

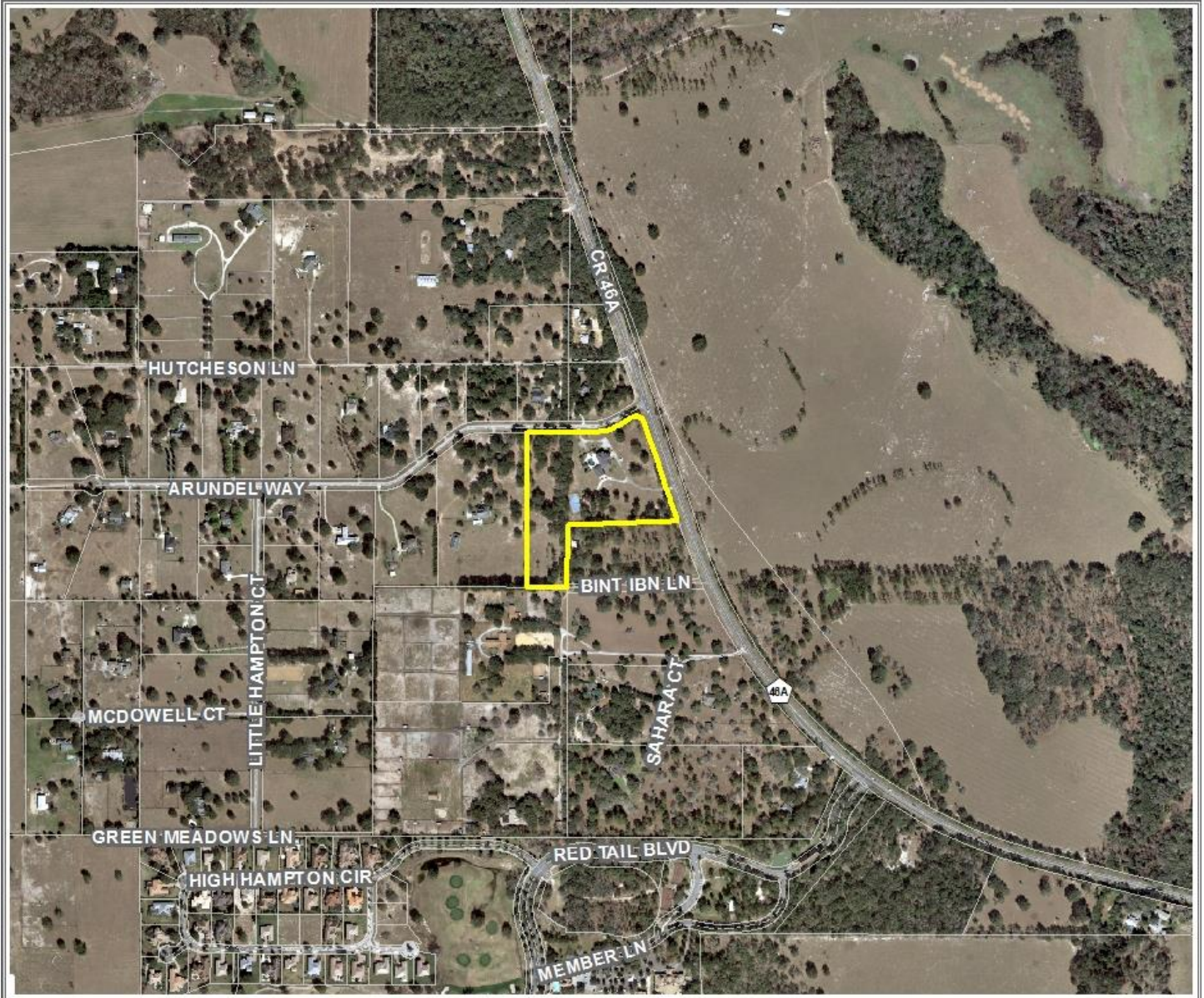
LAKE COUNTY PLANNING AND ZONING DIVISION  
REZONING STAFF REPORT

Planning & Zoning Board  
November 30, 2016



Board of County Commissioners  
December 20, 2016

RZ-16-30-4 Cople Property	Commissioner District 4 Campione	Agenda Item #3
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**Requested Action:** Rezone 11.49 acres from Agriculture Residential (AR) to Agriculture (A) to increase permitted Agricultural Uses.

**Owner and Applicant:** Penny E. and Thomas J. Jr. Cople (the "Owners" & "Applicants")

**- Site Location & Information -**

<b>Size</b>	11.49 +/- acres
<b>Address</b>	25958 Arundel Way, Sorrento
<b>Location</b>	Southwest corner of the intersection of County Road 46A and Arundel Way, in the Sorrento area
<b>Alternate Key No.</b>	3779144
<b>Future Land Use</b>	A-1-20 Sending Area
<b>Existing Zoning District</b>	Agriculture Residential (AR)
<b>Proposed Zoning District</b>	Agriculture (A)
<b>Joint Planning Area/ ISBA</b>	None
<b>Overlays</b>	Wekiva Study Area, Wekiva River Protection Area

**-Land Use Table-**

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
<b>North</b>	A-1-20 Receiving Area and A-1-20 Sending Area	Agriculture Residential (AR)	Residential	Single Family Residences on two (2) acre lots
<b>South</b>	A-1-20 Receiving Area and A-1-20 Sending Area	Agriculture (A)	Residential	Vacant Residential
<b>East</b>	A-1-20 Receiving Area	Agriculture (A)	Residential, Agriculture, & Undeveloped	Single Family Residence on large lot with
<b>West</b>	A-1-20 Sending Area	Agriculture Residential (AR)	Residences and Undeveloped land	Single Family Residence on 10 acre lot

**- Summary of Staff Determination -**

**STAFF RECOMMENDATION:** Staff recommends **APPROVAL** to rezone 11.49 acres from Agriculture Residential (AR) to Agriculture (A) to increase permitted Agricultural Uses.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

**- Summary of Analysis -**

The subject property is comprised of 11.49 +/- acres and is located along County Road 46A within the Wekiva Study area and the Wekiva River Protection Area. The property is currently developed with a single family residence and accessory uses.

The subject property was zoned Agriculture by Resolution 52, approved by the Board of County Commissioners on May 13, 1963. The previous property owner, Julie Guy, obtained Conditional Use Permit (CUP) #940-4 on the property for a home occupation of manufacturing and selling handcrafted items on October 9, 1984. The CUP was revoked by the Board of County Commissioners on February 10, 1987.

The property was then rezoned from Agriculture (A) to Agriculture Residential (AR) by Ordinance 1987-2, approved by the Board of County Commissioners on February 10, 1987. This rezoning included a total of 103 acres. In 1988 the 103 acres was platted into 23 lots, known as the Gatwick Subdivision and recorded in Lake County Public Records (PB 29, PG 65). The

lots within the subdivision range in size between two and ten acres. The subject property is platted as Lot 23 and fronts on Arundel Way and County Road 46A.

The Agriculture Residential (AR) zoning district allows non-intensive agriculture uses which is defined by LDR Section 3.01.02.B.2. as “the milking, feeding, or sheltering of farm animals or growing of supplemental food supplies for the domestic, noncommercial use of the families living on the land.” The current owners wish to expand the permitted uses on the property to include general agriculture uses, defined as ‘establishments for the keeping, grazing or feeding of livestock and animals; feedlots; croplands; aquaculture; silviculture; apiaries; honey extracting; and buildings which are an accessory use to these agricultural uses.’ The owners/applicants have indicated that they wish to grow crops on the property to sell. Non-intensive agriculture only allows the growing of crops to be used for the family living on the property and would not allow the property owners to sell their harvest. In order to allow this use, the property needs to rezone to the Agriculture zoning district.

**– 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 property is developed with a single family residence and wishes to use the property for general agriculture uses. According to LDR 3.01.03 *Schedule of Permitted and Conditional Uses*, both single family residences and general agriculture land uses are permitted within the Agriculture zoning district.

LDR Section 3.02.06 *Density, Impervious Surface, Floor Area, and Height Requirements*, requires property within the Agriculture zoning district to have a minimum of lot size of five (5) acres. The subject property is 11.49 acres and exceeds this requirement.

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

The property lies within the A-1-20 Receiving Area and A-1-20 Sending Area Future Land Use (FLU) Categories. Both FLU Categories include agriculture and residential as typical uses. Policy I-3.3.12 *Agricultural Uses*, states that Agriculture conducted in compliance with appropriate Best Management Practices is recognized as a legitimate and productive use of lands within the Wekiva River Protection Area

**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 uses in the area and is consistent with the existing use of the property.

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

The property owners want to expand the permitted uses on the property to include general agriculture in order to harvest and sell

**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;**

Well and Septic: The existing well and septic system will not need to be reassessed for capacity needs unless the property owners hire employees or begin conducting agritourism activities on the subject property.

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

Schools: The rezoning application will not result in additional impacts on the Lake County School System.

Fire and Emergency Services: The subject parcel is approximately 6.3 miles from Lake County Fire Station 39, located at 31431 Walton Heath Avenue, Sorrento, Florida.

Transportation: No adverse transportation impacts are expected from this rezoning.

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

The proposed rezoning would not have adverse impacts on the natural environment. The Agriculture zoning district will only allow residential and agricultural uses on the property.

**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 rezoning application would not result in a disorderly or illogical development pattern in the area. The property to the south and west are also zoned Agriculture.

**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.**

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-3.2.2 *Wekiva River Protection Area A-1-20 Sending Area Future Land Use Category*, which allows agriculture and residential uses; and
2. The proposed rezoning is consistent with Comprehensive Plan Policy I-3.2.3 *Wekiva River Protection Area A-1-20 Receiving Area Future Land Use Category*, which allows agriculture and residential uses; and
3. Policy I-3.3.12 *Agricultural Uses*, states that Agriculture conducted in compliance with appropriate Best Management Practices, is recognized as a legitimate and productive use of lands within the Wekiva River Protection Area; and

RZ-16-30-4, Cople Property

4. According to LDR 3.01.03 *Schedule of Permitted and Conditional Uses*, both single family residences and general agriculture land uses are permitted within the Agriculture zoning district; and
5. LDR Section 3.02.06 Density, Impervious Surface, Floor Area, and Height Requirements, requires property within the Agriculture zoning district to have a minimum of lot size of five (5) acres. The subject property is 11.49 acres and satisfies the density requirements of the Agriculture zoning district.

Based on these findings of fact, staff recommends **Approval** to rezone 11.49 acres from Agriculture Residential (AR) to Agriculture (A) to increase permitted Agricultural Uses.

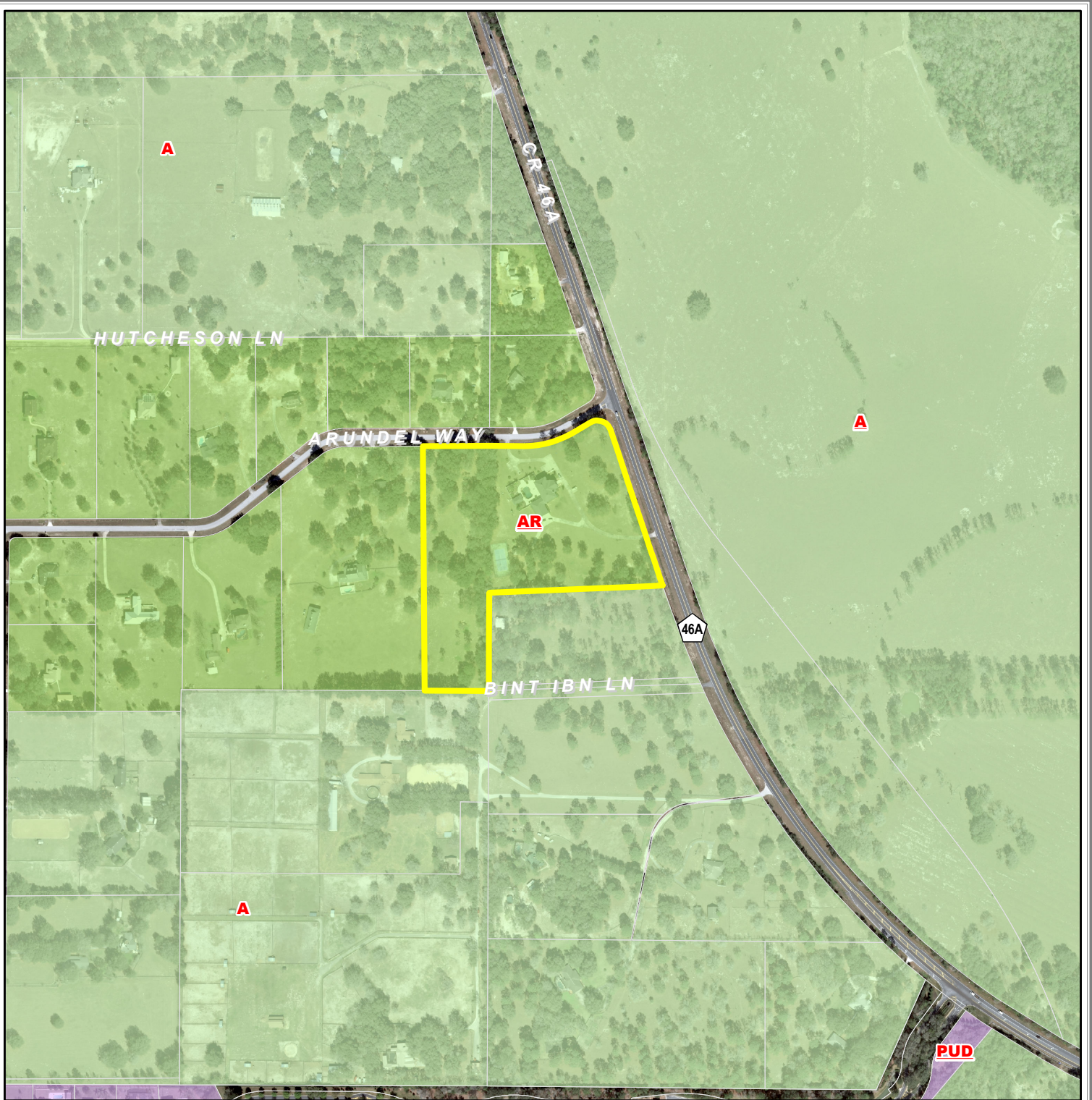
**Case Manager:** Michele Janiszewski, Chief Planner

**WRITTEN COMMENTS FILED:**

**Support: -0-**

**Questions: -0-**

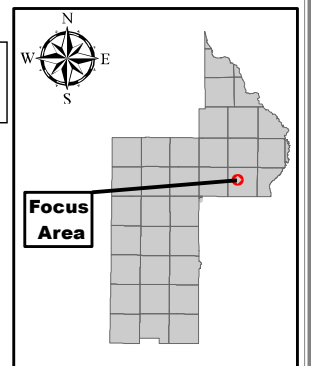
**Opposition: -0-**

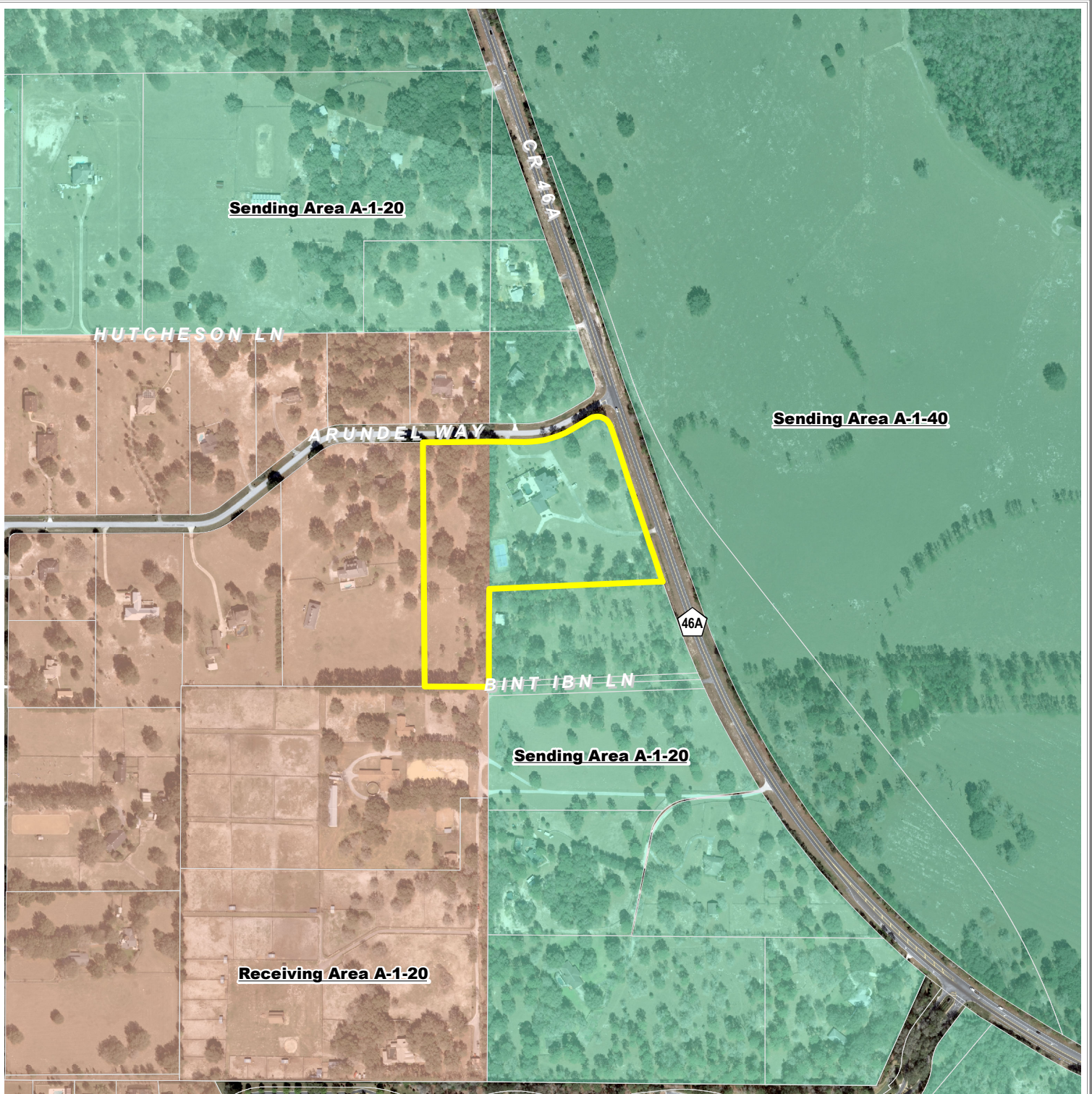


**ZONING LEGEND**

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

**NAME: COPE**  
**CASE NUMBER: RZ-16-30-4**  
**LOCATION (S-T-R): 17, 37-19-28**  
**REQUEST: AGRICULTURE RESIDENTIAL TO AGRICULTURE**

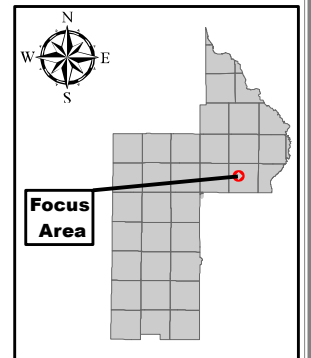




**FUTURE LAND USE LEGEND**

- |                                |  |                     |                      |
|--------------------------------|--|---------------------|----------------------|
| Bella Collina                  | Heavy Industrial                           | Recreation          | Urban Low Density    |
| Cagan Crossings                | Mt Plymouth-Sorrento Main Street District  | Regional Commercial | Urban Medium Density |
| Conservation                   | Mt Plymouth-Sorrento Neighborhood          | Rural               |                      |
| Green Swamp Core Conservation  | Mt Plymouth-Sorrento Receiving Area        | Rural Transition    |                      |
| Green Swamp Ridge              | Regional 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  |                      |

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**LOCATION (S-T-R):** 17, 37-19-28  
**REQUEST:** AGRICULTURE RESIDENTIAL TO AGRICULTURE







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

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

5 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

6  
7 FILED with the Secretary of State \_\_\_\_\_, 2016.

8  
9 EFFECTIVE \_\_\_\_\_, 2016.

10  
11  
12

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

13  
14

\_\_\_\_\_  
Chairman

15 **ATTEST:**

16 \_\_\_\_\_  
17 **NEIL KELLY, Clerk of the**  
18 **Board of County Commissioners**  
19 **Lake County, Florida**

20 **APPROVED AS TO FORM AND LEGALITY**

21 \_\_\_\_\_  
22 **MELANIE MARSH, County Attorney**