



Road Frontage Waiver: Lake Buffum 8-lot subdivision on 42 acres

Parcel ID #: 263113-000000-032020

Section 932.A 1-5 - Waivers to Technical Standards

A. Minimum Requirements for Consideration of Waivers

- 1) Whether the application of the provisions of the Code would cause unnecessary and undue hardship on the use of the property:

This area of the County has maintained its rural character balancing economically viable citrus and cattle operations with rural residential homes. Requiring a paved road meeting County standards for just eight lots will remove a large portion of the economically and agriculturally viable southern 30 acres that is planned to remain in active agriculture. In addition, a significant proportion of the existing lakefront homes on Lake Buffum have been established on unpaved, long dirt driveways with or without easements. Requiring a paved road access for each of the proposed homes will alter the rural character and increase the suburban feel for this area, both of which would incompatible with surrounding rural residential development. The character of the land established in this area is such that a paved road meeting County standards will be out of character and therefore inconsistent with Comprehensive Plan Policy 2.102-A2: Compatibility, which states that "land shall be developed so that adjacent uses are compatible with each other".

- 2) Whether the waiver granted is the minimum adjustment that will make possible the reasonable and permitted use of the property:

Yes, this is the minimum relief needed for the reasonable use of the land. The property owner is not requesting an increase in density or any additional entitlements. They only wish to place the proposed homes allowed by the base A/RR density of this land on the lakefront and preserve the frontage in agricultural conservation use, rather than placing a road through the agricultural area which also serves as a sound and visual buffer from the traffic on Gabriel Rd.

- 3) Whether the granting of the waiver will be in harmony with the general intent and purpose of this Code and that such waiver will not be injurious or detrimental to the public health, safety or welfare by, without limitation, creating unsafe traffic conditions or cause increased maintenance expenses in connection with the subdivision improvements:

The Waiver will not be injurious to the area involved or detrimental to the public welfare. The driveway location proposed will meet County LDC standards and ensure public safety and welfare are maintained. In addition, the eight lots that are proposed within this development are similar in size and dimensions to the existing homesites in the immediate vicinity and that can also be found currently around Lake Buffum. In addition, the Waiver is not anticipated to create future maintenance obligations for the County. The Code allows three (3) homes to develop without road frontage. This request is not a significant increase in unit count, traffic impact, or County services demand and will not be detrimental to the public welfare or injurious to the area involved.



4) The granting of the waiver will not likely result in setting a precedent for a similar waiver request in the area:

Each development application stands on its own and the Board of County Commissioners have the ability to review each application independently as to whether they are worthy of a waiver. Due to the rural location of this property and the extent of rural residential development immediately adjacent to the east and west (with Lake Buffum lakefront as the northern boundary of the site), this Waiver is not expected to set a precedence for a similar waiver request in the area.

5) Whether all other avenues of relief have been exhausted:

Yes, all other avenues of relief have been exhausted. The requested waiver is the only true avenue to meet the objectives of ensuring rural character is preserved to the greatest extend possible.