

## RESOLUTION NUMBER 2026-24

### **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 110-5.7 TO ALLOW A SIX-FOOT BARBED WIRE FENCE AT 2044 E ORANGE AVENUE, ALTERNATE KEY 1792941.**

**WHEREAS**, Andrew Patten, on behalf of the owners Florida Binsness, LLC, has applied for a variance to the City of Eustis Land Development Regulations Section 110-5.7 to permit a six-foot barbed wire fence at 2044 E Orange Avenue, more particularly described as:

Property AK 1792941; Parcel Number 12-19-26-3601-000-00000

EUSTIS, MARSHELL'S REPLAT FROM NE COR OF LOT 1 BLK 2 ERWIN'S SUB RUN N 89-42-40 E PARALLEL WITH CENTER LINE OF ORANGE AVE 185.45 FT FOR POB, RUN N 89-42-40 E 112.14 FT, S 0-13-20 E 140 FT, S 89-42-40 W 112 FT, N TO POB PB 17 PG 14 ORB 6288 PG 2491

**WHEREAS**, the property described above has a Future Land Use Designation of Mixed Commercial Residential and a Design District Designation of Suburban Corridor; and

**WHEREAS**, Land Development Regulations Section 110.5.7, Fences, permits a maximum fence four feet in the front yard setback and prohibits barbed wire in Mixed Commercial Residential; 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 110-5.7 to allow a six-foot barbed wire fence at 2044 E Orange Avenue, as shown in Exhibit A, property more particularly described as:

Property AK 1792941; Parcel Number 12-19-26-3601-000-00000

EUSTIS, MARSHELL'S REPLAT FROM NE COR OF LOT 1 BLK 2 ERWIN'S SUB RUN N 89-42-40 E PARALLEL WITH CENTER LINE OF ORANGE AVE 185.45 FT FOR POB, RUN N 89-42-40 E 112.14 FT, S 0-13-20 E 140 FT, S 89-42-40 W 112 FT, N TO POB PB 17 PG 14 ORB 6288 PG 2491

**Section 2:** That approval of this variance runs with the land as it applies to the accessory structure (six-foot barbed wire fence) only.

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

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

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Emily A. Lee  
Mayor/Commissioner

**ATTEST:**

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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 5<sup>th</sup> day of March 2026 by Emily A. Lee, 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 2026-24 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

