



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 6

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

Case No. and Project Name: RZ-22-32-5, Costin Property

Applicant: Mr. Dexter Costin

Owner: Revenir Investments LLC

Requested Action: Rezone from the Ranchette District (RA) to Agricultural Residential District (AR) for the creation of two, two-acre lots to accommodate for the development of single-family dwellings

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

Case Manager: Bernice Gonzalez, MDUR, CMP, AICP, MCIP-I, Senior Planner

Subject Property Information

Size: 4.24 +/- acres

Location: 1022 Darcy Road, Lady Lake, FL 32159

Alternate Key No: 1740037

Future Land Use Category: Urban Low (Attachment "A")

Existing Zoning District: Ranchette District (RA) (Attachment "B")

Proposed Zoning District: Agricultural Residential District (AR)

Joint Planning Area/ISBA: Town of Lady Lake ISBA (Lady Lake ISBA, Ordinance #2013-40)

Adjacent Property Land Use Table

Alternate Key #1740037

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low	Agricultural Residential	Residential	Existing Single-Family Dwelling
South	Urban Low	Ranchette	Residential	Existing Single-Family Dwelling
East	Urban Low	Ranchette	Residential	Existing Single-Family Dwelling
West	Urban Low	Agriculture	Residential	Existing Single-Family Dwelling

– Summary of Analysis –

The applicant is petitioning to rezone 4.24 +/- acres from the Ranchette District (RA) to Agricultural Residential District (AR) to allow for a subdivision of the lot into two separate parcels. One of the proposed lots is approximately 2 acres which would include the easterly 2 acres of the parcel and would include the current house located on the parcel. The second lot would be approximately 2.24 acres with the purpose of future development of a single-family home as shown in the concept plan (Attachment “D”). Per Land Development Regulations Section 3.02.06, the RA zoning district allows a maximum density of 1 dwelling unit per 5 acres. The AR zoning district allows a maximum density of 1 dwelling unit per 2 acres. Property zoned AR is located to the north of the subject property.

The existing home sits on the eastern half of the property and is a Single-Family home with well and septic. The parcel has an Urban Low Future Land Use Category designation (FLUC) in the 2030 Comprehensive Plan. The subject property is located at 1022 Darcy Road Lady Lake FL, 32159 within the unincorporated Lady Lake area of Lake County. The subject parcel is located one mile south to the municipal limits of the Town of Lady Lake in unincorporated Lake County. (Attachment “C”).

The application was circulated for comments to the Town of Lady Lake on February 7, 2023. A second request to provide comments was sent on March 22, 2023. The Town of Lady Lake responded that they have no comments regarding this application. (Attachment “E”)

Development Requirements Table

	Zoning District	FLUC	Maximum Density LDR	Maximum Density Comp Plan (Urban Low)	Maximum ISR LDR	Maximum ISR Comp Plan (Urban Low)	Minimum Open Space (Urban Low)	Maximum Floor Area Ratio LDR	Maximum Floor Area Ratio Comp Plan (Urban Low)	Maximum Building Height LDR/Comp Plan
Existing	RA	Urban Low	1 DU/5ac	4 DU/ net acre	10%	60%	25%	10%	25%	40 Feet/ 50 Feet
Proposed	AR	Urban Low	1 DU/2ac	4 DU/ net acre	25%	60%	25%	20%	25%	40 Feet/ 50 Feet

Land Development Regulations Section 14.03.03 Standards for Review. (Attachment “F”)

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

The parcel is comprised of 4.24 +/- acres. Per Land Development Regulations Section 3.02.06, the RA zoning district allows a maximum density of 1 dwelling unit per 5 acres. The AR zoning district allows a maximum density of 1 dwelling unit per 2 acres. The proposed rezoning to AR requires a minimum parcel size of 2 acres for a dwelling unit. The parcel appears to contain enough land to accommodate two (2) 2-acre parcels, which is consistent with LDR Section 3.00.00 and Section 3.02.00 as shown in the Development Requirements Table above.

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

The proposed rezoning is consistent with the provision of the Comprehensive Plan Policy I-1.3.2, *Urban Low Density Future Land Use Category*. The Urban Low FLUC allows for residential uses at a maximum density of four (4) dwelling units per net buildable acre. The proposed rezoning is consistent with the provisions of the Urban Low Density FLUC in the Comprehensive Plan as shown in the Development Requirements Table above.

No change to the FLUC for the parcel is being requested.

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 provision of the Comprehensive Plan Policy I-1.3.2, *Urban Low Density Future Land Use Category*, and the development requirements for the proposed Agricultural Residential District (AR).

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

The applicant has indicated that, *"We are applying to rezone the property to AR (Agricultural Residential). Once the property is rezoned, we plan to subdivide the property into two separate plots. One of them approximately 2 acres and the second approximately 2.24 acres."*

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 current property is on well and septic and will remain so. No additional utility requests will be made for the property. The current and proposed parcels meet the minimum area requirement of half-acre size to accommodate for well and septic. The rezoning does not change the current use or demand of services from the Town or the County.

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

The applicant has indicated that, *"The natural environment will be retained. There may be some selective forestry mulching and underbrush removal. There is no plan to remove any trees."* Any removal of trees to accommodate development will require approval of a Tree Removal application.

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

The applicant has indicated that, *"If a new Single Family Home was constructed on the new lot it would be consistent or higher quality than current existing homes having a positive impact on valuations."* The proposed rezoning is consistent with the zoning of adjacent properties.

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

The applicant indicated that, *"The splitting of the lot would retain access to the Darcy Rd easement for both properties, therefore not impacting a logical development pattern."* Future development shall be consistent with the requirements of Lake County Comprehensive Plan and Land Development Regulations.

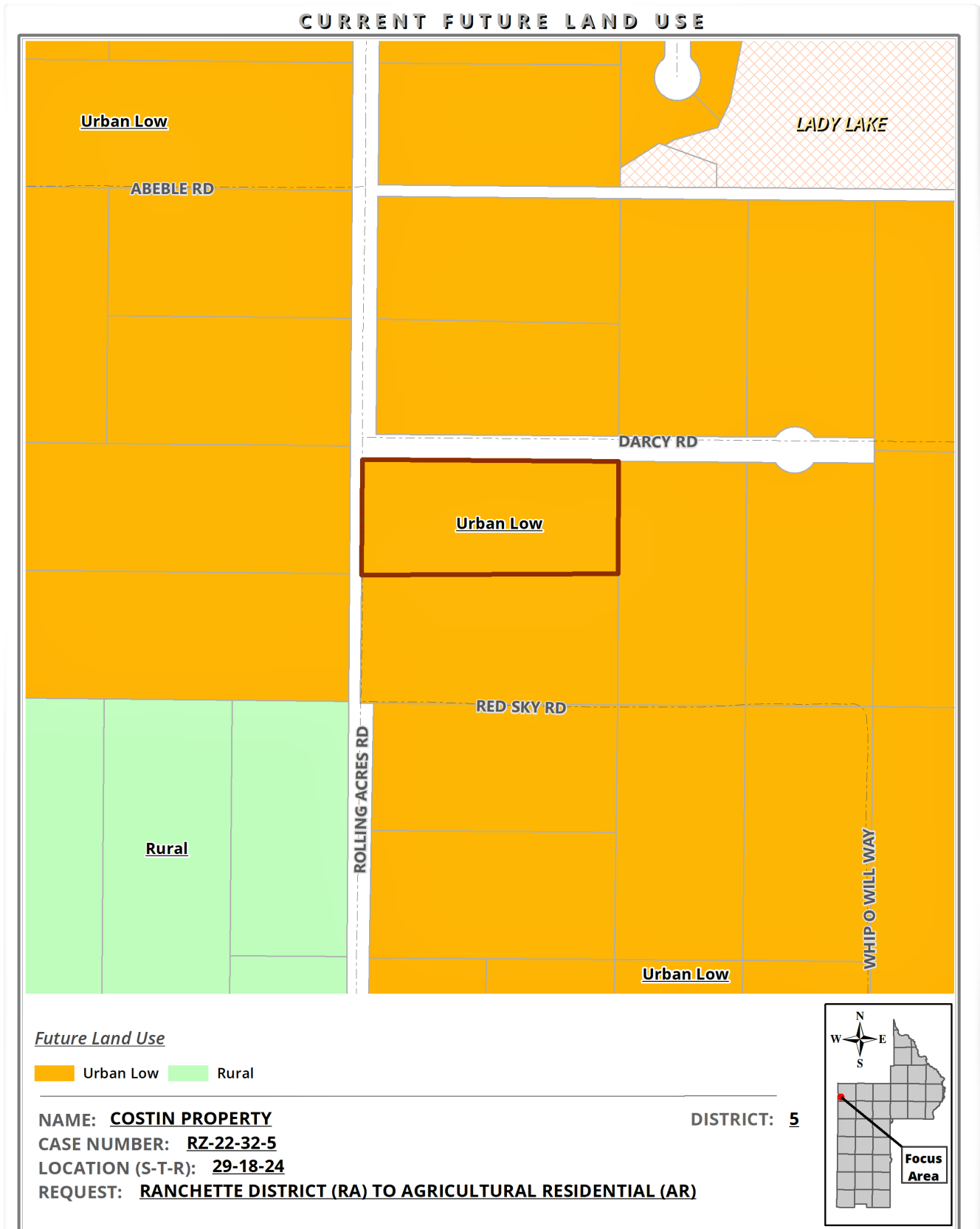
I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and

The applicant has indicated that, *"The rezoning would not have any know conflict with the public interest of the area. There has been new development in surrounding areas which are increasing density in the area so it is consistent with a local trend."* The proposed rezoning would allow for development consistent with the density of the Urban Low FLUC and with the character of the surrounding area.

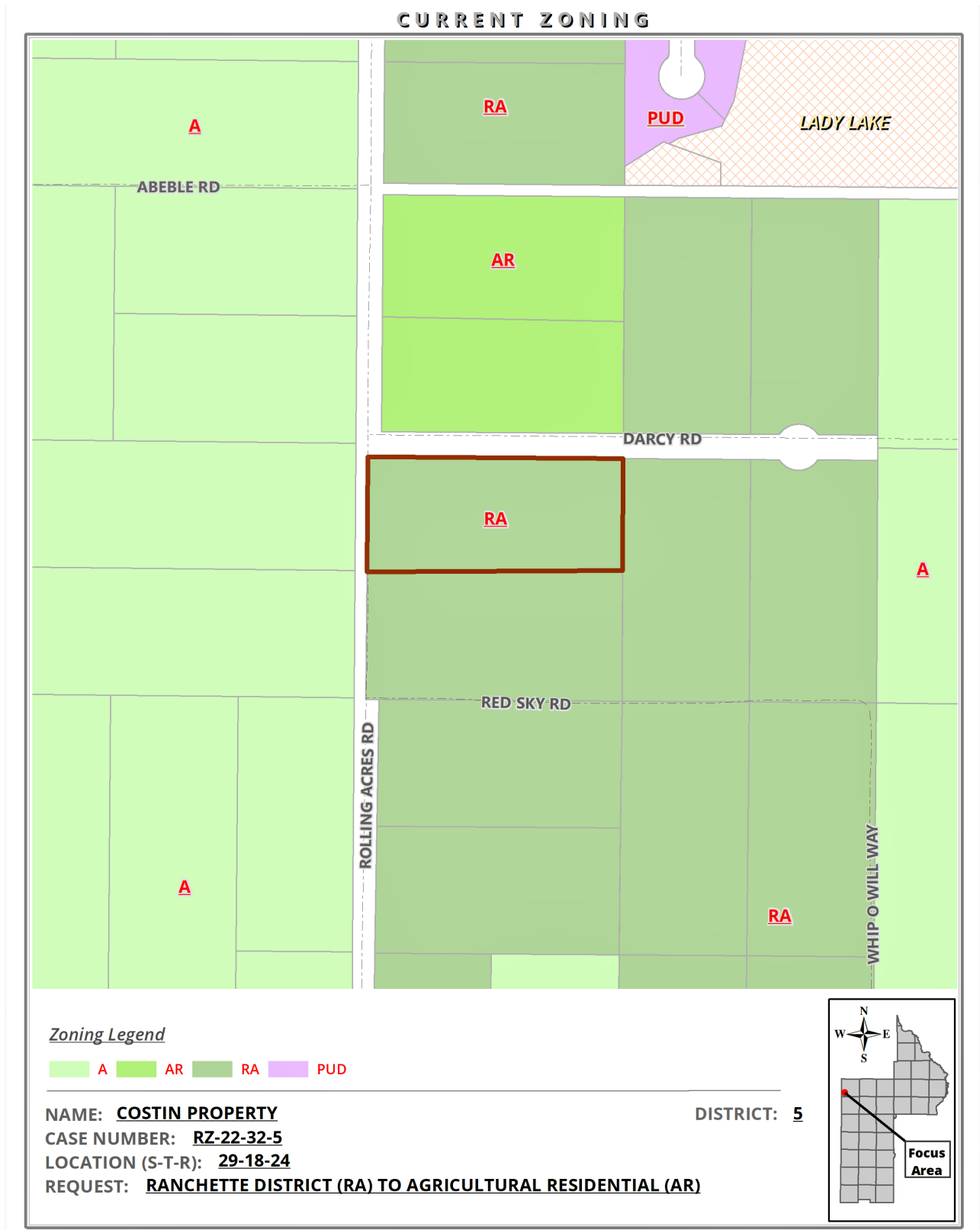
J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.

There are no other matters that may be deemed appropriate.

Attachment "A" – Future Land Use Map



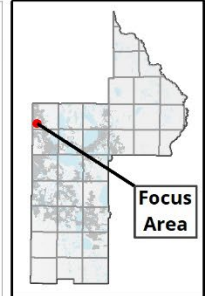
Attachment "B" – Zoning Map



Attachment "C" – Aerial

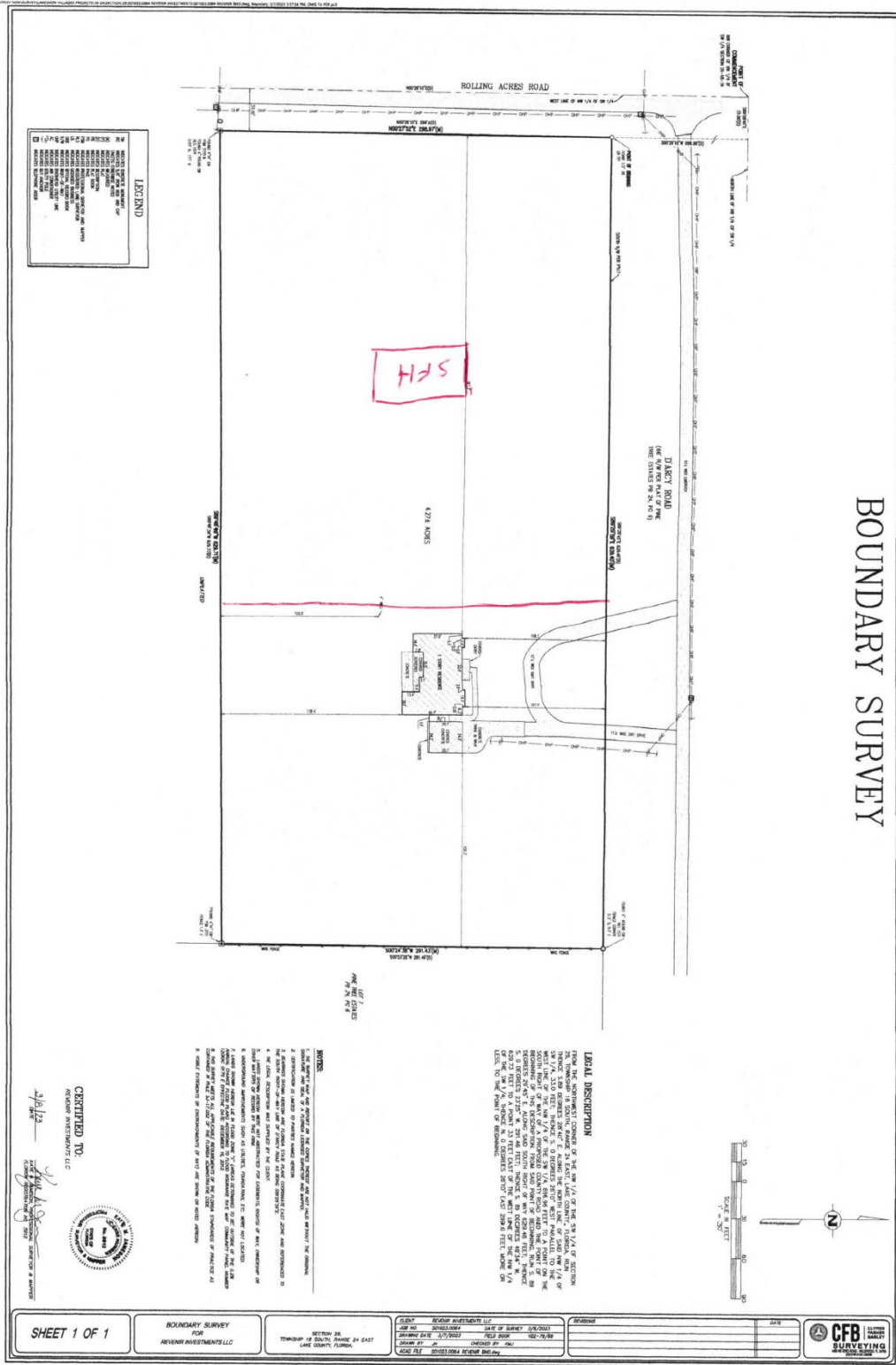


RZ-22-32-5
Costin Property



Ranchette District (RA)
to
Agricultural
Residential (AR)

Attachment "D" – Concept Plan



Attachment "E" – Town of Lady Lake Response

Gonzalez, Bernice

From: Thad Carroll <tcarroll@ladylake.org>
Sent: Wednesday, March 22, 2023 3:35 PM
To: Gonzalez, Bernice; Wendy Then
Cc: Barron, Janie
Subject: RE: RE: REQUEST FOR REVIEW | RZ-22-32-5 Costin Property (Project No. 2022120013; AR No. 5112)

CAUTION: This email originated from outside of your organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bernice,

The Town of Lady Lake has no comments regarding this application. Enjoy your week.

Sincerely,

Thad Carroll, AICP, LEED Green Associate
Growth Management Director
Town of Lady Lake
(352) 751-1521
tcarroll@ladylake.org

Note: The Growth Management Department's office hours are currently Monday - Thursday 7:30 am – 6:00 pm
[Lady Lake Land Development Regulations](#)

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From: Gonzalez, Bernice <bernice.gonzalez@lakecountyfl.gov>
Sent: Wednesday, March 22, 2023 11:57 AM
To: Thad Carroll <tcarroll@ladylake.org>; Wendy Then <wthen@ladylake.org>
Cc: Barron, Janie <janie.barron@lakecountyfl.gov>
Subject: RE: RE: REQUEST FOR REVIEW | RZ-22-32-5 Costin Property (Project No. 2022120013; AR No. 5112)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning

I am reaching out to see if you have any comments you would like to offer in regard to this application as it is being prepared to present before the Planning and Zoning Board. I appreciate it. Thank you.

Regards

Attachment “F” – Project Narrative

Project Narrative

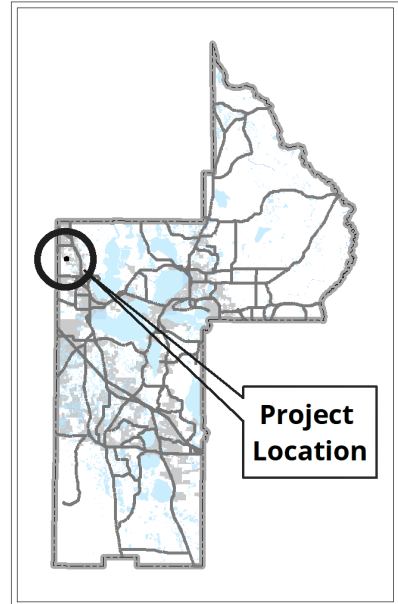
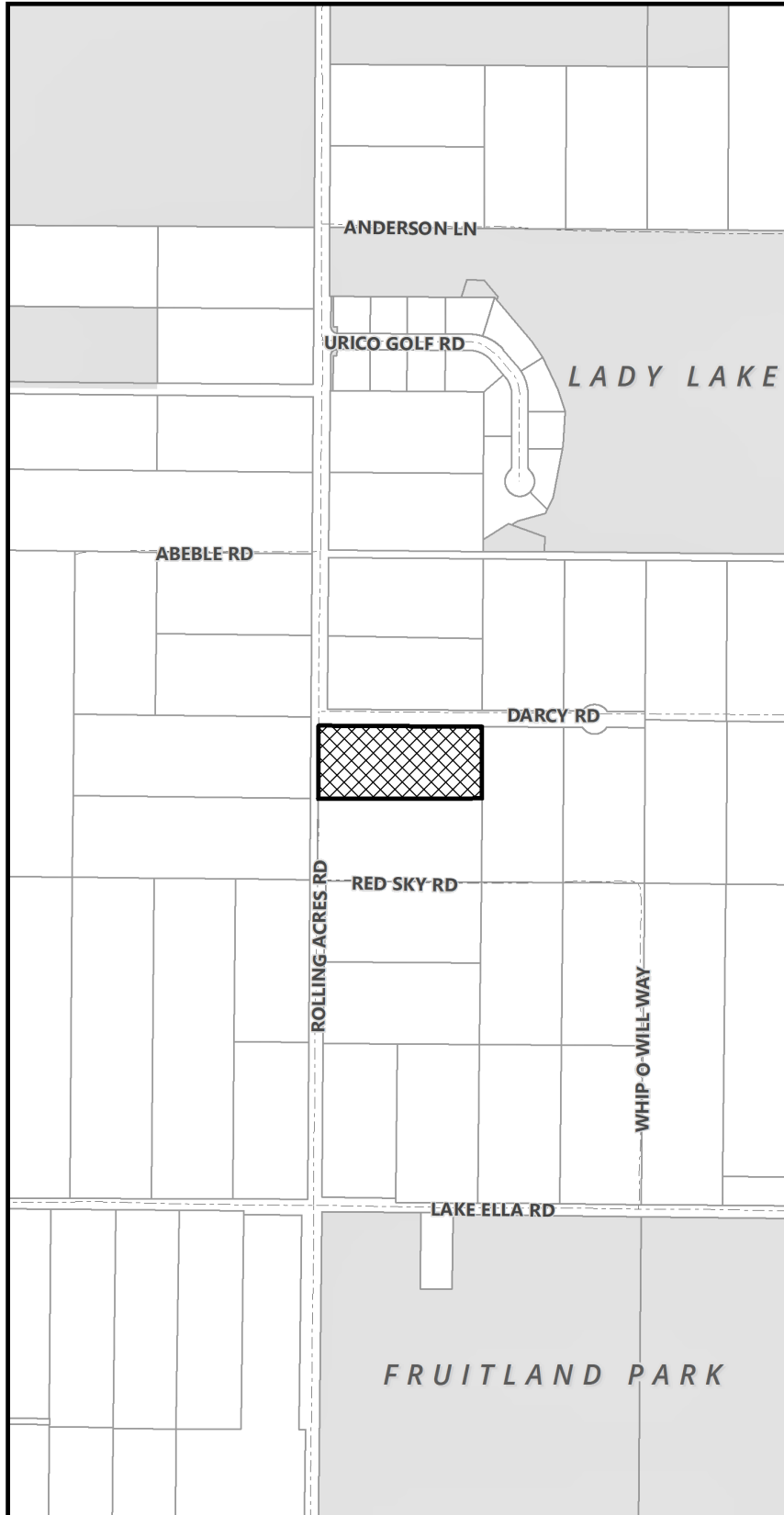
1022 Darcy Rd Rezoning

The property is 4.24 acres and is currently zoned RA (Ranchette). The home sits on the Eastern half of the property and is a Single Family Home with well and septic.

We are applying to rezone the parcel to AR (Agricultural Residential), which would allow for a subdivision of the lot. Once the parcel is rezoned, we plan to subdivide the property into two separate plots. One of them approximately 2 acres which would include the Easterly 2 acres of the parcel and would include the current house located on the parcel. The second lot would be approximately 2.24 acres with the purpose of future development of a single family home.

- a. The property does not appear to be in any conflict with any applicable provisions of the Land Development Code. The property is currently in compliance with its current zoning and the rezoning request is consistent with neighboring property and the future plan for the area.
- b. The application for rezoning will bring the property in line with other surrounding properties to the North. And also less dense than the 2030 Future Land Use of Urban Low Density, so it appears to be consistent with the Lake County Comprehensive plan.
- c. The proposed rezoning is consistent with existing and proposed land uses. The rezoning is also consistent with a neighboring property to the North and less dense than the future land use.
- d. There has been new development in surrounding areas which are increasing density in the area so it is consistent with a local trend. New development and changed rezoning has taken place in the vicinity of the proposed parcel.
- e. The property would not increase demand on public utilities. A new well and septic system would most likely be added to the new lot to the West. The rezoning does not change the current use or demand to the City or the County.
- f. The natural environment will be retained. There may be some selective forestry mulching and underbrush removal. There is no plan to remove any trees.
- g. There is currently no plan to do any new development on the lot so the value to neighboring property would not be affected.
- h. The rezoning of the lot would not in itself change any development patterns. The rezoning would simply allow for possible future splitting of the lot and any development would be consistent with the approved zoning.
- i. The rezoning would not have any know conflict with the public interest of the area. It would be consistent with already approved rezoning to the North of the parcel.
- j. There are no additional matters to consider.

Map of Subject Property



ORDINANCE #2023-_____
Costin Property
RZ-22-32-5

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

WHEREAS, Mr. Dexter Costin (the "Applicant") requested a rezoning application on behalf of Revenir Investments LLC ("the Owner") to rezone approximately 4.24 +/- acres from Ranchette District (RA) to Agricultural Residential District (AR) for the creation of two, two-acre minimum lots to accommodate for two single-family dwellings; and

WHEREAS, the subject property consists of 4.24 +/- acres located at 1022 Darcy Road, in the Lady Lake area of unincorporated Lake County, in Section 29, Township 18, Range 24, identified by Alternate Key Number 1740037, more particularly described as:

From the Northwest corner of the NW¼ of the SW¼ of Section 29, Township 18 South, Range 24 East, Lake County Florida, run thence S. 89 Deg 28' 40" E. along the North line of said NW¼ of SW ¼, 33.0 feet; thence S. 0 Deg. 26'10" West parallel to the West line of the NW¼ of the SW¼, 696.96 feet to a point on the South right of way of a proposed County Road and the Point of Beginning of this description. From said Point of Beginning, run S. 89 Deg. 29' 45" E. along said South right of way 629.46 feet; thence S. 0 Deg 23'25" W. 291.46 feet; thence S. 89 Deg. 49'34" W. 629.73 feet to a point 33 feet East of the West line of the NW¼ of the SW¼; thence N. 0 Deg. 26'10" East 299.0 feet, more or less, to the Point of Beginning.

WHEREAS, the property subject to the request is located within the Urban Low Future Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Planning and Zoning Board did review Petition RZ-22-32-5 on the 3rd day of May 2023, after giving notice of the hearing on the petition for change in zoning, including notice that the petition would be presented to Board of County Commissioners of Lake County, Florida, on the 6th day of June 2023; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Planning and Zoning Board, the staff report, and any comments, favorable or unfavorable from the public and surrounding property owners at a public hearing duly advertised; and

WHEREAS, upon review, certain terms pertaining to the development of the above-described property has been duly approved.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they pertain to the property described herein, subject to the following terms:

Section 1. Terms: The County Manager or designee shall amend the Lake County Zoning Map to show the Agricultural Residential (AR) District in accordance with this Ordinance. The uses of the property will be limited to those uses specified in the Lake County Land Development Regulations for the Agricultural Residential (AR) District and consistent with the Urban Low Future Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM), as amended.

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

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

7 **Section 5. Effective Dates. This Ordinance will become effective as provided by law.**

8 **ENACTED** this _____ day of _____, 2023.

9 **FILED** with the Secretary of State _____, 2023.

10 **EFFECTIVE** _____, 2023.

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

Kirby Smith, 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