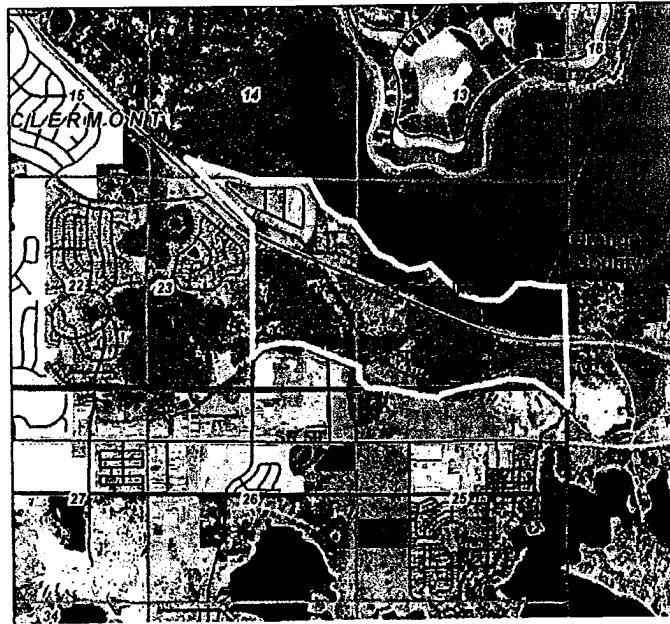


**SR 50 and CR 50 Area, East of Clermont
near Lake/Orange County Line
Proposed Future Land Use Change
Commissioner District 2 – Elaine Renick
Commissioner District 3 – Jimmy Conner**

REQUEST: To change the proposed Future Land Use Category on the subject parcels from Rural Transition (up to 1 du/1 net acre, with 50% open space) to Urban Low Density (4 du/1 net acre).

LOCATION: The area around CR 50, south of Lake Apopka, and west of the Lake/Orange County line. The parcels lie within Sections 14, 23, 24 and 25, Township 22, Range 26, as shown outlined in yellow on the maps below (Section 14 land within Collina Bay subdivision, Sections 23 and 24 south of Lake Apopka and proposed as Rural Transition and Section 25 north of SR 50 and proposed as Rural Transition).

Exhibit #1



DISCUSSION: Currently, the subject area is designated as **Urban Expansion** on the Adopted Future Land Use Map (FLUM), which allows a maximum density of four dwelling units per one acre (4 du/1 ac). The map below designated as **Exhibit #2** shows the current Land Use Categories.

The proposed Future Land Use Category for the subject parcel is **Rural Transition**, which allows up to one dwelling unit per one net acre (1 du/1 net ac) with 50% open space. The map below designated as **Exhibit #3** shows the proposed Future Land Use Categories.

The subject parcels front on CR 50 and the Florida Turnpike. The surrounding parcels to the north are proposed as Rural Transition, the parcels to the south are proposed as Regional Commercial and Regional Office and the parcels to the west are proposed as Urban Low Density (Orange County lies to the east). The parcels lie within the City of Clermont's water and sewer service area.

Some of the parcels front on CR 50, which is a segment of the Green Mountain Scenic Byway and would lie within the Green Mountain Scenic Byway Roadside and Corridor Overlay Districts. The parcels lie south of Lake Apopka and within the Lake Apopka Basin.

According to data received from the Public Works Department, all of the available capacity has been reserved on SR 50.

Within the last few years some projects have been submitted and approved in this area, below is the history of some of those projects, the map below designated as **Exhibit #4** shows the location of each project.

The parcel outlined in blue on the map below (known as Lake Apopka Sound):

In 2005, an ordinance (2005-89) was approved rezoning the parcel to Planned Unit Development (PUD). The ordinance allows the development of 116 age-restricted units.

When developed, access to the parcel would come from roads within Orange County and would cause trips on SR 50. A condition was placed in the PUD ordinance requiring approval by Orange County for the transportation impacts since the only access into the development is through Orange County. As of this date, such approval has not been obtained by the property owners. As stated above, according to data received from the Public Works Department, all of the available capacity has been reserved on SR 50.

The parcel outlined in yellow on the map below (known as Amon):

The Board heard a rezoning request on the parcels in March 2009; the request to rezone the parcels from Agriculture to Planned Unit Development was denied. The City of Clermont and Orange County had concerns about the impact on SR 50.

The parcel outlined in green on the map below (known as F & J Developers, LLC):

In September 2007, the Board denied a rezoning request on this parcel, which rezoned the parcel from Agriculture to Planned Unit Development (PUD). The ordinance states that the density shall not exceed 2.5 dwelling units per acre with central utilities or 2.0 dwelling units per acre without utilities. With utilities, 71 dwelling units would be allowed (24 single-family units and 47 town-home dwelling units).

The parcel outlined in orange on the map below (known as Collina Bay):

Collina Bay is a Planned Unit Development (PUD) that was originally approved in 2004 (Ordinance 2004-4) and amended to correct scrivener's errors in 2009 (Ordinance 2009-4). The ordinance was approved to allow 325 single-family residential lots and 10.5 acres of commercial development.

The parcel outlined in pink is a developed subdivision known as Gourd Neck Springs, it was constructed in 1996 and is essentially built out; the lots range in size from approximately one-half acre to two acres.

Exhibit #5 shows the subject area and the proximity to the Cities of Clermont, Montverde and Minneola.

OPTIONS:

- A. Change the Future Land Use Category on the subject parcels outlined in yellow on Exhibit #1 from Rural Transition to Urban Low Density.**
- B. Leave the Future Land Use Category as proposed.**

Exhibit #2

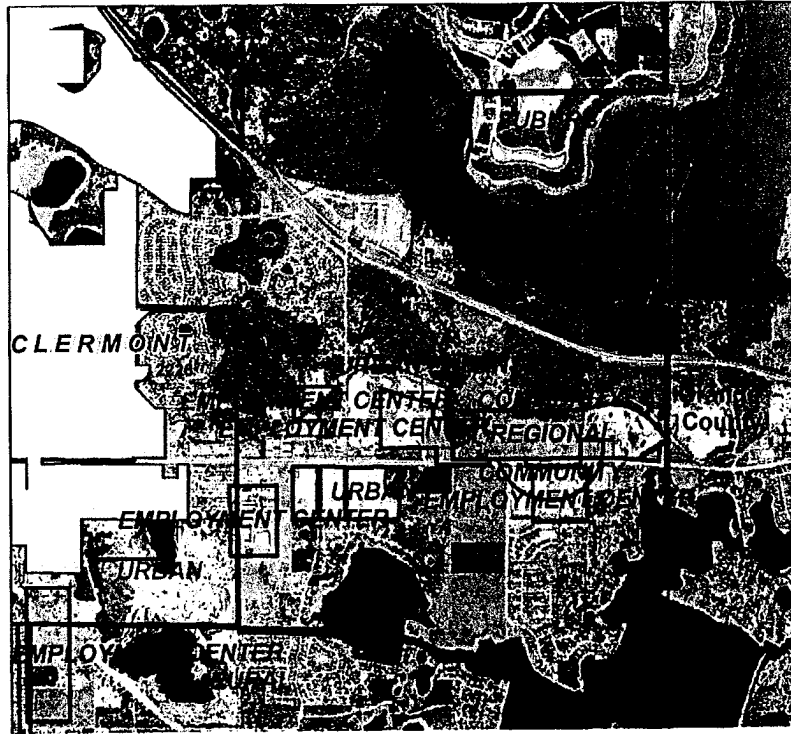


Exhibit #3

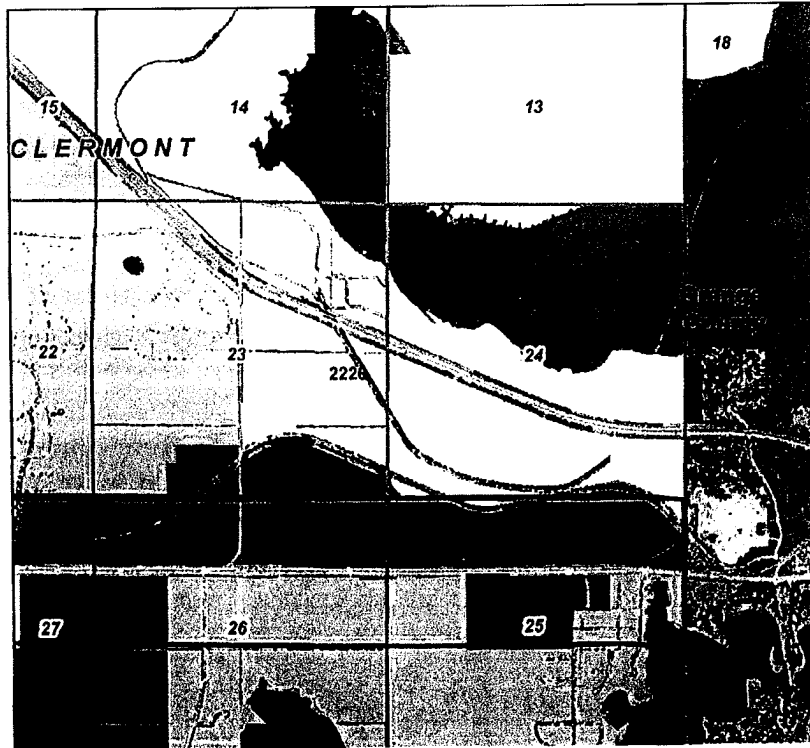


Exhibit #4



Exhibit #5

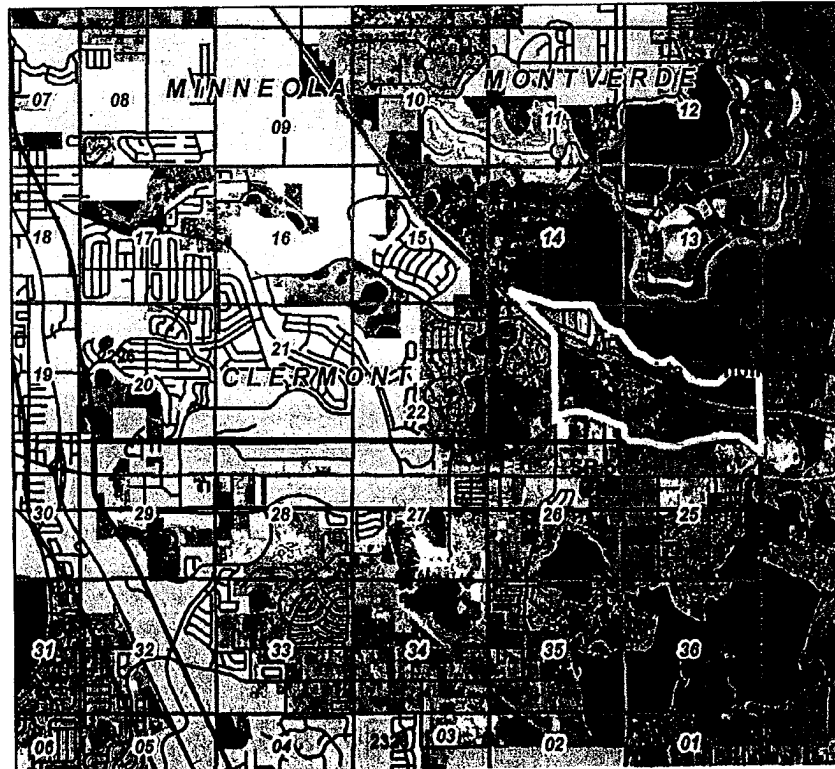


EXHIBIT "B"

Peitioner's Property Legal Descriptions

1. EAGLES LANDING AT OCOEE INC

That part of the following descriptions lying North of the North line of the Florida Turnpike Right of Way:

Government Lots 2 and 3 in Section 24, Township 22 South, Range 26, East, Lake County, Florida.

2. F & J DEVELOPERS LLC

The South 3/4 of the SW 1/4 of the SE 1/4 lying North of Highway in Section 24, Township 22 South, Range 26 East.

AND

The West 436 feet of the SE 1/4 of the SE 1/4 lying between Tavares and Gulf Railroad and Highway in Section 24, Township 22 South, Range 26 East.

Also know as a portion of A REPLAT OF PART OF EDGEWATER BEACH, according to the plat thereof, as recorded in Plat Book 10, Page 44, Public Records of Lake County, Florida.

All lands lying and being in Lake County, Florida.

3. **AMON JACK R & JOAN B**

- a. Government Lots 2 and 3.
- b. Begin on North Line of Highway R/W 436 feet East of West Line of Southeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$, run North to T & G R.R., thence Easterly along T & G R.R. to East Line of Section, thence South to Southeast corner of Section, thence West 125 feet, thence North 325 feet, thence West 400 feet South to North right-of-way line of Highway, thence Northwesterly along North Highway right-of-way to Point of Beginning.
- c. North $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Southeast $\frac{1}{4}$.
- d. Southeast $\frac{1}{4}$ of Southeast $\frac{1}{4}$ North of T & G R.R., Section 24, Township 22, Range 26, Lake County, Florida.
- e. Lots 7, 8 and 9, Block 4 of Edgewater Beach Sheet No. 2, according to the plat thereof as recorded in Plat Book 9, Page 19, of the Public Records of Lake County, Florida.

All of the above lying in Section 24, Township 22 South, Range 26 East, Lake County, Florida.

LESS those parts deeded to Florida State Turnpike Authority in Official Records Book 240, Page 894; Official Records Book 240, Page 896; and Official Records Book 240, Page 893, over the following described property:

That part of:

Government Lots 2 and 3 and, the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, all in Section 24, Township 22 South, Range 26 East, Lake County, Florida, described as follows:

BEGINNING on the East line of said Section 24 at a point North 0 degrees 11 minutes 43 seconds East, a distance of 1319.96 feet from the Southeast corner of Section 24; run thence North 0 degrees 11 minutes 43 seconds East, along said line a distance of 68.57 feet; thence North 89 degrees 49 minutes 17 seconds West a distance of 386.77 feet to the beginning of a curve to the Right having a radius of 5579.58 feet; run thence Westerly along the arc of said curve a distance of 2240.19 feet to the end of the curve; run thence North 66 degrees 49 minutes 02 seconds West a distance of 115.15 feet; thence South 0 degrees 24 minutes 21 seconds West a distance of 325.85 feet to a point on a curve to the Left having a radius of 5879.58 feet; thence from a Tangent Bearing of South 66 degrees 55 minutes 22 seconds East run Easterly along the arc of said curve a distance of 1394.27

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
NOTICE OF INTENT TO FIND
LAKE COUNTY
COMPREHENSIVE PLAN AMENDMENT
IN COMPLIANCE
DOCKET NO. 10-1ER-NOI-3501-(A)-(I)

The Department gives notice of its intent to find the Amendment to the Comprehensive Plan for Lake County, adopted by Ordinance No. 2010-25 on May 25, 2010, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S., except for amendments 1, 2, 3, 4, 5, 6, 7, 9, 10, and 11, which were not properly adopted and are identified in the Table entitled "Future Land Use Map Changes (13 changes made after Transmittal) – Lake County – 2030 Comprehensive Plan" as submitted by the County on June 11, 2010. The Department did not make a compliance determination on Amendments 1,2,3,4,5,6,7, 9, 10 and 11 which are further identified as follows: Amendment No. 1 - 1500 acres, west of US 27, Fruitland Park and Lady Lake area, from Rural to Urban Low Density; Amendment No. 2 - 16.3 acres, CR 44, Radio Road and CR 473 area, from Urban Expansion and Rural within a Neighborhood Activity Center, to Regional Commercial; Amendment No. 3 - 17.5 acres, CR 44 and Emerald Avenue, Leesburg Area, from Rural Village to Industrial; Amendment No. 4 - 291 acres, Estes Road, Lake Lincoln Lane and Bates Avenue, Eustis area, from Suburban and Urban Expansion to Urban Low Density; Amendment No. 5 - 10 acres at SR 44 and CR 437, Eustis area, from Rural, WRPA Receiving area within a Neighborhood Activity Center, to Rural, Rural Transition and WRPA Receiving area with a Rural Support Intersection overlay; Amendment No. 6 - 60 acres on US 441 East of Mt. Dora, Florida Twin Markets Parcel, Urban Expansion to Regional Commercial; Amendment No. 7 - 85 acres on CR 437, Jones parcel, in Mt. Plymouth Sorrento area from Urban Compact Node Non-Wekiva, to Mt. Plymouth Sorrento Main Street (51 acres) and Mt. Plymouth Sorrento Neighborhood (34 acres); Amendment No. 9 - 350 acres next to Industrial Park in Groveland area, from Suburban to Regional Office; Amendment No. 10 - 42 acres south of SR 50, East of Clermont, from Urban Expansion with Employment Center Overlay to Regional Office; and Amendment No. 11 - 615 acres north of SR 50 and CR 50, East of Clermont, from Urban Expansion to Urban Low Density.

The adopted Lake County Comprehensive Plan Amendment and the Department's Objections, Recommendations and Comments Report (if any) are available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Lake County Department of Growth Management, Division of Planning, 315 West Main Street, 5th Floor, Administration Building, Room 510 and the Clerk's Office, 315 West Main Street, Tavares, Florida 32778-7800.

Any affected person, as defined in Section 163.3184, F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Amendment to the Lake County Comprehensive Plan is In Compliance, as defined in Subsection 163.3184(1), F.S. The petition must be filed within twenty-one (21) days after publication of this notice, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to the local government. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

After an administrative hearing petition is timely filed, mediation is available pursuant to Subsection 163.3189(3)(a), F.S., to any affected person who is made a party to the proceeding by filing that request with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation shall not affect a party's right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

EXHIBIT "C"

Table-2030 Future Land Use Map Changes-Difference in Density

No.	Subject Area	Acreage	1991 Future Land Use (Current)	Density 1991 Map (Max Dwelling Units)	2030 Adopted Future Land Use	Density Adopted 2030 Map (Max Dwelling Units)	Difference in Density from Current Future Land Use (1991) to Adopted Future Land Use (2030)
1	West of US Hwy 27, Fruitland Park and Lady Lake Area	1,500 acres	Rural (1 du/5 acres)	300	Urban Low Density (4 du/1 net acre)	6000	+5700
			<p>South Side of CR 44 Urban Expansion (5.1 acres @ 4 du/1 ac)</p> <p>North Side of CR 44 Rural (11.2 ac @ 1 du/5 ac) Within a Neighborhood Activity Center (Commercial Overlay)</p>	22	Regional Commercial (1 multi-family unit per 10,000 square feet of gross leasable area of commercial space). Policy I-1.3.7	160	+138
	CR 44 and Emeraldalda Avenue, Lsbg	17.5 acres	Rural Village (2 du/1 ac) (Mixed use)	35	Industrial	0	-35
4	Estes Road, Lake Lincoln Lane and Bates Avenue, Eustis Area	291 acres	<p>North of Bates Ave/Lk Lincoln Ln Suburban (~241 acres @ up to 3 du/1 ac)</p> <p>South of Bates Ave/Lk Lincoln Ln Urban Expansion (~50 acres @ 4 du/1 ac)</p>	923	Urban Low Density (4 du/1 net ac)	1164	+241

Table--2030 Future Land Use Map Changes-Difference in Density

No.	Subject Area	Acreage	1991 Future Land Use (Current)	Density 1991 Map (Max Dwelling Units)	2030 Adopted Future Land Use	Density Adopted 2030 Map (Max Dwelling Units)	Difference in Density from Current Future Land Use (1991) to Adopted Future Land Use (2030)
5	SR 44 and CR 437, Eustis Area	10 acres	<p>West side of CR 437 Rural (1 du/5 ac)</p> <p>East side of CR 437 Wekiva River Protection Area Receiving Area A-1 -20 Within a Neighborhood Activity Center (Commercial Overlay)</p>	2	<p>NW corner CR 437 Rural (2.5 ac @ 1 du/5 net ac)</p> <p>SW side of CR 437 Rural Transition (2.5 ac @ 1 du/1 net ac)</p> <p>East side of CR 437 Wekiva River Protection Area Receiving Area A-1-20 (5 ac @ 1 du/5 net ac) With a Rural Support Intersection.</p>	4	+2
6	Florida Twin Markets Parcel, US Hwy 441, East of Mount Dora	60 acres	Urban Expansion (4 du/1 ac)	240	<p>Regional Commercial (1 multi-family unit per 10,000 square feet of gross leasable area of commercial space). Policy I-1.3.7</p> <p>Within Mount Dora Joint Planning Area- Does not allow Residential Density in this Category</p>	0	<p>-240</p> <p>Table FLUE 1 - Future Land Use Categories Table</p> <p>Note: (6) The total number of multi-family dwelling units shall be no more than one (1) unit per 10,000 square feet of gross leasable area of commercial space and the allowed FAR shall not be applied to such residential areas. Residential uses are excluded on parcels in this category located within Mount Dora joint planning area first authorized by the Board of County</p>

Table-2030 Future Land Use Map Changes-Difference in Density

No.	Subject Area	Acreage	1991 Future Land Use (Current)	Density 1991 Map (Max Dwelling Units)	2030 Adopted Future Land Use	Density Adopted 2030 Map (Max Dwelling Units)	Difference in Density from Current Future Land Use (1991) to Adopted Future Land Use (2030)
7	Jones Parcel, Mount Plymouth-Sorrento Area	85 acres	Urban Compact Node Non-Wekiva (5.5 du/1 acre)	467	<p>North Mt. Plymouth-Sorrento Main Street (51 acres @ 5.5 du/1 net ac)</p> <p>South Mt. Plymouth-Sorrento Neighborhood (34 acres @ 2 du/1 net ac).</p>	348	-119
8	Relocation of the Yalaha-Lake Apopka Rural Protection Area (RPA) Boundary, Groveland Area	860 acres	Rural (1 du/5 ac) and Suburban (up to 3 du/1 ac)	-	Rural (1 du/5 net ac) and Rural Transition (1 du/1 net ac)	-	N/A
9	Parcels contiguous with the Industrial Park, Groveland Area	350 acres	Suburban (up to 3 du/1 ac)	1050	Regional Office (1 multi-family unit per 10,000 square feet of gross leasable area of commercial space). Policy I-1.3.6	1,872 (191 developable acres 159 un-developable acres)	+822 Residential Density is not compatible with contiguous Industrial Uses.
10	South Lake County-South of SR 50, East of Clermont	42 acres	Urban Expansion (4 du/1 ac) Majority within an Employment Center overlay.	168	Regional Commercial (1 multi-family unit per 10,000 square feet of gross leasable area of commercial space). Policy I-1.3.7	412	+244

Table-2030 Future Land Use Map Changes-Difference in Density

No.	Subject Area	Acreage	1991 Future Land Use (Current)	Density 1991 Map (Max Dwelling Units)	2030 Adopted Future Land Use	Density Adopted 2030 Map (Max Dwelling Units)	Difference in Density from Current Future Land Use (1991) to Adopted Future Land Use (2030)
11	North of SR 50 and CR 50, East of Clermont	615 acres	Urban Expansion (4 du/1 ac)	2460	Urban Low Density (4 du/1 net ac)	1837 (451 Developable acres = 1804 164 Undevelopable acres= 33)	-623
12	Relocation of the South Lake Rural Protection Area (RPA), South of Clermont	Removed 1,920 acres (Sec. 25, 26 & 27, Twp 23, Rng 26).	Rural (1 du/5ac)	This change has no relationship to density or intensity	Rural (1 du/5 net ac)	This change has no relationship to density or intensity	N/A
13	South Lake Strategic Area Plan Boundary, South of Clermont	Total of 11,608 acres.	Rural (1 du/5 ac)	This change has no relationship to density or intensity.	Rural (1 du/5 net ac) and Public Service Facility and Infrastructure	This change has no relationship to density or intensity.	N/A
TOTAL				5,667		12,145	+6,478