

# LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

## APPLICATION FOR CONDITIONAL USE PERMIT

PLANNING & ZONING BOARD  
 September 5, 2012  
 October 3, 2012 (Continuation)



BOARD OF COUNTY COMMISSIONERS  
 October 23, 2012

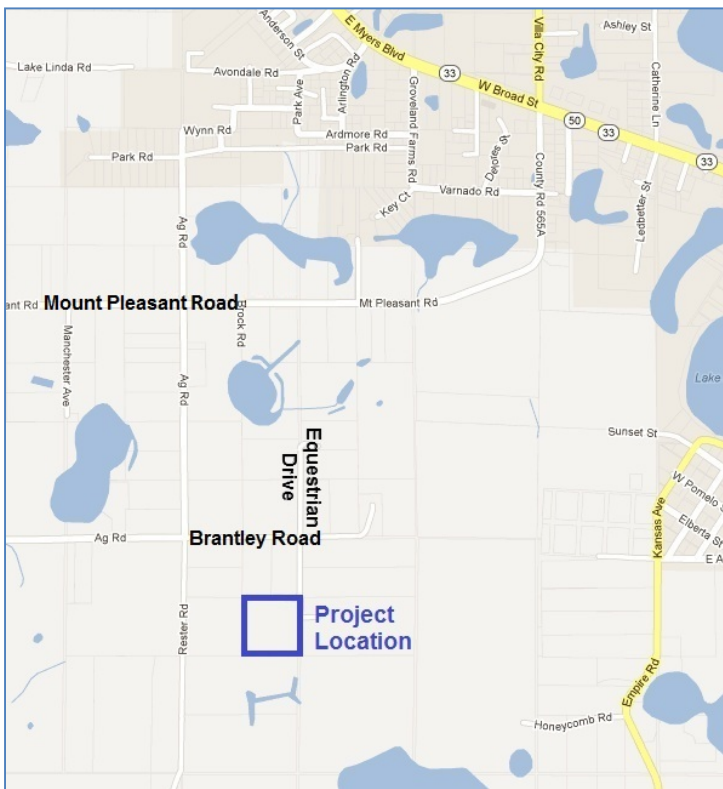
<b>CUP #12/9/1-1 Saddlewood Stables</b>	<b>Case Manager:</b> Melving Isaac, Planner	<b>Agenda Item #1</b>
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**Applicant:** Amanda Bacon (the "Applicant")

**Owner:** Amanda & Sean Bacon, and Debra & Ronald McCreedy (the "Owner")

**Requested Action:** The Applicant is requesting a Conditional Use Permit in the Agriculture (A) Zoning District in the Green Swamp to allow a Riding Stable/Academy for riding lessons, and associated equestrian-themed events such as trails, day camps and birthday parties.

### - Site Location & Information -



Approximate site location outlined in Blue

**Site Visit** August 9 and September 14, 2012  
**Sign Posted** August 23, and September 21, 2012 (3 posted)

**Land Use Table**

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Green Swamp Rural	Agriculture (A)	Rural Residential	
South	Green Swamp Rural	Agriculture (A)	Agriculture, Wetlands	
East	Green Swamp Rural	Agriculture (A)	Rural Residential	
West	Green Swamp Rural	Agriculture (A)	Rural Residential, Agriculture	

<b>Size</b>	10 acres	
<b>Location</b>	Groveland area, Southwest of Brantley Road and Equestrian Drive intersection	
<b>Alternate Key #'s</b>	3881544 and 2878410	
<b>Future Land Use &amp; Maximum Density</b>	Green Swamp Rural 1 du/5 net ac	
	<b>Existing</b>	<b>Proposed</b>
<b>Zoning District</b>	A	A
<b>Density</b>	1 du/5 ac	1 du/5 ac
<b>Floor Area Ratio (LDR Table 3.02.06)</b>	0.10 max	0.10 max
<b>Impervious Surface Ratio (LDR Table 3.02.06)</b>	0.10 max	0.10 max
<b>Joint Planning Area</b>	N/A	
<b>Utility Area</b>	N/A	
<b>Site Utilities</b>	Existing well and septic system	
<b>Road Classification</b>	Mount Pleasant Road – Rural Minor Collector Brantley Road/Equestrian Drive – Local Road	
<b>Flood Zone/ FIRM Panel</b>	(A,X)/520	
<b>Commissioner District</b>	1 (Hill)	

– Summary of Staff Determination –

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

**PLANNING & ZONING BOARD RECOMMENDATION:** **Approval** with a 6-0 vote with conditions, including removal of road maintenance condition.

– Summary of Analysis –

The Applicant is requesting a Conditional Use Permit (CUP) in the Agriculture (A) Zoning District on 10 acres of property to allow a Riding Stable/Academy for riding lessons, and associated equestrian-themed events such as trails, day camps and birthday parties. The subject property is located in the Groveland area in the Green Swamp of Critical State Concern, southwest of Brantley Road and Equestrian Drive intersection. The property currently has an existing residence, a barn, a garage and a storage building. The barn will be used to conduct the proposed activities.

The property is located within the Green Swamp Rural Future Land Use Category (FLUC). The requested use is consistent with the 2030 Comprehensive Plan and Land Development Regulations (LDR), which allows equestrian related uses and outdoor small-scale recreational camps. These uses are consistent with the future land use and the Agriculture (A) Zoning District with the issuance of a CUP.

– STANDARDS OF REVIEW & ANALYSIS –

(Per Section 14.05.03 of the Land Development Regulations)

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

The proposed conditional use is consistent with criteria contained in Comprehensive Plan Policy I-4.2.3 for the Green Swamp Rural FLUC which allows equestrian related uses and outdoor small-scale recreational camps with the issuance of a CUP.

Riding Stables and Academies are allowed with a conditional use permit in the Agriculture Zoning District, pursuant to LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*. Trails, day camps and birthday parties are acceptable accessory uses to a Riding Stable/Academy. The proposed use is consistent with LDR Section 3.01.04(4) *Key to Conditions in Table of Permitted and Conditional Uses*, which indicates that riding stables or academies, where permitted, shall not be located on a tract of land less than 10 acres in size, and the structures housing the animals shall not be less than 200 feet from the nearest right-of-way or adjacent property line owned by others. The property is 10 acres in size and the existing barn meets the required 200-foot setback.

The existing barn was constructed as an Agricultural Building and was not intended for public use. The structure did not obtain Building Permits or inspections to determine if the structure met the Florida Building Code. If the request is approved a condition is included in the proposed ordinance that will require the Applicant to demonstrate compliance of the structure with the Florida Building Code to ensure that there are no public safety concerns.

**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 the mitigation of adverse impacts on adjacent properties through the implementation of landscaping, buffering, screening, noise and hours of operation.

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

The area is characterized by agricultural and low density rural residential uses. Riding Stables/Academies are allowed as a Conditional Use Permit and a similar use, Horse Breeding Farms are a permitted use in the adjacent Agriculture (A) Zoning Districts. The proposed conditional use will be made compatible with the surrounding agricultural and agricultural related residential land uses through the conditions implemented by the proposed ordinance limiting off-site impacts.

**3. 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 addressing setbacks, landscaping, buffering, screening, noise and hours of operation to limit impacts on properties within the immediate vicinity. These conditions are intended to minimize any adverse effects on property in the immediate vicinity of the proposed conditional use. These items will be addressed in detail during the site plan process.

**4. 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 CUP will not interfere with the development of neighboring properties. The facilities will be contained on-site with setbacks, landscaping, buffering, screening, noise and hours of operation addressed and incorporated into the proposed Ordinance to mitigate any impacts to adjacent land uses. See the attached Conceptual Plan for generalized layout.

**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 only available access to the property is through the private roads Brantley Road and Equestrian Drive. The Applicant actually maintains the access road from Equestrian Drive and has indicated that will also maintain the access from Brantley Road which is actually maintained by other property owners.

The proposed conditional use will not result in additional demands on public facilities. The property is being served by an existing well and septic system.

**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 8 miles from Lake County Fire Station 111 (closest fire station), located at 8805 Bay Lake Road, Groveland.

**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 Policy I-4.2.3 which allows equestrian related uses and outdoor small-scale sporting and recreational camps in the Green Swamp Rural Future Land Use Category.
2. The request is consistent with the Comprehensive Plan Policy I-4.2.3 which permits the Agriculture (A) Zoning District and uses within the Green Swamp Rural Future Land Use Category.
3. The request is consistent with LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which allow riding stables or academies in the Agriculture (A) Zoning District with the issuance of a CUP.
4. The proposed use is consistent with LDR Section 3.01.04(4) *Key to Conditions in Table of Permitted and Conditional Uses*, which indicates that riding stables or academies, where permitted, shall not be located on a tract of land less than 10 acres in size, and the structures housing the animals shall not be less than 200 feet from the nearest right-of-way or adjacent property line owned by others.

Therefore, based on these findings of fact, staff recommends **APPROVAL with conditions**, as specified in the proposed ordinance.

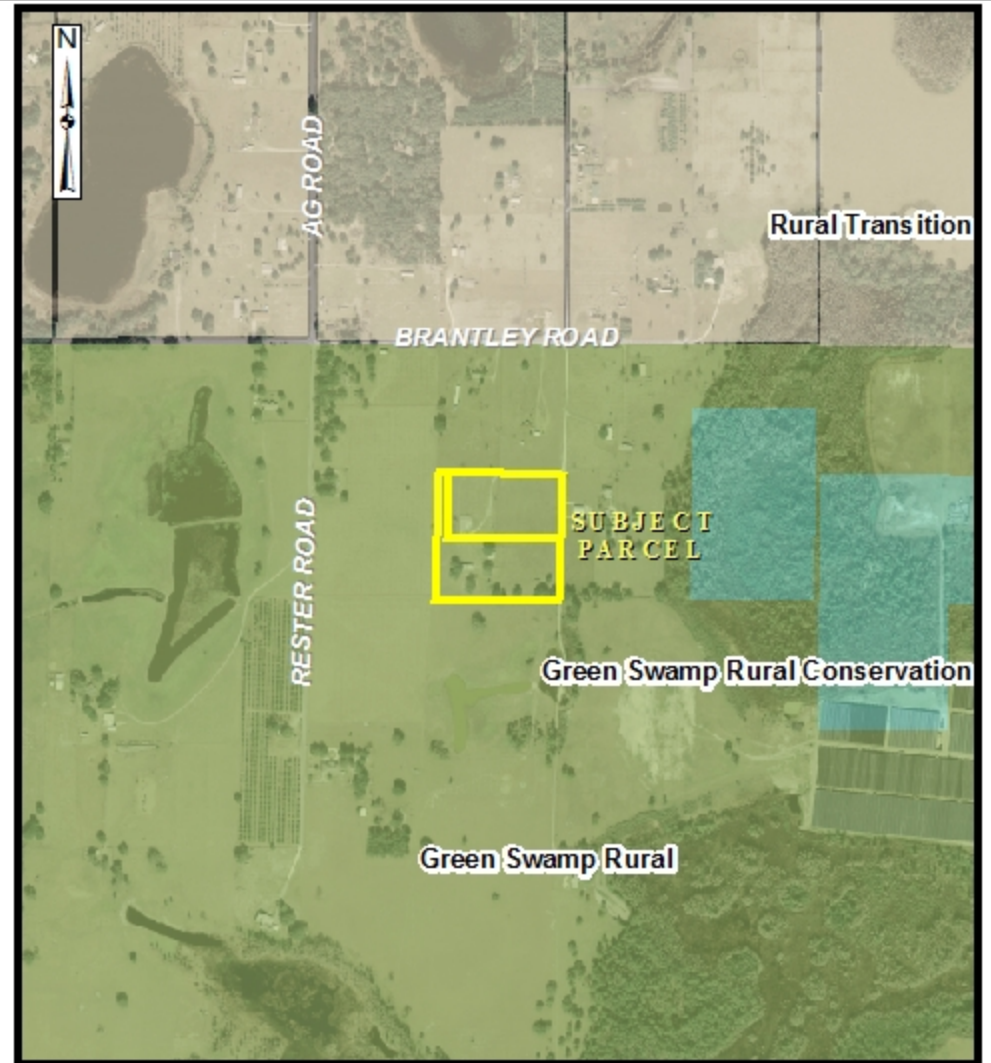
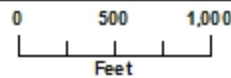
**WRITTEN COMMENTS FILED: Supportive: -5-**

**Concern: -1-**

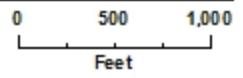
**Opposition: -0-**



**CURRENT ZONING**  
**AGRICULTURE (A)**



**ADOPTED FUTURE LAND USE**  
**GREEN SWAMP RURAL**



**SADDLEWOOD STABLES**

**CASE NO.**  
CUP #12/9/1-1

**CASE LOCATION:**  
S26, T22S, R24E

**REQUESTING:**  
CUP for a Riding Stable/Academy,  
birthday parties, camps and trails.

 **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.  
This map product was prepared from a Geographic Information System  
established by the Lake County Board of County Commissioners. Its  
employees, agents and personnel, make no warranty as to its accuracy  
and in particular its accuracy as to labeling, dimensions, contours, property  
boundaries, or placement or location of any map features thereon. The Lake  
County Board of County Commissioners, its employees, agents and personnel  
MAKE NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR  
FITNESS OF USE FOR A PARTICULAR PURPOSE EXPRESS OR IMPLIED  
WITH RESPECT TO THIS MAP PRODUCT. Independent verification of all data  
contained on this map product should be obtained by any user of this map.

**MAP COMPOSITION:**  
JANUARY, 2008



**ORDINANCE #2012-XX  
Saddlewood Stables  
CUP #12/9/1-1**

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

**WHEREAS**, Amanda Bacon (the "Permittee") on behalf of Amanda & Sean Bacon, and Debra & Ronald McCready (collectively, the "Owner") has made a request for a Conditional Use Permit (CUP) on property in the Agriculture (A) Zoning District to allow a Riding Stable/Academy and associated equestrian-themed events such as trails, day camps and birthday parties; and

**WHEREAS**, the subject property consists of 10 acres and is generally located in the Groveland area, Southwest of Brantley Road and Equestrian Drive intersection in Section 26, Township 22 South, Range 24 East, currently having Alternate Key Numbers 3881544 and 2878410, and more particularly described as:

**LEGAL DESCRIPTION:**

Tract 11, Groveland Farms in Section 26, Township 22 South, Range 24 East, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 10 through 11, inclusive, of the Public Records of Lake County, Florida.

**WHEREAS**, the subject property is located within the Green Swamp Rural Future Land Use Category in the Green Swamp Area of Critical State Concern 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 herein after set forth.

**WHEREAS**, this Conditional Use Permit was reviewed by the Planning & Zoning Board on October 3, 2012 and by the Board of County Commissioners of Lake County, Florida on October 23, 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 a recreational facility, 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 (CUP), in accordance with this Ordinance.

A. Land Uses: Use of the site shall be limited to the use specified below and consistent with EXHIBIT "A", the Conceptual Plan:

1. Riding Stable/Academy.

Accessory uses directly associated with these uses, including trails, day camps and birthday parties for riders, may be approved by the County Manager or designee. Any other use of the site shall require an amendment to this Ordinance as approved by the Board of County Commissioners.

1 To the extent where there are conflicts between the Conceptual Plan and this Ordinance,  
2 the Ordinance shall take precedence.

3 B. Specific Conditions:

- 4 1. Site Plan Required: Site plan approval is required for the Riding Stable/Academy and  
5 associated uses. The Permittee shall submit a site plan application for review and  
6 approval within six (6) months of the effective date of this Ordinance.
  - 7 2. Building Permits: The Permittee shall demonstrate that all structures, including the barn to  
8 be used as a stable meets the Florida Building Code.
  - 9 3. Conformance with other regulations: The use on the property shall be in conformance  
10 with all Federal, State and Local Regulations at all times.
  - 11 4. Animal Waste:
    - 12 a. There shall be no storage of organic waste material within the setback or buffer areas  
13 and shall be properly composted if collected onsite.
    - 14 b. No raw animal waste shall be spread on site unless it has been properly composted.  
15 Other techniques may be used to break up manure in the pasture and accelerate the  
16 natural degradation.
  - 17 5. Storage: There shall be no storage of materials, equipment or vehicles within setbacks,  
18 buffers or easements.
  - 19 6. Noise: Public Address Systems or similar amplification devices shall not be installed or  
20 used. Compliance shall be in accordance with the LDR, as amended.
  - 21 7. Hours of Operation: 9:00 a.m. to 8:00 p.m. for public use, with the exception of care and  
22 feeding of livestock.
  - 23 8. Lighting: Exterior lighting shall not illuminate adjacent properties or public right of way,  
24 and shall be in accordance with the LDR, as amended, and consistent with Dark-Sky  
25 Principles. Security lighting shall be limited to shielded type lighting. A maximum of two  
26 (2) light poles no taller than 14 feet will be allowed at the riding arena and be required to  
27 turn off at 10:00 p.m.
  - 28 9. Parking: Parking surfaces may be grass or other pervious material, except as required for  
29 disabled access.
- 30 C. Setbacks: Setbacks shall be in accordance with the Comprehensive Plan and LDR, as  
31 amended.
- 32 D. Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height shall be in  
33 accordance with the Comprehensive Plan and LDR, as amended
- 34 E. Landscaping, Buffering and Screening shall comply with the LDR, as amended.
- 35 F. Fire Protection and Emergency Services Access:
- 36 1. Access and fire safety requirements of the property shall be provided in accordance with  
37 the Florida Fire Prevention Code and LDR, as amended.

- 1                   2. An improved and unobstructed point of ingress and egress shall be provided for all  
2                   emergency vehicles. If improvements are necessary for ingress and egress, the property  
3                   owner shall be responsible for constructing the point of ingress and egress to Lake  
4                   County standards.
- 5                   3. The Permittee shall provide for public safety purposes, fire protection water supply in the  
6                   form of an aboveground fire protection water supply or another approved alternative  
7                   method that provides an equivalent level of protection as approved by the Lake County  
8                   Building Department Fire Plan Reviewer.
- 9                   G. Transportation Improvements/Access Management: Shall be in accordance with the LDR, as  
10                  amended.
- 11                  H. Signage: Signs shall be in accordance with the LDR, as amended.
- 12                  I. Development Review and Approval: Prior to the issuance of any permits, the Permittee shall  
13                  submit a site plan generally consistent with EXHIBIT "A" – CONCEPTUAL PLAN, for review  
14                  and approval in accordance with the Comprehensive Plan and LDR, as amended.
- 15                  J. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in  
16                  this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County  
17                  Comprehensive Plan, and Lake County Land Development Regulations shall include any  
18                  future amendments to the Statutes, Code, Plans, and/or Regulations.
- 19                  K. After establishment of the facilities as provided herein, the aforementioned property shall only  
20                  be used for the purposes named in this Conditional Use Permit, unless a proposed use meets  
21                  every requirement of the zoning district in which the property is located. Any other proposed  
22                  use must be specifically authorized by the Board of County Commissioners.

23   **Section 3. Additional Conditions:**

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

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 \_\_\_\_\_  
LESLIE CAMPIONE, Chairman

13 ATTEST:

14 \_\_\_\_\_  
15 NEIL KELLY, Clerk of the  
16 Board of County Commissioners  
17 Lake County, Florida

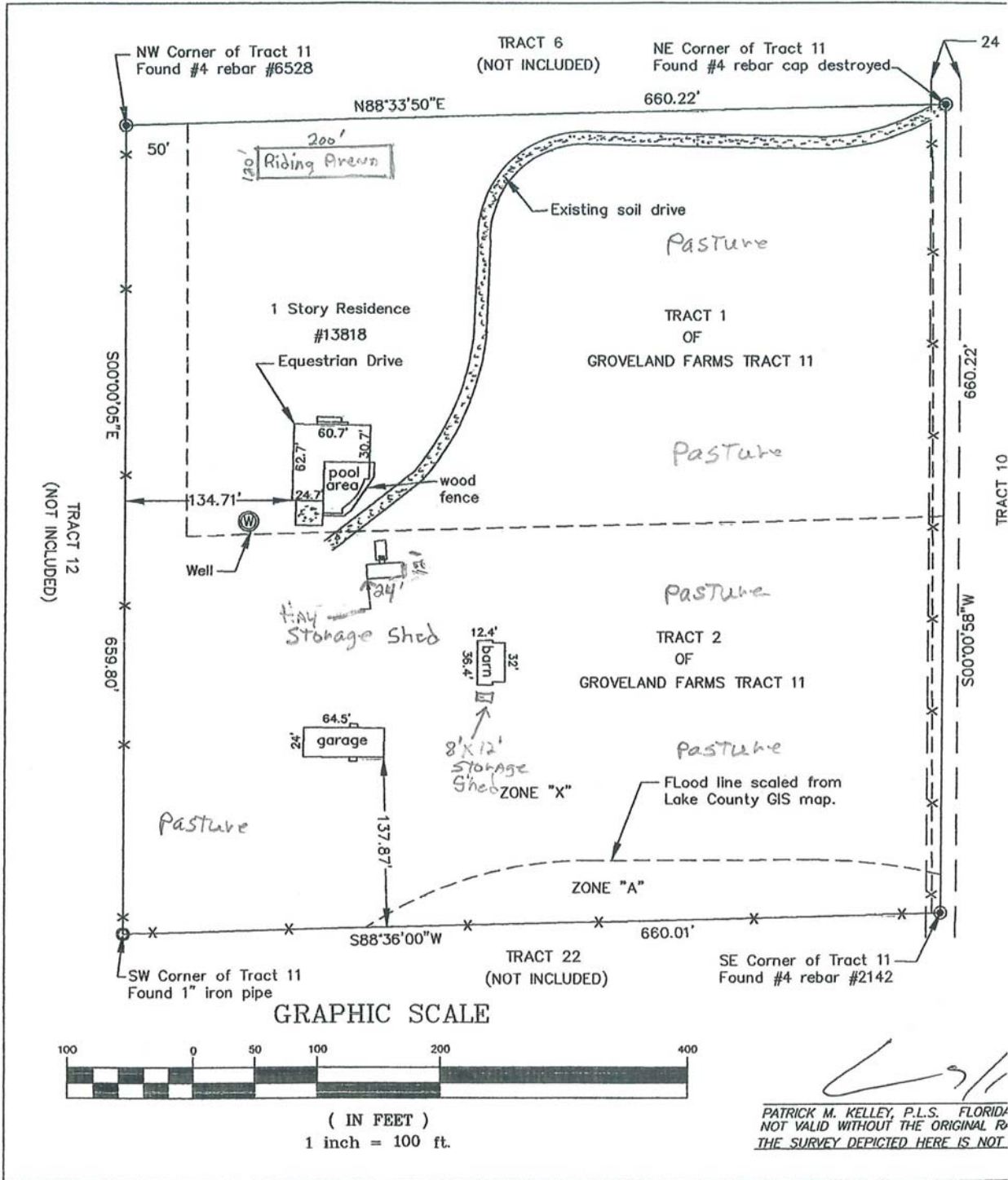
18 APPROVED AS TO FORM AND LEGALITY

19 \_\_\_\_\_  
20 SANFORD A. MINKOFF, County Attorney



1

EXHIBIT "A" - CONCEPTUAL PLAN



2

# MEMORANDUM


**PLANNING & COMMUNITY DESIGN**

*Department of Growth Management  
315 West Main Street  
Tavares, FL 32778-7800*



**LAKE COUNTY**  
FLORIDA

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

**To:** Lake County Planning & Zoning Board  
**Through:** Brian T. Sheahan, AICP, Manager, Planning and Community Design  
**From:**  Melving Isaac, Planner, Planning and Community Design Division  
**Date:** October 2, 2012  
**Subject:** Saddlewood Stables - CUP #12/9/1-1

Please find the attached email dated September 28, 2012, from Amanda Bacon (Applicant) regarding Conditional Use Permit (CUP) request CUP #12/9/1-1 that is scheduled for your consideration at the Planning & Zoning Board public hearing on October 3, 2012.

A meeting was held with the Applicant and Staff to discuss the Applicant's requests. Staff supports the Applicants request of the following changes to the ordinance (Section 2B, items 7, 8 and 10):

7. Hours of Operation: 9:00 a.m. to 8:00 p.m. for public use, with the exception of care and feeding of livestock.
8. Lighting: Exterior lighting shall not illuminate adjacent properties or public right of way, and shall be in accordance with the LDR, as amended, and consistent with Dark-Sky Principles. Security lighting shall be limited to shielded type lighting. A maximum of two (2) light poles no taller than 14 feet will be allowed at the riding arena and be required to turn off at 10:00 p.m.
10. The Applicant shall be responsible for repairing any damage to Brantley Road (from Ag Road to Equestrian Drive) and Equestrian Drive (from Brantley Road to the facility) resulting from the users of the Permittee's facility.

Please do not hesitate to contact us if you have any questions.

cc: Gregg Welstead, Interim- Director, Growth Management Department  
Steve Greene, AICP, Chief Planner, Planning & Community Design Division  
File

## Isaac, Melving

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**From:** Amanda Bacon <amandabacon07@yahoo.com>  
**Sent:** Friday, September 28, 2012 8:04 AM  
**To:** Isaac, Melving  
**Subject:** Re: Saddlewood Stables - CUP #12/9/1-1 (Project #2012060012, AR #2076)

Hi Melving,

I do have a couple questions and a couple items need to be changed. These were items we had not discussed previously. Section 2, B #6. Regarding the PA systems, I do have a speaker system on the arena but it is not loud, the sound does not carry any more than the neighbors playing music. I need this to be removed.

#7 My hours of operation needs to be changed to 8am-10pm to the public.

#8 Lighting-my lights at night are not motion sensed-please remove that. Everyone out here has dusk to dawn, including myself. SECO is installing arena lights for me and they are also dusk to dawn. Those will only illuminate the arena, no properties nearby.

#10 It still states that we are responsible for maintaining the road, please remove that. You can keep All road repairs due to any traffic ...will be the responsibility of the permittee.

F. #3 Regarding fire protection, I have a well and a pool so this should meet the needs of that request.

Please resend the package with these things changed.

Thanks,

**Amanda Bacon**  
**Saddlewood Stables**  
352-217-1616  
[www.saddlewoodstables.com](http://www.saddlewoodstables.com)  
[www.trottingtreasures.com](http://www.trottingtreasures.com)

--- On Tue, 9/25/12, Isaac, Melving <[misaac@lakecountyfl.gov](mailto:misaac@lakecountyfl.gov)> wrote:

From: Isaac, Melving <[misaac@lakecountyfl.gov](mailto:misaac@lakecountyfl.gov)>  
Subject: Saddlewood Stables - CUP #12/9/1-1 (Project #2012060012, AR #2076)  
To: "amandabacon07@yahoo.com" <[amandabacon07@yahoo.com](mailto:amandabacon07@yahoo.com)>  
Date: Tuesday, September 25, 2012, 2:59 PM

Good Afternoon Amanda,

Please find attached the Zoning Board public hearing documents for your application to be heard by the Lake County Zoning Board on Wednesday, October 3, 2012 and by the Board of County Commissioners (BCC) on Tuesday, October 23, 2012 at 9 a.m. in the BCC Chambers of the County Administration Building at 315 W. Main Street, Tavares, Florida.

Please let me know if you have questions. Thanks...

Melving Isaac, P.E.  
Planner (Case Manager)  
Planning and Community Design Division  
Growth Management Department  
Lake County Board of County Commissioners  
315 W. Main Street, Room 510  
P.O. Box 7800  
Tavares, FL 32778-7800  
Phone: (352) 343-9641 x-5587  
Email: [misaac@lakecountyfl.gov](mailto:misaac@lakecountyfl.gov)



**Go Green: Please do not print this e-mail unless you really need to.**

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

## Attachment 2

September 18 2012

To: Lake County Board of Commissioners

RE: CUP #12/9/1-1 Saddlewood Stables

In regards to the Saddlewood Stables CUP, I am being asked to limit the number of horses that I have at my stable. I will not be putting a number on this. I have rescued 4 of them and they are not going anywhere. There is no law stating how many horses someone can have and they certainly do not have anything to do with the condition of the road.

The condition of the road has nothing to do with my CUP application. I have testimonials from the previous owners stating the road condition has always been the same. Even in the past year that I have been here and have added more traffic, the conditions remain the same. The road deteriorates due to weather. The gentleman opposed does not even use Brantley Rd as he has a side access. We have offered to help fill the potholes and repair his section of the road and he has declined. He states that he likes the potholes because it slows people down and makes them stop at the stop sign. Potholes put damage on our cars. We also have disabled people who live down the road that want it fixed. We cannot easily get an emergency vehicle down the road if needed and that poses a safety hazard. I would also like to keep the road nice for my business or I won't have any business.

We have no issue helping maintain the road, as we have done the past year. With the minimal traffic that I have, we do not want it put in writing that we have to maintain the road. If that is the case, then everyone living down the roads also needs to have a car limit. Two of my neighbors have said they easily have 14 cars per day on the weekend, which is considerably more than I generate. When we had our open house at the end of February, we had about 150 cars go up and down the road. The road was in the same condition after as it was before. If we have another large event like that, we will gladly photograph the road before and after. If there is any damage due to my event, we will repair it.

I run this business by myself when it comes to the horses. I teach the lessons, the camps, give the pony rides, etc. I can only do so much and there are a lot of days where I don't have any business. I do not want the number of kids in the day camps nor the number of kids at a birthday party limited in the CUP. I do not want to be fined if I have an extra child. With birthday parties, I can have every kid come separately, or they can all pile in a van. That would be the same number of people but different amounts of cars. What does the number represent-per day? Per week? If I don't meet my number, does it roll over to the next day? As you can see, all of this is a big waste of the County's time based on one man's complaint of the traffic. It is not my fault people speed, or not stop at a stop sign or that he chose to live on a corner. I don't feel my business should be penalized because of this. I doubt the County would employ someone to sit at the corner to determine how many cars are going to my business. There is no way to monitor this. Last weekend, my husband had 4 people over, all in separate cars, to watch football. If the man opposed to

my business saw those cars and complained to the County, what would be done? That is not related to my business, therefore everyone would need to be limited.

Public Works was out here recently and stated that the traffic that I will have will not put any damage on the road. Therefore, I don't want any stipulations put in the CUP limiting the number of clients, horses, cars, or that we are solely responsible for the road.

Thank you and feel free to contact me anytime with any questions.

Amanda Bacon  
352-217-1616  
Saddlewood Stables

Attachment 3

August 12, 2012

I am a neighboring property owner to 13818 Equestrian Drive, Groveland FL 34736. I have no objection to Amanda Bacon running her Saddlewood Stables business at the address stated.

Name: Phillip Critch  
Address: 4635 Bow Hill Rd  
Signature: [Signature]  
# of Vehicles: 3

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_  
# of Vehicles: \_\_\_\_\_

Name: Jewel Symmes  
Address: 13534 Rester Rd.  
Signature: [Signature]  
# of Vehicles: N/A

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_  
# of Vehicles: \_\_\_\_\_

Name: LARRY / GLENDA PUTMAN  
Address: 13832 EQUESTRIAN DR  
Signature: [Signature]  
# of Vehicles: 2

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_  
# of Vehicles: \_\_\_\_\_

Name: Paulette Mercer  
Address: 13844 Equestrian Dr.  
Groveland FL 34736  
Signature: [Signature]  
# of Vehicles: 2

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_  
# of Vehicles: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_  
# of Vehicles: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Signature: \_\_\_\_\_  
# of Vehicles: \_\_\_\_\_

# MEMORANDUM


**PLANNING & COMMUNITY DESIGN**

*Department of Growth Management  
315 West Main Street  
Tavares, FL 32778-7800*



**LAKE COUNTY**  
FLORIDA

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

**To:** Lake County Planning & Zoning Board  
**Through:** Brian T. Sheahan, AICP, Manager, Planning and Community Design  
**From:**  Melving Isaac, Planner, Planning and Community Design Division  
**Date:** September 4, 2012  
**Subject:** Saddlewood Stables - CUP #12/9/1-1  
Letter of Concern

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Please find attached a letter of concern from Mr. Brantley on the subject conditional use permit (CUP) application that is scheduled for your consideration at the Planning & Zoning Board public hearing on September 5, 2012.

For clarification about Mr. Brantley's concern, please note that Mount Pleasant Road is a paved road and there is no direct access or connection from this road to Brantley Road. Please refer to attached maps for clarification.

Therefore, the Applicant shall be required to maintain the private roads, Brantley Road and Equestrian Drive, as specified in the ordinance.

In addition, please see the attached letter of support from Fred & Delores Grubaugh, regarding the condition of the roads.

Please do not hesitate to contact us if you have any questions.

cc: David Heath, AICP, Deputy County Manager  
Gregg Welstead, Interim- Director, Growth Management Department  
Steve Greene, AICP, Chief Planner, Planning & Community Design Division  
File

## Isaac, Melving

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**From:** Amanda Bacon <amandabacon07@yahoo.com>  
**Sent:** Tuesday, September 04, 2012 1:20 PM  
**To:** Isaac, Melving  
**Subject:** Fw: Brantley Road & Equestrian Drive

From: Delores Grubaugh <[ddg45us@yahoo.com](mailto:ddg45us@yahoo.com)>  
Subject: Brantley Road & Equestrian Drive  
To: "[amandabacon07@yahoo.com](mailto:amandabacon07@yahoo.com)" <[amandabacon07@yahoo.com](mailto:amandabacon07@yahoo.com)>  
Date: Monday, September 3, 2012, 5:23 PM

We lived on Equestrian Drive for 23 years from 1988-2011. When we moved there in 1988 there were only five families that shared Brantley Road and Equestrian Drive. Both of these roads were one-lane sand roads. These roads were privately maintained by Freddie Brantley and Fred Grubaugh. In spite of repeated grading, these roads were sometimes almost impassable after heavy downpours. These roads do not have proper drainage and the rain either puddles or runs down the road in a stream and causes erosion in the sandy loam soil. As a result there are puddles and deep ridges in the roads.

Since there were only 5 families who traveled on these roads, the poor condition of the roads was caused not by traffic, but by the weather.

In 1992 we contacted the Lake County Roads Operation Division and the engineer told us that the only permanent solution would be to hire a contractor to haul in 6-12 inches of red clay and then blacktop the road. This solution was just too costly for the residents.

Over the next 21 years several residents donated money and we bought tons of sand, gravel and ground-up blacktop. Heavy downpours would wash away the road each time and it had to be graded.

In the past 10 years we have had 2 residents who conducted unlicensed businesses in their homes on Equestrian Drive and the traffic doubled. However, the roads were no worse when the traffic was heavy.

Therefore, the amount of traffic does not seem to make a difference in the condition of these 2 roads. The weather causes most of the damage. There are a few neighbors who have always been quick to complain about the road, and these are the same people who have never been willing to help maintain the roads.

Sincerely,

Fred & Delores Grubaugh



Mr. Freddie Brantley  
4949 Brantley Rd  
Groveland, FL 34736

RECEIVED

AUG 31 2012

August 30, 2012

BCC OFFICE

Lake County BCC  
PO Box 7800  
Tavares, FL 32778

Re: Saddlebrook Stables CUP#12/9-1-1

Dear Commissioner Caldwell,

I recently received a notice regarding a nearby property owner applying for a Conditional Use Permit. I am writing this letter to inform you that although I have no issue with the proposed usage of the property I do have an issue with the amount of increased traffic this type of business will bring along the unimproved private roads.

My residence is at the end of Brantley Road of which Equestrian Drive crosses over. The proposed Saddlewood Stables traffic would be traveling on my road from Mount Pleasant Road to Equestrian Drive. In the past decades, I and a former neighbor were able to maintain the road. However, the neighbor has moved and due to medical issues I am currently in a wheelchair and am unable to continue maintaining the road without assistance.

While reading the staff analysis and proposed ordinance each states clearly that:

#### **Staff Analysis**

##### **Standards of Review Analysis**

##### **C. Adequacy of Public Facilities**

**The only available access to the property is through the private roads Brantley Road and Equestrian Drive. The Applicant actually maintains the access road from Equestrian Drive and has indicated that will he will also maintain the access from Brantley Road which is maintained by other property owners.**

#### **Proposed Ordinance**

**The Permittee shall be responsible for maintaining the access to the property from private roads Brantley Road and Equestrian Drive and for all road repairs due to traffic generated by the use on the property. If required by Public Works, the Permittee shall post a**

**minimum bond as specified but Public Works at site plan submittal to ensure the maintenance of the private roads access.**

Nevertheless, I am concerned with the wording and may be confused as to whether the Permittee will be responsible for maintaining Brantley Road from Mount Pleasant to Equestrian Drive or not. The area is characterized by agricultural and low density rural residential uses. The proposed horse ranch lists day camps limited to a maximum of 10 children per camp and birthday parties limited to a maximum of 40 people. With that amount of heavy traffic and the road being unimproved Brantley Rd from Mount Pleasant will be damaged severely.

I implore the commission to clarify that the Permittee be responsible for maintaining the access to the property from Mount Pleasant Road. This would require the Permittee to maintain Brantley Road from Mount Pleasant Road to Equestrian Drive. A past activity which brought heavy traffic to that particular Permittee's property caused major damage to Brantley Road. As the Permittee will be increasing the traffic ten-fold I feel they should be responsible for the road maintenance.

I would like to thank you for taking the opportunity to read my request and I hope that you keep it in mind when considering the Permittee's application. I know I will be able to rest easier knowing that the road will be maintained properly for my wife and emergency services to traverse.

Sincerely,

*Freddie Brantley*

Freddie Brantley  
(352) 429-3427

**REGULAR AGENDA**

**CASE NO:** CUP# 12/9/1-1 **TAB NO.** 1  
**OWNER:** Amanda & Sean Bacon, and Debra & Ronald McCready  
**APPLICANT:** Amanda Bacon  
**PROJECT NAME:** Saddlewood Stables

Mr. Melving Isaac, Planner, Planning and Community Design Division, presented Case No. CUP# 12/9/1-1, Saddlewood Stables. He explained that the ten acre property was located in the Groveland area, southwest of the Brantley Road and Equestrian Drive intersection, and was in the Agriculture (A) Zoning District in the Green Swamp of Critical State Concern. He stated that the Applicant was requesting a Conditional Use Permit (CUP) to allow a Riding Stable/Academy for riding lessons and associated equestrian-themed events such as trails, day camps, and birthday parties. He noted that the property had an existing residence, a barn, a garage and a storage building. He reported that on September 5, 2012, the case was presented before the Planning and Zoning Board which recommended a 30 day continuance to allow staff to discuss with the Applicant issues pertaining to the road maintenance requirement in the CUP. He mentioned that the proposed Ordinance still includes a condition to require the Applicant to repair any damage to the access roads resulting from the use on the property. Public Works recommended to add to this condition that the roads shall be graded a minimum of every two weeks or as needed. He reported that a memo had been sent to the members of the Planning and Zoning Board on October 2, 2012 that listed the changes to the CUP relating to the access road, lighting, and the hours of operations. He stated that the proposed CUP was consistent with the Comprehensive Plan and Land Development Regulations (LDR) and based on those findings and previous discussion with the Planning and Zoning Board, staff recommended approval of the CUP request including the additional language to Item 10 of the ordinance requiring the roads to be graded a minimum of every two weeks or as needed.

Mr. Kasey Kesselring, Board Member, asked if the road to be maintained by the Applicant was a County road.

Mr. Isaac replied that it was a private road.

Mr. Kesselring asked why the County would institute such regulations on the maintenance of a private road.

Mr. Ross Pluta, Engineer III, Public Works, explained that similar roads that were owned by the County were scheduled to be graded every two weeks, which was why they had made the recommendation.

Mr. Rick Gonzalez, Board Member, asked if there were other instances in the County where such regulations had been imposed.

Mr. Bryan replied that there were a number of instances where a CUP on a private road created activity that was more intense on a road than for a single-family home, so it was not an unusual requirement.

Ms. Erin Hartigan, Assistant County Attorney, clarified that the recommendation was to amend or replace Item 10 in the proposed CUP with an objective standard for maintenance that could be evaluated rather than attempting to determine who was responsible for damages to the road.

Mr. Kesselring asked why they would place the burden of road maintenance on one property owner when several properties used the road.

Mr. Sheahan explained that it was to ensure the road was maintained and that any elevated impacts caused by additional traffic generated from the Applicant's business were taken care of. He noted that the road maintenance responsibility could be redistributed through an agreement between private parties using the easement but typically in Lake County it is uncommon to have maintenance agreements in place and property owners were left to maintain the easement in front of their property on their own.

Mr. John Ameri, Board Member, asked if there were any limitations or restrictions as to what type of damages the Applicant would be responsible for, or if the Applicant would be responsible for all damages, including those caused by weather or environmental factors.

Mr. Sheahan replied that regular maintenance minimized the impacts on a road.

Mr. Jim Miller, Board Member, opined that it was not necessary to require road maintenance in the CUP when it was in the Applicant's best interest to maintain the road for their business.

Mr. Gonzalez recommended not including the proposed grading requirements to Item 10 of the ordinance.

The Chairman opened the public hearing.

Ms. Amanda Bacon, Applicant, stated that she had performed a count of all the cars to her property over the last 30 days and reported that there had been 18 total cars.

Mr. Bryan noted that the new CUP did not address the maximum capacity allowed on the property, which had been part of the reason for the postponement, and asked if the Applicant had discussed that issue with staff.

Ms. Bacon replied that it was difficult to put a limit on the number of people and that there would be no way to control how many cars those people would use to reach her property. She added that no limitations had been added as to how many events she could hold per year.

Mr. Bryan asked Ms. Bacon her opinion on the road maintenance requirement.

Ms. Bacon replied that she would take photographs before and after large events on her property and noted that Public Works had informed her that the traffic generated from her business would not have an impact on the condition of the road.

Mr. Bryan asked if the last 30 days were typical of her business plan.

Ms. Bacon replied that it was typical but added that she would like to generate a couple more lessons per week. She also mentioned that there had not been any birthday parties this month.

Mr. Gonzalez commented that the ordinance required Ms. Bacon to have an above ground fire water supply.

Ms. Bacon stated that she was aware of that and reported that she had been advised to put in an early warning system.

Mr. Larry Putman, a property owner neighboring Saddlewood Stables, addressed the Board in support of the CUP request. He stated that he lived on Equestrian Drive directly across from Saddlewood Stables, and had lived there for the last 25 years. He explained that he used Brantley Road as the primary access to his property. He commented that heavy rains tended to cause a washout of a graded section of Brantley and that Mr. Ron McCready had filled in the washout with ground asphalt in the past, only for it to be washed out again after another rain. He added that numerous attempts to repair the road using lime rock from the Department of Transportation, which had been paid for by a number of the property owners on that road, had been washed out because of bad weather. He also mentioned that the previous owner of the Saddlewood Stables property, Mr. Fred Grubaugh, would repair the road. He stated he approved of the CUP request and added that the minor increase in traffic did not impact the road.

Ms. Joy Eley, a property owner neighboring Saddlewood Stables, addressed the Board to express her concern regarding the road not being maintained and the tendency of drivers to drive around the potholes by driving up onto the edge of her property. She stated that she did not have a problem with the CUP request but she was concerned about the maintenance of the road and the increase in traffic.

Mr. Ron McCready, Applicant, remarked that bad weather was a continuing problem regarding road maintenance and that he tried to fix the road but had been restricted from fixing certain sections of it due to objections from property owners.

Mr. Freddie Brantley, a property owner neighboring Saddlewood Stables, addressed the Board regarding the road maintenance issue. He remarked that he and Mr. Grubaugh used to repair the road before he became disabled and Mr. Grubaugh moved away. He stated that he did not have a problem with the CUP request, but the road maintenance issues were a problem.

Ms. Paulette Mercer, a property owner neighboring Saddlewood Stables, addressed the Board to discuss the road maintenance issue. She remarked that she and her neighbors tried to work together over the years to maintain the road and opined that all of the residents were responsible for the quality of the road, stressing that Saddlewood Stables was not exclusively responsible for the deterioration of the road. She remarked that weather, the steep downgrade, and the numerous visitors to residents on that road were also responsible. She added that, in regards to the events held at Saddlewood, the visitors to the Stables had driven responsibly and not littered the roadway. She stated she was in favor of the CUP request. She also mentioned that one of the property owners wanted the potholes left in the road because he believed it forced drivers to slow down.

Ms. Jamie Nichols, a property owner neighboring Saddlewood Stables, addressed the Board to discuss Ag Road. She stated that she did not have a problem with the CUP request; her issue was with Ag Road. She stated that that roadway was dangerous because drivers turning from Ag Road onto Brantley Road tended to speed and did not always stop at the intersection. She added that it was also dangerous because of the excessive potholes. She remarked that if there was going to be an increase in traffic because of the CUP request then something needed to be done, and asked that the Board take that into consideration while making their decision.

Mr. Robert Azcano, a property owner neighboring Saddlewood Stables, addressed the Board in opposition to the proposed CUP. He commented that the Applicant had been asked to reduce maximum capacity but now the new CUP did not specify any limitations. He stated that he had no problem with the stables but he did have a problem with the summer camp and the birthday parties because those were commercial enterprises that affected the other residents in the neighborhood. He mentioned that the reason the number of cars over 30 days was so low was because the Applicant had purposely not held any parties during that time period. He also commented that the only reason

the CUP request was being addressed was because the Applicant had been caught running her business without the proper permits. He remarked that neighbors had never argued about the road until this CUP request became an issue. He then stated that riders from the stables had been seen riding through the neighborhood when he was under the impression that the horses were required to stay on property. He also stated that the Applicant had put a gate up at the back of her property to allow riders to leave her property. He noted that he had contacted Code Enforcement regarding the Applicant and Code Enforcement had informed him that they could not do anything because it was an open case. He stated that he asked not to fill in the potholes at the corner where his property is because he believed it forced drivers to go slower. He reported that he had originally fixed his portion of the road and put in speed bumps but he'd been required to remove the speed bumps. He explained that this related to the CUP request because the reason the case had been postponed was because the Applicant had been asked both to reduce the capacity allowed on the property and to deal with the issue of road maintenance.

Mr. Tim Morris, Board Member, asked if people were allowed to ride horses on a rural road.

Mr. Sheahan clarified that people were allowed to ride horses on any access easement unless it has been specifically restricted.

Ms. Bacon commented that, in regards to the gate Mr. Azcano had mentioned, she had put the gate at the furthest point possible in order to use the entirety of her property for riding. She also added that she had asked her neighbors before allowing one of her customers to ride a horse along the road.

The Chairman closed the public hearing and reserved comment to the Board.

Mr. Morris commented that he saw a problem with the two week grading requirement because one of the property owners who did not want the road graded would dig it out to slow the cars down. He suggested not including the two week mandatory grading requirement to the CUP.

Mr. Gonzalez agreed with Mr. Morris.

Mr. Morris added that he did not have a problem with the initial language of the ordinance that required the Applicant to repair any damages done to the road as a result of their usage.

Ms. Hartigan reminded the Board that her recommendation had been to replace the original language regarding road repair on Item 10 of the CUP with more objective language because there was no definitive way to determine who was responsible for damages to the road.

Mr. Gonzalez recommended striking Item 10 completely from the ordinance.

Mr. Miller agreed with Mr. Gonzalez.

**MOTION by Jim Miller, SECONDED by Kasey Kesselring to APPROVE CUP# 12/9/1-1, Saddlewood Stables, as amended by the October 2, 2012 memo and with the removal of Item 10 regarding road maintenance from the CUP.**

**FOR: Miller, Kesselring, Morris, Ameri, Gonzalez, Bryan**

**AGAINST:**

**MOTION CARRIED: 6-0**