



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): November 3, 2021  
Board of County Commissioners (BCC): December 7, 2021

Case No. and Project Name: RZ-21-27-4 Trinity Capital Group Rezoning

Owner: Trinity Capital Group, LLC

Applicant: Greg Beliveau, LPG Urban and Regional Planners, Inc.

Requested Action: Rezone approximately 4.48 +/- acres from Agriculture (A) to Medium Suburban Residential District (R-4) to accommodate residential development.

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: 4.48 +/- acres

Location: North of Wolf Branch Road and west of Robert D Road, in the unincorporated Mount Dora area

Alternate Key No.: 3818981

Future Land Use: Urban Low Density

Existing Zoning District: Agriculture (A)

Proposed Zoning District: Medium Suburban Residential District (R-4)

Joint Planning Area / ISBA: Mount Dora Joint Planning Area (JPA)

Overlay Districts: 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	Urban Low Density	Agriculture (A)	Residential	Single-Family Residence
South	Urban Low Density	Medium Residential (R-3), across ROW	Residential, across ROW	Wolf Branch Road right-of- way, Orange Lake Subdivision
East	Urban Low Density	Urban Residential (R-6)	Residential	Laurel Lea Subdivision
West	Urban Low Density	Medium Suburban Residential (R-4)	Residential	Addison Place Subdivision

**Staff Analysis**

The 4.48 +/- acre subject property is identified by Alternate Key Number 3818981 and is located north of Wolf Branch Road and east of Robert D Road, in the unincorporated Mount Dora area. The subject parcel is currently developed with a single-family dwelling unit and a fifty (50) foot ingress/egress easement to the west which provides access for the property to the north. The Applicant is requesting to rezone the subject property from Agriculture (A) to Medium Suburban Residential District (R-4) to allow a residential development, consisting of 12 single-family residences. The subject property is designated as Urban Low Density Future Land Use Category (FLUC) which allows a maximum residential density of four (4) dwelling units per one (1) net buildable acre.

A Utility Notification was provided by the applicant indicating that the City of Mount Dora would be able to provide immediate connection to central water and central sewer services.

The proposed request is consistent with the Comprehensive 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 proposed rezoning is consistent with LDR Section 3.01.03, which states that single-family dwelling units are permitted within the R-4 zoning district.

The concept plan is consistent with the maximum density for the R-4 zoning district of four (4) 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 Comprehensive Plan Policy I-1.3.2, Urban Low Density FLUC, which allows residential uses.

The proposed request to rezone the subject property to R-4 is consistent with the maximum density specified by 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 developed residential lots with single-family dwelling units. The application and concept plan indicate that the easement will be improved to meet County standards along that portion of the property which will provide access to the proposed subdivision.

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

There does not appear to be any recent rezoning within this area over the past 5-years. The property owner desires to replace the existing single-family dwelling unit and construct a residential subdivision. As previously stated, the request and proposed use are consistent with the surrounding uses, as most adjoining parcels are developed with and 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 the City of Mount Dora would be able to provide immediate connection to central water and central sewer services.

Schools

Lake County Schools reviewed the application and stated that the development will be subject to school concurrency prior to final development order approval.

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 #27 is located at 19212 State Road 44 in Eustis, approximately 3.8 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 appears to have been cleared for past agriculture purposes. An environmental statement from the property owner was submitted with the rezoning application. The environmental assessment provided identified “potentially occupied” gopher tortoise burrows on the subject property. The environmental assessment concluded the most viable option is to “capture and relocate each tortoise to a Florida Fish and Wildlife Conservation Commission (FWC) Long Term Protected Recipient Site” to facilitate the future plans for the subject property.

**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. The adjacent subdivision to the west (Addison Place) is zoned R-4 and contains lots similar in size to those proposed. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area.

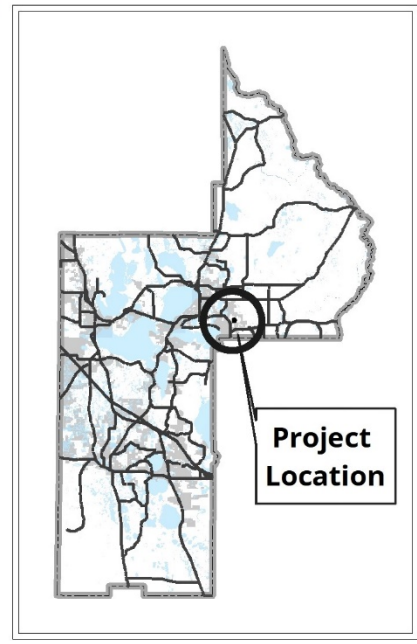
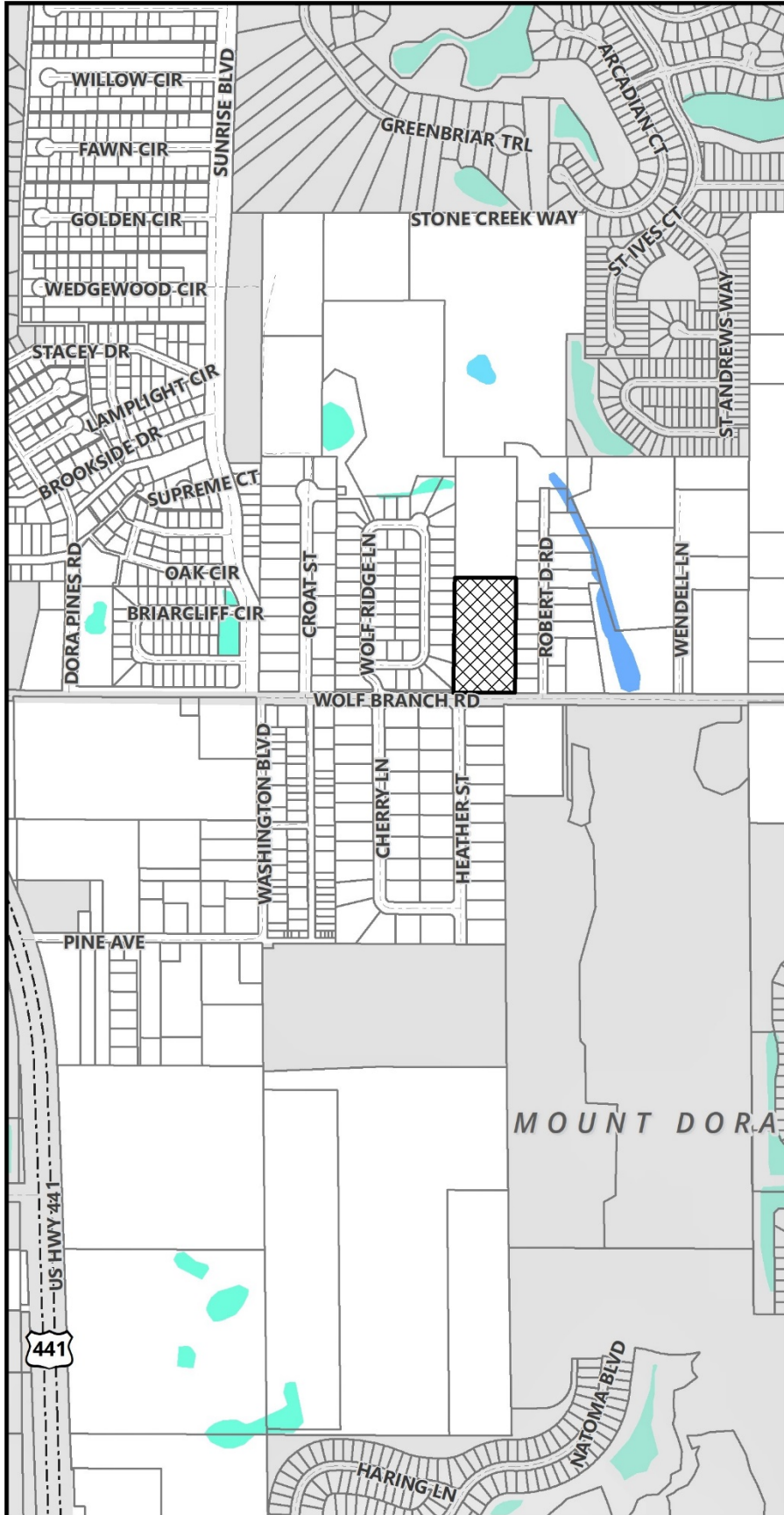
**I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.**

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 Conservation

NAME: **TRINITY CAPITAL GROUP PROPERTY**  
CASE NUMBER: **RZ-21-27-4**  
LOCATION (S-T-R): **21-19-27**  
REQUEST: **AGRICULTURE (A) TO MEDIUM SUBURBAN RESIDENTIAL (R-4)**

DISTRICT: **4**





### CURRENT ZONING



**Zoning Legend**

- A
- R-3
- R-4
- R-6

**NAME: TRINITY CAPITAL GROUP PROPERTY**

**DISTRICT: 4**

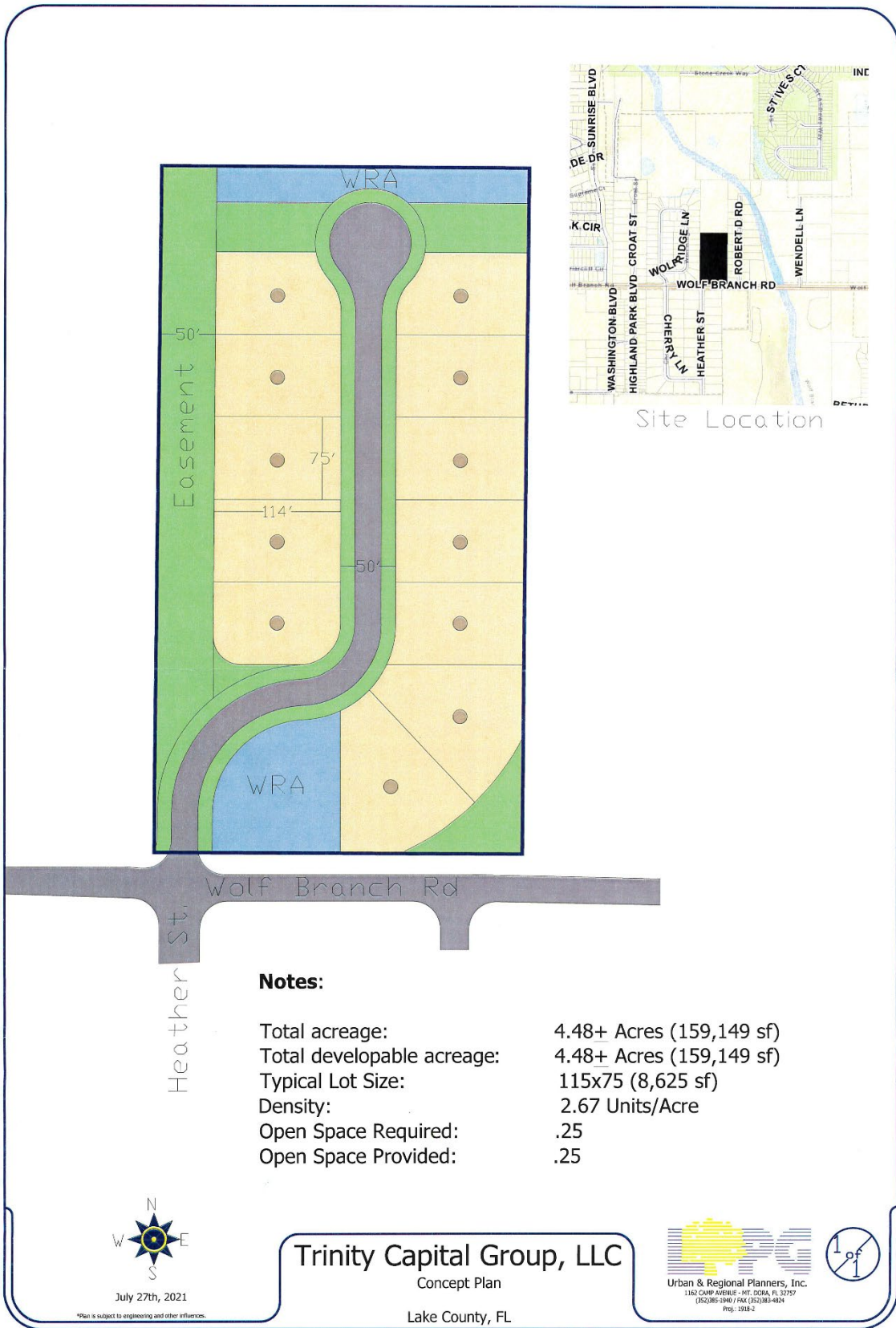
**CASE NUMBER: RZ-21-27-4**

**LOCATION (S-T-R): 21-19-27**

**REQUEST: AGRICULTURE (A) TO MEDIUM SUBURBAN RESIDENTIAL (R-4)**



Attachment A – Concept Plan



**Notes:**

Total acreage:	4.48+ Acres (159,149 sf)
Total developable acreage:	4.48+ Acres (159,149 sf)
Typical Lot Size:	115x75 (8,625 sf)
Density:	2.67 Units/Acre
Open Space Required:	.25
Open Space Provided:	.25

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**ORDINANCE #2021-XX**  
**Trinity Capital Group**  
**RZ-21-27-4**

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

**WHEREAS**, Greg Beliveau, AICP, LPG Urban and Regional Planners, Inc. (the "Applicant") submitted an application on behalf of Trinity Capital Group, LLC (the "Owner") to rezone property from Agriculture (A) to Medium Suburban Residential District (R-4); and

**WHEREAS**, the subject property consists of approximately 4.48 acres located north of Wolf Branch Road and west of Robert D Road in the unincorporated Mount Dora area, in Section 21, Township 19 South, Range 27 East, identified by Alternate Key Number 3818981, and more particularly as described below:

THE SOUTH 660 FEET OF THE WEST 66 FEET OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ AND THE SOUTH 660 FEET OF THE EAST 264 FEET OF THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 21, TOWNSHIP 18 SOUTH, RANGE 27 EAST, LAKE COUNTY, FLORIDA.

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

**WHEREAS**, the property will be rezoned to Medium Suburban Residential District (R-4) in accordance with the Lake County Zoning Regulations; and

**WHEREAS**, Lake County Planning and Zoning Board did review petition RZ-21-27-4 on the 3rd day of November 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 7th day of December 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; and

**WHEREAS**, the approval of this ordinance shall supersede and replace any and all previous zoning ordinances on the property.

**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 from Agriculture (A) to Medium Suburban Residential District (R-4).



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

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

9 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of  
10 this Ordinance to the Secretary of State for the State of Florida in accordance with Section  
11 125.66, Florida Statutes.

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

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

14 FILED with the Secretary of State \_\_\_\_\_, 2021.

15 EFFECTIVE \_\_\_\_\_, 2021.

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

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**SEAN M. PARKS, CHAIRMAN**

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29 **ATTEST:**

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

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**APPROVED AS TO FORM AND LEGALITY:**

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**MELANIE MARSH, COUNTY ATTORNEY**

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