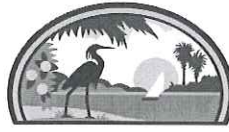


MEMORANDUM

GROWTH MANAGEMENT
Planning & Community Design
315 West Main Street, Room 510
Tavares, FL 32778-7800



LAKE COUNTY
FLORIDA

P: 352-343-9641
F: 352-343-9767
www.lakecountyfl.gov

To: Lake County Board of County Commissioners

From: Steve K. Greene, AICP, Chief Planner *SG*
Brian T. Sheahan, AICP, Planning Manager *BS*

Through: Darren Gray, County Manager
David Heath, Deputy County Manager

Date: September 7, 2012

Subject: Orange County Recommended Ordinance Conditions
re: Simpkins-Roper Rock-on-Adventures (Conditional Use Permit - #12/9/2-2)

This memo is provided to inform you of ordinance conditions proposed by Orange County for the Simpkins-Roper Rock-on-Adventures Conditional Use Permit (CUP) application scheduled for your consideration on September 11, 2012. Orange County's proposed conditions pertain to the sole access to the property being via Old YMCA Road, in Orange County.

- A left turn lane for the north bound traffic shall be required at the intersection of CR545 and Old YMCA Road within 9-months of approval of this CUP. If traffic conditions warrant additional traffic measures they shall be addressed by the Applicant at their cost.
- Every event Shall require email notification to Orange County Public Works Traffic Engineering Division 60 days prior to any event with over 100 participants;
- An Orange County Maintenance of Traffic (MOT) Plan application shall be required 60 days prior to any event with over 100 participants; and
- The CUP shall require approval every 24 months from the date of approval by the Board of County Commissioners. In the event the CUP is not approved it shall be scheduled for revocation on or before October 2014.

Orange County staff has indicated that events currently scheduled in September will not be required to comply with these requirements. An Orange County Representative will be available at the public hearing to address any questions you may have on the proposed ordinance conditions listed above. If you have questions prior to the meeting, please do not hesitate to contact me.

Cc: Sandy Minkoff, County Attorney
Gregg Welstead, Conservation & Compliance Director
Jim Stivender, Public Works Director
Scott Blankenship, Director, Economic Development and Tourism
File

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
APPLICATION FOR CONDITIONAL USE PERMIT

PLANNING & ZONING BOARD
 September 5, 2012



BOARD OF COUNTY COMMISSIONERS
 September 11, 2012

CUP #12/9/2-2 Simpkins-Roper Rock on Adventures	Case Manager: Steve K. Greene, AICP Chief Planner	Agenda Item #1
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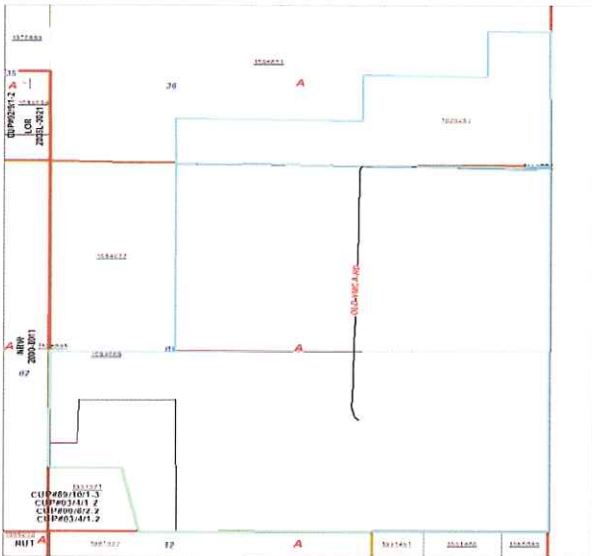
Applicant: Jonny Simpkins (the "Applicant")

Owner: T. Roper, Trustee (the "Owner(s)")

Requested Action: The Applicant is requesting to conduct outdoor recreation uses within Agriculture (A) Zoning.

- Site Location & Information -

Approximate site location outlined in Aqua



Size	647+/- acres	
Location	South of Clermont, east of SR 27, along Orange County line	
Alternate Key #	1029287 & 1594669	
Future Land Use	Rural	
Future Land Use Density	1 du/5 net acres maximum	
	Existing	Proposed
Zoning District	A	A
Density	1 du/5 net ac.	1 du/5 net ac.
Floor Area Ratio	0.10	0.10
Impervious Surface Ratio	0.10	0.10
Joint Planning Area	N/A	
Utility Area:	N/A	
Site Utilities	none	
Road Classification	Old YMCA Road –	
Flood Zone/ FIRM Panel	X & A/ Panel 625 7/3/02	
Commissioner District	2- Parks	

Site Visit August 17, 2012

Sign Posted August 17, 2012 (3 signs posted)

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Rural	Agriculture	Agriculture and residential	Grove, pasture, cleared acreage, residential dwelling
South	Rural	Agriculture	Agriculture and residential	Undeveloped acreage, pasture, residential dwelling
East	Orange County	Agriculture	Residential use	Grove, pasture, residential dwelling
West	Rural	Agriculture	Undeveloped	Partially cleared acreage

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the request for a Conditional Use Permit, subject to the conditions as set forth in the attached Ordinance.

PLANNING AND ZONING BOARD RECOMMENDATION: **Approved** the CUP request, with conditions; on 7-0 vote to require coordination with Lake County Emergency Services and 60-day advance notification of any event.

- Summary of Analysis -

The Applicant is requesting approval to conduct outdoor small-scale sports and recreation uses within Agriculture (A) zoning on approximately 647-acres, comprising two properties. The subject property is located south of the Clermont Area, east of US 27. Primary access to the property is via Old YMCA Road, ~~a non-county maintained road~~, in west Orange County.

The Applicant proposes foot races, obstacle/survival races, bicycling, kayaking, paintball, fitness expo events, and jet-skiing/water jet park uses of various sizes and durations. These events are proposed to attract more than 2,000 participants, on a least four occasions. On another four occasions, the Applicant will conduct events with between 1,000 to 2,000 participants. The Applicant also desires ten events of less than 500 participants. The Applicant requests two events per year be conducted over a two day period, not to exceed twelve (12) consecutive hours.

The property is designated as Rural Future Land Use Category (FLUC). The Comprehensive Plan allows Outdoor sports and recreational Clubs with a Conditional Use Permit (CUP). The proposed use is consistent with passive recreation uses specified by Land Development Regulations (LDR), Table 3.01.03, Schedule of Permitted and Conditional Uses. The LDR describes parks and recreational uses as outdoor recreational uses with a low intensity of development (LDR 3.01.02.F.4.), and they are permitted within Agriculture zoning. Similar uses of this type have been required to obtain conditional use permit approval for purpose of establishing development conditions to minimize impacts to adjacent properties.

- STANDARDS OF REVIEW & ANALYSIS -
(LDR Section 14.05.03)

A. Consistency with the Comprehensive Plan and Local Code (Land Development Regulations).

As previously stated, the property is within the Rural Future Land Use Category and is subject to Comprehensive Plan Policy I-1.4.4. The Rural future land use includes the following uses similar to those proposed by the Applicant:

- Passive Parks (permitted);
- Active parks and recreation facilities (Conditional Use);
- Outdoor sports and recreation clubs (Conditional Use).

The 2030 Comp Plan defines the above uses as follows:

Passive Recreation - Recreational activities that generally do not require a developed site. This generally includes such activities as hiking, horseback riding, wildlife appreciation and picnicking. Passive recreation involves existing natural resources and has a minimal impact which can be carried out with little alteration or disruption to the area in which they are performed.

Active Recreation - Recreational activities, usually performed with others, often requiring equipment and taking place at prescribed places, sites, or fields. The term "active recreation" includes but is not limited to swimming, tennis, and other court games, baseball and other field sports, golf and playground activities; generally involves constructed facilities and organized activities.

The Applicant's proposed use of the property will include aspects of both active and passive recreation uses. No structures other than the obstacles and other temporary structures are proposed.

The uses proposed by the Applicant are not directly defined in the LDR, but Passive Parks and Recreation, defined as outdoor recreational uses of low intensity development, such as parks, playgrounds, biking and nature trails, picnic grounds. These uses are similar to those proposed by the Applicant, and permitted in the Agricultural zoning district. Furthermore, Section 3.01.05 LDR, *Similar Uses*, allows the approval of uses that are similar to those listed but that are not specifically listed, providing they are not more obnoxious or detrimental than those listed. The proposed recreational use is not more obnoxious or detrimental than the comparable uses of Commercial Amusements or Hunting and Fishing Resorts, both of which are permitted in the Agricultural Zoning District with a conditional use permit, with appropriate conditions.

The proposed CUP Ordinance setback conditions, including a minimum of a 100 ft setback from property lines with residential uses; limits on hours of operation.; limitation on the number of special events that can be held on the property (eight per calendar year). As the proposed uses would not significantly alter the land, designated open space is not required.

B. Effect on Adjacent Properties.

1. The proposed conditional use will not have an undue adverse effect upon nearby property.

The attached CUP Ordinance contains provisions to ensure mitigation of adverse impacts on adjacent properties through the implementation of setbacks, landscaping, buffering, screening, and noise attenuation. The attached proposed Ordinance requires a minimum 100-ft setback from property lines with residential uses as well as maintaining an existing minimum landscape buffer of 50 feet. The proposed Ordinance also requires a noise assessment to be submitted with a site plan application to determine whether a more detailed study will be necessary to mitigate noise impacts to adjacent properties caused by the proposed use.

The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.

The adjacent area is characterized by agricultural uses, vacant-undeveloped lands of wetland and wooded lands, and rural residential uses. Given the nature of the proposed use, it should be situated in a remote location, away from more densely developed areas. The conditions in the proposed ordinance will mitigate the impacts by limiting the uses to specific locations on the property and limiting the duration of high-attendance, intensive events.

2. All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through design, landscaping, and screening.

The proposed Ordinance contains conditions to limit impacts on properties within the immediate vicinity. The proposed conditions include setbacks, landscaping, buffering, screening, limits on the size of the impacted area, hours of operation and noise attenuation. These conditions are intended to minimize any adverse effects on property in the immediate vicinity of the proposed CUP. These items will be addressed in detail during the site plan process, in addition with the submittal of a noise assessment.

The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development of the neighboring property, in accordance with applicable district regulations.

The proposed events shall be centered to the maximum degree possible as to not interfere with any neighboring residential properties. In addition, the proposed uses will be setback a minimum of 100 feet from properties with residential uses, to include a 50-ft wide buffer. In addition, noise attenuation conditions are proposed for incorporation into the CUP Ordinance to mitigate any impacts to adjacent land uses. The ordinance also limits the hours of Operation and number of Special Events that can be held on the property, and requires approval for each Special Event. The Applicant intends to conduct the majority of the events between the hours of 7:00 a.m. to 6:00 p.m. The proposed Night Run events will be held between the 5:00 p.m. and 10:00 p.m. See the attached Conceptual Plan for generalized layout of the conditional use.

C. Adequacy of Public Facilities.

The proposed conditional use will be served by adequate public facilities including but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, park and recreation, schools, and fire and emergency medical facilities. Levels of service established by the Comprehensive Plan shall be considered.

The property will be served by a well and septic system. However, the Applicant intends to address water and restroom needs of the patrons with bottled water and porta-lets. The porta-let usage will require approval by the Lake County Department of Health.

The applicant contends that no additional demands on public facilities are anticipated, it must be stated that the primary access is via Old YMCA Road in Orange County. Lake County Public Works indicated that Lake County Roads are not impacted as access is via Orange County. However, Public Works did advise containing Orange County to ascertain their safety concerns posed by the proposed events. Public Works advise that legal access be demonstrated for the site before CUP rezoning case. It was also recommended to use off duty deputies for traffic control.

Orange County indicated that a traffic study should be provided. However, there was no specification of when the study should be provided.

The proposed CUP ordinance will contain conditions for advanced notice with a special event application to Lake County Public Safety and Orange County. This may include the preparation of an Incident Action Plan (IAP) by the Applicant prior to the Applicant's holding any special event.

D. Adequacy of Fire Protection.

The Applicant shall obtain from the Lake County Emergency Services Division written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

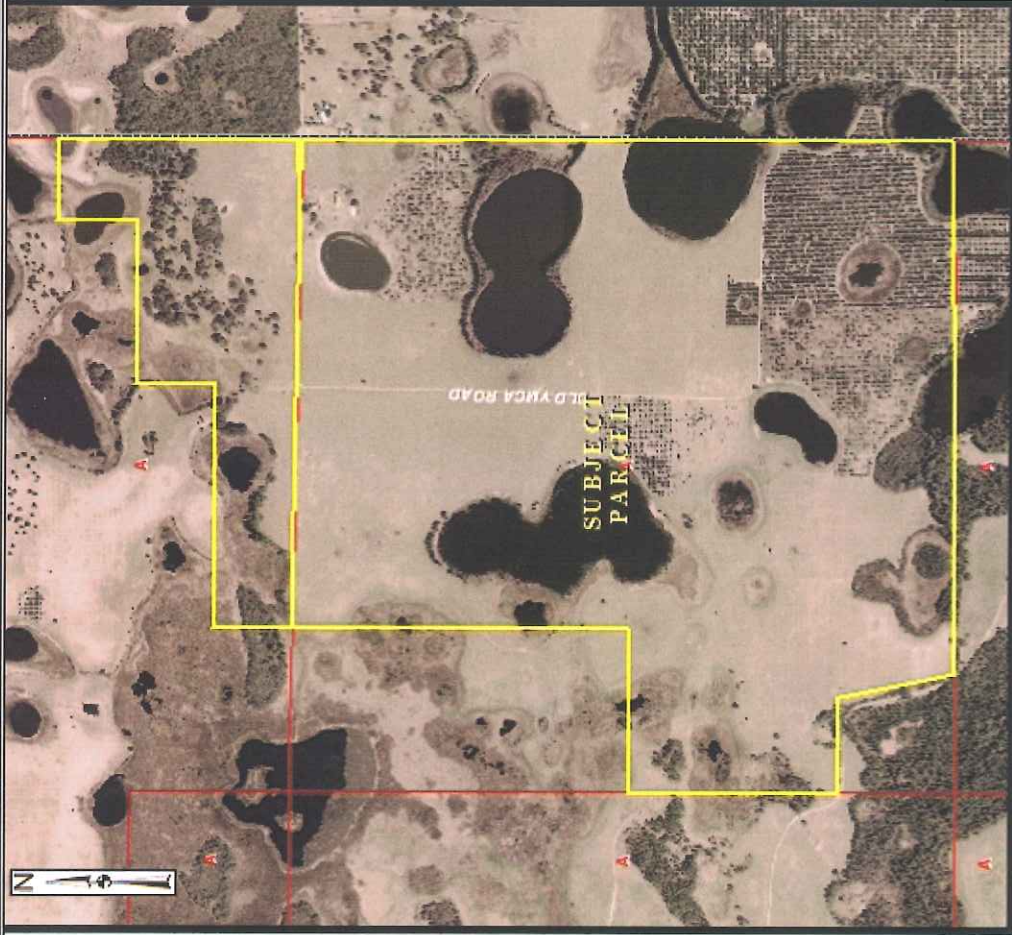
The subject parcel is approximately four (4) miles from Lake County Fire Station 112 (closest fire station), located at 16240 CR 474, Clermont. The facility is a 24-hour manned station that covers the Four Corners area. However, western access to the property will be difficult.

FINDINGS OF FACT: Staff has reviewed the application for the proposed conditional use permit and found:

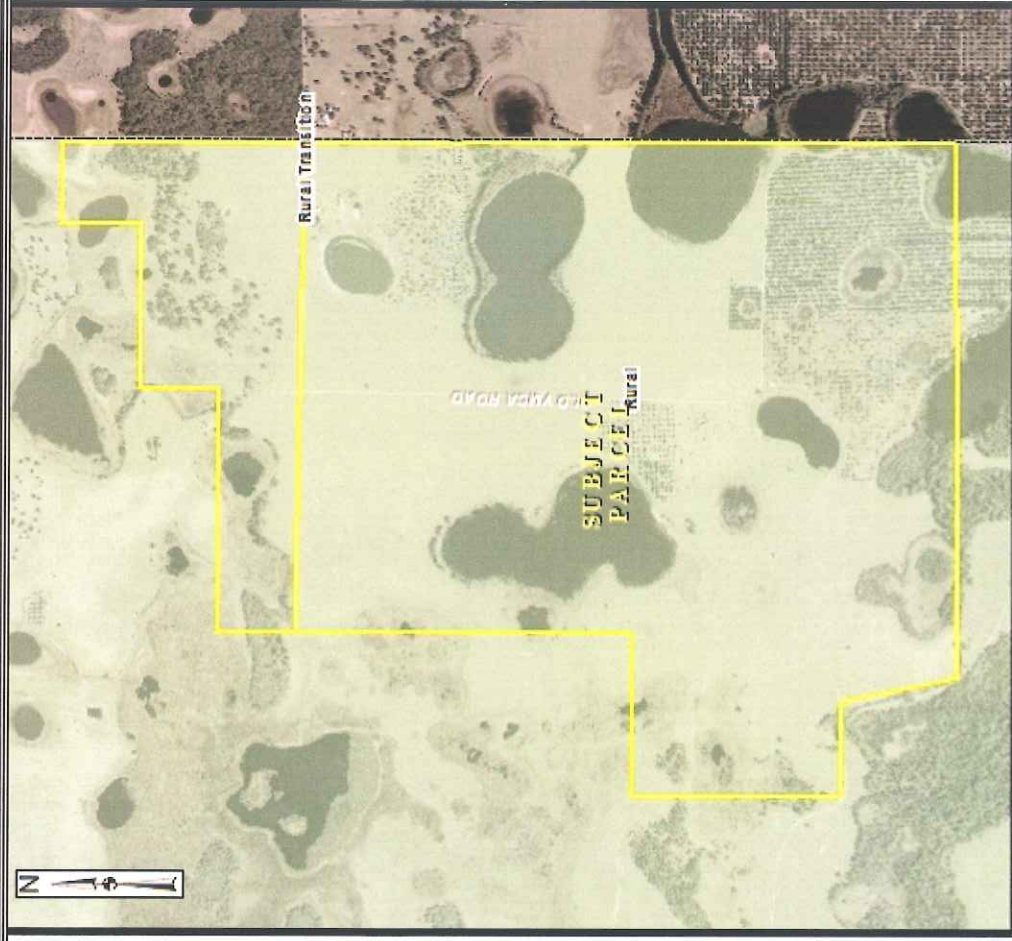
1. The request is consistent with the Comprehensive Plan as seen in Policy I-1.4.4 and conforms to the general land use criteria and activities of the Rural Future Land Use Category.
2. The request is consistent with LDR 3.01.02.F.4., The LDR describes parks and recreational uses of as low intensity development as an outdoor recreational uses with a low intensity of development (LDR 3.01.02.F.4.),
3. The request is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which allows Recreational Uses (Similar Uses) in the Agriculture (A) Zoning District with the issuance of a CUP.
4. The application is consistent with LDR Section 3.01.05 Similar Uses, not specifically listed and not more obnoxious or detrimental than the uses listed in LDR Subsection 3.01.03 for the Agriculture Zoning District.

Based on these findings of fact, staff recommends **APPROVAL**, subject to the conditions as specified in the attached CUP Ordinance.

WRITTEN COMMENTS FILED: Supportive: -0- Concern: -1 (Orange County) - Opposition: -1-



CURRENT ZONING
AGRICULTURE (A)



ADOPTED FUTURE LAND USE
RURAL

SIMPKIN'S-ROPER
ROCK ON ADVENTURES CUP

CASE NO.
CUP=1219-2-2

CASE LOCATION:
S1&S, T23&24S, R26E

REQUESTING:
Conditional use permit for outdoor sports and recreational uses

ZONING [Red outline]

LAND USE [Pink outline]

SUBJECT PARCEL [Yellow outline]

MAP COMPOSITION:
JANUARY 2015

FOCUS AREA

Lake County

LEGEND

ADDITIONAL INFORMATION:

1. The subject parcel is located within the Rural Transition boundary.

2. The subject parcel is currently zoned Agriculture (A).

3. The subject parcel is currently in Rural land use.

4. The subject parcel is currently in Rural land use.

5. The subject parcel is currently in Rural land use.

6. The subject parcel is currently in Rural land use.

7. The subject parcel is currently in Rural land use.

8. The subject parcel is currently in Rural land use.

9. The subject parcel is currently in Rural land use.

10. The subject parcel is currently in Rural land use.

ORDINANCE #2012-xx
Simpkins-Roper Rock on Adventures
CUP #12/9/2-2

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

WHEREAS, Jonny Simpkins (the "Permittee") has made a request for a Conditional Use Permit (CUP) on property in the Agriculture (A) Zoning District to allow various Outdoor Sports and Recreational Uses limited to outdoor races; and

WHEREAS, the subject property consists of approximately 647 +/- acres and is generally located in the Clermont Area, East of SR 27, along Old YMCA Road in Sections 1 and 36, Townships 23 and 24 South, Range 26 East, lying within Alternate Key Numbers 1029287 and 1594669, and more particularly described below:

LEGAL DESCRIPTION: as specified on **EXHIBIT - A**

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

WHEREAS, the Lake County Board of County Commissioners deems it necessary and desirable in order to protect the public health, safety, and general welfare of the citizens of Lake County in accordance with the purpose and intent of the Land Development Regulations (LDR) to require compliance with the special conditions hereinafter set forth.

WHEREAS, this Conditional Use Permit #12/9/2-2 was reviewed by the Planning and Zoning Board on September 5, 2012 and by the Board of County Commissioners of Lake County, Florida on September 11, 2012; and

NOW, THEREFORE, BE IT RESOLVED BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AS FOLLOWS:

Section 1 Permission is hereby granted for the operation of Outdoor Sports and Recreational Uses as a Conditional Use within the Agriculture (A) Zoning District.

Section 2 Terms: This Ordinance shall mean and include the total of the following uses as included herein. The County Manager or designee shall amend the Lake County Zoning Map to reflect a Conditional Use Permit, in accordance with this Ordinance.

A. Land Uses: Use of the site shall be limited to the use specified below and consistent with the attached "Conceptual Plan": To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance shall take precedence.

1. All permitted uses within the Agriculture (A) Zoning District;
2. Outdoor Recreational Uses and races to include:
 - a. Off-Road Running & Bicycling
 - b. Paintball
 - c. Geo Caching
 - d. Obstacle Races

- 1 e. Passive Recreation Activities, such as hiking, picnicking, bird watching and other nature
2 activities consistent with Comprehensive Plan definition, as amended.
- 3 3. Water sports
4 a. Motorized Watercraft: Limited to 15 motorized vessels motorized watercraft,
5 b. Non-Motorized Watercraft, such as kayaks, canoes, paddleboards
6
- 7 B. Special Events: shall be classified as events with more than 500 persons in attendance subject to
8 the following conditions:
9 1. Large Scale events: There shall be no more than eight (8) events per calendar year as
10 conditioned below:
11 a. Four (4) events shall be allowed to have between 500 and 1,000 patrons.
12 b. Four (4) events shall be allowed to have between 1,000 and 2,000 patrons.
13 c. All events are limited to one-day, with the exception of special two-day events. Two-
14 day events shall be limited to twice per calendar year.
15 d. A two-day event shall count as one of the allowable eight events per calendar year.
- 16 C. Small Scale events: shall be classified as events limited to 100-499 persons in attendance subject to
17 the following conditions:
18 a. Limited to ten (10) events per calendar year.
19 b. Night Run event - There shall be no more than one per calendar year that shall
20 count as one of the allowable ten (10). Notwithstanding the hours of operation below
21 this event may be held 5:00 p.m. to 10:00 p.m.
- 22 D. Hours of Operation: 7:00 am to 6:00 pm, except for Night Run events ; Hours of Operation shall
23 mean hours open to the public.
- 24
- 25 E. Emergency Personnel. ~~All special events shall have medical standby consisting of one (1) paramedic~~
26 ~~and one (1) emergency medical technician on premise.~~ The provision of emergency services shall be
27 coordinated with Lake County Public Safety prior to conducting any event.
- 28
- 29 F. Notification.
- 30
- 31 1. The Applicant shall notify Lake County of any Special Events, specified above, in writing at least ~~30~~
32 60 days in advance of the event. Such notice shall be provided to the attention of the Department of
33 Growth Management.
- 34 2. Special Event Application for Large Scale Events.- For events drawing, or expected to draw more
35 than 500 people a day, a completed Special Event Application shall be required. This permit should be
36 applied for a minimum ~~30-60~~ days prior to the event. The Special Event Application shall be approved
37 by Lake County Emergency Management prior to the event and may require conditions to ensure the
38 Public Health, Safety and Welfare not included in this ordinance. For Public Health, Safety and Welfare
39 conditions not addressed in the Special Events Application, Lake County Emergency Management will
40 coordinate with the applicant to ensure all conditions of concern are satisfactorily addressed and ensure
41 that emergency medical access for any adjacent properties is provided. Depending on the complexity of
42 the Special Event, Lake County Emergency Management may require the implementation of an Incident
43 Action Plan (IAP). A solid waste management plan shall be required with each Special Event permit, as
44 approved by the Lake County Solid Waste Division. Lake County Emergency Management shall have
45 the authority to deny the request if found contrary to the health, safety, and welfare of the public.

1 | ~~2.~~

2
3 G. Accessory uses incidental to and directly associated with these primary uses may be approved by
4 the County Manager or designee. Any other use of the site shall require an amendment to this
5 Ordinance as approved by the Board of County Commissioners.

6 H. Specific Conditions:

7 1. Site Plan Required. A site plan application approval is required for the Outdoor Recreational Use.
8 Special events shall be conducted as specified herein and shall be subject to any additional
9 requirements required as part of the Incident Action Plan for any Special Event drawing more than
10 500 people.

11 2. Noise: All uses and activities shall be subject to all Lake County noise regulations, as amended. A
12 noise assessment shall be required with any site plan submittal to determine the necessary mitigation
13 to limit noise impacts to adjacent properties.

14 3. Motorized vehicles: There shall be no motorized events, other than the watercraft activities.
15 Motorized vehicle use on the property shall be limited to event staff and public safety personnel.
16 ATVs may be used by event staff and security/emergency personnel. Rental, or other use by the
17 public, of off-road motorized vehicles is not permitted.

18 4. Parking:

- 19 a. Parking areas shall be designated with appropriate markings.
20 b. Parking surfaces may be grass or other pervious material.
21 c. Accessible parking shall be provided in compliance with the Florida Accessibility Code.
22 d. Overflow parking on any access easement or right of way is not permitted.

23
24 I. Setbacks. Events shall not be located closer than 100 feet from the property line of any adjacent
25 residentially used property. Any obstacles, or other points of congregation of event participants, shall
26 be located a minimum of 200 feet from the property line of any property used for residential purposes
27 and 400 feet from any residence.

28
29 J. Open Space, Impervious Surface Ratio and Floor Area Ratio, Building Height: Shall be in accordance
30 with the Comprehensive Plan and LDR, as amended. There shall be no paved trails, obstacle
31 courses, run courses.

32 K. Landscaping & Screening.

- 33 1. Existing vegetation shall be maintained within 100 feet of the property lines.
34 2. Any removal of protected trees shall comply with the Land Development Regulations.
35 3. Parking lot landscaping shall be provided consistent with the LDR. No other formal
36 landscaping shall be required.

37 L. Environmental:

- 38 1. An Environmental Assessment will be required with the site plan application.
39 2. All wetlands should be identified. The wetland and associated buffer areas must be visibly
40 marked.

41 | ~~2.~~

1 3. All structures, bicycle paths, or any other activity must maintain a minimum 50-ft buffer for
2 wetlands with the exception of existing roads.
3

4
5 M. Solid waste disposal shall be managed in accordance with Lake County Code, as amended.

6 N. Fire Protection, Public Safety, and Emergency Services Access: Access and fire safety requirements of
7 the property shall be provided in accordance with the Florida Fire Prevention Code and LDR, as
8 amended.

9 O. Transportation Improvements/Access Management:

10 1. General access to the site shall be from Old YMCA Road.

11 2. If improvements are necessary for ingress and egress, the property owner shall be responsible for
12 constructing the point of ingress and egress to Lake County standards.

13 3. The Applicant shall contact and submit a traffic study to Orange County prior to conducting any
14 events. A copy of the study shall be submitted with the Lake County Special Event Application.

15
16 P. Lighting: Lighting for run/bicycle courses, trails/obstacles, parking, public safety and staging areas
17 shall be situated to provide safety and security. All lighting used shall be in accordance with the
18 LDR, as amended, and consistent with Dark-Sky Principles, and shall be directed in a manner that
19 does not illuminate adjacent properties or public right of ways. .

20 Q. Signage: Signs shall be in accordance with the LDR, as amended.

21 R. Outside Agencies: The use of the site shall be in conformity with all Federal, State and Local
22 Regulations at all times.

23 S. Permitting: If necessary, the Permitte shall obtain proper permits for any temporary structures prior to
24 conducting any event in accordance with the Florida Building Code, as amended.

25 R.

26 S.T. Development Review and Approval: Prior to the issuance of any permits, the Applicant shall be required
27 to submit a site plan application to incorporate the features of EXHIBIT "A" – CONCEPTUAL PLAN, for
28 review and approval in accordance with the Comprehensive Plan and LDR, as amended. Any deviation
29 that is not generally consistent with the Conceptual Plan may require an amendment of the CUP
30 Ordinance as determined by the County Manager or designee.

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

35 V. After establishment of the facilities as provided herein, the aforementioned property shall only be used
36 for the purposes named in this Conditional Use Permit, unless a proposed use meets every requirement
37 of the zoning district in which the property is located. Any other proposed use must be specifically
38 authorized by the Board of County Commissioners.

39
40
41 U.

Section 3 Additional conditions of this permit shall mean:

- A. In the event of any breach in any of the terms or conditions of this permit or any default or failure of the Permittee or his successor to: Fulfill development in substantial accordance with the conceptual plan as submitted to the Planning & Zoning Board and the Board of County Commissioners; comply with the codes of the governmental agencies having lawful and appropriate jurisdiction thereon; or comply with any of the terms of the Conditional Use Permit; or this CUP is found to become a nuisance or safety hazard, the permit may be revoked after due Public Hearing before the Planning & Zoning Board and the Board of County Commissioners.
- B. This Conditional Use Permit shall inure to the benefit of, and shall constitute a covenant running with the land; and the purpose, terms, and conditions contained herein shall be binding upon the Permittee or any successor and his interest hereto.
- C. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement Special Master shall have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.
- D. Inspection. This use shall be inspected by the Code Enforcement Division annually to ensure compliance with the conditions of this Conditional Use Permit and the approved site plan. An annual inspection fee will be assessed. If an emergency inspection is necessary during non-operating hours, a fee shall also be assessed.

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

ENACTED this _____ day of _____, 2012.

FILED with the Secretary of State _____, 2012.

EFFECTIVE _____, 2012.

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

LESLIE CAMPIONE, 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

EXHIBIT – A
LEGAL DESCRIPTION

Alternate Key#: 1594669 All of Section 1, Township 24 South, Range 26 East, LESS the West half of the Northwest quarter of Section 1, Township 24 South, Range 26 East; and also LESS: Begin at Southwest corner of 1-24-26, run thence North along said section line 940 feet, thence East 690 feet, thence Southeasterly to a point on South boundary of said Section 1-24-26, 950 feet East of Southwest corner thereof, thence West 950 feet to a point of beginning in Lake County, Florida; and
Begin 524 feet North of the Southwest corner of the Southwest quarter of Section 6, Township 24 South, Range 27 East, run thence East 275 feet, thence North 400 feet, thence West 275 feet, thence South 400 feet to point of beginning, all being in Orange County, Florida;and
The South 30 feet of the East 250 feet of the SE-1/4 of Section 36, Township 23 South, Range 26 East, Lake County, Florida.
Alternate Key#: 1029287 - South 1/2 of the Southeast 1/4 of the Southwest 1/4 of Section 36, Township 23 South, Range 26 East. Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of said Section 36. Southeast 1/4 of the Southeast 1/4 of said Section 36. Southeast 1/4 of the Northeast 1/4 of the Southeast 1/4 of said Section 36 and the East 1/2 of the Southwest 1/4 of the Southeast 1/4 of said Section 36, Township 23 South, Range 26 East. LESS the East 250 feet of the South 30 feet of the Southwest 1/4 of said Section 36. Together with Easement for ingress and egress over the East 250 feet of the South 30 feet of the Southeast 1/4 of Section 36.

CONCEPT PLAN



S 1/2 OF SE 1/4 OF SW 1/4, SW 1/4 OF SW 1/4 OF SE 1/4, SE 1/4 OF NE 1/4 OF SE 1/4, SE 1/4 OF SE 1/4, E 1/2 OF SW 1/4 OF SE 1/4--LESS S 30 FT OF E 250 FT OF SE 1/4-- | ORS 1762 PG 1756 |

Owner: Robert English

Operator: Robert

Owner Phone: 407-433-1830

Owner Address: PO Box 44, Monticello, OR 97631

Operator: Tony Simpkins

Operator Phone: 407-467-4387

Operator Address: 6300 Oil Well Road, Monticello, OR 97631



Always stay left of arrows that will be marking entire course



Run 5 mile to/from Kayaks
 Kayak entire lake 5 mile
 Bike 6.2 miles
 Run 2.75 miles to finish

Arrive early if bringing your own Kayak or Paddleboard, so you can get it into the secured staging area at lake before the race

All participants must attend each wave meeting at each start and be checked in, and body marked before they can race



Safety officials in lake on boats
 Kayak

There will be surprise check points located throughout the course

Bike terrain is non technical grassy pastures and trails. Flat, no elevation changes.



MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
September 5, 2012

The Lake County Planning and Zoning Board met on Wednesday, September 05, 2012 in the Commission Chambers on the second floor of the County Administration Building to consider petitions for Rezonings.

The recommendations of the Lake County Planning and Zoning Board will be transmitted to the Board of County Commissioners for their public hearing to be held on *Tuesday, September 11, 2012 at 9 a.m. (*Simpkins-Roper CUP#12/9/2-2 case) all other cases listed, will be transmitted to the Tuesday, September 25, 2012, at 9 a.m., in the Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Timothy Morris, Vice Chairman	District 1
Ted DeWitt	District 2
Lorenzo G. John Ameri	District 3
Rick Gonzalez	District 4
Paul Bryan, Chairman	District 5
Kasey Kesselring	At-Large Representative
Jim Miller	School Board Representative

Members Not Present:

Donald Heaton	Ex-Officio Non-Voting Military Representative
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Staff Present:

Gregg Welstead, Director, Conservation and Compliance
Steve Greene, AICP, Chief Planning, Planning and Community Design Division
Rick Hartenstein, AICP, Senior Planner, Planning and Community Design Division
Melving Isaac, Planner, Planning and Community Design Division
Jennifer Cotch, Environmental Specialist, Growth Management, Planning and Zoning
Ann Corson, Office Associate IV
Erin Hartigan, Assistant County Attorney
Ross Pluta, Engineer III, Public Works
Courtney Vincent, Clerk, Board Support

Chairman Paul Bryan called the meeting to order at 9:04 a.m. He led the Pledge of Allegiance and Mr. Morris gave the invocation. Chairman Bryan confirmed that the meeting was properly noticed and explained the procedure for hearing cases on the consent and regular agendas, stating that they only hear the cases that are on the regular agenda individually. He stated that all exhibits presented at this meeting by staff, owners, applicants, and those in support or opposition must be submitted to the Recording Secretary prior to proceeding to the next case. He added that this Board is a recommending board only, and the Board of County Commissioners will be hearing these cases later this month when a final determination will be made.

Mr. Greene replied that it was the understanding of the staff that Jet Ski activities would only take place on the lakes completely within the property boundaries and added that it could be added as a condition to the CUP.

Mr. Bryan asked how the limit of 15 Jet Skis had been determined.

Mr. Greene replied that the limit had been determined by staff based on similar requests received in the past. He noted that the applicant had only requested general use of the property for the purpose of Jet Ski activities.

Mr. Lorenzo G. John Ameri, Board Member, asked how much of the property's 647 acres would be used for the business.

Mr. Greene replied that it was the understanding of the staff that the entire property would be used.

Mr. Jonny Simpkins, the applicant and owner of Rock-on Adventures, clarified that the lake where the Jet Ski activities would take place was completely within the property boundaries. He noted that the dirt road had been cleaned out and covered in gravel for where visitors would enter the property and mentioned that the houses on the property were rented out by the property owner, Mr. T. Roper, and added that Mr. Roper was happy to be helping out with the project. He discussed his experience as Treasurer of the Florida Trail Riders, explaining that the group put on about 35 events a year with about 23 of the events occurring on private land so he was familiar with coordinating standby emergency services as well as dealing with traffic and parking issues. He also clarified that he had staggered the start times for the races to help mitigate the influx of visitors.

Mr. Jim Miller, Board Member, asked if alcohol would be served on the property.

Mr. Simpkins replied that they would not serve alcohol but they had invited a local brewery to one of their events and the brewery had served alcohol on site. He emphasized that his was a family friendly business. He requested the CUP be approved.

Mr. Bryan asked if asked if Mr. Simpkins had reviewed the proposed ordinance and if he agreed with the provisions stated within.

Mr. Simpkins stated that he agreed.

Mr. Bryan asked Mr. Simpkins if the number of events and the potential number of visitors was a number that he and staff had come up with together.

Mr. Simpkins stated that it was.

The Chairman opened the public hearing.

Ms. Candi Shelton, Vice President of Lake Hickory Nut Homeowners Association located within Orange County, expressed concern on behalf of the Homeowners Association to the proposed CUP. She explained that the concern regarded the impact of traffic on Old YMCA Road, which was an Orange County maintained road. She stated that Old YMCA Road was a no outlet road that ended at the applicant's property and Lake Hickory Nut with only one way in and out. She remarked that the intersection of Old YMCA Road and CR 545/Avalon Road only had a stop sign and expressed concern of traffic bottleneaking in that area, preventing emergency first responders from being able to reach the residents of Lake Hickory Nut or the applicant's property. She noted that in the

Summary of Staff Determination it stated under Section D, which pertained to Adequacy of Fire Protection, that "a condition for establishing an alternative access route is a condition of the proposed ordinance," and stressed that there was currently only one way in and out to the Lake County property and it was an Orange County road. She asked if Lake or Orange County would be paying for emergency services to the applicant's property and if the applicant would need to create a Western access from Lake County to the property.

Mr. Bryan commented that he believed the concerns brought up by Orange County would address those issues before the next BCC meeting.

Mr. Greene confirmed that staff would be contacting Orange County regarding this case once the meeting was concluded.

Ms. Shelton stated that the Lake Hickory Nut Homeowners Association was against the CUP as currently written and requested that the application be denied.

Mr. Simpkins replied that Ms. Shelton had valid concerns regarding traffic issues and explained that there would be a direct line for emergency first responders to reach the property during an event. He clarified that, because there was ample parking on the property and multiple lanes to reach parking, the incoming traffic should remain moving and not become backed up. He stressed that emergency first responders would not have a problem reaching Lake Hickory Nut.

The Chairman closed the public hearing. He then reviewed that staff was requesting to change the event notice requirements from 30 days to 60 days for all events and that staff would be meeting with Orange County regarding the traffic concerns prior to the next BCC meeting.

Mr. Greene informed the board that the applicant had requested a special BCC meeting on September 11, 2012 at 9:00 a.m. for the BCC to hear the case because the applicant sought to conduct an event before the end of the month. He noted that the 60 day notice requirements might pose a scheduling problem.

Mr. Miller asked if an exception could be made regarding the event notice requirements on a one-time basis.

Mr. Greene answered that it was a possibility and it would be brought to the attention of the BCC.

Mr. Rick Gonzalez, Board Member, commented that Mr. Greene had mentioned in the written analysis that Old YMCA Road was not a County maintained road. He asked if that meant that it was not maintained by Lake County.

Mr. Greene replied that that was correct; the Lake County portion of the road was not maintained by Lake County.

MOTION by Tim Morris, SECONDED by Ted DeWitt to APPROVE Case No. CUP# 12/9/2-2, Simpkins-Roper Rock on Adventures, with the condition that the applicant give 60 day notice prior to conducting any event on the property and coordination with Public Safety for emergency service provisions.

FOR: Morris, De Witt, Ameri, Gonzalez, Bryan, Kesselring, Miller
AGAINST: MOTION CARRIED: 7-0