



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 5

Public Hearings: Planning & Zoning Board (PZB): April 29, 2020  
Board of County Commissioners (BCC): May 19, 2020

Case No. and Project Name: RZ-20-05-1, Hansen House Rezoning

Applicant: Andrew and Joni Hansen

Owner: Andrew and Joni Hansen

Requested Action: Rezone approximately 0.66 +/- acres from Agriculture (A) to Estate Residential (R-2), to facilitate the construction of a single-family residence.

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: 0.66 +/- net acres

Location: South of Lake Emma Road, and north of Lake Emma, in the Groveland area

Alternate Key No.: 3366859

Future Land Use: Hansen

Current Zoning District: Agriculture

Proposed Zoning District: Estate Residential (R-2)

Flood Zone: "A" and "X"

Joint Planning Area: N/A

Overlay Districts: N/A

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Estate Residential (R-2)	Residential	Single-family dwelling units, on the north side of Lake Emma Road
South	N/A	N/A	Lake	Adjacent to Lake Emma
East	Rural Transition	Agriculture (A)	Residential and Agricultural	Single-family dwelling unit and grove
West	Rural Transition	Agriculture (A)	Residential	Single-Family Dwelling

### **Staff Analysis**

The Applicant is requesting to rezone 0.66 +/- acres of property from Agriculture (A) to Estate Residential (R-2) to facilitate construction of a single-family residence. The subject property is generally located south of Lake Emma Road, and north of Lake Emma, in the Groveland area. Pursuant to Land Development Regulations (LDR) Section 3.01.02, Classification of Uses, single-family residences are classified as a residential use, and permissible in both the Agriculture (A) and Estate Residential (R-2) zoning districts. The subject property is on the northern shoreline of Lake Emma and partially within flood zones "A" and "X," as indicated by the Lake County GIS Aerial Map. The parcel size is consistent with the required density of the Estate Residential (R-1) zoning district, which is two (2) dwelling units per one (1) net acres.

The subject property is designated as Hansen Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-1.4.9, Hansen Future Land Use Category, a single-family residence and related accessory uses are the only permissible uses in the FLUC. The allowed uses and maximum impervious surface ratio (ISR) of the Hansen FLUC are most consistent with the proposed Estate Residential (R-2) zoning district.

### **Standards for Review (LDR Section 14.03.03)**

#### **A. Whether the proposed rezoning is consistent with all elements of the Comprehensive Plan.**

The proposed single-family residence use is consistent with uses allowed in the Hansen FLUC, and the size of the property will not exceed the allowable residential density.

#### **B. Whether the proposed rezoning 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 single-family residence uses within the Estate Residential (R-2) zoning district.

#### **C. Whether, and the extent to which, the proposed rezoning 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 parcels to the north of the subject property, across Lake Emma Road, are zoned Estate Residential (R-2).

#### **D. Whether there have been changed conditions that justify the rezoning.**

Ordinance #2019-57 (FLU-19-01-1, Hansen Property FLUC) was enacted by the Board of County Commissioners on October 22, 2019, and created the Hansen FLUC.

#### **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

The property shall be serviced by an individual well and septic tank. Permits for a well and septic from the Department of Health shall be required upon permitting of the single-family residence.

##### Solid Waste

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

##### Public Safety

The closest Lake County Fire Rescue Station (LCFR Station #109) is located approximately 6.3 miles from the site.

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

No adverse impacts to the natural environment are anticipated. A scaled, signed, sealed boundary survey delineating the jurisdictional wetland line (JWL) and 2012 flood zones will be required upon permitting of the single-family residence. Review

of the future residential zoning will ensure the development does not encroach within 50-feet of the wetland line associated with Lake Emma pursuant to Comp Plan Conservation Element Policy III-2.5.13.

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

The subject property is platted as part of the Lake Emma Ridge Phase I subdivision, and a majority of surrounding properties are developed with similar residential uses, with varied tract sizes. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area.

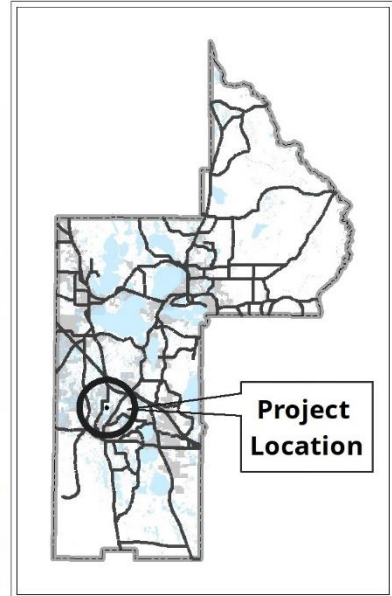
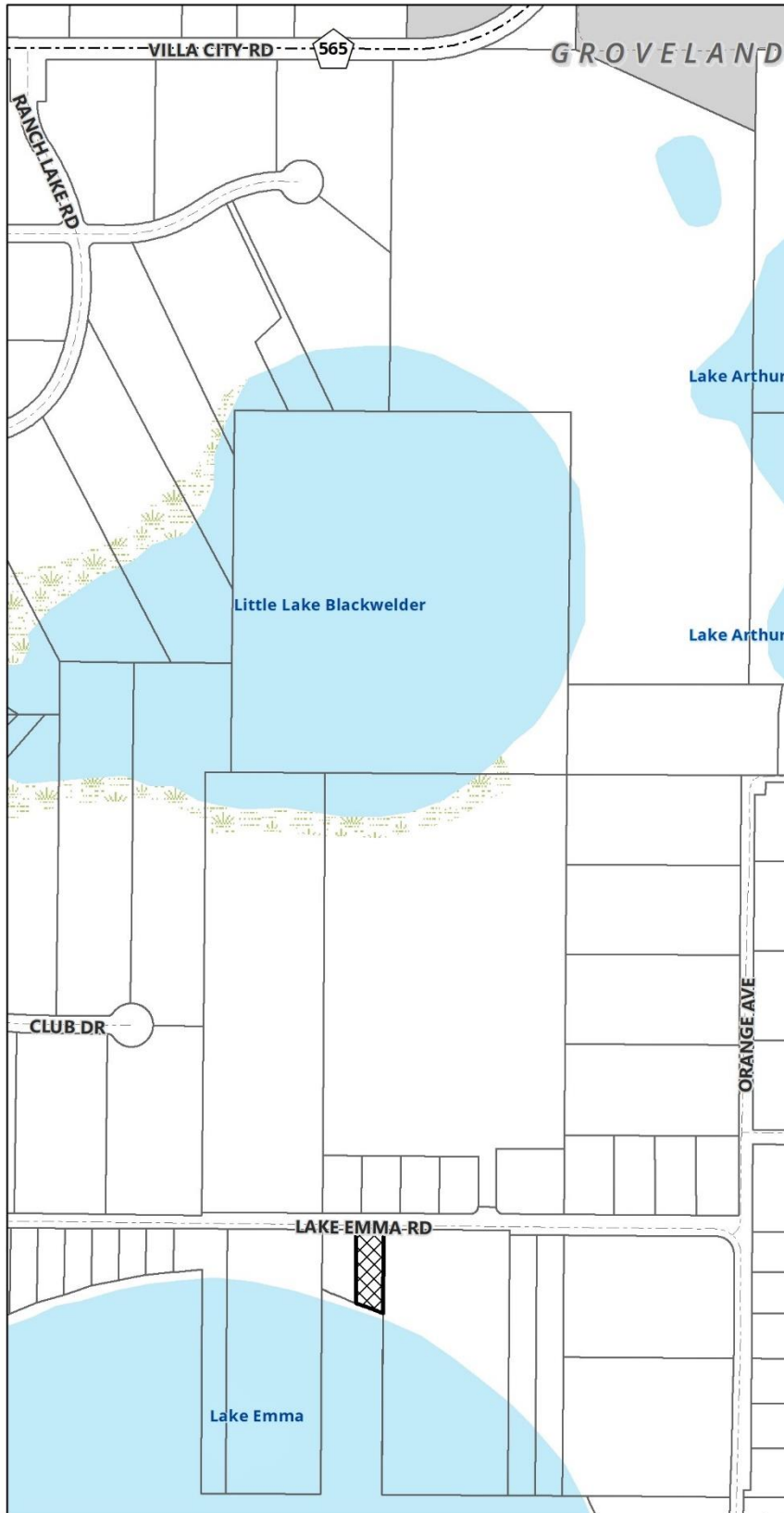
**I. Whether the proposed rezoning would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

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  
Hansen House Rezoning  
RZ-20-05-1**

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**, Andrew and Joni Hansen (the “Owners” and “Applicants”), submitted an application to  
4 rezone approximately 0.66 +/- acres from Agriculture (A) to Estate Residential (R-2) to facilitate construction  
5 of a single-family residence; and

6 **WHEREAS**, the subject property consists of approximately 0.66 +/- acres, and is generally located  
7 south of Lake Emma Road, and north of Lake Emma, in the unincorporated Groveland area of Lake County,  
8 Florida, in Section 31, Township 21 South, Range 25 East, identified by Alternate Key Number 3366859, and  
9 more particularly described below:

10 Tract A, LAKE EMMA RIDGE PHASE ONE, according to the Plat thereof as recorded in Plat Book  
11 33, Page 4, Public Records of Lake County, Florida.

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

14 **WHEREAS**, the property will be zoned Estate Residential (R-2) in accordance with the Lake County  
15 Zoning Regulations; and

16 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-20-05-1 on April 29,  
17 2020, after giving Notice of Hearing on petition for a change in the use of land, including notice that said  
18 petition was presented to the Board of County Commissioners of Lake County, Florida, on May 19, 2020;  
19 and

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

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

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

27 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the  
28 subject property to Estate Residential (R-2).

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