

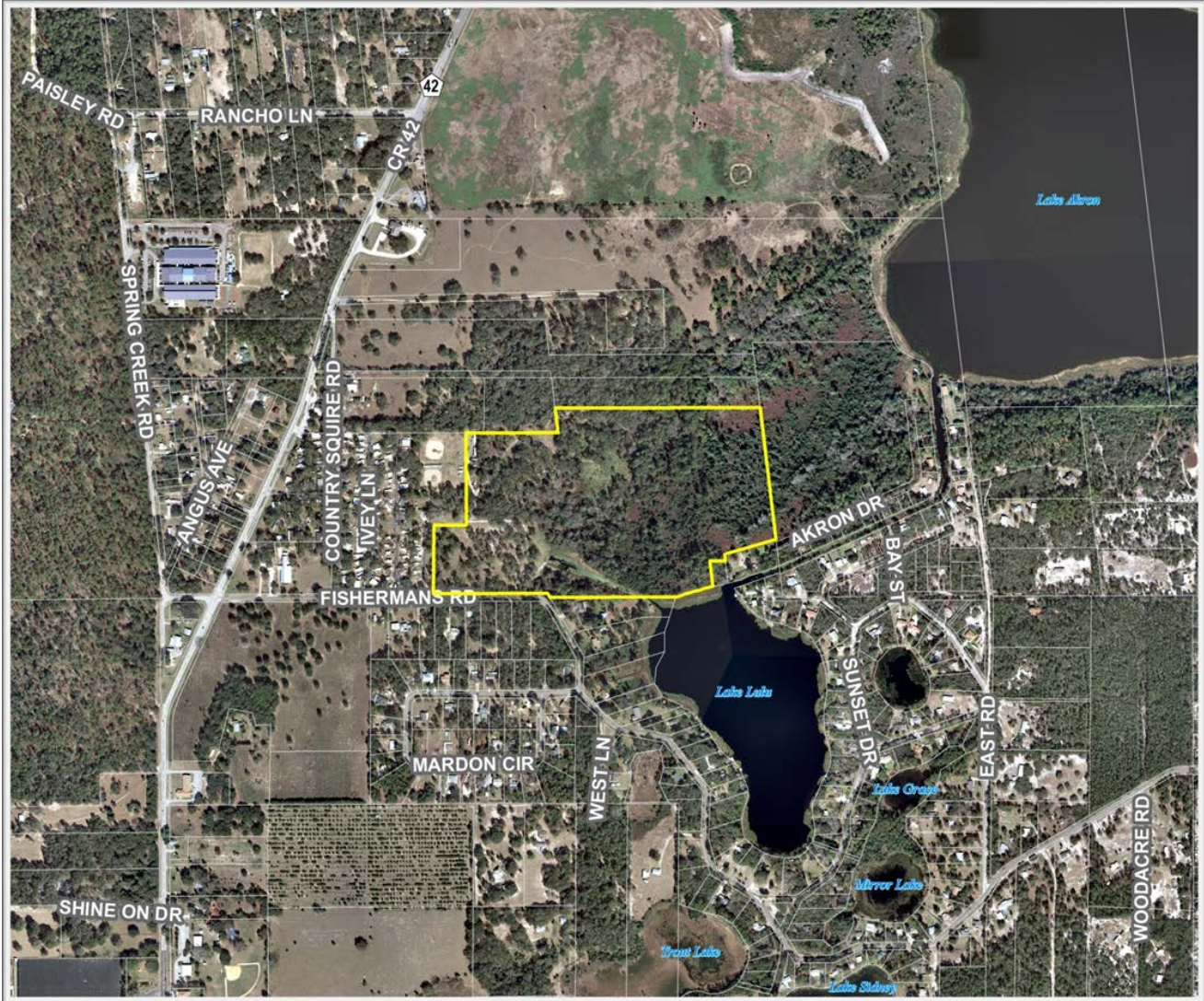
LAKE COUNTY PLANNING AND ZONING DIVISION
REZONING STAFF REPORT

PLANNING AND ZONING BOARD
March 30, 2016



BOARD OF COUNTY COMMISSIONERS
April 19, 2016

RZ-16-03-5 Sangster Property Rezoning	District 5	Agenda Item # 5
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Requested Action: To rezoning 52.19 acres of the existing 77.44-acre Country Squire Mobile Home Park to Agriculture zoning.

General Location: Paisley area, along Fishermans Road.

Owner: Robert Sangster (the "Owners")

Applicant: Robert Sangster (the "Applicant")

- Site Location & Information -

Size	52.19 +/- acres
Location	Fishermans Road
Alternate Key #	3877675 (effected parcel)
Future Land Use	Rural
Existing Zoning District	RMRP (Mobile Home Rental Park)
Proposed Zoning District	A (Agriculture)
Joint Planning Area	none

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	A	Undeveloped	Wooded
South	Rural	A	Residential	Single family units
East	Rural	A	Undeveloped	Forested/wooded
West	Rural Low	A	Residential	Developed Country Squire MHP

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** to rezone 52.19 acres of property from RMRP to Agriculture.

PLANNING AND ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The rezoning application to rezone 52.19 acres of the 77.44 acre Country Squire Mobile Home Park (Attachment 1). The property is the eastern undeveloped Phase 2 of the mobile home park. The western portion of the park is developed with mobile homes. The Applicant intends to use the property for cattle grazing and other agriculture 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 proposed use of the property for cattle grazing is consistent with the definition, purpose and intent of the Agriculture Zoning District pursuant to Land Development Regulations (LDR) 3.00.02 C. The use of the property for cattle grazing is consistent with the definition of Agriculture specified in the LDRs.

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

The property proposed for Agriculture rezoning is situated within the Rural Future Land Use areas of the County. Comprehensive Plan (Comp Plan) Policy I-1.4.4 allows agriculture uses within Rural Future Land Use category.

Additionally the proposed use is consistent with Comp Plan Policy I-1.2.8 which specifies that agriculture uses shall be recognized as a suitable uses in all future land use categories.

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

The proposed rezoning application does not create any inconsistent land uses in the area and is consistent with the existing use of the property.

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

The Country Squire Mobile Home Park (MHP) was approved in 1984 for 281 mobile home lots. Since that time only Phase 1 of the MHP has been developed or approximately 122 lots. The last building permit for property located in Phase 1 was issued in September 2015. At this time, the County has not received any permit applications for the development of Phase 2.

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 impacts are anticipated by the proposed rezoning to Agriculture for cattle grazing.

Water and Sewage – No adverse impacts are anticipated by the proposed agriculture use. However, future use wells and septic tanks will require permit approval by the Florida Department of Health.

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

Fire and Emergency Services - Lake County Fire Station 10, located at 23023 SR 40, less than 3 miles east of the property, will provide fire-emergency services.

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

The proposed rezoning for cattle grazing is not expected to result in general adverse impacts to the natural environment. However, a tree removal application will be required for the removal of any trees to accommodate the cattle grazing activity.

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.

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

The rezoning application would not result in a disorderly or illogical development patter 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.

None

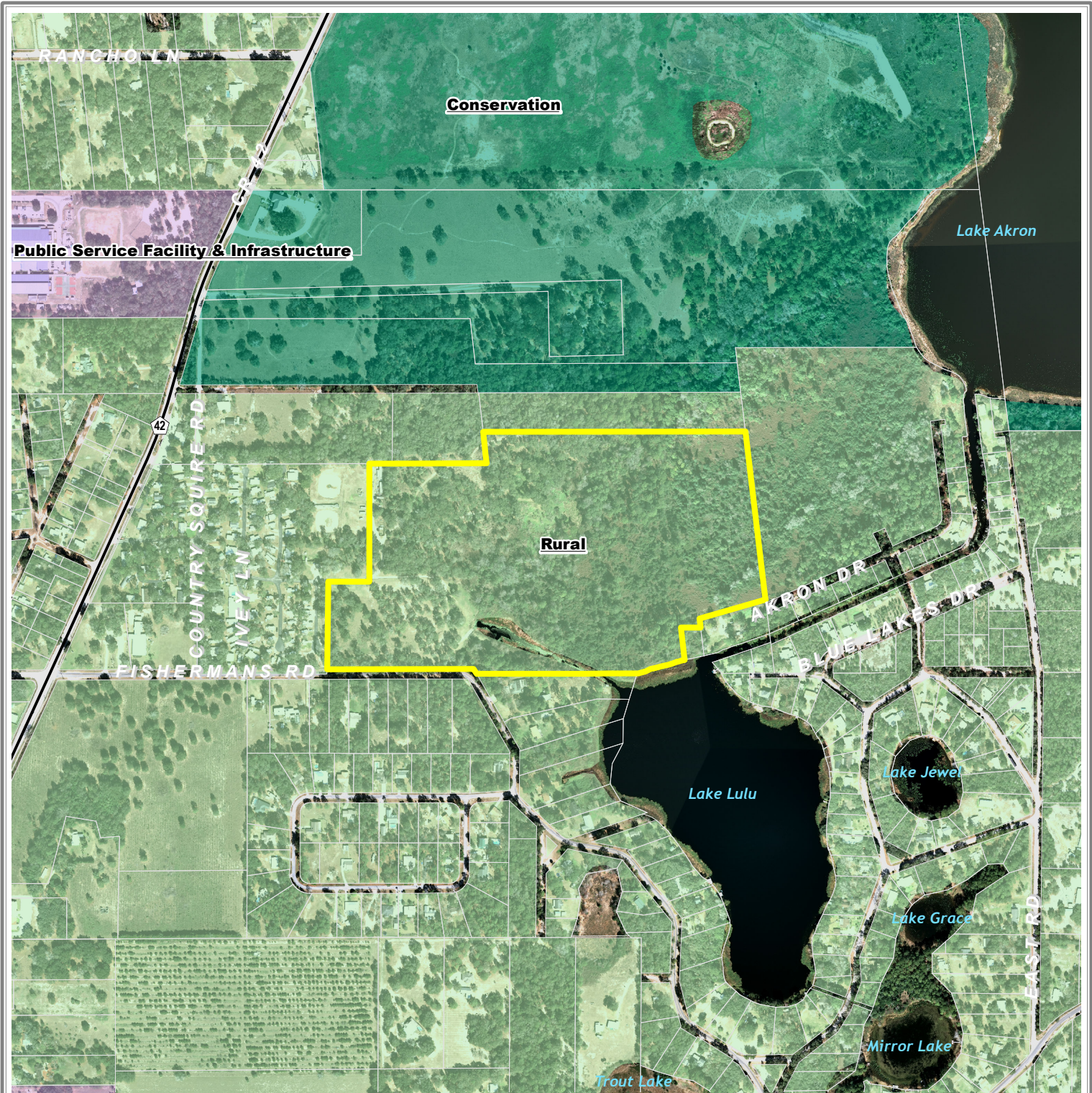
FINDINGS OF FACT: Staff has reviewed the application for the proposed rezoning and found:

1. The rezoning application is consistent with Comp Plan I-1.2.8 which specifies that agriculture uses shall be recognized as a suitable uses in all future land use categories.
2. The rezoning application is consistent with Comp Plan Policy I-1.4.4 which allows agriculture uses situated within the Rural Future Land Use area of the County.
3. The proposed rezoning application and the proposed use for cattle grazing is consistent with agriculture definition and permissible uses within the Agriculture Zoning District pursuant to LDR 3.00.02 C.

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

Case Manager: Steve K. Greene, AICP, Chief Planner

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



FUTURE LAND USE LEGEND

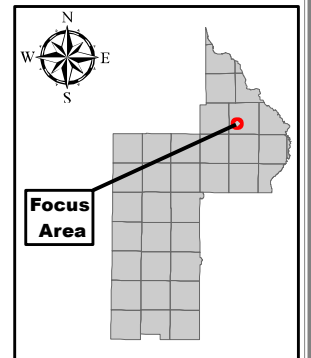
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|--------------------------------|--|---------------------|----------------------|
| Bella Collina | Heavy Industrial | Recreation | Urban Low Density |
| Cagans Crossing | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Medium Density |
| Conservation | Mt Plymouth-Sorrento Neighborhood | Rural | |
| Green Swamp Core Conservation | Mt Plymouth-Sorrento Receiving Area | Rural Transition | |
| Green Swamp Ridge | Regional Office | Sending Area A-1-20 | |
| Green Swamp Rural | Public Service Facility and Infrastructure | Sending Area A-1-40 | |
| Green Swamp Rural Conservation | Receiving Area A-1-20 | Urban High Density | |

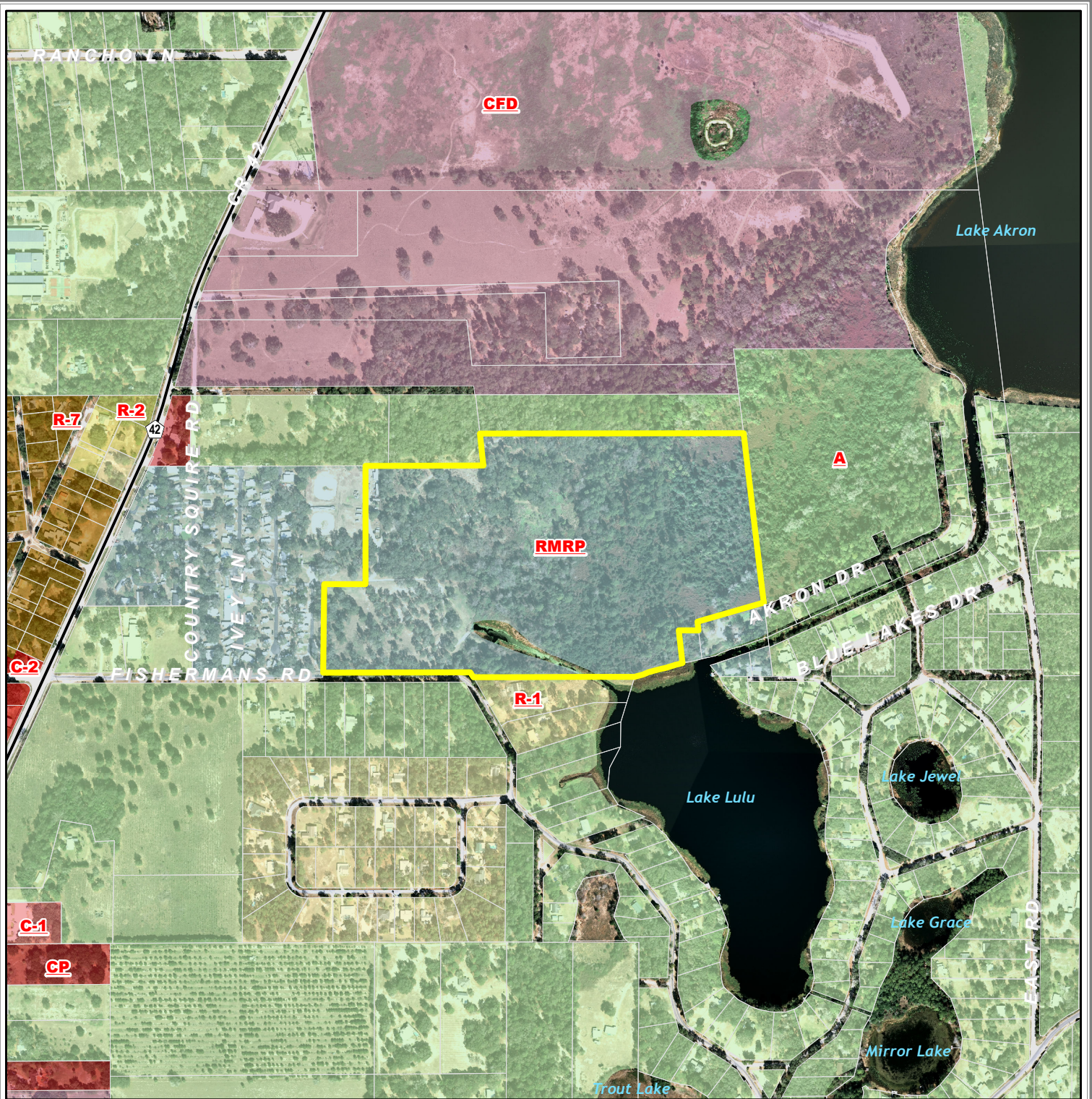
NAME: SANGSTER PROPERTY

CASE NUMBER: RZ-16-3-5

LOCATION (S-T-R): 20-17-28

REQUEST: RENTAL MOBILE HOME PARK TO AGRICULTURE

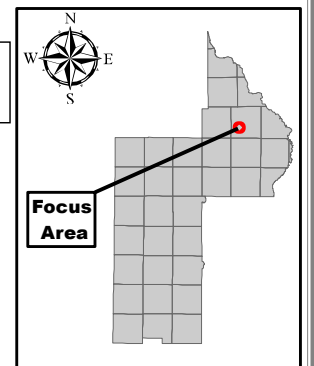




ZONING LEGEND

A	RA	R-2	R-4	R-7	RMRP	RV	C-2	LM	MP	PUD
AR	R-1	R-3	R-6	RP	RM	C-1	CP	HM	CFD	

NAME: SANGSTER PROPERTY
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1 Ordinance #2016-XX
2 Sangster Property
3 RZ-16-03-5
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5 AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE
6 LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.
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8 WHEREAS, Robert Sangster (the "Applicant" and "Owner") made a request to rezone property
9 from Rental Mobile Home Park (RMRP) to Agriculture (A); and

10 WHEREAS, the subject property consists of 27 +/- acres and is generally located along
11 Fisherman's Road, in the Paisley area, in Section 20, Township 17 South, Range 28 East, having Alternate
12 Key Number 3877675, and more particularly described below:

13 That part of Section 20, Township 17 South, Range 28 East, Lake County, Florida, described as
14 follows: Commencing at the Southeast corner of the Southwest ¼ of the Southeast ¼ of Section 20, thence
15 run N 83°35'50" W a distance of 2264.64 feet to the Point of Beginning, thence run N 06°23'12" E a
16 distance of 470.00 feet, thence run N 83°35'50" E a distance of 210.00 feet, thence run N 06°23'12" E a
17 distance of 641.75 feet, thence run S 83°22'08" E a distance of 593.97 feet, thence run N 00°13'47" E a
18 distance of 114.86 feet, thence run S 83°22'15" E a distance of 1337.73 feet to the East line of the
19 Southwest ¼ of the Southeast ¼ of Section 20, thence run South along said East line a distance of 849.67
20 feet, thence run S 80°34'30" W a distance of 352.53 feet, thence run S 00°00'00" E a distance of 45.00
21 feet, thence run North 83°37'20" W a distance of 100.00 feet, thence run S 00°00'10" E a distance of
22 155.00 feet, more or less to the shore of Lake Lulu, thence westerly along the shore of Lake Lulu to the
23 intersection with the south line of said Section 20, thence West along said South line of the Point of
24 Beginning.

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

27 WHEREAS, the Lake County Planning & Zoning Board reviewed Petition RZ-16-3-5 on the 30th,
28 day of March, 2016, after giving Notice of Hearing on petition for a change in the use of land, including
29 notice that said petition would be presented to the Board of County Commissioners of Lake County,
30 Florida, on the 19th day of April, 2016; and

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

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

36 NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County,
37 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they
38 pertain to the above subject property, subject to the following terms:

39 Section 1. Terms: The County Manager or designee shall amend the Official Zoning Map to rezone the
40 subject property from Residential Mobile Home Park (RMRP) to Agriculture (A) in accordance
41 with this Ordinance.

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Section 2. Development Review and Approval: Prior to the issuance of any permits, the Owner shall be required to submit applications for and receive necessary final development order approvals as provided in the Lake County Comprehensive Plan and Land Development Regulations. The applications for final development orders shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

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

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

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

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ENACTED this _____ day of _____, 2016.
FILED with the Secretary of State _____, 2016.
EFFECTIVE _____, 2016.

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BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

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SEAN M. PARKS, CHAIRMAN

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ATTEST:

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

APPROVED AS TO FORM AND LEGALITY

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MELANIE MARSH, COUNTY ATTORNEY