



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): October 7, 2020  
 Board of County Commissioners (BCC): October 27, 2020

Case No. and Project Name: RZ-20-25-4, East Lake Community Church Rezoning

Owner / Applicant: East Lake Community Church - Earl Hammond, Pastor

Requested Action: Rezone ten (10) acres from Agriculture (A) to Community Facility District (CFD) to facilitate a church sanctuary, playground, park, multi-purpose building, playing fields, and outside open air basketball court for the East Lake Community Church.

Staff Determination: Staff finds the rezoning application consistent with the Land Development Regulations (LDR) and the Comprehensive Plan.

Case Manager: Heather N. Croney, Planner

PZB Recommendation:

### Subject Property Information

Size: 10 +/- Gross Acres

Location: North of State Road 44, west of La Place Court, and East of William Lane, in the unincorporated Eustis area.

Alternate Key No.: 1123771

Future Land Use Category: Rural

Existing Zoning District: Agriculture (A)

Proposed Zoning District: Community Facility District (CFD)

Joint Planning Area / ISBA: N/A

Overlay Districts: Wekiva-Ocala Rural Protection Area and Wekiva Study Area

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Agriculture (A)	Single-Family Residence	
South	Rural Transition	Planned Unit Development (PUD)	Roadway	SR 44
East	Rural	A	Single-Family Residence	
West	Rural	A	Vacant	

**– Summary of Analysis –**

The subject undeveloped 10 +/- acres are currently zoned Agriculture (A), and designated as Rural Future Land Use Category (FLUC). The subject parcel is generally located on the north side of State Road 44, west of La Place Court, and East of William Lane, in the Eustis area. The subject property lies within the Wekiva-Ocala Rural Protection area and the Wekiva Study Area.

The application seeks to rezone the subject parcel from Agriculture (A) to Community Facility District (CFD) to facilitate the development of a church sanctuary, playground, park, multi-purpose building, playing fields, and outside open air basketball court for use by the church, as shown in Attachment “A” (Concept Plan). The subject parcel is developed with a single-family dwelling unit (mobile home), an unfinished utility building, and a barn.

**- Analysis -**

Land Development Regulations Section 14.03.03 Standards for Review.

**A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;**

Rezoning this property from Agriculture to CFD to facilitate the development of a church and multipurpose building is consistent with all applicable provisions of the code.

The request is consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which states that the Community Facility District is intended to accommodate uses that benefit the public and general welfare. The district is intended for use in those areas where special or substantial community interest uses and activities are necessary and desirable. Further, it is the intent to establish CFD districts individually under site plans and with conditions necessary to promote general welfare and to secure economic and coordinated land uses.

The request for the proposed church is consistent with LDR Section 3.01.02, *Classification of Uses*, which defines a church as a building used for nonprofit purposes by a recognized and legally established sect solely for the purpose of worship. The request is consistent with LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows community facility uses, such as and including a church, within the CFD zoning district.

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

The proposed rezoning to CFD is consistent with all applicable elements of the Comprehensive Plan. The subject parcel is designated as Rural FLUC. The rezoning is consistent with Comprehensive Plan Policy I-1.4.4, *Rural Future Land Use Category*, which allows religious organizations as a typical use in this FLUC.

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

The parcels abutting the subject property are zoned Planned Unit Development (PUD) and Agriculture (A). The proposed rezoning to facilitate the development of a church is consistent with surrounding uses. The proposed use will provide an additional community facility and place of worship to the benefit of the neighborhood residents.

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

Increased population and residential development (as shown by the example of a 2019 rezoning to facilitate a single-family residential development) equivocates to higher demand for community facility uses, such as a park and cultural center being facilitated by recent nearby rezonings to CFD. A place of worship, as the applicant is seeking to develop, is an example of another community facility use often in demand in residential areas.

In 2019, a rezoning was approved (by Ordinance #2019-73) at Alternate Key Numbers 2723530 and 1744768 within two (2) miles of the subject property, which changed the zoning from Community Facility District (CFD) to Planned Unit Development (PUD) and amended the Future Land Use Map from Rural Transition to Planned Unit Development to facilitate the development of a single-family residential development.

In 2020, a rezoning was approved (by Ordinance #2020-10) at Alternate Key Numbers 3919273 and 1802709 within three (3) miles of the subject property which changed the zoning from Agriculture to Community Facility District to add acreage to the East Lake Community Park.

Also in 2020, a rezoning was approved (by Ordinance #2020-22) at Alternate Key Numbers 1595681 and 2856726 within two (2) miles of the subject property, which changed the zoning from Agriculture to Community Facility District to facilitate an arts

and cultural center.

- 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 parcels will be served by private well and septic tank in accordance with the Comprehensive Plan and LDR.

Parks and Recreation

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

Public Safety

The nearest fire station is Lake County Fire Rescue Station #21, located within 2.25 miles of the subject property at 25100 County Road 44A, in Eustis. This station will provide advanced life support should an emergency situation on the property demand this service.

The Florida Fire Prevention Code mandates specific fire protection features for these facilities; these items will be addressed during the building permitting phase (i.e automatic sprinkler system and fire alarm).

Solid Waste

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

Schools

The request is not anticipated to adversely impact schools.

Transportation Concurrency

The standard Level of Service (LOS) for the impacted roadway of SR 44 is "D" with capacity of 880 trips. This project will be generating sixteen (16) pm peak hour trips.

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

Should the rezoning be approved, all environmental resources will be addressed through the development review process. New development will be required to meet all criteria specified by the LDR and Comprehensive Plan.

- G. Whether, and he extent to which, the proposed rezoning would affect the property values in the area;**

There is no information within the application that specifies impacts on property values.

- H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;**

The proposed rezoning would not disrupt the existing orderly and logical development pattern of the area.

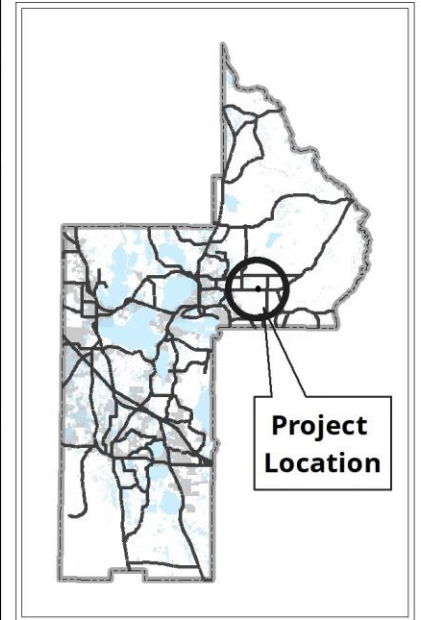
- I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

The request is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

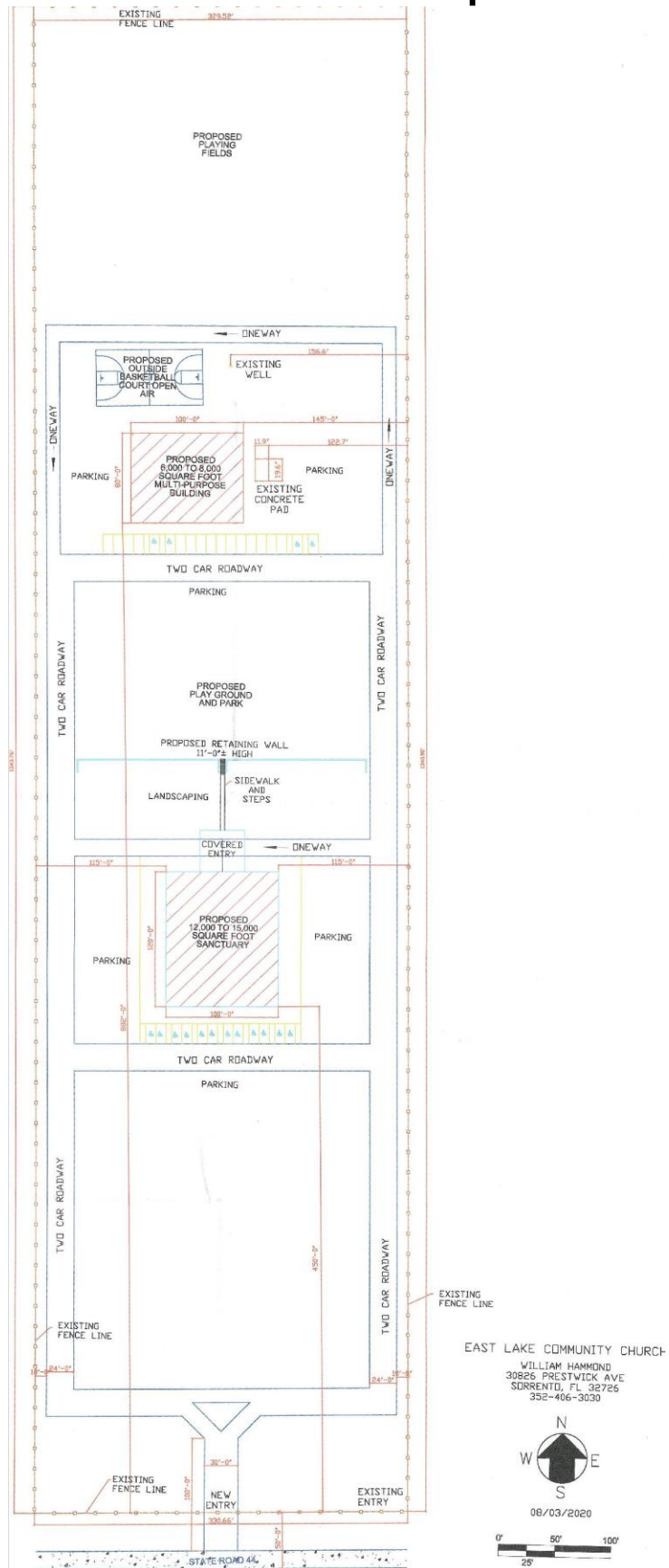
- J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

None.

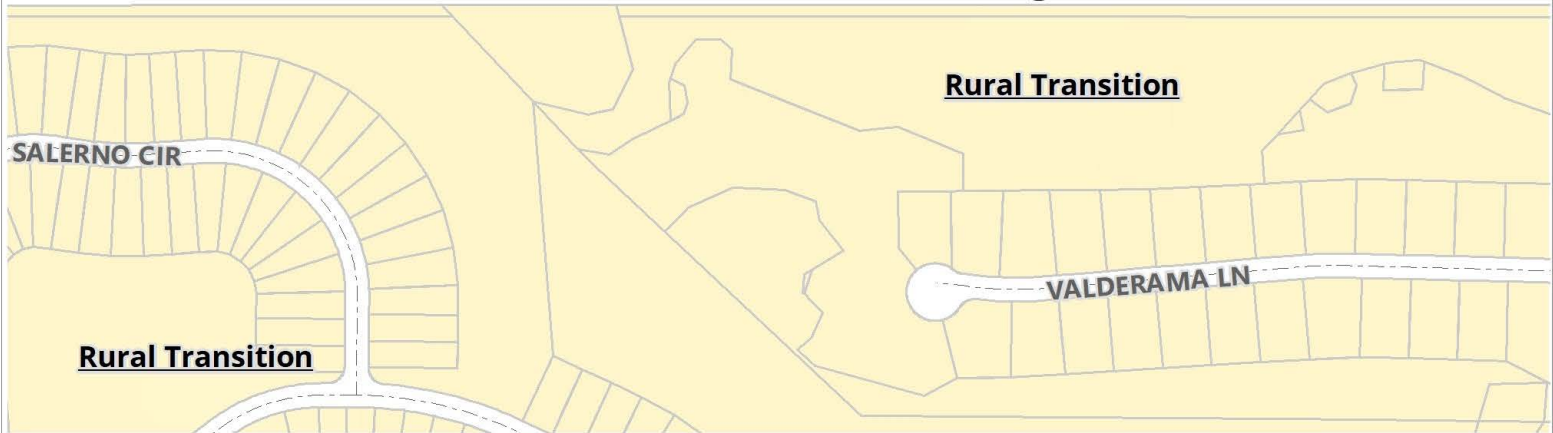
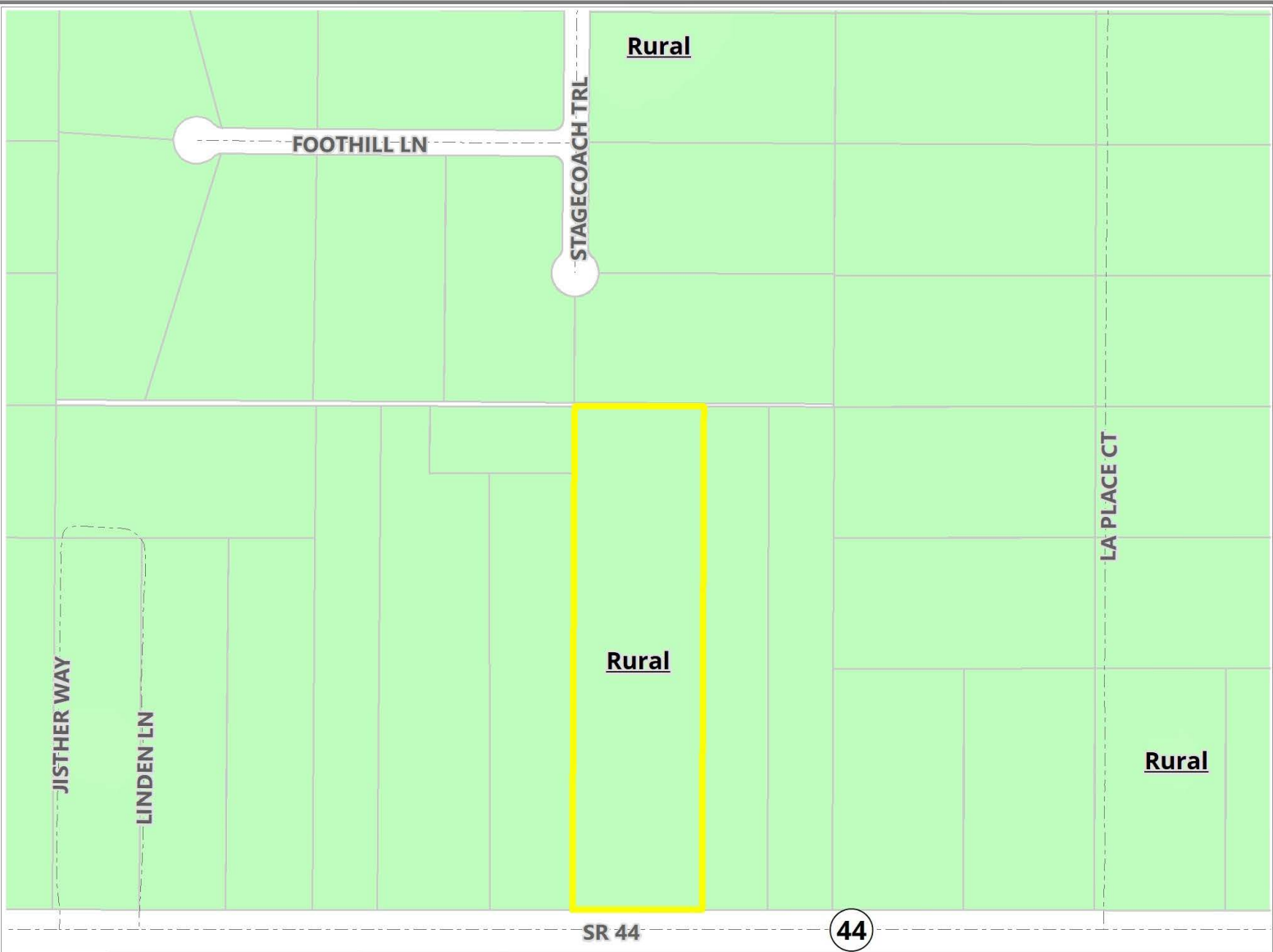
# Map of Subject Property



# Attachment "A" – Concept Plan



CURRENT FUTURE LAND USE



**FUTURE LAND USE LEGEND**

 Rural  Rural Transition

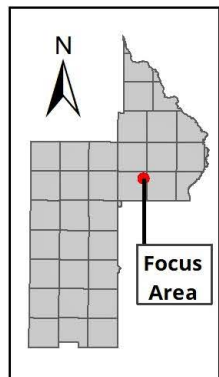
NAME: **EAST LAKE COMMUNITY CHURCH PROPERTY**

DISTRICT: **4**

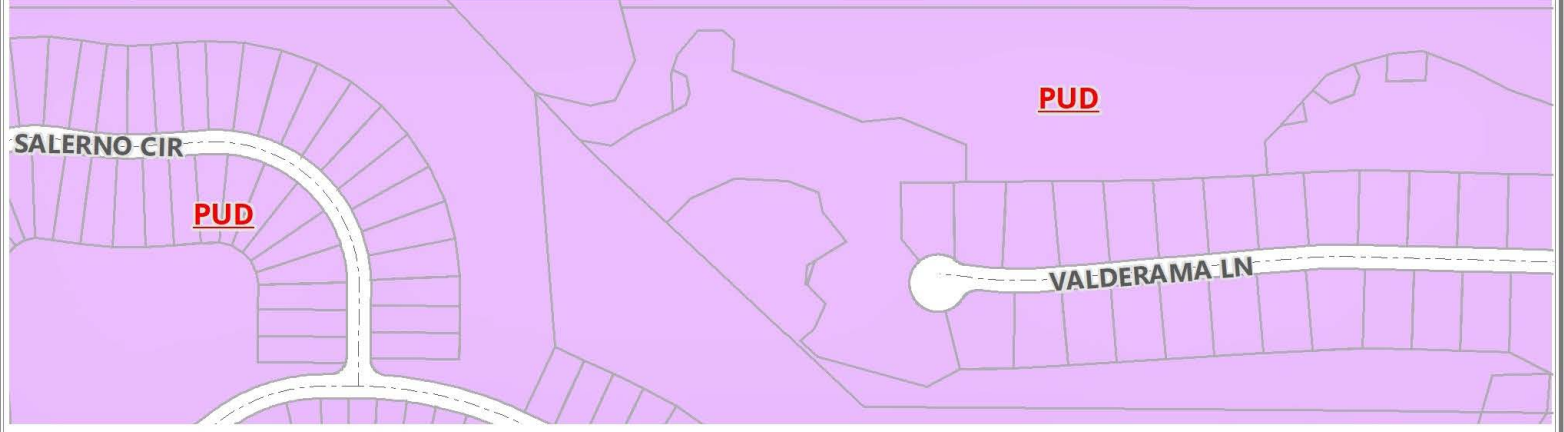
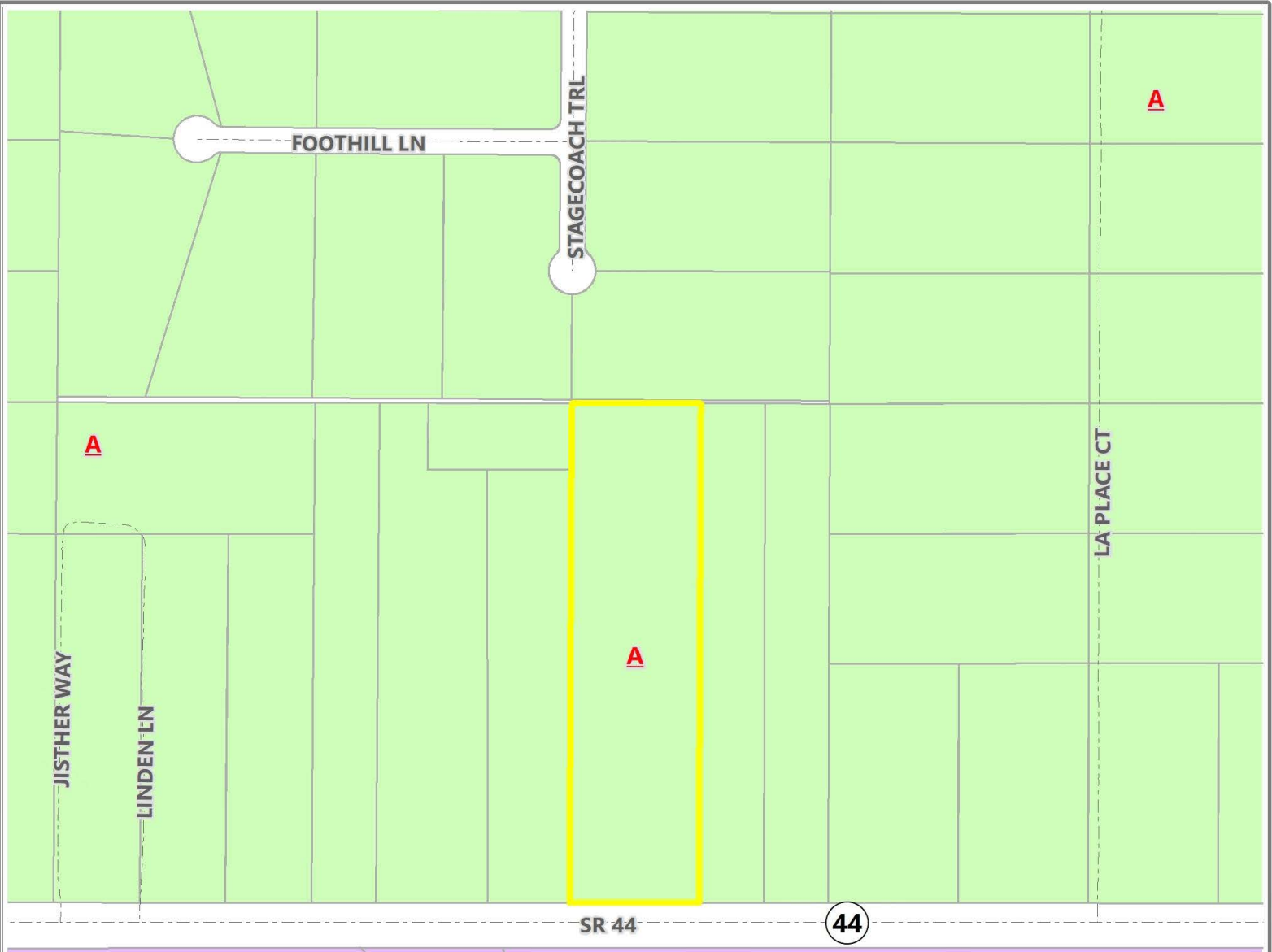
CASE NUMBER: **RZ-20-25-4**

LOCATION (S-T-R): **12-19-27**

REQUEST: **AGRICULTURE (A) TO COMMUNITY FACILITY DISTRICT (CFD)**



# CURRENT ZONING



## ZONING LEGEND

 A  PUD

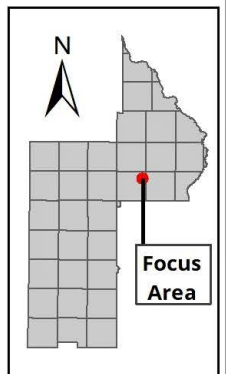
NAME: **EAST LAKE COMMUNITY CHURCH PROPERTY**

DISTRICT: **4**

CASE NUMBER: **RZ-20-25-4**

LOCATION (S-T-R): **12-19-27**

REQUEST: **AGRICULTURE (A) TO COMMUNITY FACILITY DISTRICT (CFD)**





**ORDINANCE #2020-XX**  
**East Lake Community Church Rezoning**  
**Lake County Board of County Commissioners**  
**RZ-20-25-4**

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**, Earl Hammond, Pastor of East Lake Community Church (the “Applicant” and the  
4 “Owner”) submitted an application to rezone property from Agriculture (A) to Community Facility District (CFD)  
5 to accommodate a church sanctuary, playground, park, multi-purpose building, playing fields, and outside  
6 open air basketball court; and

7 **WHEREAS**, the subject property consists of approximately 10 acres, is generally located on the  
8 north side of State Road 44, west of La Place Court, and East of William Lane, in the unincorporated Eustis  
9 area, in Section 12, Township 19 South, Range 27 East, is identified by an Alternate Key Number 1123771,  
10 and more particularly described below:

11 The West 1/2 of the East 1/2 of the Southeast 1/4 of the Northwest 1/4 of Section 12,  
12 Township 19 South, Range 27 East, Lake County, Florida: LESS right-of-way of State Road  
13 No. 44, formerly State Road No. 44A.

14 **WHEREAS**, the subject property is located within the Rural Future Land Use Category as shown on  
15 the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

16 **WHEREAS**, the property will be rezoned to Community Facility District (CFD) in accordance with the  
17 Lake County Zoning Regulations; and

18 **WHEREAS**, Lake County Planning and Zoning Board did review petition RZ-20-25-4 on the 7th day  
19 of October 2020, after giving notice of a hearing for a change in the use of land, including a notice that the  
20 petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 27th day of  
21 October 2020; and

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

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

27 **WHEREAS**, the approval of this ordinance shall supersede and replace any and all previous zoning  
28 ordinances on the property.

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

31 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to designate  
32 the property described in the above legal description in this Ordinance as Community Facility  
33 District (CFD) zoning in accordance with this Ordinance. All uses shall be generally consistent  
34 with the Concept Plan as shown in Exhibit “A” of this Ordinance. To the extent where there are  
35 conflicts between the Conceptual Plan and this Ordinance, this Ordinance shall take  
36 precedence.



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**A. Land Uses.**

- 1. Uses of the site described in this Ordinance shall be allowed the following:
  - a. Sanctuary
  - b. Playground and Park
  - c. Multi-Purpose Building
  - d. Outside, open air basketball court
  - e. Playing fields

Accessory uses may be approved by the County Manager or designee. Any other use of the property will require approval of an amendment to this Ordinance by the Board of County Commissioners.

**B. Setbacks.** Setbacks will be in accordance with the Land Development Regulations (LDR), as amended.

**C. Transportation Improvements.**

- 1. Sidewalks will be required per the LDR Commercial Design Standards, as amended.
- 2. All transportation improvements and access management shall be in accordance with the Comprehensive Plan and Land Development Regulations, as amended.
- 3. The access from SR 44 shall require permitting from Florida Department of Transportation.

**D. Lighting.** Exterior lighting will be in accordance with the LDR, as amended and consistent with Dark-Sky Principles.

**E. Landscaping, Buffering, and Screening.** Landscaping, buffering, and screening will be in accordance with the LDR, as amended.

**F. Open Space, Impervious Surface Ratio, and Building Height.** Open space, impervious surface ratio, and building height will be in accordance with the Comprehensive Plan and LDR, as amended.

**G. Parking Requirements.** Off-street parking will be provided in accordance with the LDR, as amended.

**H. Noise.** Noise assessment shall be in accordance with the LDR, as amended.

**I. Commercial Design Standards.** The commercial design of structures shall be in accordance with the LDR, as amended.

**J. Environmental Requirements.** An environmental assessment dated within six (6) months of the development application submittal date will be required to demonstrate the presence of vegetation, soils, threatened and endangered species that may exist on the site. Any State permitting or mitigation will be required before development can commence compliance in accordance with the Comprehensive Plan and LDR, as amended.

**K. Stormwater Management.** The stormwater management system shall be designed in accordance with all applicable Lake County and St. Johns River Water Management (SJRWMD) requirements, as amended.

- 1           **L. Floodplain Management.** The Developer will be responsible for any flood studies required  
2           for developing the site and to comply with Federal Emergency Management Agency (FEMA)  
3           regulations, the Comprehensive Plan and LDR, as amended. Any development within the  
4           floodplain as identified on the FEMA maps will require compensating storage.
- 5           **M. Utilities.** The development shall be served with well and septic unless public services  
6           become available, in accordance with the Comprehensive Plan and LDR, as amended.
- 7           **N. Signage.** All signage must be in accordance with the LDR, as amended.
- 8           **O. Concurrency Management Requirements.** Any development must comply with the Lake  
9           County Concurrency Management System, as amended.
- 10          **P. Development Review and Approval.** Prior to the issuance of any permits, the Applicant or  
11          Owner shall be required to submit a development application for review and approval in  
12          accordance with the Comprehensive Plan and LDR, as amended.
- 13          **Q. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific  
14          references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake  
15          County Comprehensive Plan, and Lake County Land Development Regulation shall include  
16          any future amendments to the Statutes, Code, Plan, and/or Regulations.

17   **Section 2. Conditions.**

- 18          **A.** After establishment of the facilities as provided in this Ordinance, the property may only be  
19          used for the purposes identified in this Ordinance. Any other proposed use must be  
20          specifically authorized by the Lake County Board of County Commissioners.
- 21          **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve,  
22          move, convert, or demolish any building structure, add other uses, or alter the land in any  
23          manner within the boundaries of the above described land without first obtaining the  
24          necessary approvals in accordance with the Lake County Code, as amended, and obtaining  
25          the permits required from the other appropriate governmental agencies.
- 26          **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the  
27          land, and the terms, conditions, and provisions of this Ordinance will be binding upon the  
28          present Owners and any successor, and will be subject to each and every condition set out  
29          in this Ordinance.
- 30          **D.** The transfer of ownership or lease of any or all of the property described in this Ordinance  
31          must include in the transfer or lease agreement, a provision that the purchaser or lessee is  
32          made good and aware of the conditions established by this Ordinance and agrees to be  
33          bound by these conditions. The purchaser or lessee may request a change from the existing  
34          plans and conditions by following the procedures contained in the LDR, as amended.
- 35          **E.** The Lake County Code Enforcement Special Master will have authority to enforce the terms  
36          and conditions set forth in this Ordinance and to recommend that the ordinance be revoked.

37   **Section 3. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall  
38   submit applications for and receive necessary final development order approvals as provided in  
39   the Lake County Comprehensive Plan and Land Development Regulations, as amended. The  
40   applications for final development orders must meet all submittal requirements and comply with  
41   all County codes and ordinances, as amended.

1 **Section 4. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or  
2 unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity  
3 of the remaining portions of this Ordinance.

4 **Section 5. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of  
5 this Ordinance to the Secretary of State for the State of Florida in accordance with Section  
6 125.66, Florida Statutes.

7 **Section 6. Effective Date.** This Ordinance will become effective as provided by law.

8 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

9  
10 FILED with the Secretary of State \_\_\_\_\_, 2020.

11  
12 EFFECTIVE \_\_\_\_\_, 2020.

13  
14 BOARD OF COUNTY COMMISSIONERS  
15 LAKE COUNTY, FLORIDA

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17 \_\_\_\_\_  
18 LESLIE CAMPIONE, CHAIRMAN

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20 ATTEST:

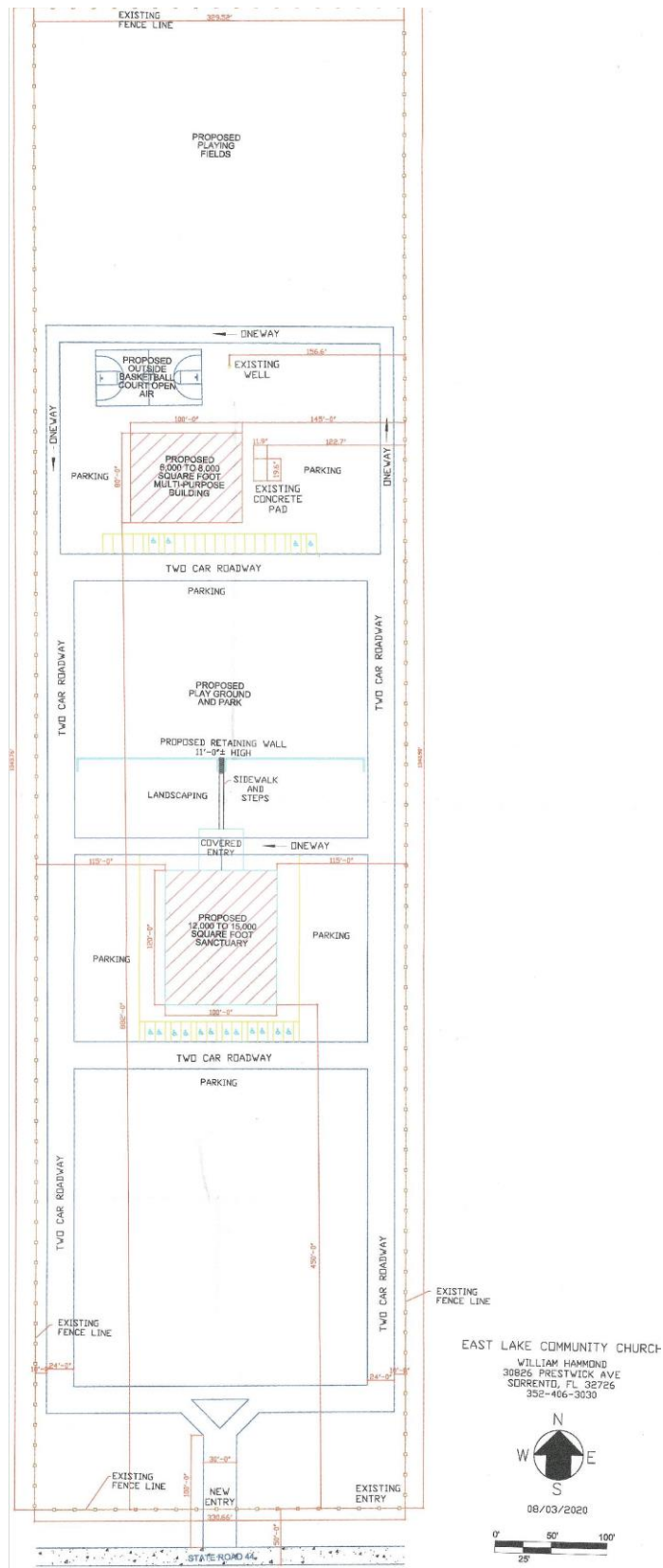
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22 \_\_\_\_\_  
23 GARY J. COONEY, CLERK OF THE  
24 BOARD OF COUNTY COMMISSIONERS  
25 LAKE COUNTY, FLORIDA

26  
27  
28 APPROVED AS TO FORM AND LEGALITY:

29  
30 \_\_\_\_\_  
31 MELANIE MARSH, COUNTY ATTORNEY

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### EXHIBIT "A" - CONCEPTUAL PLAN



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