

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS PETITION TO REZONE PROPERTY

PLANNING & ZONING BOARD
August 6, 2014



BOARD OF COUNTY COMMISSIONERS
August 26, 2014

| | | |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------|------------------------|
| PH #19-14-5 Bassett, David & Kandee Rezoning CFD to A | Case Manager: Rick Hartenstein, AICP, CPM Senior Planner | Agenda Item # 7 |
|--------------------------------------------------------------------------|-----------------------------------------------------------------------|------------------------|

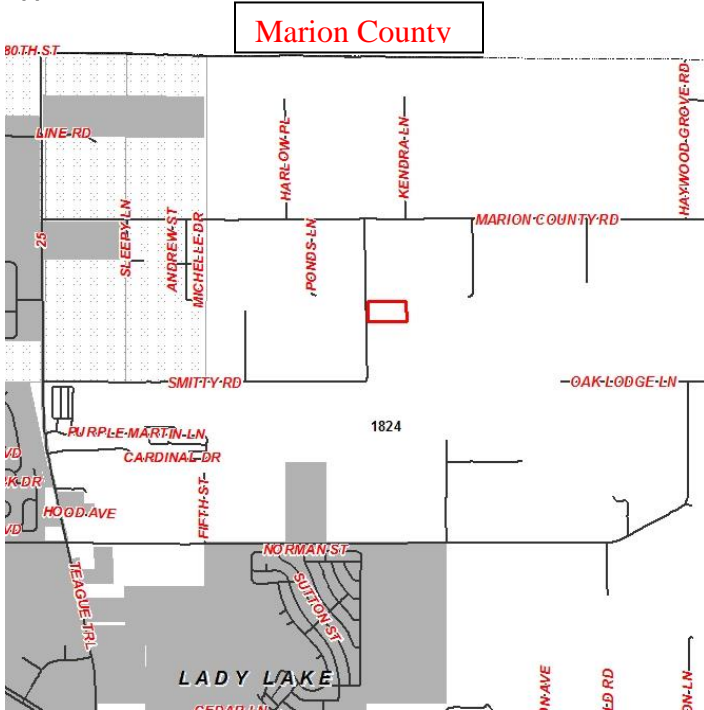
Owner: David & Kandee Bassett (“Owner”)

Applicant: Greg Beliveau, LPG Urban and Regional Planners (“Applicant”)

Requested Action: Rezone property from Community Facility District to Agriculture (A) for agriculture and residential use.

– Site Location & Information –

Approximate site location outlined in **RED**



| | | |
|---------------------------------------|-------------------------------------------------------------------------------|---------------------------|
| Size | 4.81 +/- acres | |
| Location | Lady Lake area - Go North on CR25A, right on Smitty Road to 2542 Smitty Road. | |
| Alternate Key #'s | 1237459 | |
| Future Land Use | Rural (1 du/ 5 ac) | |
| | Existing | Proposed |
| Zoning District | CFD | A |
| Density | N/A | 1 du/5 ac |
| Impervious Surface Ratio (ISR) | 0.30 (Policy I-1.4.4) | 0.10 max (LDR 3.02.06) |
| Floor Area Ratio (FAR) | 1.0 (LDR 3.02.06) | 0.10 max (LDR 3.02.06) |
| Joint Planning Area | Lady Lake | |
| Utility Area | Lady Lake (none available) | |
| Site Utilities | Private Well and Septic | |
| Road Classification | Smitty Road - Local | |
| Flood Zone/ FIRM Panel | Zone X & A Panel 0160E Effective 12/18/2012 | |
| Commissioner District | 5 (Cadwell) | |

Site Visit : July 21, 2014

Sign Posted: July 21, 2014 (2 posted)

Land Use Table

| Direction | Future Land Use | Zoning | Existing Use | Comments |
|------------------|----------------------------------------------------|-----------------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------|
| North | Rural & Public Service Facilities & Infrastructure | Agriculture (A) & Community Facility District (CFD) | Single-Family Residential (SFR) & Public Facilities (PF) | Grand Oaks Equestrian Museum/Educational & Training Facility |
| South | Rural & Public Service Facilities & Infrastructure | A | (SFR) & (PF) | Grand Oaks Equestrian Museum/Educational & Training Facility |
| East | Rural & Public Service Facilities & Infrastructure | A & CFD | (SFR) & (PF) | Grand Oaks Equestrian Museum/Educational & Training Facility |
| West | Rural | A | Large Tract SFR | |

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the proposed rezoning request.

PLANNING & ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant is requesting to rezone property from Community Facility District (CFD) to Agriculture (A). The subject property consists of 4.81 +/- acres and is located northeast of Lady Lake at 2542 Smitty Road. The property is developed with a single-family residence that was used as a caretaker's residence as part of the Grand Oaks Equestrian Facility. The current Owners purchased the property from the Grand Oaks Equestrian Facility and in order to be recognized as a private single-family residential unit with agricultural uses instead of a caretaker's residence associated with the Grand Oaks Equestrian Facility, a rezone of the property is necessary.

The Agriculture zoning request is consistent with Comprehensive Plan Policy I-1.4.4 as agricultural and residential uses are allowable in the Rural Future Land Use Category (FLUC). The proposed rezoning is also consistent with the Land Development Regulations (LDR) as seen in LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits agricultural and residential uses in the Agriculture Zoning District.

- 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 proposed rezoning is consistent with the Land Development Regulation (LDR) as seen in Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which permits agricultural and residential uses in the Agriculture Zoning District.

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

The proposed rezoning is consistent with Comprehensive Plan Policy I-1.4.4 as agricultural and residential uses are allowable in the Rural Transition Future Land Use Category (FLUC).

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

The subject property is surrounded by low density residential/agricultural uses, vacant rural lands, and public facilities. Rezoning the property to Agriculture is consistent with the intention of the Rural FLUC. The proposed rezoning is consistent with the land use patterns in the area.

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

The property was a part of Grand Oaks Equestrian Facility and was purchased by the current owner who desires to establish a residential lot separate and apart from Grand Oaks. This property contains an existing residence that will no longer be used as a caretaker's residence for the equestrian facility. As such a rezoning is required to be in compliance with the LDR's for residential 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 police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;**

No additional demands on public facility capacity or levels of service are anticipated by the proposed rezoning.

Water/Sewage - There is no central water and sewer available to this property. The existing home is serviced by a private well and septic system.

Fire and Emergency Services - Lake County Fire and Rescue Station #54 located at Harbor Hills will provide services to the property. Station #54 is less than five (5) miles from the property in question and has a response time of five (5) minutes or less.

Solid Waste - The proposed rezoning and uses will not cause any adverse impact to the current solid waste capacity or level of service.

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

No information has been submitted to indicate that the proposed rezoning would result in significant adverse impacts on the natural environment. Rezoning the property from CFD to A will include the 1 du/5 ac density and will no longer be associated with the approved uses for the Grand Oak Equestrian Facility.

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

The application does not contain any evidence 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;**

The proposed rezoning would not be adverse to the orderly and logical development pattern of the area that currently exists.

- 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 would be in harmony with the general intent of the Comprehensive Plan and LDR.

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

N/A.

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

1. The request is consistent with the Comprehensive Plan as seen in Policy I-1.4.4 as agricultural and residential uses are allowable, and the request conforms to the general land use criteria and activities of the Rural Future Land Use Category.
2. The request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which permits agricultural and residential uses in the Agriculture Zoning District.

Therefore, based on these findings of fact, staff recommends **APPROVAL**.

WRITTEN COMMENTS FILED:

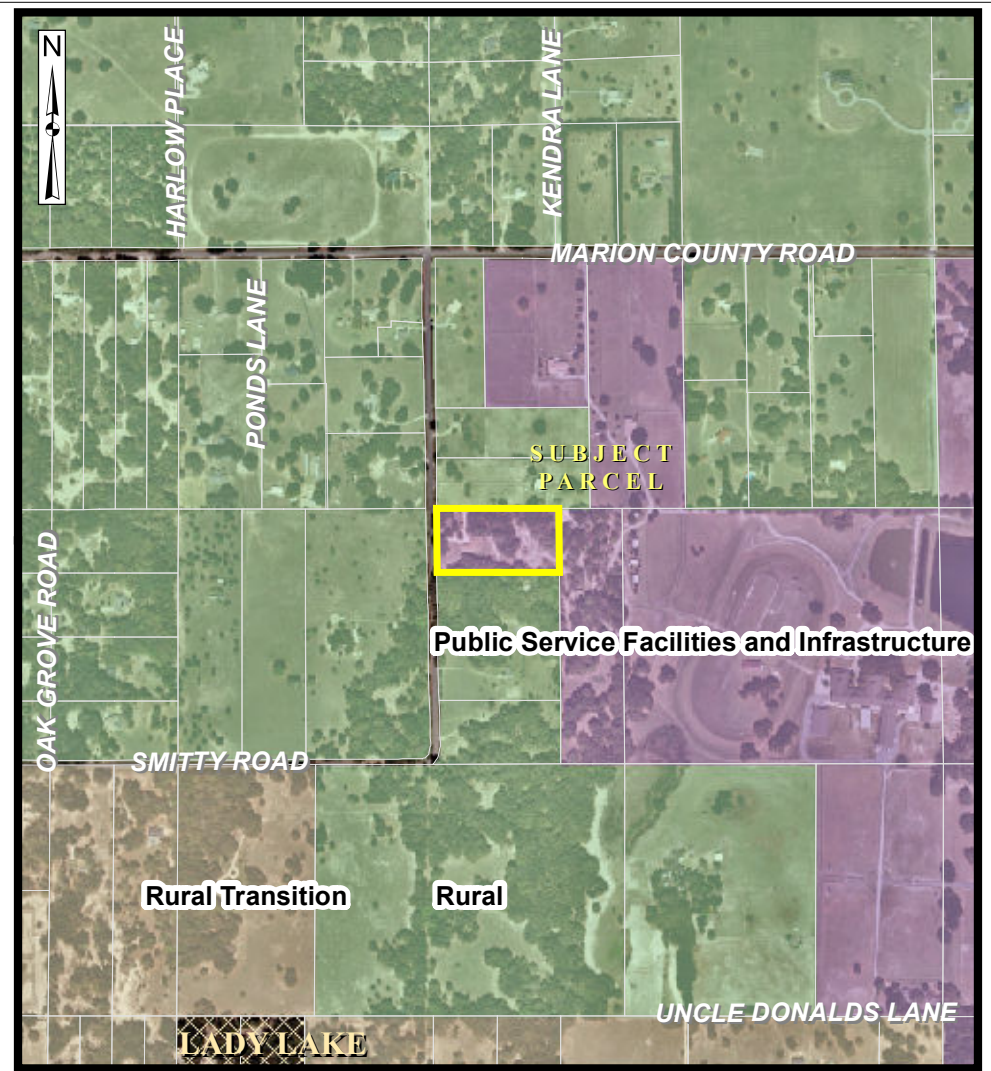
Supportive: -0-

Concern: -0-

Opposition: -0-



CURRENT ZONING
COMMUNITY FACILITY DISTRICT (CFD)



CURRENT 2030 FUTURE LAND USE
PUBLIC SERVICE FACILITIES & INFRASTRUCTURE

**DAVID & KANDEE
 BASSETT REZONING**

CASE NO.
 PH# 19-14-5

CASE LOCATION:
 4-18S-24E

REQUESTING:
 Rezone 4.81 acres from CFD
 to Agriculture

- ZONING**
- LAND USE**
- SUBJECT PARCEL**

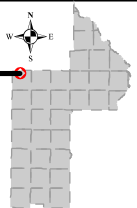
DATA SOURCES:

Lake County GIS Department; Planimetrics, 2008 Aerial Image, Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design.

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MAP COMPOSITION:
 JULY 2014

FOCUS AREA



1 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
2 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
3 affect 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
5 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance
6 with Section 125.66, Florida Statutes.

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

8 ENACTED this _____ day of _____, 2014.

9
10 FILED with the Secretary of State _____, 2014.

11
12 EFFECTIVE _____, 2014.

13
14 **BOARD OF COUNTY COMMISSIONERS**
15 **LAKE COUNTY, FLORIDA**

16
17 _____
JIMMY CONNER, Chairman

18 **ATTEST:**

19 _____
20 **NEIL KELLY, Clerk of the**
21 **Board of County Commissioners**
22 **Lake County, Florida**

23 **APPROVED AS TO FORM AND LEGALITY**

24 _____
25 **SANFORD A. MINKOFF, County Attorney**