



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 5

Public Hearings: Planning & Zoning Board (PZB): August 2, 2023  
Board of County Commissioners (BCC): September 5, 2023

Case No. and Project Name: RZ-22-33-4, Rapture Air Storage Building

Owner: Rapture Air Holdings, LLC

Applicant: Nicholas J. Parrott

Requested Action: Rezone approximately 0.98 +/- acres from Community Commercial District (C-2) and Urban Residential District (R-6) to Community Commercial District (C-2) to facilitate the approval of an accessory structure (storage building) for the existing air conditioning business.

Staff Determination: Staff finds the rezoning request consistent with the Land Development Regulations (LDR) and 2030 Comprehensive Plan.

Case Manager: Janie Barrón, Chief Planner

PZB Recommendation:

### Subject Property Information

Size: 0.98 +/- acres

Location: 37206 State Road 19, in the Eustis area of unincorporated Lake County

Alternate Key No.: 1212596

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

Existing Zoning District: Commercial District (C-2) and Urban Residential District (R-6) (Attachment "B")

Proposed Zoning District: Community Commercial District (C-2)

Joint Planning Area (JPA) / Interlocal Service Boundary Agreement (ISBA): City of Eustis JPA

Corridor: State Road 19 Minor Commercial Corridor (Attachment "C")

### Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	Community Commercial District (C-2)	Commercial	Aloha Hawaiian Motors (Auto Sales/Storage)
South	City of Eustis	City of Eustis	Commercial	Prime Plumbing
East	City of Eustis	City of Eustis	Commercial	Prime Plumbing
West	Urban Low Density	Planned Commercial (CP)	Right-of-Way and Industrial	Undeveloped Industrial Parcel west of SR 19

**– Summary of Analysis –**

The subject parcel is zoned Community Commercial District (C-2) and Urban Residential District (R-6), designated with an Urban Low Density Future Land Use Category (FLUC), and located within the State Road 19 minor commercial corridor. Per GIS Map and Conceptual Plan, the subject parcel is not located within a flood prone area and no wetlands exist on site. The subject parcel is generally located east of State Road 19 and south of Locust Lane in the Umatilla area of unincorporated Lake County.

The Applicant is requesting to rezone approximately 0.98 +/- acres from Community Commercial District (C-2) and Urban Residential District (R-6) to Community Commercial District (C-2) to facilitate the approval of an accessory structure (storage building) for the existing air conditioning business, which will allow for additional storage space. The conceptual plan depicts an existing office building, driveway and proposed storage building with a concrete slab. The proposed storage building is located within the portion of the parcel that is zoned R-6.

The subject parcel is located within the City of Eustis Joint Planning Area (JPA) and the City of Eustis had not comments.

**- Analysis -**

Land Development Regulations Section 14.03.03 Standards for Review.

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

The proposed rezoning request is consistent with LDR Section 3.00.02(S) entitled *Purpose and Intent of Districts*, which states that the purpose of the Community Commercial District (C-2) to provide full-scale retail and professional services to serve several small communities.

The proposed rezoning request is consistent with LDR Section 3.01.02(C) entitled *Classification of Uses*, and LDR Section 3.01.03 entitled Schedule of Permitted and Conditional Uses, which allows retail general uses within the C-2 zoning district. Retail general is defined as an establishment providing general retail sales, services, or rental from the premises of goods and/or services not specifically classified in another commercial activity type. Typical uses include auto parts stores, apparel stores, business machine sales, clothing rental stores, computer stores, department stores, discount stores, drug stores, furniture stores, food stores, garden supply stores, hardware stores, office supply stores, pest control service, toy stores, and variety stores.

The proposed storage building location as depicted on the conceptual plan is consistent with LDR Section 10.03.00 entitled *Non-residential Accessory Uses and Structure*, which states that accessory uses and structures in commercial zoning district shall comply with all setback requirements of the principal building.

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"The rezoning is NOT in conflict with any applicable provisions of the Land Development Code to the best of my knowledge."*

Should the rezoning request be approved, 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.

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

The proposed rezoning request is consistent with Comprehensive Plan Policy I-1.3.2 entitled *Urban Low Density FLUC*, which allows commercial uses at an appropriate scale and intensity.

The proposed rezoning request is consistent with Policy I-1.3.10 *Commercial Activities within the Urban Future Land Use Series*, that states the County shall allocate sufficient land area to accommodate commercial activities that provide goods and services, with consideration to economic benefits and environmental impacts. The term "commercial" shall include commercial, retail, office, limited light industrial uses and other commonly associated uses with the Urban Future Land Use Series.

The conceptual plan depicts an approximate 20% impervious surface ratio and is consistent with Comprehensive Plan Policy I-1.3.2 entitled *Urban Low Density FLUC*, which allows a 60% maximum impervious surface ratio.

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"This application is consistent with all elements of the Comprehensive Plan. This property is already walled including the portion that is currently zoned residential. Commercial property surrounds this property."*

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 rezoning request to facilitate the approval of an accessory structure for the existing air conditioning business is consistent with the land uses permitted by the proposed C-2 zoning district and Urban Low Density FLUC. The parcels surrounding the subject property are developed with commercial land uses as identified in the Adjacent Property Land Use Table.

The rezoning request is consistent with Comprehensive Plan Policy I-1.3.10.6 entitled *Criteria for Commercial Corridors* as the subject property lies within the State Road 19 Minor Commercial Corridor, and minor commercial corridors are intended for designated roadway corridors where an existing development pattern of comparable intensity has been established and is consistent with community character.

To lessen any adverse impacts onto neighboring properties at the time of the development application, the Applicant shall submit an environmental assessment and noise assessment. To further lessen any adverse impacts onto neighboring properties at the time of the development application, the Applicant shall comply with LDR Section 3.05.00 entitled *Screening for Commercial and Industrial Uses*.

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"Rapture Air proposes this rezoning to make it consistent with the rest of the parcel that the business sits on that is already zoned commercial."*

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

The rezoning request to facilitate the approval of an accessory structure for the existing air conditioning business is consistent with the land uses permitted by the proposed C-2 zoning district and Urban Low Density FLUC. The parcels surrounding the subject property are developed with commercial land uses as identified in the Adjacent Property Land Use Table.

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"Rapture Air wishes to have the whole parcel zoned commercial so that the proposed warehouse can be built on the property."*

**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;**

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"The rezoning will not affect/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, fire and emergency medical facilities."*

Water and Sewer

The subject parcel is serviced by an existing well and septic tank system. The proposed storage building will not be connected to the existing well or septic tank system.

Parks and Recreation

No adverse impacts are anticipated on parks.

Public Safety

Lake County Fire Rescue Station #20 is located at 37711 SR 19, less than one mile from the site. This facility will provide advanced life support should an emergency on the property demand this service. Fire protection water supply and emergency access will be addressed during the development review process.

Solid Waste

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

Transportation Concurrency

The request is not anticipated to adversely impact roadway Levels of Service (LOS).

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

Should the rezoning be approved, all sensitive resources will be addressed through the development application review and approval process. New development will be required to meet all criteria specified by the Comprehensive Plan and LDR, as amended, for natural resource protection and mitigation. The required environmental assessment (EA) must identify the presence of natural resources and specify protection and necessary mitigation of any endangered or threatened wildlife, flora and/or fauna, to include those that are species of special concern.

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"There will be no impact on the natural environment. No trees will need to be removed and the area is flat so no site work will be required in the proposed construction area."*

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

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"The addition of the warehouse would increase the property values of the surrounding areas."*

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

The rezoning request to facilitate the approval of an accessory structure for the existing air conditioning business is consistent with the land uses permitted by the proposed C-2 zoning district and Urban Low Density FLUC. The parcels surrounding the subject property are developed with commercial land uses as identified in the Adjacent Property Land Use Table. The ordinance includes landscaping conditions in accordance with the LDR, as amended.

To lessen any adverse impacts onto neighboring properties at the time of the development application, the Applicant shall submit an environmental assessment and noise assessment. To further lessen any adverse impacts onto neighboring properties at the time of the development application, the Applicant shall comply with LDR Section 3.05.00 entitled *Screening for Commercial and Industrial Uses*.

In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"The rezoning with the addition of the proposed warehouse will be in an orderly and logical development pattern and will not be in the way of anything else that is currently on the property."*

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

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

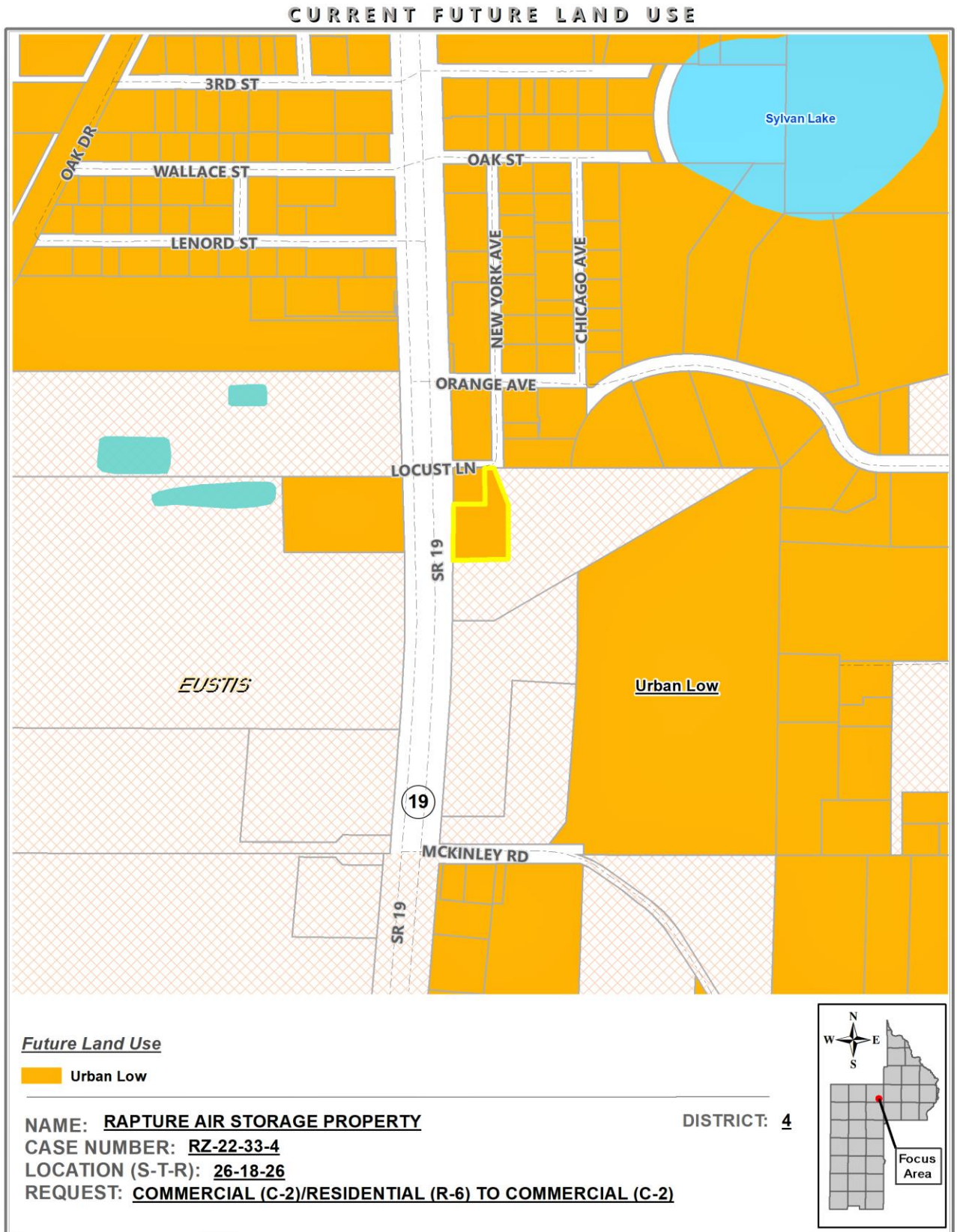
In their narrative statement (Attachment "D") for rezoning the Applicant provided the following statement:

*"The proposed rezoning will not be in conflict with the public interest and will be in harmony with the purpose and intent of these regulations."*

**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.**

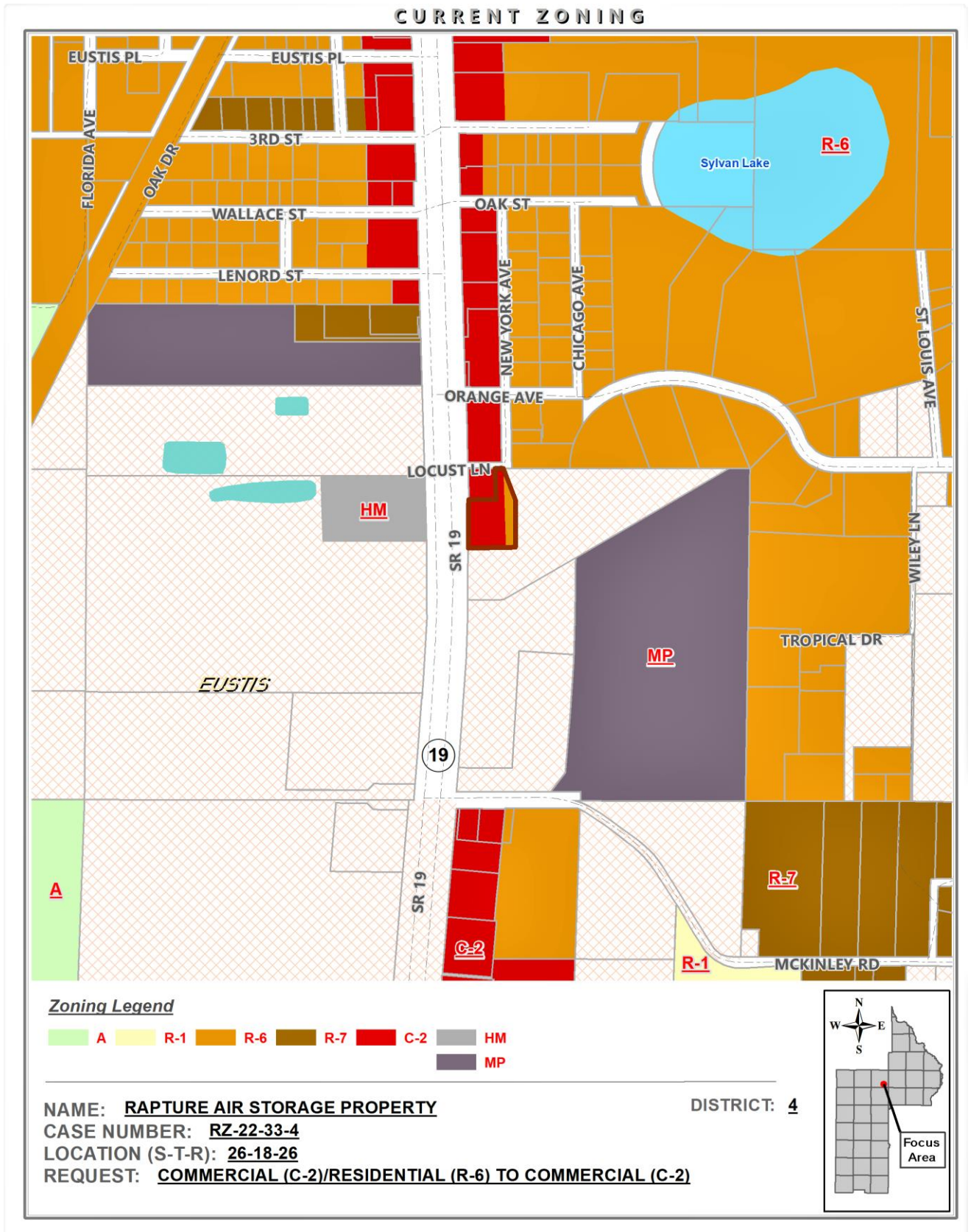
N/A

# Attachment "A" - Future Land Use Category





# Attachment "B"- Zoning District





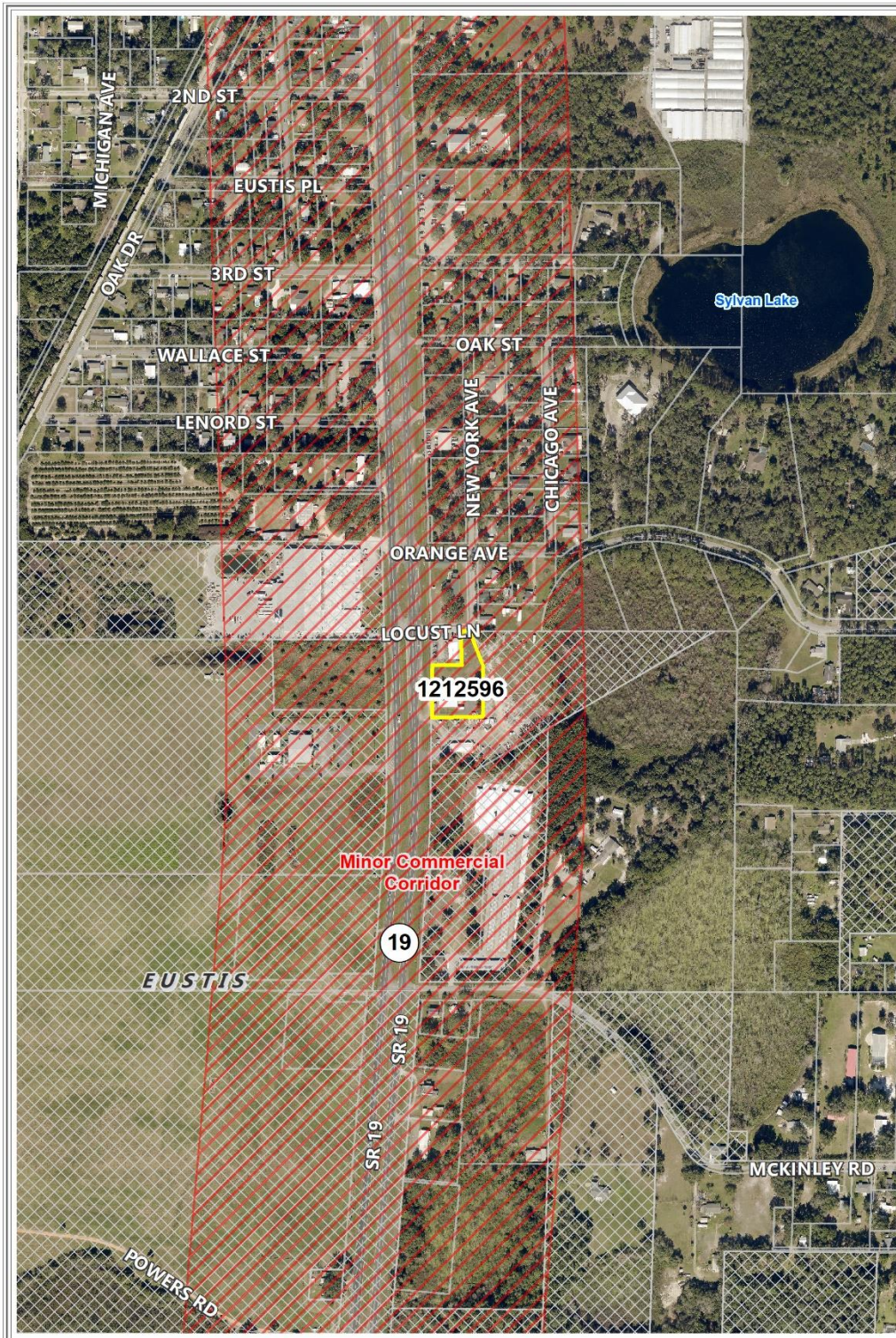
# Attachment "C" - Minor Commercial Corridor Map



RZ-22-33-4  
Rapture Air Storage Property



Commercial (C-2)/  
Residential (R-6)  
to  
Commercial (C-2)



## Attachment "D"- Project Narrative

### **Rapture Air, Inc.**

P.O. Box 1326  
Mt. Dora, FL 32756-1326

Phone: 352-735-6611  
FAX: 352-792-1498  
email:admin@raptureair.com  
State License: CAC057807

---

To whom it may concern:

We would like to rezone the back section of our property from R-6 to C-2, so we can build a simple 30'x60' metal storage building, as our existing building does not have enough storage space. With the continued supply chain issues, we have had to increase the amount of ducting materials we pre order and keep in stock for our customers/builders, exceeding the storage capabilities of our current building. There would be no change to public facilities demands as the building will stickly be for storage of materials we already have to store, and our property is a well with our own septic. Property values would not be affected as we are completely surrounded by C-2 Commercial already.

EXISTING PROJECT NARRATIVE: Rapture Air currently has an office/warehouse at this address that is split into an office portion and a warehouse in the other portion. With our growing business, the warehouse can no longer hold all of the equipment that we need to keep in stock to properly run our business. We also have parking for all of our employees on this parcel.

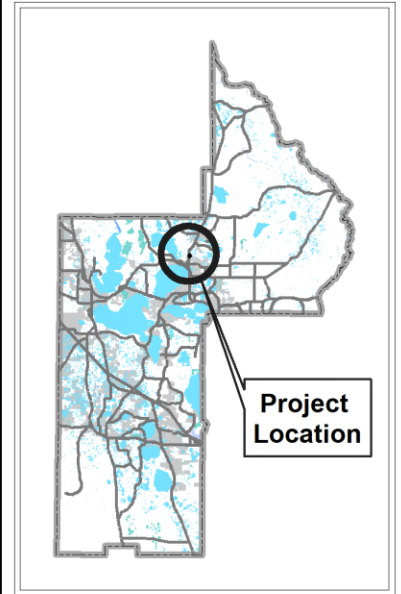
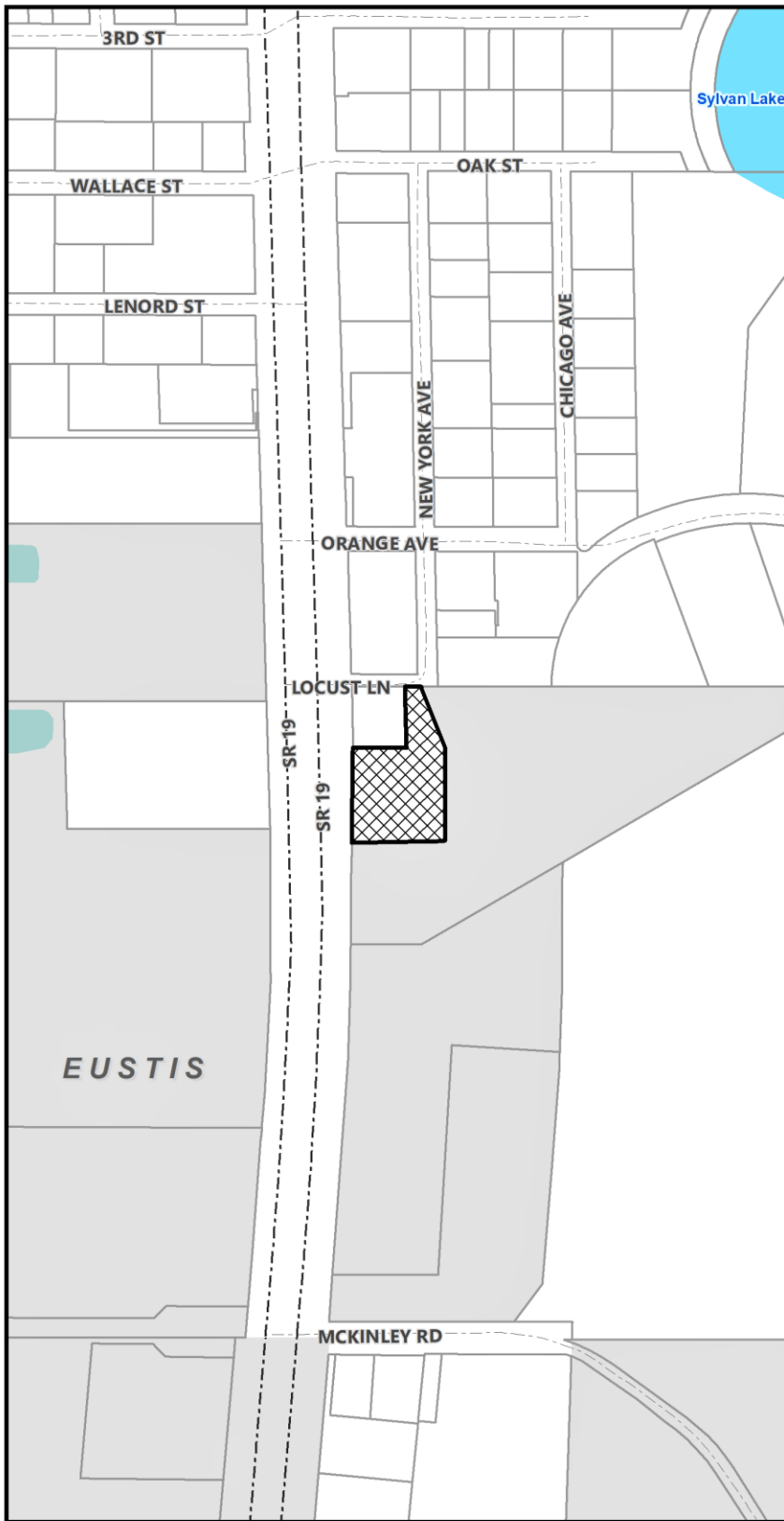
PROPOSED PROJECT NARRATIVE: Rapture Air would like to build an additional warehouse to house the supplies necessary to run the business properly. The placement of the proposed warehouse currently has residential zoning. I feel that this is the best location for the proposed warehouse so that it doesn't interfere with the current employee parking spaces.

FOLLOWING is a response to the questions that need to be addressed:

- a.) The rezoning is NOT in conflict with any applicable provisions of the Land Development Code to the best of my knowledge.
- b.) This application is consistent with all elements of the Comprehensive Plan. This property is already walled including the portion that is currently zoned residential. Commercial property surrounds this property.
- c.) Rapture Air proposes this rezoning to make it consistent with the rest of the parcel that the business sits on that is already zoned commercial.
- d.) Rapture Air wishes to have the whole parcel zoned commercial so that the proposed warehouse can be built on the property.
- e.) The rezoning will not affect/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, fire and emergency medical facilities.
- f.) There will be no impact on the natural environment. No trees will need to be removed and the area is flat so no site work will be required in the proposed construction area.
- g.) The addition of the warehouse would only increase the property values of the surrounding areas.
- h.) The rezoning with the addition of the proposed warehouse will be in an orderly and logical development pattern and will not be in the way of anything else that is currently on the property.
- i.) The proposed rezoning will not be in conflict with the public interest and will be in harmony with the purpose and intent of these regulations.



# Map of Subject Property

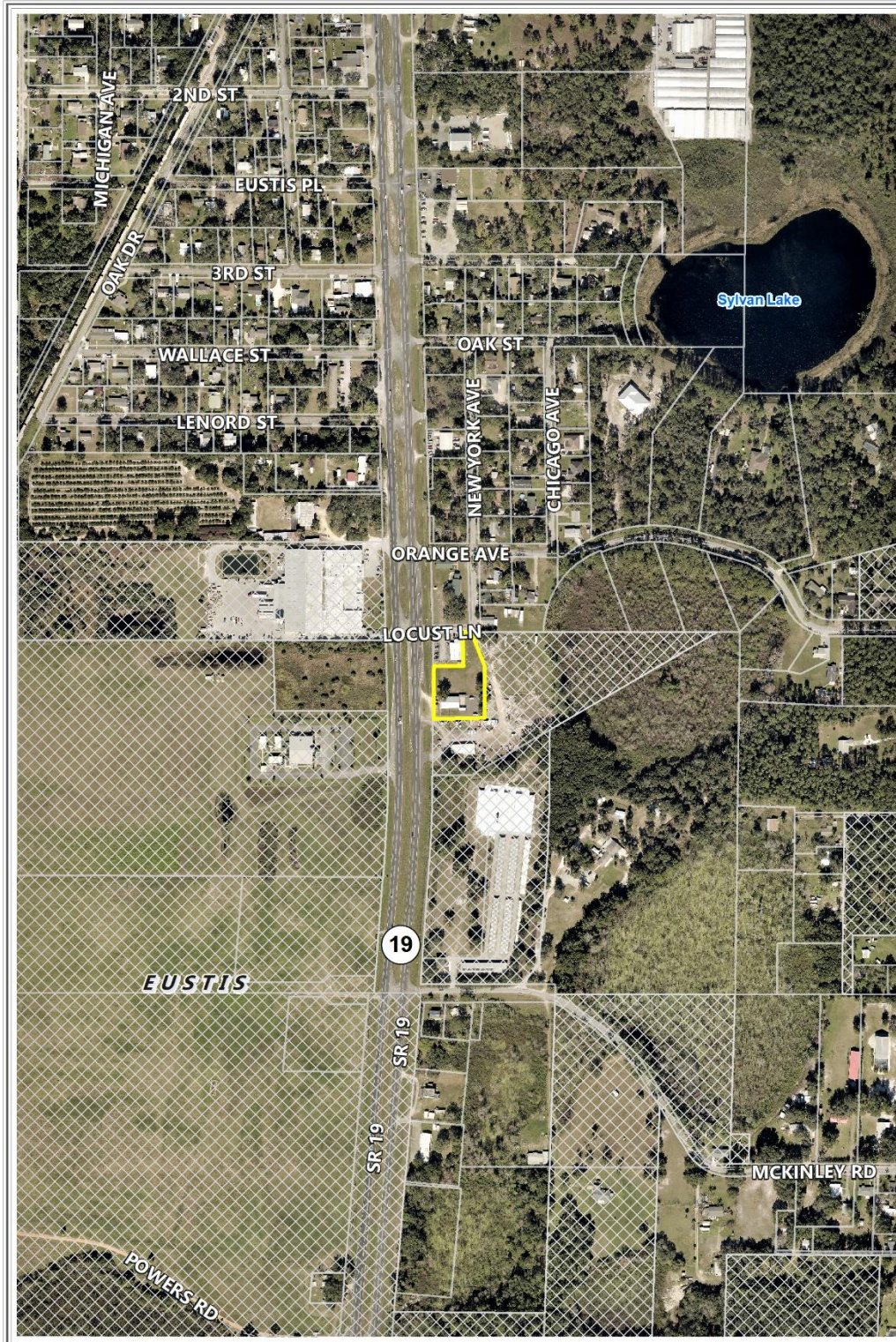
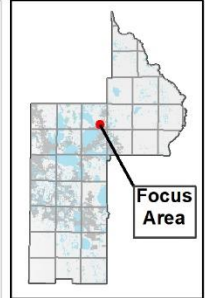




# Aerial Map of Subject Property



RZ-22-33-4  
Rapture Air Storage Property



Commercial (C-2)/  
Residential (R-6)  
to  
Commercial (C-2)







