



VARIANCE STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearing Date: March 04, 2026

Case No. and Project Name: PZ2025-377, Weil Property

Commissioner District: District 3 – Kirby Smith

Applicant(s): Nicholas Weil

Owner(s): Nicholas Wayne Weil and Nadene Sue Weil, husband and wife

Requested Action: Variance to Land Development Regulations (LDR) Section 10.01.01(D) to allow a 3,040 square-foot detached accessory structure (detached garage) atop a 3,800 square foot new concrete pad which equates to 110 percent of the square feet of principal dwelling, in lieu of the maximum allowed 80 percent.

Case Manager: Corey DeVogel, Planner I

Subject Property Information

Size: 0.92 +/- gross acres

Location: 11802 Huggins Street, in the unincorporated Leesburg area

Alternate Key No.: 1389933

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

Current Zoning District: Urban Residential "R-6" District (Attachment “B”)

Flood Zone(s): “X”

JPA/ISBA: Leesburg ISBA

BMAP Location: Ocklawaha

Overlay/Rural Protection Area: N/A (Attachment “C”)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Medium Density	Urban Residential "R-6"	Residential	Single-Family Residence North of Huggins Street
South	Urban Medium Density	Urban Residential "R-6"	Residential	Single-Family Residence
East	Urban Medium Density	Mixed Residential District "R-7"	Residential	Single-Family Residence
West	Urban Medium Density	Urban Residential "R-6"	Residential	Single-Family Residence

– Summary of Request –

The subject parcel is identified by Alternate Key Number 1389933 contains approximately 0.92+/- gross acres. The subject parcel is zoned as Urban Residential (R-6) District; is designated with an Urban Medium Future Land Use Category (FLUC) by the 2030 Comprehensive Plan; and is located within Economic Development Overlay District. GIS maps indicate that the subject parcel is located within flood zone “X” and there is no indication that wetlands exist on the site. The subject parcel is developed with a single-family residence with 2,758 square-foot living space, a 56 square-foot shed on the southeast corner and driveway, as shown on GIS aerials, and the subject property’s Property Record Card (Attachment “D”).

The Applicant is requesting a variance to LDR Section 10.01.01(D) to allow a 3,040 square-foot detached accessory structure (detached garage) atop a 3,800 square foot new concrete pad which equates to 110 percent of the square feet of principal dwelling, in lieu of the maximum allowed 80 percent.(Attachment “E”).

On December 8, 2025, the requested action was sent to the Public Works Department and Office of Fire Rescue for a determination of consistency with applicable regulations, including flood and stormwater requirements. Public Works and Fire Rescue provided comments and conditions as shown on Attachment “F”. In addition, the conditions have been incorporated into the Development Order.

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

For background purposes, there are no active Code Enforcement cases for the subject property. As no survey was provided, based upon aerials from the Lake County Geographic Information System, and the Lake County Property Appraiser’s property record card for the subject property, the Impervious Surface Ratio (ISR) is 15%. The proposed development will result in an ISR of 25%. The maximum allowable ISR within the Urban Medium Future Land Use Category is 70%. The maximum allowable ISR allowed within the Urban Residential “R-6” zoning district is 55%.

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

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 10.01.01 entitled *General Requirements for Accessory Structures*, is to regulate the configuration of accessory structures in order to ensure that they are not harmful either aesthetically or physically to residents and surrounding areas.

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 property is just under 1 acre, which triggers the 80% accessory structure size limitation. This standard is intended for smaller residential lots and does not reflect the physical characteristics of this parcel. The lot’s depth, configuration, and placement of the existing home limit the feasible building area. A smaller structure would not provide the necessary secure and functional storage capacity.*

The proposed storage building will be placed adjacent to the home, will not affect neighborhood character, and is consistent with other accessory buildings in the surrounding area. The variance requested is the minimum necessary to allow reasonable and appropriate use of the property.”

ANALYSIS: An alternative means of achieving the intent of LDR would be a reduction in size of the proposed development, to meet the maximum allowable percentage and square footage.

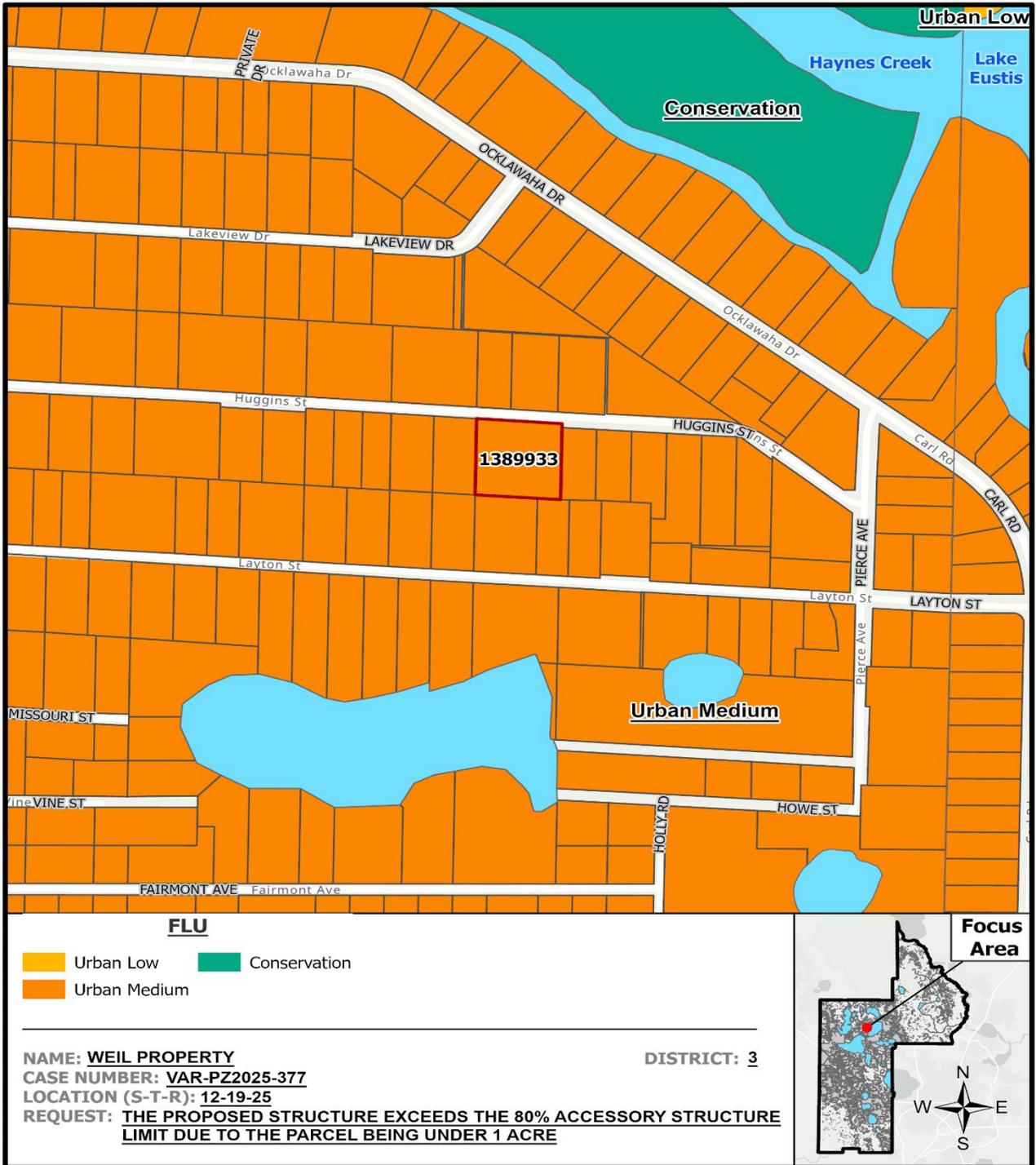
2. The application of a Land Development Regulation would create a substantial hardship or would violate principles of fairness. For purposes of this Section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance. For 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 principles of fairness would be violated if the variance isn’t approved, *“We propose constructing 32x95 detached storage building 40x95 concrete pad located behind the existing residence on a parcel just under 1 acre. The project requires a variance because the accessory structure size 80% of principal structure size and exceeded 650 +/- SF. The structure will be positioned adjacent to the home and consistent with large accessory buildings in the area.”*

ANALYSIS: The Applicant’s response does not explain how the application of the LDR affects them differently than any other property owner subject to the County Code. Nor does the Applicant explain whether a substantial hardship exists.

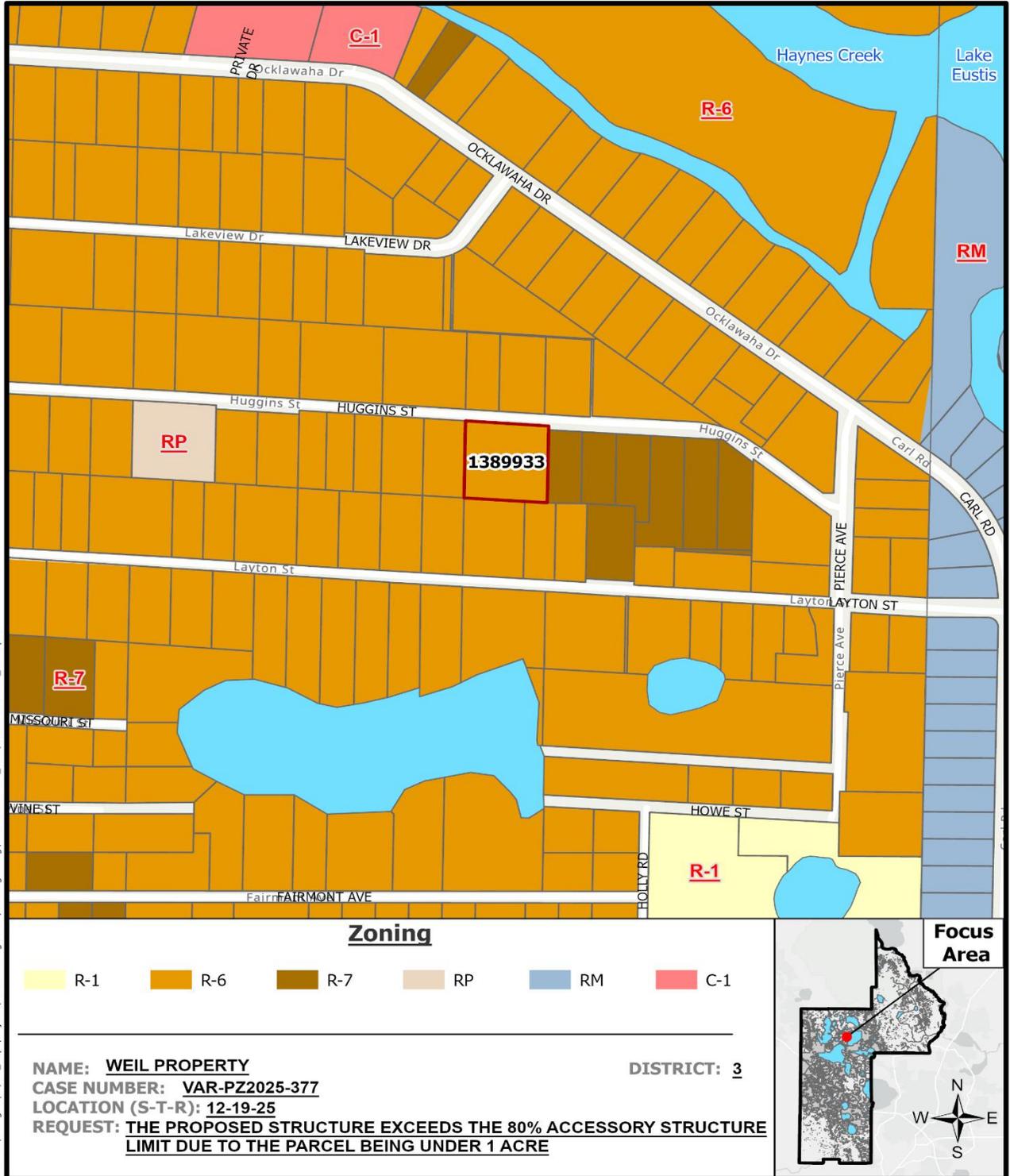
Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE



Attachment "B" – Zoning Map

CURRENT ZONING

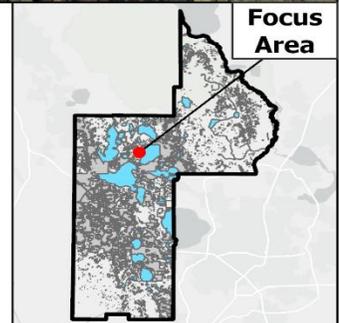


Attachment "C" – Overlay District Map

VAR-PZ2025-377
Weil Property



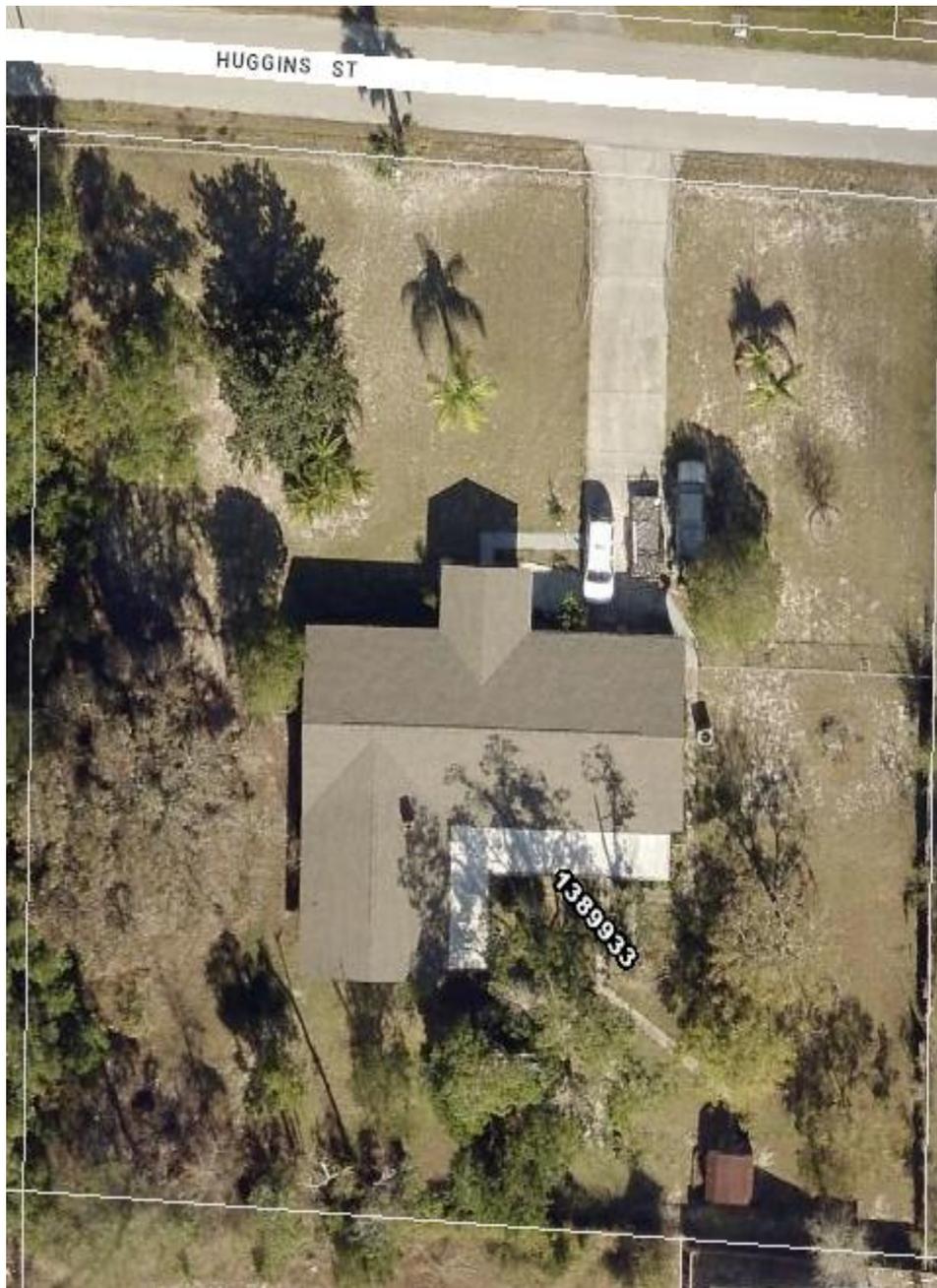
The proposed structure exceeds the 80% accessory structure limit due to the parcel being under 1 acre



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Attachment "D" – Aerial/Property Record Card (1 of 2)

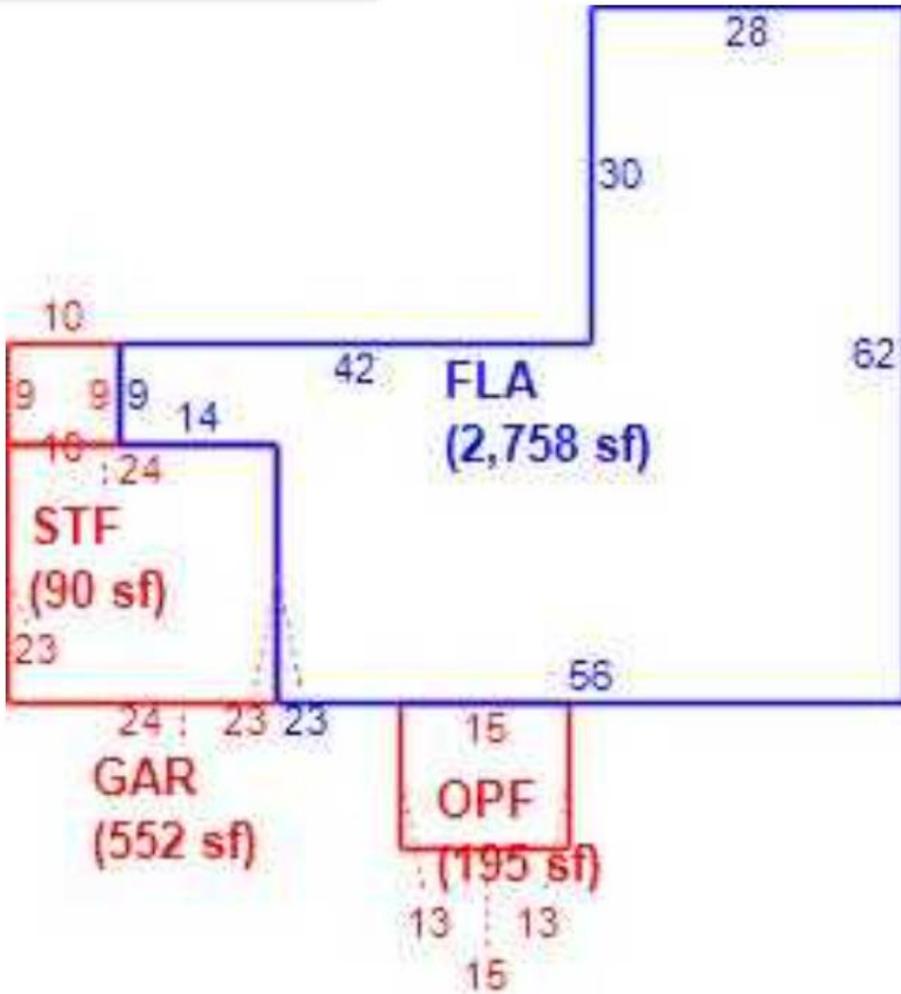


Attachment "D" – Aerial/Property Record Card (2 of 2)

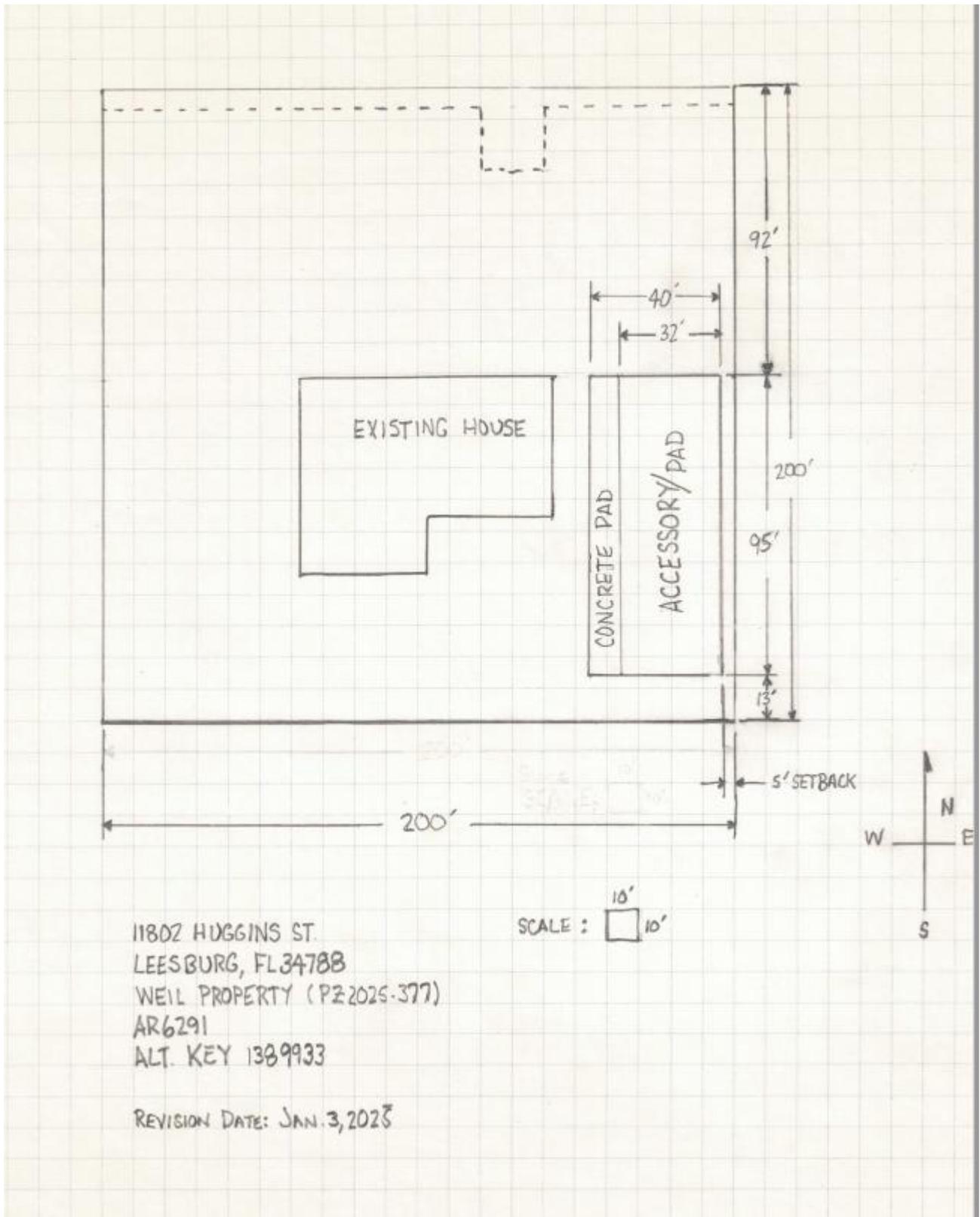
Section Type	Ext. Wall Type	No. Stories	Floor Area
FINISHED LIVING AREA (FLA)	CONCRETE BLOCK PLAIN (02)	1.00	2758
GARAGE FINISH (GAR)		1.00	552
OPEN PORCH FINISHED (OPF)		1.00	195
STORAGE ROOM FINISH (STF)		1.00	90

Residential Building Characteristics

[View Larger / Print / Save](#)



Attachment "E" – Concept Plan



Attachment “F” – Public Works (Engineering) Comments (1 of 3)

RE: Review Request | Weil Property | VAR | AK 1389933 | AR 6291 | PZ2025-377

From Lynch, Seth <seth.lynch@lakecountyfl.gov>

Date Mon 12/8/2025 7:37 AM

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

Cc Dongalo, Ryan <ryan.dongalo@lakecountyfl.gov>; Bursa, Karl <karl.bursa@lakecountyfl.gov>; LaRue, Adrienne <adrienne.larue@lakecountyfl.gov>

Public Works has the following comments.

Staff Report:

Public Works Department will not allow a second driveway apron access from Higgins St for this lot. If the variance is granted, then the access to the accessory structure shall be from the existing driveway apron.

Conditions:

1. The accessory structure shall utilize the existing driveway apron for access off Huggins St.
2. The stormwater runoff from the accessory structure shall be contained and managed on this lot and not runoff to the adjacent property.

Thanks,
Seth



SETH LYNCH

Development Engineer/Project Manager

PUBLIC WORKS DEPARTMENT

Engineering Division, Development Section

Attachment “F” – Public Works (Flood) Comments (2 of 3)

RE: Review Request | Weil Property | VAR | AK 1389933 | AR 6291 | PZ2025-377

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

Date Mon 12/8/2025 7:51 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.

Based on our review of this project site, Lake County GIS, and the FEMA FIRM Panels, this site is completely outside the SFHA.

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

Thanks.



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

PUBLIC WORKS

A 27351 State Road 19 Tavares, FL 32778

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

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

Attachment “F” –Fire Safety Comments (3 of 3)

RE: Review Request | Weil Property | VAR | AK 1389933 | AR 6291 | PZ2025-377

From Stephens, Summer <summer.stephens@lakecountyfl.gov>

Date Tue 12/23/2025 2:46 PM

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

Cc Yanes, Elisa <elisa.yanes@lakecountyfl.gov>

Good afternoon Corey,

Fire has no comments.

Thank you,



SUMMER STEPHENS

Fire Inspector

OFFICE OF BUILDING SERVICES
Board of County Commissioners

A 315 W. Main St. Suite 511 Tavares, FL 32778

C 352-636-5594 | F 352-343-9771

Attachment “G” – City of Leesburg ISBA Comments

RE: Review Request | Weil Property | VAR | AK 1389933 | AR 6291 | PZ2025-377

From Cliff Kelsey <Cliff.Kelsey@leesburgflorida.gov>
Date Wed 12/10/2025 3:16 PM
To DeVogel, Corey <corey.devogel@lakecountyfl.gov>

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.

Corey,

Leesburg Public Works has no issues with this application.

V/r,
Cliff

Clifford Kelsey
Public Works Director
Leesburg, Florida
(352) 435-9442 (o)
(352) 801-1752 (c)



Attachment “H” – Project Narrative Planning and Zoning



Project Narrative Variance

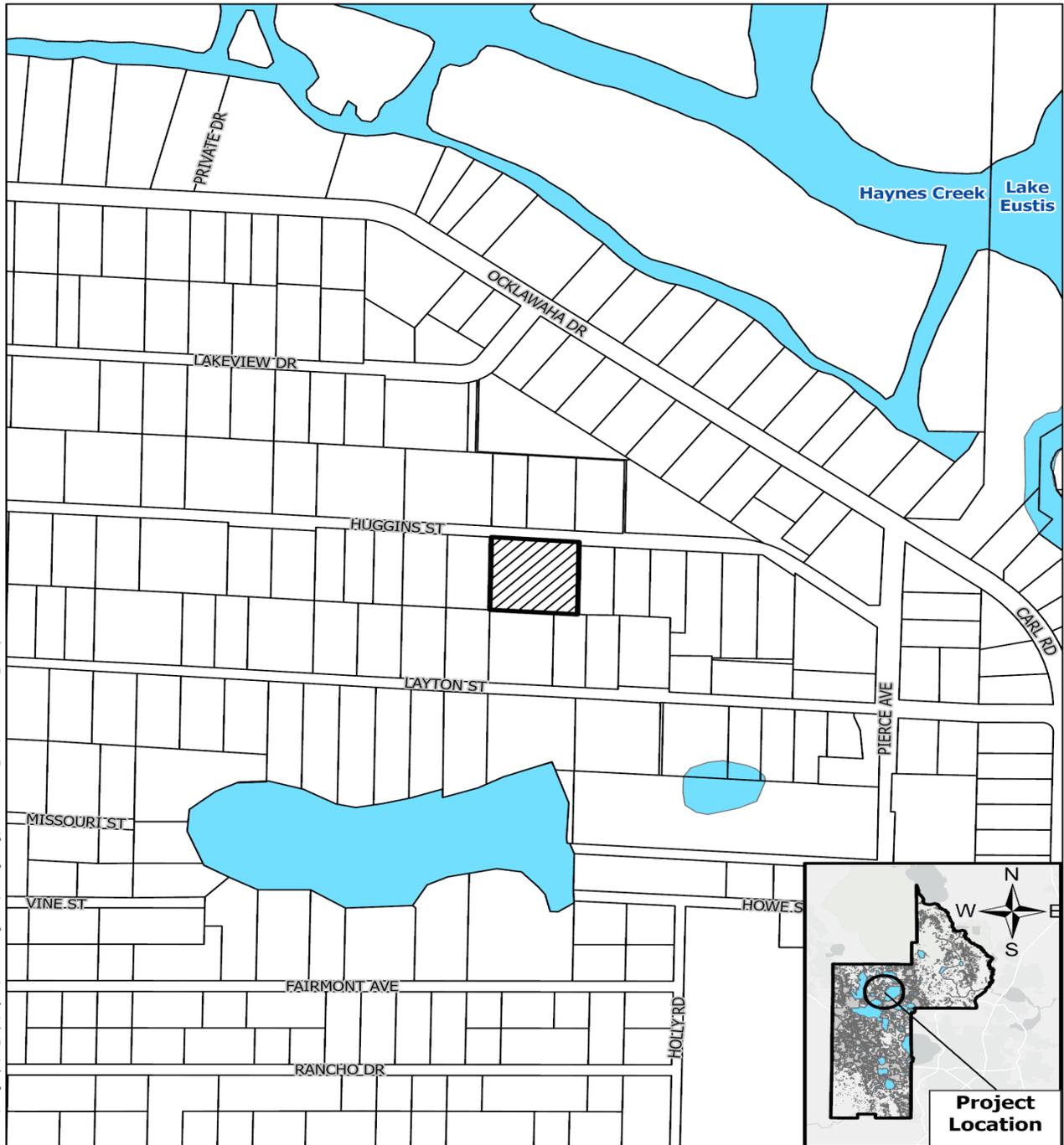
1. What is the substantial hardship in meeting the specific code requirement?

We propose constructing 32x95 detached storage building 40x95 concrete pad located behind the existing residence on a parcel just under 1 acre. The project requires a variance because the accessory structure size (80% of principal structure size and exceeded 650 +/- SF. The structure will be positioned adjacent to the home and consistent with large accessory buildings in the area.

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

2The property is just under 1 acre, which triggers the 80% accessory structure size limitation. This standard is intended for smaller residential lots and does not reflect the physical characteristics of this parcel. The lot's depth, configuration, and placement of the existing home limit the feasible building area. A smaller structure would not provide the necessary secure and functional storage capacity. The proposed storage building will be placed adjacent to the home, will not affect neighborhood character, and is consistent with other accessory buildings in the surrounding area. The variance requested is the minimum necessary to allow reasonable and appropriate use of the property.

Map of Subject Property



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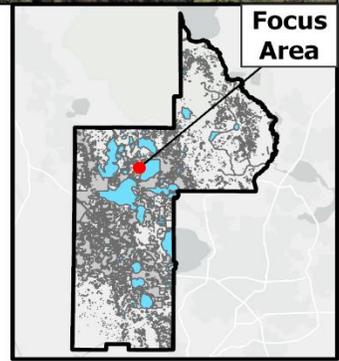
Aerial Map of Subject Property

VAR-PZ2025-377
Weil Property



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The proposed structure exceeds the 80% accessory structure limit due to the parcel being under 1 acre



12/8/2025

FINAL DEVELOPMENT ORDER

(PZ2025-377 / AR 6291)

WHEREAS, Nicholas Weil (the “Applicant”) requested a variance on behalf of Nicholas Wayne Weil and Nadene Sue Weil, husband and wife (the “Owner”), to Land Development Regulations (LDR) Section 10.01.01(D) to allow a 3,040 square-foot detached accessory structure (detached garage) atop a 3,800 square foot new concrete pad which equates to 110 percent of the square feet of the principal dwelling, in lieu of the maximum allowed 80 percent; and

WHEREAS, the subject property consists of approximately 0.92 +/- acres located at 11802 Huggins Street in the unincorporated Leesburg area in Section 12, Township 19 South, Range 25 East, identified by Alternate Key Number 1389933, 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 March 4, 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) Section 10.01.01(D) to allow a 3,040 square-foot detached accessory structure (detached garage) atop a 3,800 square foot new concrete pad which equates to 110 percent of the square feet of the principal dwelling, in lieu of the maximum allowed 80 percent is hereby granted.
2. **Conditions:** The variance granted above is subject to the following requirements/conditions:
 - a. The accessory structure shall utilize the existing driveway apron for access off Huggins Street.
 - b. The stormwater runoff from the accessory structure shall be contained and managed on this lot and not runoff to the adjacent property.
 - c. A separate building and zoning permit will be required before any construction can begin.
 - d. The appropriate tree removal permit will be required if trees are to be removed prior to development.
3. **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 4th day of March 2026, by Bea Meeks, as Chairman of the Lake County Board of Adjustment.

Personally Known OR Produced Identification

Type of Identification Produced _____

(SEAL)

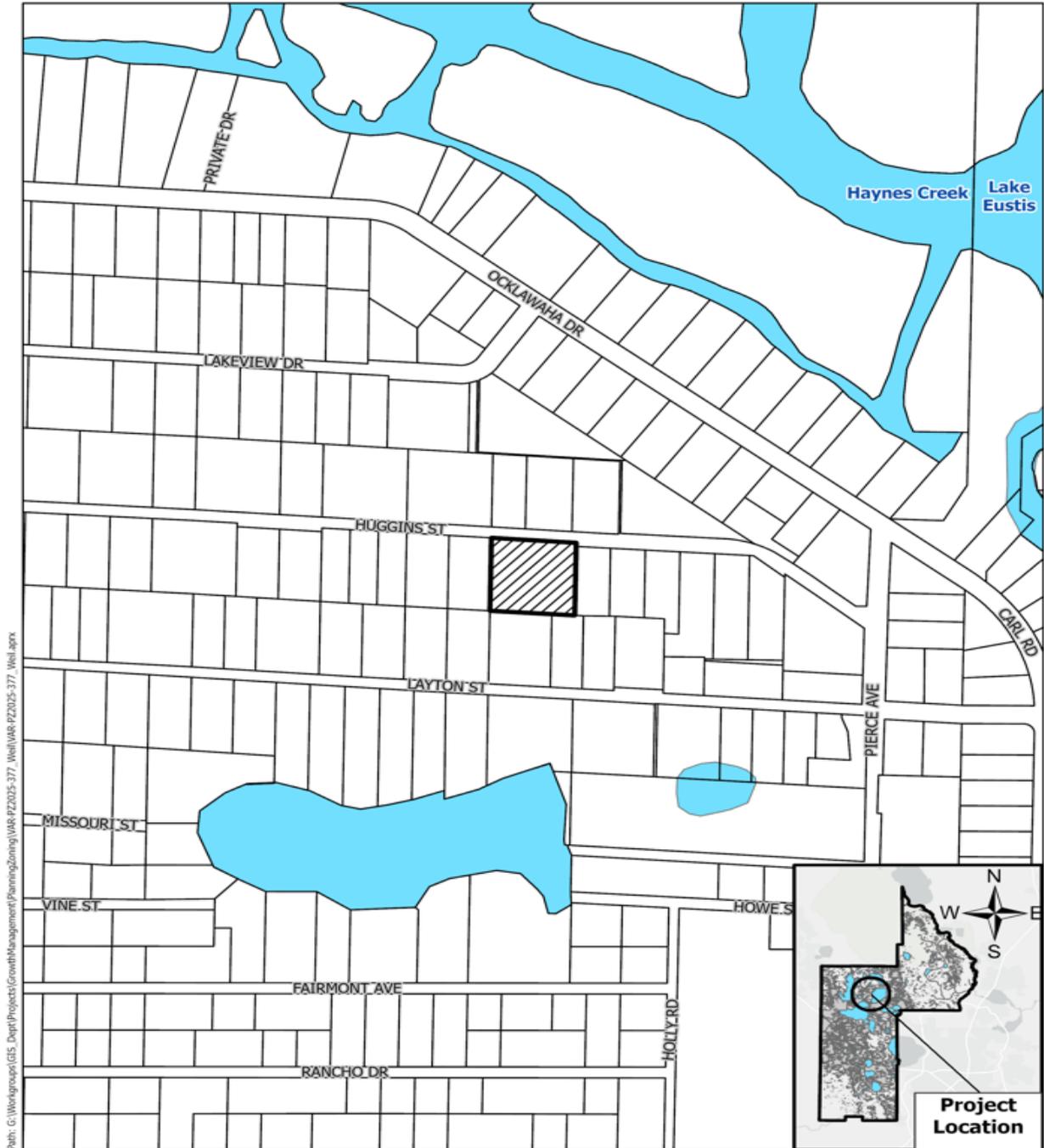
Notary Signature

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.

Begin 530.00 feet South 1500.00 feet Easterly of the center of Section 12, Township 19 South, Range 25 East, Lake County, Florida, on the South boundary of Huggins Street, for the point of beginning. From this point run Easterly a distance of 200.00 feet; thence run South a distance of 200.00 feet; thence run Westerly a distance of 200.00 feet; thence run North a distance of 200.00 feet to the South boundary of Huggins Street and the point of beginning.



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