



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 8

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

Case No. and Project Name: RZ-21-42-4, Lake Cares

Owner: Lake Cares Inc.

Applicant: Scott A. Gerken, Esq. and William G. Watson Esq.

Requested Action: Amend Planned Commercial District (CP) Ordinances #44-82, #30-85, and #22-88, to establish a new CP ordinance to allow storage warehouse uses for a food pantry.

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: 3.03 +/- acres

Location: 4500 N Highway 19A, Mount Dora

Alternate Key No.: 1240573

Future Land Use Category: Urban High Density Future Land Use Category (Attachment "A")

Existing Zoning District: Planned Commercial (CP) by Ordinance #22-88 (Attachment "B")

Proposed Zoning District: Planned Commercial (CP)

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

Overlay Districts: Wekiva Study Area (Attachment "C")

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
<b>North</b>	Urban High Density and City of Mount Dora Medium Density Residential FLU	Planned Commercial (CP), Neighborhood Commercial (C-1), and City of Mount Dora Single-Family Residential (R-1A)	Commercial, vacant commercial, and vacant residential property within the City of Mount Dora	Commercial store, vacant commercial and vacant residential property within the City of Mount Dora
<b>South</b>	Commercial and Public Land	Highway Commercial (C-3) and Public Lands Institution (PLI)	Vacant commercial property and Government Building	Properties within the City of Mount Dora
<b>East</b>	Medium Density Residential	Single-Family Residential (R-1A)	Vacant residential	Property within the City of Mount Dora
<b>West</b>	Urban High Density	Planned Commercial (CP) and North Highway 19A	Commercial	Commercial store and offices

**- Summary of Analysis -**

The subject property is identified by Alternate Key Number 1240573, comprises 3.03 +/- acres, is zoned Planned Commercial (CP) and is currently undeveloped. The subject property is located on the southeast corner of the intersection of Highway 19A and Coddling Place, in the Mount Dora area. The allowed uses for the project area are designated by Ordinance #44-82, Ordinance #30-85, and Ordinance #22-88. Ordinance #44-82 allows the subject parcel to be used for a retail motorcycle sales, display and repair shop (Attachment "E"), Ordinance #30-85 allows the subject parcel to be used for C-2 (Community Commercial) (Attachment "F"), and Ordinance #22-88 allows the subject parcel to be utilized for retail sales store and antique auction (Attachment "G").

The Applicant is requesting to rezone the property from CP to CP to replace Ordinances #44-82, #30-85, and #22-88, with a new ordinance which allows for storage and warehouse uses for a food pantry. The subject property is designated as Urban High Density Future Land Use Category (FLUC) per the 2030 Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-1.3.4, commerce uses are permissible in the FLUC.

**- 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 proposed request is consistent with LDR Section 3.01.02 and LDR Table 3.01.03, which specify the allowance of warehouse facilities within the CP zoning district. Pursuant to LDR Section 3.01.02(C)(24), Classification of Uses – Commercial Uses, warehouse is defined as an establishment offering wholesaling, storage, or warehousing services. Typical uses include wholesale distributors, storage warehouses, moving and storage firms, and trucking and shipping operations. This activity does not include self-service storage facilities.

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

Pursuant to Comprehensive Plan Policy I-1.3.4, commerce uses are permissible within the Urban High Density FLUC. The Urban High Density FLUC is generally located adjacent to major collectors and arterial roadways, and it is restricted to urban core areas that are substantially surrounded by and adjacent to one or more municipalities and likely to be annexed within the planning horizon.

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

The proposed rezoning is consistent with the land uses permitted under the existing FLUC. As depicted in the Historical Zoning Map, the parcels surrounding the subject property are developed with commercial land uses. The Applicant stated that development along Highway 19A consists of professional offices, furniture sales, medical offices, retail sales, as well as office/warehouse. The Applicant also indicated that the proposed food pantry and related accessory uses will be consistent with the surrounding uses (Attachment "H").

The rezoning is consistent with Land Development Regulations (LDR) Section 3.01.03, which allows warehouse facilities within the CP zoning district.

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

The Applicant stated that Lake Cares, Inc. recently purchased the subject parcel through local donations, and wishes to expand their operations and allow for onsite warehousing and storage of the food, goods, and services being provided (Attachment "H").

**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;**

The City of Mount Dora will require a Covenant to Annex and Utility Agreement(s) prior to agreeing to provide utility services outlining, among other items, timing of utilities for connection to the City's central systems, and specific uses of the site (Attachment "I" and Attachment "J").

Parks and Recreation

No adverse impacts are anticipated on parks as this is a proposed commercial use.

Public Safety

Lake County Fire Rescue Station #27 is located at 19212 SR-44 in Eustis, approximately 4.7 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, at such time that any future improvements are proposed.

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 CR 19A is "D" with capacity of 840 trips in the peak hour. Currently the impacted segment is from Bay Rd to US 441 is operating at a LOS "C" seventy three percent (73%) of its capacity. This project will be generating approximately three (3) pm and am peak hour trips, in which six (6) trips will impact the peak hour directions. Based on this, the project is *de minimis*. Applicant will be required to submit the request for exemption from full transportation concurrency traffic impact study.

**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 that the proposed development will not adversely impact the natural environment.

**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. However, the areal information, and adjacent land uses reveals the area to be commercial in nature.

**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 as the adjacent parcels are zoned for commercial uses. Landscape buffers are required adjacent to the CP zoned parcels; and the ordinance includes 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 development application submittal.

The Applicant indicated the proposed use will be constructed, arranged, and operated so as not to interfere with the development of neighboring property, in accordance with applicable district regulations.

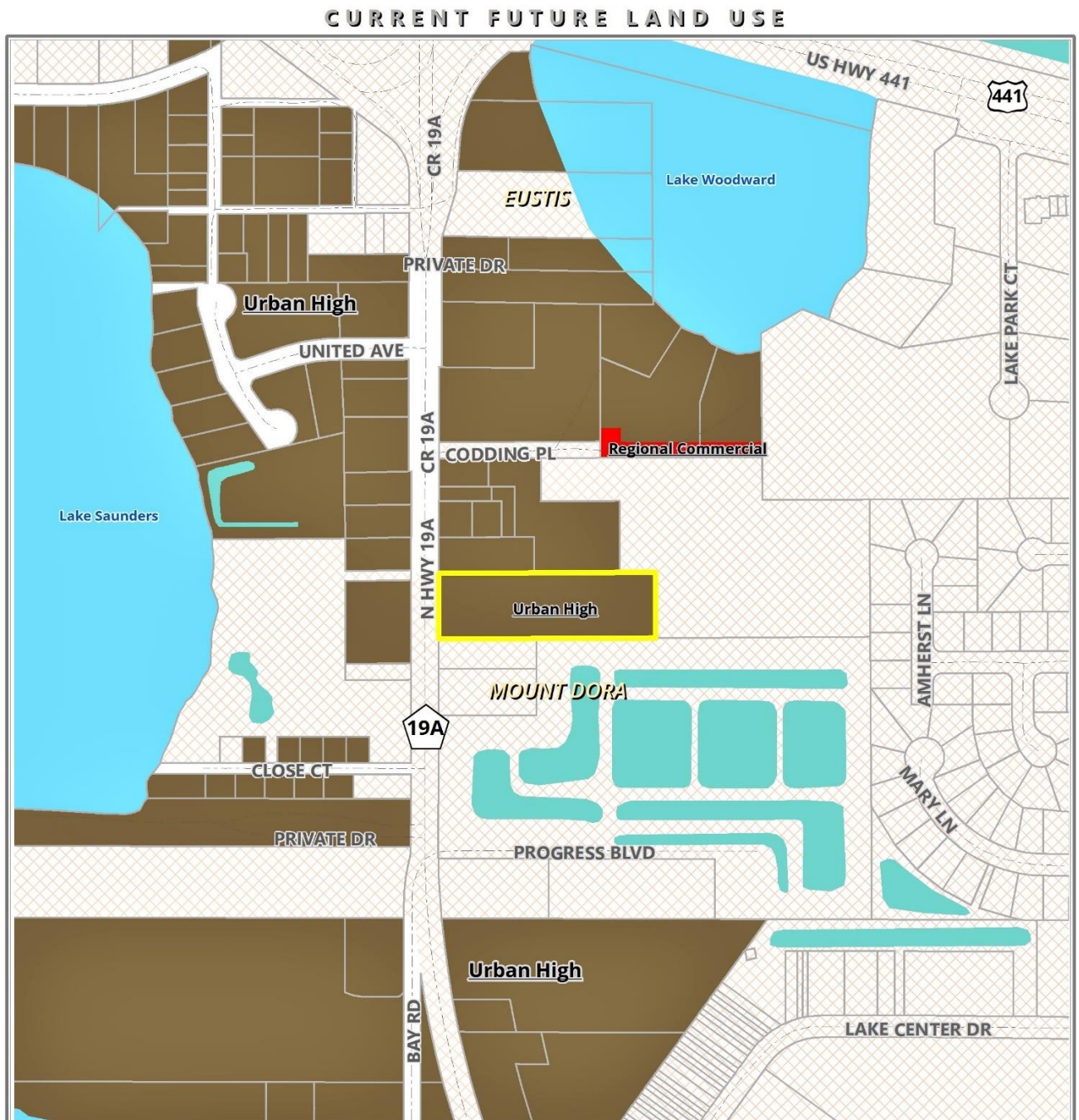
**I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

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.**

The City of Mount Dora provided a comment letter for the proposed rezoning amendment and stated that pursuant to the City/County JPA agreement, development plans will require site plan/plat reviews by the City pursuant to the City's normal plan review process meeting the requirements of the City's Land Development Code (Attachment "I").

# Attachment "A" - Future Land Use Category



*Future Land Use*

■ Regional Commercial    ■ Urban High

NAME: **LAKE CARES PROPERTY**

CASE NUMBER: **RZ-21-42-4**

LOCATION (S-T-R): **23-19-26**

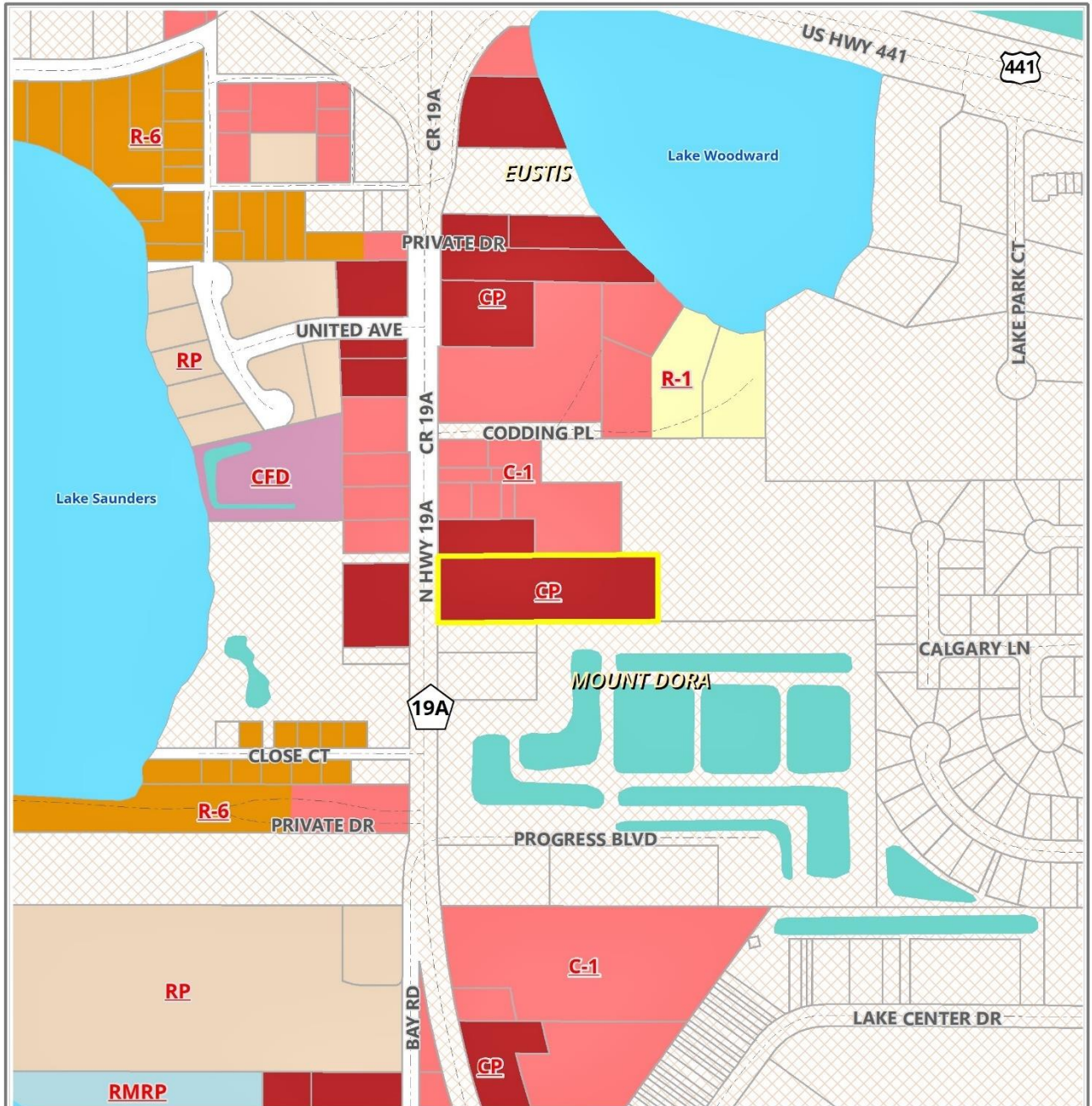
REQUEST: **PLANNED COMMERCIAL (CP) AMENDMENT (ORD 1988-22)**

DISTRICT: **4**



# Attachment "B" - Zoning District

## CURRENT ZONING



### Zoning Legend



NAME: **LAKE CARES PROPERTY**

CASE NUMBER: **RZ-21-42-4**

LOCATION (S-T-R): **23-19-26**

REQUEST: **PLANNED COMMERCIAL (CP) AMENDMENT (ORD 1988-22)**

DISTRICT: **4**



# Attachment "C" - Wekiva Study Area

RZ-21-42-4  
Lake Cares Property



Planned Commercial (CP)  
Amendment  
(Ord 1988-22)

Legend  
Wekiva Study Area  
Major Commercial Corridor







# Attachment "E" - Ordinance #44-82 (Page 1 of 3)

ORDINANCE # 44-82

WHEREAS, the Lake County Planning and Zoning Commission did, on the 24th day of November, 1982, review petition #133-82-4, a request to amend the preliminary site plan for a CP (Planned Commercial) zoning district on property generally located in the Mt. Dora area: Property located about 3/10 mile South of interchange of U. S. 441 and 19A on the East of 19A and more particularly described as follows:

That part of Government Lot 8, Section 23, Twp. 19S, Rge. 26E bounded and described as follows: From the NE corner of Gov. Lot 3, said Section 23, run South 89 degrees 35' W along the North line of said Gov. Lot 3 a distance of 944.22', thence run South 0 degrees 27' 30" E 217.8' run thence South 89 degrees 35' W 370.26' to the West line of Gov. Lot 9, said Section 23, run thence South 89 degrees 32' 30" W 668.60' to the East right of way line of State Road #19A for POB; run thence North along said right of way line 107'; run thence East 300', run thence South 107' to a point North 89 degrees 32' 30" E of POB, run thence South 89 degrees 32' 30" to POB.

AND, after giving notice of hearing on petition for site plan approval (including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 14th day of December, 1982), and

WHEREAS, the Lake County Board of County Commissioners reviewed said petition, the recommendation of the Lake County Planning and Zoning Commission, and any comments, favorable or unfavorable from the Public and surrounding property owners at a Public Hearing duly advertised, and

WHEREAS, upon review, certain conditions pertaining to the development of the above described property have been duly approved, and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida, that the Zoning Rules and Regulations of Lake County be altered and amended as they pertain to the above described tract of land subject to the following conditions:

1. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure or alter the land in any manner within the boundaries of the above described land, without first submitting the necessary plans in accordance

## Attachment "E" - Ordinance #44-82 (Page 2 of 3)

with Section 70.31 of the Zoning Ordinance of Lake County, and obtaining approval from the Director of Planning upon obtaining the permits required from the other appropriate Governmental Agencies.

2. This rezoning shall inure to the benefit of and shall constitute a covenant running with the land and the terms, conditions and provisions hereof shall be binding upon the present owner and any successor shall be subject to each and every condition herein set out.
3. The approval is for the following land use only:
  - a) The above parcel of land is hereby designated a planned commercial district with the land use designated as a retail motorcycle sales, display and repair shop.
  - b) Ordinance 20-75 previously controlling the land use is hereby null and void.
4. There shall be no change in the front setback. The North side setback shall be 20 feet if a 10 foot easement is obtained and recorded from the North property owner or 22 feet if no easement is obtained. There shall be no change in the South side setback.
7. Prior to the further development of the property for the proposed use, the "permittee" shall submit a site development plan to the Planning and Zoning Coordinator for approval.
8. Offstreet parking shall be provided as specified in the Lake Zoning Ordinance for the specified use.
9. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the same premises where such light sources are located.
10. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
11. After the completion of the proposed facilities as provided herein, the subject property shall not be used for any other

# Attachment "E" - Ordinance #44-82 (Page 3 of 3)

purpose unless specifically authorized by the Planning and Zoning Commission, unless the proposed use meets every requirement of the CP (Planned Commercial) zone existing on the property.

- 12. The transfer of ownership or lease of any or all the property described in Ordinance #44-82 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the Planned Commercial District established by Ordinance #44-82 and agrees to be bound by these conditions. The purchaser or lessee may request change from existing plans and conditions by following procedures contained in Section 691, Paragraph 691.13, Lake County Zoning Regulations, as amended.

DONE AND RESOLVED by the Lake County Board of County Commissioners on the 14th day of December, 1982, A.D.

STATE OF FLORIDA )

COUNTY OF LAKE )

*James R. Carson, Jr.*  
 JAMES R. CARSON, JR., "CHAIRMAN"  
 Board of County Commissioners

I HEREBY CERTIFY that the above and foregoing is a true copy of an Ordinance adopted by the Board of County Commissioners in regular session on December 14, 1982 as the same appears on record of County Commissioners Minute Book 31 page 664-670

WITNESS my hand and official seal this 4<sup>TH</sup> day of January 1983

James C. Watkins  
 Clerk of the Circuit Court  
 and Ex-Official Clerk of the  
 Board of County Commissioners  
 Lake County, Florida

BY: *James C. Watkins*  
 Clerk

# Attachment "F" - Ordinance #30-85 (Page 1 of 4)

ORDINANCE #30-85

FILE  
JUL 16 12 18 PM '85  
JAMES W. KIBBLE  
LAKE COUNTY, FLORIDA

WHEREAS, the Lake County Planning and Zoning Commission did, on the 26th day of June, 1985, review certain applications for changes and revisions of the Zoning of certain areas in Lake County, Florida, and after giving Notice of Hearing on applications for changes of zoning classification including a notice that said applications would be presented to the Board of County Commissioners of Lake County, Florida, on the 9th of July, 1985, and

WHEREAS, the Lake County Planning and Zoning Commission did make recommendations on the changes as requested in the particular applications hereinafter set forth subject to the approval of the Board of County Commissioners, Lake County, Florida, and

WHEREAS, the Board of County Commissioners reviewed said applications, the recommendations of the Lake County Planning and Zoning Commission, and any comments, favorable or unfavorable from the Public and surrounding property owners at a Public Hearing duly advertised, and

# Attachment "F" - Ordinance #30-85 (Page 2 of 4)

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida, that the Zoning Rules and Regulations of Lake County, Florida, be altered and amended as they pertain to the following described tracts of land in Lake County, Florida, to the classification designated after each description and the zoning being altered and changed as follows:

✓ PUBLIC HEARING NUMBER: #66-85-2

LEGAL DESCRIPTION: N 1/2 of SW 1/4 of NW 1/4 of SE 1/4 of Sec. 29, Twp. 20S, Rge. 25E.

CHANGE IN ZONING CLASSIFICATION: Rezoning from A (Agriculture) to RR (Rural Residential).

✓ PUBLIC HEARING NUMBER: #76-85-4

LEGAL DESCRIPTION: From the SE cor of W 1/4 of SE 1/4 of SW 1/4 of Sec. 36, Twp. 19S, Rge. 27E run N 00 deg. 14' 30" W along the E line of said W 1/4 of SE 1/4 of SW 1/4 a distance of 1297.73 ft. to a point 25 ft. S of the centerline of the paving of Oak Lane extended W'ly, thence run S 89 deg. 52' 45" E 313.13 along a line 25 ft. S of a parallel with the W'ly extension of the centerline of the paving of Oak Lane for the POB of this description: Cont. thence S 89 deg. 52' 45" E 313.13 ft. along a line 25 ft. S of and parallel with the centerline of the paving of Oak Lane, thence run S 00 deg. 22' 50" W 1286.64 ft. to the S line of the aforementioned SE 1/4 of the SW 1/4 thence run S 89 deg. 04' 00" W 309.08 ft. along the S boundary of the said SE 1/4 of the SW 1/4 to a point which bears N 89 deg. 04' 00" E 309.08 ft. from the SE cor of the W 1/4 of the SE 1/4 of SW 1/4 of aforementioned Sec. 36, thence run N 00 deg. 04' 10" E 1292.19 ft. to the POB, Lake County, Florida, LESS any portion thereof lying within 20 ft. of the N line of the SE 1/4 of the SW 1/4 of said Sec.

CHANGE IN ZONING CLASSIFICATION: Rezoning from RM (Mobile Home Residential) to A (Agriculture).

# Attachment "F" - Ordinance #30-85 (Page 3 of 4)

AK # 1240573

PUBLIC HEARING NUMBER: #89-85-5

LEGAL DESCRIPTION: From NE cor Govt. Lot 3, run W 947 ft., S 217.8 ft., W 370.26 ft. for POB, run S 200 ft., W to S.R. 19, N along r/w 199 ft. E to POB. Sec. 23, Twp. 19, Rge. 26E.

CHANGE IN ZONING CLASSIFICATION: Rezoning from C-1 (Rural or Tourist Commercial) to C-2 (Community Commercial).

PUBLIC HEARING NUMBER: #80-85-5

LEGAL DESCRIPTION: W 396 ft. of N 1/2 of NW 1/4 of SE 1/4, less S 230 ft. of W 230 ft. and S 230 ft. of W 230 ft. of W 396 ft. of N 1/2 of NW 1/4 of SE 1/4 in Sec. 32, Twp. 18S, Rge. 26E.

CHANGE IN ZONING CLASSIFICATION: Rezoning from R-1-7 (Urban Residential) to RR (Rural Residential).

PUBLIC HEARING NUMBER: #81-85-2

LEGAL DESCRIPTION: Groveland Farms, Beg at NW cor of Tract 2, run S 593.48 ft., E 204 ft., S 33 deg. 1 1/2' W to S line of Tract 2, E to SE cor of Tract 2, N 660 ft., W 660 ft. to POB, Sec. 30, Twp. 22, Rge. 25.

CHANGE IN ZONING CLASSIFICATION: Rezoning from A (Agriculture) to RP (Multiple-Family Residential-Professional).

PUBLIC HEARING NUMBER: #90-85-3

LEGAL DESCRIPTION: N 1/2 of SE 1/4 of SW 1/4 & E 3/4 of S 1/2 of SE 1/4 of SW 1/4 of Sec. 15, Twp. 23S, Rge. 25E.

CHANGE IN ZONING CLASSIFICATION: Rezoning from A (Agriculture) to RR (Rural Residential).

PUBLIC HEARING NUMBER: #78-85-3

LEGAL DESCRIPTION: Postal Colony, Sec. 27, Twp. 23, Rge. 25, S 300 ft. of Tract 19 W of Hwy., S 65 ft. of N 360 ft. of Tract 19 W of Hwy., S 300 ft. of Tract 20, S 65 ft. of N 360 ft. of Tract 20.

CHANGE IN ZONING CLASSIFICATION: Rezoning from A (Agriculture) to AR (Agricultural Residential).

# Attachment "F" - Ordinance #30-85 (Page 4 of 4)

PUBLIC HEARING NUMBER: #92-85-1

LEGAL DESCRIPTION: Lots 12 & 13, Block 33, Silver Lake Estates in Sec. 16, Twp. 19, Rge. 25.

CHANGE IN ZONING CLASSIFICATION: Rezoning from RR (Rural Residential) to RP (Multiple-Family Residential-Professional).

DONE AND RESOLVED by the Lake County Board of County Commissioners on the 9th day of July, 1985, A.D.

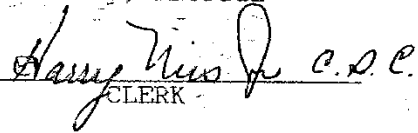
STATE OF FLORIDA )

COUNTY OF LAKE )

  
GLENN C. BURHANS, CHAIRMAN  
Board of County Commissioners

I HEREBY CERTIFY that the above and foregoing is a true copy of and Ordinance adopted by the Board of County Commissioners in regular session on July 9, 1985 as the same appears on record of County Commissioners Minute Book 33 Pages 814-821

JAMES C. WATKINS  
Clerk of the Circuit Court  
and Ex-Official Clerk of the  
Board of County Commissioners  
Lake County, Florida

BY:   
CLERK

# Attachment "G" - Ordinance #22-88 (Page 1 of 4)

## Ordinance #22-88

FILED  
 APR 27 3 21 PM '88  
 BOARD OF COUNTY COMMISSIONERS  
 LAKE COUNTY, FLORIDA

WHEREAS, the Lake County Planning and Zoning Commission, on the 30th day of March, 1988, review petition #20-88-4, approve the preliminary site plan to amend CP ORD #44-82 for an antique auction and retail sales store on property generally located in the Mt. Dora area - Property lying E of SR 19A directly S of Lake Saunders Dr. (DR4-4760) intersection with SR 19A. The property is more particularly described as:

LEGAL DESCRIPTION: That part of Gov't Lot 8, Sec. 23, Twp. 19S, Rge. 26E, bounded and described as follows: From the NE corner of Gov't Lot 3, said Sec. 23, run S 89 deg. 35' W along the N line of said Gov't Lot 3 a distance of 944.22 ft., thence run S 0 deg. 27' 30" E 217.8 ft. run thence S 89 deg. 35' W 370.26 ft. to the W line of Gov't Lot 9, said Sec. 23, run thence S 89 deg. 32' 30" W 668.60 ft. to the E r/w line of SR #19A for P.O.B.; run thence N along said r/w line 107 ft.; run thence E 300 ft., run thence S 107 ft. to a point N 89 deg. 32' 30" E of P.O.B., run thence S 89 deg. 32' 30" to P.O.B. and From NE corner of Gov't Lot 3, W 947 ft. S 217.8 ft. W 370.26 ft. for P.O.B. S 200 ft. W to Hwy. r/w, N along r/w 309 ft. E 291 ft. S 109 ft. E to P.O.B. of Sec. 23, Twp. 19S, Rge. 26E.

AND, after giving Notice of Hearing on petition for site plan approval, including a notice that said petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 12th day of April, and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Commission, and any comments, favorable or unfavorable from the Public and surrounding property owners at a Public Hearing duly advertised, and



## Attachment "G" - Ordinance #22-88 (Page 2 of 4)

WHEREAS, upon review, certain terms and conditions pertaining to the development of the above described property have been duly approved, and

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida, that the Zoning Rules and Regulations of Lake County, Florida, be altered and amended as they pertain to the above tract of land subject to the following terms and conditions:

1. Terms: The CP (Planned Commercial) facility shall mean and include the total of the following:

- A. Land Uses

Use of the site shall be limited to a retail sales store and antique auction. Other accessory uses normally associated with the facility may be permitted with the approval of the Director of Development Coordination. No other commercial use shall be permitted unless this CP is amended by the Board of County Commissioners.

- B. Operation

1. The operation shall comply with all regulations contained in the Lake County Code.
2. All outdoor lighting shall be so shaded and adjusted that the light therefrom is directed to fall only on the subject site.
3. All loudspeakers shall be set at a volume so that it is not a nuisance to abutting property owners.
4. Auction hours shall be from 1 to 6 p.m., Sunday only, and are only to be held once a month.

- C. Permitting

Prior to the issuance of permits, the applicant shall have a final site plan approved by the Lake County Site Plan Advisory Committee. The site plan shall meet all submittal requirements and all provisions of the Lake County Code.

## Attachment "G" - Ordinance #22-88 (Page 3 of 4)

2. Conditions altered and amended which pertain to the above tract of land shall mean:
  - A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this ordinance. Any other proposed use must be specifically authorized by the Planning and Zoning Commission and the Board of County Commissioners.
  - B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner within the boundaries of the above described land without first submitting the necessary plans in accordance with Section 70.31 of the Zoning Ordinance of Lake County, and obtaining approval from the Director of Development Coordination upon obtaining the permits required from the other appropriate governmental agencies.
  - C. This amendment shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the present owner and any successor, and shall be subject to each and every condition herein set out.
  - D. Construction and operation of the proposed use shall at all times comply with the regulations of this and other governmental agencies.
  - E. The transfer of ownership or lease of any or all of the property described in Ordinance #22-88 shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions pertaining to the CP (Planned Commercial) established by Ordinance #22-88, and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in Section 691, Paragraph 691.13, Lake County Zoning Regulations, as amended.

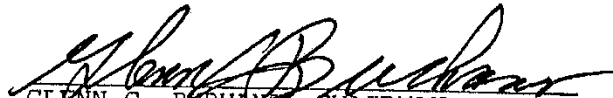
# Attachment "G" - Ordinance #22-88 (Page 4 of 4)

DONE AND RESOLVED by the Lake County Board of County Commissioners on  
the 12th day of April, 1988, A.D.

STATE OF FLORIDA )

:

COUNTY OF LAKE )

  
GLENN C. BURHANS, CHAIRMAN  
BOARD OF COUNTY COMMISSIONERS

I HEREBY CERTIFY that the above and foregoing is a true copy of an  
Ordinance adopted by the Board of County Commissioners in regular  
session on APRIL 12, 1988 as the same appears on record of  
County Commissioners Minute Book 36 Page 150.

JAMES C. WATKINS  
Clerk of the Circuit Court  
and Ex-Official Clerk of the  
Board of County Commissioners  
Lake County, Florida

BY:   
CLERK

# Attachment “H” - Narrative of the Project (Page 1 of 1)

## Project Narrative

### Lake Cares, Inc.

Lake Cares, Inc. is an independent food pantry with a mission to “Feed the Body, Educate the Mind and Lift the Spirit of All Individuals” and has served the citizens of Lake County for over thirteen (13) years. They provide food, resources and other necessary services directly to the people who need assistance in Lake County. In 2021 they served 55,563 individuals, with approximately 65% being senior and disabled clients. They also distributed over 25,000 pounds of food each week in 2021.

Through local donations, Lake Cares, Inc. recently purchased a three (3) acre parcel of land, Parcel Number 23-19-26-0003-000-07600, located off of Highway 19A in Mount Dora. The purpose of this site is to expand the operations and allow for onsite warehousing and storage of the food, goods, and services being provided.

The proposed revisions to the existing conditional use ordinance, Ordinance No. 22-88, are in compliance with all requirements, and is consistent with the general purpose, goals, objectives, and standards of the Comprehensive Plan, the Lake County Code, and all additional standards imposed by the particular provisions of these regulations authorizing such use.

The existing development along Highway 19A consists of various commercial uses including professional office, furniture sales, medical offices, retail sales, office/warehouse and many others. The proposed food pantry and related accessory uses will be consistent with the surrounding uses. The site has been laid out to maximize the use of the site while meeting or exceeding the minimum development standards and providing a landscape buffer around the site to buffer the adjacent uses.

Access to the site will be from a single driveway off of Highway 19A as shown on the preliminary Site Plan. The proposed development will be serviced with central water and sewer provided by the City of Mount Dora. All other development standards, including, but not limited to, drainage, solid waste, fire and emergency services will meet or exceed the minimum standards.

# Attachment "I" - City of Mount Dora Response Letter



**CITY OF  
MOUNT  
DORA**

PLANNING AND DEVELOPMENT

City Hall  
510 N. Baker St.  
Mount Dora, FL 32757

Office of the City Manager  
352-735-7126  
Fax: 352-735-4801

Finance Department  
352-735-7118  
Fax: 352-735-1406

Human Resources  
352-735-7106  
Fax: 352-735-9457

Planning and Development  
352-735-7112  
Fax: 352-735-7191

City Hall Annex  
900 N. Donnelly St.  
Mount Dora, FL 32757

Parks and Recreation  
352-735-7183  
Fax: 352-735-3681

Public Safety Complex  
1300 N. Donnelly St.  
Mount Dora, FL 32757

Police Department  
352-735-7130  
Fax: 352-383-4623

Fire Department  
352-735-7140  
Fax: 352-383-0881

Public Works Complex  
1250 N. Highland St.  
Mount Dora, FL 32757  
352-735-7151  
Alt. Tel: 352-735-7105  
Fax: 352-735-1539  
Alt. Fax: 352-735-2892

W. T. Bland Public Library  
1995 N. Donnelly St.  
Mount Dora, FL 32757  
352-735-7180  
Fax: 352-735-0074

Website:  
[www.cityofmountdora.com](http://www.cityofmountdora.com)

December 8, 2021

[mary@stoneandgerken.com](mailto:mary@stoneandgerken.com)

Scott A Gerken, Esq.  
4850 N. Highway 19A  
Mount Dora, FL 32757

**RE:** Application for Rezoning – Lake Cares, Inc  
Alternate Key No. 1240573

Dear Mr. Gerken:

The City of Mount Dora is in receipt of the above-referenced zoning confirmation letter for property located on 4500 N Highway 19A (Alternate Kay No. 1240573). Please be advised of the following review comments from the City:

- A Covenant to Annex and Utility Agreement(s) shall be required prior to agreeing to provide utility services outlining, among other items, timing of utilities for connection to the City's central systems, and specific uses of the site.
- Pursuant to the City/County JPA agreement, development plans will require site plan/plat reviews by the City pursuant to the City's normal plan review process meeting the requirements of the City's Land Development Code. A full set of drawings will be required.

If you have any comments or questions, please do not hesitate to contact my office at 352-735-7112.

Sincerely,

Shelby Eldridge  
Planner II

cc: Vince Sandersfeld, Mount Dora Planning Director  
Marellys Moreno, Lake County Office of Planning and Zoning  
Tim McClendon, Lake County Director of the Office of Planning and Zoning

Enclosure(s): Covenant to Annex

# Attachment "J" - Utility Notification Form



## Office of Planning and Zoning

### Utility Notification

In an effort to assure governmental cooperation and assistance in the use of approved utility facilities, Lake County shall, per Land Development Regulations, Section 6.12.00, require connection to those facilities upon development, within 1,000 feet of an approved central sewage system and/or within 300 feet of an approved central water system.

The owner of the following property has either a pending public hearing, commercial project under review or is in the process of obtaining a permit. It is understood that a one-day turn around for this information is required so that delays for issuance will be minimized.

Please acknowledge the availability to serve the following property with central utility systems.

**The applicant is proposing the following:**

Single-Family Dwelling \_\_\_\_\_ Multi-Family Units \_\_\_\_\_ Duplex \_\_\_\_\_ Commercial \_\_\_\_\_

Administrative Lot Split \_\_\_\_\_ Commercial Project X Rezoning X

**Legal description:** Section 23 Township 19 Range 26 Alt Key # 124 05 73

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Additional Legal attached \_\_\_\_\_

Hook up to Central Sewage IS within 1,000 feet of the above described property.

(is or is not)  
Hook up to Central Water IS within 300 feet of the above described property.  
(is or is not)

The City of West Dea, will provide immediate hook up to this property for:

Central Sewage: Yes X No \_\_\_\_\_ Central Water: Yes X No \_\_\_\_\_

Will the connection to the central sewage system be via a \_\_\_\_\_ gravity line or a X force main/pump?

**Wellfield Protection:**

To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area.

This property is \_\_\_\_\_ or is not X within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

City Official or Private Provider Signature C. D. Lawrence

Print Name, Title and Entity: Christopher D. Lawrence Date 5/13/22

**Please return this completed form to the Office of Planning & Zoning via facsimile to (352) 343-9767, or email it to [zoning@lakecountyfl.gov](mailto:zoning@lakecountyfl.gov).**

To be completed by County staff:	Staff Name: <u>Marelys Moreno</u>
Date Received: <u>5/16/2022</u>	Address #: <u>66184</u> Project Name: <u>Lake Cares INC</u>

# Aerial of Subject Property



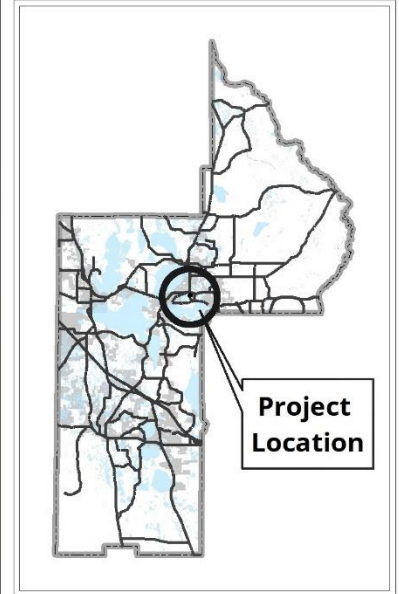
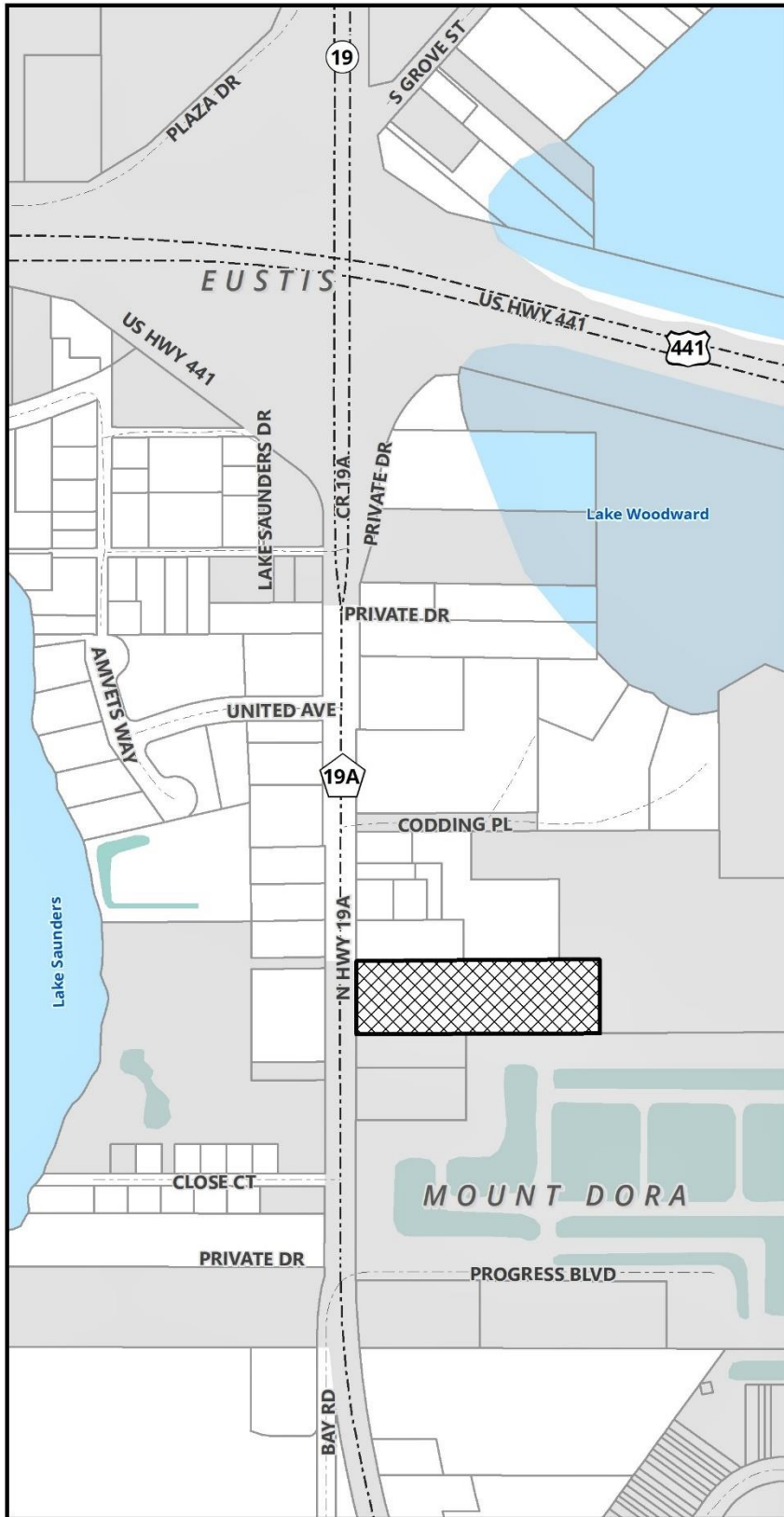
RZ-21-42-4  
Lake Cares Property



Planned Commercial (CP)  
Amendment  
(Ord 1988-22)



# Map of Subject Property







1 County, Florida, that:

2 **Section 1. Terms.** The County Manager or designee shall amend the Lake County Zoning Map to  
3 Planned Commercial (CP) in accordance with this Ordinance. All uses specified must be  
4 generally consistent with the Conceptual Plan as shown in Exhibit “B” of this Ordinance.  
5 To the extent there are conflicts between the Conceptual Plan and this Ordinance, the  
6 Ordinance will take precedence. Ordinances #44-82, #30-85, and #22-88, and all  
7 previously approved ordinances will be superseded and replaced upon the adoption of  
8 this new ordinance.

9 **A. Land Uses.**

- 10 1. Food pantry storage warehouse.  
11 2. Accessory Uses directly associated with the above uses may be approved by the  
12 County Manager or designee.  
13 3. Any other use of the site not specified above shall require approval of an  
14 amendment to this Ordinance by the Board of County Commissioners.

15 **B. Building Height, Floor Area Ratio, Impervious Surface Ratio, and Open Space.**  
16 Impervious Surface Ratio, Floor Area Ratio, Open Space, and Building Height shall  
17 be in accordance with the Comprehensive Plan and LDR, as amended.

18 **C. Commercial Design Standards.** Commercial design standards shall adhere and  
19 apply commercial design standards consistent with the LDR, as amended.

20 **D. Concurrency Management Requirements.** Any development shall comply with the  
21 Lake County Concurrency Management System, as amended.

22 **E. Environmental Requirements.**

- 23 1. An Environmental Assessment dated within six (6) months of the development  
24 application submittal date will be required to demonstrate the presence of  
25 vegetation, soils, threatened and endangered species that may exist on the site.  
26 Any State permitting or mitigation will be required before development can  
27 commence compliance in accordance with the Comprehensive Plan and LDR, as  
28 amended.  
29 2. Environmental resources shall be protected in accordance with the  
30 Comprehensive Plan and LDR, as amended.

31 **F. Fire Protection.** Fire Protection shall be in accordance with all applicable federal,  
32 state, and local codes and/or regulations, as amended.

33 **G. Landscaping, Buffering, and Screening.** All new development must provide  
34 landscaping in accordance with the LDR, as amended.

35 **H. Lighting.** Exterior lighting must be in accordance with the LDR, as amended, and  
36 consistent with Dark-Sky Principles. All outdoor lighting shall be so shaded and  
37 adjusted that the light therefrom is directed to fall only on the subject site.

38 **I. Noise.** Noise Compliance must be in accordance with the LDR, as amended.

1           **J. Parking Requirements.** Parking shall be provided in accordance with the LDR, as  
2           amended.

3           **K. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.

4           **L. Signage.** All signage shall be accordance with the Comprehensive Plan and LDR,  
5           as amended.

6           **M. Stormwater and Floodplain Management.** The stormwater management system  
7           shall be designed in accordance with all applicable Lake County and St. Johns River  
8           Water Management District (SJRWMD) requirements, as amended.

9           **N. Transportation.**

10           1. All access management shall be in accordance with the Comprehensive Plan and  
11           Land Development Regulations, as amended.

12           2. Sidewalks will be required per Land Development Regulations Commercial  
13           Design Standards, as amended.

14           **O. Utilities.** The development shall be serviced by central water and central sewer.

15   **Section 2. Conditions.**

16           A. After establishment of the facilities as provided herein, the property shall only be used  
17           for the purposes named in this ordinance. Any other proposed use must be  
18           specifically authorized by the Board of County Commissioners.

19           B. No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,  
20           improve, move, convert, or demolish any building structure, or alter the land in any  
21           manner within the boundaries of the above-described land without first obtaining the  
22           necessary approvals, including site plan approval, in accordance with the Lake  
23           County Code, as amended, and obtaining the permits required from the other  
24           appropriate governmental agencies.

25           C. This Ordinance will inure to the benefit of and will constitute a covenant running with  
26           the land and the terms, conditions, and provisions of this Ordinance, and will be  
27           binding upon the present Owner and any successor and will be subject to each  
28           condition in this Ordinance.

29           D. Construction and operation of the proposed use shall always comply with the  
30           regulations of this and other governmental permitting agencies.

31           E. The transfer of ownership or lease of any or all the property described in this  
32           Ordinance must include in the transfer or lease agreement, a provision that the  
33           purchaser or lessee is made aware of the conditions established by this Ordinance  
34           and agrees to be bound by these conditions. The purchaser or lessee may request a  
35           change from the existing plans and conditions by following procedures contained in  
36           the LDR, as amended.

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

4 **Section 3. Development Review and Approval.** Prior to the issuance of permits, the Owner shall  
5 be required to submit a development application for any future expansion generally  
6 consistent with Exhibit "B" - Conceptual Plan, attached, for review and approval in  
7 accordance with the Comprehensive Plan and LDR, as amended.

8 **Section 4. Severability:** If any section, sentence, clause, or phrase of this Ordinance is held to be  
9 invalid or unconstitutional by any court of competent jurisdiction, the holding will in no  
10 way affect the validity of the remaining portions of this Ordinance.

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

1 **Section 6. Effective Date.** This Ordinance will become effective as provided by law.

2

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

4

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

6

7 **EFFECTIVE** \_\_\_\_\_, **2022.**

8

9

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

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

15

16

17

18 **ATTEST:**

19

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

25

26

27

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

29

30

31

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

32

1     **EXHIBIT “A” – LEGAL DESCRIPTION**

2     Begin 660 feet West of the Northeast corner of Government Lot 3, in Section 23, Township 19 South,  
3     Range 26 East; run thence West 287 feet; thence South 217.8 feet; thence run West 1307 feet more  
4     or less to the right of way of the State Highway; run thence South along the Eastern boundary of said  
5     State Highway 200 feet; thence run East 1594 feet to a point 417.8 feet South of the Point of  
6     Beginning; run thence North 417.8 feet to the Point of Beginning.

7     **LESS AND EXCEPT:**

8     That part of Government Lot 3 and 9 in Section 23, Township 19 South, Range 26 East, Lake County,  
9     Florida, bounded and described as follows:

10    From the Northeast corner of said Government Lot 3, run South 89 degrees 35 minutes West, along  
11    the North line of said Government Lot 3 a distance of 657.22 feet to Point of Beginning; run thence  
12    South 89 degrees 35 minutes West along the North line of said Government Lot 3 a distance of 287  
13    feet; thence South 00 degrees 27 minutes 30 seconds East, 217.8 feet; thence South granter  
14    warrants that at the time of this conveyance, the subject property is not the grantor's homestead  
15    within the meaning set Forth in the constitution of the State of Florida, nor is it contiguous to or a part  
16    of homestead property. Grantor's residence and homestead address is: 89 degrees 35 minutes West  
17    parallel to the North line of said Government Lot 3 a distance of 370.26 feet to the West line of said  
18    Government Lot 9; thence South 00 degrees 37 minutes 30 seconds East along the West line of said  
19    Government Lot 9 a distance of 200 feet; thence North 89 degrees 35 minutes East parallel to the  
20    North line of said Government Lot 3 a distance of 656.68 feet; thence North 00 degrees 27 minutes  
21    30 seconds West to Point of Beginning.

