



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): April 7, 2021
Board of County Commissioners (BCC): April 27, 2021

Case No. and Project Name: RZ-21-03-05, Bowling Property Rezoning

Owner: Elden P. and Brenda M. Bowling

Applicant: Brenda M. Bowling

Requested Action: Rezone approximately 0.46 +/- acres from Neighborhood Commercial (C-1) to Urban Residential (R-6) for residential development.

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

Case Manager: Marellys Moreno, CRA Coordinator

PZB Recommendation:

Subject Property Information

Size: 0.46 +/- acres (gross)

Location: 24838 Butler Street, Astor

Alternate Key No.: 1315239

Future Land Use: Urban Low Density

Existing Zoning District: Neighborhood Commercial (C-1)

Proposed Zoning District: Urban Residential (R-6)

Joint Planning Area / ISBA: N/A

Overlay Districts: Wekiva – Ocala Rural Protection Area

Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Urban Low Density	Urban Residential (R-6)	Vacant Residential	Undeveloped
South	Urban Low Density	Urban Residential (R-6)	Vacant Residential	Undeveloped
East	Urban Low Density	Urban Residential (R-6)	Vacant Residential	Undeveloped
West	Urban Low Density	Urban Residential (R-6)	Residential	Single-Family Residence

Staff Analysis

The subject property comprises 0.46 +/- acres, is identified by Alternate Key Number 1315239, and is located on Butler Street in the Astor area. The subject parcel currently has a single-family dwelling unit that the owner would like to replace. The Applicant is requesting to rezone 0.46 +/- acres from Neighborhood Commercial (C-1) to Urban Residential District (R-6) for residential development. The property is also designated as Urban Low Density Future Land Use Category (FLUC) by the 2030 Comprehensive (Comp) Plan.

A Utility Notification was submitted by the applicant stating that St. Johns River Utility Inc., a private utility provider, would be able to provide immediate hook up to this property for central water and central sewer services.

The proposed request is consistent with the Comp Plan and Land Development Regulations (LDR), as residential uses are allowed within the FLUC and proposed zoning district.

Standards for Review (LDR Section 14.03.03)

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

The rezoning application is consistent with LDR Section 3.01.03, which states that single-family dwelling units are permitted within the R-6 zoning district.

The request is consistent with the maximum density for the R-6 zoning district of six (6) dwelling units per net acre, as specified by LDR Section 3.02.06.

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

The request is consistent with Comp Plan Policy I-1.3.2, Urban Low Density FLUC, which allows residential uses.

The proposed request to rezone the subject property to R-6 is consistent with the maximum density specified by Comp Plan Policy I-1.3.2, Urban Low Density FLUC of four (4) dwelling units per one (1) net buildable acre, maximum.

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

The request and proposed use are consistent with the surrounding uses. The adjoining parcels are either undeveloped or developed residential lots with single-family dwelling units.

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

The rezoning has been requested as the owner desires to replace the existing single-family dwelling unit and construct a carport. As previously stated, the request and proposed use are consistent with the surrounding uses, as most adjoining parcels are developed with and/or zoned for residential uses.

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

A Utility Notification was submitted by the applicant stating that St. Johns River Utility Inc. would be able to provide immediate hook up to this property for central water and central sewer services.

Schools

Four dwelling units or less are exempt from school concurrency review. The school district does not have further comments on this rezoning application.

Parks

No adverse impacts are anticipated on parks.

Solid Waste

No adverse impacts are anticipated to current solid waste capacity levels.

Public Safety

Lake County Fire Rescue Station #10 is located at 23023 State Road 40 in Astor, approximately 3 miles from the subject property. This facility will provide advanced life support should an emergency on the property demand this service.

Transportation Concurrency

The request is not anticipated to adversely impact the Level of Service (LOS) of the nearby roadways.

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

This property has been disturbed by previous urban development. However, an environmental statement from the property owner will be requested with the submittal of the future residential building permit. Should evidence of any endangered, threatened, or special concern species be discovered, the developer/owner should cease construction and pursue permits from the appropriate agency.

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

The application does not contain any information regarding the effect of the proposed rezoning on property values in the area.

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 uses on varying tract sizes. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area.

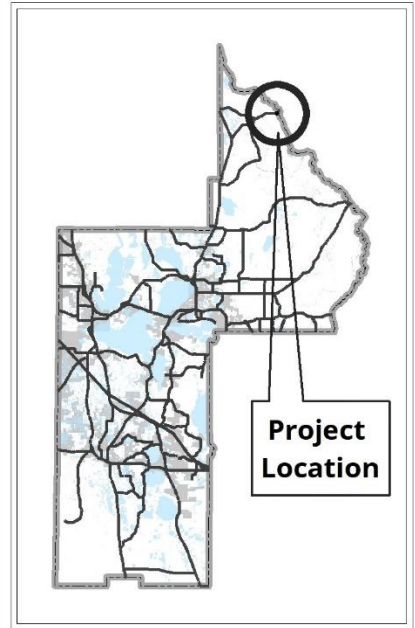
I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.

The proposed amendment will not be contrary to the purpose and interest of Lake County's regulations.

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.

Subject Property



CURRENT FUTURE LAND USE



Future Land Use

Urban Low

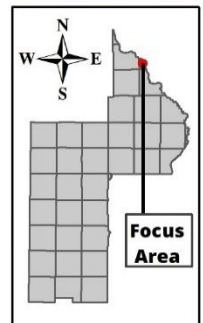
NAME: **BOWLING PROPERTY**

CASE NUMBER: **RZ-21-03-5**

LOCATION (S-T-R): **37-15-27**

REQUEST: **NEIGHBORHOOD COMMERCIAL (C-1) TO URBAN RESIDENTIAL (R-6)**

DISTRICT: **5**



CURRENT ZONING



Zoning Legend

■ R-6 ■ C-1 ■ CP ■ CFD

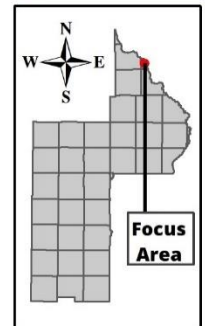
NAME: **BOWLING PROPERTY**

DISTRICT: **5**

CASE NUMBER: **RZ-21-03-5**

LOCATION (S-T-R): **37-15-27**

REQUEST: **NEIGHBORHOOD COMMERCIAL (C-1) TO URBAN RESIDENTIAL (R-6)**



ORDINANCE #2021-XX
Bowling Property Rezoning
RZ-21-03-05

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

WHEREAS, Brenda M. Bowling (the “Owner” and “Applicant”) has applied to rezone approximately 0.46 +/- acres from Neighborhood Commercial (C-1) to Urban Residential District (R-6); and

WHEREAS, the subject property consists of approximately 0.46 +/- acres, is located at 24838 Butler Street, in the Astor area of unincorporated Lake County, in Section 38, Township 15, Range 28, identified by Alternate Key Number 1315239, and more particularly as legally described below:

Lots 2 and 3, Block 47, Map of Astor, according to the map of plat thereof as recorded in Plat Book 2, Page 12, Public Records of Lake County, Florida.

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

WHEREAS, the property will be rezoned to Urban Residential District (R-6) in accordance with the Lake County Zoning Regulations; and

WHEREAS, Lake County Planning and Zoning Board did review petition RZ-21-03-05 on the 7th day of April 2021, after giving notice of a hearing for a change in the use of land, including a notice that the petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 27th day of April 2021; and

WHEREAS, the Board of County Commissioners reviewed the petition, the recommendations of the Lake County Planning & 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.

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 Official Zoning Map to rezone the subject property to Urban Residential District (R-6).

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

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.

1 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of
2 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
3 125.66, Florida Statutes

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

5 ENACTED this _____ day of _____, 2021.

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7 FILED with the Secretary of State _____, 2021.

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9 EFFECTIVE _____, 2021.

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11 BOARD OF COUNTY COMMISSIONERS
12 LAKE COUNTY, FLORIDA

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17 SEAN M. PARKS, CHAIRMAN

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23 **ATTEST:**

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

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

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35 _____
36 MELANIE MARSH, COUNTY ATTORNEY