



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): August 5, 2020
Board of County Commissioners (BCC): August 25, 2020

Case No. and Project Name: RZ-20-19-5, Goralnick Property

Applicant: Zachary Dunn

Owner: Larry and Angie Goralnick

Requested Action: Rezone approximately 5.12 +/- acres from Rural Residential (R-1) to Agriculture (A).

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: 5.12 +/- Gross Acres

Location: South of Knoll Top Lane, east of North Thrill Hill Road, in the Eustis area.

Alternate Key No.: 3659961

Future Land Use Category: Rural

Existing Zoning District: Rural Residential (R-1)

Proposed Zoning District: Agriculture (A)

Joint Planning Area/ISBA: N/A

Overlay Districts: Wekiva-Ocala Rural Protection Area (RPA) and Wekiva Study Area

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Rural Residential (R-1)	Residential	Single-Family Residence
South	Rural	R-1	Residential	Single-Family Residence
East	Rural	R-1	Residential	Single-Family Residence
West	Rural	R-1	Residential	Single-Family Residence

– Summary of Analysis –

The vacant subject property is comprised of 5.2 +/- acres, currently zoned Rural Residential (R-1), and designated as Rural Future Land Use Category (FLUC). The subject property is generally located south of Knoll Top Lane, east of North Thrill Hill Road, in the Eustis area.

The application seeks to rezone the property from R-1 to Agriculture (A) zoning for cattle grazing. The subject parcel is currently undeveloped. The proposed request is consistent with the Comprehensive Plan and Land Development Regulations (LDR) as cattle grazing and other agriculture uses are allowed within FLUC and proposed zoning district.

- 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;

The rezoning application and proposed use for cattle grazing is consistent with LDR Section 3.00.02, which states that the intention of the Agriculture zoning district is to provide a method whereby parcels of Land which are most suited to agricultural usage may be classified and preserved for this purpose.

Pursuant to LDR Section 3.01.02(B)(2), *Classification of Uses – Agricultural Uses*, which defines general agriculture as the keeping, grazing or feeding of livestock and animals; feedlots; croplands; and buildings which are an accessory use to these agricultural uses.

The requested rezoning application and proposed use are also consistent with LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows general and non-intensive agricultural uses within the Agriculture zoning district.

Additionally, based on the parcel acreage, the proposed request for the Agriculture District is consistent with the maximum density allowed pursuant to LDR Section 3.02.06.

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

The request and use are consistent with all applicable elements of the Comprehensive Plan. The subject parcel is designated with a Rural FLUC, which allows typical uses to include agriculture and residential uses.

The rezoning request and proposed cattle grazing use is consistent with Comprehensive Plan Objective I-5.2, *Wekiva-Ocala Rural Protection Area*, which seeks to preserve the rural density, character, and lifestyles, and to protect the ecological integrity of public and private lands associated within the Ocala National Forest, Wekiva-Ocala Greenway, and St. Johns River areas of Lake County. The request is to rezone to the Agriculture zoning district, which is a low density zoning district, and the request is to have cattle grazing on the property, which is fitting to the rural character and lifestyles that the Wekiva-Ocala RPA seeks to preserve.

The request is also consistent with Comprehensive Plan Objective I-3.1, *Designation of the Wekiva River Protection Area and Wekiva Study Area*, which seeks to preserve and protect lands within the Wekiva River Protection Area and Wekiva Study Area as natural resources of critical state and regional importance.

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

The surrounding parcels are zoned R-1 and developed with single-family dwelling units. The proposed request is consistent with the existing adjoining parcel uses as the intent is to use the parcel for cattle grazing. Surrounding uses include a mixture of single-family residential and non-intensive agriculture.

The applicant states that the proposed rezoning is compatible with the existing, nearby land uses.

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

There is no evidence of recent rezoning applications within the area over the past 5 years to demonstrate a development trend to justify rezoning.

- 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 septic tank and well for the property shall be consistent with the Florida Department of Health regulations, as amended.

Office of Parks and Recreation

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

Office of Public Safety

Lake County Fire Rescue Station #21, located at 19212 State Road 44 in Eustis, is approximately six (6) miles from the subject property. This facility will provide advanced life support should an emergency situation on the property demand this service.

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 levels of service.

Transportation Concurrency

The request is not anticipated to potentially impact the roadway network and Level of Service (LOS) standards.

- 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 the extent to which, the proposed rezoning would affect the property values in the area;**

The rezoning application did not contain any information regarding impact on property values in the area.

- 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. Should the rezoning be approved, the property use will be for cattle grazing.

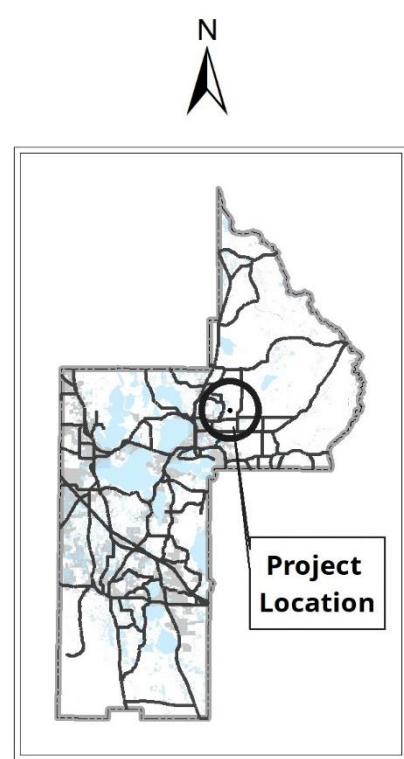
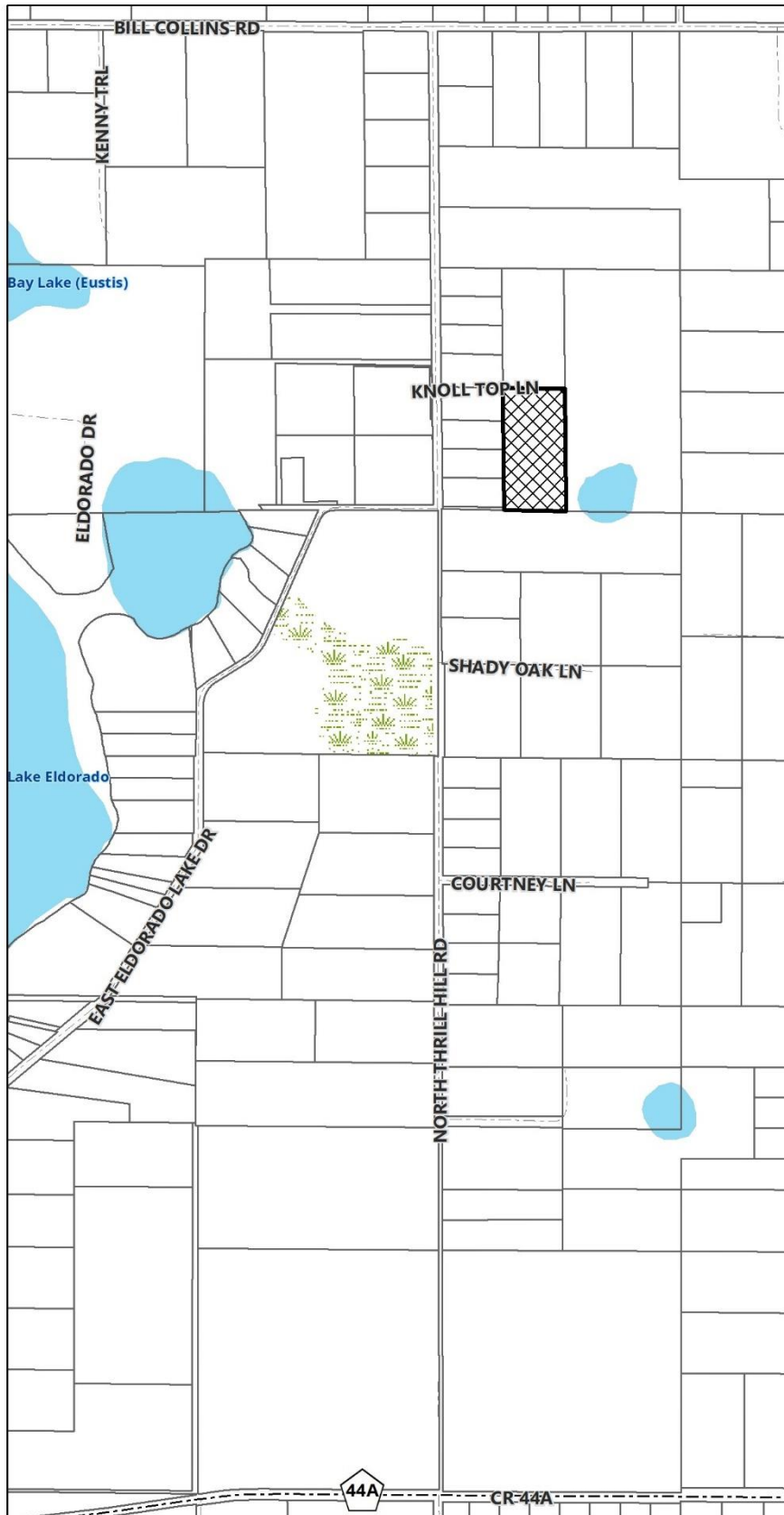
- I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

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

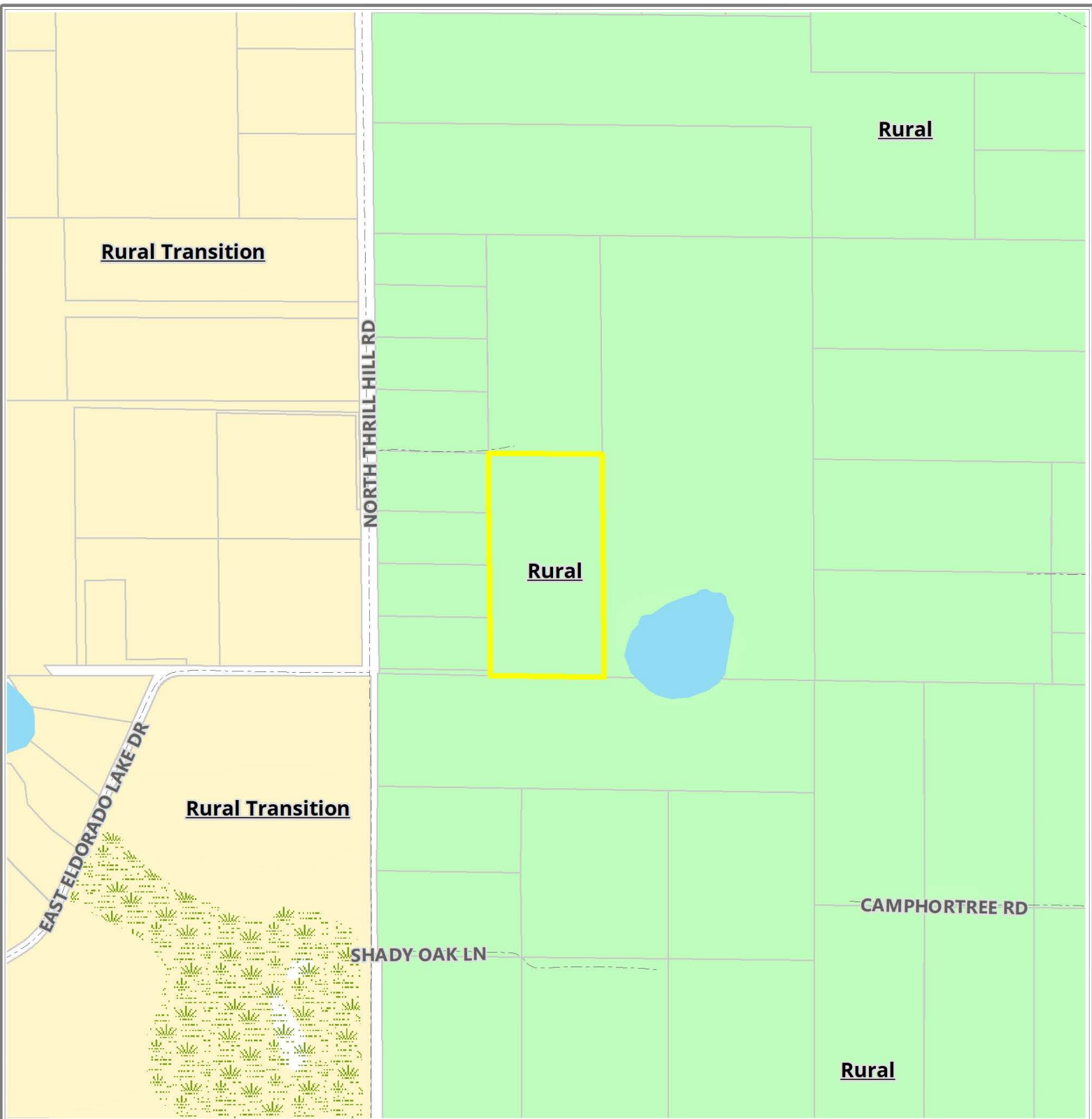
- J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

None.

Map of Subject Property



CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

 Rural  Rural Transition

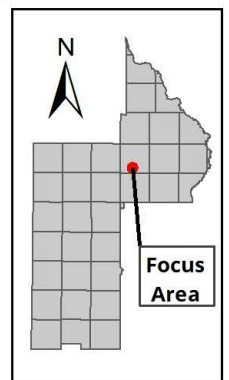
NAME: **GORALNICK PROPERTY**

CASE NUMBER: **RZ-20-19-5**

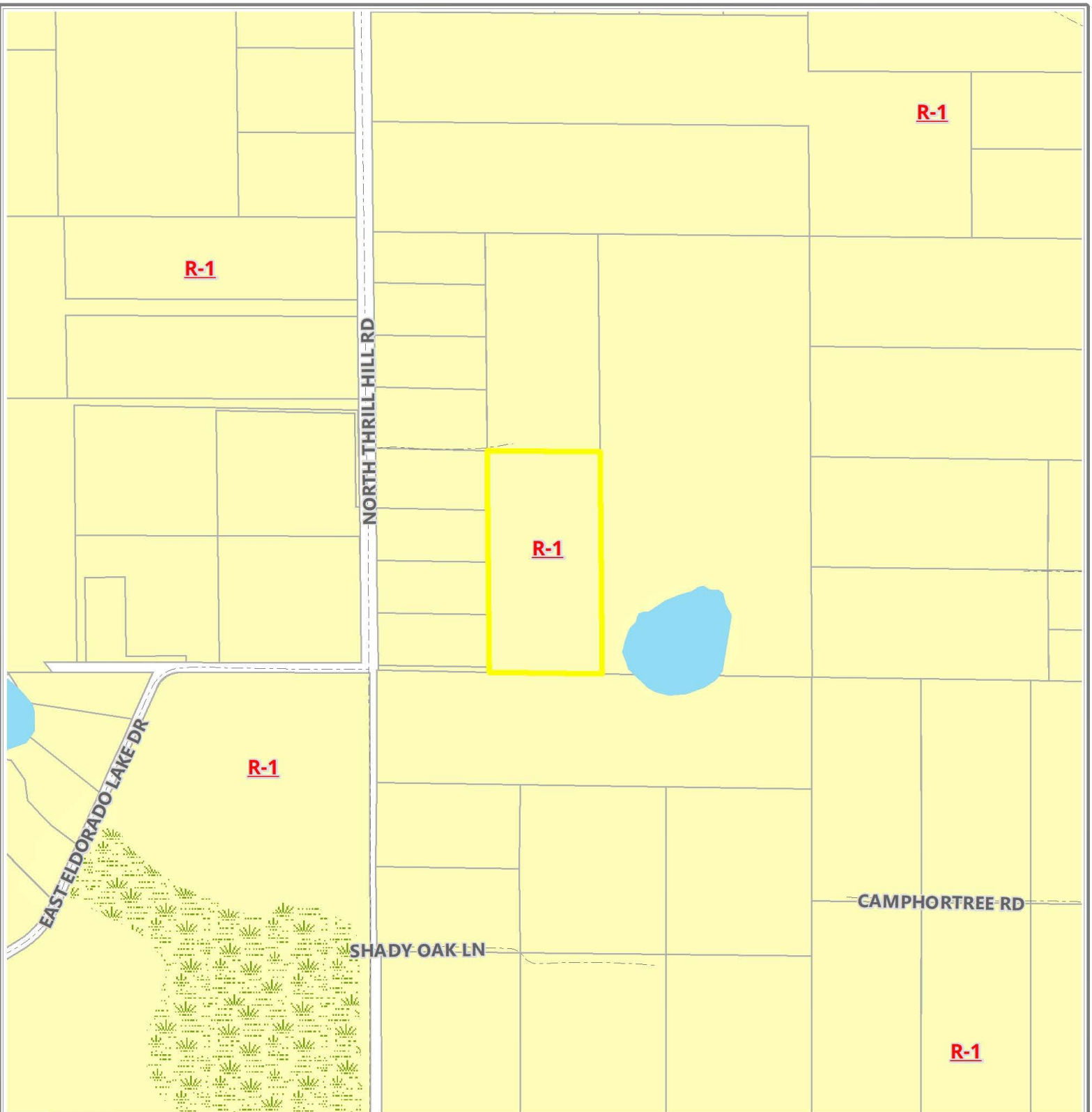
LOCATION (S-T-R): **28-18-27**

REQUEST: **RURAL RESIDENTIAL (R-1) TO AGRICULTURE (A)**

DISTRICT: **5**



CURRENT ZONING



ZONING LEGEND

 R-1

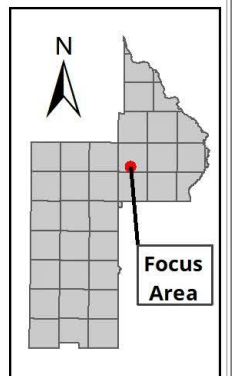
NAME: GORALNICK PROPERTY

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REQUEST: RURAL RESIDENTIAL (R-1) TO AGRICULTURE (A)

DISTRICT: 5



ORDINANCE #2020-XX
GORALNICK PROPERTY
RZ-20-19-5

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**, Zachary Dunn (the “Applicant”) submitted an application on behalf of Larry and Angie
4 Goralnick (the “Owners”) to rezone approximately 5.12 +/- acres from Rural Residential District (R-1) to
5 Agriculture District (A); and

6 **WHEREAS**, the subject property consists of approximately 5.12 acres, is located South of Knoll Top
7 Lane, east of North Thrill Hill Road, in the Eustis area, in Section 28, Township 18, Range 27, identified by
8 Alternate Key Number 3659961, and more particularly as described in:

9 **EXHIBIT “A” – LEGAL DESCRIPTION**

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

12 **WHEREAS**, the property will be rezoned to Agriculture District (A) in accordance with the Lake
13 County Zoning Regulations; and

14 **WHEREAS**, Lake County Planning and Zoning Board did review petition RZ-20-19-5 on the 5th day
15 of August 2020, after giving notice of a hearing for a change in the use of land, including a notice that the
16 petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 25th day of
17 August 2020; and

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

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

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

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

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

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

35 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of
36 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
37 125.66, Florida Statutes.

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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

EXHIBIT "A" – LEGAL DESCRIPTION

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Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 18 South, Range 27 East, Lake County, Florida, run South 88°23'33" East along the South line of said Southwest 1/4 of Southeast 1/4, 25.00 feet to the East right-of-way of County Road No. 5-6280, thence North 0°03'33" West along said right-of-way 15.00 feet, thence South 88°23'33" East 332.33 feet to the Point of Beginning. Thence run North 0°17'58" East 649.70 feet, thence South 88°32'05" East 336.42 feet, thence South 0°17'58" West 665.53 feet, more or less, to the South line of aforementioned Southwest 1/4 of the Southeast 1/4 and a point that is 627 feet West of the East line of said Southwest 1/4 of Southeast 1/4, thence North 88°23'33" West 336.40 feet, more or less, to a point that is South 0°17'58" West 15.00 feet of the Point of Beginning, thence North 0°17'58" East 15.00 feet to the Point of Beginning.

SUBJECT TO and together with an easement for ingress and egress, over the North 25.00 feet of the West 150.00 feet thereof.

SUBJECT TO and together with an easement for ingress and egress over, upon and across the following described property: Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 18 South, Range 27 East, Lake County, Florida, run South 88°23'33" East along the South line of said Southwest 1/4 of Southeast 1/4, 25.00 feet to the East right-of-way of County Road No. 5-6280, thence North 0°03'33" West along said right-of-way 15.00 feet to the Point of Beginning, thence South 88°23'33" East 668.77 feet, thence run South 0°17'58" West 15.00 feet to the South line of aforementioned Southwest 1/4 of Southeast 1/4 and a point that is 627 feet West of the East line of said Southwest 1/4 of Southeast 1/4, thence North 88°23'33" West 668.68 feet, more or less, to a point that is South 0°03'33" East 15.00 feet of Point of Beginning, thence North 0°03'33" West 15.00 feet to the Point of Beginning.

ALSO:

From the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 18 South, Range 27 East, run South 88°23'33" East 25 feet to the East right of way line of County Road 5—6280 (Thrill Hill Road) and the Point of Beginning. Run thence North 00°03'33" West 15 feet, thence South 88°23'33" East 332.33 feet, thence South 15 feet, thence North 88°23'33" West to the Point of Beginning.

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