



CONDITIONAL USE PERMIT STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

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

Case No. and Project Name: CUP-20-03-4 Southern Oaks Training Center

Applicant: Greg Beliveau, LPG Urban & Regional Planners, Inc.

Owner: Karl Pinske, Southern Oaks Training Center, Inc.

Requested Action: Amend CUP #2005-47 to include an additional six (6) recreational vehicle spaces, for a total of eighteen (18) recreational vehicle spaces.

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

Case Manager: Emily W. Johnson, Planner

PZB Recommendation:

Subject Property Information

Size: 154 +/- acres

Location: 25800 County Road 46A, in the Sorrento area.

Alternate Key No.: 2869917

Future Land Use: WRPA A-1-20 Receiving Area / WRPA A-1-40 Sending Area

Current Zoning District: Agriculture (A)

Flood Zone: "X" and "A"

Joint Planning Area / ISBA: N/A

Overlay Districts: Wekiva River Protection Area (WRPA)
Wekiva Study Area (WSA)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	WRPA A-1-20 Receiving Area, WRPA A-1-40 Sending Area	Agriculture (A), Planned Unit Development (PUD)	Agriculture and residential uses (across SR 44)	Adjacent to SR 44
South	WRPA A-1-20 Receiving Area, WRPA A-1-40 Sending Area	Agriculture (A)	Agriculture and residential uses	Single-Family Residences on Large Agricultural Tracts
East	WRPA A-1-40 Sending Area	Agriculture (A)	Vacant	Adjacent to CR 46A
West	WRPA A-1-20 Receiving Area	Agriculture (A)	Agriculture and residential uses	Single-Family Residences on Large Agricultural Tracts

- Summary of Analysis -

The subject 154 +/- acre parcel is located at 25800 County Road 46A, in the Sorrento area of unincorporated Lake County. The parcel is zoned Agriculture (A) and is designated with a Future Land Use Category (FLUC) of WRPA A-1-20 Receiving Area and WRPA A-1-40 Sending Area. The property is developed as an equestrian training center with training tracks, seven (7) stables, twenty-three (23) paddocks, a dormitory, twelve (12) recreational vehicle spaces, and related support uses.

The Applicant has submitted an application to amend the existing conditional use permit (CUP #2005-47) to include an additional six (6) recreational vehicle spaces, for a total of eighteen (18) recreational vehicle spaces. Should the amendment be approved, a development application for site plan approval must be submitted for approval of the location of the proposed additional spaces.

- Analysis -

LDR Section 14.05.03 (Standards for Review)

A. Consistency with the Comprehensive Plan and Local Code (Land Development Regulations).

Under LDR Table 3.01.03, a Riding Stable or Academy is an allowed use in the Agriculture (A) zoning district with an appropriate land use regulatory instrument; a CUP satisfies this requirement. A Riding Stable or Academy is defined as “a stable, other than a private stable, used for the care of horses, ponies, or other livestock to be used for instruction, recreation, renting or hiring, or for boarding of such animals.”

Pursuant to Comprehensive Plan Policy I-3.2.1, Wekiva River Protection Area A-1-40 Sending Area FLUC, and Comprehensive Plan Policy I-3.2.3, Wekiva River Protection Area A-1-20 Receiving Area FLUC, outdoor small-scale sporting and recreational camps are allowed within the categories with an appropriate land use regulatory instrument; a CUP satisfies this requirement. Pursuant to LDR Section 3.01.05, Similar Uses, uses not specifically listed and not more detrimental than the uses listed in Table 3.01.03, Schedule of Permitted and Conditional Uses, this horse training facility could be considered as an outdoor small-scale sporting camp, which could be permitted in the Agriculture (A) zoning district.

B. Effect on Adjacent Properties.

1. The proposed conditional use will not have an undue adverse effect upon nearby property.

Undue adverse effects are not anticipated; the equestrian training facility is already in existence and operates from the property, with twelve (12) recreational vehicle spaces. The Concept Plan (Attachment “A”) indicates that the proposed six (6) additional recreational vehicle spaces will not be any closer to the neighboring property line than the existing spaces, and depicts a 10-foot natural buffer between the recreational vehicle spaces and the right-of-way of County Road 46A.

The proposed CUP ordinance includes specific conditions regarding the implementation of Best Management Practices for manure management and land-spreading practices, as set forth by the Department of Agriculture, as well as submission of groundwater monitoring reports to the Florida Department of Health.

2. The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.

The area is characterized by large parcels with agricultural and low density residential uses.

3. All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through design, landscaping, and screening.

Pursuant to LDR Section 9.01.06.A.2, any parcel adjacent to a public right-of-way shall have a Type “A” landscape buffer along its right-of-way. The Concept Plan depicts a 10-foot natural buffer between the recreational vehicle spaces and the right-of-way of County Road 46A.

4. The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development of neighboring property, in accordance with applicable district regulations.

As previously stated, the proposed six (6) additional recreational vehicle spaces will not be any closer to the neighboring property line than the existing spaces.

C. Adequacy of Public Facilities.

The proposed conditional use will be served by adequate 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. Levels of service established by the Comprehensive Plan Shall be considered.

Water and Sewer

The subject property is currently serviced by well and septic; Florida Department of Health – Lake County (DOH-Lake) reviewed the application and indicated that the existing septic system may need to be modified to accommodate additional flow and may have to be engineered to be a low-pressure closed system. Additionally, DOH-Lake specified that the additional recreational vehicle sites must meet the sizing requirements of 64E-15, Florida Administrative Code, (a minimum of 1200-square feet), and that the well use must be transferred to Florida Department of Environmental Protection (DEP).

Parks

The proposed request is not anticipated to adversely impact parks.

Schools

The proposed request is not anticipated to adversely impact schools.

Solid Waste

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

Transportation

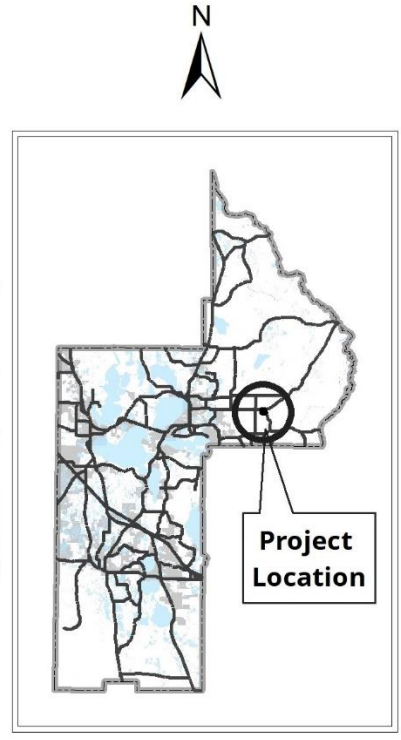
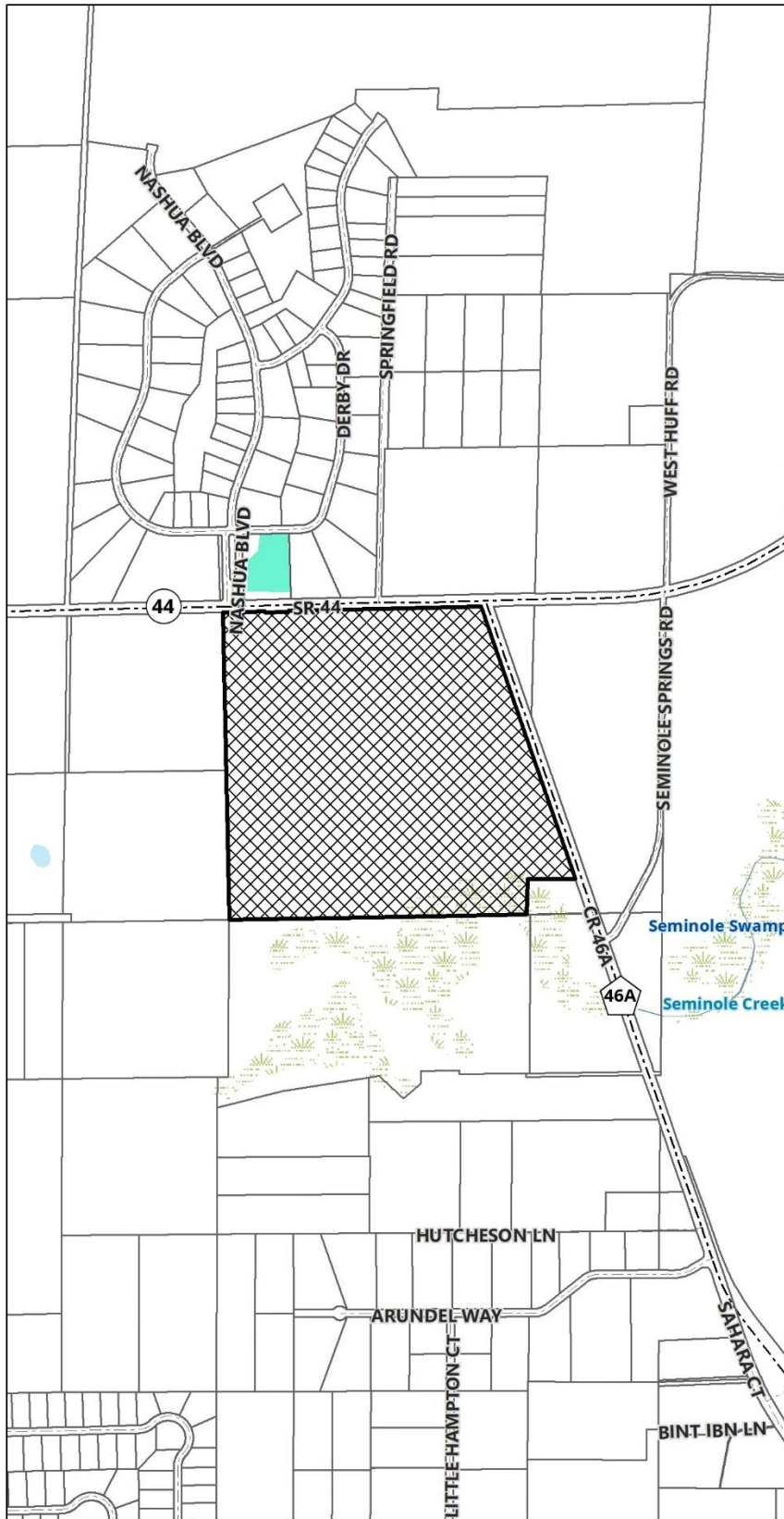
The proposed request is not anticipated to adversely impact transportation levels of service.

D. Adequacy of Fire Protection.

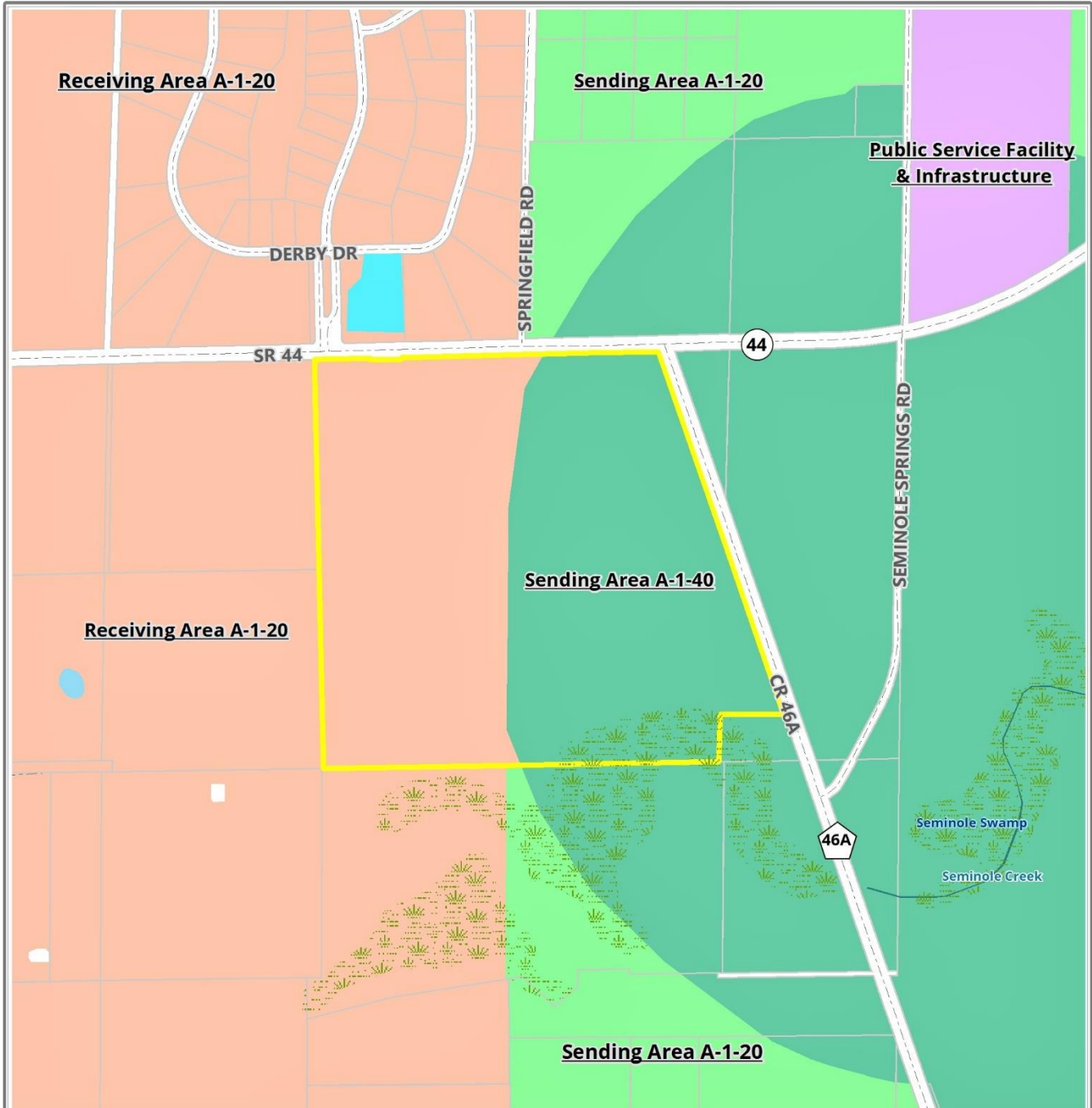
The applicant shall obtain from the Lake County Office of Fire Rescue written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

Lake County Fire Rescue Station #21 is located approximately two (2) miles from the subject property at 25100 County Road 44A, Eustis. Fire protection, water supply, and emergency access will be addressed during the site plan review process, if the conditional use permit is approved.




Subject Property



CURRENT FUTURE LAND USE



FUTURE LAND USE LEGEND

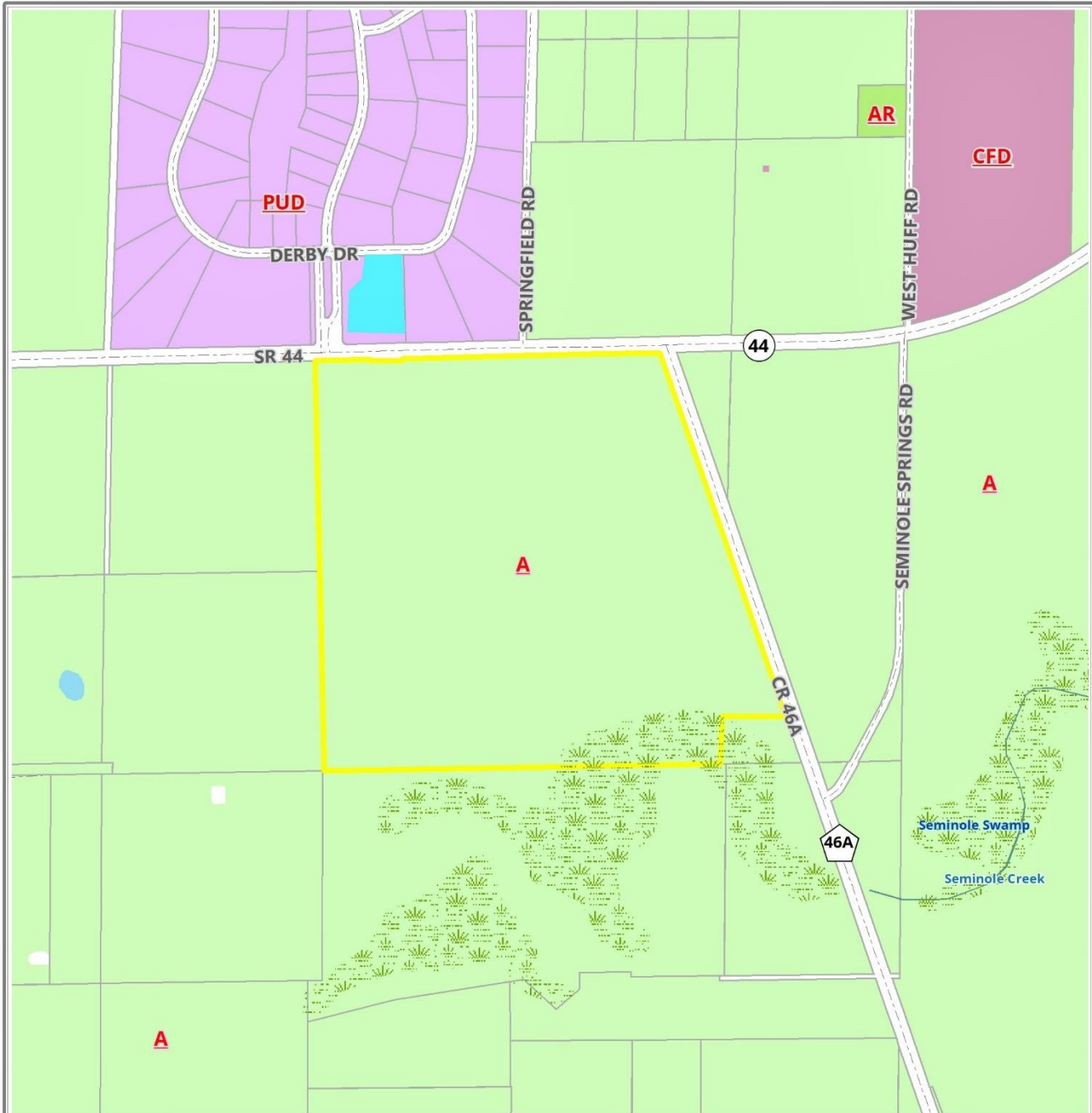
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|----------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
|  Public Service Facility Infrastructure |  Sending Area A-1-20 |
|  Receiving Area A-1-20 |  Sending Area A-1-40 |

NAME: SOUTHERN OAKS TRAINING CENTER PROPERTY
CASE NUMBER: CUP-20-03-4
LOCATION (S-T-R): 08-19-28
REQUEST: AMEND EXISTING CUP 2005-47 TO ADD 6 RV SPACES

DISTRICT: 4



CURRENT ZONING

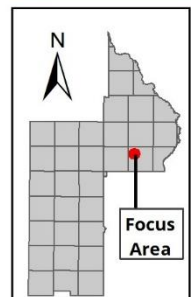


ZONING LEGEND

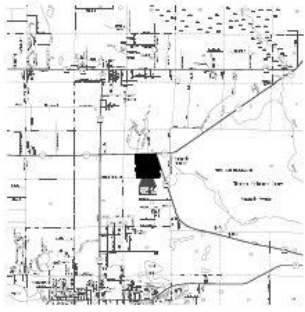
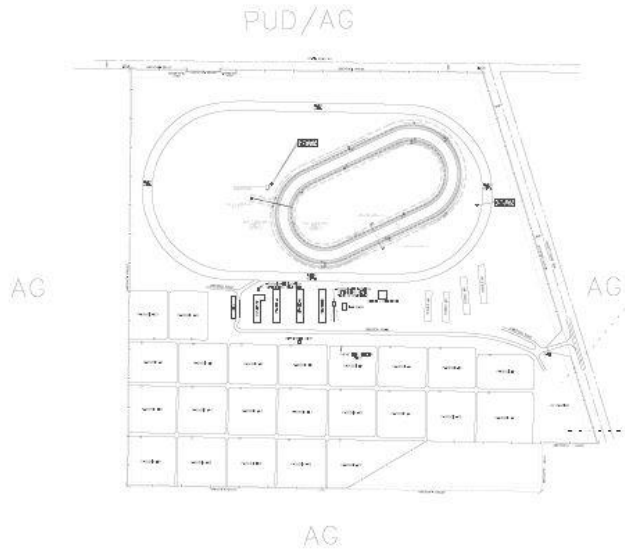
■ A ■ AR ■ CFD ■ PUD

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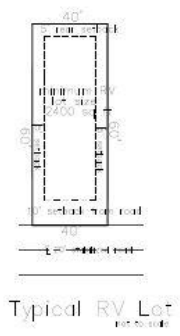
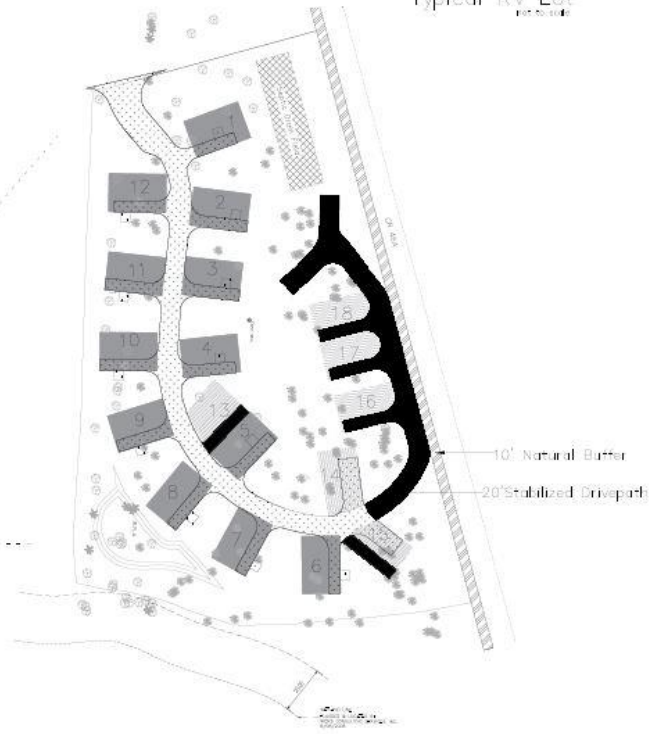


Attachment "A" – Concept Plan



Project Description
 This project is a conceptual master plan for a 154 +/- acre equestrian training center. The site is currently zoned Agriculture with CUP #2005-47. The project includes an existing equestrian facility, 12 existing RVs, and 18 proposed RVs. The project also includes a 10' natural buffer and a 20' stabilized driveway. The project is located in the Southern Oaks Training Center, Lake County, Florida.

Acreage 154 +/- acres
 Existing Zoning - Agriculture with CUP #2005-47
 Existing FLU - Receiving Area A-1-20
 Utilities - Onsite well and septic
 Existing RVs - 12
 Proposed RVs - 18
 RVs for use by client's only
 Project Statement: Existing Equestrian facility for horse training and support uses
 Existing ISR - 189,362sf (4.34 Acres) = 2.8%
 Proposed ISR - 210,683sf (4.8 Acres) = 3.1%



June 4th, 2020
 Southern Oaks Training Center



Southern Oaks Training Center Conceptual Master Plan

Lake County, Florida

1 **Ordinance #2020-XX**

2 **Southern Oaks Training Center**

3 **CUP-2020-03-4**

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

6 **WHEREAS**, Greg Beliveau, LPG Urban & Regional Planners, Inc. (the "Applicant"), has submitted a
7 conditional use permit application on behalf of Karl Pinske, Southern Oaks Training Center, Inc. (the
8 "Owner"), to amend CUP #2005-47 to include an additional six (6) recreational vehicle spaces, for a total of
9 eighteen (18) recreational vehicle spaces; and

10 **WHEREAS**, the subject property consists of approximately 154 +/- acres and is located at 25800
11 County Road 46A, in the Sorrento area of unincorporated Lake County, in Section 8, Township 19 South,
12 Range 28 East, having Alternate Key Number 2869917, and more particularly described below as:

13 **EXHIBIT "A" – Legal Description**

14 **WHEREAS**, the property subject to the request is located within the Wekiva River Protection Area
15 A-1-20 Receiving Area Future Land Use Category, and the Wekiva River Protection Area A-1-40 Sending
16 Area, as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

17 **WHEREAS**, the property is zoned Agriculture (A) in accordance with the Lake County Zoning
18 Regulations; and

19 **WHEREAS**, this ordinance shall supersede and replace any and all previous conditional use permits
20 on the property, including CUP #86/11/1-4, CUP #1998-12, and CUP #2005-0074; and

21 **WHEREAS**, Lake County Planning and Zoning Board did review petition CUP-2020-03-4 on the 5th
22 day of August 2020, and after giving Notice of Hearing for a change in the use of land, including a notice that
23 said petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 25th
24 day of August 2020; and

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

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

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

32 **Section 1. Terms:** The County Manager or designee shall amend the Official Lake County Zoning Map to
33 reflect a Conditional Use Permit (CUP) to allow uses with conditions as outlined in this
34 Ordinance. All land uses must be generally consistent with the Concept Plan as shown in Exhibit
35 "B" of this Ordinance. To the extent that there are conflicts between the Conceptual Plan, and
36 this Ordinance, this Ordinance will take precedence. This ordinance shall supersede and
37 replace any and all previous conditional use permits on the property, including CUP #86/11/1-4,
38 CUP #1998-12, and CUP #2005-0074.

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A. Land Uses:

- 1. Agriculture uses in accordance with the Land Development Regulations (LDR), as amended.
- 2. The operation is limited to a horse training facility and shall not be utilized as a commercial racetrack.
- 3. Stables to keep up to a maximum of five-hundred (500) horses.
- 4. A dormitory facility to house a maximum of one-hundred (100) grooms.
- 5. A one-mile training track.
- 6. Support and accessory structures including one (1) blacksmith shop, one (1) office, and one (1) coffee shop.
- 7. Mobile home to be used as a caretaker’s facility.
- 8. Eighteen (18) recreational vehicle (RV) sites.

Accessory uses directly associated with the above use may be approved by the County Manager or designee. Any other use of the site will require approval of an amendment to this Ordinance by the Board of County Commissioners.

B. Specific Conditions:

- 1. The RV sites are to be used only by clients of the equestrian training center, no public use shall be allowed.
- 2. The RV sites shall be used only during the six (6) month season of the horse training facility, and shall not be used for storage of RVs.
- 3. Any new septic tank systems as part of the RV sites shall meet any applicable Wekiva River Protection Area regulations for septic tanks; the septic and well systems shall be reviewed by the appropriate state agency.
- 4. The six (6) new RV sites must be a minimum of 1200-square feet, not to exceed a maximum of 2400-square feet.
- 5. Used bedding shall be disposed of off-site on a weekly basis (7-day week).
- 6. Equine waste may not be placed within 100-feet of the jurisdictional wetland line or property line.
- 7. Equine waste disposal may be managed as specified below:
 - a. Off-site disposal on a weekly basis (7-day week), or
 - b. On-site land spreading in accordance with the Florida Department of Agriculture Best Management Practices, as amended, to include the following:
 - i. Submission of an annual groundwater quality monitoring report in conjunction with the annual CUP renewal request.

C. Setbacks.

- 1. Proposed structures must maintain a minimum setback of 50-feet from the jurisdictional wetland line (JWL).

- 1 2. Unless otherwise specified in this ordinance, setbacks shall be in accordance with the
2 Land Development Regulations (LDR), as amended.
- 3 **D. Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height.** Open
4 Space, Impervious Surface Ratio, Floor Area Ratio, and Building Height shall be in
5 accordance with the Comprehensive Plan and LDR, as amended.
- 6 **E. Environmental Considerations.**
- 7 1. An environmental assessment dated within six (6) months must be provided with the
8 development application submittal. The environmental assessment must indicate the
9 presence of vegetation, soils, threatened and endangered species that may exist on the
10 site. Any state permitting or mitigation will be required before development can
11 commence.
- 12 2. Environmental resources shall be protected in accordance with the Comprehensive Plan
13 and LDR, as amended.
- 14 **F. Transportation.** All access management shall be in accordance with the Comprehensive
15 Plan and LDR, as amended.
- 16 **G. Utilities.** Well and septic systems shall be provided in accordance with the permit provisions
17 of the appropriate jurisdictional permit agency, Florida Department of Health or the Florida
18 Department of Environmental Protection.
- 19 **H. Floodplain and Stormwater Management.**
- 20 1. The stormwater management system shall be designed in accordance with all
21 applicable Lake County and St. Johns River Water Management District (SJRWMD)
22 requirements, as amended.
- 23 2. The developer shall be responsible for any flood studies required for developing the site,
24 and must comply with FEMA, the Lake County Comprehensive Plan, and LDR, as
25 amended. Any development within the floodplain as identified on the FEMA maps will
26 require compensating storage.
- 27 **I. Concurrency Management Requirements.** Any development must comply with the Lake
28 County Concurrency Management System, as amended.
- 29 **J. Development Review and Approval.** Prior to the issuance of any permits or the usage of
30 the additional RV spaces, the Applicant shall be required to submit a development
31 application generally consistent with Exhibit "B" - Concept Plan for review and approval in
32 accordance with the Comprehensive Plan and LDR, as amended.
- 33 **K. Future Amendments to Statutes, Code, Plans, or Regulations.** The specific references
34 in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
35 Comprehensive Plan, and Lake County LDR will include any future amendments to the
36 Statutes, Code, Plans, or Regulations.
- 37 **Section 3. Conditions:**
- 38 **A.** After establishment of the facilities as provided in this Ordinance, the property must only be
39 used for the purposes named in this Ordinance. Any other proposed use must be specifically
40 authorized by the Board of County Commissioners.

- 1 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve,
2 move, convert, or demolish any building or structure, add other uses, or alter the land in any
3 manner within the boundaries of the above described land without first obtaining the
4 necessary approvals in accordance with the Lake County Code, as amended, and obtaining
5 the permits required from the other appropriate governmental agencies.
- 6 **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the
7 land and the terms, conditions, and provisions of this Ordinance, and will be binding upon
8 the present Owner and any successor, and will be subject to each and every condition set
9 out in this Ordinance.
- 10 **D.** Construction and operation of the proposed use must comply with the regulations of this and
11 other governmental permitting agencies.
- 12 **E.** The transfer of ownership or lease of any or all of the property described in this Ordinance
13 must include in the transfer or lease agreement, a provision that the purchaser or lessee is
14 made aware of the conditions established by this Ordinance and agrees to be bound by
15 these conditions. The purchaser or lessee may request a change from the existing plans
16 and conditions by following the procedures contained in the Land Development Regulations,
17 as amended.
- 18 **F.** Action by the Lake County Code Enforcement Special Master. The Lake County Code
19 Enforcement Special Master will have authority to enforce the terms and conditions set forth
20 in this ordinance and to recommend that the ordinance be revoked.

21 **Section 4. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
22 unconstitutional by any court of competent jurisdiction, the holding will in no way affect the validity
23 of the remaining portions of this Ordinance.

24 **Section 5. Filing with the Department of State:** The clerk is hereby directed forthwith to send a copy of
25 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
26 125.66, Florida Statutes.

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1 **Section 6. Effective Date.** This Ordinance will become effective as provided by law.

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3 **ENACTED** this _____ day of _____, 2020.

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5 **FILED** with the Secretary of State _____, 2020.

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7 **EFFECTIVE** _____, 2020.

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**BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

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LESLIE CAMPIONE, CHAIRMAN

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18 **ATTEST:**

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

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27 **APPROVED AS TO FORM AND LEGALITY:**

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MELANIE MARSH, COUNTY ATTORNEY

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EXHIBIT "A" – Legal Description

A TRACT OF LAND BEING A PORTION OF SECTION 8,
TOWNSHIP 19 SOUTH, RANGE 28 EAST, DESCRIBED AS
FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST
QUARTER OF SECTION 8, TOWNSHIP 19 SOUTH, RANGE 28
EAST, AS THE POINT OF BEGINNING, THENCE RUN
N89°05'20"W ALONG THE SOUTH LINE OF SAID SECTION 8, A
DISTANCE OF 1215.11'; THENCE N00°29'15"E; 2602.25' TO THE
SOUTHERLY RIGHT OF WAY LINE OF S.R. 44; THENCE RUN
ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING
COURSES AND DISTANCES S89°30'15"E, 200.00'; THENCE
N00°29'45"E OF 10.00'; THENCE S89°30'15"E, 1443.83' TO THE
POINT OF INTERSECTION OF SAID SOUTHERLY RIGHT OF WAY
LINE OF S.R. 46A; THENCE RUN S17°12'25"E, ALONG SAID
WESTERLY RIGHT OF WAY LINE, 1373.45' TO A POINT ON THE
EAST LINE OF GOVERNMENT LOT 3 OF SAID SECTION 8;
THENCE RUN S10°51'57"W ALONG THE EAST LINE OF SAID
GOVERNMENT LOT 1107.74' TO THE SOUTHEAST ONE CORNER
OF OF SAID LOT 3; THENCE NORTH 89°18'28' WEST ALONG
THE SOUTH LINE OF SAID SECTION 8 A DISTANCE OF 1369.52'
TO THE POINT OF BEGINNING.

AND A TRACT OF LAND BEING A PORTION OF SECTION 8
TOWNSHIP 19 SOUTH, RANGE 28 EAST DESCRIBED AS
FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 8
AS A POINT OF REFERENCE; THENCE RUN N89°18'28"W ALONG
THE SOUTH LINE OF SAID SECTION 8, A DISTANCE OF
1349.60' TO THE EAST LINE OF GOVERNMENT LOT 3; THENCE
RUN N10°53'57"E ALONG SAID EAST LINE OF GOVERNMENT
LOT 3 A DISTANCE OF 301.10' TO THE POINT OF BEGINNING.
THENCE CONTINUE N01°53'57"E ALONG SAID EAST LINE OF
GOVERNMENT LOT 3; A DISTANCE OF 1006.64' TO THE
WESTERLY RIGHT OF WAY LINE OF S.R. 46A, HAVING A RIGHT
OF WAY OF 100.00'; THENCE PARTING SAID WESTERLY RIGHT
OF WAY RUN N89°18'28"W A DISTANCE OF 346.25' TO THE
POINT OF BEGINNING.

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EXHIBIT "B" – Concept Plan

