



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): March 4, 2020
Board of County Commissioners (BCC): March 24, 2020

Case No. and Project Name: RZ-19-30-4, Sutherlin Property Rezoning

Applicant: Michael Sutherlin

Owner: Michael Sutherlin

Requested Action: Rezone approximately 11 +/- acres from Rural Residential (R-1) to Agriculture (A) to facilitate use of the parcel as an apiary.

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

Case Manager: Emily W. Johnson, Planner

PZB Recommendation:

Subject Property Information

Size: 11 +/- gross acres

Location: South of Harbeck Lane in the Sorrento area

Alternate Key No.: 1598524

Future Land Use: Mount Plymouth-Sorrento Neighborhood

Current Zoning District: Rural Residential (R-1)

Flood Zone: "A" and "X"

Joint Planning Area: N/A

Overlay Districts: Mount Plymouth-Sorrento, Wekiva Study Area

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Mount Plymouth-Sorrento Neighborhood	Agriculture (A) and Urban Residential (R-6)	Residential and Agriculture	Single-family dwelling units and agricultural uses north of Harbeck Lane
South	Mount Plymouth-Sorrento Neighborhood	Rural Residential (R-1) and Agriculture (A)	Residential and Agriculture	Single-family dwelling units and agricultural uses
East	Mount Plymouth-Sorrento Neighborhood	Rural Residential (R-1) and Planned Unit Development (PUD)	Residential	Single-family dwelling units and undeveloped residential
West	Mount Plymouth-Sorrento Neighborhood	Rural Residential (R-1)	Residential	Single-Family Dwelling Units

Staff Analysis

The Applicant is requesting to rezone 11 +/- acres of property from Rural Residential (R-1) to Agriculture (A) to facilitate use of the property as an apiary. The subject property is generally located south of Harbeck Lane, in the Sorrento area. Pursuant to Land Development Regulations (LDR) Section 3.01.02, Classification of Uses, apiaries are classified as a general agriculture use. General agriculture uses are permissible in the Agriculture (A) zoning district; pursuant to LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, general agriculture is not a permitted use in the current Rural Residential (R-1) zoning district. The subject property contains a dried lake bed indicated on the signed, sealed boundary survey (Attachment "A"); the parcel is consistent with the required density of the Agriculture zoning district, which is one (1) dwelling unit per five (5) net acres.

The subject property is designated as Mount Plymouth-Sorrento Neighborhood Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-3.2.5, Mount Plymouth-Sorrento Neighborhood Future Land Use Category, agriculture uses are permissible in the FLUC.

Standards for Review (LDR Section 14.03.03)

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

The proposed apiary/general agriculture use is consistent with uses typically allowed in the Mount Plymouth-Sorrento Neighborhood FLUC, and the size of the property will not exceed the allowable residential density.

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

The rezoning application is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which allows general agriculture uses within the Agriculture (A) zoning district.

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

As previously stated, the proposed rezoning is consistent with the land uses permitted by the proposed zoning district and existing FLUC. The parcels surrounding the subject property are developed with residential and agricultural land uses. The subject property lies south of the boundary of the Mount Plymouth-Sorrento Community Redevelopment Area (CRA).

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

There is no evidence of development trends of property rezoning in this area over the past 5 years. The property owners intend for the proposed apiary to serve as a honey bee sanctuary and honey farm, which will benefit the surrounding farms by boosting the local pollinator population.

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

There is an existing well for agriculture use on the property. Should the parcel be developed with a residential use in the future, permits for a well and septic from the Department of Health may be required.

Parks

The subject property is located south of Harbeck Lane, further south of State Road 46, and further east of County Road 437, than where the future trails will run.

Solid Waste

No adverse impacts are anticipated to current Solid Waste capacity levels.

Public Safety

The closest Lake County Fire Rescue Station (LCFR Station #39) is located approximately 1.37 miles from the site.

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

No adverse impacts to the natural environment are anticipated. The application indicates that the proposed apiary use will benefit the surrounding natural environment.

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

The application did not contain any information regarding the 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 surrounding properties are developed with residential and agriculture uses, with varying tract sizes. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area.

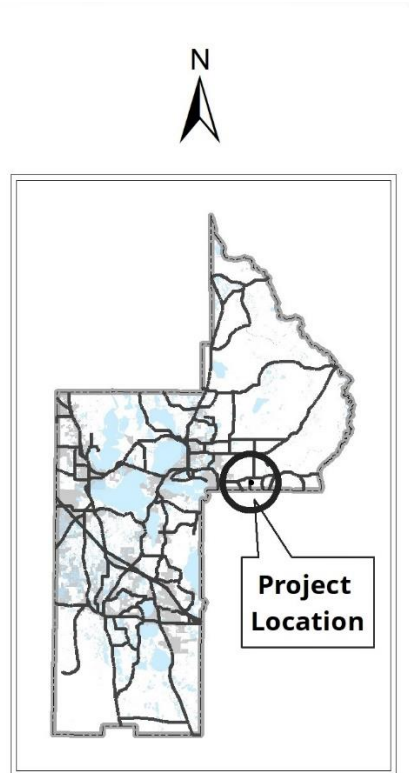
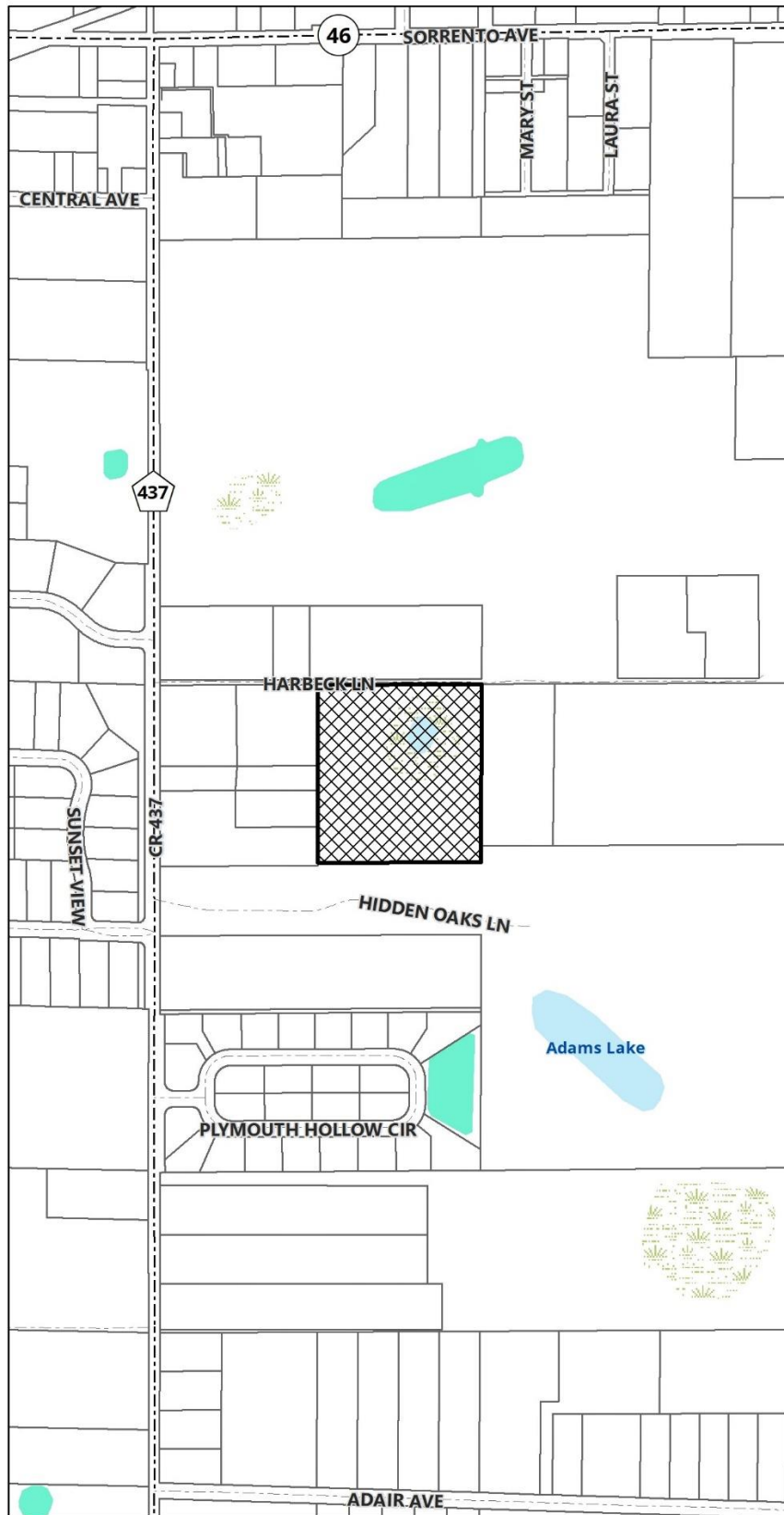
I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.

The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations 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.

N/A.

Subject Property



ORDINANCE #2020-XX
Sutherlin Property Rezoning
RZ-19-30-4

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**, Michael Sutherlin (the "Owner" and "Applicant"), submitted an application to rezone
4 approximately 11 +/- acres from Rural Residential (R-1) to Agriculture (A) to facilitate use of the parcel as an
5 apiary; and

6 **WHEREAS**, the subject property consists of approximately 11 +/- acres, and is generally located
7 south of Harbeck Lane in the unincorporated Sorrento area of Lake County, Florida, in Section 31, Township
8 19 South, Range 28 East, identified by Alternate Key Number 1598524, and more particularly described
9 below:

10 The North 726 feet of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 31, Township
11 19 South, Range 28 East, in Lake County, Florida.

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

15 **WHEREAS**, the property will be zoned Agriculture (A) in accordance with the Lake County Zoning
16 Regulations; and

17 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-19-30-4 on March 4,
18 2020, after giving Notice of Hearing on petition for a change in the use of land, including notice that said
19 petition would be presented to the Board of County Commissioners of Lake County, Florida, on March 24,
20 2020; and

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

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

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

28 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the
29 subject property to Agriculture (A).

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

1 **Section 3. 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 4. 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 5. 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**

16
17 _____
LESLIE CAMPIONE, CHAIRMAN

18 **ATTEST:**

19 _____
20 **GARY J. COONEY, CLERK OF THE**
21 **BOARD OF COUNTY COMMISSIONERS**
22 **LAKE COUNTY, FLORIDA**

23 **APPROVED AS TO FORM AND LEGALITY**

24 _____
25 **MELANIE MARSH, COUNTY ATTORNEY**