



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): July 5, 2023  
Board of County Commissioners (BCC): August 1, 2023

Case No. and Project Name: RZ-23-07-2, Stenzel Farm

Applicant: Ms. Amanda Boggus, Esq.

Owner: Scott Stenzel, Bree Ann Stenzel, Michael Stenzel, and Susan Stenzel.

Requested Action: Rezone 5.76 +/- acres from Rural Residential (R-1) District to Agriculture (A) District to allow General Agricultural uses.

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: 5.76 +/- acres

Location: East of Cynthia Lane, east of CR 561, north of CR 561A, in the Minneola area of unincorporated Lake County.

Alternate Key No: 3778132

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

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

Proposed Zoning District: Agriculture (A)

Joint Planning Area/ISBA: City of Minneola ISBA

Overlay District(s): Lake Apopka Basin Overlay District.

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Rural Residential	Residential	Existing Single-Family Dwelling
South	Rural	Rural Residential	Vacant Residential	Vacant
East	Rural	Agriculture	Right-of-Way, Residential	Existing Single-Family Dwelling west of Cynthia Lane
West	Rural	Rural Residential	Residential	Existing Single-Family Dwelling

The applicant is petitioning to rezone 5.76 +/- acres from the Rural Residential (R-1) District to Agriculture (A) District to allow the use of the property for General Agricultural purposes (Project Narrative - Attachment "C"). Per Land Development Regulations Section 3.02.06, the R-1 zoning district allows a maximum density of 1 dwelling unit per acre. The A zoning district allows a maximum density of 1 dwelling unit per 5 acres.

The parcel is vacant. The parcel has a Rural Future Land Use Category designation (FLUC) in the 2030 Comprehensive Plan. The subject property is generally located East of Cynthia Lane, east of CR 561, north of CR 561A within the Minneola area of unincorporated Lake County. The subject parcel is located less than one mile south to the municipal limits of the City of Minneola in unincorporated Lake County (Attachment "B").

The subject parcel is located within the City of Minneola ISBA and the application was circulated for comments to the City of Minneola on February 27, 2023. No comments were received from the City of Minneola.

**Existing and Proposed Development Standards Table**

	Zoning District	FLUC	Maximum Density LDR	Maximum Density Comp Plan (Rural)	Maximum ISR LDR	Maximum ISR Comp Plan (Rural)	Minimum Open Space (Rural)	Maximum Floor Area Ratio LDR	Maximum Building Height LDR
Existing	R-1	Rural	1 du/1 acre	1 du/5 net acres	30%	20%	35%	20%	40 Feet
Proposed	A	Rural	1 du/5 acres	1 du/5 net acres	10%	20%	35%	10%	40 Feet

**Land Development Regulations Section 14.03.03 Standards for Review. (Attachment "C")**

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

The request is consistent with Land Development Regulations (LDR) Section 3.02.06, as the Agriculture (A) District allows a maximum density of 1 dwelling unit per 5 acres and the parcel is comprised of 5.76 +/- acres.

The proposed request is consistent with LDR Section 3.01.02(B)(1) which defines General Agriculture as *"Establishments for the keeping, grazing or feeding of livestock and animals; feedlots; croplands; aquaculture; silviculture; apiaries; honey extracting; and buildings which are an accessory use to these agricultural uses. This category of uses does not include processing or distribution plants for agricultural products and supplies when not an accessory use in conjunction with the agricultural operation. Exotic animals are not included in this classification."* General Agriculture is allowed within the Agriculture (A) District.

**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 Comprehensive Plan Policy I-1.4.4, *Rural Future Land Use Category* (FLUC). The Rural FLUC allows for agriculture and forestry uses and a maximum density of one (1) dwelling unit per five (5) net buildable acres. The proposed rezoning is consistent with the provisions of the Rural FLUC in the Comprehensive Plan as shown in the Existing and Proposed Development Standards Table above.

The request is consistent with Comprehensive Plan Policy I-1.2.8, *Agricultural and Equestrian Uses*, which states that agricultural uses shall be recognized as a suitable use of property within all FLUCs.

**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-1.4.4, *Rural Future Land Use Category*, and the Agriculture District (A) development standards.

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

The surrounding area is developed with agriculture and residential uses. As previously stated, Comprehensive Plan Policy I-1.2.8 recognizes agriculture uses as suitable within all FLUCs.

The current Rural Residential (R-1) District allows for a density of 1 dwelling unit per acre, which is inconsistent with the Rural FLUC in the comprehensive Plan, which allows for a maximum density of 1 dwelling unit per 5 acres. Rezoning to the Agriculture (A) district will be consistent with the Rural FLUC in the Comprehensive Plan where both allow for the maximum density 1 dwelling unit per 5 net 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;**

**Water and Sewer**

The City of Minneola provided documentation indicating that water and sewer are not available to the subject parcel (Attachment "D"). The subject property shall be serviced by private well and on-site septic tank in accordance with the Florida Department of Health (DOH) – Lake County and Florida Department of Environmental Protection (FDEP). Parks and Recreation

The request is not anticipated to adversely impact park capacity or levels of service.

**Public Safety**

Lake County Fire Station #83 is located less than three (3) miles of the subject property at 15303 Ferndale Community Road, Clermont, and will provide advanced life support should an emergency on the property demand this service. Solid Waste

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

**Transportation Concurrency**

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

An environmental statement dated within (6) months of the date of application that describes current site conditions and the impacts of development on ground and surface water quality, quantity, and hydrology, native vegetation and wildlife species, designated species, wetlands, and associated uplands was requested by staff. The applicant submitted a statement with the following:

*a. Site conditions: The property is a vacant 5.72-acre dry, sandy lot covered in grass with oak trees along the property boundaries.*

*b. Impacts of development on ground and surface water quality, quantity, and hydrology: Development of the property will not impact surface water quality, quantity, or hydrology.*

*c. Native vegetation, wildlife species, and designated species: There are no protected wildlife species or native vegetation identified that would need to be preserved.*

*d. Wetlands and associated uplands: This parcel has no wetlands or low areas.*

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, "This rezoning will not affect property values, as property owners to the East are zoned as "A" and the property owners to the North, West, and South are zoned as "R1". 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, *“This rezoning will not impede orderly or logical development. The surrounding properties are of similar size and similar purpose. The rezoning will promote the County’s desire to maintain and support agricultural uses of property and does not offend any regulation or code.”* Future development shall be consistent with the requirements of Lake County Comprehensive Plan and Land Development Regulations.

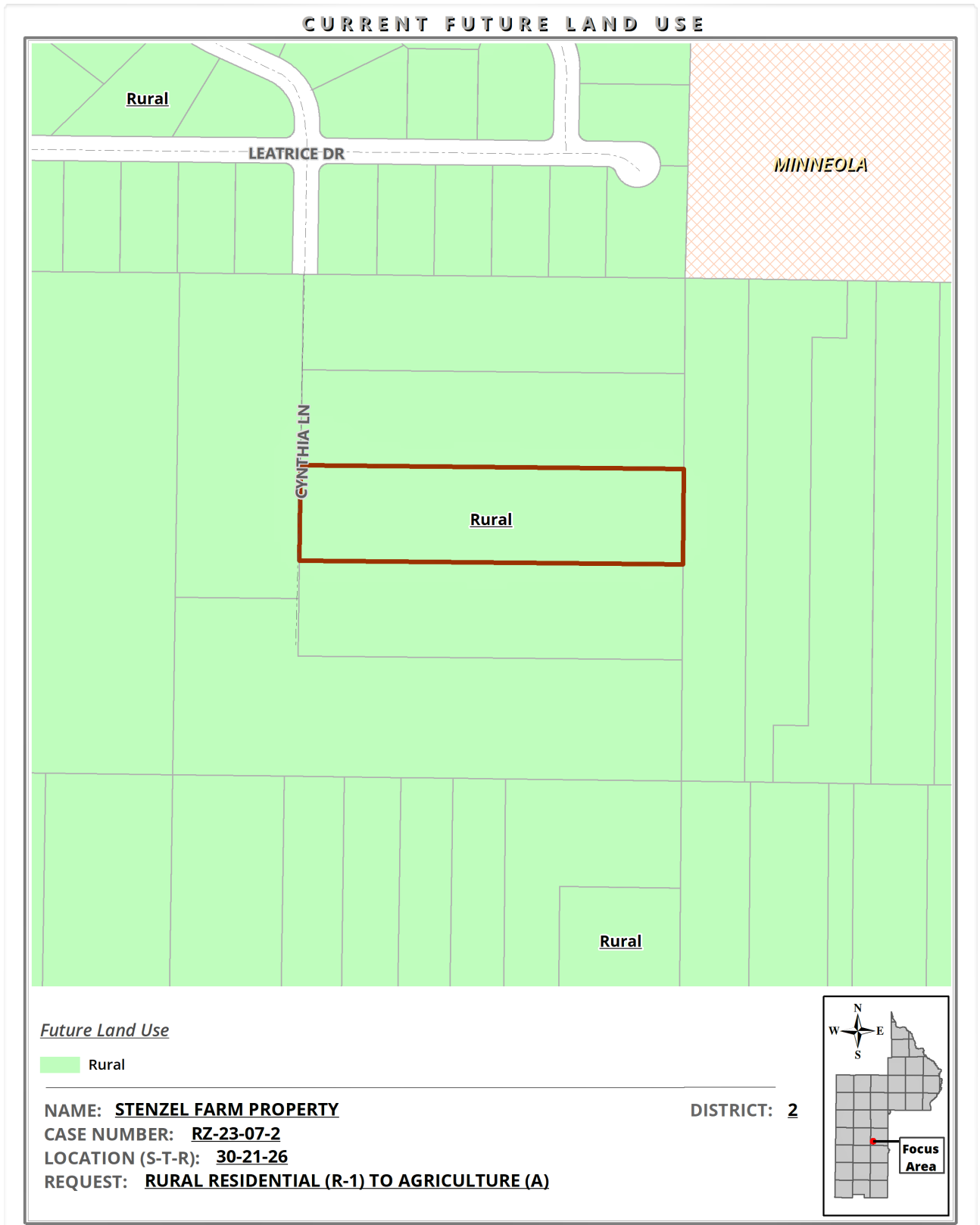
**I. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these Regulations; and**

The applicant has indicated that, *“This rezoning is not in conflict with the public interest and is in harmony with the purpose and intent of the regulations, specifically 3.00.02(C).”* The proposed rezoning would allow for development consistent with the density of the Rural FLUC and with the character of the surrounding area. As previously stated, Comprehensive Plan Policy I-1.2.8 recognizes agriculture uses as suitable within all FLUCs.

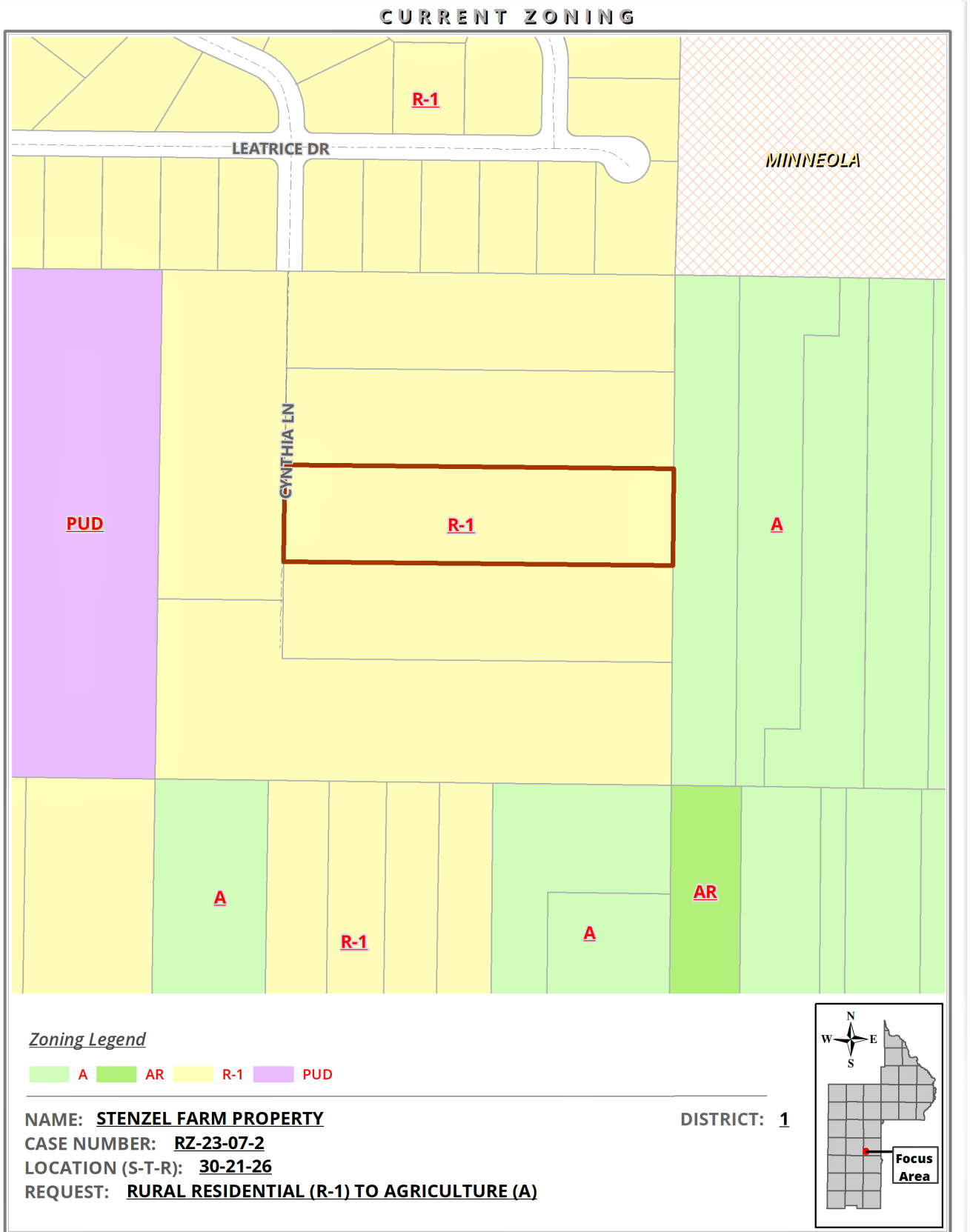
**J. Any other matters that may be deemed appropriate by the Lake County Zoning Board or the Board of County Commissioners, in review and consideration of the proposed rezoning.**

The applicant has indicated that, *“The “A” designation is also recognized by Lake County in 3.00.02(C), “Agriculture is a major industry of the County; therefore, it is the intent of this district to: Provide long term means for preventing further Encroachment upon agricultural enterprises; to encourage agricultural pursuits by preserving good soils and agricultural areas from subdivision Development or commercial and industrial Construction.”*

# Attachment "A" – Future Land Use Map



# Attachment "B" – Zoning Map



# Attachment “C” – Project Narrative (Page 1 of 3)



Mr. Jimmy D. Crawford, Esq.  
Ms. Stephanie M. Modica, Esq.  
Ms. Lindsay C. T. Holt, Esq.  
Ms. Freya L. McLain, Esq.  
Mr. Matthew Black, Esq.  
Ms. Amanda Boggus, Esq.

May 2, 2023

Stenzel Farms Application  
Review Comments Responses

Project No. 2023020021, Application Request No. 5182  
AKN 3778132

Office of Planning and Zoning

- a) Whether the rezoning is in conflict with any applicable provisions of the Code.
  - a. It is not in conflict with the Land Development Code. Rezoning from “R1” to “A” is consistent with the Comprehensive Plan. Rezoning is consistent with the Future Land Use Map.
- b) Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.
  - a. The property is currently zoned for “R1” Rural Residential. The purpose of Rural Residential is to provide a transition between agricultural and Conservation Areas and the more urban residential communities. The requested rezoning is to transition the property to “A” Agricultural. Rezoning is consistent with the Future Land Use Map and all elements of the Comprehensive Plan.
- c) Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses.
  - a. The purpose of Agricultural is to provide a method whereby parcels of Land which are most suited to agricultural usage may be classified and preserved for this purpose. The transition from “R1” to “A” will allow General Agriculture. Establishments for the *keeping, grazing or feeding of livestock and animals*; feedlots; croplands; aquaculture; silviculture; *apiaries*; honey extracting; and buildings which are an accessory use to these agricultural uses. The rezoning from “R1” to “A” is necessary due to General Agriculture uses are not permitted under the “R1” designation, but are permitted under the “A” designation. The property owner intends to utilize the property for General Agricultural purposes. The “A” designation is also recognized by Lake County in 3.00.02(C) Agriculture is a major industry of the County; therefore, it is the intent of this district to: Provide long term means for preventing further Encroachment upon agricultural enterprises; to *encourage* agricultural pursuits by preserving good soils and agricultural areas from subdivision Development or commercial and industrial Construction.
- d) Whether there have been changed conditions that justify a rezoning.
  - a. The applicant recently purchased the property in October 2022.
- e) Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent which, the proposed rezoning would exceed the

352-432-8644 PHONE · 352-432-8699 FAX · WWW.CMHLAWYERS.COM  
CLERMONT: 702 WEST MONTROSE STREET, CLERMONT, FL 34711  
TAVARES: 380 WEST ALFRED STREET, TAVARES, FL 32778

# Attachment “C” – Project Narrative (Page 2 of 3)

May 2, 2023

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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.

a. This rezoning will have no impact on utilities or services.

f) Whether, and the extent to which, the rezoning would result in significant impacts on the nature environment.

a. This rezoning will have no impact on the natural environment.

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

a. This rezoning will not affect property values, as property owners to the East are zoned as “A” and the property owners to the North, West, and South are zoned as “R1”.

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

a. This rezoning will not impede orderly or logical development. The surrounding properties are of similar size and similar purpose. The rezoning will promote the County’s desire to maintain and support agricultural uses of property and does not offend any regulation or code.

i) Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

a. This rezoning is not in conflict with the public interest and is in harmony with the purpose and intent of the regulations, specifically 3.00.02(C).

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

a. The “A” designation is also recognized by Lake County in 3.00.02(C), “Agriculture is a major industry of the County; therefore, it is the intent of this district to: Provide long term means for preventing further Encroachment upon agricultural enterprises; to encourage agricultural pursuits by preserving good soils and agricultural areas from subdivision Development or commercial and industrial Construction”.

k) A description of the typical operations and/or activities conducted on the property, any changed conditions that would justify the rezoning, and why there is a need for the proposed rezoning.

a. The current zoning is restrictive. The transition from “R1” to “A” will allow General Agriculture. Establishments for the keeping, grazing, or feeding of livestock and animals; feedlots; croplands; aquaculture; silviculture; apiaries; honey extracting; and buildings which are an accessory use to these agricultural uses. The rezoning from “R1” to “A” is necessary due to General Agriculture uses not being permitted under the “R1” designation but are permitted under the “A” designation. The property owner intends to utilize the property for General Agricultural purposes.

## Environmental

a) Please provide an environmental statement dated within (6) months of date of application that describes current site conditions and the impacts of development on ground and surface water quality, quantity, and hydrology, native vegetation and wildlife species, designated species, wetlands, and associated uplands.



# Attachment “C” – Project Narrative (Page 3 of 3)

May 2, 2023

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- a. Site conditions: The property is a vacant 5.72 acre dry, sandy lot covered in grass with oak trees along the property boundaries.
- b. Impacts of development on ground and surface water quality, quantity, and hydrology: Development of the property will not impact surface water quality, quantity, or hydrology.
- c. Native vegetation, wildlife species, and designated species: There are no protected wildlife species or native vegetation identified that would need to be preserved.
- d. Wetlands and associated uplands: This parcel has no wetlands or low areas.

# Attachment "D" – City of Minneola 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 X

**Legal description:** Section 30 Township 21 Range 26 E Alt Key # 3778132

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

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

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

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

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

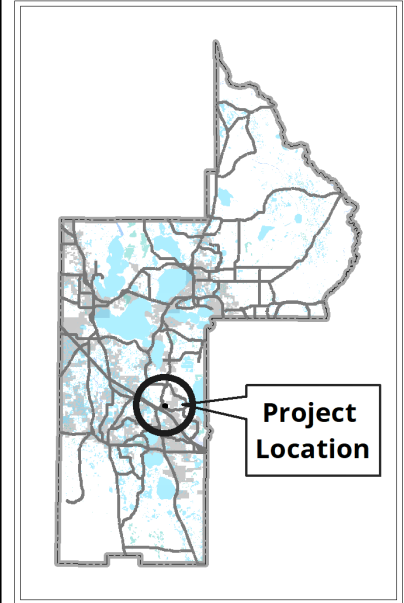
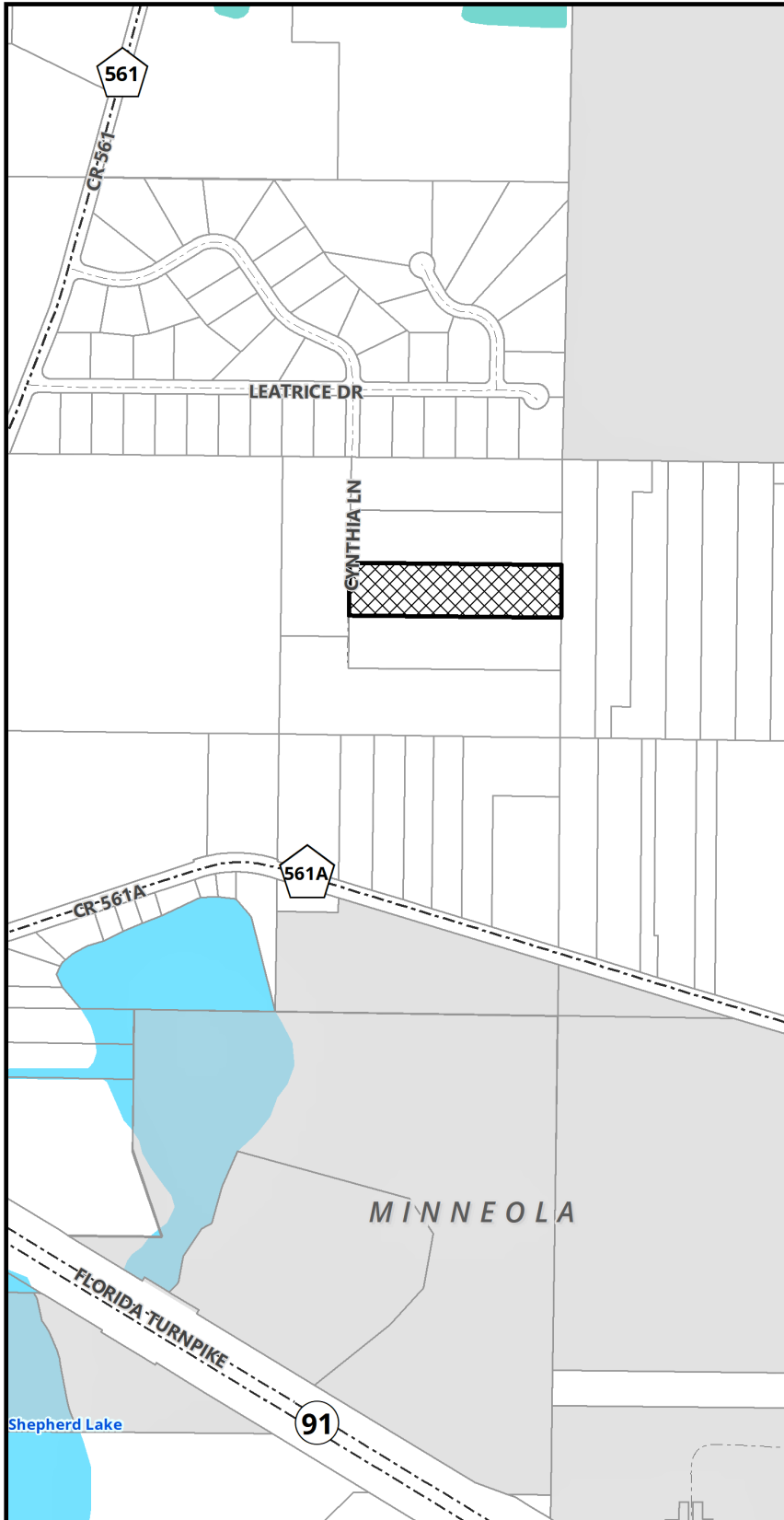
City Official or Private Provider Signature [Signature]

Print Name, Title and Entity: Fred Miller, Project Manager City of Minneola Date 03/13/2023

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

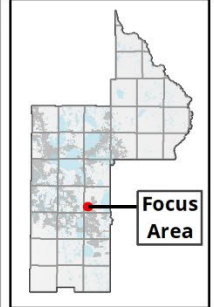
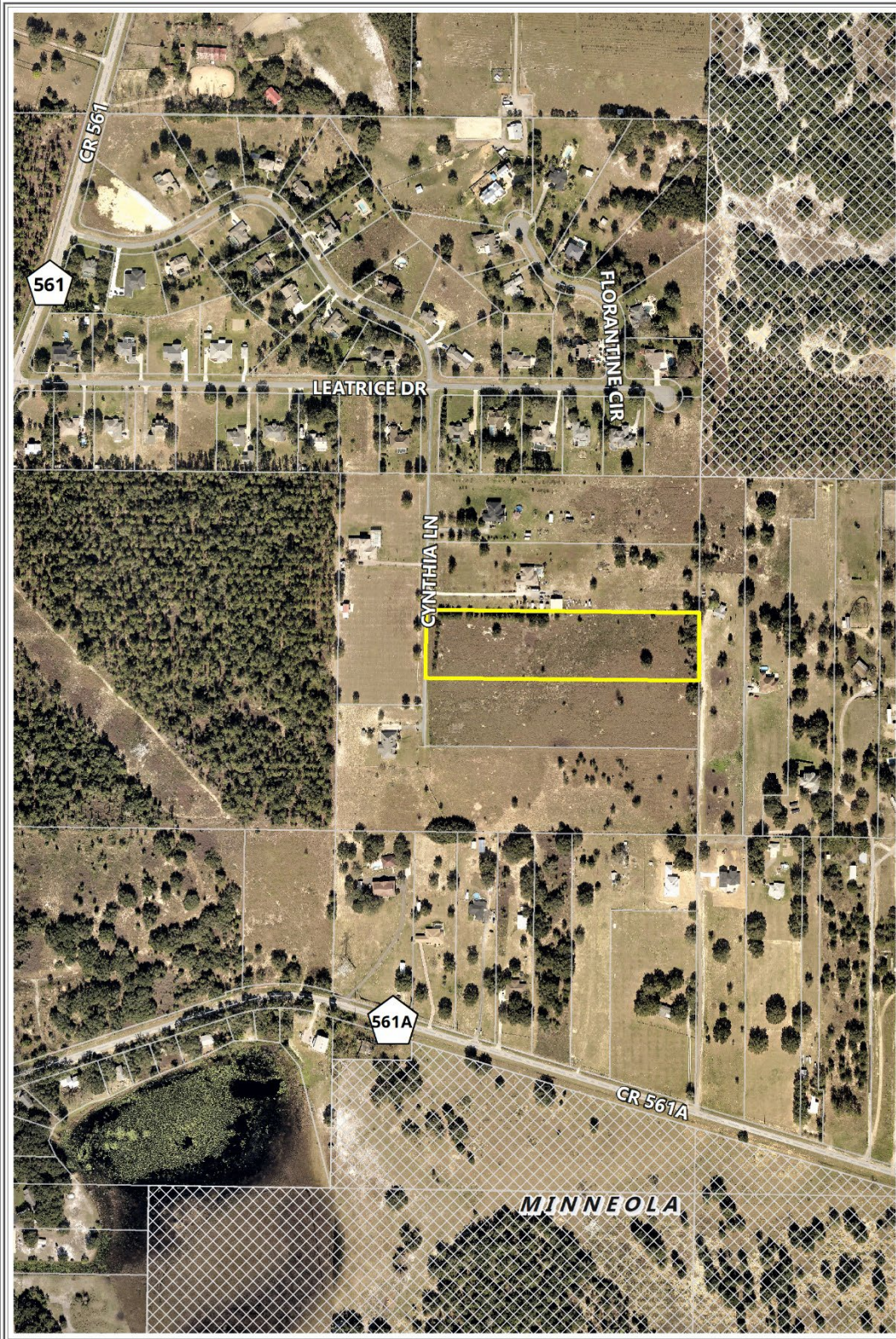




# Aerial Map of Subject Property



RZ-23-07-2  
Stenzel Farm Property



Rural Residential (R-1)  
to  
Agriculture (A)



**ORDINANCE #2023-\_\_\_\_\_**  
**Stenzel Farm**  
**RZ-23-07-2**

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

**WHEREAS**, Ms. Amanda Boggus, Esq. (the “Applicant”) requested a rezoning application on behalf of Scott Stenzel, Bree Ann Stenzel, Michael Stenzel, and Susan Stenzel (“the Owner”) to rezone approximately 5.76 +/- acres from Rural Residential (R-1) District to Agriculture (A) District to allow General Agricultural uses; and

**WHEREAS**, the subject property consists of 5.76 +/- acres generally located East of Cynthia Lane, east of CR 561, north of CR 561A, in the Minneola area of unincorporated Lake County, in Section 30, Township 21, Range 26, identified by Alternate Key Number 3778132, more particularly described as:

The South 250 feet of the North 750 feet of the Northeast 1/4 of the Southeast 1/4 of Section 30, Township 21 South, Range 26 East, Lake County, Florida; LESS AND EXCEPT the West 324.00 feet thereof.

RIGHT OF WAY DESCRIPTION: A 50-foot ingress, egress, utility and drainage easement, over and across the East 50.00 feet of the West 349.00 feet of the North 1050.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 30, Township 21 South, Range 26 East, Lake County, Florida.

**WHEREAS**, the property subject to the request is located within the Rural 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-23-07-2 on the 5th day of July 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 1st day of August 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 subject parcel from Rural Residential District (R-1) to Agriculture (A).

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

**Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this

1 Ordinance to the Secretary of State for the State of Florida in accordance with Section  
2 125.66, Florida Statutes.

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

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

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

6 **EFFECTIVE** \_\_\_\_\_, 2023.

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

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**Kirby Smith, CHAIRMAN**

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14 **ATTEST:**

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

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

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**MELANIE MARSH, COUNTY ATTORNEY**

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