

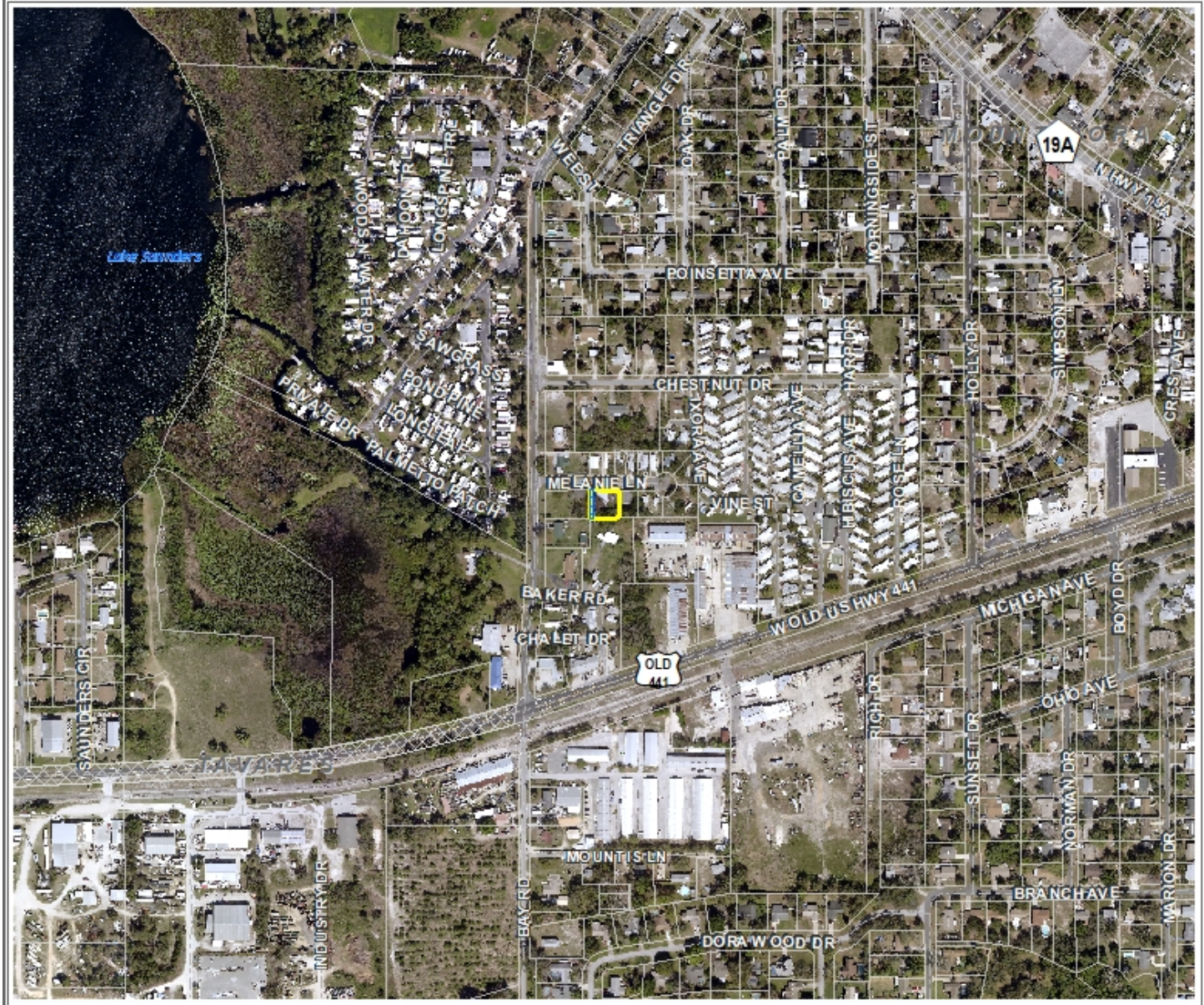
LAKE COUNTY OFFICE OF PLANNING AND ZONING REZONING STAFF REPORT

Planning and Zoning Board
February 6, 2019



Board of County Commissioners
February 26, 2019

RZ-18-21-4 Hines Property Rezoning	Commissioner District 4 Campione	Agenda Item #1
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Applicant Requested Action: Rezone a 0.029 acre portion of Alternate Key Number 1320674 from Planned Commercial (CP) to Urban Residential District (R-6) to facilitate a future lot line deviation to correct a building encroachment.

Owners: Duane Gordon Hines

Applicant: Greg Beliveau, AICP, LPG Urban & Regional Planners, Inc.

- Site Location & Information -

Size	0.029 +/- acres (total property acreage is 0.22 acres)
Location	South side of Melanie Lane and east of Bay Road in the Mount Dora area.
Alternate Key Number	1320674
Future Land Use Category	Urban High
Current Zoning District	Planned Commercial (CP)
Proposed Zoning District	Urban Residential District (R-6)
Joint Planning Area/ ISBA	Mount Dora JPA
Overlay Districts	NA

- Land Use Table -

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Urban High	Mixed Home Residential (RM)	Residential	Adjacent to Melanie Lane
South	Urban High	Urban Residential District (R-6)	Residential	None
East	Urban High	Mixed Home Residential (RM)	Residential	None
West	Urban High	Urban Residential District (R-6)	Residential	None

- Summary of Recommendation -

Staff Recommendation: Staff recommends **APPROVAL** of the application to rezone a 0.029 acre portion of Alternate Key Number 1320674 from Planned Commercial (CP) to Urban Residential District (R-6) to facilitate a future lot line deviation to correct a building encroachment.

Planning and Zoning Board Recommendation:

Analysis

The subject 0.22 acre property is identified as Alternate Key Number 1320674 and is located on the south side of Melanie Lane, east of Bay Road in the Mount Dora area. The subject property is developed with a commercial wood shop and is currently zoned Planned Commercial pursuant to Ordinance #1975-13 with an Urban High future land use designation.

The Applicant has requested to rezone a 0.029 acre portion of the subject lot, identified as Alternate Key Number 1320674, from Planned Commercial (CP) to Urban Residential District (R-6). The rezoning has been requested to facilitate the submission of a future lot line deviation to correct a building encroachment between the subject lot and the adjacent western lot (AK # 3407091), which is zoned Urban Residential District (R-6). As shown on Attachment #1, the future lot line deviation will shift the western property line of the subject lot 13.25 feet to the east. The lot line reconfiguration will remove the 0.029 acre portion from the subject Planned Commercial zoned lot for inclusion into the adjacent western Urban Residential District (R-6) zoned lot (AK #3407091). Reconfiguring the lot lines will fully situate the single family residence within the adjacent western lot and correct the existing building encroachment into the subject lot.

Standards for Review

Pursuant to 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 is consistent with LDR Section 3.00.02(K), which states that the intent of the Urban Residential (R-6) zoning district is to provide for residential uses. Additionally, the proposed request is consistent with LDR Table 3.02.05, which states that the minimum side setback for Urban Residential District (R-6) zoned property is 5-feet. As shown on Attachment #1, the existing single family residence will be located at least 5-feet from the future reconfigured lot lines of the Urban Residential District (R-6) zoned property.

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

The request is consistent with Lake County Comprehensive Plan Policy I-1.3.4 Urban High Density Future Land Use Category, which allows residential uses within the future land use category.

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

The request is consistent and compatible with the surrounding residential zoning districts of Mixed Home Residential (RM) and Urban Residential District (R-6) as well as existing single family residences.

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

Currently the single family residence located on the western adjacent lot encroaches into the subject lot. The Applicant desires to correct the building encroachment and situate the single family residence fully on the adjacent western 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;

Water and Sewer

The subject property is serviced by central water and sewer. The proposed rezoning of a 0.029 portion of the subject lot is not expected to impact water and sewer services.

Parks

The proposed rezoning is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

The Lake County Solid Waste Division has indicated there is sufficient capacity to support this project.

Public Safety

Mount Dora Fire Station 3, located at 4300 North Highway 19A, is less than one mile from the subject lot.

Schools

The proposed rezoning is not anticipated to adversely impact schools as it does not increase residential density.

Transportation Analysis

The rezoning request is not anticipated to adversely impact the road network as no additional density is proposed.

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

The rezoning application does not indicate the impact on the natural environment.

- G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area;**
The rezoning application did not contain any information regarding the effect of the rezoning 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 areas to the north, south, east, and west of the subject property are residential. The proposed rezoning of 0.029 acres from Planned Commercial to Urban Residential District will result in an orderly and logical development pattern.
- 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:

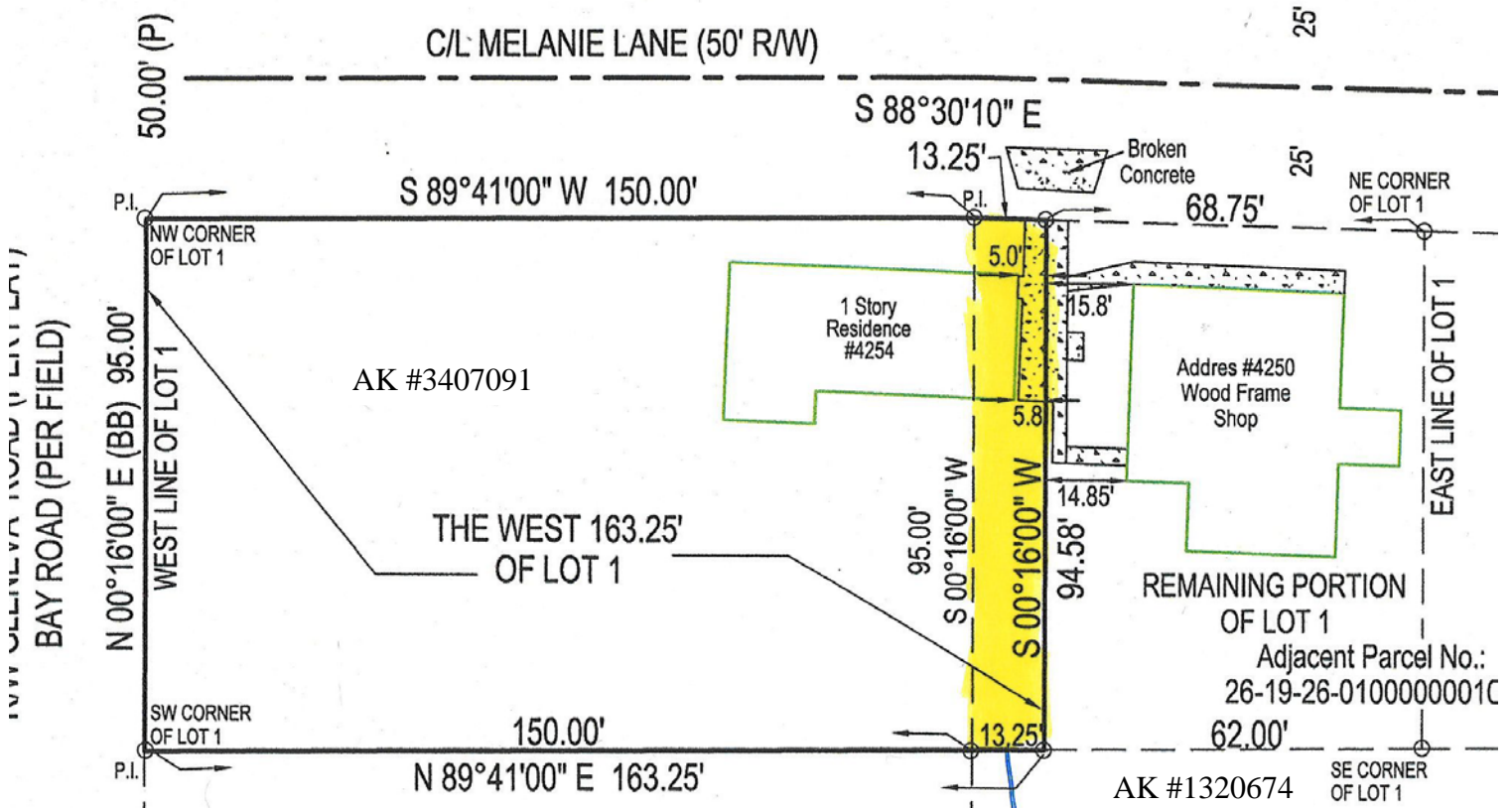
1. The rezoning application is consistent with Lake County Comprehensive Plan Policy I-1.3.4 Urban High Density Future Land Use Category, which allows residential uses within the future land use category.
2. The rezoning application is consistent with LDR Section 4.03.003.00.02(K), which states that the intent of the Urban Residential (R-6) zoning district is to provide for residential uses.
3. The rezoning application is consistent with LDR Table 3.02.05, which states that the minimum setbacks from the side property line within R-6 zoned property is 5-feet.

Based on these findings of fact, staff recommends **APPROVAL** of the request to rezone a 0.029 acres of Alternate Key Number 1320674 from Planned Commercial (CP) to Urban Residential District (R-6) to facilitate a future lot line deviation to correct a building encroachment.

Case Manager: Christine Rock, Planner

WRITTEN COMMENTS FILED: Support: -0- Questions: -0- Opposition: - 0 -

Attachment #1 – Concept Plan

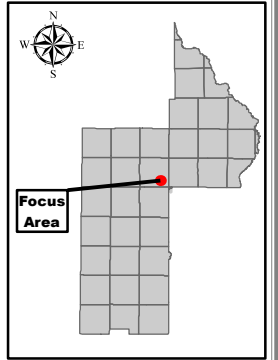


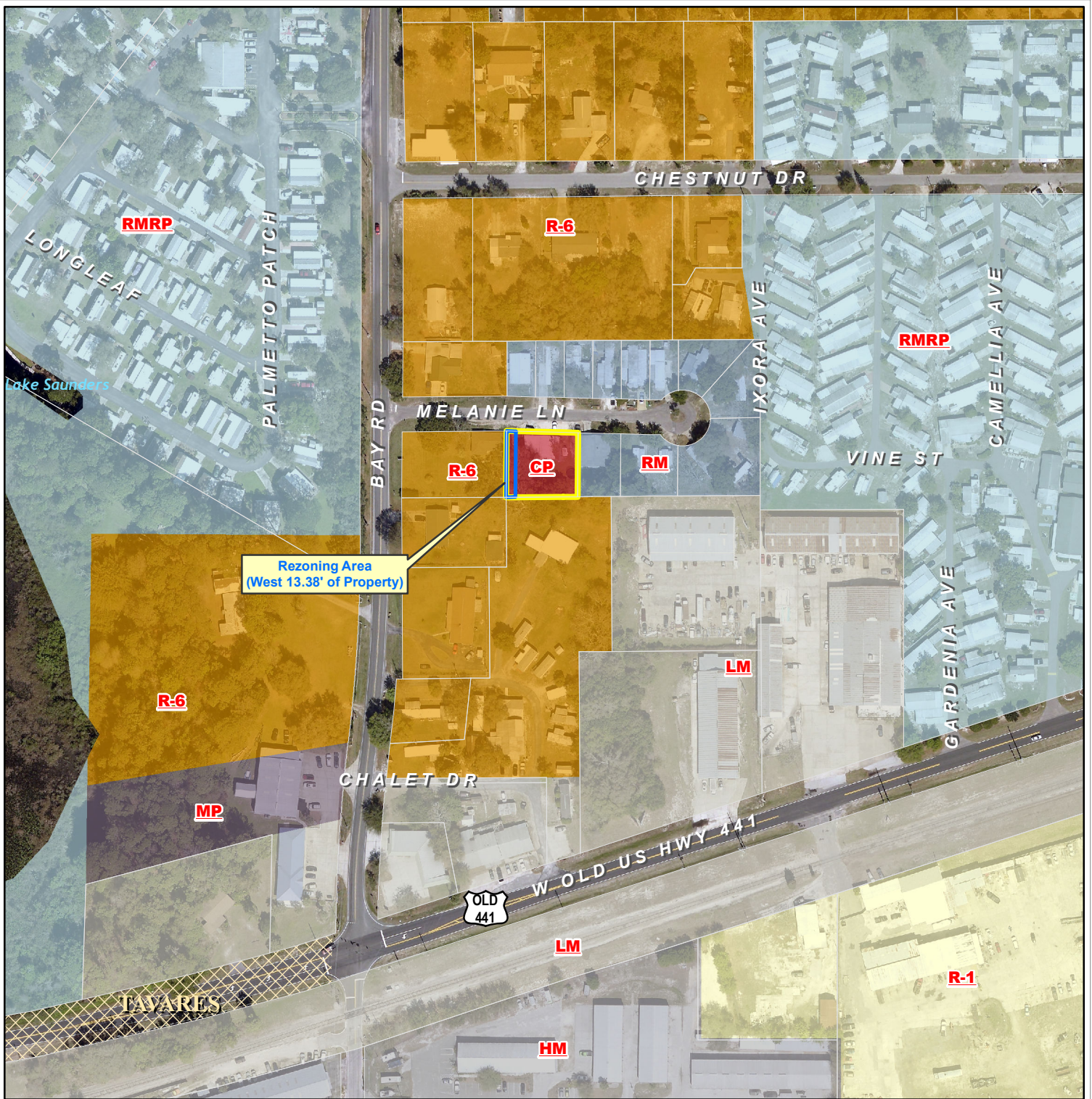


FUTURE LAND USE LEGEND

- | | | | |
|--------------------------------|--|--------------------------|----------------------|
| Bella Collina | Mt Plymouth-Sorrento Main Street District | Regional Commercial | Urban Low Density |
| Cagan Crossings | Mt Plymouth-Sorrento Neighborhood | Rural | Urban Medium Density |
| Conservation | Mt Plymouth-Sorrento Receiving Area | Rural Transition | Urban High Density |
| Green Swamp Core Conservation | Regional Office | Sending Area A-1-20 | Wellness Way 1 |
| Green Swamp Interlachen | Public Service Facility and Infrastructure | Sending Area A-1-40 | Wellness Way 2 |
| Green Swamp Ridge | Recreation | South Lake Regional Park | Wellness Way 3 |
| Green Swamp Rural | | Summer Bay | Wellness Way 4 |
| Green Swamp Rural Conservation | | | Towncenter |
| Heavy Industrial | | | |

NAME: HINES PROPERTY
CASE NUMBER: RZ-18-21-4
LOCATION (S-T-R): 26-19-26
REQUEST: PLANNED COMMERCIAL (CP) TO URBAN RESIDENTIAL (R-6)
(WEST 13.38' OF PROPERTY ONLY)

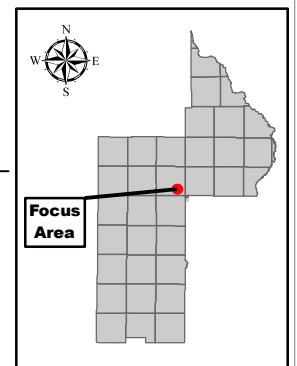




ZONING LEGEND

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	

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1 Ordinance #2019-XX
2 Hines Property
3 RZ-18-21-4

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

6 WHEREAS, Greg Beliveau, AICP, LPG Urban & Regional Planners, Inc. ("Applicant") on behalf of Duane
7 Gordon Hines ("Property Owner") has submitted an application to rezone a 0.029 acre portion of Alternate Key
8 Number 1320674 from Planned Commercial (CP) to Urban Residential District (R-6); and

9 WHEREAS, the subject property consists of approximately 0.22 acres, and is generally located adjacent
10 to the south side of Melanie Lane and east of Bay Road in the Mount Dora area, in Section 26, Township 19
11 South, Range 26 East, identified by Alternate Key Number 1320674, and more particularly described below:

12 LEGAL DESCRIPTION:

13 The West 163.25 feet of Lot 1, less the West 150.0 feet of Lot 1, in Dun-Rollin Park Subdivision according to the
14 Plat thereof as recorded in Plat Book 16, Page 53 of the Public Records of Lake County, Florida.

15
16 WHEREAS, the subject property is located within the Urban High Future Land Use Category as shown
17 on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

18 WHEREAS, the property will be zoned Urban Residential District (R-6) in accordance with the Lake
19 County Zoning Regulations; and

20 WHEREAS, the Lake County Planning & Zoning Board reviewed Petition RZ-18-21-4 on February 6,
21 2019, after giving Notice of Hearing on petition for a change in the use of land, including notice that said petition
22 would be presented to the Board of County Commissioners of Lake County, Florida, on February 26, 2019; and

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

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

28 NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida,
29 that:

30 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone 0.029 acres
31 of the subject property from Planned Commercial (CP) to Urban Residential District (R-6).

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

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

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

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

5 ENACTED this _____ day of _____, 2019.

6
7 FILED with the Secretary of State _____, 2019.

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9 EFFECTIVE _____, 2019.

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BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

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LESLIE CAMPIONE, CHAIRMAN

16 **ATTEST:**

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21 _____
22 GARY J. COONEY, CLERK
23 BOARD OF COUNTY COMMISSIONERS
24 OF LAKE COUNTY, FLORIDA

25
26

27 **APPROVED AS TO FORM AND LEGALITY:**

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30

31 _____
32 MELANIE MARSH
COUNTY ATTORNEY