

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

PLANNING AND ZONING BOARD
January 2, 2013



BOARD OF COUNTY COMMISSIONERS
January 22, 2013

PH #39-12-3 Eustis Gun Club	Case Manager: Steve K. Greene, AICP, Chief Planner	Agenda Item # 3
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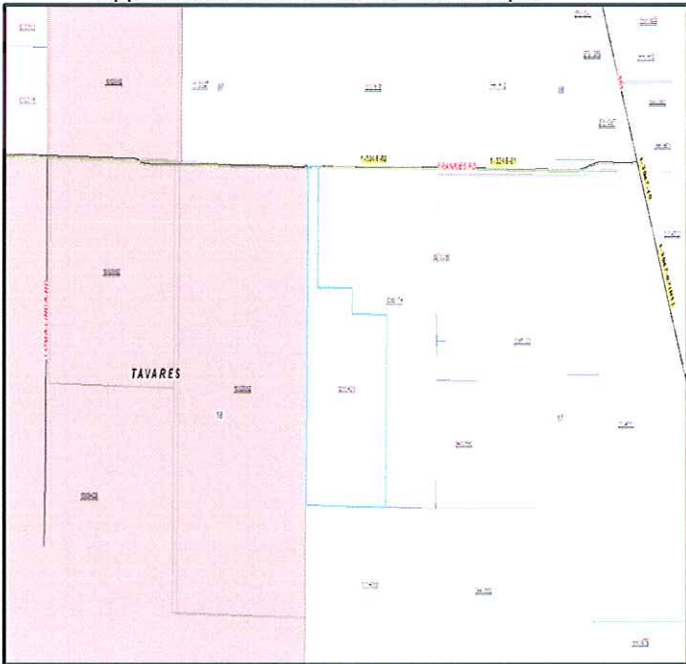
Owner: Eustis Gun Club, Inc. (the "Owner")

Applicant: Thomas Jinks, P.E. (the "Applicant")

Requested Action: Amend Community Facility District (CFD) Ordinance #40-89 to continue the existing shooting range use, add new uses and to replace it with a new ordinance.

- Site Location & Information -

Approximate site location outlined in Aqua



Size	23.73 +/- acres	
Location	Along the southside of Frankies Road, west of CR 561	
Alternate Key #	3268423	
Future Land Use	Rural	
	Existing	Proposed
Zoning District	CFD	CFD
Density	N/A	N/A
Floor Area Ratio (FAR)	NS	0.30 Per Ordinance
Impervious Surface Ratio (ISR)	0.30 - max. (Comp Plan)	0.30 -max. (Comp Plan)
Joint Planning Area	N/A	
Utility Area:	Tavares	
Site Utilities	Tavares central water On-site septic	
Road Classification	neighborhood roads	
Flood Zone/ FIRM Panel	X (0365D) outside 500-year flood	
Commissioner District	3 - Conner	

Site Visit: December 12, 2012

Sign Posted: December 12, 2012

Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Public Service	CFD	Sheriff's gun range	Lake County Public School property
South	Rural	Agriculture (A)	Single-family dwellings	Wetlands
East	Public Service	Agriculture (A)	Sheriff's gun range	Lake County Public School property
West	City of Tavares	City PUD zoning	undeveloped	Remant citrus & woodlands

– Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **Approval** of the rezoning application to amend Ord. #40-89 and replace it with a new ordinance, in order to continue the existing uses on the property and add new uses including a meeting hall, storage building, trap and skeet ranges, shooting tournaments and other events subject to conditions.

ZONING BOARD RECOMMENDATION:

– Summary of Analysis –

The rezoning application proposes to amend existing Ordinance #40-89 (Attachment 1) to replace it with a new ordinance that would continue the existing shooting range use and add new uses such as meeting buildings, shooting tournaments and events. The 23.73-acre property is situated on the southside of Frankies Road, west of CR 561, and has been used as a firing range with related accessory uses since 1989. Over the years, the uses have expanded to include a meeting hall, storage buildings, and trap and skeet shooting ranges that were not specified on the original site plan.

The Eustis Gun Club seeks to carryout several site improvements, to include new bathrooms and the removal and relocation of several buildings. However, in order facilitate these improvements the zoning ordinance must be updated as it does not specify some of the uses that have come into existence since Ordinance #40-89 was approved. Amending the CFD ordinance requires the submittal of an updated site plan to recognize the existing buildings and to show the possible locations for the new buildings and other gun range uses.

– 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 Applicant seeks to continue the Shooting Range use authorized by Ordinance #40-89. Pursuant to the Schedule of Permitted and Conditional Uses, Table 3.01.03, the gun range as a private club is permissible within the CFD zoning district as a recreational use. The proposed use of the property is consistent with the CFD definition specified by LDR Section 3.00.02.Y as the uses promote the general welfare of community needs for County residents. For some time now, the Eustis Gun Range has been associated with the adjacent Sheriff's Gun Range to the east and north. The Eustis Gun Range provides citizens with a place for skeet shooting, trap courses, private shooting lessons, gun and archery clubs. The use of this property as a shooting range for private citizens is consistent with the Classification of Uses specified by LDR Sections 3.01.02.F for recreation uses.

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

This CFD zoning amendment request is consistent with the land use provisions of the Rural Future Land Use Series specified by Comprehensive Plan (Comp Plan) Policy I-1.4.4., as the existing gun range qualifies as an outdoor sport and recreational club. The policy specifies the implementation of a conditional use permit or other land use regulatory instrument or device for the recreation use, the purpose of which is served by this rezoning. Comprehensive Plan Policy I-1.2.2 further stipulates that the land area must satisfy the 30-percent minimum open space requirement.

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

The CFD rezoning amendment is appropriate for the existing and proposed uses as it seeks to offer a greater variety of uses commonly associated with the use as a gun range. The proposed ordinance will reflect the existing use of the shooting range, existing and proposed buildings/facilities and new uses.

This rezoning application requests a waiver to landscape buffer requirements as follows:

1. Eliminating the western Type A buffer. The justification provided for this waiver request is that the City of Tavares has approved the residential Lake Harris Groves PUD, west of the subject property. The City has conditioned the residential PUD to install a fifty (50) foot wide vegetative buffer, with a three (3) foot high earthen berm, topped with a six (6) foot high masonry wall along its eastern property line. This buffer adjoins the western property line of the Eustis Gun Club and therefore no additional buffer is necessary. Staff supports this request. Excerpts from the Tavares Comprehensive Plan and ordinance are attached to this report for reference (Attachment 2).
2. Eliminating the Type A buffer required along the eastern property line of the gun club as a continuing condition of the original ordinance. Ordinance #40-89 did not require a landscape buffer at this location as the Eustis Gun Club is similar in use to the on-going neighboring Sheriff's gun range, to the east. Staff supports this waiver request.

Conditions are included in the proposed ordinance granting both of these waivers.

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

The Eustis Gun Range has increased its recreational offerings, and the property owner desires to bring the property into conformance with current development standards.

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;

Transportation – No adverse transportation impacts are anticipated by the proposed use. However, any new structures exceeding 500 square feet will require stormwater management compliance during the site plan review process.

Water and Sewage – No adverse impacts are anticipated by the new uses. Information provided with application indicates that the City of Tavares provides water and sewer to the property.

Solid Waste – The proposed rezoning will not cause any adverse impact to the current solid waste capacity or levels of service.

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

Wetlands exist on the southwest portion of the property. The extent of the wetlands will be confirmed during the site plan review with an environmental assessment pursuant to LDR site development requirements. Based on the information provided with the application, the existing shooting range and buildings are upland of the wetlands. All activities and structures shall maintain a minimum 50-ft setback from the jurisdictional wetland line. A professionally drawn site plan is required to be submitted to obtain permits for any after the fact building permits and for any new structures.

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

The application does not contain any information regarding the effect the proposed rezoning would have on property values in the area; as such no evaluation was made in this regard.

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

The proposed rezoning to expand the existing uses will not disrupt the existing development pattern in the area, which is a mix of residential, commercial, and community facility type uses.

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 application is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

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.

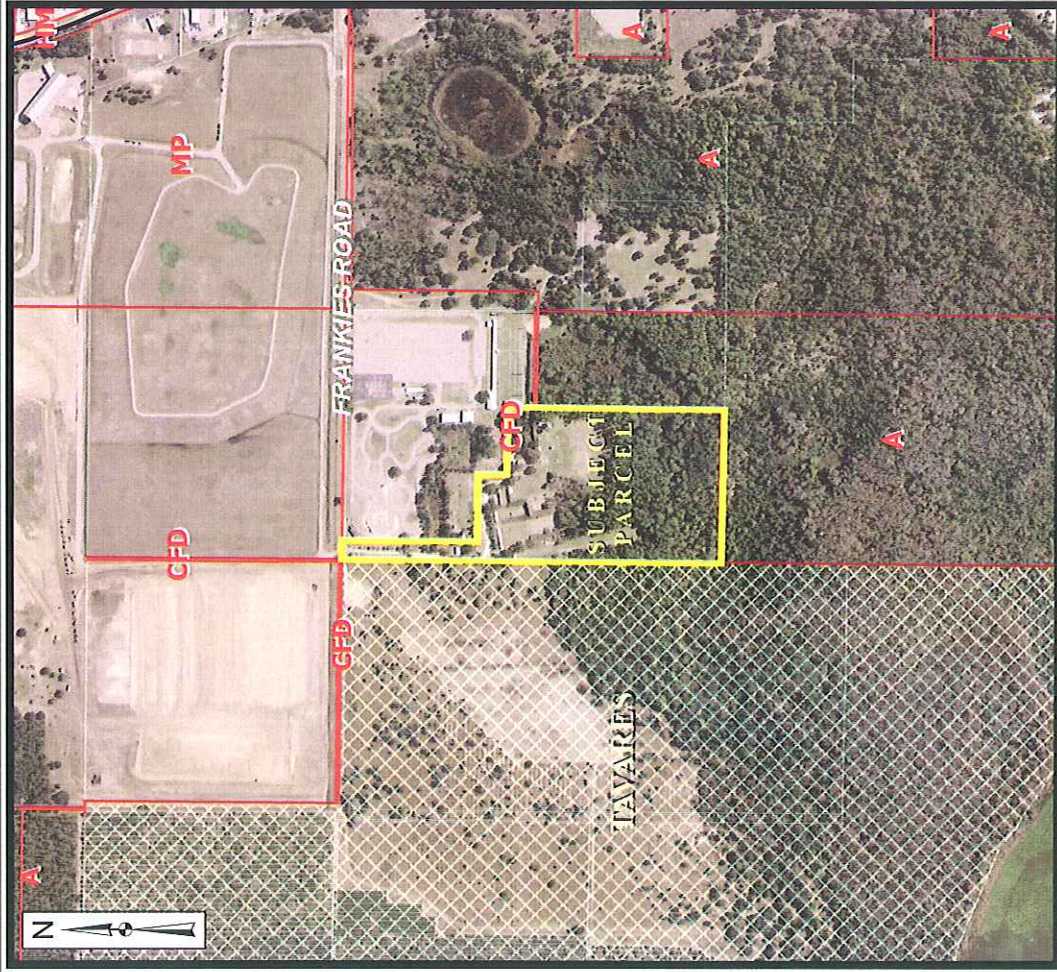
None

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

1. The rezoning application is consistent with Comprehensive Plan (Comp Plan) Policy I-1.2.2, regarding the provision of thirty percent open space within the Rural Future Land Use Series.
2. The rezoning application is consistent with the land use provisions Comprehensive Plan Policy I-1.4.4, regarding development within the Rural Future Land Use Series. This proposed use of the property would qualify as an outdoor recreation use which is permissible within Rural Future Land Category.
3. The proposed CFD rezoning and the proposed use is consistent with the Schedule of Permitted and Conditional Uses, Table 3.01.03 within the LDR.
4. The CFD rezoning application is consistent with the definition of LDR Section 3.00.002.Y.
5. The rezoning application for the shooting range use is consistent with recreation definition specified by the LDR Section 3.01.02.F, Classification of Uses.

Based on these findings of fact, staff recommends **approval** of the rezoning application, with conditions, as specified in the proposed Ordinance.

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



CURRENT ZONING

EUSTIS GUN RANGE

CASE NO.
PH# 39-12-3

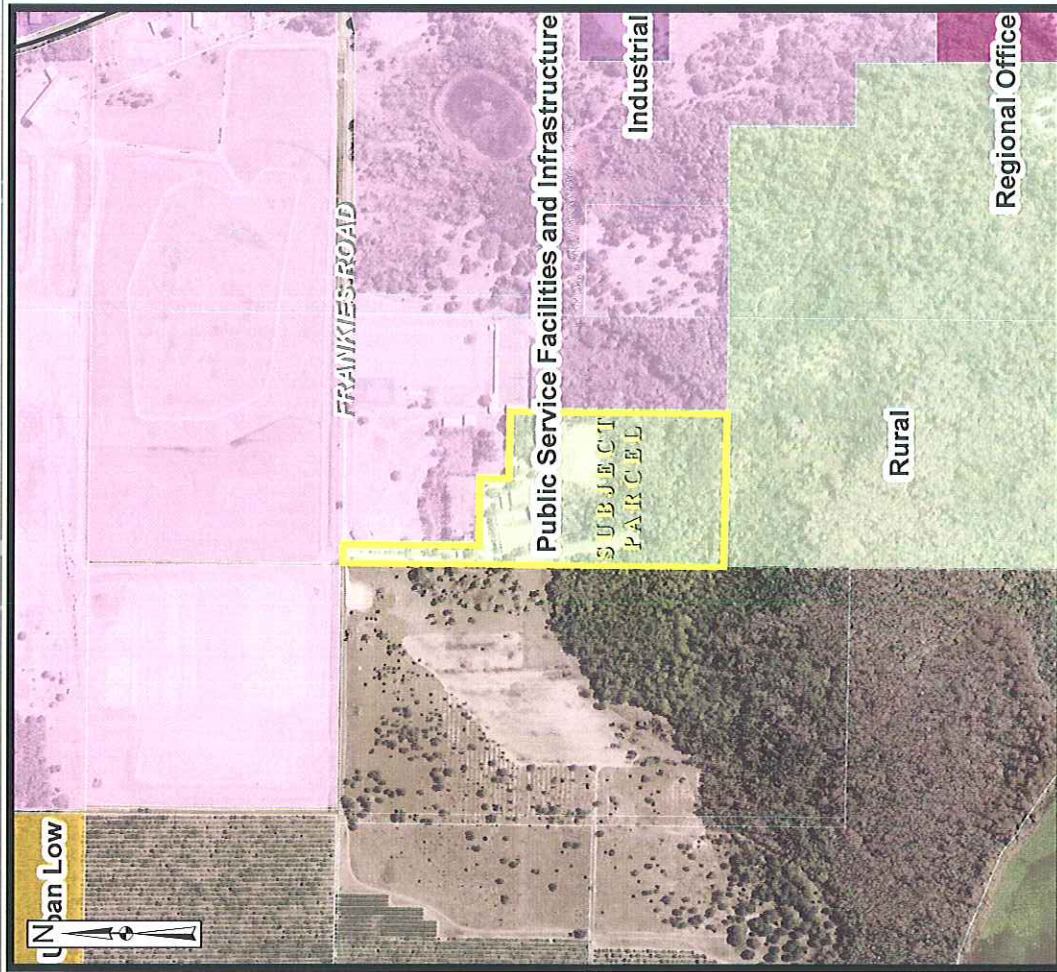
CASE LOCATION:
18-20-26

REQUESTING:
AMEND ORD #40-89 WITH
NEW CFD ORDINANCE

ZONING

LAND USE

SUBJECT PARCEL



2030 FUTURE LAND USE

DISCLAIMERS:
Lake County GIS Department, Esri/arcgis, 2008 Aerial Imagery, Data Collection and Map production compliments of the Growth Management Department, Planning and Community Design.

This map product was prepared from Geographic Information System established by the Lake County Board of County Commissioners and its employees, agents, and personnel, make no warranty as to its accuracy, and in particular its accuracy as to labeling, dimensions, contour, property boundaries, or placement or location of any map features thereon. **WE MAKE NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. EXPRESS OR IMPLIED. WITH RESPECT TO THIS MAP PRODUCT. Independent verification of all data contained on this map product should be obtained by any user of this map.**

MAP COMPOSITION:
JANUARY, 2008

FOCUS AREA

LAKE COUNTY
FLORIDA

**ORDINANCE #2012 -
PH #39-12-3
Eustis Gun Club**

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Thomas Jinks, P.E., (the "Applicant") submitted a rezoning application on behalf of the Eustis Gun Club, Inc. (the "Owners") to amend Community Facilities District (CFD) zoning Ordinance #40-89 to add new uses associated with the existing shooting range use; and

WHEREAS, the approval of this ordinance shall rescind and replace Ordinance #40-89;

WHEREAS, the subject property consists of approximately 23.73 acres located on Frankies Road, west of CR 561 in Section 18, Township 20 South, Range 26 East, Alternate Key #2368423 and more particularly described below as:

The W 800 feet of the N $\frac{3}{4}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 18, Twp. 20S, Rge. 26E, Lake County, Florida, less the N 710 feet of the E 700 feet thereof; also, less the S 152 feet of the N 862 feet of the E 350 feet of the W 800 feet thereof; subject to an easement to be used for drainage purposed described as: the W 50 feet of the N $\frac{3}{4}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Sec. 18, also subject to a non-exclusive easement for roadway, drainage, and utility purposes across the N 50 feet thereof.

WHEREAS, the property subject to the request is located within the Rural Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Zoning Board reviewed petition PH#39-12-3 on the 2nd day of January 2, 2013, after giving Notice of Hearing for a change in the use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 22nd day of January 2, 2013; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised, and

WHEREAS, upon review, certain terms pertaining to the development of the above described property have been duly approved; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land, as specified in Exhibit "A", subject to the following terms:

1
2 **Section 1. Terms:** The County Manager or designee shall supersede and replace Ordinance #40-89
3 and shall amend the Lake County Zoning Map to show the Community Facility District (CFD) in accordance
4 with this Ordinance. All uses shall be generally consistent with the Concept Plan as shown in EXHIBIT "B"
5 (attached). To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this
6 Ordinance shall take precedence.

7
8 A. Land Use: The permitted uses listed below are specifically limited to the land area
9 described in Exhibit "A" of this Ordinance.

- 10
11 1. Gun and Archery Ranges
12 • Skeet and Trap Shooting Range
13 • Cowboy Shooting Range
14 • Covered Shooting Range
15 2. Meeting Hall
16 3. Administrative Office
17

18 Accessory uses directly associated with the above uses may be approved by the
19 County Manager or designee. Any other use of the site not identified above shall
20 require an amendment to this Ordinance as approved by the Board of County
21 Commissioners.
22

23 B. Development Standards:

- 24 1. Open Space: 35%
25 2. Impervious Surface: 0.30
26 3. Floor Area: 0.30
27 4. Building Setbacks, Building Height, and Parking shall be in accordance with the
28 Comprehensive Plan and LDR, as amended.
29

30 C. Landscaping, Buffering, and Screening

- 31 1. West – Type A landscape buffer.
32 2. North – Type A landscape buffer, roadway line of sight shall be maintained.
33 3. South – no landscape buffer shall be required.
34 4. East – no landscape buffer shall be required.

35 All other landscape requirements shall be in accordance with the LDR, as amended.
36

37 D. Transportation Improvements/Access Management:

- 38 1. All access management shall be in accordance with the LDR, as amended.
39

40 E. Signage: Signs shall be accordance with the LDR, as amended.

41 F. Lighting: All exterior lighting shall be in accordance with the Comprehensive Plan and
42 LDR, as amended, and consistent with Dark-Sky principles.
43

- 1 G. Utilities:
- 2 1. Potable water: Shall be provided by the City of Tavares and in accordance with
- 3 Florida Department of Health, Florida Department of Environmental Protection, the
- 4 Comprehensive Plan, and LDR, as amended.
- 5 2. Wastewater: Shall be provided by on-site septic treatment system until such time
- 6 as connection is required pursuant to the Comprehensive Plan, as amended.
- 7 Sewage treatment shall be permitted in accordance with the regulations of the
- 8 Florida Department of Health, as amended.
- 9 H. Concurrency Management Requirements: Any development shall comply with the
- 10 Lake County Concurrency Management System, as amended.
- 11 I. Development Review and Approval: Prior to the issuance of permits, the Applicant
- 12 shall be required to submit a site plan generally consistent with EXHIBIT "B" –
- 13 CONCEPTUAL PLAN for review and approval in accordance with the Comprehensive
- 14 Plan and LDR, as amended.
- 15 J. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific
- 16 references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake
- 17 County Comprehensive Plan, and Lake County Land Development Regulations shall
- 18 include any future amendments to the Statutes, Code, Plans, and/or Regulations.

19 **Section 2. General Conditions:**

- 20 A. After establishment of the facilities as provided herein, the aforementioned property shall only
- 21 be used for the purposes named in this Ordinance. Any other proposed use must be
- 22 specifically authorized by the Board of County Commissioners.
- 23 B. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,
- 24 move, convert, or demolish any building structure, add other uses, or alter the land in any
- 25 manner within the boundaries of the above described land without first obtaining the necessary
- 26 approvals in accordance with the Lake County Code, as amended, and obtaining the permits
- 27 required from the other appropriate governmental agencies.
- 28 C. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the
- 29 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
- 30 Owner and any successor, and shall be subject to each and every condition herein set out.
- 31 D. Construction and operation of the proposed use shall at all times comply with the regulations of
- 32 this and other governmental permitting agencies.
- 33 E. The transfer of ownership or lease of any or all of the property described in this Ordinance
- 34 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is
- 35 made good and aware of the conditions established by this Ordinance and agrees to be bound
- 36 by these conditions. The purchaser or lessee may request a change from the existing plans
- 37 and conditions by following procedures contained in the Land Development Regulations, as
- 38 amended.

1 F. Action by the Lake County Code Enforcement Special Master. The Lake County Code
2 Enforcement Special Master shall have authority to enforce the terms and conditions set forth
3 in this ordinance and to recommend that the ordinance be revoked.

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

7
8

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

10

11 ENACTED this _____ day of _____, 2013.

12

13 FILED with the Secretary of State _____, 2013.

14

15 EFFECTIVE _____, 2013.

16

17

18 BOARD OF COUNTY COMMISSIONERS
19 LAKE COUNTY, FLORIDA

20

21

22 _____
23 LESLIE CAMPIONE, CHAIRMAN

24

25 ATTEST:

26

27

28 _____
29 NEIL KELLY, CLERK OF THE
30 BOARD OF COUNTY COMMISSIONERS
31 LAKE COUNTY, FLORIDA

32

33 APPROVED AS TO FORM AND LEGALITY

34

35 _____
36 SANFORD A. MINKOFF, COUNTY ATTORNEY

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EXHIBIT "A"

LEGAL DESCRIPTION

The W 800 feet of the N $\frac{3}{4}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 18, Twp. 20S, Rge. 26E, Lake County, Florida, less the N 710 feet of the E 700 feet thereof; also, less the S 152 feet of the N 862 feet of the E 350 feet of the W 800 feet thereof; subject to an easement to be used for drainage purposed described as: the W 50 feet of the N $\frac{3}{4}$ of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Sec. 18, also subject to a non-exclusive easement for roadway, drainage, and utility purposes across the N 50 feet thereof.

EXHIBIT B

EXHIBIT B



ALT. KEY: 100114500

1	EXISTING DRIVEWAYS
2	NEW DRIVEWAYS
3	EXISTING SIDEWALKS
4	NEW SIDEWALKS
5	EXISTING PATIOWAYS
6	NEW PATIOWAYS
7	EXISTING CONCRETES
8	NEW CONCRETES
9	EXISTING ASPHALTS
10	NEW ASPHALTS
11	EXISTING GRASSES
12	NEW GRASSES
13	EXISTING SANDS
14	NEW SANDS
15	EXISTING GRAVELS
16	NEW GRAVELS
17	EXISTING SOILS
18	NEW SOILS
19	EXISTING ROADS
20	NEW ROADS

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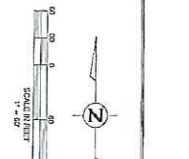
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DATE	REVISION	BY

SITE PLAN
 PROJECT: 100114500
 2. ADDRESS: 100114500
 3. EXISTING LAND USE: N/A
 4. EXISTING ZONING: C-1
 5. CITY: GUN CLUB, FL 32757
 6. ENGINEER: JIMMY L. JAMES, P.E.
 LICENSE NO. 100114500
 FLEUSTIS GUN CLUB

EUSTIS GUN CLUB
SITE IMPROVEMENTS
CFD CONCEPT PLAN
 NOV 15 2016
 BY: JIMMY L. JAMES

FARNER
BARLEY
 AND ASSOCIATES, INC.
 Certificate of Authorization Number: 4709
 4492 NE 83rd Road • Miami, Florida 33155 • (305) 745-3120

▲ ENGINEERS
 ▲ SURVEYORS
 ▲ PLANNERS

ATTACHMENT 1

SUSTAS GUN CLUB
FILED

Ordinance #40-89

PLANNING
COMMISSION
JUN 20 1989

WHEREAS, the Lake County Planning and Zoning Commission did, on the 31th day of May, 1989, review petition #93-89-3, a request to approve a rezoning from A (Agricultural) to PFD (Public Facilities District) zoning district for a firing range on property generally located in the Tavares area - From the intersection of SR 19 and S Eichelberger Rd. (DR3-3241); S on S Eichelberger Rd. approx. 1/4 mile to easement; E on easement approx. 1/2 mile to property lying S of easement. The property is more particularly described as:

LEGAL DESCRIPTION: The W 800 ft. of the N 3/4 of the E 1/2 of the NE 1/4 of Sec. 18, Twp. 20S, Rge. 26E, Lake County, Florida, less the N 710 ft., of the E 700 ft. thereof; also, less the S 152 ft. of the N 862 ft. of the E 350 ft. of the W 800 ft. thereof; Subject to an easement to be used for drainage purposed described as: The W 50 ft. of the N 3/4 of the E 1/2 of the NE 1/4 of said Sec. 18, also subject to a non-exclusive easement for roadway, drainage and utility purposes across the N 50 ft. thereof.

AND, after giving Notice of Hearing on petition for site plan approval, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 20th day of June, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Commission, and any comments, favorable or unfavorable from the Public and surrounding property owners at a Public Hearing duly advertised, and

WHEREAS, upon review, certain terms and conditions pertaining to the development of the above described property have been duly approved, and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida, that the Zoning Rules and Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land subject to the following terms and conditions:

1. Terms: The PFD (Public Facilities District) facility shall mean and include the total of the following:
 - A. Land Uses: Use of the site shall be limited to that of a firing range and related accessory uses as indicated on the preliminary site plan. Any other use of the site shall require an amendment to this PFD.
 - B. Screening/Buffering: The development of the proposed buffers (earth berms) shall be completed in accordance with the NRA range manual so as to contain the majority of sound and all projectiles on the site.
 - C. Setbacks: The proposed range site shall be setback 50 ft. from all property lines (earth berms and firing station), with no setback requirements on the east property line.
 - D. Traffic Improvements: Traffic improvements shall be made as required by the Lake County Public Works Department.
 - E. Permitting: Prior to the issuance of any permits, the applicant shall submit final site plans as approved by the Lake County Site Plan Advisory Committee. The site plans shall meet all submittal requirements and conform to all County codes and ordinances.

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

- A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this ordinance. Any other proposed use must be specifically authorized by the Planning and Zoning Commission and the Board of County Commissioners.
- B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner within the boundaries of the above described land without first submitting the necessary plans in accordance with Section 70.31 of the Zoning Ordinance of Lake County, and obtaining approval from the Director of Development Coordination upon obtaining the permits required from the other appropriate governmental agencies.
- C. This amendment shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
- D. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
- E. The transfer of ownership or lease of any or all of the property described in Ordinance #40-89 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the PFD (Public Facilities District) established by Ordinance #40-89, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in Section 691, Paragraph 691.13, Lake County Zoning Regulations, as amended.

DONE AND RESOLVED by the Lake County Board of County Commissioners on
the 20th day of June, 1989, A.D.

STATE OF FLORIDA)

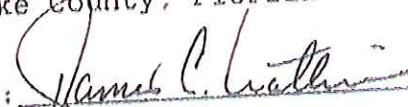
:

COUNTY OF LAKE)


C.W. "CHICK" GREGG, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

I HEREBY CERTIFY that the above and foregoing is a true copy of an
Ordinance adopted by the Board of County Commissioners in regular
session on June 20, 1989 as the same appears on record of
County Commissioners Minute Book 37 Page 473.

JAMES C. WATKINS
Clerk of the Circuit Court
and Ex-Official Clerk of the
Board of County Commissioners
Lake County, Florida

BY: 
CLERK

ATTACHMENT 2

Individual buildings shall be related to each other in design, masses, materials, placement and connections to provide a visually and physically integrated development.

Treatment of the sites and rear of all buildings within the planned unit development group shall be comparable in amenity and appearance to the treatment given to street frontages of these same buildings.

The design of buildings and the parking facilities shall take advantage of the topography of the project site where appropriate to provide separate levels of access.

All buildings shall be arranged so as to avoid undue exposure to concentrated loading or parking facilities wherever possible and shall be so oriented as to preserve visual and audible privacy between adjacent buildings.

- g. Residential Types - It is highly encouraged that all large PUDs have at least two different residential land uses (i.e. single family, multifamily, duplexes, townhouses, zero lot line residential, or apartments, etc.)
- h. Clustering - All PUDs are encouraged to cluster the residential development. Clustering means the grouping together of dwelling units on a higher density basis in some parts of the development in order to provide open space in other portions of the development; however, in no circumstance may the gross density of a PUD be greater than the maximum gross density identified by the Future Land Use Map.

Policy 1-1.1.10: The City shall utilize a planning time frame that includes an initial five year planning period that runs from 2000 to 2005. The projected population for this time frame is 12,068 (seasonal and resident). A second planning period would run from 2006 to 2010 with the projected population of 13,247 (seasonal and resident).

Policy 1-1.1.11: The City shall update its population projections by January 2002 so that the following can be achieved:

- a. incorporation of projected population based on the growth of the Orlando Metropolitan Area;
- b. coordination with the Lake County Long-Range Transportation Study completed for the development of an MPO.
- c. incorporation of growth within the Tavares Urban Service Area in anticipation of annexation.

Policy 1-1.1.12: The property known as Lake Harris Groves, a 352.1 acre Planned Unit Development (PUD) on Little Lake Harris, legally described below, is assigned a Low Density Residential future land use designation and a Conservation future land use designation through Ordinance 2003-19. The gross density of said property shall not exceed 999 cumulative units in perpetuity. Ordinance 2003-18, which provided for the annexation and establishment of the PUD provisions for the property, may be amended under the provisions of the Low Density Residential future land use designation. However, the PUD Ordinance or any subsequent zoning changes to the property shall not result in an increase of the allowed density in excess of the permitted 999 residential units. Proposed changes to increase the allowed density of the subject property would be subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to comprehensive plans.

Lake Harris Groves -- Legal Description:

Approximately 352.0 acres located on South Eichelberger Road, approximately ¼ mile south of CR 448 and approximately ¼ east of SR 19, said property being more particularly described as follows:

THAT PART OF SECTIONS 7 AND 18 OF TOWNSHIP 20 SOUTH, RANGE 26 EAST, IN LAKE COUNTY, FLORIDA BOUNDED AND DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 18, TOWNSHIP 20 SOUTH, RANGE 26 EAST, AND RUN SOUTH 00 DEGREES 22'24" WEST ALONG THE WEST LINE OF SAID SECTION 18, SAID LINE ALSO BEING THE WEST LINE OF GOVERNMENT LOT 2 AND GOVERNMENT LOT 3 OF SAID SECTION 18, A DISTANCE OF 2,853 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY WATERS EDGE OF LITTLE LAKE HARRIS AND A POINT HEREBY DESIGNATED AS POINT "A"; RETURN TO THE POINT OF BEGINNING, AND RUN SOUTH 89 DEGREES 57'38" EAST ALONG THE NORTH LINE OF SAID SECTION 18, SAID LINE ALSO BEING THE NORTH LINE OF GOVERNMENT LOT 2 IN SAID SECTION 18, A DISTANCE OF 1,231.7 FEET TO THE SOUTHWEST CORNER OF GOVERNMENT LOT 4 OF SECTION 7, TOWNSHIP 20 SOUTH, RANGE 26 EAST; THENCE NORTH 00 DEGREES 05'48" WEST ALONG THE WEST LINE OF SAID GOVERNMENT LOT 4, A DISTANCE OF 1,321.43 FEET TO THE NORTHWEST CORNER OF THE SOUTH 1/2 OF SAID GOVERNMENT LOT 4; THENCE NORTH 89 DEGREES 57'02" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID GOVERNMENT LOT 4, A DISTANCE OF 1,322.65 FEET TO THE NORTHEAST CORNER OF SAID SOUTH 1/2 OF GOVERNMENT LOT 4; THENCE CONTINUE NORTH 89 DEGREES 58'39" EAST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 7, A DISTANCE OF 41.5 FEET TO A POINT KNOWN AS THE NORTHEAST CORNER OF THE WEST 16.5 FEET OF BLOCK 68 OF THE MAP OF LAND OF DENNIS E. LOWELL; THENCE SOUTH 00 DEGREES 09'23" EAST ALONG THE EAST LINE OF THE WEST 16.5 FEET OF BLOCKS 68, 69, 70 AND 71 OF SAID MAP OF LAND OF DENNIS E. LOWELL, A DISTANCE OF 1,323.56 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE AFOREMENTIONED SECTION 18, TOWNSHIP 20 SOUTH, RANGE 26 EAST; THENCE SOUTH 89 DEGREES 56'44" EAST ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1,283.20 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 18; THENCE SOUTH 00 DEGREES 13'44" WEST ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND ALONG THE EAST LINE OF GOVERNMENT LOT 4 IN SAID SECTION 18, A DISTANCE OF 3,922 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY WATERS EDGE OF LITTLE LAKE HARRIS; THENCE WESTERLY AND NORTHWESTERLY ALONG AND WITH SAID NORTHERLY WATERS EDGE OF LITTLE LAKE HARRIS TO INTERSECT THE AFOREMENTIONED POINT "A". SUBJECT TO ALL EASEMENTS, RIGHTS-OF-WAY AND RESTRICTIONS OF RECORD, IF ANY.

- Policy 1-1.1.13: The property known as Four Seasons, a 115+ acre Planned Development located south of Clay Boulevard, lying between Lake Hermosa and David Walker Drive, is assigned a Medium Density Residential future land use designation through Ordinance 2006-44, however the gross density of said property shall not exceed 7 dwelling units per acre as previously allowed per Lake County's Urban Future Land Use designation. Ordinance 2006-05, which provided for the annexation and establishment of the PUD provisions for the property, may be amended under the provisions of the Medium Density Residential future land use designation. However, the PUD Ordinance or any subsequent zoning changes to the property shall not result in an increase of the allowed density in excess of 7 dwelling units per acre. Proposed changes to increase the allowed density of the subject property would be subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to comprehensive plans.

Four Seasons – Legal Description:

1 G. Lighting.

- 2 1. Street lighting shall be installed by the Developer at every intersection, at the end
3 of each cul-de-sac and in accordance with the minimum standards as set forth by
4 the local power provider.
5 2. Lighting located at the recreation center or clubhouse, as well as part of multi-
6 family parking shall conform with the City of Tavares lighting standards and shall
7 not cast light beyond the site on which the lighting is placed.
8

9 H. Landscaping and Buffer Requirements.

- 10 1. A twenty-five foot (25') wide maintained vegetative buffer shall be placed around
11 the perimeter of the entire project. The buffer shall include, at a minimum, a
12 continuous hedge and one (1) canopy tree per each fifty feet (50'). Subcanopy
13 trees may be substituted for canopy trees at a ratio of 3 to 1 up to a maximum of
14 one-fourth (¼) of the canopy trees required per each segment of buffer. Plant
15 material specifications and approved species must meet the requirements of
16 Chapter 11 of the City of Tavares Land Development Regulations. The
17 maintenance of the vegetative buffer shall be the responsibility of the
18 Homeowners Association.
19 2. In accordance with the Conceptual Master Plan, a fifty foot (50') wide vegetative
20 buffer with consisting of a three-foot-high (3') earthen berm topped with a six-
21 foot-high (6') masonry wall shall be constructed along the Eastern property line,
22 south of Frankie's Road. The wall may be brick, split faced block or concrete
23 block with a stucco finish. The same landscaping requirements apply as in 1
24 above.
25 3. A minimum Type 'B' vegetative buffer, ten feet (10') in width, shall be provided
26 between the multi-family and single-family uses.
27 4. The development shall otherwise comply with Chapter 11 of the City's Land
28 Development Regulations.
29 5. All landscaped and common areas shall be properly irrigated and maintained by
30 the established Homeowners Association.
31

- 32 I. Signage. Signage shall conform with the City of Tavares Land Development Regulations
33 regarding subdivision signage or signage for any proposed recreational facility.
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