



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): May 1, 2019
Board of County Commissioners (BCC): May 21, 2019

Case No. and Project Name: FLU-19-01-1, Hansen Property

Applicants: Andrew and Joni Hansen

Owners: Andrew and Joni Hansen

Requested Action: Amend the Future Land Use Map on 0.613 +/- acres from Rural Transition to a site specific Future Land Use Category to facilitate the development of a single family residence.

Staff Determination: Staff recommends approval of the application.

Case Manager: Michele Janiszewski, Chief Planner

PZB Recommendation:

Subject Property Information

Size: 26,872 square feet or 0.613 acres (property abuts Lake Emma)

Location: North of Lake Emma and along Lake Emma Road in the Groveland area

Alternate Key No.: 3366859

Future Land Use Category: Rural Transition

Current Zoning District: Agriculture (A)

Floodzone: AE on the southern portion along Lake Emma

Joint Planning Area/ ISBA: Groveland ISBA

Overlay Districts: Not Applicable

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Estate Residential (R-2)	Residential	Single-family dwelling units on lots ranging in size from 0.6 to 0.7 acres
South	Not Applicable	Not Applicable	Waterbody	Lake Emma
East	Rural Transition	Agriculture (A)	Residential and Agricultural	Bona fide Agriculture and single family dwelling unit on 10 acres
West	Rural Transition	Estate Residential (R-2)	Residential	Single family dwelling unit on 0.71 acres

Staff Analysis

The subject property is zoned Agriculture and is Tract A, Lake Emma Ridge Phase One, according to the plat recorded in Plat Book 33, Page 4, Public Records of Lake County, Florida. The plat was approved by the Lake County Board of County Commissioners in 1991 and contained seven (7) lots which are zoned Estate Residential or R-2. The plat indicates that Tract A is "reserved for future development." County records indicate that the Developer at the time was told the tract did not meet the size requirements for being a buildable lot in the zoning district and, at the time, there was no intent for the tract to be developed.

The Owners purchased the property in 2000 and applied for a lot of record in 2001 to grant the property a building site but were denied due to the tax roll showing a common ownership pattern with the property to the east. The Owners are seeking to change the Future Land Use Category from Rural Transition to Hansen, a proposed site specific future land use category, to allow the property to be developed with a single family residence. The proposed Hansen Future Land Use Category will only allow the property to be used for residential purposes and will be classified as part of the Rural Future Land Use Series.

Standards for Review (LDR Section 14.03.03)

A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The amendment is consistent with the Comprehensive Plan Goal I-1 Purpose of the Future Land Use Element, which states that Lake County's land use policies shall ensure compatibility between densities and intensities of development, providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas. The property is surrounded by the Rural Transition Future Land Use Category and similar sized lots developed with single family residences. Comprehensive Plan Policy I-1.4.1 Elements of Rural Character, states that the rural character of the Rural Future Land Use Series encourages large sized lots (equal to or larger than five (5) acres in size) or small lots as part of a clustered subdivision. Although the proposed Future Land Use Category will be located within the Rural Future Land Use Series and is less than an acre in size, the area is developed with similarly sized lots developed with single family residences and the proposed development will serve as infill for the subdivision.

B. Whether the proposed amendment is in conflict with any applicable provisions of the Code.

The subject property contains approximately 0.62 acres and is zoned Agriculture which requires a density of one dwelling unit per five (5) net acres. The property will need to be rezoned to a zoning district that accommodates a residence on property less than an acre in size such as Estate Residential or R-2.

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

The Owners intend to build a single family residence on the subject property to be used as their residence. The policy proposed policy is drafted to only allow residential uses on the property.

D. Whether there have been changed conditions that justify an amendment.

The Owners wish to develop the property with a single family residence which is not currently allowed on the subject property.

E. Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water

supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

The amendment would result in the construction of one single family residence and would be a de minimis impact on the demands on public facilities. The City of Groveland indicated that potable water lines and sewer systems are not available to the subject property so the Owners will have to utilize a private well and septic system.

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

The amendment will affect less than an acre of property which was previously disturbed during the development of the Lake Emma Ridge Subdivision. Future development will need to adhere to the environmental protection standards of the Comprehensive Plan and Land Development Regulations, as amended.

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

There is no indication that the amendment would have an adverse impact on property values.

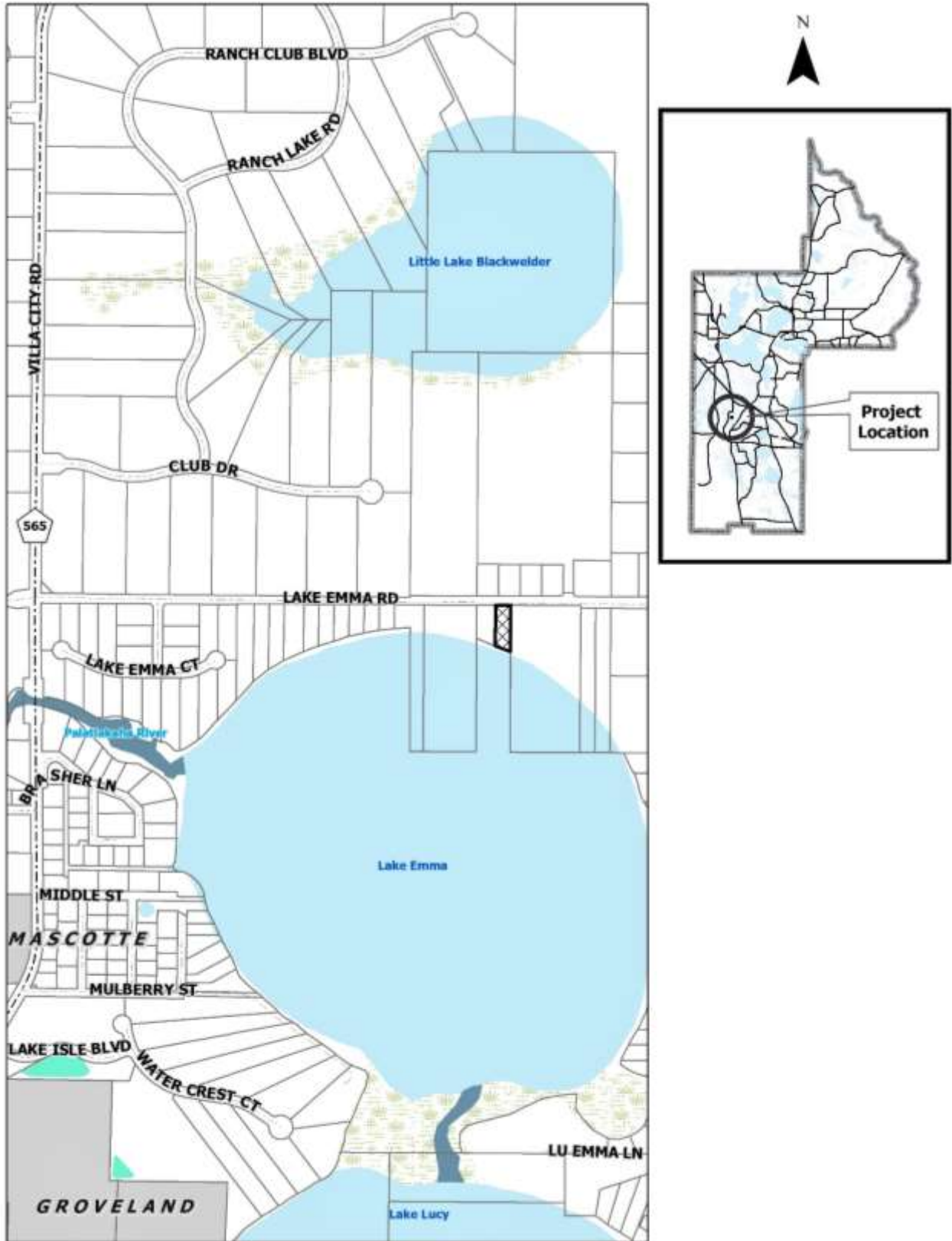
H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

If approved, the subject property will have a site specific future land use category in order to allow the property to be developed with a single family residence on 0.6 acres. The surrounding properties are part of the Rural Transition FLUC which has a base density of one dwelling unit per five (5) net acres; however, the properties to the north and west of the subject property are approximately 30,083 and 24,500 square feet in size and developed with single family residences. Allowing the subject property, which is approximately 26,872 square feet in size, to be developed with a single family residence would not be uncharacteristic of the immediate area and would result in a logical development pattern.

I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.

The proposed amendment will be consistent with the purpose and interest of Lake County's regulations.

Map of Subject Property.



ORDINANCE 2019 – ____
FLU-19-01-1
Hansen Property FLUC

1
2 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA;**
3 **AMENDING COMPREHENSIVE PLAN TABLE FLUE 2 ENTITLED ‘FUTURE LAND USE CATEGORIES**
4 **TABLE’ TO INCLUDE THE HANSEN FUTURE LAND USE CATEGORY; AMENDING COMPREHENSIVE**
5 **PLAN OBJECTIVE I-1.4 ENTITLED ‘RURAL FUTURE LAND USE SERIES;’ ESTABLISHING**
6 **COMPREHENSIVE PLAN POLICY I-1.4.9 ENTITLED ‘HANSEN FUTURE LAND USE CATEGORY;’**
7 **AMENDING THE FUTURE LAND USE MAP FROM RURAL TRANSITION TO HANSEN FUTURE LAND**
8 **USE CATEGORY FOR A 0.6 ACRE PROPERTY LOCATED ALONG LAKE EMMA ROAD IN THE**
9 **GROVELAND AREA, AS DESCRIBED IN THIS ORDINANCE; PROVIDING FOR PUBLICATION AS**
10 **REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND**
11 **PROVIDING FOR AN EFFECTIVE DATE.**
12

13 **WHEREAS**, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal
14 planning, and land development regulation in the State of Florida; and

15 **WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County
16 Commissioners of Lake County to “[p]repare and enforce comprehensive plans for the development of the
17 county”; and

18 **WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May, 2010, the
19 Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030
20 Comprehensive Plan; and

21 **WHEREAS**, on the 23rd day of July, 2010, the State of Florida Department of Community Affairs,
22 now known as the Community Planning and Development Division of the Florida Department of Economic
23 Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In
24 Compliance" with Chapter 163, Florida Statutes; and

25 **WHEREAS**, on the 22nd day of September, 2011, the Lake County 2030 Comprehensive Plan
26 became effective and designated the property as part of Rural Transition Future Land Use Category; and

27 **WHEREAS**, Section 163.3184, Florida Statutes, sets forth the process for adoption of
28 Comprehensive Plan Amendments; and

29 **WHEREAS**, on the 1st day of May 2019, this Ordinance was heard at a public hearing before the
30 Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

31 **WHEREAS**, on the 21st day of May 2019, this Ordinance was heard at a public hearing before the
32 Lake County Board of County Commissioners for approval to transmit to the state planning agency and other
33 reviewing agencies; and

34 **WHEREAS**, on the XX day of XXXX 2019, this Ordinance was heard at a public hearing before the
35 Lake County Board of County Commissioners for adoption; and

36 **WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt
37 the amendment to the Lake County Comprehensive Plan and Future Land Use Map;

38 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
39 Florida, that:

40
41

1 **Section 1. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan,
 2 Table FLUE 2 entitled ‘Future Land Use Categories Table,’ shall be amended to read as follows:
 3

4 **Table FLUE 1 - Future Land Use Categories Table**

FUTURE LAND USE CATEGORY	DENSITY (1)	F.A.R. (INTENSITY)	I.S.R	OPEN SPACE	BUILDING HEIGHT (2)(5)
Urban Low Density	4 d.u./1 acre	0.25 to 0.35	0.60	25%	Note (3)
Urban Medium Density	7 d.u./1 acre	0.35 to 0.50	0.70	20%	Note (3)
Urban High Density	Min. 4 d.u./1 acre Max 12 d.u./1 acre	2.0	0.80	10%	Note (3)
Bella Collina	868 d.u.	500,000 s.f.	0.60	25%	Note (3)
Summer Bay (351 acres) (9)	2,040 d.u.	Note (7)	NS	NS	Note (3)
Cagan Crossings (728.5 acres) (4)	8,000 d.u.	700,000 s.f.	NS	44%	Note (3)
Regional Office	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)
Regional Commercial	1 multi-family du per 10,000 sq. ft. of commercial space (Note (6))	3.0	0.75	15%	Note (3)
Industrial	NS	1.0	0.80	NS	Note (3)
Public Service Facilities & Infrastructure	1 caretaker unit per parcel	1.0	0.80	NS	Note (3)
Mt. Plymouth-Sorrento Main Street	5.5 d.u./1 acre	0.30	0.60	20% to 25%	“see Mt. Plymouth- Sorrento Policies”
Mt. Plymouth - Sorrento Neighborhood	2 d.u./1 acre	0.20 to 0.30	0.30	30% to 50%	“see Mt. Plymouth- Sorrento Policies”
Rural	1 d.u./5 acres	NS	0.20 0.30	Min. 35%	Note (3)
Rural Transition	1 d.u./5 acres 1 d.u./3 acres 1 d.u./1 acre	NS	0.30 0.50	35% to 50%	Note (3)

FUTURE LAND USE CATEGORY	DENSITY (1)	F.A.R. (INTENSITY)	I.S.R	OPEN SPACE	BUILDING HEIGHT (2)(5)
Recreation	NS	0.10	0.50	NS	Note (3)
Conservation	NS	NS	NS	NS	Note (3)
<u>Hansen</u>	<u>1 d.u.</u>	<u>NS</u>	<u>0.35</u>	<u>NS</u>	<u>40 ft.</u>
APPLICABLE ONLY IN THE WEKIVA RIVER PROTECTION AREA					
A-1-40 Sending Area (Sending Area Number One)	1 d.u./40 acres 1 d.u./10 acres	NS	0.20 to 0.30	Min. 50%	Note (3)
A-1-20 Sending Area (Sending Area Number Two)	1 d.u./20 acres 1 d.u./5 acres	NS	0.20 to 0.30	Min. 50%	Note (3)
A-1-20 Receiving Area (Receiving Area Number One)	1 d.u./20 acres 1 d.u./5 acres 1 d.u./1 acre	NS	0.20 to 0.30	Min. 50%	Note (3)
Mt. Plymouth Sorrento Receiving Area (Receiving Area Number Two)	5.5 d.u./1 acre	0.30	0.60	20% to 25%	Note (3)
APPLICABLE ONLY IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN					
Green Swamp Ridge	4 d.u./1 acre	0.25 to 0.35	0.45	40%	40 ft.
Green Swamp Rural	1 d.u./5 acres	NS	0.20 to 0.30	Min. 60%	40 ft.
Green Swamp Rural Conservation	1 d.u./10 acres	NS	0.20	Min. 80%	40 ft.
Green Swamp Core Conservation	1 d.u./20 acres	NS	0.10	Min. 90%	40 ft.
South Lake Regional Park	NS	0.35	0.45	40%	40 ft.
Green Swamp Interlachen (10)	35 d.u.	NS	NS	Min. 60%	40 ft.
FUTURE LAND USE CATEGORY	CAPACITY(8)	M.A.F.A.R. (INTENSITY)	I.S.R (7)	OPEN SPACE	BUILDING HEIGHT (7)
APPLICABLE ONLY IN THE WELLNESS WAY AREA PLAN					
Town Center	4 d.u./ 1 acre	0.30	NS	Min. 30%	NS
Wellness Way 1	1.85 d.u./ 1 acre	0.25	NS	Min. 30%	NS
Wellness Way 2	1.6 d.u./ 1 acre	0.20	NS	Min. 30%	NS
Wellness Way 3	1.35 d.u./ 1 acre	0.15	NS	Min. 30%	NS
Wellness Way 4	0 d.u./ 1 acre	N/A	NS	Min 30%	NS

- 1 ABBREVIATIONS: F.A.R =Floor Area Ratio I.S.R =Impervious Surface Ratio
- 2 NS = Not Specified d.u. = Dwelling Unit Min. = Minimum
- 3 ft. = Feet s.f. = Square Feet
- 4 M.A.F.A.R.= Minimum Average Floor Area Ratio

Section 7. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

ENACTED this ____ day of _____, 2019.

FILED with the Secretary of State _____, 2019.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

Leslie Campione, Chairman

ATTEST:

Gary J. Cooney, Clerk
Board of County Commissioners of
Lake County, Florida

Approved as to form and legality:

Melanie Marsh, County Attorney