



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): May 5, 2021
Board of County Commissioners (BCC): May 25, 2021

Case No. and Project Name: RZ-21-08-4, Davis Property Rezoning

Owner/Applicant: Christopher Shipley

Requested Action: Rezone approximately 25.65 +/- acres from Planned Unit Development (PUD) to Agriculture District (A).

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

Case Manager: Ryan Winkler, Planner

PZB Recommendation:

Subject Property Information

Size: 25.65 +/- acres (gross)

Location: 23105 Wolf Branch Road, Sorrento, FL 32776

Alternate Key No.: 1048273 and 3846136

Future Land Use: Rural Transition

Existing Zoning District: Planned Unit Development (PUD)

Proposed Zoning District: Agriculture (A)

Joint Planning Area / ISBA: N/A

Overlay Districts: Mt Plymouth-Sorrento Wekiva Study 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	Rural Transition	Agriculture (A)	Agriculture	Vacant agricultural land
South	Rural Transition	Planned Unit Development (PUD)	Residential	Park at Wolf Branch Oaks Subdivision
East	Rural Transition	A	Residential	Vacant agricultural land
West	Rural Transition	A	Residential	Single-Family Residences

Staff Analysis

The Applicant is requesting to rezone approximately 25.65 +/- acres of property from Planned Unit Development (PUD) to Agriculture (A) to facilitate development at a lower desired density. The subject property is identified by Alternate Key Numbers 1048273 and 3846136, and is located north of Wolf Branch Road, in the Sorrento area of unincorporated Lake County. The subject parcel contains a single-family residence and accessory structure (barn) and is zoned for Planned Unit Development (PUD) in accordance with Ordinance #2006-99. The property is also designated as Rural Transition Future Land Use Category (FLUC) by the 2030 Comprehensive (Comp) Plan. Approval of the requested rezoning will allow development at a lower density than prescribed by Ordinance #2006-99.

The proposed request is consistent with the Comp Plan and 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 Agriculture (A) zoning district. The request is consistent with the maximum density for the A zoning district of one (1) dwelling unit per 5 net acres, as specified by LDR Section 3.02.06. Residential uses are a permitted use within the A zoning district, pursuant to LDR Table 3.01.03, Schedule of Permitted and Conditional Uses.

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

The request is consistent with Comp Plan Policy I-1.4.5, Rural Transition Future Land Use Category (FLUC), which allows residential uses. The proposed request to rezone the subject property to A to facilitate development is consistent with the maximum density specified by Comp Plan Policy I-1.4.4, Rural Transition FLUC.

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. It appears that single-family residential and agriculture are the predominant uses of the abutting parcels. The proposed residential request is consistent with the existing uses of the adjoining parcels.

D. Whether there have been changed conditions that justify an amendment.

The property owners intend to develop the property for lower density permissible within the Agriculture zoning district than the density prescribed by PUD Ordinance #2006-99.

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 septic tank and well for the property shall be consistent with the Florida Department of Health regulations and permitting.

Schools

Pursuant to correspondence from the School Board, four dwelling units or less are exempt from school concurrency review. The creation of more than four (4) residential lots is subject to review prior to final development order approval and/final plat.

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 #39 is located at 31431 Walton Heath in Sorrento, approximately 2.9 miles from the subject property. This facility will provide life support services should an emergency on the property demand this service.

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

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

The application indicates there will be a diminished impact on the natural environment because of lower density development.

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.

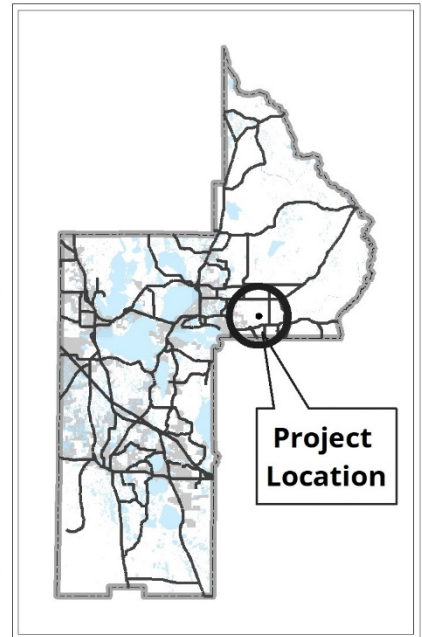
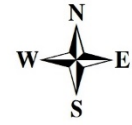
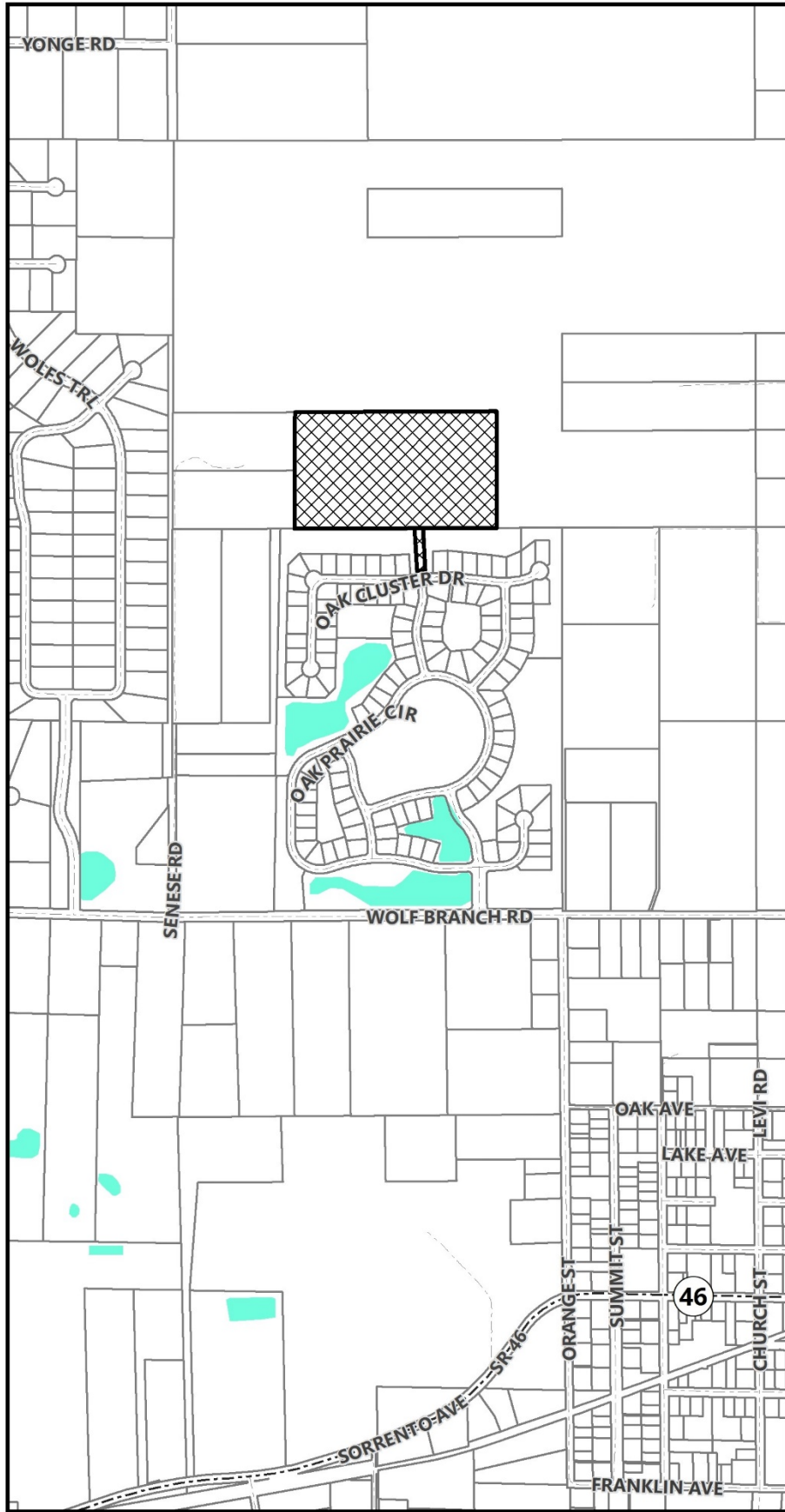
The surrounding properties are developed with residential and agricultural uses on varying tract sizes. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area.

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.

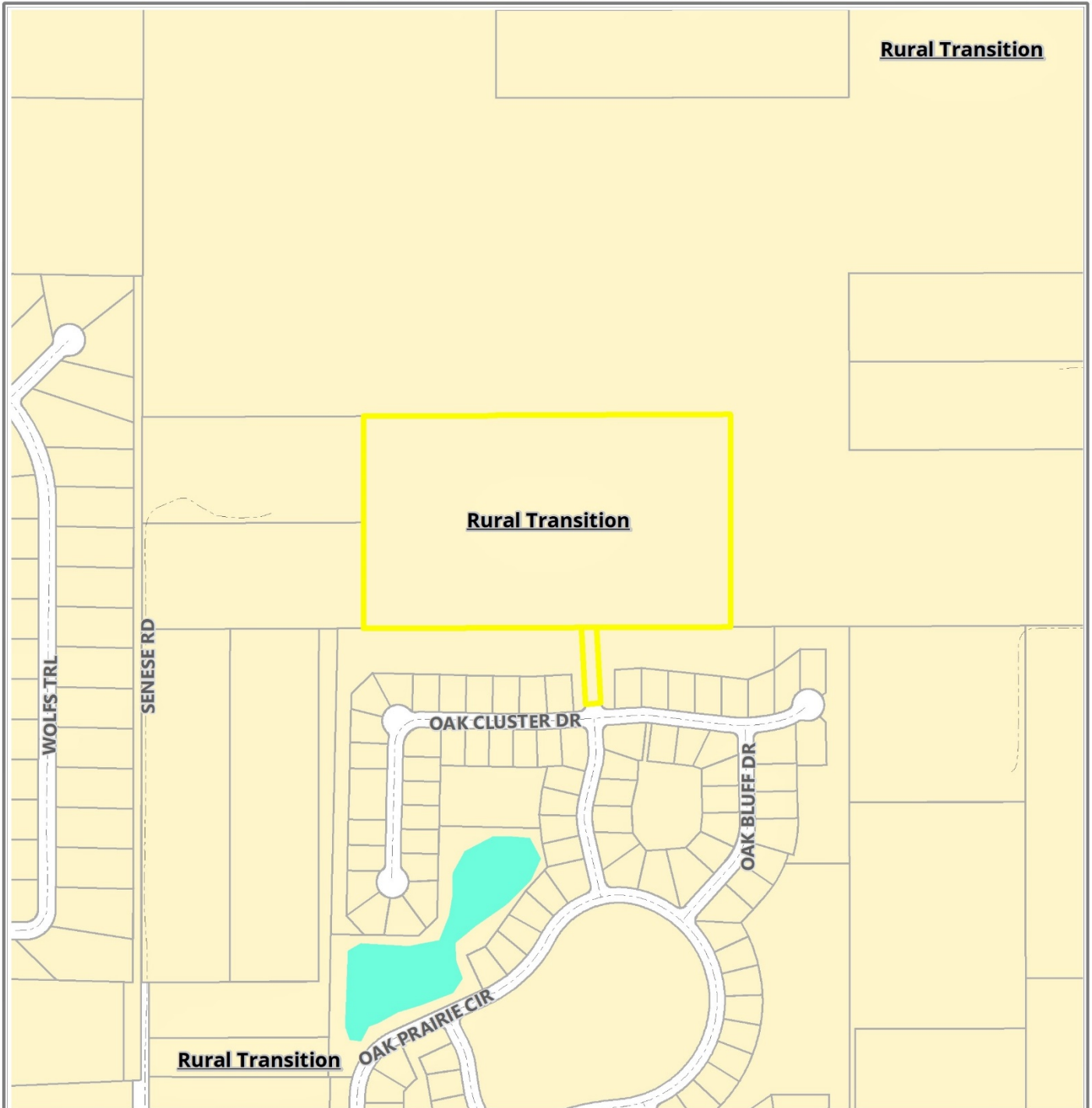
The proposed amendment will not be contrary to the purpose and interest of Lake County's regulations.

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.

Subject Property



CURRENT FUTURE LAND USE



Future Land Use

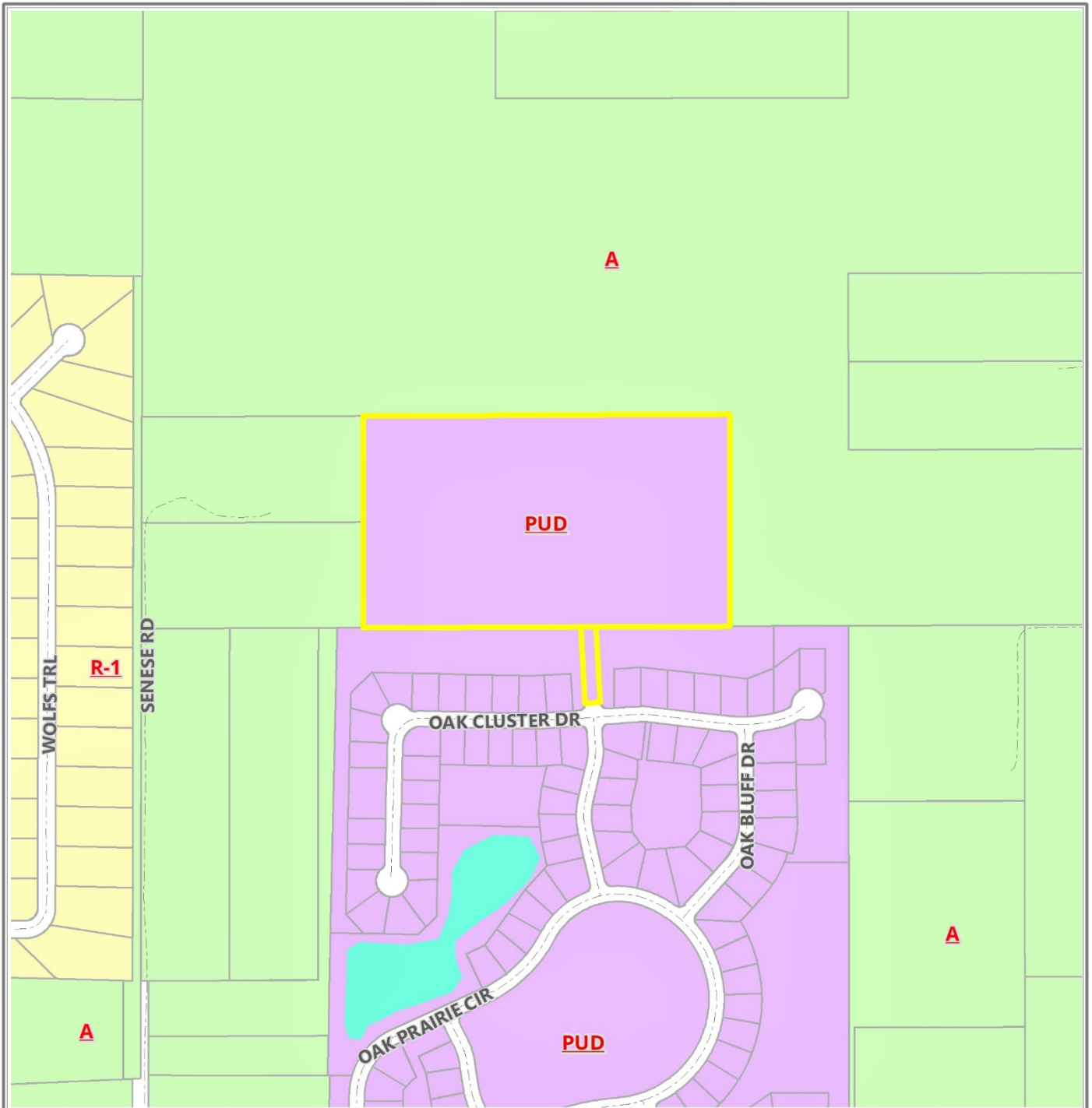
 Rural Transition

NAME: **DAVIS PROPERTY**
CASE NUMBER: **RZ-21-08-4**
LOCATION (S-T-R): **24-19-27**
REQUEST: **PLANNED UNIT DEVELOPMENT (PUD) TO AGRICULTURE (A)**

DISTRICT: **4**



CURRENT ZONING

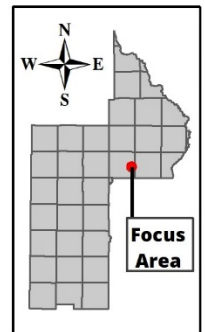


Zoning Legend

■ A ■ R-1 ■ PUD

NAME: DAVIS PROPERTY
CASE NUMBER: RZ-21-08-4
LOCATION (S-T-R): 24-19-27
REQUEST: PLANNED UNIT DEVELOPMENT (PUD) TO AGRICULTURE (A)

DISTRICT: 4



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

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35 _____
36 MELANIE MARSH, COUNTY ATTORNEY
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EXHIBIT "A" – LEGAL DESCRIPTION

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A part of the NW ¼ of Sec. 24, Tp. 19 S., R. 27 E., described as follows: From Southwest corner of said NW 1/4 , run South 89°45'30" corner of said NW 1/4 a distance of 831.07 feet to the point of beginning; run thence North 0°32'45" East 794.54 feet, thence South 89°48'16" East 495 feet, thence South 89°45'30" East 880.20 feet, thence South 0°32'45" West 794.94 feet, more or less, to the South line of said NW ¼, thence North 89°45'30" West along the said South line of NW ¼ a distance of 1375.20 feet to the point of beginning.

AND ALSO: An eighteen foot easement for ingress and egress over and across the following described parcel of land:

From the S.W. corner of the SW ¼ of Sec. 24, Tp. 19 S., R. 27 E., Lake County, Florida, run south 89°55'30" East along the South line of the said SW ¼ a distance of 682.55 feet to the Point of Beginning of this Easement. From said P.O.B run North 01°39'45" East along an existing fence line to the North line of SW ¼ to a point that is South 89°45'30" East 831.67 feet from the Northwest corner of said SW ¼; continue thence South 89°45'30: East along the North line of said Southwest ¼ 18.0 feet; thence south 0°14'30" West 18.0 feet; thence run North 89°45'30" West to a point that is 18.0 feet from when measured at right angels thereto the aforementioned Line "A"; thence run South 01°39'45" West parallel to the aforementioned Line "A" to the South line of said SW ¼; thence run North 89°55'30" West along said South ¼ 18.0 feet, more or less, to the point of beginning. LESS right of way for County Road No. 4-4581.

AND

A parcel of land lying in Section 24, Township 19 South, Range 27 East, Lake County, Florida; said parcel is shown on the record plat of Park at Wolf Branch Oaks, Phase 1, according to the plat thereof recorded in Plat Book 41, Pages 39 through 42, Public Records of Lake County, Florida and depicted as ingress and egress easement according to Official Records Book 1612, Pages 85 through 90, Public Records of Lake County, Florida; said parcel being particularly described as follows: From a 4" octagonal concrete monument at the center of said Section 24 run North 89°46'06" West, along the North line of the Southwest ¼ of Section 24, a distance of 947.47 feet to a 4" x 4" concrete monument and the Point of Beginning; thence run South 02°34'20" East a distance of 284.57 feet to a 4" x 4" concrete monument at the North end of Oak Canopy Drive as shown on said plat; Thence run South 86°23'13" West, a distance of 58.01 feet to a 4" x 4" concrete monument according to said plat; Thence run North 02°34'20" West a distance of 288.47 feet to a 4" x 4" concrete monument on the North line of the Southwest ¼ of said Section 24; Thence run South 89°46'06" east, a distance of 58.07 feet to the Point of Beginning.