

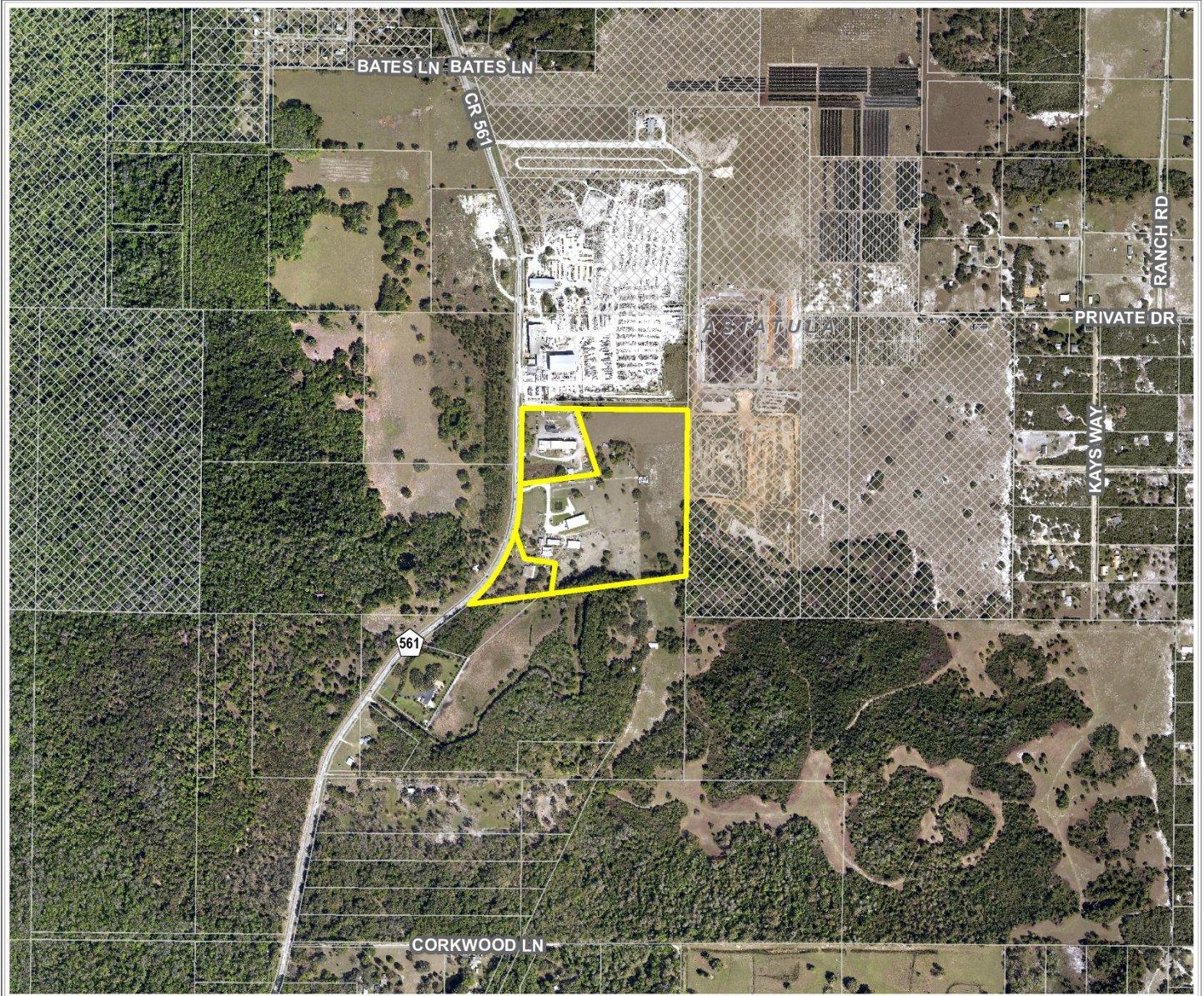
LAKE COUNTY PLANNING AND ZONING DIVISION
CUP REVOCATION STAFF REPORT

PLANNING AND ZONING BOARD
November 29, 2017



BOARD OF COUNTY COMMISSIONERS
December 19, 2017

CUP#93/12/1-2 Farley Caretakers Residence CUP	Commission District 3 Breedon	Agenda Item #4
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Requested Action: Voluntary Revocation of the CUP for a caretaker's residence on Planned Industrial (MP) zoned property, in the Astatula area. The property owner provided communication of their desire to discontinue the caretaker's residence because it has been demolished.

Former Owner: Not applicable

Current Owner: Robert and Arlie Bee Farley

The following Conditional Use Permits have been reviewed by the Lake County Code Enforcement Division by a physical site inspection pursuant to the Annual Inspection review of the conditions as set forth in the Conditional Use Permits.

From these inspections and letters sent from the owners, it has been noted that these Conditional Use Permits are no longer required, have ceased operation, or are no longer wanted by the original applicant or current land owner. Based on these inspections, Staff recommends Approval of the revocation of the Conditional Use Permits as described below.

PLANNING AND ZONING BOARD RECOMMENDATION:

CUP#93/12/1-2 - (Caretakers Residence) –Revocation of the CUP for a caretaker's residence on Planned Industrial (MP) zoned property, in the Astatula area. The property owner provided communication of their desire to discontinue the caretaker's residence because it has been demolished.

WRITTEN COMMENTS FILED: Supportive: -0-

Concern: -0-

Opposition: -0-

1 Section 2. Effective Date. This Ordinance will become effective as provided by law.

2
3 ENACTED this _____ day of _____, 2017.

4
5 FILED with the Secretary of State _____, 2017.

6
7 EFFECTIVE _____, 2017.

8
9 BOARD OF COUNTY COMMISSIONERS
10 LAKE COUNTY, FLORIDA

11 _____
12 TIMOTHY I. SULLIVAN, CHAIRMAN

13 ATTEST:

14 _____
15 NEIL KELLY, CLERK OF THE
16 BOARD OF COUNTY COMMISSIONERS
17 LAKE COUNTY, FLORIDA

18 APPROVED AS TO FORM AND LEGALITY:

19 _____
20 MELANIE MARSH, COUNTY ATTORNEY

Date: 10-18-17

Owners Information:

Farley Judith S Trust

PO Box 530

Astatula, FL. 34705

Phone # 352-742-2010 Arlie Farley

Email Address arlie@farleys-srp.com

RE: Voluntary Revocation of Conditional Use Permit No. 93/12/1-2

Dear County Staff:

Effective the date of this letter, I wish to revoke the reference Conditional Use Permit for the following reasons:

Building was demoed on permit 2016040062 final inspection on 5-12-16

The physical address for the subject conditional use permit is: _____

23620 CR 561 Astatula, FL. 34705

Sincerely,



Arlie B Farley exc of trust

Owner's Signature(s)

RECEIVED
OCT 23 2017

BY: Spence

CONDITIONAL USE PERMIT

CUP#93/12/1-2

This Conditional Use Permit is granted by the Board of County Commissioners of Lake County, Florida, this 25th day of January, 1994, to Larry & Judith Farley "Permittees", for the purpose, terms, and the conditions as set out herein pursuant to authority contained in Chapter XIV of the Lake County Land Development Regulations, Ordinance #1992-6, as amended.

Background: The applicant is requesting a Conditional Use Permit in M-1 (Heavy Industrial) for the placement of a mobile home for a caretaker's residence. (40 ± acres)

1. Permission is hereby granted to Larry & Judith Farley to construct, operate and maintain a caretaker's facility in an on real property in Lake County. The property is located in the Astatula area - Property lying E of C-561 approx. 1 mile S of Astatula. The property is more particularly described as:

LEGAL DESCRIPTION: From the NE cor of Govt Lot 2 run S 773.93 ft. to POB, run S 0 deg. 04' 33" W along said E line of Gov't Lot 2 to a point that is 333.96 ft. N of SE cor of said Govt Lot 2, S 82 deg. 09' 35" W 1759.12 to a point on the E'ly line of SR 561 & Point A, return to POB and run S 89 deg. 59' 34" W 890.61 ft. to W'ly line of abandoned r/w of SCLRR, S 19 deg. 22' 26" E along said W'ly line 558.33 ft., S 81 deg. 43' 01" W 649.02 ft. to a Point on the E'ly r/w of SR 561, SW'ly along said r/w to Point "A" in Sec. 5 Twp. 21S Rge. 26E.

2. Terms: The caretaker's facility shall mean and include the total of the following:

A. Land Uses:

Use of the site shall be limited to the existing industrial activity, an existing single-family home to be occupied solely by the owner and family, and that of a temporary mobile home for use as a caretaker's residence.

- B. Setbacks: The applicant shall maintain a fifty (50') foot setback from all roads for right-of-way easements.

- C. Transportation Improvements: Pursuant to Section 9.04.03 of the Lake County Land Development Regulations, the applicant should dedicate additional right-of-way to provide for 50 feet from the centerline of County Road 561.

D. Access Management

Pursuant to Section 9.05 of the Lake County Land Development Regulations, the applicant shall comply with the Access Management Ordinance.

E. Development Review: The mobile home shall have a minimum living area of 850 square feet, of which 300 square feet of attached screen room, garages, carports or utility area may be included. Prior to the issuance of any building permits, site plans shall be submitted for review by the County Manager or his designee.

F. The "Permittee" shall submit complete building plans, site development plans & operational plans, and have them approved by the Director of Development Regulation services prior to the issuance of building permits for any construction authorized by this permit.

G. After establishment of the facilities, as provided herein, the aforementioned property shall only be used for the purposes named in this Conditional Use Permit, unless a proposed use meets every requirement of the zoning district in which the property is located. Any other proposed use must be specifically authorized by the Board of County Commissioners.

3. Conditions of this permit shall mean:

A. In the event of failure of the Permittee to: Fulfill development in substantial accordance with the plans as submitted to the Planning and Zoning Commission and the Board of County Commissioners; comply with the codes of the governmental agencies having lawful and appropriate jurisdiction thereon; or violate any of the terms of the Conditional Use Permit, the permit may be revoked after due Public Hearing before the Planning and Zoning Commission and the Board of County Commissioners.

B. This Conditional Use Permit shall inure to the benefit of, and shall constitute a covenant running with the land, and the purpose, terms, and conditions contained herein shall be binding upon any successor and his interest hereto.

C. In addition to any other remedy by law, any breach in any of the terms or conditions of this permit or any default in the part of the Permittee or his successor in interest, shall be deemed a material breach hereof and this Conditional Use Permit may be cancelled or revoked. Cancellation or revocation of this Permit may be instituted by the County or Planning and Zoning Commission. The Director of Development Regulation

Services shall set this matter for Public Hearing before the Planning and Zoning Commission giving the same notice as provided in Chapter XIV of the Lake County Land Development Regulations, as amended.

- D. Construction and/or operation shall have begun within TWELVE (12) months otherwise, this permit shall be null and void and the Permittee shall reapply for Public Hearing before the Planning and Zoning Commission and the Board of County Commissioners. Provided the operation has begun with the period specified, this permit shall be inspected by the Code Compliance Department at the end of the TWELVE (12) month period to ensure compliance with the conditions of this CUP.
- E. The effectiveness of the Conditional Use Permit is expressly conditioned upon, and said Conditional Use Permit shall not become effective for any reason unless and until the following events have occurred:
 - 1. Permittee shall have agreed to each and every condition by properly executing and signing the Conditional Use Permit.
- F. Unless this Conditional Use Permit, properly executed, has been returned to the Department of Development Regulations within THREE (3) months from the date of notification of approval by the Board of County Commissioners as indicated herein, it shall become null and void and the Permittee must apply to the Planning and Zoning Commission and the Board of County Commissioners for rehearing of the request.

PASSED AND ADOPTED by the Board of County Commissioners of Lake County, Florida on 25th day of January, 1994, A.D.

ACKNOWLEDGED:

The undersigned Permittee by execution hereof agrees to each and every condition and obligation of this Conditional Use Permit and promises to perform each and every obligation and condition of the Permittee hereunder.

Larry Farley (Permittees) _____
Judith Farley

STATE OF FLORIDA)

:

COUNTY OF LAKE)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements,

Larry & Judith Farley

to me well known and known to me the individual described in and who executed and foregoing instrument, and he/she acknowledged before me that he/she executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at _____, County of _____, State of Florida, this _____ day of _____, 1994, A.D.

MY COMMISSION EXPIRES:

(SEAL)

Notary Public

Conditional Use Permit #93/12/1-2

AUTHENTICATED BY:

GREGORY K. STUBBS, DIRECTOR
Development Regulation Services

CATHERINE C. HANSON, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTEST:

JAMES C. WATKINS
CLERK OF THE CIRCUIT COURT

STATE OF FLORIDA)

:

COUNTY OF LAKE)

I HEREBY CERTIFY that on this day personally appeared before me, an officer, duly authorized to administer oaths and take acknowledgements,

GREGORY K. STUBBS and JAMES C. WATKINS

to me well known and known to me to be the individuals described in and who executed the foregoing instrument, and they acknowledged before me that they executed the same and freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal at _____, County of Lake, State of Florida, this _____ day of _____, 1994, A.D.

MY COMMISSION EXPIRES:
(SEAL)