



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

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

Case No. and Project Name: RZ-21-12-4, Florida Greenscapes Management Inc. Property

Owner: Florida Greenscapes Management Inc.

Applicant: Florida Greenscapes Management Inc.

Requested Action: Rezone from Agricultural (A) to Planned Commercial (CP) District, to establish a CP ordinance to allow the retail sales of plants and allow for food truck(s).

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

Case Manager: Janie Barron, Chief Planner
Bernice Gonzalez, AICP, Senior Planner

PZB Recommendation:

Subject Property Information

Size: 1.5 +/- acres

Location: 2145 Britt Road (NE corner of Wolf Branch Road and Britt Road), in the Mount Dora Area of Lake County.

Alternate Key No.: 1708796

Existing Zoning District: Agriculture (Attachment "A")

Proposed Zoning District: Planned Commercial (CP) (Attachment "B")

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

Joint Planning Area (JPA) / ISBA: Mount Dora JPA and Utility Service Area

Overlay Districts: Wekiva Study Area

Adjacent Property Land Use Table

| Direction | Future Land Use | Zoning | Existing Use | Comments |
|-----------|-------------------|--|-----------------------------|--|
| North | Urban Low Density | Rural Residential (R-1) and Agriculture (A) | Vacant Agriculture | Undeveloped |
| South | Urban Low Density | Agriculture (A) and City of Mount Dora | Agriculture and Residential | Wolf Branch Road Agriculture Exempt Uses |
| East | Urban Low Density | Mixed Residential (R-7) and City of Mount Dora | Residential | Britt Road and Single-Family Dwellings |
| West | Urban Low Density | Agriculture (A) and Rural Residential (R-1) | Vacant Residential | Undeveloped |

– Summary of Analysis –

The subject property is identified by Alternate Key Number 1708796, which comprises approximately 1.5 +/- acres, and is zoned Agriculture (A). The property is currently developed and utilized as a retail nursery with one (1) pole barn (1,008 SF), greenhouses (5,760 SF), two (2) sheds (1,902 SF), and an outdoor shade cloth nursery plant display. The surrounding area is a mix of residential, agricultural greenhouses, and wholesale nurseries. The subject property is located on the northwest corner of the intersection of Wolf Branch Road and Britt Road in the Mount Dora area.

The Applicant is requesting to rezone the property from Agriculture (A) to Planned Commercial (CP) to allow the retail sale of plants and allow for food truck(s). The retail/sales use would accommodate the occasional open-air vendor for food truck sales as shown in the concept plan. (Attachment "D") The subject property is designated as Urban Low Density Future Land Use Category (FLUC) per the 2030 Comprehensive Plan. Pursuant to Comprehensive Plan Policy I-1.3.2, commercial uses are permissible in the Urban Low Density FLUC.

Land Development Regulations Section 14.03.03 Standards for Review.

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

The proposed request is consistent with LDR Section 3.01.02, *Classification of Uses*, and LDR Table 3.01.03, *Schedule of Permitted and Conditional Uses*, which specify the allowance of plant nurseries and retail sales within the CP zoning district. Pursuant to LDR Section 3.01.02(B)(9), plant nurseries are defined as the cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. Greenhouses are included in this classification. Pursuant to LDR Section 3.01.04(16)(B), retail sale of plants may be conducted in CP zoning districts.

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

Pursuant to Comprehensive Plan Policy I-1.3.2, the Urban Low Density FLUC allows for commercial uses at an appropriate scale and intensity. Policy I-1.3.2 states that the Urban Low Density FLUC *"shall be located on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities."* The subject parcel is located on the intersection of two collector roads (Britt Road and Wolf Branch Road).

The proposed development proposes to minimize impacts by providing grass or other pervious material for parking areas, except as required for handicapped accessibility. Applicant proposes an increase in open space to 28% from the required 25%. The proposed impervious surface area is 27%. The Urban Low Density FLUC maximum allowable impervious surface area is 70%. In addition, the Use of Best Management Practices for native landscaping and "right plant-right place" landscaping techniques and lighting consistent with Dark Sky principles are proposed by applicant. Staff finds the proposed consistent with Comprehensive Plan Policies within the Wekiva Study Area.

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

The proposed rezoning is consistent with the land uses permitted under the existing FLUC. The parcels surrounding the subject property are predominantly residential and agricultural. Further the subject parcel is located on the intersection of two collector roads that meets the FLUC commercial criteria location.

The rezoning is consistent with Land Development Regulations (LDR) Section 3.01.03, which allows plant nurseries and retail sales within the CP zoning district.

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

The Applicant stated that, *"The applicant would like to utilize the existing facilities for a plant nursery (retail sales of plants). The existing Agriculture zoning allows for retail sales of plants if plants are grown onsite. The growing of plants onsite is not proposed, and the existing greenhouses will be utilized to display plants for retail sales. The applicant would also like to maximize the utility of his private property rights by renting a food truck space. The food truck gives a local business an opportunity to capture pass by customers who visit the nursery thus potentially reducing vehicle miles traveled."*

E. Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and

whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools and fire and emergency medical facilities;

Water and Sewer

The City of Mount Dora will require a Covenant to Annex and Utility Agreement(s) prior to agreeing to provide utility services outlining, among other items, timing of utilities for connection to the City's central systems, and specific uses of the site (Attachment "F" and Attachment "G").

Public Safety

Lake County Fire Rescue Station #39 is located at 31431 Walton Heath in Sorrento, approximately 5 miles from the site. This facility will provide advanced life support should an emergency on the property demand this service. Fire protection water supply and emergency access will be addressed during the development review process, at such time that any future improvements are proposed.

Solid Waste

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

Transportation Concurrency

The standard LOS for the impacted roadway of Britt Road is "D" with capacity of 620 trips in the peak direction, the segment of roadway Horse Ranch Road to Wolf Branch Road is currently operating at a v/c "C" forty two percent (42%) of its capacity during the peak period. This project will be generating thirty-five (35) peak hour trips.

Applicant is required to request an exemption from a full Transportation Concurrency Traffic Impact Study prior to site plan approval. Currently there are no state funded improvements scheduled for this segment of Britt Road.

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

Should the rezoning be approved, all sensitive resources will be addressed through the development application review and approval process. New development will be required to meet all criteria specified by the Comprehensive Plan and LDR, as amended, for natural resource protection and mitigation. The required Environmental Assessment (EA) must identify the presence of natural resources and specify protection and necessary mitigation of any endangered or threatened wildlife, flora and/or fauna, to include those that are species of special concern. The Applicant stated that the proposed development will not adversely impact the natural environment as it is an existing property.

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

There is no information within the application that specifies impacts on property values.

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

Comprehensive Plan Policy I-1.3.10.5, *Criteria for Commercial Centers*, establishes that Neighborhood Convenience Commercial Centers shall be located within 330 feet of an intersection of arterial or collector roads. Neighborhood Convenience Commercial Centers are intended to address the need for narrowly defined commercial areas within the Urban Future Land Use Series. The immediate area is part of the Urban Low Density Future Land Use Category, and the proposed rezoning will have no negative effects on the development pattern in the area.

Neighborhood Convenience Commercial Centers shall allow for an individual building floor area allocation not to exceed 5,000 square feet. Additionally, landscape buffers are required adjacent to the CP zoned parcels; and the ordinance includes landscaping conditions in accordance with the LDR, as amended. To further lessen any adverse effects to adjoining parcels, a noise study that assesses the impacts of the proposed use will be required at the time of development application submittal. Staff finds the proposed amendment consistent with the orderly and logical development pattern of the area.

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

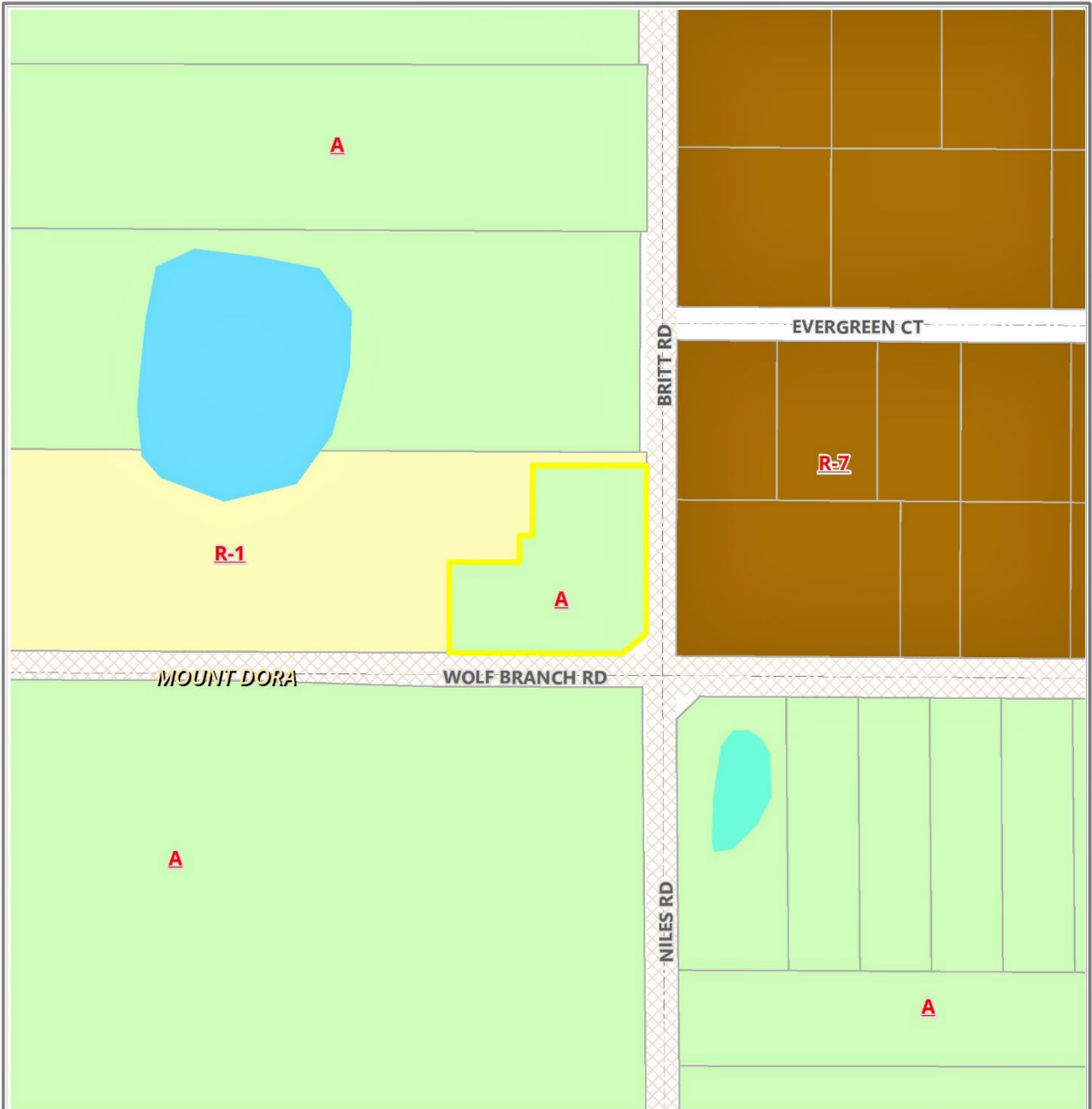
The request is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

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

The City of Mount Dora provided a comment letter for the proposed rezoning stating that the site is within the City of Mount Dora's utility service area for water and sewer (Attachment "G").

Attachment "A"- Zoning District

CURRENT ZONING



Zoning Legend

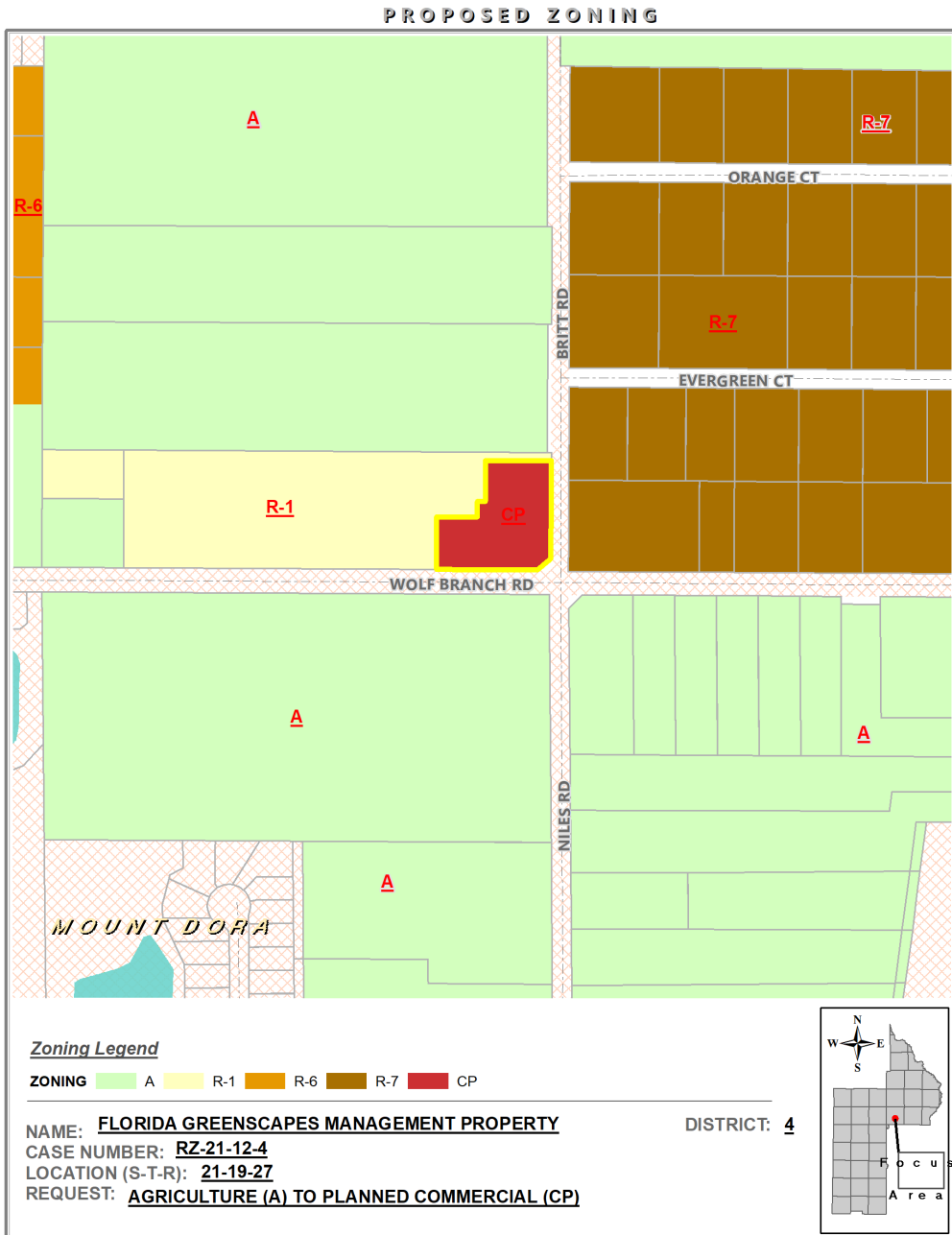
A R-1 R-7

NAME: FLORIDA GREENSCAPES MANAGEMENT PROPERTY
CASE NUMBER: RZ-21-12-4
LOCATION (S-T-R): 21-19-27
REQUEST: AGRICULTURE (A) TO PLANNED COMMERCIAL (CP)

DISTRICT: 4



Attachment "B"- Proposed Zoning District



Attachment "C"- Future Land Use Category



Attachment "D"- Concept Plan

Florida Greenscapes Management, Inc. Rezoning
Project Narrative

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Figure 4. Concept Plan



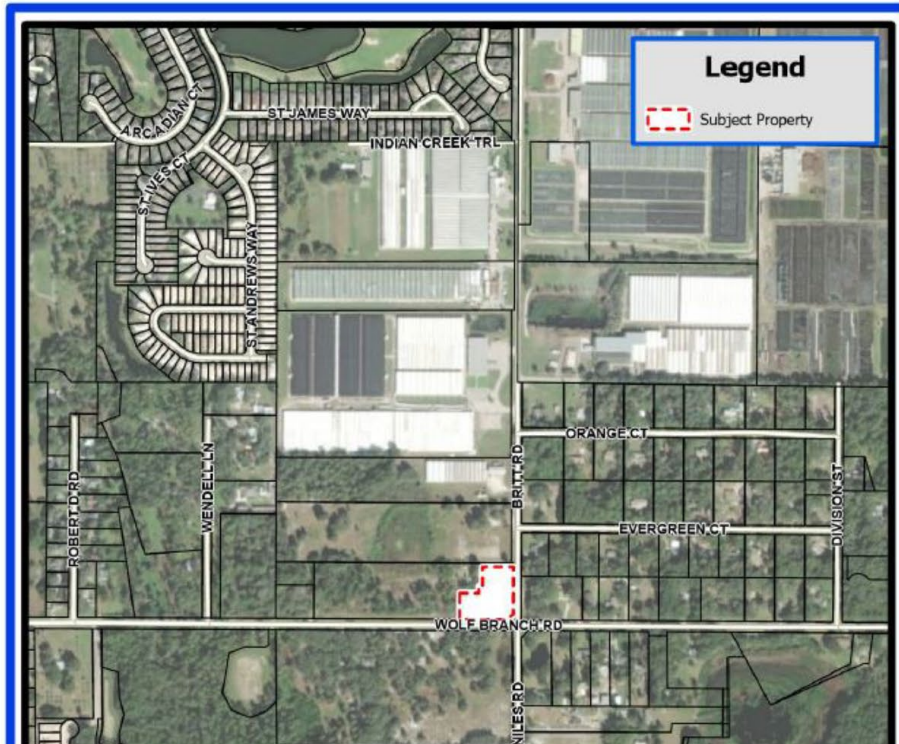
Attachment “E”- Narrative of the Project (Page 1 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative
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Florida Greenscapes Management, Inc.
Rezoning Request
Project Narrative

The subject property is located at 2145 of Britt Road (NE corner of Wolf Branch Road and Britt Road) referenced by alternate key 1708796 and consisting of approximately 1.49 ± acres. The subject property is within the City of Mount Dora joint planning area. Existing development includes one (1) pole barn (1008 SF), greenhouses (5,760 SF), and two (2) sheds (1,902 SF), outdoor shade cloth nursery plant display and is utilized as a retail nursery. The surrounding area is a mix of residential, agricultural greenhouses and wholesale nursery.

Figure 1. Project Location



Attachment “E”- Narrative of the Project (Page 2 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative

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Project Request

The request is to rezone from Agriculture (Ag) to Planned Commercial (CP) to allow the retail sales of plants and allow for food truck(s). No new structures are proposed. The existing development utilizes an onsite well and septic tank. There are two (2) existing restroom facilities located within the pole barn which can serve the public as well as employees. Any future development will be served by central water and sewer from the City of Mount Dora. The proposed development demonstrates on the concept plan the required open space of 26 percent, 1 percent more than the requirement. The proposed FAR is .25, which is consistent with development within urban areas.

The surrounding properties are zoned Agriculture (AG), Mixed Residential District (R-7), and Rural Residential (R-1).

Comprehensive Plan Consistency

The future land use is Urban Low Density as demonstrated in Figure 2, which permits up to 4 units/net acre. As indicated in Policy I-1.3.2 the Urban Low-Density FLU is “provides for a range of residential development at maximum density of 4 dwelling units per net buildable acre in addition to civic, commercial, and office uses at an appropriate scale and intensity to serve this category.” These areas are located in on or in proximity to collector or arterial roadways to minimize traffic on local streets and provide convenient access to transit facilities. Commerce uses, including services, retail trade, finance, insurance and real estate as allowed pursuant to Policy 1-1.3.10 Commercial Activities within the Urban Future Land Use Series.

FLU Policy 1-1.3.10 states “Lake County shall allocate sufficient land area to accommodate commercial activities that provide goods and services, with consideration to economic benefits and environmental impacts to the County.”

FLU Policy 1-1.3.10.5(3) indicates that Neighborhood Commercial Centers are intended to accommodate the convenient shopping needs of nearby residents living within the immediate area and these centers shall be located at an intersection of arterial or collector roads. These centers shall allow for an individual building floor area allocation not to exceed 5,000 SF. Where located, they shall be defined to exist within a distance of 330 feet measured perpendicular to the road from the edge of the right of way extending a distance of 330 feet along the right of way from the nearest corner of the intersection.

Wolf Branch Road and Britt Road are classified as collector roadways. US Highway 441 (an arterial roadway) is located approximately 1.25 miles to the west.



Attachment “E”- Narrative of the Project (Page 3 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative

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Landscape buffers are incorporated to increase the physical separation between residential and commercial. The surrounding uses are predominately residential, and agriculture as demonstrated in Table 1.

| Direction | Future Land Use | Zoning | Current Use |
|-----------|-------------------|--------|--------------------------------------|
| North | Urban Low Density | AG | Commercial Agriculture (greenhouses) |
| South | Urban Low Density | AG | Residential |
| East | Urban Low Density | R-7 | Residential |
| West | Urban Low Density | R-1 | Residential |

Table 1. Surrounding Land Uses

Figure 2. Existing Future Land Use

Potable Water Analysis

The subject property is within the City of Mount Dora Service Area and utilities are available.

Sanitary Sewer Analysis

The subject property is within the City of Mount Dora Service Area and utilities are available.

Solid Waste Analysis

The proposed rezoning will be consistent with the County’s adopted level of service.

Transportation Impact Analysis

As demonstrated in the Table 3a, 3b, 3c, the proposed rezoning will increase the PM peak hour trips by 11 which is considered de minimis.

Proposed Land Use Program

| Land Use | Size/Unit | ITE Code | Daily Trips | PM Peak Hour Trips | PM Trips Enter | PM Trips Exit |
|----------|-----------|----------|-------------|--------------------|----------------|---------------|
| Nursery | 1.5 acres | 817 | 162 | 12 | N/A | N/A |



Attachment “E”- Narrative of the Project (Page 4 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative

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| | | | | | | |
|------------------------------|--|-----|----|-----|-----|--|
| (Retail Garden Center) | | | | | | |
| TOTAL GROSS TRIPS (PROPOSED) | | 162 | 12 | N/A | N/A | |

Table 3a. Proposed Trip Generation

Existing Land Use Program

| Land Use | Size/Unit | ITE Code | Daily Trips | PM Peak Hour Trips | PM Trips Enter | PM Trips Exit |
|------------------------------|-----------|----------|-------------|--------------------|----------------|---------------|
| Nursery (Wholesale) | 1.5 acres | 818 | 29 | 1 | N/A | N/A |
| TOTAL GROSS TRIPS (EXISTING) | | | 29 | 1 | N/A | N/A |

Table 3b. Existing Trip Generation

Net Difference (Proposed Net Trip Generation Minus Existing Net Trip Generation)

| Land Use | PM Peak Hour Trips | PM Trips Enter | PM Trips Exit |
|---------------------------------------|--------------------|----------------|---------------|
| TOTAL NET TRIPS (PROPOSED – EXISTING) | 11 | N/A | N/A |

Table 3c. Net Trip Generation

Environmental Impact Analysis

The subject site is currently developed and no new structures are proposed; therefore, an environmental assessment is not required. Should protected species occur, any required agency permits will be obtained prior to site development consistent with requirements of the Land Development Regulations.

Rezoning Request

The CP request is to allow retail sales of plants and allow for food truck(s). No new structures are proposed. The proposed concept plan is demonstrated in Figure 4.



Attachment "E"- Narrative of the Project (Page 5 of 10)

Florida Greenscapes Management, Inc. Rezoning Project Narrative

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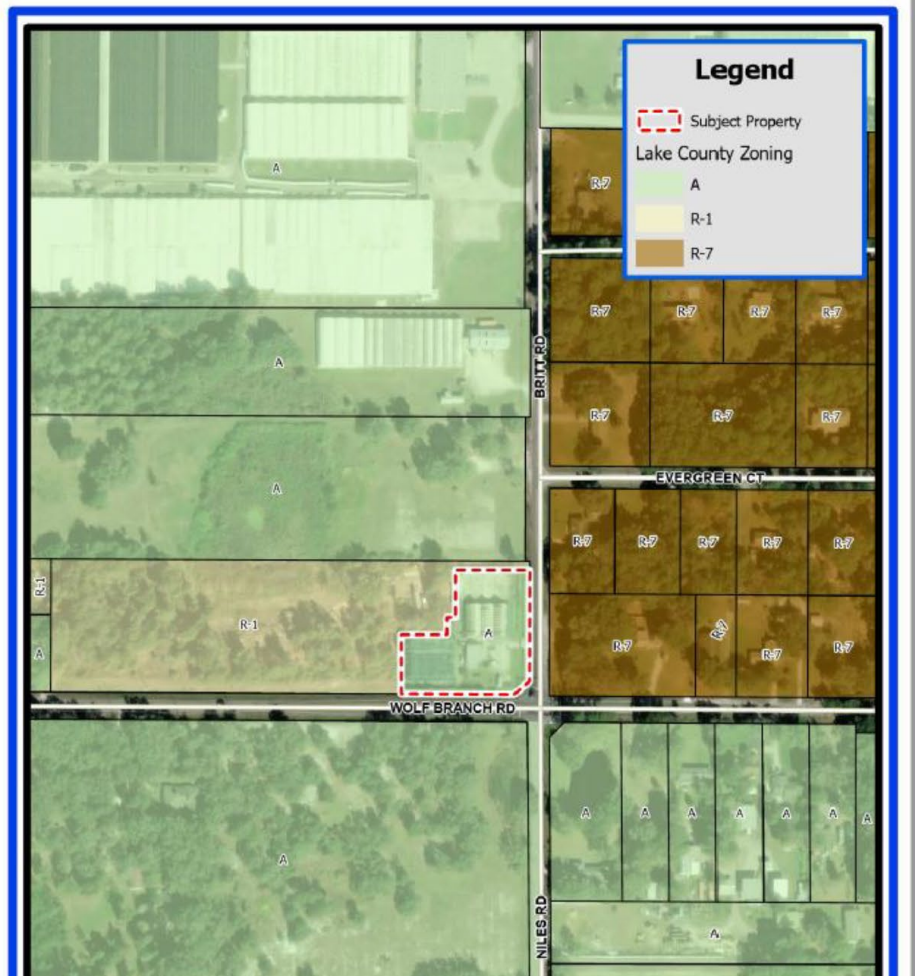
Figure 4. Concept Plan



Attachment "E"- Narrative of the Project (Page 6 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative
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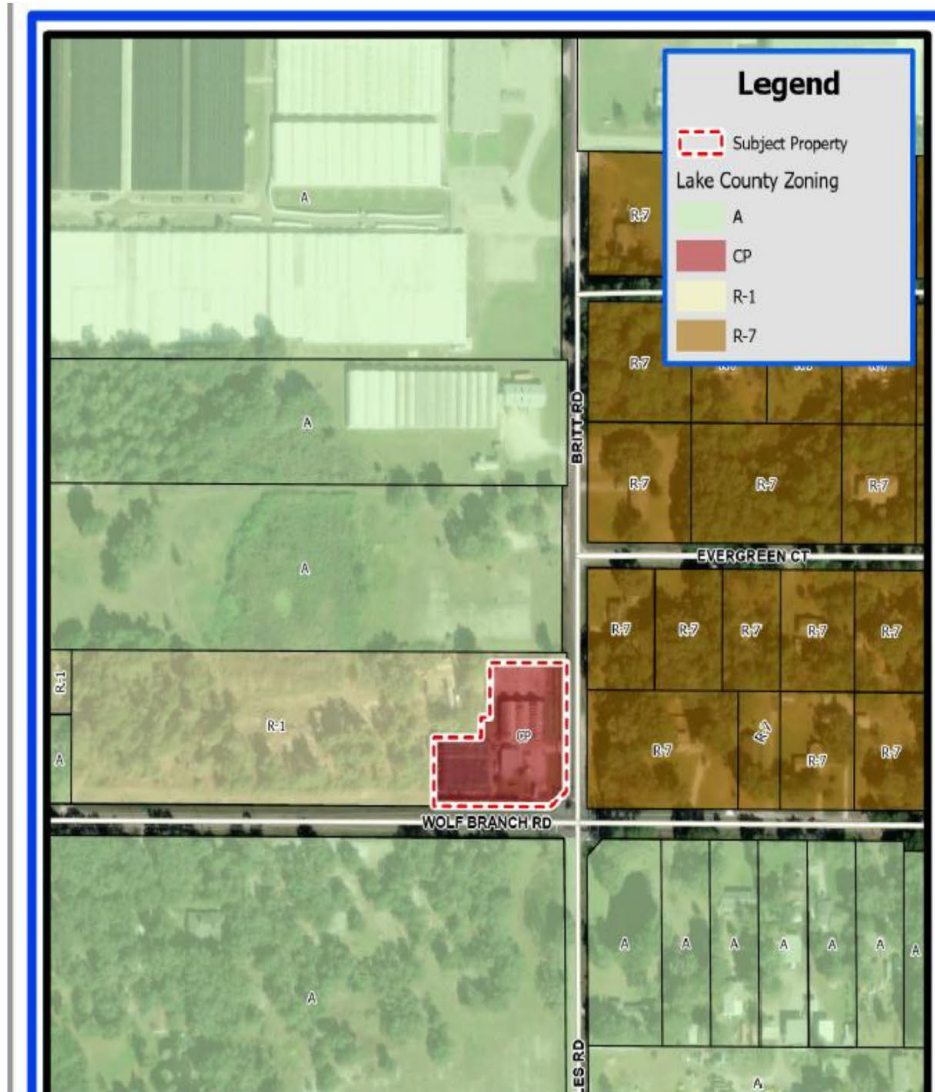
Figure 5. Existing Zoning



Attachment "E"- Narrative of the Project (Page 7 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative
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Figure 6. Proposed Zoning



Attachment “E”- Narrative of the Project (Page 8 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative

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Standards of Review

- A. *Whether the rezoning is in conflict with any applicable provisions of the Code.*
The proposed rezoning is consistent with all applicable provisions of the code. The proposed Planned Commercial (CP) is compatible to the surrounding land uses.
- Whether the proposed amendment is consistent with all elements of the Comprehensive Plan.*
The proposed rezoning is consistent with all elements of the comprehensive plan. Facilities can be provided to serve the project. The request is consistent with FLU Policies 1-1.3.2, 1-1.3.10, 1-1.3.10.5(3) as demonstrated above.
- B. *Whether, and the extent to which, the proposed rezoning is inconsistent with existing and proposed land uses.*
The proposed CP is consistent with the established land use pattern in the area. The proposed use for the retail sales of plants is consistent with the surrounding area which is predominantly single family homes. Landscaping is paramount to maintain the value of said single family homes. Providing a retail nursery near significant residential development is appropriate for encouraging a mix of uses within the proposed land uses. The rezoning enables the property owner to provide additional retail services through the renting of a food truck space on-site. The food truck end user will comply with the open air vendor application.
- C. *Whether there have been changed conditions that justify a rezoning.*
The applicant would like to utilize the existing facilities for a plant nursery (retail sales of plants). The existing Agriculture zoning allows for retail sales of plants if plants are grown onsite. The growing of plants onsite is not proposed, and the existing greenhouses will be utilized to display plants for retail sales. The applicant would also like to maximize the utility of his private property rights by renting a food truck space. The food truck gives a local business an opportunity to capture pass by customers who visit the nursery thus potentially reducing vehicle miles traveled.
- D. *Whether, and the extent to which, the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.*
The development will not negatively impact public facilities. The proposed CP zoning is an infill project and sufficient capacity is available to serve the project.



Attachment “E”- Narrative of the Project (Page 9 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative

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The applicant is dedicating 10 feet (10') of his property along Britt Road to Lake County to help accommodate the expansion of this road due to the growth in this area.

E. Whether, and the extent to which, the rezoning would result in significant impacts on the natural environment.

The proposed CP zoning will not significantly impact the natural environment. The existing facilities will be utilized for the retail sales of plants (garden center). The food truck will have its own trash receptacle and concurrent parking spaces. The applicant will comply with all stormwater management regulations to ensure runoff is captured.

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

The subject site is currently developed for the wholesale of plants. The proposed retail sales of plants would not affect the property values in the area. The properties which abut the subject site are zoned Agriculture and are utilized for greenhouses. Across Britt Road and Wolf Branch Road are residentially zoned properties in which the roadway provides for separation from the proposed retail sales of plants. In addition, appropriate buffers will be established as required by the Land Development Regulations.

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

As described above the proposed CP is an infill project and is a logical extension of the existing development pattern. The retail sale of plants and landscaping products is compatible with the existing and expanding residential development in this area. The inclusion of a food truck provides additional services in close proximity to the residents, potentially helping reduce vehicle miles traveled. Policy I-1.3.1, *Traditional Neighborhood Development*, espouses the following:

Traditional Neighborhood Development encourages mixed-use, compact design which is sensitive to environmental characteristics of the land, facilitates efficient use of services, and provides for diversification and integration of land uses including residential, commercial, office, recreation, and civic within close proximity to each other.

The proposed rezoning provides for the integration of two uses, both commercial in nature for an area dominated by residential and agriculture businesses. The proposed uses diversify the existing commercial businesses in the area effectively promoting a diversification of uses within the surrounding area.



Attachment “E”- Narrative of the Project (Page 10 of 10)

Florida Greenscapes Management, Inc. Rezoning
Project Narrative
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H. Whether the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

This request is not in conflict with the public interest. It provides additional right of way for Britt Road and provides services to meet the needs of the local community. The use is compatible with surrounding uses.



Attachment "F"- City of Mount Dora Response Letter



**CITY OF
MOUNT
DORA**

PLANNING AND DEVELOPMENT

City Hall
510 N. Baker St.
Mount Dora, FL 32757

Office of the City Manager
352-735-7126
Fax: 352-735-4801

Finance Department
352-735-7118
Fax: 352-735-1406

Human Resources
352-735-7106
Fax: 352-735-9457

Planning and Development
352-735-7112
Fax: 352-735-7191

City Hall Annex
900 N. Donnelly St.
Mount Dora, FL 32757

Parks and Recreation
352-735-7183
Fax: 352-735-3681

Public Safety Complex
1300 N. Donnelly St.
Mount Dora, FL 32757

Police Department
352-735-7130
Fax: 352-383-4623

Fire Department
352-735-7140
Fax: 352-383-0881

Public Works Complex
1250 N. Highland St.
Mount Dora, FL 32757
352-735-7151
Alt. Tel: 352-735-7105
Fax: 352-735-1539
Alt. Fax: 352-735-2892

W. T. Bland Public Library
1995 N. Donnelly St.
Mount Dora, FL 32757
352-735-7180
Fax: 352-735-0074

Website:
www.cityofmountdora.com

February 9, 2022

floridagreenscapes@aol.com

Florida Greenscapes Managemnt Inc.
281 Highbrook Boulevard
Ocoee, FL 34761

RE: Application for Rezoning A to CP – Florida Greenscapes Management, Inc.
Alternate Key No. 1708796

To Whom It May Concern:

The City of Mount Dora is in receipt of the above-referenced zoning confirmation letter for property located on 2145 Britt Road (Alt. Key 1708796). Please be advised of the following review comments from the City:

- A Covenant to Annex and Utility Agreement(s) shall be required prior to agreeing to provide utility services outlining, among other items, timing of utilities for connection to the City's central systems, and specific uses of the site.
- Pursuant to the City/County JPA agreement, development plans will require site plan/plat reviews by the City pursuant to the City's normal plan review process meeting the requirements of the City's Land Development Code. A full set of drawings will be required.

If you have any comments or questions, please do not hesitate to contact my office at 352-735-7112.

Sincerely,

Shelby Eldridge

Shelby Eldridge
Planner II

Cc: Josef Grusauskas – Mount Dora Public Works and Utilities Director
Marelys Moreno – Lake County Office of Planning and Zoning

Enclosure(s): Covenant to Annex

Attachment "G"- Utility Notification Form and City of Mount Dora Letter (Page 1 of 2)



City Hall
510 N. Baker St.
Mount Dora, FL 32757

Office of the City Manager
352-735-7126
Fax: 352-735-4801

Finance Department
352-735-7118
Fax: 352-735-1406

Human Resources
352-735-7106
Fax: 352-735-9457

Planning and Development
352-735-7112
Fax: 352-735-7191

City Hall Annex
900 N. Donnelly St.
Mount Dora, FL 32757

Parks and Recreation
352-735-7183
Fax: 352-735-3681

Public Safety Complex
1300 N. Donnelly St.
Mount Dora, FL 32757

Police Department
352-735-7130
Fax: 352-383-4623

Fire Department
352-735-7140
Fax: 352-383-0881

Public Works Complex
1250 N. Highland St.
Mount Dora, FL 32757
352-735-7151
Alt. Tel: 352-735-7105
Fax: 352-735-1539
Alt. Fax: 352-735-2892

W. T. Bland Public Library
1995 N. Donnelly St.
Mount Dora, FL 32757
352-735-7180
Fax: 352-735-0074

Website:
www.cityofmoundora.com

April 8, 2021

Reference: General Water / Sewer Availability Inquiry: 2145 Britt Road, Mt. Dora, FL

To Whom It May Concern:

This letter is written to confirm that the aforementioned site is within the City of Mount Dora's utility service area for water and sewer. Water services are available and sewer service are available but only a force main no gravity, also resident is responsible to run the connections and install a private lift station to the site as defined by the City's Land Development Code 6.4.1 and 6.4.3. The City's provision of service is subject to:

1. The City's review of the proposed project for conformance to the City Land Development Code and City Ordinances, including but not limited to, the owner/developer's construction or extension of on-site and off-site utility system improvements as necessary, to provide service to the site.
2. The owner/ developer's execution of all necessary development agreements including annexation or a covenant to annex, if required.
3. The owner/ developer preparing and securing all necessary permits.
4. The owner/ developer's payment of all appropriate connection and impact fees

Please be advised the release of this document does **not** constitute the reservation of water capacity or a commitment to serve. Additionally, and regardless of availability, the construction and dedication of dry lines may be required in accordance with the City's Land Development Code. Should you have any questions, please feel free to contact the Public Services Division at (352) 735-7151 or via email at krammj@cityofmoundora.com.

Sincerely,

Joshua P. Kramm
Josh Kramm

Water/Sewer Utility Line Manager

CC: Josef Grusauskas, Public Works & Utilities Director
Vince Sandersfeld- Planning and Development Director
Development File: General Water / Sewer Availability Inquiries

Attachment "G"- Utility Notification Form and City of Mount Dora Letter (Page 2 of 2)



Department of Growth Management

Utility Notification

In an effort to assure governmental cooperation and assistance in the use of approved utility facilities, Lake County shall, per Land Development Regulations, Section 6.12.00, require connection to those facilities upon development, within 1,000 feet of an approved central sewage system and/or within 300 feet of an approved central water system.

The owner of the following property has either a pending public hearing, commercial project under review or is in the process of obtaining a permit. It is understood that a one-day turn around for this information is required so that delays for issuance will be minimized.

Please acknowledge the availability to serve the following property with central utility systems.

The applicant is proposing the following:

Single-Family Dwelling _____ Multi-Family Units _____ Duplex _____ Commercial X

Administrative Lot Split _____ Commercial Project _____ Rezoning _____

Legal description: Section _____ Township _____ Range _____ Alt Key # 1708796

Subdivision _____ Lot _____ Block _____ Additional Legal attached _____

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

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

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

Central Sewage: Yes X No _____ Central Water: Yes X No _____ *No Fire Protection*
Will the connection to the central sewage system be via a _____ gravity line or a X force main/pump?
On-site Lift Station Required

Wellfield Protection:

To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area.

This property is _____ or is not X within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

Utility costs are responsibility of the owner.

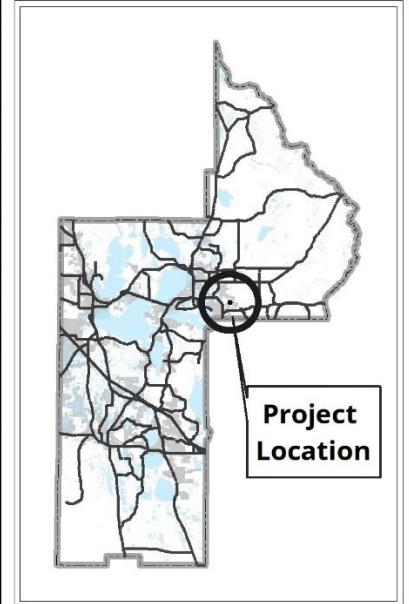
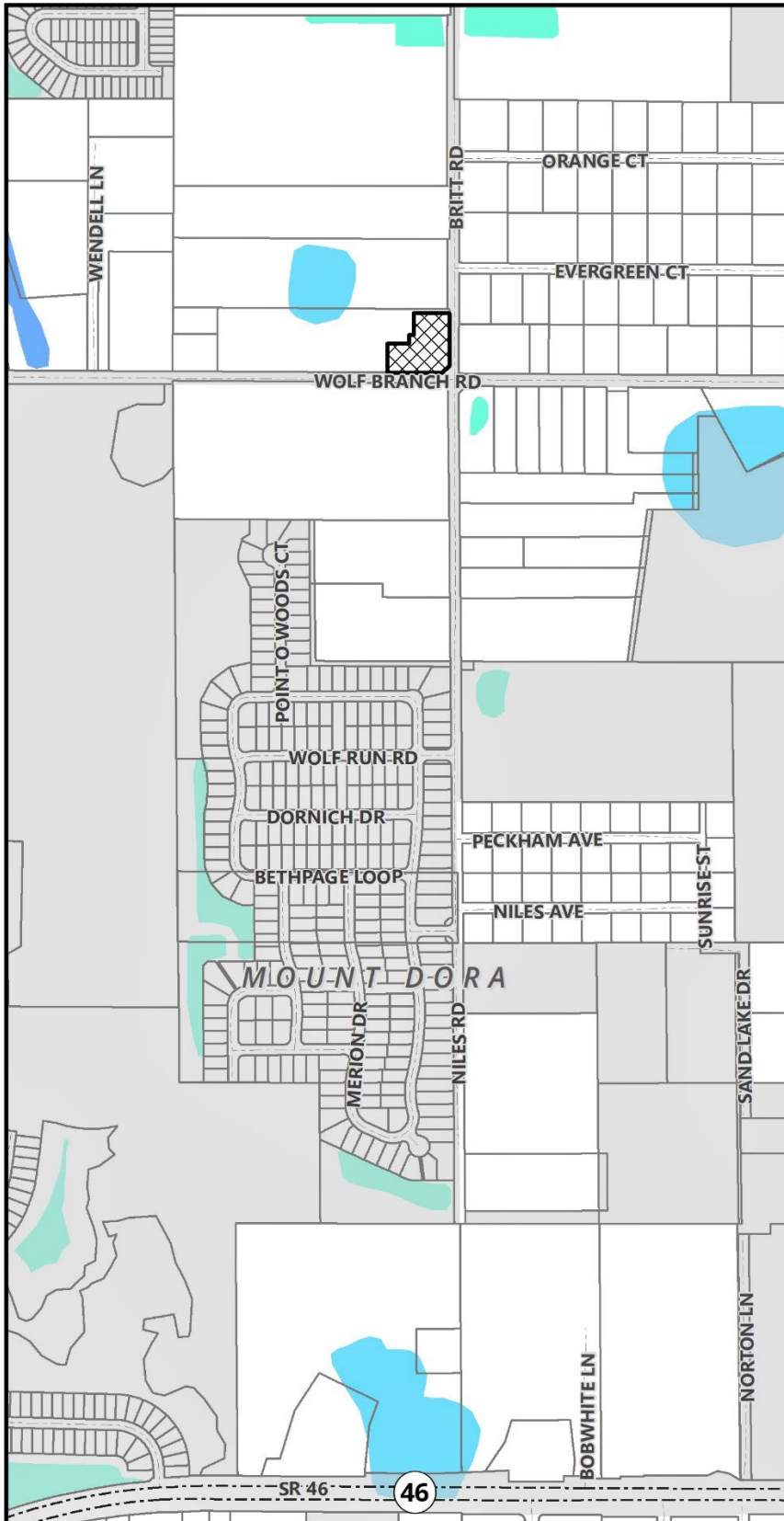
City Official or Private Provider Signature _____

Print Name and Title: Paul M. Lehr City Engineer Date 10/29/2020

Please return this completed form to the Lake County Planning & Community Design via facsimile to (352) 343-9767, or email it to zoning@lakecountyfl.gov.

| | |
|----------------------------------|--------------------------------------|
| To be completed by County staff: | Staff Name: _____ |
| Date Received: _____ | Address #: _____ Project Name: _____ |

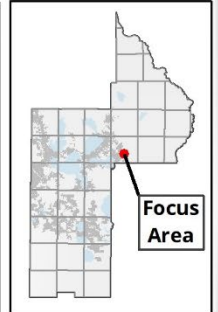
Map of Subject Property



Aerial



RZ-21-12-4
Florida Greenscapes Management Property



Agriculture (A)
to
Planned Commercial (CP)

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ORDINANCE #2023-__

Florida Greenscapes Management Inc.

RZ-21-12-4

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; REZONING APPROXIMATELY 1.5 +/- ACRES FROM AGRICULTURAL (A) TO PLANNED COMMERCIAL (CP) DISTRICT, TO ESTABLISH A CP ORDINANCE FOR PROPERTY IDENTIFIED AS ALTERNATE KEY 1708796, LOCATED IN SECTION 21, TOWNSHIP 19 SOUTH, RANGE 27 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Jay Chris Reed, an agent of Florida Greenscapes Management Inc. (the “Applicant”) submitted an application on behalf of Florida Greenscapes Management Inc. (the “Owner”) to rezone from Agricultural (A) to Planned Commercial (CP) District, to allow the retail sales of plants and food truck(s); and

WHEREAS, the subject property consists of approximately 1.5 +/- acres, located at 2145 Britt Road (NE corner of Wolf Branch Road and Britt Road), in the Mount Dora area, in Section 21, Township 19 South, Range 27 East, identified by Alternate Key Number 1708796 and more particularly described in **Exhibit “A” – Legal Description;** and

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

WHEREAS, the Lake County Planning & Zoning Board reviewed Petition RZ-21-12-4 on the 6th day of December 2023, after giving notice of the hearing on the petition for a change in zoning, including notice that the petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 9th day of January 2024; and

WHEREAS, the Board of County Commissioners (Board) reviewed the petition, the recommendations of the Lake County Planning & Zoning Board, 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.

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

Section 1. Terms. The County Manager or designee shall amend the Lake County Zoning Map to Planned Commercial (CP) for the property described above in accordance with this Ordinance. All uses specified must be generally consistent with the Conceptual Plan as shown in **Exhibit “B”** of this Ordinance. To the extent there are conflicts between the Conceptual Plan and this Ordinance, the Ordinance will take precedence.

A. Permitted Land Uses.

- 1. Plant nursery

- 1 2. Retail sales of plants
- 2 3. One Food Truck Space
- 3 4. Accessory Uses directly associated with the above uses may be approved by the
- 4 County Manager or designee.
- 5 5. Any other use of the site not specified above shall require approval of an
- 6 amendment to this Ordinance by the Board of County Commissioners.

7 **B. Development Standards:**

- 8 1. Commercial Design Standards: Commercial design standards shall adhere
- 9 and apply commercial design standards consistent with the LDR, as
- 10 amended.
- 11 2. Open Space, Impervious Surface Ratio and Building Height: Open space,
- 12 impervious surface ratio, and building height shall be in accordance with the
- 13 Comprehensive Plan and LDR, as amended.
- 14 3. Setbacks: Setback shall be in accordance with the applicable provisions of
- 15 the LDR, as amended.
- 16 4. Landscaping, Buffering and Screening: Use of Best Management Practices
- 17 for native landscaping and “right plant-right place” landscaping techniques to
- 18 provide compatibility with the natural environment and minimize the use of
- 19 chemicals, pesticides, and water for irrigation. No invasive exotic plant
- 20 species shall be used in landscaping in accordance with the Comprehensive
- 21 Plan and LDR, as amended.
- 22 5. Parking: Parking surfaces may be grass or other pervious material, except as
- 23 required for handicapped accessibility.
- 24 6. Transportation/Access Management: All access management shall be in
- 25 accordance with the Comprehensive Plan and Land Development
- 26 Regulations (LDR), as amended.
- 27 7. Lighting: Exterior lighting, if provided, must be in accordance with the LDR,
- 28 and consistent with Dark Sky principles, as amended.

29 **C. Fire:** Compliance with Florida Fire Prevention Code and LDR's regarding adequate

30 water supply and emergency access is required. The Florida Fire Prevention Code

31 mandates specific fire protection features based on occupancy; these items will be

32 addressed during the building permitting phase. (i.e., automatic sprinkler system and

33 fire alarm).

34 **D. Utilities:** The property is within the City of Mount Dora Utility Service area and public

35 water and sewer services are available. A copy of the utility service agreement shall

36 be provided.

37 **E. Signage:** All signage must be in accordance with the LDR, as amended.

38 **F. Noise:** Compliance shall be in accordance with the LDR, as amended.

- 1 **G. Concurrency Management Requirements:** All development must comply with the
2 Lake County Concurrency Management System, as amended.
- 3 **H. Development Review and Approval:** Prior to the issuance of any permits, the
4 Owner shall be required to submit a site plan application generally consistent with
5 **Exhibit B (Conceptual Plan)**, attached, for review and approval in accordance with
6 the Comprehensive Plan and LDR, as amended.
- 7 **I. Future Amendments to Statutes, Codes, Plan, and/or Regulations:** The specific
8 references in this Ordinance to the Florida Statutes, Florida Administrative Code,
9 Lake County Comprehensive Plan, and Land Development Regulations (LDR) shall
10 include any future amendments to the Statutes, Code, Plans, and/or Regulations.
- 11 **J. Environmental Requirements.** Environmental resources shall be protected in
12 accordance with the Comprehensive Plan and LDR, as amended.
- 13 **K. Stormwater and Floodplain Management.** The stormwater management system
14 shall be designed in accordance with all applicable Lake County and St. Johns River
15 Water Management District (SJRWMD) requirements, as amended.

16 **Section 2. Conditions.**

- 17 A. After establishment of the facilities as provided herein, the property shall only be used
18 for the purposes named in this ordinance. Any other proposed use must be
19 specifically authorized by the Board of County Commissioners.
- 20 B. No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove,
21 improve, move, convert, or demolish any building structure, or alter the land in any
22 manner within the boundaries of the above-described land without first obtaining the
23 necessary approvals, including site plan approval, in accordance with the Lake
24 County Code, as amended, and obtaining the permits required from the other
25 appropriate governmental agencies.
- 26 C. This Ordinance will inure to the benefit of and will constitute a covenant running with
27 the land and the terms, conditions, and provisions of this Ordinance, and will be
28 binding upon the present Owner and any successor and will be subject to each
29 condition in this Ordinance.
- 30 D. Construction and operation of the proposed use shall always comply with the
31 regulations of this and other governmental permitting agencies.
- 32 E. The transfer of ownership or lease of any or all the property described in this
33 Ordinance must include in the transfer or lease agreement, a provision that the
34 purchaser or lessee is made aware of the conditions established by this Ordinance
35 and agrees to be bound by these conditions. The purchaser or lessee may request a
36 change from the existing plans and conditions by following procedures contained in
37 the LDR, as amended.

1 F. The Lake County Code Enforcement Special Master will have authority to enforce
2 the terms and conditions set forth in this ordinance and to recommend that the
3 ordinance be revoked.

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

7 **Section 4. Effective Date.** This Ordinance shall become effective upon recordation in the public
8 records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

9 **ENACTED** this _____ day of _____, 2023.

10
11 **FILED with the Secretary of State** _____, 2023.

12
13 **EFFECTIVE** _____, 2023.
14

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

17
18
19 _____
KIRBY SMITH, CHAIRMAN

20 **ATTEST:**
21

22 _____
23 **GARY COONEY, CLERK OF THE**
24 **BOARD OF COUNTY COMMISSIONERS**
25 **LAKE COUNTY, FLORIDA**
26

27 **APPROVED AS TO FORM AND LEGALITY:**
28

29 _____
30 **MELANIE MARSH, COUNTY ATTORNEY**
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EXHIBIT "A" – LEGAL DESCRIPTION

Parcel 1:

The South 210 feet of the East 210 feet of the Southeast 1/4 of the Southeast 1/4 of Section 21, Township 19 South, Range 27 East, Lake County, Florida, Less the East 20 feet thereof, Also Less and Except right of way for Wolf Branch Road on South,

Also Less and Except right of way contained in Statutory Warranty Deed recorded in O.R. Book 5388, Page 1607, Public Records of Lake County, Florida, described as follows:

A parcel of land lying within Section 21, Township 19 South, Range 27 East, Lake County, Florida, being more particularly described as follows:

Commence at the Southeast corner of said Section 21, thence North 00 degrees 12 minutes 21 seconds East, along the East line of said Section 21, 35.00 feet; thence North 98 degrees 42 minutes 07 seconds West, parallel with the South line of said Section 21, 20.00 feet, to the Point of Beginning; thence continue North 89 degrees 42 minutes 07 seconds West, parallel with the South line of said Section 21, 35.00 feet; thence North 49 degrees 39 minutes 28 seconds East, 46.06 feet, to a point 20.00 feet West of the East line of said Section 21; thence South 00 degrees 12 minutes 21 seconds West, parallel with said East line of said Section 21, 30.00 feet, to the Point of Beginning.

Parcel 2:

Commence at the Southeast corner of Section 21, Township 19 South, Range 27 East, Lake County, Florida, thence run North 210 feet to the Point of Beginning; continue North 105 feet; run West 190 feet; South 105 feet; thence East 190 feet to the Point of Beginning.

Parcel 3:

Commence on the Southeast corner of Section 21, Township 19 South, Range 27 East, Lake County, Florida, run West 210 feet to the Point of Beginning; thence West 105 feet; run North 170 feet; East 105 feet; thence South 170 feet to the Point of Beginning, Less right of way for Wolf Branch Road on South.

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EXHIBIT "B" – CONCEPTUAL PLAN

Florida Greenscapes Management, Inc. Rezoning
 Project Narrative
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Figure 4. Concept Plan



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