



CONDITIONAL USE PERMIT STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): October 6, 2021
Board of County Commissioners (BCC): November 2, 2021

Case No. and Project Name: CUP-21-07-1 C's Horse Ranch

Applicant: Manon Cremer Ceja

Owner: Catladylions LLC

Requested Action: Conditional use permit (CUP) to allow for a horse boarding, breeding, and riding stable on 20 +/- acres in the Agriculture (A) zoning district.

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

Case Manager: Emily W. Johnson, Senior Planner

PZB Recommendation:

Subject Property Information

Size: 20 +/- acres

Location: 9952 Sandy Pines Road, Clermont

Alternate Key No.: 1025605

Future Land Use: Green Swamp Rural

Existing Zoning District: Agriculture (A)

JPA / ISBA: City of Clermont

Overlay: Green Swamp Area of Critical State Concern

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Green Swamp Rural	Agriculture (A)	Vacant	Large Vacant Agricultural Tracts
South	Green Swamp Rural	Agriculture (A)	Residential	Single-Family Dwelling Unit on Large Agricultural Tract
East	Green Swamp Rural	Agriculture (A)	Residential	Single-Family Dwelling Unit on Large Agricultural Tract
West	Green Swamp Rural	Agriculture (A)	Residential	Single-Family Dwelling Units

- Summary of Analysis -

The conditional use permit (CUP) application seeks approval for a horse boarding, breeding, and riding stable on a 20-acre parcel, identified by Alternate Key Number 1025605, and located in the unincorporated Clermont area. The subject parcel is zoned Agriculture (A), designated as Green Swamp Rural Future Land Use Category (FLUC) by the 2030 Comprehensive Plan, and is currently developed with an existing horse barn, equipment barn, hay shed, and horse sheds.

It is the intention of the Owner to utilize the property as a horse boarding, breeding, and riding stable. The Owner has requested a maximum of forty (40) horses to be housed on the property; this number includes the Owner's horses, and a maximum of five (5) foals to be bred on the property annually.

On April 23, 2021, the Lake County Office of Code Enforcement issued a Notice of Code Violation (Case No. 2021-04-0152) for the operation of a horse boarding facility in the Agriculture (A) zoning district without a CUP.

The concept plan (Attachment "A") indicates several structures which do not meet the minimum setback of 200-feet from property lines. However, pursuant to a memo dated May 4, 2015, from the County Attorney's Office, non-residential farm buildings located on properties with an agricultural exemption are not required to adhere to the Land Development Regulations or Building Code, pursuant to Section 163.3162(3)(a) and Section 604.50(1), Florida Statutes. The Property Record Card shows that the parcel has the agricultural classification for a horse breeding farm.

- Analysis -

LDR Section 14.05.03 (Standards for Review)

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

The application seeks conditional use approval for a horse boarding, breeding, and riding stable in Agriculture (A) zoning. The proposed use is consistent with Comprehensive Plan Policy I-4.2.3, Green Swamp Rural Future Land Use Category (FLUC), which allows equestrian related uses.

This use is reflected in LDR Section 3.01.02 and LDR Table 3.01.03, which specify the allowance of Riding Stable or Academy uses in the Agriculture (A) zoning district with approval of a Conditional Use Permit (CUP).

The request for the proposed horse boarding facility is consistent with LDR Section 3.01.02(F), which defines a Riding Stable or Academy use as a stable, other than a private stable, used for the care of horses, ponies, or other livestock to be used for instruction, renting, or hiring or for boarding such animals.

Pursuant to Comprehensive Plan Policy I-1.2.8, agricultural and equestrian uses are permissible in all future land use categories.

The request is consistent with Comp Plan Policy IV-3.3.2, which states that the County shall promote the economic, recreational, and cultural value of the equine industry and related activities; and support and promote equestrian activities and special events within the County as a means of generating public interest and promoting tourism.

B. Effect on Adjacent Properties.

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

The concept plan (Attachment "A") shows several structures which do not meet the minimum setback of 200-feet from property lines. However, pursuant to a memo dated May 4, 2015, from the County Attorney's Office, non-residential farm buildings located on properties with an agricultural exemption are not required to adhere to the LDR or Building Code, under Section 163.3162(3)(a) and Section 604.50(1), Florida Statutes. The Property Record Card shows that the parcel has the agricultural classification for a horse breeding farm.

The Applicant provided additional justification (Attachment "B") which states that the applicant will not host special events or summer camps.

The proposed ordinance includes a condition that a noise assessment must be submitted for review and acceptance prior to commencement of horse boarding operations.

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

A Riding Stable or Academy use 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, renting, or hiring or for boarding such animals. Pursuant to LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, Riding Stable or Academy uses are allowed in the Agriculture (A) zoning district with a CUP. The surrounding properties are zoned Agriculture (A), and contain single-family residences on large tracts of land, except for the adjacent parcels to the north, which are vacant and undeveloped.

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 a memo dated May 4, 2015, from the County Attorney's Office, non-residential farm buildings located on properties with an agricultural exemption are not required to adhere to the LDR or Building Code, under Section 163.3162(3)(a) and Section 604.50(1), Florida Statutes. The Property Record Card shows that the parcel has an agricultural classification for a horse breeding farm.

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.

Riding uses are to be centrally situated on the property; the proposed activity distances to the property line will serve as a method of impact minimization. Should the CUP be approved, a subsequent development application for site plan review must be submitted prior to commencement of stable activities; the site plan shall be consistent with the Concept Plan (Attachment "A").

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 serviced by an existing well and septic system.

Parks

The proposed request is not anticipated to adversely impact parks.

Solid Waste

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

Transportation

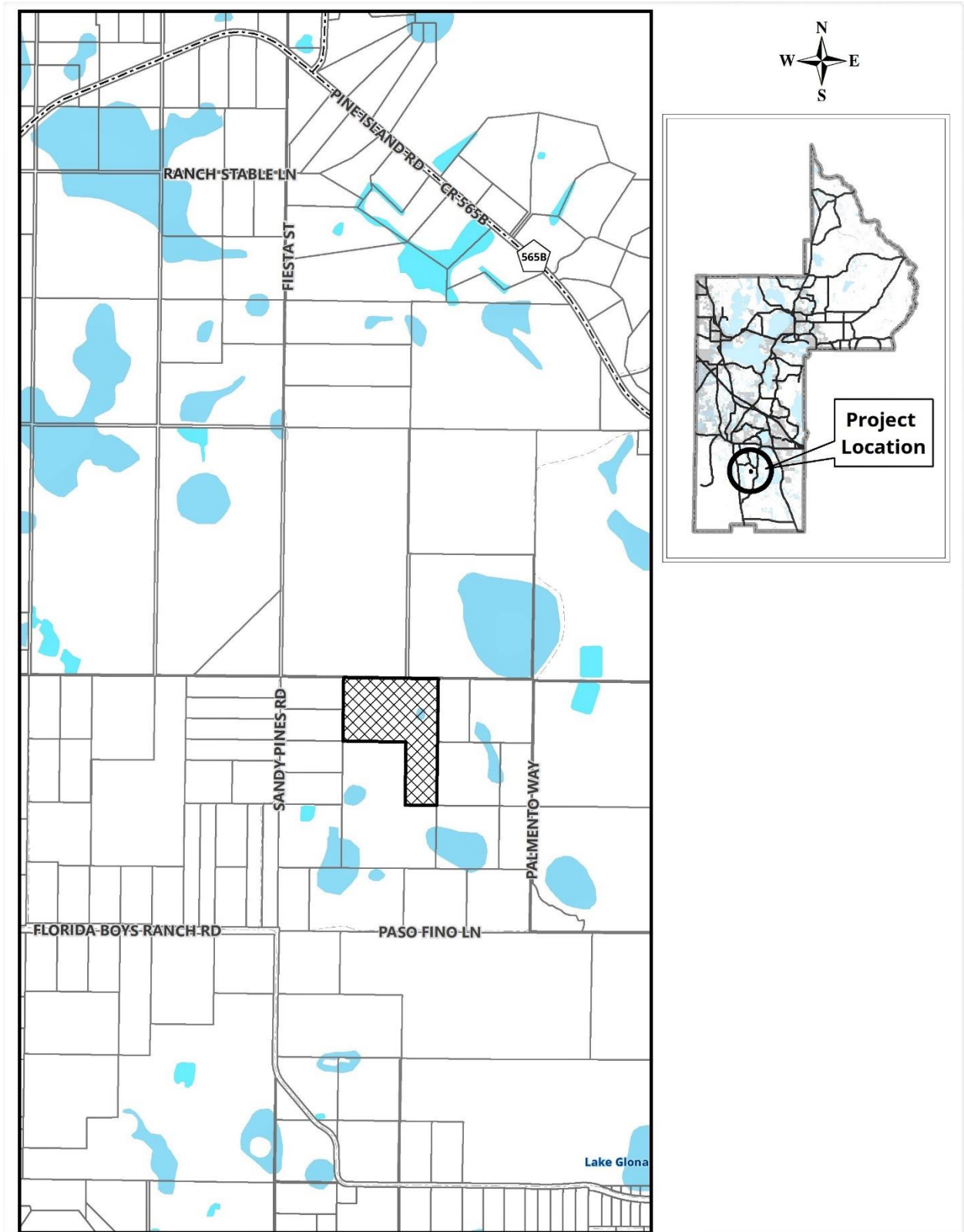
The proposed request is not anticipated to adversely impact transportation levels of service.

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 Station (LCFS) #110 is located 3.7 miles from the subject property, at 6234 County Road 561, in the Clermont area. Fire protection, water supply, and emergency access will be addressed during the site plan review process, if the conditional use permit is granted.

Map of Subject Property



CURRENT FUTURE LAND USE



Future Land Use

 Green Swamp Rural  Green Swamp Rural Conservation

NAME: C'S HORSE RANCH PROPERTY

DISTRICT: 1

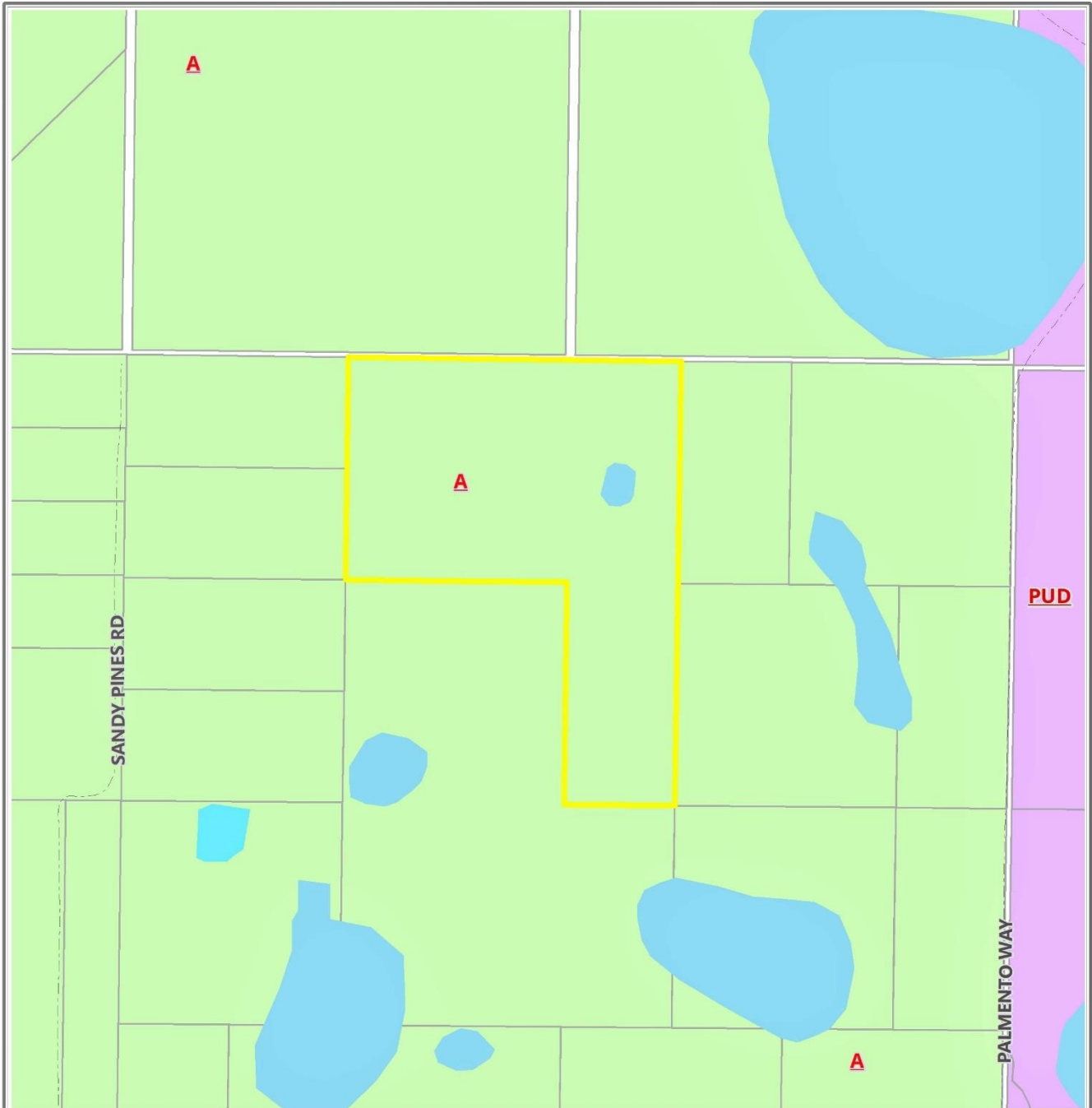
CASE NUMBER: CUP-21-07-1

LOCATION (S-T-R): 15-23-25

REQUEST: ALLOW HORSE BOARDING , BREEDING & RIDING LESSON USES



CURRENT ZONING



Zoning Legend

■ A ■ PUD

NAME: C'S HORSE RANCH PROPERTY

DISTRICT: 1

CASE NUMBER: CUP-21-07-1

LOCATION (S-T-R): 15-23-25

REQUEST: ALLOW HORSE BOARDING, BREEDING & RIDING LESSON USES

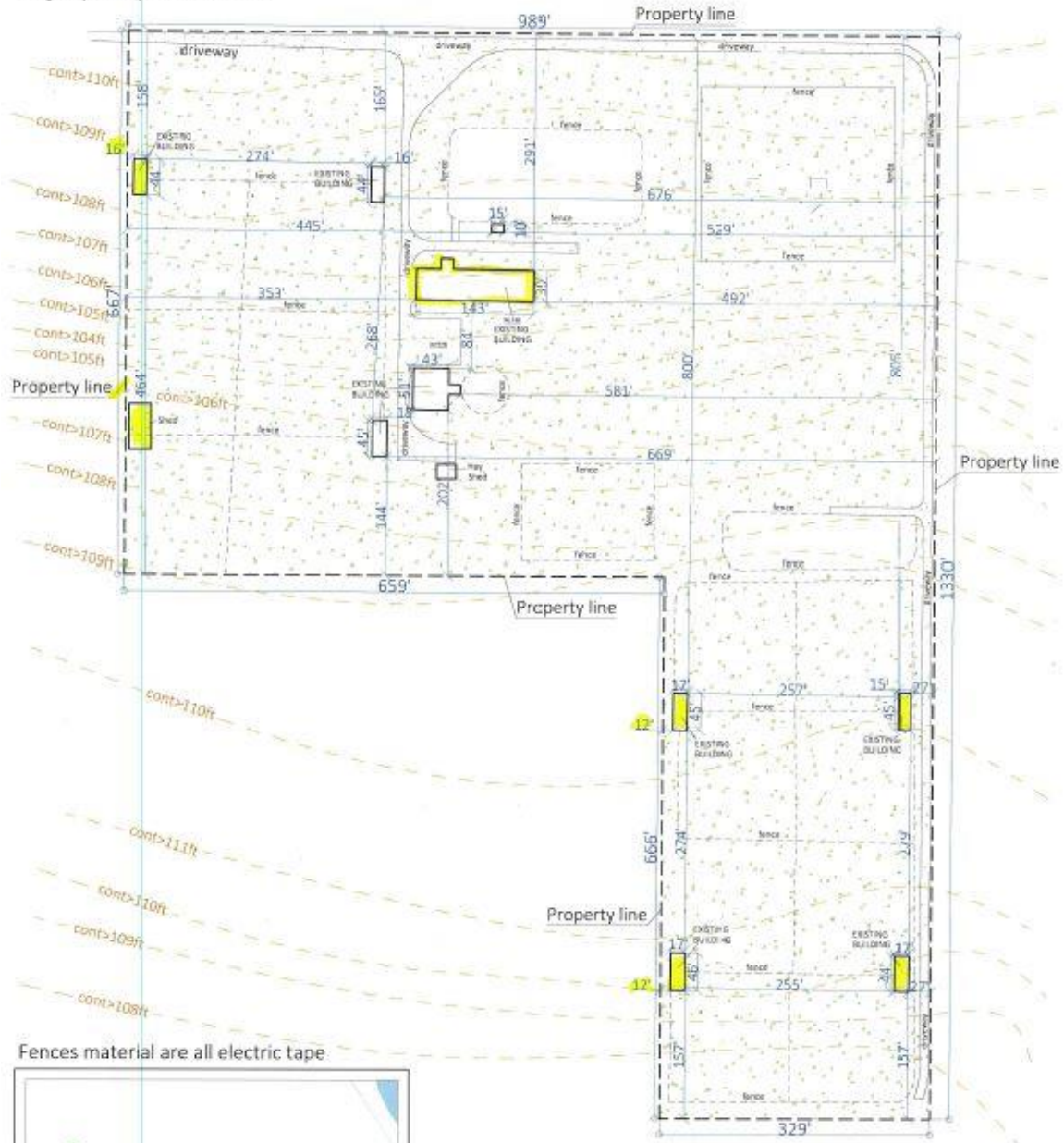


Attachment "A" – Concept Plan

Plot Size: 11"x17"

Applicant /Owner is Manon Cremer
Ceja (863)399-2173

scale 1"=120'



Fences material are all electric tape



Attachment "B" – Justification Statement


Application for Conditional Use Permit – C's Horse Ranch (CUP-21-07-1) Project No. 2021050039, Application Request No. 4514

Office of Planning and Zoning

1. Maximum of 40 horses (including privately owned) to be sheltered/boarded on the property including foals.
2. Maximum of 5 foals to be bred on the property annually.
3. NO Special Events , NO summer camps are proposed in conjunction with the horse ranch use of boarding breeding training and lessons.

Date : 08/11/2021

Manon Cremer Ceja

A handwritten signature in black ink, appearing to be 'Manon Cremer Ceja', with a horizontal line above it.

1 **Ordinance 2021-XX**

2 **C's Horse Ranch**

3 **CUP-21-07-1**

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

7 **WHEREAS**, Manon Cremer Ceja (the "Applicant") submitted a conditional use permit application on
8 behalf of Catladylions LLC (the "Owner") to allow a horse boarding, breeding, and riding stable on
9 approximately 20 +/- acres within the Agriculture (A) zoning district; and

10 **WHEREAS**, the subject property consists of approximately 20 +/- acres, is located at 9952 Sandy
11 Pines Road, in the unincorporated Clermont area of Lake County, Florida, situated in Section 15, Township
12 23 South, Range 25 East, having Alternate Key Number 1025605, and more particularly described in Exhibit
13 "A" – Legal Description:

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

16 **WHEREAS**, the Lake County Board of County Commissioners deems it necessary and desirable, in
17 order to protect the public health, safety, and general welfare of the citizens of Lake County and in accordance
18 with the purpose and intent of the Land Development Regulations (LDR), to require compliance with the
19 special conditions set forth in this Conditional Use Permit; and

20 **WHEREAS**, this Conditional Use Permit was reviewed by the Lake County Planning & Zoning Board
21 on the 6th day of October 2021, and by the Board of County Commissioners of Lake County, Florida, on the
22 2nd day of November 2021.

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

25 **Section 1.** Permission is hereby granted to allow for a Riding Stable as a Conditional Use within the
26 Agriculture (A) Zoning District. All land uses must be generally consistent with the Concept Plan
27 as shown in Exhibit "B" of this Ordinance. To the extent that there are conflicts between the
28 Conceptual Plan and this Ordinance, this Ordinance will take precedence.

29 **Section 2. Terms.** The County Manager or designee shall amend the Lake County Zoning Map to show a
30 Conditional Use Permit to allow uses with conditions as outlined within this Ordinance.

31 **A. Land Use.** In addition to those uses listed as permitted land uses within the Agriculture (A)
32 Zoning District, the uses of the site will be allowed as specified below and generally consistent
33 with Exhibit "B", the Conceptual Plan.

34 1. Horse boarding, breeding, and riding stable.

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

38 **B. Specific Conditions:**

39 1. Forty (40) horses, maximum, (including those owned by the Owner).

- 1 2. Five (5) foals, maximum, to be bred onsite annually.
- 2 3. Animal waste shall be picked up at least once daily, shall not be allowed to accumulate, and
- 3 shall be properly disposed. There shall be no storage of organic waste material within the
- 4 setback areas.
- 5 4. Domestic and commercial waste must be disposed of in an approved Department of
- 6 Health/Lake County Health Department system. Additional permitting may be required by
- 7 the Florida Department of Environmental Protection (FDEP). All development permit
- 8 requirements shall be addressed during the site plan review and approval process.
- 9 5. There shall be no storage of materials within the setbacks or buffers.

10 **C. Setbacks.**

- 11 1. Existing structures, as identified in Exhibit "B", may be setback less than 200 feet from the
- 12 property lines, so long as the property maintains the agricultural classification.
- 13 2. Other livestock buildings or structures that house/shelter, or contain animals will be setback
- 14 a minimum of two hundred (200) feet from all property lines.
- 15 3. All other buildings or structures shall require building setbacks in accordance with the Land
- 16 Development Regulations (LDR), as amended.

17 **D. Open Space, Impervious Surface Ratio, Floor Area Ratio, and Building/Signage Height.**
18 The property shall be developed in accordance with the Comprehensive Plan and LDR, as
19 amended.

20 **E. Landscaping, Buffering, and Screening.** The property shall be developed in accordance with
21 the Comprehensive Plan and LDR, as amended.

22 **F. Fire Protection and Emergency Services Access.** Access and fire safety requirements shall
23 be provided in accordance with the Florida Fire Prevention Code and LDR, as amended.

24 **G. Transportation Improvements and Access Management.** All transportation improvements
25 and access management shall be in accordance with the Comprehensive Plan and LDR, as
26 amended.

27 **H. Stormwater and Floodplain Management.**

- 28 1. The stormwater management system shall be designed in accordance with all applicable
- 29 Lake County and St. Johns River Water Management District (SJRWMD) requirements, as
- 30 amended.
- 31 2. The Owner shall be responsible for any flood studies required for developing the site and
- 32 comply with FEMA regulations, Comprehensive Plan provisions and LDRs, as amended.
- 33 Any development within the floodplain as identified on the FEMA maps will require
- 34 compensating storage.

35 **I. Environmental Considerations.** The property shall be developed in accordance with the
36 Comprehensive Plan and LDR, as amended.

37 **J. Parking.** All parking will be provided in accordance with the LDR, as amended.

38 **K. Lighting.** Exterior lighting shall be consistent with Dark-Sky Principles and in accordance with
39 the LDR, as amended.

- 1 **L. Noise.** A noise assessment must be submitted for review and acceptance prior to
2 commencement of the operations of the new uses identified in this Ordinance. Compliance must
3 be in accordance with the LDR, as amended.
- 4 **M. Signage.** All signage must be in accordance with the LDR, as amended.
- 5 **N. Utilities.** Individual well and septic tank shall be utilized in accordance with the requirements of
6 the Florida Department of Health, the Comprehensive Plan and LDR, as amended.
- 7 **O. Concurrency Management Requirements.** All development must comply with the Lake County
8 Concurrency Management System, as amended.
- 9 **P. Development Review and Approval.** Prior to the issuance of any permits, the Owner shall be
10 required to submit a development application generally consistent with Exhibit "B" - Conceptual
11 Plan for review and approval in accordance with the Comprehensive Plan and LDR, as amended.
- 12 **Q. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific references
13 in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
14 Comprehensive Plan, and LDR will include any future amendments to the Statutes, Code, Plans,
15 and/or Regulations as applicable.
- 16 **R. Other Proposed Uses.** After establishment of the facilities as provided in this Ordinance, the
17 property must only be used for the purposes named in this Ordinance, unless a proposed use
18 meets every requirement of the zoning district in which the property is located. Any other
19 proposed use must be specifically authorized by the Board of County Commissioners.

20 **Section 3. Conditions.**

- 21 **A.** In the event of any breach in any of the terms or conditions of this permit or any default or failure
22 of the Owner or his successor to: Fulfill development in substantial accordance with the
23 conceptual plan as submitted to the Planning & Zoning Board and the Board of County
24 Commissioners; comply with the codes of the governmental agencies having lawful and
25 appropriate jurisdiction thereon; or comply with any of the terms of this CUP; or if this CUP is
26 found to become a nuisance or safety hazard, the CUP may be revoked after due public hearing
27 before the Planning & Zoning Board and the Board of County Commissioners.
- 28 **B.** This CUP shall inure to the benefit of and shall constitute a covenant running with the land; and
29 the purpose, terms, and conditions contained herein shall be binding upon the Owner or any
30 successor and his interest hereto.
- 31 **C.** The Lake County Code Enforcement Special Master shall have authority to enforce the terms
32 and conditions set forth in this ordinance and to recommend that this ordinance be revoked if
33 necessary.
- 34 **D.** This use shall be inspected by the Office of Code Enforcement annually to ensure compliance
35 with the conditions of this CUP and the approved site plan. An annual inspection fee will be
36 assessed. If an emergency inspection is necessary during non-operating hours, a fee shall also
37 be assessed.

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

1 **Section 5. Filing with the Department of State.** The clerk is hereby directed to send a copy of this
2 Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66,
3 Florida Statutes.

4

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

6

7 **ENACTED** this _____ day of _____, 2021.

8

9 **FILED** with the Secretary of State _____, 2021.

10

11 **EFFECTIVE** _____, 2021.

12

13

14

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

15

16

17

SEAN M. PARKS, CHAIRMAN

18

19

20

21 **ATTEST:**

22

23

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

24

25

26

27

28

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

30

MELANIE MARSH, COUNTY ATTORNEY

31

1

Exhibit "A" – Legal Description

Parcel 1:

The West 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 15, Township 23 South, Range 25 East, Lake County, Florida.

Parcel 2:

The East 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 15, Township 23 South, Range 25 East, Lake County, Florida.

Parcel 3:

The West 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 23 South, Range 25 East, Lake County, Florida.

Together with an easement for ingress and egress as provided for in that certain Grant of Easement recorded in OR Book 4771, Page 1281, Public Records of Lake County, Florida, over and across the following described property:

The North 25 feet of the North 1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4, less the West 25 feet thereof; and the West 25 feet of the North 145 feet of the North 1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4, all in Section 15, Township 23 South, Range 25 East, Lake County, Florida,

Together with an easement for ingress and egress as provided for in that certain Grant of Easement recorded in OR Book 4771, Page 1284, Public Records of Lake County, Florida, over and across the following described property:

The North 25 feet of the West 1/2 of the NE 1/4 of the NW 1/4 of the NW 1/4 Section 15, Township 23 South, Range 25 East, Lake County, Florida.

AND

The North 25 feet of the East 1/2 of the NE 1/4 of the NW 1/4 of the NW 1/4 Section 15, Township 23 South, Range 25 East, Lake County, Florida,

2

3

And

4

Parcel 4: The West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 23 South, Range 25 East, Lake County, Florida.

