

COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Resolution 2022-108 – First and Final – Reading Variance – Jones - Pursuant to Chapter 5, Section 5-4. e).1).C.), of the Land Development Regulations (LDRs) which requires that the maximum customary accessory structure square footage within the RS-6 zoning district does not exceed 25 percent of the principal structure. The variance request is to allow a total of 960 square feet or 45 percent of the principal structure to construct a 30-foot by 32-foot garage/carport combo accessory structure at property addressed as 110 Lakeview Avenue, referenced by Alternate Key 1260558, within Lake County, Florida.

AGENDA ITEM ID

2022125

DEPARTMENT

Growth Management

STAFF RECOMMENDED MOTION

Staff recommends approval of Resolution 2022-108

SUMMARY

On Tuesday, June 21, 2022, property owner/applicants, Lori A. Jones and Charles M. Jones, filed a variance application for property addressed as 110 Lakeview Avenue, located approximately 165 linear feet from the intersection of Lakeview Avenue and East Lady Lake Blvd., Lots 68 through 74 of the Carltora Subdivision, referenced by Alternate Key 1260558, and owned by Lori A. Jones, within the town limits of the Town of Lady Lake, Florida.

The variance request is pursuant to Chapter 5, Section 5-4. e).1).C.), of the Land Development Regulations (LDRs) which requires the maximum customary accessory structure square footage within the RS-6 zoning district not to exceed 25 percent of the principal structure. The variance request is to allow a total of 960 square feet or 45 percent of the principal structure to be allowed the construction of a 30-foot by 32-foot garage and carport combo accessory structure.

BACKGROUND

The home was originally built in 1962 by Ernie and Betty Corneliussen, grandparents of Lori A. Jones. In the late 1980s, they added a 24-foot by 28-foot Detached Garage, a 10-foot by 16-foot Shed and a 14-foot by 24-foot Guest House which was done prior to the change in Code for allowed accessory structure square footage that was established by the Town's Land Development Regulations in 1994. The structures were compliant then and considered grandfathered by the Town.

The detached garage and shed are in poor condition and need replacement. The applicant states that the detached garage in its present location does not allow access to the side of the home where a pair of single garage door once existed. This causes Mrs. Jones having to walk/run through rain and other adverse weather conditions between the detached garage and the house.

JUSTIFICATION STATEMENT

In reviewing the Land Development Regulations, the reason for this variance is to address the exceeding square footage of accessory structure allowed on the property.

The applicant's justification statement indicates that as the couple grows older, they are significantly concerned about injury related to slips, falls when walking in poor weather conditions between the detached garage and the home. First, the Jones would like to remove the existing detached garage and shed and re-install garage doors in the Enclosed Porch designated area of the home so that Mrs. Jones could enter and exit her vehicle under the roof of the main home without obstruction and threat of inclement weather.

Secondly, they would like to replace the detached garage and shed with a new metal garage building with a lean-to carport. The proposed garage building would have a taller garage door than the current detached garage which will allow for indoor storage of several vehicles currently stored outside as they will not fit inside the current structures due to height and length limitations.

Lastly, the applicants feel that the removal of the detached garage and shed and replacement with the new metal garage building will increase the curb appeal of their property by improving overall aesthetics and providing covered, closed storage for their vehicles while also offering greater security for their personal property and belongings. The applicants expressed that there are already larger accessory structures and similar metal buildings within their neighborhood so the proposal would not be out of order with surrounding properties. The proposal will achieve removing two older existing structures, replacing them with a more attractive and up-to-Code building which will

meet all other requirements of impervious surface and setbacks while also meeting the current Florida Building Code.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

No diminution in value of surrounding properties would be suffered.

Granting the permit would be of benefit to the public interest.

Denial of the permit would result in unnecessary hardship to the owner seeking it.

The use must not be contrary to the spirit of this Code.

Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance. Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

Notices to inform the surrounding seven property owners within 150' of the subject property of the proposed variance were mailed on Thursday, June 23, 2022. The property was also posted on Thursday, June 23, 2022.

FISCAL IMPACT

None.

FUNDING ACCOUNT

None.

PAST ACTIONS

The Technical Review Committee found that Resolution 2022-108 was ready for the Planning and Zoning (P&Z) Board.

At the July 11, 2022 meeting, the Planning and Zoning Board voted 3-0 to forward Resolution 2022-108 to the Town Commission with the recommendation of approval.