

RESOLUTION NUMBER 25-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; GRANTING APPROVAL FOR A VARIANCE TO THE CITY OF EUSTIS LAND DEVELOPMENT REGULATIONS SECTION 110-4.1 TO ALLOW A PRIMARY STREET GARAGE SETBACK OF APPROXIMATELY 11 FEET TO PERMIT THE CONSTRUCTION OF A GARAGE ON A LEGALLY CONFORMING ESTATE LOT AT 501 JACKSON STREET.

WHEREAS, Ryan Benaglio has applied for a variance to the City of Eustis Land Development Regulations Section 110-4.1 to allow a primary street garage setback of approximately 11 feet to allow construction of a single-family residence on a pre-existing, conforming estate lot at 501 Jackson Street, more particularly described as:

Property AK 1196647; Parcel Number 10-19-26-0400-000-02200

EUSTIS, LAKEVIEW PARK LOT 22 PB 12 PG 62 ORB 5626 PG 1358

WHEREAS, the property described above has a Future Land Use Designation of Suburban Residential and a Design District Designation of Urban Neighborhood; and

WHEREAS, Land Development Regulations Section 110.4.1, Estate Lot in Urban Neighborhood, requires an 18-foot garage setback on each street frontage; and

WHEREAS, the applicant has provided information to demonstrate hardship pursuant to Land Development Regulations Section 102-31.1; and

WHEREAS, the request for a Variance has been properly noticed for a Quasi-Judicial Hearing before the Eustis City Commission, and the City Commission has found that the presented evidence demonstrates the following:

1. There exist special circumstances and conditions which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same land use district.
2. The special conditions and circumstances do not result from actions of the applicant, nor could the conditions or circumstances be corrected or avoided by the applicant.
3. That literal application of the provisions of the Land Development Regulations would violate the principles of fairness and deprive the applicant of rights commonly enjoyed by other properties in the same land use category.

4. That the granting of relief will not create unsafe conditions or other detriments to the public welfare beyond the normal effects of development otherwise allowed.
5. That the granting of relief will not confer upon the applicant any special privilege that is denied by the Land Development Regulations to the lands, buildings, or structures in the same district.
6. That the granting of relief will not violate the general intent and purpose of this Land Development Regulation nor the policies of the Comprehensive Plan.
7. That the relief granted is the minimum degree of relief necessary to make possible the reasonable use of the land, building or structure in compliance with all other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED by the Eustis City Commission as follows:

Section 1: Section 110-4.1 to allow a primary street garage setback of approximately 11 feet to allow construction of garage on a pre-existing, conforming estate lot at the southeast corner of 501 Jackson Street, as shown on Exhibit A, property more particularly described as:

Property AK 1196647; Parcel Number 10-19-26-0400-000-02200

EUSTIS, LAKEVIEW PARK LOT 22 PB 12 PG 62 ORB 5626 PG 1358

Section 2: That approval of this variance runs with the land as it applies to the primary structure (single-family residence) only as depicted on Exhibit A.

Section 3: That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED this 5th day of June 2025, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Willie L. Hawkins
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA COUNTY OF LAKE

The foregoing instrument was acknowledged before me, by means of physical presence, this 5th day of June 2025 by Willie L. Hawkins, Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 25-34 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A