



COMPREHENSIVE PLAN AMENDMENT  
STAFF REPORT  
OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): December 6, 2023  
Board of County Commissioners (BCC): January 9, 2024

Case No. and Project Name: PZ2023-138, Johnson & Clayborn Property

Applicant: Mr. Steve Johnson

Owner: Dennis & Rebeca Johnson, Kathey May Ogle Clayborn, Addie M. Johnson, and Philip & Karen Johnson

Requested Action: Amend the Future Land Use Map (FLUM) to change the Future Land Use Category (FLUC) on approximately 5.00 +/- acres from Rural Transition FLUC to Urban Low Density FLUC.

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

Case Manager: Michael Fitzgerald, AICP, Director

PZB Recommendation:

**Subject Property Information**

Size: Approximately 5.00 +/- acres.

Location: 3501, 3533, 3565, and 3625 Britt Road, in the Mount Dora area of unincorporated Lake County.

Alternate Key Numbers: 1445892, 3910152, 1445922, and 2809957

Current Future Land Use: Rural Transition (Attachment "A")

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

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

Flood Zone: "X"

Joint Planning Area / ISBA: City of Mount Dora JPA

Overlay Districts: Wekiva Study Area

**Adjacent Property Land Use Table**

| <b><u>Direction</u></b> | <b><u>Future Land Use</u></b> | <b><u>Zoning</u></b> | <b><u>Existing Use</u></b> | <b><u>Comments</u></b>        |
|-------------------------|-------------------------------|----------------------|----------------------------|-------------------------------|
| <b>North</b>            | Rural Transition              | Agriculture          | Single Family Residential  | Parcel access via Britt Road. |
| <b>South</b>            | Rural Transition              | Agriculture          | Historic Cemetery          | Parcel access via Britt Road. |
| <b>East</b>             | Rural Transition              | Agriculture          | Vacant                     | Agricultural Exemption        |
| <b>West</b>             | Rural Transition              | Agriculture          | Historic Cemetery          | Parcel access via Britt Road. |

**Staff Analysis**

The proposed Future Land Use Amendment is for four parcels containing a total of approximately 5.00 +/- acres, located at 3501, 3533, 3565, and 3625 Britt Road in the Mount Dora area of unincorporated Lake County. The subject properties are identified by Alternate Key (AK) Numbers 1445892, 3910152, 1445922, and 2809957. The requested action proposes to amend the Future Land Use Category from Rural Transition to Urban Low Density FLUC and amend the associated Comprehensive Plan Map.

The future land use amendment is being requested to allow a higher density, facilitate a future lot split, and provide more compatibility with potential future surrounding development. The request is consistent with Rural Residential (R-1) zoning. The properties are zoned Rural Residential (R-1) by Ordinance #20-73 (Attachment "D").

Currently, the properties are developed with single-family residential dwelling units and accessory structures, as shown in the aerial map (Attachment "E"). This Future Land Use amendment request does not seek to add any new uses or structures.

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 | Rural Transition         | 1 d.u. / 5 acre<br>1 d.u. / 3 acre<br>1 d.u. / 1 acre | 0.30<br>0.50                     | 35% - 50%          | 50 feet         |
| Proposed | Urban Low Density        | 4 d.u./1 acre   | 0.60                             | 25%                | 50 feet         |

**Standards for Review (LDR Section 14.02.03)**

**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 Rural Transition FLUC. Amending the FLUC to Urban Low Density FLUC is consistent with the existing 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.**

There are no changes to existing conditions of the property. The applicant is seeking a future land use change for increased density as a precursor to a proposed lot split.

**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.

**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



# Attachment "B" – Proposed Future Land Use Map

## PROPOSED FUTURE LAND USE



**Proposed Future Land Use**

Urban Low Rural Transition

NAME: **JOHNSON & CLAYBORN PROPERTY**  
CASE NUMBER: **SSFLU PZ-2023-138**  
LOCATION (S-T-R): **21-19-27**  
REQUEST: **RURAL TRANSITION TO URBAN LOW DENSITY**

DISTRICT: **4**



# Attachment "C" – Zoning Map

## CURRENT ZONING



### Zoning Legend

Light Green A Yellow R-1

NAME: **JOHNSON & CLAYBORN PROPERTY**  
CASE NUMBER: **SSFLU PZ-2023-138**  
LOCATION (S-T-R): **21-19-27**  
REQUEST: **RURAL TRANSITION TO URBAN LOW DENSITY**

DISTRICT: **4**



## Attachment "D" – Ordinance #20-73 (Page 1 of 2)

### REZONING RESOLUTION 20-73

WHEREAS, the Lake County Planning and Zoning Commission did, on the 26th day of September, 1973, review certain applications for changes and revisions of the zoning of certain areas in Lake County, Florida, and after giving Notice of a Hearing on applications for changes of Zoning Classifications (including a Notice that said applications would be presented to the Board of County Commissioners of Lake County, Florida on the 16th day of October, 1973,) and

WHEREAS, the Lake County Planning and Zoning Commission did make recommendations on the changes as requested in the particular applications hereinafter set forth subject to the approval of the Board of County Commissioners, Lake County, Florida, and

WHEREAS, the Board of County Commissioners reviewed said applications, the recommendations of The Lake County Planning and Zoning Commission and any comments, favorable or unfavorable from the Public and surrounding property owners, at a Public Hearing duly advertised,

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners, of Lake County, Florida that the Zoning Rules and Regulations of Lake County be altered and amended as they pertain to the following described tracts of land in Lake County, Florida, to the classifications designated after each description and zoning be altered and changed as follows:

#### PUBLIC HEARING # 123-73-4

LEGAL DESCRIPTION: Sec. 21, Twp. 19S, Rge. 27E. The E $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  less the E. 20 ft.

CHANGE IN ZONING CLASSIFICATION: The Zoning Classification is hereby changed from A to RR to create four (4) building sites.

#### PUBLIC HEARING # 124-73-5

LEGAL DESCRIPTION: Sec. 33, Twp. 17S, Rge. 29E. The S $\frac{1}{2}$  of the NW $\frac{1}{4}$  AND the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$ .

CHANGE IN ZONING CLASSIFICATION: The Zoning Classification is hereby changed from A to RR to create one acre lots.

#### PUBLIC HEARING # 126-73-5

LEGAL DESCRIPTION: Sec. 35, Twp. 18S, Rge. 26E. That part of Lot 72 in Haselton Heights, a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Book 13, Page 38, Public Records of Lake County, Florida, lying SW'ly of the following described line: From the SW corner of Lot 7 in Caskey's Cove, a subdivision in Lake County, Florida, according to the plat thereof recorded in Plat Book 16, Page 21, Public Records of Lake County, Florida, run thence N 88°16'E 291.38 ft. to the Westerly line of the Right of way of old State Road 19; thence S 25°31'W 145.36 ft. to the point of beginning of this described line, thence N 61°52' 30' W 259.29 ft. to the SW corner of lot 7 in said Caskey's Cove and end of this described line.

CHANGE IN ZONING CLASSIFICATION: The Zoning Classification is hereby changed from R-1-7 to R-3 to provide highway frontage, for a proposed Mobile Home Park.

# Attachment "D" – Ordinance #20-73 (Page 2 of 2)

R 20-73

Page 2.

PUBLIC HEARING # 127-73-1

LEGAL DESCRIPTION: Sec. 9, Twp. 18S, Rge. 24E. W 1/2 of SW 1/4 of NE 1/4.

CHANGE IN ZONING CLASSIFICATION: The Zoning Classification is hereby changed from R-1-7 to A for Agricultural pursuits.

PUBLIC HEARING # 128-73-4

LEGAL DESCRIPTION: Sec. 24, Twp. 19S, Rge. 26E. Lots 1,2, and 3 of Lake Gertrude Manor as recorded in Plat Book 12, Page 106 of Public Records Lake County, Florida.

CHANGE IN ZONING CLASSIFICATION: The Zoning Classification is hereby changed from C-1 to RR for Residential purposes.

PUBLIC HEARING# 130-73-5

LEGAL DESCRIPTION: Sec. 32, Twp. 18S, Rge 26E. The SW 1/4 of the NE 1/4 AND a strip of land 50 feet wide comprising the Northerly one half of Granters Right-of-way which right-of-way is 50 feet wide on each side of the center line of the roadbed of Granters former main track and said strip of land to extend over and across the SW 1/4 of the NE 1/4.

CHANGE IN ZONING CLASSIFICATION: The Zoning Classification is hereby changed from A to RR to create one acre residential lots.

DONE AND RESOLVED by the Lake County Board of County Commissioners on the 16th day of OCTOBER, 1973.

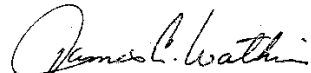
STATE OF FLORIDA )

:

COUNTY OF LAKE )

I HEREBY CERTIFY that the above and foregoing is a true Copy of a Resolution adopted by the Board of County Commissioners in regular session October 16, 1973, as the same appears on record in County Commissioners Minute Book 24 Page         .

WITNESS my hand and official seal this 30 day of Nov., A.D., 1973.

  
JAMES C. WATKINS

Clerk of the Circuit Court  
and Ex-Officio Clerk of the  
Board of County Commissioners,

By: \_\_\_\_\_  
Deputy Clerk



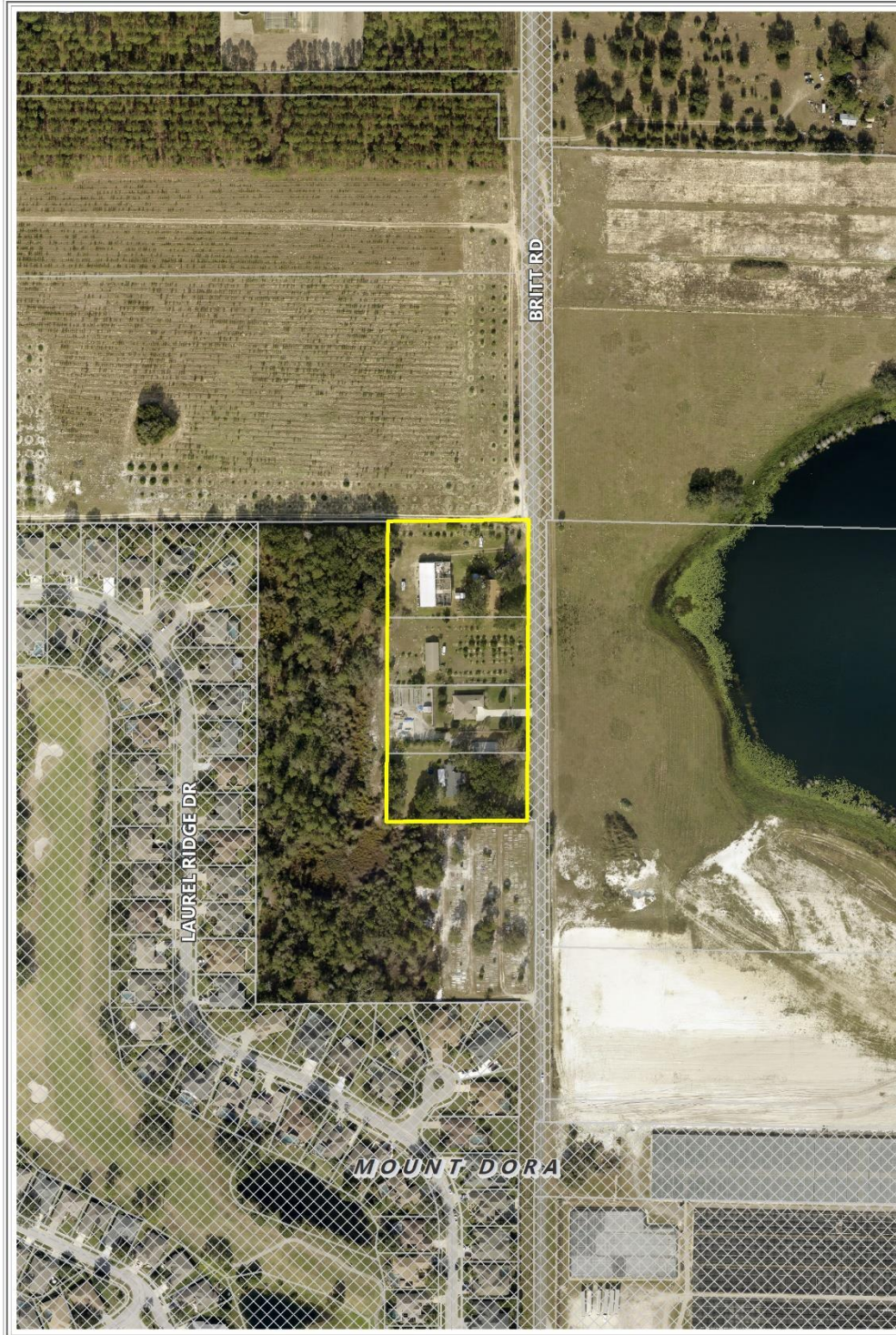
# Attachment "E" – Aerial Map



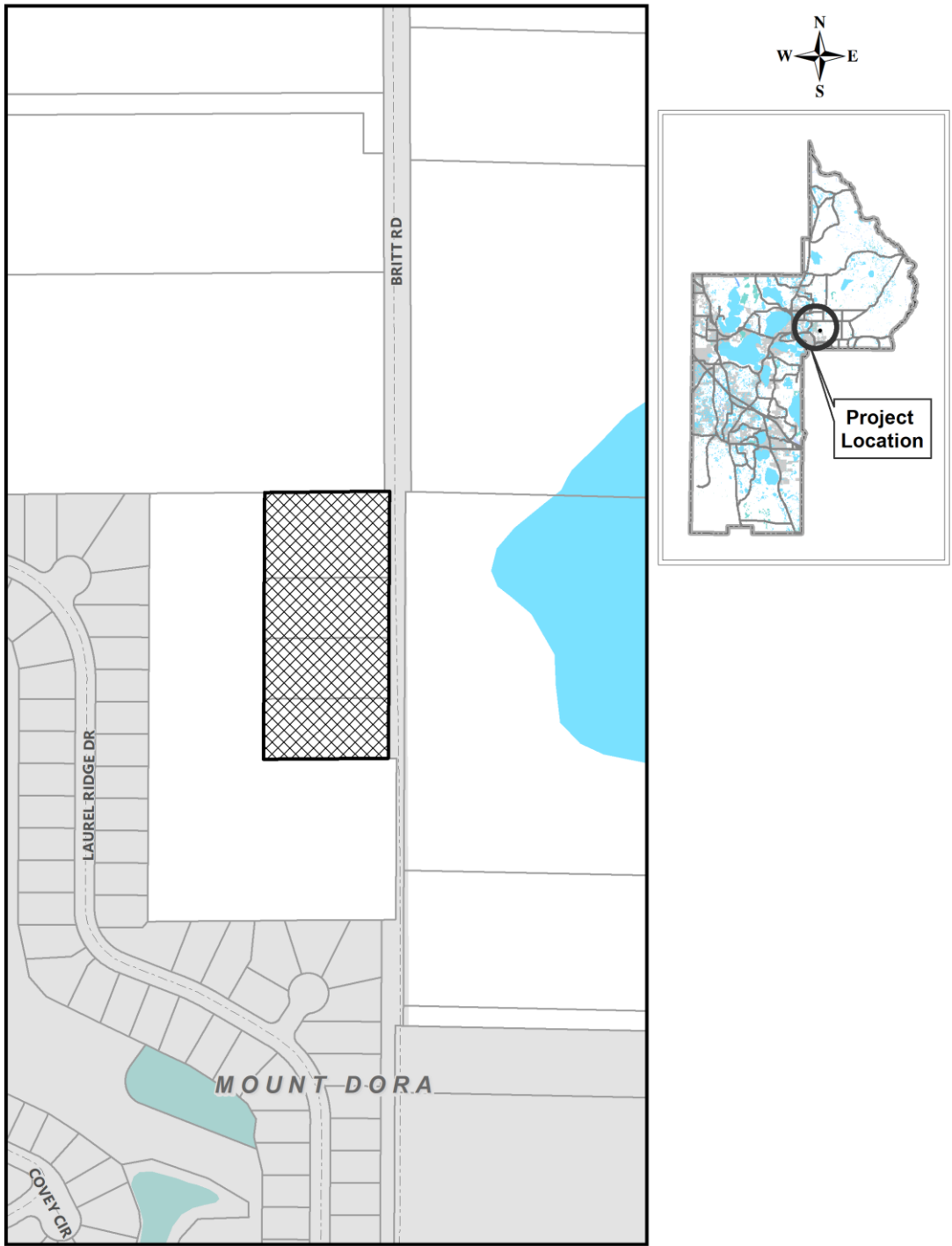
SSFLU\_PZ-2023-138  
Johnson & Clayborn Property



Rural Transition  
To  
Urban Low Density



# Subject Property Map



**ORDINANCE 2024 – \_\_\_\_**  
**Map Amendment – Johnson, Clayborn Properties**

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 RURAL TRANSITION FUTURE LAND USE CATEGORY TO URBAN LOW**  
4       **DENSITY FUTURE LAND USE CATEGORY FOR 5.00 +/- ACRES LOCATED AT 3501 BRITT ROAD,**  
5       **3533 BRITT ROAD, 3565 BRITT ROAD, AND 3625 BRITT ROAD, WITHIN THE MOUNT DORA AREA**  
6       **OF UNINCORPORATED LAKE COUNTY, IDENTIFIED AS ALTERNATE KEY NUMBERS 1445892,**  
7       **3910152, 1445922 AND 2809957, AND LEGALLY DESCRIBED IN EXHIBIT “A;” PROVIDING FOR**  
8       **PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR**  
9       **SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

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

19       **WHEREAS**, on the 23rd day of July 2010, the State of Florida Department of Community Affairs,  
20       now known as the Florida Department of Commerce, published a Notice of Intent finding the Lake County  
21       2030 Comprehensive Plan Amendment "In 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 Rural Transition 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 6<sup>th</sup> day of December 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 9<sup>th</sup> day of January 2024, this Ordinance was heard at a public hearing before the  
29       Lake County Board of County Commissioners for approval to adopt and transmit to the state planning agency  
30       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  
36       Plan Future Land Use Map is hereby amended to change the Future Land Use Category for the subject  
37       properties, described in Exhibit “A” attached hereto, and incorporated in this Ordinance, from Rural Transition  
38       to Urban Low Density Future Land Use Category.

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40       **Section 2. Advertisement.** This Ordinance was advertised pursuant to Sections 125.66 and 163.3184,  
41       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 \_\_\_\_\_, 2024.

FILED with the Secretary of State \_\_\_\_\_, 2024.

**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

## Exhibit “A” – Legal Descriptions

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ALTERNATE KEY #1445892

The South 150 feet of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 21, Township 19 South, Range 27 East, Lake County, Florida, Less Road Right-of-Way on East.

ALTERNATE KEY #3910152

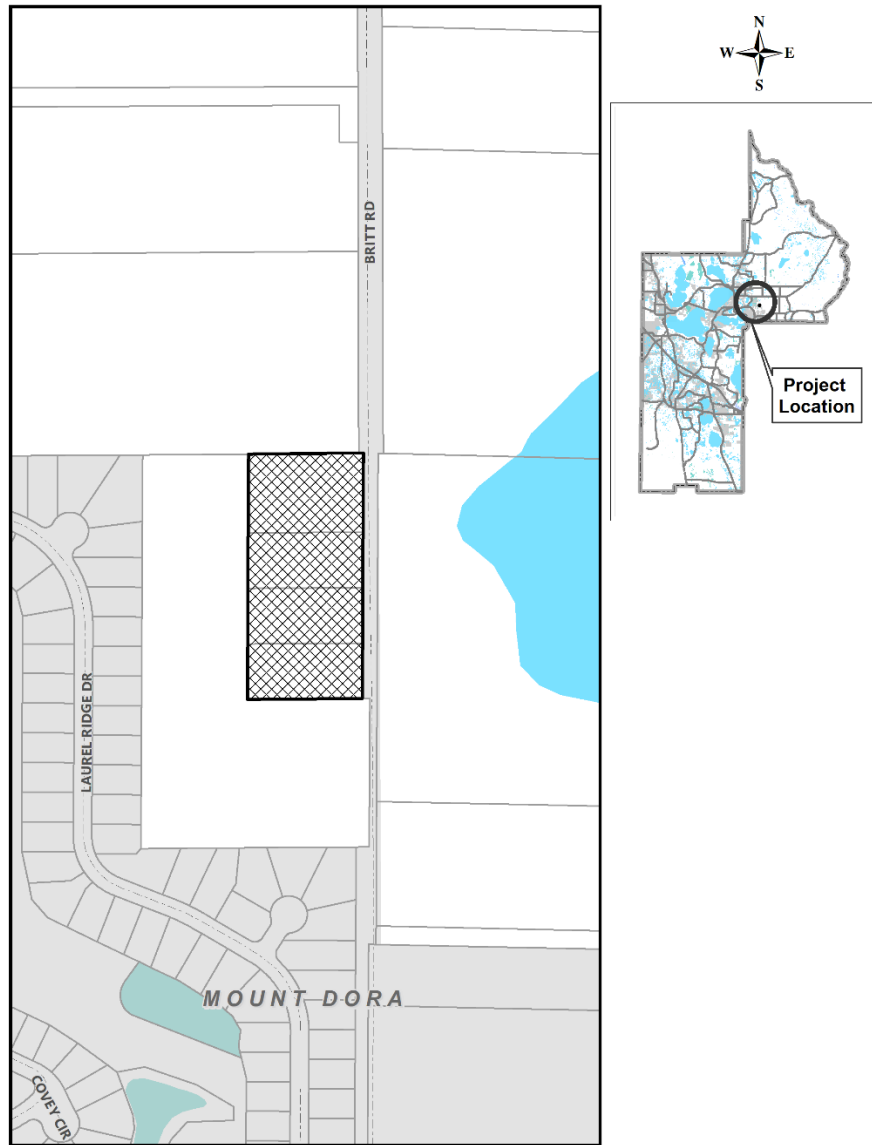
The North 150 feet of the South 300 feet of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 21, Township 19 South, Range 27 East, Lake County, Florida, Less road right-of-way on the East.

ALTERNATE KEY #1445922

The North 150 feet of the South 450 feet of the East 1/2 of Northeast 1/4 of Northeast 1/4 of Northeast 1/4, Section 21, Township 19 South, Range 27 East, Less road right-of-way on the East, Public Records of Lake County, Florida.

ALTERNATE KEY #2809957

The East 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northeast 1/4 of Section 21, Township 19 South, Range 27 East, in Lake County, Florida, LESS the South 450 and the right of way of County Road on the East side thereof.



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