



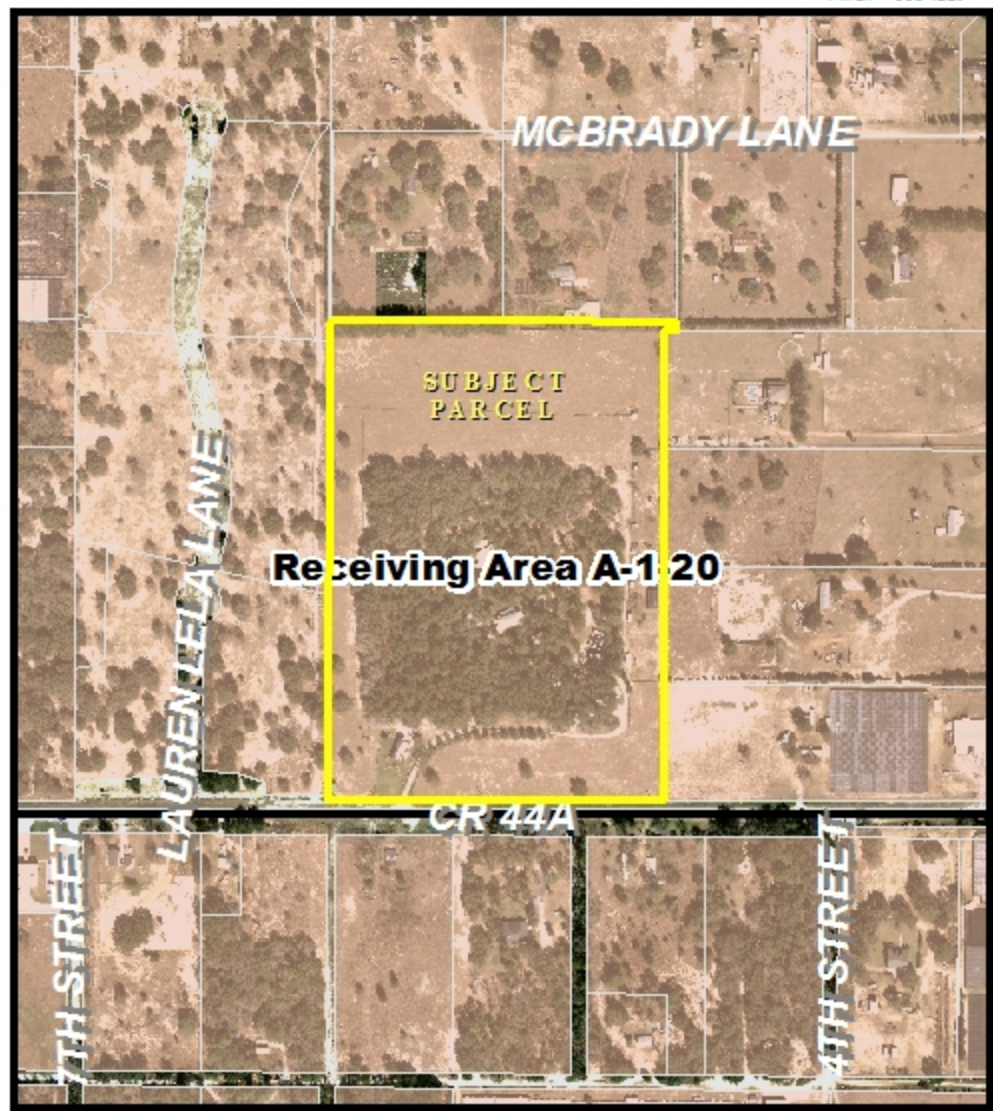
### CURRENT ZONING

1 inch = 500 feet



### CURRENT 2030 FUTURE LAND USE

1 inch = 500 feet



Zoning Legend

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

FU Legend

Cagans Crossing Conservation	Mt Plymouth - Sorrento Main Street District
Green Swamp Core Conservation	Mt Plymouth - Sorrento Proper
Green Swamp Ridge	Mt Plymouth - Sorrento Receiving Area
Green Swamp Rural	Office
Green Swamp Rural Conservation	Public Service Facility and Infrastructure
Heavy Industrial	Recreation

Regional Commercial	Urban Medium Density
Rural	
Rural Transition	
Sending Area A-1-20	
Sending Area A-1-40	
Urban High Density	
Urban Low Density	

## FREDRICKS PROPERTY REZONING

**CASE NO.**  
RZ -15-04-5

**CASE LOCATION:**  
Section 32-18S-28E

**REQUESTING:**  
AGRICULTURE TO  
COMMUNITY FACILITY  
DISTRICT

**LAKE COUNTY FLORIDA**  
Lake County Planning & Community Design  
Growth Management Dept





- 1           A. **Land Use:** Use of the land area described in Exhibit "A" of this Ordinance shall be limited to a  
2 house of worship/church facility and accessory uses.
- 3           B. **Open Space, Setbacks, and Parking:** Open Space, Setbacks, and Parking shall be in  
4 accordance with the Comprehensive Plan and LDR, as amended.
- 5           C. **Floor Area Ratio/Intensity, Impervious Surface (ISR), and Height of Structures:** Floor  
6 Area Ratio/Intensity, Impervious Surface Ratio, and Structure Height shall be in accordance  
7 with the Comprehensive Plan and LDR, as amended.
- 8           D. **Landscaping, Buffering, and Screening:** Landscaping, Buffering, and Screening shall be in  
9 accordance with the Comprehensive Plan and Land Development Regulations, as amended.
- 10          E. **Transportation Improvements/Access Management:**
- 11           1. **Access Management:** All access management shall be in accordance with the  
12 Comprehensive Plan and Land Development Regulations, as amended.
- 13           2. **Traffic Analysis:** A Traffic Impact Analysis will be required with any future site plan  
14 submittal. Any transportation improvements recommended as a result of the traffic impact  
15 analysis will be addressed as part of the site plan approval.
- 16          F. **Signage:** All signage shall be accordance with the Comprehensive Plan and Land  
17 Development Regulations, as amended.
- 18          G. **Lighting:** Exterior lighting shall be cut-off type and in accordance with the Land Development  
19 Regulations, as amended, and consistent with Dark-Sky principles. A photometric plan for all  
20 exterior lighting shall be provided with the site plan application.
- 21          H. **Fire Protection:** Fire Protection shall be in accordance with the all applicable federal, state,  
22 and local codes and/or regulations, as amended.
- 23          I. **Utilities:**
- 24           1. The provision of potable water, as applicable, shall be permitted in accordance with Florida  
25 Department of Health, Florida Department of Environmental Protection, the  
26 Comprehensive Plan, and Land Development Regulations, as amended.
- 27           2. Septic and sewage service, as applicable, shall be permitted in accordance with the  
28 Florida Department of Health, Florida Department of Environmental Protection, the  
29 Comprehensive Plan, and Land Development Regulations, as amended.
- 30           3. Any portion of an on-site septic system shall be setback 100 feet from the wetland  
31 jurisdiction line in accordance with the Comprehensive Plan, as amended.
- 32          J. **Concurrency Management Requirements:** Any development shall comply with the Lake  
33 County Concurrency Management System, as amended.
- 34          K. **Development Review and Approval:** Prior to the issuance of permits, the Applicant shall be  
35 required to submit a site plan application generally consistent with Exhibit "B" - Conceptual  
36 Plan, attached, for review and approval in accordance with the Comprehensive Plan and LDR,  
37 as amended.
- 38          L. **Future Amendments to Statutes, Code, Plans, and/or Regulations:** The specific references  
39 in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County  
40 Comprehensive Plan, and Lake County Land Development Regulations shall include any  
41 future amendments to the Statutes, Code, Plans, and/or Regulations.



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

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

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

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

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

22 F. Action by the Lake County Code Enforcement Special Master. The Lake County Code  
23 Enforcement Special Master shall have authority to enforce the terms and conditions set forth  
24 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.

28 **Section 4. Filing with the Department of State:** The clerk shall be and is hereby directed forthwith to  
29 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance  
30 with Section 125.66, Florida Statutes.  
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32 **Section 5. Effective Date.** This Ordinance shall become effective as provided by law.  
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ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.  
FILED with the Secretary of State \_\_\_\_\_, 2015.  
EFFECTIVE \_\_\_\_\_, 2015.

BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA

\_\_\_\_\_  
JIMMY CONNER, 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"  
Concept Plan

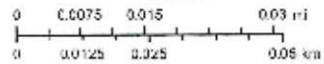
Fox Valley Chapel



January 28, 2015

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- |                         |                           |
|-------------------------|---------------------------|
| County Boundary         | Subdivision Lots          |
| Street Names            | Boundary Line Dimensions  |
| Local Streets           | Property Name             |
| Subdivision Boundaries  | Tax Parcels Alternate Key |
| Subdivision Blocks      | Tax Parcels               |
| Subdivision Lot Numbers | Surrounding Counties      |



RECEIVED  
JAN 29 2015  
BY: \_\_\_\_\_

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

PLANNING AND ZONING BOARD  
April 1, 2015



BOARD OF COUNTY COMMISSIONERS  
April 21, 2015

<b>RZ-15-04-5</b> Fredericks Property	<b>Case Manager:</b> Steve K. Greene, AICP Chief Planner	<b>Agenda Item # 1</b>
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**Owner:** Carole and John Fredricks, Trustees (the "Owner")

**Applicant:** same

**Requested Action:** Rezone approximately 1.4 acres of a 25.60-acre Agriculture zoned parcel to Community Facility District (CFD) zoning.

### - Site Location & Information -

Approximate site location shown with a **red line**.



Size	1.4 acres	
Location	Wekiva area, approx.. 2 miles east of CR 439 on CR 44A	
Alternate Key #	2997311	
Future Land Use (FLU)	Wekiva A-1-20 Receiving Area	
Zoning District & Density	<b>Existing</b>	<b>Proposed</b>
	Agriculture/ 1 dwelling/5 net acres	CFD – N/A
Floor Area Ratio (FAR)	.10 max (LDR)	1.0 max. (LDR)
Impervious Surface Ratio (ISR)	.10, max (LDR)	.30 (Comp Plan)
Joint Planning Area	None	
Utility Area:	None	
Site Utilities	Well and Septic Tanks	
Road Classification	CR 44A _ Rural Major Collector	
Flood Zone/ FIRM Panel	Zone X – outside the .2% annual chance of floodplain Panel-C024E	
Commissioner District	4 - Campione	

**Site Visit:** March 20, 2015

**Posting:** March 20, 2015 (2 Signs)

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Wekiva Receiving A-1-20	Agriculture (A)	Single-family residential (SFR)	Small ag. acreage
South	Wekiva Receiving A-1-20	A	CR 44A	SFR on south-side of CR 44A
East	Wekiva Receiving A-1-20	A	SFR	Small ag. acreage
West	Wekiva Receiving A-1-20	A	Agriculture subdivision	Paved road access for SFR lots

– Summary of Staff Determination –

**STAFF RECOMMENDATION:** Staff recommends **Approval** of the application to rezone 1.4 acres from Agriculture (A) to Community Facility District (CFD), with conditions.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

– Summary of Analysis –

The Applicant is requesting to rezone approximately 1.4 acres out of 25.60 total acres from Agriculture (A) to Community Facility District (CFD). The request is presented in-part due to a Code issue of conducting religious services without proper authorization. The property owner had converted an agriculture structure into a church building for family religious services, only. However, community interest in the religious use has prompted the Property Owner to seek proper authorization in order to allow public access to the religious use and church building.

– 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's request for Community Facility District zoning is permitted within most FLUCs as specified on Land Development Regulation (LDR), Table 3.00.03, *Land Use-Zoning District Matrix*. LDR, Section 3.01.03, *Schedule of Permitted and Conditional Uses*, recognizes churches as a Community Facility use.

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

The application request for CFD zoning is consistent with Comprehensive Plan Policy I-3.2.3 for development within the Wekiva River Protection Area A-1-20 Receiving Area which allows religious organizations. As a community facility use, a church would therefore be a permissible use within this future land use category.

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

The surrounding area land uses consist of single-family residential and agriculture uses. Use of the Agriculture zoned property for religious worship without proper rezoning creates an inconsistency with the zoning district. Rezoning the property to CFD would bring the use of the property into conformance.



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

Although there have been no recent CFD rezoning in the area over the past five (5) years, the Applicant's use of the property for religious worship predicates the need and justification for the rezoning request.

**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 anticipated to affect CR 44A.

**Water and Sewage** – The proposed facility will be required to obtain potable water and sanitary septic permits prior to commencement of non-residential use.

**Fire & Emergency Services** – Lake County Fire and Rescue Station #39 located in Sorrento, is the facility that will provide services to the property. Station #39 is less than five (5) miles from the subject property and has a response time of five (5) minutes or less.

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

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

The property has been previously disturbed with development. Although adverse impacts are not anticipated, any future development will require submittal of an Environmental Assessment pursuant to LDR.

**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 amendment will not adversely impact the existing development pattern within 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.**

N/A

**FINDINGS OF FACT:**

1. The proposed rezoning is consistent with Comprehensive Plan Policy I-3.2.3, entitled "Wekiva River Protection Area A-1-20 Receiving Area" Future Land Use which allows "religious organizations" such as churches.

2. The proposed rezoning is consistent with LDR, Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which recognizes churches as a Community Facility use and LDR Table 3.00.03, Land Use-Zoning District Matrix.

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

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