

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
APPLICATION FOR CONDITIONAL USE PERMIT

PLANNING & ZONING BOARD
 April 1, 2015



BOARD OF COUNTY COMMISSIONERS
 April 21, 2015

CUP-15-03-1 Cypress Ridge Hunting Preserve	Case Manager: Rick Hartenstein, AICP, CPM Senior Planner	Agenda Item # 3
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Applicant: Greg Noland (the "Applicant")
Owner: Greg and Lori Noland (the "Owners")

Requested Action: The Applicant seeks Conditional Use Permit (CUP) approval to establish an outdoor small-scale sporting and recreational camp use (hunting camp) on approximately forty (40) +/- acres.

- Site Location & Information -

Approximate site location outlined in **Red**



Size	40 +/- acres	
Location	South Groveland area, CR 565 south, east on Empire Church Road, south on Mattioda Road to 10935 Mattioda Road on the right	
Alternate Key #	3792585 and 3785895	
Future Land Use	Green Swamp Core Conservation	
	Existing	Proposed
Zoning District	A	A
Density	1 du/20 net acres	1 du/20 net acres
Floor Area Ratio (FAR) Comp Plan – Not Specified LDR Table 3.02.06 – 0.10 (max)	0.0028	0.0035
Impervious Surface Ratio (ISR) Comp Plan Policy I-4.2.5 – 0.10 (max) LDR Table 3.02.06 – 0.10 (max)	0.0094	0.0129
Joint Planning Area	N/A	
Utility Area	N/A	
Site Utilities	Well and Septic System	
Road Classification	Mattioda Road - Rural Local Road	
Flood Zone/ FIRM Panel	X & A/ Panel – 0545E Effective 12/18/2012	
Commissioner District	1 (Sullivan)	

Site Visit : March 18, 2015

Sign Posted: Mach 18, 2015 (4 posted)

Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Green Swamp Core Conservation	Agriculture (A)	SFR	N/A
South	Green Swamp Core Conservation	Agriculture (A)	Wetland & Undeveloped Land	N/A
East	Green Swamp Core Conservation	Agriculture (A)	Wetlands & Undeveloped Land	N/A
West	Green Swamp Core Conservation	Agriculture (A)	SFR	N/A

– Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the CUP application for outdoor small-scale sporting and recreational camp use (hunting camp) in accordance with conditions specified in the proposed Ordinance.

PLANNING & ZONING BOARD RECOMMENDATION:

– Summary of Analysis –

The Applicant is requesting Conditional Use Permit (CUP) approval for an outdoor small-scale sporting and recreational camp (hunting camp) located on Mattioda Road, in the south Groveland area.

The property currently contains 10 buildings, comprising of 1 residential dwelling (property owner's home), 1 barn, 3 agriculture/storage/utility structures, a sauna, and 4 roofed-open air structures (shade structures) as demonstrated on Staff Exhibit 2 (Conceptual Plan). The application indicates there is an on-going farming (pasture/hay) operation and domestic animal uses on the property. The CUP application was submitted to allow the property owner to operate a hunting camp and construct a 1200 square foot (maximum) building to be utilized as guest quarters for guests associated with the hunting camp.

The property is situated within the Green Swamp Core Conservation Future Land Use Category (FLUC) and is currently zoned Agriculture. The proposed conditional use for an outdoor small-scale sporting and recreational camp (hunting camp) is consistent with the FLUC and the Land Development Regulations (LDR) as demonstrated by the analysis below.

– STANDARDS OF REVIEW & ANALYSIS –

(Per Section 14.05.03 of the Land Development Regulations)

A. Consistency with the Comprehensive Plan and Local Code (Land Development Regulations).

Being situated within the Green Swamp Core Conservation FLUC (Staff Exhibit 1 – Public Hearing Map) the property is subject to Comprehensive Plan Policy I-4.2.5. This future land use limits the residential density to 1 dwelling per 20-net acres. The proposed outdoor small-scale sporting and recreational camp (hunting camp) is an allowable use, with conditional use permit (CUP) approval. The outdoor sports and recreation clubs use is defined in the Comprehensive Plan as “Establishments primarily engaged in operating sporting and recreational camps, such as boys’ and girls’ camps, and fishing and hunting camps.”

The 2030 Comprehensive Plan defines “Small-scale sporting and recreational camps” as “Outdoor Sports and Recreation clubs that are comprised of 20-developed acres or less (excluding areas maintained in their natural state).” The property identified in this application contains 40 acres with less than 19-developed acres and more than 21 acres maintained in its natural state, consistent with the definition and subsequently consistent with the FLUC. A condition is included in the proposed ordinance limiting the use to a maximum of 20 acres of improved area to ensure conformity with this requirement. The proposed uses specified above are consistent with this definition.

Land Development Regulation (LDR) Table 3.01.03 Schedule of Permitted and Conditional Uses, shows hunting and fishing resorts being permissible within the Agriculture zoning district with CUP approval.

1. The proposed Conditional Use will not have an undue adverse effect upon nearby property.

The proposed CUP Ordinance contains provisions to ensure mitigation of adverse impacts on adjacent properties through the implementation of setbacks. The ordinance proposes a minimum 50-ft setback from property lines for the storage of vehicles or materials associated with the hunting camp.

2. The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.

The adjacent area is predominantly vacant and undeveloped rural acreage. There are nearby residential/agricultural uses to the north and west and wetlands and undeveloped land to the south and east. Given the nature of the proposed use, it is appropriate for a remote low density area. The conditions in the proposed ordinance will mitigate the impacts to surrounding property owners by limiting the developed areas and providing setbacks for the storage of vehicles and material associated with the hunting camp as specified in the attached CUP ordinance. By implementing the conditions established in the CUP, the proposed use on the property will be compatible with the surrounding land uses. In addition, conditions have been established in the CUP related to the design and placement of the guesthouse/lodge which will allow the structure to be converted into an accessory dwelling unit should the CUP be abandoned or revoked.

3. All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through design, landscaping, and screening.

Conditions have been placed in the CUP Ordinance related to vehicle and material storage, design criteria for the guesthouse/lodge, and structure location on the property to mitigate any adverse impacts to adjacent property owners.

4. The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development of the neighboring property, in accordance with applicable district regulations.

The proposed guest house/lodge will be constructed behind the front setback of the principal residence and off to the east towards the tree line as shown on the concept plan. The guesthouse/lodge will be constructed in accordance with the accessory dwelling unit criteria contained in Section 10.01.03, LDR. If the CUP is abandoned or revoked, this will allow the conversion of the guesthouse/lodge into an accessory dwelling unit without creating a non-conforming use. As demonstrated on the concept plan, the establishment of the hunting camp should not cause any interference with the development of neighboring properties.

B. Adequacy of Public Facilities.

The proposed conditional use will be served by adequate public facilities including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, park and recreation, schools, and fire and emergency medical facilities. Levels of service established by the Comprehensive Plan shall be considered.

The proposed activities on the property are not expected to place additional demands on public facilities.

C. Adequacy of Fire Protection.

The Applicant shall obtain from the Lake County Emergency Services Division written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

The subject parcel is located approximately 5 mile response zone from Fire Station 111 at 8805 Bay Lake Road. The station has an above ground tank for a water source. According to fire emergency staff, a fire at this location would result in a response of four (4) 750-gallon engines, three (3) 3,000-gallon tankers and one (1) 6,000 gallon super tanker.

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FINDINGS OF FACT: Staff has reviewed the application for the proposed conditional use permit and found:

1. The conditional use application is consistent with Comprehensive Plan Policy I-4.2.4 and conforms to the general land use criteria and activities of the Green Swamp Rural Conservation Future Land Use Category with the conditions contained the proposed ordinance.
2. The conditional use application is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which allows Recreational Uses (Hunting and Fishing Resorts) in the Agriculture (A) Zoning District with the issuance of a conditional use permit.

Therefore, based on these findings of fact, staff recommends **APPROVAL with conditions**, as specified in the proposed ordinance.

WRITTEN COMMENTS FILED: Supportive: -0-

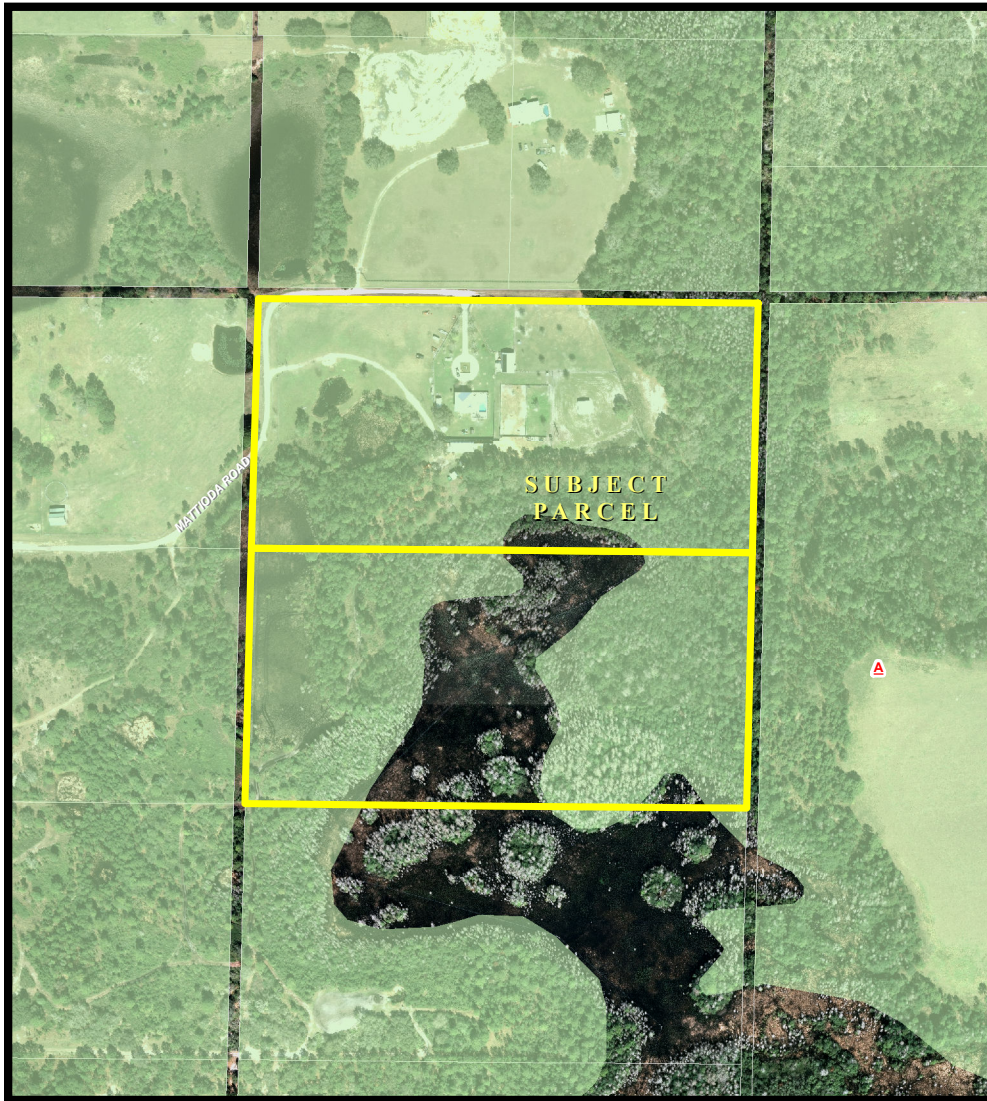
Concern: -0-

Opposition: -0-



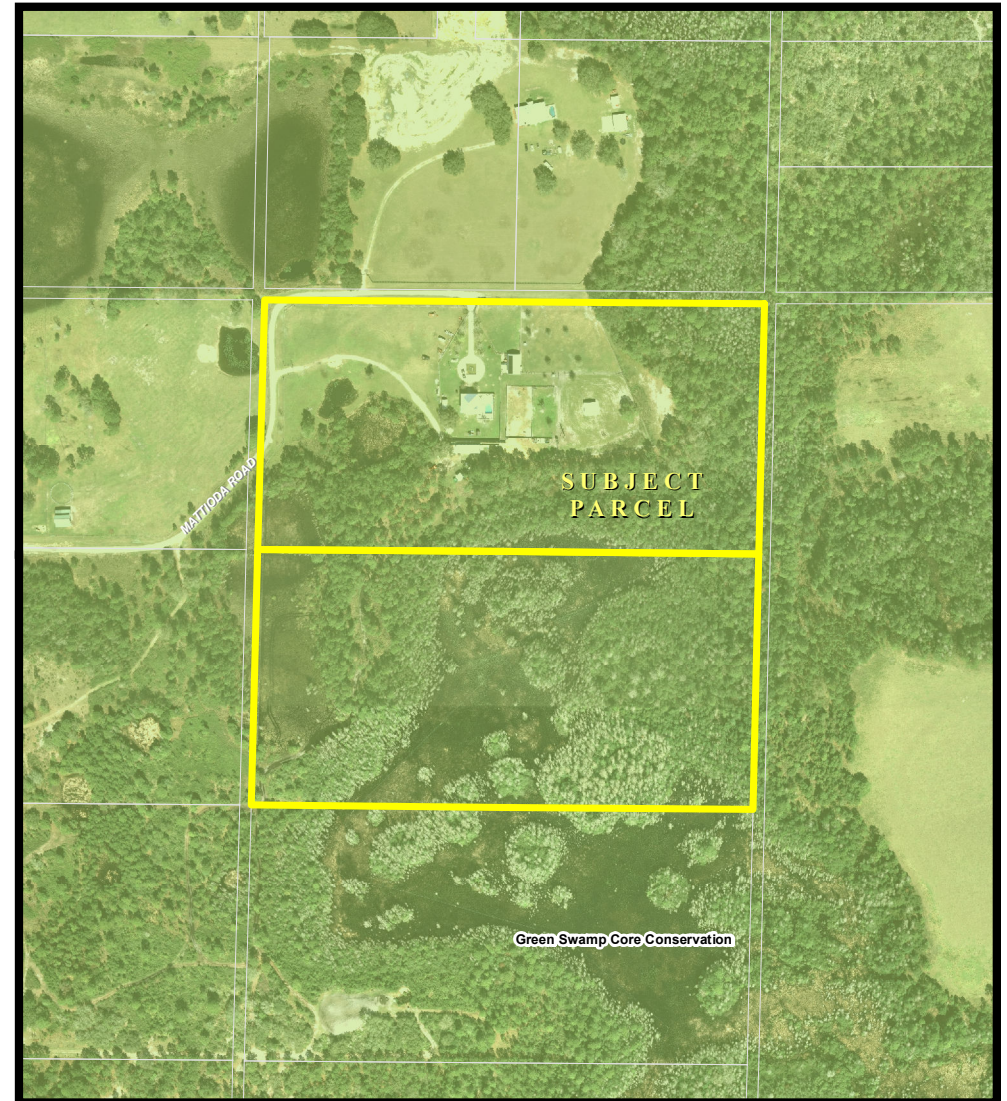
CURRENT ZONING

1 inch = 500 feet



CURRENT 2030 FUTURE LAND USE

1 inch = 500 feet



Zoning Legend

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

FLU Legend

Cagans Crossing Conservation
Green Swamp Core Conservation
Green Swamp Ridge
Green Swamp Rural
Green Swamp Rural Conservation
Heavy Industrial

Mt Plymouth - Sorrento Main Street District
Mt Plymouth - Sorrento Proper
Mt Plymouth - Sorrento Receiving Area
Office
Public Service Facility and Infrastructure
Receiving Area A-1-20
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	

**CYPRESS RIDGE HUNTING PRESERVE
CONDITIONAL USE PERMIT
"STAFF EXHIBIT 1"**

CASE NO.
CUP #15-03-1

CASE LOCATION:
11-23E-24S

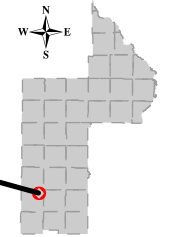
REQUESTING:
**CUP in Agriculture
for a Hunting Club**



**LAKE COUNTY
FLORIDA**

Lake County
Planning & Community
Design

Growth Management Dept



FOCUS AREA

ORDINANCE #2015-xx
CYPRESS RIDGE HUNTING PRESERVE
CUP-15-03-1

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

WHEREAS, Greg Noland (the "Applicant"), on behalf of himself and Lori Noland (together, the "Owner") has made a request for a Conditional Use Permit (CUP) on property in the Agriculture (A) Zoning District for an Outdoor Small-scale sports and recreational camp (hunting camp) use; and

WHEREAS, the subject property consists of approximately 40 +/- acres and is generally located in the south Groveland area, south of Empire Church Road on Mattioda Road in Section 11, Township 23 South, Range 24 East, lying within Alternate Key Numbers 3792585 and 3785895, and more particularly described below:

LEGAL DESCRIPTION: Tracts 7, 8, 9, and 10 Groveland Farms, Section 11, Township 23 South, Range 24 East according to the plat thereof as recorded in Plat Book 2, Pages 10 and 11, Public Records of Lake County, Florida.

WHEREAS, the subject property is located within the Green Swamp Core Conservation Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Board of County Commissioners deems it necessary and desirable, in order to protect the public health, safety, and general welfare of the citizens of Lake County and in accordance with the purpose and intent of the Land Development Regulations (LDR), to require compliance with the special conditions hereinafter set forth.

WHEREAS, this Conditional Use Permit (CUP-15-03-1) was reviewed by the Planning and Zoning Board on the 1st day of April, 2015 and by the Board of County Commissioners of Lake County, Florida on the 21st day of April, 2015; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

Section 1 Permission is hereby granted for the operation of an Outdoor Small-Scale Sports and Recreational Camp (Hunting Camp) as a Conditional Use within the Agriculture (A) Zoning District.

Section 2 Terms: This Ordinance shall mean and include the total of the following uses as included herein. The County Manager or designee shall amend the Lake County Zoning Map to reflect a Conditional Use Permit, in accordance with this Ordinance. To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance shall take precedence.

A. Land Uses: Use of the site shall be limited to the use specified below and generally consistent with EXHIBIT "A" - Conceptual Plan:

1. All permitted uses within the Agriculture (A) Zoning District;
2. Residential density: 1 dwelling per 20 net acres (maximum)
3. The following Outdoor Small-Scale Sports and Recreational Uses (Hunting Camp):
 - a. Accessory dwelling unit structure for hunting camp guest quarters not to exceed 1,200 SF total.
 - b. All Terrain Vehicles (ATVs) riding associated with a hunting trip. Disturbance of wetland areas is

1 prohibited.

2 c. Fishing and Hunting.

3 d. A 100' X 50' building to be used as a workshop, equipment repair/storage, and carport area only.

4 e. Passive Recreation Activities, including but not limited to: hiking, horseback riding, wildlife
5 appreciation, picnicking, and swimming.

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

9 B. Specific Conditions:

10 1. Site Plan Required. Site plan approval is required for any Outdoor Small-Scale Recreational Camp
11 structures and uses.

12 2. Developed Area:

13 a. The developed area of the Outdoor Sports and Recreational Camp and its accessory uses shall
14 not exceed 20-acres of developed land area on Groveland Farms Tract 7 & 8 (Alternate Key
15 #3792585). For the purpose of this section the building areas shall count towards this limitation.
16 There shall be no cleared, compacted or paved trail areas developed, constructed, or created for
17 the horseback or ATV riding uses on the property; any such clearing, compacting or paving shall
18 count toward the development limitation of twenty (20) acres.

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20 b. The twenty (20) acres identified as Groveland Farms Tract 9 & 10 (Alternate Key #3785895) shall
21 maintain this land area (20 acres) as undeveloped. The construction and/or placement of any
22 structures within this land area is prohibited. There shall be no cleared, compacted or paved trail
23 areas developed, constructed, or created for the horseback or ATV riding uses on the property.

24 C. Setbacks. All buildings shall be setback in accordance with the LDR, as amended. There shall be no
25 storage of vehicles or materials associated with the hunting camp within 50 feet of the property lines. The
26 Accessory Dwelling Unit (Guest House/Lodge) shall be setback behind the front of the principal residence.

27 D. Open Space, Impervious Surface Ratio and Floor Area Ratio, Building Height: Shall be in accordance with
28 the Comprehensive Plan and LDR, as amended. No driving routes/trails shall be paved on the twenty (20)
29 acres identified as Groveland Farms Tract 9 & 10 (Alternate Key #3785895).

30 E. Solid waste disposal shall be managed in accordance with Lake County Code, as amended.

31 F. Fire Protection, Public Safety, and Emergency Services Access:

32 1. Access and fire safety requirements of the property shall be provided in accordance with the Florida
33 Fire Prevention Code and LDR, as amended.

34 2. All structures on the property shall be in compliance with the Florida Building Code, except for those
35 structures exempt from compliance pursuant to Florida law.

36 G. Lighting: Exterior lighting shall be in accordance with the LDR, as amended, consistent with Dark-Sky
37 Principles and shall be directed in a manner that does not illuminate adjacent properties or public right of
38 ways

39 H. Signage: Signs shall be in accordance with the LDR, as amended.

- 1 I. Outside Agencies: The use of the site shall be in conformity with all Federal, State and Local Regulations
2 at all times.
- 3 J. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be required
4 to submit a site plan to incorporate the features of EXHIBIT "A" – Conceptual Plan, for review and approval
5 in accordance with the Comprehensive Plan and LDR, as amended. Any deviation that is not generally
6 consistent with the Conceptual Plan may require an amendment of the CUP Ordinance as determined by
7 the County Manager or designee.
- 8 K. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in this
9 Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and
10 Lake County Land Development Regulations shall include any future amendments to the Statutes, Code,
11 Plans, and/or Regulations.
- 12 L. After establishment of the facilities as provided herein, the aforementioned property shall only be used for
13 the purposes named in this Conditional Use Permit, unless a proposed use meets every requirement of
14 the zoning district in which the property is located. Any other proposed use must be specifically authorized
15 by the Board of County Commissioners.

16 **Section 3** Additional conditions of this permit shall mean:

- 17 A. In the event of any breach in any of the terms or conditions of this permit or any default or failure of the
18 Permittee or his successor to: Fulfill development in substantial accordance with the conceptual plan as
19 submitted to the Planning & Zoning Board and the Board of County Commissioners; comply with the codes
20 of the governmental agencies having lawful and appropriate jurisdiction thereon; or comply with any of the
21 terms of the Conditional Use Permit; or this CUP is found to become a nuisance or safety hazard, the
22 permit may be revoked after due Public Hearing before the Planning & Zoning Board and the Board of
23 County Commissioners.
- 24 B. This Conditional Use Permit shall inure to the benefit of, and shall constitute a covenant running with the
25 land; and the purpose, terms, and conditions contained herein shall be binding upon the Permittee or any
26 successor and his interest hereto.
- 27 C. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement
28 Special Master shall have authority to enforce the terms and conditions set forth in this ordinance and to
29 recommend that the ordinance be revoked.
- 30 D. Inspection: This use shall be inspected by the Code Enforcement Division annually to ensure compliance
31 with the conditions of this Conditional Use Permit and the approved site plan. An annual inspection fee
32 will be assessed. If an emergency inspection is necessary during non-operating hours, a fee shall also be
33 assessed.
- 34 E. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a copy of
35 this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida
36 Statutes.

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

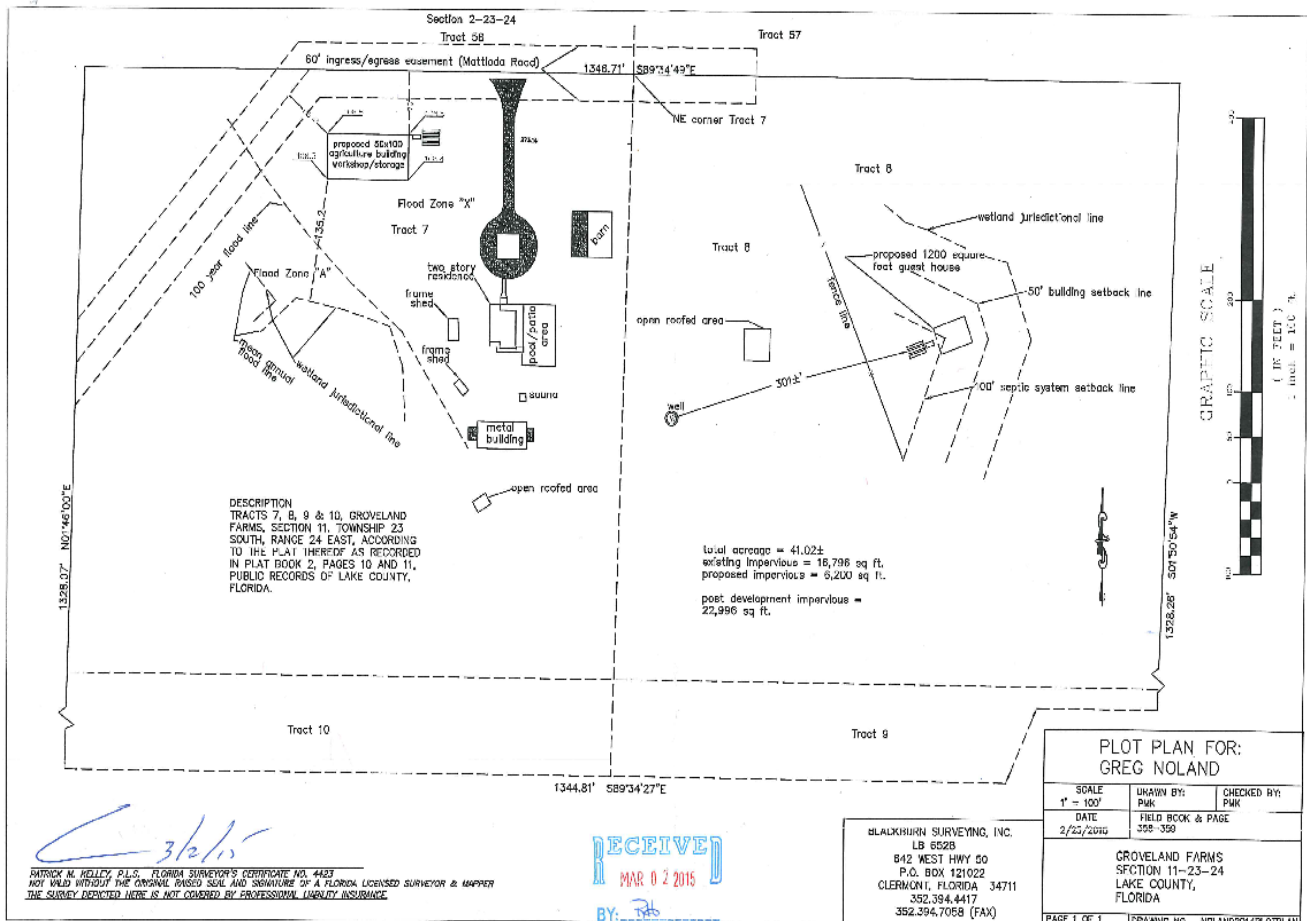
**NEIL KELLY, Clerk of the
Board of County Commissioners
Lake County, Florida**

APPROVED AS TO FORM AND LEGALITY

SANFORD A. MINKOFF, County Attorney

Exhibit "A"
(Conceptual Plan)

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