

**LAKE COUNTY PLANNING AND ZONING ANALYSIS
PETITION TO REZONE PROPERTY**

Planning and Zoning Board
November 25, 2015



Board of County Commissioners
December 15, 2015

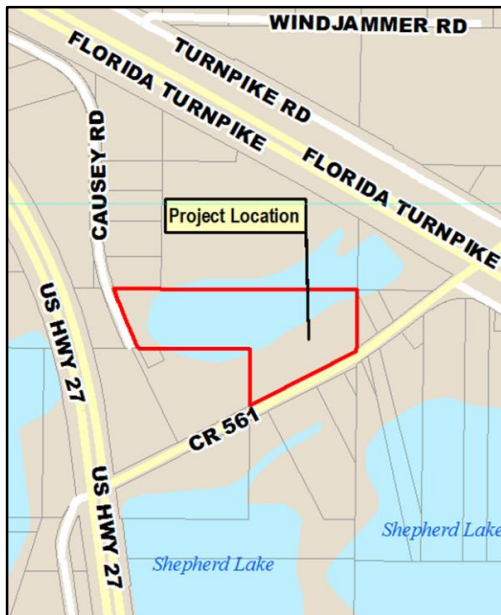
RZ-15-25-1 Gillman Property	Case Manager: Michele Janiszewski, Planner	Agenda Item #2
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Applicant and Owner: James M. Gillman (“Owner and “Applicant”)

Requested Action: Rezone subject property from Agriculture (A) to Neighborhood Commercial (C-1).

- Site Location and Information -

Approximate site location shown in red



Size	9.7 +/- acres	
Property Address	19003 County Road 561, Clermont	
Location	North of County Road 561 and between the Turnpike and U.S. Highway 27 in the Minneola area	
Alternate Key	1210992	
Future Land Use (FLU)	Regional Office	
	Existing	Proposed
Zoning District	Agriculture (A)	Neighborhood Commercial (C-1)
Impervious Surface Ratio (ISR)	0.10 (LDR)	0.70 (LDR)
Floor Area Ratio (FAR)	0.10 (LDR)	0.50 (LDR)
Open Space	15% (Comp Plan)	15% (Comp Plan)
Joint Planning Area	NA	
ISBA	Minneola	
Overlay Districts	Major Commercial Corridor	
Utility Area		
Site Utilities	Well and Septic	
Road Type	Rural Major Collector	
Flood Zone / FIRM Panel	AE and X Shaded; Panel 12069C0560E	
Commissioner's District	Sullivan- 1	

Site Visit: November 12, 2015

Sign Posted: November 12, 2015

-Land Use Table-

Direction	Future Land Use	Zoning	Existing Use
North	Regional Office	Agriculture (A) and Rural Residential (R-1)	Vacant Residential Single Family Residence
South	Regional Office and Rural	Neighborhood Commercial (C-1) and Rural Residential (R-1)	Vacant Commercial, Vacant Residential, and Single Family Residences
East	Regional Office	Rural Residential (R-1)	Single Family Residences
West	Regional Office	Planned Commercial and Neighborhood Commercial (C-1)	Vacant Commercial

STAFF RECOMMENDATION: Based on the findings of fact, staff recommends **Approval** to rezone subject property from Agriculture (A) to Neighborhood Commercial (C-1).

PLANNING AND ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The subject property is currently zoned Agriculture (A) and is part of the Regional Office Future Land Use Category. The property is currently developed with a single wide mobile home and is being used as a single family residence. At this time there are no plans to develop this property. In order to make the property more conforming, the owner is requesting to rezone the property to make it more consistent with the Regional Office Future Land Use Category and the development trends in the immediate area. Any impacts on public facilities and the natural environment will be evaluated when the property is redeveloped.

- Standards of Review and Analysis -

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

The application is consistent with Land Development Regulations (LDR) Section 3.01.03 which describes the permitted uses allowed within the C-1 zoning district. These uses are consistent with the Regional Office Future Land Use Category.

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

The subject property is part of the Regional Office Future Land Use Category which allows commercial development. Rezoning the property to C-1 is more consistent and compatible with the Regional Office Future Land Use Category than the existing Agriculture (A) zoning district. In addition, the subject property is located within a Major Commercial Corridor, as provided for in Policy I-1.3.10.6 *Criteria for Commercial Corridors*.

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

The property is currently developed with a single wide mobile home which is being used as a single family residence. Single family residences are not a permitted use within the C-1 zoning district or the Regional Office Future Land Use Category. The property’s current use and zoning became non-conforming when it was designated as part of the Regional Office Future Land Use Category with the adoption of the 2030 Comprehensive Plan. The property was previously part of the Suburban Future Land Use Category which permitted residential development.

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

With the adoption of the 2030 Lake County Comprehensive Plan the property was designated as being part of the Regional Office Future Land Use Category; it was previously part of the Suburban Future Land Use Category. The property’s current use as a single family residence is not a permitted use within this category. In order to make the property more conforming, the owner is requesting to rezone the property in order to make it more compatible with the current Future Land Use Category.

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;

Additional demands on facilities will be evaluated when the property is redeveloped; however, no adverse impacts to public facilities are anticipated at this time.

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

The property is currently developed with a mobile home, currently being used as a single family residence and any additional development will need to comply with the Comprehensive Plan and Land Development Regulations.

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

The application does not contain information of the effect on adjacent property values.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern, specifically identifying any negative effects on such patterns;

The property is located within a major commercial corridor in an area designated as being part of the Regional Office Future Land Use Category. The properties to the west are zoned Neighborhood Commercial and Planned Industrial.

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

The proposed rezoning would not be in conflict with the public interest and would be in harmony with the purpose and intent of these Regulations.

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

Not at this time.

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

1. The proposed rezoning is consistent with Comprehensive Plan Policy I-1.3.6 Regional Office Future Land Use Category; and
2. The proposed rezoning is consistent with LDR Section 3.00.02 (R) ("Purpose and Intent of Districts"), which describes the intent of the C-1 zoning district.

Based on the findings of fact, staff recommends **Approval** to rezone the subject property from Agriculture (A) to Neighborhood Commercial (C-1).

WRITTEN COMMENTS FILED:

Support: -0-

Concern: -0-

Opposition: -0-



FLORIDA TURNPIKE

WINDJAMMER RD

FL TNPK

TURNPIKE RD

FLORIDA TURNPIKE

CAUSEY RD

CR 561A

CR 561

RHODEN RD

27

US HWY 27

SUBJECT PROPERTY

BISHOPS PT

US HWY 27

Shepherd Lake

MINNEOLA

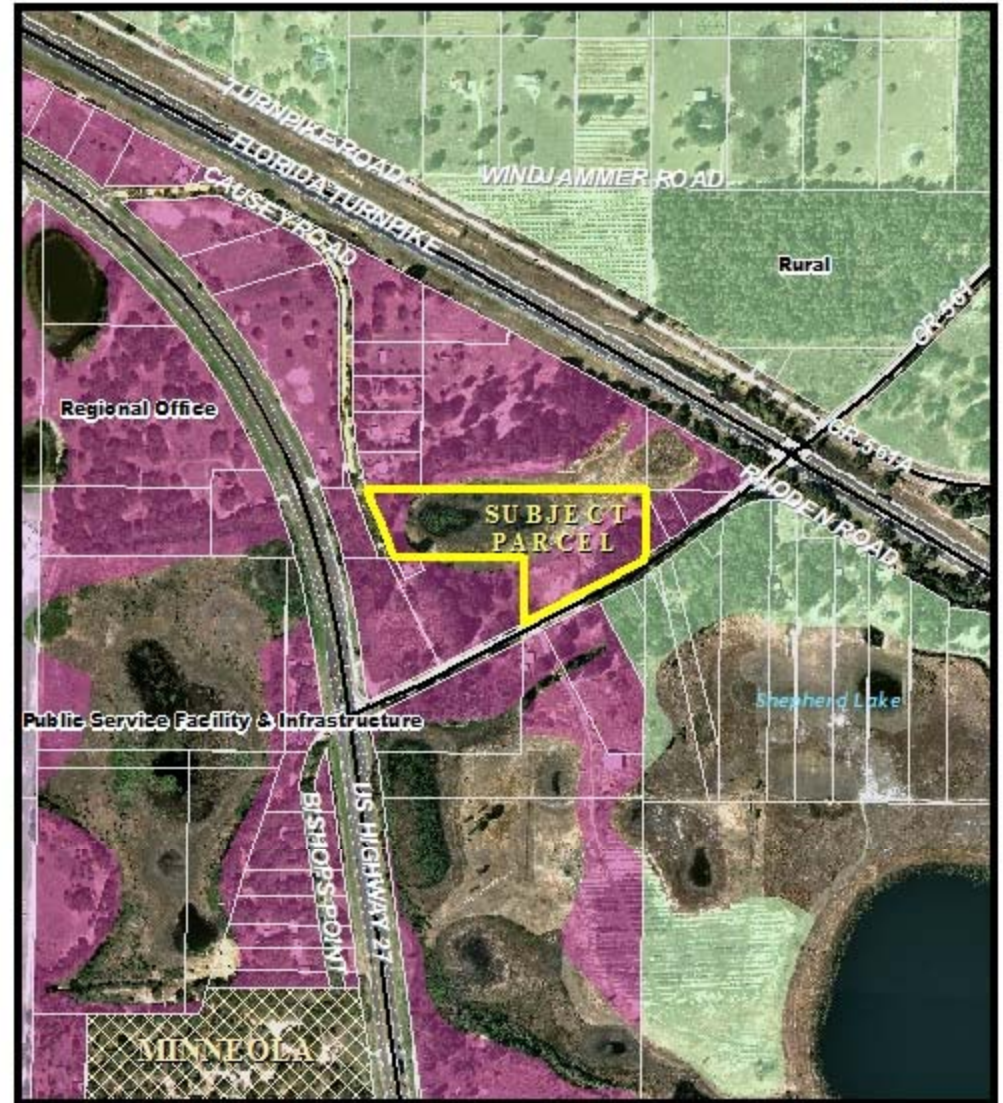
CURRENT ZONING

1 inch = 833.33 feet



CURRENT 2030 FUTURE LAND USE

1 inch = 833.33 feet



Zoning Legend

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

FLU Legend

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

GILLMAN REZONING

CASE NO.

RZ-15-25-1

CASE LOCATION:

36-21-25

REQUESTING:
AGRICULTURE (A) TO
NEIGHBORHOOD
COMMERCIAL (C-1)



Planning & Zoning Division
 Economic Growth Department



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**Ordinance #2015-XX
James M. Gillman Property
RZ-15-25-1**

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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, James M. Gillman (the "Applicant" and "Owner") made a request to rezone property from Agriculture (A) to Neighborhood Commercial (C-1); and

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WHEREAS, the subject property consists of 9.7 +/- acres and is generally located in the Minneola area at 19003 County Road 561, in Section 36, Township 21 South, Range 25 East, having Alternate Key Number 1210992, and more particularly described below:

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Begin at the Northeast corner of Section 36, Township 21 South, Range 25 East, Lake County, Florida, run thence South 0°02'00" East, along the East line of Section 36, a distance of 281.60 feet to the Northerly right of way of State Highway No. 561, thence Southwesterly along said Northerly right of way 613.76 feet, more or less, to a point that is 535.0 feet West of the East line of Section 36, said point also being on the East line of Shore Oaks Village Subdivision, as recorded in Plat Book 13, Page 13, of the Public Records of Lake County, Florida, run thence North 00°02'00" West along said East line of said subdivision, 275.13 feet to a P.R.M. located at the Northeast corner of said subdivision, thence run South 89°14' West along North line of said subdivision, 543.01 feet to the East right of way of a County Road, thence North 26°34'13" West 333.19 feet to the North line of said Section 36, thence North 89°14'00" East along said North line of said Section 36, 1226.91 feet to the Point of Beginning.

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

WHEREAS, the Lake County Planning & Zoning Board reviewed Petition RZ-15-25-1 on November 25, 2015, after giving Notice of Hearing on petition for a change in the use of land, including notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on December 15, 2015; and

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

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

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

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

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

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

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

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

13 ENACTED this _____ day of _____, 2015.

14 FILED with the Secretary of State _____, 2015.

15 EFFECTIVE _____, 2015.

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18 **BOARD OF COUNTY COMMISSIONERS**
19 **LAKE COUNTY, FLORIDA**
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22 **Chairman**

23 **ATTEST:**

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25 **NEIL KELLY, Clerk of the**
26 **Board of County Commissioners**
27 **Lake County, Florida**

28 **APPROVED AS TO FORM AND LEGALITY**

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30 **MELANIE MARSH, County Attorney**