



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 4

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

Case No. and Project Name: RZ-21-25-5, Myers Property Rezoning

Owner/Applicant: James A. Myers

Requested Action: Rezone 14.2 +/- acres from Rural Residential (R-1) to Agriculture (A) to undertake agriculture uses.

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: 14.2 +/- acres

Location: Along the northside of County Road 44-A, east of the Lake Burns Rd/CR 44A intersection, in the Umatilla area.

Alternate Key No.: 2592087

Future Land Use: Rural Transition

Existing Zoning District: Rural Residential (R-1)

Proposed Zoning District: Agriculture (A)

Joint Planning Area / ISBA: N/A

Overlay Districts: N/A

### 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	Rural Residential (R-1)	Residential	Single Family Residences
South	Rural Transition	Rural Residential (R-1)	Residential, Vacant Land	Single-Family Residence south of North County Road 44-A
East	Rural Transition	Rural Residential (R-1)	Vacant Land	Vacant residential land
West	Rural Transition	Rural Residential (R-1)	Vacant Land	Lake Burns, vacant residential land

**Staff Analysis**

The Applicant is requesting to rezone approximately 14.2 +/- acres of property from Rural Residential (R-1) to Agriculture (A) to facilitate construction of an agricultural building. It is the intent of the Applicant to raise cattle before building a residential structure. The subject property is identified by Alternate Key Number 2592087, and is located north of North County Road 44A, in the unincorporated Umatilla area of Lake County. The subject parcel is currently undeveloped.

The property is designated as Rural Transition Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-1.4.5 *Rural Transition Future Land Use Category*, agricultural uses are typically allowed within the Rural Transition FLUC. The proposed request is consistent with the Comprehensive Plan and LDR.

**Standards of Review**

Land Development Regulations Section 14.030.03 Standards for Review.

**A. Whether the proposed rezoning is consistent with all elements of the Comprehensive Plan.**

The proposed rezoning is consistent with Comprehensive Plan Policy I-1.4.5, Rural Transition FLUC, which allows agricultural and residential uses.

**B. Whether the proposed rezoning is in conflict with any applicable provisions of the Code.**

The rezoning application is consistent with LDR Section 3.01.03, which states that residential uses and agricultural uses are permitted within the Agriculture (A) zoning district. The size of the subject property is consistent with the proposed Agriculture zoning district, which states the maximum density allowed shall be one (1) dwelling unit per five (5) net buildable acres, as specified by LDR Section 3.02.06.

**C. Whether, and the extent to which, the proposed rezoning 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 uses are the predominant uses of the abutting parcels. The proposed agricultural and residential use request is consistent with the existing uses of the adjoining parcels.

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

The property owners intend to develop the property to include an agricultural equipment building to facilitate a cattle operation, prior to the construction of a single-family residence. The owner wishes to have the property rezoned because the R-1 zoning district does not allow for construction of an agricultural equipment building and other ancillary structures necessary to start a cattle operation before building a residential structure.

**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 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.

Solid Waste

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

Public Safety

Lake County Fire Rescue Station #20 is located at 37711 SR 19 in Umatilla, approximately 5.6 miles from the subject property. This facility will provide life support services should an emergency on the property demand this service.

Transportation Concurrency

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

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

The property is currently undeveloped. A tree removal permit application will be required prior the removal of any trees from the property in accordance with LDR Section 9.02.00. Also, an environmental statement/assessment will be required prior to any future development of the property.

Additionally, all environmental resources will be addressed through the development review process. Aerials show the property fronts a lake and contains wetlands. New development will be required to meet all resource protection provisions specified by the Conservation Element of the Comprehensive Plan and contained in LDR Chapter VI, Resource Protection Standards.

**G. Whether, and the extent to which, the proposed rezoning 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 rezoning 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.

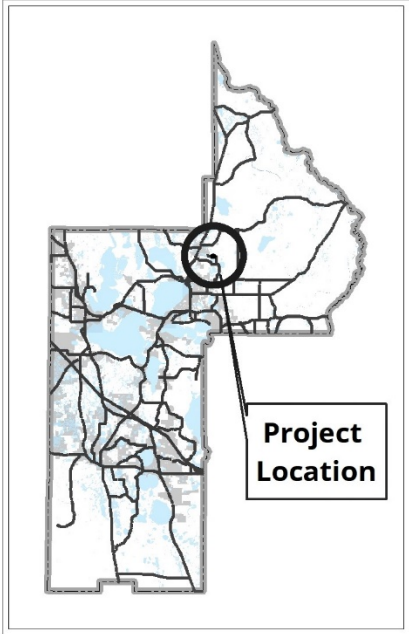
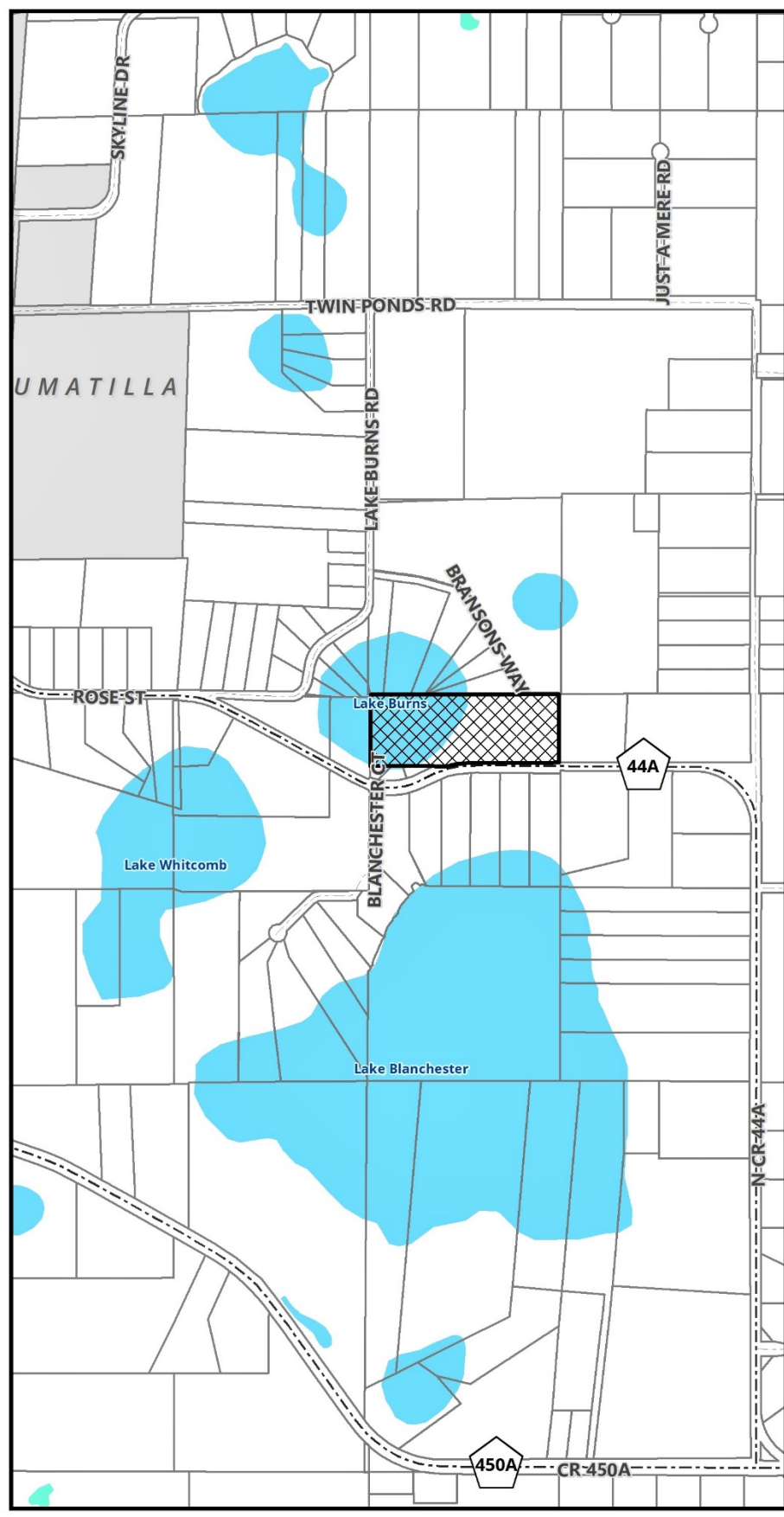
**I. Whether the proposed rezoning would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

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

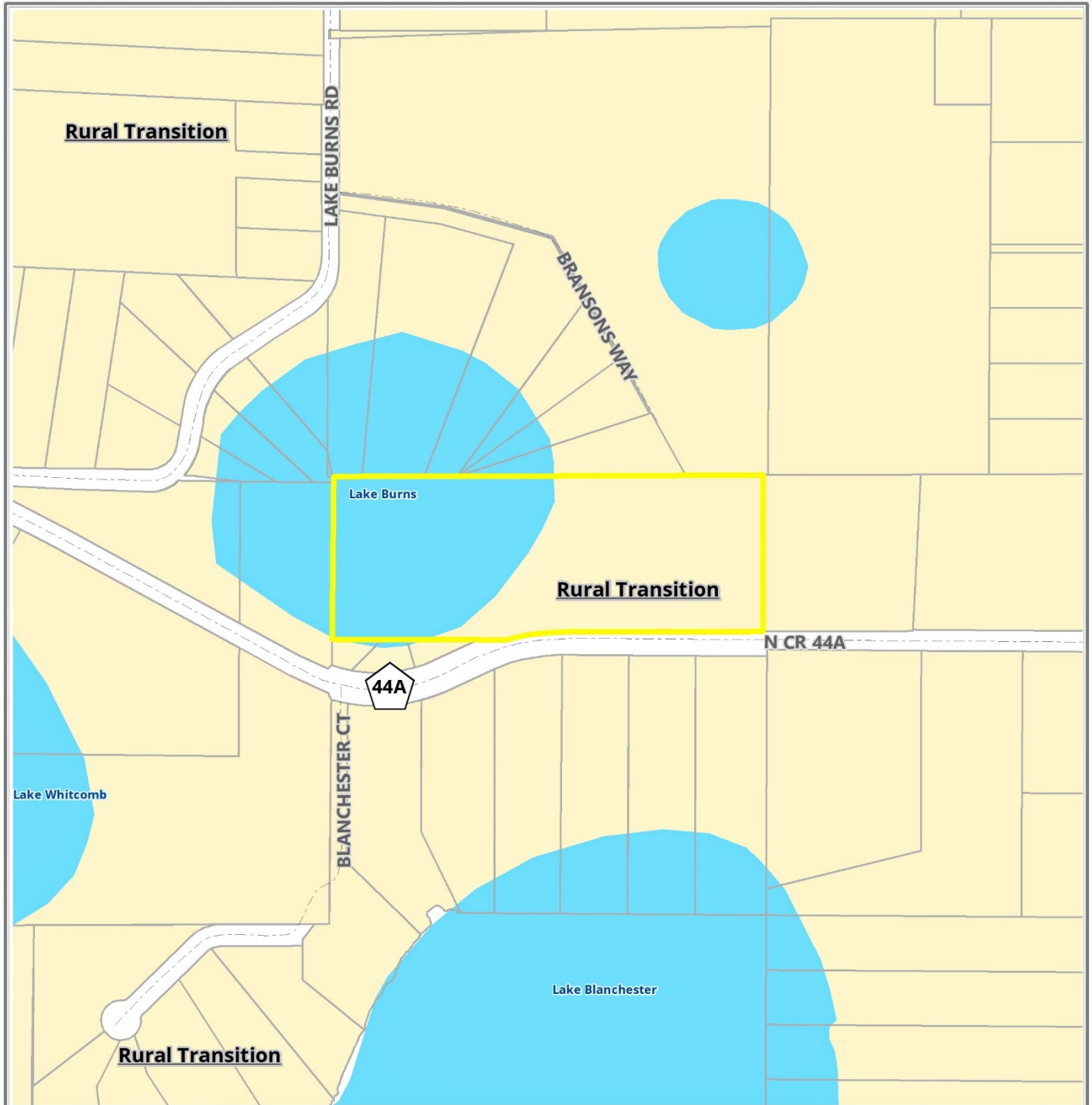
**J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

N/A

**Subject Property**



**CURRENT FUTURE LAND USE**



*Future Land Use*

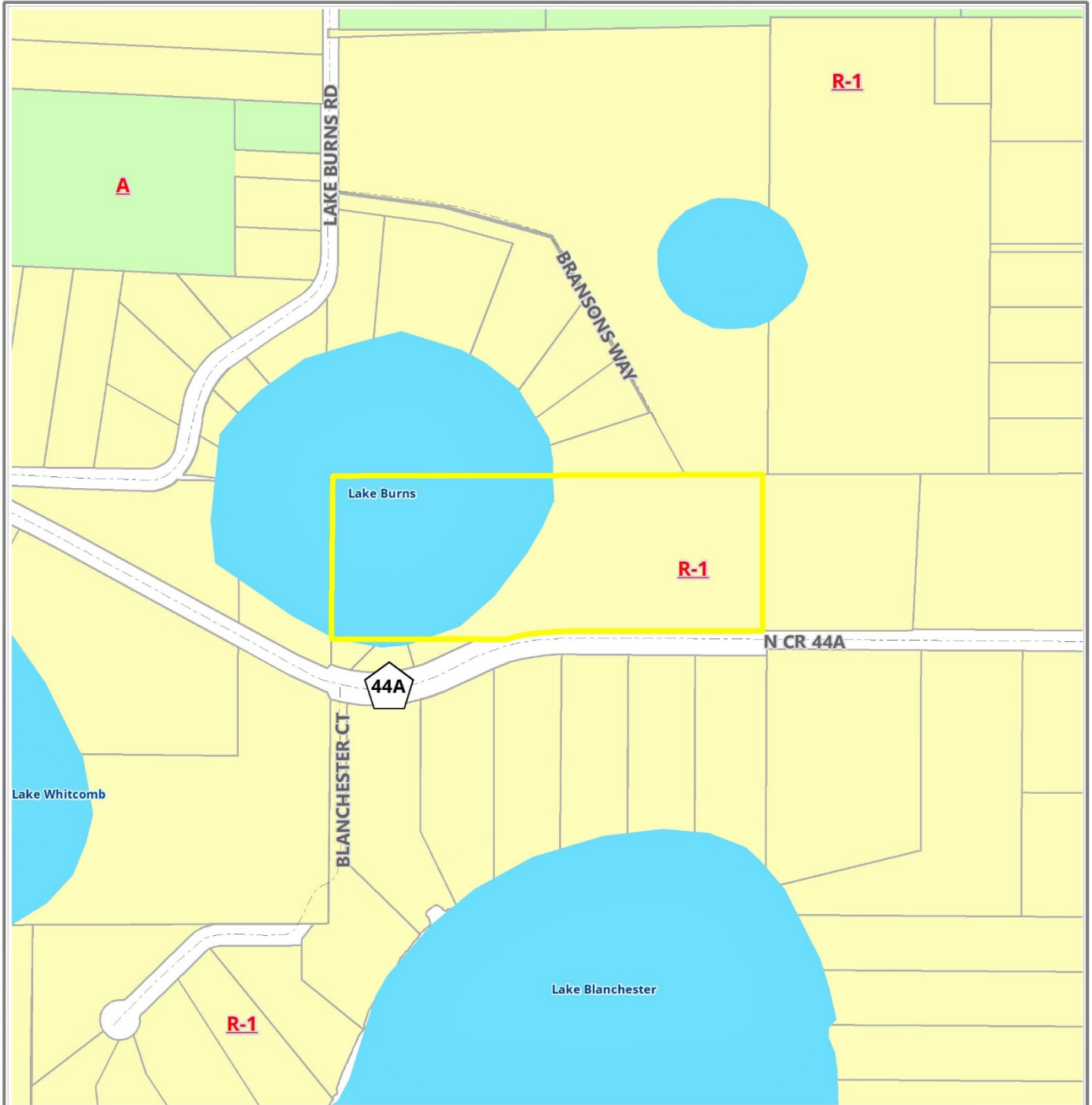
 Rural Transition

**NAME: MYERS PROPERTY**  
**CASE NUMBER: RZ-21-25-5**  
**LOCATION (S-T-R): 20-18-27**  
**REQUEST: RURAL RESIDENTIAL (R-1) TO AGRICULTURE (A)**

**DISTRICT: 5**



### CURRENT ZONING

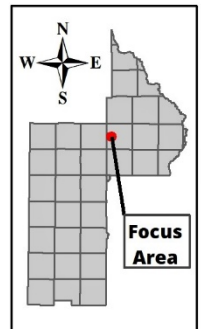


**Zoning Legend**

A     R-1

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**DISTRICT: 5**





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

\_\_\_\_\_  
**SEAN M. PARKS, 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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NORTH 495 FEET OF THE NW ¼ OF SECTION 20, TOWNSHIP 18 SOUTH, RANGE 27 EAST,  
LAKE COUNTY, FLORIDA, LYING NORTH OF THE NORTHERLY RIGHT-OF-WAY LINE OF  
STATE ROAD S-44-A.

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LESS THE FOLLOWING DESCRIBED PARCEL:

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BEGIN AT THE NE CORNER OF SAID NW ¼, RUN NORTH 89°54'00" WEST ALONG THE  
NORTH LINE OF SAID NW 1/7 A DISTANCE OF 865.60 FEET; THENCE SOUTH 03°17'51"  
WEST 475.92 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE  
ROAD S-44-A, THENCE EASTERLY AND SOUTHERLY ALONG SAID NORTHERLY RIGHT-OF-  
WAY LINE 981.24 FEET, MORE OR LESS, TO A POINT ON THE EAST LINE OF SAID NW ¼ OF  
SECTION 20, THENCE NORTH ALONG SAID EAST LINE OF THE NW ¼ 706.53 FEET, MORE  
OR LESS, TO THE POINT OF BEGINNING.

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ALSO LESS THE FOLLOWING DESCRIBED PARCEL:

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COMMENCE AT THE NE CORNER OF THE NW 1/4, RUN NORTH 89°54'00" WEST ALONG  
THE NORTH LINE OF SAID NW ¼ A DISTANCE IF 865.60 FEET TO THE POINT OF  
BEGINNING; THENCE CONTINUE NORTH 89°54'00" WEST ALONG SAID NORTH LINE 475.42  
FEET; THENCE SOUTH 00°01'28" WEST 470.03 FEET, MORE OR LESS, TO THE NORTHERLY  
RIGHT-OF-WAY LINE OF STATE ROAD S-44-A, THENCE SOUTH 89°49'32" EAST ALONG  
SAID RIGHT-OF-WAY 449.95 FEET; THENCE NORTH 03°17'51" EAST 475.92 FEET TO THE  
POINT OF BEGINNING.