

LAKE COUNTY PLANNING AND ZONING DIVISION  
REZONING STAFF REPORT

PLANNING AND ZONING BOARD  
August 3, 2016



BOARD OF COUNTY COMMISSIONERS  
August 23, 2016

RZ-16-15-2 Hanoman Property Rezoning	Commissioner District 2 Parks	Agenda Item # 1
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**Requested Action:** Rezoning 4.5 acres of property from Agriculture (A) to Rural Residential (R-1).

**General Location:** Clermont area, along Johns Lake Road.

**Owner:** Kenneth B. Hanoman & Adlene R. Hanoman (the "Owners")

**Applicant:** Dharamded "Raj" Sarjou

**- Site Location & Information -**

<b>Size</b>	4.5 +/- acres
<b>Location</b>	14629 Johns Lake Road
<b>Alternate Key #</b>	1029619
<b>Future Land Use</b>	Urban Low
<b>Existing Zoning District</b>	(Agriculture) A
<b>Proposed Zoning District</b>	(Rural Residential) R-1
<b>Joint Planning Area</b>	Clermont

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
<b>North</b>	Urban Low	R-1	Residential	Single Family Units
<b>South</b>	Urban Low	A	Residential	Single Family Units
<b>East</b>	Urban Low	AR	Residential	Single Family Units
<b>West</b>	Urban Low	CFD	Residential	Single Family Units

**- Summary of Staff Determination -**

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** to rezone 4.5 acres of property from Agriculture (A) to Rural Residential (R-1).

**PLANNING AND ZONING BOARD RECOMMENDATION:**

**- Summary of Analysis -**

The application is to rezone 4.5 acres in the Postal Colony Company Subdivision (Attachment 1). The western portion of the parcel is developed with a single family dwelling unit. The Applicant/Owners intend to split the property and create an additional lot. The rezoning is consistent with the future land use.

**- Analysis -**

LDR Section 14.03.03 (Standards for Review)

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

The property as single family is consistent with the definition, purpose and intent of the Rural Residential Zoning District pursuant to Land Development Regulations (LDR) 3.01.02 A. The proposed lot split for residential use is consistent with the LDRs, for an additional lot.

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

The property proposed for Rural Residential rezoning is situated within the Urban Low Future Land Use areas of the County. The proposed use is consistent with Comp Plan Policy I-1.3.2 (Urban Low FLUC) which specifies that residential development at a maximum density of four (4) dwelling units per net buildable acre are suitable uses in the Urban Low Future Land Use categories. Should future residential development be desired at this location the property will be required to connect to central water and sewer service.

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

The proposed rezoning application does not create any inconsistent land use issues and is consistent with the existing use of the property.

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

The property immediately North of subject property was rezoned to Rural Residential (R-1) in 2010.

**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;**

Transportation – No adverse impacts are anticipated by the proposed rezoning to Rural Residential (R-1) for single family use.

Water and Sewage – No adverse impacts are anticipated by the proposed residential Rezoning. However, future wells and septic tanks will require permit approval by the Florida Department of Health, if sewer and water is not available through the City of Clermont.

Solid Waste – The proposed rezoning application will not cause any adverse impact to the current solid waste capacity or levels of service.

Fire and Emergency Services - Lake County Fire Station #103, located at, less than 2.4 miles of the property, will provide fire-emergency services.

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

The proposed rezoning for single family units is not expected to result in general adverse impacts to the natural environment. However, a tree removal application will be required for the removal of any trees to accommodate the single family units.

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

The application does not contain any information regarding the effect the proposed rezoning would have on property values in the area.

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

The rezoning application would not result in a disorderly or illogical 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; and**

The proposed rezoning application is 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 the proposed rezoning and found:

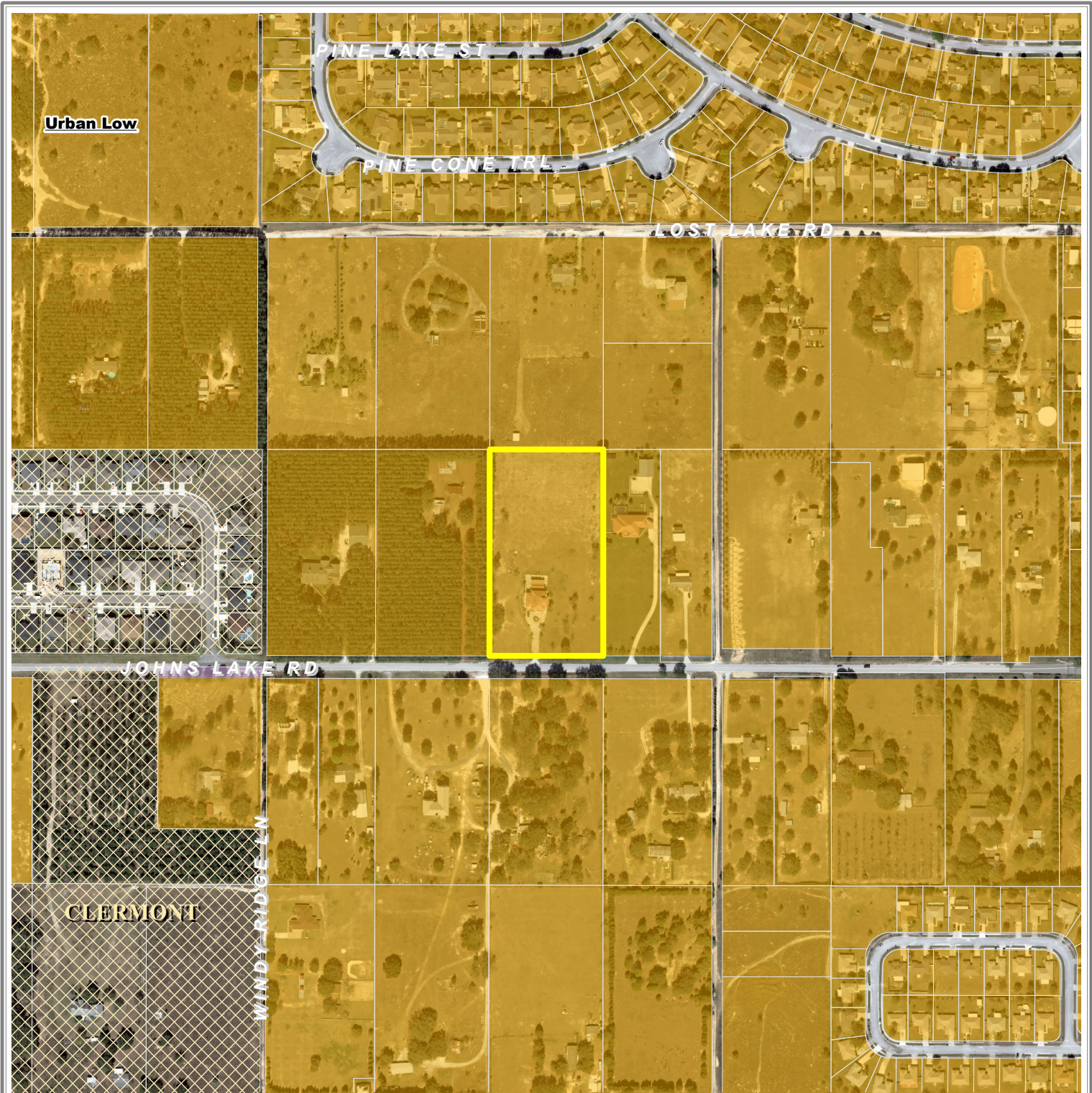
1. The rezoning application is consistent with Comp Plan I-1.3.2 which specifies that residential development at a maximum density of four (4) dwelling units per net buildable acre are suitable in the Urban Low Future Land Use categories.
2. The proposed rezoning application and the proposed use for single family units is consistent with residential uses definition within the Rural Residential Zoning District pursuant to LDR 3.00.02 G.

Based on these findings of fact, staff recommends **approval** of the rezoning application, as specified in the proposed Ordinance.

**Case Manager:** Sheila Short, Senior Planner

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

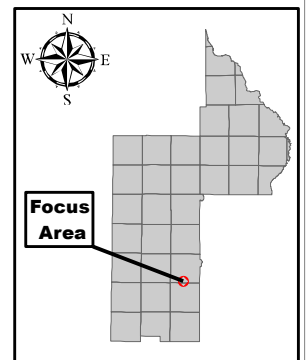




**FUTURE LAND USE LEGEND**

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

**NAME:** HANOMAN  
**CASE NUMBER:** RZ-16-15-2  
**LOCATION (S-T-R):** 33-22-26  
**REQUEST:** AGRICULTURE TO RURAL RESIDENTIAL



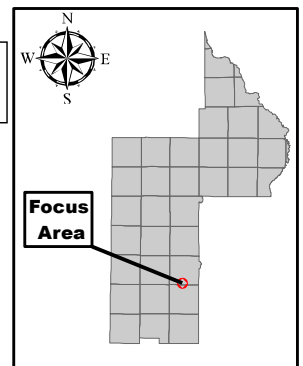




**ZONING LEGEND**

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

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**Ordinance #2016-XX  
Hanoman Property  
RZ-16-15-2**

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

**WHEREAS**, Dharamded Sarjou (the “Applicant”) on behalf of Kennth B. Hanoman & Adlene R. Hanoman (the “Owner”)s made a request to rezone certain property from Agriculture (A) to Rural Residential (R-1); and

**WHEREAS**, the subject property consists of 4.5 +/- acres and is generally located along John’s Lake Road, in the Clermont area, in Section 33, Township 22 South, Range 26 East, having Alternate Key Number 1029619, and more particularly described below:

The west ½ of Tract 46, Section 33, Township 22 South, Range 26 East of Postal Colony Company, according to the Plat thereof as recorded in Plat Book 9, Page 65, of the Public Records of Lake County, Florida. LESS the South 33 feet thereof.

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

**WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-16-15-2 on the 3rd, day of August, 2016, after giving Notice of Hearing on petition for a change in the use of land, including notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 23rd day of August, 2016; and

**WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning & 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:

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

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

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

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

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

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

9  
10 FILED with the Secretary of State \_\_\_\_\_, 2016.

11  
12 EFFECTIVE \_\_\_\_\_, 2016.

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

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17 \_\_\_\_\_  
**SEAN M. PARKS, CHAIRMAN**

18 **ATTEST:**

19 \_\_\_\_\_  
20 **NEIL KELLY, CLERK OF THE**  
21 **BOARD OF COUNTY COMMISSIONERS**  
22 **LAKE COUNTY, FLORIDA**

23  
24 **APPROVED AS TO FORM AND LEGALITY**

25 \_\_\_\_\_  
26 **MELANIE MARSH, COUNTY ATTORNEY**