

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

LAKE COUNTY ZONING BOARD  
March 2, 2011



BOARD OF COUNTY COMMISSIONERS  
March 22, 2011

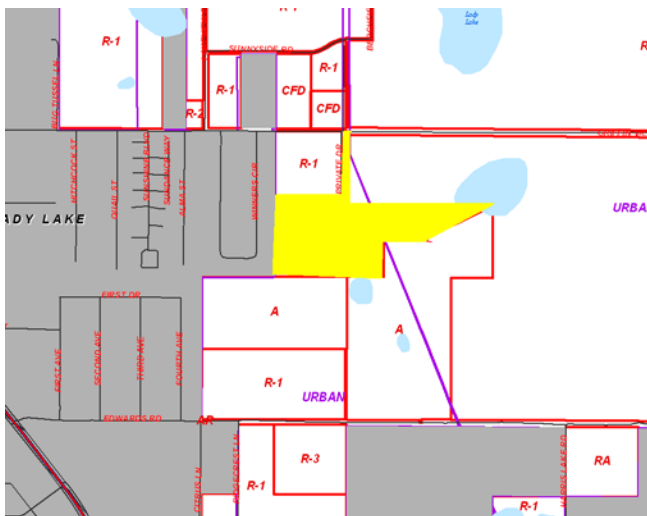
<b>PH # 6-11-5</b>	<b>Case Manager:</b> Jennifer M. Cotch, Environmental Specialist	<b>Agenda Item #3</b>
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**Applicant:** Lake County Division of Planning and Community Design (the "Applicant")  
**Owner(s):** Lady Lake Mobile Home Park, Inc. (the "Owner" - Mildred Wolfe)

**Requested Action:** To rezone 22.20 acres from Agriculture (A), Rural Residential (R-1), and Mobile Home Rental Park District (RMRP) to Mobile Home Rental Park District (RMRP) for an existing Lady Lake Mobile Home Park.

### - Site Location & Information -

Approximate site location highlighted in **yellow**



Size	22.20	
Location	East of Lady Lake, South of Griffin View Drive	
Alternate Keys	2683481, 2586583, 3878794	
Future Land Use	Current	2030
	Urban & Urban Expansion	Urban
Joint Planning Area	Lady Lake	
Utility Notification Area:	Lady Lake	
Site Utilities	Private	
Road Classification	Private Easement	
Flood Zone/ FIRM Panel	A and XI/ 160 Effective July 3, 2002	
Commissioner District	5 (Cadwell)	

Site Visit February 18, 2011  
Sign Posted February 18, 2011

#### Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban & Urban Expansion	CFD and R-1	Church and Residential uses	None
South	Urban	A and R-1	Vacant land and low density Residential	None
East	Urban Expansion	R-1 and A	Residential and Agriculture uses	None
West	Lady Lake City Limits		Residential uses	

- Summary of Staff Determination -

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

**ZONING BOARD RECOMMENDATION:** The Zoning Board recommended **APPROVAL** with a 5-0 vote of the Consent Agenda.

- Summary of Analysis -

The 22.20 +/- acre property is located east of Lady Lake, south of Griffin View Drive. The proposed rezoning request is for three properties that are all currently used by the Lady Lake Mobile Home Park. The parcels are proposed for rezoning to a zoning district that's indicative of the current uses. This rezoning will result in greater compliance with the Lake County Comprehensive Plan and Land Development Regulations (LDR). Currently the parcels have a variety of zonings including Rural Residential (R-1), Agriculture (A), and Mobile Home Rental Park (RMRP). The parcels contain an entrance road, parking, Mobile Homes, a self-service laundry area, and a lift station; all associated with Lady Lake Mobile Home Park.

According to Table 3.01.03, *Schedule of Permitted and Conditional Uses*, in the Land Development Regulations, single-family dwellings, self-service laundry, and limited utilities are allowed within the RMRP Zoning District. Section 3.01.02 (E) (14) defines Limited Utilities as essential utility facilities, such as utility Rights-of-Way, electricity substations serving less than two hundred thirty (230) KV and associated with the local distribution of electricity, and private water and wastewater treatment plants provided that they are for the sole use of the particular private Development, and are not intended to serve a sub-regional or regional system.

- 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 request is consistent with Table 3.00.03, *Land Use-Zoning District Matrix*, of the Land Development Regulations, which permits RMRP within the Urban and Urban Expansion Future Land Use Categories (FLUC).

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

The request is consistent with Comprehensive Plan Policy 1-1.15, *Land Use Activities Within the Land Use Categories*. This policy permits all the existing uses stated above that are indicative of RMRP zoning.

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

The Mobile Home Park already exists and is fully developed. The proposed rezoning will result in the use being in conformance with the appropriate zoning district.

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

The Mobile Home Park and associated structures have been in operation for several years. This rezoning will bring the facility 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 structures already exist and are in operation. No additional demands on public facilities are expected.

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

The Mobile Home Park and associated structures currently exist. No adverse impacts on the natural environment are expected.

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

No evidence has been provided that would indicate 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;**

The RMRP zoning is appropriate for the existing use of the property.

- 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 structures have been in place and used for several years without any complaints or conflicts.

- 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:

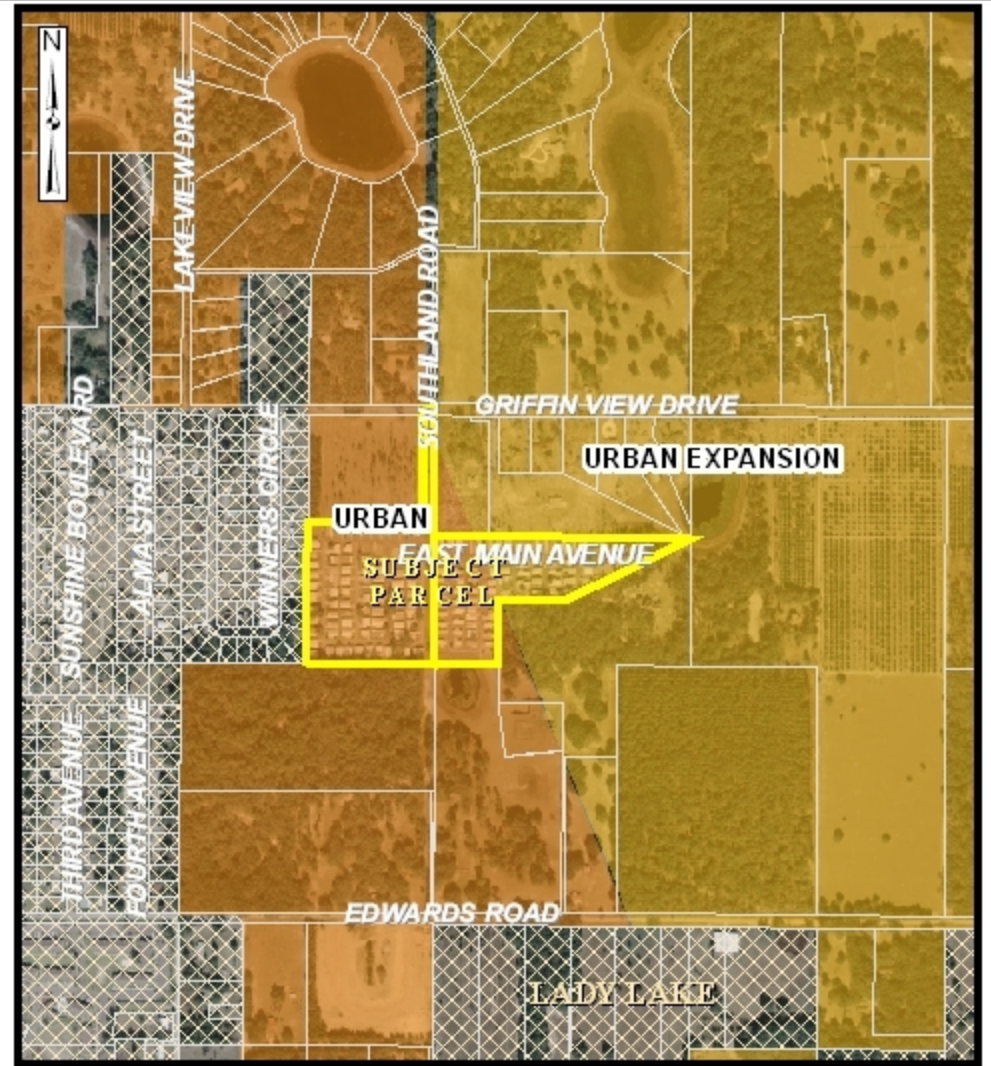
1. The request is consistent with Comprehensive Plan Policy 1-1.15, *Land Use Activities Within the Land Use Categories*. This policy permits all the uses and the zoning district requested.
2. The request is consistent with Table 3.00.03, *Land Use-Zoning District Matrix*, of the Land Development Regulations, which permits RMRP within the Urban and Urban Expansion Future Land Use Categories (FLUC).

Therefore, based on these Findings of Fact, staff recommends **APPROVAL**, with conditions as specified in the proposed ordinance.

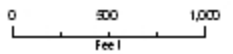
**WRITTEN COMMENTS FILED:**                      Supportive: -0-                      Concern: -0-                      Opposition: -0-



**CURRENT ZONING**  
A, R-1, and RMRP



**ADOPTED FUTURE LAND USE**  
URBAN AND URBAN EXPANSION



**LADY LAKE  
MOBILE HOME PARK**

**CASE NO.**  
PH# 06-11-5  
**CASE LOCATION:**  
26-23-01  
**RE QUE STING:**

rezone from R-1, A, and RMRP to RMRP

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

**DISCLAIMER:**

Lake County GIS Department, Planning and Community Design, 2005 Aerial Imagery, Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design.  
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**MAP COMPOSITION**  
JANUARY, 2006





1           **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,  
2 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they  
3 pertain to the above subject property subject to the following terms:  
4

5 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map from Rural  
6 Residential (R-1), Agriculture (A), and Mobile Home Rental Park District (RMRP) to Mobile  
7 Home Rental Park District (RMRP) to recognize an existing mobile home park, in  
8 accordance with this Ordinance.  
9

10 **Section 2. Severability:** If any section, sentence, clause, or phrase of this Ordinance is held to be  
11 invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in  
12 no way affect the validity of the remaining portions of this Ordinance.  
13

14 **Section 3. Development Review and Approval:** Prior to the issuance of any permits, the Applicant  
15 shall be required to submit a formal site plan for review and approval to Lake County. The  
16 site plan shall meet all submittal requirements and comply with all County codes and  
17 ordinances, as amended.  
18

19 ~~A. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references~~  
20 ~~in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County~~  
21 ~~Comprehensive Plan, and Lake County Land Development Regulations shall include any~~  
22 ~~future amendments to the Statutes, Code, Plans, and/or Regulations.~~  
23

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

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25  
26 ~~A. After establishment of the facilities as provided herein, the aforementioned property shall~~  
27 ~~only be used for the purposes named in this Ordinance. Any other proposed use must be~~  
28 ~~specifically authorized by the Board of County Commissioners.~~  
29

30 ~~B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove,~~  
31 ~~improve, move, convert, or demolish any building structure, add other uses, or alter the~~  
32 ~~land in any manner within the boundaries of the above described land without first~~  
33 ~~obtaining the necessary approvals in accordance with the Lake County Code, as~~  
34 ~~amended, and obtaining the permits required from the other appropriate governmental~~  
35 ~~agencies.~~  
36

37 ~~C. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with~~  
38 ~~the land and the terms, conditions, and provisions hereof, and shall be binding upon the~~  
39 ~~present Owner and any successor, and shall be subject to each and every condition herein~~  
40 ~~set out.~~  
41

42 ~~D. Construction and operation of the proposed use shall at all times comply with the~~  
43 ~~regulations of this and other governmental permitting agencies.~~  
44

45 ~~E. The transfer of ownership or lease of any or all of the property described in this Ordinance~~  
46 ~~shall include in the transfer or lease agreement, a provision that the purchaser or lessee is~~  
47 ~~made good and aware of the conditions established by this Ordinance and agrees to be~~

1 bound by these conditions. The purchaser or lessee may request a change from the  
2 existing plans and conditions by following procedures contained in the Land Development  
3 Regulations, as amended.  
4

5 ~~F. Action by the Lake County Code Enforcement Special Master. The Lake County Code~~  
6 ~~Enforcement Special Master shall have authority to enforce the terms and conditions set~~  
7 ~~forth in this ordinance and to recommend that the ordinance be revoked.~~  
8

9 ~~Section 3. Severability: If any section, sentence, clause or phrase of this Ordinance is held to be invalid~~  
10 ~~or unconstitutional by any court of competent jurisdiction, then said holding shall in no way~~  
11 ~~affect the validity of the remaining portions of this Ordinance.~~  
12

13 Section 4. Effective Date. This Ordinance shall become effective as provided by law.  
14

15 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.  
16

17 FILED with the Secretary of State \_\_\_\_\_, 2011.  
18

19 EFFECTIVE \_\_\_\_\_, 2011.  
20

21  
22 BOARD OF COUNTY COMMISSIONERS  
23 LAKE COUNTY, FLORIDA

24  
25 \_\_\_\_\_  
26 JENNIFER HILL, Chairman  
27

28  
29  
30 ATTEST:

31  
32 \_\_\_\_\_  
33 NEIL KELLY, Clerk of the  
34 Board of County Commissioners  
35 Lake County, Florida  
36

37  
38 APPROVED AS TO FORM AND LEGALITY  
39

40  
41 \_\_\_\_\_  
42 SANFORD A. MINKOFF, County Attorney  
43

**CONSENT AGENDA:**

- PH#4-11-2                      Francisco & Armando Alonso, Trustee                      1  
    Lake County School Board Transportation Facility – US 27  
    Lake County School Board (Harry Fix)
  
- PH#5-11-3                      Lake County Board of County Commissioners                      2  
    Christopher C. Ford Commerce Park DRI DO - Amendment  
    Adam Sumner, Economic Growth & Redevelopment Manager
  
- PH#6-11-5                      Mildred Wolfe/Lady Lake Mobile Home Park, Inc.                      3  
    Lady Lake Mobile Home Park, Inc.  
    Lake County Division of Planning & Community Design

**MOTION by Tim Morris, SECONDED by Scott Blankenship to recommend APPROVAL of the consent agenda, consisting of agenda items 1, 2, & 3.**

**FOR:                              Blankenship, Morris, Bryan, Gonzalez, Gardner**

**ABSENT:                        Kesselring, Miller**

**AGAINST:                      None**

**NOT PRESENT:                Childers**

**MOTION CARRIED: 5-0**

