



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): November 4, 2020  
Board of County Commissioners (BCC): November 10, 2020

Case No. and Project Name: RZ-20-26-4, Serrano Property

Owner/Applicant: Ramon Serrano

Requested Action: To rezone 0.19 +/- acres from Neighborhood Commercial District (C-1) to Urban Residential District (R-6) for residential development.

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

Case Manager: Janie Barrón, Senior Planner

PZB Recommendation:

### Subject Property Information

Size: 0.19 +/- acres

Location: 1480 Channell Drive, Mount Dora

Alternate Key No.: 1409365

Future Land Use Category: Urban High Density

Existing Zoning District: Neighborhood Commercial (C-1)

Proposed Zoning District: Urban Residential District (R-6)

Joint Planning Area (JPA)/ISBA: Mount Dora JPA

Overlay Districts: N/A

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban High Density	Neighborhood Commercial (C-1)	Right-of-Way	Wilson Avenue, Single-Family Dwelling north of R-O-W
South	Urban High Density	Neighborhood Commercial (C-1)	Residential	Single-Family Dwelling
East	Urban High Density	Neighborhood Commercial (C-1)	Residential	Single-Family Dwelling
West	Urban High Density	Neighborhood Commercial (C-1)	Right-of-Way	Channell Drive, Single-Family Dwelling west of R-O-W

**– Summary of Analysis –**

The Applicant seeks to rezone the subject parcel from Neighborhood Commercial District (C-1) to Urban Residential District (R-6) to develop the lot with a single-family dwelling unit.

The subject parcel is zoned C-1, is designated as Urban High Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan and is located within a Major Commercial Corridor pursuant to Comprehensive Plan (Comp Plan) Policy I-1.3.10.6. The permitting history indicates that a prior residence was constructed in 1950 and was demolished in 2011 (Building Permit #2011090014). The current owner purchased the subject parcel on February 7, 2020, and intends to construct a new residence on the subject parcel. Land Development Regulations (LDR) Section 3.01.03 indicates that residences are permitted with site plan approval, when used in conjunction with a business. However, the Owner does not intend to conduct a business from the subject parcel.

The application also requests a waiver to the central sewer system connection requirements pursuant to LDR Section 6.12.01(B) and Comp Plan Policy IX-3.1.2 (Attachment "A"). Approval of the waiver will allow continuation of an on-site septic system which has been permitted by the Florida Department of Health. However, the proposed ordinance contains a condition that the parcel shall connect to a central sewer system when the service becomes available.

The subject parcel is located within the City of Mount Dora JPA; the application was provided to the City of Mount Dora for review and the City of Mount Dora had no comments or objections to the request.

**- Analysis -**

Land Development Regulations (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 3.01.03, which states that single-family dwelling units are permitted within the R-6 zoning district.

The request is consistent with the maximum density for the R-6 zoning district, as specified by LDR Section 3.02.06, of six (6) dwelling units per net acre.

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

The request is consistent with Comp Plan Policy I-1.3.4, Urban High Density FLUC, which allows residential uses.

The proposed request to rezone the subject property to R-6 is consistent with the maximum density specified by Comprehensive Plan Policy I-1.3.4, Urban High Density FLUC. Pursuant to Comprehensive Plan Policy I-1.3.4, Urban High Density Future Land Use Category, residential uses are permitted within the FLUC at a maximum density of twelve (12) dwelling units per net buildable acre.

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

The request and proposed use are consistent with the surrounding uses. The adjoining parcels are developed with single-family dwelling units, which are not used in conjunction with a business.

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

As previously stated, the request and proposed use are consistent with the surrounding uses, as the adjoining parcels are developed with single-family dwelling units which are not used in conjunction with a business.

- 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 City of Mount Dora indicated that central sewage is not available to the subject parcels (Attachment "B"). Therefore, a septic tank will be used and shall be consistent with the Florida Department of Health Regulations, as amended. However, the proposed ordinance contains a condition that the parcel shall connect to central sewer when the service becomes available, in accordance with the Comprehensive Plan and LDR, as amended.

Office of Public Safety

City of Mount Dora Fire Station #35 is located less than three (3) miles from the subject property at 1300 N. Donnelly, Street and will provide fire and life support should an emergency situation on the property demand this service. The County and City of Mount Dora have a first responder agreement.

Schools

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

Parks

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

Solid Waste

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

Transportation Concurrency

The request is not anticipated to adversely impact the roadways standard Level of Service (LOS).

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

This property has been disturbed by previous urban development. However, an environmental statement from the developer/property owner will be requested with the submittal of the future residential building permit.

- G. Whether and the 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 request will not disrupt the existing orderly, logical development pattern in the area as the surrounding parcels are developed with single-family dwelling units (residential uses).

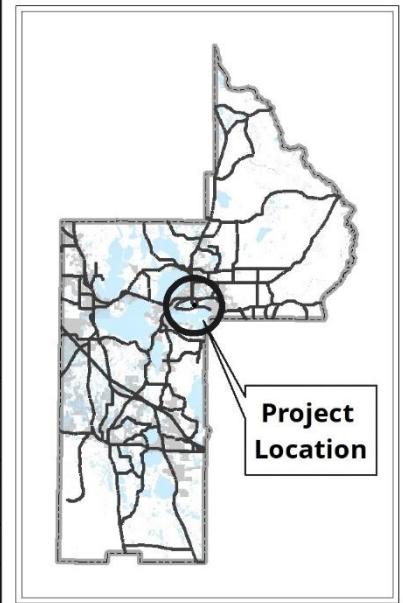
- I. Whether the proposed rezoning would be in conflict with the public interest and in harmony with the purpose and intent of these Regulations; and**

The request is in harmony with the general intent of the Comp 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.**

The application includes a request to the Board of County Commissioners (BCC) to consider a waiver to the central water and central sewer system connection requirements. Staff must emphasize that approval of this rezoning is contingent upon BCC approval of the waiver to connection requirements.

# Map of Subject Property



## Attachment "A" — Central Sewer Waiver Request

October 2nd 2020

Lake County Office of Planning and Zoning

To whom it may concern

Please accept this letter as a Waiver Request to have central sewer at my property location in the Urban Future Land Use Series. The City of Mount Dora issued me a Utility Availability letter indicating that water service is available and sanitary sewer is not available at said location; therefore, I am requesting a waiver. Once the home is built on the property at 1480 Channel Dr, Mount Dora, FL 32757. I will be using the existing septic tank and city of Mount Dora will provide water service.

Thank you. Should you need additional information, please contact me.

Ramon Serrano  
407-489-5314

*Ramon Serrano*

# Attachment "B" — City of Mount Dora Water/Sewer Availability Inquiry



**CITY OF  
MOUNT  
DORA**

PUBLIC WORKS AND UTILITIES

City Hall  
510 N. Baker St.  
Mount Dora, FL 32757

Office of the City Manager  
352-735-7126  
Fax: 352-735-4801

Finance Department  
352-735-7118  
Fax: 352-735-1406

Human Resources  
352-735-7106  
Fax: 352-735-9457

Planning and Development  
352-735-7112  
Fax: 352-735-7191

City Hall Annex  
900 N. Donnelly St.  
Mount Dora, FL 32757

Parks and Recreation  
352-735-7183  
Fax: 352-735-3681

Public Safety Complex  
1300 N. Donnelly St.  
Mount Dora, FL 32757

Police Department  
352-735-7130  
Fax: 352-383-4623

Fire Department  
352-735-7140  
Fax: 352-383-0881

Public Works & Utilities  
900 N/ Donnelly St.  
Mount Dora, FL 32757  
352-735-7151  
Fax: 352-735-1539  
Alt. Fax: 352-735-2892

W. T. Bland Public Library  
1995 N. Donnelly St.  
Mount Dora, FL 32757  
352-735-7180  
Fax: 352-735-0074

Website:  
[www.cityofmountdora.com](http://www.cityofmountdora.com)

August 8, 2020

**Reference: General Water / Sewer Availability Inquiry for 1480 Channel Drive Mt Dora, FL**


To Whom It May Concern:

This letter is written to confirm that the aforementioned site is within the City of Mount Dora's utility service area for water and sewer. Water service is available, and sanitary sewer is not available to the site as defined by the City's Land Development Code 6.4.1 and 6.4.3. The City's provision of service is subject to:

1. The City's review of the proposed project for conformance to the City Land Development Code and City Ordinances, including but not limited to, the owner/developer's construction or extension of on-site and off-site utility system improvements as necessary, to provide service to the site.
2. The owner/ developer's execution of all necessary development agreements including annexation or a covenant to annex, if required.
3. The owner/ developer preparing and securing all necessary permits.
4. The owner/ developer's payment of all appropriate connection and impact fees.

Please be advised the release of this document does not constitute the reservation of water capacity or a commitment to serve. Additionally, and regardless of availability, the construction and dedication of dry lines may be required in accordance with the City's Land Development Code. Should you have any questions, please feel free to contact the Public Services Division at (352) 735-7151 or via email at [krammj@cityofmountdora.com](mailto:krammj@cityofmountdora.com) or [lahrp@ci.mount-dora.fl.us](mailto:lahrp@ci.mount-dora.fl.us).

Sincerely,

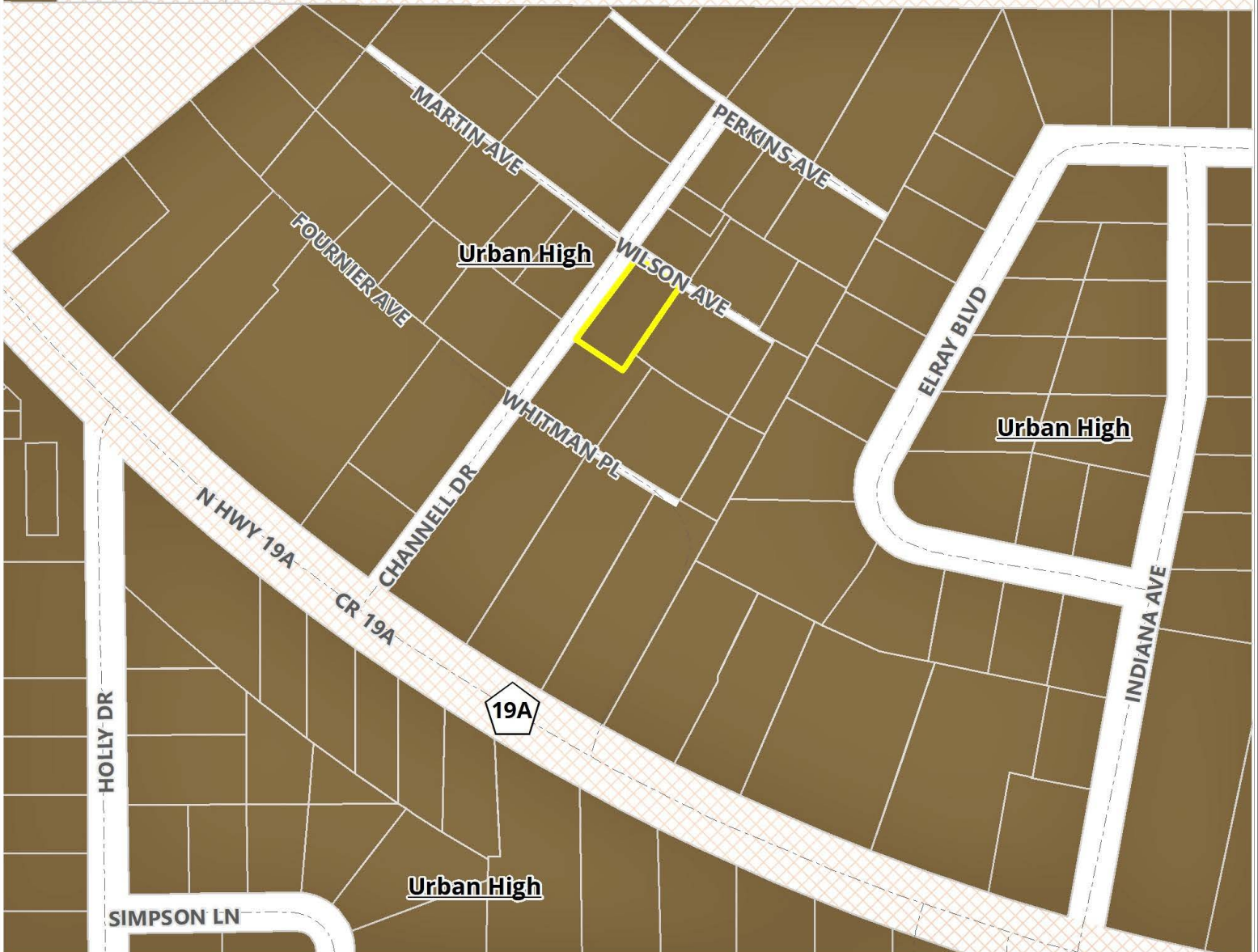
  
Josh Kramm  
Utility Lines Manager

CC: Josef Grusauskas, Utilities & Plant Operations Director  
Vince Sandersfeld, Planning and Development Director  
Development File: General Water / Sewer Availability Inquiries



CURRENT FUTURE LAND USE

MOUNT DORA



**FUTURE LAND USE LEGEND**

Urban High

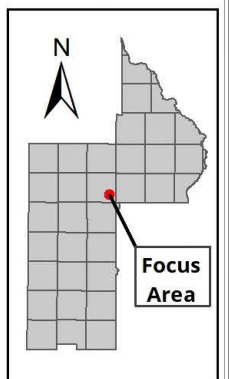
NAME: **SERRANO PROPERTY**

CASE NUMBER: **RZ-20-26-4**

LOCATION (S-T-R): **26-19-26**

REQUEST: **NEIGHBORHOOD COMMERCIAL (C-1) TO URBAN RESIDENTIAL (R-6)**

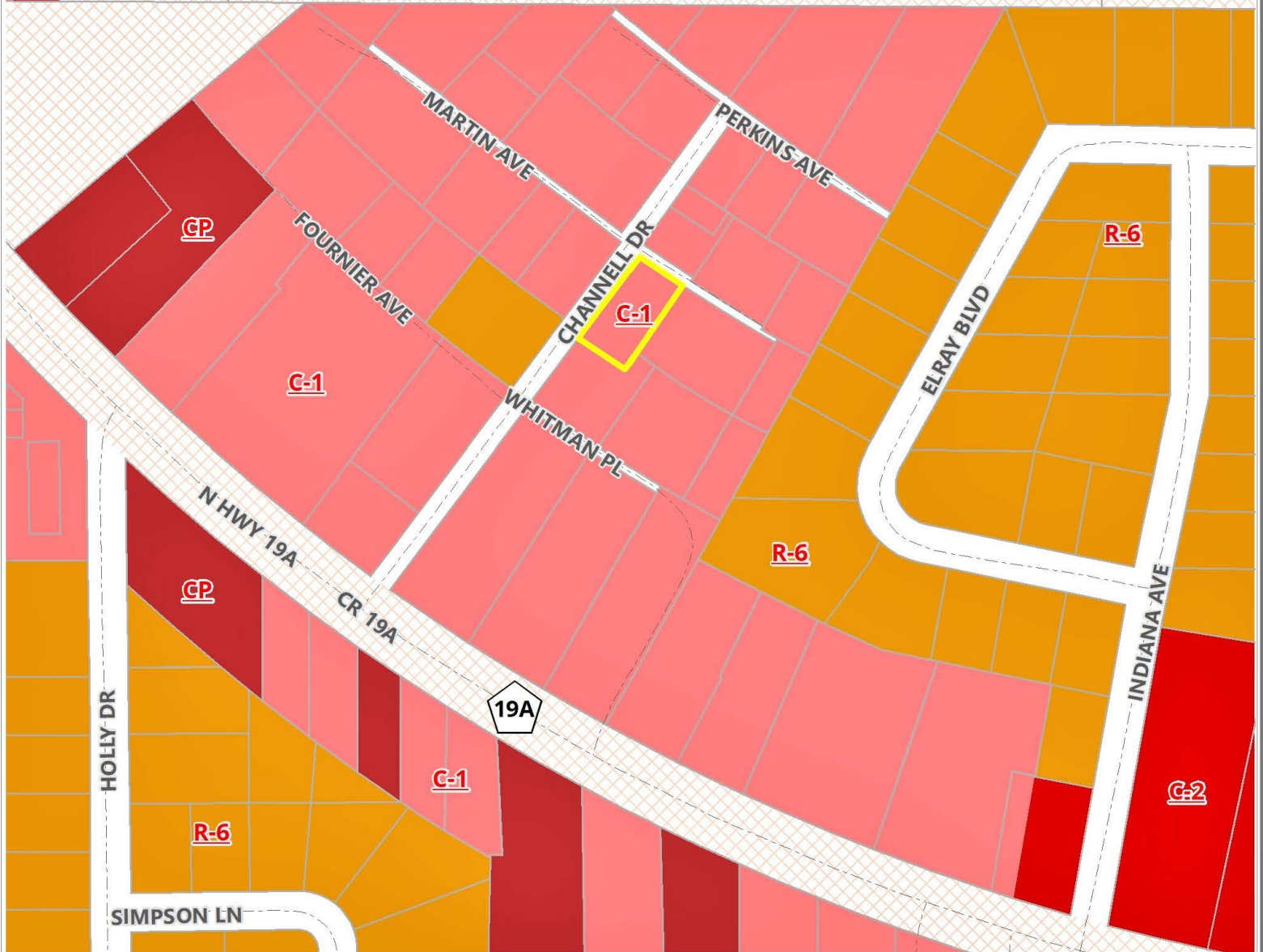
DISTRICT: **4**





# CURRENT ZONING

MOUNT DORA



## ZONING LEGEND

 R-6  C-1  C-2  CP

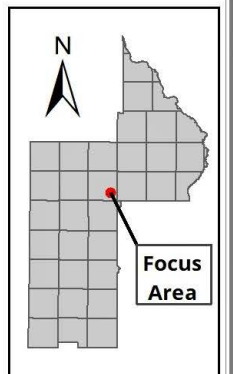
NAME: **SERRANO PROPERTY**

DISTRICT: **4**

CASE NUMBER: **RZ-20-26-4**

LOCATION (S-T-R): **26-19-26**

REQUEST: **NEIGHBORHOOD COMMERCIAL (C-1) TO URBAN RESIDENTIAL (R-6)**





**ORDINANCE #2020-XX**  
**Serrano Property**  
**RZ-20-26-4**

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

**WHEREAS**, Ramon Serrano (the "Owner" and the "Applicant") submitted a rezoning application to rezone 0.19 +/- acres from Neighborhood Commercial District (C-1) to Urban Residential District (R-6) for residential development; and

**WHEREAS**, the subject property consists of approximately 0.19 +/- acres, located at 1480 Channell Drive, in the Mount Dora area of unincorporated Lake County, in Section 26, Township 19 South, Range 26 East, consisting of Alternate Key Number 1409365 and more particularly described in Exhibit "A"; and

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

**WHEREAS**, the Lake County Planning and Zoning Board did review Petition RZ-20-26-4 on the 4th day of November 2020, after giving notice of the hearing on the petition for change in zoning, including notice that the petition would be presented to Board of County Commissioners of Lake County, Florida, on the 10th day of November 2020; and

**WHEREAS**, the Board of County Commissioners reviewed the petition, the recommendations of the Lake County Planning and Zoning Board and any comments, favorable or unfavorable, from the public and surrounding property owners at a Public Hearing duly advertised; and

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

**WHEREAS**, the approval of this ordinance shall supersede and replace any and all previous zoning ordinances on the subject properties.

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

**Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to rezone the subject property from Neighborhood Commercial District (C-1) to Urban Residential District (R-6). Additionally, approval to waive the Central Sewer Service System connection pursuant to LDR Section 6.12.01(B) and Comprehensive Plan Policy IX-3.1.2 for development located within the Urban Future Land Use Series is hereby granted until such time as the service becomes available, in accordance with the Comprehensive Plan and LDR, as amended.

**Section 2. Development Review and Approval.** Prior to the issuance of any permits, the Owner shall submit applications for and receive necessary final development order approvals as provided in the Lake County

**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 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.

1 **Section 5. Effective Dates. This Ordinance will become effective as provided by law.**  
2 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.  
3 **FILED** with the Secretary of State \_\_\_\_\_, 2020.  
4 **EFFECTIVE** \_\_\_\_\_, 2020.

5  
6 **BOARD OF COUNTY COMMISSIONERS**  
7 **LAKE COUNTY, FLORIDA**

8  
9  
10 \_\_\_\_\_  
11 **LESLIE CAMPIONE, CHAIRMAN**

12 **ATTEST:**

13  
14  
15 \_\_\_\_\_  
16 **GARY J. COONEY, CLERK OF THE**  
17 **BOARD OF COUNTY COMMISSIONERS**  
18 **LAKE COUNTY, FLORIDA**

19  
20 **APPROVED AS TO FORM AND LEGALITY:**

21  
22  
23 \_\_\_\_\_  
24 **MELANIE MARSH, COUNTY ATTORNEY**

**Exhibit "A" — Legal Description**

1  
2           Begin at the Northwest corner of Southwest 1/4 of Northeast 1/4, Section 26, Township 19 South,  
3           Range 26 East, run thence South 243.17 feet to appoint on the North right-of-way of State Road  
4           No. 2, thence Southeasterly along the right-of-way of State Road No.2, 1092.12 feet to a Wooden  
5           Stake, thence northeasterly along a radial line of said right of way curve 300 feet, thence  
6           Northwesterly along a curve parallel with said road right of way curve 224.15 feet, thence  
7           Northeasterly along radial line of said curve 118 feet for Point of Beginning; thence run  
8           Northwesterly along curve parallel with said right of way 1.48 feet, thence Northeasterly along  
9           said right of way curve radial line 129 feet, thence Southeasterly along curve parallel with said  
10          right of way 66 feet, thence Southwesterly along radial line of said right of way curve 129 feet to  
11          Point of Beginning.