



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 9

Public Hearings: Planning & Zoning Board (PZB): August 4, 2021  
Board of County Commissioners (BCC): September 7, 2021

Case No. and Project Name: RZ-21-20-5, Cataldi Property Rezoning

Owner/Applicant: Tim Hoban, P.A.

Requested Action: Rezone approximately 10.0 +/- acres from Rural Residential (R-1) to Agriculture District (A) to facilitate agricultural pursuits and allow construction of a single-family residence.

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: 10.0 +/- acres

Location: East of North County Road 44A, Eustis

Alternate Key No.: 3827178

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)	Agriculture	Vacant agricultural land
South	Rural Transition	Rural Residential (R-1)	Residential	Single-Family Residential Subdivision (Lake Dalhousie Estates)
East	Rural Transition	Rural Residential (R-1)	Residential	Single-Family Residential Subdivision (Lake Dalhousie Estates)
West	Rural Transition	Rural Residential (R-1)	Residential and Agricultural	Single-Family Residence on a large agriculturally exempt tract, adjacent to North CR 44A

### Staff Analysis

The Applicant is requesting to rezone approximately 10.0 +/- acres of property from Rural Residential (R-1) to Agriculture (A) to facilitate agricultural pursuits and allow construction of a single-family residence. The subject property is identified by Alternate Key Number 3827178, and is located east of County Road 44A, in the unincorporated Umatilla area of Lake County. The subject parcel is currently undeveloped and planted in timber. It is the intention of the Applicant to construct an agricultural equipment storage building on the property prior to construction of a single-family residence, and pursue an agricultural exemption.

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*, residential, agriculture and forestry 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 residential, agriculture and forestry 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 and agriculture are the predominant uses of the abutting parcels. The proposed residential and agricultural 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, prior to the construction of a single-family residence, to facilitate agricultural operations with the existing timber planted on site. The owner wishes to have the proper zoning district to pursue agriculture exemption for the timber on site.

**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 4.7 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 with planted pine timber. Should the rezoning be approved, a tree removal permit application

will be required to ensure protection in accordance with LDR Section 9.02.00. Additionally, all environmental resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Conservation Element of the Comprehensive Plan and the Resource Protection provisions contained in the LDR.

**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.

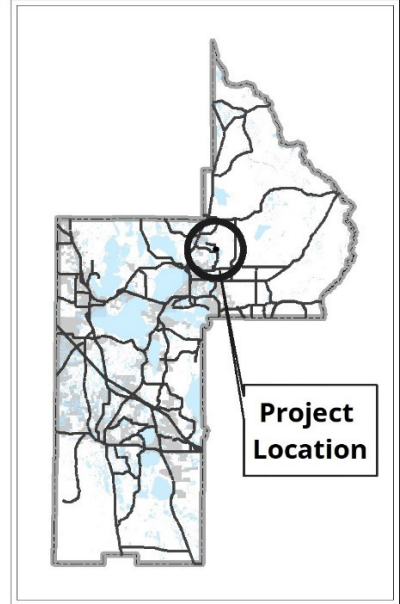
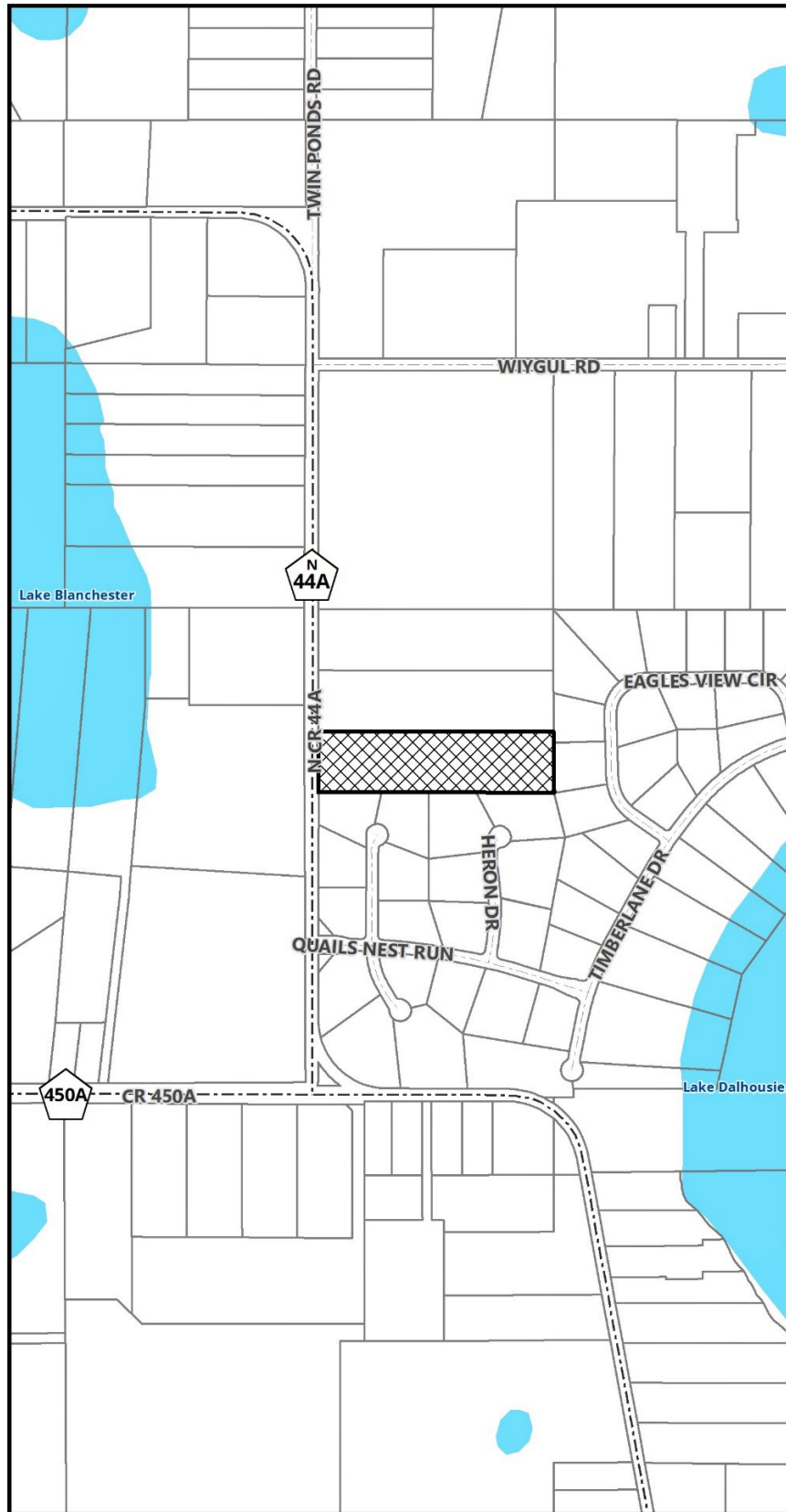
**I. Whether the proposed rezoning would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

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

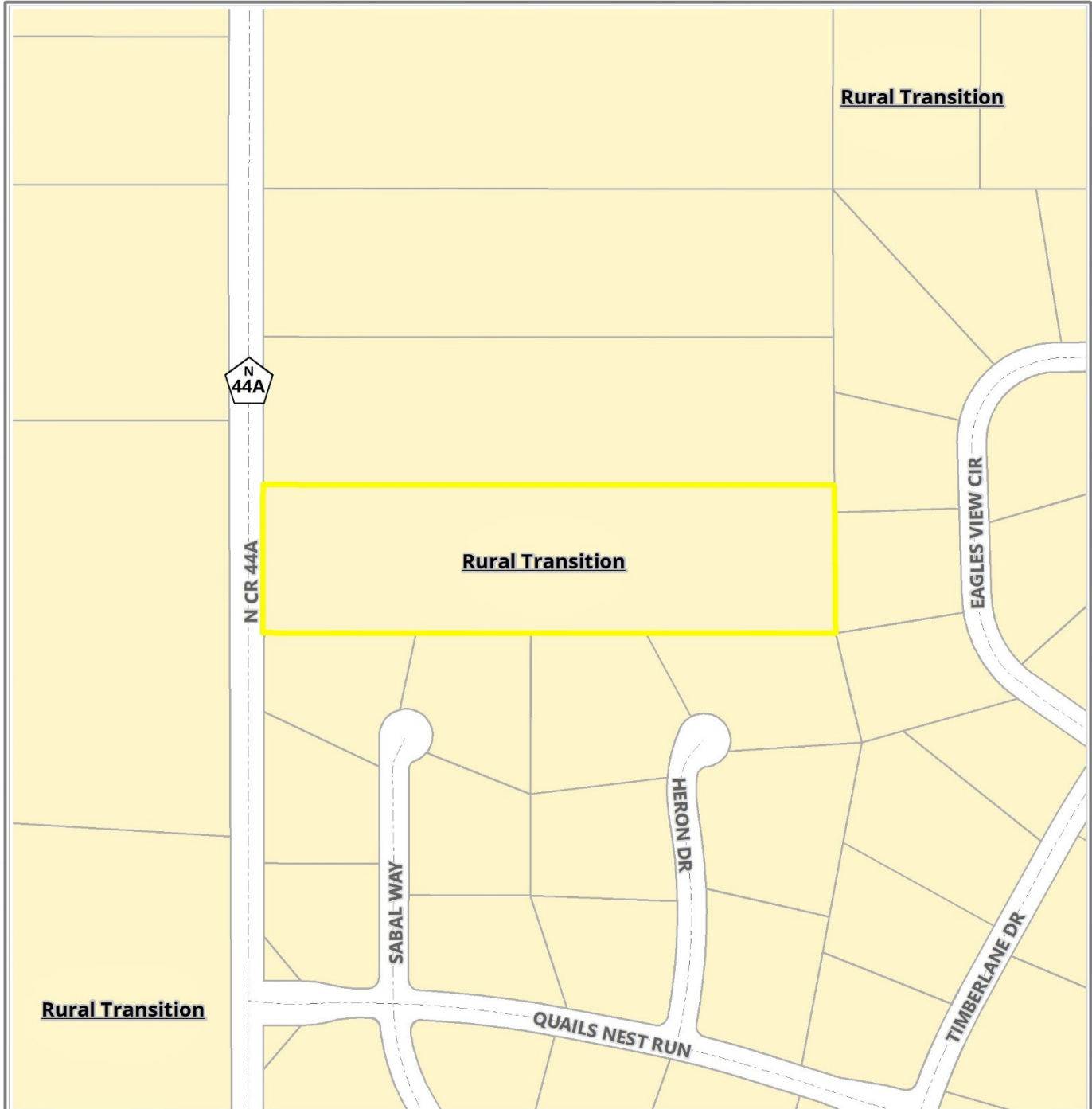
**J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

N/A

**Subject Property**



**CURRENT FUTURE LAND USE**



*Future Land Use*

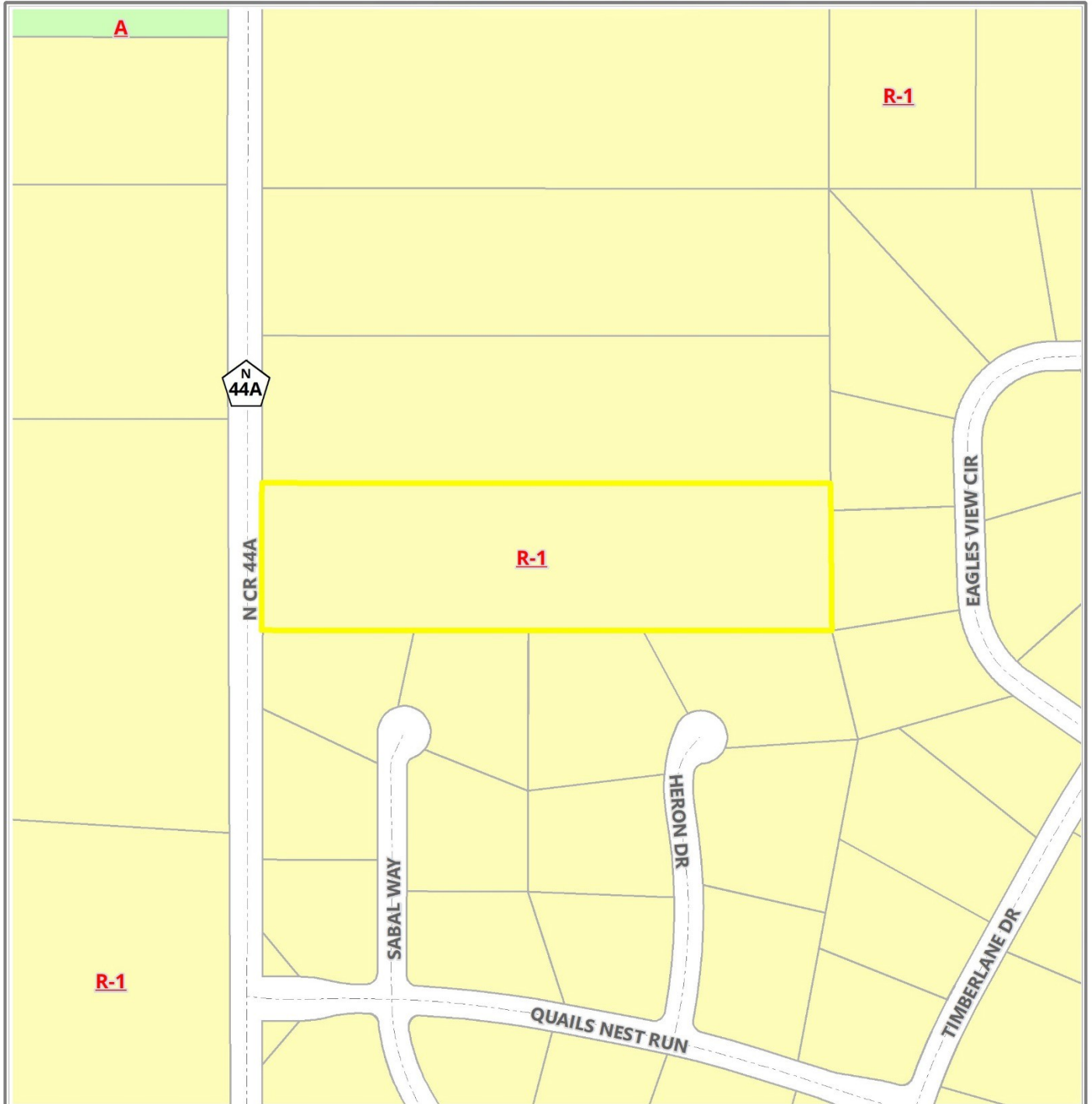
 Rural Transition

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

DISTRICT: **5**



### CURRENT ZONING



*Zoning Legend*

A     R-1

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

DISTRICT: **5**





1 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid  
2 or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the  
3 validity of the remaining portions of this Ordinance.

4 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of  
5 this Ordinance to the Secretary of State for the State of Florida in accordance with Section  
6 125.66, Florida Statutes.

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

8 ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

9  
10 FILED with the Secretary of State \_\_\_\_\_, 2021.

11  
12 EFFECTIVE \_\_\_\_\_, 2021.

13

14

15

16 **BOARD OF COUNTY COMMISSIONERS**

17 **LAKE COUNTY, FLORIDA**

18

19

20

21 \_\_\_\_\_  
**SEAN M. PARKS, CHAIRMAN**

22

23

24 **ATTEST:**

25

26

27

28 \_\_\_\_\_  
**GARY J. COONEY, CLERK OF THE**

29 **BOARD OF COUNTY COMMISSIONERS**

30 **LAKE COUNTY, FLORIDA**

31

32

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

34

35

36 \_\_\_\_\_  
**MELANIE MARSH, COUNTY ATTORNEY**

37