



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): April 6, 2022  
Board of County Commissioners (BCC): May 3, 2022

Case No. and Project Name: RZ-21-40-4, White Rose Subdivision

Owner: Thomas L. & Dolores E. Boyea and Florida Conservation-Raab LLC

Applicant: Rohland June

Requested Action: Rezone 207.03 +/- acres from Agriculture (A) to PUD (Planned Unit Development) for a 198-lot residential subdivision in conjunction with Agriculture uses.

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: 207.03 +/- acres

Location: 34135 Cardinal Lane, in the Eustis area of unincorporated Lake County

Alternate Key No.: 1123691, 3455096, and 3788799

Future Land Use Category: Rural Transition Future Land Use Category (Attachment "A")

Existing Zoning District: Agriculture (A) (Attachment "B")

Proposed Zoning District: Planned Unit Development (PUD)

JPA / ISBA: N/A

Overlay Districts: Wekiva Study Area

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Agricultural Residential (AR)	Residential	Single-Family Dwelling Units
South	Rural Transition	Agricultural Residential (AR) and Agriculture (A)	Residential, agriculture and vacant land	Single-Family Dwelling Units, Agricultural, and Undeveloped Lots
East	Rural Transition	Agriculture (A) and Planned Unit Development (PUD)	Residential	Single-Family Dwelling Units including Sorrento Spring Phase 4 Subdivision
West	Rural Transition	Agriculture (A)	Residential, agriculture	Single-Family Dwelling Units and Agricultural

**- Summary of Analysis -**

The subject properties, identified by Alternate Key Numbers 1123691, 3455096, and 3788799, comprise 207.03 +/- acres and are generally located southwest of the intersection of Cardinal Lane and SR 44, in the unincorporated Eustis area of Lake County. The subject properties are zoned Agriculture and are designated as Rural Transition Future Land Use Category (FLUC). The subject properties are developed with a concrete building which was used for the White Rose Company agriculture operations.

The Applicant seeks to rezone the subject properties from Agriculture (A) to Planned Unit Development (PUD) to facilitate a residential development with Agriculture uses (Table 1). The Applicant intends to maintain the former White Rose building for an agri-business consistent with agriculture uses. The concept plan (Attachment "C") depicts the proposed 198-lot subdivision, with a net density of one (1) dwelling unit per one (1) net acre and 51.5% open space.

<b>Table 1. Existing and Proposed Development Standards.</b>					
	Zoning District	Density	Maximum Dwelling Units	Minimum Open Space	Building Height
Existing	Agriculture (A)	One (1) dwelling unit per five (5) net acres	41	N/A	Max. 40 feet
Proposed	Planned Unit Development (PUD)	One (1) dwelling unit per one (1) net acre	198	51.5%	Max. 40 feet

**- 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;**

The rezoning is consistent with LDR Section 4.03.01 which states that PUDs are allowed in all land use categories and that PUD zoning is intended to allow a diversification of uses, structures and open space in a manner compatible with both the existing and proposed surrounding uses.

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

The subject parcel is designated with a Rural Transition FLUC. The rezoning is consistent with Policy I-1.4.5 Rural Transition FLUC, which states that residential development not to exceed a maximum density of one (1) dwelling unit per one (1) net buildable acre may be permitted provided that any subdivision shall be developed as a clustered Rural Conservation Subdivision utilizing a PUD, and provided that at least 50% of the net buildable area of the entire PUD site shall be dedicated in perpetuity for preservation as common open space through the use of a conservation easement or similar recorded and legally binding instrument, as allowed by law. Policy I-1.4.5 also states that a proposed Rural Conservation Subdivision shall consist of at least fifteen (15) net buildable acres to be considered for this alternate density. The proposed development has a total of 207.03 +/- acres.

The concept plan demonstrates consistency with Comprehensive Pan Policy I-1.4.5, which depicts that the proposed subdivision will be developed with 51.5% minimum open space.

The rezoning is consistent with Comp Plan Policy I-3.4.5, which states that central water and sewer facilities can be connected to a regional system when available, for new development in the Wekiva Study Area with a density equal to or greater than one unit per net acre. The Applicant is proposing to develop the property at one (1) dwelling per one (1) net acre which is compliant with this policy. The City of Eustis can provide public utilities to the site as also required under this Policy.

The rezoning is inconsistent with Comp Plan Policy I-3.4.2, Open Space Requirements within the Wekiva Study Area (WSA). Pursuant to the policy development shall be clustered away from contiguous rural residential property of five (5) acres or greater. Properties located in the south, west, and part of the east boundary are zoned Agriculture (A) with parcels that range from approximately 5 to 55 acres.

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

The rezoning requests a residential subdivision with a density of one (1) dwelling unit per one (1) net acre; the proposed single family-use is compatible with the surrounding single-family uses. The applicant stated that a quick review of the status of the community reveals one side of the subject property has five-acre homestead type parcels and the other side has a golf course community (Attachment "D"). The request is compatible with the existing eastern adjacent residential neighborhood, Sorrento Springs Phase 4 subdivision; developed with a density of one (1) dwelling per one (1) net acre. The proposed density is transitional between the eastern development (Sorrento Springs Phase 4) and the other surrounding lower density parcels, which is aligned with the intent of the Rural Transition FLUC.

The proposed residential development is surrounded by parcels that receive an agricultural exemption from the Property Appraiser's Office. To further lessen any adverse effects to the adjoining farm operations, the ordinance includes a condition that at the time of the issuance of zoning approval for the single-family dwelling unit, an Acknowledgement of Contiguous Sustainable Agricultural Land as set forth in Section 163.3163, Florida Statutes, will need to be executed by the Owner and recorded in the Lake County Public Records prior to the issuance of the building permit.

The applicant is proposing to maintain the former White Rose building for an agri-business consistent with agriculture uses. The Concept Plan (Attachment "C") also depicts a 100-foot buffer along the boundaries of the subject property. However, staff recommends a 200-foot buffer consistent with what it was approved for Sorrento Pines Subdivision under Ordinance 2019-73.

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

The Applicant has indicated that the application is compatible with the Comprehensive Plan and Rural Transition FLUC, and the adjacent subdivision was rezoned to PUD under the same Future Land Use Category. The applicant realized this provides the next iterative step in the use of the land from the former exclusive historical agricultural character and nature of the surrounding community to a now more consistent mixing of conservation (rural transitional) based residential design all while conserving the White Rose (agri-business) building.

**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

The City of Eustis has indicated that it can provide central water, reclaimed water, and sewer to the proposed development upon City of Eustis Commission approval. A developer's agreement to include an annexation agreement and payment of impact fees will be required.

The City of Eustis also indicated that water is over 1,500 feet away. Sewer and reclaim are over 2,600 ft away. The City of Eustis' Eastern Consumptive Use Permit will need to be modified through St. John's Water Management District. The Developers Agreement will address any requirements of the modified Consumptive Use Permit such as drilling a lower aquifer well to meet demands. The expansion of utilities to the proposed subdivision will also be included in the Developers Agreement.

Schools

Based on a review by the Lake County School Board, the PUD is subject to school concurrency review

Parks and Recreation

No adverse impacts are anticipated on parks.

Public Safety

Lake County Fire Rescue Station #27 is located at 19212 SR 44 in Eustis, approximately 4.9 miles from the site. 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 SR 44 is "D" with capacity of 860 trips. Currently the impacted segment from CR 439 to CR 437 is operating at eighty four percent (84%). This project will be generating approximately one hundred and eighty-six (186) pm peak hour trips, in which one hundred and seventeen (117) trips will impact the peak hour direction. The Applicant will be required to complete a Tier 2 Traffic study prior to site plan.

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

Should the rezoning be approved, all sensitive resources will be addressed through the development application review and approval process. 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.

The Applicant stated the natural environment will be improved because of this project. Currently the property is vacant former nursery or pasture. After the development, there will be Florida native vegetation used extensively in the landscape.

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

The applicant stated there will be a positive impact on the property values in the area after the value-added improvements are made to the property (Attachment "D").

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

The proposed rezoning is compatible with the development pattern to the east, as the density of the proposed PUD is like the density of the existing residential subdivision. The proposed density of one (1) dwelling per one (1) net acre is the highest density option provided under the Rural Transition FLUC.

The applicant submitted the following statement *"the proposed request best embodies the academic and practical principles called for in proper modern land planning, including but not limited to a transect approach transitioning from T-2 (the five-acre homestead zone) through this project as a T-2/T-3 transition to the fully T-3 suburban golf course community. Under no circumstance does the five-acre homestead zone and the golf course community zone adhere to a harmonious transition. This project serves the public interest by reconciling and harmonizing the order and logic of the development pattern which exists along this portion of the SR 44 transect"* (Attachment "D").

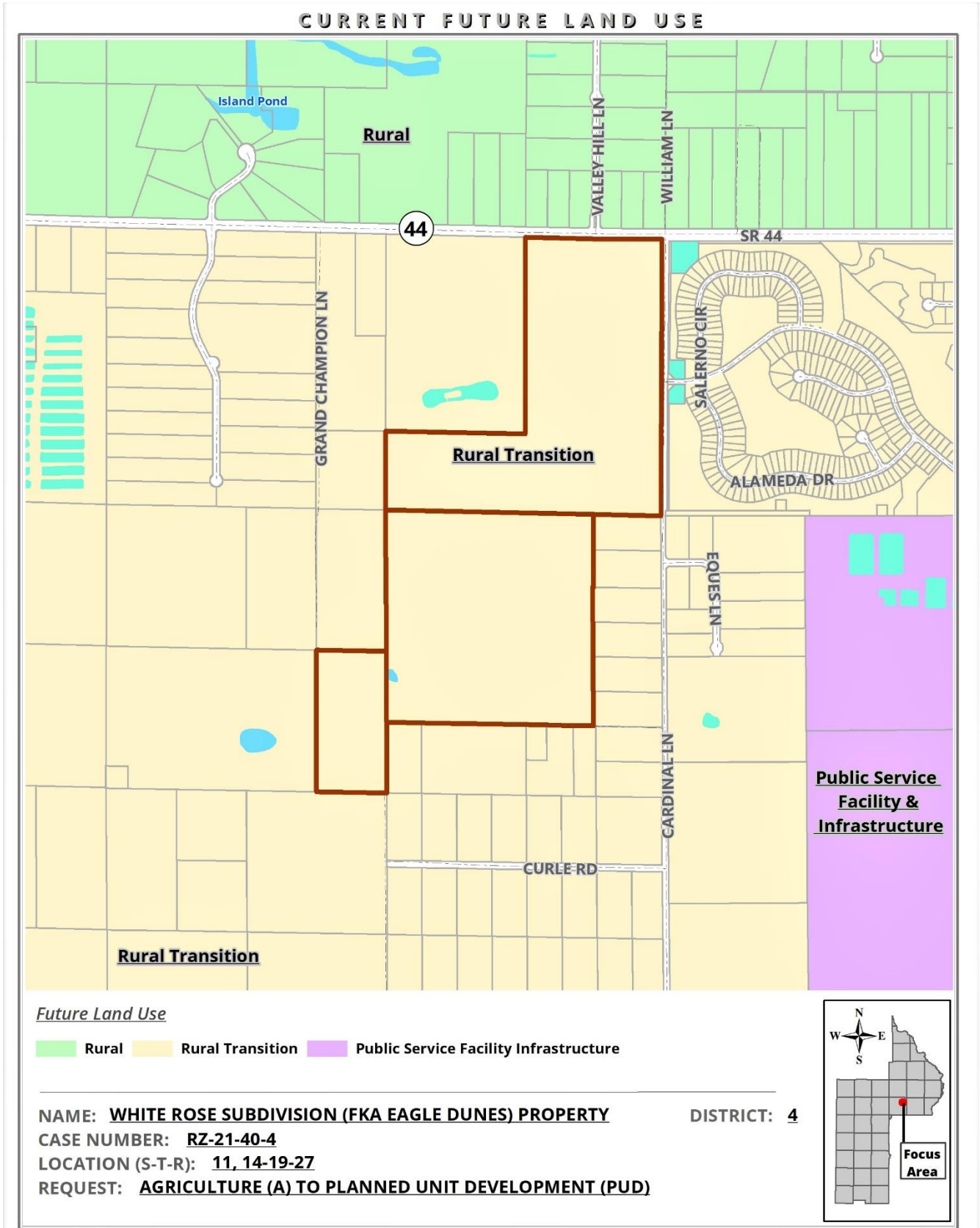
**I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

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.**

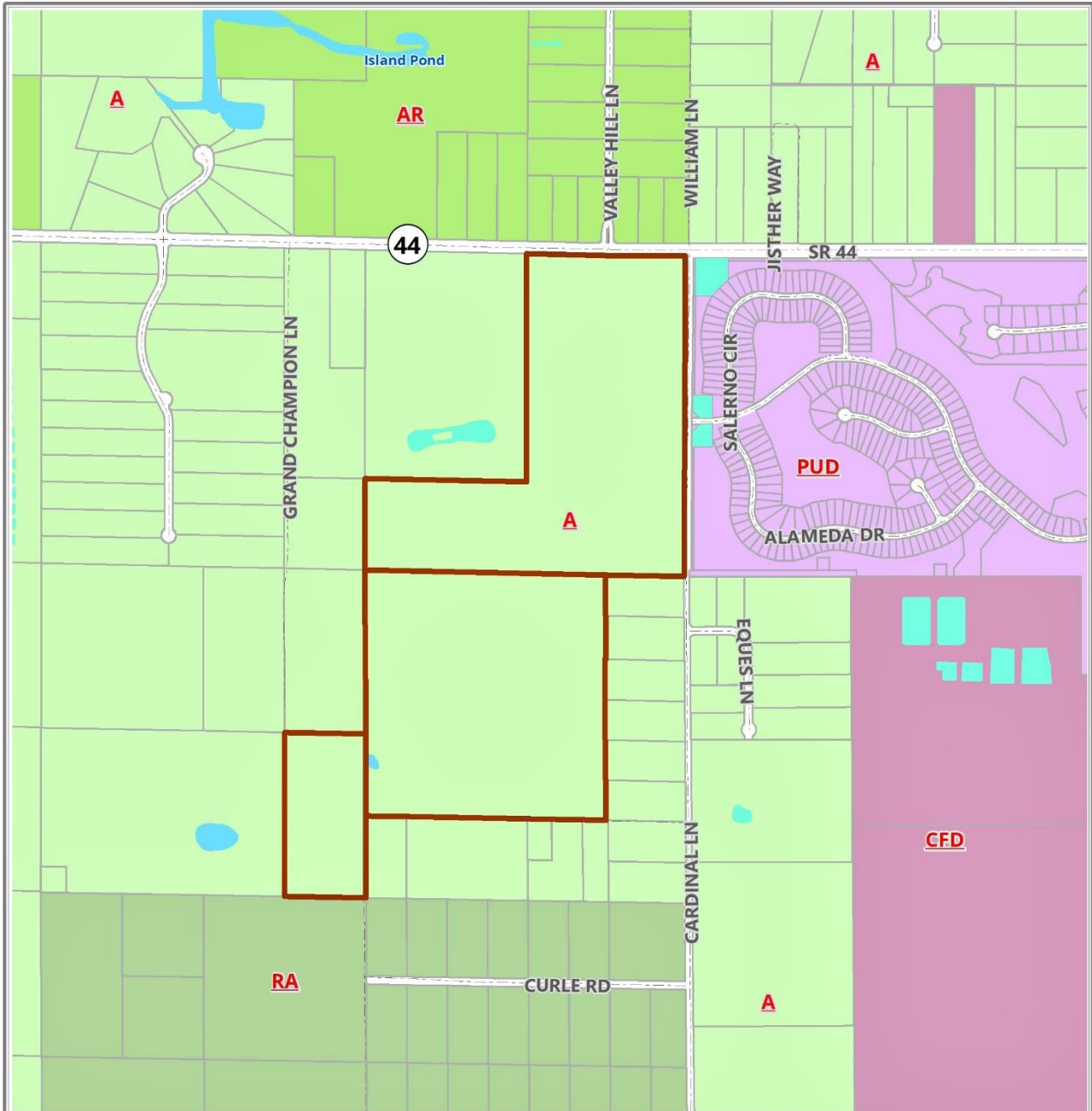
None.

# Attachment "A" - Future Land Use Category



# Attachment "B"- Zoning District

## CURRENT ZONING



### Zoning Legend

A AR RA CFD PUD

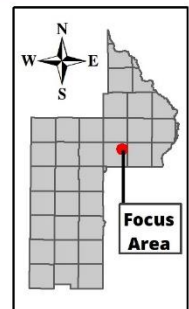
NAME: **WHITE ROSE SUBDIVISION (FKA EAGLE DUNES) PROPERTY**

DISTRICT: **4**

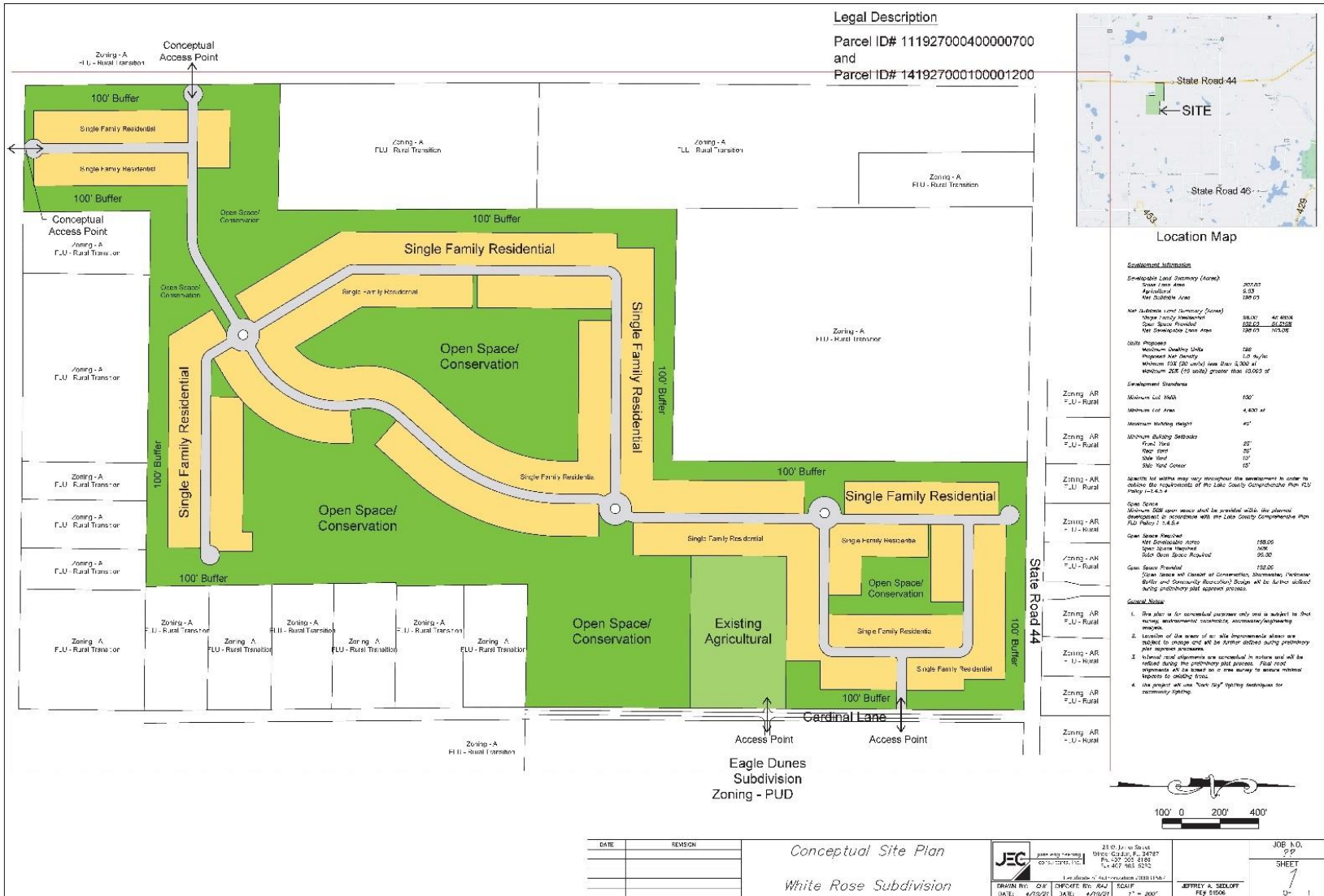
CASE NUMBER: **RZ-21-40-4**

LOCATION (S-T-R): **11, 14-19-27**

REQUEST: **AGRICULTURE (A) TO PLANNED UNIT DEVELOPMENT (PUD)**



# Attachment "C" - Concept Plan



Legal Description  
 Parcel ID# 111927000400000700  
 and  
 Parcel ID# 141927000100001200



**Development Information**

Developable Land Summary (Acres)	200.00
Open Space Area	5.00
Agricultural	195.00
Net Developable Area	195.00

Net Available Land Summary (Acres)

Single Family Residential	88.00	47.40%
Open Space/Conservation	108.00	55.20%
Net Developable Land Area	196.00	100.00%

**Other Projects**

Maximum Dwelling Units	196
Proposed Acre Density	1.00 Units/Acre
Minimum DSE (200 units)	See Item 3.300 of Attachment 200 (50 units) greater than 10,000 of

Zoning - AR F.U. Rural	Minimum Lot Area	150'
Zoning - AR F.U. Rural	Maximum Lot Area	4,400 sf
Zoning - AR F.U. Rural	Minimum Building Setback	25'
Zoning - AR F.U. Rural	Front Yard	25'
Zoning - AR F.U. Rural	Side Yard	10'
Zoning - AR F.U. Rural	Back Yard	10'

**Special Use**

Special Use Fee: \$100.00 per acre shall be provided with the planned development in accordance with the Lake County Comprehensive Plan PLU Policy 7.1.4.5.4

**Open Space Required**

Net Available Acres	196.00
Open Space Required	108.00
Net Open Space Available	88.00

**Open Space Provided**

Open Space Provided: 108.00

Open Space Required: 108.00

Net Open Space Available: 88.00

- Special Notes**
- The plan is for conceptual purposes only and is subject to final engineering, environmental, economic, accessibility/lighting studies.
  - Location of the bases of all site improvements shall be subject to change and will be further defined during preliminary plan approval process.
  - Vertical road alignments are conceptual in nature and will be refined during the preliminary plan process. Final road alignments will be based on a true survey to ensure vertical clearance for existing roads.
  - The project will use "best" water management practices for stormwater control.

DATE	REVISION

Conceptual Site Plan  
 White Rose Subdivision

**JEC** JAMES EARL COOPER & ASSOCIATES, INC.  
 2310 1st St SW  
 White Rose, NC 27187  
 P: 703.500.8188  
 F: 402.985.8252

DATE: 4/19/21

JOB NO.	PP
SHEET	0

APPROVED BY: [Signature] DATE: 4/29/21

# Attachment "D"- Narrative of the Project (Page 1 of 2)



Law Offices of  
**Bret Jones P.A.**  
ATTORNEYS AND COUNSELORS

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January 26, 2022

**VIA EMAIL**

Marellys Moreno, CRA Coordinator  
Lake County  
Office of Planning and Zoning  
315 West Main Street, Suite 510  
Tavares, FL 32778

Re: Rezoning Application - White Rose Subdivision  
Project No. 2021040037, Application Request No. 4680  
Alternate Key No's. 1123691, 3455096, and 3788799

Dear Ms. Moreno:

We are in receipt of your letter dated January 4, 2022 to our client, June Engineering Consultants, Inc., regarding the former White Rose property located in Eustis, Florida.

Pursuant to Office of Planning Zoning comment No. 4, below is the project narrative:

The applicant has worked diligently to conserve the land through the development process so that the community may enjoy the benefits of an interconnected network of open space in years to come. The subject project preserves the integrity, stability, and beauty of the property and surrounding community by laying out residential design around the central organizing principle of land conservation while honoring the local agrarian history of this particular property as the headquarters for the White Rose company.

The current status of the property is unused agricultural land with a sizable concrete building which was used for the White Rose Company operations. The request is to characterize the entire property as a Planned Unit District so that a rural conservation themed neighborhood may be designed and built while maintaining the former White Rose building for a consistent agri-business use. After much analysis, the applicant realized this provides the next iterative step in the use of the land from the former exclusive historical agricultural character and nature of the surrounding community to a now more consistent mixing of conservation (rural transitional) based residential design all while conserving the White Rose (agri-business) building. It is the applicant's hope that this approach will encourage other developers and support County staff as Lake County moves towards a more elegant fiscal and natural conservation urban planning ethic.

**Clermont  
(Main Office)**

700 Almond Street  
Clermont, FL 34711  
Tel: (352) 394-4025  
Fax: (352) 394-1604

**Winter Park:**

201 W. Canton Avenue  
Suite 150  
Winter Park, FL 32789  
Tel: (407) 608-5484

www.BretJonesPA.com  
Contact@BretJonesPA.com



## Attachment "D"- Narrative of the Project (Page 2 of 2)

Marellys Moreno, CRA Coordinator  
January 26, 2022  
Page 2

Further to the request, the rezoning is not in conflict with any applicable provision of the Land Development Code, is consistent with all elements of the Comprehensive Plan, and is consistent with the Future Land Use Category of Rural Transitional (Third Development Option). To elaborate on the historical nature and the changing conditions of the surrounding community, and specifically on this property (referring to the White Rose operation), the area was historically agricultural or unimproved (unused) pasture. A quick review of the current status of the community reveals one side of the subject property has five-acre homestead type parcels and the other side has a golf course community. The applicant believes the proposed request best embodies the academic and practical principles called for in proper modern land planning, including but not limited to a transect approach transitioning from T-2 (the five-acre homestead zone) through this project as a T-2/T-3 transition to the fully T-3 suburban golf course community. Under no circumstance does the five-acre homestead zone and the golf course community zone adhere to a harmonious transition. This project serves the public interest by reconciling and harmonizing the order and logic of the development pattern which exists along this portion of the SR 44 transect.

The natural environment will be improved as a result of this project. Currently the property is vacant former nursery or pasture. After the development, there will be Florida native vegetation used extensively in the landscape. Furthermore, there will be a positive impact on the property values in the area after the value added improvements are made to the property.

Responses to other comments will be coming directly from the applicant. Please do not hesitate to contact me or my paralegal, Sue Schnabel, if you have any questions or need any additional information. Thank you very much.

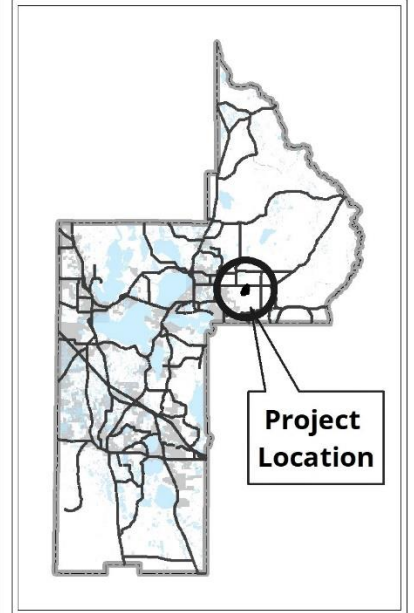
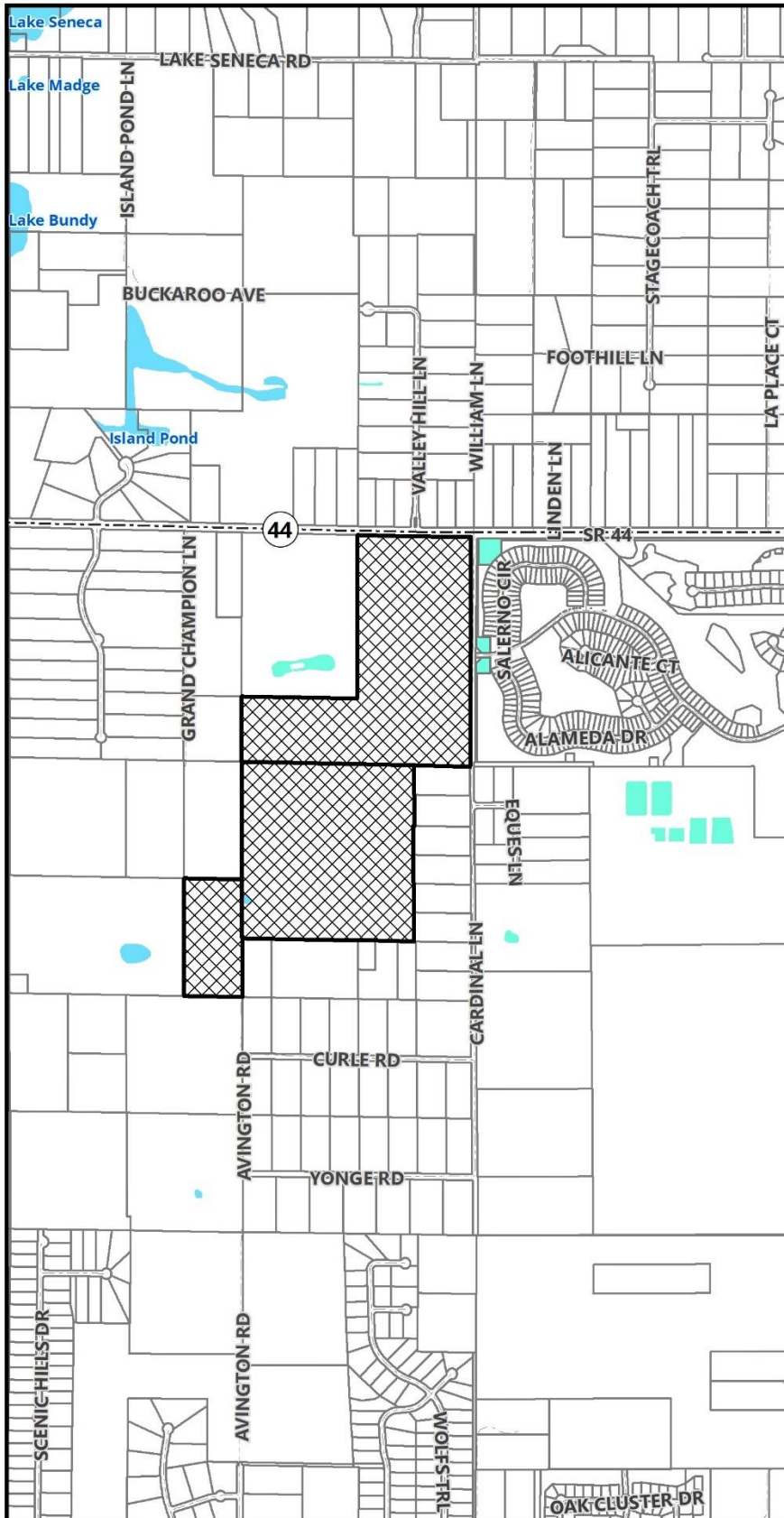
Sincerely,



Bret Jones

BS/ss

# Map of Subject Property



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**ORDINANCE #2022-\_\_\_\_\_**

**White Rose Subdivision**

**RZ-21-40-4**

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

**WHEREAS**, Rohland June, (the "Applicant") submitted an application on behalf of Thomas L. & Dolores E. Boyea and Florida Conservation-Raab LLC (the "Owners") to rezone 207.03 +/- acres from Agriculture (A) to PUD (Planned Unit Development) for a residential subdivision in conjunction with General Agriculture uses; and

**WHEREAS**, the subject property consists of approximately 207.03 +/- acres, located at 34135 Cardinal Lane, in the Eustis area of unincorporated Lake County, in Section 11, Township 19 South, Range 27 East, identified by Alternate Key Numbers 1123691, 3455096, and 3788799 and more particularly as described in Exhibit "A" – Legal Description; and

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

**WHEREAS**, the property will be zoned Planned Unit Development (PUD) in accordance with the Lake County Zoning Regulations; and

**WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition RZ-21-40-4 on the 6th day of April 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 3rd day of May 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.

**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 Planned Unit Development (PUD) 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 there are conflicts between the Conceptual Plan and this Ordinance, the Ordinance will take precedence.

**A. Land Uses.**

1. 198 single family dwellings at a density of up to one (1) dwelling unit per one (1) net acre.

2. Recreational area.
3. Agriculture use not to exceed 9.03 acres.
4. Accessory Uses directly associated with the above uses may be approved by the County Manager or designee. Any other use of the site not specified above shall require approval of an amendment to this Ordinance by the Board of County Commissioners.

**B. Specific Conditions.**

1. At the time of the issuance of zoning approval for each single-family dwelling unit, an Acknowledgement of Contiguous Sustainable Agricultural Land as set forth in Section 163.3163, Florida Statutes, must be executed by the Owner and recorded in the Public Records of Lake County, Florida, prior to the issuance of the building permit.
2. The subdivision shall be developed as a clustered Rural Conservation Subdivision consistent with the Rural Transition Future Land Use Category contained within the Comprehensive Plan, as amended.

**C. Setbacks and Development Standards.**

1. Development Standards for residential lots

	Single-Family Detached
Minimum Lot Width	100-feet
Minimum Lot Area	4,400 square-feet
Front	25-feet
Rear	50-feet
Side	10-feet
Side (Corner)	15-feet

2. All setbacks detailed in the chart above must be measured from the property line/right-of-way.
3. All other setbacks shall be as established in the Land Development Regulations (LDR), as amended.

**D. Residential Design Guidelines:**

1. All buildings shall utilize at least three (3) of the following design features including garage vehicle doors to provide visual relief along all elevation of the building. Designs may vary throughout the development.

- 1 a. Dormers
- 2 b. Gables
- 3 c. Recessed or raised entries
- 4 d. Covered porch entries
- 5 e. Cupolas
- 6 f. Pillars or decorative posts
- 7 g. Bay window (minimum 12 inch projections)
- 8 h. Eaves (minimum 6-inch projections)
- 9 i. Front windows with arched glass tops and minimum 4-inch trim
- 10 j. Garage vehicle doors shall incorporate the following elements: raised
- 11 decorative panels, decorative glass panels or panes, decorative hinges,
- 12 etc.
- 13 k. Front doors shall incorporate the following decorative panels, decorative
- 14 glass panels or panes, decorative handles, etc.
- 15 2. The total exterior wall area of each building elevation shall be composed of one
- 16 of the following:
  - 17 a. At least thirty-five percent (35%) full-width brick or stone (not including
  - 18 window and door areas and related trim areas), with the balance being
  - 19 any type of lap siding and/or stucco.
  - 20 b. At least thirty percent (30%) full-width brick or stone, with the balance
  - 21 being stucco and/or a "cementitious" lap siding. (A "cementitious" lap
  - 22 siding product is defined as a manufactured strip siding composed of
  - 23 cement-based materials rather than wood fiber-based or plastic-based
  - 24 materials. For example, Masonite or vinyl lap siding would not be allowed
  - 25 under this option).

#### 26 **E. Bear Management.**

- 27 1. Homeowners shall be required to use County approved, bear-resistant garbage
- 28 carts, if available. If bear resistant garbage carts are not available, regular carts
- 29 shall be modified to be bear or keeping cans in a secured location.
- 30 2. Homeowners shall not have bird and wildlife feeders that are not modified to
- 31 exclude bears.
- 32 3. Homeowners shall be placed on notice that they are purchasing a property within
- 33 an area known for Florida Black Bear habitat. New homeowners shall be given
- 34 information published by the Florida Fish and Wildlife Conservation Commission
- 35 regarding living among the Florida Black Bear and ways to reduce encounters.

- 1 4. All PUD requirements regarding the Florida Black Bear management shall be  
2 included in the homeowner governing documents for the community and shall be  
3 enforced by the homeowner's association for the property. Lake County shall  
4 have the right, but not the obligation, to enforce such provisions.

5 **F. Open Space, Impervious Surface Ratio, and Building Height**

- 6 1. A minimum of 50% of the net buildable area of the entire PUD site shall be  
7 dedicated in perpetuity for preservation as common open space using a  
8 conservation easement, stormwater area, perimeter buffer, and community  
9 recreation areas. The homeowner's association shall be responsible for  
10 maintaining the open space in its natural state.
- 11 2. The maximum Impervious Surface Ratio (ISR) for the entire subdivision is thirty  
12 percent (30%) except for the area for agricultural uses for which the maximum  
13 impervious surface ratio shall be fifty percent (50%) consistent with the  
14 Comprehensive Plan, as amended.
- 15 3. The maximum building height will be forty (40) feet.

16 **G. Landscaping, Buffering, and Screening.**

- 17 1. A 100-foot-wide landscape buffer along the perimeter of the PUD shall be  
18 provided except for the southern portion of the development adjacent to Alternate  
19 Key Number 1039762.
- 20 2. A berm, fence, and landscaping similar to that located on the Sorrento Springs  
21 property to the east of Cardinal Lane shall be installed and maintained along the  
22 Cardinal Lane and along the SR 44 property boundary.
- 23 3. Existing trees located around the perimeter of the property are to be maintained  
24 in perpetuity to include the forested area and natural buffer located along the  
25 eastern edges (Cardinal Lane). Additionally, the existing trees between Alternate  
26 Key Number 1039762 and 3455096 shall also be maintained in perpetuity. Where  
27 existing tree coverage is substantial, such tree cover may be substituted for the  
28 otherwise required landscape buffer. No residential lots may encroach into these  
29 areas. A land management plan must be provided.
- 30 4. All other landscaping, buffering, and screening shall be in accordance with the  
31 Comprehensive Plan and LDR, as amended.

32 **H. Transportation.**

- 33 1. Tier 2 Traffic Impact Analysis will be required with the preliminary plat submittal.
- 34 2. All access management shall be in accordance with the Comprehensive Plan and  
35 Land Development Regulations, as amended.
- 36 3. Cardinal Lane will be required to be widened and reconstructed to meet a county  
37 feeder/distributor road standard from SR 44 to the southern boundary of this

1 development. Additional right-of-way shall be required to accommodate the  
2 roadway improvements.

3 4. Traffic calming will need to be included in the subdivision design utilizing the  
4 Florida Greenbook Traffic Calming Treatments and acceptable measures by  
5 Lake County.

6 5. Sidewalks will be required per Land Development Regulations, as amended.

7 6. All internal roads shall be designed to meet Lake County Road Design Standards.

8 **I. Environmental Requirements.** An environmental assessment dated within six (6)  
9 months of the date the preliminary plat is submitted will be required to demonstrate  
10 the presence of vegetation, soils, threatened and endangered species that may exist  
11 on the site. Any State permitting or mitigation will be required before development  
12 can commence compliance in accordance with the Comprehensive Plan and LDR,  
13 as amended.

14 **J. Stormwater Management.**

15 1. The stormwater management system shall be designed in accordance with all  
16 applicable Lake County and St. Johns River Water Management District  
17 (SJRWMD) requirements, as amended.

18 2. The developer shall be responsible for conducting any flood studies required for  
19 developing the site and shall comply with applicable FEMA regulations,  
20 Comprehensive Plan requirements and Land Development Regulations, as  
21 amended. Any development within the floodplain as identified on the FEMA maps  
22 will require compensating storage.

23 **K. Schools.** School Concurrency shall be met before final plat approval in accordance  
24 with the Comprehensive Plan and LDR, as amended.

25 **L. Signage.** All signage shall be in accordance with the Comprehensive Plan and LDR,  
26 as amended.

27 **M. Utilities.** The development shall be serviced by public water and sewer provided by  
28 the City of Eustis.

29 **N. Annexation.** Owner agrees not to enter into any covenant with a municipality to  
30 annex which alters the prerequisites of a voluntary annexation under Section  
31 171.044, Florida Statutes.

32 **O. Concurrency Management Requirements.** All development must comply with the  
33 Lake County Concurrency Management System, as amended.

34 **P. Noise.** The development shall comply with the noise protection provisions contained  
35 within the LDR, as amended.

36 **Q. Parking Requirements.** Parking must be provided in accordance with the Lake  
37 County Land Development Regulations, as amended.

- 1           **R. Lighting.** Exterior lighting must be in accordance with the LDR, as amended.
- 2           **S. Fire Protection.** Fire Protection shall be in accordance with all applicable federal,  
3           state, and local codes and/or regulations, as amended.
- 4           **T. Development Review and Approval.** Prior to the issuance of permits, the Owners  
5           shall be required to submit a preliminary plat, construction plans, and final plat  
6           generally consistent with Exhibit "B" - Conceptual Plan, attached, for review and  
7           approval in accordance with the Comprehensive Plan and LDR, as amended.
- 8           **U. PUD Expiration.** Physical development shall commence within three (3) years from  
9           the date of this Ordinance approval. Failure to commence construction within three  
10          (3) years of approval shall cause the revocation of this Ordinance. Prior to expiration  
11          of the three-year time frame, the Board of County Commissioners may grant, via a  
12          Public Hearing, one (1) extension of the time frame for a maximum of two (2) years  
13          upon a showing that reasonable efforts have been made towards securing the  
14          required approvals and commencement of work.
- 15          **V. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific  
16          references in this Ordinance to the Florida Statutes, Florida Administrative Code,  
17          Lake County Comprehensive Plan, and Land Development Regulations (LDR) shall  
18          include any future amendments to the Statutes, Code, Plans, and/or Regulations.

19   **Section 2. Conditions.**

- 20          **A.** After establishment of the facilities as provided herein, the property shall only be used  
21          for the purposes named in this ordinance. Any other proposed use must be  
22          specifically authorized by the Board of County Commissioners.
- 23          **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,  
24          improve, move, convert, or demolish any building structure, or alter the land in any  
25          manner within the boundaries of the above-described land without first obtaining the  
26          necessary approvals, including preliminary plat, construction plans, and final plat  
27          approval, in accordance with the Lake County Code, as amended, and obtaining the  
28          permits required from the other appropriate governmental agencies.
- 29          **C.** This Ordinance will inure to the benefit of and will constitute a covenant running with  
30          the land and the terms, conditions, and provisions of this Ordinance, and will be  
31          binding upon the present Owner and any successor and will be subject to each  
32          condition in this Ordinance.
- 33          **D.** Construction and operation of the proposed use shall always comply with the  
34          regulations of this and other governmental permitting agencies.
- 35          **E.** The transfer of ownership or lease of any or all the property described in this  
36          Ordinance must include in the transfer or lease agreement, a provision that the  
37          purchaser or lessee is made aware of the conditions established by this Ordinance  
38          and agrees to be bound by these conditions. The purchaser or lessee may request a



1 change from the existing plans and conditions by following procedures contained in  
2 the LDR, as amended.

3 F. The Lake County Code Enforcement Special Master will have authority to enforce  
4 the terms and conditions set forth in this ordinance and to recommend that the  
5 ordinance be revoked.

6 **Section 3. Severability:** If any section, sentence, clause, or phrase of this Ordinance is held to be  
7 invalid or unconstitutional by any court of competent jurisdiction, the holding will in no  
8 way affect the 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  
10 copy of this Ordinance to the Secretary of State for the State of Florida in accordance  
11 with Section 125.66, Florida Statutes.

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

13 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

14  
15 **FILED with the Secretary of State** \_\_\_\_\_, 2022.

16  
17 **EFFECTIVE** \_\_\_\_\_, 2022.

18

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

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

25

26 **ATTEST:**

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29 \_\_\_\_\_  
30 **GARY COONEY, CLERK OF THE**  
31 **BOARD OF COUNTY COMMISSIONERS**  
32 **LAKE COUNTY, FLORIDA**

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

34

35

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

**EXHIBIT "A" – LEGAL DESCRIPTION**

1  
2 The East Half of the Southeast Quarter, Less the East 25 feet thereof and LESS the right of way of  
3 State Road No. 44, and the South 740 feet of the West Half of the Southeast Quarter, all in Section  
4 11, Township 19 South, Range 27 East, Lake County, Florida.  
5 Also

6 Begin at the Northwest corner of the Northeast Quarter of Section 14, Township 19 South, Range  
7 27 East, Lake County, Florida, run South 0 degrees 32 minutes 58 seconds East along the West line  
8 of the Northeast Quarter, 1989.04 feet to the Northwest corner of the South Quarter of said Northeast  
9 Quarter; thence South 89 degrees 14 minutes 42 seconds East along the North line of said South  
10 Quarter of the Northeast Quarter, 1944.07 feet to a point that is 672.20 feet West of the East line of  
11 aforementioned Northeast Quarter; thence North 0 degrees 55 minutes 00 seconds West parallel to  
12 said East line, 1302.64 feet; thence South 89 degrees 06 minutes 17 seconds East 12.20 feet; thence  
13 North 0 degrees 55 minutes 00 seconds West parallel to the East line of Northeast Quarter, 682.00  
14 feet to the North line of aforesaid Northeast Quarter; thence North 89 degrees 06 minutes 17 seconds  
15 West along said North line 1943.63 feet to the Point of Beginning.  
16 Together with all Owner's real property right, title and interest in that certain ingress and egress  
17 easement over the South 66.00 feet of the North 748 feet of the East 672.20 feet of aforesaid  
18 Northeast Quarter of Section 14, Township 19 South, Range 27 East, Lake County, Florida.  
19 Also together with all Owner's real property right, title and interest and subject to that certain 50 foot  
20 wide easement for ingress and egress, also utilities, over the North 25.00 feet of the South Half of  
21 the South Half of the Northeast Quarter of Section 14, Township 19 South, Range 27 East, Lake  
22 County, Florida, Less the West Half of the Southwest Quarter of the Southwest Quarter of said  
23 Northeast Quarter, also the South 25.00 feet of the North Half of the South Half of aforementioned  
24 Northeast Quarter of said Section 14, Township 19 South, Range 27 East, Lake County, Florida.

25 Containing Approximately 189 acres

26 And

27 The East ½ of the Southeast ¼ of the Northwest ¼ of Section 14, Township 19 South, Range 27  
28 East, Lake County, Florida

**EXHIBIT "B" - CONCEPTUAL PLAN**

