


# M E M O R A N D U M

**GROWTH MANAGEMENT**  
*Planning & Community Design Division*  
315 W. Main Street, PO Box 7800  
Tavares, FL 32778-7800



**LAKE COUNTY**  
FLORIDA

**To:** Lake County Zoning Board  
**Through:** Brian T. Sheahan, AICP Director of Planning and Community Design  
**From:**  Melving Isaac, Planner, Planning and Community Design Division  
**Date:** January 18, 2011

**Subject:** Requested changes by the City of Mount Dora to the proposed Ordinance for:  
Renningers Florida Twin Markets – PH #28-10-4

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The City of Mount Dora has requested some changes to the proposed ordinance that will be considered at the February 2, 2011 Zoning Board Hearing. These changes have been reviewed by staff, but are not included as part of the recommended ordinance.

The City requests the elimination of motorized events, among other changes to the proposed ordinance. The particular ordinance sections that the City has requested to be deleted are specified below:

- Section A.4.a,
- Section A.4.e,
- Section A.4.f(i),
- Section A.4.h(i)
- Section A.4.h(iii)

If you desire, staff is available to discuss these requested changes with you. Otherwise the requested changes will be discussed fully at the public hearing scheduled for February 2, 2011.

cc: Brian T. Sheahan, AICP, Director, Planning & Community Design Division  
Steve Greene, AICP, Chief Planner, Planning & Community Design Division  
Aziza Bryson, Public Hearing Coordinator  
File

# LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS PETITION TO REZONE PROPERTY

**LAKE COUNTY ZONING BOARD**  
~~September 1, October 6, November 3 and~~  
~~December 1, 2010, January 5, 2011,~~  
 February 2, 2011 (Continuation)



**BOARD OF COUNTY COMMISSIONERS**  
~~September 28, October 26 and November 23,~~  
~~2010, January 4, 2011, January 25, 2011,~~  
 February 22, 2011

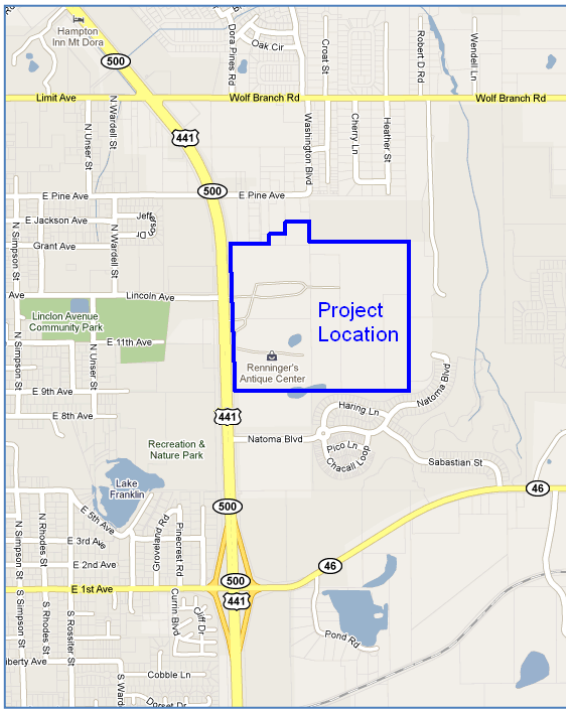
<b>PH #28-10-4</b> Renningers Florida Twin Markets	<b>Case Manager:</b> Melving Isaac, Planner	<b>Agenda Item #2</b>
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**Owner:** Renningers Florida Twin Markets, Inc. (the "Owner")

**Applicant:** Cecelia Bonifay/Christopher Roper, Esq., Akerman Senterfitt (the "Applicant")

**Requested Action:** To include an additional 44 acres of adjacent properties zoned Agriculture (A) and Urban Residential (R-6) in the existing Planned Commercial (CP) zoning ordinances (Ordinances #32-92, #119-88, #25-87, #28-84 and #22-83), and to add special events to the authorized uses. The site is currently approved for an antique market, flea market, and produce market.

### - Site Location & Information -



Approximate site location outlined in Blue

<b>Size</b>	112.4 (44 addition) +/- acres	
<b>Location</b>	Mount Dora area, East of U.S. Highway 441 (SR 500) and Lincoln Ave intersection	
<b>Alternate Key #'s</b>	1124506, 1708991, 1814537, 1814545, 2666528, 2667079 and 2993111	
	<b>Existing</b>	<b>Proposed (2030)</b>
<b>Future Land Use</b>	Urban Expansion	Urban Low and Regional Commercial with a Major Commercial Corridor overlay
	<b>Existing</b>	<b>Proposed</b>
<b>Zoning District</b>	CP/A/R-6	CP
<b>Impervious Surface Ratio</b>	.70/.10/.55	.70 max
<b>Floor Area Ratio</b>	2.0/.10/.40	2.0 max
<b>Joint Planning Area</b>	City of Mount Dora	
<b>Utility Area:</b>	City of Mount Dora	
<b>Site Utilities</b>	Central water and sewer	
<b>Road Classification</b>	US Highway 441 (SR 500) – Urban Principal Arterial	
<b>Flood Zone/ FIRM Panel</b>	(A, X)/(367/390)	
<b>Commissioner District</b>	4 (Campione)	

**Site Visit** August 9, 2010

**Sign Posted** August 9, September 17, October 18, November 12, December 16, 2010 and January 14 (2 posted)

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Urban Expansion	C-1, Agriculture (A), R-6, City of Mount Dora	Residential, Vacant Commercial, Vacant Residential	
South	Urban Expansion	C-1, City of Mount Dora	Vacant Commercial, Residential	Summerbrooke Subdivision
East	City of Mount Dora	City of Mount Dora	Residential, Vacant Residential	Summerbrooke Subdivision
West	City of Mount Dora	City of Mount Dora	Light Manufacturing, Vacant Commercial, Sports field	Property surrounded by US Highway 441 at the west

- Summary of Staff Determination -

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL with conditions** of the proposed rezoning request, subject to the conditions as set forth in the attached Ordinance.

**ZONING BOARD RECOMMENDATION:**

- Summary of Analysis -

The Applicant is requesting to expand an existing Planned Commercial (CP) Zoning District by adding an additional 44 acres of adjacent properties situated north and west of the existing property.

The Applicant is also requesting to add special events to the uses authorized by the existing ordinances. These Special Events include the following activities:

- Spectator events such as car and cycle shows, mud drags, demolition derbies, carnivals, music festivals, and similar activities.
- Club and recreation activities, both commercial and noncommercial such as scout gatherings, historical reenactments, swap meets, and similar activities.

The existing facilities are located in the Mount Dora Joint Planning Area, east of the U.S. Highway 441 (SR 500) and Lincoln Ave intersection. The **additional** 44 acres of property requested to be rezoned are currently zoned Agriculture (A) and Urban Residential (R-6).

The Applicant has held some of the requested activities on the property in the past. The proposed ordinance will supersede and replace existing ordinances that govern the existing 68.4-acre property that houses the current Renningers Florida Twin Markets facilities.

The property zoned Agriculture (A) has Conditional Use Permit (CUP) #10/1/2-4 and CFD Ordinance #1997-72 that allow a communication tower on each. The purposes of the CUP and CFD will not be affected by the proposed CP ordinance.

The use requested by the proposed rezoning is consistent with the Land Development Regulations (LDR) as seen in Section 3.00.03 that permits the CP Zoning District in the Urban Expansion FLUC with certain conditions to limit the noise and lighting impacts. Conditions have been included to mitigate the compatibility concerns with the adjoining residential uses. Commercial Amusement (special events) uses are permitted in the CP Zoning District, as established in LDR Table 3.01.03, Schedule of Permitted and Conditional Uses and would be consistent with other requirements with significant conditions. The CP zoning request is consistent with Comprehensive Plan Policy 1-1.15(2), as the Commercial Amusements use is permitted in the Urban Expansion FLUC.

The City of Mount Dora has participated in the drafting of the proposed ordinance but continues to have concerns related to the Mud Dragging and Demolition Derby uses on the property. The City remains opposed to allowing these uses as of this date.

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

**A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;**

The proposed use requested by the rezoning is consistent with the LDR as seen in Section 3.00.03 that permits the CP Zoning District in the Urban Expansion FLUC. Commercial Amusement (special events) uses are permitted in the CP Zoning District, as established in LDR Table 3.01.03, Schedule of Permitted and Conditional Uses.

Conditions have been placed in the ordinance to ensure compatibility with surrounding uses. Specific conditions have been placed in the ordinance to eliminate the highest impact uses (mud dragging and demolition derbies) after 2014. Waivers have also been made in the ordinance to allow the existing parking to not meet the current provisions of Parking Standards of the LDR relating to paving. Any new improvements would be required to meet the Parking Regulations of the LDR.

**B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;**

The CP zoning request is consistent with Comprehensive Plan Policy 1-1.15(2) *Land Use Activities Within the Land Use Categories* and is an allowable use in the Urban Expansion FLUC.

Informational Note - On May 25, 2010, the Lake County Board of County Commissioners adopted the 2030 Comprehensive Plan and Future Land Use Map; and upon the effective date of these documents, the Future Land Use Category for this property will be Urban Low and Regional Commercial with a Major Commercial Corridor overlay. The proposed and existing use for the CP Zoning District may be consistent with the adopted 2030 Comprehensive Plan and Future Land Use Category if the adopted Future Land Use is ultimately maintained.

**C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses;**

The subject property is surrounded on the west and east, and eastern portion of the north and south, by the City of Mount Dora. The area is characterized by the existing Renningers Florida Twin Markets, residential uses and vacant commercial lands. The Summerbrooke Subdivision is situated south and east of the subject property.

The proposed CP Zoning District is surrounded by residential uses and vacant commercial lands and by the US Highway 441 at the west. Expanding the use of the site to include the adjacent 44 acres would not be inconsistent with the existing CP Zoning District and the surrounding uses with conditions to ensure adequate setback and restrictions to reduce noise and light impacts. Conditions to require a minimum 500-foot setback for all activities, limiting the number of highest impact events, and limiting the hours are included in the ordinance. Therefore, the proposed rezoning for the new uses and increased impacts are generally consistent with the land use patterns in the area as conditioned in the proposed ordinance.

**D. Whether there have been changed conditions that justify a rezoning;**

The Applicant has held some of proposed special events on the property in the past. This rezoning will bring these activities more into compliance.

**E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;**

The City of Mount Dora has indicated that sewer service is available and will provide utility services to the property (reference Attachment 1).

**F. Whether, and the extent to which, the proposed rezoning would result in significant adverse impacts on the natural environment;**

In order to mitigate impacts to the adjacent properties, conditions have been placed in the proposed ordinance to require a minimum 500-foot buffer from residential property and restrictions to the frequency of the mud drags and demolition derby. A noise study meeting the requirements of the Land Development Regulations, as amended, will be required with the site plan submittal for the development of any outdoor motorized track or demolition derby facility of motorized vehicles, equipment or apparatus and any spectator facilities.

As wetlands exist on the property, any development would be required to meet applicable standards for environmental protection of wetland areas.

**G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area;**

Staff has no evidence that the proposed rezoning would adversely affect property values in the area.

**H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;**

Expanding the use of the site to include the adjacent 44 acres is consistent with the CP Zoning District and existing uses and development pattern in the surrounding area. The subject site is bordered on two sides by residential subdivisions, vacant commercial lands and by the US Highway 441 at the west. As conditioned, the proposed expanded uses would be consistent with a logical development pattern.

**I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

The proposed amendment would be in harmony with the general intent of the Comprehensive Plan and LDR.

**J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

N/A.

**FINDINGS OF FACT:** Staff has reviewed the application for the proposed rezoning and found:

1. The request is consistent with the Comprehensive Plan as seen in Policy 1-1.15(2) and conforms to the general land use criteria and activities of the Urban Expansion Future Land Use Category with conditions.
2. The request is consistent with LDR Table 3.00.03 that permits the CP Zoning District within the Urban Expansion Future Land Use Category with conditions.
3. The request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which permits Commercial Amusement uses in the CP Zoning District with conditions.

Therefore, based on these findings of fact, staff recommends **APPROVAL with conditions**, subject to the conditions as set forth in the attached Ordinance.

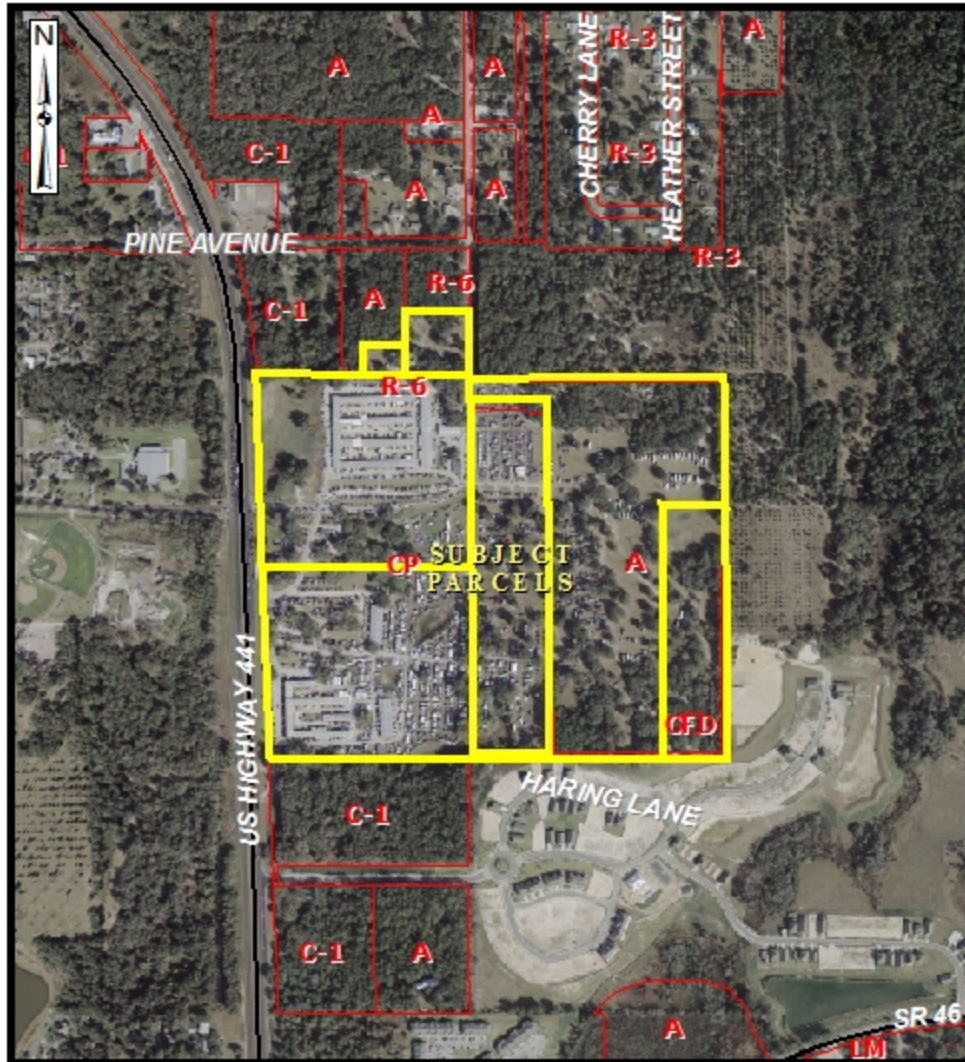
**WRITTEN COMMENTS FILED:**

**Supportive: -0-**

**Concern: -0-**

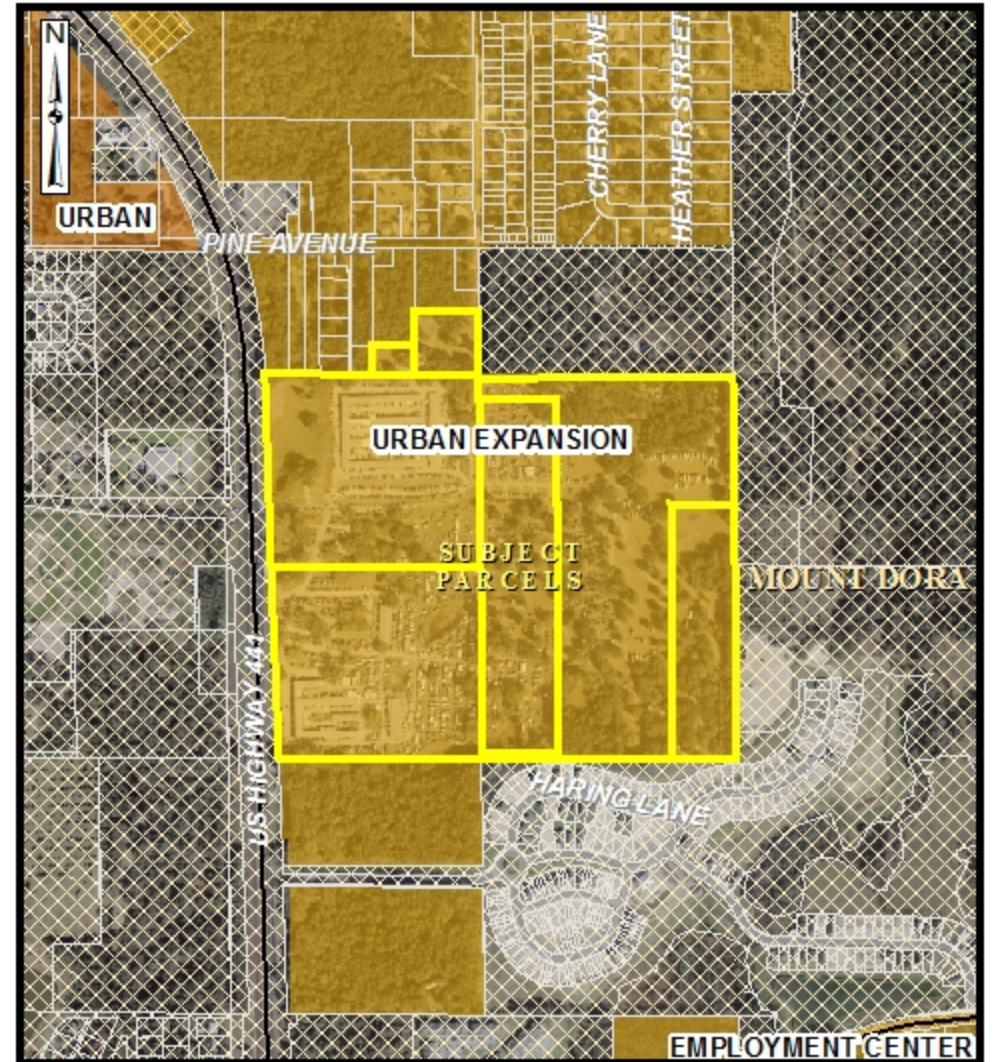
**Opposition: -2-**





**CURRENT ZONING**

**PLANNED COMMERCIAL (CP), AGRICULTURE (A), R-6 AND CFD**



**ADOPTED FUTURE LAND USE**

**URBAN EXPANSION**

**RENNINGERS  
FLORIDA TWIN MARKETS**

**CASE NO.**  
PH #28-10-4

**CASE LOCATION:**  
T19S, R27E, S28

**RE QUE STING:**  
Rezone from CP, A, R-6 and CFD  
to Planned Commercial (CP)

- ZONING**
- LAND USE**
- SUBJECT PARCEL**

**DATA SOURCES:**

Lake County GIS Department; Planimetrics, 2005 Aerial Image;  
Data Completion and Map production compliments of the  
Growth Management Department, Planning and Community Design.

This map product was prepared from a Geographic Information System  
established by the Lake County Board of County Commissioners. Its  
employees, agents and personnel, make no warranty as to its accuracy,  
and in particular its accuracy as to labeling, dimensions, contours, property  
boundaries, or placement or location of any map features thereon. The Lake  
County Board of County Commissioners, its employees, agents and personnel  
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contained on this map product should be obtained by any user of this map.

**MAP COMPOSITION:**  
JANUARY, 2008







CUP #10/1/2-4  
(Tower Compound Area)

MOUNT DORA

CFD Ordinance #1997-72  
(Tower Compound Area)

Proposed Ordinance

Ordinance #32-92

Ordinance #119-88

Ordinance #25-87  
Ordinance #28-84  
Ordinance #22-83







1 **Section 1. Terms:**

2 The County Manager or designee shall amend the Official Zoning Map to rezone the subject property from  
3 Planned Commercial (CP), Agriculture (A) and Urban Residential (R-6) to Planned Commercial (CP) in  
4 accordance with this Ordinance. This Ordinance shall supersede and replace Ordinance #32-92, Ordinance  
5 #119-88, Ordinance #25-87, Ordinance #28-84 and Ordinance #22-83, and shall mean and include the  
6 total of the following:

7 A. Land Uses:

8 1. The site is approved for General Retail, including:

9 a. Antique and Produce markets.

10 (i) All open stalls in the Antique and Produce Markets shall be set back a minimum of  
11 100 feet from U.S. 441.

12 (ii) All open stalls shall be separated from U.S. 441 by a fence.

13 b. Flea Market and Swap Meet;

14 c. Food and beverage concessions.

15 d. Mobile Vending;

16 2. Dwelling Units:

17 a. One (1) dwelling unit may be utilized to house temporary staff during the "dealer  
18 extravaganzas".

19 b. Two additional dwelling units may be used as caretaker's residences.

20 c. All accessory uses and structures to a single-family dwelling are expressly permitted.

21 3. Recreational Vehicles (RVs):

22 a. Parking of Recreational Vehicles shall be permitted on the premises as a temporary  
23 use, subject to the conditions specified herein and below for Special Uses and Events.

24 b. The owner/operator shall not be permitted to operate an RV Park on the site.

25 c. No water and sewer hook-ups shall be provided. Recreational Vehicles shall retain all  
26 wastewater while on the site, and no discharge shall be permitted unless specifically  
27 authorized by a jurisdictional agency.

28 d. Electrical hook-ups. Up to 30 electrical hook-ups for temporary use by RVs may be  
29 provided.

30 e. Parking for up to fifty (50) RVs shall be permitted on weekends from 8:00 a.m. on  
31 Friday until 8:00 a.m. on Monday. In no case shall an RV be permitted to remain on  
32 the site for more than seven (7) days.

33 f. RVs may park in any area designated for vehicle parking.

34 4. Special Events:

35 a. Mud drags, demolition derbies, racing events, and stunt shows or any other motorized  
36 event, subject to the following conditions:

- 1 (i) There shall be no more than four (4) total events in this group per calendar year.  
2 This use shall cease on December 31, 2014 and shall no longer be a permitted  
3 use on the property.
- 4 b. Dealer Extravaganzas, subject to the following conditions:
- 5 (i) There shall be no more than three (3) total events in this group per calendar year.
- 6 c. Spectator Activities. Such events include club and recreation activities, scout  
7 gatherings, historical reenactments, car and cycle shows, carnivals, music festivals,  
8 and similar activities, subject to the following conditions:
- 9 (i) There shall be no more than one (1) total event in this group per calendar month  
10 for events expected to draw 500 people or more specifically for such event. Events  
11 in this group that draw fewer than 500 people shall not be subject to this limitation,  
12 but shall be subject to the remaining provisions of this ordinance.
- 13 d. Special Events shall not exceed 72 consecutive hours per event, excluding those uses  
14 in Section A.1. above.
- 15 e. **Additional Events.** Additional events to that specified above in Subsections ~~(a)~~, (b)  
16 and (c) may be permitted with a Special Event/Open Air Gathering Permit approved by  
17 the Board of County Commissioners excluding demolition derbies, ~~and~~ mud drags or  
18 other motorized events.
- 19 f. **Setbacks.**
- 20 (i) Any motor event, including but not limited to mud drags, demolition derbies, racing  
21 events, and stunt shows shall be located no closer than 500 feet from the property  
22 line of any adjacent Residential Area, except parking.
- 23 (ii) All other Special Events, except parking, shall be located no closer than 100 feet  
24 from the property line of any adjacent Residential Area.
- 25 ~~(iii) These setbacks may only be reduced based on the findings of a Noise Study~~  
26 ~~acceptable to Lake County stipulating that a reduced setback or other mitigation~~  
27 ~~measures would suffice. Any reduction in setbacks shall require approval of a site~~  
28 ~~plan.~~
- 29 g. **RV Parking during Special Events:** Up to 200 Recreational Vehicles may be parked  
30 on the premises during any Special Event for up to 72 hours. This parking is in  
31 addition to RV parking specified in uses above.
- 32 h. **Hours of Operation:**
- 33 (i) Any motor event, including mud drags, demolition derbies, racing events, and  
34 stunt shows shall be limited to the hours of 9:00 a.m. to 9:00 p.m. Friday and  
35 Saturday, and from 9:00 a.m. to 6:00 p.m. on through Sunday open to the public.  
36 Operation of vehicles used in these activites shall not be operated before or after  
37 hours of operation.
- 38 (ii) All other Special Events shall be limited to the Hours of Operation of 7:00 a.m. to  
39 10:00 p.m. Monday through Sunday ~~open to the public.~~ Hours of Operation means  
40 hours that such event is open to the public. Hours of Operation may be further

1 limited based on the findings of a Noise Study. Days and hours of operation may  
2 be modified on a per event basis through a Special Event /Open Air Gathering  
3 Permit.

4 ~~(iii) Days and hours of operation may be modified on a per event basis through a~~  
5 ~~Special Event Permit/Open Air Gathering.~~

6 ~~(iv) For purposes of this ordinance, hours of operation means hours that such event is~~  
7 ~~open to the public. Hours of Operation may be further limited based on the findings~~  
8 ~~of a Noise Study.~~

9 i. **Lighting:** All lighting shall be directed away from any Residential Area and any light  
10 trespass shall be limited to no more than 0.1 foot-candle at the property line.

11 j. **Notice.** The Applicant shall notify Lake County and the City of Mt. Dora of any Special  
12 Events in writing at least 30 days in advance of the event. Such notice shall be  
13 provided to the attention of the Division of Planning & Community Design, Department  
14 of Growth Management for Lake County and the Department of Planning and  
15 Development for the City.

16 All uses shall be generally consistent with the Conceptual Plan as shown on EXHIBIT "B". To  
17 the extent where there are conflicts between the Conceptual Plan and this Ordinance, this  
18 Ordinance shall take precedence.

19 Accessory uses directly associated with the above uses may be approved by the County  
20 Manager or designee. Any other use of the site shall require an amendment to this Ordinance  
21 as approved by the Board of County Commissioners.

22 B. Noise: All uses and activities shall be subject to all Lake County noise regulations, as  
23 amended. A noise study shall be required with any site plan submittal for the development of  
24 an outdoor motorized track facility, demolition derby facility, or any new structure. All  
25 recommendations of the Noise Study shall be implemented by the Applicant.

26 C. Environmental: An environmental assessment may be required for any new use that requires  
27 the submittal of a site plan to ensure proper environmental protection and mitigation in  
28 accordance with the Land Development Regulations, as amended.

29 D. Setbacks, Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height shall  
30 be in accordance with the Comprehensive Plan and LDR, as amended.

31 E. Landscaping, Buffering, and Screening shall comply with the LDR, as amended.

32 F. Parking:

33 1. Existing unpaved parking shall not be required to meet the provisions of Parking Standards  
34 of the LDR. Any paved parking proposed shall adhere to the Land Development  
35 Regulations.

36 2. Parking surfaces may be grass or other pervious material.

37 3. Parking for Special Events and Uses shall be permitted throughout the site in designated  
38 areas as indicated on the site plan.

39 4. Accessible parking shall be provided in compliance with the Florida Accessibility Code.



- 1 G. Fire Services and Control for Existing Development: All structures shall comply with the  
2 National Fire Protection Code and Florida Fire Prevention Code.
- 3 H. Public Safety and Emergency Services:
- 4 1. Any activities which could possibly injure spectators or participants shall have medical  
5 standby consisting of one (1) paramedic and one (1) emergency medical technician.
- 6 2. Activities such as mud drags, demolition derbies, and tractor pulls shall have standby fire  
7 suppression vehicles equipped with extrication devices. These emergency vehicles shall  
8 have accompanying staff of one (1) paramedic and one (1) emergency medical technician.
- 9 3. An improved and unobstructed point of ingress and egress shall be provided for all  
10 emergency vehicles. If improvements are necessary for ingress and egress, the property  
11 owner shall be responsible for constructing the point of ingress and egress to Lake County  
12 standards.
- 13 I. Transportation Improvements/Access Management:
- 14 1. Access to the site shall be from U.S. Highway 441 only.
- 15 2. All other Access Management standards shall be in accordance with the LDR, as  
16 amended.
- 17 J. Fencing: Fences six (6) feet or less in height shall not require site plan approval.
- 18 K. Lighting: Exterior lighting shall be in accordance with the LDR, as amended, shall not exceed  
19 0.1 foot-candle at the property line and be consistent with Dark-Sky Principles.
- 20 L. Signage: Signs shall be in accordance with the LDR, as amended.
- 21 M. Concurrency Management Requirements: Any development shall comply with the Lake County  
22 Concurrency Management System.
- 23 N. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be  
24 required to submit a site plan generally consistent with EXHIBIT "B" – CONCEPTUAL PLAN  
25 for review and approval in accordance with the Comprehensive Plan and LDR, as amended.
- 26 1. Site Plan Submittal: Upon adoption of this ordinance, the Applicant shall submit a site plan  
27 for the relocation of the existing clay track within 90 days and make a good faith effort to  
28 receive approval, consistent with the administrative procedures of the Lake County Land  
29 Development Regulations.
- 30 O. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in  
31 this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County  
32 Comprehensive Plan, and Lake County Land Development Regulations shall include any  
33 future amendments to the Statutes, Code, Plans, and/or Regulations.
- 34 P. The Code Enforcement Special Master shall have authority to enforce this Ordinance.
- 35 Q. Telecommunication Tower - Conditional Use Permit (CUP #10/1/2-4) approved for a portion of  
36 the Property pursuant to Ordinance #2010-7 shall remain in full force and effect, unless  
37 amended by the Board of County Commissioners.
- 38

1 **Section 2. Conditions** as altered and amended which pertain to the above tract of land shall mean:

2 A. After establishment of the facilities as provided herein, the aforementioned property shall only  
3 be used for the purposes named in this Ordinance. Any other proposed use must be  
4 specifically authorized by the Board of County Commissioners.

5 B. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,  
6 move, convert, or demolish any building structure, add other uses, or alter the land in any  
7 manner within the boundaries of the above described land without first obtaining the necessary  
8 approvals in accordance with the Lake County Code, as amended, and obtaining the permits  
9 required from the other appropriate governmental agencies.

10 C. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the  
11 land and the terms, conditions, and provisions hereof, and shall be binding upon the present  
12 Owner and any successor, and shall be subject to each and every condition herein set out.

13 D. Construction and operation of the proposed use shall at all times comply with the regulations of  
14 this and other governmental permitting agencies.

15 E. The transfer of ownership or lease of any or all of the property described in this Ordinance  
16 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is  
17 made good and aware of the conditions established by this Ordinance and agrees to be bound  
18 by these conditions. The purchaser or lessee may request a change from the existing plans  
19 and conditions by following procedures contained in the Land Development Regulations, as  
20 amended.

21 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid  
22 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
23 affect the validity of the remaining portions of this Ordinance.  
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**Section 4. Effective Date. This Ordinance shall become effective as provided by law.**

ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

FILED with the Secretary of State \_\_\_\_\_, 2011.

EFFECTIVE \_\_\_\_\_, 2011.

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

\_\_\_\_\_  
**JENNIFER HILL, Chairman**

**ATTEST:**

\_\_\_\_\_  
**NEIL KELLY, Clerk of the  
Board of County Commissioners  
Lake County, Florida**

**APPROVED AS TO FORM AND LEGALITY**

\_\_\_\_\_  
**SANFORD A. MINKOFF, County Attorney**



**EXHIBIT "A" – LEGAL DESCRIPTION**

1  
2  
3 PARCEL 1  
4 THAT PART OF THE W 1/2 OF THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4, OF SECTION 28,  
5 TOWNSHIP 19 SOUTH, RANGE 27 EAST, IN LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED  
6 AS FOLLOWS: FROM THE NORTHWEST CORNER OF THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4  
7 OF SAID SECTION 28, RUN NORTH 89°58'10" EAST ALONG THE NORTH LINE THEREOF 110 FEET,  
8 THENCE SOUTH 0°56' EAST PARALLEL WITH THE WEST LINE OF SAID NE 1/4 OF THE SW 1/4 OF  
9 THE NW 1/4 A DISTANCE OF 666.59 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID NE 1/4  
10 OF THE SW 1/4 OF THE NW 1/4 AND THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM  
11 SAID POINT OF BEGINNING RUN NORTH 89°57'20" EAST ALONG SAID SOUTH LINE 221.47 FEET TO  
12 THE EAST LINE OF THE W 1/2 OF SAID NE 1/4 OF THE SW 1/4 OF THE NW 1/4, THENCE NORTH  
13 0°55'20" EAST ALONG SAID EAST LINE 155 FEET, THENCE SOUTH 89°57'20" WEST 221.47 FEET,  
14 THEN CE SOUTH 0°56' EAST 155 FEET TO THE POINT OF BEGINNING.

15 PARCEL 2  
16 THE SE 1/4 OF THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4, SECTION 28, TOWNSHIP 19, RANGE 27  
17 EAST, LAKE COUNTY, FLORIDA.

18 PARCEL 3  
19 THAT PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND THAT  
20 PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, LESS THE SOUTH 990 FEET THEREOF,  
21 LYING EAST OF THE EASTERLY LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 500 – U.S.  
22 HIGHWAY NO. 441, ALL IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 27 EAST, IN LAKE COUNTY,  
23 FLORIDA.

24 PARCEL 4  
25 THAT PART OF THE SOUTH 990 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF  
26 SECTION 28, TOWNSHIP 19 SOUTH, RANGE 27 EAST, IN LAKE COUNTY, FLORIDA, LYING EAST OF  
27 THE EASTERLY LINE OF THE RIGHT OF WAY OF STATE ROAD NO. 500 – U.S. HIGHWAY NO. 441,  
28 ALL IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 27 EAST, IN LAKE COUNTY, FLORIDA.

29 PARCEL 5  
30 FROM THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE  
31 NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 27 EAST, IN LAKE COUNTY,  
32 FLORIDA RUN SOUTH 0°55'57" EAST, ALONG THE WEST LINE OF THE SOUTH 1/2 OF THE  
33 SOUTHEAST 1/4 OF THE NORTHWEST 1/4 A DISTANCE OF 127.00 FEET TO THE POINT OF  
34 BEGINNING OF THIS DESCRIPTION; FROM SAID P.O.B. CONTINUE SOUTH 0°55'57" EAST ALONG  
35 THE SAID WEST LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 A  
36 DISTANCE OF 666.33 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE  
37 SOUTHWEST 1/4 OF SAID SECTION 28; THENCE SOUTH 0°56'02" EAST, ALONG THE WEST LINE OF  
38 THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 A DISTANCE OF 1171.66 FEET TO A POINT THAT IS  
39 30 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST  
40 1/4; THENCE NORTH 89°53'37" EAST, PARALLEL WITH THE SOUTHWEST 1/4 A DISTANCE OF  
41 400.00 FEET; THENCE NORTH 0°56'02" WEST PARALLEL WITH THE WEST LINE OF THE  
42 NORTHEAST 1/4 OF THE SOUTHWEST 1/4 A DISTANCE OF 1837.34 FEET TO A POINT THAT IS  
43 127.0 FEET SOUTH OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE  
44 NORTHWEST 1/4 OF SAID SECTION 28; THENCE SOUTH 89°59'10" WEST PARALLEL WITH NORTH

1 LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 A DISTANCE OF 400.00  
2 FEET TO THE POINT OF BEGINNING.

3 PARCEL 6

4 THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE WEST 3/4 OF THE  
5 NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH RANGE 27 EAST,  
6 LAKE COUNTY, FLORIDA, LESS THE FOLLOWING DESCRIBED PARCELS: (1) BEGIN AT THE  
7 NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF  
8 SAID SECTION 28; RUN THENCE EAST 620 FEET; THENCE SOUTHWESTERLY TO A POINT ON THE  
9 WEST LINE OF SAID SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 THAT IS 27  
10 FEET SOUTH OF THE POINT OF BEGINNING, THENCE NORTH TO THE POINT OF BEGINNING; AND  
11 (2) FROM THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE  
12 NORTHWEST 1/4 OF SAID SECTION 28, RUN SOUTH 00°55'57" EAST, ALONG THE WEST LINE OF  
13 THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 A DISTANCE OF 127.00 FEET  
14 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING  
15 CONTINUE SOUTH 00°55'57" EAST ALONG THE SAID WEST LINE OF THE SOUTH 1/2 OF THE  
16 SOUTHEAST 1/4 OF THE NORTHWEST 1/4 A DISTANCE OF 666.33 FEET TO THE NORTHWEST  
17 CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 28; THENCE SOUTH  
18 0°56'02" EAST. ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 A  
19 DISTANCE OF 1171.66 FEET TO A POINT THAT IS 30 FEET NORTH OF THE SOUTHWEST CORNER  
20 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE NORTH 89°53'37" EAST, PARALLEL  
21 WITH THE SOUTHWEST 1/4 A DISTANCE OF 400 FEET; THENCE NORTH 00°56'02" WEST PARALLEL  
22 WITH THE WEST LINE OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 A DISTANCE OF 1837.34  
23 FEET TO A POINT THAT IS 127.00 FEET SOUTH OF THE NORTH LINE OF THE SOUTH 1/2 OF THE  
24 SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 28, THENCE SOUTH 89°59'10" WEST  
25 PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE  
26 NORTHWEST 1/4 A DISTANCE OF 400 FEET TO THE POINT OF BEGINNING.

27 PARCEL 7

28 THE EAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 19  
29 SOUTH, RANGE 27 EAST, IN LAKE COUNTY, FLORIDA.

30  
31 LESS ROAD RIGHT OF WAYS, AS TO ALL PARCELS AND SPECIFICALLY EXCLUDING LANDS  
32 DESCRIBED IN LAKE COUNTY CUP #10/1/2-4 AND ORDINANCE #1997-72 AS:

33  
34 LESS (TOWER COMPOUND AREA – ZONED A),  
35 A PIECE OR PARCEL OF LAND SITUATED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 27 EAST,  
36 IN LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
37 COMMENCING AT THE NE CORNER OF THE SE 1/4 OF THE SE 1/4 OF THE NW 1/4 OF SAID  
38 SECTION 28, THENCE S 89°59'10" W, FOR A DISTANCE OF 362.96 FEET, THENCE S 01°11'36" E,  
39 FOR A DISTANCE OF 63.27 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE SOUTHERLY  
40 ALONG SAID LINE, A DISTANCE OF 58.00 FEET, THENCE S 88°48'24" W, FOR A DISTANCE OF 60.00  
41 FEET; THENCE N 01°11'36' W, FOR A DISTANCE OF 58.00 FEET, THENCE N 88°48'24" E, FOR A  
42 DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING. (CONTAINING 3,480 SQUARE FEET OR 0  
43 08 ACRES, MORE OR LESS)

44

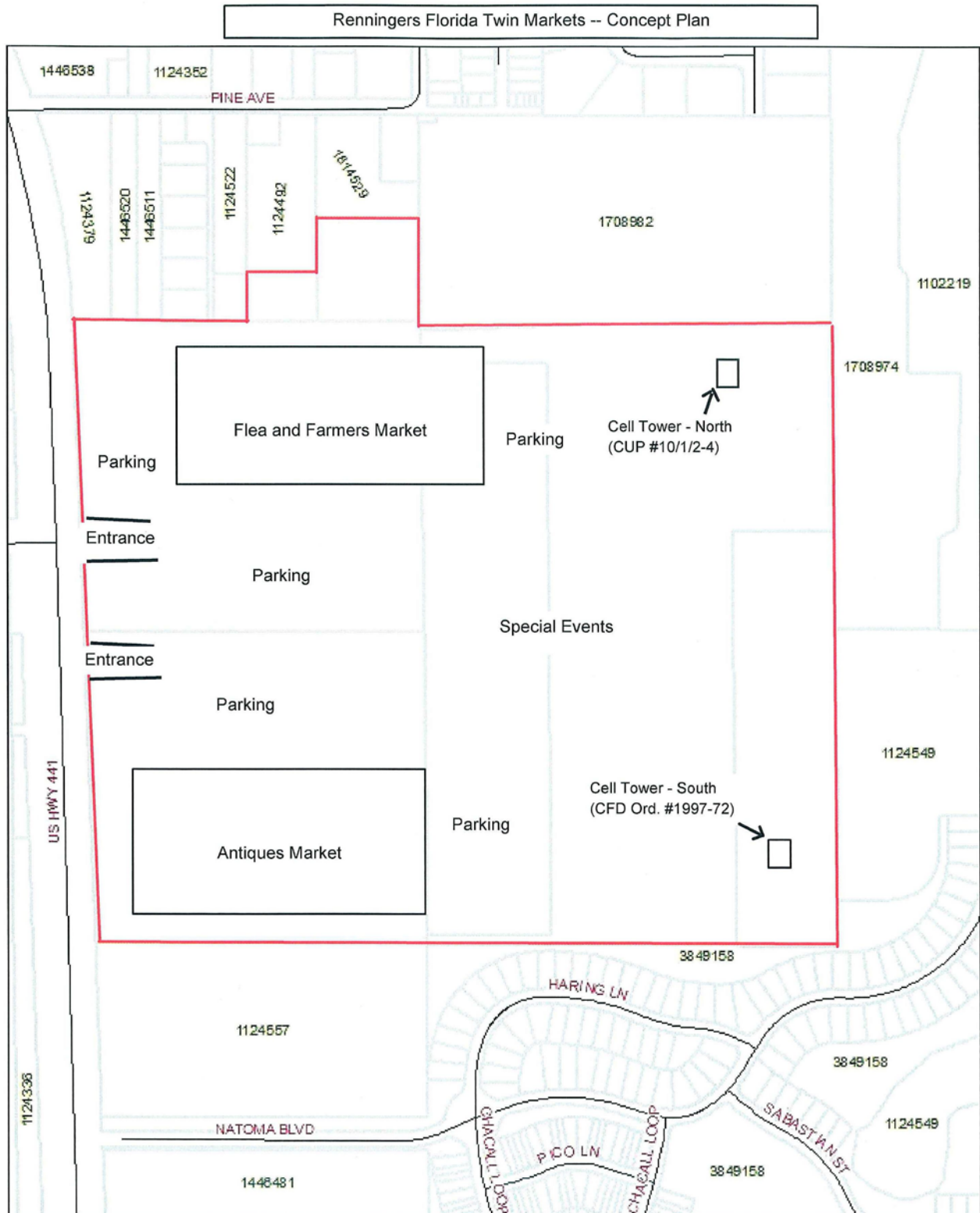
1 LESS (TOWER COMPOUND AREA – ZONED CFD),  
2 A PARCEL OF LAND LYING IN THE NE 1/4 OF THE SW 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH,  
3 RANGE 27 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS  
4 FOLLOWS:

5 COMMENCE AT THE SE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 28, TOWNSHIP 19  
6 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA; THENCE RUN WEST ALONG THE SOUTH  
7 BOUNDARY OF SAID NE 1/4 OF SW 1/4 A DISTANCE OF 164.00 FEET, THENCE NORTH PARALLEL  
8 TO THE WEST BOUNDARY OF SAID NE 1/4 OF THE SW 1/4 A DISTANCE OF 164.00 FEET TO THE  
9 POB FOR THIS DESCRIPTION, THENCE N 00°56'02" W A DISTANCE OF 40.00 FEET, THENCE N  
10 89°53'37" W A DISTANCE OF 40.00 FEET, THENCE S 00°56'02" E A DISTANCE OF 40.00 FEET,  
11 THENCE S 89°53'37" E A DISTANCE OF 40.00 FEET TO A POB; SAID LEASE PARCEL CONTAINING  
12 1600 SQUARE FEET OR 0.04 ACRES MORE OR LESS.

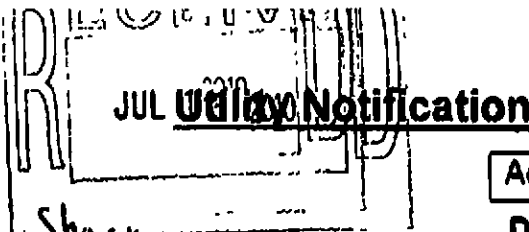


1

### EXHIBIT "B" - CONCEPTUAL PLAN



2



CS29

Address (CDPlus) #: 94564

Return To: Sheila Short

Date Returned: \_\_\_\_\_

Subject: Utility Notification

Time Returned: \_\_\_\_\_

Fax: (352) 3439767

City: MT. DORA

Phone: (352) 343-9641

RECEIVED  
JUL 14 2010  
BY: SJS

In an effort to assure governmental cooperation and assistance in the use of approved utility facilities, Lake County shall, per Land Development Regulations, Section 6 12.00, require connection to those facilities upon development, within 1,000 feet of an approved central sewage system and/or within 300 feet of an approved central water system

The owner of the following property has a Public Hearing pending, a Commercial Project under review, or is in the process of obtaining a permit. It is understood that a one-day turn around for this information is required so that delays for issuance will be minimized.

Please acknowledge the availability to serve the following property with central utility systems and return this form via FAX to (352) 343-9767, or email to Growthmgmtcustservice@lakecountyfl.gov

**Proposed Development:**

Single-Family Dwelling \_\_\_\_\_ Multi-Family Units \_\_\_\_\_ Duplex \_\_\_\_\_ Commercial \_\_\_\_\_

Administrative Lot Splits \_\_\_\_\_ Commercial Project  Rezoning \_\_\_\_\_

Legal Description: Section 28 Township 19 Range 27 Alt Key # 1124506, 1706991, 1814537, 1614545, 2666528, 2667079, 2993111

Subdivision N/A (PENNINGS'S FLEA MARKET) Block \_\_\_\_\_ Additional Legal attached

Hook up to Central Sewage IS within 1,000 feet of the above described property.  
(IS OR IS NOT)

Hook up to Central Water IS within 300 feet of the above described property.  
(IS OR IS NOT)

The City of/or private provider City of Mount Dora, will provide immediate hook-up to this property for:

Central Sewage. Yes  No \_\_\_\_\_

Central Water: Yes  No \_\_\_\_\_

**Wellfield Protection:**

To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area

This property is \_\_\_\_\_ or is not  within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

City Official or Private Provider Signature Joshua P Kramm

Print Name Joshua P Kramm

City Official or Private Provider Title Water Distribution Supervisor Date 7/14/10

**ATTACHMENT 2  
LETTERS OF OPPOSITION**

**From:** [Dale Swartzlander](#)

**To:** [LCampione@lakecountyfl.gov](mailto:LCampione@lakecountyfl.gov)

**Sent:** Tuesday, November 30, 2010 12:04 PM

**Subject:** Renningers Rezoning Request

I have reviewed the revised zoning change submitted by Renningers affecting their property on Hwy. 441. While the revised submission places some restraints on activities, the zoning change will add both traffic and noise to the surrounding area.

Submitting this request over a busy holiday period makes it difficult for many to address the issue personally. I will be out of town for approximately three weeks over Christmas and New Years and will not be available to attend the January Commissioner's meeting.

I urge the Commissioners to review this request carefully and consider the impact on our community.

Thank you.

Janet/Dale Swartzlander  
8038 Arcadian Court (Country Club of Mount Dora)

352 735-2560

**From:** Lou and Jan Tiller [mailto:lst0243@comcast.net]  
**Sent:** Thursday, December 30, 2010 6:13 PM  
**To:** Campione, Leslie  
**Subject:** Renninger's Zoning Change Application

Leslie, Our HOA (Loch Leven) has alerted its members that Renningers has applied for a zoning change to permit "mud races/tractor pulls" or the like, and I understand that this item (as follows) will come before the Commission in January: CASE NO: PH #28-10-4 AGENDA NO: 5  
**OWNER:** Renningers Florida Twin Markets, Inc. **APPLICANT:** Cecelia Bonifay/Christopher Roper, Esq., Akerman Senterfitt **PROJECT NAME:** Renningers Florida Twin Markets  
**GENERAL LOCATION:** Mount Dora area, East of U.S. Highway 441 (SR 500) and Lincoln Ave intersection/ 20651 US Highway 441 Mount Dora, Fl 32757/ AK #'s 1124506, 1708991, 1814537, 1814545, 2666528, 2667079 and 2993111. **REQUESTED ACTION:** To expand the existing CP to incorporate 44 acres zoned A and R-6, and to add special events to the existing uses. **SIZE OF PARCEL:** 112.4 total acres (including 44-acre addition) **FUTURE LAND USE:** Urban Expansion **STAFF RECOMMENDATION:** Approval **ZONING BOARD RECOMMENDATION:** APPROVAL with a 5-0 vote for a 30 day continuance to 1/5/2011 ZB Hearing. While this will not perhaps directly affect our HOA, Jan and I are not at all in favor of these types of "activities" being conducted in our "neighborhood" for at least reasons of noise. Renningers seems to be attempting to evolve into something that we believe is far outside of the general character of our community. It is interesting that they (Renningers) has hired the land use attorney many in that Lake County love to despise. Thank you for your consideration. Best regards and Happy New Year, Lou and Jan Tiller

**REGULAR AGENDA**

**CASE NO:** PH# 28-10-4

**AGENDA NO.** 5

**OWNER:** Renninger’s Florida Twin Markets, Inc.

**APPLICANT:** Cecelia Bonifay/Christopher Roper, Esq., Akerman Senterfitt

**PROJECT NAME:** Renninger’s Florida Twin Markets

Brian Sheahan, Director, said this continuance is fully supported by staff. Staff is continuing to work with the Applicant in accommodating some of the minor changes brought up by City Council on December 21, 2010 and would like to work out as much as possible before the case is brought back before the Board.

**MOTION** by Egor Emery, **SECONDED** by James Gardner to recommend **APPROVAL** of the Applicant’s request for a thirty (30) day **continuance** on Case No. PH#28-10-4, Renninger’s Florida Twin Markets, to the February 2, 2011 Zoning Board meeting.

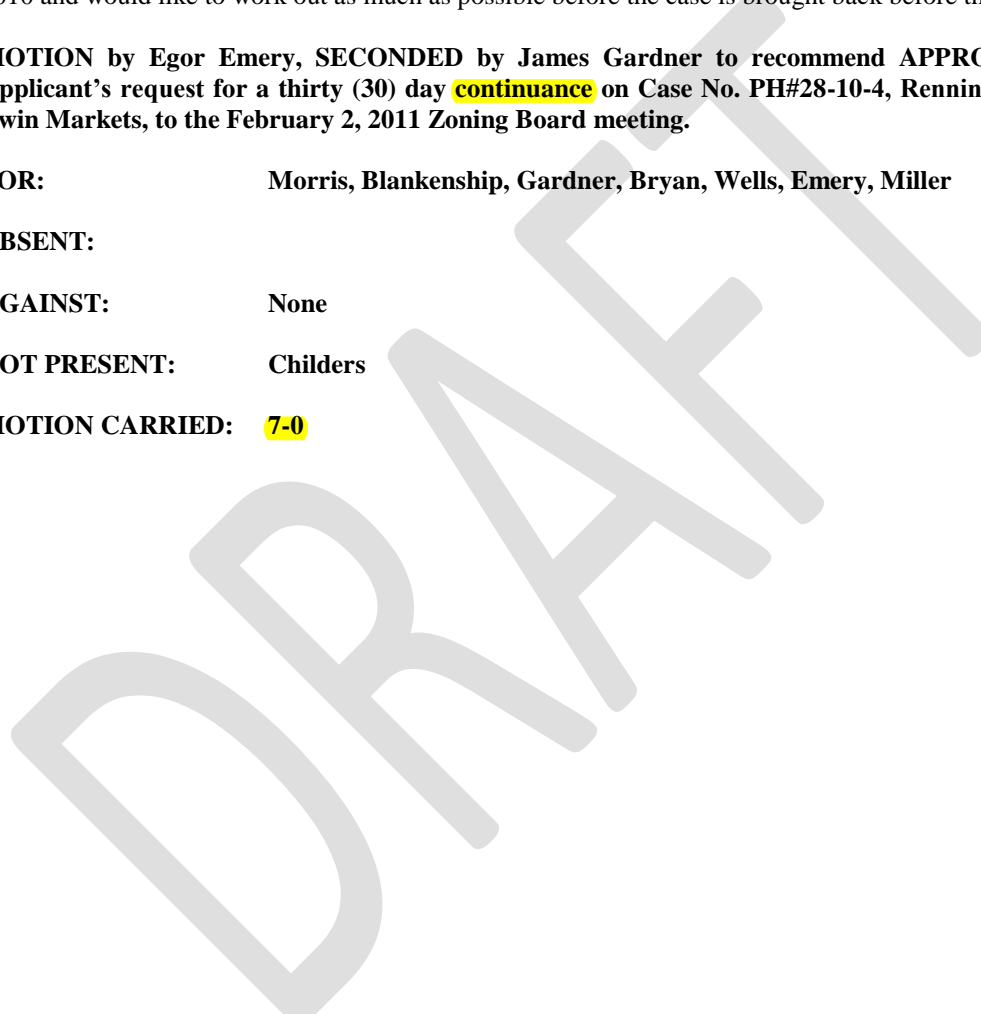
**FOR:** Morris, Blankenship, Gardner, Bryan, Wells, Emery, Miller

**ABSENT:**

**AGAINST:** None

**NOT PRESENT:** Childers

**MOTION CARRIED:** 7-0





CASE NO: PH#28-10-4

AGENDA NO: 5

OWNER: Renninger's Florida Twin Markets, Inc.  
APPLICANT: Cecelia Bonifay, Esq./Christopher Roper, Esq.,  
Akerman Senterfitt

PAGE NO.: 1

Melving Isaac, Planner, Planning and Community Design Division, presented the staff report with a recommendation for approval with conditions. He discussed the zoning map included in the report, reviewed the adjacent uses and the conditions included within the draft ordinance. There were no questions of staff.

Cecilia Bonifay, Esq., Ackerman, Senterfitt, representing the applicant, briefly discussed the history of Renninger's Market in Lake County, noting that the applicant was requesting a single zoning classification applicable to the entire site. She said considerable effort by County staff and the City of Mt. Dora had been expended in drafting an ordinance reflecting the desires of the applicant and the concerns of both the City and County staffs. She noted the uses of the property had been diversified and discussed the Summerbrooke subdivision that has been approved adjacent to the Renninger's site. She said they had notified area residents and the Home Owner's Association and the developer of Summerbrooke regarding this rezoning request.

Ms. Bonifay said after extensive discussions an ordinance had been drafted to address the concerns of the affected parties. She discussed the conditions related to special events, adding that open air event permits are now available through the County, which will accommodate possible additional types of events, adding that the City of Mt. Dora would be notified regarding those activities. She noted that the conditions in the draft ordinance also address setbacks and hours of operation restraints.

Chairman Bryan asked about hours of operation. Ms. Bonifay said she thought the hours of operation would be applicable only to public events, noting that staff may be on site for advance preparations. There was brief discussion regarding the use of recreational vehicles on site. There were no other questions from the Zoning Board.

Mark Reggentin, Planning and Development Director for the City of Mt. Dora, said that many of the City's issues had been resolved during the last continuance; however, several issues remained. He said the City's primary concerns were related to mud drags, demolition derbies and similar uses which could be a nuisance to present and future residents. The City was concerned that growth of these events in the future could increase the potential for conflict with nearby residences. He said the City would like the setbacks excluded by any future noise studies, because the future growth of those events could invalidate the noise study findings. City staff was also concerned regarding hours of operation and the potential impacts of larger events. Mr. Reggentin, said there was some concern regarding non-specific terms such as "similar activities" and "changing conditions." He noted that the Ordinance previously reviewed by the city council is different from what has been presented at this time. He thought that the remaining issues could be resolved if the City had more time to review this ordinance.

Chairman Bryan asked Ms. Bonifay if the applicant would object to the City's request for a continuance of thirty (30) days to review this revised ordinance.

Ms. Bonifay noted that this request has already been continued several times; however, if the issues could be resolved during that time frame it would be acceptable to the applicant. Mr. Reggentin noted that the City Council would be meeting on Dec. 16, 2010. There was some discussion regarding meeting dates.

Chairman Bryan asked about the City's position regarding motorized events and Mr. Reggentin noted that the City was particularly concerned with the noise impacts of those events.

**CASE NO:** PH#28-10-4

**AGENDA NO:** 5

**OWNER:** Renninger’s Florida Twin Markets, Inc.  
**APPLICANT:** Cecelia Bonifay, Esq./Christopher Roper, Esq., Akerman Senterfitt

**PAGE NO.:** 2

There was discussion regarding provision of utilities and Mr. Reggentin noted that central utilities were not required. Ms. Bonifay discussed the surrounding annexations, the prior history of Renninger’s and the partial development of Summerbrooke. Chairman Bryan asked if the applicant would agree to include a specific time frame for the ordinance and Ms. Bonifay said that would be acceptable to the applicant.

Melissa DeMarco, City of Mt. Dora Mayor, said that the City wanted an opportunity to review the conditions of the ordinance, adding that the City recognized the economic value of Renninger’s Market. She said the Council’s main concern was the motorized events and she thought the ordinance should come back before the City Council. She briefly discussed the Joint Planning Area (JPA) between Lake County and the City of Mt. Dora and the importance of continued cooperation between the County and the City.

There was some discussion regarding the requested postponement and the possibility of modifying the ordinance at this meeting and then having the final revisions decided at the Board of County Commissioners (BCC) meeting. Scott Blankenship voiced concern regarding the JPA and the value of the working relationship between the City and County. He supported the request for a continuance. Egor Emery said he would like to finish the case, hear the public comments and then have the BCC be the final arbitrator. Tim Morris suggested removing conditions regarding motorized events from the ordinance and leaving that decision for the BCC.

Mr. Sheahan noted that the next meeting date for the Zoning Board was January 5, 2011.

There was no objection to the request for a continuance.

**MOTION by Tim Morris, SECONDED by Scott Blankenship to continue PH#28-10-4, Renninger’s Florida Twin Markets, Inc. case to the January 5, 2011 Zoning Board meeting date.**

**FOR:** Morris, Blankenship, Bryan, Wells, Emery

**ABSENT:** Gardner

**AGAINST:** None

**NOT PRESENT:** Childers

**MOTION CARRIED:** 5-0