

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

**PLANNING AND ZONING BOARD**  
November 25, 2015



**BOARD OF COUNTY COMMISSIONERS**  
December 15, 2015

<b>RZ-15-14-5</b> Laura's Storage and Flea Market CP Rezoning	<b>Case Manager:</b> Steve K. Greene, AICP, Chief Planner	<b>Agenda Item # 6</b>
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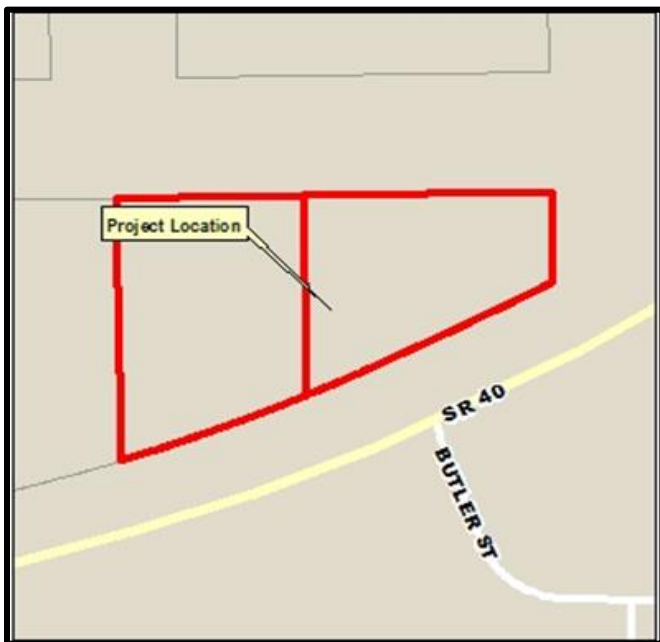
**Owner:** Robert L. Albers and L. Debold as Trustees of the Bob Albers Trust (the "Owners")

**Applicant:** Charles C. Hiott, P.E, BESH. Inc. (the "Applicant")

**Requested Action:** Rezone approximately 1.216-acres of R-6 (Urban Residential) zoning, .327-acres of vacated ROW and .93 acres of C-1 (Neighborhood Commercial) zoning to Planned Commercial (CP) zoning to create a 2.15-acre zoning district to allow general commercial uses, indoor/outdoor storage, to include flea market use.

**- Site Location & Information -**

Approximate site location outlined in Red



<b>Size</b>	2.15 +/- acres	
<b>Location</b>	Astor area, along SR 40, west of Jamie Drive	
<b>Alternate Key #</b>	1315000 and 1315018	
<b>Future Land Use</b>	Urban Low	
	<b>Existing</b>	<b>Proposed</b>
<b>Zoning District</b>	C-1 & R-6	CP
<b>Density</b>	1 du/ac	none
<b>Floor Area Ratio (FAR)</b>	0.25 - max. (Comp Plan)	N/C
<b>Impervious Surface Ratio (ISR)</b>	0.60 -max. (Comp Plan)	N/C
<b>Joint Planning Area</b>	none	
<b>Utility Area:</b>	St. John's Utilities	
<b>Site Utilities</b>	Well and septic	
<b>Road Classification</b>	SR 40, Urban arterial	
<b>Flood Zone/ FIRM Panel</b>	Flood Panel (12069C ) E	
<b>Commissioner District</b>	5 - Cadwell	

**Site Visit:** June 26, 2015 & October 23, 2015

**Sign Posted:** July 6, 2014 (1)

**Land Use Table**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
<b>North</b>	Urban Low	R-6	Vacant	Undeveloped, partially cleared land area
<b>South</b>	Urban Low	SR 40	Right of Way (ROW)	FDOT
<b>East</b>	Urban Low	R-6	ROW	First Street (undeveloped)
<b>West</b>	Urban Low	R-6	Vacant	Undeveloped, cleared land area

**– Summary of Staff Determination –**

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** of the application to rezone property from R-6 and C-1 to CP, with conditions, as specified in the proposed ordinance.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

**– Summary of Analysis –**

This request is being brought back to the Planning and Zoning Board (PZB) for re-consideration because the initial ordinance provided to the PZB did not contain conditions as displayed on the County website. This inconsistent display of ordinances demands the matter be reconsidered in its entirety by the PZB. It should be known that the PZB approved the prior version with a 4-0 vote. The inconsistent conditions pertain to the minimum number of days to submit a building permit for a commercial structure, replacement or alternative commercial development, and RV use on the property. The proposed ordinance is now updated to show the development conditions that were not previously reviewed by the PZB, but displayed on the County website. This matter was discussed with the Applicant, who expressed agreement with these conditions.

The Applicant seeks to rezone approximately 2.15-acres of property from R-6 (Urban Residential) and C-1 (Neighborhood Commercial) to CP (Planned Commercial) for general commercial retail uses, indoor/outdoor storage and flea market to facilitate commercial business and land development expansion. The property is situated on the north side of SR 40, west side of First Street in the Astor area. Additionally, the rezoning submittal will accommodate site plan application review of on-going commercial uses without proper development approval. In order to address this matter, the Applicant submitted a site plan application in December 2013. It is the Applicant's intent to convert storage containers into commercial structures.

The eastern .93 acres of the property currently contains a 235-square feet (SF) commercial building and seven (7) commercial structures (8-feet x 40-feet) and a food vendor area (510 SF). The western portion of the property (1.54 +/- acres) contains a 1,100 square foot (SF) building and .327 acres of conditionally vacated Second Street right of way (ROW). The rezoning application proposes commercial uses on the eastern portion, to include eleven (11) commercial structures for indoor/outdoor storage and flea market use. The western portion of the property will accommodate future commercial redevelopment, to include the existing 1,100 SF buildings.

During the course of the minor site plan application review between January 2014 and spring 2015, the Applicant was advised of stormwater management issues and experienced consultant selection difficulties. This caused a prolonged delay in the review and approval process. The prolonged delay and the continued use of the storage containers then became a Code violation for conducting a storage/flea market use without approval.

On March 24, 2015, the Board of County Commissioners (BCC) conditionally approved the Applicant's ROW vacation application, which was prompted by the need for additional land area (.327-acres) needed for stormwater management. The ROW vacation was granted with a stipulation that the vacation will not become effective until after the site plan is approved for the entire parcel. Subsequently, the Lake County Code Enforcement Special Master issued an Order of Enforcement, requiring the property owners to obtain zoning and site plan approvals or cease operating the flea market and remove all the commercial structures from the property.

If approved and upon approval of a conforming site plan, this rezoning application will resolve the code enforcement issue pertaining to commercial expansion and use of metal commercial structures as the site will require proper permits and site plan approval.

– 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 request for Planned Commercial (CP) Zoning District is consistent with Table 3.00.03, Land Development Regulations (LDR), Land Use-Zoning District Matrix, for the Urban Future Land Use Series. Additionally, the proposed rezoning application for increased commercial uses is consistent with the CP zoning requested pursuant to Table 3.01.03, the Schedule of Permitted and Conditional Uses.

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

The rezoning application proposes outdoor storage use which is permissible in the Urban Low future land use category as a light industrial use, if within an enclosed structure. Such uses require planned district zoning or conditional use permit per Comp Plan Policy I-1.3.2. The Applicant intends to allow vendors and tenants to store their merchandise within these commercial structures and for outdoor display of merchandise during commercial and flea market operational hours. The proposed hours of operation are Monday through Sunday, 8:00 a.m. through 5:00 p.m. for commercial and flea market and 8:00 a.m. to 8:00 pm for the food truck operation. The property owners must obtain building permits for the commercial structures in order to be able to use them for the flea market business. Rental of the commercial storage structures for self-storage purposes not associated with the primary commercial operation shall be prohibited. These shall be proposed as conditions in the new Planned Commercial ordinance.

The proposed Planned Commercial rezoning application is consistent with the Urban Low Future Land Use Category, Policy I-1.3.2. This policy allows commercial uses within this future land use category. Additionally, the property of the proposed rezoning is situated within the Astor Minor Commercial Corridor as specified by Comprehensive Plan (Comp Plan) Policy I-1-3.10.6(2). The policy limits the size of individual commercial buildings to 30,000 square feet. The proposed commercial buildings, including the proposed 11 commercial structures and 235 SF building comprise approximately 4,695 SF, total.

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

The proposed rezoning application does not create any inconsistent land use patterns in the area and is consistent with the existing use of the property.

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

In the past 15 years, there have been no rezoning requests in this area. The Applicant's desire to expand the commercial use causes the need to rezone the property from R-6 and C-1.

**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 –The standard Level of Service (LOS) for this segment of SR 40 is "C" with capacity of 430 trips. Currently this segment of SR 40 from River Rd to the Volusia County Line is operating at sixty nine percent (69%) in the PM peak. If the rezoning is approved, the new use will generate twenty (20) PM peak trips; in which fifteen (15) trips will impact the directional PM Peak hour increasing the volume to capacity ratio (v/c) to seventy three percent

(73%). A Tier-1 traffic exemption will be required during the site plan process prior to the commencement of the approved commercial use.

Water and Sewage – No adverse impacts are anticipated by the increased commercial use resultant from the CP rezoning as the property is served by the St. John’s River Utilities.

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

Fire and Emergency Services - Lake County Fire Station 10, located at 23023 SR 40, less than 3 miles east of the property, will provide fire-emergency services.

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

The area proposed for rezoning has been disturbed with urban development and commercial uses. The conditionally vacated Second Street ROW will require an environmental assessment if proposed for development

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

The application does 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 Applicant proposes a twenty-five (25) foot waiver to the required fifty (50) foot setback front setback along SR 40 right of way (ROW). However, the concept plan shows a setback of thirty-seven (37) feet. Staff finds the 37-foot setback to be acceptable and proposes this as a condition in the proposed CP ordinance. Additionally, the Applicant proposes a five (5) foot building setback to the side and rear property lines. It must be noted that side and rear building setbacks for commercial uses default to the required landscape buffer along the property lines at these locations. In this case, the minimum building setback for the side and rear would have to conform to LDR 9.01.06(B), Table 1 and Table 2 which requires a 15-foot wide, Type B buffer as the adjacent zoning district is R-6 (Urban Residential). The Applicant’s 5-foot side and rear setback request constitutes a 10-foot waiver to the adjacent R-6 zoning along the north, east and west property lines. The conditionally vacated ROW is situated at these locations. Since there are no current development plans for road improvements or residential development, staff recommends a 10-foot side and rear setback pursuant to LDR 3.00.02 (U), which permits the establishment of individual CP districts under approved site plans. This will accommodate an adequate landscape screening and buffer at these locations to mitigate and provide for screening for any future use that may develop adjacent to the side and rear property lines consistent with LDR 3.05.00. Additionally, the 10-foot landscape buffer width at these locations would be consistent with the required ROW landscape buffer per LDR 9.01.06(A)(2). This is proposed as an ordinance condition.

The proposed rezoning amendment will not adversely disrupt the existing development pattern in the area. The proposed use is low intensity non-residential use within an area devoid of development activity and will not disrupt the existing development pattern. The proposed commercial use will have to comply with commercial design standards prior to commencement of commercial operations. Additionally, a noise study will be required during site plan review per LDR to ensure noise generated by the proposed used do not exceed pre-development levels.

**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.**

None

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

1. The rezoning application is consistent with Comp Plan Policy I-1.3.2, Urban Low Future Land Use Category, which allows retail uses.
2. The rezoning application is consistent with LDR 3.00.02 (U), which permits the establishment of individual CP districts under approved site plans.
3. The rezoning application for Planned Commercial (CP) Zoning District is consistent with Table 3.00.03, Land Development Regulations (LDR), Land Use-Zoning District Matrix and the Urban Future Land Use Series.
4. The proposed rezoning application for increased commercial uses is consistent with the CP zoning requested pursuant to Table 3.01.03, the Schedule of Permitted and Conditional Uses.
5. The staff recommended 10-foot landscape buffer width at the north, east and west property lines is consistent with LDR 3.05.00 and the required ROW landscape buffer per LDR 9.01.06(A)(2) and shall also serve as side and rear building setbacks.

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

**WRITTEN COMMENTS FILED:**

**Supportive: -0-**

**Concern: -0-**

**Opposition: -0-**



SR 40

**SUBJECT  
PROPERTY**

BUTLER ST

FIRST ST



### CURRENT ZONING

1 inch = 83.33 feet



### CURRENT 2030 FUTURE LAND USE

1 inch = 83 feet



#### Zoning Legend

#### FLU 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	

Bella Collina
Cagans Crossing
Conservation
Green Swamp Core Conservation
Green Swamp Ridge
Green Swamp Rural
Green Swamp Rural Conservation

Heavy Industrial
Mt Plymouth - sorrento Main Street District
Mt Plymouth - Sorrento Proper
Mt Plymouth - Sorrento Receiving Area
Office
Public Service Facility and Infrastructure
Receiving Area A-1-20

Recreation
Regional Commercial
Rural
Rural Transition
Sending Area A-1-20
Sending Area A-1-40
Urban High Density

Urban Low Density
Urban Medium Density

**LAURA'S STORAGE & FLEA MARKET**

**CASE NO.**

**RZ-15-14-5**

**CASE LOCATION:**

**30-15-28**

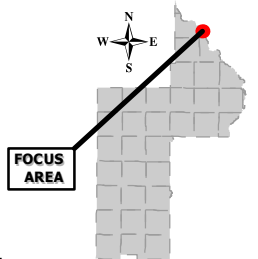
**REQUESTING:**

**R-6 AND C-1 TO  
PLANNED COMMERCIAL (CP)**



**Planning & Zoning Division**

**Economic Growth Department**



**ORDINANCE #2015-xx**  
**Laura's Storage and Flea Market Rezoning**  
**RZ-15-14-5**

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

**WHEREAS**, Charles C. Hiott, P.E (the "Applicant") submitted an application on behalf of Robert L. Albers and Laura L. DeBold as Trustees of the Bob Albers Trust (the "Owners") to change the zoning of the subject property from R-6 and C-1 to Planned Commercial (CP) zoning with C-1 and C-2 uses, indoor/outdoor storage, self-storage and flea market use; and

**WHEREAS**, the subject property consists of approximately 2.15 +/- acres located at 24627 State Road 40, west of Jamie Drive, , in the Astor area, in Section 30, Township 15 South, Range 28 East, consisting of Alternate Key Number 1315000 and 1315018, more particularly described as:

**LEGAL DESCRIPTION – (Exhibit "A")**

**WHEREAS**, the property subject to the request is located within the Urban Low 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 RZ-15-14-5 on the 25<sup>th</sup> day of November, 2015, 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 15<sup>th</sup>, December, 2015; 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:

**Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to show the Planned Commercial (CP) zoning in accordance with Exhibit "A" of this Ordinance. All uses specified shall be generally consistent with the Concept Plan as shown in Exhibit "B", of this Ordinance. To the extent where there are conflicts between the Conceptual Plan and this Ordinance, this Ordinance shall take precedence.

**A. Land Use:** Uses shall be limited to:

- 1. Neighborhood Commercial (C-1) and Community Commercial (C-2) –**  
**(including, flea market, outdoor/indoor storage and self-storage warehouse uses)**

- a. Adult use and commercial amusement shall be prohibited.



- b. The use of commercial structures may be allowed to support the flea market commercial use of the property and shall be limited to storage of commercial merchandise. Rental of the commercial structures for self-storage purposes shall be prohibited.
- c. Use of commercial structures, either 8-feet by 40-feet or 8-feet by 20-feet shall be limited to eleven (11) on the eastern 0.93-acres of property with site plan approval and building permits issued for commercial structures within one hundred and twenty (120) days from the approval of the rezoning.
- d. In the event the eleven (11) commercial structures cannot be permitted, replacement or alternative commercial development shall adhere to Section B. Building Heights and Setbacks of this ordinance.
- e. Hours of business operations and use – Monday through Sunday, 8:00 a.m. – 5:00 p.m. for the general retail and flea market; 8:00 a.m. to 8:00 p.m. for food truck uses.

**Accessory Uses** - Those uses directly associated with the principal uses may be approved by the County Manager or designee. Any other use of the site not identified above shall require an amendment to this Ordinance as approved by the Board of County Commissioners.

**B. Building Height and Setbacks:**

- 1. Individual commercial building size shall be limited to 30,000 SF.
- 2. Commercial buildings over 8,000 SF shall require conditional use approval by the Board of County Commissioners.
- 3. Front building setback (existing building) – 37 feet from the property line, along SR 40.
- 4. Side and rear building setback – 10 feet from the property line.
- 5. Commercial structure setbacks and new building setbacks shall be in accordance with the Land Development Regulations, as amended.

**C. Parking:**

- 1. Thirteen standard parking spaces, (10 x 20 feet), minimum.
- 2. One ADA handicapped accessible space.
- 3. One vendor truck parking space, (510 square feet).
- 4. Additional parking spaces shall be designed, configured and implemented in accordance with the Land Development Regulations, as amended.

**D. Floor Area (FAR):** 25%, maximum for the entire site.

**E. Impervious Surface (ISR):** 60%, maximum for entire site.

**F. Open Space (OSR):** 25%, minimum for entire site.

**G. Landscaping, Irrigation, Buffering, and Screening:**

- 1. Type-A right of way (ROW) landscape buffer shall be along the southern property line, adjacent to SR 40, per the LDR as amended.
- 2. Type B, 10-foot wide landscape buffer shall be required along the western, northern, and eastern property lines. The buffer at these locations shall comprise 2 canopy trees, 1 ornamental tree per lineal 100-feet and 1 row of shrubs.
- 3. Existing vegetation within 25-feet of the property line may be used to meet the minimum perimeter landscape buffer requirement.

- 1                   4. Other landscaping, buffering, and screening shall be in accordance with the LDR, as amended.
- 2                   5. Irrigation of landscaping with existing well shall require proper permits from St. Johns River
- 3                   Water Management District.
- 4                   **H. Environmental and Open Space Considerations:** An environmental survey and assessment no
- 5                   older than six (6) months shall be required with the required development application. The wetland
- 6                   areas shall be specified on a wetland survey within the development application and flagged on the
- 7                   property for the purpose of establishing the required 50-ft wetland buffer and building setback.
- 8                   Wetland areas within the property shall be preserved in perpetuity with the establishment of a
- 9                   conservation easement pursuant to the Comprehensive Plan, as amended.
- 10                  **I. Transportation Improvements/Access Management:**
- 11                  a. A Tier-1 Transportation Exemption form shall be required for submittal with the site plan
- 12                  application.
- 13                  b. All access management shall be in accordance with traffic studies, Comprehensive Plan and
- 14                  Land Development Regulations, as amended.
- 15
- 16                  **J. Signage:** All signage shall be accordance with the Comprehensive Plan and Land Development
- 17                  Regulations, as amended.
- 18                  **K. Commercial Design:** Commercial structures use shall comply with commercial design standards, as
- 19                  amended. Expansion of the existing two (2) buildings or expansion of the parking area by fifty (50)
- 20                  percent shall require compliance with commercial design standards, as amended.
- 21
- 22                  **L. Lighting:** Exterior lighting shall be cut-off type and consistent with Dark-Sky principles. Exterior
- 23                  lighting shall not illuminate adjacent properties or rights of way, in accordance with the Land
- 24                  Development Regulation, as amended.
- 25                  **M. Noise:** A noise study shall be required with the site plan pursuant to the Land Development
- 26                  Regulations, as amended.
- 27                  **N. Floodplain:** Future development shall be subject to the general requirements and construction
- 28                  standards regarding the development within floodplain areas, pursuant to the Land Development
- 29                  Regulations and Comprehensive Plan, as amended.
- 30                  **O. Fire Protection:** Fire Protection shall be in accordance with the all applicable federal, state, and local
- 31                  codes and/or regulations, as amended.
- 32                  **P. Utilities:**
- 33                  1. The provision of potable water, as applicable, shall be permitted in accordance with Florida
- 34                  Department of Health, Florida Department of Environmental Protection, the Comprehensive Plan,
- 35                  and Land Development Regulations, as amended.
- 36                  2. Septic and sewage service, as applicable, shall be permitted in accordance with the Florida
- 37                  Department of Health, Florida Department of Environmental Protection, the Comprehensive Plan,
- 38                  and Land Development Regulations, as amended.
- 39                  3. Any portion of an on-site septic system shall be setback 100 feet from the wetland jurisdiction line
- 40                  in accordance with the Comprehensive Plan, as amended.
- 41                  **Q. Concurrency Management Requirements:** Any development shall comply with the Lake County
- 42                  Concurrency Management System, as amended.
- 43                  **R. Development Review and Approval:** Prior to the issuance of permits, the Applicant shall be required
- 44                  to submit a development application generally consistent with Exhibit "B" - Conceptual Plan, attached,
- 45                  for review and approval in accordance with the Comprehensive Plan and LDR, as amended.
- 46

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

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

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

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

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

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

22          **E.** Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement  
23          Special Master shall have authority to enforce the terms and conditions set forth in this ordinance and  
24          to recommend that the ordinance be revoked.

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

28  
29   **Section 4. Filing with the Department of State.** The clerk shall be and is hereby directed forthwith to send a copy  
30   of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66,  
31   Florida Statutes.

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

**ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**FILED** with the Secretary of State \_\_\_\_\_, 2015.

**EFFECTIVE** \_\_\_\_\_, 2015.

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

\_\_\_\_\_  
**CHAIRMAN**

**ATTEST:**

\_\_\_\_\_  
**NEIL KELLY, CLERK OF THE  
BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**APPROVED AS TO FORM AND LEGALITY**

\_\_\_\_\_  
**MELANIE MARSH, COUNTY ATTORNEY**

**Exhibit "A"**  
**Legal Description**

WEST PARCEL (OFFICIAL RECORDS BOOK 4557, PAGE 1581)

PARCEL 3

PARCEL NUMBER: 30-15-28-010003200000

ALL OF BLOCK 32, MAP OF ASTOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

LESS AND EXCEPT THAT PART OF LOTS 4, 5 AND 6, BLOCK 32, MAP OF ASTOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING NORTHERLY OF AND WITHIN 50 FEET OF THE SURVEY LINE OF STATE ROAD 40, SECTION 11140 AND AS SET FORTH IN THAT CERTAIN STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 700, PAGE 1724, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS:

COMMENCE ON THE SOUTHERLY EXTENSION OF THE WEST LINE OF BLOCK 30, MAP OF ASTOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, AT A POINT 40.92 FEET SOUTH 02°16'45" EAST OF THE SOUTHWEST CORNER OF SAID BLOCK 30, THENCE RUN SOUTH 87°42'45" WEST, A DISTANCE OF 64.02 FEET FOR THE POINT OF BEGINNING, THENCE RUN NORTH 87°42'45" EAST, A DISTANCE OF 300 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHERLY AND HAVING A RADIUS OF 1432.39 FEET, THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 51°00' A DISTANCE OF 1275 FEET TO THE END OF SAID CURVE, THENCE RUN NORTH 36°42'45" EAST, A DISTANCE OF 618.74 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEASTERLY, AND HAVING A RADIUS OF 1909.86 FEET, THENCE RUN ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°16'45" A DISTANCE OF 809.31 FEET FOR THE END OF SAID CURVE, THENCE RUN NORTH 60°59'30" EAST, A DISTANCE OF 400 FEET, FOR THE END OF THIS DESCRIBED LINE.

MIDDLE PARCEL (OFFICIAL RECORDS BOOK 4611, PAGE 383)

THAT PART OF SECOND STREET AS SHOWN ON THE MAP OF ASTOR RECORDED IN PLAT BOOK 1, PAGE 24 AND PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, LYING IN SECTION 38, TOWNSHIP 15 SOUTH, RANGE 28 EAST, LYING SOUTH OF THE EASTERLY EXTENSION OF THE SOUTH RIGHT OF WAY LINE OF DORA STREET AS SHOWN ON SAID PLATS, BOUNDED AS FOLLOWS:

BOUNDED ON THE SOUTH BY A LINE LYING 60.00 FEET NORTH OF THE CENTER LINE OF STATE ROAD NO. 40 (BUTLER STREET) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION S.R. 40 RIGHT OF WAY MAP, SECTION 11140-2504, RECORDED IN ROAD MAP BOOK 4, PAGES 27 THROUGH 30, INCLUSIVE, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AND BOUNDED ON THE WEST BY THE EASTERLY LINE OF LOTS 1 AND 4, BLOCK 32 OF SAID PLATS; AND BOUNDED ON THE EAST BY THE WESTERLY LINE OF LOTS 3 AND 6, BLOCK 34 OF SAID PLATS.

1  
2 EAST PARCEL (OFFICIAL RECORDS BOOK 3691, PAGE 1877)  
3  
4 THAT PART OF LOTS 1, 2 AND 5, BLOCK 34, NORTH OF RIGHT OF WAY FOR STATE ROAD 40, MAP  
5 OF ASTOR, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE  
6 12, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

7  
8 AND

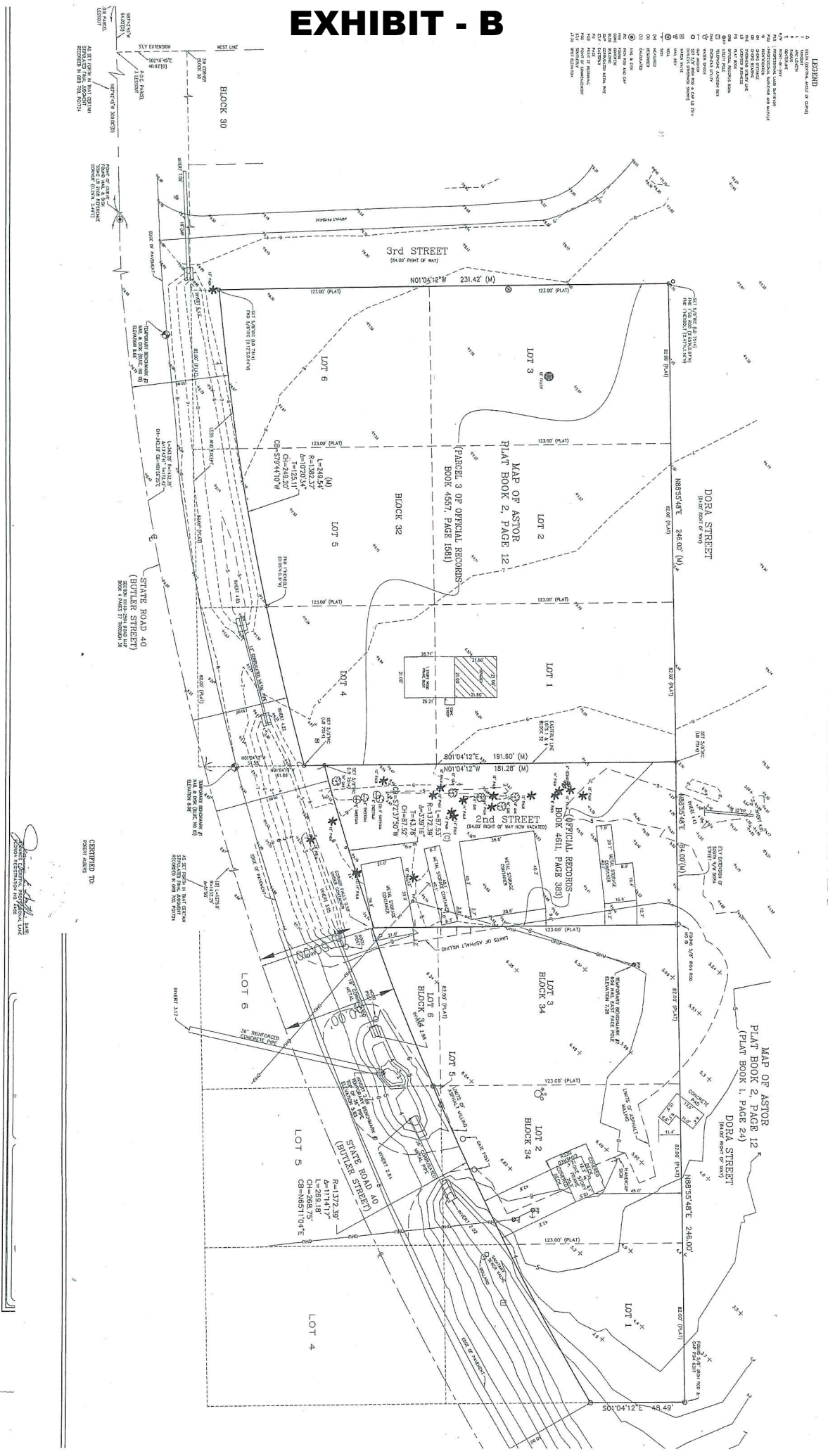
9  
10 LOTS 3 AND 6, BLOCK 34, NORTH OF HIGHWAY, MAP OF ASTOR, ACCORDING TO THE MAP OR  
11 PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 12, PUBLIC RECORDS OF LAKE COUNTY,  
12 FLORIDA.

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# EXHIBIT - B

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