



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): September 7, 2022
Board of County Commissioners (BCC): October 4, 2022

Case No. and Project Name: RZ-21-43-4, Pandolph Property PUD Amendment

Applicant: Allison McGillis, AICP, Poulos & Bennett LLC

Owner: George & Lynda Pandolph

Requested Action: Amend PUD Ordinance #2019-43 to increase the allowable density to 2.96 dwelling units per net acre, increase the number of single-family residences from 7 dwellings to 75 dwellings, remove equestrian uses as a permitted land use, revise the building setbacks and maximum height, and include a new conceptual plan.

Staff Determination: Staff finds the rezoning amendment to be consistent with the LDR and Comprehensive Plan.

Case Manager: Emily W. Johnson, Chief Planner

PZB Recommendation:

Subject Property Information

Size: 25.36 +/- acres

Location: East of US Highway 441 and south of Robie Avenue, in the unincorporated Mount Dora area.

Alternate Key No.: 2601175, 2832088, 3266391, and 3330986

Current Future Land Use: Urban Low Density

Current Zoning District: Planned Unit Development (PUD) [Ordinance #2019-43]

Proposed Zoning District: Planned Unit Development (PUD)

Flood Zone: "A" and "X"

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

Overlay Districts: Wekiva Study Area

Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Urban Low Density	Community Facility District (CFD)	Community Facility	Adult Care Living Facility adjacent to Robie Avenue
South	Orange County	Orange County	Orange County	Orange County
East	Regional Office	Agriculture (A)	Residential	Single-Family Residences
West	Urban Low Density	Agriculture (A)	Residential	Single-Family Residences

Staff Analysis

The subject properties (identified by Alternate Key Numbers 2601175, 2832088, 3266391, and 3330986) contain approximately 25.36 +/- acres and are located east of US Highway 441 and adjacent to Robie Avenue, in the unincorporated Mount Dora area. The subject properties are currently zoned Planned Unit Development (PUD) in accordance with PUD Ordinance #2019-43 and are part of the Urban Low Density Future Land Use Category.

On December 6, 2021, the Applicant applied to amend the existing PUD Ordinance to increase the number of allowed single-family dwelling units from 7 to 91 dwelling units, with a maximum density of 3.59 dwelling units per net acre; the originally proposed Concept Plan is included as Attachment “C”. After staff identified that the subject properties are located within the Wekiva Study Area, the Applicant revised their plans to cluster the development, consistent with the requirements of Comprehensive Plan Policies I-3.4.2 and I-3.4.5. The newly proposed Concept Plan (Attachment “D”) increases the proposed perimeter buffers from 15-feet to 90-feet to cluster development away from surrounding rural residential parcels; includes intermediate open space to provide breaks between lots; and reduces the total number of lots from the originally proposed 91 to 75.

The Applicant is seeking to amend the existing PUD Ordinance to increase the number of single-family dwelling units from 7 to 75, increase the allowed density to 2.96 dwelling units per net acre, remove equestrian uses as a permitted land use, revise the building setbacks and maximum height, and include a new Concept Plan (Attachment “D”).

Table 1. Existing and Proposed Development Standards.						
	Zoning District	Density	Maximum Dwelling Units	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Planned Unit Development (PUD)	1 dwelling unit per 3.62 net acres	7	0.60	25%	40 Feet
Proposed	Planned Unit Development (PUD)	2.96 dwelling units per 1 net acre	75	0.60	42%	35 Feet

The subject property is located within the Mount Dora Joint Planning Area (JPA) and the application was provided to the City of Mount Dora for comments. The City of Mount Dora provided comments (Attachment “E”) stating that a covenant to annex will be required with the utility connection, and that future development applications will be reviewed by the City to ensure consistency with their standards.

Standards for Review (LDR Section 14.03.03)

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

The application is consistent with the purpose and intent of the PUD zoning district allowed by LDR Section 4.03.00. The LDR specifies that PUDs are allowed in all land use classifications, and that PUD zoning is intended to allow a diversification of uses, structures, and open space in a manner compatible with both existing and proposed surrounding uses.

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

The proposed rezoning is consistent with all elements of the Comprehensive Plan. Comprehensive Plan Policy I-1.3.2, Urban Low Density Future Land Use Category (FLUC), allows residential development at a maximum density of four (4) dwelling units per net acre. The Applicant is proposing to develop the property with a residential subdivision at a density of 2.96 dwelling units per net acre, consistent with the Urban Low Density FLUC.

The request is consistent with Comprehensive Plan Policy I-7.8.1, Requirements for Planned Unit Developments, which

states that density shall not exceed the underlying Future Land Use Category and that a PUD shall be accompanied by a conceptual plan.

The request is consistent with Objective I-3.4, Wekiva Study Area. Pursuant to Comprehensive Plan Policies I-3.4.2 and I-3.4.5, new development within the Wekiva Study Area shall be clustered. The Applicant revised their original plan and reduced the number of proposed lots from 91 to 75 in order to provide 90-foot perimeter buffers and to cluster development away from surrounding rural residential parcels.

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

The subject property is located within an area designated as the 'Wolf Branch Innovation District' which is an area of unincorporated Lake County intended to be developed as a mixed-use employment center in conjunction with the completion of the Wekiva Parkway Extension. The Wolf Branch Innovation District Implementation Plan, adopted by the BCC on October 22, 2019, although not yet incorporated into the Comprehensive Plan, identifies the subject properties for a single-family land use of up to 4.0 dwelling units per acre. The application is consistent with the Wolf Branch Innovation District Implementation Plan recommendations (Attachment "F").

The Sullivan Ranch subdivision is a proximate subdivision comprised of approximately 297 gross acres and containing 692 single-family residential lots (approximate gross density of 2.32 dwelling units per acre). On September 7, 2021, the BCC approved Ordinance #2021-31 for the development program of Mt. Ines PUD (a/k/a Hills at Mt. Dora) which is located on the opposite side of Robie Avenue and is currently under the preliminary plat stage; the approved development plan contains 80 dwelling units at a density of 4.00 dwelling units per net acre.

The Applicant provided the following statement regarding the compatibility with existing land uses: *"This application is for a PUD Amendment, a rezoning is not being requested. The intention of the PUD Amendment is to provide housing consistent with the growing demand, and to allow flexibility in design necessary to create a neighborhood that is harmonious with the existing community. Furthermore, with the residential PUDs further to the east (approximately 600 feet) and northwest (across Robie Avenue), the Pandolph Property PUD Amendment is a compatible development to those existing and future developments."*

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

The Applicant seeks to develop the property with an increased number of single-family dwelling units, closer to the maximum number allowed by the FLUC than was previously approved. The subject properties are located within an area designated as the 'Wolf Branch Innovation District' which is an area of unincorporated Lake County intended to be developed as a mixed-use employment center in conjunction with the completion of the Wekiva Parkway Extension. The Wolf Branch Innovation District Implementation Plan, adopted by the BCC on October 22, 2019, identified the subject properties for a single-family land use of up to 4.0 dwelling units per acre. The application is consistent with the Wolf Branch Innovation District Implementation Plan recommendations (Attachment "F").

Additionally, the Applicant provided the following justification for the proposed residential density: *"This application is for a PUD Amendment, a rezoning is not being requested. However, between 2010 and July of 2019, the U.S. Census Bureau approximates the population of Lake County grew by 23.6 percent. This is 9.4 percent higher than the state-wide average, and 17.3 percent higher than the national average. The growing population of Lake County is driving market demand for a variety of single-family homes. This PUD will facilitate the organized development of 25.36 acres of predominantly undeveloped property into an asset for the County, increase the County's tax base, and help to meet the demand for homes for current and future Lake County residents. The Wolf Branch Innovation District (WBID) recommends this property to be developed with a maximum of 4 du/acre, as this PUD Amendment is proposing, and is consistent with and below, the maximum residential density allowed under the existing FLU. This PUD also achieves the WBID's objectives of providing lower density/intensity and compatible land uses to the surrounding area to better accommodate the growth in the area."*

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.

Any future development of this property will require an analysis via submittal of a development application to demonstrate that the proposed development does not adversely impact the County's adopted levels of service to public facilities and services.

Water and Sewage

The City of Mount Dora has indicated that public water and public sewer are available to the subject property (Attachment "D"). The Urban Low Density Future Land Use Category requires all development to connect to a potable water service and regional wastewater provider.

Schools

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

Parks

The proposed rezoning 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

The closest Lake County Fire Rescue Station (LCFR Station #27) is located 4.16 miles from the subject property.

Transportation Concurrency

Public Works reviewed the application and noted that the standard Level of Service (LOS) for the impacted roadway of US Highway 441 is "D" with capacity of 2100 trips in the peak direction. Currently, the impacted segment from Robie Avenue to State Road 46 is operating at "C" eighty-five (85) percent. This project will be generating approximately eighty-six (86) pm peak hour trips, in which fifty-four (54) trips will impact the peak hour direction. The applicant will be required to complete a Tier 1 traffic impact study prior to preliminary plat approval.

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

Any sensitive resources will be addressed through the development review process. New development will be required to meet all criteria contained within the Comprehensive Plan and LDR, as amended.

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

The Applicant provided the following statement regarding the effect on area property values: *"In general, the construction of new homes in a neighborhood increases the property values in the area."*

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

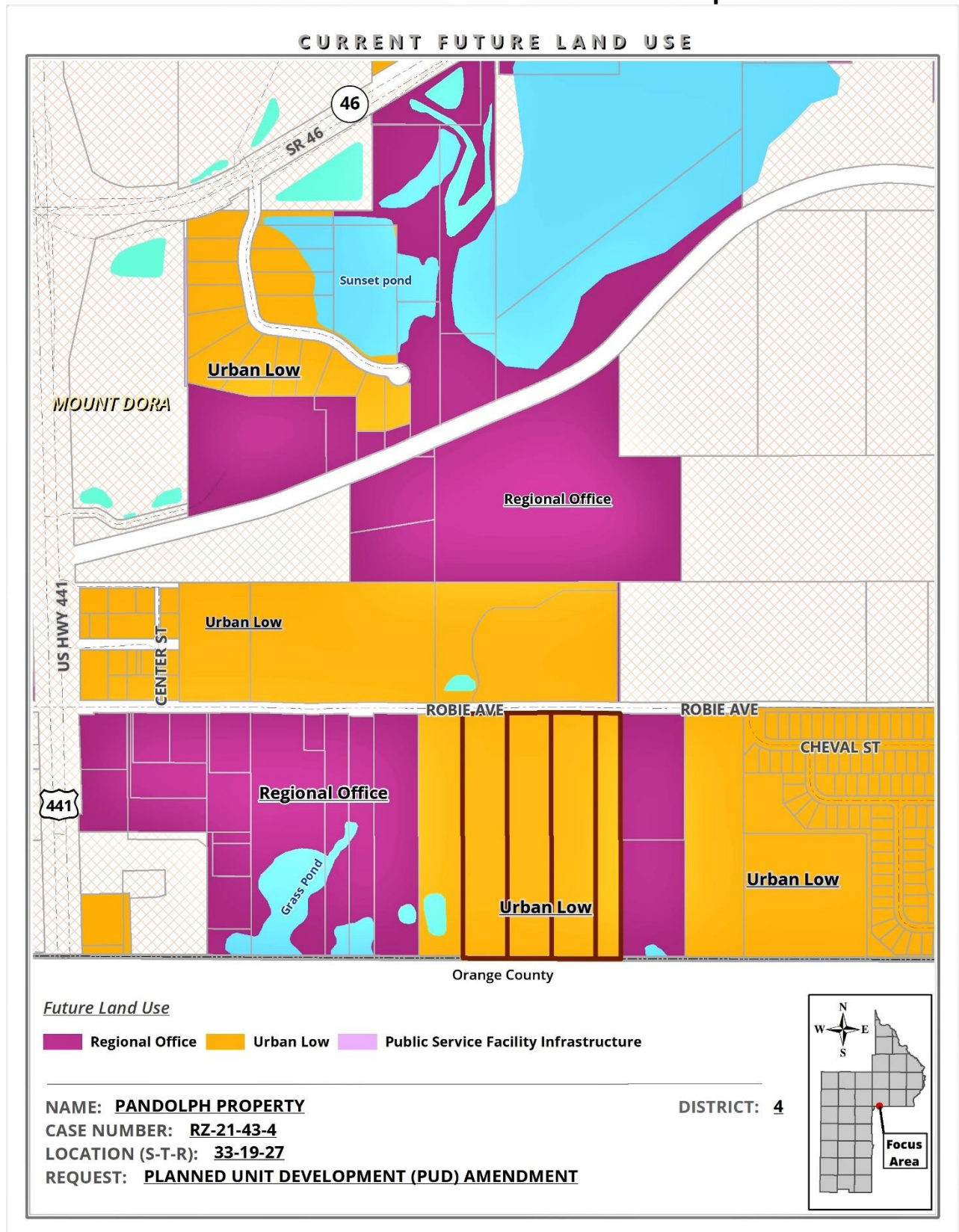
The request is consistent with Objective I-3.4, Wekiva Study Area. Pursuant to Comprehensive Plan Policies I-3.4.2 and I-3.4.5, new development within the Wekiva Study Area shall be clustered. The Applicant revised their original plan and reduced the number of proposed lots from 91 to 75 in order to provide 90-foot perimeter buffers and to cluster development away from surrounding rural residential parcels.

The subject properties are located within an area designated as the 'Wolf Branch Innovation District' which is an area of unincorporated Lake County intended to be developed as a mixed-use employment center in conjunction with the completion of the Wekiva Parkway Extension. The Wolf Branch Innovation District Implementation Plan, adopted by the BCC on October 22, 2019, identified the subject properties for a single-family land use of up to 4.0 dwelling units per acre. The application is consistent with the Wolf Branch Innovation District Implementation Plan recommendations (Attachment "F").

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

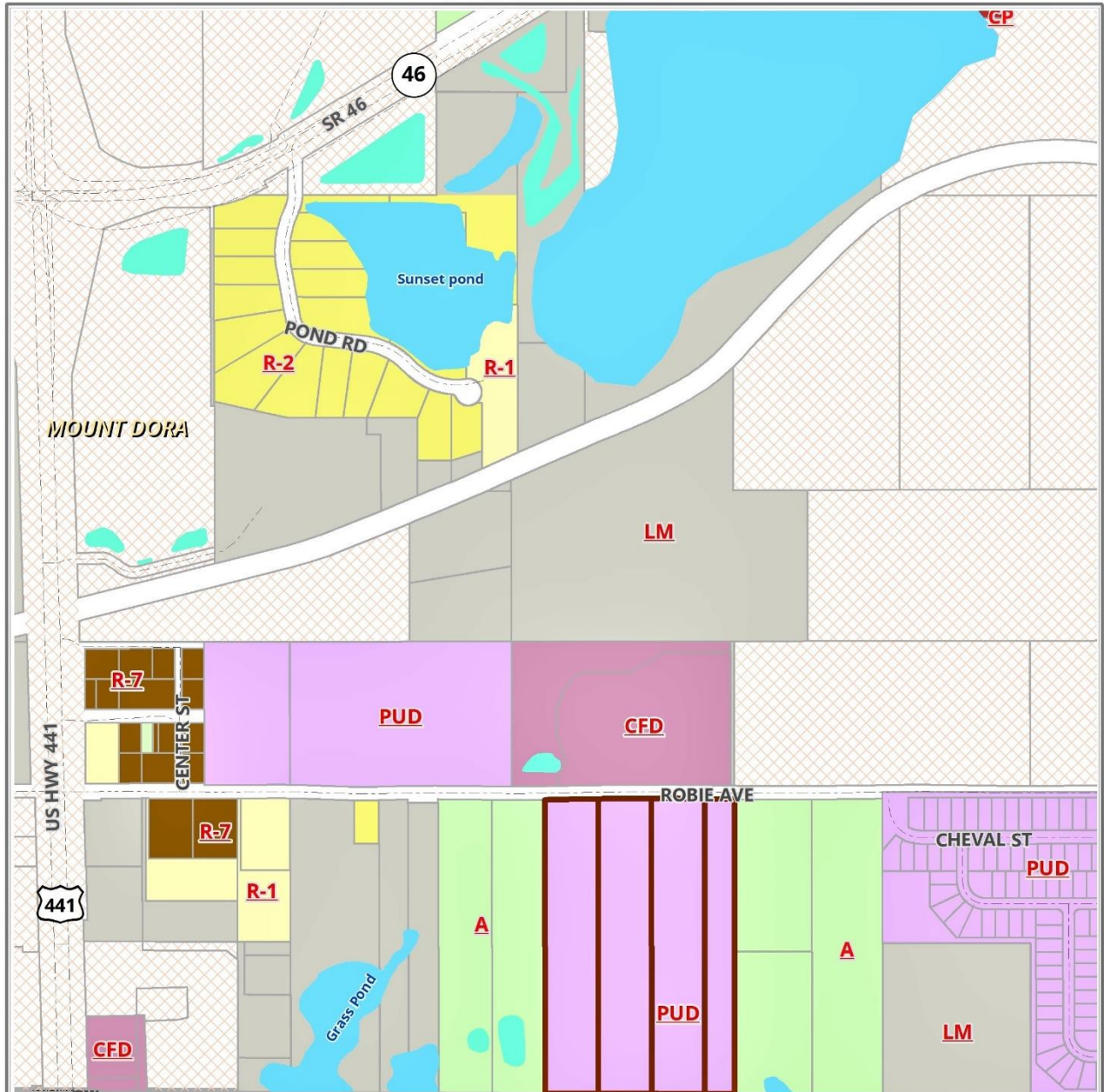
The proposed rezoning application is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

Attachment "A" – Future Land Use Map



Attachment "B" – Zoning District Map

CURRENT ZONING



Orange County

Zoning Legend

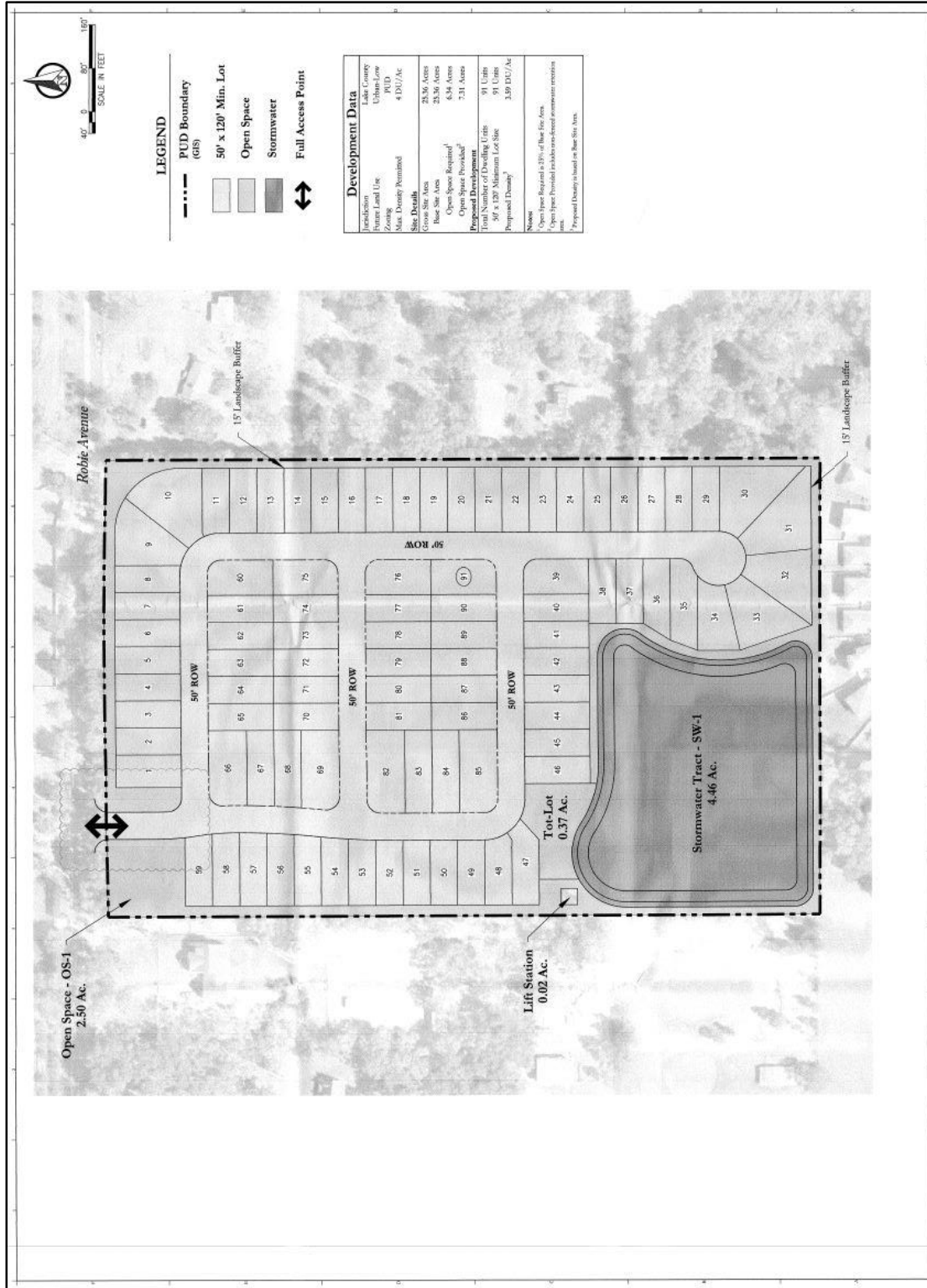
 A	 R-2	 CP	 CFD
 R-1	 R-7	 LM	 PUD

NAME: **PANDOLPH PROPERTY**
CASE NUMBER: **RZ-21-43-4**
LOCATION (S-T-R): **33-19-27**
REQUEST: **PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT**

DISTRICT: **4**



Attachment "C" – Original Concept Plan



Attachment "D" – Proposed Concept Plan



Attachment "E" – Comments from City of Mount Dora



**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.cityofmoundora.com

December 16, 2021

amcgillis@poulosandbennett.com

Allison McGillis, AICP
Poulos & Bennett, LLC
2602 E. Livingston Street
Orlando, FL 32803

RE: Pandolph Rezoning (PUD Amendment)
Located East of US 441 on the South Side of Robie Avenue

Dear Ms. McGillis:

The City of Mount Dora is in receipt of the above-referenced zoning confirmation letter for property located east of US 441 on the south side of Robie Avenue, (Alt. Keys 2601175, 2832088, 3266391, and 3330986). 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,

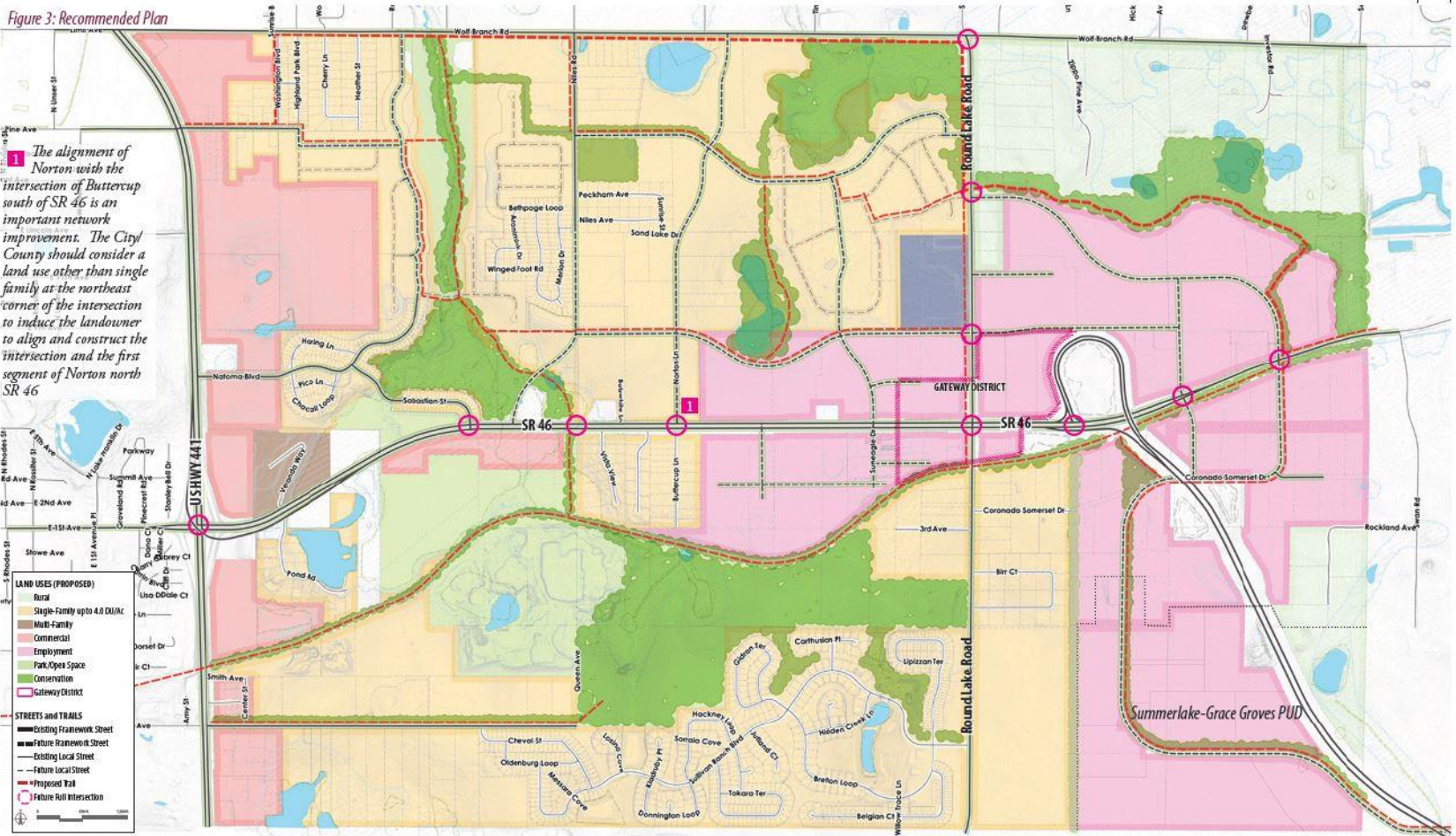
Shelby Eldridge

Shelby Eldridge
Planner II

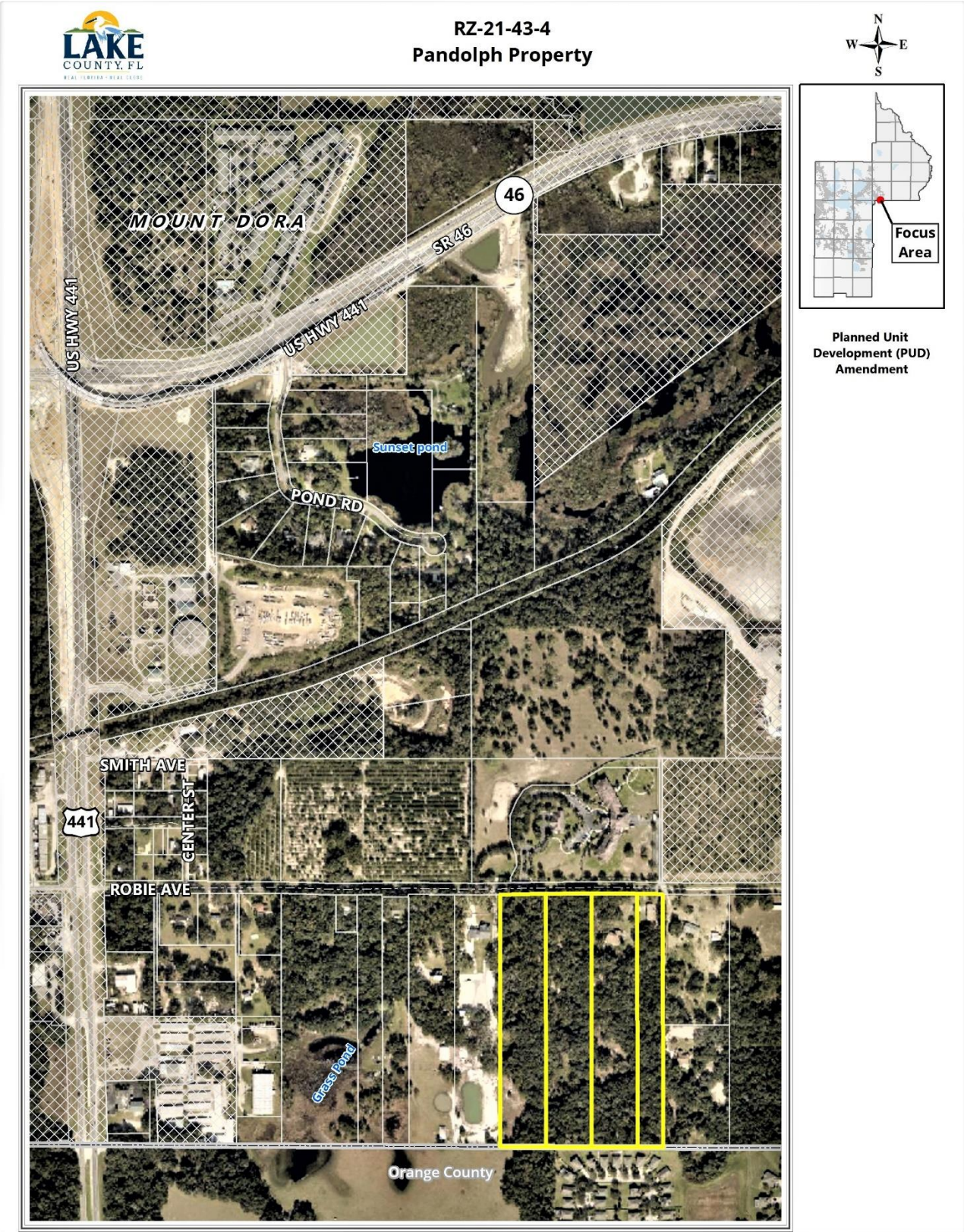
cc: Vince Sandersfeld – Planning Director
Joe Grusauskas – Utility and Plant Operations Director
Tim McClendon – Lake County Office of Planning and Zoning
Emily Johnson – Lake County Office of Planning and Zoning

Attachment "F" – WBID Recommended Future Land Use Plan

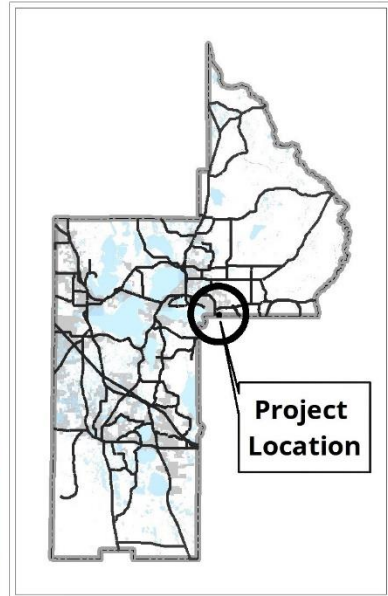
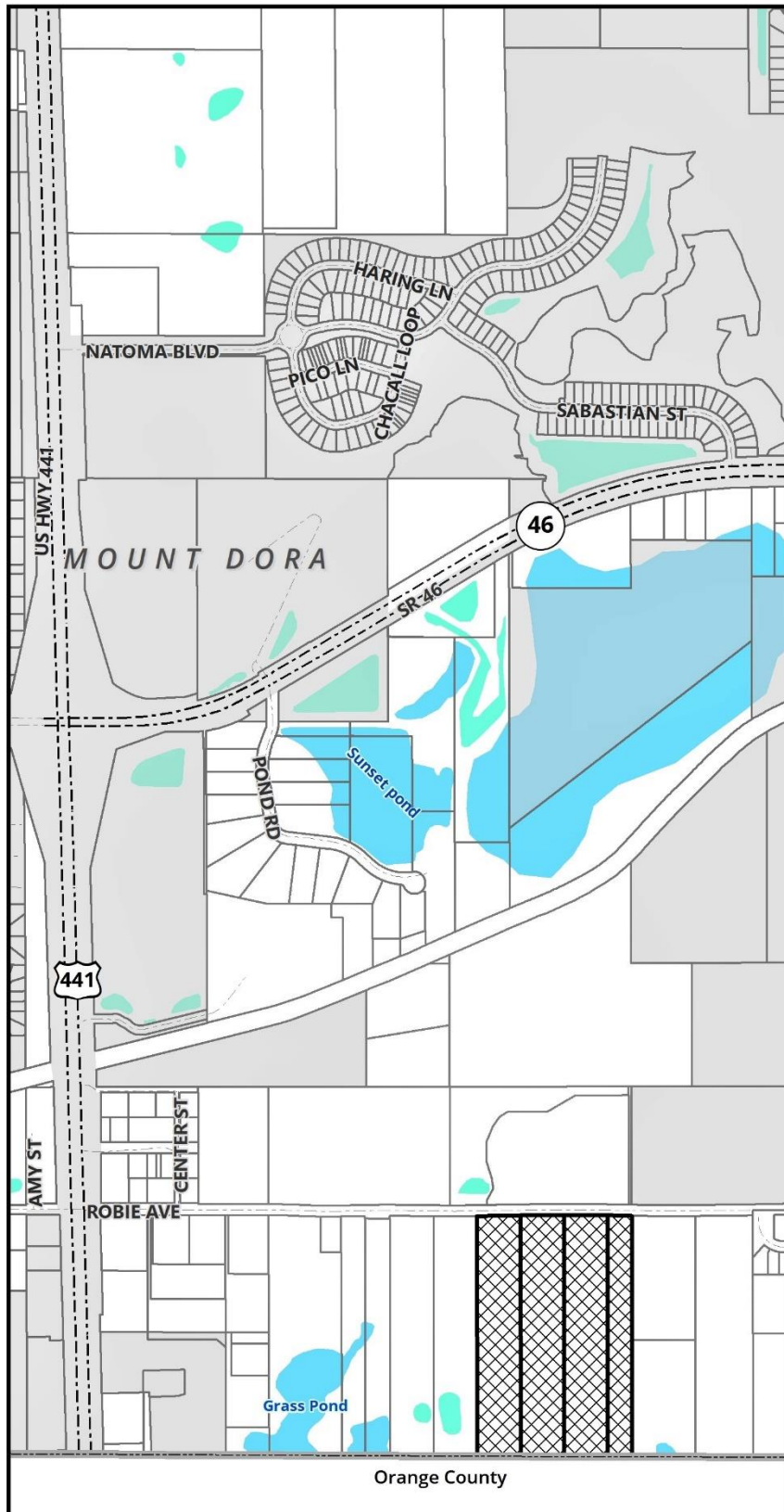
Figure 3: Recommended Plan



Aerial Photo of Subject Property



Map of Subject Property



ORDINANCE 2022-__
Pandolph Property PUD
RZ-21-43-4

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

WHEREAS, Allison McGillis, AICP, Poulos & Bennett LLC (the “Applicant”) submitted a rezoning application on behalf of George and Lynda Pandolph (the “Owner”), to amend PUD Ordinance #2019-43 to increase the allowable density to 2.96 dwelling units per net acre, increase the number of single-family residences from 7 dwellings to 75 dwellings, remove equestrian uses as a permitted land use, revise the building setbacks and maximum height, and include a new conceptual plan; and

WHEREAS, the subject property consists of approximately 25.36 +/- acres located east of US Highway 441 and south of Robie Avenue in the Mount Dora area in Section 33, Township 19 South, Range 27 East, known as Alternate Key Numbers 3330986, 2832088, 2601175, and 3266391, and more particularly described in Exhibit “A”; and

WHEREAS, the property is located within the Urban Low Density Future Land Use Category; and

WHEREAS, on the 30th day of July 2019, the Lake County Board of County Commissioners approved a rezoning of the subject property from Agriculture (A) and Planned Industrial (MP) to Planned Unit Development (PUD) to facilitate a seven (7) lot residential subdivision with equestrian uses; and

WHEREAS, the Lake County Planning and Zoning Board did on the 7th day of September 2022, review Petition RZ-21-43-4; after giving Notice of Hearing on petition for a change in the use of land, including notice that the Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 4th day of October 2022; and

WHEREAS, the Board of County Commissioners reviewed the petition, the recommendations of the Lake County Planning and Zoning Board, 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.

WHEREAS, the approval of this ordinance shall replace and supersede PUD Ordinance #2019-43; and

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) for the property described in Exhibit “A”. The uses of the property will be limited to those uses specified in this Ordinance and generally consistent with the Conceptual Plan attached as Exhibit “B”. To the extent there are conflicts between Exhibit “B” and this Ordinance, this Ordinance will take precedence. The adoption of this Ordinance shall revoke and replace PUD Ordinance #2019-43.

A. Permitted Land Uses.

- 1 1. A maximum of seventy-five (75) single family residences may be developed on the subject
- 2 property, at a maximum density of 2.96 dwelling units per net acre. A mandatory
- 3 homeowner’s association must be established.

- 4 2. The subdivision shall be developed as a clustered subdivision consistent with the Wekiva
- 5 Study Area policies contained within the Comprehensive Plan, as amended.

- 6 2. Accessory uses directly associated with the above uses may be approved by the County
- 7 Manager or designee.

- 8 Any other use of the site not specified above will require approval of an amendment to this
- 9 Ordinance by the Board of County Commissioners.

B. Open Space, Impervious Surface Ratio, and Building Height.

- 10 1. A minimum of forty-two percent (42%) of the subject property acreage must be dedicated
- 11 in perpetuity for preservation as common open space using a conservation or open space
- 12 easement, or plat restrictions. The homeowners’ association shall be responsible for
- 13 maintaining the open space.

- 14 2. The maximum Impervious Surface Ratio (ISR) for the entire subdivision is sixty percent
- 15 (60%) consistent with the Comprehensive Plan, as amended. Individual lots may be
- 16 developed at a higher ISR if the Developer demonstrates that the overall ISR of the
- 17 development will not exceed 0.60.

- 18 3. The maximum building height will be thirty-five (35) feet.

- 19 4. All other development standards must be in accordance with the Comprehensive Plan and
- 20 Land Development Regulations, as amended.

C. Setbacks. The minimum setback for residential development will be as follows:

Development Type	Front	Secondary Front	Side	Rear
Single-Family Residence	25-feet	15-feet	5-feet	20-feet
Accessory Structures	25-feet	15-feet	5-feet	5-feet

- 25 1. All setbacks must be measured from the property line.

- 26 2. Any setback not specified must be in accordance with the Land Development Regulations
- 27 (LDR), as amended.

D. Wekiva Study Area Site Design Standards. Subdivision design shall be consistent with the development design standards for the Wekiva Study Area, in accordance with Objective I-3.4 of the Comprehensive Plan, and with any other applicable provisions of the Comprehensive Plan and Land Development Regulations, as amended. Additionally, these standards shall be included in the homeowner governing documents for the community and shall be enforced by the homeowner’s association for the property. Lake County shall have the right, but not the obligation, to enforce such provisions.

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E. Architectural Design Standards.

1. Building Design:
 - a. Single-Family Residential (SFR) units shall be designed utilizing Craftsman, Bungalow, Florida Cracker/Low Country, or Southern Living (front porch) architectural design standards which shall require a variety of architectural features and materials such as stone, stucco, craftsman columns, porches, metal roofs, tile, shutters, decorative doors, etc. to achieve each architectural style; the goal is to achieve "custom" home design. Fifty (50%) percent of the SFR units shall have a covered front porch consistent with the Craftsman, Bungalow, Florida Cracker/Low Country, or Southern Living (front porch) style architectural design, unless enhanced by brick or stone home.
 - b. Minimum structure size shall be 1,700 square feet living area (heated and air-conditioned space).
 - c. Either side load or front load garage design may be utilized. All SFR units shall be designed and built with a 2-car garage minimum.
 - d. Conversion of garage into living space shall be prohibited.
 - e. All exterior colors shall be predominantly earth tones.
2. Front yard fencing shall be limited to 4-feet in height.
3. RV storage on lots with or without a SFR unit is prohibited.
4. The Architectural Design Standards above shall be included in the homeowner governing documents for the community and shall be enforced by the homeowner's association for the property. Lake County shall have the right, but not the obligation, to enforce such provisions.
5. All areas of the Planned Unit Development shall maintain a grass height of 12 inches or less until such time as the PUD fully develops.

F. Bear Management.

1. Homeowners shall be required to use County approved, bear-resistant garbage carts, if available. If bear resistant garbage carts are not available, regular carts shall be modified to be bear or keeping cans in a secured location.
2. Homeowners shall not have bird and wildlife feeders that are not modified to exclude bears.
3. Homeowners shall be placed on notice that they are purchasing a property within an area known for Florida Black Bear habitat. New homeowners shall be given information published by the Florida Fish and Wildlife Conservation Commission regarding living among the Florida Black Bear and ways to reduce encounters.
4. All PUD requirements regarding the Florida Black Bear management shall be included in the homeowner governing documents for the community and shall be enforced by the homeowner's association for the property. Lake County shall have the right, but not the

1 obligation, to enforce such provisions.

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

3 1. Perimeter buffers shall consist of canopy and understory trees and plants utilizing 100%
4 Florida native plant materials from the IFAS list. Exotic/invasive species shall be removed.
5 Existing vegetation located along the perimeter of the PUD may be used to count towards
6 the minimum perimeter landscaping requirement.

7 2. Best Management Practices for native landscaping and “right plant-right place”
8 landscaping techniques shall be utilized in the design and installation of invasive exotic
9 plant species in all landscape plantings is prohibited.

10 3. The HOA shall manage buffer areas in accordance with a management plan that protects
11 native habitats and limits the proliferation of nuisance/exotic vegetative species. A copy of
12 the management plan will be provided to the County.

13 4. Smart Irrigation Best Management Practices shall be utilized for all landscape irrigation
14 and shall incorporate soil moisture and rain sensors into the irrigation design.

15 5. Landscaping and screening shall be in accordance with the Comprehensive Plan and Land
16 Development Regulations (LDR), as amended.

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

22 **I. Noise.** Compliance must be in accordance with the Land Development Regulations (LDR) as
23 amended.

24 **J. Transportation.** All access management shall be in accordance with the Comprehensive Plan
25 and Land Development Regulations (LDR), as amended.

26 **K. Future Road Maintenance.** Future road maintenance will be funded using a municipal service
27 taxing unit (MSTU), or municipal service benefit unit (MSBU) as authorized under Section
28 125.01(1)(q), Florida Statutes. Before or concurrent with any final plat or site plan approval,
29 the Owner shall provide any documentation required by the County to impose an MSTU or
30 MSBU, at the County’s discretion, on the platted or commercial lots. Additionally, the Owner
31 acknowledges and agrees that the MSTU or MSBU shall be collected as a non-ad valorem
32 assessment using the uniform method of collection set forth under Section 197.3632, Florida
33 Statutes.

34 **L. Stormwater Management.**

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

1 2. The Owner shall be responsible for any flood studies required for developing the site and
2 comply with FEMA, Comprehensive Plan and Land Development Regulations, as
3 amended. Any development within the floodplain as identified on the FEMA maps will
4 require compensating storage.

5 **M. Utilities.**

- 6 1. The development will be serviced by central water and sewer systems, in accordance with
7 the Comprehensive Plan and Land Development Regulations (LDR), as amended.
8 2. All homes constructed shall be Florida Water Star SM Program certified.

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

11 **O. Lighting.** All development will adhere to the dark-sky principles set forth in Section 3.09.00,
12 Land Development Regulations, as amended. These same provisions shall apply to individual
13 lot owners as well as to the common areas.

14 **P. Signage.** All signage must be in accordance with the Land Development Regulations (LDR),
15 as amended.

16 **Q. Schools.** School Concurrency shall be met before final plat approval in accordance with the
17 Comprehensive Plan and Land Development Regulations (LDR), as amended.

18 **R. Concurrency Management Requirements.** Any development must comply with the Lake
19 County Concurrency Management System, as amended.

20 **S. Development Review and Approval.** Prior to the issuance of any permits, the Owner shall
21 submit a preliminary plat, construction plans, and final plat generally consistent with the
22 Conceptual Plan attached as Exhibit "B" for review and approval in accordance with the
23 Comprehensive Plan and Land Development Regulations (LDR), as amended.
24

25 **T. PUD Expiration.** Physical development shall commence within three (3) years from the date of
26 this Ordinance approval. Failure to commence construction within three (3) years of approval
27 shall cause the revocation of this ordinance, in accordance with the Comprehensive Plan or
28 superseding documents, as amended. Prior to expiration of the three-year time frame, the
29 Board of County Commissioners may grant, via a Public Hearing, one (1) extension of the time
30 frame for a maximum of two (2) years upon a showing that reasonable efforts have been made
31 towards securing the required approvals and commencement of work. Notwithstanding the
32 foregoing, if at any time the developer is granted an extension of time pursuant to Section
33 252.363, Florida Statutes, or Section 7-5, Lake County Code, to the preliminary plat,
34 construction plans, or final plat, commencement of physical development shall be equally
35 extended so long as the development is proceeding in good faith and does not allow the
36 originally extended development order to expire.

37 **U. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific references
38 in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County
39 Comprehensive Plan, and Lake County Land Development Regulations shall include any future
40 amendments to the Statutes, Code, Plans, and/or Regulations.

41 **Section 2. Conditions.**

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

- 4 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve,
5 move, convert, or demolish any building structure, add other uses, or alter the land in any
6 manner within the boundaries of the above-described land without first obtaining the necessary
7 approvals in accordance with the Lake County Code, as amended, and obtaining the permits
8 required from the other appropriate governmental agencies.

- 9 **C.** This Ordinance will inure to the benefit of and will constitute a covenant running with the land
10 and the terms, conditions, and provisions of this Ordinance, and will be binding upon the present
11 Owner and any successor and will be subject to each condition in this Ordinance.

- 12 **D.** The transfer of ownership or lease of any or all the property described in this Ordinance must
13 include in the transfer or lease agreement, a provision that the purchaser or lessee is made
14 good and aware of the conditions established by this Ordinance and agrees to be bound by
15 these conditions. The purchaser or lessee may request a change from the existing plans and
16 conditions by following procedures contained in the Land Development Regulations, as
17 amended.

- 18 **E.** The Lake County Code Enforcement Special Master will have authority to enforce the terms
19 and conditions set forth in this ordinance and to recommend that the ordinance be revoked.

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

- 23
24 **Section 4.** **Filing with the Department of State.** The clerk is hereby directed to send a copy of this Ordinance
25 to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

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

ENACTED this _____ day of _____, 2022.

FILED with the Secretary of State _____, 2022.

EFFECTIVE _____, 2022.

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

SEAN M. PARKS, CHAIRMAN

ATTEST:

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

APPROVED AS TO FORM AND LEGALITY

MELANIE MARSH, COUNTY ATTORNEY

Exhibit "A" – Legal Description

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The East 132.87 feet of the W ½ of SW ¼, Section 33, Township 19 South, Range 27 East, subject to right-of-way for County Road 4-3780 on the North side thereof, Lake County, Florida.

From a 6" concrete monument, located at the SW corner of the SW ¼ of the SE ¼ of Section 33, Township 19 South, Range 27 East, Lake County, Florida, run thence S 88° 53' 27" E along the South line of the SW ¼ of the SE ¼, 288.41 feet, to the point of beginning; thence N 0° 49' 41" E, 1340.11 feet to the North line of the SW ¼ of the SE ¼ 236.96 feet, to a point that is 132.87 feet N 89° 05' 21" W of the NE corner of the West ½ of the SW ¼ of the SE ¼; thence S 0° 50' 17" W parallel with the East line of the West ½ of the SW ¼ of the SE ¼ 1340.93 feet to the South line of the SW ¼ of the SE ¼; thence N 88° 53' 27" W along said South line 236.73 feet to the P.O.B. Less right-of-way for Robie Ave., Lake County, Florida.

Begin at a 6" concrete monument located at the SE corner of the SE ¼ of the SW ¼ of Section 33, Township 19 South, Range 27 East, Lake County, Florida (said corner also being the SW corner of the SW ¼ of the SE ¼ of said Section 33); run thence N 88° 47' 30" W along the South line of the SE ¼ of the SW ¼ 185.06 feet; thence N 0° 48' 29" E 1338.43 Feet to the North line of the SE ¼ of the SW ¼; thence S 89° 00' 16" E along the North line of the SE ¼ of the SW ¼ 185.55 feet to the NW corner of the SW ¼ of the SE ¼; thence S 89° 05' 21" E along said North line of the SW ¼ of the SE ¼ 51.42 feet; thence S 0° 49' 05" W 1339.29 feet to the South line of the SW ¼ of the SE ¼; thence N 88° 53' 27" W along said South line 51.68 feet to the Point of Beginning. Less right-of-way for Robie Ave. Subject to all easements, rights of way, and restrictions of record.

Above described premises also known as: Lot 3 of East ½ of Southeast ¼ of the Southwest ¼, the West ½ of the Southwest ¼ of the Southeast ¼ of Section 33, Township 19 South, Range 27 East, Lake County, Florida.

From a 6" concrete monument located at the SW corner of the SW ¼ of the SE ¼ of Section 33, Township 19 South, Range 27 East, Lake County, Florida, run thence South 88° 53' 27" East along the South line of the SW ¼ of the SE ¼ 51.68 feet to the Point of Beginning; thence North 0° 49' 05" E 1339.29 feet to the North line of the SW ¼ of the SE ¼; thence South 89° 05' 21" East along the North line of the SW ¼ of the SE ¼ 236.96 feet; thence South 0° 49' 41" West 1340.11 feet to the South line of the SW ¼ of the SE ¼; thence North 88° 53' 27" West along said South line 236.73 feet to the Point of Beginning. Less right of way for Robie Ave. Lake County, Florida.

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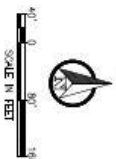
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Exhibit "B" – Conceptual Plan



Development Data	
Industrial	1.00 Acres
Residential	1.00 Acres
Open Space	7.06 Acres
Stormwater	3.66 Acres
Lift Station	0.02 Acres
Open Space - OS-1	7.02 Acres
Open Space - OS-2	0.04 Acres
Total	13.78 Acres
Proposed Development: 1.00 Acres	
Proposed Density: 1.00 Units/Acre	
Proposed Density: 1.00 Units/Acre	
Proposed Density: 1.00 Units/Acre	

- LEGEND**
- PUD Boundary (GIS)
 - 50' x 120' Min. Lot
 - Open Space
 - Stormwater
 - Full Access Point



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