

**MINUTES
BOARD OF ADJUSTMENT
PUBLIC HEARING**

SEPTEMBER 14, 2017

The Lake County Board of Adjustment met on SEPTEMBER 14, 2017 in the Commission Chambers on the second floor of the County Administration Building in Tavares, Florida to consider requests for variances and any other petitions that may be submitted in accordance with Chapter XIV of the Lake County Land Development Regulations.

Board Members Present:

Catherine Hanson, Chairman
Tim Morris, Vice-Chairman
Marie Wuenschel
Tim Cook

Board Members Absent:

Lloyd M. Atkins, Jr.
Brandon Waters

Staff Present:

Tim McClendon, Planning Manager, Planning & Zoning Division
Matthew Moats, Assistant County Attorney
Christine Rock, Planner, Planning & Zoning Division
Debbie Dyer, Office Associate, Planning & Zoning Division
Donna Bohrer, Public Hearing Associate, Planning & Zoning Division

Chairman Hanson called the meeting to order at 1:00 p.m., and noted a quorum was present. She confirmed Proof of Publication for the case as shown on the screen. She added that if a variance is approved, the owner/applicant should give staff at least 24 hours before proceeding to the zoning counter to finalize their paperwork.

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Minutes

MOTION by Tim Cook, SECONDED by Tim Morris to APPROVE the August 10, 2017 Board of Adjustment minutes, as submitted.

FOR: Hanson, Morris, Wuenschel, Cook

ABSENT: Waters, Atkins

AGAINST: None

MOTION CARRIED: 4-0

PUBLIC COMMENT

There was no response when Chairman Hanson asked for any public comment.

AGENDA UPDATE

Tim McClendon, Planning and Zoning Manager, said there were no changes to the agenda.

Consent Agenda

Tim Morris requested that Tab 2, Victoria Estates Subdivision be pulled from the consent agenda.

MOTION by Tim Morris, SECONDED by Tim Cook to APPROVE Tab 1, VAR-17-30-2, Clermont Family Dentistry and Tab 3, VAR-17-35-3, Padilla-Rodriquez Property with conditions as set forth in the development orders.

FOR: Hanson, Morris, Wuenschel, Cook

ABSENT: Waters, Atkins

AGAINST: None

MOTION CARRIED: 4-0

Tab 2

VAR-17-33-2

VICTORIA ESTATES SUBDIVISION

Tim McClendon presented the staff report, noting that the request was to allow fifteen (15) lots in the Victoria Estates Subdivision to be developed with a maximum sixty (60) impervious surface ratio, instead of forty-five (45) percent. He said the future land use was Urban Low and the zoning district was Medium Suburban Residential District (R-4). The variance request is to allow homes built on these specific lots to have pools, enclosures and decks. He noted that this request is consistent with the adopted 2030 Comprehensive Plan and said that these inconsistencies between the Comprehensive Plan and the Land Development Regulations (LDRs) was being addressed by staff.

Tim Morris questioned why this request was considered a hardship. Mr. McClendon said that in similar instances the requested ISR would be allowed. He added that this would not be a precedent. He added that there was no remedy available except for the variance process, until the LDRs have been updated.

In response to a question from Tim Cook, Mr. McClendon said the type of semi-pervious or impervious materials used would be decided when permits were pulled.

PUBLIC COMMENT

Dana Crosby-Collier said she was representing the applicant, said staff had presented their position and that they are comfortable with the conditions.

There was brief discussion about the feasibility of the applicant delaying their request until after the LDRs have been updated. Ms. Collier noted potential buyers desired to have pools.

MOTION by Tim Cook, SECONDED by Marie Wuenschel, to APPROVE VAR-17-33-2, Victoria Estates Subdivision, with conditions as set forth in the development order.

FOR: Hanson, Wuenschel, Cook

ABSENT: Waters, Atkins

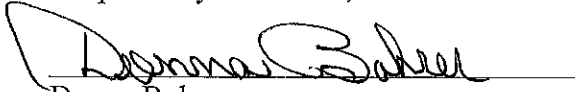
AGAINST: Morris

MOTION CARRIED: 3-1

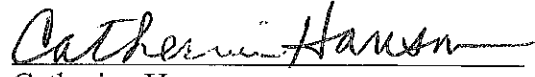
Adjournment

There being no further business, the meeting was adjourned at 1:14 p.m.

Respectfully submitted,



Donna Bohrer
Public Hearing Associate



Catherine Hanson
Chairman