

LAKE COUNTY PLANNING AND COMMUNITY DESIGN PETITION TO REZONE PROPERTY

PLANNING and ZONING BOARD
~~June 6, 2012~~
 July 11, 2012 (continued)



BOARD OF COUNTY COMMISSIONERS
~~June 26, 2012~~
 July 24, 2012

PH #21-12-3 Floribra-Windmill PUD	Case Manager: Steve K. Greene, AICP Chief Planner	Agenda Item #2
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Owner(s): Floribra Windmill 27, I, LLC and Floribra Windmill 27, II, LLC. (the "Owners")

Applicant(s): Jim Hall, AICP (VHB-Miller Sellen) (the "Applicant")

Requested Action: The Applicant seeks approval to rezone property from Agriculture (A) to Planned Unit Development (PUD) to facilitate development of a Rural Conservation Subdivision.

- Site Location & Information -

Approximate site location outlined in Aqua



Size	Approx. 62.60 acres	
Location	East side of US 27, east of Plantation of Leesburg subdivision	
Alternate Key #	3876258 1044154	
Future Land Use/Density	Rural Transition/ 1 du/5-net acre, 1du/3 ac-net, or 1 du/1 ac.	
	Existing	Proposed
Zoning District	A	PUD
Density	1 du/5-acre	1 du/net acre
Floor Area Ratio (FAR)	.10 (LDR)	0.055(Comp Plan)
Impervious Surface Ratio (ISR)	0.10 (LDR)	0.30 (Comp Plan)
Joint Planning Area	N/A (Leesburg municipal area)	
Utility Area:	City of Leesburg	
Site Utilities	Central water proposed (Leesburg) Septic tank proposed	
Road Classification	US 27 Urban – principal arterial	
Flood Zone/ FIRM Panel	Zone A & X / 0455 D	
Commissioner District	3 –Conner	

Site Visit: May 21, 2012
Sign Posted: May 21, 2012 (3)

Land Use Table

<u>Direction</u>	<u>FutureLand Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	RMRP	Agriculture (Pasture)	Vacant/undeveloped
South	Rural	CP &Ag	Commercial business w/residence	Nonconforming golf cart repair business (for sale)
East	Rural	Ag	Agriculture (Pasture)	vacant
West	Urban Expansion	PUD	Plantation of Leesburg residential & Plantation Commercial	Subdivision& new commercial development, west side of US 27

-Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **Approval** of the PUD rezoning for rural conservation subdivision, with conditions, based on the analysis below and the Findings of Fact.

PLANNING AND ZONING BOARD RECOMMENDATION: The P&Z approved the PUD rezoning request with a 6-0 vote.

- Summary of Analysis -

The application requests rezoning of approximately 62.60 acres of property from Agriculture (A) to Planned Unit Development (PUD) to facilitate a rural conservation subdivision for residential development at a density of 1 dwelling per 1 net acre. The property is currently vacant and is situated along eastern US Highway 27 right of way (ROW), across from the Plantation of Leesburg DRI. The abutting properties on the north, east and south (a portion) have agriculture exemptions and recognized as active agriculture uses.

- Analysis –
LDR Section 14.03.03

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

The application proposes 39 dwellings (at a density of 1 dwelling per net acre) with Planned Unit Development (PUD) zoning. The application is consistent with the 10-acre minimum size required for PUD development and open space required pursuant to LDR 4.03.03 and 4.03.04. The property contains approximately 23.73-acres of wetlands and the concept plan proposes 19.44 acres of open space, which amounts to fifty (50%) of the net buildable area. The amount of wetlands could result in approximately five (5) additional dwellings pursuant to LDR Section 6.01.04(B)1.a. and Policy I-1.2.4. This provision grants wetland credits at one (1) dwelling per 5.0 acres of wetland area. The total density of the property could allow up to 44 dwellings on the property.

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

The property is situated within the Rural Transitional Future Land Use category, which has a base residential density of 1.0 dwelling per 5–acres. The application proposes to develop a rural

conservation subdivision which is consistent with Comprehensive Plan (Comp Plan) Policy I-1-4.1 which encourages clustering parcels in a manner that provides contiguous open spaces. This application seeks a residential density of 1.0 dwelling per 1.0 net acre by situating the development on half (19.44 acres) of the net buildable area and provides 38.87 acres as common open space consistent with Comp Plan Policy I-1.4-5.

Development of the property in a cluster manner will maintain the rural character and enhance potential wildlife habitat consistent with Comp Plan Policy I-1-4.3. This development pattern will be established with proposed ordinance conditions consistent with Comp Plan Policy I-1.4.6 that specifies the establishment of a conservation easement over the open space area.

As the property contains approximately 23.73-acres of wetlands, Comp Plan Policies I-1.2.4 and III-2.5.9 regarding wetland density credit is applicable at a rate not to exceed 1.0 dwelling per 5-acres of wetland. This equates to 4.74 additional dwellings. The application of upland density and wetland credits may result in 44 dwellings (total) being developed on the property.

Rural Transition	Land Use	Acres (AC)	Dwelling Units/AC	Units
	Residential	38.87	1 du/5ac	7.74
			1 du/1ac	38.87
	Wetlands	23.73 ac	1 du/5ac	4.74

The rezoning application proposes a rural support use of 0.14 acres or approximately 6,100 square feet. Comp Plan Policy I-1.4.7 allows rural support uses to be internal to the clustered development in order to provide services and needs for the residential community. However, the concept plan shows the rural support use in the northwest portion of the property, extending from the mid-point of the northern property line to the western property line abutting US-27. This location could be adverse to the Policy as it may cater predominately to US-27 passer-by-traffic rather than the residential community it's proposed to support. An ordinance condition has been proposed to prohibit the use of the rural support in this manner.

Consistent with Comp Plan Policy I-7.7.5, the application proposes a 50-foot wide perimeter buffer to minimize any potential development impacts onto adjacent property. This policy attempts to reduce the likelihood of adverse impacts between the new development and the adjoining agriculture uses for the long-term continuance of both uses.

Given the nature of the development, central water and sewer services are not intended nor required for areas within the Rural land use areas pursuant to Comp Plan Policy I-7.12.3. .

The application of these policies meet the intent of Comp Plan Goal I-1 that discusses promotion of conservation, preservation of natural areas, clustered development and land use compatibility.

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

The proposed rezoning and density is consistent with the density of the Plantation of Leesburg property to the immediate west, across US 27. The proposed PUD rezoning is situated just north of an existing property zoned Planned Commercial (CP) and Neighborhood Commercial (C-1) Zoning Districts. The proposed residential conservation subdivision is consistent with the uses permitted in the RMRP and Agriculture (A) Zoning Districts to the north and east, respectively. However, these properties are currently vacant and undeveloped.

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

There have been no changed conditions or recent re-zonings in the area that prompts this rezoning request. The most recent activity was a 2005 site plan approval for the C-1 uses to the south, which is the currently vacant Santa Rosa Commerce Center.

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;

Schools – Lake County School Board has determined that the proposed rezoning will adversely impact Leesburg Elementary School (reference Attachment 1). School impact (concurrency) will have to be addressed prior to Final Plat.

Solid Waste - Based on previous solid waste data, impacts are anticipated to be approximately 1,166 pounds per day for this residential project. Solid waste impact mitigation will be addressed during site development review.

Parks - Based on the recreational LOS specified in Capital Improvement Element Policy II-1.1.5, the recreation acreage demand is approximately .44-acres. However, this may be addressed within the subdivision as open space amounts to 50% of the net buildable area.

Open Space – The application proposes 20.98 net buildable acres of open space consistent with the Comp Plan.

Fire & Emergency Services – Lake County Station #82, situated approximately 1.5 miles south, will provide fire & emergency service needs to the property. There is a fire hydrant along the western property line, adjacent to the northbound US 27 right of way

Water and Sewage – Central water and sewer services are not intended nor required for development within the Rural Transitional future land use. Input from the City of Leesburg regarding the provision of water was not provided.

Transportation – The most critical segment US 27 affected by this project extends from CR 33 to CR 48, which currently has a volume to capacity ratio of sixty five percent (65 %) of its capacity during the peak hour in the peak direction. The standard level of service (LOS) for this segment of US 27 is "D" with a capacity of 1,960 vehicles. This project will generate approximately fifty six (56) peak hour trips; with twenty eight (28) directional pm peak hour trips increasing the volume to capacity (v/c) ratio to sixty seven percent (67%). A revised traffic study to assess impacts will be required with the development plan and is specified as a condition in the proposed ordinance.

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

The property contains approximately 23.73-acres of wetlands extending from the southwest portion of the property to the northeast. The wetland area is within Flood Zone A&Flood Zone X (100 & 500-year flood) as shown on FEMA Panel - 0455 D. A 50-foot wide buffer shall be required adjacent to waterbodies and wetlands at the time of site development pursuant to Comp Plan Policy III-2.5.13 to minimize wetland impacts. Additionally, the application proposes a conservation easement dedication over 50% of the upland area Consistent with Comp Plan Policy III-2.5.12 as requirement of a rural conservation subdivision. This provision accommodates clustered development within the rural areas of the County while protecting and enhancing any wildlife habitat that may be evident in the area.

The concept plan does not depict a buffer area between the wetlands and the residential development areas. However, the required buffers will be specified as conditions within the proposed ordinance. Additionally, the PUD ordinance requires the submittal of an environmental assessment prior to development approval of the property.

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 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 development as rural conservation subdivision will result in the continuation of orderly and logical development that currently exists in the area. Although, the subject property is in close proximity to the Plantation of Leesburg DRI, the Plantation is physically separated by the highway and the project would provide a transition to the agricultural areas to the east. The nearest similar uses are approximately 1.0 mile north of the proposed rezoning. A buffer shall be required adjacent to the lake/wetlands to at the time of site development. Consistent with Comp Plan Policy I-7.7.5, the application proposes a 50-foot wide perimeter buffer to minimize any potential development impacts onto adjacent property.

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

For the reasons specified above the rezoning would be in harmony with the purpose and intent of the Comprehensive Plan and Land Development Regulations.

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 City of Leesburg has not provided comment.

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

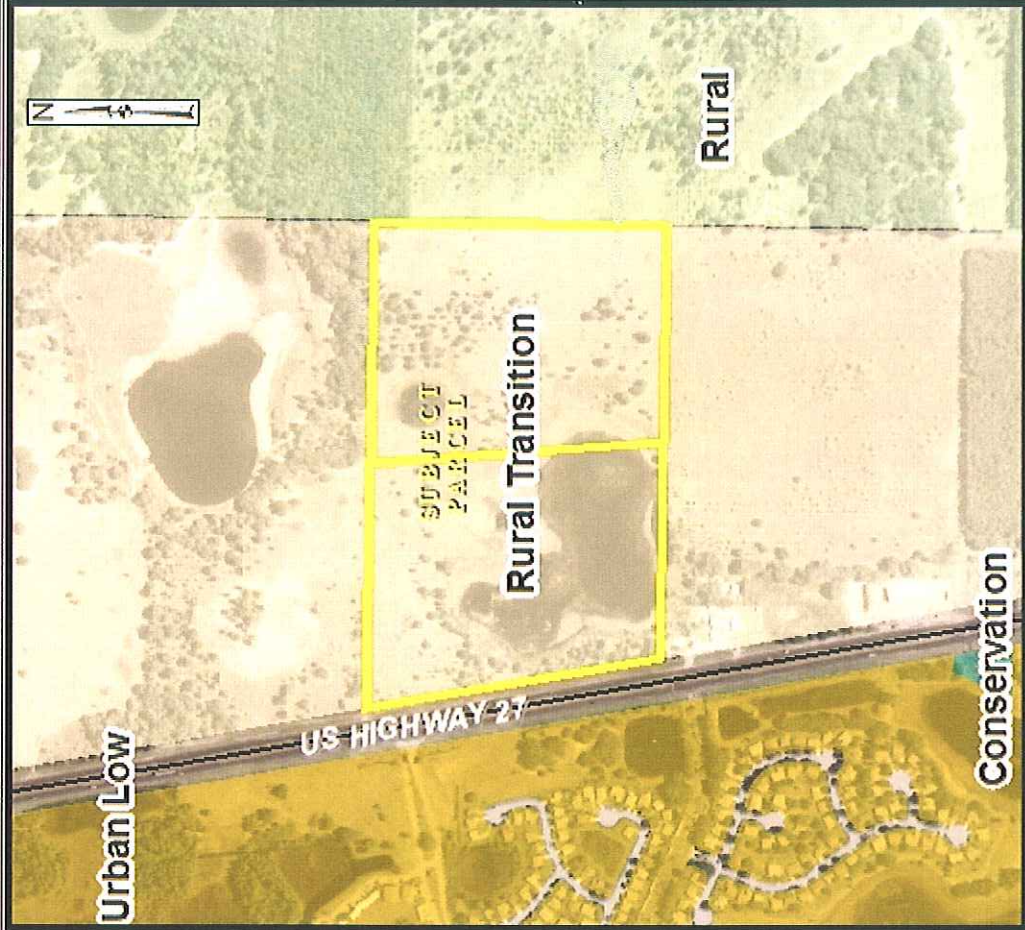
1. The application is consistent with Comprehensive Plan (Comp Plan) Policy I-1-4.1 that encourages clustering parcels in a manner that provides contiguous open spaces.
2. The rezoning application is consistent with Future Land Use Policy I-1-4.3 regarding development in a clustered manner will maintain the rural character and enhance potential wildlife habitat.
3. The application is consistent with Comprehensive Plan Policy I-1.4.5 as it proposes to establish 50% of the net buildable area for preservation as common open space.
4. The application will maintain the existing development pattern as the proposed clustering will be established with the application of a conservation easement over the open space area, in perpetuity consistent with Future Land Use Policy I-1.4.6.
5. The rezoning application proposes a rural support use of .14 acres or approximately 6,100 square feet consistent with Future Land Use Policy I-1.4.7 that allows rural support uses internal to the clustered development for the purpose of providing services and needs for the residential community.
6. The proposed rezoning application is consistent with Comp Plan Policy I-7.7.5 as it proposes a 50-foot wide perimeter buffer to minimize any potential development impacts onto adjacent property.
7. As the proposed rezoning is within the Rural Future Land Use Category, central water and sewer service is not required and, the provision of wells and septic tanks will be consistent with Future Land Use I-7.12.3.
8. The application of wetland credits at 4.74 dwellings for the approximately 23.73 acres of wetland is consistent with Conservation Policy III-2.5.9.
9. The Application proposes a conservation easement dedication over 50% of the upland area Consistent with Conservation Policy III-2.5.12 as requirement of a rural conservation subdivision.
10. The rezoning application is consistent with Future Land Use Policy III-2.5.13 as it proposes to minimize wetland impacts with a 50-foot wide adjacent to the lake/wetlands.
11. The application is consistent with the 10-acre minimum size required for PUD development and open space required pursuant to LDR 4.03.04.
12. The additional 4.74 dwellings of the approximately 23.73-acres of wetlands is consistent with LDR Section 6.01.04(B)1a.

Based on these findings of fact, staff recommends **Approval** of this PUD rezoning request, with conditions, specified in the proposed ordinance.

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



CURRENT ZONING AGRICULTURE (A)



CURRENT FUTURE LAND USE RURAL TRANSITION

FLORIBRA - WINDMILL

CASE NO.
PH #15-12-4

CASE LOCATION:
S30, T19S, R2E

REQUESTING:
Rezone property to PUD for rural
conservation subdivision

ZONING

LAND USE

SUBJECT PARCEL

MAP COMPOSITION:
JANUARY 2015

FOCUS AREA

LANS COUNTY

1 **ORDINANCE #2012-**
2 **Floribra-Windmill PUD**
3 **Rural Conservation Subdivision**
4 **PH #21-12-3**
5

6 **AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS**
7 **AMENDING THE LAKE COUNTY ZONING MAPS AND PROVIDING FOR AN EFFECTIVE**
8 **DATE.**
9

10 **WHEREAS**, Jim Hall of VHB Inc., (the "Applicant") has submitted a rezoning application on
11 behalf of Floribra Windmill 27, I, LLC and Floribra Windmill 27, II, LLC (the "Owner"), to rezone
12 property from Agriculture (A) to Planned Unit Development (PUD) to facilitate development of a
13 Rural Conservation Subdivision; and
14

15 **WHEREAS**, the Subject Property consists of approximately 62.6 +/- acres, located in the
16 Leesburg area, along the eastern US 27 right of way, south of CR 48, in Section 25, Township 20
17 South, Range 24 East, currently having Alternate Key Number(s) 3876258 and 1044154, and more
18 particularly described as follows:

19 LEGAL DESCRIPTION: [EXHIBIT "A" – ATTACHED]
20

21 **WHEREAS**, the subject property is located within the Rural Transition Future Land Use
22 Category as shown on the Lake County Comprehensive Plan Future Land Use Map; and
23

24 **WHEREAS**, the Lake County Planning and Zoning Board reviewed Petition PH #21-12-3
25 on the 11th day of July, 2012, after giving Notice on petition for a change in the use of land,
26 including a notice that said petition would be presented to the Board of County Commissioners of
27 Lake County, Florida, on the 24th day of July, 2012, and
28

29 **WHEREAS**, the Board of County Commissioners reviewed said petition, the
30 recommendations of the Lake County Planning and Zoning Board, Staff Report and any
31 comments, favorable or unfavorable from the Public and surrounding property owners at a Public
32 Hearing duly advertised; and
33

34 **WHEREAS**, upon review, certain terms and conditions pertaining to the development of
35 the above described property have been duly approved, and
36

37 **NOW THEREFORE, BE IT ORDAINED**, by the Board of County Commissioners of Lake
38 County, Florida, that the Zoning Rules and Regulations of Lake County, Florida, be altered and
39 amended as they pertain to the above subject property subject to the following terms:
40

41 **Section 1.** Terms: The County Manager or designee shall amend the Lake County Zoning
42 Map in accordance with this Ordinance. Where there is a conflict between this PUD Ordinance
43 and Lake County Land Development Regulations (LDR), the terms of this Ordinance shall take
44 precedence.
45

1 The uses of the property shall be limited to the uses specified in this Ordinance and generally
2 consistent with the Conceptual Plan attached hereto as Exhibit B. To the extent there are conflicts
3 between Exhibit B and this Ordinance, this Ordinance shall take precedence.
4

5 A. Land Use:

6
7 1. The site shall be limited to the following uses:

- 8
9 a. Residential uses - not to exceed 44 individual dwelling units or 1 dwelling
10 unit per 1 net acre.
11 b. Rural Support (Commercial) uses shall be in accordance with the
12 comprehensive plan, as amended.
13 c. Related accessory uses may be approved by the County Manager or
14 designee. Any other use of the site shall require approval of an amendment
15 to this Ordinance by the Lake County Board of County Commissioners.

16 B. Setbacks:

- 17
18 1. Agricultural Buffer. A minimum 50 foot buffer shall be established along all
19 property lines adjacent to active agricultural uses. Active agricultural uses shall
20 include any property used for agricultural uses or that has an agricultural
21 exemption for ad valorem taxes.
22 2. All other setbacks shall be in accordance with the Comprehensive Plan or Land
23 Development Regulations, as amended.
24

25 C. Bulk Standards

- 26
27 1. Impervious Surface Ratio: 30% (maximum)
28 2. Open Space:
29 a. A minimum of 50% of the net buildable acreage shall be provided as
30 common open space.
31 b. Common Open Space shall be placed in a conservation easement
32 dedicated to a conservation agency, non-profit conservation organization,
33 land trust, or a governmental entity as the easement grantee.
34
35 3. Building Height –
36 Residential - 40 feet (maximum)
37 Non-residential – 50 feet (maximum)
38

39 D. Site Design and Development Guidelines:

- 40
41 1. Rural Conservation Subdivision development, within the Rural Transitional future
42 land use.
43
44 a. Half of the required open space shall be configured in a single contiguous
45 tract for the purposes of creating contiguous expanses of open space to
46 include the most sensitive habitat on each site. The open space shall

1 include environmentally sensitive areas adjacent to public conservation
2 lands or adjacent rural lands, if present. An open space management plan
3 shall be incorporated into site plan or plat applications.
4

5 b. Construction envelope and Low Impact Development principles and
6 techniques shall be used. Clearing and grading of treed areas, natural
7 vegetation, and existing topography should be limited to the minimum
8 amount required to create buildable lots, construct roadways, install required
9 infrastructure including on-site septic systems, and allow reasonable access
10 for construction equipment. For this reason, a construction envelope shall
11 be established and denoted on all preliminary and final site designs and
12 construction documents. The construction envelope shall not exceed 30 feet
13 beyond the building footprint.
14

15 c. The subdivision shall be designed to minimize site disturbance and terrain
16 alteration by applying design techniques that protect native vegetation and
17 maximize wildlife habitat and corridors and to enhance the rural character of
18 the project and surrounding area.
19

20 E. Landscaping:

21
22 1. All landscaping shall comply with the landscaping requirements contained in the
23 Lake County Comprehensive Plan and Land Development Regulations, as
24 amended.
25

26 F. Environmental Considerations:

27
28 1. An Environmental Assessment shall be submitted with the preliminary plat
29 application.
30 2. A Conservation Easement, 50% of the net buildable acreage (minimum), as
31 common open space shall be established prior to construction plan approval, in
32 accordance with the Comprehensive Plan, as amended.
33 3. Wetland setbacks shall be in accordance with the Comprehensive Plan and Land
34 Development Regulations, as amended.
35
36

37 G. Signage:

38
39 1. All signage shall comply with the Land Development Regulations, as amended.
40

41 H. Transportation Improvements:

42 1. A traffic impact study shall be submitted with the preliminary plat. Transportation
43 facilities shall be provided concurrent with the development impacts.
44 2. The south driveway may be permitted as a limited access driveway (right-in/right-
45 out only or south bound directional). Turn lanes will be required at both proposed
46 driveways.

1 3. The residential development shall comply with Access Management standards of
2 the Land Development Regulations, as amended, and Florida Department of
3 Transportation (FDOT) standards for ingress and egress via US 27 (SR 25).
4

5 I. Noise Study:

6 1. A noise impact study shall be provided with the preliminary plat and site plan
7 application consistent with the Land Development Regulations, as amended.
8

9 J. Public School Concurrency:

10 The Applicant or Property Owner shall be solely responsible for mitigating public schools
11 impacts in accordance with concurrency management provisions specified in the Land
12 Development Regulations, as amended.
13

14 K. Utilities:

- 15 1. Potable Water/Wastewater Facilities - Well and septic tanks shall be used unless
16 deemed to be environmentally necessary by State and local permitting agencies.
17 2. Solid Waste - The Developer or Property Owner shall demonstrate that all access-
18 ways are designed to accommodate solid waste collection vehicles to Lake County
19 standards, as amended. Private solid waste collection may be provided with
20 approval by the County Manager or designee.
21

22 L. Fire Protection and Rescue Services :

23 All Development shall comply with the State Fire Code, Florida Fire Prevention Code,
24 National Fire Protection Standards, the Lake County Mutual Aid Agreement, and the Land
25 Development Regulations, as amended.
26

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

28 The specific references in this Ordinance to the Florida Statutes, Florida Administrative
29 Code, Lake County Comprehensive Plan, and Lake County Land Development
30 Regulations shall include any future amendments to the Statutes, Code, Plan, and/or
31 Regulations.
32

33 N. Terms:

34 Physical development shall commence within three (3) years from the date of this
35 Ordinance approval. Failure to commence construction within three (3) years of approval
36 shall cause the revocation of this ordinance, in accordance with the Comprehensive Plan
37 or superseding documents amended. Prior to expiration of the three-year time frame, the
38 Board of County Commissioners may grant, via a Public Hearing, one (1) extension of the
39 time frame for a maximum of two (2) years upon a showing that reasonable efforts have
40 been made towards securing the required approvals and commencement of work.
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1 **Section 2.** Conditions as altered and amended which pertain to the above tract of land shall be as
2 follows:
3

- 4 A. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove,
5 improve, move, convert, or demolish any building structure, or alter the land in any manner
6 (except for normal maintenance activities – i.e. painting, screening, etc.) within the
7 boundaries of the above described land without first submitting the necessary plans in
8 accordance with the Lake County Land Development Regulations and obtaining approval
9 from the County Manager or designee upon obtaining the permits required from other
10 appropriate governmental agencies.
11
- 12 B. This ordinance shall inure to the benefit of, and shall constitute a covenant running with the
13 land and the terms, conditions, and provisions hereof, and shall be binding upon the
14 present owner and any successor, and shall be subject to each and every condition herein
15 set out.
16
- 17 C. Construction and operation of the proposed use shall at all times comply with the
18 regulations of this and other governmental agencies.
19
- 20 D. The transfer of ownership or lease of any or all of the property described in this Ordinance
21 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is
22 made good and aware of the conditions pertaining to this Planned Unit Development
23 (PUD) Ordinance and agrees to be bound by these conditions. The purchaser or lessee
24 may request a change from the existing plans and conditions by following procedures
25 contained in the Lake County Land Development Regulations, as amended.
26
- 27 E. Action by the Lake County Code Enforcement Special Master. The Lake County Code
28 Enforcement Special Master shall have authority to enforce the terms and conditions set
29 forth in this ordinance.
30

31 **SECTION 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held
32 to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no
33 way affect the validity of the remaining portions of this Ordinance.
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1 SECTION 4. Effective Date: This Ordinance shall become effective as provided by law.

2
3 ENACTED this _____ day of _____, 2012.

4
5 FILED with the Secretary of State _____, 2012.

6
7 EFFECTIVE _____, 2012.

8
9 BOARD OF COUNTY COMMISSIONERS
10 LAKE COUNTY, FLORIDA

11
12 _____
13 LESLIE CAMPIONE, CHAIRMAN
14
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20

21 ATTEST:

22
23 _____
24 Neil Kelly, Clerk of the
25 Board of County Commissioners
26 Lake County, Florida
27

28
29 APPROVED AS TO FORM AND LEGALITY

30
31 _____
32 SANFORD A. MINKOFF, County Attorney
33
34
35
36
37

EXHIBIT "A"

LEGAL DESCRIPTION

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Commence at a 4" diameter concrete monument (no identification number) as referenced in Certified Corner Record No. 34403 at the Southeast corner of Section 25, Township 20 South, Range 24 East, Lake County, Florida, and run N00°42'44"W for a distance of 1327.06 feet to a point lying S00°42'44"W a distance of 1315.70 feet from a 4" x 4" concrete monument (no identification number) as referenced in Certified Corner Record No. 34404 at the Northeast corner of the Southeast 1/4 of said Section 25; thence run N89°15'35"W for a distance of 14.60 feet to the POINT OF BEGINNING, said point being a 4" x 4" concrete monument (no identification number); thence continue N89°15'35"W for a distance of 1946.57 feet to a 5/8" iron rod with cap No. LB68 at the Easterly right-of-way line of U.S. Highway No. 27 (State Road No. 25); thence run N09°40'57"W along said right-of-way line for a distance of 1343.64 feet to a 5/8" iron rod with cap No. LB68; thence run S89°06'35"E for a distance of 2189.75 feet to a 4" x 4" concrete monument (no identification number); thence run S00°44'41"W for a distance of 1315.74 feet to the POINT OF BEGINNING.

Containing 62.597 acres more or less and being subject to any rights-of-way, restrictions and easements of record.

EXHIBIT - B

Site Datum

TOTAL PROJECT AREA:	62.6 ac
WETLANDS:	23.73 ac (includes wetland area)
NET DEVELOPABLE AREA:	38.87 ac
FUTURE LAND USE:	RURAL TRANSITION
EXISTING ZONING:	AGRICULTURE
PROPOSED ZONING:	RCS PUD RURAL CONSERVATION SUBDIVISION PLANNED UNIT DEVELOPMENT
OPEN SPACE:	23.73 ac
Wetlands:	23.73 ac
Open Space:	19.64 ac
TOTAL:	43.37 ac
NET DEVELOPABLE AREAS:	38.87 ac
PRESERVED OPENLANDS:	19.43 ac OR 50%

DEVELOPMENT PROGRAM:

Total Single Family Units: 39 DU (38.87 Net Acres @ 1 Du/Ac = 39 DU's)

Net Residential Density: 2.0 DU/ac

BSR: 30% max

Building Height: 40 feet max

Setbacks:

Front: 30 feet

Side: 10 feet

Landscaping Buffers: Type C (25' - 50' Wide)

TRIP GENERATION:

Land Use	Acres	Site	ITE Code	Trip Rate	Trips
Single Family	19.43	39 DU	270	7.50	293
TOTAL					293

- NOTES:**
- RURAL SUPPORT (COMMERCIAL USES) ARE PERMITTED PER THE COMPREHENSIVE PLAN POLICIES, AS AMENDED.
 - PERIODS WITHIN INDIVIDUAL LOTS SHALL NOT ACCOUNT FOR COMMON OPEN SPACE.
 - ALL DEVELOPMENT SHALL COMPLY WITH THE 30% CONTIGUOUS OPEN SPACE REQUIREMENT FROM THE LAKE COUNTY CODE.
 - TYPE C LANDSCAPE BUFFERS SHALL BE USED ALONG ALL SIDES OF THE PERIMETER OF THE PUD.
 - THE FUTURE DETAILED LANDSCAPE PLAN SHALL BE SUBMITTED DURING THE SITE PLAN STAGE AND BE IN COMPLIANCE WITH THE NEW LANDSCAPE CODE ADOPTED DECEMBER 2009.
 - WETLANDS SURFACE WATER ACRES ARE APPROXIMATED AND ARE NOT BASED ON A VEGETATION ANALYSIS. THE PRESENTATION OF WETLANDS IS FOR INFORMATION ONLY. DEVELOPMENT AND DRAINAGE SHALL BE BASED ON THE NET BUILDABLE ACRES, DENSITY AND OPEN SPACE CALCULATIONS.

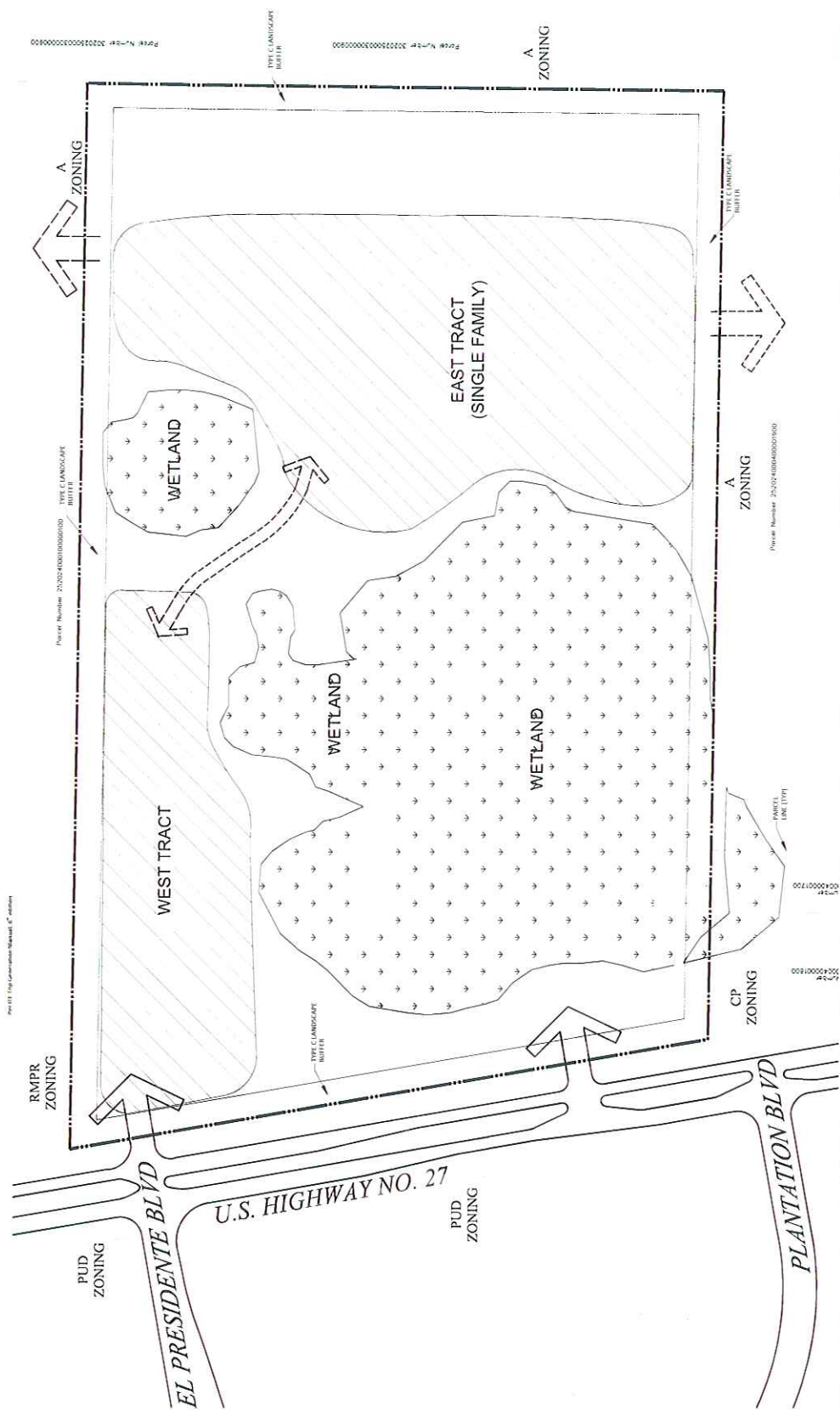


EXHIBIT - B

YHB MillerSellen

Planners
 Land Development
 255 E. Robinson Street, Suite 300
 Orlando, Florida 32801
 407.516.4800 • FAX 407.516.4808
 Corporation of Administrators Number: 9112

Windmill 27

Lake County, Florida
RURAL CONSERVATION SUBDIVISION LAND USE PLAN
C003

Scale:	1" = 100'
Drawn:	ADRIAN
Checked:	ADRIAN
By:	ADRIAN

DATE: 01/20/2010 10:48 AM

ATTACHMENT - 1



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 Brandeburg
District 3
Tod Howard
District 4
Debbie Stivender
District 5
Kyleen Fischer

May 4, 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: Floribra Windmill 27, I & II Rezoning Case (Lake County Project #2009020021; Application Request #2028)

Dear Mr. Sheahan:

The County is currently reviewing a rezoning of approximately 65 acres from Lake County Agriculture District to Lake County Planned Unit Development (PUD). The applicant proposes a maximum of 45 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 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 single-family dwelling units that will contribute 19 new students to the Lake County School system. Based on current school attendance zones, schools that will be adversely affected by the proposed rezoning and their projected five-year capacity status are as follows:

- **Leesburg Elementary School** 1% Over Capacity
- **Oak Park Middle School** 14% Under Capacity
- **Leesburg High School** 15% 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 NAME / CASE NUMBER Lake County Division of Planning and Community Design
Floribra Windmill 27 I & II / Project #2009020021; Application Request #2028

DEVELOPER/OWNER Floribra Windmill 27, I, LLC; Floribra Windmill 27, II, LLC
ITEM DESCRIPTION The County is currently reviewing a proposed rezoning for approximately 65 acres from Lake County Agriculture District to Lake County Planned Unit Development (PUD). The applicant proposes a maximum of 45 residential dwelling units.

LOCATION Sections 25; Township 20; Range 24
Located north of Windmill Road, south of Wind Song Oak Drive, and east of US 27

CURRENT ZONING Lake County Agriculture District
PROPOSED ZONING Lake County Planned Unit Development (PUD)

NEW DU IMPACT STUDENT GENERATION
Elementary School
Middle School
High School

SF-DU	MF-DU	Mobile	SF Impacts
			45 DUs
0.410	0.254	0.145	19
0.186	0.131	0.065	8
0.100	0.057	0.036	5
0.124	0.066	0.044	6

SCHOOL NAME
Leesburg Elementary
Oak Park Middle
Leesburg 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
934	933	100%	942	101%	No
616	724	85%	621	86%	No
1,721	2,041	84%	1,727	85%	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 residential dwelling units, which will 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:** 5/4/2012

