



LAKE COUNTY
FLORIDA

November 18, 2013

Jimmy D. Crawford
450 East Hwy 50, Suite 4
Clermont, FL 34711

RE: Rubin Groves of Clermont Planned Unit Development (PUD) Rezoning Application
(Project #2010060010 / Application Request #2346) - PH #21-13-1

Dear Mr. Crawford:

The Lake County Development Review Staff (DRS) reviewed your rezoning application to amend existing Planned Unit Development (PUD) zoning Ordinance #2013-8 on 131.82 +/- acres of property located in the Four Corners area. The rezoning amendment requests a mixed use PUD for single-family residential and limited commercial uses along with approval for mass grading greater than 200% of the stormwater volume requirement.

At this time, the public hearing dates are tentatively Wednesday, January 8, 2014 at 9:00 am for the Planning and Zoning Board and Tuesday, January 28, 2014 at 9:00am for the Board of County Commissioners. Both public hearings will be held in the Commission Chambers located on the 2nd floor at 315 W. Main Street, Tavares.

If you desire a meeting to discuss the comments with the DRS reviewers, please contact me at your earliest convenience at (352) 343-9641 ext. 5400.

INFORMATIONAL COMMENTS

PLANNING & COMMUNITY DESIGN DIVISION

1. As you are aware, the concerns and code requirements related to the proposed removal of overburden in excess of the 200% of the stormwater volume have not been resolved. Based on the information provided with the application, it has been determined that the proposed mass grading/removal of overburden in excess of the 200% of the stormwater volume does not meet the exemption criteria in accordance with Land Development Regulation Section 6.06.01.F, and as such is recognized as mining. This determination will not delay the public hearing process, but may affect the recommendation of staff to the Planning and Zoning Board and Board of County Commissioners. Additionally, please be aware that mining is not a permitted use within the Green Swamp Ridge Future Land Use Category.
2. Water quality and quantity in the Green Swamp Area of Critical State Concern (GSACSC)

GROWTH MANAGEMENT DEPARTMENT | PLANNING & COMMUNITY DESIGN DIVISION
P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 – ROOM 510 • P 352-343-9641 • F 352-343-9595
Board of County Commissioners • www.lakecountyfl.gov

TIMOTHY I. SULLIVAN
District 1

SEAN M. PARKS, AICP, QEP
District 2

JIMMY CONNER
District 3

LESLIE CAMPIONE
District 4

WELTON G. CADWELL
District 5

shall be protected in accordance with the Principles for Guiding Development within the GSACSC, Policy I-4.1.4, Comprehensive Plan (copy provided).

3. Please be advised, the proposed project is located in the "Green Swamp Area of Critical State Concern (GSACSC) and is reviewed by the Department of Economic Opportunity (DEO) for compliance with the State Statutes and Regulations relating to development within the GSACSC. Once the project is approved by the County, the DEO has a 45 day review period.

PUBLIC WORKS

Engineering

Public Works Department still has concerns regarding excessive soil removal. The proposed development shall comply with Chapter 6 of the Land Development Regulations.

BUILDING DIVISION – FIRE SECTION

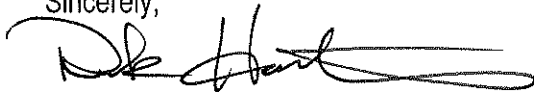
At a minimum, fire protection water supply and access shall meet the Florida Fire Prevention Code.

CONCURRENCY

Encumbrance Letter (CEL), which encumbers capacity for public facilities and services for 120 days from the date of issuance. If a building permit is not issued prior to expiration of the CEL, you must apply for and receive a Capacity Reservation Certificate (CRC) which reserves capacity for up to 4 years. To reserve capacity all reservation fees must be paid in full. Reservation fees are based on 100% of the estimated transportation impact fees for commercial and 50% of the estimated applicable impact fees (school, park, and transportation) for residential (per lot). Impact fees will be based on the fees in effect after approval of a site plan and issuance of a building permit.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,



Rick Hartenstein, AICP, CPM
Senior Planner (Case Manager)
352-343-9641 X5400
rhartenstein@lakecountyfl.gov

cc: File

Steve Greene, AICP, Chief Planner, Planning & Community Design Division
Sheldon Rubin C/O Rubin Groves of Clermont, LLC (sheldonwrubin@gmail.com)
Jimmy D. Crawford (jimmy.crawford@mnagellaw.com)
Ted Wicks, P.E., Wicks Consulting Services, Inc. (tedwicks@wicksconsulting.com)
Robin Branda, Department of Economic Opportunity (Robin.Branda@deo.myflorida.com)

Enclosures: Comprehensive Plan Policy I-4.1.4, *Principles for Guiding Development within the GSACSC*

Policy I-4.1.4 Principles for Guiding Development within the Green Swamp Area of Critical State Concern

The following shall apply to the GSACSC, in order to effectively and equitably conserve and protect its environmental and economic resources; provide a land and water management system to protect resources; and facilitate orderly and well planned growth. Any review and approval mechanism shall not become effective, amended or modified, and no action taken under such mechanism shall be effective, until first reviewed and approved by the Department of Community Affairs, pursuant to Chapter 380, F.S.

Protection Objectives:

- Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood detention areas;
- Protect the normal quantity, quality, and flow of groundwater and surface water, which are necessary for the protection of resources of State and regional concern.
- Protect the water available for aquifer recharge;
- Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer;
- Protect the normal supply of ground and surface waters;
- Prevent further salt-water intrusion into the Floridan Aquifer;
- Protect or improve existing ground and surface water quality;
- Protect the water-retention, and biological filtering capabilities of wetlands;
- Protect the natural flow regime of drainage basins; and
- Protect the design capacity of flood detention areas, and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

Regulatory Guidelines:

1. Site Planning - The platting of land shall be permitted only when such platting commits development to a pattern which will not result in the alteration of the natural surface water flow regime, and which will not reduce the natural recharge rate of the platted site.
2. Site Alteration - Site Alteration shall be permitted only when such alteration will not adversely affect the natural surface water flow regime, or natural recharge capabilities of the site; and when it will not cause siltation of wetlands, or reduce the natural retention and filtering capabilities of wetlands. Any site alteration shall adhere to Low Impact Development principles and practices and shall minimize site disturbance, clearing of natural vegetation, and soil compaction.
3. All site alteration activities shall provide for water retention and settling facilities, maintain an overall site runoff equivalent to the natural flow regime prior to alteration, and maintain a runoff rate which does not cause erosion. No site work shall be initiated prior to the issuance of drainage/stormwater permits by concerned agencies. Stormwater management systems shall be designed according to Low Impact Development principles and practices over conventional systems.
 - Soils - All soils exposed as a result of site alteration or development activities shall be located and stabilized in a manner to prevent erosion and the alteration of natural flow regimes.
 - Groundwater - Groundwater withdrawal shall not result in a reduction of the minimum flows and levels per acre as determined by the St. John's River Water Management District or the Southwest Florida Water Management District, or their successor agencies.

- Stormwater – Pre-treated Stormwater runoff shall be released into the wetlands in a manner approximating the natural flow regime if consistent with the stormwater management ordinance.
 - Industrial and Sewage Waste - Any industrial waste, sewage, or other human-induced wastes shall be effectively treated by the latest technological advances, and shall not be allowed to discharge into these waters unless in conformance with Florida Department of Environmental Protection rules and regulations.
 - Solid Waste - There shall be no solid waste facilities located in the GSACSC.
 - Structures - Structures shall be placed in a manner that will not adversely affect the natural flow regime and which will not reduce the recharge capabilities. Placement of structures shall be consistent with sound floodplain management practices such as compliance with the Flood Disaster Protection Act of 1973.
4. Resource extraction within the GSACSC shall be limited to sand deposits only. Land Development Regulations to limit the impacts of mining activities shall be adopted by the County within 12 months of the effective date of the Comprehensive Plan.

All development in the GSACSC shall conform to the regulatory guidelines and objectives outlined in the Principles for Guiding Development within the GSACSC.