



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

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Tab Number: 4

Public Hearings: Planning & Zoning Board (PZB): May 3, 2023  
Board of County Commissioners (BCC): June 6, 2023

Case No. and Project Name: RZ-22-25-1, Restore Lake

Applicant: Adam Narvaez

Owner: Find, Feed & Restore, Inc.

Requested Action: Rezone 10 +/- acres from Agriculture (A) to Community Facility District (CFD) to allow the property to be used for temporary housing.

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

Case Managers: Mary Ellen Stern, Executive Director  
Janie Barrón, Chief Planner

PZB Recommendation:

## **Subject Property Information**

Size: 10 +/- acres

Location: 14310 Bay Lake Road, Groveland, FL

Alternate Key No: 3871938

Future Land Use Category: Green Swamp Rural Conservation (Attachment "A")

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

Proposed Zoning District: "CFD" Community Facility District

Joint Planning Area/ISBA: South Lake ISBA

Overlay Districts: Green Swamp Area of Critical State Concern

**Adjacent Property Land Use Table**

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>	<b>Comments</b>
<b>North</b>	City of Mascotte Green Swamp Rural Conservation	City of Mascotte General Agriculture	Vacant	Vacant parcel
<b>South</b>	Green Swamp Rural Conservation	Agriculture (A)	Residential	Single-family residences
<b>East</b>	(County) Green Swamp Rural Conservation, City of Mascotte Green Swamp Rural	(County) Agriculture (A), (City) General Agriculture	Vacant, Single-family residence	Vacant parcel and single-family residence
<b>West</b>	Green Swamp Rural Conservation	Agriculture (A)	Agricultural/residential	Single-family residence and agricultural buildings

**- Summary of Analysis -**

The applicant is requesting a rezoning of 10 +/- acres from Agricultural (A) to Community Facility District (CFD) to allow for the temporary housing of those in need on property located at 14310 Bay Lake Road. The parcel is contiguous to the City of Mascotte to the north and east.

According to the applicant, the subject property has been utilized as a sports camp that housed approximately 40-45 athletes for over 20 years. The applicant has submitted a Concept Plan (Attachment "C") for consideration which proposes demolishing an existing residence that is located on site that will be converted into a 5,000 square foot building that will consist of approximately 8 units. In addition, the Concept Plan proposes converting an existing residence into a 6,000 square foot bridge housing unit that will consist of approximately 10 rooming units. The applicant has proposed 18 on-site parking spaces. Access to the site will be via an existing driveway that leads to Bay Lake Road that is proposed to be gated.

The subject parcel has a Green Swamp Rural Conservation Future Land Use Category designation (FLUC) per the 2030 Comprehensive Plan and is located within the Green Swamp Area of Critical State Concern (GSACSC). Per Comprehensive Plan Policy I-4.1.2, the Green Swamp Area of Critical State Concern has been determined to be an area of statewide environmental value. In recognition of this, Lake County shall pursue a land use strategy within the GSACSC that emphasizes passive parks, agriculture, and very low density rural residential development protective of the natural environment. The County shall utilize the Conservation Future Land Use Category to designate preserved areas. Within the GSACSC, criteria such as drainage patterns, soil types, flood types, flood zones and indigenous vegetation shall be utilized to protect natural resources.

Per Comprehensive Plan Policy I-4.2.4, the Green Swamp Rural Conservation Future Land Use Category allows civic uses via the Conditional Use process. According to the definition's sections of the Comprehensive Plan, civic uses include Community Facility Uses. Per the definition's section of the Comprehensive Plan, Community Facility Uses are defined as "a non-commercial and nonresidential use established primarily for the benefit and service of the population of the community in which it is located." Per Land Development Regulations (LDR) Section 3.00.02.Y, the purpose of the Community Facility District is to allow for the Creation of "CFD" community facility districts in those areas where special or substantial community interest uses and activities are necessary and desirable. It is further the intent, to establish CFD districts individually under site plans and conditions necessary to promote the general welfare and to secure economic and coordinated Land Use.

Table 1. Existing and Proposed Development Standards					
	Zoning District	Maximum ISR	Minimum Open Space	Maximum Floor Area Ratio	Maximum Building Height
Existing	A	10%	N/A	N/A	40 Feet
Proposed	CFD	80%	30%	100%	50 Feet

**- Analysis -**

Land Development Regulations Section 14.03.03 Standards for Review.

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

The request is consistent with LDR Sections 3.00.02, *Purpose and Intent of Districts*, which establishes lands that benefit the public and general welfare, and 3.01.03, *Schedule of Permitted and Conditional Uses*, which allows Community Facility Uses within the CFD zoning district. Per LDR Section 3.00.02.Y, the purpose of the Community Facility District is to allow for the creation of “CFD” community facility districts in those areas where special or substantial community interest uses and activities are necessary and desirable. It is further the intent to establish CFD districts individually under site plans and conditions necessary to promote the general welfare and to secure economic and coordinated Land Use.

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

The subject parcel has a Green Swamp Rural Conservation Future Land Use Category designation (FLUC) per the 2030 Comprehensive Plan and is located within the Green Swamp Area of Critical State Concern. Per Comprehensive Plan Policy I-4.1.2, the Green Swamp Area of Critical State Concern has been determined to be an area of statewide environmental value. In recognition of this, Lake County shall pursue a land use strategy within the GSACSC that emphasizes passive parks, agriculture, and very low density rural residential development protective of the natural environment. The County shall utilize the Conservation Future Land Use Category to designate preserved areas. Within the GSACSC, criteria such as drainage patterns, soil types, flood types, flood zones and indigenous vegetation shall be utilized to protect natural resources. Per Comprehensive Plan Policy I-4.2.4, the Green Swamp Rural Conservation Future Land Use Category allows civic uses via the Conditional Use process. According to the definition’s sections of the Comprehensive Plan, civic uses include Community Facility Uses. Per the definition’s section of the Comprehensive Plan, Community Facility Uses are defined as “A non-commercial and nonresidential use established primarily for the benefit and service of the population of the community in which it is located.” Per LDR Section 3.00.02.Y, the purpose of the Community Facility District is to allow for the Creation of “CFD” community facility districts in those areas where special or substantial community interest uses and activities are necessary and desirable. It is further the intent to establish CFD districts individually under site plans and conditions necessary to promote the general welfare and to secure economic and coordinated Land Use.

The applicant will be required to demonstrate compliance with all above policies upon the submittal of a development application to ensure the development is consistent with the Comprehensive Plan.

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

The current Green Swamp Rural Conservation FLU permits civic uses via a Conditional Use Permit. The applicant is requesting the rezoning to CFD to allow the housing for persons in need on the property.

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

The current Agriculture (A) zoning designation does not permit the proposed use. Thus, the applicant is requesting a rezoning to CFD is necessary develop the property as proposed.

**E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;**

Water and Sewer: The property is served by well and septic. The City of Mascotte (Attachment "E") provided a Utility Notification letter stating that the property outside of the mandatory connection radius of 1,000-feet for central sewer and 300-feet for central water.

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

Public Safety: Fire Rescue Station #91 is located approximated 3 miles from the subject property. Fire protection water supply and emergency access will be addressed during the site plan review process.

Transportation Concurrency: Access to the site is off Bay Lake Road. The internal access driveway will be required to be improved to allow two-way traffic and emergency services from Bay Lake Road.

Stormwater: The stormwater management system shall be designed in accordance with all applicable Lake County and St. Johns River Water Management District (SJRWMD) requirements, as amended. The developer is responsible for any flood studies required for developing the site and comply with FEMA, Comprehensive Plan and Land Development Regulations as amended. Any development within the floodplain as identified on the FEMA maps will require compensating storage.

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

The property is currently developed with a mobile home, carport, and two barns and was used as a sports camp that housed approximately 40-45 athletes for over 20 years. There is minimal tree canopy on site and the site has been developed for many years. Based on this, the proposed rezoning is not anticipated to result in significant adverse impacts on 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 rezoning application that specifies the effects on area property values.

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

The current zoning of the property is Agriculture. According to the applicant, the property was used as a sports camp that housed 40-45 athletes for over 20 years. Additionally, there is a mobile home on the property that were constructed in 1981 per the Property Appraiser's records. The current Agriculture zoning does not permit the property to be used in the manner the applicant is requesting. The rezoning of the site to CFD will allow the zoning of the property used as proposed and result in an orderly and logical development pattern as the property has been developed since at least 1981.

**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**

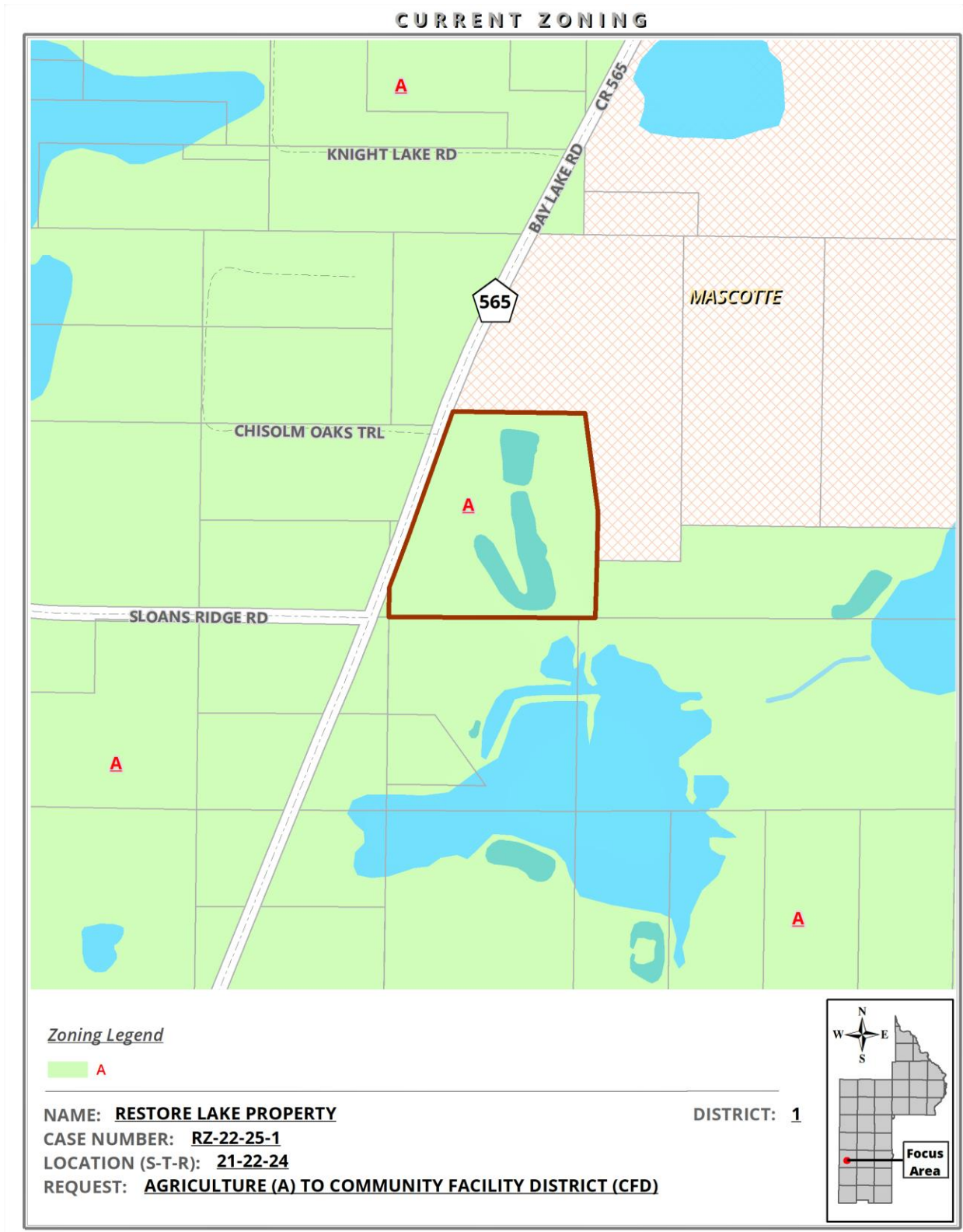
The request will be in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A through H above.

**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.**

There are not any other matters that may be deemed appropriate.



# Attachment "B" – Zoning Map







# Attachment “D” – Project Narrative (Page 1 of 2)



## Project Narrative

- a. Whether the rezoning is in conflict with any applicable provisions of the Code.  
**Response: The request is consistent with LDR Section 3.01.03, Schedule of Permitted and Conditional Uses, which allows community facility uses within the CFD zoning district. The request is consistent with LDR Section 3.00.02, Purpose and Intent of Districts, which establishes lands that benefit the public and general welfare.**
  
- b. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.  
**Response: The request is consistent with Comprehensive Plan, which allows civic uses. The application seeks to rezone the subject parcel from Agriculture (A) to Community Facility District (CFD) to accommodate a dormitory and educational / counseling uses. The concept plan demonstrates consistency with Comprehensive Pan, which shows the CFD uses to be developed with a 20% maximum impervious surface ratio, and 80% minimum open space. Should the rezoning request be approved, the proposed multi-purpose building is required to comply with the design standards of Comprehensive Plan Polices to protect the rural character of the area and protect natural resources within the Green Swamp Area. The zoning request is consistent with the Future Land Use.**
  
- c. Whether, and the extent to which, the proposed rezoning is inconsistent with the existing and proposed land uses.  
**Response: Civic uses are establishments primarily for the benefit and service of the community, consistent with the FLUC. The LDR Section 3.01.03 allows community facility uses within the CFD zoning district.**
  
- d. 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 recreations, schools, and fire and emergency medical facilities.  
**Response: This ordinance amendment will allow for the development of housing for 18 rooming units.**

**Water and Sewer:** The site is currently and proposed to continuing being on well and septic services.

**Traffic:** The proposed uses are expected to have minimal impact on Bay Lake Road.

**Stormwater:** The site will be designed to ensure water quality and stormwater runoff rates will meet the requirements of Lake County and the St. John’s River Water Management District.

**Fire and EMT:** The proposed uses will put little demand on these services.

**Police, Parks, and School:** The proposed uses will put little demand on these services.



## Attachment “D” – Project Narrative (Page 2 of 2)



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- e. Whether, and the extent to which, the rezoning would result in significant impacts on the natural environment.  
**Response: This ordinance amendment will not result in significant impacts to the natural environment. The parcel currently has two buildings, one of which will be demolished to construct the proposed building. The proposed site development will result in the removal of trees only where it is necessary for the development and trees will be replanted to create vegetated buffers and tree canopies as required by code.**
  - f. Whether, and the extent to which, the proposed rezoning would affect the property values in the area.  
**Response: There is no information within the rezoning application that specifies the effects on area property values.**
  - g. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern.  
**Response: This ordinance amendment will result in an orderly and logical development pattern. The proposed development is largely a redevelopment project.**
  - h. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.  
**Response: The request is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in H above.**

# Attachment "E" – City of Mascotte Utility Notification



## 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  \_\_\_\_\_ Rezoning \_\_\_\_\_

**Legal description:** Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ Alt Key # 387193B

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

Hook up to Central Sewage \_\_\_\_\_ within 1,000 feet of the above described property.  
(is or is not)

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

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

Central Sewage: Yes \_\_\_\_\_ No  Central Water: Yes \_\_\_\_\_ No   
Will the connection to the central sewage system be via a \_\_\_\_\_ gravity line or a \_\_\_\_\_ 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  within 1,000 feet of an existing or future wellhead.

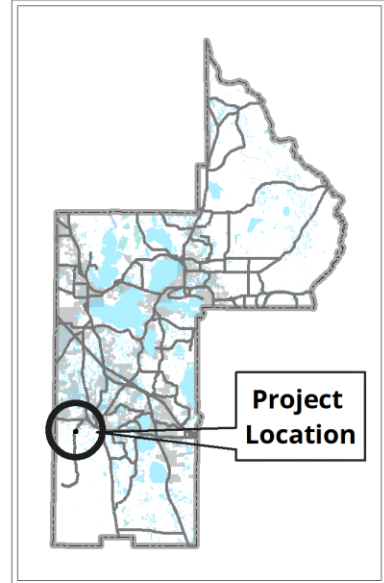
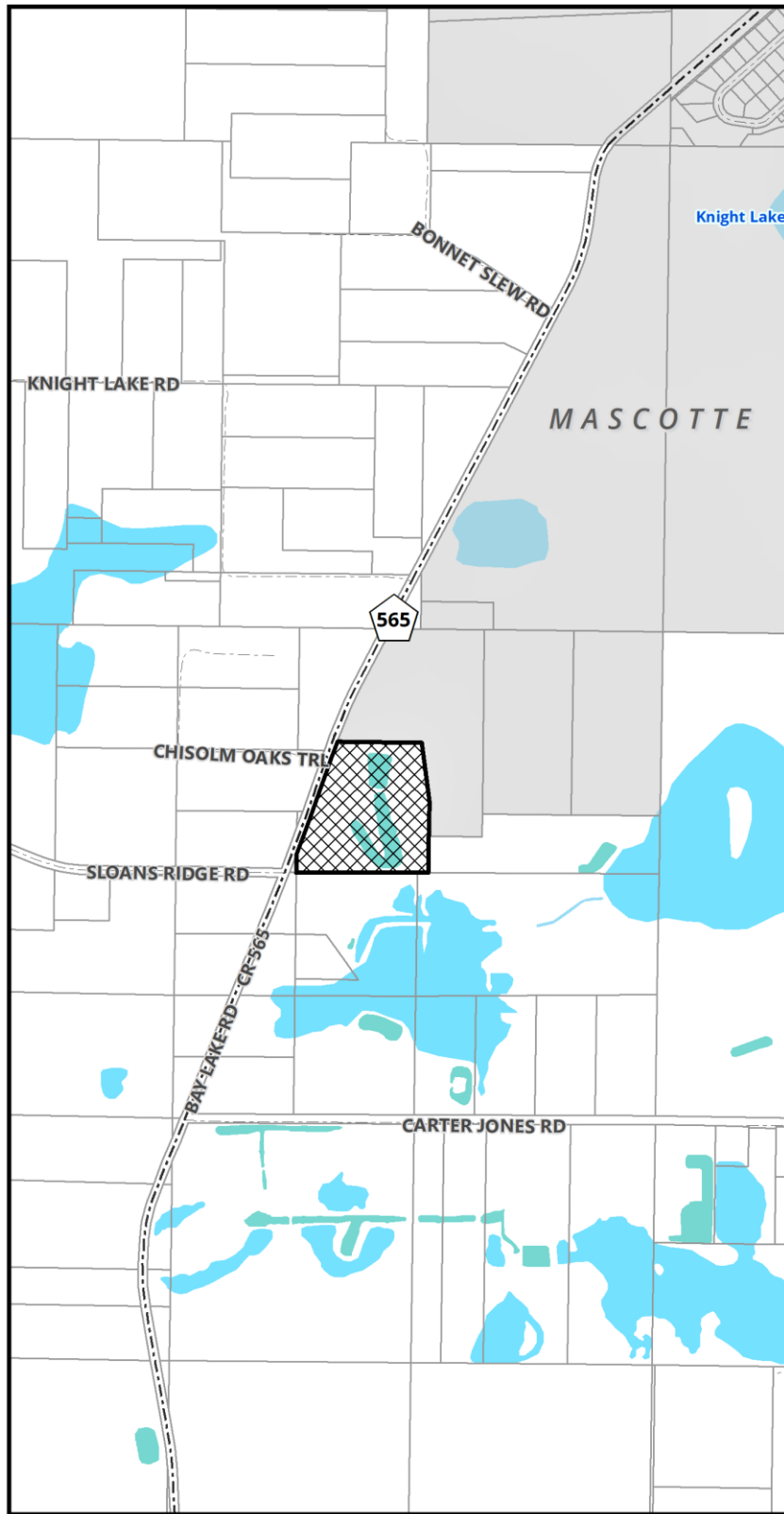
Please attach any conditions that affect the availability of provision of service to this property.

City Official or Private Provider Signature Dolly Miller  
Print Name, Title and Entity: Dolly Miller, Executive Director City of Mascotte Date 9-27-2022

**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: \_\_\_\_\_  
Date Received: \_\_\_\_\_ Address #: \_\_\_\_\_ Project Name: \_\_\_\_\_

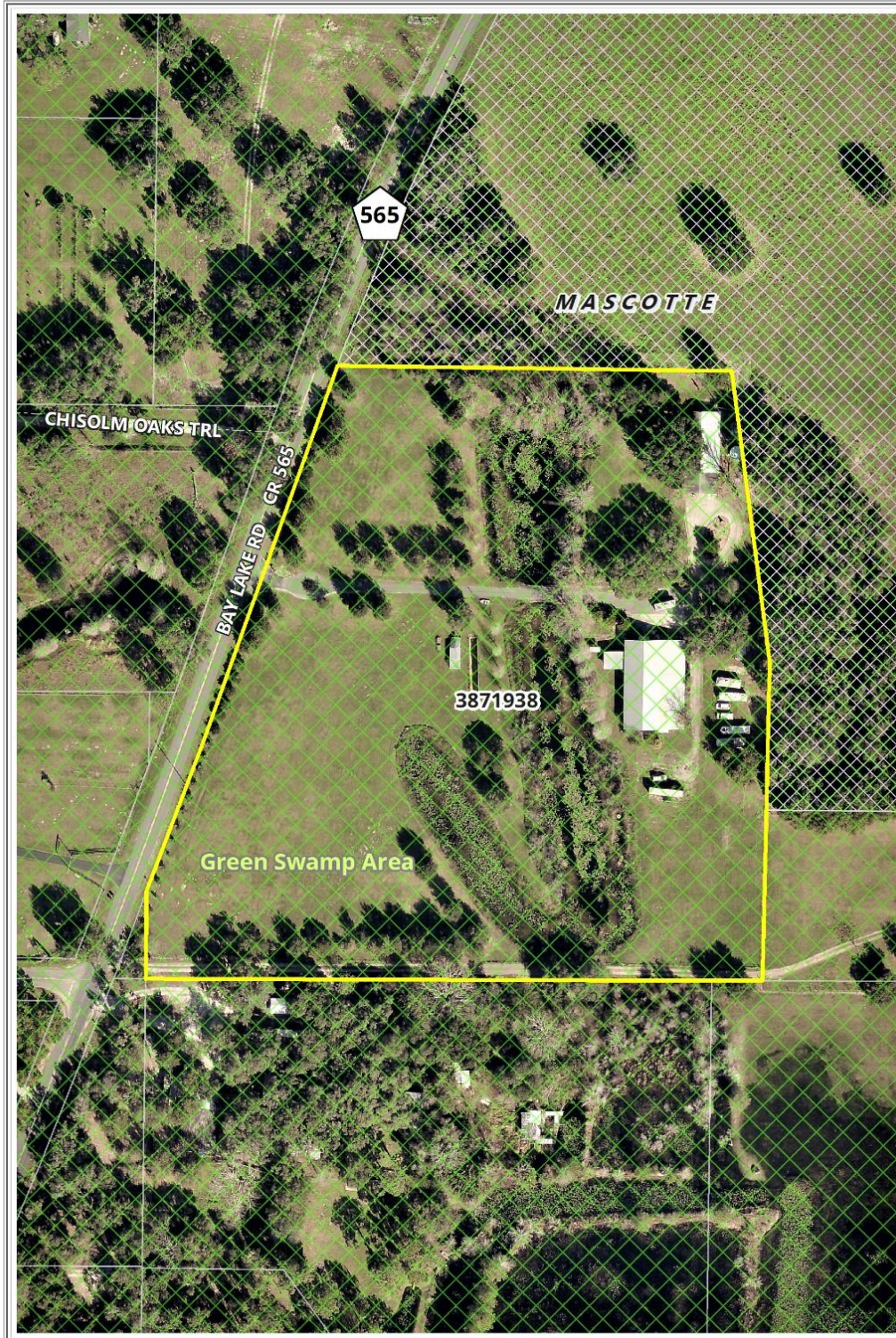
# Map of Subject Property





# Aerial

RZ-22-25-1  
Restore Lake Property



Agriculture (A)  
to  
Community Facility  
District (CFD)

Legend

 Green Swamp Area





1 **Section 1. Terms:** The County Manager or designee shall amend the Official Zoning Map to rezone the  
2 subject property from Agriculture (A) to Community Facility District (CFD).

3 **A. Land Uses.**

4 Primary Use:

- 5 1. Temporary housing facility limited to the demolition of an existing building to  
6 allow for the construction of a new 5,000 square foot building consisting of  
7 approximately 8 units and converting an existing residence into a 6,000 square  
8 foot bridge housing unit consisting of approximately 10 rooming units.
- 9 2. Additional accessory uses may be approved by the County Manager or  
10 designee. Any other use of the property will require approval of an amendment  
11 to this Ordinance by the Board of County Commissioners.

12 **B. Open Space, Impervious Surface Ratio and Building Height.** Open space,  
13 impervious surface ratio, and building height shall be in accordance with the  
14 Comprehensive Plan and Land Development Regulations (LDR), as amended.

15 **C. Setbacks.** Setbacks shall be in accordance with the LDR, as amended.

16 **D. Environmental Requirements.** An environmental assessment dated within six (6)  
17 months of the date a Site Plan application is submitted must specify the presence of  
18 vegetation, soils, threatened and endangered species that may exist on the site. Any  
19 State permitting or mitigation will be required before development can commence to  
20 ensure compliance with the Comprehensive Plan and LDR, as amended.

21 **E. Stormwater and Floodplain Management.** The stormwater management system must  
22 be designed in accordance with all applicable Lake County and St. Johns River Water  
23 Management District requirements, as amended.

24 **F. Transportation Improvements.** Access to the site will be from Bay Lake Road via the  
25 existing driveway. The internal access driveway will be required to be improved to allow  
26 two-way traffic and emergency services from Bay Lake Road.

27 **G. Lighting.** Exterior lighting, if provided, must be in accordance with the LDR, as amended.

28 **H. Landscaping, Buffering and Screening.**

- 29 1. Existing vegetation and trees on the eastern portion of the parcel shall remain  
30 undisturbed pending the future submittal of a development application for the  
31 western area.
- 32 2. All other landscaping, buffering and screening shall be in accordance with the  
33 Comprehensive Plan and LDR, as amended.

34 **I. Utilities.** The development shall be serviced by an individual well and on-site septic tank  
35 in accordance with the Comprehensive Plan and LDR, as amended. Permitting shall be  
36 in accordance with the Florida Department of Health (DOH) – Lake. The development  
37 shall connect to central water and central sewer services when the services become  
38 available, in accordance with the Comprehensive Plan, as amended.

- 1           **J. Concurrency Management Requirements.** All development must comply with the Lake  
2           County Concurrency Management System, as amended.
- 3           **K. Development Review and Approval.** Prior to the issuance of any permits, the Owner  
4           shall be required to submit a site plan application generally consistent with Exhibit “A” –  
5           Conceptual Plan, attached, for review and approval in accordance with the  
6           Comprehensive Plan and LDR, as amended.
- 7           **L. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific  
8           references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake  
9           County Comprehensive Plan, and Land Development Regulations (LDR) shall include  
10          any future amendments to the Statutes, Code, Plans, and/or Regulations.

11 **Section 2. Conditions.**

- 12           **A.** After establishment of the facilities as provided herein, the property may only be used for  
13           the purposes identified in this Ordinance. Any other proposed use must be specifically  
14           authorized by the Lake County Board of County Commissioners.
- 15           **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,  
16           improve, move, convert, or demolish any building structure, add other uses, or alter the  
17           land in any manner within the boundaries of the above-described land without first  
18           obtaining the necessary approvals, including site plan, in accordance with the Lake  
19           County Code, as amended and obtaining the permits required from the other appropriate  
20           governmental agencies.
- 21           **C.** This Ordinance will inure to the benefit of and will constitute a covenant running with the  
22           land and the terms, conditions and provisions of this Ordinance will be binding upon the  
23           present Owners and any successor and will be subject to each condition set out in this  
24           Ordinance.
- 25           **D.** Construction and operation of the proposed use shall always comply with the regulations  
26           of this and other governmental permitting agencies.
- 27           **E.** The transfer of ownership or lease of any or all the property described in this Ordinance  
28           must include in the transfer or lease agreement, a provision that the purchaser or lessee  
29           is made aware of the conditions established by this Ordinance and agrees to be bound  
30           by these conditions. The purchaser or lessee may request a change from the existing  
31           plans and conditions by following the procedures contained in the LDR, as amended.
- 32           **F.** The Lake County Code Enforcement Special Master will have authority to enforce the  
33           terms and conditions set forth in this Ordinance and to recommend that the ordinance  
34           be revoked.

35 **Section 3. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall  
36 submit applications for and receive necessary final development order approvals as provided in  
37 the Lake County Comprehensive Plan and Land Development Regulations. The applications for  
38 final development orders must meet all submittal requirements and comply with all County codes  
39 and ordinances, as amended.



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

4 **Section 5. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of  
5 this Ordinance to the Secretary of State for the State of Florida in accordance with Section  
6 125.66, Florida Statutes.

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

8 **ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

9  
10 **FILED** with the Secretary of State \_\_\_\_\_, 2023.

11  
12 **EFFECTIVE** \_\_\_\_\_, 2023.

13  
14 **BOARD OF COUNTY COMMISSIONERS**  
15 **LAKE COUNTY, FLORIDA**

16  
17  
18  
19 \_\_\_\_\_  
20 **KIRBY SMITH, CHAIRMAN**

21 **ATTEST:**

22  
23  
24 \_\_\_\_\_  
25 **GARY COONEY, CLERK OF THE**  
26 **BOARD OF COUNTY COMMISSIONERS**  
27 **LAKE COUNTY, FLORIDA**

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

30  
31  
32 \_\_\_\_\_  
33 **MELANIE MARSH, COUNTY ATTORNEY**

