

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
PETITION TO REZONE PROPERTY

PLANNING and ZONING BOARD
 June 6, 2012



BOARD OF COUNTY COMMISSIONERS
 June 26, 2012

| | | |
|--|---|------------------------|
| Case Number: PH #23-12-3 Sarabande PUD Amendment | Case Manager: Rick Hartenstein, AICP, CPM Senior Planner | Agenda Item # 8 |
|--|---|------------------------|

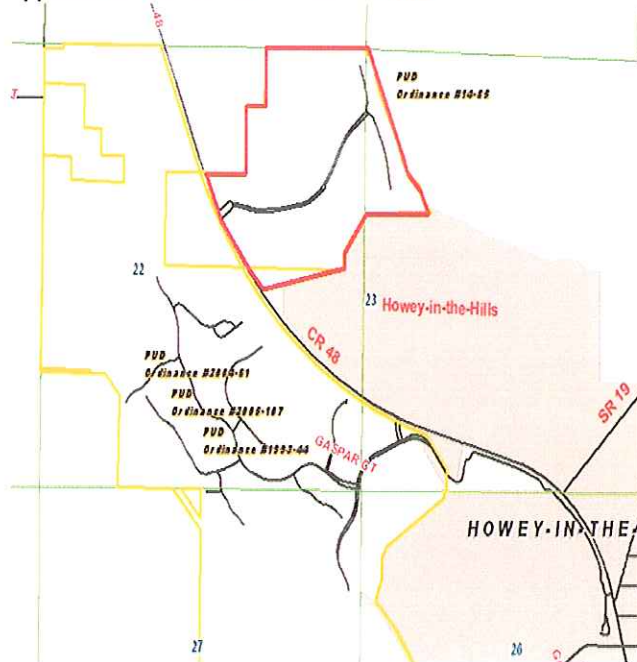
Owner: Sarabande Property Company, LLC / Andrew Summers (the "Owner")

Applicant: Michael B. Latham (the "Applicant")

Requested Action: Amend Ord. #38-87, to add the use of Golf Academy/School with academy office and training rooms and fitness center, decrease golf course size to 9 holes, add a driving range-golf practice area, and increase the residential density to 1.6 DU/Net Acre.

- Site Location & Information -

Approximate site location outlined in red



| | | |
|---|--|----------------------------------|
| Size | 155.08 +/- acres | |
| Location | Howey-in-the-Hills area -on CR 48, west of the SR 19 intersection. | |
| Alternate Key # | 2923911, 3829494, & 2923938 | |
| Future Land Use | Urban Low Density | |
| Zoning District | Existing | Proposed |
| | Planned Unit Development (PUD) | PUD |
| Density | 1 DU/Acre (155 DU) | 1.6 DU/Net Acre (200 DU) |
| Floor Area Ratio (FAR) | 0.002 (Max. 0.25) Policy I-1.3.2 | 0.024 (Max. 0.25) Policy I-1.3.2 |
| Impervious Surface Ratio (ISR) | (0.60 max.) Policy I-1.3.2 | (0.60 max.) Policy I-1.3.2 |
| Joint Planning Area | Howey-in-the-Hills (Proposed) | |
| Utility Area: | Private | |
| Site Utilities | Central Water & Sewer (On-site private) | |
| Road Classification | CR 48 - Rural Minor Arterial | |
| Flood Zone/ FIRM Panel - 12069C0460D | X - outside 500-Year AE - 100-year (64' BFE) | |
| Commissioner District | 3 - Conner | |

Site Visit: May 16, 2012

Signs Posted: May 16, 2012 (3 signs)

Table 1: Land Use Table

| <u>Direction</u> | <u>Future Land Use</u> | <u>Zoning</u> | <u>Existing Use</u> | <u>Comments</u> |
|------------------|--|--------------------------------|--|-------------------------|
| North | Rural Transition | Agriculture (A) | Timber, Pasture, & Single-Family Residential (SFR) | None |
| South | Urban Low Density and Municipal Limits | Agriculture (A) | Pasture, Citrus, and Timber | Howey-in-the-Hills |
| East | Lake Harris | N/A | N/A | None |
| West | Urban Low Density | Planned Unit Development (PUD) | Single-Family Residential (SFR) | Mission Inn Development |

STAFF RECOMMENDATION: Staff recommends **approval** of the proposed PUD rezoning amendment with conditions, as specified in the proposed ordinance.

ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant is requesting to amend Ordinance #38-87 to modify a golf course development for the Sarabande aka Bella Vista Planned Unit Development (PUD). The PUD is currently approved for:

- 155 single-family residential dwelling units (SFDU)
- club house
- 18 hole golf course

The Applicant wishes to add a golf academy/school with accessory structures, an additional forty-five (45) multi-family units for student housing, create a driving range/golf practice area, and reduce the number of golf course holes from eighteen (18) to nine (9) as shown on "Exhibit B" (Conceptual Plan). The Applicant will utilize the existing on-site central water and sewer plant. Any necessary upgrades to the utility will be evaluated during the site plan review process, if this request is approved.

The application indicates that the golf academy/school will not impact the area roadways as the students will be bussed in, thus having a limited impact on transportation facilities and services. If at a later date the multi-family units are no longer used for student housing and are sold, Public Works indicated the affected segment of roadway (CR 48) from Lime Avenue in Yalaha to SR 19 has sufficient capacity to support the additional units. Public Works further stated that additional right-of-way may be required, but this will be evaluated during the site plan review and approval process if this rezoning is approved.

The Lake County School Board has provided comments stating the additional 45 multi-family units will not affect the capacity of area Lake County Public Schools.

The application, together with the proposed uses, is consistent with the Urban Low Density Future Land Use Category (FLUC) requirements and applicable Land Development Regulations.

- STANDARDS OF REVIEW & ANALYSIS -
(LDR, Section 14.03.03)

A. Whether the proposed rezoning is in conflict with any applicable provisions of these Regulations;

Density

The application proposes an additional forty-five (45) multi-family dwelling units (DUs) on approximately 155.08 +/- acres for a total of two hundred (200) DUs at a density of 1.62 DU per

net acre. This request is consistent with Section 3.00.03, *Land Use – Zoning District Matrix*, of the Land Development Regulations (LDRs) that permits PUD zoning with mixed uses in the Urban Low Density FLUC.

Open Space - Residential

Policy I-1.3.2, Comprehensive Plan (the Plan), requires a minimum of 25% of the Net Buildable Area (gross site area minus the land devoted to waters of the state, open water bodies, and wetlands) is to be set aside as common open space within the residential PUD. The Net Buildable Area for the development is approximately 123.58 acres, which would require 30.90 acres of common open space for the development. The Proposed Land Use Table (Exhibit “C”) designates 32.97 acres (27%) as common open space in the form of buffers, common areas, retention areas, and passive recreation, thus demonstrating consistency with the Plan and LDR requirements.

School Concurrency

The Applicant is requesting an increase of forty-five (45) units to the existing 155-unit PUD for a total of 200 units. Any future residential development shall be subject to school concurrency requirements as set forth in the LDRs subject to meeting concurrency through the Lake County School Board. Conditions are contained in the associated Ordinance addressing School Concurrency. The School Board has provided comments identifying the following schools that will be impacted by this development (Attachment #1).

| Schools | Projected 5-Year Capacity | Development Impacts |
|----------------------------|---------------------------|---------------------|
| Astatula Elementary School | 22% Under Capacity | 21% Under Capacity |
| Tavares Middle School | 28% Under Capacity | 28% Under Capacity |
| Tavares High School | 6% Under Capacity | 6% Under Capacity |

The School Board Growth Impact Report (GIR) states this project will not adversely impact area schools.

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

Comprehensive Plan Policy I-1.3.2 permits mixed use development within the Urban Low Density FLUC, including residential, schools, and commercial uses (including services, retail, finance, insurance, and real estate). This policy establishes an open space requirement at 25% of the net buildable area, maximum density at 4 DU/net acre, maximum intensity (FAR) at 25%, and maximum ISR at 60%. As shown on Exhibit “B” (the Conceptual Plan) and Exhibit “C” (Proposed Land Use Table), the proposed project meets or exceeds these requirements and is consistent with this policy.

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

The land use pattern in the area is a mix of PUD (Mission Inn Golf Course Development) and agriculture zoned properties to the north and west. The municipal limits of Howey-in-the-Hills is south of the Sarabande PUD property with Lake Harris to the east.

The uses proposed by this rezoning are similar in nature and intensity to the surrounding uses in the area and are compatible with the area’s existing land uses.

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

The Applicant is proposing additional uses not allowed by the current PUD. The Applicant intends to revitalize the golf course community by amending the PUD ordinance to allow for the new uses.

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 roads, sewage, water supply, drainage, solid waste, parks and recreation, schools and emergency medical facilities;

Schools – The PUD is required to meet school concurrency for the 45 DU increase proposed for the development as set forth in the school concurrency requirements of the Comprehensive Plan and LDRs. (Reference Attachment #1 regarding anticipated school impacts.)

Water and Sewage – The existing development has water and sewer services provided by an on-site private water and sewer systems. If this rezoning is approved, the water and sewer plants will be evaluated during the site plan review process. If upgrades are required, the applicant will have to provide those upgrades prior to or in conjunction with the construction of the golf academy/school facilities.

Solid Waste - Service can be provided to the property and impacts for the development will be assessed at site plan review, if this rezoning is approved.

Fire & Emergency Services – Lake County Station #76 in Yalaha is located approximately 1.36 miles northwest of the property and will be providing fire and emergency services.

Transportation – The standard Level of Service (LOS) for the impacted roadway of CR 48 is "D" with a capacity of 720 trips. Currently the CR 48 segment of roadway from Lime Avenue to SR 19 is operating at 66% of its capacity. This project will be generating 17 peak hour trips with 9 directional pm peak hour trips increasing the volume to capacity (v/c) ratio to 67%. The Applicant will be required to complete an Exemption of Traffic Impact Study request to be submitted with the site plan application if this amendment is approved.

Stormwater - The proposed site for the PUD contains Flood Zone AE and Flood Zone X. The development will have to adhere to and submit plans consistent with stormwater regulations. Conditions have been placed in the ordinance for this provision.

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

An environmental assessment will be required at the site plan review stage. All necessary permits from the state & federal governments in regard to any protected species discovered onsite shall be required prior to commencement of development. The on-site wetlands will be required to be set aside in a conservation easement pursuant to Policy I-7.5.5, Lake County Comprehensive Plan. This will be addressed during the site plan review process if this rezoning is approved.

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

No information has been submitted to indicate that 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 proposed rezoning continues an orderly and logical development pattern for the area as demonstrated by the surrounding area golf course community development.

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**

Rezoning the property is in harmony with the general intent of the Comprehensive Plan and LDR because it meets location criteria for residential development, has sufficient infrastructure to support the request, and proposes a residential density consistent with the Urban Low Density FLUC.

J. **Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners in review and consideration of the proposed rezoning.**

The property is within the proposed boundary of the Town of Howey-in-the-Hills Joint Planning Area (JPA). The municipality has not provided any comments regarding the amendment of the Sarabande PUD.

FINDINGS OF FACT: Staff has reviewed the application for the proposed rezoning and found:

1. The application is consistent with Comprehensive Plan Policy I-1.3.2 regarding density and allowable uses within the Urban Low Density Future Land Use Category; and
2. The application is consistent with Section 4.03.02, LDR as it relates to residential and any other private, public, or semi-public use complimentary to and compatible with planned residential development; and
3. The application is consistent with Section 4.03.03, LDR regarding the general site development standards for a PUD; and
4. The application is consistent with Section 4.03.04 (C) (1), LDR regarding the provision for a minimum of 25% open space within residential PUDs.

Therefore, based on these Findings of Fact, staff recommends **APPROVAL**, with conditions contained in the proposed Ordinance.

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

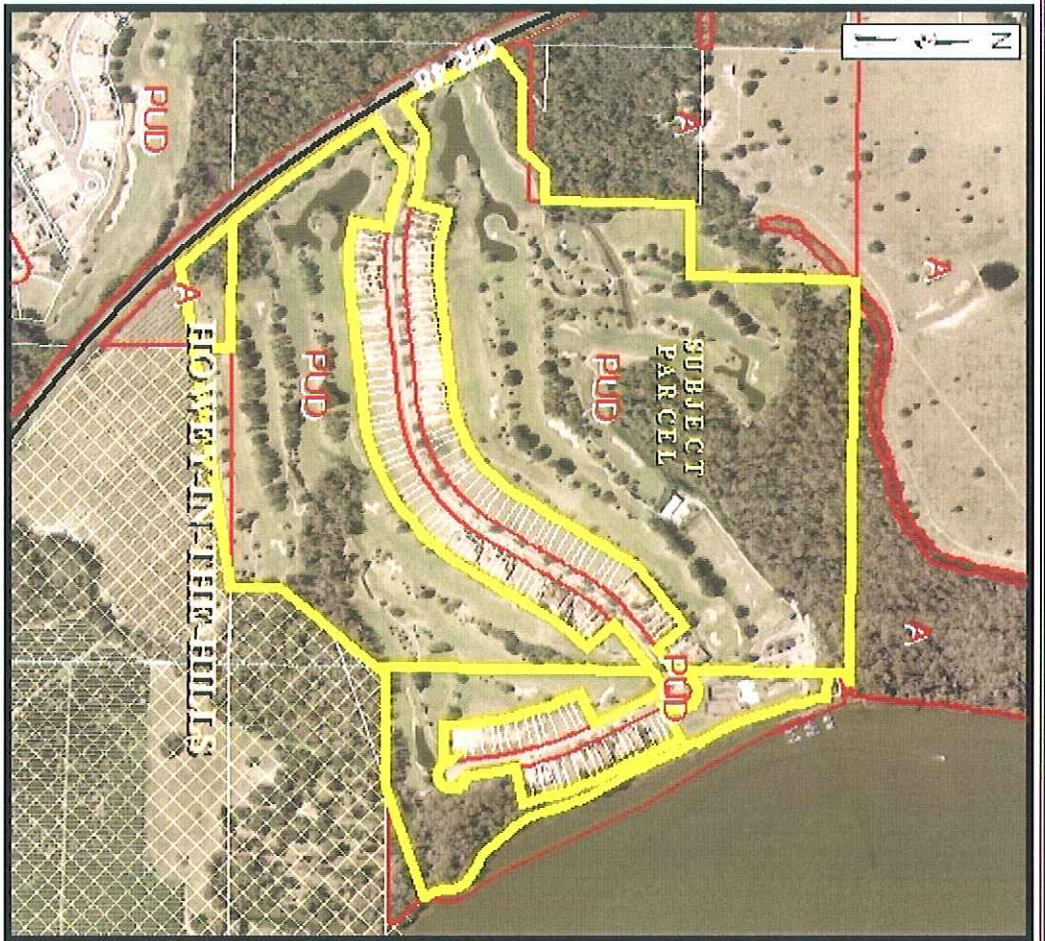
Department of Growth Management
Planning & Community Design



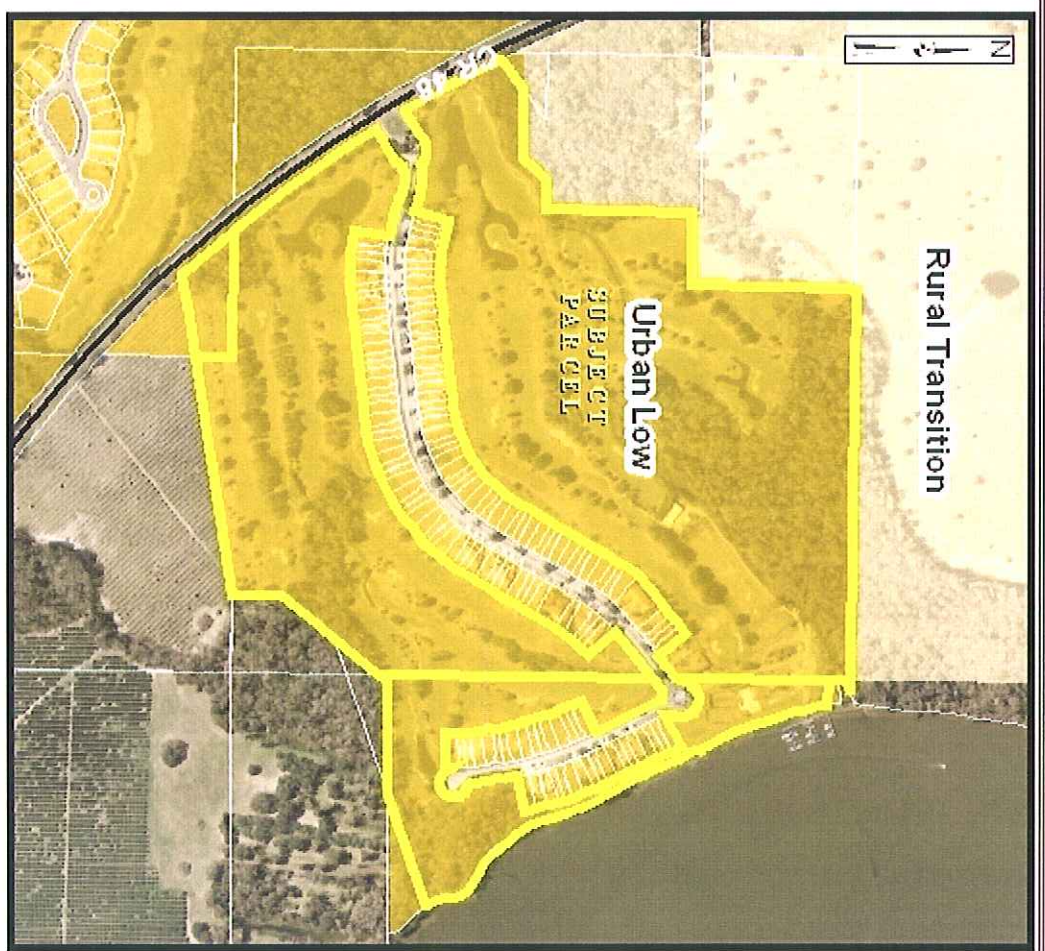
PH# 23-12-3

Sarabande PUD Amendment

(Site Visit - 5/16/2012) - Picture taken of posting at the entrance to the PUD from CR 48.



CURRENT ZONING
 PLANNED UNIT DEVELOPMENT (PUD)



2030 FUTURE LAND USE
 URBAN LOW DENSITY

SARABANDE PUD
 AMENDMENT

CASE NO.
 PH #23-12-3
 CASE LOCATION:
 22723-208-25E
 REQUESTING:
 Amend PUD
 Ordinance #38-87

ZONING
LAND USE
SUBJECT PARCEL

SARABANDE PUD AMENDMENT
 FOCUS AREA

LAKE COUNTY



Leading our Children to Success

201 West Burleigh Boulevard · Tavares · FL 32778-2496
(352) 253-6500 · Fax: (352) 343-0198 · www.lake.k12.fl.us

Superintendent:
Susan Moxley, Ed.D.

School Board Members:
District 1
Jim Miller
District 2
Rosanne Brandenburg
District 3
Tod Howard
District 4
Debbie Stivender
District 5
Kyleen Fischer

May 2, 2012

Mr. Brian Sheahan, Director
Division of Planning and Community Design
Growth Management Department
Lake County
Post Office Box 7800
Tavares, Florida 32778-7800

RE: Sarabande Planned Unit Development (PUD) Zoning Case (Lake County Project #2012020013, AR#2033)

Dear Mr. Sheahan:

The County is currently reviewing a rezoning of approximately 155 acres from Lake County PUD to Lake County PUD. The applicant proposes adding 45 multi-family residential dwelling units to the 155-unit development for a total of 200 residential dwelling units.

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 believes the rezoning will not have an adverse impact on Lake County Public Schools. The following School Board comments reflect projected enrollment data from the District's Five-Year Facilities Master Plan, FY 2012-2016, and student generation rates from the Impact Fee Study.

The proposed rezoning has the potential to add 45 new multi-family dwelling units that will contribute 12 new students to the Lake County School system. Based on current school attendance zones, schools that will not be adversely affected by the proposed rezoning and their projected five-year capacity status are as follows:

- | | |
|-------------------------------------|---------------------------|
| • Astatula Elementary School | 21% Under Capacity |
| • Tavares Middle School | 28% Under Capacity |
| • Tavares High School | 6% Under Capacity |

Please see the attached District Growth Impact Report, which indicates the potential impact of the proposed rezoning 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)253-6694.

Sincerely,

Dawn McDonald, Senior Planner
Growth Planning Department

Enclosure

LAKE COUNTY PUBLIC SCHOOLS RESIDENTIAL GROWTH IMPACT REPORT

REVIEWING AUTHORITY Lake County Division of Planning and Community Design
NAME / CASE NUMBER Sarabande PUD / Project #2012020013; Application Request #2033
DEVELOPER/OWNER Sarabande Property Company, LLC / Michael Latham
ITEM DESCRIPTION The County is currently reviewing an amendment to the 155-acre Sarabande PUD ordinance to add 45 multi-family residential dwelling units. The PUD initially received approval for 155 residential dwelling units (townhomes).
LOCATION Section 20; Township 20; Range 25
 Located north of CR 48, east of US 27, West of SR 19.
CURRENT ZONING Lake County Planned Unit Development (PUD)
PROPOSED ZONING Lake County Planned Unit Development (PUD)

NEW DU IMPACT
STUDENT GENERATION
 Elementary School
 Middle School
 High School

| SF-DU | MF-DU | Mobile | MF Impacts |
|-------|-------|--------|---------------|
| | | | 45 DUs |
| 0.410 | 0.254 | 0.145 | 12 |
| 0.186 | 0.131 | 0.065 | 6 |
| 0.100 | 0.057 | 0.036 | 3 |
| 0.124 | 0.066 | 0.044 | 3 |

SCHOOL NAME

Astatula Elementary
 Tavares Middle
 Tavares High

| Projected Enrollment 2015-2016* | Permanent Student Capacity* | Projected Five-Year Capacity % | Student Enrollment w/ Impact | % of Perm. Capacity w/ Impact | Planned Capacity On Site |
|---------------------------------|-----------------------------|--------------------------------|------------------------------|-------------------------------|--------------------------|
| 687 | 876 | 78% | 693 | 79% | No |
| 1,029 | 1,427 | 72% | 1,032 | 72% | No |
| 1,420 | 1,514 | 94% | 1,423 | 94% | No |

*Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2012-2016

CSA 11

Elementary School
 Middle School
 High School

| Student Enrollment 2015-2016* | Permanent Student Capacity* | % of Permanent Capacity |
|-------------------------------|-----------------------------|-------------------------|
| 934 | 933 | 100% |
| 616 | 724 | 85% |
| 0 | 0 | 0% |

*Lake County School District Five-Year Facilities Master Plan, Fiscal Year 2012-2016

COMMENTS:

The applicant proposes 45 additional multi-family residential dwelling units to the 155 residential dwelling units previously approved for the PUD, which will not adversely impact Lake County Schools.

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: Dawn McDonald, Senior Planner, Lake County School District

Date: 5/2/2012

1 **ORDINANCE #2012-**

2 **Sarabande Property Company, LLC / Andrew Summers**

3 **Sarabande PUD**

4 **PH #23-12-3**

5
6 **AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE**
7 **COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

8 **WHEREAS**, Michael B. Latham (the "Applicant") on behalf of Sarabande Property Company, LLC / Andrew
9 Summers (the "Owner") requested an amendment to Planned Unit Development (PUD) Ord. #38-87 to add Golf
10 Academy/School uses with academy and golf-instructional offices and a fitness center, reduce the number of golf
11 course holes from eighteen (18) to nine (9), and add forty five (45) multifamily units (student housing) for a residential
12 density of 1.6 DU/Net Acre on approximately 155.08 +/- acres; and

13 **WHEREAS**, the subject Planned Unit Development property consists of 155.08 +/- acres located in the
14 Howey-in-the-Hills area –on CR 48, west of the SR 19/CR 48 intersection situated in Section 22/23 - Township 20S -
15 Range 25E, and having Alternate Keys # 2923911, 3829494, & 2923938, and more particularly described as:

16 **LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]**

17
18
19 **WHEREAS**, the property is located within the Urban Low Density Future Land Use Category; and

20 **WHEREAS**, on the 14th day of July, 1987, the Board of County Commissioners approved the Bella Vista PUD
21 (Ordinance #38-87) on 155.8 +/- acres consisting of 155 multi-family condominium units (1 DU/Acre), a Clubhouse
22 with swimming pool, boat dock and rank, and a golf course with amenities; and

23 **WHEREAS**, the Lake County Planning and Zoning Board did, on the 6th day of June, 2012, review Petition PH
24 #23-12-3; after giving Notice of Hearing on petition for a change in the use of land, including notice that said
25 Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 26th day of
26 June, 2012; and

27 **WHEREAS**, this Ordinance shall supersede and replace Ordinance #38-87; and

28 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of the Lake
29 County Planning and Zoning Board, Staff Report and any comments, favorable or unfavorable, from the Public and
30 surrounding property owners at a Public Hearing duly advertised, and

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

33 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County, Florida, that
34 the Land Development Regulations (LDRs) of Lake County, Florida, be altered and amended as they pertain to the
35 above tract of land, as described in Exhibit "A", subject to the following terms:

36 **Section 1.** Terms: The CountyManager or designee shall amend the Zoning Map in accordance with this
37 Ordinance. The uses of the property shall be limited to the uses specified in this Ordinance generally consistent with
38 the Conceptual Plan and Conceptual Plan Site Data attached hereto as Exhibit "B" and Exhibit "C". To the extent
39 where there are conflicts between Exhibit "B" and Exhibit "C" and this Ordinance, this Ordinance shall take
40 precedence. The passage of this Ordinance shall supersede and replace any and all previous ordinances, specifically
41 Ordinance #38-87.

- 1 A. Land Use and Design:
- 2
- 3 a. Residential, Recreational, and Accessory Uses:
- 4 a. Density & Type of Residential Units, Recreational and Accessory Uses:
- 5 i. One-hundred fifty-five (155) existing multi-family condominium lots (Bella Vista Plat);
- 6 ii. Golf Academy/School;
- 7 iii. An additional forty-five (45) multi-family units for student housing;
- 8 iv. The overall density shall not exceed one point six two (1.62) dwelling units (du) to the net
- 9 acre for an overall total of two-hundred (200) multi-family units;
- 10 v. Office and golf instruction building for academy use only;
- 11 vi. Fitness center;
- 12 vii. Driving range and golf practice area, with building;
- 13 viii. Accessory uses directly associated with the above primary uses may be approved by the
- 14 County Manager or designee. Any other use of the site not specified above shall require
- 15 approval of an amendment to this Ordinance by the Board of County Commissioners.

- 16 B. Setbacks for existing Multi-Family Residential Lots, Student Housing Buildings, and Golf Academy/School
- 17 Structures

| | |
|-------------------|--|
| Front | 20 feet from the property line/right-of-way |
| Secondary Front | 15 feet from the property line/right-of-way |
| Side | 5 feet from the property line |
| Rear | 20 feet from the property line (5 feet for accessory structures) |
| Between Buildings | 10 feet |
| Wetlands | 50 feet from the Wetland Jurisdiction Line (WJL) |

- 18
- 19 C. Open Space/Impervious Area/Floor Area:
- 20 1. Residential: 25% of the net buildable area shall be provided as common open space (30.90 +/- acres).
- 21 2. Open space shall be calculated on an overall basis for the net buildable area of the development.
- 22 3. Impervious Surface Area (ISR): Maximum ISR shall be 0.60
- 23 4. Floor Area Ratio (FAR): Floor area ratio shall not exceed 0.25 for non-residential development.
- 24 D. Landscaping: Landscape buffering shall be installed and maintained in accordance with the requirements of
- 25 the LDRs, as amended.
- 26 E. Transportation:
- 27 1. All internal streets shall be constructed to meet access management requirements, design standards, and
- 28 spacing requirements as set forth in the LDRs, as amended.
- 29 2. All roads within the development shall be designed both horizontally and vertically to meet the LDRs
- 30 requirements for their classification, as amended. Road pavement width shall be based on the road
- 31 classification as set forth in the LDRs, as amended.
- 32 3. The Applicant will be required to complete an Exemption of Traffic Impact Study request with the site plan
- 33 submittal.
- 34 4. Transportation Design: The layout and design of lots and circulation systems within the development shall
- 35 be substantially consistent with the attached conceptual plan and conceptual plan site data as Exhibit "B"
- 36 and Exhibit "C" to this Ordinance, submitted as a part of the rezoning application, and may be

1 subsequently revised to reflect the current conditions. To the extent where there are conflicts between
2 Exhibit "B" and Exhibit "C" and this Ordinance, this Ordinance shall take precedence.

3 F. Environmental Requirements:

- 4 1. An environmental survey shall be conducted in accordance with the LDRs, as amended, to address
5 natural vegetative communities, wildlife corridors, and designated species prior to submittal of any
6 development application. The environmental survey shall be no older than six (6) months from the date
7 the survey was conducted.
8 2. A jurisdictional wetland line and designated species habitat delineation shall be established and included
9 on any site plan or plat.
10 3. Wetlands and wetland buffers shall be placed in conservation easements in accordance with the LDRs
11 and Lake County Comprehensive Plan, as amended.

12 G. Utilities: Connection to the existing on-site central water and wastewater treatment systems is required. The
13 on-site central water and wastewater treatment systems shall at all times comply with all applicable Federal,
14 State, Regional, and Lake County policies and regulations, as amended.

15 H. Storm Water and Drainage Requirements:

- 16 1. The storm water management system shall be designed in accordance with all applicable Lake County
17 and St. Johns River Water Management District (SJRWMD) requirements, as amended.
18 2. The storm water management system shall demonstrate that each phase is able to exist as an
19 independent stable unit for drainage purposes. The natural pre-development drainage pattern shall be
20 maintained to the maximum extent possible.

21 I. External Lighting Standards and Requirements:

- 22 1. All exterior lighting shall comply with the Land Development Regulations, as amended.
23 2. Exterior lighting shall not illuminate adjacent properties and rights-of-way. Outdoor lighting shall be full-
24 cutoff lighting with traditional-style fixtures. Lighting shall be designed so as to prevent direct glare, light
25 spillage, and hazardous interference consistent with Dark Sky Principles and be in accordance with the
26 Comprehensive Plan and Land Development Regulations, as amended.
27 3. Luminaries shall not be tilted. Floodlights or lighting types featuring sag, convex, or drop lenses shall be
28 prohibited.
29 4. The height of lighting fixtures inclusive of supporting pole, the lighting source, and fixture shall not exceed
30 thirty (30') feet within parking areas and fifteen (15') feet otherwise. Such height shall be measured from
31 finished grade to the top of the light fixture.
32 5. An exterior lighting plan prepared and certified by a licensed engineer qualified in such field shall be
33 submitted with any site plan or construction plan application. Such plan shall consist of a photometric plan
34 of the developed area of the site with accompanying data tables and product design details addressing
35 support poles, lamp fixtures and lenses.

36 J. Development Review:

- 37 1. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be required
38 to submit a formal site plan or a preliminary plat, construction plans, and final plat as deemed appropriate,
39 for review and approval to Lake County. The site plan or preliminary plat, construction plans, and final plat
40 shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

41 K. Concurrency Management: The Owner shall comply with concurrency management regulations and shall be
42 subject to all applicable concurrency requirements as set forth in the LDRs, as amended.

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

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

6 A. After establishment of the facilities as provided herein, the aforementioned property shall only
7 be used for the purposes named in this Ordinance.

8 B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve,
9 move, convert, or demolish any building structure, or alter the land in any manner (except for
10 normal maintenance activities – i.e. painting screening, etc.) within the boundaries of the
11 above described land without first submitting the necessary plans in accordance with
12 requirements of Lake County, and obtaining the permits required from the other appropriate
13 governmental agencies.

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

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

23 E. Action by the LakeCounty Code Enforcement Special Master. The Lake County Code
24 Enforcement Special Master shall have the authority to enforce the terms and conditions set
25 forth in this Ordinance and to recommend that the Ordinance be revoked.

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

29 **SECTION 4. Effective Date.** This Ordinance shall become effective as provided by law.

30 ENACTED this _____ day of _____, 2012.

31 FILED with the Secretary of State _____, 2012.

32 EFFECTIVE _____, 2012.

35 BOARD OF COUNTY COMMISSIONERS
36 LAKE COUNTY, FLORIDA

37
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39 _____
40 LESLIE CAMPIONE, Chairman

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ATTEST:

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

APPROVED AS TO FORM AND LEGALITY

SANFORD A. MINKOFF, County Attorney

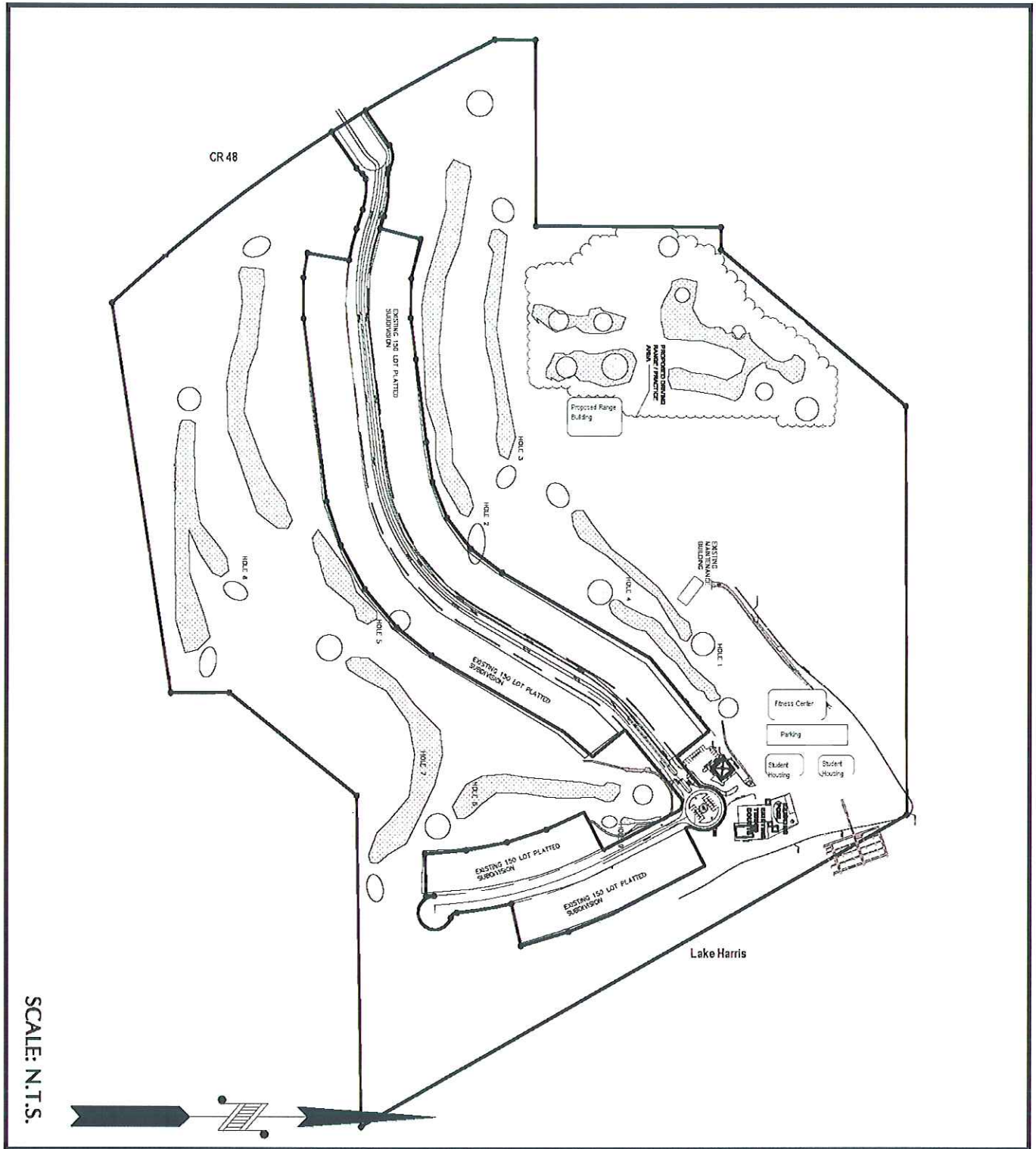
EXHIBIT "A"
(Legal Description)

A part of Sections 22 and 23, Township 20S, Range 25E, in Lake County, Florida described as follows:

Begin at the N.E. corner of said Section 22 and run N89°46'00"E, along the Easterly extension of the North line of the N.E. 1/4 of said Section 22, a distance of 100 feet more or less to the waters of Lake Harris; said Point hereby designated as Point "A"; Begin again at the Point of Beginning and run S89°46'00"W, along the North line of the N.E. 1/4 a distance of 1350.44 feet to a point that is N89°46'00"E, 299.56 feet from the N.W. corner of the East 1/2 of the N.E. 1/4 of the N.W. 1/4 of the N.E. 1/4; thence S39°55'53"W, 863.10 feet to the South line of the N.E. 1/4 of the N.W. 1/4 of the N.E. 1/4 of said Section 22; thence S89°45'11"W, along the South line of the N.E. 1/4 of the N.W. 1/4 of the N.E. 1/4 a distance of 79.95 feet to the N.W. corner of the S.E. 1/4 of the N.W. 1/4 of the N.E. 1/4; thence S00°24'20"W, along the west line of the S.E. 1/4 of the N.W. 1/4 of the N.E. 1/4 a distance of 660.25 feet to the N.E. corner of the N.W. 1/4 of the S.W. 1/4 of the N.E. 1/4; thence S89°42'25"W, along the North line of the N.W. 1/4 of the S.W. 1/4 of the N.E. 1/4 to the center-line of a ditch; thence South west along and with said center-line of a ditch to the Northeasterly right-of-way of State Road No. 48, said point being on a curve concaved Easterly and having a radius of 5679.58 feet; thence Southeasterly along said curve and Easterly right-of-way of state Road No. 48 a distance of 1220.00 feet more or less to the South line of the N.E. 1/4 of said Section 22; thence continue along said curve having a radius of 5579.58 feet and the Easterly right-of-way of state Road No. 48 through a central angle of 02°33'26" an arc length of 253.50 feet; thence N81°15'42"E, 1399.51 feet to the South line of the N.E. 1/4 of said Section 23, said point being S89°09'42"W, 330.00 feet from the East 1/4 corner; thence N00°15'45"W, parallel with the East line of the N.E. 1/4 a distance of 210.00 feet; thence N38°44'24"E, 583.17 feet; thence N89°10'02"E, 1177 feet more or less to the waters of Lake Harris; thence Northerly along and with said waters of Lake Harris to the aforementioned Point "A".
Subject to all easements, right-of-way, and restrictions of record.

EXHIBIT "B"
(Concept Plan)

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EXHIBIT "C"
 (Concept Plan Site Data)

Sarabande Properties
 26945 Bella Vista Dr.
 Howey in the Hills, FL
 Rezoning Application

PROPOSED LAND USE

| DESCRIPTION | TOTAL SQ. FT | TOTAL AC. | |
|--------------------------------|-------------------|---------------|------------|
| TOTAL COMMUNITY AREA | 6755284.80 | 155.08 | |
| WETLANDS | 1372140.00 | 31.50 | |
| NET BUILDABLE AREA | 5383144.80 | 123.58 | |
| GOLF COURSE | 2613600.00 | 60.00 | |
| EXISTING PLATTED LOTS | 876983.00 | 20.13 | |
| EXISTING BUILDINGS (FOOTPRINT) | 10031.00 | 0.23 | |
| PROPOSED BUILDINGS (FOOTPRINT) | 33828.00 | 0.78 | |
| EXISTING ROADS | 313327.00 | 7.19 | |
| PROPOSED DRIVE ISLES | 64285.00 | 1.48 | |
| PROPOSED PARKING LOTS | 34922.00 | 0.80 | |
| TOTAL IMPERVIOUS AREA | 456393.00 | 10.48 | |
| ACTUAL OPEN SPACE | 1436168.80 | 32.97 | 27% |
| MINIMUM OPEN SPACE (25%) | 1345786.20 | 30.90 | 25% |

PROPOSED AREA CALCULATIONS

| BUILDING | TOTAL SQ. FT. | TOTAL AC. |
|--------------------------------|---------------|-----------|
| PROPOSED FITNESS CENTER *** | 18,000.00 | 0.4132 |
| PROPOSED STUDENT RESIDENCE 1 * | 40,000.00 | 0.9183 |
| PROPOSED STUDENT RESIDENCE 2 * | 40,000.00 | 0.9183 |
| PROPOSED RANGE BUILDING ** | 9656.00 | 0.2217 |
| EXISTING CLUB HOUSE | 5,292.00 | 0.1215 |
| EXISTING MAINTENANCE | 4,739.00 | 0.1088 |

* 1st Floor Parking, 2nd and 3rd and 4th Floors Living units
 (3 living units and 1 common stair and elevator lobby per floor)

** Office space for Coaching and technical staff plus video practice suites

*** 1st Floor offices and Locker Rooms, 2nd Floor Fitness and Training areas

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