

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

PETITION TO REZONE PROPERTY

LAKE COUNTY ZONING BOARD
March 7, 2012



BOARD OF COUNTY COMMISSIONERS
March 27, 2012

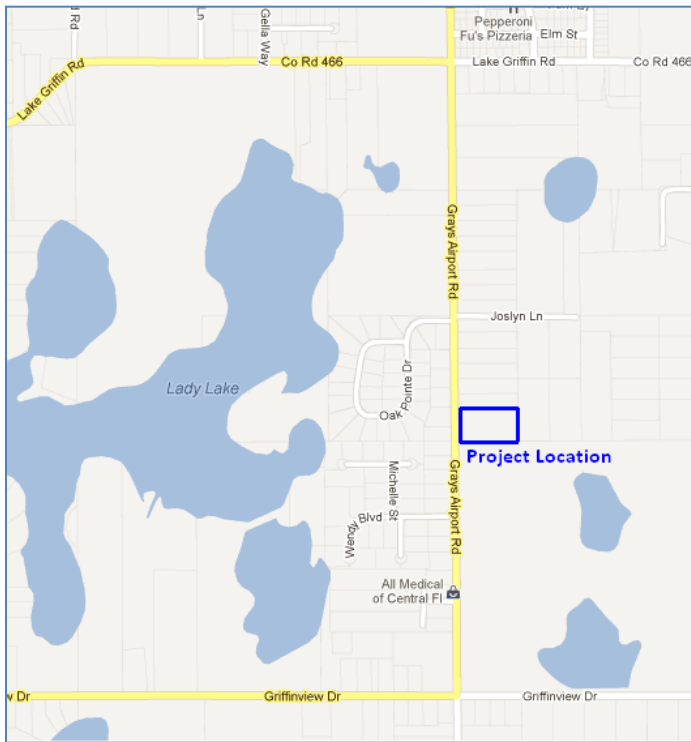
PH #6-12-5 Freedom Community Church	Case Manager: Melving Isaac, Planner	Agenda Item #1
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Owner: Jo Ann & Larry Benton (the "Owner")

Applicant: Sandy & Barry Hayes (the "Applicant")

Requested Action: Rezone property from Rural Residential (R-1) to Community Facility District (CFD) for a church and a parsonage.

- Site Location & Information -



Size	4.9 +/- acres	
Location	Lady Lake area, East of Grays Airport Road	
Alternate Key #	2796995	
Future Land Use	Rural Transition	
	Existing	Proposed
Zoning District	R-1	CFD
Impervious Surface Ratio	.30	.50 max (Policy I-1.4.5)
Floor Area Ratio	.20	1.0 max (LDR Section 3.02.06)
Joint Planning Area	Lady Lake	
Utility Area:	Lady Lake	
Site Utilities	Existing well and septic system	
Road Classification	Grays Airport Road - Local	
Flood Zone/ FIRM Panel	X/170 Zone X - Area determinate to be outside 500-year floodplain	
Commissioner District	5 (Cadwell)	

Approximate site location outlined in Blue

Site Visit February 17, 2012
Sign Posted February 17, 2012 (2 posted)

Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Rural Residential (R-1)	Rural Residential	
South	Rural Transition	Estate Residential (R-2)	Vacant Land	
East	Rural Transition	Rural Residential (R-1)	Rural Residential	
West	Rural Transition	Rural Residential (R-1)	Rural Residential	Property surrounded by Grays Airport Road at the west

- Summary of Staff Determination -

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

ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant is requesting to rezone property from Rural Residential (R-1) to Community Facility District (CFD) for church and parsonage uses. The property currently has an existing residence which will be used as a parsonage for the pastors. The subject property consists of 4.9 +/- acres and is located in the Lady Lake area, east of Grays Airport Road.

The proposed rezoning request is consistent with the Comprehensive Plan (Comp Plan) and the Land Development Regulations (LDR), which permit religious uses in the Rural Transition Future Land Use Category (FLUC) and in the CFD Zoning District, as established in LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*.

- 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 is consistent with the LDR as seen in LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits church uses in the CFD Zoning District.

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

The CFD zoning request is consistent with Comprehensive Plan Policy I-1.4.5 and churches (religious organizations) are an allowable use in the Rural Transition FLUC.

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

The subject property is surrounded by rural residential uses, vacant rural lands, and by Grays Airport Road. The proposed rezoning is generally consistent with the land use patterns in the area. There is also an existing church located approximately 1.5 miles southwest from the proposed church site on Griffin View Drive.

Since the south portion of the property is adjacent to a designated agricultural property, a 50 foot agricultural buffer is required and requirements have been placed in the attached proposed ordinance. The east side of the property is surrounded by a dense wooded area, therefore, no landscape buffer is required. Landscaping is also limited to screen the developed area from adjacent uses.

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

The Applicant seeks to establish a church use on the property and to use the existing residence as a parsonage for the pastors. The current Rural Residential zoning does not allow religious uses therefore requiring rezoning to CFD.

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 is being served by an existing private well and septic system. As indicated by the Town of Lady Lake there is no central water and sewer available to this property.

Transportation – The Public Works Department has indicated that a Sight Distance Analysis for access on Grays Airport Road will be required during site plan submittal.

Fire and Emergency Services – The subject parcel is approximately 3.0 miles from Lake County Fire Station 54 (closest fire station), located at 6200 Lake Griffin Road, Lady Lake.

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

The property is currently developed with an existing residence which will be used as a parsonage. Any other or future development will require site plan approval and the submittal of an environmental assessment to identify and mitigate any development impacts that pose a threat to environmental resources that may exist on the property.

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

The application does not contain any evidence that the proposed rezoning would adversely affect property values in the area.

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

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

I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and

The proposed rezoning would be in harmony with the general intent of the Comprehensive Plan and LDR.

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

N/A.

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

1. The request is consistent with the Comprehensive Plan as seen in Policy I-1.4.5 as Church (religious organizations) uses are allowable and conforms to the general land use criteria and activities of the Rural Transition Future Land Use Category.
2. The request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which permits Church uses in the CFD Zoning District.

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

WRITTEN COMMENTS FILED:

Supportive: -0-

Concern: -0-

Opposition: -0-



CURRENT ZONING
RURAL RESIDENTIAL (R-1)



ADOPTED FUTURE LAND USE
RURAL TRANSITION

**FREEDOM
COMMUNITY CHURCH**

CASE NO.
PH #6-12-5
CASE LOCATION:
T18S, R24E, S14

REQUESTING:
Rezone property to Community Facility District (CFD)
for a Church and a Parsonage

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

REFERENCES:

Lake County GIS Department, Planimetric, 2006 Aerial Image,
Data Completion and Map production compliments of the
County Management Department, Planning and Community Design
The map product was prepared from a Geographic Information System
established by the Lake County Board of County Commissioners, its
employees, agents and personnel, made 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 shown. 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 the user of this map.

MAP COMPOSITION:
JANUARY, 2008



**LAKE COUNTY
PLANNING**

1 All uses shall be generally consistent with the Conceptual Plan as shown on EXHIBIT "A". To
2 the extent where there are conflicts between the Conceptual Plan and this Ordinance, this
3 Ordinance shall take precedence.

4 Accessory uses directly associated with the above uses may be approved by the County
5 Manager or designee. Any other use of the site shall require an amendment to this Ordinance
6 as approved by the Board of County Commissioners.

7 B. Development Standards:

8 1. Parking:

9 a. Parking surfaces may be grass or other pervious material, except as required for
10 handicapped accessibility.

11 b. All other provisions of the Land Development Regulations (LDR), as amended shall
12 apply.

13 2. Setbacks, Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height
14 shall be in accordance with the Comprehensive Plan and LDR, as amended.

15 3. Landscaping, Buffering, and Screening:

16 a. Agricultural Buffer (South): South buffer adjacent to property designated as agricultural
17 shall be a minimum of 50 feet from the property line for any vertical structure.

18 b. South Landscape Buffer: A 10 foot wide landscape buffer (within the Agricultural Buffer)
19 consisting of three (3) canopy trees and two (2) ornamental trees per 100 linear feet
20 shall be installed. A hedge shall not be required.

21 c. North Landscape Buffer: A 15 foot wide landscape buffer consisting of a minimum four
22 (4) canopy trees, two (2) ornamental trees and a continuous hedge per 100 linear feet,
23 shall be installed.

24 d. Scope of Installation. The North and South landscape buffers shall be installed adjacent
25 to the property lines. The landscaping shall be installed beginning at Grays Airport
26 Road to the eastern extent of development on the property to ensure all structures and
27 uses are screened.

28 e. West Landscape Buffer: Installation shall be installed consistent with the LDR, as
29 amended.

30 f. East Landscape Buffer: No buffer required.

31 g. All landscaping shall be maintain consistent with the approved site plan.

32 h. Existing trees may be used to meet the above tree requirements in accordance with the
33 LDR.

34 4. Transportation Improvements/Access Management: Access management shall be in
35 accordance with the LDR, as amended.

36 5. Lighting:

37 a. Twenty four (24) hour exterior lighting shall not be permitted, excluding motion sensor
38 type exterior lighting for security and night time functions.

1 b. Lighting shall be in accordance with the LDR, as amended, and consistent with Dark-Sky Principles.
2

3 6. Signage: Signs shall be in accordance with the LDR, as amended.

4 C. Concurrency Management Requirements: Any development shall comply with the Lake County
5 Concurrency Management System.

6 D. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be
7 required to submit a site plan generally consistent with EXHIBIT "A" – CONCEPTUAL PLAN
8 for review and approval in accordance with the Comprehensive Plan and LDR, as amended.

9 E. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in
10 this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
11 Comprehensive Plan, and Lake County Land Development Regulations shall include any
12 future amendments to the Statutes, Code, Plans, and/or Regulations.

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

14 A. After establishment of the facilities as provided herein, the aforementioned property shall only
15 be used for the purposes named in this Ordinance. Any other proposed use must be
16 specifically authorized by the Board of County Commissioners.

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

22 C. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the
23 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
24 Owner and any successor, and shall be subject to each and every condition herein set out.

25 D. Construction and operation of the proposed use shall at all times comply with the regulations of
26 this and other governmental permitting agencies.

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

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

36 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
37 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
38 affect the validity of the remaining portions of this Ordinance.
39
40

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

2
3 ENACTED this _____ day of _____, 2012.

4
5 FILED with the Secretary of State _____, 2012.

6
7 EFFECTIVE _____, 2012.

8
9 BOARD OF COUNTY COMMISSIONERS
10 LAKE COUNTY, FLORIDA

11
12 _____
LESLIE CAMPIONE, Chair

13 ATTEST:
14

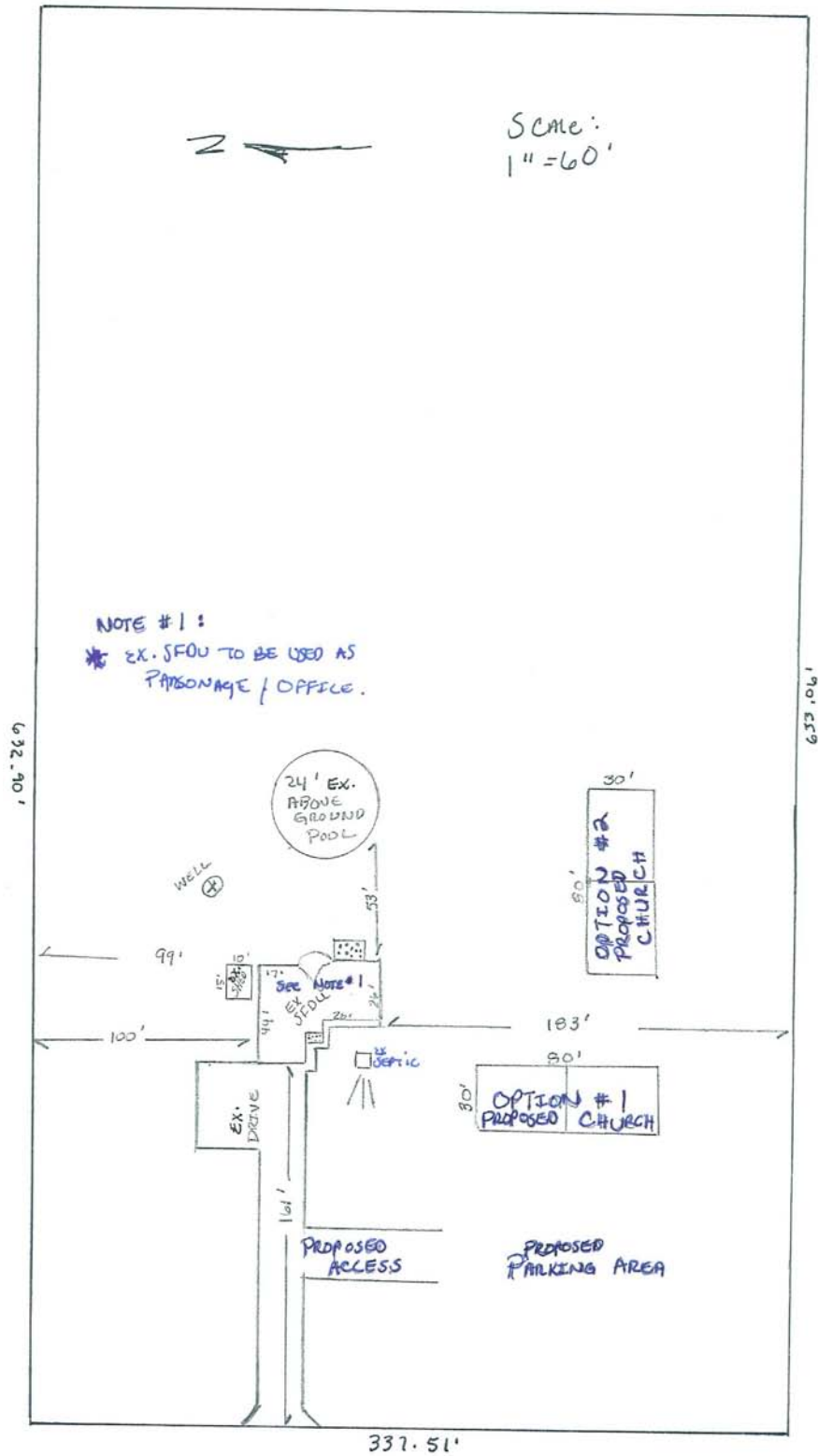
15 _____
16 NEIL KELLY, Clerk of the
17 Board of County Commissioners
18 Lake County, Florida

19 APPROVED AS TO FORM AND LEGALITY

20 _____
21 SANFORD A. MINKOFF, County Attorney
22

1

EXHIBIT "A" - CONCEPTUAL PLAN



2

Grays Airport Road