

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

**PLANNING & ZONING BOARD**  
January 7, 2015



**BOARD OF COUNTY COMMISSIONERS**  
January 27, 2015

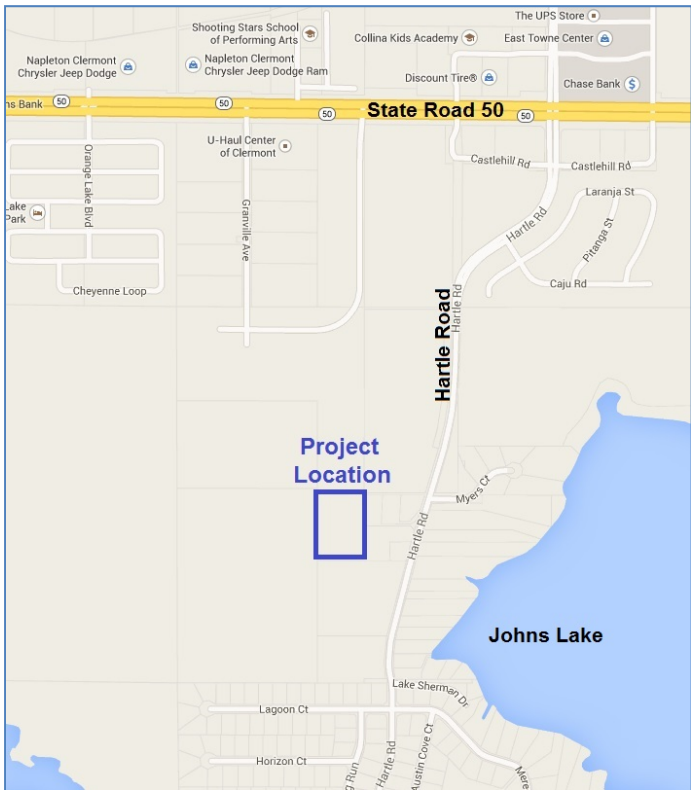
<b>PH #33-14-2</b> <b>Lake County Fire Station #90</b> <b>Clermont</b>	<b>Case Manager:</b> Melving Isaac, Senior Planner	<b>Agenda Item #4</b>
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**Owner:** Senninger Irrigation, Inc. (the "Owner")

**Applicant:** Lake County Department of Economic Development & Tourism (the "Applicant")

**Requested Action:** Rezone property from Planned Industrial (MP) to Community Facility District (CFD) to allow a Fire Station.

### - Site Location & Information -



<b>Size</b>	2.03 +/- acres	
<b>Location</b>	Clermont area, West of Hartle Road and South of State Road 50	
<b>Alternate Key #</b>	Portion of AK #1795044	
<b>Future Land Use</b>	Regional Office	
	<b>Existing</b>	<b>Proposed</b>
<b>Zoning District</b>	MP	CFD
<b>Impervious Surface Ratio</b> Comprehensive Plan (Policy I-1.3.6)	0.75 max	0.75 max
<b>Floor Area Ratio</b> (LDR Table 3.02.06)	1.0 max	1.0 max
<b>Joint Planning Area</b>	Clermont	
<b>Utility Area:</b>	Clermont	
<b>Site Utilities</b>	Central water and sewer (proposed)	
<b>Road Classification</b>	SR 50 - Urban Principal Arterial - Other Hartle Road - Rural Minor Collector	
<b>Flood Zone/ FIRM Panel</b>	X/595	
<b>Commissioner District</b>	2 (Parks)	

Approximate site location outlined in Blue

Site Visit            December 24, 2014  
 Sign Posted        December 24, 2014 (2 posted)

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Regional Office	Planned Industrial (MP)	Manufacturing (Irrigation)	
South	Regional Office	Agriculture (A)	Wooded Vacant Parcel	
East	Urban Low Density	Estate Residential (R-2)	Residential	
West	Regional Office	Planned Industrial (MP)	Vacant Parcel	

- Summary of Staff Determination -

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

**PLANNING & ZONING BOARD RECOMMENDATION:**

- Summary of Analysis -

The Applicant is requesting to rezone a 2.03 acre parcel from Planned Industrial (MP) to Community Facility District (CFD) to allow a Fire Station. The subject parcel is part of the Industrial property owned by Senninger Irrigation, Inc. and is located in the Clermont area, West of Hartle Road and South of State Road 50. The parcel is currently vacant and will be used for the proposed Lake County Fire Station #90.

The proposed rezoning request is consistent with the Comprehensive Plan, which permits public order and safety, and civic uses in the Regional Office Future Land Use Category (FLUC). The proposed rezoning request is also consistent with the Land Development Regulations (LDR) Section 3.00.02 *Purpose and Intent of Districts*, specifically subsection Y, which allows the creation of community facility districts in those areas where community interest uses are necessary. The property is located within the Clermont Joint Planning Area.

- 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 rezoning request is consistent with the LDR Section 3.00.02 *Purpose and Intent of Districts*, specifically subsection Y, which allows the creation of community facility districts in those areas where community interest uses are necessary. The proposed Fire Station is considered to be in the interest of the community.

Section 3.01.05 LDR *Similar Uses*, allows the approval of uses that are similar but not specifically listed, providing they are not more obnoxious or detrimental than those listed. The proposed Fire Station facility is no more obnoxious or detrimental than the comparable uses listed under the Community Facility Uses of the LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, with appropriate conditions.

Adjacent parcels to north and west are part of the existing irrigation manufacturing facility. The wooded property to the south is currently vacant. There are three single family residences to the eastern side of the parcel for proposed fire station, with two of those located adjacent to the east property line. As shown in the conceptual plan included in the proposed ordinance, the proposed fire station building will be approximately 72 feet from the eastern property line. In addition, a landscape buffer is required by the LDR along the eastern property line adjacent to properties zoned residential.

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

The proposed CFD zoning request is consistent with Comprehensive Plan Policy I-1.3.6, "*Regional Office Future Land Use Category*", as public order and safety uses, and civic uses are allowable in the Regional Office FLUC.

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

As shown in the map below, the parcel for the proposed fire station, which is located within the Regional Office FLUC, is surrounded at the north and west by the parcel of the existing irrigation manufacturing facility. The wooded property to the south is currently vacant. There are single family residences to the eastern side of the proposed station and across Hartle Road to the east. Also, there are subdivisions located further northeast and south which will also be benefited by the proposed fire station. Changing the use of the site to CFD to provide safety services to the surrounding community is consistent with the Regional Office future land use and the land use patterns in the area.



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

The immediate need to provide a fire station in the area to protect the public safety of the growing community has necessitated the rezoning.

- 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;**

Water/Sewage - The property will be served by central water and sewer which will be provided by the City of Clermont.

Transportation - Public Works Engineering Division has indicated that the road to the facility will need to be constructed in conjunction with the fire station. In addition, a St. Johns River Water Management District Permit will be required before commencement of construction. The full extent of the impacts will be evaluated as part of the site plan review process for the proposed use.

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

The parcel is currently vacant and an environmental assessment will be required as part of the site plan review process. The conceptual plan submitted for the rezoning shows that two gopher tortoise burrows have been found on the subject property, but the proposed development is being located away from the burrows and will not impact them. In addition, the Applicant will be performing a sand skink coverboard study in 2015 to survey the subject property for sand skink activity.

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

The application does not include any information regarding effect of the proposed rezoning on area property values.

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

The proposed rezoning would not disrupt the existing orderly and logical development pattern of the area.

- 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 will not be in conflict with the public interest and 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 proposed rezoning and found:

1. The request is consistent with the Comprehensive Plan as seen in Policy I-1.3.6 as public order and safety, and civic uses are allowable in the Regional Office Future Land Use Category, and the request conforms to the general land use criteria and activities of the Regional Office Future Land Use Category.
2. The request is consistent with the LDR Section 3.00.02 *Purpose and Intent of Districts*, specifically subsection Y, which allows the creation of community facility districts in those areas where community interest uses are necessary.
3. The request is consistent with LDR Section 3.01.05 *Similar Uses*, which allows the approval of uses that are similar but not specifically listed, providing they are not more obnoxious or detrimental than those listed. The proposed Fire Station facility is no more obnoxious or detrimental than the comparable uses listed under the Community Facility Uses of the LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, with appropriate 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-**

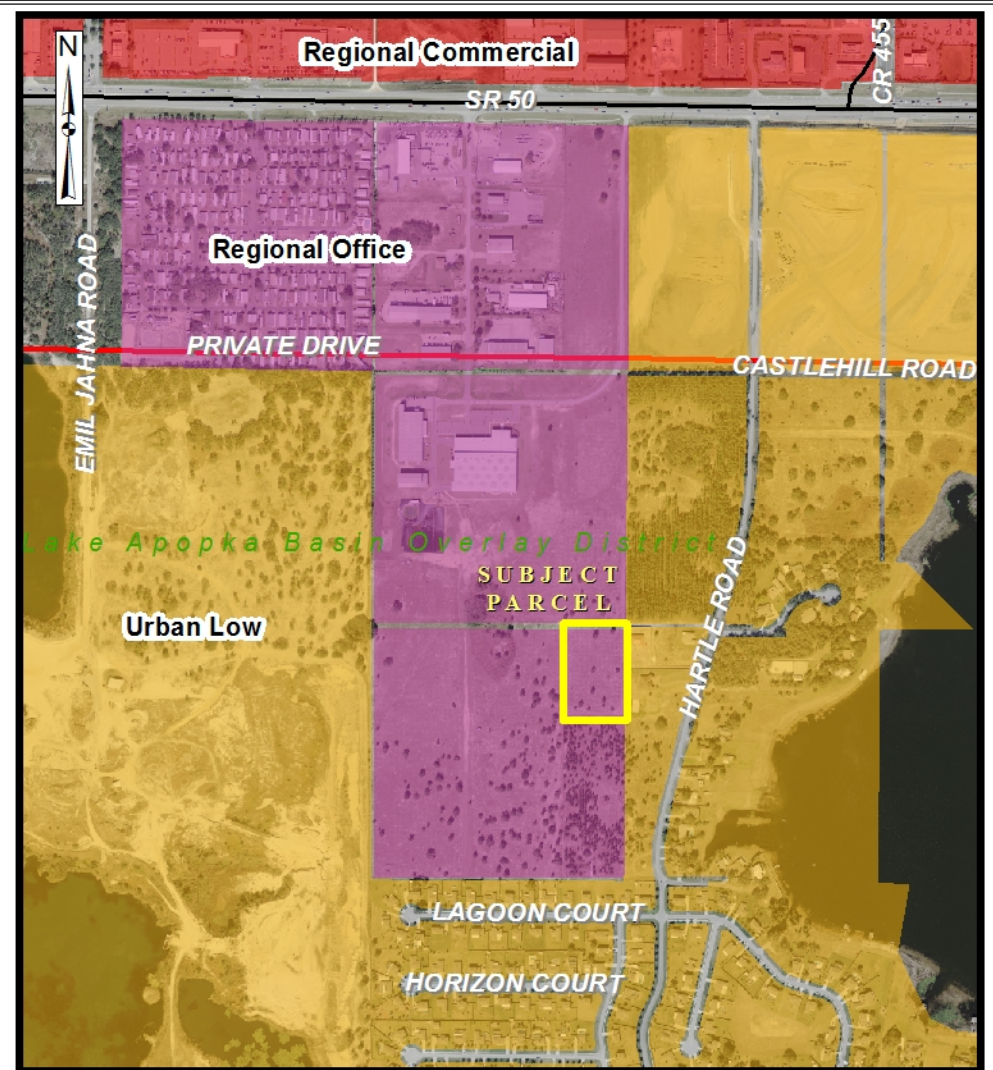
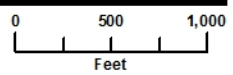
**Concern: -0-**

**Opposition: -0-**



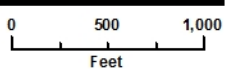
**CURRENT ZONING**

**PLANNED INDUSTRIAL (MP)**



**ADOPTED FUTURE LAND USE**

**REGIONAL OFFICE**



**LAKE COUNTY  
FIRE STATION #90  
CLERMONT**

**CASE NO.**  
PH #33-14-2

**CASE LOCATION:**  
S26, T22S, R26E

**REQUESTING:**  
Rezone property to Community Facility District (CFD)  
to allow a Fire Station.

**ZONING** (Red outline)

**LAND USE** (Purple outline)

**SUBJECT PARCEL** (Yellow outline)

**DATA SOURCES:**  
Lake County GIS Department, PlanMetrics, 2008 Aerial Image,  
Data Compilation and Map production compliments of the  
Growth Management Department, Planning and Community Design.

**MAP COMPOSITION:**  
JANUARY, 2008

**FOCUS AREA**

**LAKE COUNTY  
FLORIDA**

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 MAKE NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE 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.



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           **Section 1. Terms:**

5 The County Manager or designee shall amend the Official Zoning Map to reflect Community Facility District  
6 (CFD) Zoning in accordance with this Ordinance. The uses of the property shall be limited to the uses  
7 specified in this Ordinance and generally consistent with the "Conceptual Plan" attached hereto as Exhibit  
8 "A". To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this  
9 Ordinance shall take precedence.

10          A. Land Uses:

11           1. Fire Station.

12                 Accessory uses directly associated with the above uses may be approved by the County Manager  
13                 or designee. Any other use of the site not specified above shall require approval of an amendment  
14                 to this Ordinance by the Board of County Commissioners.

15          B. Specific Conditions:

16           1. A site plan application is required for review and approval prior to initiating any use and for any  
17           future development of the property.

18           2. Public Address Systems or similar amplification devices shall not be used other than for  
19           emergency situations.

20          C. Setbacks, Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height shall be in  
21          accordance with the Comprehensive Plan and Land Development Regulations (LDR), as amended.

22          D. Landscaping, Buffering and Screening shall comply with the LDR, as amended.

23          E. Transportation Improvements/Access Management: Access management shall be in accordance with  
24          the LDR, as amended.

25          F. Lighting: Exterior lighting shall be in accordance with the LDR, as amended, and consistent with Dark-  
26          Sky Principles.

27          G. Signage: Signs shall be in accordance with the LDR, as amended.

28          H. Concurrency Management Requirements: Any development shall comply with the Lake County  
29          Concurrency Management System, as amended.

30          I. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be  
31          required to submit a site plan for review and approval in accordance with the Comprehensive Plan and  
32          LDR, as amended.

33          J. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in this  
34          Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and  
35          Lake County Land Development Regulations shall include any future amendments to the Statutes,  
36          Code, Plans, and/or Regulations.

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 be used  
3 for the purposes named in this Ordinance. Any other proposed use must be specifically authorized by  
4 the Board of County Commissioners.

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

10 C. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the land and  
11 the terms, conditions, and provisions hereof, and shall be binding upon the present Owner and any  
12 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 this  
14 and other governmental permitting agencies.

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

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

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

26 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to  
27 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance  
28 with Section 125.66, Florida Statutes.



1 Section 5. Effective Date. This Ordinance shall become effective as provided by law.

2 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

3 FILED with the Secretary of State \_\_\_\_\_, 2015.

4 EFFECTIVE \_\_\_\_\_, 2015.

5 BOARD OF COUNTY COMMISSIONERS  
6 LAKE COUNTY, FLORIDA

7 \_\_\_\_\_  
8 JIMMY CONNER, Chairman

9 ATTEST:

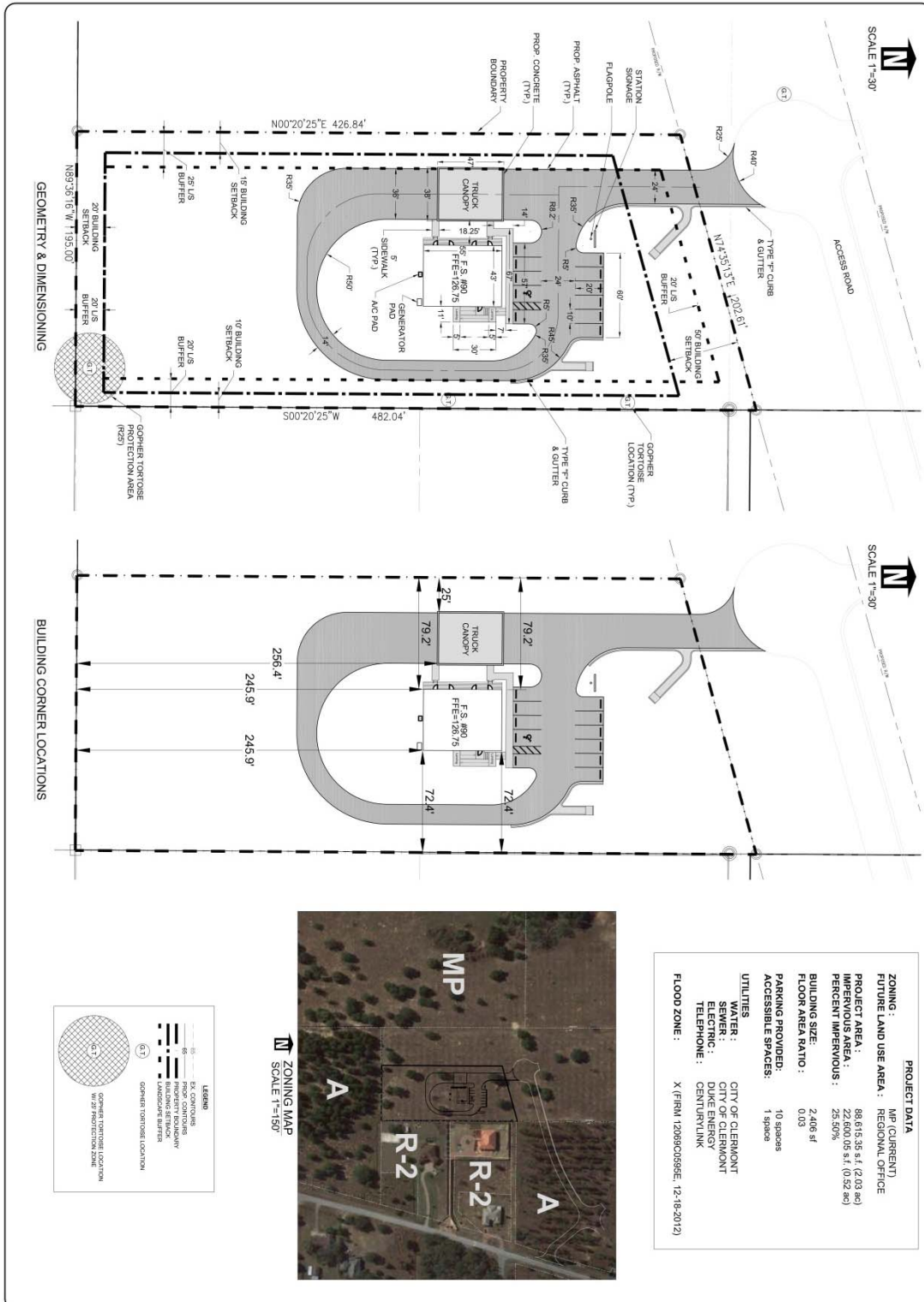
10 \_\_\_\_\_  
11 NEIL KELLY, Clerk of the  
12 Board of County Commissioners  
13 Lake County, Florida

14 APPROVED AS TO FORM AND LEGALITY

15 \_\_\_\_\_  
16 SANFORD A. MINKOFF, County Attorney  
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EXHIBIT "A" - CONCEPTUAL PLAN



2

<p>REV # DATE</p> <p>1 05/27/2014</p> <p>2 06/02/2014</p> <p>3 06/02/2014</p> <p>4 06/02/2014</p> <p>5 06/02/2014</p> <p>6 06/02/2014</p> <p>7 06/02/2014</p> <p>8 06/02/2014</p> <p>9 06/02/2014</p> <p>10 06/02/2014</p> <p>11 06/02/2014</p> <p>12 06/02/2014</p> <p>13 06/02/2014</p> <p>14 06/02/2014</p> <p>15 06/02/2014</p> <p>16 06/02/2014</p> <p>17 06/02/2014</p> <p>18 06/02/2014</p> <p>19 06/02/2014</p> <p>20 06/02/2014</p> <p>21 06/02/2014</p> <p>22 06/02/2014</p> <p>23 06/02/2014</p> <p>24 06/02/2014</p> <p>25 06/02/2014</p> <p>26 06/02/2014</p> <p>27 06/02/2014</p> <p>28 06/02/2014</p> <p>29 06/02/2014</p> <p>30 06/02/2014</p> <p>31 06/02/2014</p> <p>32 06/02/2014</p> <p>33 06/02/2014</p> <p>34 06/02/2014</p> <p>35 06/02/2014</p> <p>36 06/02/2014</p> <p>37 06/02/2014</p> <p>38 06/02/2014</p> <p>39 06/02/2014</p> <p>40 06/02/2014</p> <p>41 06/02/2014</p> <p>42 06/02/2014</p> <p>43 06/02/2014</p> <p>44 06/02/2014</p> <p>45 06/02/2014</p> <p>46 06/02/2014</p> <p>47 06/02/2014</p> <p>48 06/02/2014</p> <p>49 06/02/2014</p> <p>50 06/02/2014</p> <p>51 06/02/2014</p> <p>52 06/02/2014</p> <p>53 06/02/2014</p> <p>54 06/02/2014</p> <p>55 06/02/2014</p> <p>56 06/02/2014</p> <p>57 06/02/2014</p> <p>58 06/02/2014</p> <p>59 06/02/2014</p> <p>60 06/02/2014</p> <p>61 06/02/2014</p> <p>62 06/02/2014</p> <p>63 06/02/2014</p> <p>64 06/02/2014</p> <p>65 06/02/2014</p> <p>66 06/02/2014</p> <p>67 06/02/2014</p> <p>68 06/02/2014</p> <p>69 06/02/2014</p> <p>70 06/02/2014</p> <p>71 06/02/2014</p> <p>72 06/02/2014</p> <p>73 06/02/2014</p> <p>74 06/02/2014</p> <p>75 06/02/2014</p> <p>76 06/02/2014</p> <p>77 06/02/2014</p> <p>78 06/02/2014</p> <p>79 06/02/2014</p> <p>80 06/02/2014</p> <p>81 06/02/2014</p> <p>82 06/02/2014</p> <p>83 06/02/2014</p> <p>84 06/02/2014</p> <p>85 06/02/2014</p> <p>86 06/02/2014</p> <p>87 06/02/2014</p> <p>88 06/02/2014</p> <p>89 06/02/2014</p> <p>90 06/02/2014</p> <p>91 06/02/2014</p> <p>92 06/02/2014</p> <p>93 06/02/2014</p> <p>94 06/02/2014</p> <p>95 06/02/2014</p> <p>96 06/02/2014</p> <p>97 06/02/2014</p> <p>98 06/02/2014</p> <p>99 06/02/2014</p> <p>100 06/02/2014</p>	<p>LAYOUT</p>	<p>FIRE STATION #90 LAKE COUNTY, FL</p> <p>FIRE STATION #104 CLERMONT, FL</p>	<p>LAKE COUNTY BCC 315 WEST MAIN STREET P.O. BOX 7800 TAVARES, FLORIDA 32778 PHONE (352) 343-9800</p>	<p>GRIFFEY ENGINEERING 408 N. CENTER STREET EUSTIS, FLORIDA 32726 PHONE (352) 357-3528 FAX (352) 357-3519 FLORIDA CERT. OF AUTH. # 8082</p>	<p>DONALD A. GRIFFEY FLORIDA CERT. # 12096</p>
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