



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

Public Hearings: Planning & Zoning Board (PZB): July 9, 2019
Board of County Commissioners (BCC): July 30, 2019

Case No. and Project Name: RZ-19-11-4, Charles Property Rezoning

Applicant: Daniel and Lori Charles

Owner: Daniel and Lori Charles

Requested Action: Rezone 14.6 acres from Agriculture (A) zoning and Mixed Residential District (R-7) zoning to Rural Residential (R-1) zoning to facilitate the submission of a future lot line deviation application to reconfigure the lot lines of the two (2) subject properties.

Staff Determination: Staff recommends approval of the rezoning application.

Case Manager: Christine Rock, AICP, Senior Planner

PZB Recommendation:

Subject Property Information

Size: 14.6 +/- acres

Location: South of Oak Lane, North of State Road 453 in the Sorrento area.

Alternate Key No.: 1596076 and 1510783

Future Land Use: Mt. Plymouth-Sorrento Neighborhood

Current Zoning District: Agriculture (1596076) and Mixed Residential District (1510783)

Flood Zone: X

Joint Planning Area/ISBA: N/A

Overlay Districts: Wekiva Study Area

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Mt. Plymouth-Sorrento Neighborhood	Agriculture (A)	Residential	Single-family dwelling unit
South	Orange County	Orange County	Vacant/undeveloped	Wekiva Parkway construction
East	Mt. Plymouth-Sorrento Neighborhood	Mixed Home Residential (R-7)	Residential	Single family dwelling unit
West	Mt. Plymouth-Sorrento Neighborhood	Agriculture (A)	Agricultural	Adjacent to State Road 453

Staff Analysis

The subject 14.6 +/- acres are identified by Alternate Key Numbers (AK #) 1596076 and 1510783. The parcels are zoned Agriculture (A) and Mixed Residential District (R-7), are designated as Mt. Plymouth-Sorrento Neighborhood Future Land Use Category (FLUC) and developed with single family dwelling units. The Applicant has requested to rezone both properties to Rural Residential (R-1) which allows a maximum density of one (1) dwelling per one (1) net acre. The Mt. Plymouth-Sorrento Neighborhood FLU allows a residential density of two (2) dwellings per net acre. If the rezoning request is approved, the Applicant desires to submit a lot line deviation to facilitate acreage adjustments between the two parcels; increasing the acreage of AK #1510783, while decreasing the acreage of AK #1596076. The acreage of the proposed newly reconfigured lots will be consistent with the proposed R-1 zoning and Mt. Plymouth-Sorrento Neighborhood Future Land Use Category.

Standards for Review (LDR Section 14.03.03)

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

The proposed rezoning is consistent with the Comprehensive Plan Policy I-3.2.5 Mount Plymouth-Sorrento Neighborhood Future Land Use Category, which allows a maximum density of two (2) dwellings per one (1) net acre. The maximum allowed density of the R-1 zoning (one (1) dwelling per one (1) net acre) is less intense than the maximum density allowed within the Mount-Plymouth-Sorrento Neighborhood Future Land Use Category.

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

The proposed request for the Rural Residential (R-1) zoning is consistent with the maximum density specified by Land Development Regulations Section 3.02.06 of one (1) dwelling unit per net acre. Pursuant to the LDR Section 3.01.03, Schedule of Permitted and Conditional Uses, single family dwelling units are permitted within the Rural Residential (R-1) zoning district.

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

The proposed Rural Residential District (R-1) zoning district allows residential and non-intensive agricultural uses consistent with the surrounding residential and agricultural uses.

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

The Applicant has requested the rezoning as he desires to reduce the acreage of AK #1596076 from 10.6 acres to one (1) acre and add the remaining nine (9) acres to Alternate Key Number 1510783, which is the location of his residence. However, as Alternate Key Number 1596076 is currently zoned Agriculture it must contain at least five (5) acres. Additionally, the Applicant has included both subject properties within the application ensure that a proposed lot line deviation does not result in reconfigured lots containing two different zoning districts. Secondly, the proposed maximum density allowed within the Rural Residential (R-1) zoning (one (1) dwelling per (1) net acre) is more consistent with the Mt. Plymouth-Sorrento FLUC than the current R-7 zoning which exceeds the maximum density allowed within the category.

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

Both properties are serviced by private wells and individual septic systems.

Schools

Lake County Schools provided a statement indicating that there were no comments regarding the proposed rezoning as it will not result in a density increase.

Parks

The proposed rezoning is not anticipated to adversely impact parks.

Solid Waste

The proposed request is not anticipated to adversely impact solid waste capacities or levels of service.

Fire and Emergency Services

The closest Lake County Fire Rescue Station (LCFR Station #39) is located less than 5 miles from the properties.

Transportation Concurrency

The proposed rezoning is not anticipated to adversely affect the surrounding road network or Level of Service.

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

The proposed rezoning is not expected to result in significant impacts on the natural environment.

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.

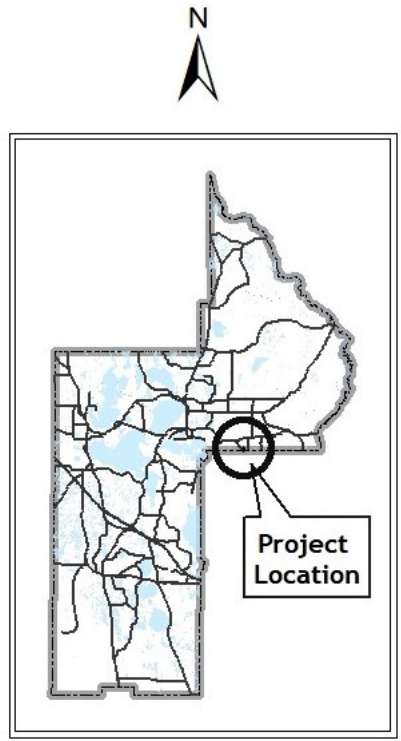
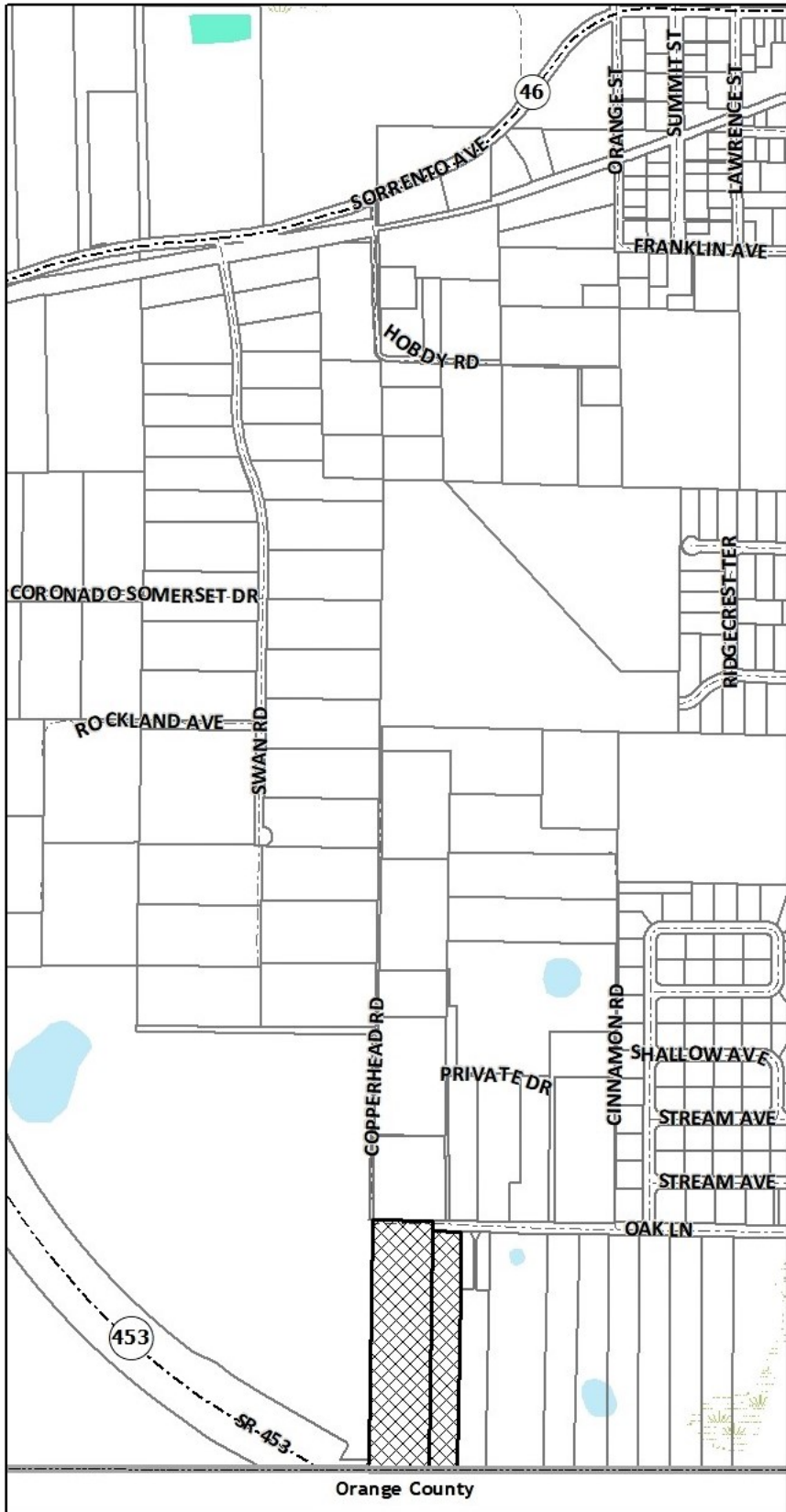
H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed amendment would result in an orderly and logical development pattern. The proposed Rural Residential (R-1) zoning district allows residential and non-intensive agricultural uses consistent with the surrounding residential and agricultural uses. The properties to the east are zoned Mixed Residential District (R-7), Agriculture (A), and Mixed Home Residential (RM). The properties to the north are zoned Agriculture (A) and the properties to the north-east are zoned Urban Residential District (R-6). The properties to the west are zoned Agriculture (A) and Planned Unit Development (PUD). The properties to the south are located within Orange County and appear to be vacant agricultural.

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.



**Ordinance #2019-XX
Charles Property
RZ-19-11-4**

1 **AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE**
2 **LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.**

3 **WHEREAS**, Daniel and Lori Charles (the "Applicants" and "Owners") have submitted an application
4 to rezone properties identified as Alternate Key Number 1596076 from Agriculture (A) to Rural Residential
5 (R-1) and Alternate Key Number 1510783 from Mixed Residential District (R-7) to Rural Residential (R-1);
6 and

7 **WHEREAS**, the subject properties consist of approximately 14.6 +/- acres generally located South
8 of Oak Lane, North of State Road 453 in the Sorrento area, in Section 36, Township 19 South, Range 27
9 East, identified by Alternate Key Numbers 1596076 and 1510783, and more particularly as described in:

10 **EXHIBIT "A" – LEGAL DESCRIPTION**

11 **WHEREAS**, the subject property is located within the Mt. Plymouth-Sorrento Neighborhood Future
12 Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

13 **WHEREAS**, the properties will be rezoned to Rural Residential (R-1) in accordance with the Lake
14 County Zoning Regulations; and

15 **WHEREAS**, Lake County Planning and Zoning Board did review petition RZ-19-11-4 on the 9th
16 day of July, 2019, after giving notice of a hearing for a change in the use of land, including a notice that the
17 petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 30th day
18 of July, 2019; and

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

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

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

26 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the
27 subject properties to Rural Residential (R-1).

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

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

36 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of
37 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
38 125.66, Florida Statutes.

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

2 ENACTED this _____ day of _____, 2019.

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4 FILED with the Secretary of State _____, 2019.

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6 EFFECTIVE _____, 2019.

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10 BOARD OF COUNTY COMMISSIONERS
11 LAKE COUNTY, FLORIDA

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15 LESLIE CAMPIONE, CHAIRMAN

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19 ATTEST:

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23 _____
24 GARY J. COONEY, CLERK OF THE
25 BOARD OF COUNTY COMMISSIONERS
26 LAKE COUNTY, FLORIDA

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28 APPROVED AS TO FORM AND LEGALITY:

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33 MELANIE MARSH, COUNTY ATTORNEY

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43 EXHIBIT "A" – LEGAL DESCRIPTION

The West 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 36, Township 19 South, Range 27 East, Lake County, Florida, less the North 20 feet for Right of Way.

1

2 And

That part of the SE-1/4 of the SW-1/4 of Section 36, Township 19 South, Range 27 East, Lake County, Florida, bounded and described as follows: Begin at the Southeast corner of the West-1/4 of the SE-1/4 of the SW-1/4 of said Section 36, run North 0°14'30" West along the East line of the West-1/4 of the SE-1/4 of the SW-1/4 a distance of 1297.73 feet to a point 25 feet South of the centerline of Oak Lane, thence South 89°54'34" East along a line 25 feet South of and parallel with the centerline of Oak Lane 156.565 feet, thence South 0°08'56" East 1294.96 feet to the South line of the SE-1/4 of the SW-1/4 of Section 36, thence South 89°04' West 154.54 feet along said South line to the point of beginning.

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