

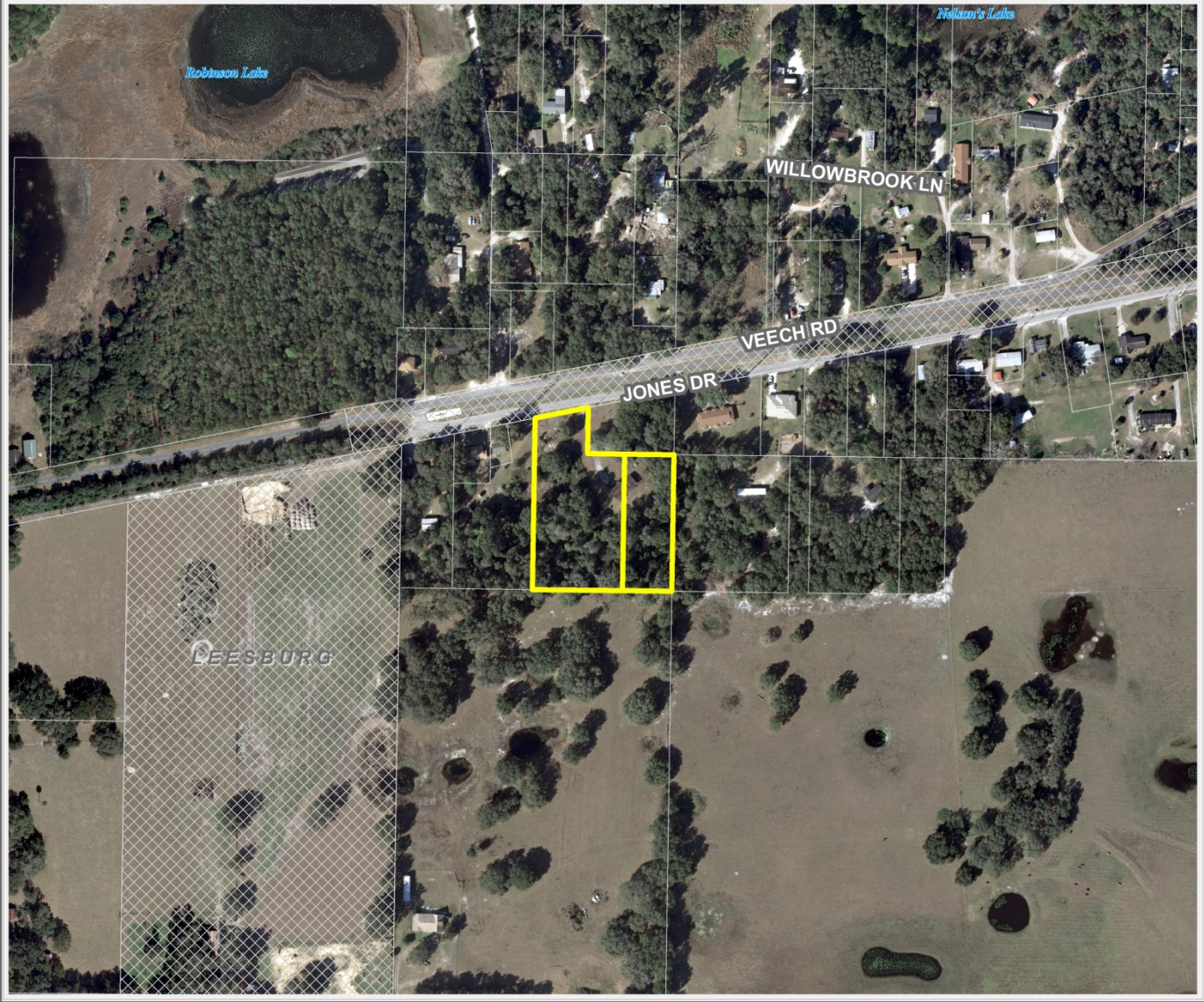
LAKE COUNTY PLANNING AND ZONING DIVISION  
REZONING STAFF REPORT

PLANNING & ZONING BOARD  
June 1, 2016



BOARD OF COUNTY COMMISSIONERS  
June 21, 2016

<p>RZ-2016-12-01 Bernard Property Rezoning</p>	<p>Commissioner District 1 (Sullivan)</p>	<p>Agenda Item #6</p>
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**Requested Action:** Rezone property from Agriculture (A) to Medium Suburban Residential (R-4)

**Location:** Leesburg area, South of Jones Drive and West of County Road 468

**Owner/Applicant:** Osmond Bernard (the "Owner/Applicant")

**- Site Location & Information -**

Size	3 +/- acres
Location	Leesburg area, South of Jones Drive and West of County Road 468
Alternate Key #'s	1172314 and 1772699
Future Land Use	Urban Medium Density (7 du/ net ac. max.)
Existing Zoning District	A
Proposed Zoning District	R-4
Joint Planning Area	N/A

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Urban Medium Density	Mixed Residential (R-7)	Residential	Adjacent to Jones Drive
South	Urban Medium Density	Agriculture (A)	Large Acre Single Family Residential	
East	Urban Medium Density	Mixed Residential (R-7), Agriculture (A)	Multifamily and Single Family Residential	
West	Urban Medium Density	Agriculture (A)	Residential	

**- Summary of Staff Determination -**

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** of the proposed rezoning request, as set forth in the attached Ordinance.

**PLANNING & ZONING BOARD RECOMMENDATION:**

**- Summary of Analysis -**

The Applicant is requesting to rezone the property from Agriculture (A) to Medium Suburban Residential (R-4) to allow residential uses (duplexes)

The subject undeveloped property consists of 3 acres and is located in the Leesburg area, South of Jones Drive and West of County Road 468.

The proposed rezoning request is consistent with Comprehensive Plan and Land Development Regulations (LDR) as residential uses are allowable in the Urban Medium Density FLUC and in the Medium Suburban Residential (R-4) Zoning District. The request for R-4 zoning (maximum density of 4 dwelling units per acre) is also consistent with the Urban Medium Density FLUC, which allows a maximum density of seven (7) dwelling units per net buildable acre.

**This application includes a request to the Board of County Commissioners (BCC) to consider an exemption to the central water/sewer connection requirement contained within Comprehensive Plan Policy IX-2.2.2 *Mandatory Central Water Connection*, Policy IX-3.1.2 *Mandatory Sewer Connection* and Policy III-2.1.22 *Regulate and Monitor Septic Tanks* that is required for development within the urban land use series with a density greater than 1 dwelling per acre. Approval of the exemption will allow the use of individual wells, septic tanks and drain fields for the proposed development. Therefore, be advised that Approval of this rezoning is contingent upon the BCC approval of the exemption to the Central Water/Sewer Connection Requirement for the property (Attachment #1).**

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

**A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;**

The property is approximately 3 acres. The proposed R-4 rezoning will allow a maximum of 4 dwelling units per acre for a total of 12 dwellings. The proposed rezoning is consistent with the LDR as seen in LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits residential uses in the R-4 Zoning District. The purpose of this district is to provide for a medium density single-family usage in a suburban or rapidly urbanizing area.

LDR Section 6.12.01(A) *Central Water System*, requires a connection to central water system when lines are within 300 feet of a private treatment system or any of the central lines of the private potable water system. The City of Leesburg has indicated that the existing water system is more than 3,000 feet from this property and that will not provide central water service to this property. Therefore, per LDR Section 6.12.01(A) Central Water System the proposed development is not required, specifically, to connect to central water.

LDR Section 6.12.01(B) *Central Sewage System*, requires connection to central sewer system when lines are within 1,000 feet of a private treatment system or any of the central lines of the private treatment system. The City of Leesburg has indicated that the existing sanitary sewer system is approximately 3,400 feet from this property and that will not provide central sewer service to this property. Therefore, per LDR Section 6.12.01(B) Central Sewage System the proposed development is not required, to connect to a central sewer system.

It must be noted that input from the Florida Department of Health - Lake County (FDOH) indicates that number of units will be restricted during site plan application review and approval process. FDOH has also indicated that when evaluating the site for septic system a number of factors are considered to determine the maximum possible number of units that can be placed in the property, including but not limited to; number of bedrooms in each unit, septic systems setbacks (100 feet minimum) to any proposed or neighboring property wells, site conditions, etc.

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

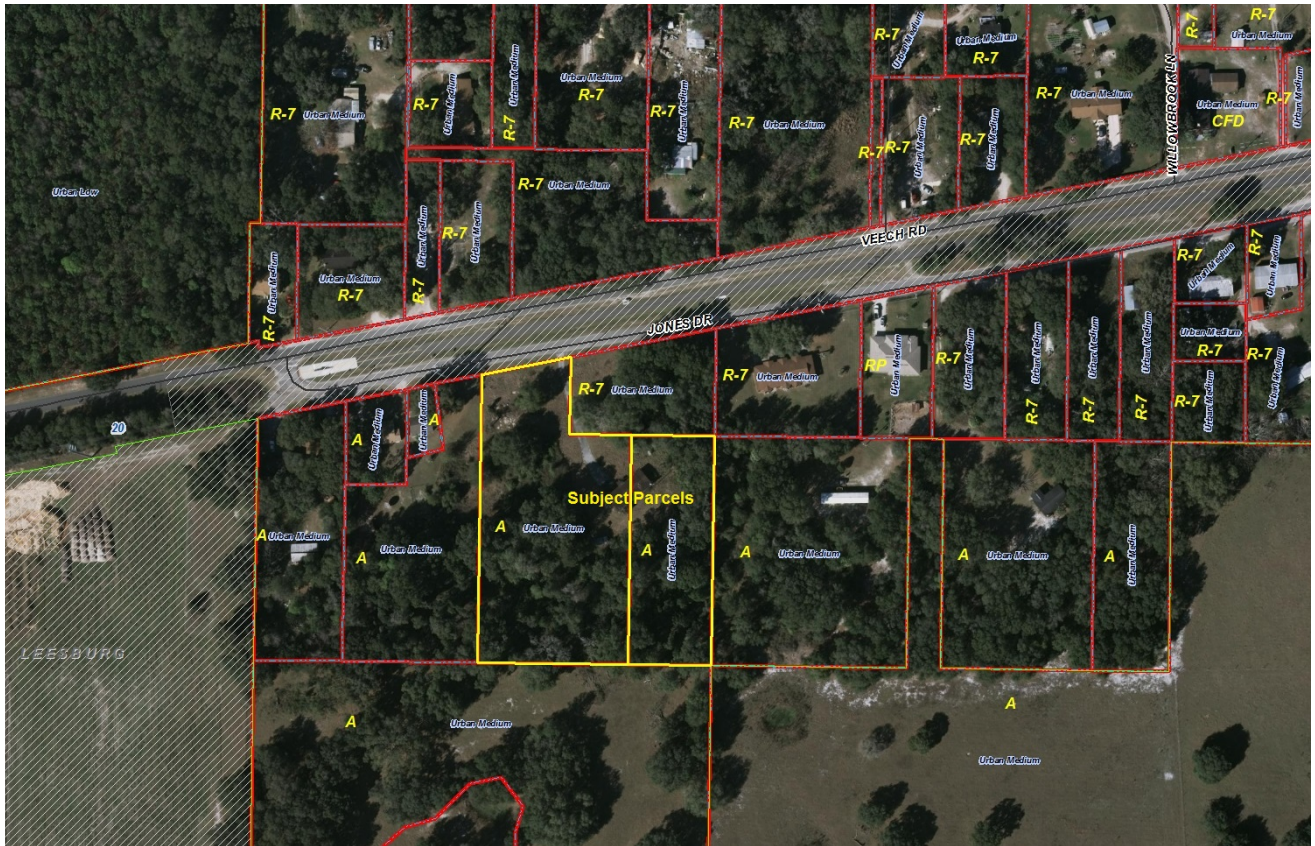
The R-4 rezoning request is consistent with Comprehensive Plan Policy I-1.3.3, *Urban Medium Density Future Land Use Category*, which allows residential uses in the Urban Medium Density Future Land Use Category (FLUC). Rezoning the property to R-4 (maximum density of 4 dwelling units per acre) is also consistent with the Urban Medium Density FLUC which allows a maximum density of seven (7) dwelling units per net buildable acre.

As previously stated, an exemption to the central water/sewer connection requirement contained within Comprehensive Plan Policy IX-2.2.2 *Mandatory Central Water Connection*, Policy IX-3.1.2 *Mandatory Sewer Connection* and Policy III-2.1.22 *Regulate and Monitor Septic Tanks* is being requested by the applicant to the BCC, which will allow the use of individual wells, septic tanks and drain fields in the proposed development, refer to Attachment #1.

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

As shown in the aerial map below, properties in the immediate area of the proposed development are characterized by residential uses including an adjacent triplex residential unit located to the northeast which is owned by the applicant; to the north, east and west by single-family residential uses, a large acre single-family residence to the south and vacant residential properties. The property is also adjacent to Jones Drive to the north. The R-4 rezoning is compatible with existing land uses and will result in an orderly and logical development pattern as it is in an area designated and zoned for higher density than requested as this area is transitioning to a more urbanized character as can be seen from the higher density development in the surrounding area. Therefore, the proposed R-4 rezoning is consistent with the Urban Medium Density FLUC and the existing surrounding uses.





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

Although the application did not contain affordable housing documentation, the applicant has indicated that there is a need for affordable residential housing in the local community. The Applicant owns the existing adjacent triplex residential unit located to the northeast and wants to develop this property for duplex residential units. Urban Medium Density Rezoning the property to R-4 (maximum density of 4 dwelling units per acre) is consistent with the Urban Medium Density FLUC which allows a maximum density of seven (7) dwelling units per net buildable acre.

**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;**

Water/Sewage - The use of well and septic system are proposed for the property development. The applicant is requesting that the proposed development for residential units move forward with an exemption for central water/sewer connection, allowing for the use of individual wells, septic tanks and drain fields. The City of Leesburg has indicated that will not provide central water/sewer service to this property (refer to Attachment #1, letter dated April 25, 2016 from the City of Leesburg and Utility Notifications). In addition, the surrounding properties are currently on well and septic systems as confirmed by the FDOH.

Transportation - Public Works Transportation Division has indicated that the standard Level of Service (LOS) for the impacted roadway of CR 468 is "D" with capacity of 792 trips. Currently the impacted segment from Griffin Ave to SR 44 is operating at thirty four percent (34%). This project will be generating approximately twenty five (25) pm peak hour trips, in which eight (8) trips will impact the peak hour direction. Currently there are no County funded improvements scheduled for these roadway segments. Applicant will be required to complete a Tier 1 traffic study prior to site plan.

Public Works Engineering Division has indicated the following:

- A Commercial Driveway Connection Permit will be required with the submittal of a site plan application.
- A St. Johns River Water Management District Permit maybe required for the site.
- Right-of-Way Section Comments: Site fronts on Jones Drive (#4605) with 30 feet total right of way per Right of Way Map recorded in RMP 3/117. Classified as a Local Road requiring 66 feet total right of way. This right of way lies partially in the abandoned Railroad right of way, which is owned by the City of Leesburg, according to the property appraiser’s information. Cannot confirm existing right of way on plan provided.
- Additional Right-of-way maybe required with future development.

The full extent of the residential development impacts will be evaluated as part of the site plan review and approval process.

Schools - Lake County School Board has indicated that the proposed development will not have an adverse impact on school capacity (Attachment #2). School Concurrency must be met before final site plan approval in accordance with LDR Section 5.03.09 *Educational Facilities*.

Fire and Emergency Services - The subject parcel is approximately 2 miles from Lake County Fire Station 59 (closest fire station), located at 1201 Lewis Road, Leesburg.

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

The parcel is currently vacant and undeveloped. Any future development proposal will require the submittal of an Environmental Assessment as required by the LDR. The full extent of the environmental impacts will be evaluated as part of the site plan review process for the proposed residential use.

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

The application does not include any information regarding effect of the proposed rezoning on area property values.

**H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;**

The proposed rezoning would not disrupt the existing orderly and logical development pattern of 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 will not be in conflict with the public interest and 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 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 proposed rezoning and found:

1. **This application includes a request to the Board of County Commissioners (BCC) to consider an exemption to the central water/sewer connection requirement contained within Comprehensive Plan Policy IX-2.2.2 *Mandatory Central Water Connection*, Policy IX-3.1.2 *Mandatory Sewer Connection* and Policy III-2.1.22 *Regulate and Monitor Septic Tanks* which will allow the use of individual wells, septic tanks and drain fields in the proposed development. **Approval of this R-4 rezoning is contingent upon the BCC approval of the proposed Exemption for Central Water/Sewer Connection Requirement for this property (Attachment #1).****
2. The request is consistent with LDR Section 6.12.01(A) *Central Water System* and Section 6.12.01(B) *Central Sewage System*, which require connection to central water and sewer systems when lines are within 300 feet of a private treatment system or any of the central lines of the private potable water system or within 1,000 feet of a private treatment system or any of the central lines of the private treatment system, respectively. The City of Leesburg has indicated that these systems are not available within the required distance. Therefore, the proposed development is not required to connect to central water and sewer.
3. The request is consistent with the Comprehensive Plan Policy I-1.3.3, *Urban Medium Density Future Land Use Category*, which permit residential uses.
4. The request for R-4 zoning (maximum density of 4 dwelling units per acre) is also consistent with the Urban Medium Density FLUC.

Therefore, based on these findings of fact, staff recommends **APPROVAL**, subject to the conditions as set forth in the attached Ordinance.

**Case Manager:** Melving Isaac, Senior Planner

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





**FUTURE LAND USE LEGEND**

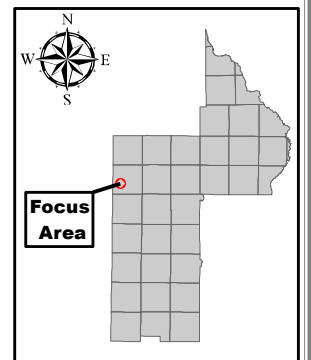
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|--------------------------------|--|---------------------|----------------------|
| Bella Collina                  | Heavy Industrial                           | Recreation          | Urban Low Density    |
| Cagans Crossing                | Mt Plymouth-Sorrento Main Street District  | Regional Commercial | Urban Medium Density |
| Conservation                   | Mt Plymouth-Sorrento Neighborhood          | Rural               |                      |
| Green Swamp Core Conservation  | Mt Plymouth-Sorrento Receiving Area        | Rural Transition    |                      |
| Green Swamp Ridge              | Regional Office                            | Sending Area A-1-20 |                      |
| Green Swamp Rural              | Public Service Facility and Infrastructure | Sending Area A-1-40 |                      |
| Green Swamp Rural Conservation | Receiving Area A-1-20                      | Urban High Density  |                      |

**NAME: OSMOND BERNARD**

**CASE NUMBER: RZ-16-12-01**

**LOCATION (S-T-R): 20-19-24**

**REQUEST: AGRICULTURE TO MIXED RESIDENTIAL DISTRICT**



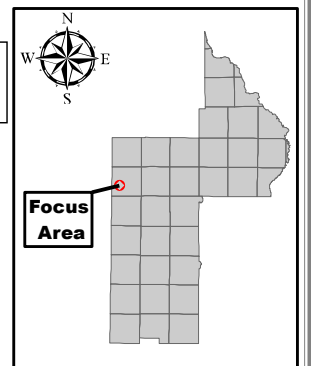




**ZONING LEGEND**

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

**NAME: OSMOND BERNARD**  
**CASE NUMBER: RZ-16-12-01**  
**LOCATION (S-T-R): 20-19-24**  
**REQUEST: AGRICULTURE TO MIXED RESIDENTIAL DISTRICT**







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

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

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

12 **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to  
13 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance  
14 with Section 125.66, Florida Statutes.

15 **Section 5. Effective Date.** This Ordinance shall become effective as provided by law.

16 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

17 FILED with the Secretary of State \_\_\_\_\_, 2016.

18 EFFECTIVE \_\_\_\_\_, 2016.

19 BOARD OF COUNTY COMMISSIONERS  
20 LAKE COUNTY, FLORIDA

21 \_\_\_\_\_  
22 SEAN M. PARKS, Chairman

23 ATTEST:

24 \_\_\_\_\_  
25 NEIL KELLY, Clerk of the  
26 Board of County Commissioners  
27 Lake County, Florida

28 APPROVED AS TO FORM AND LEGALITY

29 \_\_\_\_\_  
30 MELANIE MARSH, County Attorney





## MEMORANDUM

**TO:** Lake County Board of County Commissioners  
**THROUGH:** David Heath, County Manager  
**FROM:** Robert L. Chandler IV, CEcD, Economic Growth Director  
**DATE:** May 4, 2016  
**SUBJECT:** Exemption for Central Water/Sewer Connection Requirement  
Osmond Bernard R-4 Rezoning - RZ#2016-12-01

The property owner, Osmond Bernard is requesting an exemption to the central water/sewer connection requirement contained within Comprehensive Plan Policy IX-2.2.2 Mandatory Central Water Connection, Policy IX-3.1.2 ("Mandatory Sewer Connection") and Policy III-2.1.22 ("Regulate and Monitor Septic Tanks"), for the parcels located South of Jones Drive in the Leesburg area (Alternate Key Numbers 1172314 and 1772699).

**BACKGROUND:** On March 30, Osmond Bernard requested an exemption from Comprehensive Plan Policy IX-2.2.2 ("Mandatory Central Water Connection"), Policy IX-3.1.2 ("Mandatory Sewer Connection") and Policy III-2.1.22 ("Regulate and Monitor Septic Tanks"), which state:

*Policy IX-2.2.2 Mandatory Central Water Connection*

*Lake County shall review and revise, as appropriate, its mandatory central water connection ordinance which, at a minimum shall require new development within the Urban Future Land Use Series to connect to a public water system, when available.*

*Where central systems are not available, a new development exceeding a density of one unit per net acre shall provide a central water system, unless exempted by the Board of County Commissioners via public hearing.*

*At a minimum, existing homes and development in any Future Land Use Category shall be required to connect to an available public potable water system, when:*

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

*Disconnecting from a public or private central water system is prohibited.*

ECONOMIC GROWTH DEPARTMENT | PLANNING & ZONING DIVISION  
P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 – ROOM 510 • P 352-343-9641 • F 352-343-9595  
Board of County Commissioners • [www.lakecountyfl.gov](http://www.lakecountyfl.gov)

*Policy IX-3.1.2 Mandatory Sewer Connection*

*Lake County shall review and revise, as appropriate, its existing mandatory sewer connection ordinance, which at a minimum, shall require new development within the Urban Future Land Use Series to connect to public sanitary sewer, when available.*

*Where a public sanitary sewer system is not available, a new development exceeding a density of one unit per net acre shall provide a regional/sub-regional sanitary sewer system, except for de minimis exemptions granted by the Board of County Commissioners via public hearing. In Rural Clustered Subdivisions where there is a demonstration that the associated sanitary systems will cause no degradation of surface water or groundwater quality, as determined by the Lake County Health Department, private septic may be allowed.*

*At a minimum, existing homes and development in any Future Land Use Series shall be required to connect to an available public sanitary sewer when:*

- 1. The Board of County Commissioners determines that there is endangerment to the environment, public health, safety, or welfare; or*
- 2. The private sewer system (septic tank or drainfield) fails and replacement is required, and the property is within an urban area; or*
- 3. The system is relocated and the property is within an urban area.*

*Policy III-2.1.22 Regulate and Monitor Septic Tanks*

*The County shall develop and implement guidelines and standards in the Land Development Regulations to regulate the location and use of septic tank systems in accordance with the Sanitary Sewer Sub-element. If approved for use by the County, septic tanks and drain fields shall be located away from the most environmentally-sensitive portions of the site, including wetlands, floodplains, and karst features.*

*Except for existing platted lots, the County shall not approve the use of septic systems for new development in excess of one unit per net buildable acre. De minimis development may be exempted from this requirement by the Board of County Commissioners via public hearing. In Rural Clustered Subdivisions where there is a demonstration that the associated sanitary systems will cause no degradation of surface water or groundwater quality, as determined by the Lake County Health Department, private septic may be allowed.*

*The County, in cooperation with the local Department of Health, shall work toward the development of a state inspection, maintenance and repair program for all septic tanks within the County.*

Comprehensive Plan Policy IX-2.2.2, Policy IX-3.1.2 and Policy III-2.1.22 allow the Board of County Commissioners (BCC) to exempt new development from having to meet the connection requirement via a Public Hearing.

The Applicant supports his request for an exemption from central water/sewer connection requirements based on the fact that there is no central water/sanitary sewer system available. The City of Leesburg has indicated that it will not provide central water/sewer service to this property (refer to attached letter dated April 25, 2016 from the City of Leesburg and Utility Notification). In addition, the surrounding properties are currently on well and septic systems as confirmed by the Florida Department of Health in Lake County (FDOH).

Based on the above, the applicant is requesting that the proposed development for residential units move forward with an exemption for central water/sewer connection, allowing for the use of individual wells, septic tanks and drain fields.



**ANALYSIS:** Comprehensive Plan Policy IX-2.2.2 and Policy IX-3.1.2 indicates that a mandatory connection for new development is required when utilities are available for properties within the Urban Future Land Use Series. In addition, Comprehensive Plan Policy III-2.1.22 indicates that the County shall not approve the use of septic systems for new development in excess of one unit per net buildable acre. However, based on the FDOH preliminary determination, the Applicant may be able to develop the property for 8 units at a density of 2.6 dwelling units per net buildable acre consistent with the Comprehensive Plan Policy I-1.3.3 *Urban Medium Density FLUC* which allows a maximum density of 7 dwelling units per net buildable acre. The Board of County Commissioners approved on March 1, 2016 an exemption to the central sewer connection requirement from Comprehensive Plan Policy IX-3.1.2 *Mandatory Sewer Connection* and Policy III-2.1.22 *Regulate and Monitor Septic Tanks*, which will allow the use of individual septic tanks and drain fields in the proposed residential development for Lake Minneola Landings at a density of 2.6 dwelling units per net buildable acre.

Policy IX-2.2.2 and Policy IX-3.1.2 of the Lake County Comprehensive Plan requires new development exceeding a density of one unit per net acre to provide a central water system and regional/sub-regional sanitary sewer system when a public water/sanitary sewer system is not available. These Policies also allow for de minimis exemptions to be granted by the Board of County Commissioners via a public hearing. The City of Leesburg has indicated that public water/sanitary sewer system is not available and that it will not provide central water/sewer service to this property. According to the City of Leesburg, the existing water system is more than 3,000 feet from this property and the existing sanitary sewer system is more than 3,400 feet from this property.

Land Development Regulations (LDR) Section 6.12.01(A) *Central Water System*, requires a connection to central water system when lines are within 300 feet of a private treatment system or any of the central lines of the private potable water system. As mentioned above, the City of Leesburg has indicated that the existing water system is not within 300 feet from this property and the City of Leesburg has indicated that will not provide central water service to this property. Therefore, the proposed development is not required by the LDR, specifically Section 6.12.01(A) *Central Water System*, to connect to central water. Contrary to the Comprehensive Plan Policy IX-2.2.2 *Mandatory Central Water Connection*, LDR Section 6.12.01(A) does not mandate the central water system connection.

Land Development Regulations (LDR) Section 6.12.01(B) *Central Sewage System*, requires a connection to central sewer system when lines are within 1,000 feet of a private treatment system or any of the central lines of the private treatment system. As mentioned above, the City of Leesburg has indicated that the existing sanitary sewer system is not within 1,000 feet of the property and the City of Leesburg has indicated that it will not provide central sanitary sewer service to this property. Therefore, the proposed development is not required by the LDR, specifically Section 6.12.01(B) *Central Sewage System*, to connect to a central sewer. Contrary to the Comprehensive Plan Policy IX-3.1.2 *Mandatory Sewer Connection*, LDR Section 6.12.01(B) does not mandate the central sewer system connection.

FDOH has indicated that based on the available information, it appears that site could accommodate at least 8 units (4 duplexes). FDOH has also indicated that when evaluating the site for septic system a number of factors are considered to determine the maximum possible number of units that can be placed in the property, including but not limited to; number of bedrooms in each unit, septic systems setbacks (100 feet minimum) to any proposed or neighboring property wells, site conditions, etc.

Rezoning Application - A rezoning application is being submitted concurrent with this exemption for central water/sewer connection to rezone the property to R-4 (maximum density of 4 dwelling units per acre). FDOH has indicated that do not have any objection to the rezoning. The property is approximately 3 acres. The proposed R-4 rezoning will allow a maximum of 4 dwelling units per acre for a total of 12 dwellings. However, as mentioned above, the number of units will be restricted by FDOH evaluation during site plan application review.

**RECOMMENDATION:** It is recommended that the Board of County Commissioners **GRANT** the request to exempt the subject development from the Comprehensive Plan Policy IX-2.2.2, Policy IX-3.1.2 and Policy III-2.1.22 requirement to provide a central water/sanitary sewer system based on the hardship documents submitted by the property owner and attached hereto as "Exhibit A". If the Board of County Commissioners grants the request, staff will exempt the development from Comprehensive Plan Policy IX-2.2.2 (*"Mandatory Central Water Connection"*), Policy IX-3.1.2 (*"Mandatory Sewer Connection"*) and Policy III-2.1.22 (*"Regulate and Monitor Septic Tanks"*).



# Exhibit A



April 25, 2016

RE: 1540/1550 Jones Dr, Leesburg, FL 34748

The parcels located at 1540/1550 Jones Dr are not serviced by the City of Leesburg for water or wastewater. Water is more than 3,000 feet away and wastewater is more than 3,400 feet away.

Thanks,  
Amy Fleck  
Executive Assistant, Public Works Department  
[amy.fleck@leesburgflorida.gov](mailto:amy.fleck@leesburgflorida.gov)  
352-435-9442



# Department of Growth Management

## Utility Notification

In an effort to assure governmental cooperation and assistance in the use of approved utility facilities, Lake County shall, per Land Development Regulations, Section 6.12.00, require connection to those facilities upon development, within 1,000 feet of an approved central sewage system and/or within 300 feet of an approved central water system.

The owner of the following property has either a pending public hearing, commercial project under review or is in the process of obtaining a permit. It is understood that a one-day turn around for this information is required so that delays for issuance will be minimized.

Please acknowledge the availability to serve the following property with central utility systems.

**The applicant is proposing the following:**

Single-Family Dwelling \_\_\_\_\_ Multi-Family Units \_\_\_\_\_ Duplex \_\_\_\_\_ Commercial \_\_\_\_\_

Administrative Lot Split \_\_\_\_\_ Commercial Project \_\_\_\_\_ Rezoning \_\_\_\_\_

**Legal description:** Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Alt Key # 1172314

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Additional Legal attached \_\_\_\_\_

Hook up to Central Sewage \_\_\_\_\_ within 1,000 feet of the above described property.

(Is or is not)

Hook up to Central Water \_\_\_\_\_ within 300 feet of the above described property.

(Is or is not)

The City of Leesburg, will provide immediate hook up to this property for:

Central Sewage: Yes \_\_\_\_\_ No X Central Water: Yes \_\_\_\_\_ No \_\_\_\_\_  
Will the connection to the central sewage system be via a \_\_\_\_\_ gravity line or a \_\_\_\_\_ force main/pump?

**Wellfield Protection:**

To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area.

This property is \_\_\_\_\_ or is not \_\_\_\_\_ within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

City Official or Private Provider Signature Darel Craine

Print Name and Title: Darel Craine Date 3-29-16

Please return this completed form to the Lake County Planning & Community Design via facsimile to (352) 343-9767, or email it to [zoning@lakecountyfl.gov](mailto:zoning@lakecountyfl.gov).

To be completed by County staff:	Staff Name: _____
Date Received: _____	Address #: _____ Project Name: _____



# Department of Growth Management

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**The applicant is proposing the following:**

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Administrative Lot Split \_\_\_\_\_ Commercial Project \_\_\_\_\_ Rezoning \_\_\_\_\_

**Legal description:** Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Alt Key # 1172314

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Additional Legal attached \_\_\_\_\_

Hook up to Central Sewage \_\_\_\_\_ within 1,000 feet of the above described property.  
(is or is not)

Hook up to Central Water \_\_\_\_\_ within 300 feet of the above described property.  
(is or is not)

The City of Leesburg will provide immediate hook up to this property for:

Central Sewage: Yes \_\_\_\_\_ No \_\_\_\_\_  
Central Water: Yes \_\_\_\_\_ No X  
Will the connection to the central sewage system be via a \_\_\_\_\_ gravity line or a \_\_\_\_\_ force main/pump?

**Wellfield Protection:**

To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area.

This property is \_\_\_\_\_ or is not \_\_\_\_\_ within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

City Official or Private Provider Signature Darel Craine  
Print Name and Title: Darel Craine Date 3-29-16

Please return this completed form to the Lake County Planning & Community Design via facsimile to (352) 343-9767, or email it to [zoning@lakecountyfl.gov](mailto:zoning@lakecountyfl.gov).

To be completed by County staff:	Staff Name: _____
Date Received: _____	Address #: _____ Project Name: _____



# Attachment 2



**Superintendent:**  
Susan Moxley, Ed.D.

**School Board Members:**  
*District 1*  
Bill Mathias  
*District 2*  
Rosanne Brandenburg  
*District 3*  
Marc Dodd  
*District 4*  
Debbie Stivender  
*District 5*  
Stephanie Luke

*Leading our Students to Success*

201 West Burleigh Boulevard · Tavares · FL 32778-2496  
(352) 253-6500 · Fax: (352) 253-6503 · [www.lake.k12.fl.us](http://www.lake.k12.fl.us)

April 5, 2016

Mr. Chris Schmidt, Planning Manager  
Division of Planning and Community Design  
Growth Management Department  
Lake County  
Post Office Box 7800  
Tavares, Florida 32778-7800

RE: Osmond, Bernard Rezoning (Project RZ #2016-12-01)

Dear Mr. Schmidt:

The County is currently reviewing a rezoning request from Agriculture to R-7 for +/- 3 acres.

As the School Board of Lake County's authorized representative, I am forwarding the School Board's comments to your attention so they can be included with your planning report. The School Board of Lake County Florida recognizes that the zoning change will not have an adverse impact on the District's level of service as defined in Section 5.2 of the school concurrency interlocal agreement. The following School Board comments reflect projected enrollment data from the District's Five-Year Plan, FY 2016-2020, and student generation rates from the Impact Fee Study.

The proposed zoning change has the potential to add a maximum of 24 new dwelling units that will contribute 8 new students to the Lake County School system. Based on current school attendance zones, schools that will not be adversely affected by the proposed zoning change and their projected five-year capacity status are as follows:

- **Fruitland Park Elementary** 11% Under Capacity
- **Oak Park Middle School** 11% Under Capacity
- **Leesburg High School** 22% Under Capacity

Please see the attached District Growth Impact Report, which indicates the potential impact of the proposed zoning change on the public schools which currently serve the area under consideration. Should you have any questions or need additional information please contact me at (352)253-6698.

Sincerely,

Kelly Randall, AICP, Senior Planner  
Growth Planning Department

Enclosure

**REVIEWING AUTHORITY  
NAME / CASE NUMBER**

Lake County Division of Planning and Community Design  
Osmond, Bernard Rezoning Application RZ #2016-12-01

**ITEM DESCRIPTION**

The applicant is requesting a rezoning from Agriculture to R-7 (8 DU/acre) for a total allowable of 24 single-family dwelling units.

**LOCATION**

Section 20; Township 19S; Range 24E  
Located at 1540 and 1550 Jones Drive, Leesburg, FL

**CURRENT LAND USE**

Lake County Urban Medium

**PROPOSED LAND USE**

Lake County Urban Medium

**CURRENT ZONING  
PROPOSED ZONING**

Lake County Agriculture  
Lake County R-7 (8 DU/acre)

**NEW DU IMPACT**

**STUDENT GENERATION**

Elementary School  
Middle School  
High School

SF-DU	MF-DU	Mobile	SF Impacts
			<b>24 DUs</b>
0.328	0.283	0.206	8
0.152	0.143	0.097	4
0.074	0.063	0.047	2
0.102	0.077	0.062	2

**SCHOOL NAME**

Fruitland Park Elementary  
Oak Park Middle  
Leesburg High

Projected Enrollment 2020-2021*	Concurrency Student Capacity*	Projected Five-Year Capacity %	Student Enrollment w/ Impact	% of Conc. Capacity w/ Impact	Planned Capacity On Site
677	765	88%	681	89%	No
641	724	89%	643	89%	No
1,550	1,982	78%	1,552	78%	No

*\*Lake County School District Five-Year Plan, Fiscal Year 2016-2020*

**CSA 9**

Elementary School  
Middle School  
High School

Student Enrollment 2020-2021*	Concurrency Student Capacity*	% of Concurrency Capacity
1,648	1,969	84%
898	1,129	80%
1,550	1,982	78%

*\*Lake County School District Five-Year Plan, Fiscal Year 2016-2020*

**COMMENTS:**

The School Board of Lake County Florida recognizes that the rezoning will not have an adverse impact on the District's level of service as defined in Section 5.2 of the school concurrency interlocal agreement.

*School Concurrency became effective in Lake County on June 1, 2008. Subsequent development orders, including but not limited to, site plans and subdivisions are subject to the school concurrency process. This Growth Impact Report (adequate public facilities analysis) is not intended to be an approval of, or an exemption from, any school concurrency regulations, including the school concurrency requirements in the Lake County School Concurrency Interlocal Agreement.*

**Prepared By:** Kelly Randall, AICP, Senior Planner, Lake County School District

**Date:** 4/5/2016