

Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	City of Groveland		RV park	developed
South	Urban	Neighborhood Commercial (C-1)	Residential	Single-family residential structures
East	Urban	Planned Commercial (CP)	Vacant/undeveloped	
West	City of Groveland	C-1	RV park	developed

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **approval** of the proposed amendment to Ordinance #2011-15 to correct scrivener's error within the legal description lessening-out .084-acres, with conditions; and approve the rezoning of .084-acres to Community Commercial (C-2).

ZONING BOARD RECOMMENDATION: The Zoning Board accepted staff's approval recommendation with a 5-0 vote.

-Summary of Analysis-

After the rezoning approval of the Community Facility District (CFD) approved by Ordinance #2011-15 (Attachment 1) for the Lake County School Bus Transportation Facility, the School Board discovered an error within the legal description. A northeast portion of the property was inadvertently rezoned to CFD containing a Billboard (an off-premise sign). The School Board and the Owner did not wish to include the Billboard in the School Facility property. The effected portion is approximately .084-acres.

The Lake County Planning and Community Design (the Applicant) seeks to resolve the error within the legal description of CFD Ordinance #2011-15 (Attachment 1) by lessening-out .084-acres from this Ordinance. A new ordinance is proposed to rezone the .084-acres to Community Commercial (C-2) which would be consistent with the adjacent Planned Commercial (CP) which allows C-2 uses.

The approximately 15.72-acre property currently contains the American Choice RV dealership (Francisco & Armando Alonso-Owners). It contains a 24,524 square foot building, approximately 22 parking spaces, surface vehicle storage areas, assorted sheds and canopies; including a non-conforming billboard. This billboard is situated on the effected .084-acres at the northeast corner of the RV dealership.

- Analysis -

(Standards for Review - LDR 14.03.03)

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

The proposed amendment of Ordinance #2011-15 to less-out .084 acres and to remove the condition related to the nonconforming billboard does not conflict with any provisions of the Land Development Regulations (LDR). The proposed rezoning of the .084-acres from CFD to C-2 does not conflict with the LDR because the land area was initially zoned as Planned Commercial (CP) and includes all C-2 uses. It should be noted that regardless of the billboard's location or its zoning, the use may continue pursuant to the non-conforming provisions of LDR Section 1.08.04(B). This request to replace Ordinance #2011-15 or the C-2 rezoning does not involve adding any new uses to property.

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

The proposed ordinance amendment is consistent with the Comprehensive Plan (Comp Plan) because it does not propose any new uses than what was previously approved. Additionally, location of the proposed C-2 rezoning is consistent with commercial location of the Comp Plan pursuant to Policy 1-3A.5.

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

The proposed amendment to Ordinance #2011-15 does not create an inconsistency with existing and proposed land uses. Additionally, the proposed rezoning of .084 acres along US 27 does not create inconsistency with the existing and proposed uses.

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

The School Board's discovery of the scrivener's error within the legal description of approved Ordinance #2011-15 predicates the need for this ordinance amendment and C-2 rezoning.

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 ordinance amendment and C-2 rezoning will not create any additional impact on public facilities.

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

The proposed ordinance amendment and C-2 rezoning will not create any significant adverse impacts on the natural environment. The property is the site of a fully developed RV dealership.

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

The proposed ordinance amendment and C-2 rezoning will not adversely affect property values.

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 ordinance amendment and the C-2 rezoning will not change the existing development pattern in the area.

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

The proposed rezoning would be in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

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

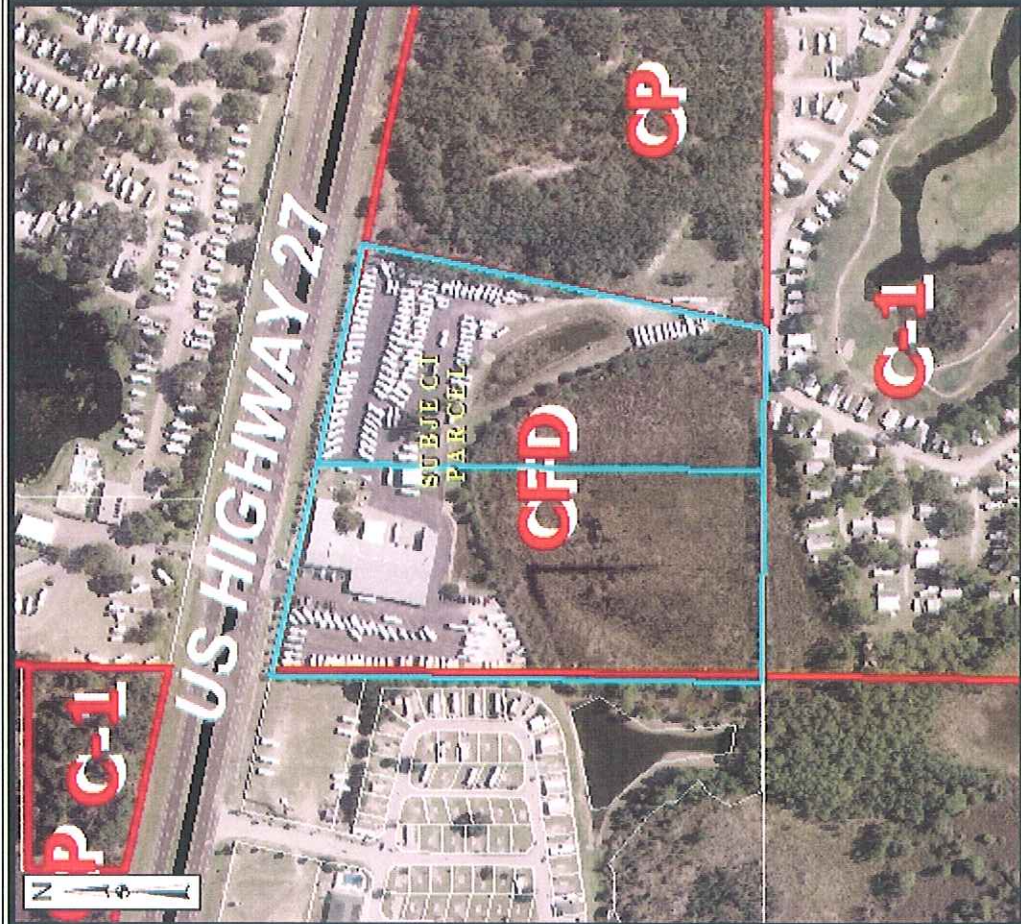
None

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

1. This application request is consistent with the CFD definition pursuant to LDR Section 3.00.02.Y in that the proposed use promotes the general welfare and serves a community interest.
2. This application request is consistent with LDR Table 3.00.03 that describes CFD zoning as being allowable within the Urban Future Land Use Category.
3. This application request to rezone property to Community Commercial (C-2) is consistent with Comp Plan Policy 1-1.14:2 regarding commercial uses being served by an adequate road system, ie. US 27.
4. The rezoning application is consistent with Comp Plan Policy 1-1.15:1 regarding the proposed CFD use in the Urban Future Land Use Category.
5. The rezoning application is consistent with Comp Plan Policy 1-5.4 pertaining to the appropriate location for institutional uses in urban areas along arterial or collector roadways.
6. This application request to rezone property to Community Commercial (C-2) is consistent with Comp Plan Policy 1-3A.5 pertaining to the location of commercial use along US 27.

Based on these findings of fact, staff recommends **approval** of an amendment to replace Ordinance #2011-15, with conditions; and recommends approval to rezone.084-acres from CFD to C-2.

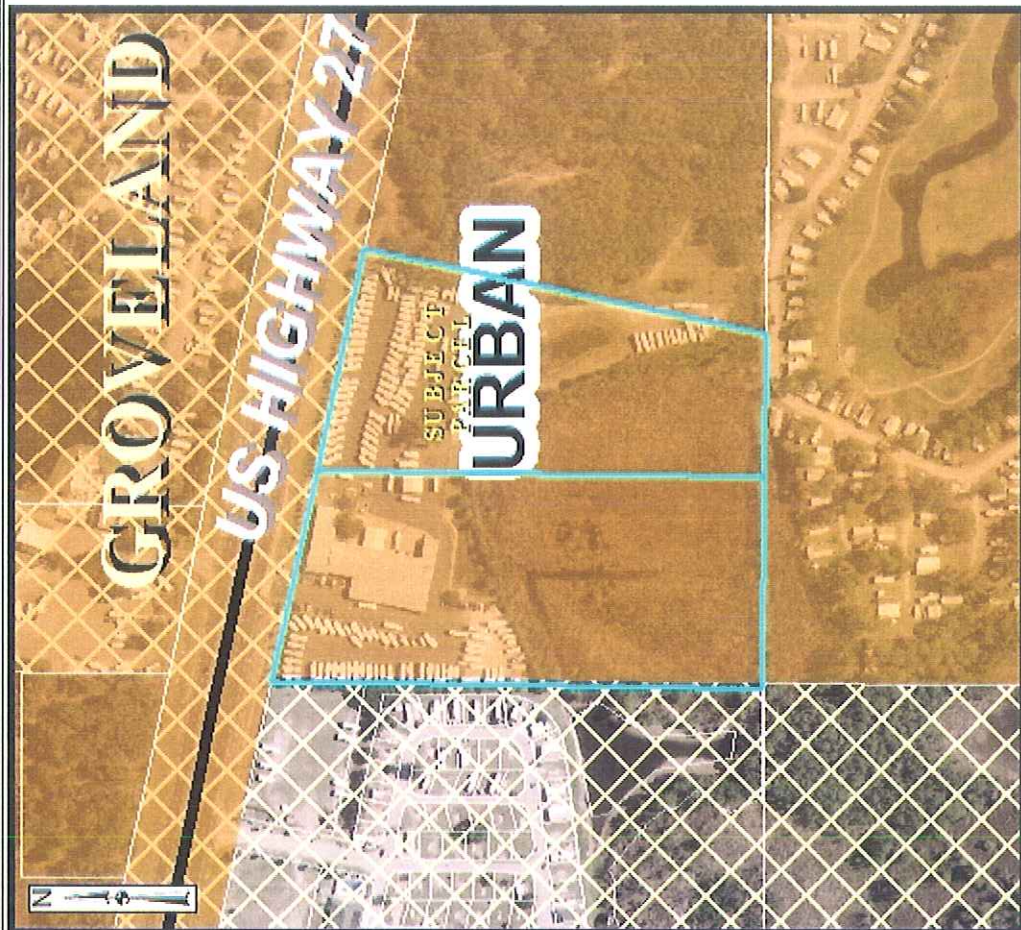
WRITTEN COMMENTS FILED: Support: -0- Concern: -0- Oppose: -0-



CURRENT ZONING

CASE NO. PH# 12-11-2
CASE LOCATION: 22-238-05E
REQUIRING: New CFD ordinance
Rezone .084-acres to C-2

ZONING
LAND USE
SUBJECT PARCEL



ADOPTED FUTURE LAND USE

MAP COMPOSITION: JANUARY 2008
FOCUS AREA

**LCSB TRANSPORTATION
FACILITY-AMENDMENT**

ORDINANCE #2011-XX

Lake County Planning & Community Design/
Lake County School Board/Francisco and Armando Alonso
PH #12-11-2

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 Planning and Community Design Division (the "Applicant") submits this petition on behalf of Francisco and Armando Alonso, Trustee and the Lake County School Board (the "Owners") is to amend Community Facility District (CFD) Ordinance #2011-15 to correct scrivener's errors within the legal description; and

WHEREAS, the Lake County Board of County Commissioners approved Ordinance #2011-15 on March 22, 2011 to rezone 15.37 +/- acres of property located on the south side of US 27, south of SR 19 in Section 22, Township 21 South, Range 25 East, lying within Alternate Key Numbers 1587069 and 3635809, to Community Facility District (CFD) zoning for a Lake County School Board Bus Transportation Facility;

WHEREAS, scrivener's errors were discovered within the legal description of Ordinance #2011-15 after the March 22, 2011 public hearing that caused .084 acres of property identified by Alternate Key #3635809 to be rezoned to CFD; and

WHEREAS, this petition will correct the scrivener's errors by superseding and replacing Ordinance #2011-15 with a new ordinance and new legal description as specified in "Exhibit A"

LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]

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

WHEREAS, on May 25, 2010, the Lake County Board of Commissioners adopted the Lake County 2030 Comprehensive Plan and Future Land Use Map (FLUM) and upon the effective date of these documents pursuant to Chapter 163.3184, Florida Statutes, the Future Land Use Category (FLUC) for the property as described above will be Regional Office and the proposed zoning will be generally consistent with this category; and

WHEREAS, the Lake County Zoning Board reviewed petition PH #12-11-2 on the 1st day of June, 2011, after giving Notice of Hearing on a 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 28th day of June, 2011; and

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

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2 **WHEREAS**, upon review, certain terms pertaining to the development of the above described property
3 have been duly approved; and
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5 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
6 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they
7 pertain to the above subject property subject to the following terms:
8

9 **Section 1. Terms:** This Ordinance replaces and supersedes Ordinance #2011-15, in its entirety.

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11 The County Manager or designee shall amend the Lake County Zoning Map to Community Facility
12 District (CFD) uses. The uses of the property shall be limited to those uses specified in this
13 Ordinance and generally consistent with the Conceptual Plan attached hereto as Exhibit "B". To
14 the extent where there are conflicts between Exhibit "B" and this Ordinance, this Ordinance shall
15 take precedence.
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17 A. Land Uses:

- 18 1. Bus transportation and maintenance vehicle depot
- 19 2. Vehicle and mechanical maintenance shops
- 20 3. General Office for school board administrative use and functions
- 21 4. Health Care Office for Lake County School Board Employees and their dependents.

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23 Accessory uses directly associated to the above primary uses listed above may be
24 approved by the County Manager or designee. Any other use of the site shall require
25 approval of an amendment to this Ordinance and the CONCEPT PLAN, EXHIBIT "B"
26 by the Board of County Commissioners.
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28 B. Setbacks:

- 29 1. Liquid storage tanks used for fuel shall be above ground only.
- 30 2. Fuel tanks shall meet all local, state and federal regulations and shall not be located
31 within 200 feet of any water well, public or private.
- 32 3. The front building setback shall be 17 feet from the property line.

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34 C. Landscaping, Buffering, and Screening:

- 35 1. A 15-foot wide Type-A landscape buffer shall be required along the eastern property
36 line at the time of site plan submittal. This landscape buffer shall be in accordance
37 with the LDR in effect at the time of this ordinance approval.
- 38 2. The existing landscape buffers along the north, west and south property lines shall
39 remain.
- 40 3. There shall be no parking of vehicles within the landscape buffer areas or within the
41 right-of-way.
- 42 4. All other landscape buffers and screening shall be consistent with the Land
43 Development Regulations, as amended.
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- D. Lighting:
 - 1. Lighting shall not illuminate adjacent properties or rights-of-way and shall be consistent with Dark Sky lighting principals.

- E. Access Management:
 - 1. Future access improvements will be installed as determined to be necessary in accordance with the LDR, as amended.

- F. Environmental:
 - 1. The wetland areas and associated buffers shall be placed into a conservation easement as a condition of future site plan approval.
 - 2. An environmental assessment may be required with the submittal of a site plan application.

- G. Signage: All signage shall be consistent with the Land Development Regulations, as amended.
 - ~~2. The existing billboard shall be recognized as a non-conforming sign in accordance with LDR, as amended. Future maintenance, repair, and replacement of the billboard shall be in accordance with the LDR, as amended.~~

- H. Utilities:
 - 1. Stormwater Management shall be designed and constructed in accordance with St. Johns River Water Management District (SJRWMD) requirements and the Lake County Land Development Regulations, as amended.
 - 2. Central Water shall be provided by the City of Groveland.
 - 3. Sewer connection and use of the existing septic tank shall be in accordance with the LDR and Comprehensive Plan. Future sewer connection shall be evaluated at site plan submittal.

- I. Development Review and Approval:
 - 1. Any future site plan submittal shall comply with all Lake County LDR, as amended.

- J. Concurrency Management Review: Concurrency shall be met prior to the issuance of any development order or final plat (whichever occurs first), consistent with the LDR, as amended.

- K. Future Development Orders: Any requested development order must comply with the Comprehensive Plan and LDR, as amended.

- L. 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, Plans, and/or Regulations.

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

- 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 within the boundaries of the above described land without first submitting the necessary plans in accordance with the Lake County Land Development Regulations, and obtaining approval from the County Manager or designee upon obtaining the permits required from the other appropriate governmental agencies.
- C. This amendment 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. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
- E. 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.
- F. 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 3. 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.

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

ENACTED this _____ day of _____, 2011.

FILED with the Secretary of State _____, 2011.

EFFECTIVE _____, 2011.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

JENNIFER HILL, Chairperson

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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5 THAT PART OF THE WEST 400 FEET OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF
6 SECTION 22, TOWNSHIP 21 SOUTH, RANGE 25 EAST, IN LAKE COUNTY, FLORIDA, LYING
7 SOUTH OF THE SOUTHERLY LINE OF THE RIGHT OF WAY OF U.S. HIGHWAY 27, LAKE
8 COUNTY, FLORIDA.

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10 AND

11 COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 22,
12 TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, THENCE RUN NORTH 89°
13 46'15" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 22 FOR A
14 DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING; THENCE LEAVING SAID SOUTH
15 LINE RUN NORTH 00°29'04" EAST FOR A DISTANCE OF 880.90 FEET TO THE SOUTH RIGHT
16 OF WAY LINE OF U. S. HIGHWAY NO. 27; THENCE RUN SOUTH 78°21'58" EAST ALONG SAID
17 RIGHT OF WAY LINE FOR A DISTANCE OF 441.39 FEET; THENCE LEAVING SAID RIGHT OF
18 WAY LINE RUN SOUTH 11°38'02" WEST FOR A DISTANCE OF 807.34 FEET TO THE
19 AFORESAID SOUTH LINE OF THE SOUTHEAST 1/4; THENCE RUN SOUTH 89°46'15" WEST
20 ALONG SAID SOUTH LINE FOR A DISTANCE OF 276.97 FEET TO THE POINT OF BEGINNING.
21 (TAKEN FROM OR BOOK 3558/508-512)

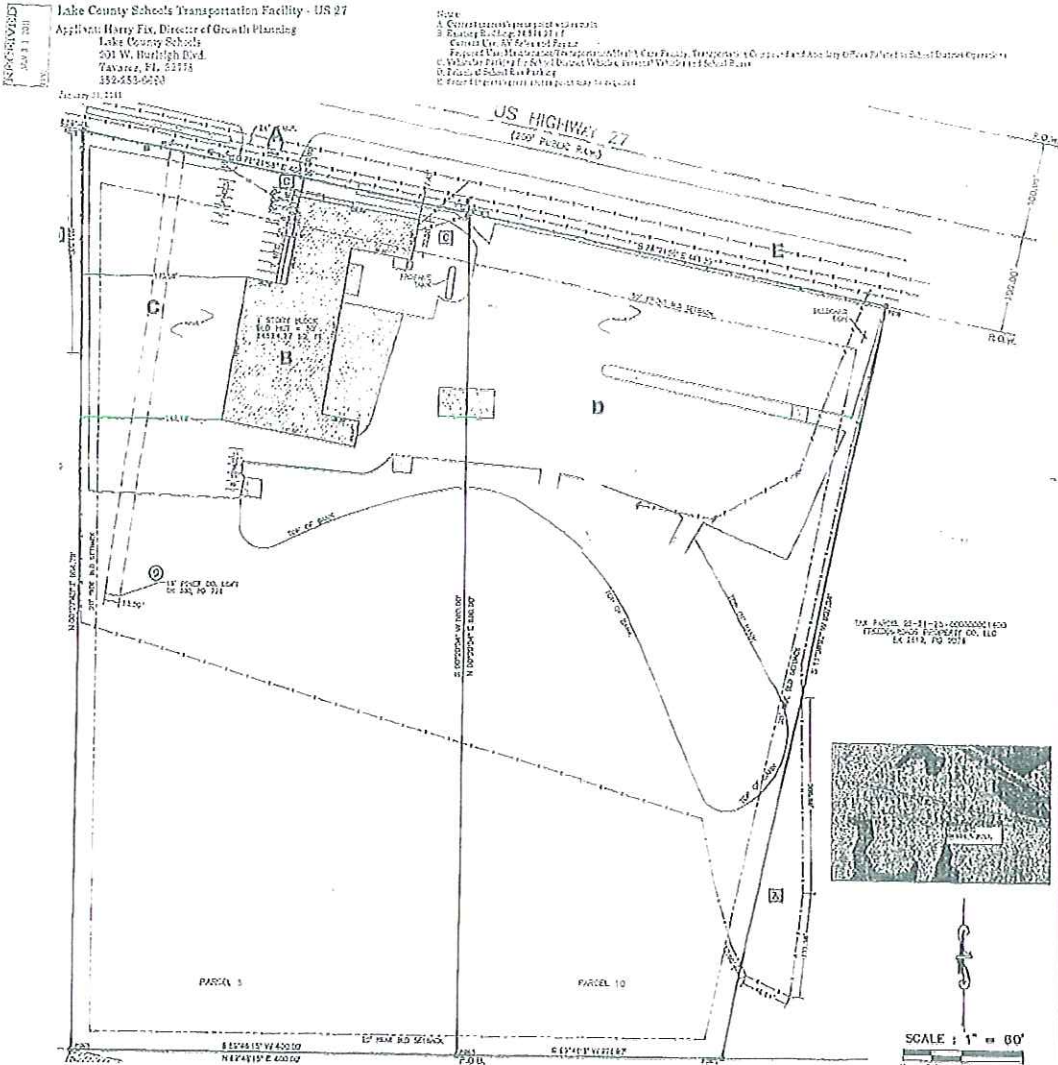
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23 LESS

24 THAT PORTION OF LAND FROM THE LANDS AS DESCRIBED IN OFFICAL RECORD BOOK 3558, PAGES
25 508 THROUGH 512, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; BEING A PORTION OF THE
26 SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 21 SOUTH, RANGE 25 EAST,
27 LAKE COUNTY, FLORIDA; DESCRIBED AS FOLLOWS:

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29 COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼;
30 THENCE RUN N 89°46'15"E ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼
31 A DISTANCE OF 676.97 FEET TO THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICAL RECORDS
32 BOOK 3558, PAGES 508 THROUGH 512; THENCE DEPARTING SAID SOUTH LINE RUN N 11°38'02"E
33 ALONG SAID EAST LINE A DISTANCE OF 725.93 FEET FOR THE POINT OF BEGINNING; THENCE
34 DEPARTING SAID EAST LINE RUN N 75°51'31"W A DISTANCE OF 47.41 FEET; THENCE RUN N
35 14°09'47"E A DISTANCE OF 79.42 FEET TO THE NORTH LINE OF LANDS DESCRIBED IN SAID OFFICAL
36 RECORD BOOK 3558, PAGES 508 THROUGH 512, ALSO BEING THE SOUTH RIGHT OF WAY LINE OF
37 U.S. HIGHWAY 27 (STATE ROAD 25); THENCE RUN S 78°21'58"E ALONG SAID NORTH LINE AND
38 SOUTH RIGHT OF WAY LINE A DISTANCE OF 43.86 FEET TO THE AFOREMENTIONED EAST LINE;
39 THENCE RUN S 11°38'02"W ALONG SAID EAST LINE A DISTANCE OF 81.41 FEET TO THE POINT OF
40 BEGINNING. CONTAINING 0.084 ACRES MORE OR LESS

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42 SUBJECT TO RESTRICTIONS, RIGHT OF WAYS AND EASEMENTS OF RECORD.
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EXHIBIT - B



ORDINANCE #2011-XX

Lake County Planning & Community Design/
Lake County School Board/Francisco and Armando Alonso
PH #12-11-2

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 Planning and Community Design Division submits this petition on behalf of Francisco and Armando Alonso, Trustee to rezone property from Community Facility District (CFD) to Community Commercial (C-2) and;

WHEREAS, the property consists of approximately .084 acres generally located in the Groveland area on the south side of US 27, Section 22, Township 21 South, Range 25 East, Lake County, Florida, lying within Alternate Key #3635809, more particularly described as follows:

LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]

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

WHEREAS, on May 25, 2010, the Lake County Board of Commissioners adopted the Lake County 2030 Comprehensive Plan and Future Land Use Map (FLUM) and upon the effective date of these documents pursuant to Chapter 163.3184, Florida Statutes, the Future Land Use Category (FLUC) for the property as described above will be Regional Office and the proposed zoning is generally consistent with this category; and

WHEREAS, the existing billboard on the property is nonconforming to the Lake County Code and is subject to all provisions therein; and

WHEREAS, the Lake County Zoning Board reviewed petition PH #12-11-2 on the 1st day of June, 2011, after giving Notice of Hearing on a 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 28th day of June, 2011; 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 duly advertised public hearing;

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

Section 1. Terms: The County Manager or designee shall amend the Official Zoning Map from Community Facility District (CFD) to Community Commercial (C-2) in accordance with

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this Ordinance.

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: Development shall comply with all County codes and ordinances, as amended.

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

ENACTED this _____ day of _____, 2011.

FILED with the Secretary of State _____, 2011.

EFFECTIVE _____, 2011.

**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

JENNIFER HILL, Chairman

ATTEST:

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

APPROVED AS TO FORM AND LEGALITY

SANFORD A. MINKOFF, County Attorney

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EXHIBIT "A"

LEGAL DESCRIPTION

THAT PORTION OF LAND FROM THE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK 3558, PAGES 508 THROUGH 512, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; BEING A PORTION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 22, TOWNSHIP 21 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA; DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼; THENCE RUN N 89°46'15"E ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼ A DISTANCE OF 676.97 FEET TO THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3558, PAGES 508 THROUGH 512; THENCE DEPARTING SAID SOUTH LINE RUN N 11°38'02"E ALONG SAID EAST LINE A DISTANCE OF 725.93 FEET FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE RUN N 75°51'31"W A DISTANCE OF 47.41 FEET; THENCE RUN N 14°09'47"E A DISTANCE OF 79.42 FEET TO THE NORTH LINE OF LANDS DESCRIBED IN SAID OFFICIAL RECORD BOOK 3558, PAGES 508 THROUGH 512, ALSO BEING THE SOUTH RIGHT OF WAY LINE OF U.S. HIGHWAY 27 (STATE ROAD 25); THENCE RUN S 78°21'58"E ALONG SAID NORTH LINE AND SOUTH RIGHT OF WAY LINE A DISTANCE OF 43.86 FEET TO THE AFOREMENTIONED EAST LINE; THENCE RUN S 11°38'02"W ALONG SAID EAST LINE A DISTANCE OF 81.41 FEET TO THE POINT OF BEGINNING. CONTAINING 0.084 ACRES MORE OR LESS

SUBJECT TO RESTRICTIONS, RIGHT OF WAYS AND EASEMENTS OF RECORD,

ATTACHMENT-1

FILED

ORDINANCE #2011-15

2011 MAR 30 AM 9:39

Lake County School Board/Francisco and Armando Alonso
PH #4-11-2

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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 School Board (the "Applicant") has made a request on behalf of Francisco and Armando Alonso, Trustee (the "Owners") to replace and superseded Ordinance #11-71 with a new ordinance to rezone property from Neighborhood Commercial (C-1) to Community Facility District (CFD) for a transportation depot, vehicle maintenance shop, general offices and an ancillary health care office for Lake County School Board employees and their dependents; and

WHEREAS, the subject properties consists of 15.37 +/- acres and is generally located in the Groveland area on the south side of US 27, south of SR 19 in Section 22, Township 21 South, Range 25 East, lying within Alternate Key Numbers 1587069 and 3635809, as described by:

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

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

WHEREAS, on May 25, 2010, the Lake County Board of Commissioners adopted the Lake County 2030 Comprehensive Plan and Future Land Use Map (FLUM) and upon the effective date of these documents pursuant to Chapter 163.3184, Florida Statutes, the Future Land Use Category (FLUC) for the property as described above will be Regional Office; and

WHEREAS, the Lake County Zoning Board did, on March 2, 2011 review Petition PH #4-11-2;

AND, after giving Notice of Hearing on petition for a change in the use of land, including notice that said Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on March 22, 2011; and

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

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

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

**PLANNING & COMMUNITY DESIGN
315 W MAIN ST ROOM 511
ATTN AZIZA BRYSON
TAVARES FL 32778**

INSTRUMENT #2011036532
OR BK 4024 PG 558 - 564 (7 PGS)
DATE: 4/20/2011 3:54:14 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$61.00



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3 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to supersede and
4 replace Ordinance #11-71, with this Ordinance which shall be in accordance with the provisions
5 specified below; generally consistent with the Conceptual Plan attached hereto as Exhibit "B". To
6 the extent where there are conflicts between Exhibit "B" and this Ordinance, the Ordinance shall
7 take precedence.
8

9 A. Land Uses:

- 10 1. Bus transportation and maintenance vehicle depot
11 2. Vehicle and mechanical maintenance shops
12 3. General Office for school board administrative use and functions
13 4. Health Care Office for Lake County School Board Employees and their dependents
14

15 Accessory uses directly associated to the above primary uses listed above may be
16 approved by the County Manager or designee. Any other use of the site shall require
17 approval of an amendment to this Ordinance and the CONCEPT PLAN, EXHIBIT "B"
18 by the Board of County Commissioners.
19

20 B. Setbacks:

- 21 1. Liquid storage tanks used for fuel shall be above ground only.
22 2. Fuel tanks shall meet all local, state and federal regulations and shall not be located
23 within 200 feet of any water well, public or private.
24 3. The front building setback shall be 17 feet from the property line.
25

26 C. Landscaping, Buffering, and Screening:

- 27 1. A 15-foot wide Type-A landscape buffer shall be required along the eastern property
28 line at the time of site plan submittal. This landscape buffer shall be in accordance
29 with the LDR in effect at the time of this ordinance approval.
30 2. The existing landscape buffers along the north, west and south property lines shall
31 remain.
32 3. There shall be no parking of vehicles within the landscape buffer areas or within the
33 right-of-way.
34 4. All other landscape buffers and screening shall be consistent with the Land
35 Development Regulations, as amended.
36

37 D. Lighting:

- 38 1. Lighting shall not illuminate adjacent properties or rights-of-way and shall be
39 consistent with Dark Sky lighting principals.
40

41 E. Access Management:

- 42 1. Future access improvements will be installed as determined to be necessary in
43 accordance with the LDR, as amended.
44
45

1 F. Environmental:

- 2 1. The wetland areas and associated buffers shall be placed into a conservation
3 easement as a condition of future site plan approval.
4 2. An environmental assessment may be required with the submittal of a site plan
5 application.
6

7 G. Signage:

- 8 1. All signage shall be consistent with the Land Development Regulations, as amended.
9 2. The existing billboard shall be recognized as a non-conforming sign in accordance
10 with LDR, as amended. Future maintenance, repair, and replacement of the billboard
11 shall be in accordance with the LDR, as amended.

12 H. Utilities:

- 13 1. Stormwater Management shall be designed and constructed in accordance with St.
14 Johns River Water Management District (SJRWMD) requirements and the Lake
15 County Land Development Regulations, as amended.
16 2. Central Water shall be provided by the City of Groveland.
17 3. Sewer connection and use of the existing septic tank shall be in accordance with the
18 LDR and Comprehensive Plan. Future sewer connection shall be evaluated at site
19 plan submittal.
20

21 I. Development Review and Approval:

- 22 1. Any future site plan submittal shall comply with all Lake County LDR, as amended.
23

24 J. Concurrency Management Review: Concurrency shall be met prior to the issuance of any
25 development order or final plat (whichever occurs first), consistent with the LDR, as amended.
26

27 K. Future Development Orders: Any requested development order must comply with the
28 Comprehensive Plan and LDR, as amended.
29

30 L. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in
31 this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
32 Comprehensive Plan, and Lake County Land Development Regulations shall include any
33 future amendments to the Statutes, Code, Plans, and/or Regulations.
34

35 **Section 2. Conditions as altered and amended which pertain to the above tract of land shall mean:**
36

37 A. After establishment of the facilities as provided herein, the aforementioned property shall only
38 be used for the purposes named in this Ordinance. Any other proposed use must be
39 specifically authorized by the Zoning Board and the Board of County Commissioners.
40

41 B. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,
42 move, convert, or demolish any building structure, or alter the land in any manner within the
43 boundaries of the above described land without first submitting the necessary plans in
44 accordance with the Lake County Land Development Regulations, and obtaining approval

1 from the County Manager or designee upon obtaining the permits required from the other
2 appropriate governmental agencies.

- 3
- 4 C. This amendment shall inure to the benefit of, and shall constitute a covenant running with the
- 5 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
- 6 owner and any successor, and shall be subject to each and every condition herein set out.
- 7
- 8 D. Construction and operation of the proposed use shall at all times comply with the regulations
- 9 of this and other governmental agencies.
- 10
- 11 E. The transfer of ownership or lease of any or all of the property described in this Ordinance
- 12 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is
- 13 made good and aware of the conditions pertaining to this Ordinance, and agrees to be bound
- 14 by these conditions. The purchaser or lessee may request a change from the existing plans
- 15 and conditions by following procedures contained in the Lake County Land Development
- 16 Regulations, as amended.
- 17
- 18 F. Action by the Lake County Code Enforcement Special Master. The Lake County Code
- 19 Enforcement Special Master shall have the authority to enforce the terms and conditions set
- 20 forth in this Ordinance and to recommend that the Ordinance be revoked.
- 21

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

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

ENACTED this 22 day of March, 2011.


FILED with the Secretary of State March 30, 2011.

EFFECTIVE March 30, 2011.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA


JENNIFER HILL, Chairperson

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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Parcel 8 – (AK# 1587069)

That part of the West 400.00 feet of the Southwest ¼ of the Southeast ¼ of Section 22, Township 21 South, Range 25 East in Lake County, Florida, lying South of the Southerly line of the right of way of U.S. Highway 27, Lake County, Florida.

Parcel 10 – (AK# 3635809)


Commence at the Southwest corner of the Southeast ¼ of Section 22, Township 21 South, Range 25 East, Lake County, Florida, thence run North 89 degrees 46 minutes 15 seconds East along the South line of the Southeast ¼ of said Section 22 for a distance of 400.00 feet to the point of beginning, thence leaving said South line run North 00 degrees 29 minutes 04 seconds East for a distance of 880.90 feet to the South right of way line of U.S. Highway No 27, thence run South 78 degrees 21 minutes 58 seconds East along said right of way line for a distance of 441.39 feet, thence leaving said right of way line run South 11 degrees 38 minutes 02 seconds West for a distance of 807.34 feet to the aforesaid South line of the Southeast ¼ thence run South 89 degrees 46 minutes 15 seconds West along said South line for a distance of 276.97 feet to the point of beginning.

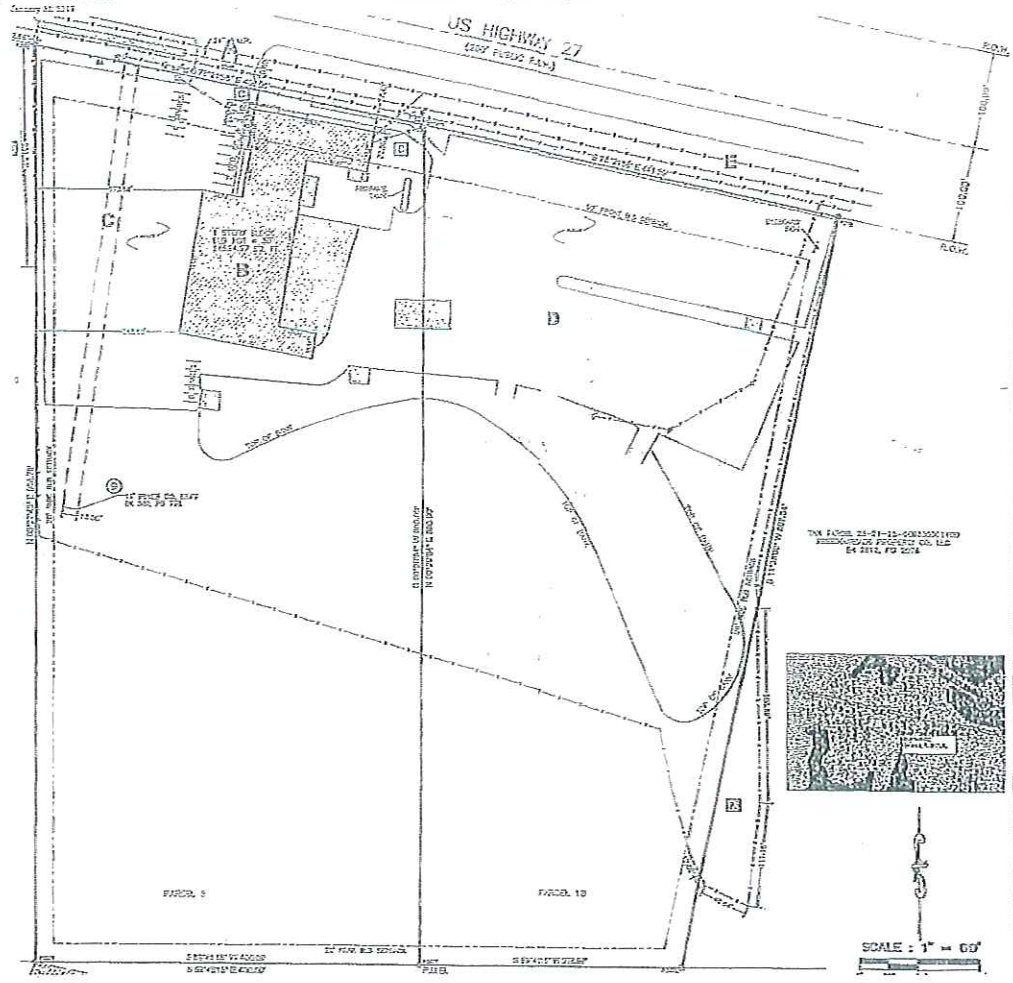
EXHIBIT - B

RESERVED
DATE: 1/21/19
BY:

Lake County Schools Transportation Facility - US 27
 Applicant: Harry Eric, Director of Growth Planning
 Lake County Schools
 201 W. Northlight Blvd.
 Yucca, FL 32478
 352-553-6676

- Notes:
- 1. Construction of this site will consist of:
 - 2. Existing building on site to be demolished.
 - 3. Existing site, 200' x 200' to be used for:
 - 4. 200' x 200' to be used for existing building.
 - 5. Vehicle Maintenance Transportation Facility, Transportation On-paved and Sealing & Work Station for School District Operator.
 - 6. Vehicle Parking for School District Vehicle Service/Workshop at School Base.
 - 7. Parking at School Base.
 - 8. Final site plan to be submitted to the appropriate authority.

1:600




MINUTES

MOTION by Kasey Kesselring, SECONDED by Tim Morris to APPROVE the May 4, 2011 Lake County Zoning Board Public Hearing minutes, as submitted.

FOR: Kesselring, Morris, Miller, Bryan, Gonzalez

ABSENT: Gardner

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0

OPENING DISCUSSION

Brian T. Sheahan, Director, noted that there were no changes to the consent agenda.

CONSENT AGENDA:

		Agenda No.
CUP Revocation: CUP #93/4/2-2	Serenby LLC – aka Selway Farms	1
PH #12-11-2	Lake County School Board (Harry Fix)/ Francisco & Armando Alonso, Trustee/ Lake County Division of Planning and Community Design Lake County School Board Transportation Facility Amendment – US 27	2
PH #10-11-5	Gary and Peggy Custer/Brian Crawford Dollar General at CR 44 & Emeraldal Road	3

MOTION by Tim Morris, SECONDED by Kasey Kesselring to recommend APPROVAL of the consent agenda, consisting of agenda item 1, 2, & 3.

FOR: Morris, Bryan, Gonzalez, Kesselring, Miller

ABSENT: Gardner

AGAINST: None

NOT PRESENT: Childers

MOTION CARRIED: 5-0