



MEMORANDUM

Lake County Board of County Commissioners • Office of Planning & Zoning
315 W. Main St., Suite 510, Tavares, FL 32778 • www.lakecountyfl.gov
Phone: 352-343-9641 Fax: 352-343-9767

To: Planning and Zoning Board
From: Tim McClendon, AICP, Director
Date: February 25, 2020
Subject: Molokai Mobile Home Park RZ-19-20-3

This is a modified request to the original rezoning request. After the Planning and Zoning Board originally heard this request in October, the applicant met with the opposition in an attempt to rectify issues discussed during the public meeting. The original requested zoning designation (RMRP) is a conventional zoning district and cannot be conditioned. However, the applicant along with the opposition crafted conditions they wish to include in the ordinance. Given the original requested zoning designation cannot be conditioned, the only avenue to include the requested conditions is through a Planned Unit Development (PUD). The LDRs require a PUD be a minimum of 10 acres in size; the applicant is also requesting a waiver to the acreage requirement.

The proposed conditions include: Storage for up to 36 boat/vessels, trailers, recreational vehicles (RV), and 'toys' and there shall be no occupancy of any kind on the subject property. Paradise Lane is also required to be improved/paved to 20 feet in width.

Ordinance #2020-XX
Molokai Mobile Home Park
RZ-19-20-3

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

WHEREAS, Jimmy D. Crawford, Esq. (the "Applicant") made a request, on behalf of Molokai Co-Op, Inc. (the "Owner"), to rezone 3.6 +/- acres from Mixed Home Residential (RM) to Planned Unit Development (PUD); and

WHEREAS, the subject property consists of 3.6 +/- acres and is generally located northwest of Molokai Mobile Home Park, in the Leesburg area of unincorporated Lake County, situated in Section 14, Township 19, Range 25, identified as Alternate Key Number 1182352, and more particularly described in Exhibit "A"; and

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

WHEREAS, on November 13th, 1979, the Board of County Commissioners approved Ordinance #28-79; and

WHEREAS, the approval of this ordinance will supersede and replace Public Hearing Item #113-79-1 of Ordinance #28-79; and

WHEREAS, the Lake County Planning and Zoning Board reviewed Petition RZ-19-20-3 on the 4th day of March, 2020, after giving Notice on petition for a change in use of land, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida on the 24th day of March, 2020; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, staff report, 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

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 to Planned Unit Development (PUD). The approval of this ordinance will supersede and replace Public Hearing Item #113-79-1 of Ordinance #28-79.

I. Waivers.

Planned Unit Development minimum acreage requirement pursuant to LDR Section 4.03.03(B).

II. Land Uses.

Storage for up to 36 boat/vessels, trailers, recreational vehicles (RV), and 'toys'. There shall be no occupancy of any kind on the subject property. Any other use of the property will require approval of an amendment to this Ordinance by the Board of County Commissioners.

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III. Open Space, Impervious Surface Ratio, and Building Height.

- 1. Impervious Surface Ratio (ISR): 0.70 (maximum, overall development).
- 2. Open Space: 20% (minimum)
- 3. Building height 50-feet maximum.

IV. Development Standards/Design Criteria. Development shall adhere to commercial design standards in accordance with the Comprehensive Plan and Land Development Regulations (LDR), as amended.

V. Setbacks. Setbacks shall be in accordance with the Land Development Regulations (LDR), as amended.

VI. Parking Requirements. Off-street parking must be provided in accordance with the Land Development Regulations (LDR), as amended.

VII. Landscaping, Buffering, and Screening. All new development must provide landscaping in accordance with the Land Development Regulations (LDR), as amended.

VIII. Environmental Requirements.

- 1. An environmental assessment dated within six (6) months of the development application submittal will be required. The environmental assessment must specify the presence of vegetation, soils, and any threatened or endangered species that may exist on the site. Any State permitting or mitigation will be required before development can commence.
- 2. Environmental resources shall be protected in accordance with the Comprehensive Plan and Land Development Regulations (LDR), as amended.
- 3. Open space shall be provided in accordance with the Land Development Regulations (LDR), as amended.

IX. Noise Compliance. Development shall comply with noise protection provisions of the Land Development Regulations, as amended.

X. Transportation Improvements. All access management shall be in accordance with the Comprehensive Plan and Land Development Regulations (LDR), as amended. Paradise Lane shall be improved/paved to 20 feet in width.

XI. Utilities. The development shall be serviced well and septic tanks consistent with the Florida Department of Health Regulations, as amended. However, the multi-family development complex shall connect to central potable water and central sewer when services become available, in accordance with the Comprehensive Plan and Land Development Regulations (LDR), as amended.

XII. Stormwater Management. Any proposed stormwater management system must be designed in accordance with all applicable Lake County and St. Johns River Water Management District requirements.

XIII. Floodplain Management. The Owners will be responsible for any flood studies required for developing the site and to comply with Federal Emergency Management Agency (FEMA)

1 regulations, the Comprehensive Plan, and the Land Development Regulations. Any
2 development within the floodplain as identified on the FEMA maps will require compensating
3 storage.

4 **XIV. Lighting.** Exterior lighting must be in accordance with the Land Development
5 Regulations, as amended, and consistent with Dark-Sky Principles.

6 **XV. Signage.** All signage must be in accordance with the Land Development Regulations, as
7 amended.

8 **XVI. Concurrency Management Requirements.** Any development must comply with
9 the Lake County Concurrency Management System, as amended.

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11 **Section 2. Development Review and Approval.**

12 1. Prior to the issuance of any permits, the Owners shall be required to submit applications for
13 and receive necessary final development order approvals as provided in the Lake County
14 Comprehensive Plan and Land Development Regulations. The applications for final
15 development orders shall meet all submittal requirements and comply with all County codes
16 and ordinances, as amended.

17 2. PUD Expiration: Physical development shall commence within three (3) years from the date
18 of this Ordinance approval. Failure to commence construction within three (3) years of approval
19 shall cause the revocation of this ordinance, in accordance with the Comprehensive Plan or
20 superseding documents amended. Prior to expiration of the three-year time frame, the Board
21 of County Commissioners may grant, via a Public Hearing, one (1) extension of the time frame
22 for a maximum of two (2) years upon a showing that reasonable efforts have been made
23 towards securing the required approvals and commencement of work.

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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.

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

ENACTED this _____ day of _____, 2020.

FILED with the Secretary of State _____, 2020.

EFFECTIVE _____, 2020.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

LESLIE CAMPIONE, CHAIRMAN

ATTEST:

GARY J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

APPROVED AS TO FORM AND LEGALITY

MELANIE MARSH, COUNTY ATTORNEY

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Exhibit "A" – Legal Description

Begin at the Northeast corner of the Northeast ¼ of the Southeast ¼, Section 14, Township 19 South, Range 25 East, run thence South along Section line 933 feet to South boundary of Ohio Street, thence West along South boundary of Ohio Street 220 feet to West Boundary of Cook Avenue, run thence South 10°30' West 300 feet along West boundary of Cook Avenue, thence South 58° West 700 feet, thence North 32° West 330 feet, more or less, to North boundary of boat canal for point of beginning for an island with boat canals on North and South sides and Little Cook Lake on East side and Cook Lake on West side, otherwise described as: From said point of beginning turn Westerly and follow the meanderings of said canal to Cook Lake, thence Northerly along said Lake to boat canal, thence Easterly along boat canal to Little Cook Lake, thence Southerly along said lake to boat canal, thence Westerly along boat canal to point of beginning.

ALSO, easement or right-of-way to be used as a street or roadway for general passage-way over the following described parcel of land, to-wit: Begin at Northeast corner of the Northeast ¼ of Southeast ¼, Section 14, Township 19 South, Range 25 East, run thence South along Section line 933 feet to South boundary of Ohio Street, thence West along South boundary of Ohio Street, 220 feet to West boundary of Cook Avenue, thence South 10°30' West 300 feet along West boundary of Cook Avenue, thence South 58° West 700 feet for point of beginning; run thence North 32° West 330 feet, more or less, to North boundary of boat canal and a point designated as Point "A"; thence back to point of beginning and run thence South 58° West 20 feet, thence North 32° West 330 feet, more or less, to North boundary of boat canal, thence Northeasterly along Northerly boundary of boat canal to Point "A".

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