowable ISR within the zoning district.

The Applicant provided a Project Narrative as shown on Attachment "F".

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 -

**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, "N/A [sic]".

*ANALYSIS: No statement in support of the intent being met.*

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 as evidence that the principle of fairness would be violated if the variance isn't approved, *"North side of carport located within 25' setback requirement"*.

*ANALYSIS: No substantial hardship appears to be indicated within the statement.*

# Attachment "A" – Future Land Use Map

## CURRENT FUTURE LAND USE



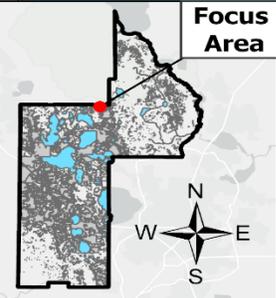
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12/8/2025

### FLU

 Rural

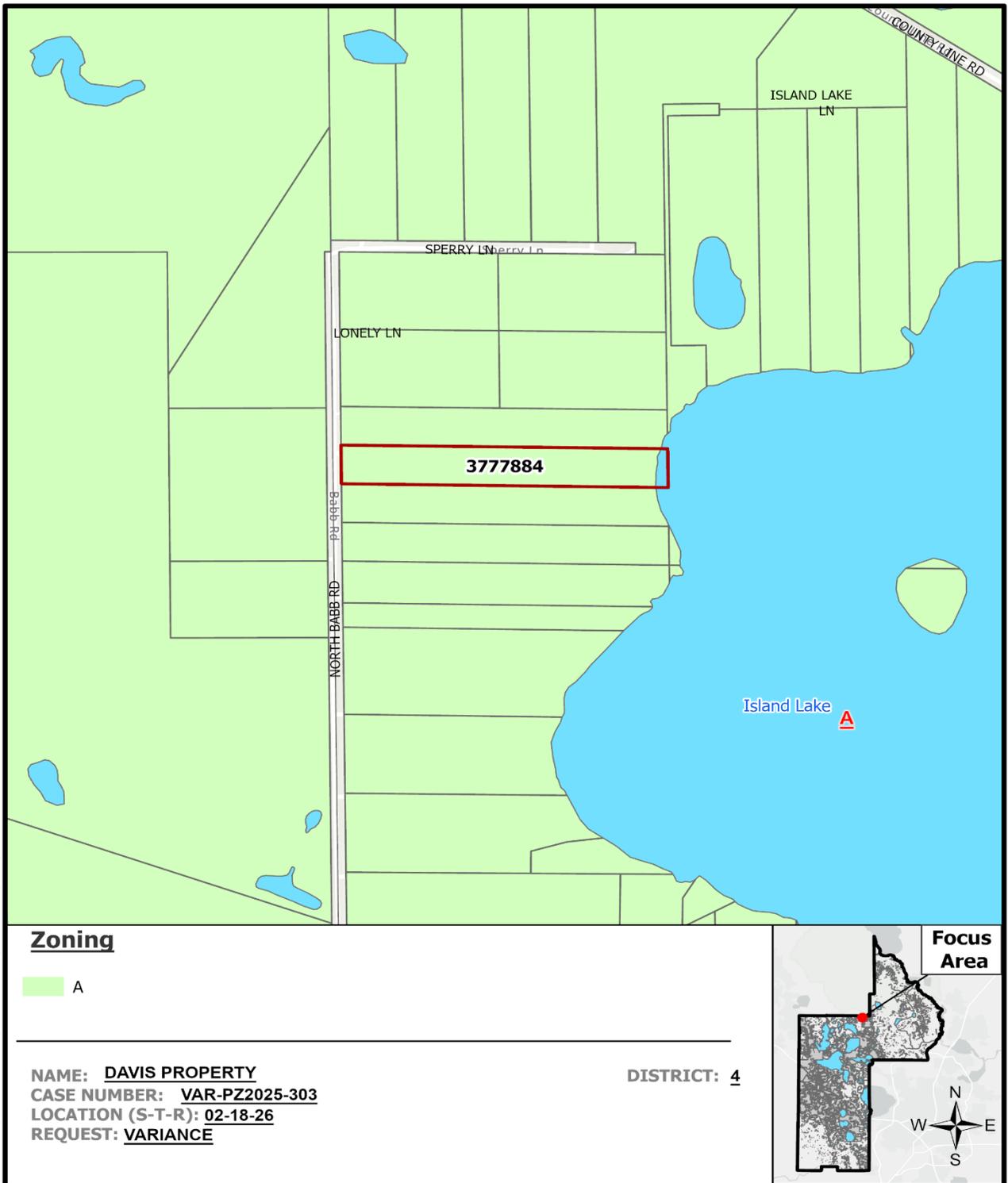
**NAME:** DAVIS PROPERTY  
**CASE NUMBER:** VAR-PZ2025-303  
**LOCATION (S-T-R):** 02-18-26  
**REQUEST:** VARIANCE

**DISTRICT:** 4



# Attachment "B" – Zoning Map

## CURRENT ZONING

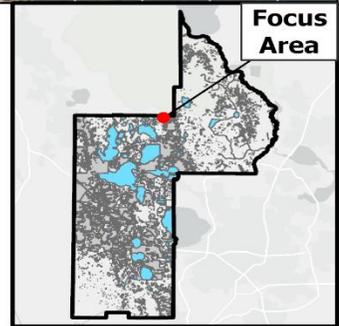


# Attachment "C" – Overlay District Map

**VAR-PZ2025-303  
Davis Property**



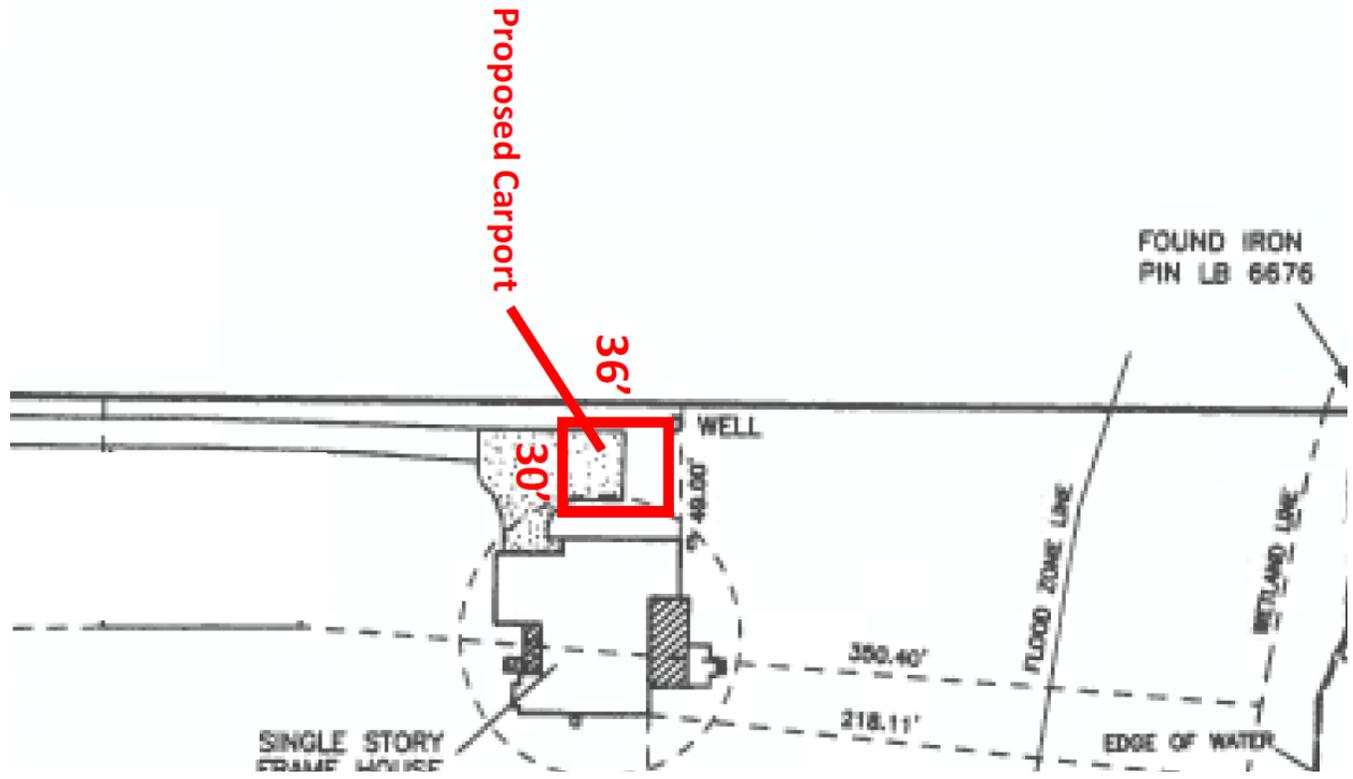
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12/8/2025



# Attachment "D" – Plot Plan (2 of 3)





# Attachment "E" – Fire & Public Works (1 of 3)

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**Subject:**

Stephens, James  
RE: REVIEW REQUEST | Davis Property - Carport Variance PZ2025-303 (AR 6242) | AK  
3777884

Good afternoon James,

Fire has no comment.

Thank you,



**ELISA YANES**  
*Chief Fire Plans Reviewer/Inspector*

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**OFFICE OF BUILDING SERVICES**  
Board of County Commissioners

## Attachment “E” – Fire & Public Works (2 of 3)

**Subject:** RE: REVIEW REQUEST | Davis Property - Carport Variance PZ2025-303 (AR 6242) | AK 3777884

James:

Thanks for the opportunity to review this application.

After reviewing the information provided, Staff notes that all proposed work will be well outside the Special Flood Hazard Area on this property.

Accordingly, Floodplain Management has no comments on or objections to this application.

Thanks.



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

PUBLIC WORKS

## Attachment "E" – Fire & Public Works (3 of 3)

**Cc:** Dongalo, Ryan  
**Subject:** RE: REVIEW REQUEST | Davis Property - Carport Variance PZ2025-303 (AR 6242) | AK 3777884

I have no comment.

Thanks,  
Seth



**SETH LYNCH**  
*Development Engineer/Project Manager*

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PUBLIC WORKS DEPARTMENT  
*Engineering Division, Development Section*

## Attachment "F" – Project Narrative (1 of 3)

Describe the Development Request:

Construct 30' x 36' carport within 25'  
setback area

Provide Justification for the Request:

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

Requesting to construct carport within  
required setback because it would be  
located directly at the end of the driveway  
(most logical place for the carport)

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:

# Attachment "F" – Project Narrative (2 of 3)



## Office of Planning and Zoning

### Project Narrative Variance

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

North side of carport located within  
25' setback requirement

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

N/A

## Attachment “F” – Project Narrative (3 of 3)

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**From:** Elizabeth Bilton <elbilton@gmail.com>  
**Sent:** Monday, October 27, 2025 9:07 AM  
**To:** Holt, Sharyn <shari.holt@lakecountyfl.gov>  
**Cc:** mikeyjr1980@gmail.com  
**Subject:** Re: Davis Property / PZ2025-303 / AR 6242

**CAUTION:** This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Sharyn - we are requesting a variance of 8 ft from the property line in lieu of the required 25-ft setback. Please let us know if you require any additional information. Thanks, Elizabeth Davis

On Fri, Oct 24, 2025 at 3:44 PM Holt, Sharyn <[shari.holt@lakecountyfl.gov](mailto:shari.holt@lakecountyfl.gov)> wrote:

Good afternoon-

I will be the case manager for your variance request. Before I send the request to the departmental reviewers, could you please let me know what the requested setback from the property line is?

# Map of Subject Property



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# Aerial Map of Subject Property

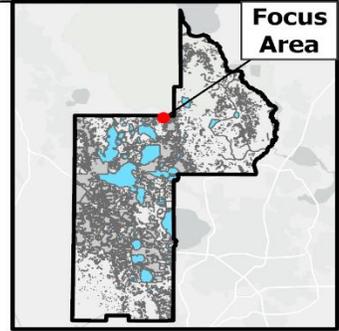
**VAR-PZ2025-303  
Davis Property**



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Variance



Focus Area

12/8/2025

# FINAL DEVELOPMENT ORDER

(PZ2025-303 / AR 6242)

**WHEREAS**, Elizabeth Davis (the “Applicant”) requested a variance on behalf of Augustus M. Davis Jr. and Elizabeth L. Davis, husband and wife (the “Owner”), to Land Development Regulations (LDR) Table 03.02.05, to allow for the construction of a 1,080 square-foot carport 8-feet from the side property line, in lieu of the required 25-foot setback; and

**WHEREAS**, the subject property consists of approximately 5.01 +/- acres located at 41540 North Babb Road in the unincorporated Umatilla area in Section 02, Township 18 South, Range 26 East, identified by Alternate Key Number 3777884, 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**: The following variance to Land Development Regulations (LDR) Table 3.02.05 is hereby granted to allow for the construction of a 1,080 square-foot carport 8-feet from the side property line, in lieu of the required 25-foot setback.
2. **Conditions**: The variance granted above is subject to the following requirements/conditions:
  - a. A separate building and zoning permit will be required before any construction can begin.
  - b. The appropriate tree removal permit will be required if trees are to be removed prior to development.
  - c. 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 for an administrative order must comply with all applicable Florida Rules of Appellate Procedure.

### Exhibit "A" – Legal Description

**The South ½ of the North ½ of the South ½ of the Southwest ¼ of the Northwest ¼ of Section 2, Township 18 South, Range 26 East, Lake County, Florida; less a strip of land of equal width 25.00 feet wide off the entire West side of the subject parcel, pursuant to the Warranty Deed recorded in O.R. Book 6204, Page 2223, Public Records of Lake County, Florida.**



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12/8/2025