



CONDITIONAL USE PERMIT STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 11

Public Hearings: Planning & Zoning Board (PZB): October 4, 2023
Board of County Commissioners (BCC): November 14, 2023

Case No. and Project Name: CUP-23-09-5, Treasure Island Motocross Training Facility

Applicant: Mr. Justin Boyd

Owner: Nuvo Vista, LLC, a Florida Limited Liability Company

Requested Action: Conditional use permit (CUP) to allow for a Motocross training and practice facility to be used by professional and amateur athletes.

Case Manager: Janie Barrón, Chief Planner
Bernice Gonzalez, Senior Planner

PZB Recommendation:

Subject Property Information

Size: 34 +/- acres

Location: 35540 North Treasure Island Avenue, Leesburg FL, 34748

Alternate Key No.: 1742544 and 1177324

Future Land Use: Rural (Attachment "A")

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

JPA/ISBA: Leesburg ISBA and Utility Service Area

Overlay/Rural Protection Area: Emerald Marsh Rural Protection Area (RPA)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural	Agriculture	Recreation	Ares Training Facility (CUP-21-10-3)
South	Rural	Agriculture (A)	Vacant, Residential	Vacant Land and Single-Family Dwelling Units
East	Rural	Agriculture (A)	Recreation	Large Tracts of Vacant Land and Large Tracts of Land with Single-Family Dwelling Units
West	Rural	Agriculture and CFD (Ordinance #2004-8)	Vacant, Residential	North Treasure Island Avenue, Ares Training Facility (CUP-21-10-3)

- Staff Analysis -

The subject 34 +/- acres are identified by Alternate Key Numbers 1742544 and 1177324 located east of North Treasure Island Avenue in the Leesburg area of unincorporated Lake County, adjacent to the Ares Training Facility (CUP-21-10-3). The subject properties are zoned Agriculture (A) and designated with a Rural Future Land Use Category (FLUC) by the 2030 Comprehensive Plan; situated within the City of Leesburg Interlocal Service Boundary Agreement (ISBA) and Utility Service Area, and Emeraldal Marsh Rural Protection Area.

It is the intention of the Applicant to purchase the property for the operation of a motocross training and practice facility to be used by professional and amateur athletes. In support of the application, the applicant has provided a justification statement (Attachment "C").

The Concept Plan (Attachment "D") shows the proposed location of tracks, retention ponds, and access from North Treasure Island Avenue. The applicant has indicated in their response to staff comments that, *"The facility will be private members only use, keeping the number of daily trips under 100 to ensure there is no [traffic] impact."* Moreover, *"The site will have a parking lot to handle all activity and there will be no on street parking or backup. There will be no race events held at the property and it will be private to ensure no overflow parking. The parking area will also include a turnaround with a radius of 50 ft. for any EMT or emergency services as well as dumpster and waste removal."* Furthermore that, *"A noise study will be submitted upon CUP approval with the site plan submission. The facility will use the same standards as the American Motocross Association Pro Racing rulebook which is set at 112dB/a from 79 inches behind the motorcycle. The concept plan also includes a raw landscape buffer of 15ft. around the perimeter of the property, less the entrance."* (Attachment "E").

The subject properties are located within the City of Leesburg Interlocal Service Boundary Agreement. The application was sent to the City of Leesburg for comments. The City of Leesburg did not oppose the request. (Attachment "F").

Opposition correspondence is attached as a separate document and Notice of Appearance is included as Attachment "G".

Standards for Review LDR Section 14.05.03 (Attachment "C" and "E")

A. Consistency with the Comprehensive Plan and Local Code (Land Development Regulations).

Comprehensive Plan Policy I-1.4.4 *Rural Future Land Use Category*, allows for active parks and recreation facilities as a conditional use. LDR Section 3.01.03, *Schedule of Permitted and Conditional Uses*, allows for recreational uses within the Agriculture (A) District. The Comprehensive Plan defines "Recreation, Active" as recreational activities, usually performed with others, often requiring equipment, and taking place at prescribed places, sites, or fields. It generally involves constructed facilities and organized activities.

The applicant has stated in the Justification Statement that, *"The proposed motocross facility aligns with the comprehensive plan and local code. The facility is within the rural protection area framework. The CUP would be consistent with the comprehensive plan to diversify the economy and positively impact residents of lake county. The facility will also ensure that the land is kept mostly undeveloped and preserve its agricultural zoning. This recreational use is compatible with the agricultural character of the surrounding area including Johnson Range LLC's Ares Training Facility. Motocross tracks and associated facilities are an allowable use in the Agriculture zoning district with approval of a conditional use permit per the county land development regulations. The project has been designed to meet all relevant standards and requirements for this use."*

The proposed development is consistent with Comprehensive Plan Policy I-5.3.1 Importance of the Emeraldal Marsh Rural Protection Area, which encourages *"private land use is largely characterized by agrarian and equestrian-oriented activities that represent a valuable part of the history, culture, and lifestyle of rural Lake County."* The applicant has stated that the proposal is consistent with the provisions under Objective I-5.3 Emeraldal Marsh Rural Protection Area and Comprehensive Plan Policy I-5.3.1 *Importance of the Emeraldal Marsh Rural Protection Area* and Policy I-5.3.2 *Land Use in the Emeraldal Marsh Rural Protection Area* stating that, *"The facility will comply and be in line with marsh ecology and rural character of the area with minimal impact on natural vegetation, wetlands, and floodplains and will have no outdoor track lighting. The rural land use category for impervious coverage will be well under the 20% maximum. The design in*

entirety is open space and will not encroach upon the 35% maximum buildable area. The minimal impact on the impervious surface will help ensure the protection of the ecological integrity of public and private lands associated with Emerald Marsh. Outdoor recreational facilities like motocross tracks are consistent with the lifestyle and culture of rural Lake County. In fact, the sport's highest performing professional athletes reside in Lake County making it one of the nation's top hubs.

Being that this will be a private facility it will not be much different than having a private equestrian center. As for the portable toilet. The current well and septic are installed but there is no bathroom structure built currently. That would be constructed in Phase 2 upon the approval of an applicable permit.”

Pursuant to LDR Section 14.05.01, the purpose of a CUP is to provide for uses that are generally compatible with the use characteristic of a zoning district, but which required individual review of their location, intensity, design, configuration, and public facility impact in order to determine the appropriateness of the use in the district and their compatibility with adjacent uses. Conditional uses may require the imposition of additional conditions to make them compatible with their specific contexts. The CUP Ordinance may impose conditions in an effort to minimize any potential adverse effects to nearby residential properties consistent with the Comprehensive Plan and Land Development Regulations.

B. Effect on Adjacent Properties.

1. The proposed conditional use will not have an undue adverse effect upon nearby property.

The applicant has indicated that, *“The location was hand-picked due to the adjacent 100+ acre gun range and is in alignment with the Rural Future Land Use designation. We have met with people in the community to hear input from them on what guidelines they would like to see in the facility. Only one adjacent neighbor attended. We are taking the track designs very seriously to minimize their concerns of noise impacts with vegetation buffers, limiting riding occupancy to 30 private member athletes per day with a maximum of 100 trips per day. Tracks are oriented away from nearby homes and berms/vegetative buffers will be installed. Sound studies will be conducted to verify noise levels are within allowable limits. Dust will be controlled through vegetation and watering of tracks. No track lighting. Operating hours will avoid early morning/evening disturbances. These measures will mitigate adverse effects on surrounding properties.”*

2. The proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located.

The properties to the north and west of the subject property are occupied by the Ares Training Facility (CUP-21-10-3) and the properties to the east and south are agricultural and low-density residential uses. Potential impacts to surrounding residential properties will likely be minimized by a 15-foot-wide vegetative landscape buffer along the perimeter of the property that is to be maintained in perpetuity by the applicant. Additionally, as seen in the Concept Plan, the tracks will be situated on the northern and western portion of the property, closer to the Ares Training Facility (CUP-21-10-3) rather than adjacent residential properties.

3. All reasonable steps have been taken to minimize any adverse effect of the proposed conditional use on the immediate vicinity through design, landscaping, and screening.

The applicant has stated that, *“A noise study will be submitted upon CUP approval with the site plan submission. The facility will use the same standards as the American Motocross Association Pro Racing rulebook which is set at 112dB/a from 79 inches behind the motorcycle. The concept plan also includes a raw landscape buffer of 15ft. around the perimeter of the property, less the entrance.”* (Attachment “E”).

4. The proposed conditional use will be constructed, arranged, and operated so as not to interfere with the development of neighboring property, in accordance with applicable district regulations.

The applicant has stated that, *“We have met with people in the community to hear input from them on what guidelines they would like to see in the facility. Only one adjacent neighbor attended. We are taking the track designs very seriously to minimize their concerns of noise impacts with vegetation buffers, limiting riding occupancy to 30*

private member athletes per day with a maximum of 100 trips per day. Tracks are oriented away from nearby homes and berms/vegetative buffers will be installed. Sound studies will be conducted to verify noise levels are within allowable limits. Dust will be controlled through vegetation and watering of tracks. No track lighting. Operating hours will avoid early morning/evening disturbances. These measures will mitigate adverse effects on surrounding properties.”

C. Adequacy of Public Facilities. The proposed conditional use will be served by adequate 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. Levels of service established by the Comprehensive Plan Shall be considered.

The applicant has stated that, *“The facility's existing well, septic, power, and access road will be improved as needed to adequately serve the proposed use per county/state standards. The portable toilets will be provided and maintained by Doodie Calls. All of the mentioned facilities can be located on the provided site map. As mentioned, traffic impacts will be minimal given the intermittent nature of training sessions with no more than 100 trips per day. Emergency vehicle access and fire protection will be provided. I will coordinate with police, fire, and EMS to ensure adequate services are available.”*

The applicant has stated that, *“As for the portable toilet. The current well and septic are installed but there is no bathroom structure built currently. That would be constructed in Phase 2 upon the approval of an applicable permit.”*

Parks:

No existing or planned trails on North Treasure Island Avenue where the property for the proposed Motocross Training Facility CUP is located.

Solid Waste:

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

Transportation/Access:

Access to the site is off North Treasure Island Avenue, which has a substandard road width. The width of the road ranges from fifteen (15) to sixteen (16) feet. A standard road typically has ten (10) foot lanes or twenty (20) feet total in width for two lane low volume traffic. It is recommended that if the CUP is approved the development widen the road to allow two-way traffic.

The following Conditions will be part of the Ordinance:

Transportation:

1. All access management shall be in accordance with the Comprehensive Plan and Land Development Regulations, as amended.
2. Additional right-of-way for North Treasure Island Avenue will be required with the development of the property.
3. Additional road improvements along the site's frontage will be required to accommodate wider road and possible turnaround.

Stormwater Management: 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.

D. Adequacy of Fire Protection. The applicant shall obtain from the Lake County Emergency Services Division written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

Lake County Building Services – Fire

No objection to Conditional Use Permit, provided compliance with the LDR's and Florida Fire Prevention Code. Be advised the following will be required at site plan submittal.

DESIGN DOCUMENTS MUST INDICATE:

1. The Building CONSTRUCTION TYPE with Total building square footage.
2. The Fire Separation Distances [setbacks] from the closet lot line; street; alley; public way; and buildings on the same property. – ALL DISTANCES MUST BE NOTED and called out
3. The TYPE of Fire Protection Water Supply to be provided at the site i.e.: fire hydrants, tank, etc.
4. The Needed Fire Flow for the building[s] and or structure[s] – Per NFPA 1 chapter 18 table 18.5.4.2.1 – THIS INFORMATION MUST BE NOTED ON SITE PLANS
5. The locations of any fire hydrants for the site – NEW OR EXISTING
6. Compliance with the Florida Fire Prevention Code NFPA 1 chapter 18 regarding fire department access. Adequate width, height, and approved turn arounds (cul-de-sacs min 50' radius).
7. An accessible path of travel [sidewalk(s)] to a public way from all required exits
8. Access to building shall be in accordance with NFPA 1 chapter 18.
9. Fire protection water supply WILL be available prior to and during construction. – THIS MUST BE NOTED ON PLANS
10. The location and size of any fuel storage tanks located on the site.

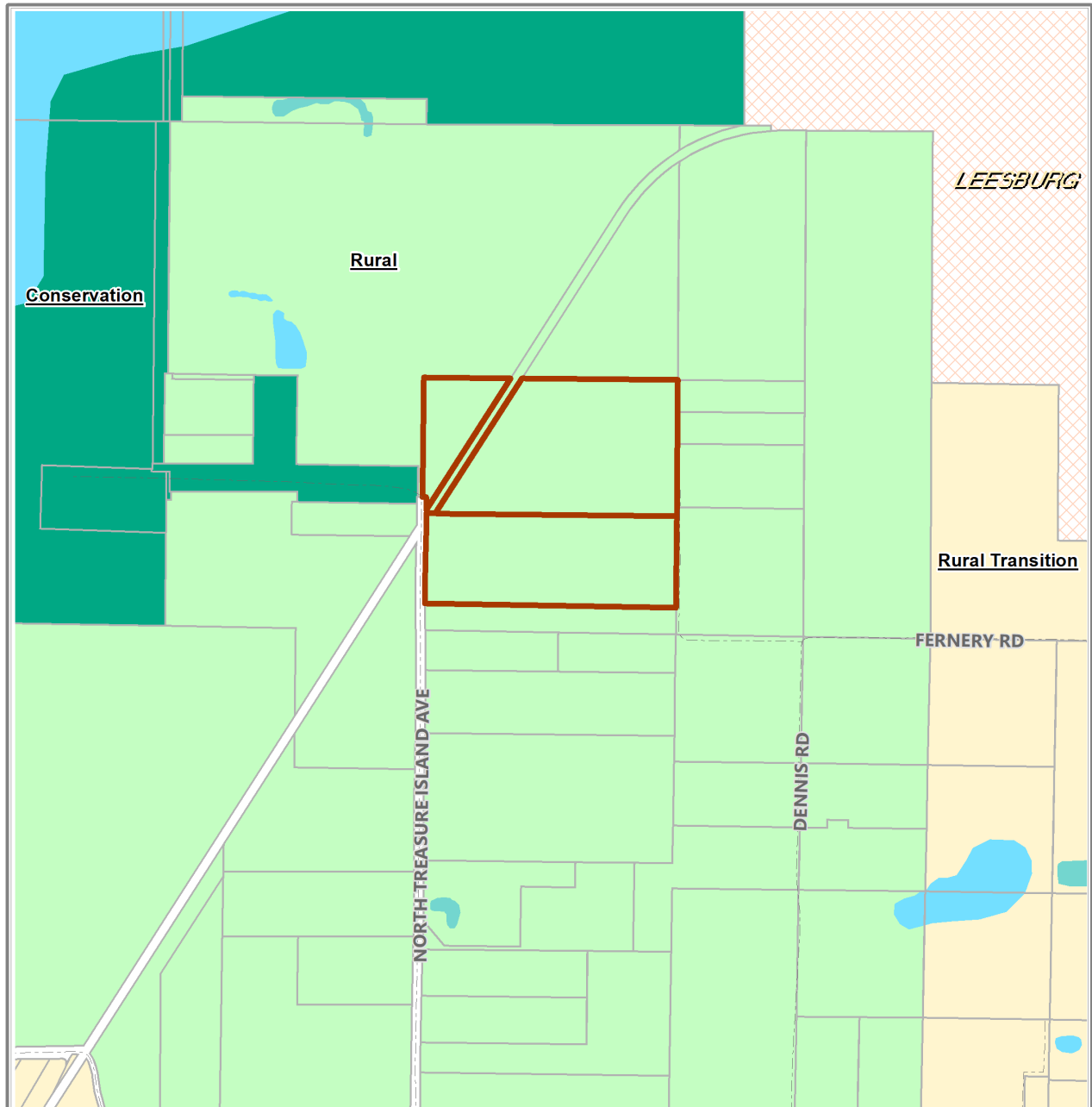
PLEASE BE ADVISED:

1. A building permit is REQUIRED for any structure or change of occupancy use.
2. The Florida Fire Prevention Code further mandates specific fire protection features for these facilities ie: automatic fire sprinkler system and fire alarm.
3. The Florida Fire Prevention Code allows the authority having jurisdiction to require a Key Lock Box; this item will be addressed during the building permitting phase.
4. The Florida Fire Prevention Code has specific mandates regarding the location of dumpsters stored within buildings or dumpsters placed within 10 feet of combustible walls; openings; or combustible roof eave lines; the dumpster location will need to be indicated on the site plan. – SEPARATE PERMIT WILL BE REQUIRED.

Based on these findings of fact, staff finds the Conditional Use Permit request to allow for the operation of a Motocross training and Practice Facility to be used by professional and amateur athletes in the Agriculture (A) zoning district consistent with Comprehensive Plan Policy I-1.4.4 *Rural Future Land Use Category*, and the Land Development Regulations.

Attachment A – Future Land Use Map

CURRENT FUTURE LAND USE



Future Land Use

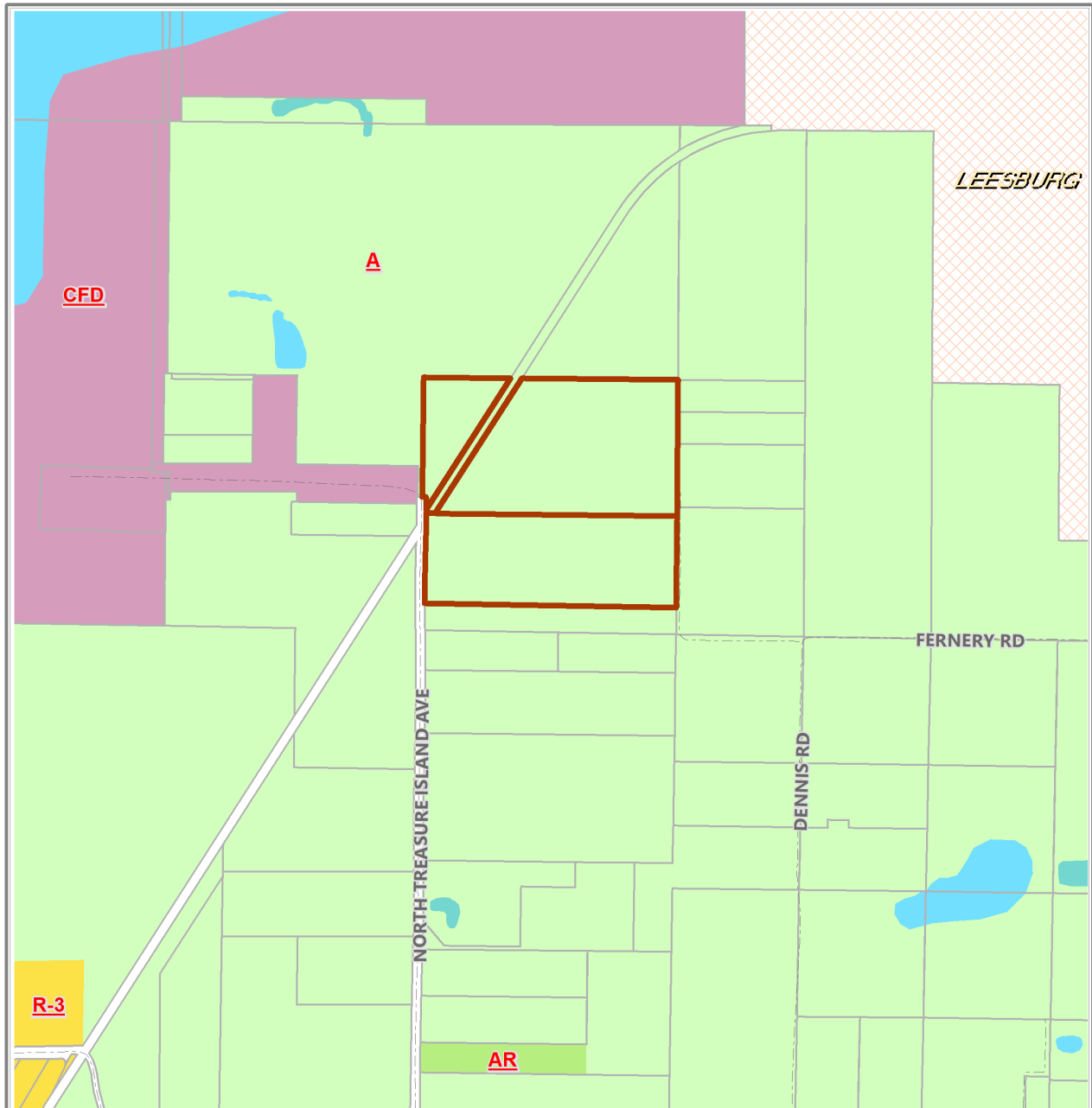
 Rural  Rural Transition  Conservation

NAME: **TREASURE ISLAND MOTOCROSS TRAINING FACILITY PROPERTY** DISTRICT: **5**
CASE NUMBER: **CUP-23-09-5**
LOCATION (S-T-R): **04-19-25**
REQUEST: **ALLOW MOTOCROSS TRAINING AND PRACTICE FACILITY**



Attachment B – Zoning Map

CURRENT ZONING



Zoning Legend

A AR R-3 CFD

NAME: **TREASURE ISLAND MOTOCROSS TRAINING FACILITY PROPERTY**
CASE NUMBER: **CUP-23-09-5**
LOCATION (S-T-R): **04-19-25**
REQUEST: **ALLOW MOTOCROSS TRAINING AND PRACTICE FACILITY**

DISTRICT: **5**



Attachment C – Justification Statement (Page 1 of 2)

Justification Statement

6/20/23

The current conditions do not pose an adverse effect on the training facility's operation. The location is Zoned AG, which is fitting for the proposed CUP. Because of the nature of the project, the land will remain open and mostly undeveloped, which continues its suitability for the area. This will be a private members only training facility that will not be holding racing or spectator events and will be designed to facilitate the training of amateur and professional motocross athletes. The goal of the project is to provide a small, private place for high level athletes to practice and be coached. The occupancy will be limited to 30 members riding per day, and the number of trips per day will never exceed 100 therefore minimizing the impact to North Treasure Island Ave. Public facilities impact will be minimal due to the facility not holding racing events. There is a well, septic, and power already provided on site thus minimizing water and sewer impacts on the city and county. Parking will include a two way driveway, and a turn around with a 50ft radius for emergency services. Compatibility measures taken to reduce the impact on the community include leaving a 15ft. raw vegetation buffer, limiting riding times to regular business hours, and enforcing the American Motorcyclist Association limit of 112DbA measured from 79 inches behind the exhaust.

Attachment C – Justification Statement (Page 2 of 2)

From: [Justin Boyd](#)
To: [Gonzalez, Bernice](#)
Subject: Re: CUP-2023-09-5 Treasure Island Motocross Training Facility (Project No. 2023010012, AR No. 5151)
Date: Tuesday, September 12, 2023 5:08:20 PM

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.

Hi Bernice,

Response to Emeraldal Marsh Rural Protection Area: The facility will comply and be in line with marsh ecology and rural character of the area with minimal impact on natural vegetation, wetlands, and floodplains and will have no outdoor track lighting. The rural land use category for impervious coverage will be well under the 20% maximum. The design in entirety is open space and will not encroach upon the 35% maximum buildable area. The minimal impact on the impervious surface will help ensure the protection of the ecological integrity of public and private lands associated with Emeraldal Marsh. Outdoor recreational facilities like motocross tracks are consistent with the lifestyle and culture of rural Lake County. In fact, the sport's highest performing professional athletes reside in Lake County making it one of the nation's top hubs. Being that this will be a private facility it will not be much different than having a private equestrian center.

As for the portable toilet. The current well and septic are installed but there is no bathroom structure built currently. That would be constructed in Phase 2 upon the approval of an applicable permit.

Please let me know if there are any more questions and I will be sure to address them ASAP so we do not have delays in the agenda schedule.

Thank you,
Justin Boyd

On Tue, Sep 12, 2023 at 3:06 PM Gonzalez, Bernice <bernice.gonzalez@lakecountyfl.gov> wrote:

Good afternoon, Justin

Following our phone conversation, we have received a request for more information from the County Attorney's Office (CAO). Please see below specifics of the Comprehensive Plan that the CAO would like to see addressed by the applicant. In order to avoid delays in the agenda schedule, **please provide the response by end of the day tomorrow, Wednesday 13 September 2023.** I appreciate it. Thank you.

Treasure Island Motocross Training Facility (CUP-2023-09-5, Conditional Use Permit)

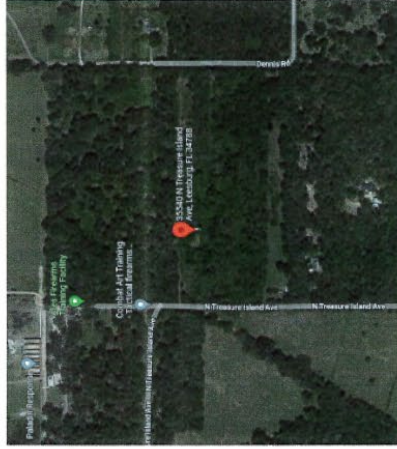
Attachment D – Concept Plan (Page 1 of 2)

TREASURE MOTOCROSS TRAINING FACILITY	PROPERTY SITE ADDRESS: 35540 N TREASURE ISLAND AVE LEESBURG FL 34788	PROPERTY LESSEE INFO: JUSTIN BOYD 850.533.6272 JUSTINTBOYD691@GMAIL.COM	PLOT PLAN 01.30.2023
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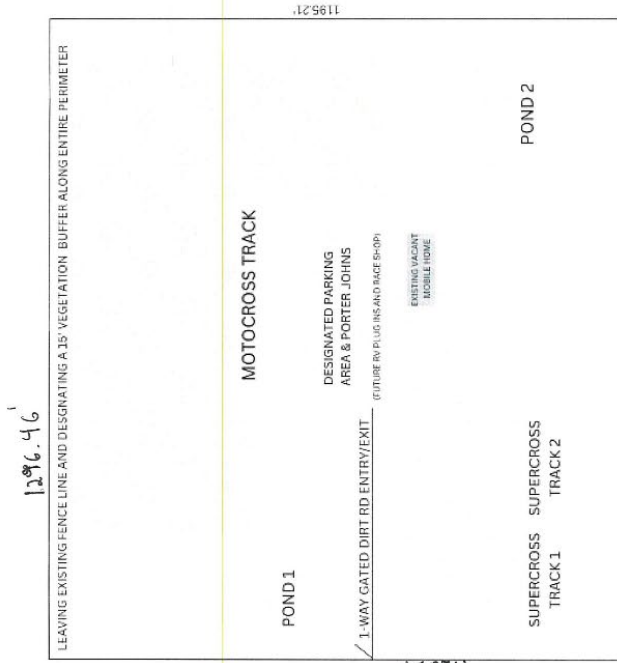
LEGAL DESCRIPTION
THE NORTH 7/4 00 FEET OF THE SOUTHWEST 1/4 OF THE NORTH EAST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS PUBLIC RIGHT-OF-WAY ON WEST AND LESS RAILROAD RIGHT-OF-WAY.

TOGETHER WITH A NON EXCLUSIVE, PERPETUAL EASEMENT OVER AND ACROSS A STRIP OF LAND 50 FEET IN WIDTH LYING ADJACENT TO AND ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF SAID RAILROAD FROM THE PUBLIC ROAD ABOVE DESCRIBED TO BE CONVEYED.

ALSO
THE NORTH 473.76 FEET OF THE SOUTH 614.00 FEET OF THE SOUTHWEST 1/4 OF THE NORTH EAST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY.



SITE MAP



TREASURE MX PLOT PLAN
NOT DRAWN TO SCALE



CONCEPT PHOTOS
(2) SUPERMOTOCROSS TRACKS
(1) MOTOCROSS TRACK
PARKING & PORTER JOHN AREA

Attachment D – Concept Plan (Page 2 of 2)



Attachment E – Review Responses (page 1 of 3)

08.14.2023

TO: Bernice Gonzalez, Senior Planner. ATTN: Lake County Board of County Commissioners
FROM: Justin Boyd
RE: Response to Review Comments; Conditional Use Permit – Treasure Island Motocross Training Facility (CUP-2023-09-5). Project No. 2023010012, Application Request No. 5151. Alternate Key Nos. 1742544 and 1177324.

I am writing in response to the County's letter dated 07.27.2023 providing review comments on my conditional use permit application for the proposed motocross facility on North Treasure Island Road. Unfortunately the recommended meeting we had scheduled by Rebecca Nettesheim on 08.10.2023 to review this letter with the Developmental Review Staff did not have any representatives present from the Public Works Dept. or Dept. of Health. Please see the attached revised material to address the review comments, as summarized below:

Response to: Office of Planning and Zoning

1. Justification Statement

Consistency with Comprehensive Plan and Local Code:

- The proposed motocross facility aligns with the comprehensive plan and local code. The facility is within the rural protection area framework. The CUP would be consistent with the comprehensive plan to diversify the economy and positively impact residents of lake county. The facility will also ensure that the land is kept mostly undeveloped and preserve its agricultural zoning. This recreational use is compatible with the agricultural character of the surrounding area including Johnson Range LLC's Ares Training Facility. Motocross tracks and associated facilities are an allowable use in the Agriculture zoning district with approval of a conditional use permit per the county land development regulations. The project has been designed to meet all relevant standards and requirements for this use.

Effect on Adjacent Properties:

- The location was hand picked due to the adjacent 100+ acre gun range and is in alignment with the rural future land use designation. We have met with people in the community to hear input from them on what guidelines they would like to see in the facility. Only one adjacent neighbor attended. We are taking the track designs very seriously to minimize their concerns of noise impacts with vegetation buffers, limiting riding occupancy to 30 private member athletes per day with a maximum of 100 trips per day. Tracks are oriented away from nearby homes and berms/vegetative buffers will be installed. Sound studies will be conducted to verify noise levels are within allowable limits. Dust will be controlled through vegetation and watering of tracks. No track lighting. Operating hours will avoid early morning/evening disturbances. These measures will mitigate adverse effects on surrounding properties.

Attachment E – Review Responses (page 2 of 3)

Adequacy of Public Facilities:

- The facility's existing well, septic, power, and access road will be improved as needed to adequately serve the proposed use per county/state standards. The portable toilets will be provided and maintained by Doodie Calls. All of the mentioned facilities can be located on the provided site map. As mentioned, traffic impacts will be minimal given the intermittent nature of training sessions with no more than 100 trips per day. Emergency vehicle access and fire protection will be provided. I will coordinate with police, fire, and EMS to ensure adequate services are available.

Adequacy of Fire Protection:

- The facility will meet county fire code requirements for access, water supply, and emergency vehicle access. Again, I will coordinate with the fire department to provide adequate fire protection facilities and services.

2. Utility notification letter, property record cards and deeds have been submitted.

Response to: Public Works Department - Engineering

1. DRS Meeting was scheduled and Engineering did not attend.
2. A traffic impact study will not apply since this will not be generating 100 or more peak hour trips (per Section 9.06.03).
3. The conditional use permit will be for a private motocross training facility to serve as a private training ground for high level motocross riders. This will not be a racetrack, it will be a private training ground that will not be holding races. The CUP is to allow a maximum capacity of 30 members to train at the facility each day intermittently with a maximum number of 100 trips per day. This limit will ensure a minimal impact on North Treasure Island.

Response to: Department of Health - Lake County.

1. During phase one, the construction of the bike wash will include the installation of a water softener for the well that is already on site. Furthermore, the bike wash will not be for drinking or sanitation, it will be to hose down dirt bikes.
2. It is acknowledged a permit will be required to add the RV hookups and septic during phase two of the construction, permits will be applied for during the beginning of phase 2.

Acknowledgement of Informational Comments

Attachment E – Review Responses (page 3 of 3)

I have reviewed the informational comments provided by the County departments including Planning and Zoning, Environmental Review, Landscaping Review, Public Works, Building Services, Concurrency Management, and Public Safety Support. I understand these comments outline various code requirements, permitting needs, reviews, fees, and other procedures that will apply as the project moves through the approval and development process.

I intend to comply fully with all applicable Lake County codes and requirements outlined in these informational comments. I will coordinate closely with each department to ensure we obtain the necessary permits and approvals before commencing any construction activities. We will meet their technical standards and comply with their development review procedures.

Please feel free to provide my contact information to any of the departments so they can reach out with any additional guidance. I appreciate these informative comments as they will help ensure a smooth development process that meets the County's high standards. My goal is to be a cooperative applicant and address any concerns or questions raised during permit review.

Kind Regards,

Justin Boyd

justinboyd691@gmail.com

850.533.6272

Attachment F – City of Leesburg Comments

From: [Christine Rock](#)
To: [Gonzalez, Bernice](#)
Cc: [Dan Miller](#); [Kandi Harper](#)
Subject: RE: RE: REQUEST FOR REVIEW | RESUBMITTAL | CUP-2023-09-5 Treasure Island Motocross Training Facility (Project No. 2023010012, AR No. 5151)
Date: Friday, July 14, 2023 2:16:31 PM
Attachments: [image002.png](#)
[image003.png](#)

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.

Good afternoon Ms. Gonzalez,

I have reviewed the documents in the FTP file and I have no objections regarding this case. The proposed location of the motocross training facility is within the Leesburg ISBA, but is not adjacent to any properties located within the City of Leesburg. The site is currently serviced by an existing well and septic system and there is no request to connect to City of Leesburg water or sewer.

Best regards,

Christine Rock, AICP, CFM
Senior Planner
Planning and Zoning
204 N. 5th Street
Leesburg, Florida 34748
Phone: (352) 728-9786 x 1727



Attachment G – Notice of Appearance



September 26, 2023

Lake County Board of County Commissioners
C/O Melanie Marsh, County Attorney
315 W. Main Street
Tavares, FL 32778

RE: CUP-23-09-5 Treasure Island Motocross Training Facility

Dear Ms. Marsh:

Please consider this correspondence my Notice of Appearance under LDR 14.00.06C.2 for the referenced matter, currently scheduled to be heard by the Planning and Zoning Board on October 4, 2023 and by the BOCC on November 14, 2023. I wish to appear as counsel for Alan & Louise Chen, who reside at 8010 Treasure Island Road, Leesburg, FL 34788. The Chens are neighbors who will be affected by the proposed operations of the Treasure Island Motocross Training Facility. Should the matter be continued, please allow my Notice to continue to stand until such time as the BOCC takes final action on the pending request.

Very truly yours,

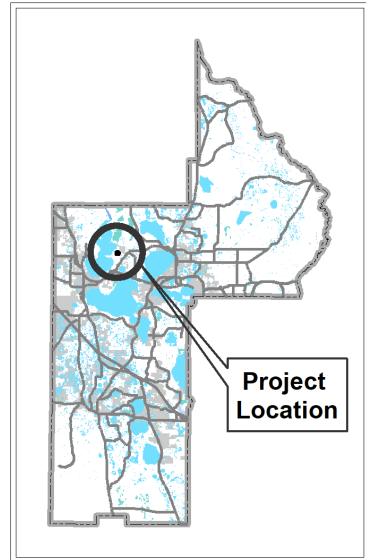
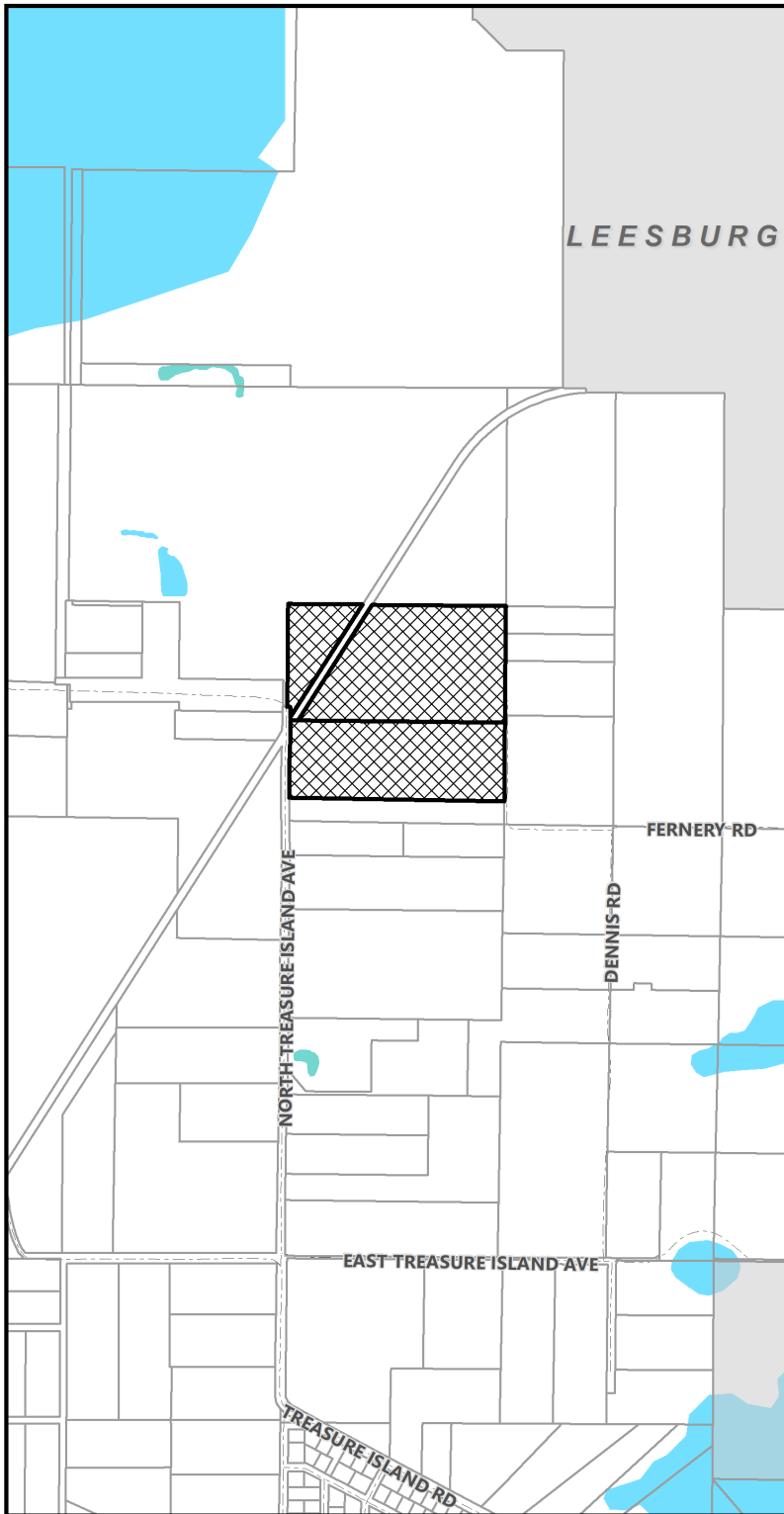
A handwritten signature in blue ink that reads "Mary D. Solik".

Mary D. Solik

MDS/
Alan & Louise Chen

Mary Doty Solik
121 S. Orange Avenue, Suite 1500 Orlando, FL 32801 Phone 407.367.7868 Mobile 407.925.4738
www.dotysoliklaw.com msolik@dotysoliklaw.com
Licensed in FL and GA

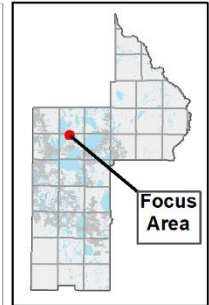
Subject Property



Aerial Map of Subject Property



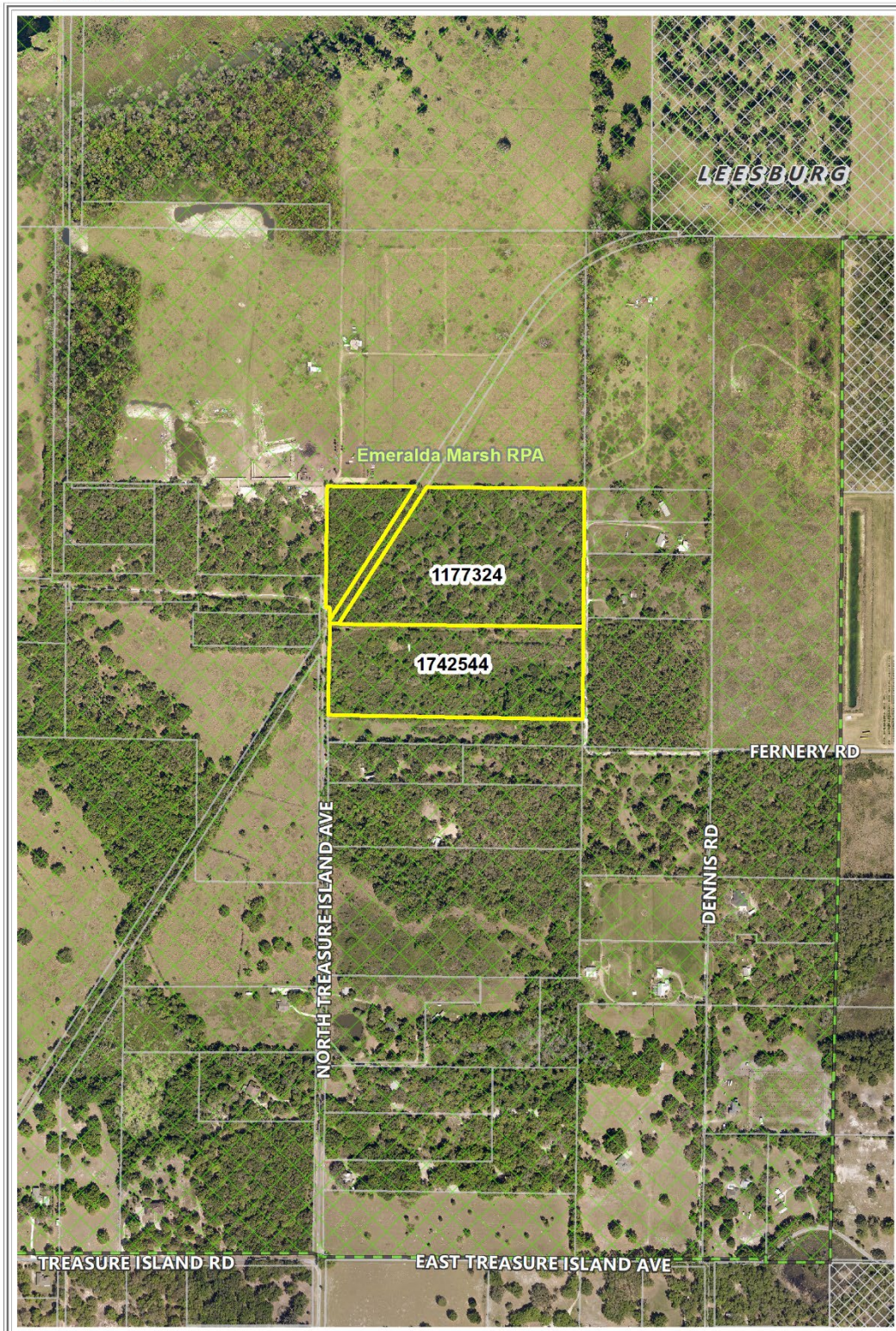
CUP-23-09-5
Treasure Island Motocross Training Facility Property



Allow Motocross Training
and Practice Facility

Legend

 Emeraldal Marsh RPA





**OPPOSITION
CORRESPONDENCE**

From: [Raymond Hayden](#)
To: [Planning and Zoning](#)
Subject: Motocross CUP 23-09-5
Date: Thursday, September 28, 2023 11:31:58 AM

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.

Hello,

I am writing in reference to the Motocross CUP 23-09-5 application proposing a motocross training facility in our rural community.

The proposed location is next to the Ares Firearms Training Area and, while the firearms training area is a protected use under the Florida Constitution, motocross training locations are not. Additionally, the people who OWN Ares Firearms Training actually OWNED the land on which it has been established.

The location selected for the proposed Motocross training facility is NOT owned by the people who wish to acquire it, and thus, they are speculating on the ability to conduct this sort of business in our rural location.

The applicant had reached out to neighbors who would be affected by the noise, traffic and other issues of conducting such a business on that property, and a LOT of us packed the room they had rented to conduct the discussion. NO ONE in attendance was in favor of using that location for a Motocross Training Center - public or private.

The very nature of "dirt bikes" running around for hours training each day would negatively impact the property values of all of the homes within the area.

Finally, the road leading to the location is a one lane road, in disrepair, and in need of both widening, and paving to make it safe for the projected amount of traffic this facility would generate.

We are asking you to recommend denial of this application.

Thank you in advance,

Ray Hayden, J.D.

From: [Amanda Harrison](#)
To: [Planning and Zoning](#)
Subject: Treasure Island Motocross CUP 23-09-5
Date: Wednesday, September 27, 2023 11:14:04 AM

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.

Good Morning,

This email is being sent to voice my **Strong Opposition** to CUP 23-09-5.

My neighbors and I - already subjected to directly adjacent CUP 21-10-3, Ares Training Facility (shooting range) - will no longer be able to peacefully enjoy our property if motocross riders are practicing nearby for hours each day.

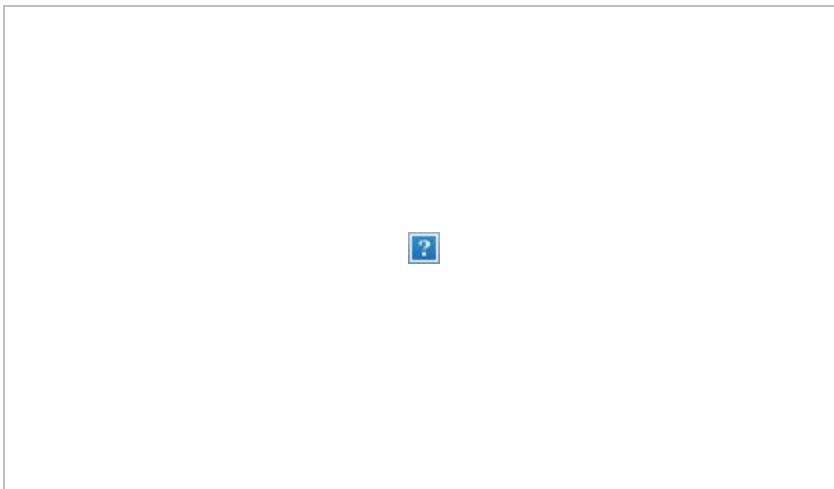
Additionally, as the roads in our community are narrow, rural roads, they will not be able to withstand the trailer, camper, and RV traffic that is being proposed by the applicant.

Finally, what will this facility do to our property values? Who wants to live near a motocross training facility AND a Shooting Range? We are a Residential location and bringing in businesses does not only affect our daily lives but also affects our property values.

We are asking you to recommend a **DENIAL** of CUP 23-09-5 to protect our community from this nuisance substantially and unreasonably interfering with the enjoyment of our property.

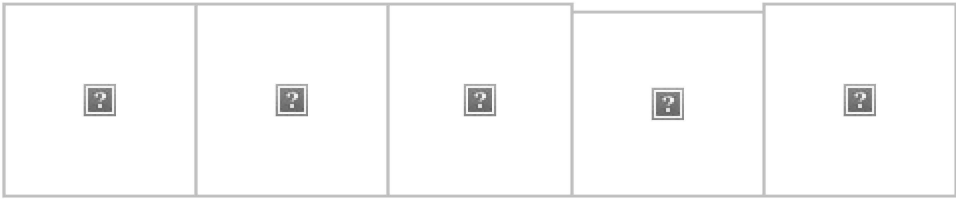
--

*Thank you,
Amanda*



www.HarrisonRPG.com
DOWNLOAD MY APP





From: acoc780970@aol.com
To: [Planning and Zoning](#); cimountdora@gmail.com; kmc3191@comcast.net; laurajones.smith@gmail.com; tmorris826@aol.com; dmathys@itsmymaitland.com; cunningham@lake.k12.fl.us; josh@fbcu.church
Subject: Treasure Island Motocross CUP 23-09-5
Date: Wednesday, September 27, 2023 5:16:30 PM

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.

RE: Concerning the proposed motocross training facility

We oppose the idea of developing this land for motocross.

We bought our home, because we like the rural setting.

Repeatedly, your council and others, are changing our neighborhood.

A neighborhood you don't live in, and if I can quote one commissioner on a similar issue recently, stated that he, "wouldn't want it in his neighborhood", but when it came time to vote, he agreed for it to proceed. (new housing development)

So we have a gun range that is continually asking for variances, a housing development that was approved, and now, you want to add motocross to our rural area.

We do not need more traffic in the Treasure Island area, nor do we need more noise.

I can clearly hear the gun range when it's operating, though we live all the way, to the end of Treasure Island, where the lake is.

We do not need to add an innumerable amount of revving engine sounds as they race nor vehicles coming and going with trailers, commercial vehicles, etc..

I've researched other motocross facilities, and it's very common that they offer evening and Sunday racing. NO thank you!

Do you realize that there are MANY motocross parks less than a 90 minute drive from Leesburg, but most are less? Bunnell, Citra, Wildwood, Orlando, Dade City, Brooksville

We don't need more people coming in the Treasure Island area as visitors, that do not respect the neighborhood and roads, as the residents who have homes here do.

I want to hear more birds and just silence.

Alan & Karen Cochran
7215 Treasure Island Road

From: [Dave](#)
To: [Planning and Zoning](#)
Subject: Cup23-09-5 motor cross facility
Date: Wednesday, September 27, 2023 11:39:08 AM

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.

Good morning, Just letting you know my wife and I are against the proposed motor cross facility that falls under Cup 23-09-5. We already have to deal with sounds from the gun range all week long and of course on weekends. What is happening to our small and peaceful community? We just had another development shoved down our throat off of East treasure island which our neighbors were against, but the city of Leesburg only sees \$\$\$ signs and really doesn't care about what matters to us .At one time this was a great place to live as it was a joy to sit on the porch and listen to the birds and just feel the tranquility of the area. Please to not take the little bit of paradise that we have left to ourselves.You know and I know that all the sound buffers that you install will not omit the noise pollution coming from 30 motor cycles running around our neighborhood. They may meet the sound requirements that are imposed by the county, but it's still not fair to our neighborhood.

Thank you for reading this email and I hope you will consider all my neighbors concerns when you go to pass this CUP. Please don't forget that we have many elderly and young residents that do not even know that this CUP is being brought up for vote.
Dave Haberle

From: alanchen@heavenlyview.com
To: [Planning and Zoning](#)
Subject: CUP-23-09-5 Motorcross Training
Date: Wednesday, September 27, 2023 8:56:10 AM

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.

To the Planning and Zoning Committee,

I would like to voice my strong opposition to this proposed CUP-23-09-5 Motorcross training facility for the following reasons:

- 1 – The area is becoming much less rural, with new houses being built and planned near and around this proposed facility.
- 2 – The road to this facility is 1.5 lanes across and having up to 100 trips of additional traffic proposed (plus visitors/spectators) cannot be supported. Remember this is in addition to the ARES gun range traffic.
- 3 – The noise will be a constant and the loud droning and will be additive, meaning it will be louder when added on top of the gun range noise (sound is additive).
- 4 – The noise will be heard for over 1 mile away. We can hear the louder bikes during 'bike week' from over 2 miles away, but that is only during the week of the event. This will be a daily and constant droning, given the request for up to 30 bikes/day over the 8 hours!!
- 5 – The applicant totally mislead the planning people in his submission when he stated that only 1 adjacent neighbor attended his meeting – in fact, the room was packed with standing room only and more than 30 neighbors attended, ALL in opposition! The entire session and discussion was very heated.
- 6 – The area is part of a conservation area and contains many gopher tortoises and other animals. Is he planning to relocate all of these tortoises or just bulldoze and clear cut everything on the property? Please remember this is part of the conservation area.
- 7 – There are other properties further away in more rural low populated areas and not part of a conservation area, which are much better suited for a motorcross track.

Please consider these issues and **think how you would feel if such a business were to be located close to your home.** This area is growing quickly and not appropriate at all for a very loud business and one that will impact my privacy and way of life for everyone who settled in this peaceful country setting.

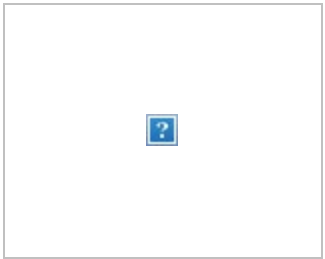
I would like to request that you reject this proposal outright!

Thanks and best regards,

Alan Chen
8010 Treasure Island Road
Leesburg, FL 34788

From: [Hanson, Jodine](#) on behalf of [Shields, Douglas](#)
To: [Planning and Zoning](#)
Subject: FW: CUP 23-09-5 MOTOCROSS TRACK
Date: Monday, September 25, 2023 10:00:47 AM

For the file.



JODI HANSON

Commissioner's Aide

BOARD OF COUNTY COMMISSIONERS

A 315 W. Main St., Suite 316, Tavares FL 32778

P 352-343-9850 | **F** 352-343-9495

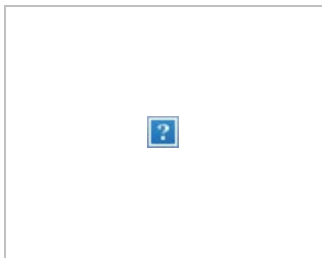
E jodine.hanson@lakecountyfl.gov | **W** www.lakecountyfl.gov

NOTE: Florida has a very broad public records law.

Your email communications may be subject to public disclosure.

From: Shields, Douglas
Sent: Monday, September 25, 2023 9:49 AM
To: Gary Custer <garycuster0129@gmail.com>
Subject: RE: CUP 23-09-5 MOTOCROSS TRACK

OK thanks for your input!



DOUGLAS B. SHIELDS

County Commissioner, District 1

BOARD OF COUNTY COMMISSIONERS

A 315 W. Main St., Suite 316, Tavares FL 32778

P 352-343-9850 | **F** 352-343-9495 | **C** 352-801-0446

E douglas.shields@lakecountyfl.gov | **W** www.lakecountyfl.gov

NOTE: Florida has a very broad public records law.

Your email communications may be subject to public disclosure.

From: Gary Custer <garycuster0129@gmail.com>
Sent: Sunday, September 24, 2023 10:11 AM
To: Shields, Douglas <douglas.shields@lakecountyfl.gov>
Subject: CUP 23-09-5 MOTOCROSS TRACK

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.

Commissoner,

Here we go again, as if a Gun Range on North Treasure Island Rd with its noise and traffic wasn't

enough now some of the same people are involved in development of a Motocross Track right next to the Gun Range. Again the people involved don't live in the neighborhood.

The Neighborhood met with the developer Justin Boyd it was an overflow crowd over 30 people standing room only. Not one person was in favor of the Track.

This is a Rural Residential Neighborhood, Please Help Us Protect That.

Google Motocross Sounds, listen for 3min and tell me you would want that in your Neighborhood.

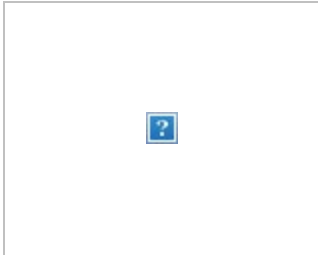
Thank You for your Support.

Gary Custer

8909 E Treasure Island Ave, Leesburg, FL 34788

From: [Marsh, Melanie](#)
To: [Barron, Janie](#); [Fitzgerald, Mike](#); [Stern, Mary Ellen](#); [Gonzalez, Bernice](#)
Subject: FW: CUP-23-09-5 Notice of Appearance - Treasure Island Motocross
Date: Tuesday, September 26, 2023 2:40:16 PM
Attachments: [Notice of Appearance.pdf](#)

FYI



MELANIE MARSH

County Attorney

COUNTY ATTORNEY'S OFFICE

A 315 W. Main Street, Ste. 335, Tavares FL 32778

P 352-343-9787 | **F** 352-343-9646

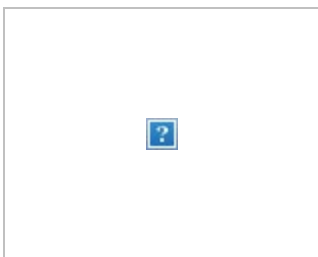
E melanie.marsh@lakecountyfl.gov | **W** www.lakecountyfl.gov

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From: Marsh, Melanie
Sent: Tuesday, September 26, 2023 2:39 PM
To: msolik@dotysoliklaw.com
Cc: 'Alan Chen' <alanchen@heavenlyview.com>; Louise Chen <ljchen@heavenlyview.com>
Subject: RE: CUP-23-09-5 Notice of Appearance

I am in receipt of your Notice of Appearance and it has been provided to the Planning Office.



MELANIE MARSH

County Attorney

COUNTY ATTORNEY'S OFFICE

A 315 W. Main Street, Ste. 335, Tavares FL 32778

P 352-343-9787 | **F** 352-343-9646

E melanie.marsh@lakecountyfl.gov | **W** www.lakecountyfl.gov

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From: msolik@dotysoliklaw.com <msolik@dotysoliklaw.com>

Sent: Tuesday, September 26, 2023 2:25 PM

To: Marsh, Melanie <melanie.marsh@lakecountyfl.gov>

Cc: 'Alan Chen' <alanchen@heavenlyview.com>; Louise Chen <ljchen@heavenlyview.com>

Subject: CUP-23-09-5 Notice of Appearance

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.

Melanie:

Good afternoon! Please see the attached.

Thanks,
Mary



Mary Doty Solik

121 S. Orange Ave., Suite 1500

Orlando, FL 32801

407 367 7868

407 925 4738 Mobile

www.dotysoliklaw.com

msolik@dotysoliklaw.com

Licensed in FL and GA

From: [Hanson, Jodine](#) on behalf of [Shields, Douglas](#)
To: [Planning and Zoning](#)
Subject: FW: Treasure Island Motocross Training Facility CUP 2023-09-5
Date: Monday, September 25, 2023 1:47:38 PM

Please place in the file, thank you.



JODI HANSON

Commissioner's Aide

BOARD OF COUNTY COMMISSIONERS

A 315 W. Main St., Suite 316, Tavares FL 32778

P 352-343-9850 | **F** 352-343-9495

E jodine.hanson@lakecountyfl.gov | **W** www.lakecountyfl.gov

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From: Lisa Hayden <lisa@rayhayden.us>
Sent: Monday, September 25, 2023 12:39 PM
To: Shields, Douglas <douglas.shields@lakecountyfl.gov>
Subject: Re: Treasure Island Motocross Training Facility CUP 2023-09-5

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.

Thank you very much for your reply Commissioner Shields.

We will be in touch with additional information prior to the November hearing.

Wishing you all the best,

Lisa

On Monday, September 25, 2023 at 09:51:16 AM EDT, Shields, Douglas
<douglas.shields@lakecountyfl.gov> wrote:

OK thanks for you input!

DOUGLAS B. SHIELDS

County Commissioner, District 1

BOARD OF COUNTY COMMISSIONERS

A 315 W. Main St., Suite 316, Tavares FL 32778



P 352-343-9850 | F 352-343-9495 | C 352-801-0446
E douglas.shields@lakecountyfl.gov | W www.lakecountyfl.gov

*NOTE: Florida has a very broad public records law.
Your email communications may be subject to public disclosure.*

From: Lisa Hayden <lisa@rayhayden.us>
Sent: Saturday, September 23, 2023 7:09 PM
To: Shields, Douglas <douglas.shields@lakecountyfl.gov>
Subject: Treasure Island Motocross Training Facility CUP 2023-09-5

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.

Dear Commissioner Shields,

Many of our neighbors will be attending the November 14, 2023 Public Hearing for the subject CUP.

Over the coming weeks, we will be reaching out to the other commissioners, as well as the PZB, but I am reaching out to you at this moment because of the following misleading statement that is being made by the applicant in the attached response to Lake County Senior Planner Bernice Gonzalez dated 8/14/2023.

"We have met with people in the community to hear input from them on what guidelines they would like to see in the facility. Only one adjacent neighbor attended."

On May 17, 2023 I reached out to you via email to ask for your assistance in finding a location other than North Treasure Island Avenue in Unincorporated Leesburg for Justin's facility because, during the May 17th meeting at the Hampton Inn in

Leesburg, we had a packed room of neighbors who were obviously vehemently opposed to this training facility. No one in the room supported the facility and we all made that point very clear to Justin Boyd.

Since Justin is taking the opportunity of the passage of time to reframe events in a way that benefits his CUP request, I am asking you for direction as to how the neighbors should handle this issue. We are grateful for any advice you can provide.

Thank you very much for your continued support.

All the best,

Lisa

lisa@rayhayden.us

954-258-8802

From: [Patrick Long](#)
To: [Planning and Zoning](#)
Subject: Motocross CUP 23-09-5
Date: Sunday, September 24, 2023 12:01:29 PM

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.

To whom it concerns

I would like to make it known that I DO NOT support having a motocross training facility in the area.

Patrick Long

7015 Treasure Island Rd

From: [Wayne Madole](#)
To: [Planning and Zoning](#)
Subject: Motocross Email
Date: Wednesday, September 27, 2023 10:36:26 AM

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.

[Sent from Yahoo Mail for iPhone](#)

Begin

To: planningandzoning@lakecountyfl.gov

Good Morning,

This email is being sent to voice my strong opposition to CUP 23-09-5.

My neighbors and I will no longer be able to peacefully enjoy our property if motocross riders are practicing nearby for hours each day.

Additionally, as the roads in our community are narrow, rural roads, they will not be able to withstand the trailer, camper, and RV traffic that is being proposed by the applicant.

Finally, what will this facility do to our property values? Who wants to live near a motocross training facility?

We are asking you to recommend denial of CUP 23-09-5 to protect our community from this nuisance substantially and unreasonably interfering with the enjoyment of our property.

Thank you,
Wayne and Sarah Madole

From: [Susanne Mckee](#)
To: [Planning and Zoning](#)
Subject: Motocross Training Facility CUP 23-09-5
Date: Wednesday, September 27, 2023 11:25:42 AM

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.

This area is already subjected to directly adjacent CUP 21-10-3, Ares Training Facility (shooting range). Currently neighbors are no longer able to peacefully enjoy their property without hearing gun fire; and, if motocross riders are practicing nearby for hours each day, the noise will only get worse.

Additionally, as the roads in this community are narrow, rural roads, they will not be able to withstand the trailer, camper, and RV traffic that is being proposed by the applicant.

Finally, what will this facility do to adjacent property values? Who wants to live near a motocross training facility?

We are asking you to recommend denial of CUP 23-09-5 to protect the community from this nuisance substantially and unreasonably interfering with the enjoyment of neighboring properties.

Susanne McKee

From: [Hope Maddix](#)
To: [Planning and Zoning](#)
Subject: Motor cross at North Treasure Island
Date: Wednesday, September 27, 2023 9:27:38 AM

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.

Please note that we are totally against a Motor cross at north Treasure Island rd.
It appears that this area continues to be bombarded with all types of proposals, suggestions etc. Please rethink this idea
Sent from my iPhone

From: [Patty](#)
To: [Planning and Zoning](#)
Subject: Motor cross OBJECTION
Date: Wednesday, September 27, 2023 11:27:31 AM

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.

I am writing to let you and the community know that I am opposed to the building of a motor cross site on Treasure Island Rd

I attended the meeting held by Justin at a local hotel where many of the residents in the area expressed to Justin our concerns for developing this land. (It was standing room only as so many residents showed up). They even offered to help him locate other property that would be more suitable for this type of business

I moved to Treasure Island road as it was zoned agricultural and the area was supposed to be zoned as a future rural area. A Rural area is supposed to be SIMPLE and RELAXED. By allowing the motor cross to be built, it will remove the quiet and relaxing environment I originally purchased. The previous approval of the gun range has increased the noise level and I know that this motor cross will only add to the disturbance of the peaceful, relaxed and wildlife friendly environment I believed I was getting.

Please consider the impact the building of this facility will have on the wildlife and the home values when considering this proposal and decline it as it only negatively impacts the area

Thank you

Patricia Haberle

Sent from my iPhone

From: [Kimberly Miller](#)
To: [Planning and Zoning](#)
Subject: Motor cross track opposition CUP 23-09-5
Date: Wednesday, September 27, 2023 9:20:18 AM

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.

Good morning,

My husband and I built our house 18 years ago at 8200 Treasure Island Road. We both worked for the City of Orlando for 26 years and always longed for a quiet, rural setting. We finally achieved our goal and have loved living here. The wildlife and the beautiful pastoral setting is where we've made our decision to retire. Our house is part of our investment and nest egg to take us into the future. We now feel that's at risk.

When we we're battling to keep the gun range out, it was stressful and emotionally exhausting. We are now coexisting with them, they are behaving thanks to the Lake county government.

We are making a plea to you all to keep the motor cross track out of our community. When we initially moved into our house four wheelers were abundant on the vacant property around us. It was so intrusive! In addition to noise issue, we lost our ten year old neighbor to an ATV accident. It was tragic for all the neighbors and family of this child.

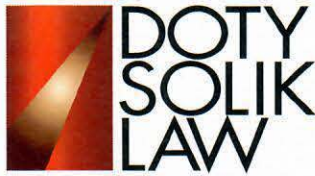
Treasure Island is rural and a residential community. We'd like to keep it that way. Please vote no when this CUP 23-09-5 permit comes up in front of you all. You should personally think about how it would effect the quality of life, living alongside a motor cross track. It doesn't belong in any neighborhood in Lake county.

Thanks for your time and consideration.

Best regards,

Mark & Kimberly Miller

352-728-3933 (landline)



September 26, 2023

Lake County Board of County Commissioners
C/O Melanie Marsh, County Attorney
315 W. Main Street
Tavares, FL 32778

RE: CUP-23-09-5 Treasure Island Motocross Training Facility

Dear Ms. Marsh:

Please consider this correspondence my Notice of Appearance under LDR 14.00.06C.2 for the referenced matter, currently scheduled to be heard by the Planning and Zoning Board on October 4, 2023 and by the BOCC on November 14, 2023. I wish to appear as counsel for Alan & Louise Chen, who reside at 8010 Treasure Island Road, Leesburg, FL 34788. The Chens are neighbors who will be affected by the proposed operations of the Treasure Island Motocross Training Facility. Should the matter be continued, please allow my Notice to continue to stand until such time as the BOCC takes final action on the pending request.

Very truly yours,

A handwritten signature in blue ink that reads "Mary D. Solik".

Mary D. Solik

MDS/
Alan & Louise Chen

From: [Vogel, William](#)
To: [Planning and Zoning](#)
Cc: [Cheri Vogel \(csvogel@hotmail.com\)](mailto:csvogel@hotmail.com)
Subject: Opposition to CUP-23-09-5
Date: Wednesday, September 27, 2023 2:00:52 PM

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.

Dear Planning and Zoning,

Not sure why we have to go through something like this every year and why certain landowners feel it's their right to make the resident's life miserable every day and weekends.

You must reject this CUP in favor of the residents who have a right to enjoy peace. The noise from this facility will certainly add to the noise of gun fire next door. Furthermore the traffic will be an additional nuisances not to mention the beer cans and bottles I pick up every week that have only increased since the gun range got their CUP.

Trust you will do the right thing and reject this CUP.

Sincerely
William and Cheri Vogel
8820 E Treasure Island Ave.

From: [Wilfred Thomas](#)
To: [Planning and Zoning](#)
Subject: Subject: Treasure Island Motocross CUP 23-09-5
Date: Wednesday, September 27, 2023 9:50:39 AM

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.

Good Morning,

This email is being sent to voice my strong opposition to CUP 23-09-5.

My neighbors and I - already subjected to directly adjacent CUP 21-10-3, Ares Training Facility (shooting range) - will no longer be able to peacefully enjoy our property if motocross riders are practicing nearby for hours each day.

Additionally, as the roads in our community are narrow, rural roads, they will not be able to withstand the trailer, camper, and RV traffic that is being proposed by the applicant.

Finally, what will this facility do to our property values? Who wants to live near a motocross training facility?

We are asking you to recommend denial of CUP 23-09-5 to protect our community from this nuisance substantially and unreasonably interfering with the enjoyment of our property.

Thank you,
Thanks,
Wilfred Thomas

407-739-6833 (C)

From: [GARY WIEPKING](#)
To: [Planning and Zoning](#)
Subject: Treasure Island Motocross
Date: Wednesday, September 27, 2023 9:44:44 AM

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.

Subject: Treasure Island Motocross CUP 23-09-5

To: planningandzoning@lakecountyfl.gov

Good Morning,

This email is being sent to voice my strong opposition to CUP 23-09-5.

My neighbors and I will no longer be able to peacefully enjoy our property if motocross riders are practicing nearby for hours each day.

Additionally, as the roads in our community are narrow, rural roads, they will not be able to withstand the trailer, camper, and RV traffic that is being proposed by the applicant.

Finally, what will this facility do to our property values? Who wants to live near a motocross training facility?

We are asking you to recommend denial of CUP 23-09-5 to protect our community from this nuisance substantially and unreasonably interfering with the enjoyment of our property.

Thank you, Gary Wiepking

Sent from my iPhone

From: [Miriam Patrick](#)
To: [Planning and Zoning](#)
Subject: Treasure Island Motocross CUP 23-09-05
Date: Wednesday, September 27, 2023 2:25:56 PM

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.

This email is being sent to voice my strong opposition to CUP 23-09-05. My neighbors and I will no longer be able to peacefully enjoy our property if motocross riders are practicing nearby for hours each day. Already subjected to CUP 21-10-3, Ares Training Center (shooting range). Additionally, the roads in our community are narrow, rural roads that will not be able to withstand trailer, camper and RV traffic that the applicant has proposed. We are asking you to recommend denial of CUP 23-09-5 to protect our community from unnecessary noise pollution, wear and tear on our roads so that we can enjoy our properties. Thank you, Miriam Patrick (Treasure Cove area)

From: [Dorothy Murphy](#)
To: [Planning and Zoning](#)
Subject: Treasure Island Motocross CUP 23-09-5
Date: Wednesday, September 27, 2023 1:50:14 AM

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.

Good Morning,

As you may already be aware, CUP 23-09-5 is on the Lake County PZB agenda for October 4, 2023. Please note that the community is united against this infringement upon the peaceful enjoyment of our property.

During a neighborhood meeting in May 2023, everyone in attendance made it known that we will not tolerate this disturbance in our neighborhood. The noise will be unbearable and the only road leading to the proposed facility will not withstand the stress of the additional traffic, that will include trucks, trailers, campers, and RVs.

Attached is a picture of the condition of the existing asphalt.

We are asking you to please recommend denial of this application. It is completely wrong for our community.

Thank you,

Dorothy Murphy
14 Buccaneer Drive
Leesburg



From: reckls@aol.com
To: [Planning and Zoning](#)
Subject: Treasure Island Motocross Facility
Date: Wednesday, September 27, 2023 10:51:50 AM

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.

Dear Lake County Planning & Zoning, I own a home on approximately 8 acres near the proposed motocross facility site on North Treasure Island Avenue. I am writing to express strong opposition to CUP 23-09-5. The noise of motorcycles will be loud & constant when riders are active. My neighbors and I will no longer be able to peacefully enjoy our property if motocross riders are practicing nearby for hours each day.

North a Treasure Island Avenue is a narrow rural road that cannot withstand the trailer, camper & RV traffic that is being proposed by the applicant.

In the Conditional Use Permit Staff Report, it says only 1 adjacent neighbor attended a meeting with the applicant to discuss input & concerns. This is simply not true, the motocross facility is strongly opposed and there was a full room of Treasure Island residents in attendance at the meeting with the applicant.

What will this facility do to our property values? To imagine selling our home & moving because of this is bad enough, but not being able to sell for a fair price because no one wants to live near a motocross track is even worse.

Would you want a motocross facility in your neighborhood? Or a gun range? Or BOTH? I'm afraid to think of what might be next.

My family, neighbors & I are asking you to recommend denial of CUP-08-5 to protect our community from this nuisance substantially and unreasonably interfering with the enjoyment of our property.

Thank you,
Karen Crews
35531 N Treasure Island Ave
Leesburg, Florida 34788
(352) 516-0887

[Sent from the all new AOL app for iOS](#)

From: [Monica](#)
To: [Planning and Zoning](#)
Subject: Concerns in reference to Motocross Facility-Treasure Island Road
Date: Thursday, September 28, 2023 6:26:29 PM

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.

I would like to take this time to voice my many concerns in reference to this proposed motocross training facility. The main point of opposition with most of those concern with this project is the preserve and the conservation area and the effect that this will have on it. My concern is any improvements that are done to try to protect this area may not work. What happens if there is a negative effect on the conservation area and the animals after the fact, how is this determined? How is it monitored? When will anything be done to counteract that if it becomes an issue?

Also, another concern would be the noise level. It is stated there is a gun range adjacent to it so motocross should be fine there too. That is basically saying more noise on top of the gun noise we already have is ok! Well, I've been woken up out of a dead sleep, while it's still dark out in the morning, to the sound of gun noise. Although, we were promised that would not happen. It is happening and no one is enforcing the guidelines that were set. There have been no repercussion such as fines, etc to the facility. This situation will probably happen with the motocross facility as well. So, who is monitoring this situation and enforcing the guidelines that they agree to.

Next concern, it was mentioned that a motocross facility was consistent with agrarian and equestrian oriented activities. Well, that's agricultural and equestrian, which both activities have no impact noisewise on the surrounding communities and not just the adjacent properties. The proposal mentions a sound study will be done after facility is up and running. Who determines guidelines as to how loud is too loud?! Plus, what is the recourse for this situation, if it is determined to be too loud?! I live fairly far from the gun range and can still hear it consistently throughout the day! I do not understand how a private training center for motocross is considered consistent with rural future land use in an agricultural district.

I disagree with the fact that only one neighbor with adjacent property appeared at the meeting with a concern. There was a large turnout at that meeting. So, are you dismissing the concerns of citizens that don't have "adjacent property"? Have all the other "maybe" absentee adjacent landowners been notified? Do they even know of the situation that is occurring? Have they been sent certified letters?

Also, stated several times was that motocross track is consistent with lifestyle and culture of rural Lake County. I disagree with this statement as I've had my property in Lake County for 5 years and have no knowledge of any such activity being a common practice in our county.

I noticed that the property lessee information on page 10 listed a Mr. Boyd, so he is not even the legal owner of the land? If that is the case, what happens when his lease is over? Is it a condition of him to convert the land back to its natural status? It is mentioned as a private facility that individuals can come stay at while training. Is this a business for Mr. Boyd and if so how would he be allowed to run a business venture on a rural property zoned for agricultural purposes?

Also, mentioned multiple times was Phase 2. What does this encompass if we've already given them approval for Phase 1? What is the proposal for Phase 2 structures in addition different things that we may or may not be in agreement with at that point. This facility could be a never-ending nightmare!

I just don't understand why it would be something that anyone would want in their neighborhood for any reason!

Last but not least, proposal states 30 riders not to exceed 100 laps maximum per day. Ok, who's monitoring/enforcing this? So, there will be 30 people living on the property in there privately own rvs that they will bring onto the property with trailers to haul their bikes? Or is Mr. Boyd putting housing on the land that will remain there permanently? Who will be monitoring this situation as to how long individuals are living onsite? This situation could become a tiny house/rv like community. Is this a situation that you would like in your community next door to your property?

At the meeting for vote on Treasure Trove, a voting member said ...he wouldn't want that development next to his house...but then he voted yes to approve it.

When will our county representative consider the opinions or wishes of the majority vs a few individuals?!

It is very disheartening to me.

Thank you for the opportunity to express my point of view. My hope is that you will consider how you would feel if this was happening in your personal community before you make a decision that can't be undone.

- 1 1. Residential use
- 2 2. Agriculture use
- 3 3. Motocross Training and Practice Facility (private, members only). Racing events and
- 4 special events shall be prohibited.
- 5 4. Accessory uses may be approved by the County Manager or designee.
- 6 5. Any other use of the site not identified above shall require approval of an amendment
- 7 to this Ordinance by the Board of County Commissioners.
- 8 6. The Owner shall ensure that safety staff have been trained regarding the conditions
- 9 of this CUP.

10 **B. Specific Conditions.**

- 11 1. Parking surfaces may be grass or other pervious material, except as required for
- 12 compliance with the Americans with Disabilities Act (ADA). There will be no parking
- 13 allowed outside the property limits. Other parking requirements shall be in
- 14 accordance with the Land Development Regulations (LDR) and Comprehensive
- 15 Plan, as amended.
- 16 2. The facility must conform to the standards of the American Motocross Association
- 17 Pro Racing rulebook, including safety and noise not to exceed 112dB/a from 79
- 18 inches behind any motorcycle, as amended.
- 19 3. There shall be no storage of materials, equipment, or vehicles within the building
- 20 setbacks or landscape buffers.

21 **C. Building Height, Open Space, and Setbacks.** Building Height, open space, and

22 setbacks shall be in accordance with the Comprehensive Plan and Land Development

23 Regulations (LDR), as amended.

24 **D. Environmental Requirements.**

- 25 1. An environmental assessment no more than six (6) months old will be required at the
- 26 time of the Site Plan submittal. The environmental assessment will need to indicate
- 27 the presence of vegetation, soils, threatened and endangered species that may exist
- 28 on the site.
- 29 2. Environmental resources shall be protected in accordance with the Comprehensive
- 30 Plan and Land Development Regulations (LDR), as amended.
- 31 3. Copies of permits from all jurisdictional agencies will be required prior to the
- 32 commencement of construction.

33 **E. Impervious Surface Ratio.** The maximum Impervious Surface Ratio (ISR) shall be 0.30

34 for the overall development in accordance with the Comprehensive Plan, as amended.

35 **F. Landscaping, Buffering, and Screening.** Landscaping, Buffering, and Screening shall

36 be in accordance with the Land Development Regulations (LDR), as amended.

- 1 1. A 15-foot-wide vegetative buffer along the property perimeter must be maintained in
2 perpetuity by the Owner to suffice as the required landscape buffer. A landscape
3 buffer consisting of material designed to grow into a vegetative buffer at least ten (10)
4 feet tall within five (5) years and obtain eighty percent (80%) opacity must be installed,
5 as needed, in all areas along the southeastern and eastern boundary of the property
6 where an existing vegetative buffer not meeting these requirements is not otherwise
7 present on the property.
- 8 2. Right of Way landscape buffer shall be provided in accordance with LDR Section
9 9.01.06, as amended.

10 **G. Lighting.** Exterior lighting must be in accordance with the LDR, as amended, and
11 consistent with Dark-Sky Principles.

12 **H. Noise.** A noise assessment must be submitted for review and acceptance prior to
13 commencement of the operations of the new uses identified in this Ordinance.
14 Compliance must be in accordance with the LDR, as amended, and the Lake County
15 Noise Control Ordinance.

16 **I. Parking Requirements.** Off-street parking is not permitted. All parking must be onsite.

17 **J. Signage.** All signage must be in accordance with the LDR, as amended.

18 **K. Floodplain / Stormwater Management.** The stormwater management system shall be
19 designed in accordance with all applicable Lake County and St. Johns River Water
20 Management District (SJRWMD) requirements, as amended.

21 **L. Transportation Improvements.**

- 22 1. All access management shall be in accordance with the Comprehensive Plan and
23 LDR, as amended.
- 24 2. Additional right-of-way for North Treasure Island Avenue will be required with the
25 development of the property.
- 26 3. Additional road improvements along the site's frontage will be required to
27 accommodate wider road and possible turnaround, as determined by the Lake
28 County Public Works Department or Lake County Fire Rescue.

29 **M. Utilities.** Individual well and septic tank shall be utilized, in accordance with the
30 Comprehensive Plan and LDR, as amended.

31 **N. Concurrency Management Requirements.** Any development must comply with the
32 Lake County Concurrency Management System, as amended.

33 **O. Development Review and Approval.** Prior to the issuance of any permits, the Owner
34 shall be required to submit a development application generally consistent with **EXHIBIT**
35 **"B" Conceptual Plan** for site plan review and approval in accordance with the
36 Comprehensive Plan and LDR, as amended. Lake County inspection and approval of
37 the constructed facility consistent with this CUP and the subsequent development
38 application is required prior to operation under this CUP.

1 **P. Future Amendments to Statutes, Code, Plans, or Regulations.** The specific
2 references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake
3 County Comprehensive Plan, and LDR will include any future amendments to the
4 Statutes, Code, Plans, or Regulations.

5 **Q. Other Uses.** After establishment of the facilities as provided in this Ordinance, the
6 property must only be used for the purposes named in this Ordinance, unless a proposed
7 use meets every requirement of the zoning district in which the property is located. Any
8 other proposed use must be specifically authorized by the Board of County
9 Commissioners.

10 **Section 3. Conditions.**

11 **A.** In the event of any breach in any of the terms or conditions of this permit or any default
12 or failure of the Owner or successor to: Fulfill development in substantial accordance with
13 the conceptual plan as submitted to the Planning & Zoning Board and the Board of
14 County Commissioners; comply with the codes of the governmental agencies having
15 lawful and appropriate jurisdiction; or comply with any of the terms of the CUP; or if this
16 CUP is found to become a nuisance or safety hazard, the permit may be revoked after
17 due public hearing before the Planning & Zoning Board and the Board of County
18 Commissioners.

19 **B.** This CUP will inure to the benefit of and will constitute a covenant running with the land;
20 and the purpose, terms, and conditions contained in this Ordinance will be binding upon
21 the Owner or any successor in interest.

22 **C.** The Lake County Code Enforcement Special Master will have authority to enforce the
23 terms and conditions set forth in this Ordinance and to recommend that the Ordinance
24 be revoked.

25 **D.** This use will be inspected by the Code Enforcement Division annually to ensure
26 compliance with the conditions of this CUP and the approved site plan. An annual
27 inspection fee will be assessed. If an emergency inspection is necessary during non-
28 operating hours, a fee will also be assessed. Additionally, the Owners agree and
29 acknowledge that Code Enforcement may inspect at any time, with or without notice, to
30 ensure compliance with the conditions of this CUP, the Lake County Code or LDR.

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

34 **Section 5. Filing with the Department of State.** The clerk is hereby directed to send a copy of this
35 Ordinance to the Secretary of State for the State of Florida in accordance with Section
36 125.66, Florida Statutes.

1 **Section 6. Effective Date.** This Ordinance shall become effective upon recordation in the public
2 records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

3

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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15 **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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25

MELANIE MARSH, COUNTY ATTORNEY

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Exhibit "A" – Legal Description

LEGAL DESCRIPTION

THE NORTH 714.00 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. LESS PUBLIC RIGHT-OF-WAY ON WEST AND LESS RAILROAD RIGHT-OF-WAY.

TOGETHER WITH A NON-EXCLUSIVE, PERPETUAL EASEMENT OVER AND ACROSS A STRIP OF LAND 50 FEET IN WIDTH LYING ADJACENT TO AND ALONG THE SOUTHEASTERLY RIGHT-OF-WAY OF SAID RAILROAD FROM THE PUBLIC ROAD RIGHT-OF-WAY ON THE WEST TO THE SOUTH LINE OF THE PROPERTY HEREIN ABOVE DESCRIBED TO BE CONVEYED.

ALSO

THE NORTH 473.76 FEET OF THE SOUTH 614.00 FEET OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA. LESS ROAD RIGHT-OF-WAY.

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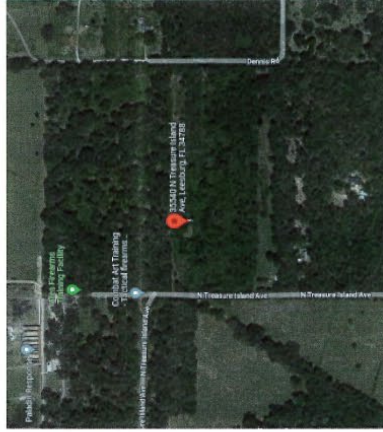
Exhibit "B" – Concept Plan (Page 1 of 2)

TREASURE MOTOCROSS TRAINING FACILITY	PROPERTY SITE ADDRESS: 35540 N TREASURE ISLAND AVE LEESBURG FL 34788	PROPERTY LESSEE INFO: JUSTIN BOYD 850.533.6272 JUSTINBOYD691@GMAIL.COM
PLOT PLAN 01.30.2023		

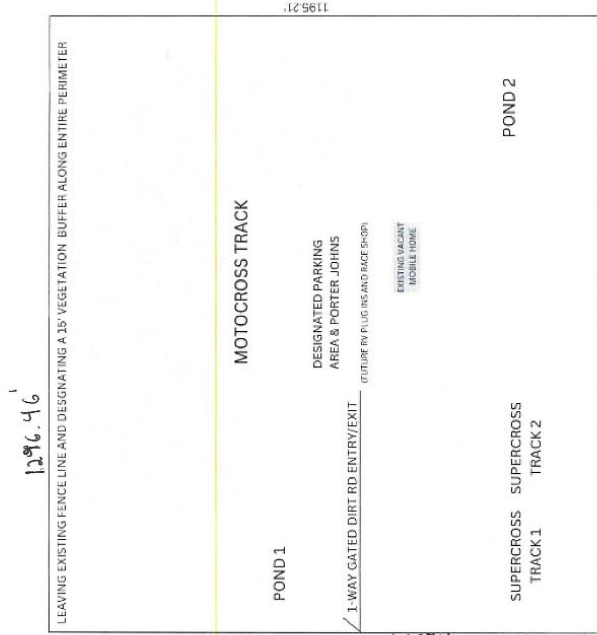
LEGAL DESCRIPTION
THE NORTH 734.00 FEET OF THE SOUTHWEST 1/4 OF THE NORTH-EAST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA, LESS PUBLIC RIGHT-OF-WAY ON WEST AND LESS RAILROAD RIGHT-OF-WAY.

TOGETHER WITH A NON EXCLUSIVE PERPETUAL EASEMENT OVER AND ACROSS A STRIP OF LAND 30 FEET IN WIDTH LYING ADJACENT TO AND ALONG THE SOUTHEASTERN RIGHT-OF-WAY OF SAID RAILROAD FROM THE PUBLIC ROAD RIGHT-OF-WAY TO THE SOUTH LINE OF THE PROPERTY HEREIN ABOVE DESCRIBED TO BE CONVEYED.

ALSO
THE NORTH 473.76 FEET OF THE SOUTH 615.00 FEET OF THE SOUTHWEST 1/4 OF THE NORTH-EAST 1/4 OF SECTION 4, TOWNSHIP 19 SOUTH, RANGE 28 EAST, LAKE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY.



SITE MAP



CONCEPT PHOTOS
(1) AERIAL VIEW OF SITE
(2) SUPER-CROSS TRACKS
(3) MOTOCROSS TRACK
PARKING & PORTER JOHN AREA



TREASURE MX PLOT PLAN
NOT DRAWN TO SCALE

N TREASURE ISLAND AVE

