



COMPREHENSIVE PLAN AMENDMENT
STAFF REPORT
OFFICE OF PLANNING & ZONING

Tab Number: 4

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

Case No. and Project Name: FLU-23-23-5, Griffin-Howard Property

Applicant: Ms. Deirdre Griffin, Mr. Daniel Howard

Owner: Ms. Deirdre Griffin, Mr. Daniel Howard

Requested Action: Amend the Future Land Use Map (FLUM) to change the Future Land Use Category (FLUC) on approximately 1.51 +/- acres from Urban Medium Density FLUC to Urban Low Density FLUC and amend associated Comprehensive Plan to be more consistent with the density of the current zoning district, Rural Residential (R-1).

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

Case Manager: Bernice Gonzalez, AICP, Senior Planner

PZB Recommendation:

Subject Property Information

Size: Approximately 1.51 +/- acres.

Location: 10534 Holloway Drive, in the Leesburg area of unincorporated Lake County.

Alternate Key Numbers: 1811856 and 3916348.

Current Future Land Use: Urban Medium Density (Attachment "A")

Proposed Future Land Use: Urban Low Density (Attachment "B")

Current Zoning Districts: Rural Residential (R-1). (Attachment "C")

Flood Zone: "AE"

Joint Planning Area / ISBA: N/A

Overlay Districts: City of Leesburg ISBA and Utility Service Area.

Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	City of Leesburg	-	Mobile Home Park and non-residential	Parcels access via private road from US Highway 441.
South	Lake Harris	-	Navigable water body	Flood Area AE along the rear boundary line.
East	Urban Medium Density	Mobile Home Rental Park	Mobile Home Park	Single-Family Residential next to the Mobile Home Park

West	Urban Medium	Planned Commercial by CP Ordinance #1999-51	Angler's Resort (fish resort/camp)	Ordinance allows for future expansion and renovation of the current uses to include the following uses: hotel/motel, resort and conference facilities, marina, restaurant, and accessory retail/commercial uses including retail shops, bait shop, watercraft rentals and charters, boat tours, and other tourism related activities
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Staff Analysis

The proposed Future Land Use Amendment is for two parcels containing approximately 1.51 +/- acres, located at 10534 Holloway Dr, in the Leesburg area of unincorporated Lake County. The subject properties are identified by Alternate Key (AK) Numbers 1811856 and 3916348. The requested action proposes to amend the Future Land Use Category from Urban Medium Density to Urban Low Density FLUC and amend associated Comprehensive Plan Policies.

The future land use amendment is being requested in order to be more consistent with all other Rural Residential (R-1) zoned residential lots along the lake shoreline. The properties are zoned Rural Residential (R-1) by Ordinance #2021-18 (Attachment "E"), which reconciled the non-conformity between the existing residential use and the former zoning districts: Planned Commercial (CP) (via Ordinance 1999-51) and Mobile Home Rental Park (RMRP).

Currently, the property is developed with a single-family residential dwelling unit, two utility buildings, and a carport/pole shed, as shown in the concept plan (Attachment "F"). This land use amendment request does not seek to add any new uses or structures. There is other similarly developed parcels along the shoreline that feature single-family homes that are zoned Rural Residential (R-1) and designated with an Urban Low Density Future Land Use in the 2030 Lake County Comprehensive Plan.

The rezoning request is consistent with all applicable provisions of the Code and elements of the Comprehensive Plan.

	Future Land Use Category	Density	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Urban Medium Density	7 d.u./1 acre	0.70	20%	50 feet
Proposed	Urban Low Density	4 d.u./1 acre	0.60	25%	50 feet

Standards for Review (LDR Section 14.02.03) (Attachment "D").

A. Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.

The proposed amendment is consistent with Comprehensive Plan Policy I-1.3.2 *Urban Low Density Future Land Use Category*, which allows Residential uses.

B. Whether the proposed amendment is in conflict with any applicable provisions of these regulations.

The proposed amendment is not in conflict with any provisions of these regulations or the Land Development Regulations (LDR) Section 3.01.03, Single-Family Dwelling Unit is a permissible use within the Rural Residential (R-1) Zoning.

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

Residential use is consistent with the current Urban Medium Density FLUC. Amending the FLUC to Urban Low Density FLUC is consistent with the existing and proposed land uses, which allows Single-Family Dwelling Unit uses. The current uses on the property are Single-Family Dwelling Unit and Accessory Residential uses.

D. Whether there have been changed conditions that justify an amendment.

Applicant has stated that, *"We have been on this journey to reconcile our property and be more consistent with our current use as well as our intended future land use. Our next step is to amend the comprehensive plan to have more conformity with all other R-1 residential properties along the lake shore, which have a future land use of LOW DENSITY."*

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

The proposed amendment will not adversely impact the County's adopted levels of service. The residential use is being served with well and septic. No adverse impacts are anticipated for solid waste, public safety, or transportation.

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

No new development is being proposed with this amendment request. New development will be required to meet all criteria specified by the Comprehensive Plan and Land Development Regulations (LDR).

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

There is no information demonstrating impacts on property values.

H. Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

The proposed amendment would not disrupt the existing orderly and logical development pattern of the area. The subject property has been developed consistent with the provisions under Ordinance #2021-18.

I. Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and interest of these regulations.

The request is in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in above sections.

Attachment "A" – Current Future Land Use Map

CURRENT FUTURE LAND USE



Future Land Use

- Urban Low
- Urban Medium

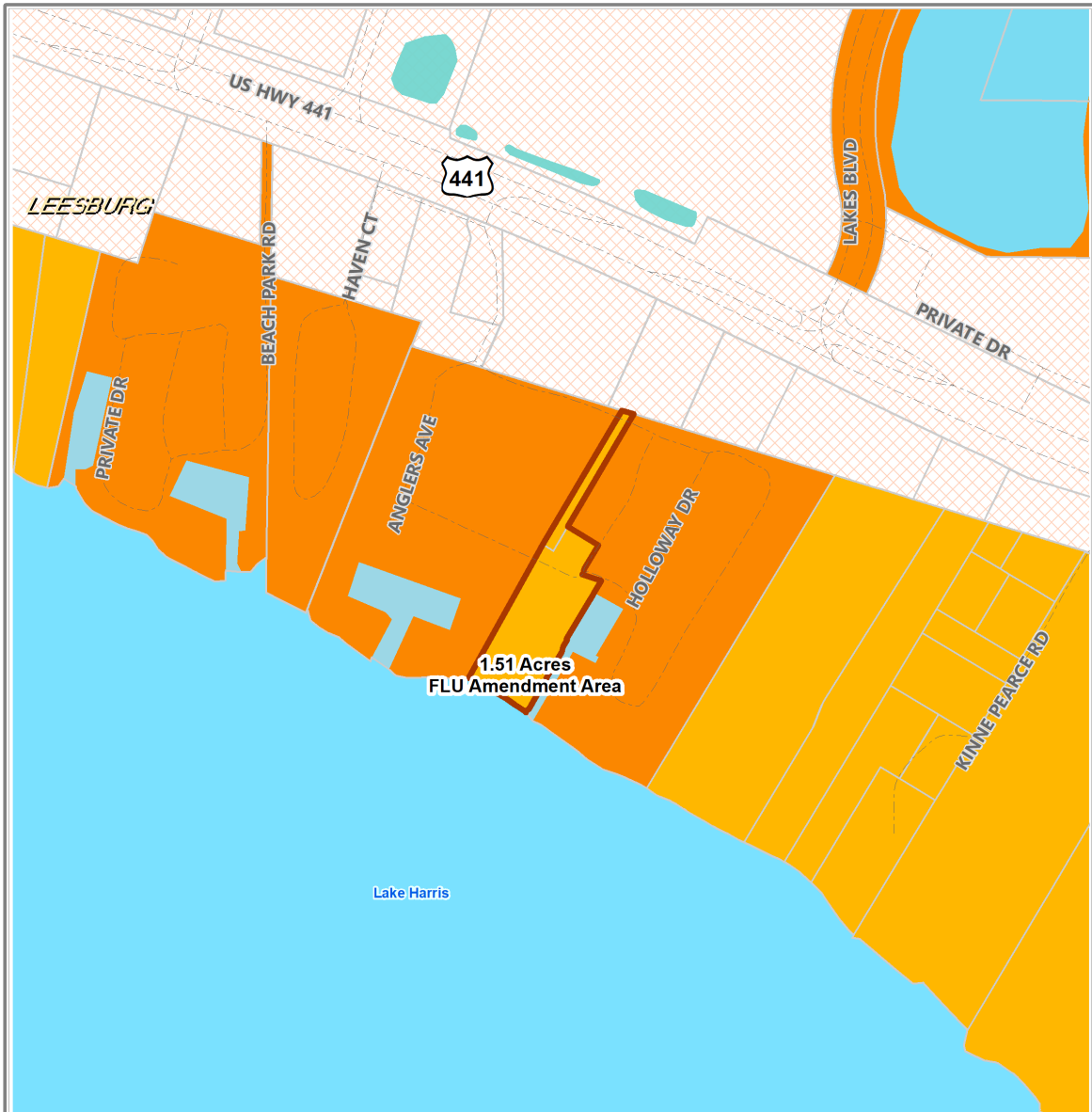
NAME: **GRIFFIN HOWARD PROPERTY**
CASE NUMBER: **FLU-23-23-5**
LOCATION (S-T-R): **23-19-25**
REQUEST: **URBAN MEDIUM DENSITY TO URBAN LOW DENSITY**

DISTRICT: **5**



Attachment "B" – Proposed Future Land Use Map

PROPOSED FUTURE LAND USE



Future Land Use

FLUCode Urban Low Urban Medium

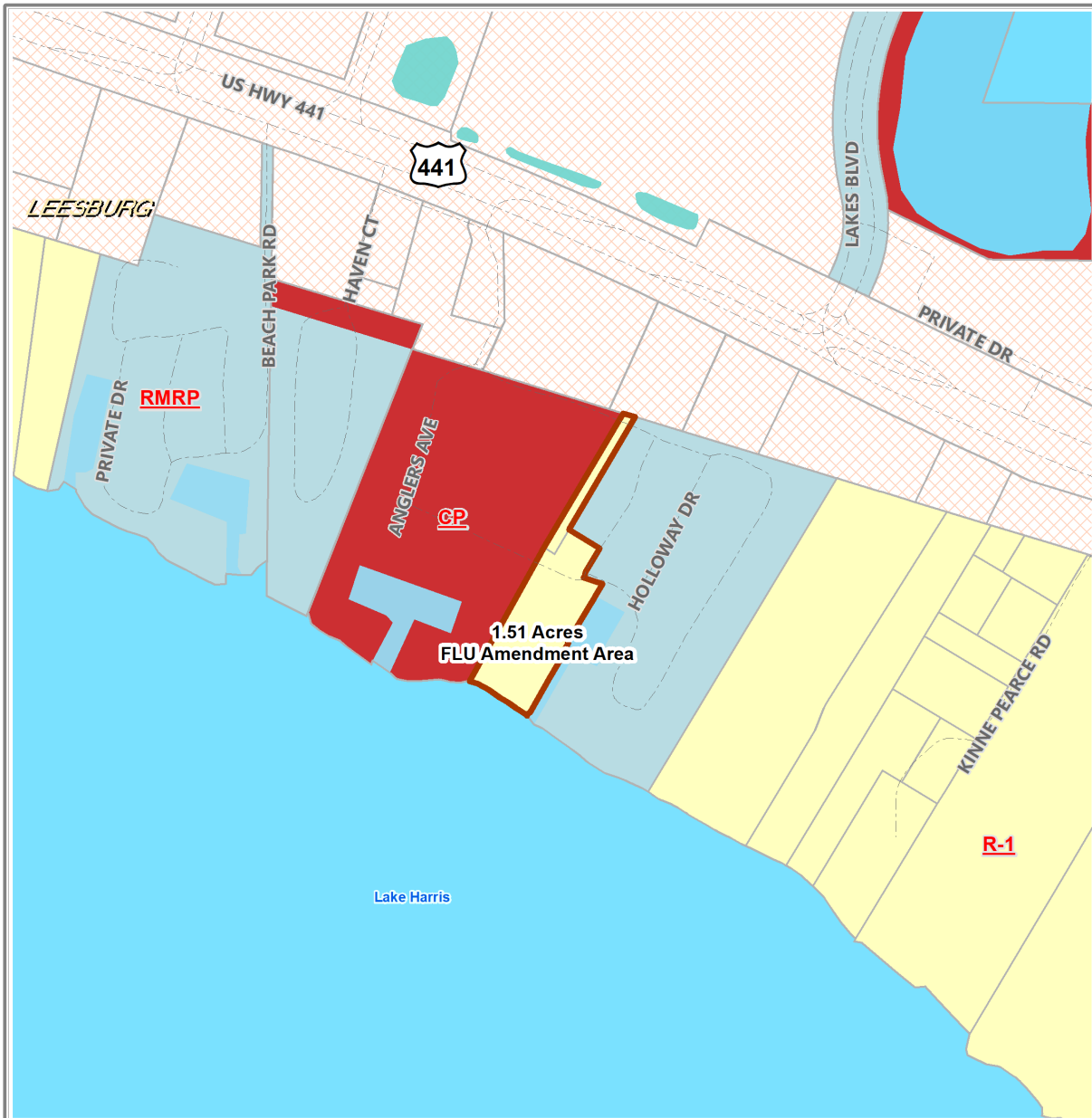
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DISTRICT: 5



Attachment "C" – Zoning Map

CURRENT ZONING

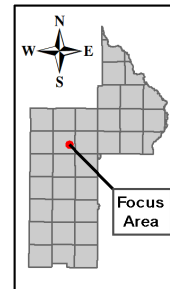


Zoning Legend

R-1 RMRP CP

NAME: **GRIFFIN HOWARD PROPERTY**
CASE NUMBER: **FLU-23-23-5**
LOCATION (S-T-R): **23-19-25**
REQUEST: **URBAN MEDIUM DENSITY TO URBAN LOW DENSITY**

DISTRICT: **5**



Attachment “D” – Justification Statement

Justification Statement

My husband and I purchased our 1960 single family home in 2014. At the time our property was listed as RMRP zoning, even though it was a free standing single family residence. In 2019, my husband and I purchased another lot north of our property line, which was zoned CP. After speaking with a senior planner in 2021, we decided to reconcile the non-conformity between the existing residential use and the zoning district.

Our rezoning ordinance #RZ-21-09-5, Griffin and Howard property Rezoning was **approved**.

We have been on this journey to reconcile our property and be more consistent with our current use, as well as our intended future land use. Our next step is to amend the comprehensive plan to have more conformity with all other R-1 residential properties along the lake shore, which have a future land use of URBAN LOW DENSITY.

The **intent, purpose and justification** for an amendment request is to be more consistent with our land use, as a single family (R-1) current land use, and continuing as LOW DENSITY for our intended future land use.

An URBAN LOW DENSITY land use would be more consistent with our current land use, as well as future land use.

An URBAN LOW DENSITY amendment will be more consistent with the rest of the unincorporated, residentially dominated R-1 lakeshore parcels.

URBAN LOW DENSITY is a better conformity option.

My husband and I will not be making any changes to our property and will continue to function as an R-1, and LOW DENSITY.

Finally, the only access to our property is via a single, substandard 18.5 foot wide “driveway”, governed by private easements. Our only access is located between commercial buildings and along a heavily dominated commercial corridor. By identifying our future land use as URBAN LOW DENSITY, we are signaling to any potential future owners that their ability to build higher density projects on our parcels would be limited. Please refer to Lake County Board of County Commissioners’ February 14, 2023 meeting where Commissioner Sean Parks said that our particular ingress and egress, “... is a big safety issue” and the Board of Commissioners unanimously agreed that anything beyond low density housing cannot safely be dependent upon our single point of entry, substandard, 18.5 foot wide road. For safety, impact and developmental purposes, Urban Low is the most sustainable option for future land use. Anything higher than Urban Low will have a detrimental impact along the lakeshore and cause a substandard condition to be worse, by putting public safety at risk.

Attachment “E” – Ordinance #2021-18 (Page 1 of 4)

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ORDINANCE #2021-18
Griffin and Howard Property Rezoning
RZ-21-09-3

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

WHEREAS, Deirdre K. Griffin and Daniel D. Howard (the “Applicants” and the “Owners”) submitted a rezoning application to rezone approximately 1.51 +/- acres from Planned Commercial (CP) (via Ordinance 1999-51) and Mobile Home Rental Park (RMRP) to Rural Residential (R-1) to reconcile the non-conformity between the existing residential use and the zoning district; and

WHEREAS, the subject property consists of approximately 1.51 +/- acres, is located at 10534 Holloway Drive, Leesburg, is in Section 23, Township 19, Range 25, consisting of Alternate Key Numbers 1811856 and 3916348, and more particularly described in “Exhibit “A” – Legal Description”:

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

WHEREAS, the Lake County Planning and Zoning Board did review Petition RZ-21-09-3 on the 2nd day of June 2021, after giving notice of the hearing on the petition for change in zoning, including notice that the petition would be presented to Board of County Commissioners of Lake County, Florida, on the 22nd day of June 2021; and

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

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

WHEREAS, the approval of this ordinance shall replace and supersede Ordinance #1999-51.

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

Section 1. Terms. The County Manager or designee shall amend the Lake County Zoning Map to designate the property described in the above legal description in this Ordinance to Medium Residential District (R-3).

Section 2. Development Review and Approval. Prior to the issuance of any permits, the Owner shall submit applications for and receive necessary final development order approvals as provided in the Lake County.

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

INSTRUMENT #2021116663
OR BK 5779 PG 370 - 372 (3 PGS)
DATE: 8/25/2021 7:42:08 AM
GARY J. COONEY, CLERK OF THE CIRCUIT COURT
AND COMPTROLLER, LAKE COUNTY, FLORIDA
RECORDING FEES \$27.00

Attachment "E" – Ordinance #2021-18 (Page 2 of 4)

Ordinance #2021-18
RZ-21-09-3, Griffin and Howard Property Rezoning

1 **Section 4. Filing with the Department of State.** The clerk is hereby directed to send a copy of this
2 Ordinance to the Secretary of State for the State of Florida in accordance with Section
3 125.66, Florida Statutes.

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

5 ENACTED this 22nd day of June, 2021.

6 FILED with the Secretary of State July 9th, 2021.

7 EFFECTIVE June 22, 2021.

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BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA



SEAN M. PARKS, CHAIRMAN

ATTEST:



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



APPROVED AS TO FORM AND LEGALITY:



MELANIE MARSH, COUNTY ATTORNEY

Attachment "E" – Ordinance #2021-18 (Page 3 of 4)

Ordinance #2021-18
RZ-21-09-3, Griffin and Howard Property Rezoning

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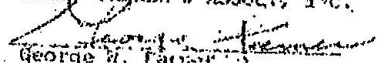
Exhibit "A" – Legal Description

Alternate Key #3916348:

From the East 1/4 corner of Section run South 89°47'30" West along North line of South 1/2 of Section a distance of 3045.80 feet, South 0°10'0" East 98.55 feet, South 71°33'0" East 354.40 feet, South 0°10'0" East 9 feet to Southerly right of way line of US Hwy 441, South 0°31'0" East 301.40 feet to a point on centerline of RR right of way, South 20°34'00" West 60.15 feet to Southerly right of way line of S.A.L. R.R. right of way, South 74°05'0" East along said Southerly right of way line 520.53 feet South 29°20'02" West 291.35 feet for Point of Beginning, continue South 29°20'02" West 63.50 feet, North 59°52'0" West 28.10 feet, South 27°58'0" West 170.30 feet, South 59°52'0" East 28 feet, South 27°31'30" West 172 feet to waters of lake & Point A, return to Point of Beginning, run South 60°08'40" East 80 feet, South 29°20'20" West 75.05 feet, South 72°25'10" East 46.81 feet, South 30°03'10" West 151.53 feet, South 51°32'12" East 3.23, South 30°35'17" West 17.70 feet, South 08°51'09" West 11.10 feet, South 29°01'50" West 148.41 feet, South 87°10'22" West to waters of lake Northwesterly along said waters of lake to Point A, all in Section 23, Township 19 South, Range 25 East, Lake County, Florida.

Alternate Key #1811856:

From the East 1/4 corner of Section 23, Twp. 19S., Rge. 25E., Lake County, Fla., run S. 89°47'16"W. along the East-West Mid Section line 2650.05 ft.; thence S. 0°21'54"E. 593.44 ft. to the Southerly r/w line of the S.C.L. Railroad; thence S. 74°05'00"E. along said Southeasterly r/w of S.C.L. Railroad 436.64 feet; thence S. 29°20'00"W. 291.35 ft. to the P.O.B. of this description. From said P.O.B. continue S. 29°20'00"W. 63.58 feet; thence N. 59°52'00"W. 28.10 ft.; thence S. 27°58'00"W. 170.30 ft.; thence S. 59°52'00"E. 28.0 ft.; thence S. 27°31'30"W. 170 ft., more or less, to the waters of Lake Harris and a point hereby designated as point "A"; Return to the P.O.B. and run S. 59°08'40"E. 80.0 ft.; thence S. 29°20'00"W. 75.05 ft.; thence N. 88°28'00"E. 47.48 ft.; thence S. 29°52'50"W. 106.52 ft.; thence S. 60°07'10"E. 15.44 ft.; thence S. 30°46'19"W. to the waters of Lake Harris (last described line to be 3:0 ft. Southeasterly from and parallel to an existing seawall); run thence Northwesterly along and with waters of Lake Harris to intersect the aforementioned Point "A". The above described property subject to a 30.0 ft. easement for ingress and egress lying 15.0 ft. on each side of when measured at right angles thereto the following described centerline: From the above described P.O.B. run S. 74°05'00"E. along the Southerly r/w line of the S.C.L. Railroad 63.74 ft. to the centerline and the P.O.B. of this easement; From said P.O.B. run S. 26°38'27"W. 106.47 ft.; thence S. 15°40'57"W. 91.86 ft.; thence S. 33°43'41"W. 112.98 ft.; thence S. 29°20'00"W. 75.05 ft.; thence N. 88°28'00"E. 47.48 ft. to end of said easement. Subject to all easements, r/w's and restrictions of record, if any.

"CERTIFIED CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF."
DAILY FARMER & ASSOC., INC.

George W. Farmer
Fla. Surveyor No. 1971

FOR: B.B. Holloway
J.O. 15226
March 24, 1978

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Attachment "E" – Ordinance #2021-18 (Page 4 of 4)



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

July 9, 2021

Mr. Gary J. Cooney
Clerk of the Circuit Court and Comptroller
Lake County
550 West Main Street
P. O. Box 7800
Tavares, Florida 32778-7800

Attention: Josh Pearson

Dear Mr. Cooney:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your electronic copy of Lake County Ordinance No. 2021-18, which was filed in this office on July 9, 2021.

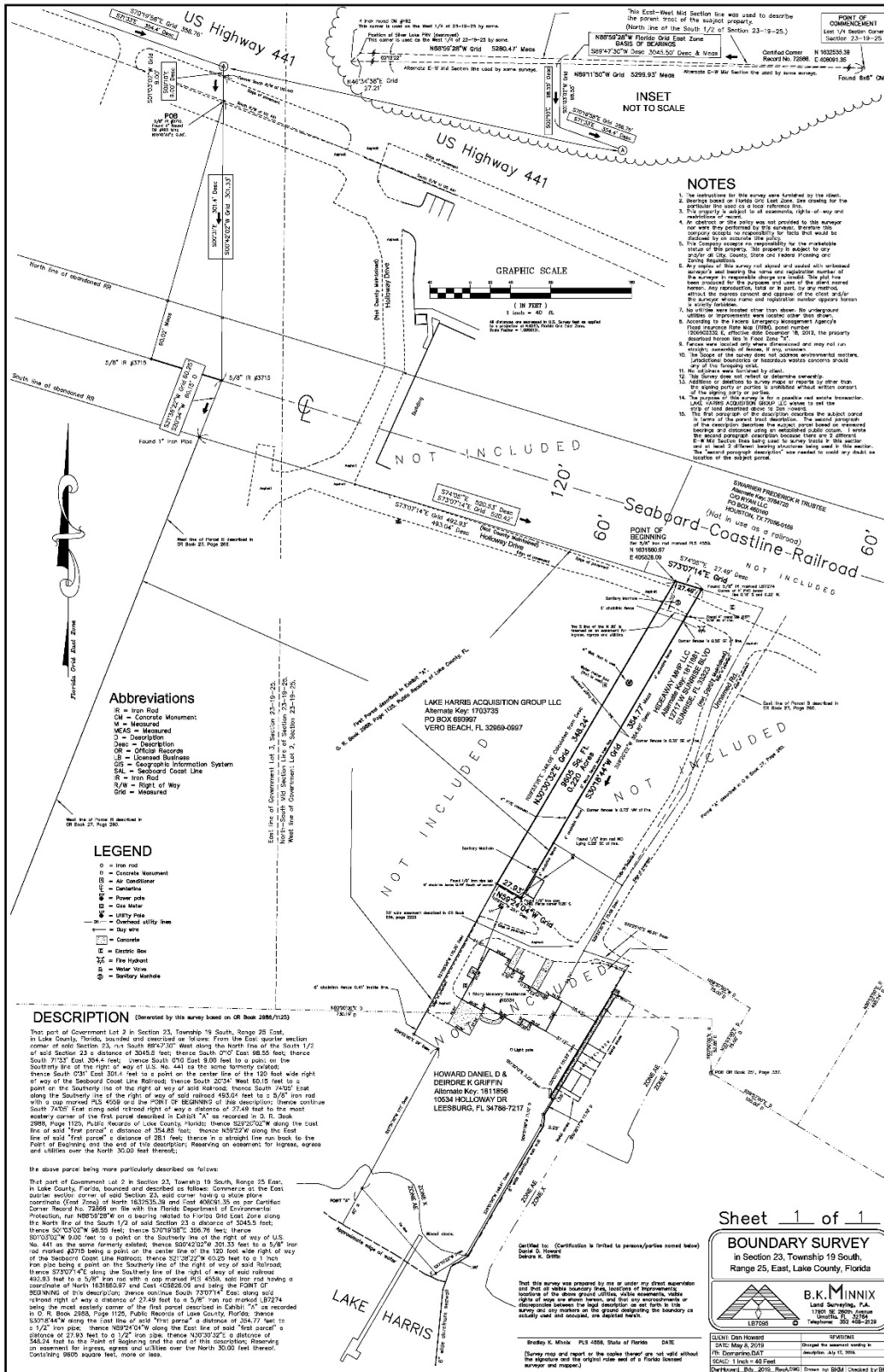
Sincerely,

Anya Grosenbaugh
Program Administrator

AG/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6270

Attachment "F" – Concept Site Plan



- NOTES**
- The boundaries of this survey were limited by the deed.
 - Boundaries based on Florida Civil Code, Sec. 689.03, are shown for the purpose of this survey. The boundaries shown on this map are not to be construed as a warranty of title or any other representation.
 - The survey was performed by the surveyor, B.K. Minnick, P.L.S., and the results were provided to the client, Lake Harris Acquisition Group LLC, for their use.
 - The survey was performed on the ground and the results were provided to the client, Lake Harris Acquisition Group LLC, for their use.
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Abbreviations

R	= Iron Rod
CM	= Concrete Monument
M	= Measured
MS	= Measured
D	= Description
OR	= Official Records
LS	= Licensed Surveyor
GIS	= Geographic Information System
RL	= Railroad Coast Line
IR	= Iron Rod
W	= Right of Way
GN	= Measured

LEGEND

○	= Iron Rod
□	= Concrete Monument
⊕	= Measured
⊖	= Measured
⊙	= Description
⊚	= Official Records
⊛	= Licensed Surveyor
⊜	= Geographic Information System
⊝	= Railroad Coast Line
⊞	= Iron Rod
⊟	= Right of Way
⊠	= Measured

DESCRIPTION (Derived by this survey based on OR Book 2886/7123)

That part of Government Lot 2 in Section 23, Township 19 South, Range 25 East, in Lake County, Florida, bounded and described as follows: From the East corner section corner of said Section 23, 1/4 mile South 23° 26' 00" East along the North 1/2 of said Section 23 a distance of 3045.5 feet; thence South 0° 00' East 68.55 feet; thence South 1° 13' East 206.4 feet; thence South 0° 00' East 9.00 feet to a point on the South 1/2 of the right of way of U.S. No. 441 on the same bearing and distance; thence South 0° 00' East 301.4 feet to a point on the center line of the 120 foot wide right of way of the Seaboard Coast Line Railroad; thence South 22° 34' West 60.15 feet to a point on the South 1/2 of the right of way of said railroad; thence South 74° 30' East along the South 1/2 of the right of way of said railroad 493.0 feet to a 3/8" iron rod with a cap marked PLS 4058 and the POINT OF BEGINNING of this description; thence continue South 74° 30' East along said railroad right of way a distance of 27.48 feet to the most westerly corner of the first parcel described in Exhibit "A" as recorded in D. P. Book 2985, Page 1125, Public Records of Lake County, Florida; thence S28°20'22" West along the east line of said "first parcel" a distance of 354.85 feet; thence N52°27' West along the east line of said "first parcel" a distance of 281.1 feet; thence in a straight line run back to the Point of Beginning and the end of this description; Reserving an easement for ingress, egress and utilities over the North 30.00 feet thereof.

The above parcel being more particularly described as follows:

That part of Government Lot 2 in Section 23, Township 19 South, Range 25 East, in Lake County, Florida, bounded and described as follows: Commence at the East corner section corner of said Section 23, 1/4 mile South 23° 26' 00" East along the North 1/2 of said Section 23 a distance of 3045.5 feet; thence South 0° 00' East 68.55 feet; thence South 1° 13' East 206.4 feet; thence South 0° 00' East 9.00 feet to a point on the South 1/2 of the right of way of U.S. No. 441 on the same bearing and distance; thence South 0° 00' East 301.4 feet to a point on the center line of the 120 foot wide right of way of the Seaboard Coast Line Railroad; thence South 22° 34' West 60.15 feet to a point on the South 1/2 of the right of way of said railroad; thence South 74° 30' East along the South 1/2 of the right of way of said railroad 493.0 feet to a 3/8" iron rod with a cap marked PLS 4058 and the POINT OF BEGINNING of this description; thence continue South 74° 30' East along said railroad right of way a distance of 27.48 feet to the most westerly corner of the first parcel described in Exhibit "A" as recorded in D. P. Book 2985, Page 1125, Public Records of Lake County, Florida; thence S28°20'22" West along the east line of said "first parcel" a distance of 354.85 feet; thence N52°27' West along the east line of said "first parcel" a distance of 281.1 feet; thence in a straight line run back to the Point of Beginning and the end of this description; Reserving an easement for ingress, egress and utilities over the North 30.00 feet thereof.

Sheet 1 of 1

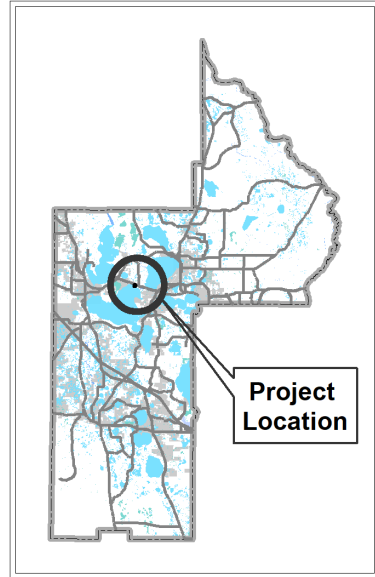
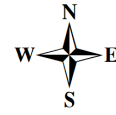
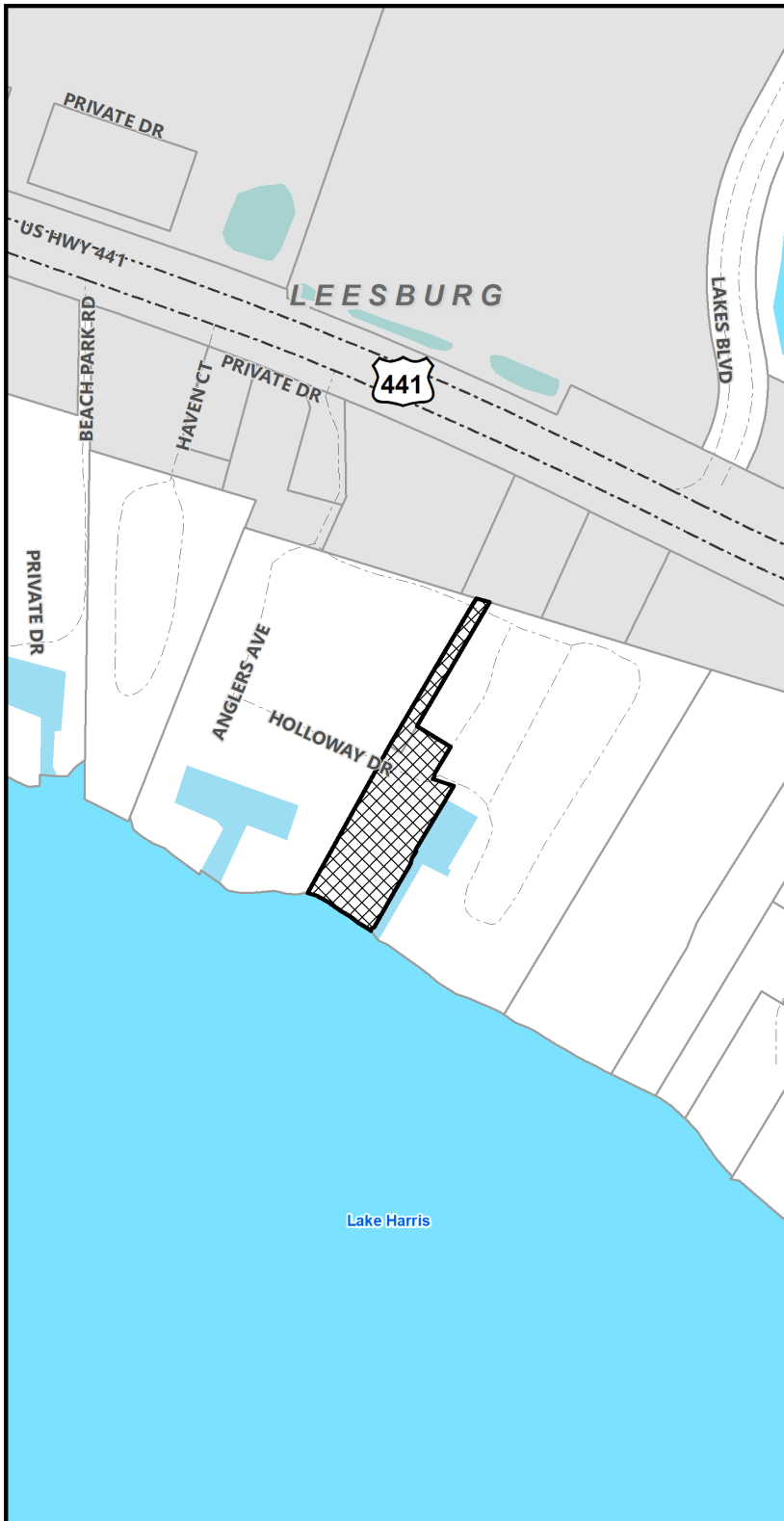
BOUNDARY SURVEY
in Section 23, Township 19 South,
Range 25, East, Lake County, Florida

B.K. MINNICK
P.L.S.

Surveyed and prepared by me or under my direct supervision and that all boundary lines, bearings and distances shown on this map are true and correct, and that all measurements were taken by me or under my direct supervision and that all measurements were taken by me or under my direct supervision.

Surveyed and prepared by me or under my direct supervision and that all boundary lines, bearings and distances shown on this map are true and correct, and that all measurements were taken by me or under my direct supervision and that all measurements were taken by me or under my direct supervision.

Subject Property Map

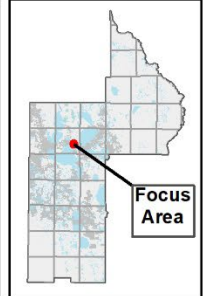


**1.51 Acres
FLU Amendment Area**

Aerial



FLU-23-23-5
Griffin Howard Property



Urban Medium Density
To
Urban Low Density

Legend

 Major Commercial Corridor



ORDINANCE 2023 – ____
FLU-23-23-5
Map Amendment - Howard-Griffin Property

1 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA,**
2 **AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND**
3 **USE MAP FROM URBAN MEDIUM DENSITY FUTURE LAND USE CATEGORY TO URBAN LOW**
4 **DENSITY FUTURE LAND USE CATEGORY FOR 1.51 +/- ACRES LOCATED AT 10534 HOLLOWAY**
5 **DRIVE, IN THE LEESBURG AREA OF UNINCORPORATED LAKE COUNTY, IDENTIFIED AS**
6 **ALTERNATE KEY NUMBERS 1811856 AND 3916348, AND LEGALLY DESCRIBED IN EXHIBIT “A;”**
7 **PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES;**
8 **PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
9

10 **WHEREAS**, Chapter 163, Florida Statutes, Part II, governs growth policy, county and municipal
11 planning, and land development regulation in the State of Florida; and

12 **WHEREAS**, Chapter 125, Florida Statutes, Section 125.01(1)(g), authorizes the Board of County
13 Commissioners of Lake County to “[p]repare and enforce comprehensive plans for the development of the
14 county”; and

15 **WHEREAS**, pursuant to Chapters 163 and 125, Florida Statutes, on the 25th day of May 2010, the
16 Board of County Commissioners enacted Ordinance No. 2010-25, adopting the Lake County 2030
17 Comprehensive Plan; and

18 **WHEREAS**, on the 23rd day of July 2010, the State of Florida Department of Community Affairs, now
19 known as the Community Planning and Development Division of the Florida Department of Economic
20 Opportunity, published a Notice of Intent finding the Lake County 2030 Comprehensive Plan Amendment "In
21 Compliance" with Chapter 163, Florida Statutes; and

22 **WHEREAS**, on the 22nd day of September 2011, the Lake County 2030 Comprehensive Plan
23 became effective and designated the property as part of the Regional Office Future Land Use Category; and

24 **WHEREAS**, Section 163.3184, Florida Statutes, sets forth the process for adoption of
25 Comprehensive Plan Amendments; and

26 **WHEREAS**, on the 4th day of October 2023, this Ordinance was heard at a public hearing before
27 the Lake County Planning & Zoning Board in its capacity as the Local Planning Agency; and

28 **WHEREAS**, on the 14th day of November 2023, this Ordinance was heard at a public hearing before
29 the Lake County Board of County Commissioners for approval to adopt and transmit to the state planning
30 agency and other reviewing agencies; and

31 **WHEREAS**, it serves the health, safety and general welfare of the residents of Lake County to adopt
32 the amendment to the Lake County Comprehensive Plan and Future Land Use Map.

33 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
34 Florida, that:

35 **Section 1. Comprehensive Plan Future Land Use Map Amendment.** The 2030 Comprehensive Plan
36 Future Land Use Map is hereby amended to change the Future Land Use Category for the subject property,
37 described in **Exhibit “A”** attached hereto, and incorporated in this Ordinance, from Urban Medium Density
38 to Urban Low Density Future Land Use Category.

39 **Section 2. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and 163.3184,
40 Florida Statutes.

Section 3. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be construed to have been the Commissioners' intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other person, property or circumstances.

Section 4. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

ENACTED this ____ day of _____, 2023.

FILED with the Secretary of State _____, 2023.

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

Kirby Smith, Chairman

ATTEST:

Gary J. Cooney, Clerk
Board of County Commissioners of
Lake County, Florida

Approved as to form and legality:

Melanie Marsh, County Attorney

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Exhibit "A" – Legal Description

Alternate Key # 3916348

That part of Government Lot 2 in Section 23, Township 19 South, Range 25 East, in Lake County, Florida, bounded and described as follows: From the East quarter section corner of said Section 23, run South 89°47'30" West along the North line of the South 1/2 of said Section 23 a distance of 3045.5 feet; thence South 0°10' East 98.55 feet; thence South 71°33' East 354.4 feet; thence South 0°10' East 9.00 feet to a point on the Southerly line of the right of way of U.S. No. 441 as the same formerly existed; thence South 0°31' East 301.4 feet to a point on the center line of the 120 foot wide right of way of the Seaboard Coast Line Railroad; thence South 20°34' West 60.15 feet to a point on the Southerly line of the right of way of said Railroad; thence South 74°05' East along the Southerly line of the right of way of said railroad 493.04 feet to a 5/8" iron rod with a cap marked PLS 4559 and the POINT OF BEGINNING of this description; thence continue South 74°05' East along said railroad right of way a distance of 27.49 feet to the most easterly corner of the first parcel described in Exhibit "A" as recorded in O. R. Book 2988, Page 1125, Public Records of Lake County, Florida; thence S29°20'02"W along the East line of said "first parcel" a distance of 354.85 feet; thence N59°52'W along the East line of said "first parcel" a distance of 28.1 feet; thence in a straight line run back to the Point of Beginning and the end of this description; Reserving easement for ingress, egress and utilities over the North 30.00 feet thereof; the above parcel being more particularly described as follows:

That part of Government Lot 2 in Section 23, Township 19 South, Range 25 East, in Lake County, Florida, bounded and described as follows: Commence at the East quarter section corner of said Section 23, said corner having a state plane coordinate (East Zone) of North 1632535.39 and East 408091.35 as per Certified Corner Record No. 72866 on file with the Florida Department of Environmental Protection, run N88°59'28"W on a bearing related to Florida Grid East Zone along the North line of the South 1/2 of said Section 23 a distance of 3045.5 feet; thence S01°03'02"W 98.55 feet; thence S70°19'58"E 356.76 feet; thence S01°03'02"W 9.00 feet to a point on the Southerly line of the right of way of U.S. No. 441 as the same formerly existed; thence S00°42'02"W 301.33 feet to a 5/8" iron rod marked #3715 being a point on the center line of the 120 foot wide right of way of the Seaboard Coast Line Railroad; thence S21°38'22"W 60.25 feet to a 1 inch iron pipe being a point on the Southerly line of the right of way of said Railroad; thence S73°07'14"E along the Southerly line of the right of way of said railroad 492.93 feet to a 5/8" iron rod with a cap marked PLS 4559, said iron rod having a coordinate of North 1631860.97 and East 405826.09 and being the POINT OF BEGINNING of this description; thence continue South 73°07'14" East along said railroad right of way a distance of 27.49 feet to a 5/8" iron rod marked LB7274 being the most easterly corner of the first parcel described in Exhibit "A" as recorded in O. R. Book 2988, Page 1125, Public Records of Lake County, Florida; thence S30°18'44"W along the East line of said "first parcel" a distance of 354.77 feet to a 1/2" iron pipe; thence N59°24'04"W along the East line of said "first parcel" a distance of 27.93 feet to a 1/2" iron pipe; thence N30°30'32"E a distance of 348.24 feet to the Point of Beginning and the end of this description; Reserving easement for ingress, egress and utilities over the North 30.00 feet thereof.

Containing 9605 square feet, more or less.

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Alternate Key # 1811856

That part of Government Lot 2 in Section 23, Township 19 South, Range 25 East, in Lake County, Florida, bounded and described as follows: from the East Quarter Section Corner of said Section 23, run South 89°47'30" West along the North line of the South 1/2 of said Section 23 a distance of 3045.5 feet; thence South 0°10' East 98.55 feet; thence South 71°33' East 354.4 feet; thence South 0°10' East 9 feet to a point on the Southerly line of the right of way of U.S. Highway No. 441 as the same formerly existed; thence South 0°31' East 301.4 feet to a point on the center line of the 120-foot-wide right of way of the Seaboard Coast Line Railroad; thence South 20°34' West 60.15 feet to a point on the Southerly line of the right of way of said Railroad; thence South 74°05' East along the Southerly line of the right of way of said Railroad 520.53 feet; thence South 29°20'02" West 354.85 feet; thence North 59°52' West 28.1 feet; thence South 27°58' West 170.3 feet to the POINT OF BEGINNING of this description; thence South 59°52' East 28 feet; thence South 27°31'30" West 172 feet, more or less, to the waters of Lake Harris and a Point hereby designated as Point "A"; Return to Point of Beginning; thence run South 27°58' West 185 feet to the waters of Lake Harris; thence Southeasterly 30 feet, more or less, along and with the waters of Lake Harris to the aforementioned Point "A" and the end of this description.

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