



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 5

Public Hearings: Planning & Zoning Board (PZB): July 6, 2022
Board of County Commissioners (BCC) (Transmittal): August 2, 2022
Board of County Commissioners (BCC) (Adoption): To Be Determined

Case No. and Project Name: FLU-22-06-5 Illinois-Crown Property

Applicant: Ryan Shelley and Leslie Allen; Bradley and Denise Forsyth

Owner: Ryan Shelley and Leslie Allen; Bradley and Denise Forsyth

Requested Action: Amend the Future Land Use Map (FLUM) to change the Future Land Use Category (FLUC) on approximately 3.86 acres from Rural to Planned Unit Development FLUC and amend associated Comprehensive Plan Policies to incorporate the proposed development program to include two (2) single-family dwelling units.

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

Case Manager: Ryan Winkler, Planner

PZB Recommendation:

Subject Property Information

Size: 3.86 net acres

Location: North of Bertsville Road and east of Illinois Street in the Lady Lake area.

Alternate Key No.: 2863056 and 2863099

Current Future Land Use: Rural (Attachment "A")

Proposed Future Land Use: Planned Unit Development (PUD) (Attachment "A")

Current Zoning District: Rural Residential (R-1) (Attachment "B")

Proposed Zoning District: Planned Unit Development (PUD) [Separate Application - See RZ-22-16-5] (Attachment "B")

Flood Zone: "X"

Joint Planning Area / ISBA: Town of Lady Lake Interlocal Service Boundary Agreement (ISBA)

Overlay Districts: Town of Lady Lake Utility Service Area (USA)
Emeralda Marsh Rural Protection Area (RPA)

Land Use Table

Direction	Future Land Use	Zonina	Existing Use	Comments
North	Rural	Rural Residential (R-1)	Residential and Agricultural uses	Single-Family Dwelling Unit and Barn structures
South	Rural	Rural Residential (R-1)	Bertsville ROW, Residential Development	Welhan Acres, six (6) 1-acre residential lot subdivision
East	Rural	Rural Residential (R-1)	Illinois Street ROW, Residential Use	Bert's Subdivision, twenty-seven (27) 0.5-acre lot residential subdivision
West	Rural	Rural Residential (R-1)	Crown Place ROW, Residential Use	Single-Family Dwelling Units on two (2)-acre parcels

Staff Analysis

The subject property identified by Alternate Key Numbers 2863056 and 2863099 contains approximately 3.86 acres and is located north of Bertsville Road, east of Crown Place, and west of Illinois Street in the Lady Lake area of unincorporated Lake County. The property is currently zoned Rural Residential (R-1) and is part of the Rural Future Land Use Category (Table 1).

Table 1. Existing and Proposed Development Standards.

	Future Land Use Category	Density	Maximum Dwelling Units	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Rural	One dwelling unit per five net acres	1	0.20	0.80	40 Feet
Proposed	Planned Unit Development (PUD)	One dwelling unit per 1.93 acres	2	0.30	0.70	40 Feet

The application is seeking to amend the Future Land Use Map to establish a PUD FLUC on the subject property with a development program to accommodate the construction of two (2) residential dwelling units at a density of one dwelling unit per 1.93 net acres. The proposed development will be consistent with the Concept Plan (Attachment "C") and consist of residential uses, including two (2) primary dwelling units and accessory structures (detached garage, pole-barn, shed, etc). The Applicants provided a Justification Statement for the request (Attachment "D").

The subject property is located within the Town of Lady Lake ISBA and the Town of Lady Lake USA; the Town of Lady Lake was provided a copy of the application. The Town provided a letter stating that they do not have water or sewer service physically available to serve the subject parcels (Attachment "E"). The Applicants intend to utilize private wells and septic systems to service the proposed residential dwelling units. Since the proposed development exceeds a density of one dwelling unit per net acre, the development will need to utilize central water and sewer if public utilities are not available. The applicants have requested a utility waiver from the Comprehensive Plan Policy IX-2.2.2, *Mandatory Central Water Connection*, LOR Section 6.12.01(A), Comprehensive Plan Policy IX-3.1.2, *Mandatory Sewer Connection*, and LOR Section 6.12.01(8).

If the application for the comprehensive plan amendment is approved by the Board of County Commissioners (the 'Board') for transmittal to the Florida Department of Economic Opportunity (DEO), the rezoning application will be presented to the Board for approval at the same time as the application for the Future Land Use Amendment is presented for adoption.

Standards for Review {LOR Section 14.03.03}

1. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed amendment is consistent with all elements of the Comprehensive Plan.

The **Future Land Use Element** seeks to ensure compatibility between densities and intensities of development, providing for land use transitions as appropriate to protect the long-term integrity of both urban and rural areas; promote the conservation and preservation of Lake County's natural and cultural resources; and direct development to established urban areas to prevent sprawl.

The Comprehensive Plan defines 'urban sprawl' as:

Urban development or uses which are located in predominantly rural areas, or rural areas interspersed with generally low-intensity or low-density urban uses, and which are characterized by one or more of the following conditions: (a) The premature or poorly planned conversion of rural land to other uses; (b) The creation of areas of urban development or uses which are not functionally related to land uses which predominate the adjacent area; or (c) The creation of areas of urban development or uses which fail to maximize the use of existing public facilities or the use of areas within which public services are currently provided. Urban sprawl is typically manifested in one or more of the following land use or development patterns: Leapfrog or scattered development, ribbon or strip commercial or other development.

The subject property is currently within the Rural FLUC. The applicant is seeking to develop the 3.86 +/- acre property with two (2) single family dwelling units and intend to utilize private well and septic systems. The development is proposed to be developed at 1.93 dwelling units per net acre.

The subject property is situated within the Rural FLUCs which allow a maximum density of one (1) dwelling unit per five (5) net acres. The proposed amendment will establish a maximum density of 1.93 dwelling units per net acre to be consistent with the surrounding development; the rezoning ordinance will provide additional development standards to maintain the rural character. Below is a breakdown of calculations for surrounding developments as proof that the proposed development plan is consistent and transitional with the existing development (Table 2).

Table 2. Comparison to Surrounding Developments.						
Project Name	Gross Acres	Net Acres	Units	Gross Density	Net Density	Lot Sizes
Illinois-Crown Property	3.86	3.86	2	1.93 du/ac	1.93 du/ac	280' x 300'
Bert's Subdivision	5.00	5.00	27	0.19 du/ac	0.19 du/ac	50' x 137.50 55' x 135' 50' x 140'
Bert's Subdivision 1 st Add	9.70	9.70	51	0.19 du/ac	0.19 du/ac	90' x 90' 85' x 90' 50' x 92.25'
Welhan Acres Subdivision	7.86	7.86	6	1.31 du/ac	1.31 du/ac	167.75' x 360.48' 150' x 335.43'

The **Capital Improvements Element** seeks to maintain adopted level of service standards and ensure public facilities and services are available concurrent with development. See the Applicant's Justification Statement in Attachment "D". The application is consistent with the Capital Improvements Element.

The **Conservation Element** is intended to provide a framework for the ongoing monitoring, management, and use of the County's natural resources.

The subject properties are located within the Emerald Marsh Rural Protection Area (RPA), in accordance with Comprehensive Plan Object I-5.3. The Emerald Marsh RPA, including its waters, wetlands, floodplain, and pasture, is a unique resource of unique value to Lake County and has been federally designated as a National Natural Landmark. Within the Emerald Marsh RPA, private land use is largely characterized by agrarian and equestrian-oriented activities that represent a valuable part of the history, culture, and lifestyle of rural Lake County. The development application proposed residential development at a density of 1.93 du/ac with proposed open space..

According to GIS Aerials, there are no wetlands or bodies of water on the subject properties.

See the Applicant's Justification Statement in Attachment "D". The application is consistent with the Conservation Element.

The **Economic Element** seeks to strengthen the County's position as a business center for Central Florida by aggressively pursuing opportunities and building collaborative relations with regional allies. See the Applicant's Justification Statement in Attachment "D". The proposed amendment is consistent with the Economic Element.

The purpose of the **Housing Element** is to guide Lake County in developing appropriate goals, objectives and policies that demonstrate the County's commitment to meet the identified needs of all its residents. See the Applicant's Justification Statement in Attachment "D". The application is consistent with the Housing Element.

The **Intergovernmental Coordination Element** strives to promote coordination between Lake County and other local, state, regional, and federal government entities. The subject property is located within the Town of Lady Lake ISBA. The Town was provided with a copy of the application to provide input. The Town stated that they cannot provide potable water and center wastewater service to the proposed residential development (Attachment "E"). Based on the information provided by the Town (Attachment "E"), their potable water and sewer lines are not close enough to require the development to connect to the Town's utilities. The application is consistent with the Intergovernmental Coordination Element.

The goal of the **Parks and Recreation Element** is to facilitate the development and management of parks and facilities for a recreation system that includes environmental lands, trails, and other recreational opportunities that meets the diverse needs of a growing community. The proposed increase in density is not anticipated to adversely impact the level of services established for parks. The application is consistent with the Parks and Recreation Element.

The goal of the **Transportation Element** is to prepare a plan that emphasizes more efficient use of the existing transportation system and contributes to the wider national objectives of energy conservation, improved air quality, and increased social and environmental amenity. See the Applicant's Justification Statement in Attachment "D". The application is consistent with the Transportation Element.

The purpose of the **Public Facilities Element** is to ensure that public facilities are available to meet the needs of Lake County residents; public facilities in this element refers to aquifer recharge, potable water, sanitary sewer, solid waste, stormwater, and public-school facilities. See Section 5 below. The application is consistent with the Public Facilities Element.

2. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.

The proposed amendment is not in conflict with any provisions of the LDR. If the amendment is approved for adoption, an application to rezone the property to PUD will incorporate the applicable comprehensive plan policies and regulations.

3. Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The application is seeking to change the Future Land Use Category from Rural to PUD to facilitate the development

of two (2) single-family dwelling units. The application is proposing 1.93 dwelling units per net acre which exceeds the maximum density permitted within the Rural FLUC. The Rural FLUC allows residential development at a base density of one dwelling unit per five (5) net acres. The application seeks to develop the subject property with a low-density residential development. Discussions between the Planning staff and the Applicants have concluded the best way to facilitate the proposed development is to utilize the PUD FLUC. The proposed amendment is consistent with the proposed PUD FLUC.

4. Whether there have been changed conditions that justify an amendment.

The Applicant has provided a justification statement which is included as Attachment "D".

5. 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

The subject properties are located within the Town of Lady Lake ISBA. The Town of Lady Lake has indicated that central water and central sewer are not available to the subject property. Based on the information provided by the Town (Attachment "E"), their potable water and sewer lines are not close enough to require the development to connect to the Town's utilities.

Schools

Educational impact fees will be required at the time of permitting.

Parks

The proposed comprehensive plan amendment is not anticipated to adversely impact park capacity or levels of service.

Solid Waste

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

Public Safety

Lake County Fire Rescue Station #54 is located approximately 5.9 miles from the subject property at 6200 Lake Griffin Road, Lady Lake, and 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 site plan review process.

Transportation Concurrency

Public Works reviewed the application and noted that the project will be generating approximately two (2) PM peak hour trips.

6. Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

New development will be required to meet all criteria contained within the Comprehensive Plan and LDR, as amended. The proposed development will be required to provide a minimum of seventy (70%) percent open space. According to GIS arials, there are no presence of wetlands or bodies of water on the subject properties.

7. Whether, and the extent to which, the proposed amendment would affect the property values in the area.

There is no indication that the amendment would have an adverse impact on property values.

8. 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 application is requesting to establish a PUD FLUC and PUD zoning district on the subject property to accommodate two (2) single-family dwelling units at a density of 1.93 dwelling units per net acre.

South of the subject property, along the south side of Bertsville Road, is the Welhan Acres subdivision which is zoned Rural Residential (R-1). This subdivision is developed at a density of 1.31 dwelling units per net acre.

East of the subject property, on the east side of Illinois Street, is the Bert's Sub development which is zoned R-1. The 5 +/- acre subdivision includes 27 residential lots at a density of 0.19 dwelling units per acre.

Southeast of the property, further south along Illinois Street, is the Bert's Subdivision 1st Addition, developed with 51 residential lots at a density of 0.19 +/- dwelling units per acre.

North of the subject property is developed with single-family dwelling units on lots ranging from 1.5 – 3 acres in size.

9. 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 is consistent with the purpose and interest of Lake County's regulations.

Attachment "A" – Future Land Use Category (Page 7 of 2)

CURRENT FUTURE LAND USE



Future Land Use

- Rural
- Rural Transition

NAME: **ILLINOIS-CROWN PROPERTY**
CASE NUMBER: **FLU-22-06-5**
LOCATION (S-T-R): **24-18-24**
REQUEST: **RURAL TO PLANNED UNIT DEVELOPMENT**

DISTRICT: **5**



Attachment "A" – Future Land Use Category (Page 2 of 2)

PROPOSED FUTURE LAND USE



Future Land Use

- Planned Unit Development
- Rural
- Rural Transition

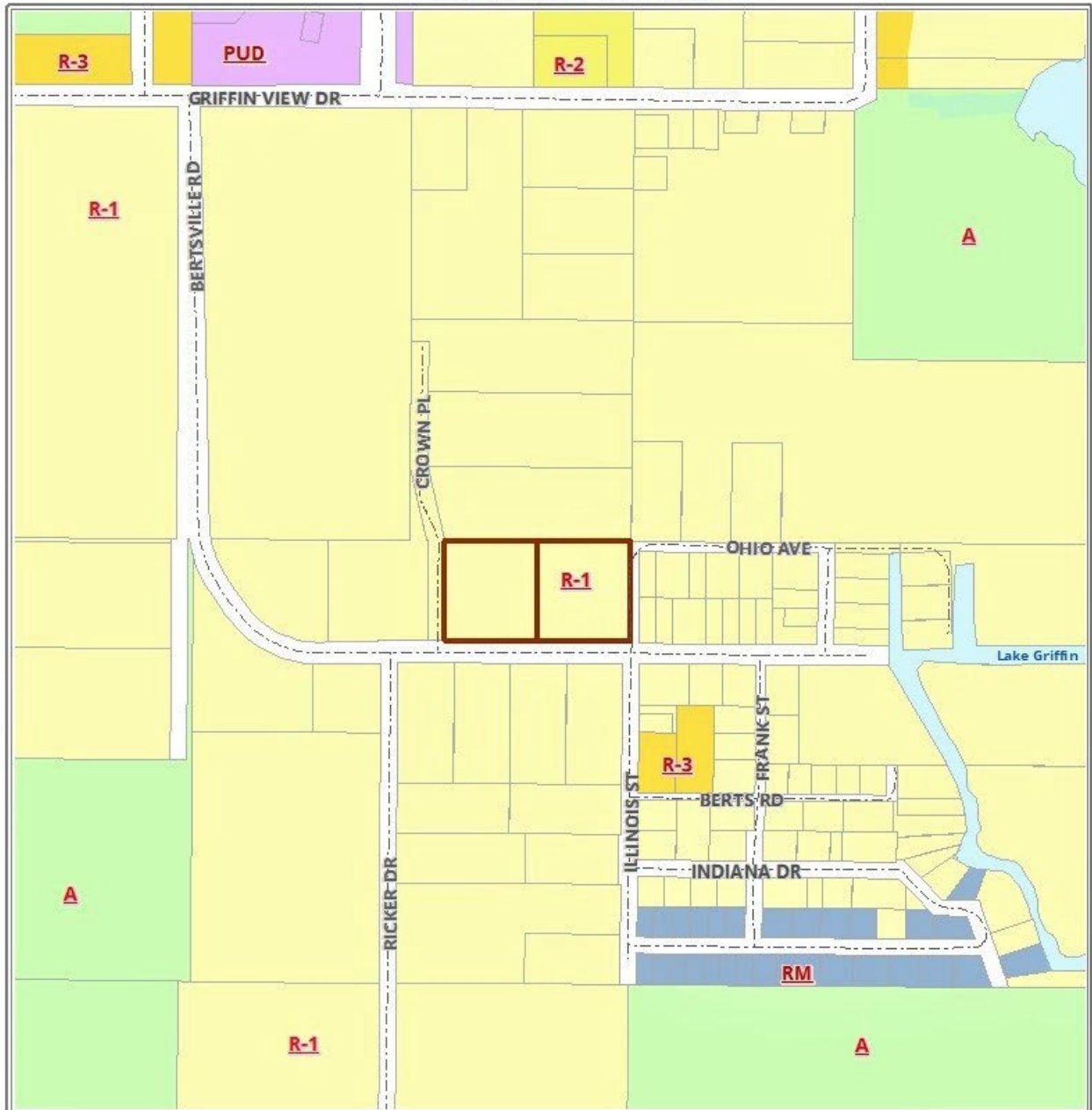
NAME: **ILLINOIS-CROWN PROPERTY**
CASE NUMBER: **FLU-22-06-5**
LOCATION (S-T-R): **24-18-24**
REQUEST: **RURAL TO PLANNED UNIT DEVELOPMENT**

DISTRICT: **5**



Attachment "B" – Zoning District

CURRENT ZONING



Zoning Legend



NAME: **ILLINOIS-CROWN PROPERTY**
CASE NUMBER: **FLU-22-06-5**
LOCATION (S-T-R): **24-18-24**
REQUEST: **RURAL TO PLANNED UNIT DEVELOPMENT**

DISTRICT: **5**



Attachment "D" – Justification Statement

Project Narrative

The Illinois-Crown Property Project will require a change in zoning from Rural Residential (R-1) FLUC to Planned Unit Development (PUD) Future Land Use Category (FLUC). The parcel is currently zoned R-1 and is part of the Rural FLUC. The R-1 zoning district requires a density of one dwelling unit per acre and the Rural FLUC require a density of one dwelling unit per five net acres; each parcel individually as described by AK 2863099 and AK 2863056 contain approximately 1.98 acres. Lake County Planning and Zoning staff has provided the option of submitting a comprehensive plan amendment to amend the Future Land Use Map from Rural FLUC to PUD FLUC to facilitate the 3.86 acre parcel to be platted into two individual lots to allow for construction of a single-family dwelling on each individual lot.

This project will not be creating any additional parcels other than splitting the original parcel purchased into two separate parcels; thereby following the laws as they were recognized back in the late 1980s.

The City of Lady Lake does not provide water and sewer services to this area; therefore, owners will install and permit individual onsite water well and septic tank. Attached is documentation from Lady Lake Utilities department stating no available utilities to the property.

Summary of events resulting in the need of the proposed rezoning

In 2014, the original owners submitted a lot line deviation application to which resulted in the combination of the two said parcels into a single lot for zoning and building purposes, thereby also subjected both parcels as rural; which sets a development threshold of 1 unit per 5 acres. Parcels identified by Alternate Key Numbers 2863099 and 2863056 were sold individually after they were combined as one site through the lot line deviation process. These two parcels were sold as 2 individual parcels in September and October of 2021 to the two parties involved, The Forsythe's and Mr. Shelly/Mrs. Allen, respectively. However, the two parcels were recognized as two separate parcels by Property Appraiser. The individual MLS listings by the listing real estate agent, indicated that the lots were buildable, and with almost 2 acres each, to "come build your dream home". The buyers, closed on these properties individually, with the intention to start the building process, to then find out from planning and zoning that these parcels are not buildable and should have not been sold as such.

Both buyers paid cash in full for these properties, and without the opportunity to build or sell as buildable lots, have decided that after meeting with Lake County Planning & Zoning staff, the County commissioner, and the Lake County attorney, that applying for a PUD FLUC may be the best course of action in order to create two individual lots to construct a single-family dwelling unit on each lot.

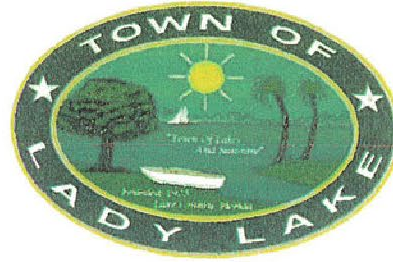
Wetlands Determination/Environmental Assessment. GIS arial maps do not indicate presence of wetlands or flood zones on the subject property. See GIS arial map attached.

Transportation Demand Impact Analysis. The proposed amendment will not impact levels of transportation as the property is residential. Each household has two vehicles, resulting in a total of four vehicles.

Residential Justification Statement. All structures adjacent to the to the property are pre-existing and residential lots

Land Use Compatibility Analysis. The single-family homes and future accessory buildings (detached garage, pole-barn, shed etc.) that will be constructed are compatible with the style and size of the existing adjacent homes and will maintain compatibility with the lot sizes of the adjacent properties in the community, including provision of open space and landscaping. The existing surrounding lots vary in size from 0.959 acres to 3 acres.

Attachment "E" – Town of Lady Lake Utility Notification (page 12 of



Public Works Department
Physical location: 136 Skyline Drive, Lady Lake, Florida
352-751-1526 FAX: 352-751-1595

Date 3-28-22

Lake County Growth Management
P.O. Box 1305
Tavares, Florida 32778
Email: dlchd35evh@FLHealth.gov
Fax: (352) 253-6133
Ph: (352) 253-6130

RE: Water/Sewer Physical Availability

Requested by: Lesley Allen
LOCATION: Bertsville Road, Ladylake

Attention Permitting Technician:

The Town of Lady Lake **does** or does **not** currently have **water service** physically available to the above referenced property.

The Town of Lady Lake **does** or does **not** currently have **sewer service** physically available to the above referenced property.

If service is physically available or once service becomes physically available, connection to our water or sewer lines would be required per the Land Development Regulations.

The Town does not commit to reserve capacity for water or wastewater until all impact fees have been paid, all commercial utility agreements, and site plans have been approved through Town Commission and Growth Management.

If you have any questions, please contact this office at the Public Works Department or call (352) 751-1526.

Very truly yours,
PUBLIC WORKS DEPARTMENT

Butch Goodman
Utility Supervisor

3-29-22

H:\Sewer Avail Form - Lake Co. Growth Mgt.doc

Attachment "E" – Town of Lady Lake Utility Notification (page 2 of 2)

To Robert
3-29-22
TC

TOWN OF LADY LAKE Water/Sewer/Reuse Physical Availability

Work Order Date: 3-28-22

Residential-Single Family Commercial Subdivision PUD Other Unknown

Requested by: Lesley Allen

Owner: _____

Misc. Details: _____

Phone: 407-810-3368 Fax: _____ Email: DrL nurse@gmail.com

Location/Description: AK# 2863056 and 2863099
Bertsville Rd.

Is **WATER** physically available at site: ___ Yes No

Approximate distance from site: ___ ft. Over 200 ft. or 1320 ft.

Is Jack & Bore required: ___ Yes No

Is Water Tap required: ___ Yes ___ No

Is Meter Installation required: ___ Yes ___ No

Misc. Information: _____

Is **SEWER** physically available at site: ___ Yes No

Approximate distance from site: ___ ft. Over 200 ft. or 1320 ft.

Is Jack & Bore required: ___ Yes ___ No

Is Sewer Tap required: ___ Yes ___ No

Misc. Information: _____

*All Town Utilities out of Service
Area at this Time*

Is **REUSE** physically available at site: ___ Yes No

Approximate distance from site: ___ ft. Over 200 ft. or 1320 ft.

Is Jack & Bore required: ___ Yes ___ No

Is Water Tap required: ___ Yes ___ No

Is Meter Installation required: ___ Yes ___ No

Misc. Information: _____

Date Completed: 3-29-22 Completed by: [Signature]

BLANK WORD FORM Water-Sewer-Reuse Avail Update 03-2021.doc
(use this form for copies: ABLANKPDFFORMPRINTSBOXESWater-Sewer-ReuseAvailUpdate03-2021.pdf)

Attachment "F" – Lot Line Deviation (LLD-2014-007 ORB 4447 PG 2467) (page 1 of 3)

INSTRUMENT#: 2014024625 OR BK 4447 PG 2467 PAGES: 3 3/5/2014 12:39:52 PM
NEIL KELLY, LAKE COUNTY CLERK OF THE CIRCUIT COURT
REC FEES: \$27.00



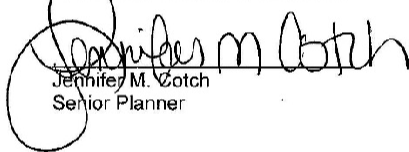
Please return original to: Lake County Planning & Community Design

NOTICE OF LAKE COUNTY'S APPROVAL OF LOT LINE DEVIATION/ADJUSTMENT

Owners: Pamela A. Tyla, Edward & Anna Sawyer, Paul A. Collins Trust

Lake County, a political subdivision of the State of Florida hereby grants a Lot Line Deviation/Adjustment (LLD 2014-0007), pursuant to section 14.12.00, Lake County Land Development Regulations, Appendix E, and Lake County Codification. Property described in Exhibit "A", attached hereto and incorporated herein by reference is hereby adjusted, as described in Exhibit "B", attached hereto and incorporated herein by reference.

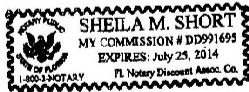
FOR LAKE COUNTY, FLORIDA


Jennifer M. Cotch
Senior Planner

State of Florida
County of Lake

The foregoing instrument was acknowledged before me this 5th day of March 2014, by Jennifer M. Cotch who is personally known to me and who did not take an oath.


Notary Public Sheila M. Short



PLANNING AND COMMUNITY DESIGN DIVISION | A Division of the Department of Growth Management
P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 • P 352.343.9641 • F 352.343.9767
Board of County Commissioners • www.lakecountyfl.gov

TIMOTHY L. SULLIVAN
District 1

SEAN M. PARKS, AICP, OEP
District 2

JIMMY CONNER
District 3

LESLIE CAMPIONE
District 4

WELTON G. CADWELL
District 5

Attachment "F" – Lot Line Deviation (LLD-2014-007 ORB 4447 PG 2467)

(page 2 of 3)

INSTRUMENT# 2014024625 OR BOOK 4447/PAGE 2468 PAGE 2 of 3

EXHIBIT "A"

ORIGINAL DESCRIPTIONS:

PARCEL 1:

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 910.20 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 89°52'17" WEST, 345.25 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, SAID POINT BEING ON A CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 487.88 FEET, SAID POINT HAVING A RADIAL BEARING OF SOUTH 87°28'45" WEST FROM THE RADIUS POINT OF SAID CURVE; RUN THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 54°58'43"; A DISTANCE OF 467.88 FEET; THENCE LEAVING SAID RIGHT-OF-WAY OF BERTSVILLE ROAD; RUN NORTH 00°05'20" EAST, 288.61 FEET TO THE POINT OF BEGINNING.

AND

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 750.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING RUN SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE NORTH 89°52'17" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD 45.40 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 487.88 FEET; RUN THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 122°4'19"; A DISTANCE OF 105.63 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, RUN NORTH 00°05'20" EAST, A DISTANCE OF 288.61 FEET TO THE NORTH LINE OF GOVERNMENT LOT 12; THENCE SOUTH 89°52'17" EAST ALONG THE NORTH LINE OF GOVERNMENT LOT 12, A DISTANCE OF 150.20 FEET TO THE POINT OF BEGINNING.

AND

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 610.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING, RUN SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE NORTH 89°52'17" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, 150.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, RUN NORTH 00°05'20" EAST, 300.00 FEET TO THE NORTH LINE OF GOVERNMENT LOT 12; THENCE SOUTH 89°52'17" EAST ALONG THE NORTH LINE OF GOVERNMENT LOT 12, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2 (WELL PARCEL)

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN NORTH 00°05'20" EAST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 221.75 FEET; THENCE NORTH 89°52'33" WEST, 661.60 FEET TO THE POINT OF BEGINNING, SAID BEING ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 00°01'19" WEST, 221.67 FEET TO THE SOUTHWEST CORNER OF SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 89°52'17" EAST, 51.34 FEET; THENCE NORTH 13°00'45" WEST, 227.64 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 280.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING; RUN NORTH 89°52'17" WEST, 280.00; THENCE SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE SOUTH 89°52'17" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, A DISTANCE OF 280.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY; RUN NORTH 00°05'20" EAST, 300.00 FEET TO THE POINT OF BEGINNING.

AND

BEGIN AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 280.00 FEET; THENCE SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE SOUTH 89°52'17" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, 280.00 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 12; THENCE NORTH 00°05'20" EAST ALONG THE EAST LINE OF GOVERNMENT LOT 12, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

Attachment "F" – Lot Line Deviation (LLD-2014-007 ORB 4447 PG 2467)

(page 3 of 3)

INSTRUMENT# 2014024625 OR BOOK 4447/PAGE 2469 PAGE 3 of 3

EXHIBIT "B"

NEW PARCEL DESCRIPTIONS

PARCEL A:

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 910.20 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 89°52'17" WEST, 345.25 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, SAID POINT BEING ON A CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 487.88 FEET, SAID POINT HAVING A RADIAL BEARING OF SOUTH 67°28'45" WEST FROM THE RADIUS POINT OF SAID CURVE; RUN THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 54°56'43"; A DISTANCE OF 487.88 FEET; THENCE LEAVING SAID RIGHT-OF-WAY OF BERTSVILLE ROAD; RUN NORTH 00°05'20" EAST, 288.61 FEET TO THE POINT OF BEGINNING.

PARCEL B:

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 760.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING RUN SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE NORTH 89°52'17" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD 45.40 FEET TO THE BEGINNING OF A CURVE CONCAVED NORTHEASTERLY AND HAVING A RADIUS OF 487.88 FEET; RUN THENCE WESTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 122°4'19"; A DISTANCE OF 105.83 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, RUN NORTH 00°05'20" EAST, A DISTANCE OF 288.61 FEET TO THE NORTH LINE OF GOVERNMENT LOT 12; THENCE SOUTH 89°52'17" EAST ALONG THE NORTH LINE OF GOVERNMENT LOT 12, A DISTANCE OF 150.20 FEET TO THE POINT OF BEGINNING.

AND

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 610.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING, RUN SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE NORTH 89°52'17" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, 150.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY, RUN NORTH 00°05'20" EAST, 300.00 FEET TO THE NORTH LINE OF GOVERNMENT LOT 12; THENCE SOUTH 89°52'17" EAST ALONG THE NORTH LINE OF GOVERNMENT LOT 12, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

AND

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN NORTH 00°05'20" EAST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 221.75 FEET; THENCE NORTH 89°52'33" WEST, 661.60 FEET TO THE POINT OF BEGINNING, SAID BEING ON THE WEST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 00°01'19" WEST, 221.67 FEET TO THE SOUTHWEST CORNER OF SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH 89°52'17" EAST, 51.34 FEET; THENCE NORTH 13°00'45" WEST, 227.64 FEET TO THE POINT OF BEGINNING.

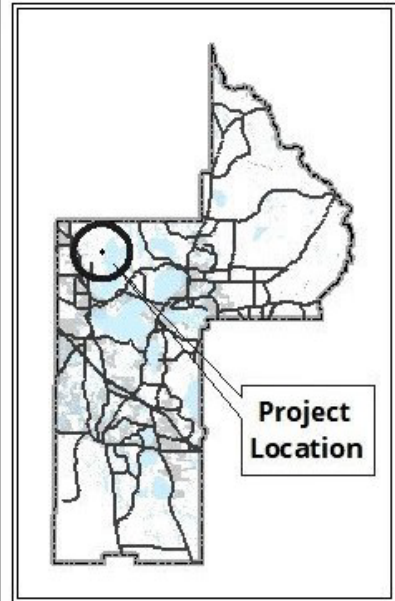
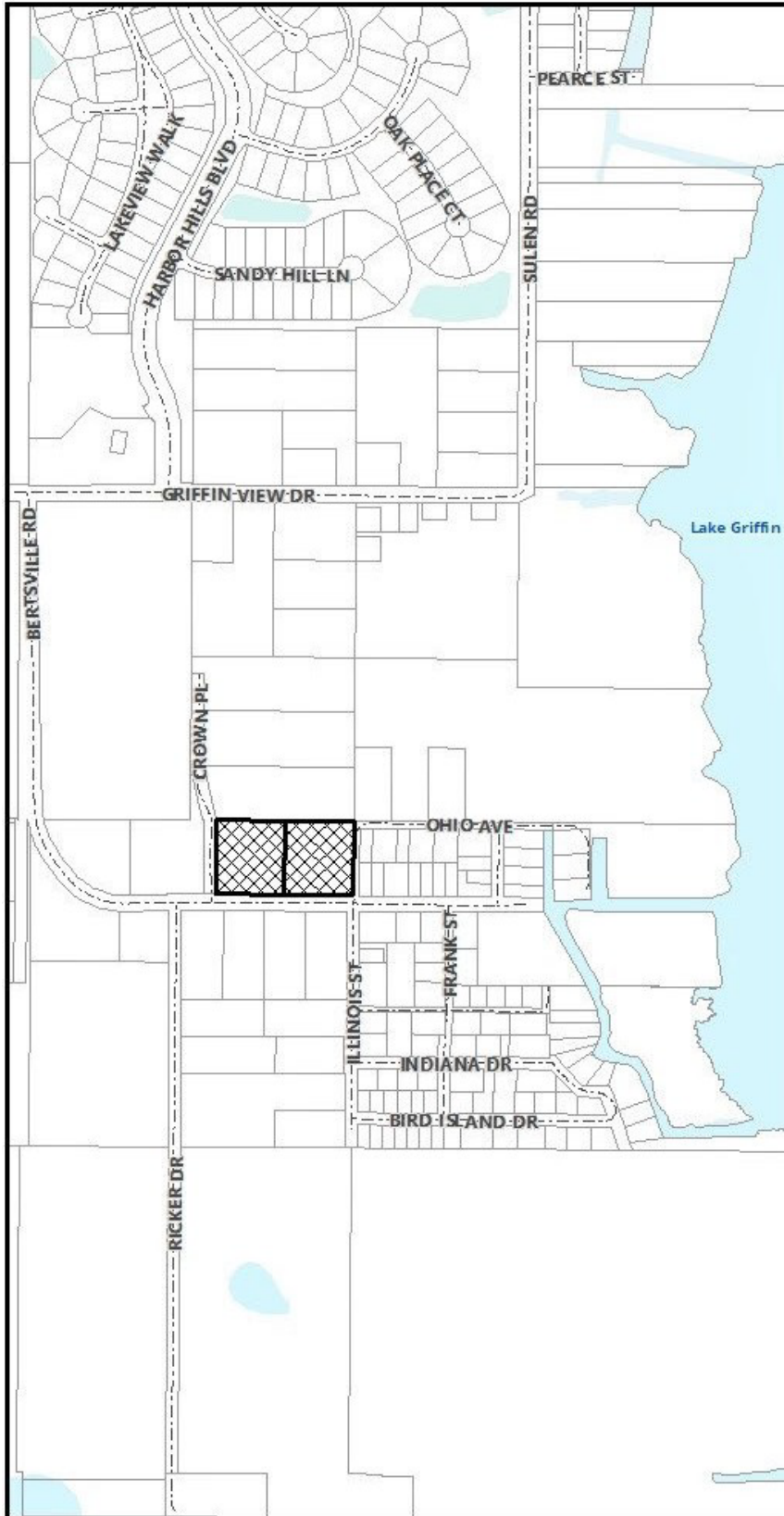
PARCEL C:

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 280.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING; RUN NORTH 89°52'17" WEST, 280.00; THENCE SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE SOUTH 89°52'17" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, A DISTANCE OF 280.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY; RUN NORTH 00°05'20" EAST, 300.00 FEET TO THE POINT OF BEGINNING.

AND

BEGIN AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 280.00 FEET; THENCE SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE SOUTH 89°52'17" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, 280.00 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 12; THENCE NORTH 00°05'20" EAST ALONG THE EAST LINE OF GOVERNMENT LOT 12, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

Subject Property



1 **Section 1. Comprehensive Plan Future Land Use Map Amendment.** The 2030 Comprehensive Plan
 2 Future Land Use Map is hereby amended to change the Future Land Use Category for the subject property,
 3 described in Exhibit “A” attached and incorporated in this Ordinance, from Rural Transition to Planned Unit
 4 Development Future Land Use Category.

5 **Section 2. Comprehensive Plan Text Amendment.** The Lake County 2030 Comprehensive Plan,
 6 Policy I-7.14.4 entitled ‘Planned Unit Development Land Use Category,’ shall be amended to read as follows:

7 **Policy I-7.14.4 Planned Unit Development Land Use Category**

8 The following land use table details the development program, including the maximum densities and
 9 intensities, for the adopted Planned Unit Development Future Land Use designations:

Amendment No.	Name / Location	Former FLU Designation	Development Program	Ordinance No.
FLU-19-02-4	Sorrento Pines	Rural Transition	Residential [328 dwelling units and 45% open space]	2019-73
FLU-19-07-2	Evergreen Estates	Wellness Way 1	Residential [Two (2) dwelling units per net acre]; there shall be no access, emergency or otherwise, to Flynn Court or Champagne Drive except for the 5-acre estate lots	2020 - 65
FLU-21-01-1	Holiday Travel Park	Urban Low and Urban Medium	995 Temporary RV spaces, 112 mobile home sites and associated facilities	2021 – 38
FLU-21-03-5	Wildwoods Campground	Rural	84 RV spaces, Three (3) dwelling units and accessory uses	2021 - 39
FLU-21-08-5	Expert Investments	Rural Transition	10 dwelling units	2022-XX
<u>FLU-22-06-5</u>	<u>Illinois-Crown</u>	<u>Rural</u>	<u>Residential [2 single family dwelling units with accessory structures]</u>	<u>2022- XX</u>

10 **Section 3. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and 163.3184,
 11 Florida Statutes.

12 **Section 4. Severability.** If any section, sentence, clause, phrase or word of this Ordinance is for any
 13 reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect
 14 the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners’ intent
 15 to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of
 16 this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts
 17 had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any
 18 person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding
 19 shall not affect the applicability thereof to any other person, property or circumstances.

1 **Section 5. Effective Date.** The effective date of this plan amendment, if the amendment is not timely
2 challenged, shall be 31 days after the state land planning agency notifies the local government that the plan
3 amendment package is complete. If timely challenged, this amendment shall become effective on the date
4 the state land planning agency or the Administration Commission enters a final order determining this
5 adopted amendment to be in compliance. No development orders, development permits, or land uses
6 dependent on this amendment may be issued or commence before it has become effective. If a final order
7 of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made
8 effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to
9 the state land planning agency.

10
11 ENACTED this ____ day of _____, 2022.

12
13 FILED with the Secretary of State _____, 2022.

14
15
16 BOARD OF COUNTY COMMISSIONERS
17 LAKE COUNTY, FLORIDA

18
19
20
21 _____
22 Sean M. Parks, Chairman

23
24
25 ATTEST:

26 _____
27 Gary J. Cooney, Clerk
28 Board of County Commissioners of
29 Lake County, Florida

30
31 Approved as to form and legality:

32
33
34 _____
35 Melanie Marsh, County Attorney

1

Exhibit “A” – Legal Description

FROM THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 280.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, FROM SAID POINT OF BEGINNING; RUN NORTH 89°52'17" WEST, 280.00; THENCE SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE SOUTH 89°52'17" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, A DISTANCE OF 280.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY; RUN NORTH 00°05'20" EAST, 300.00 FEET TO THE POINT OF BEGINNING.

AND

BEGIN AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF GOVERNMENT LOT 12, SECTION 24, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; RUN THENCE NORTH 89°52'17" WEST ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, 280.00 FEET; THENCE SOUTH 00°05'20" WEST, 300.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD; THENCE SOUTH 89°52'17" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY OF BERTSVILLE ROAD, 280.00 FEET TO THE EAST LINE OF SAID GOVERNMENT LOT 12; THENCE NORTH 00°05'20" EAST ALONG THE EAST LINE OF GOVERNMENT LOT 12, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

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