

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS PETITION TO REZONE PROPERTY

PLANNING AND ZONING BOARD
October 29, 2014



BOARD OF COUNTY COMMISSIONERS
November 18, 2014

<p style="text-align: center;">PH #30-14-4 Payne Road Properties, LLC Rezoning CP to CFD, C-2, & A</p>	<p style="text-align: center;">Case Manager: Rick Hartenstein, AICP, CPM Senior Planner</p>	<p style="text-align: center;">Agenda Item # 3</p>
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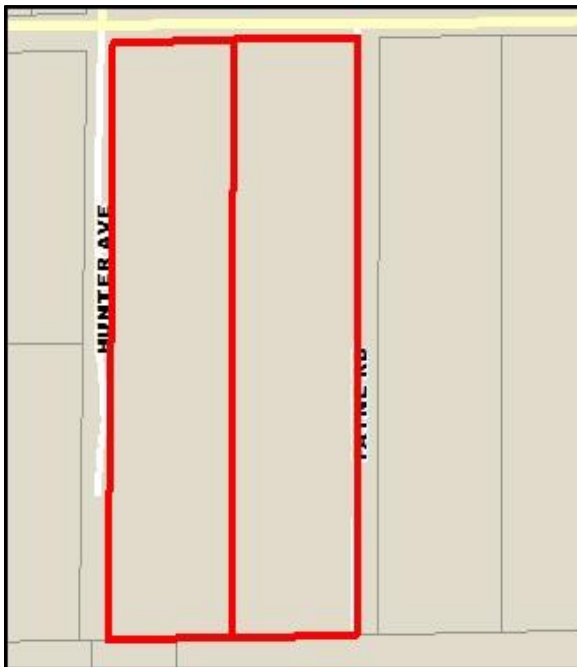
Owner: Payne Road Properties, LLC – Francis B. Force, Registered Agent (the “Owner”)

Applicant: Timothy W. Green – Green Consulting Group, Inc. (the “Applicant”)

Requested Action: Rezone approximately 17 acres total from Planned Commercial (CP) to Community Facility District (CFD) 9 acres; Community Commercial (C-2) 2 acres; and Agriculture (A) 6 acres; to establish three (3) separate zoning districts.

- Site Location & Information -

Approximate site location shown with a red line.



Size	17 +/- acres	
Location	Sorrento/Mount Plymouth area, the southeast corner of SR 46 & Hunter Ave (24540 SR 46).	
Alternate Key #	1789150 and 2856742	
Future Land Use (FLU)	Mount Plymouth/Sorrento Main Street	
Zoning District & Density	Existing	Proposed
	Planned Commercial (CP – Ord.#20-88)	CFD – N/A C-2 – N/A A – 1 DU/5 net ac.
Floor Area Ratio (FAR)	2.0 (CP – Ord.#20-88)	0.30 max – FLU
Impervious Surface Ratio (ISR)	0.70 (CP – Ord.#20-88)	0.60 max – FLU
Joint Planning Area	None	
Utility Area:	None	
Site Utilities	Well and Septic Tanks	
Road Classification	SR 46 – Arterial Hunter Av. - Local	
Flood Zone/ FIRM Panel	X/A – 12069C010395E Effective Date Dec 8, 2012	
Commissioner District	4 - Campione	

Site Visit: October 20, 2014

Posting: October 20, 2014 (4 Signs)

Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Mt. Plymouth/Sorrento Main Street	R-6 & CP	Mix of professional office, vacant commercial, and single-family residential	Wekiva River Protection Area
South	Mt. Plymouth/Sorrento Main Street	A, R-6, & PUD	Mix of low density single-family residential, agriculture, & undeveloped mixed-use PUD	Talon's Ridge PUD Ord. #2008-56
East	Mt. Plymouth/Sorrento Main Street	R-1, R-6, & PUD	Mix of low density single-family residential, agriculture, & undeveloped mixed-use PUD	Sorrento Village PUD Ord. #2006-77
West	Mt. Plymouth/Sorrento Main Street	A, R-1, R-6, C-1, & CP	Mix of low density single-family residential, agriculture, & commercial (developed & vacant)	None

– Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **Approval** of the application to rezone 17 +/- acres from Planned Commercial (CP) to Community Facility District (CFD) – approximately 9 acres, Community Commercial (C-2) – approximately 2 acres, and Agriculture (A) – approximately 6 acres, with conditions as specified in the applicable proposed Ordinance.

PLANNING AND ZONING BOARD RECOMMENDATION:

– Summary of Analysis –

The Applicant is requesting to rezone approximately 17 total acres from Planned Commercial (CP) to Community Facility District (CFD) – 9 +/- acres, Community Commercial (C-2) – 2 +/- acres, and Agriculture (A) – 6 +/- acres. The staff report will address the three requested zoning districts, but will require individual ordinances for each district (CFD, C-2, & A). The properties identified with this application are located within the Mount Plymouth/Sorrento Main Street Future Land Use Category (FLUC) (Staff Exhibit 1 – Zoning/Future Land Use Map) which supports the requested zoning districts. In addition, the parcels are a portion of the Sorrento Commons Property as designated by Comprehensive Plan Policy I-1.6.8, *Specific Limitations on the Sorrento Commons Property*, which was recently amended and became effective October 4, 2014. Specific details related to the land use and zoning are contained in the body of the analysis below.

– Analysis –

LDR Section 14.03.03 (Standards for Review)

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

The application request proposes three (3) zoning districts for approximately 17 acres. The following analysis has been broken down by zoning district and applicable Land Development Regulations (LDR)

below:

Community Commercial (C-2) and Community Facility District (CFD)

The Applicant seeks to develop approximately nine (9) acres as a church facility and approximately 2 acres as commercial shown on Staff Exhibit 2 (Sketch of Description). The CFD Zoning District (a “Planned Zoning District”) is permitted within most FLUCs as specified on LDR, Table 3.00.03, *Land Use-Zoning District Matrix*. LDR, Section 3.01.03, *Schedule of Permitted and Conditional Uses*, recognizes churches as a Community Facility use.

Agriculture (A)

The Applicant seeks to rezone approximately six (6) acres to Agriculture, as shown on Staff Exhibit 2 (Sketch of Description). The Agriculture Zoning District is permitted within most FLUCs as specified in Land Development Regulations (LDR), Table 3.00.03, *Land Use-Zoning District Matrix*.

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

The application request proposes three (3) zoning districts for approximately 17 acres. The following analysis has been broken down by zoning district and applicable Comprehensive Plan Policies below:

Community Commercial (C-2) and Community Facility District (CFD)

The parcels identified as Parcel “A” and Parcel “B” on Staff Exhibit 2 of this report proposes C-2 and CFD zoning districts. These parcels are located within the Mount Plymouth/Sorrento Main Street FLUC. Comprehensive Plan Policy I-3.2.6 (“Mount Plymouth-Sorrento Main Street Future Land Use Category”) allows “religious organizations” (churches) and commerce uses such as services, retail trade, finance, insurance, and real estate as a permitted non-residential development/use within this FLUC subject to specific open space (20% of net buildable area), impervious surface ratio (0.60), and intensity/floor area ratio (0.30) criteria.

These parcels are a portion of the area known as the Sorrento Commons Property identified in Comprehensive Plan Policy I-1.6.8, *Specific Limitations on the Sorrento Commons Property*, which limits the development to three (3) primary structures which shall not exceed 15,000 square feet of floor area and further limits structures other than the primary not to exceed 8,000 square feet of floor area for new development.

Comprehensive Plan Policy I-2.1.4, *Design Standards for the Mount Plymouth-Sorrento Main Street FLUC*, requires all parking be located in the rear of building structures facing Main Street (SR 46) with the exception of on-street angle or parallel parking, establishes the maximum building height at forty (40) feet, and requires full-cutoff lighting with traditional-style fixtures, among other design requirements.

Comprehensive Plan Policy I-2.1.13 *Parking in the Mount Plymouth Sorrento Community* encourages the use of parking in the form of individual small lots containing 25 or less spaces. This policy requires all parking lots extensively use trees, landscaping, and full-cutoff lighting with traditional-style fixtures.

Conditions have been incorporated into the attached CFD Ordinance addressing these requirements since the CFD Zoning District is a planned district requiring a specific Ordinance with conceptual plan and may contain conditions more stringent than the LDRs. In contrast, the C-2 Zoning District (straight zoning) has established uses by right in accordance with the Comprehensive Plan and LDRs. Proposed developments within a straight (non-planned) zoning district are approved administratively in accordance with the Comprehensive Plan and LDRs.

Agriculture (A)

The application request Comprehensive Plan Policy I-1.2.8 recognizes agricultural and equestrian uses as suitable use of property within all Future Land Use Categories. Comprehensive Plan Policy I-7.7.2 states the County shall support agriculture as part of its economic base.

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

The surrounding area land uses consist of single-family residential, agriculture, and a mix of commercial along the SR 46 (Main Street) corridor. The requested zoning districts are consistent with the existing and proposed land uses for the area.

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

The Applicant is seeking to develop a church facility on a portion of the property requiring the CFD request. The commercial and agriculture zoning request is to market a portion of the property.

E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;

Transportation - Public Works has recommended approval for this amendment. Access to the site shall be from Hunter Avenue or Payne Road only, and will require improvements to County development standards. In addition, the existing traffic signal at Hunter and SR 46 will require modification to accommodate the new 4-way intersection if Hunter Avenue is chosen for access. Conditions have been placed in the attached Ordinance addressing transportation.

Water and Sewage – The proposed facility including accessory uses will be served by on-site well and septic tank. The Florida Department of Health as indicated that any existing or proposed water system with greater than 25 on-site users will require review and approval by the Florida Department of Environmental Protection. Additionally, any existing septic tank and/or wells will have to be assessed at the time of site plan for proper permits to accommodate the existing as well as the proposed uses. Conditions have been included in the attached Ordinance to ensure compliance.

Fire & Emergency Services – Lake County Fire and Rescue Station #39 located in Sorrento, is the facility that will provide services to the property. Station #39 is less than five (5) miles from the subject property and has a response time of five (5) minutes or less.

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

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

Adverse impacts are not anticipated; however, any future development proposal will cause the need for an Environmental Assessment pursuant to LDR. This will be a part of the site plan submittal data.

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

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

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

The proposed rezoning amendment will result in a continuation of the existing development pattern in the area.

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

The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

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

N/A

FINDINGS OF FACT:

1. The proposed rezoning is consistent with Comprehensive Plan Policy I-3.2.6 which allows “*religious organizations*” (churches) and commerce uses such as services, retail trade, finance, insurance, and real estate as a permitted non-residential development/use within the Mount Plymouth-Sorrento Main Street FLUC.
2. The proposed rezoning is consistent with Comprehensive Plan Policy I-1.2.8 which recognizes agricultural and equestrian uses as suitable use of property within all Future Land Use Categories.
3. The proposed rezoning is consistent with LDR, Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which recognizes churches as a Community Facility use.

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

WRITTEN COMMENTS FILED: Supportive: -0-

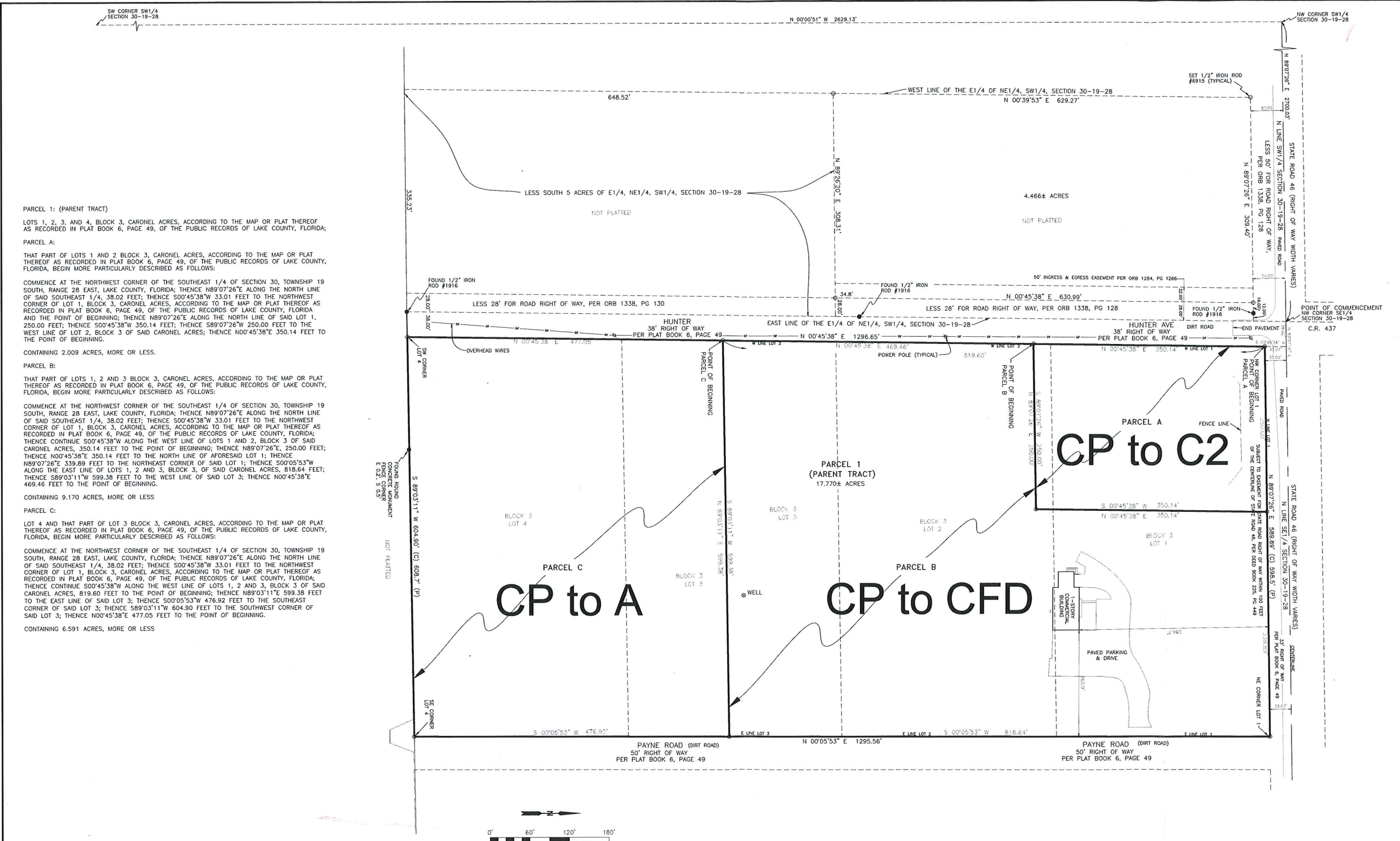
Concern: -0-

Opposition: -0-



Drawing Number: 1070-01
 Originated From: Survey
 Date: September 5, 2014
 Scale: NTS
 Last Edited By: TWG
 Layout: 11x17

CP to C2 / CFD / CR Rezoning Exhibit



PARCEL 1: (PARENT TRACT)
 LOTS 1, 2, 3, AND 4, BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA;
 PARCEL A:
 THAT PART OF LOTS 1 AND 2 BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, 38.02 FEET; THENCE S00°45'38"W 33.01 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID LOT 1, 250.00 FEET; THENCE S00°45'38"W 350.14 FEET; THENCE S89°07'26"W 250.00 FEET TO THE WEST LINE OF LOT 2, BLOCK 3 OF SAID CARONEL ACRES; THENCE N00°45'38"E 350.14 FEET TO THE POINT OF BEGINNING.
 CONTAINING 2.009 ACRES, MORE OR LESS.
 PARCEL B:
 THAT PART OF LOTS 1, 2 AND 3 BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, 38.02 FEET; THENCE S00°45'38"W 33.01 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE S00°45'38"W ALONG THE WEST LINE OF LOTS 1 AND 2, BLOCK 3 OF SAID CARONEL ACRES, 350.14 FEET TO THE POINT OF BEGINNING; THENCE N89°07'26"E, 250.00 FEET; THENCE N00°45'38"E 350.14 FEET TO THE NORTH LINE OF AFORESAID LOT 1; THENCE N89°07'26"E 339.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S00°05'53"W ALONG THE EAST LINE OF LOTS 1, 2 AND 3, BLOCK 3, OF SAID CARONEL ACRES, 818.64 FEET; THENCE S89°03'11"W 599.38 FEET TO THE WEST LINE OF SAID LOT 3; THENCE N00°45'38"E 469.46 FEET TO THE POINT OF BEGINNING.
 CONTAINING 9.170 ACRES, MORE OR LESS
 PARCEL C:
 LOT 4 AND THAT PART OF LOT 3 BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, 38.02 FEET; THENCE S00°45'38"W 33.01 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE S00°45'38"W ALONG THE WEST LINE OF LOTS 1, 2 AND 3, BLOCK 3 OF SAID CARONEL ACRES, 819.60 FEET TO THE POINT OF BEGINNING; THENCE N89°03'11"E 599.38 FEET TO THE EAST LINE OF SAID LOT 3; THENCE S00°05'53"W 476.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE S89°03'11"W 604.90 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N00°45'38"E 477.05 FEET TO THE POINT OF BEGINNING.
 CONTAINING 6.591 ACRES, MORE OR LESS



SURVEYOR'S NOTES:

1. THE SURVEY WAS PREPARED UPON REVIEW OF FIRST AMERICAN TITLE INSURANCE COMPANY TITLE COMMITMENT FILE NO. BB&T - FRANCIS FORCE WITH AN EFFECTIVE DATE OF JUNE 28, 2013.
2. LEGAL PROVIDED BY CLIENT.
3. BEARING SHOWN HEREON ARE BASED ON THE E LINE OF SW1/4 OF SECTION 30-19-28 AS BEING N00°45'38"E, ASSUMED.
4. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:
 (C) = CALCULATED
 (P) = PLAT
 ORB = OFFICIAL RECORDS BOOK
 PG = PAGE

Date	Revisions

SKETCH OF DESCRIPTION

DATE: 8-11-14
 SCALE: 1" = 60'
 CAL. BY: SEB
 DRAWN BY: SEB
 JOB NO. 113041C

ATLANTIC SURVEYING & MAPPING, INC.
 308 S. DILLARD STREET
 WINTER GARDEN, FLORIDA 34787
 (407) 858-4933/FAX (407) 858-4437
 LICENSED BUSINESS #6915

STEVEN E. BLANCHENBURG PLS.M. #5361
 STATE OF FLORIDA

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**ORDINANCE #2014-
PH #30-14-4
Payne Road Properties, LLC/Green Consulting Group, Inc.**

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

WHEREAS, Green Consulting Group, Inc. (the "Applicant") submitted an application on behalf of Payne Road Properties, LLC (the "Owners") to Rezone approximately 17 acres total from Planned Commercial (CP) to Community Facility District (CFD) – approximately 9 acres, Community Commercial (C-2) – approximately 2 acres, and Agriculture (A) – approximately 6 acres; and

WHEREAS, the subject property for this Ordinance consists of approximately 9 +/- acres located approximately 250 feet east of the southeast corner of SR 46 and Hunter Ave. in the Sorrento/Mount Plymouth area, in Sections 30 Township 19 South, Range 28 East, consisting of a portion of Alternate Key Numbers 1789150 and 2856742, and more particularly described as:

LEGAL DESCRIPTION – (Exhibit "A")

WHEREAS, the property subject to the request is located within the Mount Plymouth-Sorrento Main Street Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, on the 12th day of April, 1988, the Board of County Commissioners approved Planned Commercial Zoning (Ordinance #20-88) on approximately 17 acres for a commercial car fleet leasing company; and

WHEREAS, Lake County Planning and Zoning Board did review petition PH #30-14-4 on the 29th day of October, 2014, after giving Notice of Hearing for a change in the use of land, including a notice that said petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 18th day of November, 2014; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, the staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised, and

WHEREAS, upon review, certain terms pertaining to the development of the above described property have been duly approved; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land, subject to the following terms:

Section 1. Terms: The County Manager or designee shall amend the Lake County Zoning Map to show the Community Facility District (CFD) in accordance with Exhibit "A" of this Ordinance. This Ordinance shall revoke/rescind and replace Ordinance #20-88. All uses shall be generally

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- 1 consistent with the Concept Plan as shown in Exhibit “B”, of this Ordinance. To the extent
2 where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance
3 shall take precedence.
- 4 **A. Land Use:** Use of the land area described in Exhibit “A” of this Ordinance shall be limited to a
5 house of worship/church facility and accessory uses.
- 6 **B. Open Space, Setbacks, and Parking:** Open Space, Setbacks, and Parking shall be in
7 accordance with the Comprehensive Plan and LDR, as amended.
- 8 **C. Floor Area Ratio/Intensity, Impervious Surface (ISR), and Height of Structures:** Floor
9 Area Ratio/Intensity, Impervious Surface Ratio, and Structure Height shall be in accordance
10 with the Comprehensive Plan and LDR, as amended.
- 11 **D. Landscaping, Buffering, and Screening:** Landscaping, Buffering, and Screening shall be in
12 accordance with the Comprehensive Plan and Land Development Regulations, as amended.
- 13 **E. Transportation Improvements/Access Management:**
- 14 1. **Access Management:** All access management shall be in accordance with the
15 Comprehensive Plan and Land Development Regulations, as amended.
- 16 2. **Traffic Analysis:** A Traffic Impact Analysis will be required with any future site plan
17 submittal. Any transportation improvements recommended as a result of the traffic impact
18 analysis will be addressed as part of the site plan approval.
- 19 **F. Signage:** All signage shall be accordance with the Comprehensive Plan and Land
20 Development Regulations, as amended.
- 21 **G. Lighting:** Exterior lighting shall be cut-off type and in accordance with the Land Development
22 Regulations, as amended, and consistent with Dark-Sky principles. A photometric plan for all
23 exterior lighting shall be provided with the site plan application.
- 24 **H. Fire Protection:** Fire Protection shall be in accordance with the all applicable federal, state,
25 and local codes and/or regulations, as amended.
- 26 **I. Utilities:**
- 27 1. The provision of potable water, as applicable, shall be permitted in accordance with Florida
28 Department of Health, Florida Department of Environmental Protection, the
29 Comprehensive Plan, and Land Development Regulations, as amended.
- 30 2. Septic and sewage service, as applicable, shall be permitted in accordance with the
31 Florida Department of Health, Florida Department of Environmental Protection, the
32 Comprehensive Plan, and Land Development Regulations, as amended.
- 33 3. Any portion of an on-site septic system shall be setback 100 feet from the wetland
34 jurisdiction line in accordance with the Comprehensive Plan, as amended.
- 35 **J. Concurrency Management Requirements:** Any development shall comply with the Lake
36 County Concurrency Management System, as amended.
- 37 **K. Development Review and Approval:** Prior to the issuance of permits, the Applicant shall be
38 required to submit a site plan application generally consistent with Exhibit “B” - Conceptual
39 Plan, attached, for review and approval in accordance with the Comprehensive Plan and LDR,
40 as amended.

1 **L. Future Amendments to Statutes, Code, Plans, and/or Regulations:** The specific references
2 in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
3 Comprehensive Plan, and Lake County Land Development Regulations shall include any
4 future amendments to the Statutes, Code, Plans, and/or Regulations.

5 **Section 2. Conditions:** Conditions as altered and amended which pertain to the above tract of land shall
6 mean:

7 **A.** After establishment of the facilities as provided herein, the aforementioned property shall only
8 be used for the purposes named in this Ordinance. Any other proposed use must be
9 specifically authorized by the Board of County Commissioners.

10 **B.** No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,
11 move, convert, or demolish any building structure, add other uses, or alter the land in any
12 manner within the boundaries of the above described land without first obtaining the necessary
13 approvals in accordance with the Lake County Code, as amended, and obtaining the permits
14 required from the other appropriate governmental agencies.

15 **C.** This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the
16 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
17 Owner and any successor, and shall be subject to each and every condition herein set out.

18 **D.** Construction and operation of the proposed use shall at all times comply with the regulations of
19 this and other governmental permitting agencies.

20 **E.** The transfer of ownership or lease of any or all of the property described in this Ordinance
21 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is
22 made good and aware of the conditions established by this Ordinance and agrees to be bound
23 by these conditions. The purchaser or lessee may request a change from the existing plans
24 and conditions by following procedures contained in the Land Development Regulations, as
25 amended.

26 **F.** Action by the Lake County Code Enforcement Special Master. The Lake County Code
27 Enforcement Special Master shall have authority to enforce the terms and conditions set forth
28 in this ordinance and to recommend that the ordinance be revoked.

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

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

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

ENACTED this _____ day of _____, 2014

FILED with the Secretary of State _____, 2014.

EFFECTIVE _____, 2014.

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

JIMMY CONNER, 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

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Exhibit "A"
Boundary Legal Description

THAT PART OF LOTS 1, 2 AND 3 BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

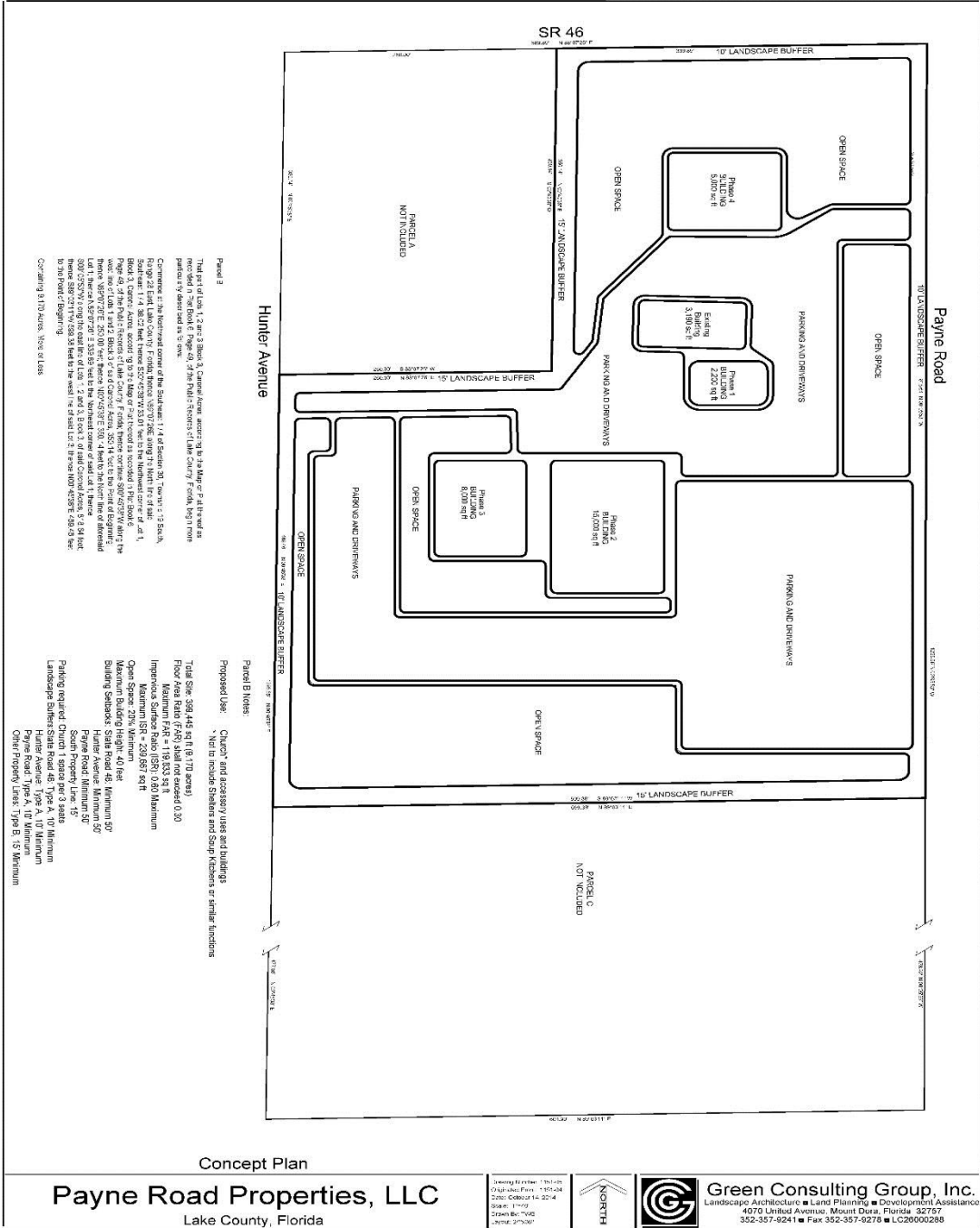
COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, 38.02 FEET; THENCE S00°45'38"W 33.01 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE S00°45'38"W ALONG THE WEST LINE OF LOTS 1 AND 2, BLOCK 3 OF SAID CARONEL ACRES, 350.14 FEET TO THE POINT OF BEGINNING; THENCE N89°07'26"E, 250.00 FEET; THENCE N00°45'38"E 350.14 FEET TO THE NORTH LINE OF AFORESAID LOT 1; THENCE N89°07'26"E 339.89 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE S00°05'53"W ALONG THE EAST LINE OF LOTS 1, 2 AND 3, BLOCK 3, OF SAID CARONEL ACRES, 818.64 FEET; THENCE S89°03'11"W 599.38 FEET TO THE WEST LINE OF SAID LOT 3; THENCE N00°45'38"E 469.46 FEET TO THE POINT OF BEGINNING.

CONTAINING 9.170 ACRES, MORE OR LESS

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Exhibit "B"
 Concept Plan

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ORDINANCE #2014-XX
Payne Road Properties, LLC "Community Commercial C-2" Rezoning
PH #30-14-4

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

WHEREAS, Timothy W. Green – Green Consulting Group, Inc. (the "Applicant") submitted an application on behalf of the Payne Road Properties, LLC – Francis B. Force, Registered Agent (the "Owners") to rezone the property from Planned Commercial (CP) zoning to Community Commercial (C-2); and

WHEREAS, the subject property consists of 2 +/- acres and is located southeast of SR 46 and Hunter Ave., in the Sorrento/Mount Plymouth area, in Section 29, Township 19 South, Range 28 East, a portion of Alternate Key Number 1789150 and 2856742, more particularly described below:

LEGAL DESCRIPTION:

THAT PART OF LOTS 1 AND 2 BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, 38.02 FEET; THENCE S00°45'38"W 33.01 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE POINT OF BEGINNING; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID LOT 1, 250.00 FEET; THENCE S00°45'38"W 350.14 FEET; THENCE S89°07'26"W 250.00 FEET TO THE WEST LINE OF LOT 2, BLOCK 3 OF SAID CARONEL ACRES; THENCE N00°45'38"E 350.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.009 ACRES, MORE OR LESS.

WHEREAS, the property subject to the request is located within the Mount Plymouth-Sorrento Main Street Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, Lake County Planning and Zoning Board did review petition PH#30-14-4 on the 29th day of October, 2014, after giving Notice of Hearing for a change in the use of land, including a notice that said petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 18th day of November, 2014; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised, and

WHEREAS, upon review, certain terms pertaining to the development of the above described property have been duly approved; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land, subject to the following terms:

1 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the
2 subject property from Community Facility District (CFD) to Community Commercial (C-2) in
3 accordance with this Ordinance.

4 **Section 2. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall be
5 required to submit applications for and receive necessary final development order approvals as
6 provided in the Lake County Comprehensive Plan and Land Development Regulations. The
7 applications for final development orders shall meet all submittal requirements and comply with
8 all County codes and ordinances, as amended.
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10 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
11 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
12 affect the validity of the remaining portions of this Ordinance.

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

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

17 **ENACTED** this _____ day of _____, 2014.

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19 **FILED** with the Secretary of State _____, 2014.

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21 **EFFECTIVE** _____, 2014.

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

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26 _____
JIMMY CONNER, Chairman

27 **ATTEST:**

28 _____
29 **NEIL KELLY, Clerk of the**
30 **Board of County Commissioners**
31 **Lake County, Florida**

32 **APPROVED AS TO FORM AND LEGALITY**

33 _____
34 **SANFORD A. MINKOFF, County Attorney**

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ORDINANCE #2014-XX
Payne Road Properties, LLC "Agriculture" Rezoning
PH #30-14-4

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

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WHEREAS, Timothy W. Green – Green Consulting Group, Inc. (the "Applicant") submitted an application on behalf of the Payne Road Properties, LLC – Francis B. Force, Registered Agent (the "Owners") to rezone the property from Planned Commercial (CP) zoning to Agriculture (A); and

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WHEREAS, the subject property consists of approximately 6.5 +/- acres located southeast of SR 46 and Hunter Ave., in the Sorrento/Mount Plymouth area, in Section 29, Township 19 South, Range 28 East, a portion of Alternate Key Number 1789150 and 2856742, more particularly described below:

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LEGAL DESCRIPTION:

LOT 4 AND THAT PART OF LOT 3 BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA; THENCE N89°07'26"E ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, 38.02 FEET; THENCE S00°45'38"W 33.01 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 3, CARONEL ACRES, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 49, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE CONTINUE S00°45'38"W ALONG THE WEST LINE OF LOTS 1, 2 AND 3, BLOCK 3 OF SAID CARONEL ACRES, 819.60 FEET TO THE POINT OF BEGINNING; THENCE N89°03'11"E 599.38 FEET TO THE EAST LINE OF SAID LOT 3; THENCE S00°05'53"W 476.92 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE S89°03'11"W 604.90 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N00°45'38"E 477.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 6.591 ACRES, MORE OR LESS

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WHEREAS, the property subject to the request is located within the Mount Plymouth-Sorrento Main Street Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

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WHEREAS, Lake County Planning and Zoning Board did review petition PH#30-14-4 on the 29th day of October, 2014, after giving Notice of Hearing for a change in the use of land, including a notice that said petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 18th day of November, 2014; and

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WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised, and

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26

WHEREAS, upon review, certain terms pertaining to the development of the above described property have been duly approved; and

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NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land, subject to the following terms:

1 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the
2 subject property from Community Facility District (CFD) to Agriculture (A) in accordance with
3 this Ordinance.

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

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

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

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

16 ENACTED this _____ day of _____, 2014.

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18 FILED with the Secretary of State _____, 2014.

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20 EFFECTIVE _____, 2014.

21
22 BOARD OF COUNTY COMMISSIONERS
23 LAKE COUNTY, FLORIDA

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25 _____
JIMMY CONNER, Chairman

26 ATTEST:

27 _____
28 NEIL KELLY, Clerk of the
29 Board of County Commissioners
30 Lake County, Florida

31 APPROVED AS TO FORM AND LEGALITY

32 _____
33 SANFORD A. MINKOFF, County Attorney