LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

PETITION TO REZONE PROPERTY

PLANNING & ZONING BOARD January 2, 2013



BOARD OF COUNTY COMMISSIONERS January 22, 2013

62 +/- acres

PH #37-12-5 Grazzini Property	Case Manager: Melving Isaac, Planner	Agenda Item #1

Owner/Applicant: Ellen & Peter Grazzini (the "Owner/Applicant")

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

- Site Location & Information -

Size



Approximate site location outlined in Blue

Site Visit December 20, 2012

Sign Posted December 20, 2012 (2 posted)

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)		
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Land Use Table

<u>Direction</u>	Future Land Use	Zoning	Existing Use	<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.

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

<u>Fire and Emergency Services</u> - 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.

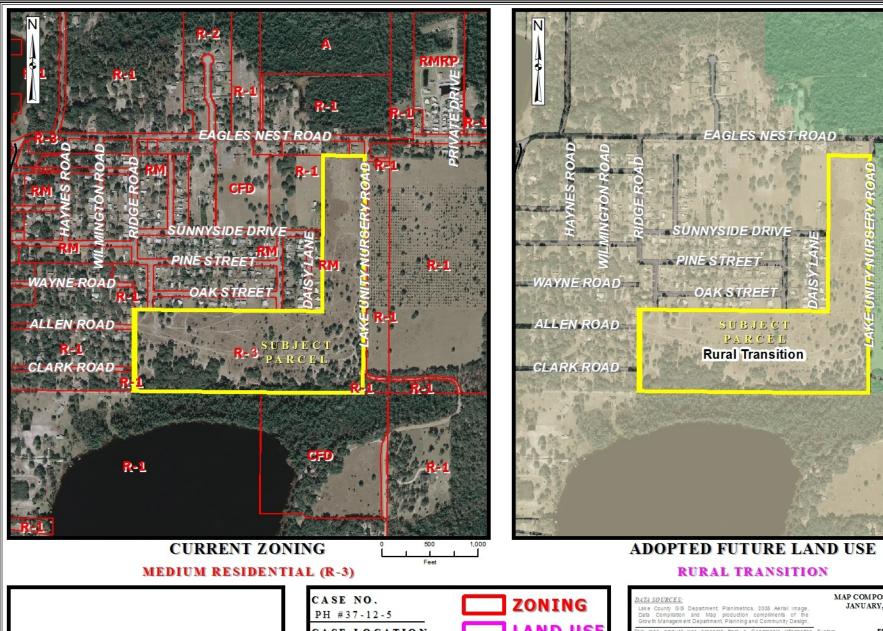
 J. Any other matters that may be deemed appropriate by the Lake County Planning & Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.
 N/A.

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-



GRAZZINI PROPERTY

CASE NO.
PH #37-12-5

CASE LOCATION:
T18S, R24E, S35
REQUESTING:

ZONING

LAND USE

SUBJECT
PARCEL

Rezone property to Ranchette District (RA)

DATA SOURCES:

Lake County Gis Department, Planimetrios, 2008 Aerial Image, Data Compilation and Map production compilments of the Growth Management Department, Planning and Community Design.

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Rural

Conservation

ORDINANCE #2013-XX 1 2 **Grazzini Property** PH #37-12-5 3 4 AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE 5 6 LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE. 7 8 WHEREAS, Ellen & Peter Grazzini (the "Applicant/Owner") made a request to rezone property from Medium Residential (R-3) to Ranchette District (RA); and 9 WHEREAS, the subject property consists of 62 +/- acres and is generally located in the Fruitland 10 Park area, South of Eagles Nest Road, West of Lake Unity Nursery Road, in Section 35, Township 18 11 South, Range 24 East, currently having Alternate Key Numbers 1286191 and 3492099, and more 12 particularly described below: 13 LEGAL DESCRIPTION: 14 From the Northeast corner of Section 35, Township 18 South, Range 24 East, Lake County, 15 Florida, run N 89°49'50" W, along the North line of Section 35, a distance of 265.0 feet; thence 16 S 00°06'10" W, parallel with the East line of Section 35, a distance of 183.0 feet to the Point of 17 Beginning; from said Point of Beginning, run N 89°49'50" W, 428.0 feet; thence S 00°04'40" W, 18 1623.50 feet; thence N 89°49'50" W, 1960.67 feet to the West line of the Northeast 1/4, (said 19 line also being the South line of Lake View Heights, as recorded in Plat Book 15, Page 14, of 20 the Public Records of Lake County, Florida), run thence S 00°04'40" W, along the West line of 21 said Northeast 1/4, a distance of 849.19 feet to the Southwest corner of said Northeast 1/4; 22 thence S 89°56'00" E, along the South line of said Northeast 1/4, a distance of 2387.50 feet to 23 a point that is 265.0 feet from the Southeast corner of the Northeast 1/4; thence N 00°16'10" E, 24 parallel to the East line of the Northeast 1/4, 2468.40 feet to the Point of Beginning. 25 WHEREAS, the subject property is located within the Rural Transition Future Land Use Category 26 27 as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and 28 WHEREAS, the Lake County Planning & Zoning Board reviewed Petition PH #37-12-5 on January 2, 2013, after giving Notice of Hearing on petition for a change in the use of land, including notice that said 29 30 petition would be presented to the Board of County Commissioners of Lake County, Florida, on January 22, 2013: and 31 32 WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning & Zoning Board, staff report, and any comments, favorable or unfavorable, from 33 the public and surrounding property owners at a public hearing duly advertised; and 34 WHEREAS, upon review, certain terms pertaining to the development of the above described 35 property have been duly approved; and 36

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Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they

pertain to the above subject property, subject to the following terms:

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County,

1 2 3	Section 1.	Terms : The County Manager or designee shall amend the Official Zoning Map to rezone the subject property from Medium Residential (R-3) to Ranchette District (RA) in accordance with this Ordinance.				
4 5 6 7 8 9	Section 2.	Development Review and Approval: Prior to the issuance of any permits, the Owner shall be required to submit applications for and receive necessary final development order approvals as provided in the Lake County Comprehensive Plan and Land Development Regulations. The applications for final development orders shall meet all submittal requirements and comply with all County codes and ordinances, as amended.				
10 11 12	Section 3.	Severability: If any section, sentence, clause or phrase of this Ordinance is held to or unconstitutional by any court of competent jurisdiction, then said holding shall i 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	EN	IACTED this day of	, 2013.			
15 16	FIL	ED with the Secretary of State	, 2013.			
17 18	EFFECTIVE					
19 20 21		BOARD OF COUNTY COMMISSIONERS LAKE COUNTY, FLORIDA				
22 23		LESLIE CAMPIONE, Chairman				
24	ATTEST:					
25 26 27 28	Board of C	LY, Clerk of the County Commissioners Ity, Florida				
29	APPROVE	D AS TO FORM AND LEGALITY				
30 31	SANFORD	A. MINKOFF, County Attorney				