



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): June 5, 2019
Board of County Commissioners (BCC): June 25, 2019

Case No. and Project Name: RZ-19-07-4, Crown Castle-Grand Island Power Road Tower Rezoning

Applicant: Mattaniah S. Jahn, Esq,

Owner: Powers Fletcher H, Trustee

Requested Action: Amend CFD Ord. #2000-39 to enlarge the zoning district to accommodate needed communication tower improvements for communication cabinets and apparatus by approving a new CFD ordinance.

Staff Determination: Staff finds the rezoning application consistent with the LDR and Comprehensive Plan.

Case Manager: Steve K. Greene, AICP, Chief Planner

PZB Recommendation:

Subject Property Information

Size: .07 acres (within 6.12 parent parcel)

Location: West of the CR 19A/SR 19 intersection, at the southern end of Powers Rd., in the north Eustis area.

Alternate Key No.: 1036810

Future Land Use: Urban Low Density

Current Zoning District: Community Facility District (CFD) – Ordinance #2000-39

Flood zone: X

Joint Planning Area/ ISBA: Not Applicable

Overlay Districts: None

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low	Agriculture (A)	Agriculture uses	Existing grove
South	Urban low	Agriculture (A)	Agriculture uses	Pasture
East	Urban Low	Agriculture (A)	Agriculture uses & single family dwelling	Property Owner
West	Rural Transition	Agriculture (A)	Agriculture uses	Single-family dwelling

Staff Analysis

The subject 0.07-acre Community Facility District (CFD) zoned property, lies within a parent parcel identified as Alternate Key Number 1036810 and is generally located at the southern end of Powers Road, west of the CR 19A/SR 19 intersection. The parent parcel is zoned Agriculture (A) with an active orange grove being the primary use surrounding the smaller centrally situated CFD zoned acreage CFD Ordinance 2003-39 governs the use of the .07-acre property, which allows a telecommunications tower use pursuant to CFD Ordinance 1997-74, approved on September 30, 1997. The property is currently designated as Urban Low Future Land Use.

The Applicant proposes to enlarge the compound area from 1,600 square feet (SF) to 3,200 SF to facilitate expansion of telecommunication network services to address increased service demands.

Standards for Review (LDR Section 14.03.03)

A. Whether the proposed amendment conflicts with any applicable provisions of the Code.

The proposed rezoning application is consistent with the LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows telecommunication towers within the zoning district with an appropriate land use regulatory instrument. This rezoning amendment seeks to expand the zoning district by 1,600-square, which comprises the existing telecommunications tower compound to facilitate co-location of additional antenna with of the installation of additional communication cabinets, generators, and other communications related apparatus. This proposed use is consistent with LDR Section. 3.13.11(B).

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

The proposed rezoning application is consistent with Comprehensive Plan Policy I-1.3.2 regarding civic uses permitted within the Urban Low Future Land Use Category. The Comprehensive Plan defines civic use as a County, Municipal, State or Federal Use or Service, and community facility uses. The approval of the Ordinance 1997-74 and subsequent Ordinance 2003-39 established community facility district (CFD) zoning for the tower compound area as improved telecommunications service in this area of the County was determined to be of substantial community interest and benefit of the community. The previous CFD zoning approvals to facilitate the creation of the tower compound demonstrated consistency with the LDR Section 3.00.02, Purpose and Intent of Zoning District.

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

The proposed CFD amendment request to expand the existing tower compound from 1,600 square feet to 3,200 square feet to accommodate needed communication tower improvements for communication cabinets and apparatus consistent with the exiting land uses in the area. As previously stated the CFD Ordinance 2000-39 allows telecommunication tower use within the parent parcel.

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

A recent zoning permit to facilitate placement of new communication cabinets and associated apparatus revealed that the compound area extended beyond the zoning district described by CFD Ordinance #2000-39. Additionally, the Applicant desired to enlarge the compound area to accommodate the additional communication equipment and apparatus facilitate the needed antenna co-location.

- 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.**

Water and Sewer - No impact is anticipated by the rezoning amendment.

Public Safety - The closest Lake County Fire Rescue Station (LCFR Station #27) is located less than five miles from the site at 19212 County Road 44B, Eustis.

Transportation - The proposed zoning amendment will generate a transportation impact of approximately one service vehicle per month.

Fire and Emergency Services

The closest Lake County Fire Rescue Station (LCFR Station #27) is located less than five miles from the site at 19212 County Road 44B, Eustis.

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

The subject property has been disturbed and developed; it is currently developed with a communications tower in the middle of an existing citrus grove.

- G. Whether, and the extent to which, the proposed amendment 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.

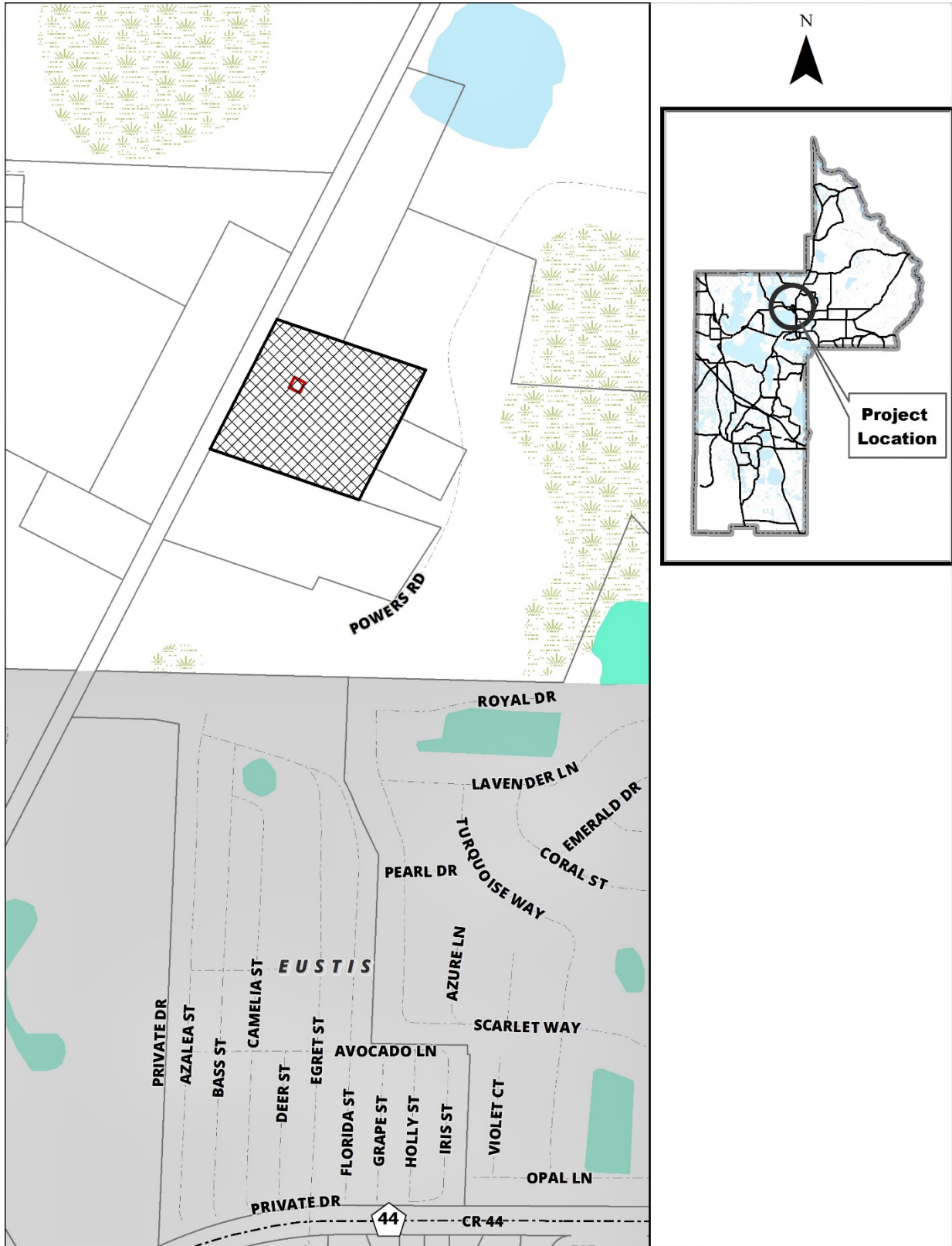
- H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.**

The slight compound expansion of proposed rezoning does not appear to disrupt the existing orderly, logical development pattern in the area.

- 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.

Subject Property.



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

3
4 **Section 1. Terms:** The County Manager or designee shall amend the Official Lake County Zoning Map to
5 show the Community Facility District (CFD) zoning in accordance with Exhibit "A" of this
6 Ordinance. Adoption of this CFD ordinance shall supersede and replace all previously approved
7 ordinances for this property. All land uses must be generally consistent with the Concept Plan
8 as shown in Exhibit "B", of this Ordinance. To the extent that there are conflicts between the
9 Conceptual Plan and this Ordinance, this Ordinance will take precedence.

10
11 **A. Land Uses:**

- 12
13 1. Telecommunications monopole tower (1), 199-feet (maximum), to include communication
14 antennas, circuitry cabinets and other cellular communication support related
15 apparatus/equipment, within a 3,200 square foot compound.
16
17 2. Accessory Uses directly associated with the above principal uses may be approved by the
18 County Manager or designee. Any other use of the site not specified above will require
19 approval of an amendment to this Ordinance by the Board of County Commissioners.
20

21 **B. Floor Area Ratio/Intensity, Impervious Surface (ISR), Setbacks:**

- 22
23 1. Setbacks: 100-feet (minimum) from all adjacent property lines.
24
25 2. Floor Area Ratio/Intensity and Impervious Surface Ratio, must be in accordance with the
26 Comprehensive Plan and LDR, as amended.
27

28 **C. Signage:** All signage, if provided, must be accordance with the Comprehensive Plan and Land
29 Development Regulations, as amended.
30

31 **D. Landscaping, Buffering, and Screening/Fencing:** Landscaping, Buffering, and
32 Screening/Fencing must be in accordance with the Comprehensive Plan and Land
33 Development Regulations, as amended.

34 Compound fencing: 6-feet, height (minimum).
35
36

37 **E. Transportation Improvements/Access Management:** Access Management: All access
38 management must be in accordance with the Comprehensive Plan and Land Development
39 Regulations, as amended.
40

41 **F. Stormwater Utilities:** The stormwater management system shall be designed in accordance with all
42 applicable Lake County and St. Johns River Water Management District (SJRWMD) requirements; as
43 amended.
44

45 **G. Lighting:** The tower must not be artificially lighted except to assure human safety or as
46 required by the Federal Aviation Administration (FAA). Any other necessary site lighting must
47 be in accordance with LDR, as amended, and Dark-Sky principals.

F. Action by the Lake County Code Enforcement Special Master. The Lake County Code Enforcement Special Master will have authority to enforce the terms and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

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

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

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

ENACTED this _____ day of _____, 2019.

FILED with the Secretary of State _____, 2019.

EFFECTIVE _____, 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

EXHIBIT "A"
Legal Description

CROWN CASTLE TOWER COMPOUND

THAT PART OF THE "POWERS" PARCEL, AS PER DESCRIPTION RECORDED IN OFFICIAL RECORD BOOK 1548, PAGE 1221, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SITUATED IN THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 1B SOUTH, RANGE 26 EAST, SAID LAKE COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" IRON ROD (NO IDENTIFICATION) AT THE INTERSECTION OF THE CENTERLINE OF THE CSX TRANSPORTATION, INC. RAILROAD RIGHT-OF-WAY (60 FEET WIDE) WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 1B SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; Thence NORTH 25°40'00" EAST ALONG SAID CENTERLINE FOR 135B.43 FEET TO AN INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF THE "POWERS" PARCEL, AS PER DESCRIPTION RECORDED IN OFFICIAL RECORD BOOK 1548, PAGE 1221, OF THE PUBLIC RECORDS OF SAID LAKE COUNTY; Thence SOUTH 74°54'30" EAST ALONG SAID WESTERLY EXTENSION FOR 30.90 FEET TO AN 1/2" IRON ROD (NO IDENTIFICATION) AT THE NORTHWESTERLY CORNER OF SAID "POWERS" PARCEL; Thence CONTINUE SOUTH 74°54'40" EAST ALONG THE NORTHERLY LINE OF SAID "POWERS" PARCEL FOR 1B9.1B FEET; Thence SOUTH 15°05'20" WEST FOR 176.66 FEET TO THE POINT OF BEGINNING; Thence SOUTH 2714'47" WEST FOR 40.0B FEET; Thence NORTH 6312'04" WEST FOR 40.17 FEET; Thence NORTH 27°00'24" EAST FOR 39.B7 FEET; Thence SOUTH 62°53' 43" EAST FOR 40.00 FEET TO SAID POINT OF BEGINNING. (CONTAINING 1,600 SQUARE FEET (0.037 ACRES), MORE OR LESS), and.

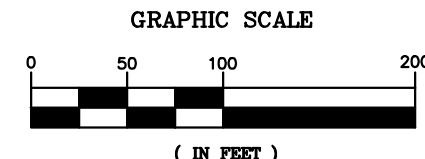
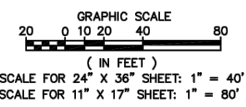
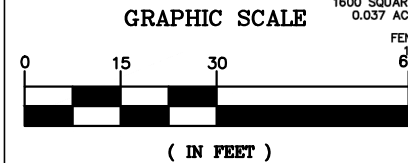
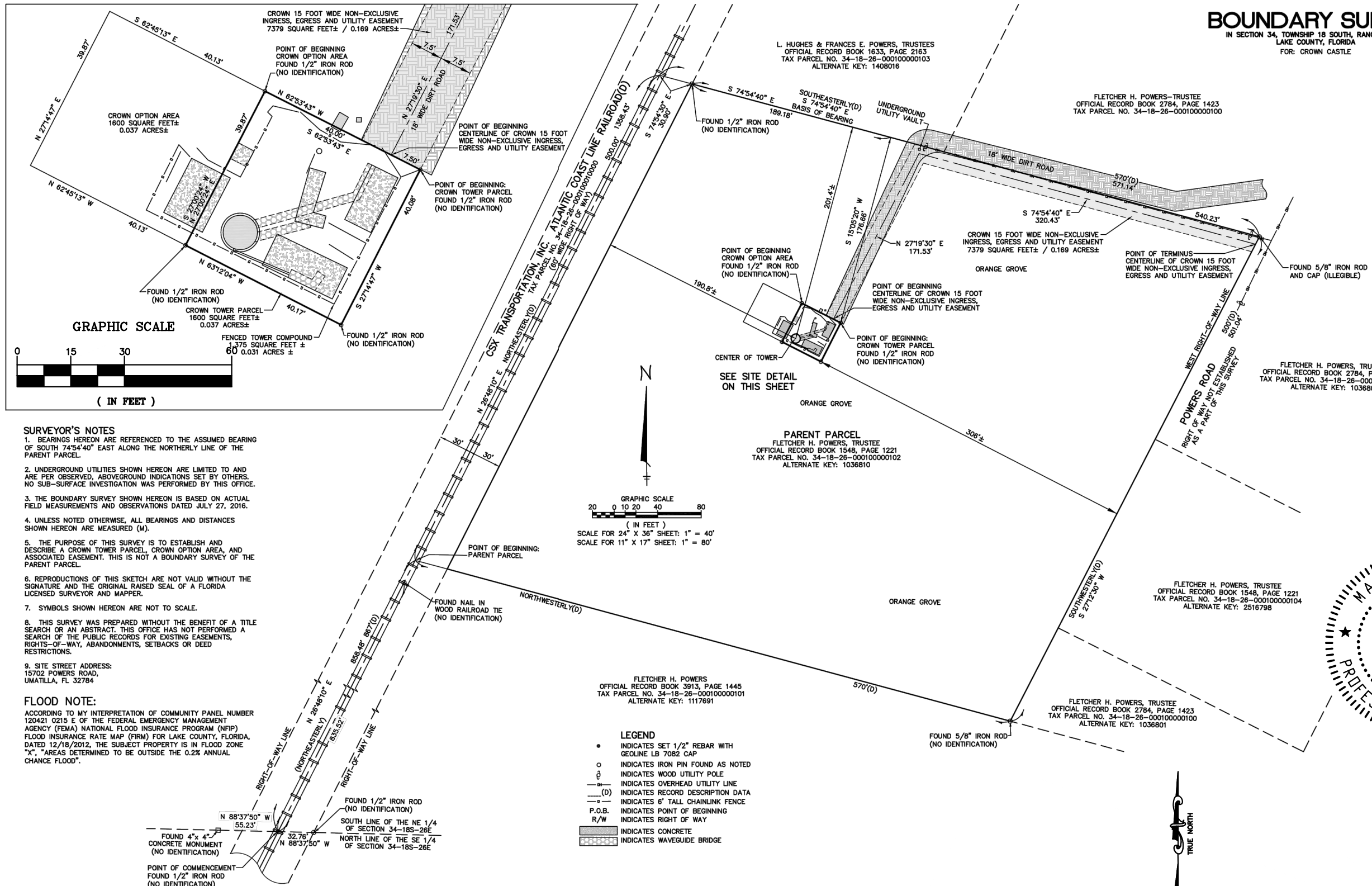
THAT PART OF THE "POWERS" PARCEL, AS PER DESCRIPTION RECORDED IN OFFICIAL RECORD BOOK 1548, PAGE 1221, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SITUATED IN THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 1B SOUTH, RANGE 26 EAST, SAID LAKE COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 1/2" IRON ROD (NO IDENTIFICATION) AT THE INTERSECTION OF THE CENTERLINE OF THE CSX TRANSPORTATION, INC. RAILROAD RIGHT-OF-WAY (60 FEET WIDE) WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 34, TOWNSHIP 1B SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA; Thence NORTH 25°40'00" EAST ALONG SAID CENTERLINE FOR 135B.43 FEET TO AN INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF THE "POWERS" PARCEL, AS PER DESCRIPTION RECORDED IN OFFICIAL RECORD BOOK 1548, PAGE 1221, OF THE PUBLIC RECORDS OF SAID LAKE COUNTY; Thence SOUTH 74°54'30" EAST ALONG SAID WESTERLY EXTENSION FOR 30.90 FEET TO AN 1/2" IRON ROD (NO IDENTIFICATION) AT THE NORTHWESTERLY CORNER OF SAID "POWERS" PARCEL; Thence CONTINUE SOUTH 74°54'40" EAST ALONG THE NORTHERLY LINE OF SAID "POWERS" PARCEL FOR 1B9.1B FEET; Thence SOUTH 15°05'20" WEST FOR 176.66 FEET TO THE MOST EASTERLY CORNER OF A TOWER PARCEL; Thence NORTH 62°53' 43" WEST ALONG THE NORTHEASTERLY LINE OF SAID TOWER PARCEL FOR 40.00 FEET TO THE MOST NORTHERLY CORNER OF SAID TOWER PARCEL AND THE POINT OF BEGINNING; Thence SOUTH 27°00'24" WEST ALONG THE NORTHWESTERLY LINE OF SAID TOWER PARCEL FOR 39.B7 FEET TO THE MOST WESTERLY CORNER OF SAID TOWER PARCEL; Thence NORTH 62°45'13" WEST FOR 40.13 FEET; Thence NORTH 2714'47" EAST ALONG A LINE PARALLEL WITH SAID NORTHWESTERLY LINE FOR 39.B7 FEET; Thence SOUTH 62°45'13" EAST FOR 40.13 FEET TO SAID POINT OF BEGINNING. (CONTAINING 1,600 SQUARE FEET (0.037 ACRES), MORE OR LESS.)

EXHIBIT - B

BOUNDARY SURVEY

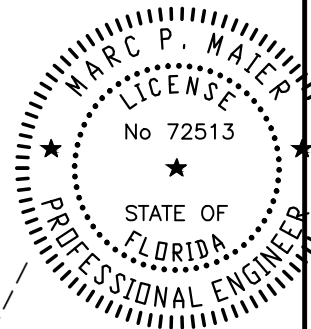
IN SECTION 34, TOWNSHIP 18 SOUTH, RANGE 26 EAST,
LAKE COUNTY, FLORIDA
FOR: CROWN CASTLE



- SURVEYOR'S NOTES**
1. BEARINGS HEREON ARE REFERENCED TO THE ASSUMED BEARING OF SOUTH 74°54'40" EAST ALONG THE NORTHERLY LINE OF THE PARENT PARCEL.
 2. UNDERGROUND UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED. ABOVEGROUND INDICATIONS SET BY OTHERS. NO SUB-SURFACE INVESTIGATION WAS PERFORMED BY THIS OFFICE.
 3. THE BOUNDARY SURVEY SHOWN HEREON IS BASED ON ACTUAL FIELD MEASUREMENTS AND OBSERVATIONS DATED JULY 27, 2016.
 4. UNLESS NOTED OTHERWISE, ALL BEARINGS AND DISTANCES SHOWN HEREON ARE MEASURED (M).
 5. THE PURPOSE OF THIS SURVEY IS TO ESTABLISH AND DESCRIBE A CROWN TOWER PARCEL, CROWN OPTION AREA, AND ASSOCIATED EASEMENT. THIS IS NOT A BOUNDARY SURVEY OF THE PARENT PARCEL.
 6. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 7. SYMBOLS SHOWN HEREON ARE NOT TO SCALE.
 8. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH OR AN ABSTRACT. THIS OFFICE HAS NOT PERFORMED A SEARCH OF THE PUBLIC RECORDS FOR EXISTING EASEMENTS, RIGHTS-OF-WAY, ABANDONMENTS, SETBACKS OR DEED RESTRICTIONS.
 9. SITE STREET ADDRESS:
15702 POWERS ROAD,
UMATILLA, FL 32784

FLOOD NOTE:
ACCORDING TO MY INTERPRETATION OF COMMUNITY PANEL NUMBER 120421 0215 E OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) FOR LAKE COUNTY, FLORIDA, DATED 12/18/2012, THE SUBJECT PROPERTY IS IN FLOOD ZONE "X". "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD".

- LEGEND**
- INDICATES SET 1/2" REBAR WITH GEOLINE LB 7082 CAP
 - INDICATES IRON PIN FOUND AS NOTED
 - ⊕ INDICATES WOOD UTILITY POLE
 - INDICATES OVERHEAD UTILITY LINE
 - (D) INDICATES RECORD DESCRIPTION DATA
 - |— INDICATES 6' TALL CHAINLINK FENCE
 - P.O.B. INDICATES POINT OF BEGINNING
 - R/W INDICATES RIGHT OF WAY
 - ▒ INDICATES CONCRETE
 - ▒▒▒ INDICATES WAVEGUIDE BRIDGE



REVISED 8/05/2017 ADDED CROWN OPTION AREA, PREPARED NEW DESCRIPTION FOR CROWN TOWER PARCEL AND ASSOCIATED EASEMENT
REVISED 6/09/2017 CHANGED THE CROWN TOWER PARCEL AND ASSOCIATED EASEMENT PER CLIENTS REQUEST
REVISED 8/16/2016 RECONFIGURED AND DESCRIBED CROWN TOWER PARCEL AND ASSOCIATED EASEMENT

EXISTING CONDITIONS PLAN
SCALE: 1" = 100'
SCALE BASED ON 11"x17" ONLY

REV	DATE	DESCRIPTION
A	12/14/18	PRELIMINARY CDs REV "A"
0	2/14/19	ISSUED CDs REV "0"
1		
2		
3		
4		
5		
6		
7		
8		
9		

USA ENG PROJECT NO.:
DRAWN BY: KH
CHECKED BY: CS

at&t
3210 LAKE EMMA ROAD
LAKE MARY, FL 32746
FAX (407) 771-1398

CROWN CASTLE
4511 N. HIMES AVENUE
SUITE 210
TAMPA, FL 33614

PREPARED BY:
USA ENGINEERING
2818 CYPRESS RIDGE BLVD.
SUITE 110
WESLEY CHAPEL, FL 33544
(813) 994-0365
FL COA #31705

This item has been electronically signed and sealed by Marc P. Maier, P.E., FL License #72513 using a Digital Signature.

Printed Copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Feb 14 2019

FEBRUARY 14, 2019
MARC MAIER, PE
FL PROFESSIONAL ENGINEER LIC. # 72513

GRAND ISLAND
FA #12627545
CC BU# 825823
15702 POWERS AVENUE
UMATILLA, FL 32784

SHEET DESCRIPTION
EXISTING CONDITIONS PLAN
SHEET NUMBER
C-1

USA Engineering - T:\00-2018 PROJECTS\01-Crown-Castle-AT&T LITE\Grand Island_12627545_825823\Design\Grand Island_12627545_825823.dwg February 14, 2019 1:09:05 PM pbr.bolles@usa.com