

# LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

## PETITION TO REZONE PROPERTY

PLANNING AND ZONING BOARD  
April 3, 2013



BOARD OF COUNTY COMMISSIONERS  
April 23, 2013

<b>PH #7-13-1</b> Grass Roots Airpark PUD Amendment	<b>Case Manager:</b> Rick Hartenstein, AICP, CPM Senior Planner	<b>Agenda Item #4</b>
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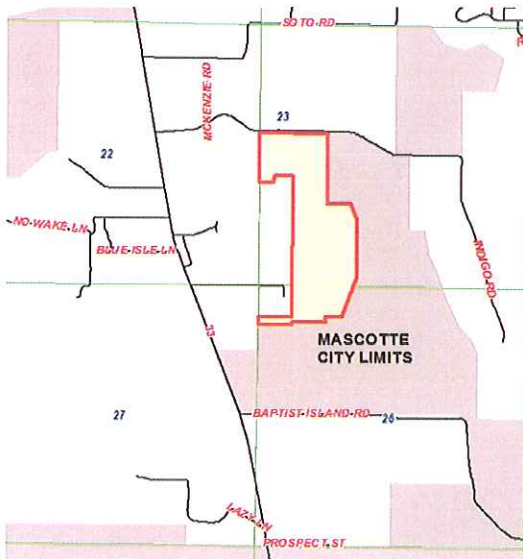
**Owner:** Grass Roots Airpark Properties, Inc. – David Gay, President (the “Owner”)

**Applicant:** Grass Roots Airpark Properties, Inc. – David Gay, President (the “Applicant”)

**Requested Action:** Amend the Grass Roots Airpark Planned Unit Development (PUD) by combining uses permitted under existing PUD Ordinances #2003-38 and #2005-33; facilitate the creation of nine (9) recreational/commercial lots at one-half (½) acre each for development as single user/owner aircraft hangers, request waivers pertaining to interior landscape buffer, building setback, road access requirements, and replace the existing ordinance with a new PUD Ordinance.

### - Site Location & Information -

Approximate site location shown in red outline.



Total Land Area	103.29 +/- acres	
Net Land Area	95.45 +/- acres	
Location	N. Mascotte area – southeast of CR 33/Indigo Road intersection.	
Alternate Key #s	Multiple Alternate Key Numbers, reference attached Ordinance for list.	
Future Land Use (FLU)	Rural	
	<b>Existing</b>	<b>Proposed</b>
Zoning District & Density	Planned Unit Development (PUD) (1 du per 5 net acre)	No change
Floor Area Ratio (FAR) Recreational/Commercial	0.10 max – Rural (LDR, Section 3.02.06)	0.10 max – Rural/Agriculture (LDR, Section 3.02.06)
Impervious Surface Ratio (ISR) - Residential	0.20 max – Rural (Comp Plan Policy I-1.4.4)	No change
Impervious Surface Ratio (ISR) - Recreational	0.30 max – Rural (Comp Plan Policy I-1.4.4)	No change
Joint Planning Area	Groveland/Mascotte	
Utility Notification Area:	Groveland/Mascotte – Central Water & Sewer not Available	
Site Utilities	Well and Septic Tanks	
Road Classification	Whistling Wire Lane – Private Drive (Interior to PUD) Grass Roots Road – Private Road	
Flood Zone/ FIRM Panel	X/A – FIRM Panel #12069C0470 Effective Date 12/18/2012	
Commissioner District	1 - Sullivan	

**Site Visit:** March 20, 2013

**Posting:** March 20, 2013 (3 Sign Posted)

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	A & AR	Mix of low density single-family residential and agriculture	None
South	City Limits of Mascotte	City Limits of Mascotte	Wetlands	None
East	City Limits of Mascotte	City Limits of Mascotte	Undeveloped pasture land	None
West	Rural	A, R-7 & PUD	Mix of low density single-family residential and agriculture	Grass Roots Estates PUD Ord. #2010-36

**– Summary of Staff Determination –**

**STAFF RECOMMENDATION:** Staff recommends **Approval** of the PUD amendment request, with conditons to combine all permitted uses under PUD Ordinances #2003-38 and #2005-33, add recreational/commercial lot platting (9 lots at one-half (½) acre each for development as single user/owner aircraft hangers), provide for waivers to interior landscape buffer, building setback, and road access requirements for platting, and replace PUD Ordinances #2003-38 and #2005-33 with the proposed Ordinance.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

**– Summary of Analysis –**

The Applicant is requesting to amend PUD Ordinances 2003-38 and 2005-33 on 103.29+/- acres by combining all permitted uses allowed under PUD Ordinances #2003-38 and #2005-33 and by adding recreational/commercial lot platting (9 lots at one-half (½) acre each) within the recreational/commercial element of the existing PUD. The Applicant is also requesting waivers to the interior landscape buffers, building setbacks, and road access requirements for platting contained in the Land Development Regulations (LDR). The waivers requested will be addressed below in the applicable sections of this analysis.

The property is located south of Indigo Road, 4.5 miles north of the City of Mascotte, east of County Road 33. The property is currently zoned Planned Unit Development (PUD) and has been developed as the Grass Roots Airpark PUD. The PUD is located within the Rural Future Land Use Category (FLUC), which permits residential development at a density of one (1) dwelling unit (du) to five (5) net acres, together with an unpaved airstrip and active recreational facilities (Fly In Air Club). The PUD includes limited agriculture (raising horses) on Lot 3A, consistent with PUD Ordinances #2003-38 and #2005-33 and the 1992 Comprehensive Plan.

On May 25, 2010, the Board of County Commissioners (BCC) adopted the 2030 Comprehensive Plan (effective on September 22, 2011). Based on the 2030 Comprehensive Plan (the "Plan") and the associated Future Land Use Map (FLUM), the existing development is located within the Rural FLUC and is consistent with the residential density allocation and permitted/conditional uses contained in *Policy I-1.4.4, Rural Future Land Use Category*.

*Policy I-7.1.4, Lots and Subdivisions Nonconforming to Open Space and Clustering* of the 2030 Plan, states that lots of record and subdivisions meeting the conditions of the previous policy and lots existing on the effective date of the 2030 Plan shall be exempt from the open space and clustering requirements of the 2030 Plan, provided that such lots are not further subdivided. This policy was adopted to avoid controversies regarding existing developments that were approved and developed under the 1992 Plan. Such developments are now

nonconforming to 2030 open space requirements. Based on this policy, the creation of the 9 one-half (½) acre lots within the recreational/commercial element of the PUD is not considered a further subdivision of the development for residential density and as such, if amended as proposed herein, would remain consistent with the 2030 Plan.

The Plan recognizes agricultural and equestrian uses as suitable uses of property within all FLUC and the unpaved airstrip and active recreational facilities (Airpark) are permitted within the Rural FLUC as a conditional use. The PUD Zoning District is a planned zoning district requiring an ordinance with conditions to regulate the uses and provide specific development criteria for the uses, consistent with the Plan.

– 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 incorporate all permitted uses allowed under PUD Ordinances #2003-38 and #2005-33, in addition to creating a nine (9) lot recreational/commercial plat within the recreational/commercial element, with no increase in density as the nine lots are planned for development as single user/owner aircraft hangers and not as residential units. Each lot will be one-half (½) acre in size, meeting minimum state requirements for private well and septic systems.

The proposed PUD amendment remains consistent with LDR Section 4.03.01 (A) (1-7), regarding the exercise of greater ingenuity and imagination in the planning and development of tracts of land than generally is possible under the LDRs.

On July 12, 2004, a site plan was approved for the development of the recreational/commercial element of the PUD (Grass Roots Airpark) consisting of grass runway and shoulder area, grass taxi-ways, retention, landscape buffer area, a private access road (Whistling Wire Lane) for the airpark, meeting fire equipment access requirements, sixteen (16) airplane hanger buildings (capable of housing four (4) aircraft in each building) for rental to airpark club members, a clubhouse, and a caretaker's residence on approximately 62 acres (recreational/commercial tract). The Applicant/Developer has completed development of the runway area, the access road, the clubhouse, 8 of the 16 hangers (four bays per hanger), and the caretaker's residence. Due to the downturn in the economy, the Applicant was unable to build the remaining 8 airplane hangers, but now with the recent economic upswing, the Applicant wishes to complete the airpark. If this amendment is approved, it will give the Applicant versatility for development and marketing while still remaining consistent with the original concept of the fly-in community.

Pursuant to Section 4.03.02, LDR, the PUD was designed as an aviation/residential fly-in community with an unpaved airstrip, and a recreational/commercial aviation element that was designed to be complimentary to and consistent with the residential element of the regulation. The proposed PUD amendment is consistent with the general site development standards contained in LDR Sections 4.03.03 and 4.03.04 ("General Site Development Standards" and "Residential Development Standards" for PUDs, respectively). The PUD meets the standards for size greater than ten (10) acres, established wetland and landscape buffers, conservation easements, and open space (eighty (80) percent required), and is within the allowable ISR of twenty (20) percent (existing/proposed ISR of 18.6%) and FAR of ten (10) percent (existing/proposed FAR of 9.5%).

**Nine (9) Lot Recreational Plat**

The Applicant is proposing to create nine (9) half (½) acre lots within the recreational/commercial element of the PUD as shown on the attached Conceptual Plan (Exhibit B of attached Ordinance). The creation of the nine (9) lots will not increase density of the residential element of the PUD and will not cause additional impacts to the surrounding roads as the proposed plat is similar in intensity as the original site plan for the airpark development. If approved, the proposed nine (9) lots with nine (9) single user/owner aircraft

hangers will decrease the project's traffic impact capacity, by reducing the number of hanger units/bays available to club members from the 32 remaining units permitted by Ordinance #2005-33 (four (4) units/bays per hanger x eight (8) hangers) to nine (9) single-owner hangers, thus reducing the number of vehicle trips generated by the new hangers from 64 to 18. This figure is based on the assumption that each club member will come to the air park once a week. Conditions have been placed in the attached Ordinance prohibiting any use of the structures as residential units within the recreational/commercial plat and prohibiting any overnight stay in the individual hanger unit proposed for each lot.

## **WAIVER REQUESTS**

### **Access**

Access for the Airpark is from a paved County maintained road (Indigo Road 2-2310-01) via a twenty-foot wide, paved private drive with a stabilized 24-foot wide area meeting design and fire access requirements (Whistling Wire Lane). Whistling Wire Lane was approved and developed by site plan in 2004. The Applicant is requesting a waiver to *Section 9.05.04.F, Right-of-Way to be dedicated for Public Access, LDR*, requiring the dedication of fifty (50) feet for right-of-way for subdivision access. As previously stated, the creation of the 9 lots will not affect the density or intensity of the development and is similar in nature to what was approved for development under the 2004 site plan. Public Works has reviewed this request and has no objections to the creation of the 9-lots utilizing a private drive for access.

### **Setbacks for 9-Lot Plat**

The Applicant is proposing a seventy (70) foot wide grass easement along the northern and southern boundary of the proposed recreational/commercial plat for ingress/egress from Whistling Wire Lane to each lot and providing sufficient width for two (2) aircraft to pass each other as shown on Applicant's Exhibit "A" (attached). The Applicant is requesting a front setback of seventy (70) feet from the property line of the northern and southern boundary of the proposed plat but requests to build up to the easement line. As previously stated, the seventy (70) foot wide easement is similar in nature to what was approved for development under the 2004 site plan for access to and from the hangers and the runway. The Applicant is proposing a twenty-five (25) foot setback for the rear of each hanger and a ten (10) foot side setback while maintaining a fifty (50) foot fire separation between each structure. In addition, the Applicant is proposing a six (6) foot setback from all property lines for the common area open air pavilion as demonstrated on Applicant Exhibit "A" (attached) which is located within the interior of the proposed recreational/commercial plat. Staff has reviewed the setbacks proposed, finds them consistent with the original development pattern approved by site plan for the airpark in 2004, and can support this request. Conditions have been established in the attached Ordinance addressing the setbacks.

### **Landscape Buffers**

Boundary landscaping for the nine (9) lot recreational/commercial plat per Table 1 of LDR Section 9.01.06, requires a Type "B" either 15' or 20' wide landscape buffer between adjacent uses to assist in mitigating impacts between uses and provide pleasing aesthetic compliments to the proposed development. Although the proposed plat will provide for fee simple ownership for each lot created and under normal circumstances would require landscape buffers along the boundary between the developed by site plan portion of the airpark and the proposed 9-lot plat is interior to the recreational/commercial element of the PUD which has sufficient landscape buffers surrounding the PUD. If the nine (9) lots proposed were developed as an amendment to the existing site plan and not as a plat, there would be no additional landscape buffers required, only building landscaping. In addition, landscape buffers within the interior of the airpark would pose hazards for the movement of aircraft and would be detrimental to the safety of the airpark club members and their guests. The Applicant is requesting to have the landscape buffer requirements waived for the proposed 9-lot recreational/commercial plat and only be required to provide building landscaping for the interior area of the proposed plat as demonstrated on Applicant's Exhibit "B"

(attached).

### **Hangers**

The Applicant is proposing two (2) aircraft hanger floor plans as shown by Applicant's Exhibit "B" (attached). Both hangers are designed to have interchangeable floor plans between the lounge area and the hanger area with restrictions related to occupancy and use. At no time will the lounge area of a hanger be used for residential purposes. Conditions are proposed in the Ordinance prohibiting any overnight occupancy under any circumstances. The lounge area is to provide a certain amount of comfort for the owner without increasing the density of the development or permitting residential uses within the recreational/commercial plat.

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

The Comprehensive Plan (Comp Plan) recognizes equestrian uses as a suitable use of property within all FLUCs as seen in Policy I-1.2.8, "Agricultural and Equestrian Uses". Comp Plan Policy I-1.4.4 ("Rural Future Land Use Category"), lists residential as a permitted use and active/passive recreation facilities and unpaved airstrips as a conditional use within the Rural FLUC. Since the airpark is part of a Planned Unit Development (PUD), which is a planned zoning district, conditions can be and have been placed in the associated Ordinance regulating the principal as well as the accessory uses.

This request is consistent with the land use provisions of the Rural Future Land Use Series specified by Policy I-1.4.3 ("Purpose of the Rural Future Land Use Series"), as the existing and proposed uses are not adverse to the rural character of the area, the proposed uses are similar in nature and design as what was approved in 2004, the design encourages large areas to remain in an open state, and the number of road access locations are limited, all of which are consistent with this policy.

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

The establishment of this use (nine (9) lot recreational/commercial plat) and the continuation of the existing uses (airpark/unpaved runway and residential) are consistent with the existing land uses in the area. The conditions proposed in the attached Ordinance are to limit any additional impacts on surrounding uses.

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

The Applicant seeks to expand the marketing potential for the fly-in community. The establishment of the nine (9) lot recreational/commercial plat would accommodate this while remaining consistent with the Rural FLUC Policies of the Comp Plan and LDR.

### **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** - Public Works has indicated, based on the proposal provided by the Applicant, there will be no additional impacts and adequate capacity is available on area roads to support the project.

**Water and Sewage** - The proposed facility including accessory uses will be served by on-site well and septic tank. The City of Groveland and the Town of Mascotte have indicated that water and sewer service is not available in this area. Existing and proposed septic tanks and/or wells will have to be assessed at the time of site plan for proper permits to accommodate the existing as well as the proposed uses. Conditions have been included in the attached Ordinance to ensure compliance.

**Fire & Emergency Services** – Lake County Fire and Rescue Station #82 located at 24939 US Hwy 27, Leesburg will provide services to the property. Station #82 is several miles from the property in question and has a response time of ten (10) to fifteen (15) minutes depending on the time of day and road conditions.

**Solid Waste** – The proposed rezoning and uses 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;**

Adverse impacts are not anticipated, however, any development intensity will cause the need for an Environmental Assessment pursuant to the LDR site development/platting requirements.

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

Given the consistency between the nature and character of the uses permitted in the current PUD ordinance and the ones proposed, and given the reduction in the actual number of hanger units that will be developed, staff has no reason to believe that property values in the area will be adversely affected.

**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. The existing fly-in community, established in 2004, is 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 Groveland and the Town of Mascotte have indicated that water and sewer are not available in this area.

**FINDINGS OF FACT:**

1. The proposed rezoning is consistent with the Comp Plan Policy I-1.4.4 ("Rural Future Land Use Category"), as residential uses, active/passive recreation facilities, and unpaved airstrips are allowed within the Rural FLUC as permitted and/or conditional uses.
2. The proposed rezoning is consistent with the open space requirements in accordance with Comp Plan Policy I-7.1.4 as the development was approved under and consistent with the 1992 Comp Plan and is not a further subdivision of the property for residential purposes.
3. The proposed nine (9) lot recreational/commercial plat is recognized as part of the airpark (recreational/commercial), an accessory use of the property in support of the fly-in residential community.
4. The proposed PUD rezoning amendment as well as the existing uses are consistent with the intent and purpose of Comp Plan Policy I-1.4.3 ("Purpose of the Rural Future Land Use Series") as it specifies maintaining the rural character of land within Rural Future Land Use Series.
5. The proposed PUD rezoning recognizes that equestrian uses are a suitable use of property within all Future Land Use Category (FLUC) as seen in Policy I-1.2.8 ("Agricultural and Equestrian Uses").
6. The proposed PUD Zoning District is consistent with the Rural FLUC as specified in Section 3.00.03, LDR.

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-



**CURRENT ZONING**  
**PLANNED UNIT DEVELOPMENT (PUD)**

**GRASS ROOTS AIRPARK  
 PUD**

**CASE NO.**  
 PH# 7-13-1

**CASE LOCATION:**  
 23/28-218-24E

**REQUESTING:**  
 Amend the Planned  
 Unit Development

**ZONING**

**LAND USE**

**SUBJECT  
 PARCEL**



**2030 FUTURE LAND USE**  
**RURAL**

**MAP COMPOSITION:**  
 MARCH, 2013

**FOCUS AREA**

**LAKE COUNTY  
 FLORIDA**

**PLANNED UNIT DEVELOPMENT (PUD) # 23/28-218-24E**

**REQUESTING:**  
 Amend the Planned Unit Development

**PREPARED BY:**  
 Lake County Planning Department, 1000 W. 1st St., Lake County, FL 32114

**DATE:**  
 03/13/2013

**SCALE:**  
 1" = 100'

**PROJECT:**  
 Amend the Planned Unit Development

**APPROVED BY:**  
 Lake County Board of County Commissioners

**DATE:**  
 03/13/2013

**PROJECT NO.:**  
 23/28-218-24E

**PROJECT NAME:**  
 Amend the Planned Unit Development

**PROJECT LOCATION:**  
 23/28-218-24E

**PROJECT TYPE:**  
 Amend the Planned Unit Development

**PROJECT STATUS:**  
 Amend the Planned Unit Development

**PROJECT DESCRIPTION:**  
 Amend the Planned Unit Development

**PROJECT CONTACT:**  
 Amend the Planned Unit Development

**PROJECT PHONE:**  
 Amend the Planned Unit Development

**PROJECT FAX:**  
 Amend the Planned Unit Development

**PROJECT EMAIL:**  
 Amend the Planned Unit Development

**PROJECT WEBSITE:**  
 Amend the Planned Unit Development

**PROJECT ADDRESS:**  
 Amend the Planned Unit Development

**PROJECT CITY:**  
 Amend the Planned Unit Development

**PROJECT STATE:**  
 Amend the Planned Unit Development

**PROJECT ZIP:**  
 Amend the Planned Unit Development

**PROJECT COUNTY:**  
 Amend the Planned Unit Development

**PROJECT COUNTRY:**  
 Amend the Planned Unit Development

**PROJECT REGION:**  
 Amend the Planned Unit Development

**PROJECT TIMEZONE:**  
 Amend the Planned Unit Development

**PROJECT CURRENCY:**  
 Amend the Planned Unit Development

**PROJECT LANGUAGE:**  
 Amend the Planned Unit Development

**PROJECT CHARACTERSET:**  
 Amend the Planned Unit Development

**PROJECT COLLATION:**  
 Amend the Planned Unit Development

**PROJECT PAPER:**  
 Amend the Planned Unit Development

**PROJECT WEIGHT:**  
 Amend the Planned Unit Development

**PROJECT RESOLUTION:**  
 Amend the Planned Unit Development

**PROJECT DPI:**  
 Amend the Planned Unit Development

**PROJECT COLOR:**  
 Amend the Planned Unit Development

**PROJECT MODE:**  
 Amend the Planned Unit Development

**PROJECT OUTPUT:**  
 Amend the Planned Unit Development

**PROJECT COMMAND:**  
 Amend the Planned Unit Development

**PROJECT STATUS:**  
 Amend the Planned Unit Development

**PROJECT MESSAGE:**  
 Amend the Planned Unit Development

**PROJECT ERROR:**  
 Amend the Planned Unit Development

**PROJECT WARNING:**  
 Amend the Planned Unit Development

**PROJECT INFO:**  
 Amend the Planned Unit Development

**PROJECT DEBUG:**  
 Amend the Planned Unit Development

**PROJECT TRACE:**  
 Amend the Planned Unit Development

**PROJECT LOG:**  
 Amend the Planned Unit Development

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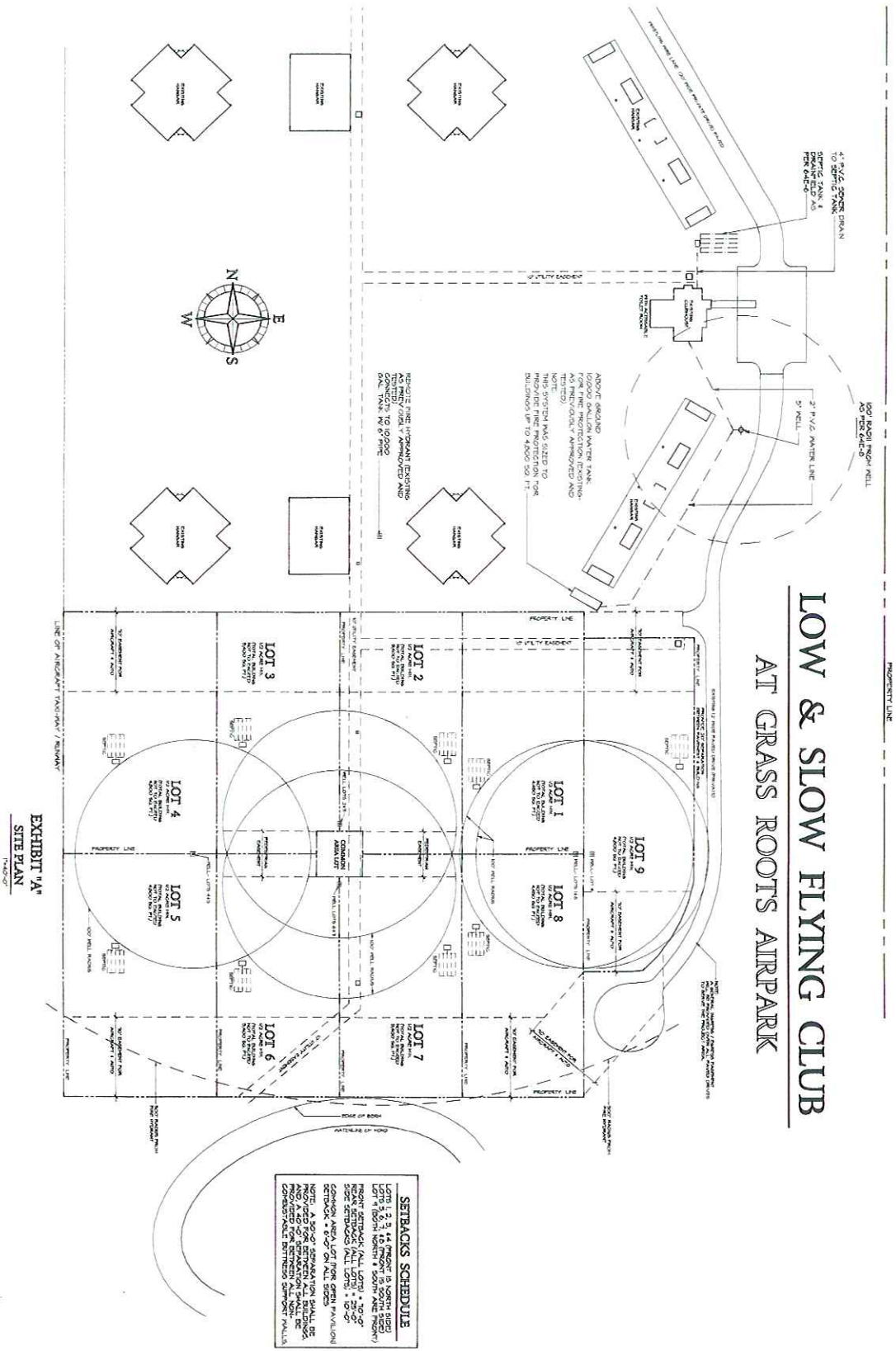
**PROJECT DEBUG:**  
 Amend the Planned Unit Development

**PROJECT TRACE:**  
 Amend the Planned Unit Development

**PROJECT LOG:**  
 Amend the Planned Unit Development



# Applicant's Exhibit "A"



## LOW & SLOW FLYING CLUB AT GRASS ROOTS AIRPARK

**SETBACKS SCHEDULE**

LOT 1, 2, 3, 4, 6, 8, 9: 15' FRONT, 15' SOUTH, 15' WEST, 15' NORTH (BOTH NORTH & SOUTH ARE FRONT)

LOT 5: 15' FRONT, 15' SOUTH, 15' WEST, 15' NORTH (BOTH NORTH & SOUTH ARE FRONT)

LOT 7: 15' FRONT, 15' SOUTH, 15' WEST, 15' NORTH (BOTH NORTH & SOUTH ARE FRONT)

LOT 8: 15' FRONT, 15' SOUTH, 15' WEST, 15' NORTH (BOTH NORTH & SOUTH ARE FRONT)

LOT 9: 15' FRONT, 15' SOUTH, 15' WEST, 15' NORTH (BOTH NORTH & SOUTH ARE FRONT)

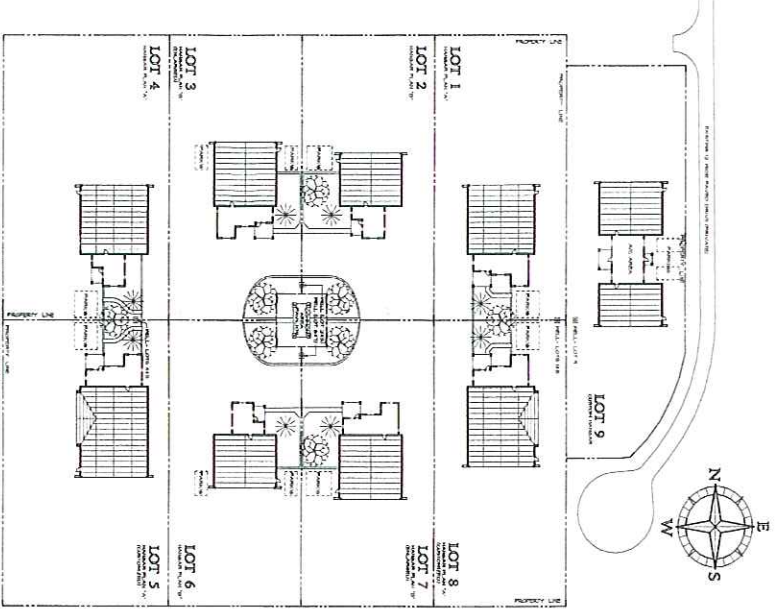
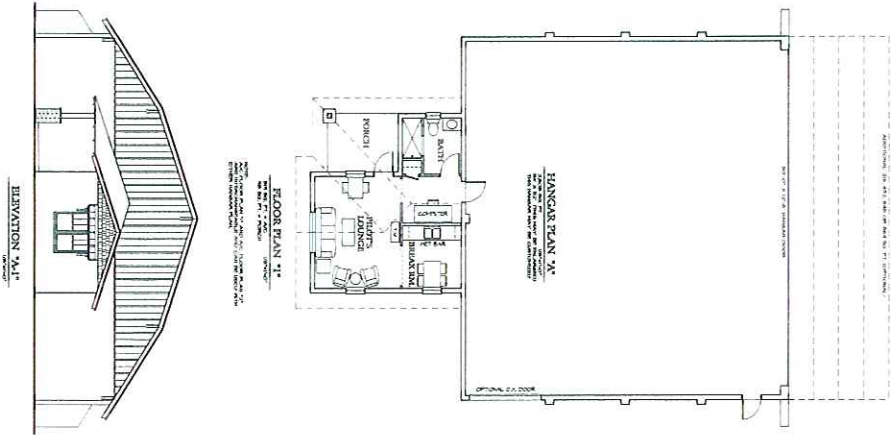
COMMON AREA: 15' FRONT, 15' SOUTH, 15' WEST, 15' NORTH (BOTH NORTH & SOUTH ARE FRONT)

NOTE: A 30' SETBACK SHALL BE PROVIDED FOR BETWEEN ALL BUILDINGS PROVIDED FOR BETWEEN ALL LOTS BE PROVIDED BETWEEN ADJACENT LOTS.

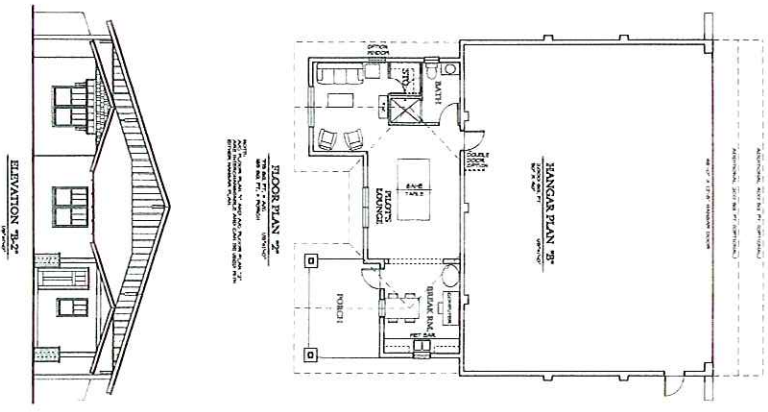
EXHIBIT 'A'  
SITE PLAN

# Applicant's Exhibit "B"

## LOW & SLOW FLYING CLUB AT GRASS ROOTS AIRPARK



NOTE: DIMENSIONS AND DISTANCES ARE APPROXIMATE. ALL DIMENSIONS AND DISTANCES ARE TO BE CONFIRMED BY THE APPLICANT.





1 from the public and surrounding property owners at a public hearing duly advertised, and

2  
3 **WHEREAS**, upon review, certain terms pertaining to the development of the above described  
4 property have been duly approved; and

5  
6 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,  
7 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they  
8 pertain to the above tract of land, subject to the following terms:

9  
10 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to show  
11 the amendment to the Planned Unit Development (PUD) Zoning District in accordance with  
12 Exhibit "A" of this Ordinance. All uses shall be generally consistent with the Concept Plan as  
13 shown in Exhibit "B", of this Ordinance. To the extent where there are conflicts between the  
14 Conceptual Plan and this Ordinance, this Ordinance shall take precedence. This Ordinance  
15 shall rescind/replace Ordinance #2003-38 and #2005-33.

16 A. Residential:

17 1. Permitted Uses:

- 18 a. Eighteen (18) single-family residential dwelling units (1 DU/5 Net Acres Density) and  
19 associated hangars.  
20 b. Grass Roots Airpark Sub, Lot 3A only shall be allowed to keep and graze horses,  
21 together with the necessary accessory structure/s for the keeping of horses.

22 2. Residential Building Setbacks:

Front	Twenty-five (25) feet from the right-of-way
Secondary Front	Fifteen (15) feet from the right of way
Side	Fifteen (15) feet from the property line
Rear	Twenty-five (25) feet from the property line
Livestock Structure(s)	Two Hundred (200) feet from all property lines (Lot 3A only)
Wetland	Fifty (50) feet from the wetland jurisdiction line

23 3. Building Height: The maximum building height shall not exceed forty (40) feet.

24 B. Recreational:

25 1. Permitted Uses:

- 26 a. Airpark consisting of eight (8) existing hangers and a clubhouse building together with  
27 a grass airstrip, generally consistent with the Conceptual Plan (Exhibit "B").  
28 b. Caretaker's residence with an accessory aircraft hanger, generally consistent with the  
29 Conceptual Plan (Exhibit "B").  
30 c. A minimum seventy (70) foot wide grass taxiway/easement along the north and south  
31 plat boundary for access to the lots shall be provided.  
32 d. The plat is permitted a common area interior to the lots for an open pavilion generally  
33 consistent with the Conceptual Plan (Exhibit "B").  
34 e. A pilot's lounge area is permitted as part of each hanger for the nine (9) lot plat. The  
35 lounge area is limited to a sitting area/game room, restroom facility, and wet bar area.  
36 Overnight occupancy is prohibited.

- 1 f. Permitting of the nonresidential hangers shall be through the site plan process.
- 2 g. Private well and septic systems shall require permitting through the Department of
- 3 Health and are subject to all applicable federal, state, and local regulations, as
- 4 amended.

5 2. Recreational/Commercial Building Setbacks:

Existing Recreational/Commercial Development	
Front	Twenty-five (25) feet from the right-of-way (R/W)
Side	Fifteen (15) feet from property line
Rear	Twenty-five (25) feet from property line
Wetland	Fifty (50) feet from wetland jurisdiction line (WJL)
Fire Separation	Fifty (50) feet between buildings

6

9-Lot Recreational/Commercial Plat	
Front	Seventy (70) feet from North & South property line and zero (0) from interior easement line.
Side	Ten (10) feet from property line.
Rear	Twenty-five (25) feet from property line.
Covered Open Air Pavilion Area	Six (6) feet from all common area lot line.
Wells & Well Sheds	Zero (0) lot line

7

8

C. Landscaping:

- 9 1. Landscape buffers for the boundary of the PUD shall be provided in accordance with the
- 10 LDR, as amended.
- 11 2. No landscape buffer shall be required for the boundary of the nine (9) lot
- 12 recreational/commercial plat.
- 13 3. Building perimeter landscaping within the nine (9) lot recreational/commercial plat, shall be
- 14 in accordance with the LDR, as amended.

15

D. Open Space, Impervious Surface Ratio (ISR), and Floor Area Ratio (FAR):

Total Acres	100.26 gross acres – 1992 Comp Plan
Open Space	80.21 acres = 80% gross acres - 1992 Comp Plan
Impervious Surface Ratio (ISR) 20%	873,378 SF = 20.05 acres
Floor Area Ratio (FAR) (nonresidential)	2.01 acres/87,338 SF = 0.10

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E. Concurrency Management Requirements: Any development shall comply with the Lake County Concurrency Management System, as amended.

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F. Development Review and Approval: Prior to the issuance of permits, the Applicant shall be required to submit a development application generally consistent with Exhibit "B" - Conceptual Plan, attached, for review and approval in accordance with the Comprehensive Plan and LDR, as amended.

1 G. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in  
2 this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County  
3 Comprehensive Plan, and Lake County Land Development Regulations shall include any  
4 future amendments to the Statutes, Code, Plans, and/or Regulations.

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

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

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

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

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

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

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.

29 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid  
30 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
31 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 \_\_\_\_\_, 2013.

**FILED** with the Secretary of State \_\_\_\_\_, 2013.

**EFFECTIVE** \_\_\_\_\_, 2013.

**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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3 **Exhibit "A"**  
4 **Boundary Legal Description**  
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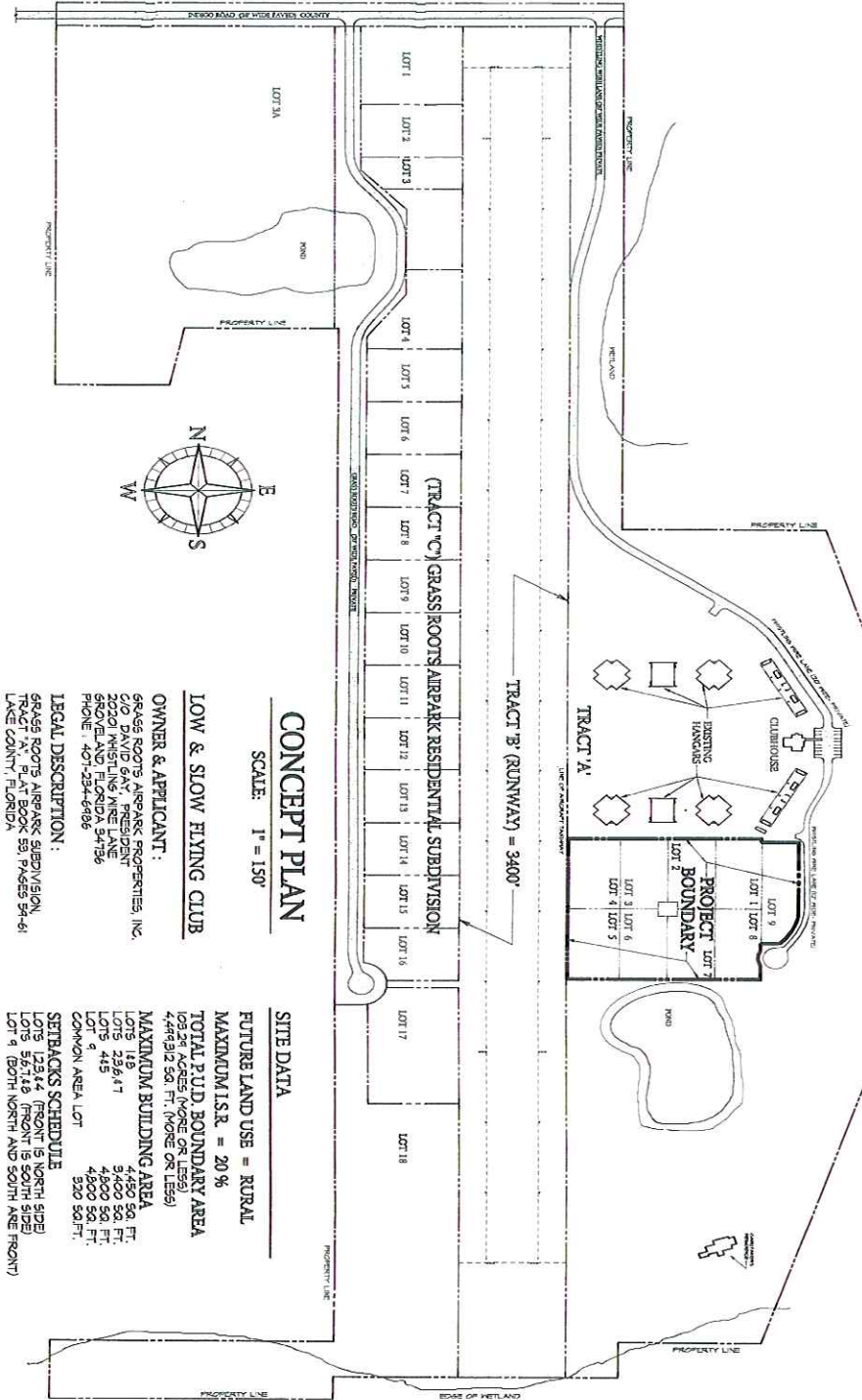
6 That Portion of Sections 23 and 26, Township 21 South, Range 24 East, Lake County, Florida, Described  
7 as Follows:  
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9 Beginning at the West ¼ Corner of said Section 23; Thence North 00°27'47" East along the West Line of  
10 the Northwest ¼ of Section 23 for 434.00 Feet to the Southerly Right-of-Way Line of Indigo Road as  
11 Described in Official Record Book 2287, Page 1558 of the Public Records of Lake County, Florida; Thence  
12 South 89°19'01" East along said Southerly Right-of-Way Line for 1324.45 Feet to the East Line of the  
13 Southwest ¼ of the Northwest ¼ of Aforesaid Section 23; Thence South 00°28'29" West along said East  
14 Line for 434.00 Feet to the Southeast Corner of said Southwest ¼ of the Northwest ¼ of Section 23;  
15 Thence South 00°30'44" West along the East Line of the Northwest ¼ of the Southwest ¼ of Section 23 for  
16 994.67 Feet to the Northerly Boundary of Lands Described in Official Records Book 725, Page 308 of the  
17 Public Records of Lake County, Florida; Thence along the Northerly and Easterly Boundary of said Lands  
18 the Following Two (2) Courses: Run South 89°16'47" East for 475.00 feet; Thence South 17°07'07" East  
19 for 346.66 Feet to the North Line of the Southeast ¼ of the Southwest ¼ of said Section 23; Thence South  
20 00°30'44" West along the Easterly Boundary of Lands Described in Official Record Book 792, Page 730 of  
21 the Public Records of Lake County, Florida, for 1,220.45 Feet to the Northerly Boundary of Lands  
22 Described in Official Record Book 1081, Page 519 of the Public Records of Lake County, Florida; Thence  
23 along the Easterly, Southerly, Westerly, and Northerly Boundary of said Lands the Following Courses: Run  
24 South 18°41'48" West for 803.74 Feet to the Southeast Corner of the Southwest ¼ of the Northwest ¼ of  
25 the Northeast ¼ of the Northwest ¼ of Aforesaid Section 26; Thence North 89°14'05" West along the South  
26 Line of said Southwest ¼ of the Northwest ¼ of the Northeast ¼ of the Northwest ¼ of Section 26 for  
27 331.29 Feet to the East Line of the Northwest ¼ of the Northwest ¼ of Section 26; Thence South 00°41'45"  
28 West along said East Line for 100.00 Feet; Thence North 89°14'05" West 662.55 Feet to the East Line of  
29 the Southwest ¼ of the Northwest ¼ of the Northwest ¼ of Section 26; Thence South 00°40'50" West  
30 along the East Line for 65.00 Feet; Thence North 89°14'05" West 662.53 Feet to the West Line of the  
31 Northwest ¼ of Section 26; Thence North 00°39'55" East along said West Line for 165.00 Feet to the  
32 South Line of the Northwest ¼ of the Northwest ¼ of the Northwest ¼ of said Section 26; Thence South  
33 89°14'05" East along said South Line for 662.57 Feet to the West Line of the Northeast ¼ of the Northwest  
34 ¼ of the Northwest ¼ of Section 26; Thence Departing Aforesaid Northerly Boundary of Lands Described in  
35 Official Record Book 1081, Page 519 Run North 00°40'50" East along the West Boundary of said Lands  
36 Described in Official Record Book 1081, Page 519 and said West Line of the Northeast ¼ of the Northwest  
37 ¼ of the Northwest ¼ of Section 26 for 659.94 Feet; Thence North 00°31'28" East along the West Line of  
38 the East ½ of the Southwest ¼ of the Southwest ¼ of Aforesaid Section 23 and the West Line of the East  
39 ½ of the Northwest ¼ of the Southwest ¼ of Section 23 for 2,224.16 Feet to the Southerly Boundary of  
40 Lands Described in Official Record Book 418, Page 129, of the Public Records of Lake County, Florida;  
41 Thence along said Southerly Boundary and the Westerly Boundary of said Lands the Following Courses:  
42 Run North 89°19'32" West for 362.40 Feet; Thence South 12°00'28" West for 164.67 Feet; Thence North  
43 89°19'32" West for 267.12 Feet to the West Line of the Southwest ¼ of said Section 23; Thence North  
44 00°32'13" East along said West Line for 585.88 Feet to the Point of Beginning.  
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Exhibit "B"  
 Concept Plan



**CONCEPT PLAN**

SCALE: 1" = 150'

**LOW & SLOW FLYING CLUB**

**OWNER & APPLICANT:**

GRASS ROOTS AIRPARK PROPERTIES, INC.  
 C/O DAVID GAY, PRESIDENT  
 20201 HIGHLANDS HIRE LANE  
 SHOVELAND, FLORIDA 32156  
 PHONE: +1-321-254-6188

**LEGAL DESCRIPTION:**

GRASS ROOTS AIRPARK SUBDIVISION,  
 LANE COUNTY, FLORIDA

**SITE DATA**

FUTURE LAND USE = RURAL  
 MAXIMUM I.S.R. = 20 %

TOTAL PUD BOUNDARY AREA  
 103.25 ACRES (MORE OR LESS)  
 4,449,912 SQ. FT. (MORE OR LESS)

MAXIMUM BUILDING AREA  
 LOT 1 189,450 SQ. FT.  
 LOT 2 426,647  
 LOT 3 426,647  
 LOT 4 418,320  
 COMMON AREA LOT 9 930,501 FT.<sup>2</sup>

**SETBACKS SCHEDULE**

FRONT (NORTH SIDE)  
 LOT 1 52'11 1/2' (FRONT IS SOUTH SIDE)  
 LOT 4 (BOTH NORTH AND SOUTH ARE FRONT)

FRONT SETBACK (ALL LOTS) = 7'-0"  
 REAR SETBACK (ALL LOTS) = 25'-0"  
 SIDE SETBACK (ALL LOTS) = 0'-0"  
 COMMON AREA LOT (FOR OPEN PAVILION)  
 SETBACK = 6'-0" ON ALL 4 SIDES.

NOTE: A 50'-0" SEPARATION SHALL BE PROVIDED BETWEEN ALL BUILDINGS AND A 40'-0" SEPARATION SHALL BE PROVIDED BETWEEN ALL BUILDINGS AND BUSINESS SUPPORT WALLS.

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