



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): January 5, 2022
Board of County Commissioners (BCC): February 1, 2022

Case No. and Project Name: RZ-21-39-5, At Home Day Care - ALF

Owner: Keisha Gist & Stanley Gist

Applicant: Rick Hartenstein, AICP, CPM

Requested Action: Amend Community Facility District (CFD) Ordinance #2016-23 to convert the existing caretaker's residence into an Assisted Living Facility.

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

Case Manager: Marellys Moreno, CRA Coordinator

PZB Recommendation:

Subject Property Information

Size: 9.77 +/- acres

Location: 40105 French Road, Lady Lake

Alternate Key No.: 1238781 and 3874829

Future Land Use Category: Rural

Existing Zoning District: Community Facility District (CFD) by Ordinance #2016-23 (Attachment "C")

Proposed Zoning District: Community Facility District (CFD)

Joint Planning Area (JPA) / ISBA: Lady Lake ISBA

Overlay Districts: Emerald Marsh Rural Protection Area Overlay (EMRPA)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Rural Residential (R-1)	Vacant residential	Undeveloped
South	Rural	Rural Residential (R-1)	French Road and Vacant Government County	French Road and undeveloped property
East	Rural	Rural Residential (R-1), Agriculture (A)	Residential and vacant residential	Large Tract of Agricultural Land and Single-Family Residence
West	Rural Transition	Rural Residential (R-1)	Residential and vacant residential	Single-Family Residence and residential undeveloped lots

- Summary of Analysis -

The subject 9.77 +/- acres are zoned Community Facility District (CFD) by Ordinance #2016-23; designated with the Rural Future Land Use Category (FLUC) by the 2030 Comprehensive Plan; and located within the Emerald Marsh Rural Protection Area Overlay (EMRPA). Ordinance #2016-23 allows the site to be developed as an Adult Congregate Living Facility/Nursing Home (ACLF/Nursing Home) with a maximum of one hundred sixty (160) beds for in-patient care/treatment. The approved Concept Plan shows an existing Single-Family Residence to be utilized as a Caretaker's Residence and four (4) buildings with a forty (40) bed capacity (Attachment "C").

The application seeks to amend CFD Ordinance #2016-23 to convert the existing caretaker's residence into an Assisted Living Facility and maintain a maximum of one hundred sixty (160) beds for in-patient care/treatment as referenced in the Concept Plan (Attachment "D").

The subject parcel is located within the Town of Lady Lake ISBA, and the application was provided to the Town of Lady Lake to review. The Town of Lady Lake did not provide comments about the proposed amendment to Ordinance #2016-23.

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

A. Whether the proposed rezoning is in conflict with any applicable provisions of the Code;

Amending CFD Ordinance #2016-23 to convert the existing caretaker's residence into an Assisted Living Facility does not conflict with provisions of the Land Development Regulations (LDR). Pursuant to CFD Ordinance #2016-23, the subject parcel can be developed as an Adult Congregate Living Facility/Nursing Home (ACLF/Nursing Home), with a maximum of 160 bed capacity.

The proposed request is consistent with LDR Section 3.01.02 and LDR Section 3.01.03, which specify the allowance of Nursing Homes within the CFD zoning district.

B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;

The subject parcel is designated with a Rural FLUC and is located within the EMRPA. The EMRPA limits the allowed land uses to the those established within the Rural FLUC and Public Benefit Future Land Use Series. Policy I-1.4.4 Rural Future Land Use Category conditionally allows nursing services.

C. Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses;

Ordinance #2016-23 allows the parcel to be developed as an Adult Congregate Living Facility/Nursing Home (ACLF/Nursing Home). This rezoning is consistent with the Rural FLUC, which allows nursing home services. Additionally, the rezoning is consistent with (LDR Section 3.01.03, which allows Nursing Home uses within the CFD zoning district.

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

The current CFD ordinance was approved in 2016. The owners are seeking to start with the development and would like to redistribute the beds within the proposed buildings to use the single-family residence.

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 rezoning would exceed the capacity of such 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;

Water and Sewer

Well and septic will require permitting through DOH-Lake. The new development may require additional facilities upon permitting as the septic system at the single-family residence may have to be adjusted to accommodate the conversion from residential to commercial group care.

Parks and Recreation

No adverse impacts are anticipated on parks.

Public Safety

Lake County Fire Rescue Station #54 is located at 6200 Lake Griffin Road in Lady Lake, approximately 1.5 miles from the subject property. This facility will provide advanced life support should an emergency on the property demand this service. Fire protection water supply and emergency access will be addressed during the development review process.

Solid Waste

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

Transportation Concurrency

The standard Level of Service (LOS) for the impacted roadway of Gray's Airport Rd is "D" with capacity of 612 trips. This segment of roadway (Marion County Rd to CR 466) is currently operating at twenty three percent (23%) of its capacity in the peak hour direction.

This project will be generating thirty-five (35) pm peak hour trips, in which twenty (20) trips will impact the peak hour direction increasing the Volume to Capacity Ratio (v/c) to twenty-seven (27) percent.

Applicant will be required to complete a Tier 1 Traffic Impact Study prior to site plan approval.

<http://www.lakesumtermo.com/pdfs/concurrency/Lake-Sumter-MPO-Traffic-Impact-Analysis-Methodology-and-Guidelines.pdf>

The most updated Traffic Concurrency Management at the following website:

<http://www.lakesumtermo.com/planning-documents/congestion-management-process/>

Currently there are no County funded improvements scheduled for this segment of Gray's Airport Rd.

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

New development will be required to meet all criteria specified by the Comprehensive Plan and LDR, as amended, for natural resource protection and mitigation. The required environmental assessment (EA) must identify the presence of natural resources and specify protection and necessary mitigation of any endangered or threatened wildlife, flora and/or fauna, to include those that are species of special concern.

G. Whether, and the extent to which, the proposed rezoning would affect the property values in the area;

There is no information within the application that specifies impacts on property values.

H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern;

The proposed rezoning would not disrupt the existing orderly and logical development pattern of the area; the subject parcel is already zoned CFD. Landscape buffers are required adjacent to the CFD zoned parcels, and the ordinance includes other landscaping conditions in accordance with the LDR, as amended. To further lessen any adverse effects to adjoining parcels, a noise study that assesses the impacts of the proposed use will be required at the time of the site plan application submittal.

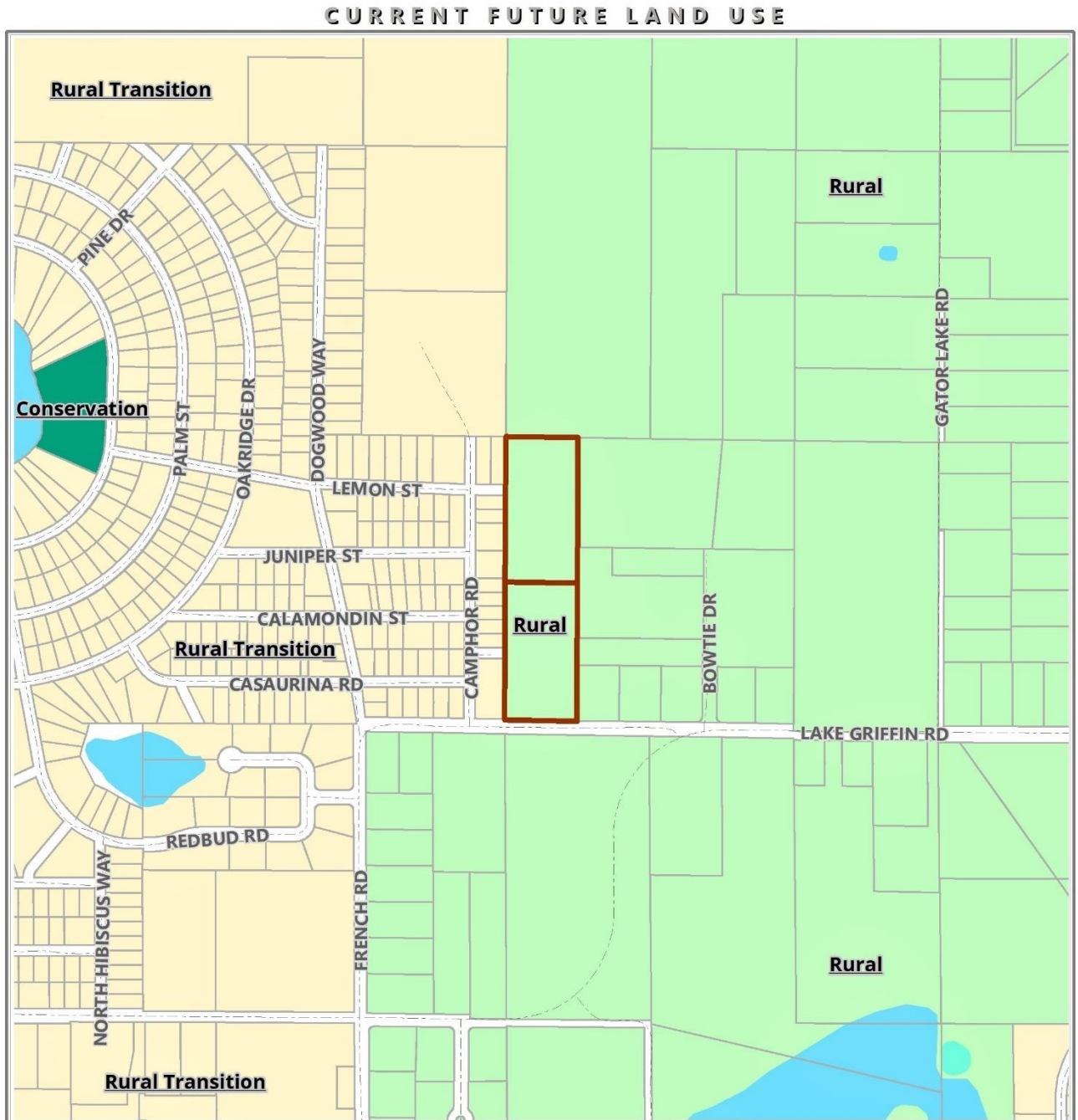
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and

The request is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

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.

Attachment "A" - Future Land Use Category



Future Land Use

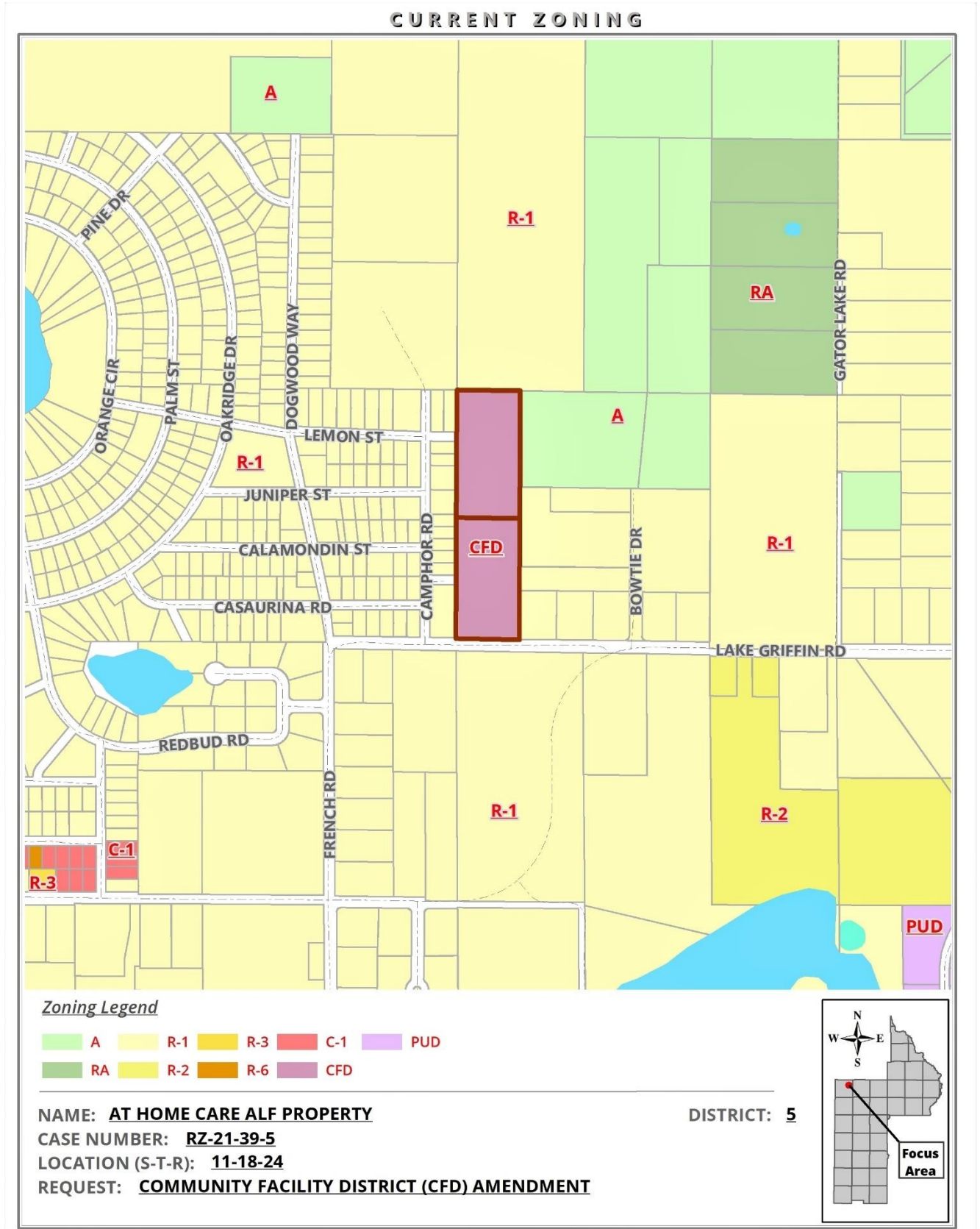
Rural Rural Transition Conservation

NAME: AT HOME CARE ALF PROPERTY
CASE NUMBER: RZ-21-39-5
LOCATION (S-T-R): 11-18-24
REQUEST: COMMUNITY FACILITY DISTRICT (CFD) AMENDMENT

DISTRICT: 5



Attachment "B"- Zoning District



Attachment "C"- Ordinance #2016-23 (Page 1 of 6)

INSTRUMENT #2016073484
OR BK 4807 PG 2236 - 2241 (6 PGS)
DATE: 7/18/2016 1:53:35 PM
NEIL KELLY, CLERK OF THE CIRCUIT COURT
LAKE COUNTY
RECORDING FEES \$52.50

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**ORDINANCE #2016-23
RZ-16-05-5**

**Carolyn D. Yonally Trust Property
Stanley and Keisha Gist**

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**, Stanley and Keisha Gist (the "Applicants") submitted an application on behalf of
8 Carolyn D. Yonally, as Trustee of the Carolyn D. Yonally Revocable Living Trust dated 6/21/07 (the
9 "Owner") to rezone 9.77 +/- acres from Rural Residential (R-1) to Community Facility District (CFD) for an
10 Adult Congregate Living Facility/Nursing Home (ACLF/Nursing Home); and

11 **WHEREAS**, the subject property consists of approximately 9.77 +/- acres located at 40105 French
12 Road in the east Lady Lake area, in Sections 11 Township 18 South, Range 24 East, consisting of
13 Alternate Key Numbers 1238781 & 3874829, and more particularly described as:

14 **LEGAL DESCRIPTION – (Exhibit "A")**

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

17 **WHEREAS**, Lake County Planning and Zoning Board did review petition RZ-16-05-5 on the 30th
18 day of March, 2016, after giving Notice of Hearing for a change in the use of land, including a notice that
19 said petition will be presented to the Board of County Commissioners of Lake County, Florida, on the 19th
20 day of April, 2016; and

21 **WHEREAS**, the Board of County Commissioners continued petition RZ-16-05-5 to the May 17,
22 2016, Commission meeting; and

23 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of
24 the Lake County Planning and Zoning Board, the staff report and any comments, favorable or unfavorable
25 from the public and surrounding property owners at a public hearing duly advertised, and

26 **WHEREAS**, upon review, certain terms pertaining to the development of the above described
27 property has been duly approved; and

28 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
29 Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they
30 pertain to the above tract of land, subject to the following terms:

31 **Section 1. Terms:** The County Manager or designee shall amend the Lake County Zoning Map to show
32 the Community Facility District (CFD) in accordance with Exhibit "A" of this Ordinance. All uses
33 shall be generally consistent with the revised Concept Plan as shown in Exhibit "B", of this
34 Ordinance. To the extent where there are conflicts between the revised Concept Plan and this
35 Ordinance, this Ordinance shall take precedence.

36 **A. Land Use:**

37 1. Use of the land area shall be limited to an Adult Congregate Living Facility (ACLF). The
38 facility shall be limited to one hundred sixty (160) beds for in-patient care/treatment,
39 together with the necessary staff to support the facility. The proposed buildings shall be



Attachment "C"- Ordinance #2016-23 (Page 2 of 6)

ORDINANCE #2016-23
RZ-16-05-5 (Yonally-Gist Rezoning)

- 1 designed to give the appearance of a single-family residential unit to blend in with the rural
2 character of the area.
- 3 2. Existing Structures:
- 4 a. Single-Family Residence to be utilized as a Caretaker's Residence.
- 5 b. Two (2) storage buildings identified on Exhibit "B" Concept Plan as existing structures
6 to be utilized for maintenance equipment and storage for the facility.
- 7 Accessory Uses – Those uses directly associated with the principal use may be approved
8 by the County Manager or designee. Any other use of the site not identified above shall
9 require an amendment to this Ordinance as approved by the Board of County
10 Commissioners.
- 11 **B. Open Space, Setbacks, and Parking:** Open Space, Setbacks, and Parking shall be in
12 accordance with the Comprehensive Plan and LDR, as amended.
- 13 **C. Floor Area Ratio/Intensity, Impervious Surface (ISR), and Height of Structures:** Floor
14 Area Ratio/Intensity, Impervious Surface Ratio, and Structure Height shall be in accordance
15 with the Comprehensive Plan and LDR, as amended.
- 16 **D. Landscaping, Buffering, and Screening:** Landscaping, Buffering, and Screening shall be in
17 accordance with the Comprehensive Plan and Land Development Regulations, as amended,
18 and the conditions established in this Ordinance.
- 19 1. A 30-foot wide landscape buffer along all property lines shall be provided. The existing
20 native vegetation shall be utilized as much as possible.
- 21 **E. Transportation/Access Management:** Access for the project shall be limited to the northern
22 intersection of Lake Griffin Road and French Road only. All access management including the
23 dedication of right-of-way (33 feet from the centerline of French Road) and a sidewalk along
24 the road frontage of French Road shall be in accordance with the Comprehensive Plan and
25 Land Development Regulations, as amended.
- 26 a) Through traffic is prohibited on French Road; Ingress/Egress access shall consist of a
27 right turn-in and left turn-out (with curb or similar traffic control structure); the applicant
28 shall coordinate with Public Works to post signage indicating as much.
- 29 b) Tier 1 Traffic Impact Analysis will be required with any development application
30 submittal.
- 31 **D. Stormwater Management:** The stormwater management system shall be designed in
32 accordance with all applicable Lake County and St. Johns River Water Management District
33 (SJRWMD) requirements; as amended.
- 34 **E. Signage:** All signage shall be accordance with the Comprehensive Plan and Land
35 Development Regulations, as amended.
- 36 **F. Lighting:** Exterior lighting shall be cut-off type and in accordance with the Comprehensive
37 Plan, Land Development Regulations, and Dark-Sky guidelines, as amended.
- 38 **G. Fire Protection:** Fire Protection shall be in accordance with all applicable federal, state, and
39 local codes and/or regulations, as amended.

Attachment "C"- Ordinance #2016-23 (Page 3 of 6)

ORDINANCE #2016-23
RZ-16-05-5 (Yonally-Gist Rezoning)

- 1 **H. Utilities:** The utilities (central water and sewer) shall be provided by an on-site public water
2 system and on-site sewage treatment system (package plant). The water and sewer system
3 shall be subject to all applicable federal, state, regional, and local rules, regulations, and
4 codes, as amended
- 5 **I. Concurrency Management Requirements:** Any development shall comply with the Lake
6 County Concurrency Management System, as amended.
- 7 **J. Development Review and Approval:** Prior to the issuance of permits, the Applicant shall be
8 required to submit a site plan application generally consistent with Exhibit "B" – Conceptual
9 Plan, attached, for review and approval in accordance with the Comprehensive Plan and LDR,
10 as amended.
- 11 **K. Future Amendments to Statutes, Code, Plans, and/or Regulations:** The specific references
12 in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
13 Comprehensive Plan, and Lake County Land Development Regulations shall include any
14 future amendments to the Statutes, Code, Plans, and/or Regulations.
- 15 **Section 2. Conditions:** Conditions as altered and amended which pertain to the above tract of land shall
16 mean:
- 17 **A.** After establishment of the facilities as provided herein, the aforementioned property shall only
18 be used for the purposes named in this Ordinance. Any other proposed use must be
19 specifically authorized by the Board of County Commissioners.
- 20 **B.** No person, firm, or corporation shall erect, construct, enlarge, alter, repair, remove, improve,
21 move, convert, or demolish any building structure, add other uses, or alter the land in any
22 manner within the boundaries of the above described land without first obtaining the necessary
23 approvals in accordance with the Lake County Code, as amended, and obtaining the permits
24 required from the other appropriate governmental agencies.
- 25 **C.** This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the
26 land and the terms, conditions, and provisions hereof, and shall be binding upon the present
27 Owner and any successor, and shall be subject to each and every condition herein set out.
- 28 **D.** Construction and operation of the proposed use shall at all times comply with the regulations of
29 this and other governmental permitting agencies.
- 30 **E.** The transfer of ownership or lease of any or all of the property described in this Ordinance
31 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is
32 made good and aware of the conditions established by this Ordinance and agrees to be bound
33 by these conditions. The purchaser or lessee may request a change from the existing plans
34 and conditions by following procedures contained in the Land Development Regulations, as
35 amended.
- 36 **F.** Action by the Lake County Code Enforcement Special Master. The Lake County Code
37 Enforcement Special Master shall have authority to enforce the terms and conditions set forth
38 in this ordinance and to recommend that the ordinance be revoked.
- 39 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be invalid
40 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way
41 affect the validity of the remaining portions of this Ordinance.

Attachment "C"- Ordinance #2016-23 (Page 4 of 6)

ORDINANCE #2016-23
RZ-16-05-5 (Yonally-Gist Rezoning)

1 **Section 4. Filing with the Department of State:** The clerk shall be and is hereby directed forthwith to
2 send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance
3 with Section 125.66, Florida Statutes.
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7 **Section 5. Effective Date.** This Ordinance shall become effective as provided by law.

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9 ENACTED this 17th day of May, 2016.

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11 FILED with the Secretary of State May 27, 2016.

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13 EFFECTIVE May 27, 2016.
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16 BOARD OF COUNTY COMMISSIONERS
17 LAKE COUNTY, FLORIDA

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22 SEAN M. PARKS, CHAIRMAN

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24 ATTEST:

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29 NEIL KELLY, CLERK OF THE
30 BOARD OF COUNTY COMMISSIONERS
31 LAKE COUNTY, FLORIDA
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35 APPROVED AS TO FORM AND LEGALITY

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38 
39 MELANIE MARSH, COUNTY ATTORNEY
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Attachment "C"- Ordinance #2016-23 (Page 5 of 6)

ORDINANCE #2016-23
RZ-16-05-5 (Yonally-Gist Rezoning)

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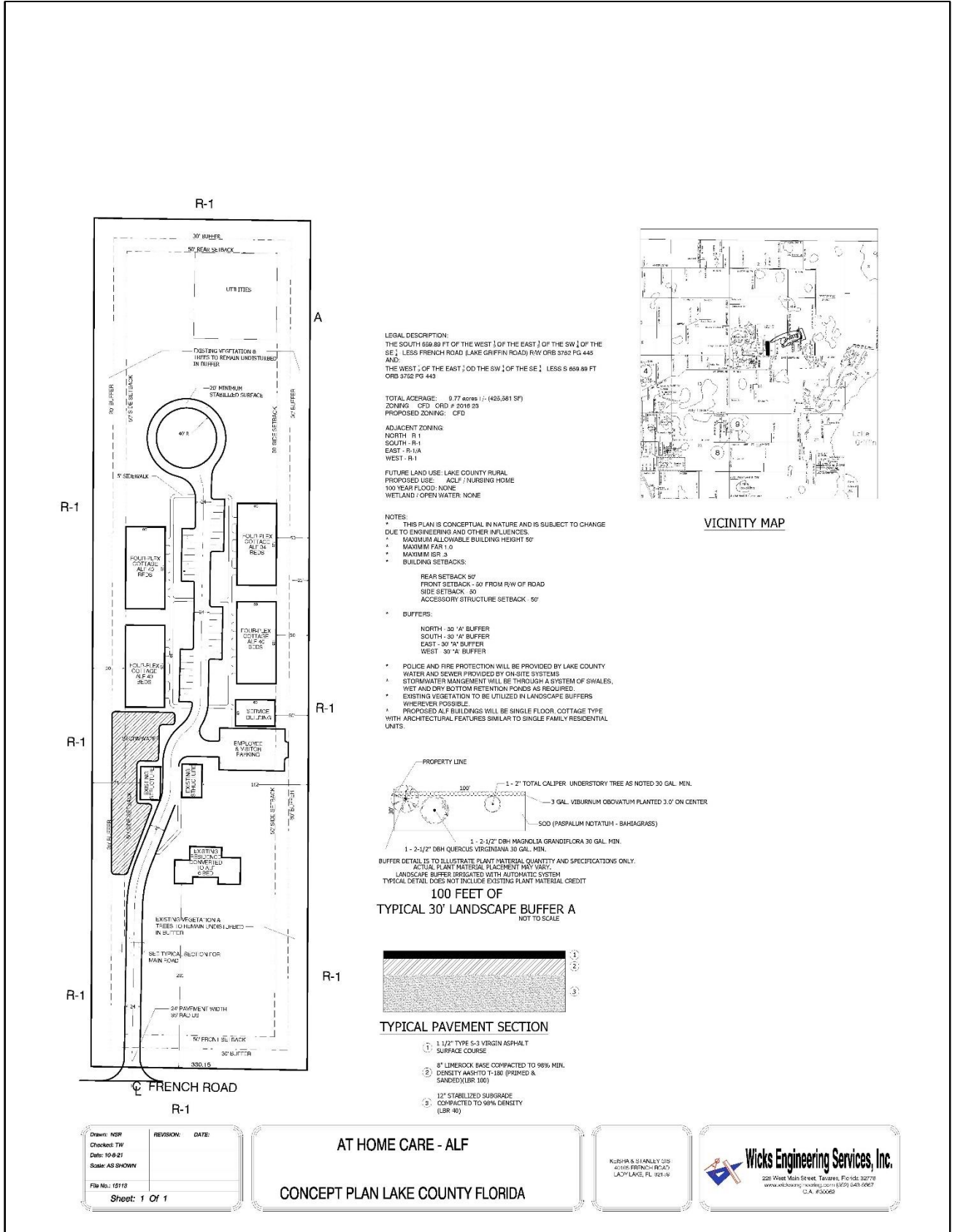
Exhibit "A"
Legal Description

The West ½ of the East ½ of the Southwest ¼ of the Southeast ¼ in Section 11, Township 18 South, Range 24 East, Lake County, Florida. Less the South 659.89 feet thereof. Subject to all easements, rights-of-way, and restrictions of record, if any.

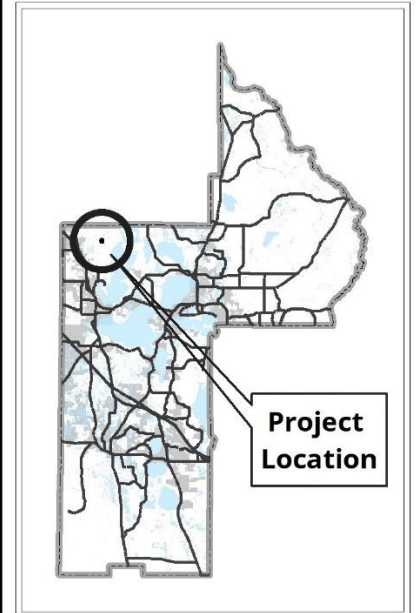
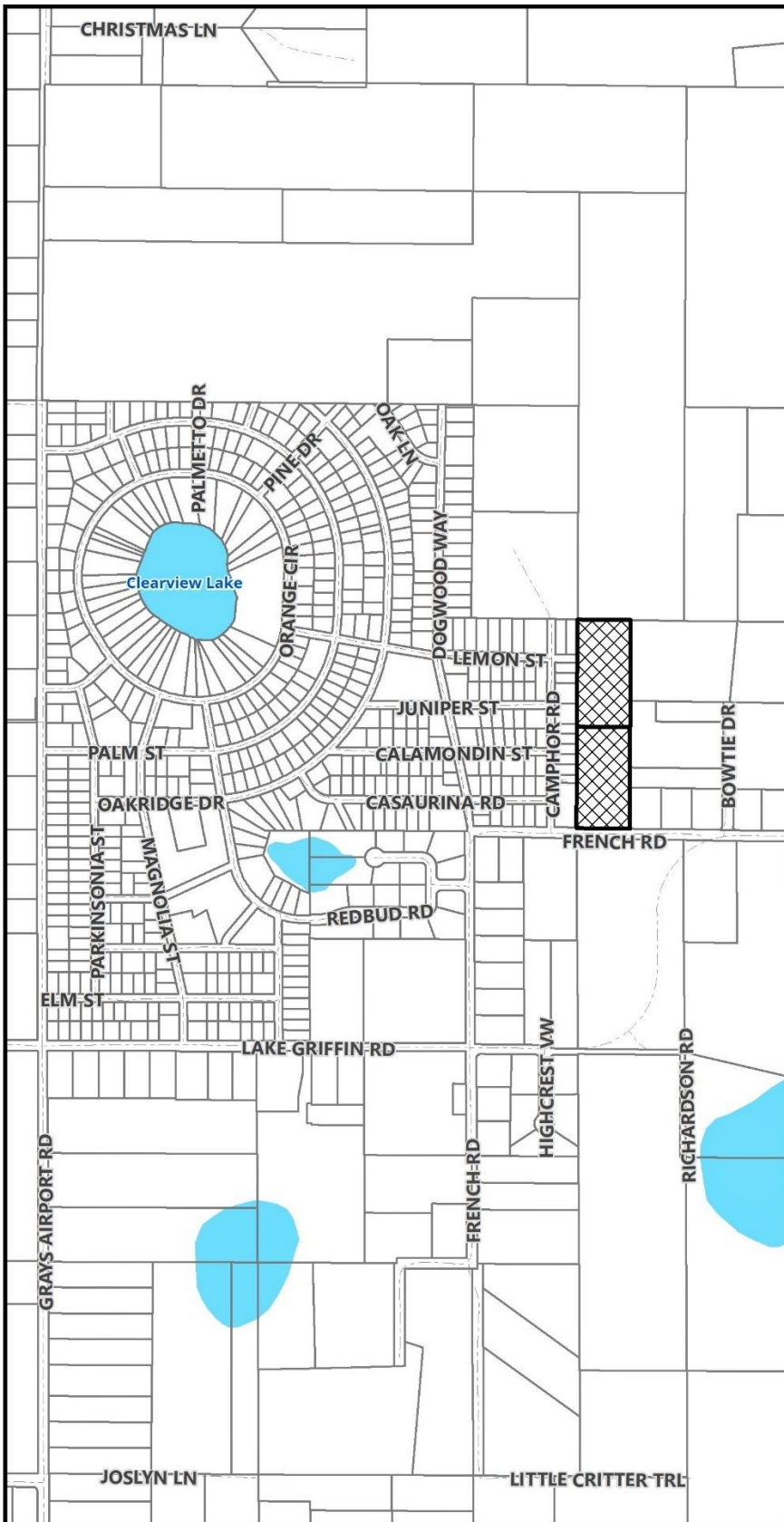
And

The South 659.89 feet of the West ½ of the East ½ of the Southwest ¼ of the Southeast ¼ in Section 11, Township 18 South, Range 24 East, Lake County, Florida, less right of way for French Road (Lake Griffin Road). Subject to all easements, rights-of-way, and restrictions of record, if any.

Attachment "D" - Concept Plan



Map of Subject Property



ORDINANCE #2022-XX
AT HOME CARE ALF
RZ-21-39-5

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

WHEREAS, Hartenstein Development & Land Use, LLC (the “Applicant”) submitted an application on behalf of Keisha L. and Stanley X. Gist (the “Owners”) to amend Community Facility District (CFD) Ordinance #2016-23; and

WHEREAS, the subject property consists of approximately 9.77 +/- acres, located at 40105 French Road, in the Lady Lake area, in Section 11, Township 18 South, Range 24 East, identified by Alternate Key Number 1238781 and 3874829, and more particularly as described in Exhibit “A” – Legal Description; and

WHEREAS, on May 16, 2016, Ordinance #2016-23 was approved by the Lake County Board of County Commissioners to rezone the subject 9.77 +/- acres from Rural Residential (R-1) to Community Facility District (CFD) for a Community Residential Home: and

WHEREAS, the subject property is located within the Emerald Marsh Rural Protection Area and the Rural Future Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Planning & Zoning Board reviewed Petition RZ-21-39-5 on the 5th day of January 2022, after giving notice of the hearing on the petition for a change in zoning, including notice that the petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 1st day of February 2022; 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 all previous zoning ordinances on the subject property, including Ordinance #2016-23.

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 Lake County Zoning Map to show the Community Facility District (CFD) in accordance with this Ordinance. All uses specified must be generally consistent with the Conceptual Plan as shown in Exhibit “B” of this Ordinance. To the extent where there are conflicts between the Conceptual Plan and this Ordinance, the Ordinance will take precedence. Ordinance #2016-23 and all previously approved ordinances will be superseded and replaced upon the adoption of

1 this new ordinance.

2 **A. Land Uses.**

- 3 1. Adult Living Facility (maximum 160 beds) for in-patient care/treatment, together
4 with necessary staff to support the facility. The proposed buildings shall be
5 designed to give the appearance of single-family residential unit to blend in with
6 the rural character of the area.
- 7 2. Existing Structures:
- 8 a. Caretaker's residence to include a maximum of six (6) beds for in-patient
9 care/treatment services.
- 10 b. Two storage buildings identified on Exhibit "B" concept plan as existing
11 structures to be utilized for maintenance equipment and storage for the
12 facility.
- 13 3. Accessory Uses directly associated with the above uses may be approved by the
14 County Manager or designee. Any other use of the site not specified above shall
15 require approval of an amendment to this Ordinance by the Board of County
16 Commissioners.

17 **B. Building Setbacks.** Building Setbacks shall be in accordance with the LDR, as
18 amended.

19 **C. Floor Area Ratio/Intensity, Impervious Surface (ISR), and Structure Height.**
20 Floor Area Ratio/Intensity, Impervious Surface Ratio, and Structure Height shall be
21 in accordance with the Comprehensive Plan and LDR, as amended.

22 **D. Landscaping, Buffering, and Screening.** Landscaping, Buffering, and Screening
23 shall be in accordance with the Comprehensive Plan and LDR, as amended.
24 Additionally, a 30-foot-wide landscape buffer along all property lines shall be
25 provided. The existing native vegetation shall be utilized as much as possible.

26 **E. Environmental and Open Space Consideration.**

27 1. An environmental assessment dated within six (6) months of the Site Plan
28 application submittal date will be required to demonstrate the presence of
29 vegetation, soils, threatened and endangered species that may exist on the site.
30 State permitting or mitigation, if needed, will be required before development can
31 commence.

32 2. Open space shall be in accordance with Comprehensive Plan, as amended.

33 **F. Noise.** Compliance must be in accordance with the LDR, as amended.

34 **G. Transportation Improvements/Access Management.**

35 1. Access for the project shall be limited to the northern intersection of Lake Griffin
36 Road and French Road only. All access management including the dedication of
37 right-of-way (33 feet from centerline of French Road) and sidewalk along the road

1 frontage on French Road shall be in accordance with the Comprehensive Plan
2 and LDR, as amended.

3 2. Through traffic is prohibited on French Road, Ingress/Egress access shall consist
4 of a right turn-in and left turn-out (with curb or similar traffic control structure). The
5 applicant shall coordinate with Public Works to post signage indicating as much.

6 3. Tier 1 Traffic Impact Analysis will be required with a site plan application
7 submittal.

8 **H. Parking Requirements.** Parking shall be provided in accordance with the LDR, as
9 amended.

10 **I. Stormwater Management.** The stormwater management system shall be designed
11 in accordance with all applicable Lake County and St. Johns River Water
12 Management District (SJRWMD) requirements, as amended.

13 **J. Signage.** All signage shall be accordance with the Comprehensive Plan and LDR,
14 as amended.

15 **K. Lighting.** Exterior lighting shall be cut-off type and in accordance with the LDR, as
16 amended, and consistent with Dark-Sky Principles.

17 **L. Fire Protection.** Fire Protection shall be in accordance with all applicable federal,
18 state, and local codes and/or regulations, as amended.

19 **M. Utilities.** The utilities (central water and sewer) shall be provided by an on-site public
20 water system and on-site sewage treatment system (package plant). The water and
21 sewer system shall be subject to all applicable federal, state, and local rules,
22 regulations, and codes, as amended.

23 **N. Concurrency Management Requirements.** All development shall comply with the
24 Lake County Concurrency Management System, as amended.

25 **O. Development Review and Approval.** Prior to the issuance of permits, the Owner
26 shall be required to submit a site plan application generally consistent with Exhibit "B"
27 - Conceptual Plan, attached, for review and approval in accordance with the
28 Comprehensive Plan and LDR, as amended.

29 **P. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific
30 references in this Ordinance to the Florida Statutes, Florida Administrative Code,
31 Comprehensive Plan, and LDR shall include any future amendments to the Statutes,
32 Code, Plans, and/or Regulations.

33 **Section 2. Conditions: Conditions as altered and amended which pertain to the above tract**
34 **of land shall mean:**

35 **A.** After establishment of the facilities as provided in this Ordinance, the property may
36 only be used for the purposes identified in this Ordinance. Any other proposed use
37 must be specifically authorized by the Lake County Board of County Commissioners.

- 1 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,
2 improve, move, convert, or demolish any building, structure, add other uses, or alter
3 the land in any manner within the boundaries of the above-described land without
4 first obtaining the necessary approvals, including site plan approval, in accordance
5 with the Lake County Code, as amended, and obtaining the permits required from
6 the other appropriate governmental agencies.
- 7 **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with
8 the land, and the terms, conditions, and provisions of this Ordinance will be binding
9 upon the present Owners and any successor and will be subject to each condition
10 set out in this Ordinance.
- 11 **D.** Construction and operation of the proposed use shall always comply with the
12 regulations of this and other governmental permitting agencies.
- 13 **E.** The transfer of ownership or lease of any or all the property described in this
14 Ordinance must include in the transfer or lease agreement, a provision that the
15 purchaser or lessee is made aware of the conditions established by this Ordinance
16 and agrees to be bound by these conditions. The purchaser or lessee may request a
17 change from the existing plans and conditions by following the procedures contained
18 in the LDR, as amended.
- 19 **F.** The Lake County Code Enforcement Special Master will have authority to enforce
20 the terms and conditions set forth in this Ordinance and to recommend that the
21 ordinance be revoked.
- 22 **Section 3. Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be
23 invalid or unconstitutional by any court of competent jurisdiction, the holding will in no
24 way affect the validity of the remaining portions of this Ordinance.
- 25 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a
26 copy of this Ordinance to the Secretary of State for the State of Florida in accordance
27 with Section 125.66, Florida Statutes.

1 **Section 5. Effective Date. This Ordinance will become effective as provided by law.**
2 **ENACTED** this _____ day of _____, 2022.
3
4 **FILED** with the Secretary of State _____, 2022.
5
6 **EFFECTIVE** _____, 2022.

7
8 **BOARD OF COUNTY COMMISSIONERS**
9 **LAKE COUNTY, FLORIDA**

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11 _____
12 **SEAN M. PARKS, CHAIRMAN**

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14 **ATTEST:**
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17 _____
18 **GARY COONEY, CLERK OF THE**
19 **BOARD OF COUNTY COMMISSIONERS**
20 **LAKE COUNTY, FLORIDA**
21

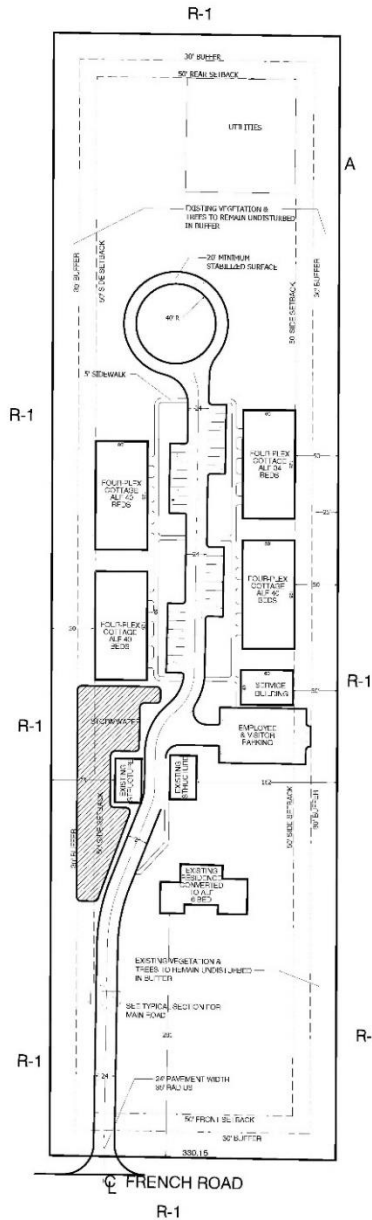
22
23 **APPROVED AS TO FORM AND LEGALITY:**
24
25

26 _____
27 **MELANIE MARSH, COUNTY ATTORNEY**

EXHIBIT "A" – LEGAL DESCRIPTION

1
2 S 659.89 FT OF W 1/2 OF E 1/2 OF SW 1/4 OF SE 1/4--LESS
3 FRENCH RD (LAKE GRIFFIN RD) R/W--
4 ORB 4897 PG 1640
5 AND
6 W 1/2 OF E 1/2 OF SW 1/4 OF SE 1/4 IN SECTION 11, TOWNSHIP 18 SOUTH, RANGE 24
7 EAST, LAKE COUNTY FLORIDA --LESS S 659.89 FT--
8 ORB 4943 PG 535
9 EASEMENT:
10 A 50 FT WIDE INGRESS/EGRESS EASEMENT LYING OVER, UPON AND THROUGH THE
11 FOLLOWING DESCRIBED PARCEL OF LAND;
12 THE EAST 50 FEET OF THE SOUTH 809.99 FEET OF THE WEST ½ OF THE EAST 1/2 OF THE
13 SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 IN SECTION 11, TOWNSHIP 18 SOUTH, RANGE
14 24 EAST, LAKE COUNTY FLORIDA. LESS THE SOUTH 33 FEET THEREOF.

EXHIBIT "B" – CONCEPTUAL PLAN

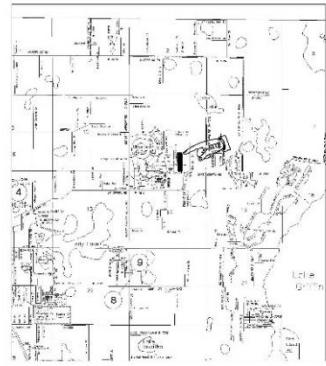


LEGAL DESCRIPTION:
 THE SOUTH 659.89 FT OF THE WEST 1/2 OF THE SW 1/4 OF THE SE 1/4 LESS FRENCH ROAD (LAKE GRIFFIN ROAD) R/W ORB 3782 PG 445 AND THE WEST 1/2 OF THE EAST 1/2 OF THE SW 1/4 OF THE SE 1/4 LESS S 899.89 FT ORB 3782 PG 445

TOTAL ACERAGE: 0.77 acres (1: 435,961 SF)
ZONING: CDD # 2019-03
PROPOSED ZONING: CFD

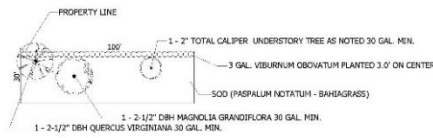
ADJACENT ZONING:
 NORTH - R-1
 SOUTH - R-1
 EAST - R-1A
 WEST - R-1

FUTURE LAND USE: LAKE COUNTY RURAL
PROPOSED USE: ALF / NURSING HOME
100 YEAR FLOOD: NONE
WETLAND / OPEN WATER: NONE

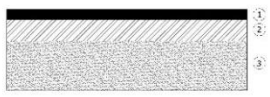


VICINITY MAP

- NOTES:**
- * THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE DUE TO ENGINEERING AND OTHER INFLUENCES.
 - * MAXIMUM ALLOWABLE BUILDING HEIGHT 30'
 - * MAXIMUM FAR 1.0
 - * MAXIMUM SR 3
 - * BUILDING SETBACKS:
 REAR SETBACK 30'
 FRONT SETBACK - 50' FROM R/W OF ROAD
 SIDE SETBACK 30'
 ACCESSORY STRUCTURE SETBACK 50'
 - * BUFFERS:
 NORTH - 30' A' BUFFER
 SOUTH - 30' A' BUFFER
 EAST - 30' A' BUFFER
 WEST - 30' A' BUFFER
 - * POLICE AND FIRE PROTECTION WILL BE PROVIDED BY LAKE COUNTY WATER AND SEWER PROVIDED BY ON-SITE SYSTEMS
 - * STORMWATER MANAGEMENT WILL BE THROUGH A SYSTEM OF SWALES, WET AND DRY BOTTOM RETENTION PONDS AS REQUIRED.
 - * EXISTING VEGETATION TO BE UTILIZED IN LANDSCAPE BUFFERS WHEREVER POSSIBLE.
 - * PROPOSED ALF BUILDINGS WILL BE SINGLE FLOOR, COTTAGE TYPE WITH ARCHITECTURAL FEATURES SIMILAR TO SINGLE FAMILY RESIDENTIAL UNITS.



100 FEET OF TYPICAL 30' LANDSCAPE BUFFER A NOT TO SCALE



- TYPICAL PAVEMENT SECTION**
- 1 1/2" TYPE S-3 VIRGIN ASPHALT SURFACE COURSE
 - 8" LIME ROCK BASE COMPACTED TO 98% MIN. DENSITY AND 10-1.180 (PRIMED & SANDED)(LBR 100)
 - 12" STABILIZED SUBGRADE COMPACTED TO 98% DENSITY (LBR 40)

Drawn: NSP	REVISION:	DATE:
Checked: JTW		
Date: 10-6-21		
Scale: AS SHOWN		
File No.: 03113		
Sheet: 1 Of 1		

AT HOME CARE - ALF

CONCEPT PLAN LAKE COUNTY FLORIDA


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 www.wicksengineering.com 904-943-0967
 G.A. #00000