

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
PETITION TO REZONE PROPERTY

PLANNING and ZONING BOARD
 May 29, 2013



BOARD OF COUNTY COMMISSIONERS
 June 18, 2013

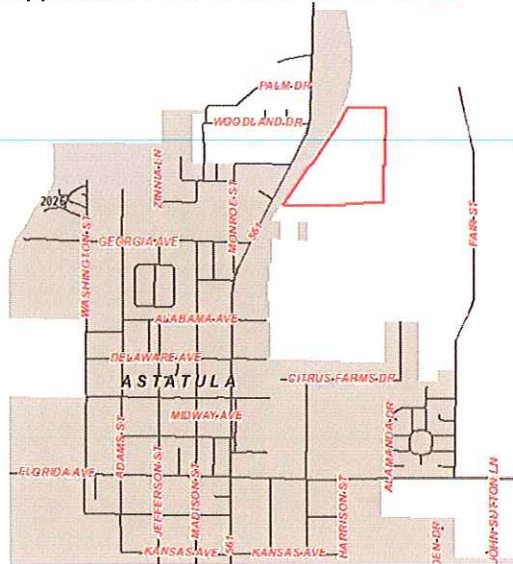
PH #12-13-3 Florida Made Door Rezoning Amendment	Case Manager: Rick Hartenstein, AICP, CPM, Senior Planner	Agenda Item # 2
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Owner: Florida Made Door Company (the "Owner") **Applicant:** Gary L. Summers, Esquire (the "Applicant")

Requested Action: Amend Resolution #10-73 and Planned Industrial (MP) Ordinance #2005-76 to permit Light Industrial (LM) uses and limited Heavy Industrial (HM) uses on the southern 23 +/- acres, rezone the northern 21 +/- acres from MP to Agriculture (A), and replace resolution and ordinance with new ordinances for these land areas.

- Site Location and Information -

Approximate site location shown in red



Size	44.88 +/- Acres	
Location	Sections 20 & 29 / Township 20S/ Range 26E, North Astatula Area – southeast of CR 561/Virginia Avenue intersection.	
Alt. Key Number(s)	1745993, 1746001, & 1746019	
Future Land Use (FLU)	Industrial and Rural Transition	
Zoning District	Existing	Proposed
	Planned Industrial (MP)	Planned Industrial (MP) & Agriculture (A)
Floor Area Ratio (FAR)	Industrial & Rural Transition FLU	
	Industrial - (1.0 – Maximum) (2.0 – Maximum Office/Manufacturing) - (Policy I-1.3.8)	
Maximum Impervious Surface Ratio (ISR)	Rural Transition - Not Specified - (Policy I-1.4.5)	
	Industrial - 80% - Maximum (Policy I-1.3.8, Comp Plan)	
Joint Planning Area	Town of Astatula	
	Town of Astatula	
Utility Area	Town of Astatula	
Site Utilities	Private Well and Septic System	
Road District	CR 561 – Collector	
	Virginia Av – Local Road	
Flood Zone / FIRM Panel	Zone X – Panel #12069C0505E Effective 12/18/2012	
Commissioner's District	3– Conner	

Site Visit(s): May 7, 2013

Sign(s) Posted: May 7, 2013 - (2 Signs)

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	A	Vacant Wooded Land	None
South	Industrial and Rural Transition	City, MP, & A	Concrete Pipe Manufacturing and Citrus	None
East	Rural	A	Woods, Pasture, & Single-Family Residential	None
West	Town of Astatula and Urban Low Density	RM & City	Single-Family Residential & Citrus	None

STAFF RECOMMENDATION: Staff recommends Approval of the proposed rezoning request to replace Resolution #10-73 and Ordinance #2005-73, with new ordinances to rezone 21-acres to Agriculture (A) and 23-acres to Planned Industrial (MP) for light industrial and limited heavy industrial uses.

PLANNING and ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

To rescind and replace Resolution #10-73 (a 1973 Lake County Resolution approving a rezoning from Agriculture (A) to Planned Industrial (MP) for the subject property), and Planned Industrial (MP) Ordinance #2005-76, in order to retain and amend the MP zoning designation to permit Light Industrial (LM) uses and limited Heavy Industrial (HM) uses on the southern 23 +/- acres, rezone the northern 21 +/- acres from MP to Agriculture (A), and replace the prior resolution and ordinance with new ordinances for these land areas. This rezoning would result in the new Agriculture zoning being consistent with the current Rural Transition future land use. The request would also retain consistency of the existing manufacturing facility with the Industrial future land use.

**- Standards of Review and Analysis -
(Section 14.03.03, LDR)**

- A. **Whether the proposed rezoning is in conflict with any applicable provisions of these Regulations;**
The proposed rezoning is consistent with the Land Development Regulations (LDR) as seen in Table 3.01.03, Schedule of Permitted and Conditional Uses. The existing and requested uses by the Applicant are permitted in the MP Zoning District, as established by the above referenced table.
- B. **Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan (“the Plan”);**
The southern 23 +/- acres is located within the Industrial Future Land Use Category (FLUC) in accordance with the 2030 Future Land Use Map (FLUM). Policy I-1.3.8 of the Plan recognizes manufacturing, wholesale trade, limited commerce uses (service/retail/finance/insurance/and real estate) that support industrial land uses, rail yards, civic uses, utilities, and public order and safety as permitted uses. Typical uses requiring a conditional use permit within this land use category are bottling operations, mining and resource extraction, heliports and airports, energy generation, incinerators, landfills, concrete batch and asphalt plants, and manufacturing uses that require permits for potential adverse impacts to natural resources.

The application and supporting documentation proposes light industrial uses on the southern 23 +/- acres of the property; to include, storage/warehousing, office space, concrete batch and or asphalt plant, fabrication facility, manufacturing of doors, plastic, and fiberglass products, and outside storage on the property consistent with the Industrial FLUC Plan Policy. A concrete batch and asphalt plant facility are permitted

within the Industrial FLUC as a conditional use. Since the MP Zoning District is recognized as a planned district and is a land use regulatory instrument, it functions in place of a CUP, and the zoning ordinance contains the conditions for these uses.

The northern 21 +/- acres currently zoned MP (Ordinance #2005-76) is located in the Rural Transition FLUC. Pursuant to Comprehensive Plan (Comp Plan) Policy I-1.4.5 ("Rural Transition Future Land Use Category"), the Rural Transition Future Land Use Category does not permit industrial uses, thus rendering the zoning district non-conforming to the FLUC and Comprehensive Plan. A down-zoning to a zoning district consistent with the Rural Transition FLUC is necessary. In this case, the Agriculture (A) Zoning District was requested since this zoning district is permitted within the Rural Land Use Series and is compatible with the adjacent Agriculture zoning to the north and east of this property. Additionally, Comp Plan Policy I-1.2.8 recognizes agriculture as a suitable use for property in all future land use categories. The requested Agriculture zoning district would resolve the existing non-conforming zoning caused by the current MP zoning district.

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

The requested rezoning and its associated land uses are consistent and compatible with the surrounding land uses and development patterns. The property is located in an area of the County characterized by a mixture of Municipal (Town of Astatula) and County agricultural, residential, commercial, industrial, and mining/resource extraction uses. The property is adjacent to the municipal limits of the Town of Astatula and an existing industrial use (concrete pipe manufacturing company) to the south and vacant agricultural land to the north. The residential land to the west is buffered by the right-of-way of CR 561 and a strip of undeveloped timber land. The property to the east is undeveloped woods and pasture with a single-family residence approximately a quarter of a mile to the east as the crow flies from the northeast corner of the property.

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

The current MP ordinance (Ord. #2005-76) limited the use of the property to a door manufacturing company only. The Applicant wishes to utilize the property to expand a pipe manufacturing company that currently operates south of the Florida Door property. This requires an amendment to the MP zoning in order to limit the industrial uses to the southern property (23+/- acres). This also requires down-zoning the northern acreage to Agriculture. This land area would then become consistent with the 2030 Comprehensive Plan and Rural Transition FLUC.

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;

The proposed amendment could possibly result in additional demands on some public facilities. Any future expansion or change of use impacts will be addressed during the development review process (site plan application and review).

Transportation

The standard LOS for the impacted roadway of CR 561 is "C" with a capacity of 792. This segment of roadway CR 48 to CR 448 is currently operating at forty seven percent (47%) of its capacity during the peak hour in the peak direction. This project will be generating ninety one (91) peak hour trips; with sixty (60) directional pm peak hour trips increasing the volume to capacity (v/c) ratio to fifty four percent (54%). Currently there are no County funded improvements scheduled for this roadway segment. The Applicant will be required to complete a Tier 2 traffic study prior to Site Plan approval. Conditions have been placed in the MP Ordinance addressing this requirement.

Utilities (Water and Sewer)

The property is located in the Urban and Rural Future Land Use Series (Industrial FLUC) and is adjacent to

the northern boundary limits of the Town of Astatula which has no central water or sewer availability. Comprehensive Plan Objective I-1.3, *Urban Future Land Use Series*, states the land use series was established to identify areas within the County that are suitable for urban development and that land within this series requires a full range of services, utilities, and facilities. Comprehensive Plan Policy IX-2.2.2, *Mandatory Central Water Connection*, and Policy IX-3.1.2, *Mandatory Sewer Connection*, require new development to connect to central water and sewer services when available and further provide minimum criteria for existing homes and development for mandatory connection. Both policies state that existing homes and development shall be required to connect to an available public potable water system, and/or an available public sanitary sewer, when:

- The Board of County Commissioners determines that there is endangerment to the environment, public health, safety, or welfare; or
- The private water or sewer system fails and replacement is required; or
- The systems are relocated and the property is within an urban area.

Conditions have been placed in the attached MP Ordinance requiring mandatory connection to water and sewer when central systems become available.

Solid Waste

The Solid Waste Division has indicated that capacity and services are available to support the proposed uses.

Fire

The property is located approximately one (1) mile north of Station #77, a 24-hour manned station, located in Astatula. The estimated response time is under 5-minutes.

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

An environmental assessment shall be required as part of the site plan application process. Any onsite preservation or relocation of any threatened or endangered species (flora or fauna) shall be pursuant to state or federal approvals. Any impacts to the environment that occur due to any expansion or change of use for the manufacturing facilities will be addressed during the development review process (site plan application and review).

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

No evidence has been presented that would indicate the proposed rezoning would adversely affect the property values in the area.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern, specifically identifying any negative effects on such patterns;

The requested rezoning and its associated land uses are consistent and compatible with the surrounding land use and development pattern. The property is located in an area of the County characterized by a mixture of Municipal (Town of Astatula) and County agricultural, residential, commercial, industrial, and mining/resource extraction uses.

I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations;

The proposed rezoning is in harmony with the general intent of the Lake County Comprehensive Plan and Land Development Regulations as demonstrated in Section A and B of this analysis.

J. Any other matters that may be deemed appropriate by the Lake County Planning and 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 this rezoning request and found:

1. The application is consistent with Policy I-1.3.8, *Industrial Future Land Use Category* (southern 23 +/- acres), since light industrial uses, storage/warehousing, office space, concrete batch and or asphalt plant, fabrication facility, manufacturing of doors, plastic, and fiberglass products, and outside storage are recognized as permitted and/or conditional uses.
2. The application is consistent with the conditional use permit clause contained in Policy I-1.3.8, *Industrial Future Land Use Category*, as the conditional uses are conditioned by this Planned District Ordinance.
3. The application is consistent with Policy I-1.4.5, *Rural Transition Future Land Use Category*, since agriculture is a permitted use for the northern 21 +/- acres.
4. The application is consistent with Table 3.01.03, Land Development Regulations (LDR), Schedule of Permitted and Conditional Uses, as the MP zoning district permits light and heavy industrial uses.

Based on these findings of fact, staff recommends **Approval** for this rezoning subject to the conditions contained in the attached Ordinance.

WRITTEN COMMENTS FILED:

Support: -0-

Concern: -0-

Opposition: -0-

**ORDINANCE #2013-
Florida Made Door Company
Gary L. Summers, Esquire
PH #12-13-3**

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

WHEREAS, on the 1st day of April, 2013, Gary L. Summers, Esquire, (the "Applicant") on behalf of Florida Made Door Company (the "Owner") submitted a rezoning application to amend Planned Industrial (MP) Resolution #10-73 and Planned Industrial (MP) Ordinance #2005-76 to allow Light Industrial (LM) and limited Heavy Industrial (HM) uses on the southern 23 +/- acres and to rezone the northern 21 +/- acres from MP to Agriculture (A) consistent with the Rural Transition Future Land Use Category, and to replace Resolution #10-73 and Ordinance #2005-76 with new ordinances for these land areas; and

WHEREAS, on the 19th day of June, 1973 the Lake County Board of County Commissioners approved Resolution #10-73, to rezone 21.73 +/- acres from Agriculture (A) to Planned Industrial (MP) for a door manufacturing facility and related accessory uses; and

WHEREAS, on the 27th day of September, 2005, the Lake County Board of County Commissioners approved Ordinance #2005-76, amending Resolution No. 10-73 to expand the existing manufacturing facility by rezoning 23.54 +/- acres of property from Agriculture (A) to Planned Industrial (MP); and

WHEREAS, the subject property is a portion of 44.88 acres and is located at 13950 Virginia Ave, north of Astatula on the east side of CR 561; (Section 20 & 29 / Township 20S / Range 26E), and is a portion of Alternate Key #'s 1745993, 1746001, & 1746019, and more particularly the land area proposed for rezoning is described below:

LEGAL DESCRIPTION: [EXHIBIT "A" ATTACHED]

WHEREAS, the subject property is located within the Industrial Future Land Use Category, as

WHEREAS, the Lake County Planning and Zoning Board, did review petition PH #12-13-3, on the 29th day of May, 2013, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 18th day of June, 2013; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, and any comments, favorable or unfavorable, from the Public and surrounding property owners at a duly advertised Public Hearing; 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 tracts of land subject to the following terms:

Section 1. Terms: The County Manager or designee shall amend the Lake County Zoning Map to establish an amended Planned Industrial (MP) zoning district for the subject property in accordance with Exhibit "A" of this Ordinance. The terms and conditions of this Ordinance shall mean and include the total

1 of the following land uses and shall rescind and replace Rezoning Resolution #10-73 and MP Ordinance
2 #2005-76.

3 A. Land Uses:

4 1. Light Industrial (LM) Uses:

5 All permitted and conditional LM uses in accordance with the Comprehensive Plan and
6 Land Development Regulations (LDR), as amended.

7 2. Heavy Industrial (HM) Uses, limited to:

- 8 a. Outdoor Storage
9 b. Concrete Batch Plant
10 c. Asphalt Plant

11 Accessory uses directly associated with the above uses may be approved by the County
12 Manager or designee. Any other use of the site shall require an amendment to this
13 Ordinance as approved by the Board of County Commissioners.

14 B. Setbacks, Building Height, Parking, and Open Space:

15 Development of the property shall be in accordance with the Comprehensive Plan and Land
16 Development Regulations, as amended.

17 C. Landscaping:

18 1. Light Industrial (LM) Uses:

19 Landscape buffers and plantings for the LM uses (existing and proposed) shall comply with
20 the minimum landscaping requirements for the LM Zoning District (as the developing site)
21 contained in the Land Development Regulations, as amended.

22 2. Heavy Industrial (HM) Uses:

- 23 a. Outdoor Storage – landscaping in accordance with the Land Development
24 Regulations, as amended.
25 b. Concrete Batch and Asphalt Plants – landscaping in accordance with the Land
26 Development Regulations, as amended.

27 D. Signage:

28 All signage shall be in accordance with the Lake County Land Development Regulations, as
29 amended.

30 E. Noise:

31 A noise assessment shall be required with the preliminary plat and/or site plan submittal to
32 demonstrate mitigation for any noise impacts the proposed project may have on the
33 neighboring uses pursuant to the LDR, as amended.

34 F. Utilities:

- 35 1. Existing water and sewer systems for the property shall be regulated by the Department of
36 Health (DOH) and/or Florida Department of Environmental Protection (FDEP).
37 2. Mandatory connection to central water and sewer shall be required when these systems
38 become available.

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- G. Transportation Improvements:
 - 1. A Tier 2 Traffic Analysis shall be required with the submittal of a site plan for any proposed change of use, expansion, or development on the property.
 - 2. Access shall comply with all applicable Lake County access management requirements contained in the Comprehensive Plan and Land Development Regulations, as amended.
- H. Concurrency Management: The applicant shall comply with all applicable concurrency management regulations contained in the Comprehensive Plan and Land Development Regulations, as amended.
- I. Any requirement not specifically addressed herein, shall comply with the requirements of the Land Development Regulations, as amended.
- J. Future Amendments to Statutes, Code, Plan, and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations, include any future amendment to the Statutes, Code, Plan, and/or Regulations.
- K. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the uses named in this Ordinance.
- L. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
- M. The transfer of ownership or lease of any or all of the property described in this Ordinance shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to this Ordinance, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Lake County Land Development Regulations, as amended.
- N. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement Special Master shall have the authority to enforce the terms and conditions set forth in this ordinance and to recommend that the Ordinance be revoked.

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

Section 3. Development Review and Approval: Prior to the issuance of any permits, the Owner shall obtain development order approvals from Lake County. The applications for final orders shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

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ORDINANCE #2013-
(PH #12-13-3) Gary L. Summers, Esquire (Applicant) and
Florida Made Door Company (Owner)

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

Exhibit "A"
(Legal Description)

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TRACT 1, CITRUS FARMS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED
IN PLAT BOOK 13, PAGE 35, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

TOGETHER WITH: A STRIP OF LAND 20 FEET WIDE LYING 30 FEET EASTERLY, AS
MEASURED CONCENTRIC AND PARALLEL, FROM THE CENTER LINE OF THE ASTATULA
SPUR TRACK LYING BETWEEN THE NORTH AND SOUTH LINES OF TRACT 1, CITRUS
FARMS, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 13,
PAGE 35, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AS SHOWN ON DIVISION
ENGINEERS DRAWING NO. 5446, DATED JULY 7, 1975, AS ATTACHED TO THAT
CERTAIN QUITCLAIM DEED RECORDED IN O.R. BOOK 606, PAGE 1036, PUBLIC RECORDS
OF LAKE COUNTY, FLORIDA.

LESS AND EXCEPT THAT PART OF THE ABOVE--DESCRIBED REAL PROPERTY LOCATED
IN SECTION 20, TOWNSHIP 20 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA.

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**ORDINANCE #2013-
Florida Made Door Company
Gary L. Summers, Esquire
PH #12-13-3**

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

WHEREAS, on the 1st day of April, 2013, Gary L. Summers, Esquire, (the "Applicant") on behalf of his client, Florida Made Door Company (the "Owner") submitted a request to amend Resolution #10-73 and Ordinance #2005-76 to permit Light Industrial (LM) uses and limited Heavy Industrial (HM) uses on the southern 23 +/- acres and to rezone the northern 21 +/- acres from MP to Agriculture (A) consistent with the Rural Transition Future Land Use Category, and to replace Resolution #10-73 and Ordinance #2005-76 with new ordinances for the southern 23 +/- acres and the northern 21 +/- acres of the property; and

WHEREAS, on the 19th day of June, 1973, the Lake County Board of County Commissioners approved Resolution #10-73, to rezone 21.73 +/- acres from Agriculture (A) to Planned Industrial (MP) for a door manufacturing facility and related accessory uses; and

WHEREAS, on the 27th day of September, 2005, the Lake County Board of County Commissioners approved Ordinance #2005-76, amending Resolution No. 10-73 to expand the existing manufacturing facility by rezoning 23.54 +/- acres of adjacent land from Agriculture (A) to Planned Industrial (MP); and

WHEREAS, the subject property is a portion of 44.88 acres and is located at 13950 Virginia Ave, north of Astatula on the east side of CR 561; (Section 20 & 29 / Township 20S / Range 26E), and is a portion of Alternate Key #'s 1745993, 1746001, & 1746019, and more particularly the land area proposed for rezoning is described below:

LEGAL DESCRIPTION: [EXHIBIT "A" ATTACHED]

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

WHEREAS, the request will establish a new Agricultural zoning district for the subject property; and

WHEREAS, the Lake County Planning and Zoning Board, did review petition PH #12-13-3, on the 29th day of May, 2013, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 18th day of June, 2013; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, and any comments, favorable or unfavorable, from the Public and surrounding property owners at a duly advertised Public Hearing; 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 tracts of land subject to the following terms:

1 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the
2 subject property from Planned Industrial (MP) to Agriculture (A) in accordance with Exhibit "A"
3 of this Ordinance and shall rescind and replace Ordinance #2005-76.

4 **Section 2. Development Review and Approval:** If any development of the subject property is later
5 proposed, the Owner shall be required to submit applications for and receive any necessary
6 final development order approvals as provided in the Lake County Comprehensive Plan and
7 Land Development Regulations. Any applications for final development orders shall meet all
8 submittal requirements and comply with all County codes and ordinances, as amended.
9

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

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

14 ENACTED this _____ day of _____, 2013.

15 FILED with the Secretary of State _____, 2013.

16 EFFECTIVE _____, 2013.

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20 BOARD OF COUNTY COMMISSIONERS
21 LAKE COUNTY, FLORIDA

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LESLIE CAMPIONE, Chairman

24 ATTEST:

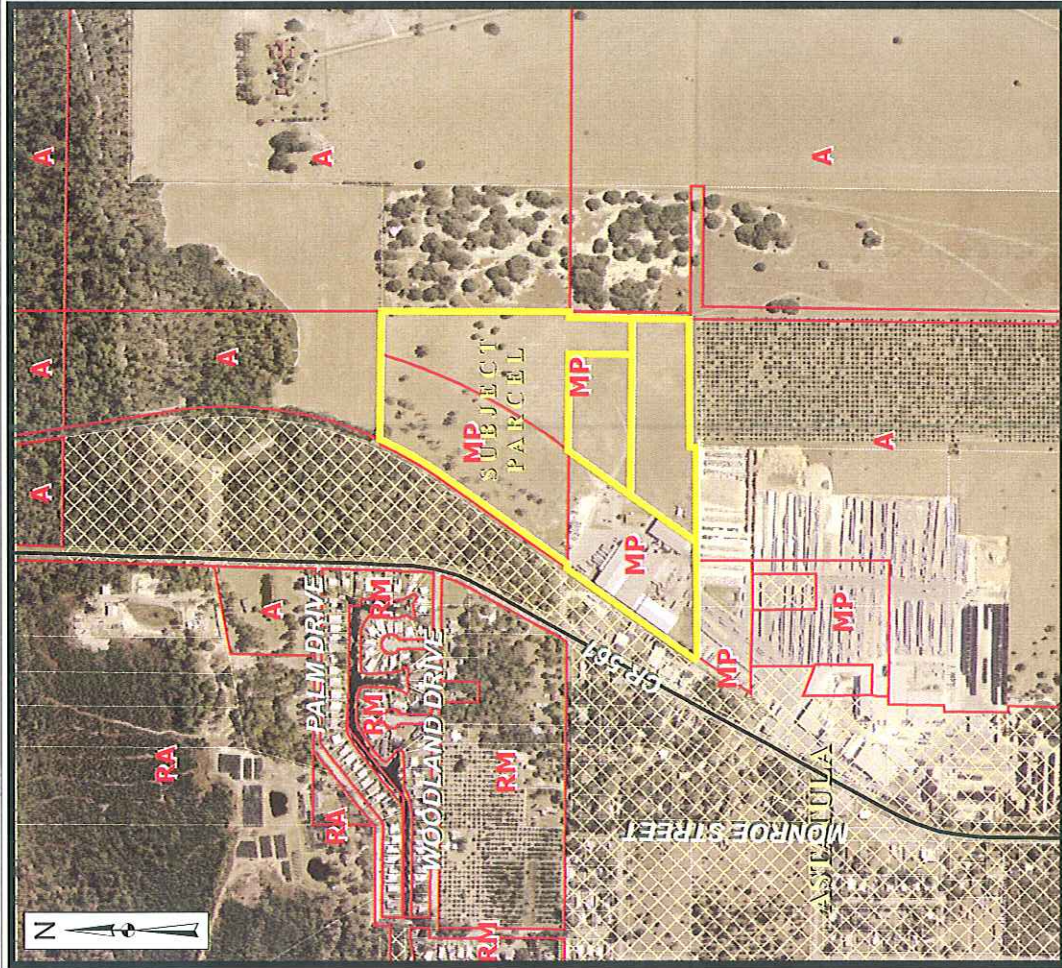
25 _____
26 NEIL KELLY, Clerk of the
27 Board of County Commissioners
28 Lake County, Florida

29 APPROVED AS TO FORM AND LEGALITY

30 _____
31 SANFORD A. MINKOFF, County Attorney
32

EXHIBIT "A" – LEGAL DESCRIPTION

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3 Tract 1, CITRUS FARMS, according to the map or plat thereof as recorded in Plat Book
4 13, Page 35, Public Records of Lake County, Florida.
5
6 TOGETHER WITH: A strip of land 20 feet wide lying 30 feet Easterly, as measured
7 concentric and parallel, from the center line of the Astatula Spur Track lying between
8 the North and South lines of Tract 1, CITRUS FARMS, according to the map or plat
9 thereof as recorded in Plat Book 13, Page 35, Public Records of Lake County, Florida,
10 as shown on Division Engineers Drawing No. 5446, dated July 7, 1975, as attached to
11 that certain Quitclaim Deed recorded in O.R. Book 606, Page 1036, Public Records of
12 Lake County, Florida.
13
14 LESS AND EXCEPT that part of the above-described real property located in Section
15 29, Township 20 South, Range 26 East, Lake County, Florida.



CURRENT ZONING

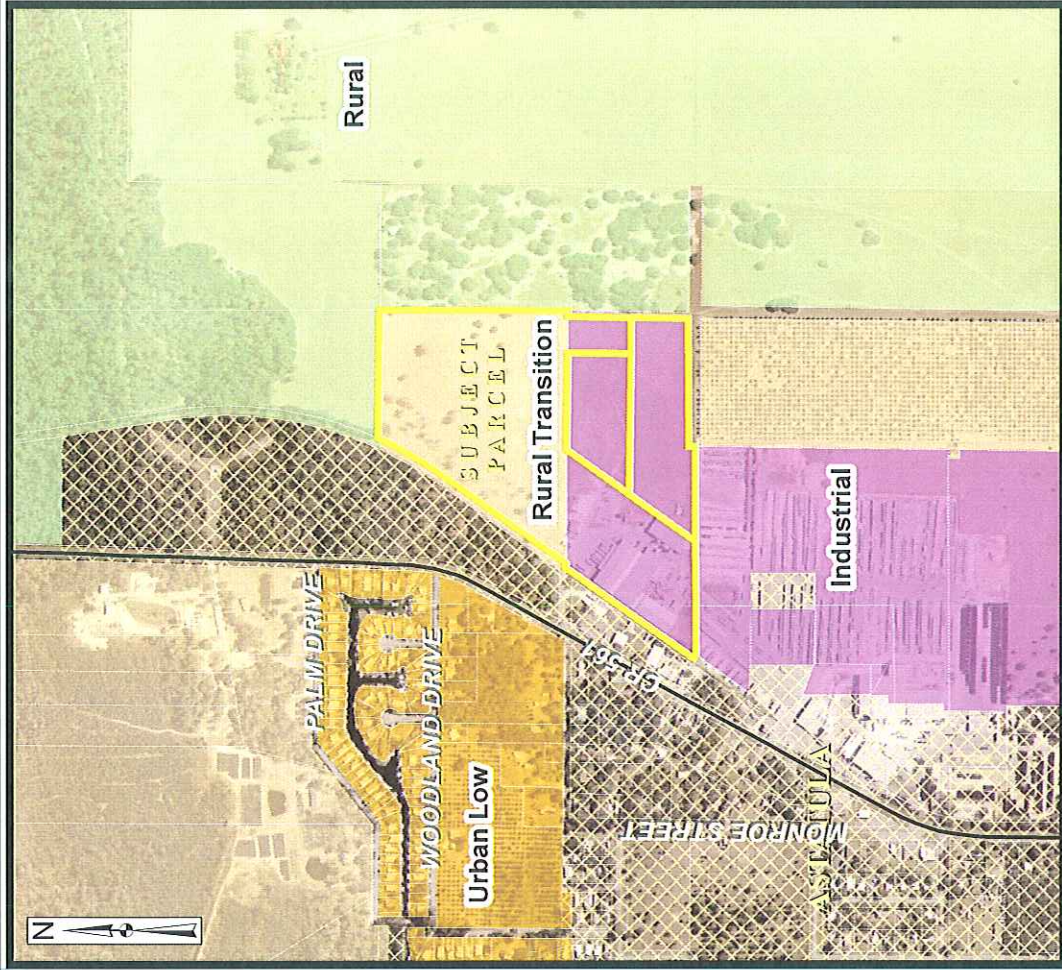
PLANNED INDUSTRIAL (MP)

CASE NO.
PH# 12-13-3

CASE LOCATION:
20/29-20S-26E

REQUESTING:
Amend MP Zoning to
add LM & limited HM Uses

**FLORIDA MADE DOORS
REZONING AMENDMENT**



2030 FUTURE LAND USE

INDUSTRIAL & RURAL TRANSITION

DETAILS:
Lake County GIS Department, Planning, 2008 Aerial Imagery.
Map Composition: Planning and Community Design
Growth Management Department, January, 2008

This map product was prepared from a Geographic Information System (GIS) database. The GIS data was provided by the Lake County GIS Department. The map is intended for informational purposes only and is not intended to be used as a legal document. The map is not intended to be used as a legal document. The map is not intended to be used as a legal document.

MAP COMPOSITION:
JANUARY, 2008

FOCUS AREA

**LAKE COUNTY
FLORIDA**

ZONING

LAND USE

SUBJECT PARCEL

REZONING RESOLUTION #10-73

WHEREAS, The Lake County Planning and Zoning Commission did, on the 30th day of May, 1973, review application 65-73-3, a request for rezoning from A to MP.

Property described as:

That part of Tract 1 in Citrus Farms, a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Book 13, page 35, Public Records of Lake County, Florida, bounded and described as follows: Begin at the NW corner of the said Tract 1, thence run S 88° 52' E along the N line of the said Tract 1 to a point that is 490 feet E of the W'ly line of the said Tract 1 when measured at a right angle thereto; thence run S'ly parallel with and 490 feet E'ly from the W'ly line of said Tract 1 to a point on the S line of the said Tract 1; thence run N 89°25' W along the S line of the said Tract 1 to the SW corner of the said Tract 1; thence run NE'ly along the W'ly line of the said Tract 1 to the POB.

As it now exists, and after giving Notice of a Hearing on applications for changes of zoning classifications (including a Notice that said applications would be presented to the Board of County Commissioners of Lake County, Florida, on the 19th day of June, 1973) and

WHEREAS, The Lake County Planning and Zoning Commission did make recommendations as to the change as requested in the aforementioned application subject to the approval of the Board of County Commissioners of Lake County, Florida, and

WHEREAS, the Board of County Commissioners of Lake County, Florida, reviewed said application the recommendation of the Lake County Planning and Zoning Commission any comments, favorable or unfavorable from the public and surrounding property owners, and being further advised in the premises at a public hearing duly advertised, and

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

NOW THEREFORE, BE IT RESOLVED BY THE Board of County Commissioners of Lake County, Florida, that the Zoning Rules and Regulations of Lake County, be altered and amended as they pertain to the above described tract of land subject to the following conditions:

1. No person, firm or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure, or alter the land in any manner, within the boundaries of the above described land, without first submitting the necessary plans in accordance with Sec. 70.31 of the Zoning Ordinance of Lake County, and obtaining approval from the Director of Planning upon obtaining the permits required from the other appropriate Governmental Agencies.

2. This rezoning shall inure to the benefit of and shall constitute a covenant running with the land, and the terms, conditions and provisions hereof shall be binding upon the present owner and any successor shall be subject to each and every condition herein set out.
3. This approval is for the following land use only:
 - A. A Manufacturing facility to produce doors, and other products that are similar to the above and which do not change the nature of the facility subject to the approval of the Lake County Board of Commissioners.
 - B. The proposed projects shall obtain approval of the Lake County Planning, Building, and Zoning Departments, Lake County Director of Public Works and The Lake County Director of Pollution Control.
 - C. The proposed project shall be developed according to established site Planning Criteria of Lake County Board of County Commissioners.

The Director of Planning or his Designee shall be charged with the enforcement of the conditions contained herein.

DONE AND RESOLVED by the Lake County Board of County Commissioners on the 19th day of June, 1973.

STATE OF FLORIDA

COUNTY OF LAKE

I HEREBY CERTIFY THAT the above and foregoing is a true copy of a Resolution adopted by the Board of County Commissioners in regular session June 19, 1973 as the same appears on record in County Commissioners Minute Book 24 Page 326.

WITNESS my hand and official seal this 2nd day of August, A.D. 1973.

James C. Watkins
Clerk of the Circuit Court
and Ex-Official Clerk of the
Board of County Commissioners,
Lake County, Florida.

By: Norma A. Owen
Deputy Clerk

CFN 2005167937
Bk 02987 Pgs 0261 - 2651 (5pgs)
DATE: 10/25/2005 09:43:59 AM
JAMES C. WATKINS, CLERK OF COURT
LAKE COUNTY
RECORDING FEES 44.00

ORDINANCE #2005-76
Tracking No.#91-05-MP
Florida Made Door Manufacturing Company
Steven J. Richey, P.A.
PH# 80-05-3

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

WHEREAS, the Lake County Zoning Board did on the 7th day of September, 2005, review petition PH# 80-05-3, a request to amend Rezoning Resolution #10-73 to expand an existing door manufacturing facility by rezoning 23.54 acres from A (Agriculture) to MP (Planned Industrial). The subject property is generally located in the Astatula area, east of County Road 561, approximately one mile north of the intersection of County Road 561 and County Road 48. (Sec. 20 and 29/ Twp. 20S/ Rge. 26E) (45.27 total acres; 23.54-acre expansion area)

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

AND, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said would be presented to the Board of County Commissioners of Lake County, Florida, on the 27th day of September, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Zoning Board, 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 tract of land subject to the following terms:

ORDINANCE NO. #2005-76

(Tracking #91-05-MP) (PH#80-05-3) (Florida Made Door Manufacturing Company/Steven J. Richey, P.A.)

Section 1. Terms: The terms and conditions of this Ordinance shall mean and include the total of the following land uses. The County Manager or designee shall amend the Zoning Map in accordance with this Ordinance.

A. Land Uses:

1. Use of the site shall be restricted to a manufacturing facility to produce doors and other products that are similar to the above and which do not change the nature of the facility, subject to the approval of the Lake County Board of County Commissioners.
2. Any other use of the site shall require approval of an amendment by the Board of County Commissioners.

B. Setbacks:

Setbacks shall be in accordance with Section 3.02.05 of the Lake County Land Development Regulations.

C. Lighting:

Light sources to illuminate signs, facades, buildings, parking, and loading areas shall be shaded to prevent direct glare, light spillage, and hazardous interference with adjacent properties.

D. Landscaping:

All landscaping shall comply with the landscaping requirements contained in Section 9.01.00 of the Lake County Land Development Regulations.

E. Signage:

All signage shall comply with the applicable sign requirements contained in Chapter 11 of the Lake County Land Development Regulations.

F. Transportation Improvements:

The applicant shall comply with all Lake County access management requirements, as established in Section 9.05.00 of the Land Development Regulations.

G. Utilities:

Any new or upgraded septic system or well will require approval from the Florida Department of Health. In accordance with Comprehensive Plan Policies 6A-2.5 and 6D-2.5, at such time that a public wastewater and/or water system becomes available, connection to that system

shall be mandatory.

H. Concurrency Management:

The applicant shall comply with all applicable concurrency management regulations, as established in Chapter V of the Land Development Regulations. A concurrency test shall be submitted and approved, or an Affidavit of Deferral must be signed prior to final Board action.

I. Development Review and Approval:

Prior to the issuance of any permits, the applicant shall submit site plans for review and approval by the County Manager or designee. The site plans shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

J. Future Development Orders:

Any requested development order must comply with the Lake County Land Development Regulations, as amended, and Lake County Comprehensive Plan, as amended.

K. Future Amendments to Statutes, Code, Plans and/or Regulations:

The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations shall include any future amendments to the Statutes, Code, Plan, and/or Regulations.

Section 2. Conditions as altered and amended which pertain to the above tract of land shall be as follows:

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

B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner (except for normal maintenance activities – i.e. painting, screening, etc.) within the boundaries of the above described land without first submitting the necessary plans in accordance with Chapter XIV of the Lake County Land Development Regulations, and obtaining approval from the County Manager or designee upon obtaining the permits required from other appropriate governmental agencies.

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

D. The transfer of ownership or lease of any or all of the property described in this Ordinance shall include in the transfer or lease agreement, a provision that the purchaser or lessee is

ORDINANCE NO. #2005-76

(Tracking #91-05-MP) (PH#80-05-3) (Florida Made Door Manufacturing Company/Steven J. Richey, P.A.)

made good and aware of the conditions pertaining to this Ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in Chapter XIV of the Lake County Land Development Regulations (LDRs), as amended.


Section 3. Effective Date. This Ordinance shall become effective as provided by law.

ENACTED this 27th day of September, 2005.


FILED with the Secretary of State October 14, 2005.

EFFECTIVE October 14, 2005.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


JENNIFER HILL, CHAIRMAN

ATTEST:


JAMES G. WATKINS, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGALITY



SANFORD A. MINKOFF, COUNTY ATTORNEY

EXHIBIT "A" – LEGAL DESCRIPTION

ORDINANCE NO. #2005-76

PH#80-05-3

Tracking No. #91-05-MP

Florida Made Door Manufacturing Co.

Steven J. Richey, P.A.

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

LEGAL DESCRIPTION: Citrus Farms Tract 1 – LESS S 658.29 ft lying E of a line 490 ft E'ly & parallel to E'ly r/w of SCL RR --, E 187.15 ft of N 329.14 ft of S 658.29 ft, E'ly 20 ft of SCL r/w in Tract 1 (29-20-26); Citrus Farms N 329.14 ft of S 658.29 ft of Tract 1 – LESS E 187.15 ft & LESS that part lying W of a line 490 ft E'ly & parallel to E'ly r/w of Railroad (29-20-26); Citrus Farms S 329.14 ft of Tract 1 lying E'ly of a line 490 ft E'ly and parallel to E'ly r/w of Railroad (29-20-26)