

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

PETITION TO REZONE PROPERTY

PLANNING & ZONING BOARD
April 24, 2013



BOARD OF COUNTY COMMISSIONERS
TBD

PH #11-13-1 Cirelli and Vosilla Rezoning	Case Manager: Anita W. Greiner, Chief Planner	Agenda Item #1
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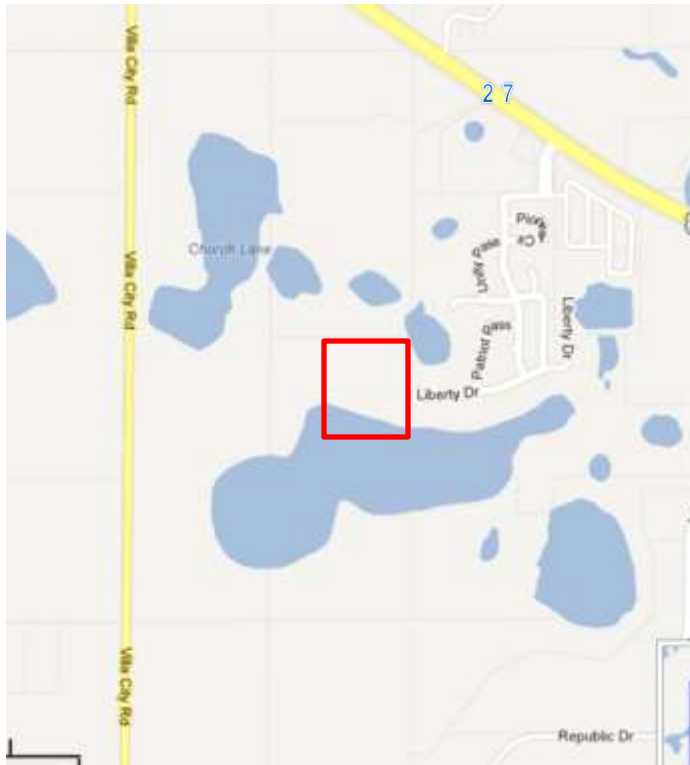
Owner: Emilio Cirelli & John Vosilla (“Owners”)

Applicant: Lake County (“Applicant”)

Requested Action: Rezone property from Agriculture (A) to Medium Suburban Residential District (R-4).

– Site Location & Information –

Approximate site location outlined in **RED**



Site Visit : April 10, 2013
Sign Posted: Along US Hwy 27, Heritage Drive and on the subject site.

Size	23 +/- acres	
Location	East of CR 565 and southwest of US Hwy 27, near Groveland	
Alternate Key #'s	A portion of Alternate Key Number 1092591 described as, beginning at the northeast corner of the southeast quarter of Section 19, Township 21, Range 25, run W 90Deg 1,000 feet, run S 0Deg 1,000 feet, run E 90Deg 1,000 feet, run N 90Deg 1,000 feet to Point of Beginning, lying in Section 19, Township 21, Range 25	
Future Land Use	Urban Low Density (4 du/ 1 ac)	
	Existing	Proposed
Zoning District	A	R-4
Density	1 du/5 ac	4 du/1 ac
Impervious Surface Ratio	0.10 (LDR Section 3.02.06)	0.45 max (LDR Section 3.02.06)
Floor Area Ratio	0.10 (LDR Section 3.02.06)	0.25-0.35 (Comp Plan Policy I-1.3.2)
Joint Planning Area	N/A	
Utility Area	N/A	
Site Utilities	No utilities on site	
Road Classification	No road classification	
Flood Zone/ FIRM Panel	Zone AE and X/Panel 490E	
Commissioner District	1 (Sullivan)	

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Urban Low Density	Planned Unit Development	Vacant	Owned by Woodlands at Church Lake, LLC
South	Urban Low Density	Agriculture	Vacant	Property to south is owned by the owners of this application
East	Urban Low Density	Planned Unit Development	Residential Subdivision	Woodlands at Church Lake
West	Urban Low Density	Agriculture	Vacant land, portions of which are used for agriculture endeavors	A portion of the property to the west is owned by the owners of this application

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed rezoning request.

PLANNING & ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

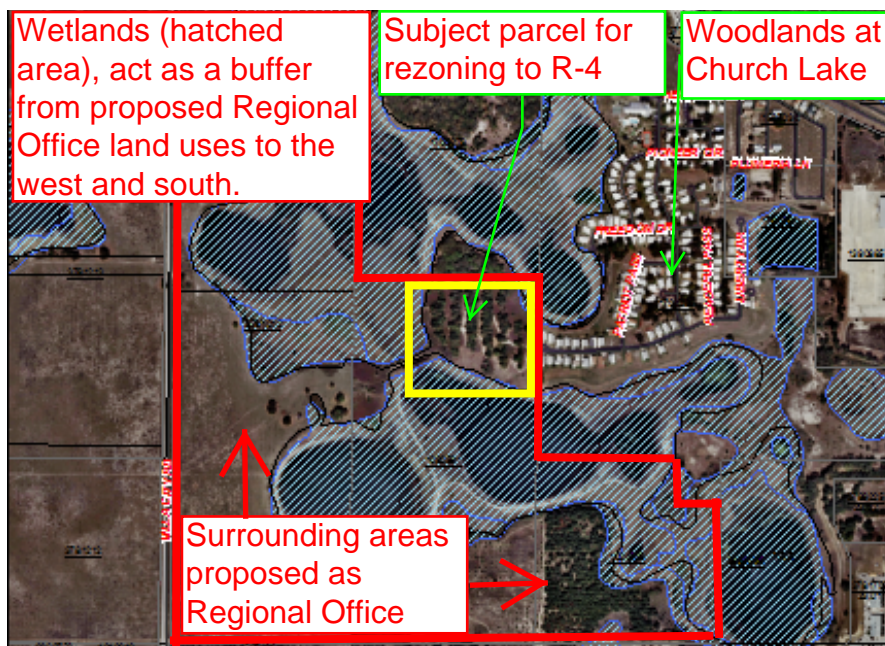
On May 25, 2010, Lake County adopted the 2030 Comprehensive Plan, which included the subject parcel being designated as Regional Office. The amendment was considered and approved by the Board of County Commissioners prior to the adoption hearing, but was not processed by the Florida Department of Community Affairs (DCA) because the amendment was not included in the original transmittal (first hearing) on January 19, 2010. The 2030 Comprehensive Plan was found in compliance without this map amendment, as a result the subject parcel was designated as Urban Low Density, as initially submitted on January 19, 2010.

The subject parcel, which is a small part of a larger tract described as Alternate Key # 1092591, is contiguous to the an existing development known as Woodlands at Church Lake, a 55+ community.

The County is currently processing a land use amendment to change the future land use categories around this parcel. The Commissioners reviewed this area at their February 26, 2013 meeting and determined the Regional Office Future Land Use Category (FLUC) is not a suitable FLUC on the subject parcel; the logical development pattern on this parcel is residential and the current FLUC of Urban Low Density should remain. The FLUC on the remainder of this parcel and the surrounding parcels to the west and south will be amended to Regional Office.

Upon direction by the Board, staff is processing the request to rezone this parcel from Agriculture to Medium Suburban Residential District (R-4), which is compatible with the Urban Low Density Future Land Use Category. The Urban Low Density Future Land Use Category allows a maximum density of four dwelling units per one net acre (4 du/1 net acre) and the R-4 Zoning District allows a maximum density of 4 du/1 acre. The owners of the property (Emilio Cirelli & John Vosilla) were contacted and have concurred with the proposal to rezone the property to R-4.

The subject parcel consists of approximately 23 acres and is surrounded by wetlands along the south and west property lines, which will act as a buffer from the proposed Regional Office Land Uses to the west and south, as shown on the map below:



– 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 rezoning is consistent with the Urban Low Density Future Land Use Category, which allows a maximum density of 4 du/1 net acre; the R-4 Zoning District allows a maximum density of four dwelling units per one acre (4du/1 acre). The purpose of this zoning district is to provide for medium density single-family usage in suburban or rapidly urbanizing areas.

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

The R-4 Zoning District allows a maximum density of 4 du/1 acre, which is consistent with the Urban Low Density Future Land Use Category, which allows a maximum density of 4 du/1 net acre (Comprehensive Plan Policy I-1.3.2).

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

The subject property is surrounded by existing vacant and agricultural uses to the west and south, an existing Planned Unit Development (residential subdivision known as Woodlands at Church Lake, a 55+ community) is located to the east and there is vacant land to the north, which is part of the Planned Unit Development, owned by Woodlands at Church Lake, LLC.

The rezoning will be consistent with the Planned Unit Development to the north and east as it would allow a similar density and mix of uses.

The County is in the process of amending the future land use category on the parcels to the west and south to Regional Office, the wetlands that surround the subject parcel to the west and south that will provide a buffer from those parcels.

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

The surrounding lands to the west and south area in the process of a future land use change from Urban Low Density and Rural Transition to Regional Office. The subject land that is being proposed for this rezoning will keep the designation of Urban Low Density; it is part of a larger parcel, the remainder of which is being changed to Regional Office. Because this small portion of land is to remain as Urban Low Density, the County Commission requested that a rezoning be brought forward changing the zoning to R-4, which is consistent with the Urban Low Density Future Land Use Category.

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;

Access to site – Prior to approval of the preliminary plat all access requirements of the Code shall be met.

Water/Sewage – The subject property is within the City of Groveland Utility Service Area. However, there is no central water and sewer currently available to this property. Prior to approval of a preliminary plat central services will be required.

Fire and Emergency Services - The subject parcel is approximately 5.5 miles from Lake County Fire Station 82 (closest fire station), located at 24939 US Hwy 27, Leesburg.

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

No information has been submitted to indicate that the proposed rezoning would result in significant adverse impacts on the natural environment. All Codes within the Land Development Regulations and the Comprehensive Plan requiring protection of the environment shall be met.

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

No evidence has been provided that indicates 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 Planning & 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:

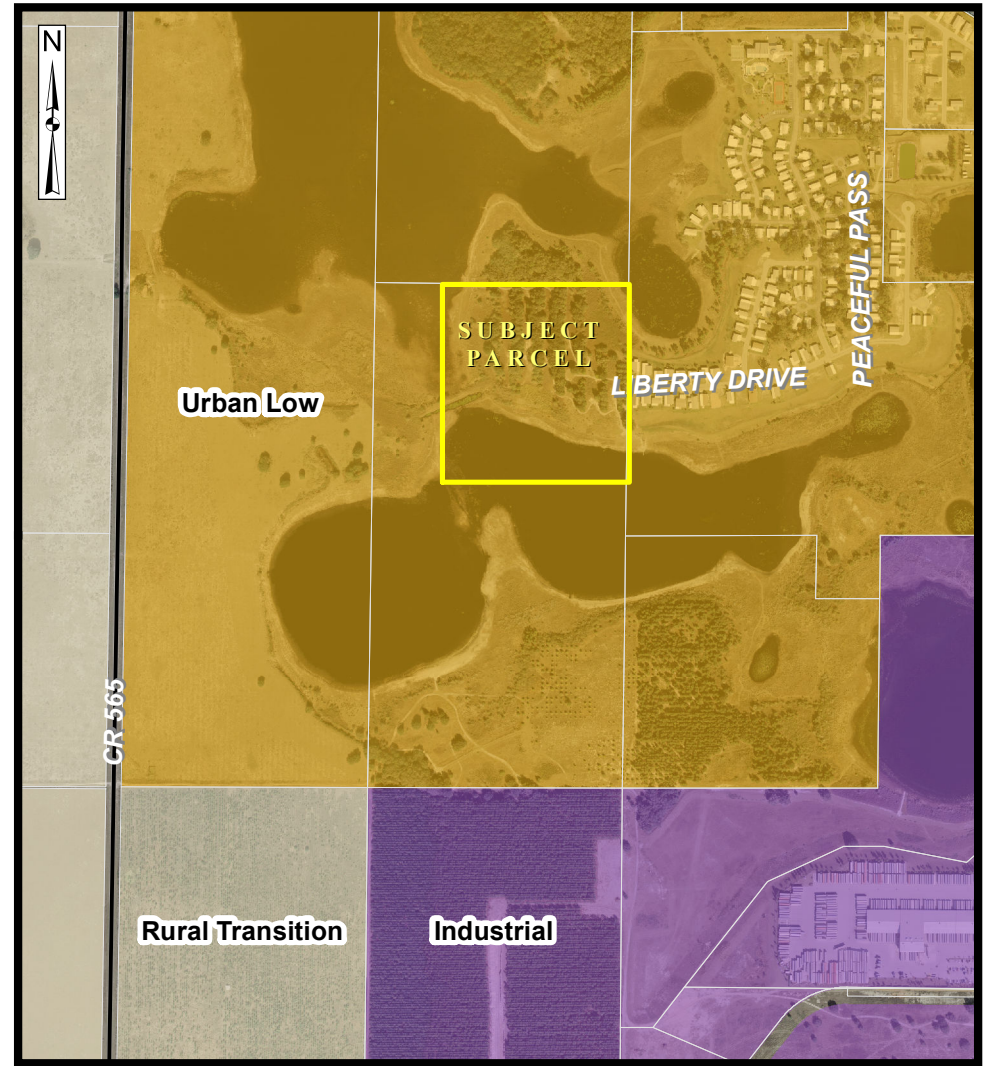
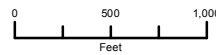
- 1. The request is consistent with Comprehensive Plan Policy I-1.3.2, as Medium Suburban Residential (R-4) uses are allowed and meet the general land use criteria and activities of the Urban Low Density Future Land Use Category.

Therefore, based on these findings of fact, staff recommends **APPROVAL**.

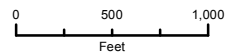
WRITTEN COMMENTS FILED: Supportive: -0- Concern: -0- Opposition: -0-



CURRENT ZONING
AGRICULTURE (A)



2030 FUTURE LAND USE
URBAN LOW DENSITY



**CIRELLI AND VOSILLA
REZONING**

CASE NO.
PH# 11-13-1

CASE LOCATION:
25-21-19

REQUESTING:
Agriculture (A) to
Suburban Residential District (R-4)

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

DATASOURCES:

Lake County GIS Department; Planimetrics, 2008 Aerial Image, Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design.

This map product was prepared from a Geographic Information System established by the Lake County Board of County Commissioners. Its employees, agents and personnel, make 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 thereon. 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 any user of this map.

MAP COMPOSITION:
JANUARY, 2008



FOCUS AREA



LAKE COUNTY
FLORIDA

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**ORDINANCE #2013-XX
Cirelli & Vosilla Rezoning
PH # 11-13-1**

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

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WHEREAS, Lake County (the “Applicant”) made a request on behalf of Emilio Cirelli and John Vosilla (the “Owners”) to rezone property from Agriculture (A) to Medium Suburban District (R-4); and

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WHEREAS, the subject property consists of 23 +/- acres and is generally located in the Groveland area, east of CR 565 and west of SR 27, in Section 19, Township 21 South, Range 25 East, a portion of which lies within Alternate Key Number 1092591 and is more particularly described below:

LEGAL DESCRIPTION:

Beginning at the northeast corner of the southeast quarter of Section 19, Township 21 South, Range 25 East, run W 90Deg 1,000 feet, run S 0Deg 1,000 feet, run E 90Deg 1,000 feet, run N 90Deg 1,000 feet to Point of Beginning, lying in Section 19, Township 21, Range 25, Lake County, Florida.

WHEREAS, the subject property is located within the Urban Low Density Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Planning & Zoning Board reviewed Petition PH #11-13-1 on April 24, 2013, after giving Notice of Hearing on petition for a change in the use of land, including notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on _____, 2013; and

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

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

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

Section 1. Terms: The County Manager or designee shall amend the Official Zoning Map to rezone the subject property from Agriculture to Medium Suburban District (R-4) in accordance with this Ordinance.

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.

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

4 **Section 4. Effective Date.** This Ordinance shall become effective upon filing with the Secretary of
5 State.

6 ENACTED this _____ day of _____, 2013.

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8 FILED with the Secretary of State _____, 2013.
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11 **BOARD OF COUNTY COMMISSIONERS**
12 **LAKE COUNTY, FLORIDA**

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14 _____
LESLIE CAMPIONE, Chairman

15 **ATTEST:**

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

20 **APPROVED AS TO FORM AND LEGALITY**

21 _____
22 **SANFORD A. MINKOFF, County Attorney**