

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS PETITION TO REZONE PROPERTY

PLANNING & ZONING BOARD
January 2, 2013



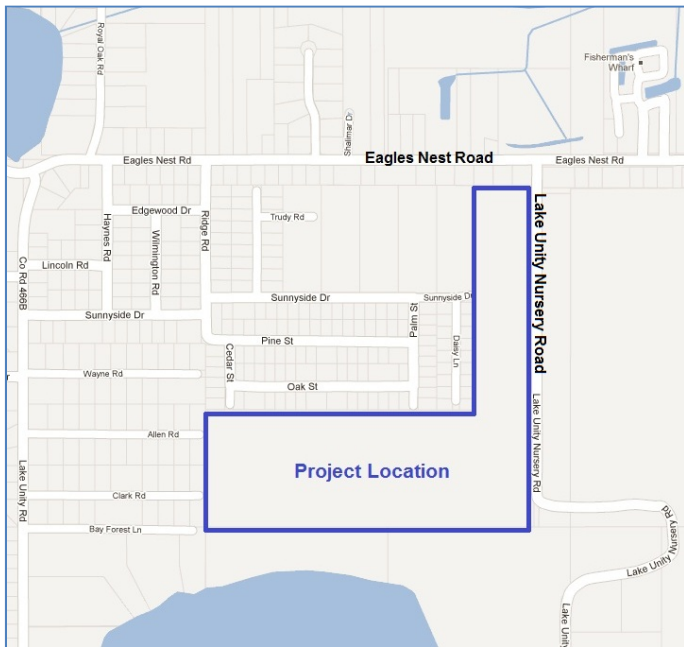
BOARD OF COUNTY COMMISSIONERS
January 22, 2013

PH #37-12-5 Grazzini Property	Case Manager: Melving Isaac, Planner	Agenda Item #1
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Owner/Applicant: Ellen & Peter Grazzini (the "Owner/Applicant")

Requested Action: Rezone property from Medium Residential (R-3) to Ranchette District (RA).

- Site Location & Information -



Approximate site location outlined in Blue

Site Visit December 20, 2012
Sign Posted December 20, 2012 (2 posted)

Size	62 +/- acres	
Location	Fruitland Park area, , Lake Unity Nursery Road, south of Eagles Nest Road	
Alternate Key #'s	1286191 and 3492099	
Future Land Use	Rural Transition (1 du/ net ac. max.)	
	Existing	Proposed
Zoning District	R-3	RA
Density	1 du/5 ac per Comp Plan	1 du/5 ac
Impervious Surface Ratio	0.30 max (Policy I-1.4.5)	0.10 max (LDR Section 3.02.06)
Floor Area Ratio	0.10 per Comp Plan	N/A
Joint Planning Area	N/A	
Utility Area:	City of Fruitland Park	
Site Utilities	None	
Road Classification	Eagles Nest Road – Local Lake Unity Nursery Road – Local	
Flood Zone/ FIRM Panel	X/(170, 190)	
Commissioner District	5 (Cadwell)	

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural Transition	Mixed Home Residential (RM), Medium Residential (R-3), Rural Residential (R-1)	Residential	
South	Rural Transition	Community Facility District (CFD), Rural Residential (R-1)	Wetlands, Residential (Religious Retreat)	
East	Rural	Rural Residential (R-1)	Agriculture	Property surrounded by Lake Unity Nursery Road at the west
West	Rural Transition	Mixed Home Residential (RM), Rural Residential (R-1)	Residential	

- Summary of Staff Determination -

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

PLANNING & ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant is requesting to rezone property from Medium Residential (R-3) to Ranchette District (RA) in order to conduct those agricultural uses allowed in the RA Zoning District. Agricultural uses allowed in the RA zoning district, but not permitted in the R-3 zoning district, include non-intensive agriculture, pasture, horse-breeding farms and roadside farm stands. The subject property consists of 62 +/- acres and is located in the Fruitland Park area, South of Eagles Nest Road, West of Lake Unity Nursery Road. The property is currently vacant and undeveloped.

The RA zoning request is consistent with Comprehensive Plan Policy I-1.4.5 as agricultural and residential uses are allowable in the Rural Transition Future Land Use Category (FLUC). The proposed rezoning is also consistent with the LDR as seen in LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits some agricultural and residential uses in the RA Zoning District.

- Analysis -

(LDR Section 14.03.03 *Standards for Review*)

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

The proposed rezoning is consistent with the Land Development Regulation (LDR) as seen in Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits some agricultural and residential uses in the RA Zoning District. The proposed RA District provides a transitional area between the adjacent residential areas (located north and west) and the rural areas to the east.

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

The RA zoning request is consistent with Comprehensive Plan Policy I-1.4.5 as agricultural and residential uses are allowable in the Rural Transition Future Land Use Category (FLUC). Rezoning the property to RA will provide a transition between the adjacent residential and rural areas which is consistent with the purpose of the Rural Transition FLUC.

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

The subject property is surrounded by high density residential uses and vacant rural lands. Rezoning the property to RA is consistent with the intention of the Rural Transition FLUC and serves as a transition between the adjacent residential areas (located north and west) and the more rural areas to the east. The proposed rezoning is generally consistent with the land use patterns in the area.

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

Although there has been no recent rezoning in the area, the applicant indicated that due to market conditions the property will be more usable if rezoned to RA to allow some agricultural uses.

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;

No additional demands on public facility capacity or levels of service are anticipated by the proposed rezoning.

Water/Sewage - As indicated by the City of Fruitland Park there is no central water and sewer available to this property.

Fire and Emergency Services - The subject parcel is approximately 3.0 miles from Lake County Fire Station 53 (closest fire station), located at 2505 Spring Lake Road, Fruitland Park.

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

The property is currently undeveloped. No information has been submitted to indicate that the proposed rezoning would result in significant adverse impacts on the natural environment. Rezoning the property from R-3 to RA, instead of from R-3 to PUD, will reduce the potential development densities allowable under the Rural Transition future land use, which allows a density of one dwelling per three acres or one dwelling per one acre if land is developed as a Rural Conservation Subdivision utilizing a PUD. Downzoning the property will likely decrease the threat on the natural environment.

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

The application does not contain any 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;

The proposed rezoning would not be adverse to the orderly and logical development pattern of the area that currently exists.

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 rezoning 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 Planning & Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

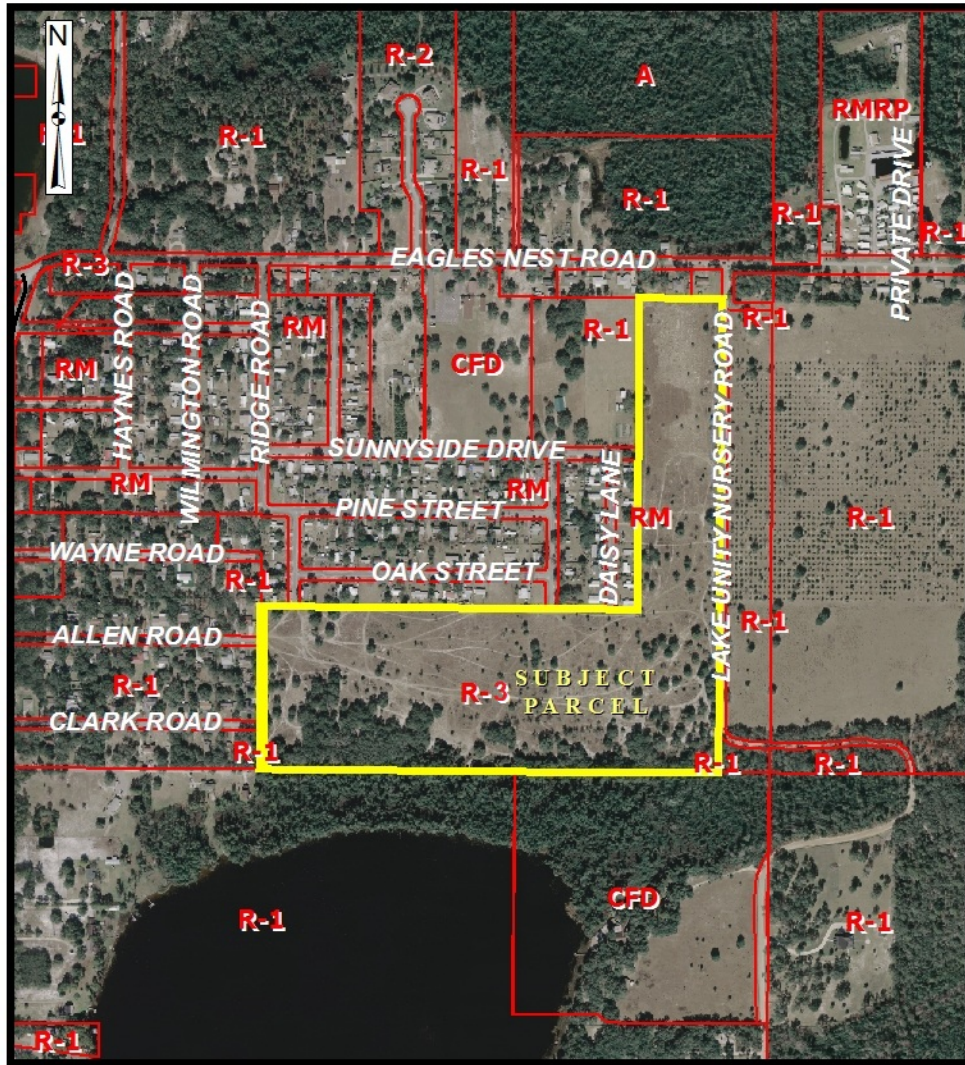
N/A.

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 I-1.4.5 as agricultural and residential uses are allowable, and the request conforms to the general land use criteria and activities of the Rural Transition Future Land Use Category.
2. The request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which permits some agricultural and residential uses in the RA Zoning District.

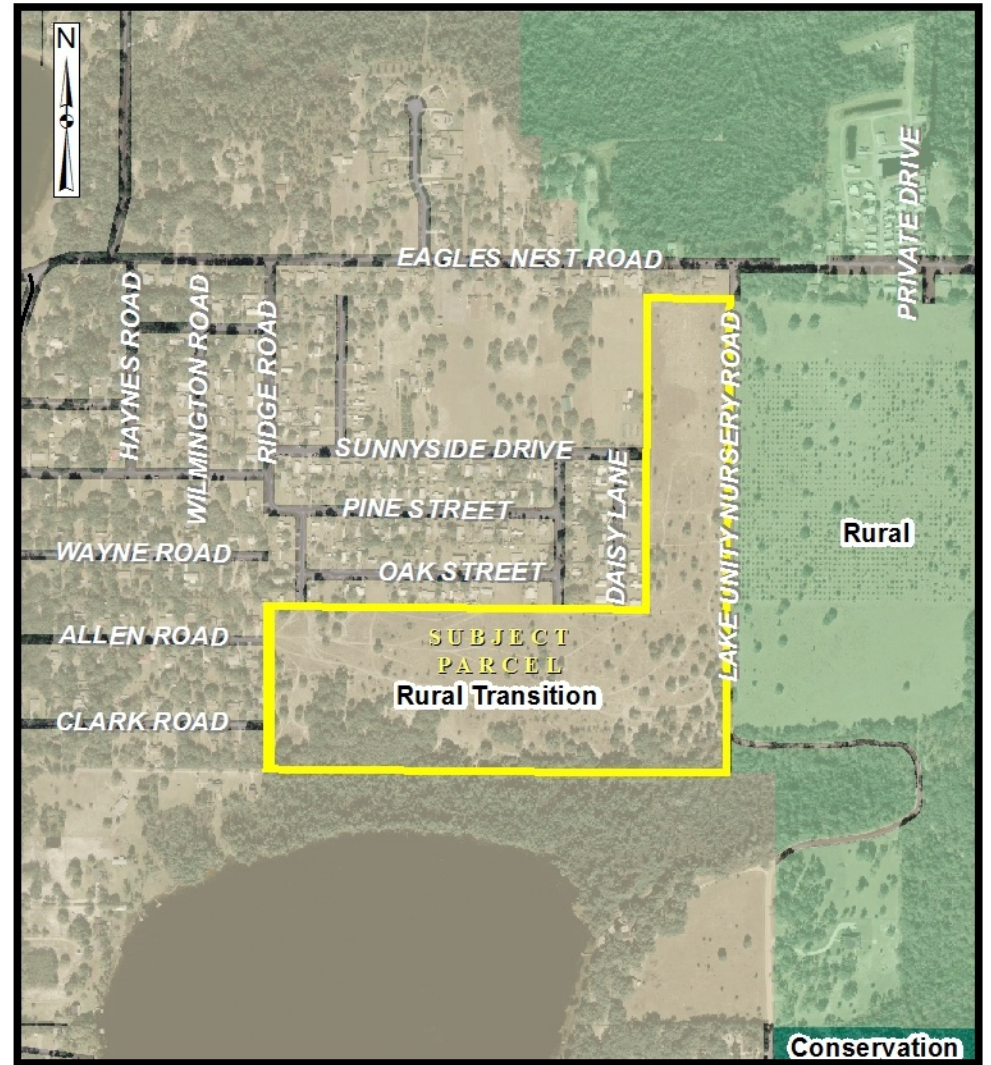
Therefore, based on these findings of fact, staff recommends **APPROVAL with conditions**, subject to the conditions as set forth in the attached Ordinance.

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



CURRENT ZONING

MEDIUM RESIDENTIAL (R-3)



ADOPTED FUTURE LAND USE

RURAL TRANSITION

GRAZZINI PROPERTY

CASE NO.
PH #37-12-5

CASE LOCATION:
T18S, R24E, S35

REQUESTING:

Rezone property to Ranchette District (RA)

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

DATA SOURCES:

Lake County GIS Department; Planimetrics, 2008 Aerial Image, Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design.

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MAP COMPOSITION:
JANUARY, 2008

FOCUS AREA



1 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the
2 subject property from Medium Residential (R-3) to Ranchette District (RA) in accordance with
3 this Ordinance.

4 **Section 2. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall be
5 required to submit applications for and receive necessary final development order approvals as
6 provided in the Lake County Comprehensive Plan and Land Development Regulations. The
7 applications for final development orders shall meet all submittal requirements and comply with
8 all County codes and ordinances, as amended.
9

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

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

14 ENACTED this _____ day of _____, 2013.

15
16 FILED with the Secretary of State _____, 2013.

17
18 EFFECTIVE _____, 2013.

19
20 BOARD OF COUNTY COMMISSIONERS
21 LAKE COUNTY, FLORIDA

22
23 _____
LESLIE CAMPIONE, Chairman

24 ATTEST:

25 _____
26 NEIL KELLY, Clerk of the
27 Board of County Commissioners
28 Lake County, Florida

29 APPROVED AS TO FORM AND LEGALITY

30 _____
31 SANFORD A. MINKOFF, County Attorney