

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
PETITION TO REZONE PROPERTY

LAKE COUNTY ZONING BOARD
 January 4, 2012



BOARD OF COUNTY COMMISSIONERS
 January 24, 2012

PH #4-12-2 Keoppen LLC Property Rezoning	Case Manager: Steve K. Greene, AICP, Chief Planner	Agenda Item #1
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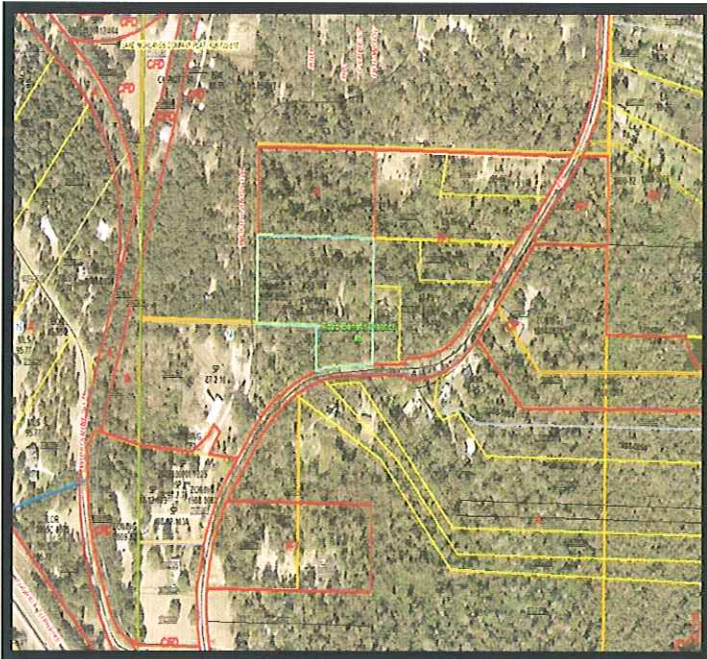
Owner: Bethesda Lutheran Home Communities, Inc. (the "Owner")

Applicant: Keoppen, LLC (the "Applicant")

Requested Action: Create a new Community Facility District (CFD) zoning district on approximately 6.133 acres of property for community residential home, assisted living facility (ALF), and church/religious uses.

- Site Location & Information -

Approximate site location outlined in Aqua



Size	6.13 +/- acres	
Location	North of the Willo Pines Lane/CR 455 intersection	
Alternate Key #	1592194	
Future Land Use	Rural Transition	
	Existing	Proposed
Zoning District	CFD	CFD
Density	N/A	N/A
Floor Area Ratio (FAR)	1.0 (max.) LDR	1.0 (max.) LDR
Impervious Surface Ratio (ISR)	0.30 (max.) (Comp Plan)	0.30 (max.) (Comp Plan)
Joint Planning Area	N/A	
Utility Area:	Montverde	
Site Utilities	Well & Septic	
Road Classification	CR 455 Rural/Major Collector	
Flood Zone/ FIRM Panel	(X & A) / (0380D & 0385D)	
Commissioner District	3 - Conner	

Site Visit: December 2, 2011

Sign Posted: December 16, 2011 (2 signs posted)

Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transitional	Community Facility District (CFD)	Woodlands	
South	Rural Transitional	Agriculture (A) & CFD	Woodlands	
East	Rural Transitional	CFD	Residential dwelling	Occupied dwelling
West	Rural Transitional	CFD	Church & pastors residence	Woodlands Lutheran Church of Lake Co

– Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **approval** of the application to create a new Community Facility District (CFD zoning district on 6.133 acres of property for Community Residential Home, assisted living facility (ALF) and church use, **with conditions**, as specified in the attached ordinance.

ZONING BOARD RECOMMENDATION: The Zoning Board recommended approval, with conditions, and right of way dedication, on a 4-0 vote.

– Summary of Analysis –

The Applicant is requesting the creation of a new Community Facility District (CFD) on 6.133 acres from an existing 165.87-acre CFD zoning district authorized by Ordinance #2009-52 (Attachment 1), which was approved for uses associated with the Woodlands Lutheran Church Camp. The property is located north of the Willo Pines Lane/CR 455 intersection and is designated as Rural Transition Future Land Use.

The Applicant has a purchase contract pending on the 6.133-acre property and desires to place an Assisted Living Facility and Community Residential Home (group home) use on the property which the current Ordinance does not allow. The Applicant intends to continue the existing church uses on the subject property in an existing 3,000 square foot (SF) building. A 225 SF storage-shed also exists on the property. At a future date, it will be necessary to amend CFD Ordinance #2009-52 to reflect the decreased size of the zoning district caused by this new 6.133-acre CFD 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 Applicant seeks to conduct church uses on the property, in addition to Assisted Living Facility and Community Residential Home uses on the 6.133-acre property. These uses are permissible within the CFD zoning district. LDR Section 3.00.03 permits the CFD zoning in rural land use areas similar to the newly adopted the Rural Transitional Future Land Use Category. 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. The proposed Church use and Community Residential Home use on the property is consistent with the Classification of Uses specified by Land Development Regulation (LDR) Sections 3.01.02.E.3 and 4, respectively.

Regarding the proposed Assisted Living Facility (ALF) use, LDR Section 3.01.05 allows for consideration of the ALF use as a similar use not specifically listed and not more detrimental than the uses in LDR Section 3.01.03. As such, the ALF use may be considered a comparable use in CFD zoning with approval by the Board of County Commissioners.

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

This CFD zoning request is consistent with the land use provisions of the Rural Future Land Use Series specified by Comprehensive Plan (Comp Plan) Policy I-1.4.3., as the proposed uses are not adverse to the rural character of the area. The proposed uses will provide limited community needs to residents of this rural area consistent with this policy. Additionally, the proposed uses are consistent with Comp Plan Policy I-1.4.5 which governs the uses within the Rural Transitional future land use category. The policy specifies the application of conditional use permit or other land use regulatory instrument for religious uses, nursing care, and personal care facilities.

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

The establishment of this new CFD zoning district is consistent with the uses of the Woodlands Lutheran Church on the adjacent CFD zoned property. This new CFD zoning district will continue the existing church use currently permissible by Ordinance #2009-52. The uses of this application for proposed church, residential family home and ALF are consistent and similar in scale and character with the uses being conducted in the area.

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

As stated previously, the Applicant desires to purchase 6.133-acres of property to conduct Community Residential Home and Assisted Living Facility uses that are not allowed by CFD Ordinance #2009-52. The establishment of a new CFD zoning district would accommodate the Applicant's desire to undertake the new uses under a new zoning ordinance completely separate from the existing zoning district.

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 - There is adequate capacity available along the CR 455 right of way. However, new development activity or an increase of the existing activities may cause the need to submit a traffic study with the required site plan. Public Works has indicated that a left turn lane will be required and right-of-way dedication shall be required along this segment of CR 455.

Water and Sewage - The existing church use is currently served by on-site well and septic tank. The City of Montverde has indicated the need to conduct additional discussions with the Applicant regarding the provision of water and sewer to the property. Mandatory connection is required if potable water lines are available within 1,000 feet of the property. This will be fully assessed in conjunction with site plan review. The Florida Department of Health as indicated that existing water systems with greater than 25 on-site users will require review and approval by the Florida Department of Environmental Protection. Additionally, the existing septic tank and wells will have to be assessed at the time of site plan for proper permits to accommodate the new uses.

Fire & Emergency Services - Ferndale Fire Station #83 will most likely provide services to the property.

Solid Waste - The proposed rezoning and new uses will not cause any adverse impact to the current solid waste capacity or levels of serve.

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

Additional adverse impacts are not anticipated as the property contains pre-existing development. However, any additional development intensity shall cause the need for an Environmental Assessment pursuant to LDR site development requirements.

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

The application did not contain any information regarding the effect the proposed rezoning would have on 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 will result in a continuation of the existing development pattern in the area and will not cause an adverse effect on the area consistent with Comp Plan Policy I-1.1.3. The proposed Community Residential Home, ALF, and existing church uses are compatible with the existing land uses in 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 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.

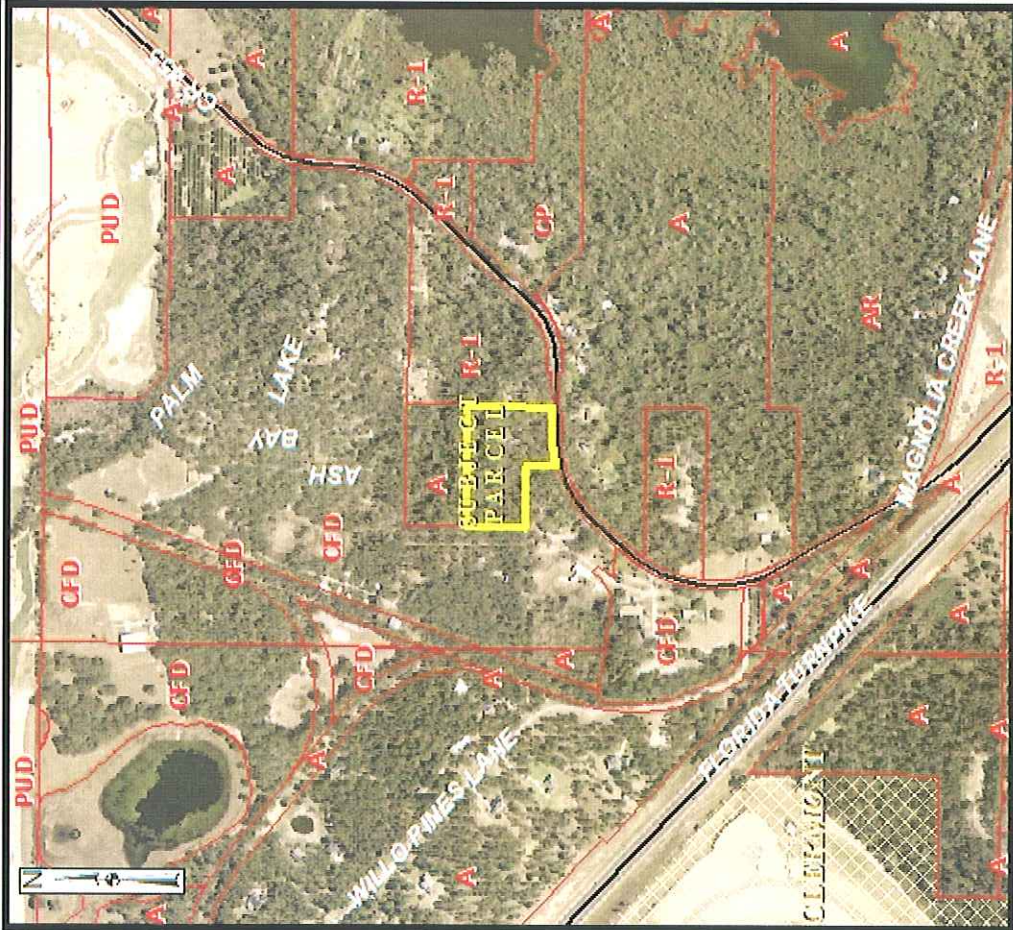
The City of Monteverde has indicated that it does not provide water or sewer to the property (Attachment 2).

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

1. The proposed CFD rezoning and the proposed use is consistent with the intent and purpose of Comp Plan Policy I-1.4.3 as it specifies maintaining the rural character of land within Rural Future Land Use Series.
2. The proposed rezoning application and the proposed uses are consistent with Comp Plan Policy I-1.4.5 regarding permissible uses within the Rural Transitional Future Land Use Category.
3. The zoning request is consistent with the allowable uses within rural land uses pursuant to LDR Section 3.00.03.
4. The proposed uses within the rezoning request is consistent with CFD definition of LDR Section 3.00.002.Y.
5. The uses proposed by the rezoning request are consistent with LDR Section 3.01.02.E.3 and 3.01.02.E.4, respectively.
6. Pursuant to LDR Section 3.01.05, the proposed ALF use is a similar use not specifically listed and not more detrimental than the uses in LDR Section 3.01.03
- 7.

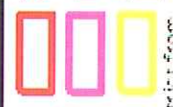
Based on these findings of fact, staff recommends **approval** of the rezoning application, with conditions, as specified in the proposed Ordinance.

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

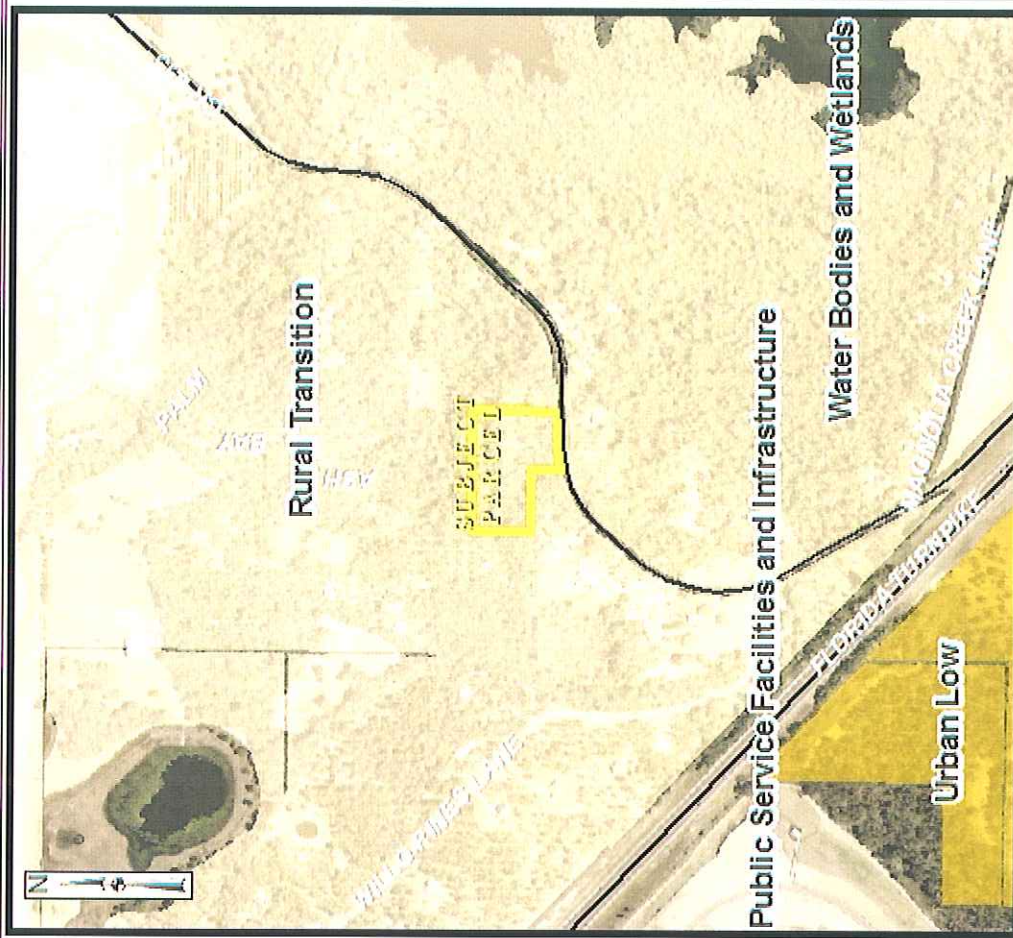


CURRENT ZONING
COMMUNITY FACILITY DISTRICT (CFD)

CASE NO.
 PH-4-13-2
 CASE LOCATION:
 T14S, R22E, S18
 REQUESTING:
 Create new CFD zoning district from
 existing CFD zoning district to allow ALF use.



ZONING
LAND USE
SUBJECT PARCEL



ADOPTED FUTURE LAND USE
RURAL TRANSITIONAL

MAP COMPOSITION:
 JANUARY 2005
 FOCUS AREA
 LAKELAND COUNTY

KEOPPEN LLC

ORDINANCE #2012 -
PH #4-12-2
Keoppen LLC/Bethesda Lutheran Home

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

WHEREAS, Kelly Keoppen (the "Applicant") submitted an application on behalf of Bethesda Lutheran Home (the "Owners") to establish a Community Facilities District (CFD) rezoning district for Community Residential Home, Assisted Living Facility, and Church uses; and

WHEREAS, the subject property consists of approximately 6.13 acres located at the northwest corner of the CR 455/Willo Pines Lane intersection in Section 14, Township 22 South, Range 26 East, Alternate Key #1592194 and more particularly described as:

LEGAL DESCRIPTION
(EXHIBIT "A" - Attached)

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

WHEREAS, Lake County Zoning Board reviewed petition PH#4-12-2 did on the 4th day of January, 2012, 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 24th day of January, 2012; 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 amend the Lake County
3 Zoning Map to show the Community Facility District (CFD) in accordance with this
4 Ordinance. All uses shall be generally consistent with the Concept Plan as shown in
5 EXHIBIT "B" (attached). To the extent where there are conflicts between the
6 Conceptual Plan and this Ordinance, this Ordinance shall take precedence. The
7 conditions of this Ordinance shall supersede the provisions of Ordinance #2009-52 for
8 this property.
9

10 A. Land Use: The permitted uses listed below are specifically limited to the land area
11 described in Exhibit "A" of this Ordinance and shall not be undertaken on any adjacent
12 property not described in Exhibit "A" of this Ordinance.
13

14 Religious sanctuary and place of worship,
15 Assisted Living Facility (30 beds); and
16 Community Residential Home (up to fourteen (14) unrelated residents).
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. Open Space, Impervious Surface, Floor Area, Height of Structure, Setbacks, Building
24 Height, Parking shall be in accordance with the Comprehensive Plan and LDR, as
25 amended.
26

27 C. Landscaping, Buffering, and Screening
28 A Type A landscape buffer shall be required along the CR 455 right of way, consisting
29 of the following vegetation per lineal 100-feet:
30 Three (3) canopy trees
31 Two (2) ornamental trees
32 Two (2) foot high shrub, and
33 15% landscape ground cover other than turf.
34

35 A Type B landscape buffer (15-foot wide) shall be required along west, north, and
36 eastern property lines consisting of the following vegetation per lineal 100-feet:
37 Four (4) canopy trees
38 Three (3) ornamental trees
39 Two (2) foot high shrub, and
40 12% landscape ground cover other than turf.
41

42 Existing vegetation and canopy trees may be credited in meeting some of the
43 landscape requirements. All other areas of the property must comply with the LDR, as
44 amended.
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- D. Transportation Improvements/Access Management:
 - 1. A left turn lane maybe required at the CR 455 driveway connection.
 - 2. Right of way dedication along CR 455 shall be ~~maybe-required for a 40-foot right-of way~~; as measured from the centerline.
 - 3. A traffic study or exemption of traffic study shall be submitted with the required site plan.All access management shall be in accordance with the LDR, as amended.
- E. Signage: Signs shall be accordance with the LDR, as amended.
- F. Lighting: Exterior lighting shall be in accordance with the LDR, as amended, and consistent with Dark-Sky principles.
- G. Utilities:
 - 1. Mandatory connection shall be required in the event that potable water lines are available within 1,000 feet of the property, unless an exemption is obtained from the Board of County Commissioners. The provision of potable water shall be permitted in accordance with Florida Department of Health, Florida Department of Environmental Protection, the Comprehensive Plan, and LDR, as amended.
 - 2. Septic and sewage service shall be permitted in accordance with the Florida Department of Health, Florida Department of Environmental Protection, the Comprehensive Plan, and LDR, as amended.
- H. Concurrency Management Requirements: Any development shall comply with the Lake County Concurrency Management System.
- I. Development Review and Approval: Prior to the issuance of permits, the Applicant shall be required to submit a site plan generally consistent with EXHIBIT "B" – CONCEPTUAL PLAN for review and approval in accordance with the Comprehensive Plan and LDR, as amended.
- J. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations shall include any future amendments to the Statutes, Code, Plans, and/or Regulations.

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

- 1 A. After establishment of the facilities as provided herein, the aforementioned property shall only
2 be used for the purposes named in this Ordinance. Any other proposed use must be
3 specifically authorized by the Board of County Commissioners.
4
5
6 B. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,
7 move, convert, or demolish any building structure, add other uses, or alter the land in any
8 manner within the boundaries of the above described land without first obtaining the necessary
9 approvals in accordance with the Lake County Code, as amended, and obtaining the permits
10 required from the other appropriate governmental agencies.
11
12 C. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the
13 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
14 Owner and any successor, and shall be subject to each and every condition herein set out.
15
16 D. Construction and operation of the proposed use shall at all times comply with the regulations of
17 this and other governmental permitting agencies.
18
19 E. The transfer of ownership or lease of any or all of the property described in this Ordinance
20 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is
21 made good and aware of the conditions established by this Ordinance and agrees to be bound
22 by these conditions. The purchaser or lessee may request a change from the existing plans
23 and conditions by following procedures contained in the Land Development Regulations, as
24 amended.
25
26 F. Action by the Lake County Code Enforcement Special Master. The Lake County Code
27 Enforcement Special Master shall have authority to enforce the terms and conditions set forth
28 in this ordinance and to recommend that the ordinance be revoked.

25 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
26 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
27 affect the validity of the remaining portions of this Ordinance.
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Section 4. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this _____ day of _____, 2012.

FILED with the Secretary of State _____, 2012.

EFFECTIVE _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

**NEIL KELLY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY

SANFORD A. MINKOFF, COUNTY ATTORNEY

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EXHIBIT "A"

LEGAL DESCRIPTION

The South 1/2 of the Southeast 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 14, Township 22 South, Range 26 East, Lake County, Florida.

AND, Begin at the Northeast corner of the Northeast 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 14, Township 22 South, Range 26 East, and run thence South 88 degrees 56' 20" West along the North line of said Northeast 1/4 of Northwest 1/4 of Southwest 1/4 319.57 feet; thence South 178.1 feet, more or less, to the Northerly right of way line of State Road No. 455; thence Northeasterly along said right of way line to a point on the East line of said Northeast 1/4 of Northwest 1/4 of Southwest 1/4, thence Northerly along said East line 142 feet, more or less, to the Point of Beginning.

EXHIBIT - B

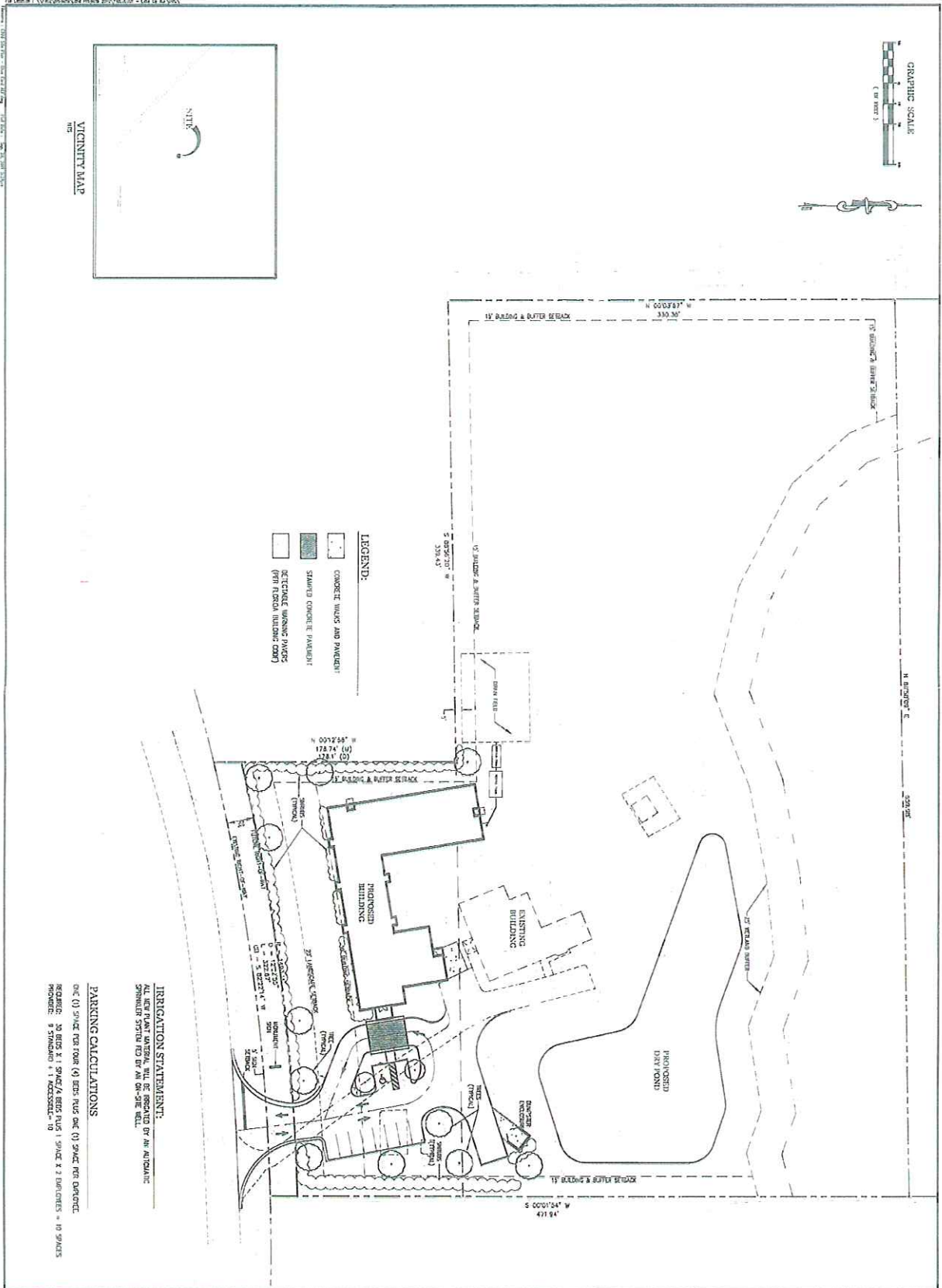
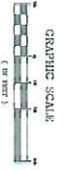


EXHIBIT - B

IRRIGATION STATEMENT:
 ALL NEW PLANT MATERIAL, WILL BE PROVIDED BY AN ADJACENT
 SHADOWER SPOTLIGHT FOR AN ON-SITE WELL.

PARKING CALCULATIONS:
 ONE (1) SPACE PER FOUR (4) BEDS PLUS ONE (1) SPACE PER GARAGE.
 REQUIRE: 30 BEDS X 1 SPACE / 2 BEDS PLUS 1 SPACE X 7 EMPLOYEES = 10 SPACES
 PROVIDE: 8 SPACES + 1 ACCESSIBLE = 10

- LEGEND:**
- CONCRETE WALLS AND PARKING
 - STAMPED CONCRETE PAVEMENT
 - RECYCLED RUBBER PAVEMENT (FOR PLAYGROUND EQUIPMENT)



C100

Prepared by: [Name]
 Checked by: [Name]
 Drawn by: [Name]
 Date: [Date]
 Project number: [Number]
 Revision: [Number]
 Scale: [Scale]
 Drawing title: [Title]

EXHIBIT - B

LAKE COUNTY, FLORIDA

CONCEPT SITE PLAN

Klima Weeks
 CIVIL ENGINEERING

2801 Louisiana Avenue, 7th Floor
 Jacksonville, Florida 32216
 Telephone: 904.427.7414
 Fax: 904.427.7414
 E-mail: info@klima.com
 License No. 12345

GROWTH MANGEMENT
ATTN: SHERIE ROSS
ROOM 610

REC'D
SEP 22 2009
31 13540 Pgs 2378 - 2485 8p
3:00 PM
REC'D
SEP 22 2009
LAKE COUNTY CLERK OF COURT
RECORDING FEES 60.00

ATTACHMENT - 1

RECEIVED
SEP 22 2009
LAKE COUNTY CLERK OF COURT

ORDINANCE NO. #2009 - 52
Florida-Georgia District Lutheran Church
PH #55-08-3

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE
LAKE COUNTY ZONING MAP; AMENDING ORDINANCE NO. 1995-55; AND PROVIDING FOR AN
EFFECTIVE DATE.

WHEREAS, the Woodlands Lutheran Church of Lake County Inc. (the Applicant) requested an
amendment to Ordinance No. 1995-55 rezone a portion to Community Facility District (CFD) in order to
create a separate and distinct parcel under a separate ordinance for religious place of worship and related
uses.

WHEREAS, the request would reduce the acreage of the existing parcel subject to Ordinance
#1995-55 from 176.0 +/- acres to 165.87 +/- acres; and

WHEREAS, this petition will not alter the land use activities authorized by Ordinance No. 1995-55
on the parent parcel; and

WHEREAS, the subject property is generally located in the Montverde area, along the west side of
CR-455, north of Willo Pines Lane in Section 14/15, Township 22S, Range 26E, consisting of 165.87 +/-
acres, and further described as:

LEGAL DESCRIPTION EXHIBIT "A" ATTACHED

WHEREAS, the property is located within Urban Expansion and Suburban Future Land Use
Categories; and

WHEREAS, the Lake County Zoning Board did, on the 2nd day of September 2009, review petition
PH #55-08-3;

AND, giving Notice of Hearing on petition for a change in the use of land, including a notice that
said would be presented to the Board of County Commissioners of Lake County, Florida, on the 22nd day of
September, 2009; 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, this ordinance amends Ordinance No. 1995-55; and

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

1 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County
2 Florida, that Ordinance #1995-55 of Lake County, be superseded and replaced to reduce the size of the
3 subject parcel to 165.87 +/- acres, subject to the following terms and conditions:

4 Section 1. Terms: This Ordinance supersedes and replaces Ordinance No. 1995-55. The County
5 Manager or designee shall amend and the Lake County Zoning map in accordance with
6 this ordinance as specified below.
7

8 A. Land Uses: Use of the site shall be limited to that of those listed herein and depicted on
9 the submitted site plan. Any other use of the site shall require approval of an amendment
10 by the Board of County Commissioners.

11 (1) Recreation Facility (Private Club), specifically including:

12 a. Administration Offices, limited to those solely related to the facility

13 b. Residential Dwellings:

14 i. Staff housing: Ten (10) dwelling units

15 ii. Shelter housing: Five (5) dwelling units

16 c. Campsites and lodges:

17 i. primitive sites: 250 sites

18 ii. Cabins and Lodges: Fifteen (15)

19 iii. Tent camping area.

20 d. Chapel:

21 e. Retreat Center:

22 f. Barns;

23 g. Accessory recreation, dining, meeting, maintenance and sanitary facilities.

24 h. travel trailers

25 (2) Accessory uses incidental the permitted uses may be approved by the County
26 Manager or designee.
27

28 B. Buffering and Screening

29 1. Landscaping in accordance with the Lake County Landscaping Ordinance shall be
30 provided and indicated on a Landscape Plan submitted for review upon application for
31 site plan approval. No buffer required between adjacent CFD zoning district.

32 2. A fence five (5') feet in height shall be erected along the southerly property lines. The
33 landscaped buffer zone of five (5) feet in width shall be maintained along this portion of
34 the property line consisting of three (3) trees per 100 linear feet, with a single row of
35 shrubs.
36

37 C. Setbacks: Structures shall maintain a minimum of 20-feet from the edge of right-of-way
38 and 10-feet between structures. At no time shall any trailer or other temporary living
39 quarters be parked closer than 10 feet to any other travel trailer, temporary living quarters
40 or other structure within the youth tent camping area or the family tent and trailer camping
41 area.
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2 D. Parking Requirements: Off street parking shall be provided in accordance with the Land
3 Development Regulations, as amended.

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5 E. Traffic Improvements:

6 a. Additional right-of-way shall be dedicated to provide for 40 feet from the centerline
7 of Blackstill Lake Road (C.R. 2-1757) in accordance with LDR, as amended.

8 b. An additional 40 feet for right-of-way from the centerline of C-455 shall be
9 dedicated.

10
11
12 F. Floodplain: General requirements and construction standards shall apply to any
13 development within a Special Flood Hazard Area.

14
15 G. Permitting: Prior to the issuance of permits, a final site plan shall be submitted for review
16 by Lake County.

17
18 H. Lighting: All outdoor lighting shall be so cut-off lighting and adjusted so that the light
19 therefrom is directed to fall only on the subject.

20
21 I. Stormwater and Wastewater:

22 a. Stormwater. A complete storm water evaluation (not just considering the proposed
23 buildings) for any further build out of the Woodlands Lutheran Camp shall be
24 submitted. The required drainage calculations shall be based on the storm events
25 and referenced in the Lake County Drainage Specifications, as amended, and
26 shall be submitted at the time of construction for the site. If necessary, drainage
27 facilities shall be constructed to comply with the LDR, as amended.

28
29 b. Wastewater. Any facility that will cause an increase of waste water to the existing
30 wastewater treatment plant will require that Woodland Lutheran Camp conduct an
31 evaluation demonstrating that the wastewater plant will have the capacity to
32 handle the additional wastewater.

33 c. All of the above requirements shall be necessary when submitting site plan
34 application.

35 d. If, upon evaluation of the waste water collection system, the plant will not have the
36 capacity, the owner must apply to the Florida Department of Environmental
37 Regulations for, and obtain, a permit to expand the facility prior to receiving an
38 approval from Lake County.

1 J. Development Review and Approval: Prior to the issuance of any permits, a formal site
2 plan for review and approval by Lake County shall be submitted. The site plans shall meet
3 all submittal requirements and comply with all County codes and ordinances, as amended.
4

5 K. Future Development Orders

6 Any requested development order must comply with the amendments to the Lake County
7 Comprehensive Plan or the Lake County Land Development Regulations.
8

9 L. Future Amendments to Statutes, Code, Plan and/or Regulations:

10 The specific references in this Ordinance to the Florida Statutes, Florida Administrative
11 Code, Lake County Comprehensive Plan and Lake County Land Development
12 Regulations, include any future amendments to the Statutes, Code, Plan, and/or
13 Regulations.
14
15

16
17 Section 2. Conditions as altered and amended which pertain to the above tract of land
18 shall mean:
19

20 A. After establishment of the facilities as provided herein, the aforementioned property shall
21 only 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

24 B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove,
25 improve, move, convert, or demolish any building structure, or alter the land in any
26 manner within the boundaries of the above described land without first submitting the
27 necessary plans in accordance with the Lake County Land Development Regulations,
28 and obtaining approval from the County Manager or designee upon obtaining the permits
29 required from the other appropriate governmental agencies.
30

31 C. This amendment shall inure to the benefit of, and shall constitute a covenant running
32 with the land and the terms, conditions, and provisions hereof, and shall be binding upon
33 the present owner and any successor, and shall be subject to each and every condition
34 herein set out.
35

36 D. Construction and operation of the proposed use shall at all times comply with the
37 regulations of this and other governmental agencies.
38

39 E. The transfer of ownership or lease of any or all of the property described in this Ordinance
40 shall include in the transfer or lease agreement, a provision that the purchaser or lessee
41 is made good and aware of the conditions pertaining to this Ordinance, and agrees to be
42 bound by these conditions. The purchaser or lessee may request a change from the
43 existing plans and conditions by following procedures contained in the Lake County Land
44 Development Regulations (LDRs), as amended.
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Section 3. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 2nd day of Sept, 2009.


FILED with the Secretary of State October 2, 20 09.

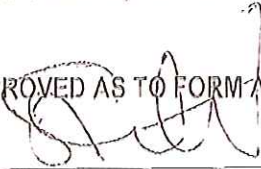
EFFECTIVE October 2, 20 09.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


WELTON G. CADWELL, CHAIRMAN

ATTEST:


NEIL KELLY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGALITY

Sanford A. Minkoff, County Attorney

1
2
3
4
5
6 EXHIBIT "A" LEGAL DESCRIPTION
7
8

9 That part of Tract 17, 18 & 32 of the plat of Lake Highlands Co. filed November 21, 1919 and recorded in
10 Plat Bk. 3, Pg. 52 Public Records of Lake County, Florida, lying N of the Tavares and Gulf Railroad; and
11 that part of the NW ¼ of Sec. 15, Twp. 22S, Rge. 26E, Lake County, Florida, lying S of the Turn-a-round
12 Triangle Spur and W of Seaboard Air Line and N of the Tavares and Gulf Railroad; and Sec. 14, Twp. 22S,
13 Rge. 26E, W ¾ of S ½ of the NE ¼ of the NW ¼; NW ¼ of the NW ¼; N ½ of SE ¼ of NW ¼; NE 1/2 of
14 SW ¼ of NW ¼, and W ½ of SW ¼ of NW ¼, less railroad r/w; and Sec. 15, Twp. 22S, Rge. 26E, Tract 1;
15 that part of Tract 15, lying N of railroad; and tract 16, all in Lake Highlands Co., a subdivision according to
16 the plat thereof as recorded in Plat Bk. 3, Pg. 52A, Public Records of Lake County, Florida, and Sec. 14,
17 Twp. 22S, Rge. 26E, commence at the NW cor of the SW ¼ for P.O.B.; thence run E along the N line of the
18 NW ¼ of the SW ¼ of said Sec. 14, a distance of 998.57 ft. to a point, thence run S and parallel with the E
19 line of the NW ¼ of the SW ¼ of Sec. 14, a distance of 178.1 ft. to a point on the N r/w of SR 455; thence
20 run SW'ly along the N r/w of SR 455 to a point 281.08 ft. E of the SW cor of the NW ¼ of the SW ¼ of said
21 Sec. 14, with the W r/w line of SR 455; thence run W along the N line of the SW ¼, of said Sec. 14 to the
22 SW cor of the NW ¼ of the SW ¼ of said Sec. 14; thence run N along the W line of the NW ¼ of the SW
23 ¼ of said Sec. 14 to the P.O.B.
24

25 That portion of the NW ¼ of the NE ¼ of Section 15, Township 22 South, Range 26 East, Lake County,
26 Florida, lying north of the abandoned railroad, less Tracts 3 and 4 Lake Highlands Company plat of said
27 section recorded in Plat Book 3, page 52, Public Records of Lake County, Florida.
28

29 Tracts 3 and 4 in Section 15, Township 22 South, Range 26 East, according to the plat of Lake Highlands
30 Company recorded in Plat Book 3, page 24, Public Records of Lake County, Florida,

31 Less: PARCEL "A" (OR BOOK 1718 PG 1565 & 1566):

32 COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT AT THE EAST 1/4 CORNER OF
33 SECTION 15, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN
34 S.00°22'45"E. ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 15 FOR A DISTANCE
35 OF 464.98 FEET TO A POINT ON THE NORTH LINE OF THE WOODLANDS LUTHERAN CHURCH
36 PROPERTY; THENCE LEAVING SAID EAST LINE OF SECTION 15, RUN S.85°38'41"E. ALONG SAID
37 NORTH LINE OF THE WOODLANDS LUTHERAN CHURCH PROPERTY FOR A DIISTANCE OF
38 292.08 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE, RUN
39 N.60°09'58"E., FOR A DISTANCE OF 75.23 FEET; THENCE RUN N.34°51'11"E, FOR A DISTANCE OF
40 51.71 FEET; THENCE RUN S.55°08'49"E. FOR A DISTANCE OF 10.00 FEET; THENCE RUN
41 N.34°51'11"E. FOR A DISTANCE OF 44.00 FEET; THENCE RUN S.55°08'49"E. FOR A DISTANCE OF
42 44.00 FEET; THENCE RUN S.34°51'11"W, FOR A DISTANCE OF 112.97 FEET TO THE NORTH LINE
43 OF AFORESAID WOODLAND LUTHERAN CHURCH PROPERTY; THENCE RUN N.85°38'41"W. FOR
44 A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING. PARCEL "B" (OR BOOK 1718 PG
45 1559):

1 COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT AT THE EAST 1/4 CORNER OF
2 SECTION 15, TOWNSHIP 22 SOUTH RANGE 26 EAST LAKE COUNTY FLORIDA; THENCE RUN
3 S.00°22'45"E. ALONG THE EAST LINE OF SECTION 15 FOR A DISTANCE OF 464.98 FEET TO THE
4 POINT OF BEGINNING; THENCE CONTINUE S.00°22'45"E. FOR A DISTANCE OF 706.47 FEET TO A
5 POINT ON A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 207.00 FEET
6 AND A CHORD BEARING OF N.49°41'28"W. 187.71 FEET; THENCE LEAVING SAID EAST LINE RUN
7 NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 194.82 FEET
8 THROUGH A CENTRAL ANGLE OF 53°55'31"; THENCE RUN N.22°43'43"W. FOR A DISTANCE OF
9 140.25 FEET TO A POINT OF CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF
10 957.00 FEET AND A CHORD BEARING OF N.10°48'39"W. 395.26 FEET; THENCE RUN
11 NORTHWESTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 398.12 FEET
12 THROUGH A CENTRAL ANGLE OF 23°50'09"; THENCE RUN N.01°06'26"E. FOR A DISTANCE OF
13 82.02 FEET TO A POINT OF CURVE CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF
14 15.00 FEET AND A CHORD BEARING OF N.24°35'36"E. 11.96' THENCE RUN NORTHEASTERLY
15 ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 12.30 FEET THROUGH A CENTRAL
16 ANGLE OF 46°58'20" TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE
17 NORTHWEST AND HAVING A RADIUS OF 70.00 FEET AND A CHORD BEARING OF N.24°35'36"E.
18 55.79 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE FOR A DISTANCE
19 OF 57.39 FEET THROUGH A CENTRAL ANGLE OF 46°58'20"; THENCE RUN S.72°10'43"E. FOR A
20 DISTANCE OF 248.96 FEET TO THE POINT OF BEGINNING.

21 PARCEL 1 (OR BOOK 1157 PG 1308):

22 FOR A POINT OF BEGINNING, COMMENCE AT THE POINT WHERE THE SOUTH LINE OF THE
23 REALPROPERTY DESCRIBED IN WARRENTY DEED RECORDED IN OFFICIAL RECORDS BOOK
24 535, PAGE 227 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA (HEREINAFTER CALLED THE
25 "PROPERTY") INTERSECTS WITH THE WEST LINE OF THE NORTHWEST 1/4 OF THE
26 SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST THENCE RUN SOUTH
27 AND ALONG THE WEST LINE OF SAID SECTION 14 A DISTANCE OF 165 FEET; THENCE RUN
28 EAST AND PARALLEL TO THE SOUTH LINE OF THE PROPERTY TO A POINT ON THE WEST
29 RIGHT OF WAY LINE OF STATE ROAD NO. 455; THENCE RUN NORTHEASTERLY AND ALONG THE
30 WEST RIGHT OF WAY LINE OF SAID STATE ROAD NO. 455 TO A POINT WHERE SAID RIGHT OF
31 WAY LINE INTERSECTS WITH THE SOUTH LINE OF THE PROPERTY EXTENDED TO THE EAST,
32 WHICH POINT OF INTERSECTION IS THE SOUTHEAST CORNER OF THE PROPERTY; THENCE
33 RUN WEST AND ALONG THE SOUTH LINE OF THE PROPERTY TO THE POINT OF BEGINNING,
34 GRANTOR RESERVES AN EASEMENT FOR INGRESS, EGRESS AND FOR MOVEMENT OF
35 CATTLE, HORSE AND OTHER FARM ANIMALS OVER AND ACROSS THE WEST 20 FEET OF THE
36 ABOVE DESCRBED PROPERTY. LEGAL DESCRIPTION OF PROPERTY DESCRIBED IN O.R. BOOK
37 535, PAGE 227, BEING AS FOLLOWS: THE NORTHERLY 165 FEET OF THE FOLLOWING
38 DESCRIBED PARCEL 4 TO-WIT: COMMENCING AT THE SOUTHWEST CORNER OF THE
39 NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26
40 EAST RUN THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY OF SAID SECTION 660
41 FEET, RUN THENCE EASTERLY TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF STATE
42 ROAD NO. 455, RUN THENCE SOUTHWESTERLY ALONG THE WESTERLY RIGHT OF WAY LINE
43 OF STATE ROAD NO. 455 TO A POINT 281.08 FEET EAST OF THE SOUTHWESTERLY CORNER OF
44 THE NORTHWESTERLY 1/4 OF THE SOUTHWESTERLY 1/4 OF SAID SECTION 14, THENCE

1 WESTERLY ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 TO THE
2 POINT OF BEGINNING

3 PARCEL 2 (OR BOOK 1156 PG 2479 & 2480);

4 FROM THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE
5 SOUTHWEST 1/4 SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA,
6 RUN SOUTH ALONG SECTION LINE 330 FEET FOR THE POINT OF BEGINNING; THENCE RUN
7 SOUTH ALONG SECTION LINE 210 FEET; THENCE EAST TO WEST RIGHT OF WAY LINE OF
8 STATE ROAD NO. 455; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE TO A POINT
9 EAST OF THE POINT OF BEGINNING; THENCE WEST TO THE POINT OF BEGINNING

10 PARCEL 3 (OR BOOK 1718 PG 1563 & 1564);

11 COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4
12 OF SECTION 14, TOWNSHIP 22 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN
13 N.00°57'51"E, ALONG THE WEST BOUNDARY OF THE SAID NORTHWEST 1/4 OF THE
14 SOUTHWEST 1/4, A DISTANCE OF 495.00 FEET TO THE POINT OF BEGINNING; THENCE
15 CONTINUE N.00°57'51"E, ALONG THE SAID WEST BOUNDARY 360.00 FEET; THENCE
16 S.84°25'36"E, 544.04 FEET TO THE WESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 455,
17 SAID RIGHT OF WAY LINE BEING A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF
18 754.66 FEET; THENCE SOUTHWESTERLY ALONG THE SAID RIGHT OF WAY LINE AND THE ARC
19 OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°18'39" AN ARC DISTANCE OF 359.72 FEET;
20 THENCE DEPARTING SAID RIGHT OF WAY LINE AND

21 RUN N.89°59'25"W, 366.94 FEET TO THE POINT OF BEGINNING,

22 PROPERTY SHOWN HEREON CONTAINS 10.13 ACRES MORE OR LESS

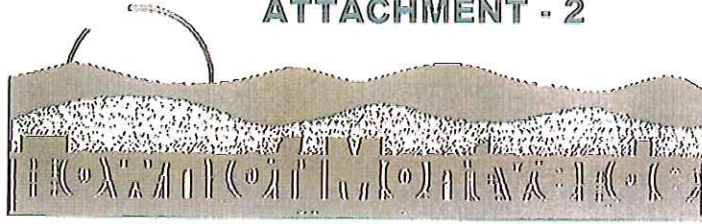
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Nov. 8. 2011 12:59PM

No. 0608 P. 1

ATTACHMENT - 2



November 7, 2011

Re: 15425 County Road 455
Montverde, Florida 34756

To Whom It May Concern:

Please be advised that the Town of Montverde does not provide water or sewer to the above mentioned address. This address is not in Town limits.

Should you have any questions, please feel free to contact me.

Thank you,

Chris Zuccaro
Town of Montverde
Utility Billing Clerk
407-469-2681

407-469-2681
Fax: (407) 469-2773

P.O. Box 560008
Montverde, FL 34756

Townhall@mymontverde.com
Web: mymontverde.com

REGULAR AGENDA:**CASE NO: PH# 4-12-2****TAB NO. 1**

OWNER: Bethesda Lutheran Home Communities, Inc.
APPLICANT: Keoppen, LLC
PROJECT NAME: Keoppen LLC Property Rezoning

Mr. Sheahan stated that only a minor change was being requested and asked if the Board would like to hear the entire case presentation or proceed to only examine the change being requested. The Board chose to hear the change that was being requested. Steve Greene, Chief Planner, referred to page 3 of the ordinance and stated that Public Works indicated that condition D2 should be changed by replacing the word "may be" with "shall".

Selby Weeks, Klima Weeks Civil Engineering, speaking on behalf of the applicant, had a question in regards to the 40 ft. of additional right of way. Ross Pluta, Engineer III, stated that the existing right of way is approximately 25 ft. and that there is an additional 15 ft. He mentioned that this requirement was in the original ordinance and that staff is not asking for any more than before. Mr. Weeks stated that it sounded like there needed to be further discussion with staff on exactly how much additional right of way would be needed from their property.

Mr. Sheahan stated that the revised condition would read, "Right of way shall be required". He explained that staff is not recommending to put a number of footage in the condition because if there is a number than the applicant would be forced to have that amount of footage for the right of way. Vice Chairman Morris pointed out that the 40 ft. requirement was to be stricken from the condition.

MOTION by Rick Gonzalez, SECONDED by Ted DeWitt to APPROVE PH# 4-12-2, Keoppen LLC Property Rezoning.

FOR: Gonzalez, DeWitt, Morris, Ameri

ABSENT: Bryan, Kesselring, Miller

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 4-0

CASE NO: PH# 3-12-3**TAB NO. 2**

OWNER: Bryan K. and Jacqueline A. Summers
APPLICANT: Valerie C. Fuchs, Esq.
PROJECT NAME: Summers Rezoning

Jennifer Cotch, Environmental Specialist, presented the case and staff's recommendation for approval. She stated that the Applicant is requesting to rezone from Rural Residential (R-1) to Agriculture (A), which is the only zoning district that would be allowed in Rural Future Land