



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 1

Public Hearings: Planning & Zoning Board (PZB): November 6, 2024
Board of County Commissioners (BCC): December 3, 2024

Case No. and Project Name: PZ2024-015, Assisted Living Facility

Applicant / Owner: Alisa and Everton Lewis

Requested Action: Rezone approximately 1.05 +/- acres from Rural Residential (R-1) District to Community Facility (CFD) District to allow for a 12-bed assisted living facility for the elderly.

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

Case Manager: Shari Holt, Planner

PZB Recommendation:

Subject Property Information

Size: 1.05 +/- gross acres

Location: 12915 Montevista Drive, Clermont

Alternate Key No.: 2858893

Future Land Use Category: Green Swamp Rural (Attachment "A")

Existing Zoning District: Rural Residential District (R-1) (Attachment "B")

Proposed Zoning District: Community Facility District (CFD) (Attachment "C")

JPA / ISBA: N/A

Overlay Districts: Green Swamp Area of Critical State Concern (GSACSC)

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Green Swamp Rural	Rural Residential (R-1)	Residential	Single-Family Residential
South	Green Swamp Rural	Rural Residential (R-1)	Right-of-Way / Residential	Single-Family Residential south of Bailey Drive
East	Green Swamp Rural	Rural Residential (R-1)	Right-of-Way / Residential	Single-Family Residential east of Montevista Drive
West	Green Swamp Rural	Estate Residential (R-2)	Residential	Single-Family Residential

- Summary of Analysis -

The subject 1.05 +/- acres are zoned Rural Residential (R-1), designated with a Green Swamp Rural Future Land Use Category (FLUC), and located within the Green Swamp Area of Critical State Concern (GSACSC).

The Applicant proposes to rezone the subject parcel from Rural Residential (R-1) to Community Facility District (CFD) to operate an assisted living facility for a maximum of twelve (12) residents.

Table 1. Existing and Proposed Development Standards.								
	Future Land Use Category	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Impervious Surface Ratio	Minimum Open Space	Open Space	Building Height
Existing	Green Swamp Rural	0	1	30%	Existing 16.7%	60%	Existing 90%	24-Feet
Proposed	Green Swamp Rural	12 beds	1		Proposed 19.6		Proposed 80.39%	24-Feet

The Applicant provided a Project Narrative and justification for the rezoning request as shown on Attachment “D”.

The subject property is located within the Green Swamp Area of Critical State Concern (GSACSC). The application was sent to Florida Department of Commerce on February 29, 2024, and Florida Department of Commerce did not provide comments or oppose the request.

- Analysis -

Land Development Regulations Section 14.03.03 Standards for Review.

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

The rezoning request and current use are consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which allows for Assisted Living Facility uses within the Community Facility (CFD) District. Assisted Living Facilities are defined under Section 429.02, Florida Statutes, as any building, private home, boarding home, home for the aged, or other residential facilities, regardless of whether operated for profit, which through its ownership or management provides housing, meals, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or administrator.

The property is currently developed with a single-family residential dwelling unit and is approximately 1.05 +/- acres. The proposed request is consistent with LDR Section 3.01.03, which allows for Assisted Living Facilities within the CFD zoning district.

The subject parcel is located within the Green Swamp Area of Critical State Concern (GSACSC). Pursuant to LDR Section 8.01.01 entitled *Development Permits*, a Master Land Use Plan shall be required. The Applicant provided a Master Land Use Plan for the rezoning request as shown on Attachment “E”. The Master Land Use Plan is consistent with LDR Section 8.01.01 entitled *Development Permits*.

Additionally, pursuant to LDR Section 8.01.02 entitled *Development Requirements*, development within the GSACSC shall meet specific development standards. The Applicant provided a Development Standards Memo for the rezoning request as shown on Attachment “F”. The request is consistent with LDR Section 8.01.02 as no new services negatively impacting water conservation are proposed, jurisdictional wetlands and environmentally

sensitive lands have not been identified or are located on the existing property, and the existing stormwater management system has been designed to meet Low Impact Development principles and practices.

Pursuant to LDR Section 8.01.03 entitled *Development Review Criteria*, development shall be in compliance with the Principles for Guiding Development within the GSACSC. The Applicant provided a Development Standards Memo for the rezoning request as shown on Attachment "F". The request is consistent with LDR Section 8.01.03 entitled *Development Review Criteria* which states that adverse impacts shall be minimized, and environmental and economic resources shall be protected and conserved.

Pursuant to LDR Section 8.01.10 entitled *Septic Tank Provisions*, all development in the Green Swamp Area of Critical State Concern (GSACSC) shall be in compliance with the Septic Tank regulations. The Applicant provided the State of Florida Department of Health Onsite Sewage Treatment and Disposal System Application for Construction Permit as shown on Attachment "G". The request is consistent with LDR Section 8.01.10(A) which states that the Department of Health may issue a septic tank permit provided the location of the septic tank and drainfield comply with Land Development Regulations and the Lake County Comprehensive Plan. The request is also consistent with LDR Section 8.01.10(B)(C) which states that individual lots must be of sufficient size and shape to accommodate the proposed structures without any part encroaching into the floodplain or any required septic tank setback, and all septic tanks and drain fields shall provide a 100-foot setback from the furthest upland extent of any wetland or waterbody.

The Applicant desires to rezone the subject parcel to Community Facility District (CFD) to operate an assisted living facility for a maximum of twelve (12) residents. The request is consistent with LDR Table 8.01.04 entitled *Future Land Use Categories*, which states that if the existing zoning district is not consistent with the Future Land Use Category or the type of development proposed, the parcel shall be rezoned to the appropriate zoning district, prior to development approval.

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

The subject property is designated with a Green Swamp Rural FLUC, which conditionally allows for civic uses. Civic uses are defined as a County, Municipal, State or Federal Use or Service, and community facility uses, excluding K-12 schools.

The Concept Plan (Attachment "H") is consistent with Comprehensive Plan Policy I-4.2.3, *Green Swamp Rural Future Land Use Category*, and Comprehensive Plan Table FLUE 2, *Future Land Use Categories Table*, which requires a maximum 30% impervious surface ratio, and minimum 60% open space.

The Concept Plan is consistent with Comprehensive Plan Policy I-1.2.2 entitled *Consistency between Future Land Use and Zoning*, which requires a maximum building height of 40-feet in the Green Swamp Rural FLUC.

The subject parcel is located within the Green Swamp Area of Critical State Concern (GSACSC), pursuant to Comprehensive Plan Policy I-4.1.5, entitled *Development Requirements within the Green Swamp Area of Critical State Concern*, development shall be in compliance with the Principles for Guiding Development within the GSACSC. The Applicant provided a Development Standards Memo for the rezoning request as shown on Attachment "F". The request is consistent with Comp Plan Policy I-4.1.5, which requires all development shall be clustered away from environmentally sensitive lands and enhance the rural character of the project and surrounding area.

The Applicant proposes to rezone the subject parcel to Community Facility District (CFD) to operate an assisted living facility for a maximum of twelve (12) residents. The request is consistent with LDR Table 8.01.04 entitled *Future Land Use Categories*, which states that if the existing zoning district is not consistent with the Future Land Use Category or the type of development proposed, the parcel shall be rezoned to the appropriate zoning district, prior to development approval.

	Density	F.A.R. (Intensity)	Impervious Surface Ratio	Open Space	Building Height
Required	1 d.u./5 acres	N.S.	20% - 30%	Min. 60%	40-Feet
Proposed	0	.09	19.6%	80.39%	24-Feet

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

The proposed Civic Use is an establishment primarily for the benefit and service of the community, consistent with the FLUC.

The proposed request is consistent with LDR Section 3.01.03, which specifies the allowance of Assisted Living Facilities within the CFD zoning district. The proposed request is consistent with the Green Swamp Rural FLUC, which conditionally allows for civic uses. The Concept Plan (Attachment “H”) is consistent with Comprehensive Plan Table FLUE 2 and Policy I-4.2.3, which allows development with a maximum 30% impervious surface ratio and minimum 60% open space.

The proposed request is consistent with Comprehensive Plan Policy I-1.2.2 entitled *Consistency between Future Land Use and Zoning*, which requires a maximum building height of 40-feet in the Green Swamp Rural FLUC.

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

The Applicant seeks to develop a 12-bed Assisted Living Facility for the elderly and Assisted Living Facilities are not allowed under the current R-1 zoning district pursuant to LDR Section 3.01.02.

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

Potable water is provided via onsite wells. Wastewater is treated via onsite wastewater treatment system. Potable water and wastewater shall be permitted through the Florida Department of Health and Florida Department of Environmental Protection (FDEP). Water will continue to be supplied by FDEP regulated wells.

Parks and Recreation

The request is not anticipated to adversely impact park capacity or levels of service.

Public Safety

Lake County Fire Station #109 is located approximately 3.38 miles from the subject property 11630 Lakeshore Drive, Clermont, and will provide advanced life support should an emergency on the property demand this service.

Solid Waste

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

Transportation Concurrency

This project will be generating approximately three (3) pm peak hour trips, in which two (2) trips will impact the peak hour direction.

Application deemed to have a de minimis impact on Transportation facilities.

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.

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;

The proposed rezoning would not disrupt the existing 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.

F. 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.

None.

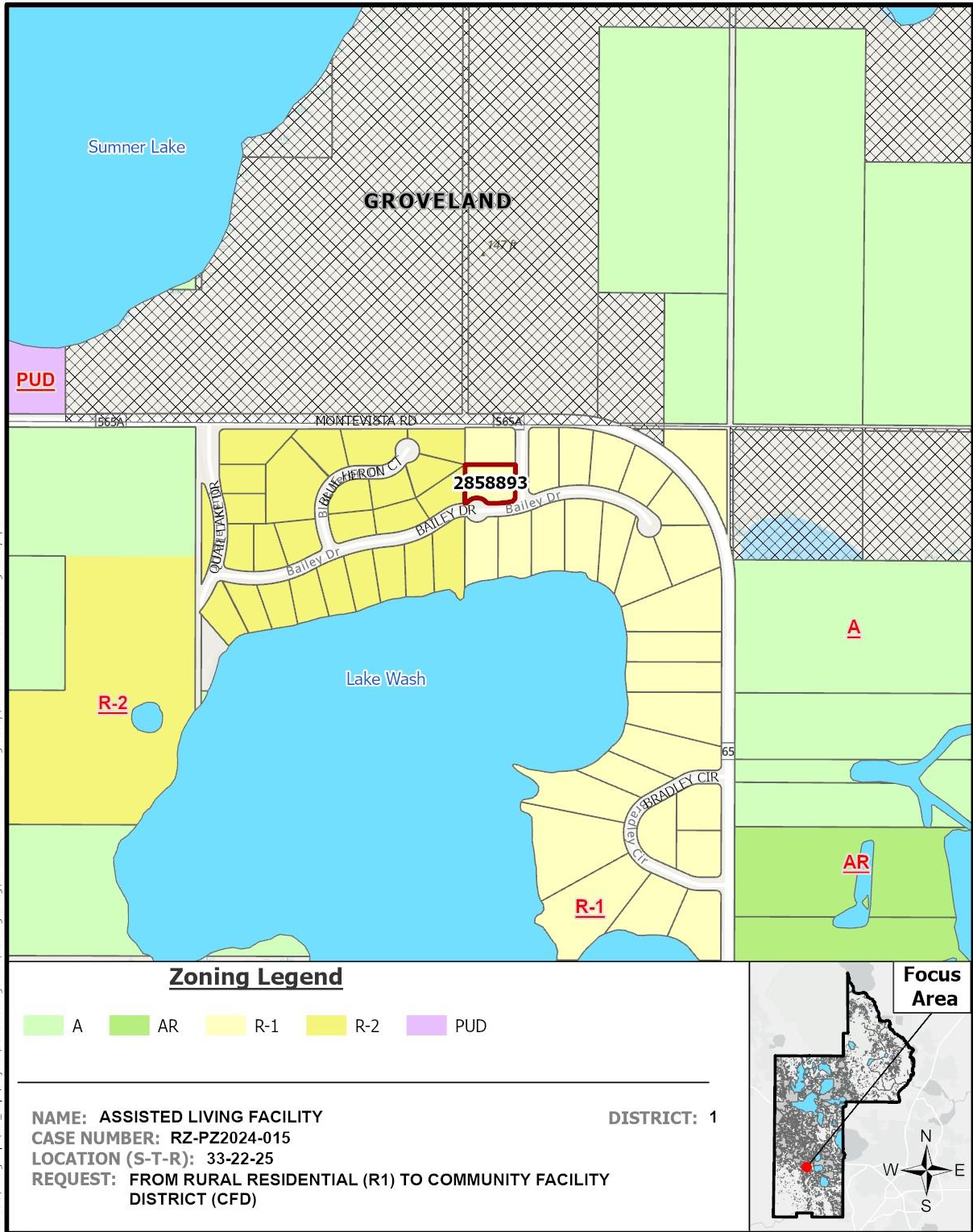
Attachment "A"- Future Land Use Category

CURRENT FUTURE LAND USE



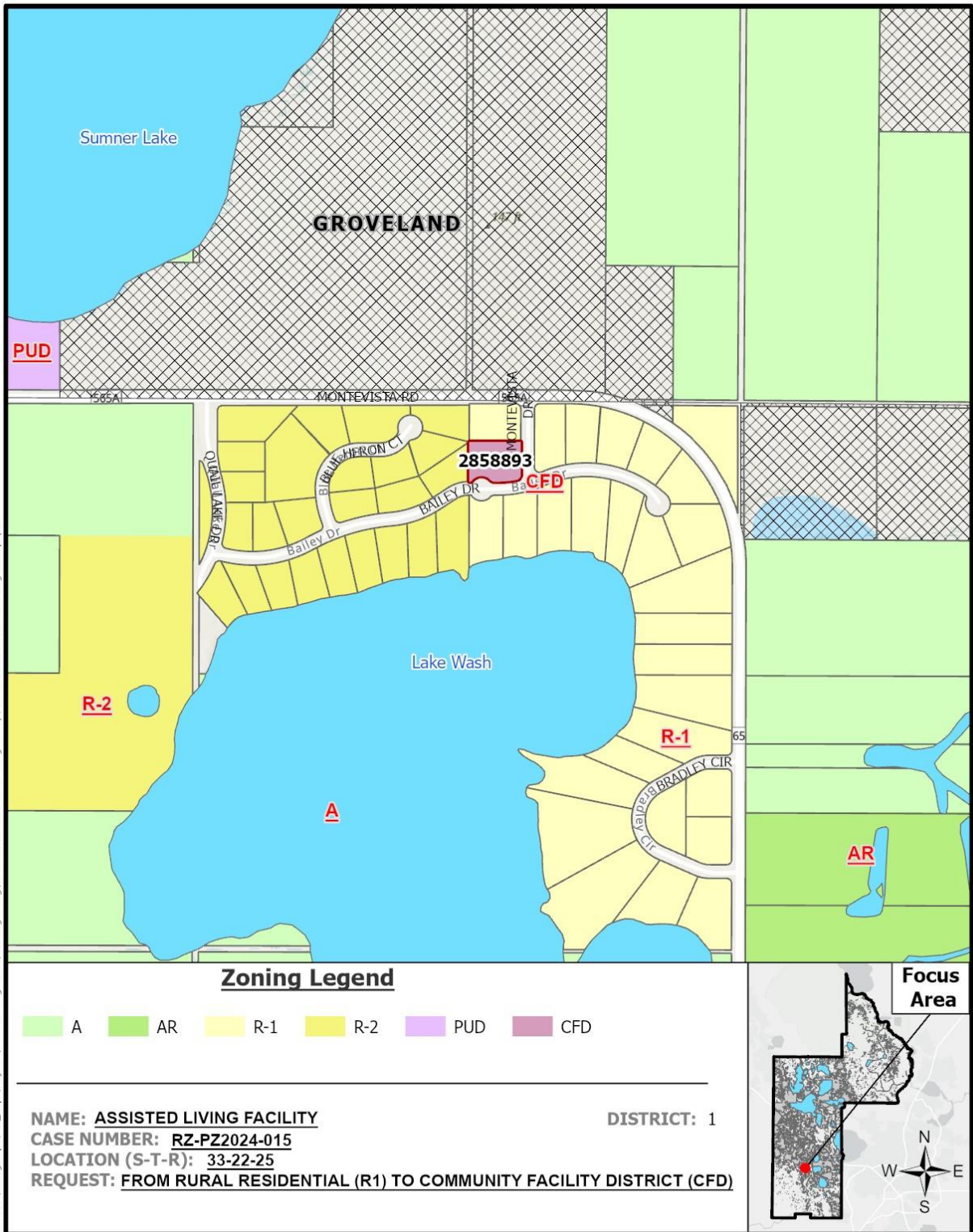
Attachment "B"- Zoning District

CURRENT ZONING



Attachment "C"- Proposed Zoning District

PROPOSED ZONING



Attachment “D”- Project Narrative (1 of 2)

Proposed Rezoning-Assisted Living Facility
Project No. PZ2024-015, Application Request No.5514
Alternate Key No.2858893

1

This project narrative outlines the existing and proposed operations and activities for the development of an assisted living facility on this property. **The typical operations and/or activities** will be to provide 24/7 care for seniors who need assistance with activities of daily living, such as bathing, dressing, medication management, and meal preparation. The facility will also offer a wide range of social and recreational activities to promote mental and physical well-being, including exercise classes, arts and crafts, pool area, social events, and outings. On-site staff will ensure that residents receive proper healthcare and medication management.

The property currently serves as a residential dwelling located in the Clermont area of unincorporated Lake County, with no existing operations or activities in place. It consists of approximately 1.05 acres of land, zoned for rural residential use (R-1) Landscaped gardens, walking paths, outdoor sitting and pool areas will provide residents with opportunities for relaxation and outdoor activities thus making it suitable for the construction of an assisted living facility. Therefore, this **changed condition would justify the rezoning.**

There's a need for the proposed rezoning of this property for an Assisted Living Facility, this stems from factors such as demographic shifts and community needs for senior care and the demand for healthcare services to balance the aging population. This would also create employment opportunities for local residents, provide quality care and housing options for seniors in the area, increase property values by enhancing the surrounding neighborhood and also contribute to the local economy through the purchase of goods and services.

The proposed rezoning is consistent with the Comprehensive Plan and is compatible with existing land use -the development will be serviced by individual private well and on-site wastewater treatment and disposal system. The common open space will be preserved as the extension will only be an additional 1008SQFT which will satisfy the minimum required percentage of the net buildable area of the entire property. Site and soil assessment for proposed Aerobic Treatment/Drip irrigation system is completed with permit approval. The development will provide all the services needed to support it and shall conform to the regulatory guidelines and objectives outlined within the GSACSC.

There shall be **no effects on public facilities and services**, will obtain relevant permits for automatic sprinkler system and fire alarms. All parking shall be contained within the property boundaries.

The best management practices will be used to maintain, enhance, and protect the **natural environment**, will minimize the use of chemicals, pesticides and water for irrigation and use native landscaping techniques to provide compatibility with the natural environment.

Attachment “D”- Project Narrative (1 of 2)

Proposed Rezoning-Assisted Living Facility
Project No. PZ2024-015, Application Request No.5514
Alternate Key No.2858893

2

The rezoning will result in **an orderly and logical development pattern**. The project will begin with the architectural design phase, which will focus on creating an aesthetically pleasing and functional facility that meets the unique needs of senior residents.

Once the design is finalized, remodel and construction will commence to create the assisted living facility, consisting of a combination of private and shared living spaces, common areas, administrative office, and recreational areas.

The Assisted Living Facility will have **8 bedrooms to house 12 residents**, there will be **3 caregivers per day at minimum, a housekeeper and a grounds man** as needed. Septic permit provided, well permit for limited use ongoing

Attachment “E”- Master Land Use Plan (1 of 3)

LEGAL DESCRIPTION:
 LOTS 18 & 19, MONTTE VISTA SUBDIVISION, IN SECTION 33, TOWNSHIP 22 SOUTH,
 RANGE 25 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN
 PUBLIC RECORDS OF DADE COUNTY, FLORIDA, INCLUDING THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA.

OWNER/DEVELOPER:

ALFA EMBERTON ASSOCIATES
 3001 NORTH SPAINBUSH AVENUE
 MIAMI, FLORIDA 33156
 PHONE: (407) 865-4900

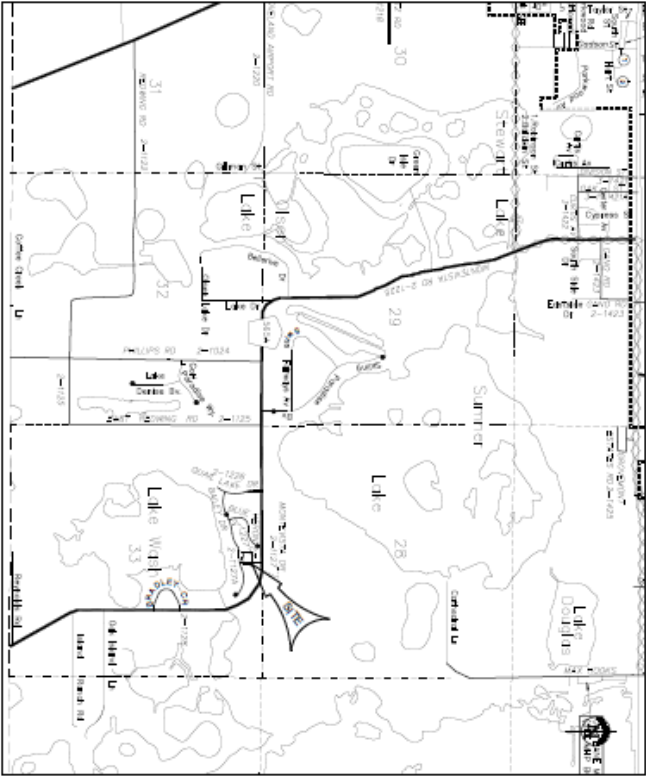
ENGINEER:

HALFF ASSOCIATES
 900 NORTH SPAINBUSH AVENUE
 MIAMI, FLORIDA 33156
 PHONE: (305) 390-8888
 CONTACT: CHARLES C. HIOTT, P.E.

SURVEYOR:

MARTINSON
 9001 PRIVATE 1 SUITE 300
 NORTH PALM BEACH, FLORIDA 33410
 PHONE: (561) 210-0204
 CONTACT: PABLO ALVARIZ, PSM

MINOR SITE PLAN FOR 12915 MONTE VISTA DR SECTIONS 33 TOWNSHIP 22 SOUTH RANGE 25 EAST LAKE COUNTY, FLORIDA



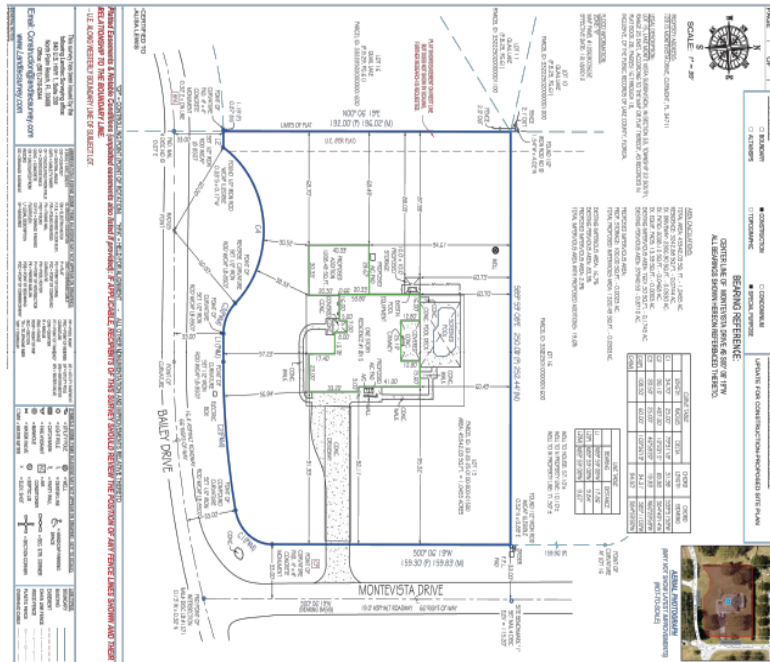
INDEX OF SHEETS:

1	COVER SHEET
2	EXISTING CONDITIONS
3	MINOR SITE PLAN

PREPARED BY:
Charles C. Hiott
 Digital signed by
 Charles C. Hiott
 P.E. License No. 14564
 Seal No. 2022-0032
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 URL: https://www.sos.fl.gov/



Attachment "E"- Master Land Use Plan (2 of 3)



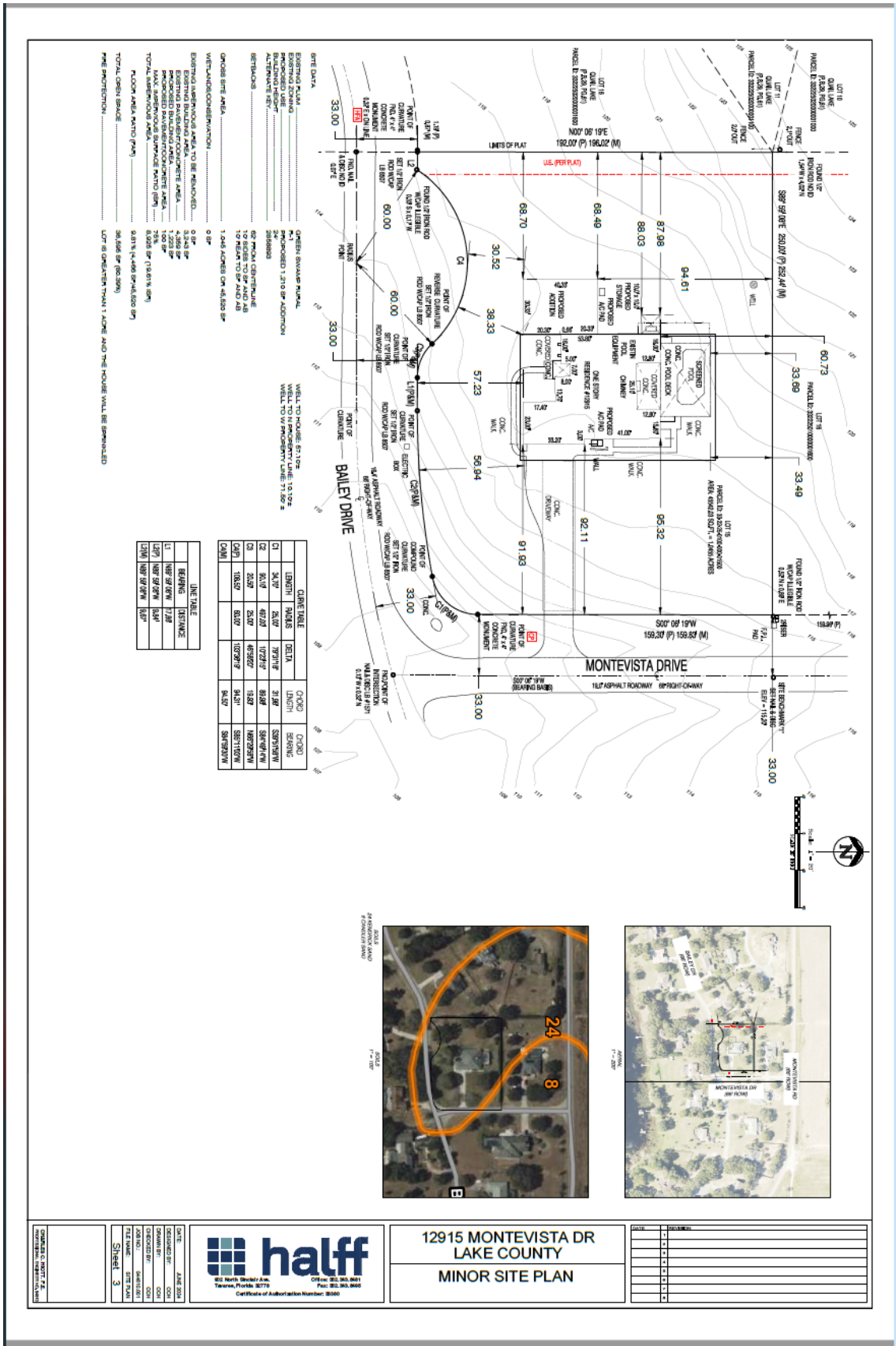
DATE	10/11/24
DESIGNED BY	[REDACTED]
CHECKED BY	[REDACTED]
DATE	10/11/24
PROJECT NO	24-001
SHEET NO	2

halff
800 North Grand Ave.
Tualatin, Oregon 97061
Phone: 503.248.4444
Fax: 503.248.4444
Certificate of Authorization Number: 33388

**12915 MONTEVISTA DR
LAKE COUNTY
EXISTING CONDITIONS MAP**

DATE	10/11/24
PROJECT	12915 MONTEVISTA DR, LAKE COUNTY, OR
CLIENT	[REDACTED]
DESIGNED BY	[REDACTED]
CHECKED BY	[REDACTED]
DATE	10/11/24
PROJECT NO	24-001
SHEET NO	2

Attachment "E"- Master Land Use Plan (3 of 3)



Attachment “F”- Development Standards Memo (1 of 7)



Ray and Associates
Planning & Environmental
2712 SE 29th Street Ocala, Florida 34471
352-425-8881 wrayassoc@aol.com

Date: June 11th, 2024

Memo

To: Shari Holt, Planner I, Lake County
CC: Mike Fitzgerald, AICP Director, Planning and Zoning, Lake County
Janie Barrón, Chief Planner, Lake County

From: Ray and Associates / William (Bill) A. Ray, AICP

Subject: 12915 Monte Vista Dr. / CFD Rezoning
Green Swamp Area of Critical State Concern / Application for Consistency Review

Shari,

Please find the following responses to information requested by Staff for a proposed 1,210 SF Addition to an existing Single-Family Residence in an existing subdivision in the GSACSC south of Groveland. The subject property is identified by the Lake County property appraiser as;

Lot 15
Parcel ID# 3322-25-0100-000-01500 / Alt Key 2858893
Lot Size: 1.045 AC / 45,520 SQFT

Review Comments

LDR Section 8.01.02 Development Requirements. Development within the GSACSC shall meet the below requirements. Please thoroughly answer each of the questions below, in letter format, along with a location map, along with an application rezoning/conditional use permit. The information will assist staff in determining if the proposed activity is consistent with the provisions and principles for guiding development within the GSACSC. Answers should be detailed and apply and articulate sound and generally accepted planning practices and principles.

A. Use water conservation devices and practices as required in the Code and other Chapters of the Land Development Regulations.

No new services are proposed

B. Provide assurances that all of the services needed to support that development are in place concurrent with the impacts of the development, including but not limited to roads, fire, police and schools.

Development is existing and no new Impacts related to Services are proposed.

C. Cluster development away from environmentally sensitive lands. Cluster development shall be configured to preserve connections to existing environmentally sensitive lands to the greatest extent practical.

No “environmentally sensitive lands” are identified or located on the existing and developed single Family Lot.

Attachment “F”- Development Standards Memo (2 of 7)

- D. Provide a wetland assessment for all development, based on site verification. The purpose of which is to maintain the integrity of wetland systems.

No Jurisdictional wetlands are identified or located on the existing and developed Single Family Lot.

- E. Retain all stormwater on site or located in the same area of recharge. Stormwater management systems shall be designed using Low Impact Development principles and practices.

Stormwater is designed to meet low impact principles.

- F. Retain the first three inches (3") of runoff for projects located in most effective recharge areas (Type "A" Hydrologic Soil Group). Alternatively, the applicant may demonstrate that the post-development recharge will be equal to or greater than the pre-development recharge, which is stormwater that is retained such that the storage volume is recovered within 14 days following a storm event. The applicant shall submit storm water calculations, based on a 25-year storm event, completed by an engineer licensed in the State of Florida, indicating that the first three inches (3") of runoff is retained or that the alternative is met.

Based on the 25 Years / 24 Hour storm event, the Stormwater runoff for the new impervious area has been retained in a swale on site. The calcs are on the site plan.

- G. A study of listed species is required for all proposed development, based on site verification. If it is determined that listed species are located on the site, a habitat management plan must be prepared and implemented using guidelines and criteria of the Florida Fish and Wildlife Conservation Commission (FFWCC) and U.S. Fish and Wildlife Service (USFWS). This plan must be reviewed by the appropriate agency (FFWCC or USFWS) prior to commencement of development.

No species listed for protection have been observed or identified on the subject Lot. It should be understood that the proposed development is a 1,323 SQFT additional to an existing Single-Family home on an improved Lot within an existing development.

- H. Septic tanks shall be regulated in accordance with the specific requirements for the GSACSC set forth within these regulations, the Comprehensive Plan and state law.

No new services are proposed. If Lake County Health Department requires the existing OSWDS/Septic Tank is inadequate then currently regulations shall be complied with.

- I. Dark skies shall be preserved through requirements as stipulated in the ordinance permitting the development on the site or as a requirement of the site plan.

A Minor Site Plan for the 1,323 SQFT Addition to the existing Single Family Residence is provided.

- J. Maintain, enhance and protect corridors for wildlife movement in coordination with adjacent properties, by linking wildlife management areas and parks, buffering small wildlife populations, or other approved methods to facilitate daily or seasonal wildlife movement.

No wildlife migration corridors or native Wildlife Habitat is identified or observed on the subject 1.045 Acre single Family lot within the existing platted /subdivision.

Attachment “F”- Development Standards Memo (3 of 7)

Lake Yale PUD Lake County Memo
RAI Response March 24th, 2024
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- K. Minimize site disturbance and alteration of terrain, through use of design techniques that protect native vegetation and minimize earth movement such as reduced lane widths, stem-wall construction, and swales.

Proposed site disturbance is limited to that necessary to construct the proposed 1,323 SQFT Addition to the existing Single-Family Home. No adverse impacts to native habitat and vegetation is anticipated.

- L. Protect common open space, wetlands and other natural features in perpetuity by conservation easement or similar recorded and legally binding instrument, as allowed by law.

The construction of the 1,323 SQFT Addition to the existing Single-Family Residence has no effect on previously dedicated Open Space, Wetlands or other Natural Features in the GSACSC.

- M. Improve and protect the rural character along roadway corridors, by providing a system of rural roads intended to provide access to widely spaced home-sites and farms with substantial building setbacks from adjoining roadways, reducing road congestion, limiting the capacity of all new County roads to no more than two (2) travel lanes, and other approved methods.

The construction of the 1,323SQFT Addition to the existing Single-Family Residence has no effect on the Rural Roads or Rural character observed in the GSACSC.

- N. Use of Best Management Practices for native landscaping and "right plant-right place" landscaping techniques to provide compatibility with the natural environment and minimize the use of chemicals, pesticides, and water for irrigation. No invasive exotic plant species shall be used in landscaping.

Landscaping will be provided in accordance with Lake County requirements and be compatible with the existing landscaping for the existing Single-Family home.

- O. Implement water conservation techniques, including the limitation of overhead irrigation, with the exception of low-volume irrigation such as drip or micro-irrigation systems, and areas used for vegetable gardens.

Landscape Irrigation will be provided in accordance with Lake County requirements and be compatible with the existing irrigation for the existing Single-Family home.

- P. Enhance the rural character of the project and surrounding area by using, but not limited to, the following methods: reducing urban sprawl, providing conservation areas, providing commercial and civic uses in the scale and scope of the rural area, and encouraging owners to keep large areas in a natural or open state.

The construction of the 1,323 SQFT Addition to the existing Single-Family Residence enhances the rural character of the GSACSC and has no effect on the natural open areas in the GSACSC.

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Attachment “F”- Development Standards Memo (4 of 7)

Lake Yale PUD Lake County Memo
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8.01.03 Development Review Criteria.

A. Principles for Guiding Development within the GSACSC. In order to effectively and equitably conserve and protect its environmental and economic resources, a land and water management system shall be provided to protect resources, and facilitate orderly and well planned growth. The following shall be protected, improved, or adverse impacts shall be minimized as provided in this Chapter and other Chapters of these Land Development Regulations:

1. Floridan Aquifer, wetlands and flood detention areas;
2. Normal quantity, quality and flow of groundwater and surface water;
3. Water available for aquifer recharge;
4. Functions of the Green Swamp Potentiometric High of the Floridan Aquifer;
5. Normal supply of ground and surface water.
6. Existing ground and surface water quality.
8. Water-retention capabilities of wetlands.
9. Biological-filtering capabilities of wetlands.
10. Natural flow regime of drainage basins.
11. Design capacity of flood detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

The construction of the 1,323SQFT Addition to the existing Single-Family Residence is not anticipated to have any adverse impact or effect on the topics and items listed above.

B. Review Criteria.

1. Site Alteration. Site alteration shall:
 - a. Maintain or improve the natural surface water flow regime;
 - b. Maintain or improve the natural recharge capabilities of the site;
 - c. Prevent the siltation of wetlands, maintain or improve the natural retention and filtering capabilities of wetlands, and adhere to the following standards:
 - (1) Provide for water retention consistent with the requirements provided in the Land Development Regulations.
 - (2) Stormwater management systems shall be designed according to Low Impact Development principles and practices over conventional systems as follows:
 - (a) Soils. All soils exposed as a result of site alteration or development activities shall be located and stabilized in a manner to prevent erosion, compaction of soils in undeveloped portions of the site and the alteration of natural flow regimes.

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Attachment “F”- Development Standards Memo (5 of 7)

Lake Yale PUD Lake County Memo
RAI Response March 24th, 2024
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- (b) Groundwater. Groundwater withdrawal shall not result in a reduction of the minimum flows and levels per acre as determined by the St. John's River Water Management District or the Southwest Florida Water Management District, or their successor agencies.
- (c) Stormwater. Pre-treated stormwater runoff shall be released into wetlands in a manner approximating the natural flow regime if consistent with the stormwater management section of these regulations.
- (d) Industrial and Sewage Waste. Any industrial waste of an existing use, sewage, or other human-induced wastes shall be effectively treated in conformance with Florida Department of Environmental Protection rules and regulations.
- (e) Structures. Placement of structures shall be in compliance with the Flood Disaster Protection Act of 1973 and compliance with the Lake County Floodplain Management Regulations so that the natural flow regime will be maintained.
- (f) Site disturbance. Site alteration, clearing of natural vegetation and soil compaction shall be minimized through open space preservations and clustering.

The construction of the 1,323SQFT Addition to the existing Single-Family Residence is not anticipated to have any adverse impact or effect on the topics and items listed above.

2. All development in the GSACSC shall conform to the regulatory guidelines and objectives outlined in the Principles for Guiding Development within the GSACSC, as described in 8.01.02.

Acknowledged

3. Commencement of development may not occur until all applicable county, state or federal permits are obtained.

Acknowledged

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Attachment “F”- Development Standards Memo (6 of 7)

Lake Yale PUD Lake County Memo
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Policy I-4.1.4 Principles for Guiding Development within the Green Swamp Area of Critical State Concern The following shall apply to the GSACSC, in order to effectively and equitably conserve and protect its environmental and economic resources; provide a land and water management system to protect resources; and facilitate orderly and well-planned growth. Any review and approval mechanism shall not become effective, amended or modified, and no action taken under such mechanism shall be effective, until first reviewed and approved by the Department of Economic Opportunity, pursuant to Chapter 380, F.S.

Protection Objectives:

- Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood detention areas;
- Protect the normal quantity, quality, and flow of groundwater and surface water, which are necessary for the protection of resources of State and regional concern.
- Protect the water available for aquifer recharge;
- Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer;
- Protect the normal supply of ground and surface waters;
- Prevent further salt-water intrusion into the Floridan Aquifer;
- Protect or improve existing ground and surface water quality;
- Protect the water-retention, and biological filtering capabilities of wetlands;
- Protect the natural flow regime of drainage basins; and
- Protect the design capacity of flood detention areas, and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

The construction of the 1,323SQFT Addition to the existing Single-Family Residence is in compliance with the Principals for Guiding Development within the Green Swamp Area of Critical State Concern and is not anticipated to have any adverse impact or effect on the topics and items listed above.

Regulatory Guidelines:

1. Site Planning - The platting of land shall be permitted only when such platting commits development to a pattern which will not result in the alteration of the natural surface water flow regime, and which will not reduce the natural recharge rate of the platted site.
2. Site Alteration - Site Alteration shall be permitted only when such alteration will not adversely affect the natural surface water flow regime, or natural recharge capabilities of the site; and when it will not cause siltation of wetlands, or reduce the natural retention and filtering capabilities of wetlands. Any site alteration shall adhere to Low Impact Development principles and practices and shall minimize site disturbance, clearing of natural vegetation, and soil compaction.
3. All site alteration activities shall provide for water retention and settling facilities, maintain an overall site runoff equivalent to the natural flow regime prior to alteration, and maintain a runoff rate which does not cause erosion. No site work shall be initiated prior to the issuance of drainage/stormwater permits by concerned agencies. Stormwater management systems shall be designed according to Low Impact Development principles and practices over conventional systems.
 - Soils - All soils exposed as a result of site alteration or development activities shall be

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Attachment “F”- Development Standards Memo (7 of 7)

Lake Yale PUD Lake County Memo

RAI Response March 24th, 2024

Page 7 of 14

located and stabilized in a manner to prevent erosion and the alteration of natural flow regimes.

- Groundwater - Groundwater withdrawal shall not result in a reduction of the minimum flows and levels per acre as determined by the St. John's River Water Management District or the Southwest Florida Water Management District, or their successor agencies.
- Stormwater – Pre-treated Stormwater runoff shall be released into the wetlands in a manner approximating the natural flow regime if consistent with the stormwater management ordinance.
- Industrial and Sewage Waste - Any industrial waste, sewage, or other human-induced wastes shall be effectively treated by the latest technological advances, and shall not be allowed to discharge into these waters unless in conformance with Florida Department of Environmental Protection rules and regulations.
- Solid Waste - There shall be no solid waste facilities located in the GSACSC.
- Structures - Structures shall be placed in a manner that will not adversely affect the natural flow regime and which will not reduce the recharge capabilities. Placement of structures shall be consistent with sound floodplain management practices such as compliance with the Flood Disaster Protection Act of 1973.

4. Resource extraction within the GSACSC shall be limited to sand deposits only. Land Development Regulations to limit the impacts of mining activities shall be adopted by the County within 12 months of the effective date of the Comprehensive Plan.

All development in the GSACSC shall conform to the regulatory guidelines and objectives outlined in the Principles for Guiding Development within the GSACSC.

Acknowledged

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Attachment "G"- State of Florida Sewage System Permit (1 of 8)



STATE OF FLORIDA
 DEPARTMENT OF HEALTH
 ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM
 APPLICATION FOR CONSTRUCTION PERMIT

APP DOC # AP2032487
 PERMIT #: 35-ST-2839996
 DATE PAID 01/12/2024
 FEE PAID: 310.00
 RECEIPT #: 35-PID-660600

APPLICATION FOR:

New System Existing System Holding Tank Innovative
 Repair Abandonment Temporary _____

APPLICANT: Everton & Alisa Lewis

AGENT: Florida Onsite Systems and Design TELEPHONE: 1(407)383-7676

MAILING ADDRESS: 411 E Rich Ave Deland, FL 32724

TO BE COMPLETED BY APPLICANT OR APPLICANT'S AUTHORIZED AGENT. SYSTEMS MUST BE CONSTRUCTED BY A PERSON LICENSED PURSUANT TO 489.105(3)(m) OR 489.552, FLORIDA STATUTES. IT IS THE APPLICANT'S RESPONSIBILITY TO PROVIDE DOCUMENTATION OF THE DATE THE LOT WAS CREATED OR PLATTED (MM/DD/YY) IF REQUESTING CONSIDERATION OF STATUTORY GRANDFATHER PROVISIONS.

LOT: 15 BLOCK: _____
 SUBDIVISION: Lake Monte Vista PLATTED: 06/18/1986
 PROPERTY ID #: 2858893 ZONING: R-1 I/M OR EQUIVALENT: Y / N
 PROPERTY SIZE: 1.05 ACRES WATER SUPPLY: PRIVATE ≤2000GPD >2000GPD
 IS SEWER AVAILABLE AS PER 381.0065, FS? Y / N DISTANCE TO SEWER: _____ FT
 PROPERTY ADDRESS: 12915 Monte Vista Dr Clermont, FL 34711

DIRECTIONS TO PROPERTY:

BUILDING INFORMATION: RESIDENTIAL COMMERCIAL

Type of Establishment	Item Description	GPD Per Item	Subtotal Item GPD	Total Design Flow For This Unit
Nursing, Rest Homes, Adult Cong	14 Beds		1400	1415
	3 Meals Prepared		15	

Floor/Equipment Drains Other (Specify) _____

SIGNATURE: _____ DATE: 01/11/2024

DEP 4015, 06-21-2022 (Obsoletes previous editions which may not be used)
 Incorporated 62-6.004, FAC

Attachment "G"- State of Florida Sewage System Permit (2 of 8)



STATE OF FLORIDA
DEPARTMENT OF HEALTH
ONSITE SEWAGE TREATMENT AND DISPOSAL
SYSTEM

APP DOC #: AP2032487
PERMIT NO. 35-ST-2839996
DATE PAID: 01/12/2024
FEE PAID: 310.00
RECEIPT #: 35-PID-6606001

Additional Notes and Comments:

County Notes Fields:

Green Swamp:

Bld. Permit #:

Well Permit #:

Previous Septic Permits:

Nuisance Complaint #:

General Comments:

adult congregate 8 bedrooms 4450 area sqft

Attachment "G" - State of Florida Sewage System Permit (3 of 8)



STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 ONSITE SEWAGE TREATMENT AND DISPOSAL
 SYSTEM (OSTDS)

PERMIT NO. _____
 DATE PAID: _____
 FEE PAID: _____
 RECEIPT #: _____

APPLICATION FOR CONSTRUCTION PERMIT

APPLICATION FOR:
 New System Existing System Holding Tank Innovative
 Repair Abandonment Temporary Modification

APPLICANT: Everton & Alisa Lewis EMAIL: _____
 AGENT: Florida Onsite Systems and Design TELEPHONE: (407) 383-7676
 MAILING ADDRESS: 411 E. Rich Avenue DeLand, FL 32724

=====

TO BE COMPLETED BY APPLICANT OR APPLICANT'S AUTHORIZED AGENT. SYSTEMS MUST BE CONSTRUCTED BY A PERSON LICENSED PURSUANT TO 489.105(3)(m) OR 489.552, FLORIDA STATUTES. IT IS THE APPLICANT'S RESPONSIBILITY TO PROVIDE DOCUMENTATION OF THE DATE THE LOT WAS CREATED OR PLATTED (MM/DD/YY) IF REQUESTING CONSIDERATION OF STATUTORY GRANDFATHER PROVISIONS.

=====

PROPERTY INFORMATION OSTDS REMEDIATION PLAN? Y N]

LOT: 15 BLOCK: -- SUBDIVISION: Lake Monte Vista PLATTED: 6/12/1986

PROPERTY ID #: 33-22-25-0100-000-01500 ZONING: Res I/M OR EQUIVALENT: NO]

PROPERTY SIZE: 1.05 ACRES WATER SUPPLY: PRIVATE PUBLIC] <-2000GPD] >2000GPD

IS SEWER AVAILABLE AS PER 381.0065, FS? NO] DISTANCE TO SEWER: >100 FT

PROPERTY ADDRESS: 12915 Monte Vista Drive Clermont, FL 34711

DIRECTIONS TO PROPERTY: _____

BUILDING INFORMATION RESIDENTIAL COMMERCIAL

Unit No	Type of Establishment	No. of Bedrooms	Building Area Sqft	Commercial/Institutional System Design Table 1, Chapter 64E-6, FAC
1	<u>Adult Congregate</u>	<u>8</u>	<u>4459</u>	
2				
3				
4				

Floor/Equipment Drains Other (Specify) _____

SIGNATURE: *Scott M. Franz* DATE: 11 Jan 24
 Scott M. Franz #SR0121704 (407) 383-7676 cflsoilsolutions@cfl.rr.com

Attachment "G"- State of Florida Sewage System Permit (4 of 8)



STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM

PERMIT # _____

SITE EVALUATION AND SYSTEM SPECIFICATIONS

APPLICANT: Everton & Alisa Lewis AGENT: Florida Onsite Systems and Design

LOT: 15 BLOCK -- SUBDIVISION: Lake Monte Vista (12915 Monte Vista Drive)

PROPERTY ID #: 33-22-25-0100-000-01500 [Section/Township/Parcel No. or Tax ID Number]

TO BE COMPLETED BY ENGINEER, HEALTH DEPARTEMENT EMPLOYEE, OR OTHER QUALIFIED PERSON. ENGINEERS MUST PROVIDE REGISTRATION NUMBER AND SIGN AND SEAL EACH PAGE OF SUBMITTAL. COMPLETE ALL ITEMS.

PROPERTY SIZE CONFORMS TO SITE PLAN: YES NO NET USABLE AREA AVAILABLE: *1.30 ACRES
TOTAL ESTIMATED SEWAGE FLOW: 1655 GALLONS PER DAY [RESIDENCES-TABLE 1/OTHER-TABLE2]
AUTHORIZED SEWAGE FLOW: 1955 GALLONS PER DAY [1500 GPD/ACRE OR 2500 GPD/ACRE]
UNOBSTRUCTED AREA AVAILABLE: >3103 SQFT UNOBSTRUCTED AREA REQUIRED: 3103 SQFT

BENCHMARK/REFERENCE POINT LOCATION: magnetic nail w/disk center of road end of drive
ELEVATION OF PROPOSED SYSTEM SITE IS 46 [INCHES/FT] [ABOVE/BELOW] BENCHMARK/REFEENCE POINT

THE MINIMUM SETBACK THAT CAN BE MAINTAINED FROM THE PROPOSED SYSTEM TO THE FOLLOWING FEATURES
SURFACE WATER: n/a FT DITCHES/SWALES: n/a FT NORMALLY WET? YES NO
WELLS: PUBLIC: n/a FT LIMITED USE: n/a FT PRIVATE: 104 FT NON-POTABLE: n/a FT
BUILDING FOUNDATIONS: 13 FT PROPERTY LINES: 12.5 FT POTABLE WATER LINES: >50 FT

SITE SUBJECT TO FREQUENT FLOODING: YES NO 10 YEAR FLOODING? YES NO
10 YEAR FLOOD ELEVATION FOR SITE: -- FT MSL/NGVD SITE ELEVATION: -- FT MSL/NGVD

SOIL PROFILE INFORMATION SITE 1- 46" above

MUNSELL #/COLOR	TEXTURE	DEPTH
10YR 3/1	FS	0 TO 15
10YR 5/4	FS	15 TO 28
10YR 6/4	FS	28 TO 45
7.5YR 5/6	SCL	45 TO 72
USDA SOIL SERIES: <u>Mapped Kendrick</u> <u>Similar to Apopka</u>		

SOIL PROFILE INFORMATION SITE 2- 46" above

MUNSELL #/COLOR	TEXTURE	DEPTH
10YR 3/1	FS	0 TO 15
10YR 5/4	FS	15 TO 25
10YR 6/4	FS	25 TO 47
7.5YR 5/6	SCL	47 TO 72
USDA SOIL SERIES: <u>Mapped Kendrick</u> <u>Similar to Apopka</u>		

OBSERVED WATER TABLE: >72 INCHES [ABOVE / BELOW] EXISTING GRADE. TYPE: [PERCHED / APPARENT]
ESTIMATED WET SEASON WATER TABLE ELEVATION: >72 INCHES [ABOVE / BELOW] EXISTING GRADE
HIGH WATER TABLE VEGETATION: YES NO WSWT Indicator: YES NO DEPTH: _____ INCHES

SOIL TEXTURE/LOADING RATE FOR SYSTEM SIZING: FS/0.8 DEPTH OF EXCAVATION: -- INCHES
DRAINFIELD CONFIGURATION: TRENCH BED OTHER (SPECIFY) _____
REMARKS/ADDITIONAL CRITERIA: *includes 0.25 acres unobstructed right of way, 14 beds (100gpd) + 3 Workers/8hr shift (15gpd) + meal prep 3 meals/day (5gpd/meal) (14) = 1655

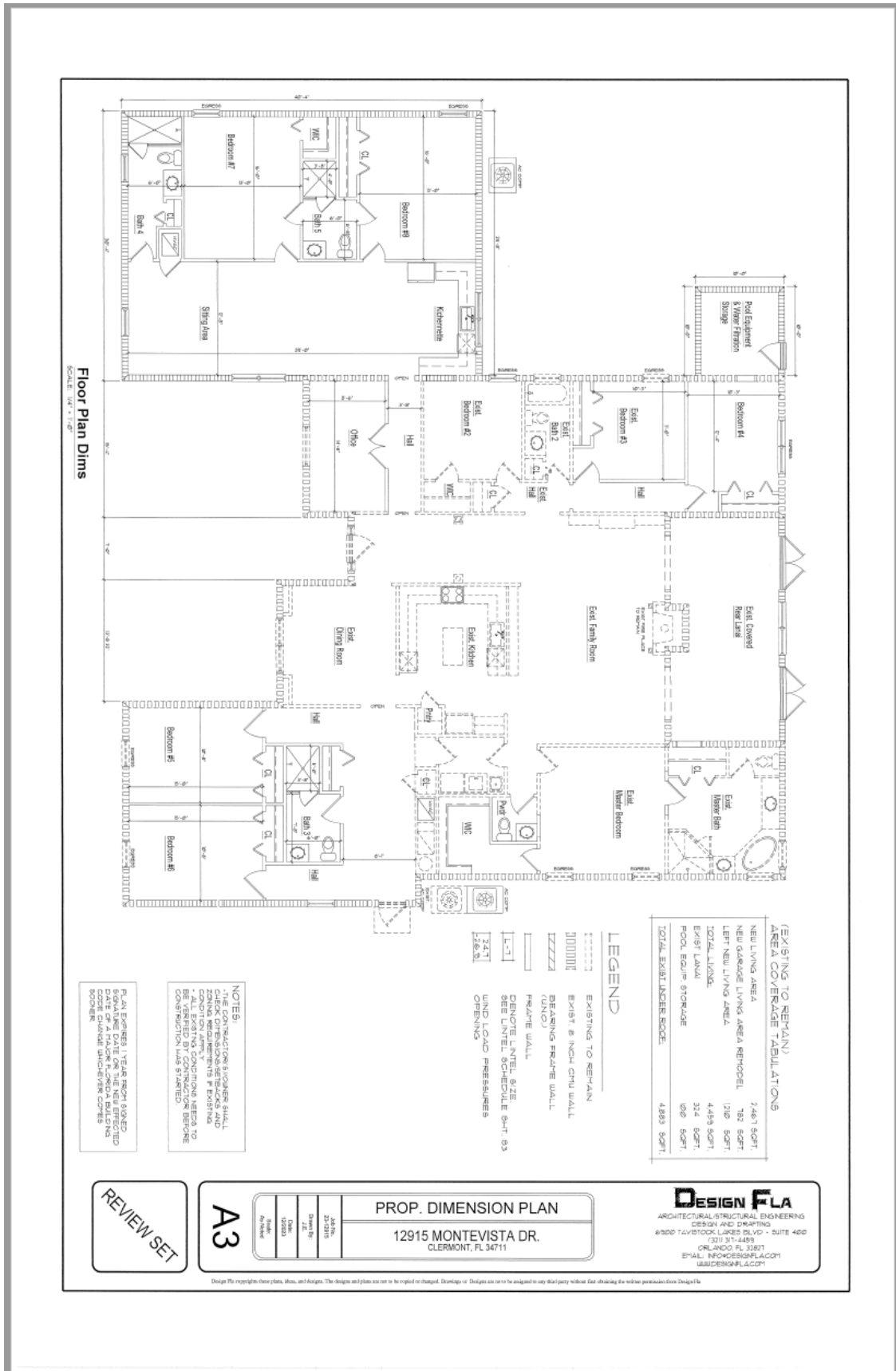
SITE EVALUATED BY: Scott M. Franz DATE: 8 Jan 24
Scott M. Franz, CPSS- Soil Scientist, CEHP & Contractor #SR0121704 (407) 383-7676 cflsoilsolutions@cfl.rr.com



Elite Engineering of Deland, LLC
125 East Indiana Avenue, Suite A-3
Deland, FL 32724
scm.fz@gmail.com
Florida Reg. #19142, CA31528

DEP 4015, 06-21-2022 (Obsoletes previous editions which may not be incorporated 62-6.004, FAC

Attachment "G" - State of Florida Sewage System Permit (5 of 8)



REVIEW SET

A3

PROP. DIMENSION PLAN

12915 MONTEVISTA DR.
CLERMONT, FL 34711

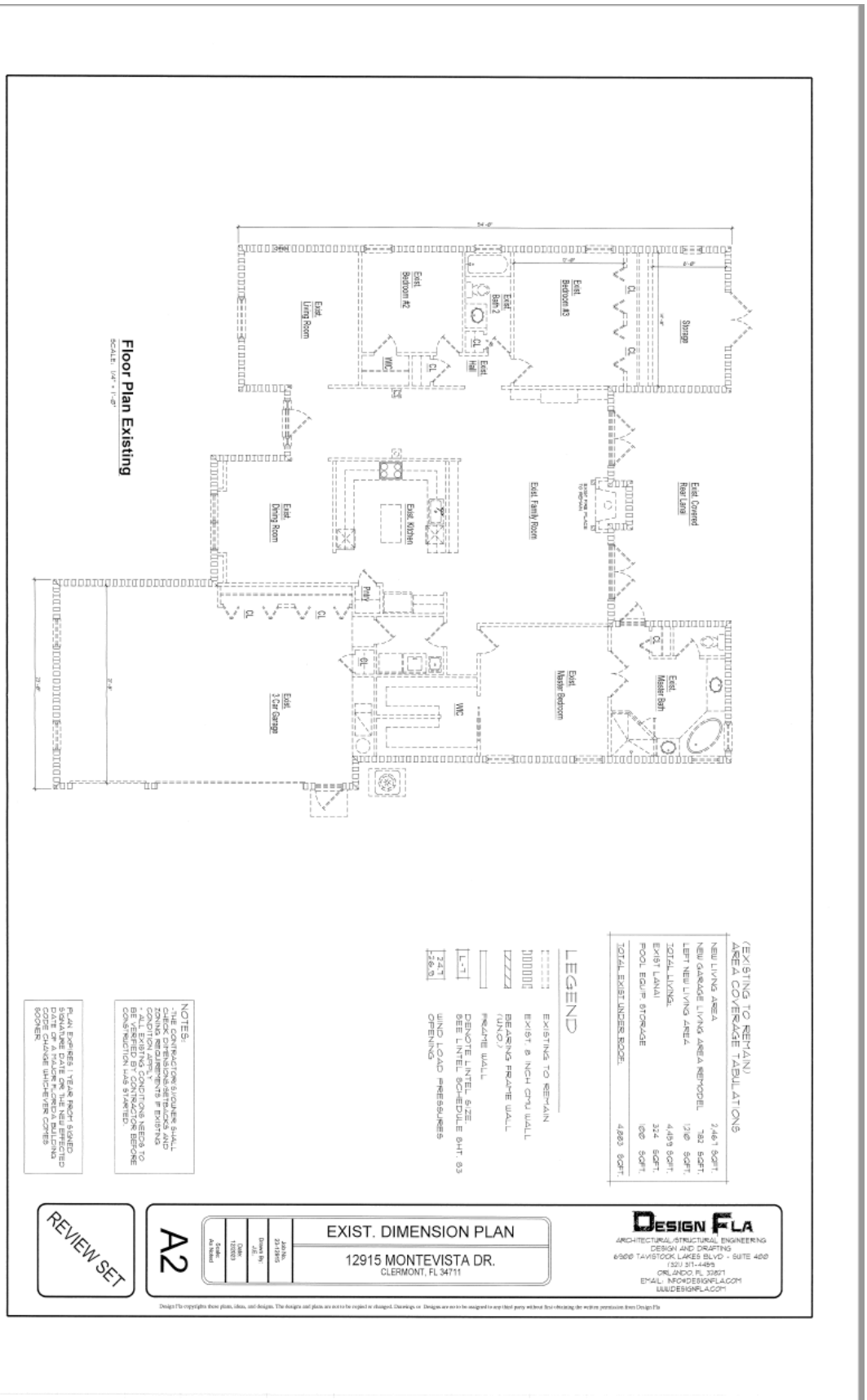
DATE	2/27/24
BY	DESIGNER
CHKD	DESIGNER
DATE	2/27/24
BY	DESIGNER

DESIGN FLA

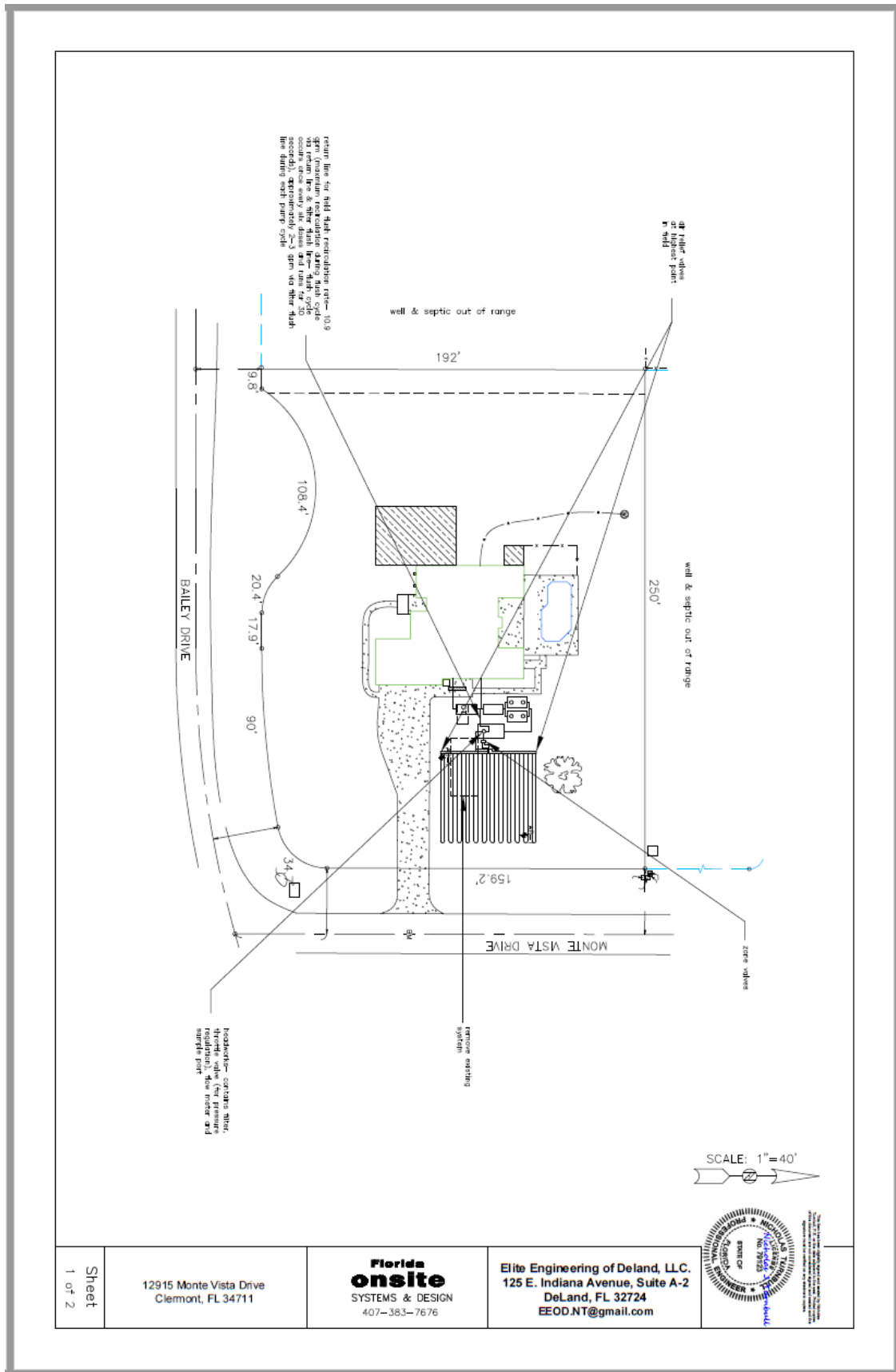
ARCHITECTURAL STRUCTURAL ENGINEERING
DESIGN AND DRAWING

6300 TAVISTOCK LAKES BLVD - SUITE 400
ORLANDO, FL 32837
ORLANDO, FL 32837
E-MAIL: INFO@DESIGNFLA.COM
WWW.DESIGNFLA.COM

Attachment "G"- State of Florida Sewage System Permit (6 of 8)

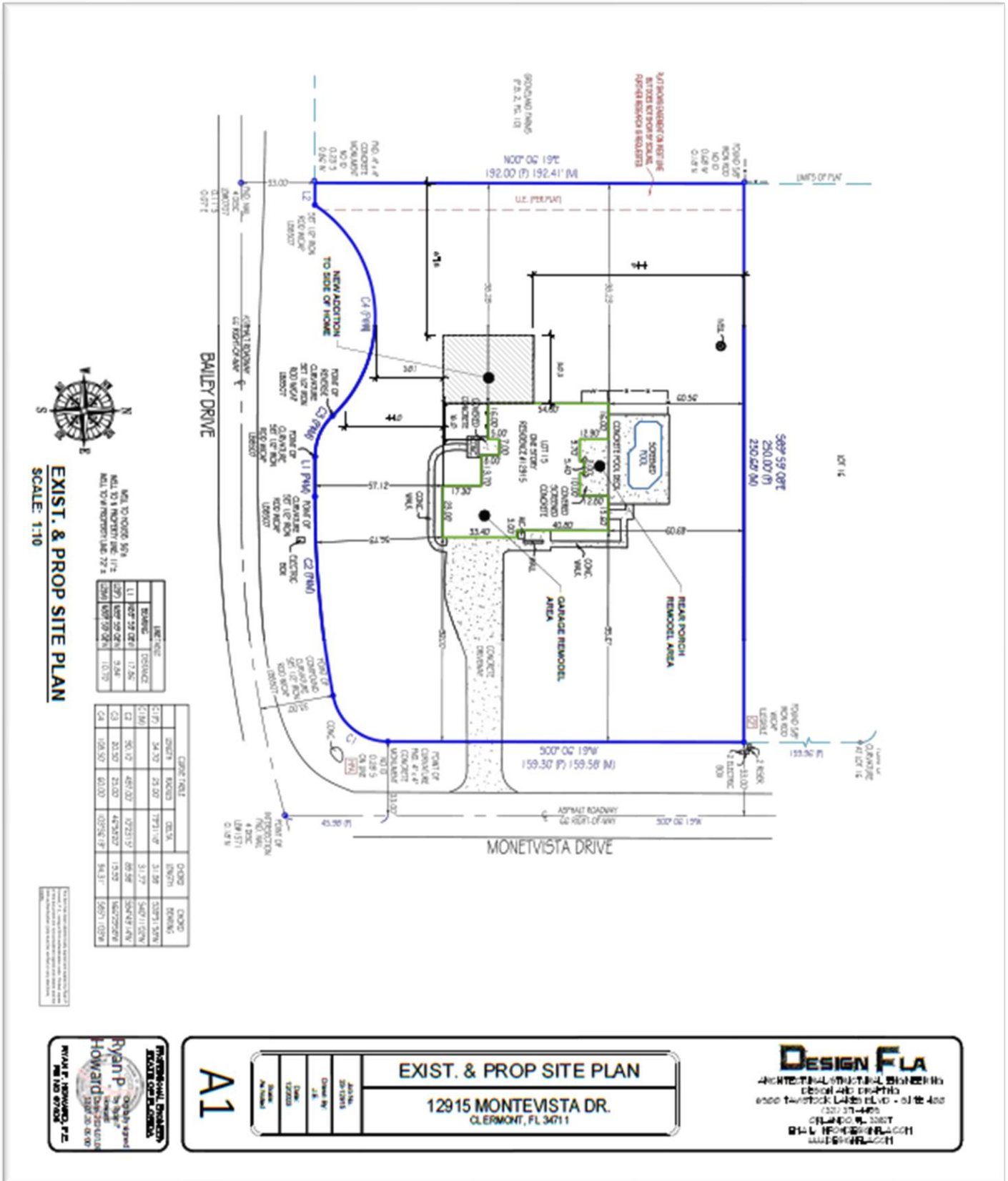


Attachment "G"- State of Florida Sewage System Permit (7 of 8)

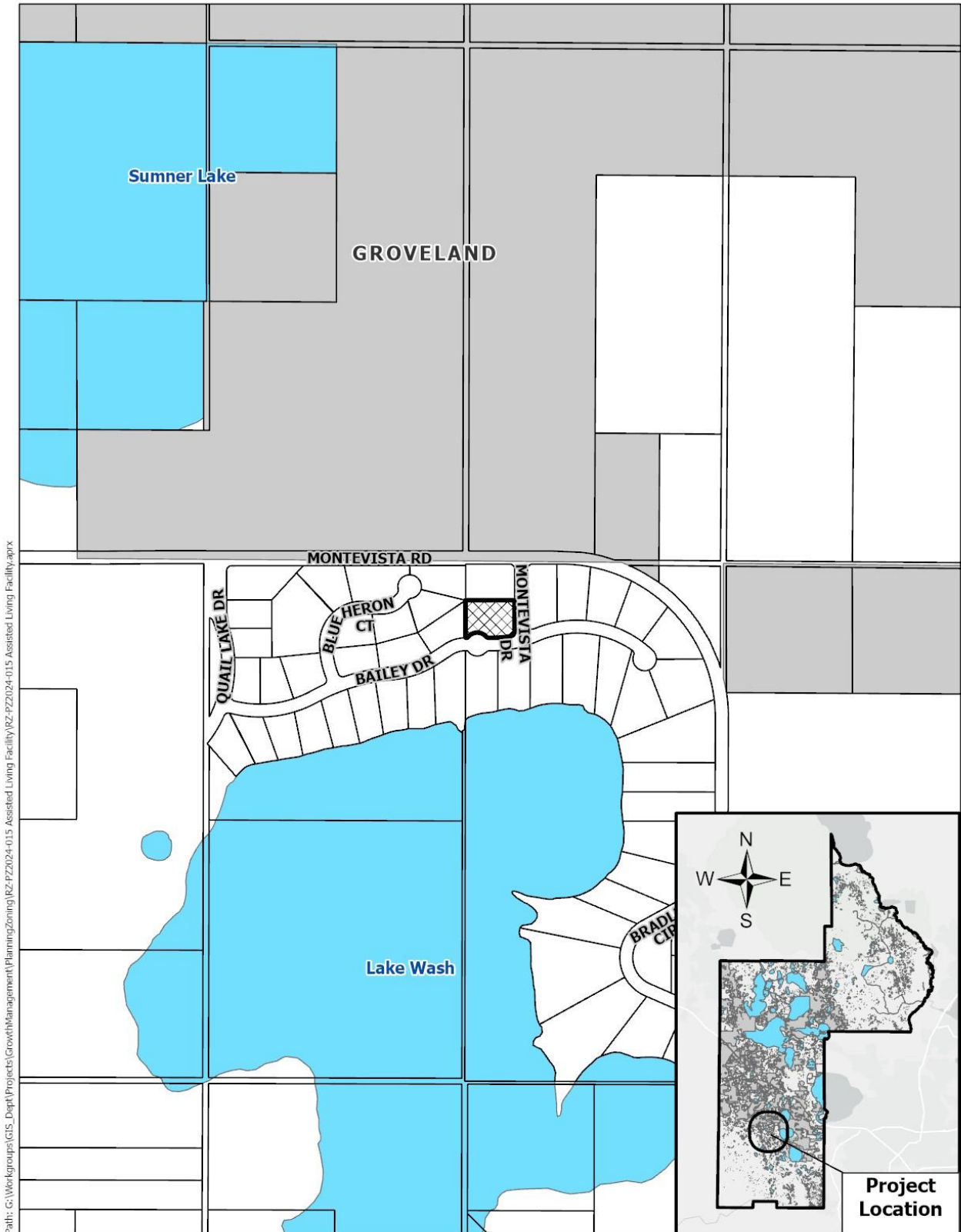


Sheet 1 of 2	12915 Monte Vista Drive Clermont, FL 34711	Florida onsite SYSTEMS & DESIGN 407-383-7676	Elite Engineering of Deland, LLC. 125 E. Indiana Avenue, Suite A-2 DeLand, FL 32724 EEOD.NT@gmail.com	
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Attachment "H"- Concept Plan



Map of Subject Property



Path: c:\Workgroups\GIS_Dept\Projects\CrowthManagement\Planning\Zoning\BZ-PZ2024-015 Assisted Living Facility.aprx

3/21/2024

Aerial Map of Subject Property



RZ-PZ2024-015 Assisted Living Facility



Path: G:\Workgroups\GIS_Dept\Projects\GrowthManagement\Planning\Zoning\RZ-PZ2024-015 Assisted Living Facility.aprx

3/21/2024

ORDINANCE #2024-_____

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; REZONING APPROXIMATELY 1.05 +/- ACRES FROM RURAL RESIDENTIAL DISTRICT (R-1) TO COMMUNITY FACILITY DISTRICT (CFD) FOR PROPERTY IDENTIFIED AS ALTERNATE KEY NUMBER 2858893 LOCATED IN SECTION 33, TOWNSHIP 22 SOUTH, RANGE 25 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.

1 **WHEREAS**, Alisa and Everton Lewis (the “Applicant/Owners”) submitted an application to rezone
2 the subject property from Rural Residential (R-1) District to Community Facility (CFD) District; and

3 **WHEREAS**, the subject property consists of approximately 1.05 +/- acres, located at 12915
4 Montevista Drive, in the Clermont area, in Section 33, Township 22 South, Range 25 East, identified by
5 Alternate Key Number 2858893, and more particularly described as; and

6 **Lot 15, Lake Monte Vista Subdivision, In Section 33, Township 22 South, Range 25**
7 **East, according to the map or plat thereof, as recorded in Plat Book 28, Page(s) 16**
8 **through 18, inclusive, of the Public Records of Lake County, Florida.**

9 **WHEREAS**, the subject property is located within the Green Swamp Rural Future Use Category as
10 shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

11 **WHEREAS**, the Lake County Planning & Zoning Board reviewed Petition PZ2024-015 on the 6th day
12 November 2024, after giving notice of the hearing on the petition for a change in zoning, including notice that
13 the petition would be presented to the Board of County Commissioners of Lake County, Florida, on the 3rd
14 day of December 2024; and

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

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

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

22 **Section 1. Terms.** The County Manager or designee shall amend the Lake County Zoning Map to show the
23 Community Facility District (CFD) in accordance with this Ordinance. All uses specified must be
24 generally consistent with the Conceptual Plan as shown in Exhibit “B” of this Ordinance. To the
25 extent where there are conflicts between the Conceptual Plan and this Ordinance, the Ordinance
26 will take precedence.

27 **Land Uses.**

- 28 1. Assisted Living Facility (maximum 12 beds).
29 2. Caretaker’s residence.
30 3. Accessory Use directly associated with the above uses may be approved by the County
31 Manager or designee. Any other use of the site not specified above shall require
32 approval of an amendment to this Ordinance by the Board of County Commissioners.

33 **A. Building Setbacks.** Building Setbacks shall be in accordance with the LDR, as amended.

- 1 **B. Floor Area Ratio/Intensity, Impervious Surface (ISR), and Structure Height.** Floor Area
2 Ratio/Intensity, Impervious Surface Ratio, and Structure Height shall be in accordance with
3 the Comprehensive Plan and LDR, as amended.
- 4 **C. Landscaping, Buffering, and Screening.** Landscaping, Buffering, and Screening shall be
5 in accordance with the Comprehensive Plan and LDR, as amended.
- 6 **D. Environmental and Open Space Consideration.**
- 7 1. An environmental assessment will be required to identify the presence of vegetation,
8 soils, threatened and endangered species that may exist on the site. State permitting or
9 mitigation may be required before development can commence.
- 10 2. Environmental resources shall be protected in accordance with the Comprehensive Plan
11 and LDR, as amended.
- 12 **E. Noise.** Compliance must be in accordance with the LDR, as amended.
- 13 **F. Transportation Improvements/Access Management.** All access management shall be in
14 accordance with the Comprehensive Plan and LDR, as amended.
- 15 **G. Parking Requirements.** Parking shall be provided in accordance with the LDR, as
16 amended.
- 17 **H. Stormwater Management.** The stormwater management system must be designed in
18 accordance with all applicable Lake County and St. Johns River Water Management District
19 requirements.
- 20 **I. Signage.** All signage shall be accordance with the Comprehensive Plan and LDR, as
21 amended.
- 22 **J. Commercial Design.** The design of future structures shall be accordance with the
23 Comprehensive Plan and LDR, as amended.
- 24 **K. Lighting.** Exterior lighting shall be in accordance with the LDR, as amended, and consistent
25 with Dark-Sky Principles.
- 26 **L. Fire Protection.** Fire Protection shall be in accordance with all applicable federal, state, and
27 local codes and/or regulations, as amended.
- 28 **M. Utilities.** Future development shall be serviced by potable well, and septic tank consistent
29 with the Florida Department of Environmental Protection (FDEP), and Florida Department of
30 Health (FDOH) regulations, as amended.
- 31 **N. Concurrency Management Requirements.** All development shall comply with the Lake
32 County Concurrency Management System, as amended.
- 33 **O. Development Review and Approval.** Prior to the issuance of permits, the Owner shall be
34 required to submit a development application for any future expansion substantially similar
35 with Exhibit "B" - Conceptual Plan, attached, for review and approval in accordance with the
36 Comprehensive Plan and LDR, as amended.
- 37 **P. Future Amendments to Statutes, Code, Plans, and/or Regulations.** The specific
38 references in this Ordinance to the Florida Statutes, Florida Administrative Code,
39 Comprehensive Plan, and LDR shall include any future amendments to the Statutes, Code,
40 Plans, and/or Regulations.

1 **Section 2. Conditions: Conditions as altered and amended which pertain to the above tract of land**
2 **shall mean:**

- 3 **A.** After establishment of the facilities as provided in this Ordinance, the property may only be
4 used for the purposes identified in this Ordinance. Any other proposed use must be
5 specifically authorized by the Lake County Board of County Commissioners.
- 6 **B.** No person, firm, or corporation may erect, construct, enlarge, alter, repair, remove, improve,
7 move, convert, or demolish any building, structure, add other uses, or alter the land in any
8 manner within the boundaries of the above-described land without first obtaining the
9 necessary approvals, including site plan approval, in accordance with the Lake County
10 Code, as amended, and obtaining the permits required from the other appropriate
11 governmental agencies.
- 12 **C.** This Ordinance will inure to the benefit of, and will constitute a covenant running with the
13 land, and the terms, conditions, and provisions of this Ordinance will be binding upon the
14 present Owners and any successor and will be subject to each condition set out in this
15 Ordinance.
- 16 **D.** Construction and operation of the proposed use shall always comply with the regulations of
17 this and other governmental permitting agencies.
- 18 **E.** The transfer of ownership or lease of any or all the property described in this Ordinance must
19 include in the transfer or lease agreement, a provision that the purchaser or lessee is made
20 aware of the conditions established by this Ordinance and agrees to be bound by these
21 conditions. The purchaser or lessee may request a change from the existing plans and
22 conditions by following the procedures contained in the LDR, as amended.
- 23 **F.** The Lake County Code Enforcement Special Master will have authority to enforce the terms
24 and conditions set forth in this Ordinance and to recommend that the ordinance be revoked.

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

28 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of
29 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
30 125.66, Florida Statutes.

1 **Section 5. Effective Date. This Ordinance will become effective as provided by law.**

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ENACTED this _____ day of _____, 2024.

FILED with the Secretary of State _____, 2024.

EFFECTIVE _____, 2024.

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

_____, **CHAIRMAN**

ATTEST:

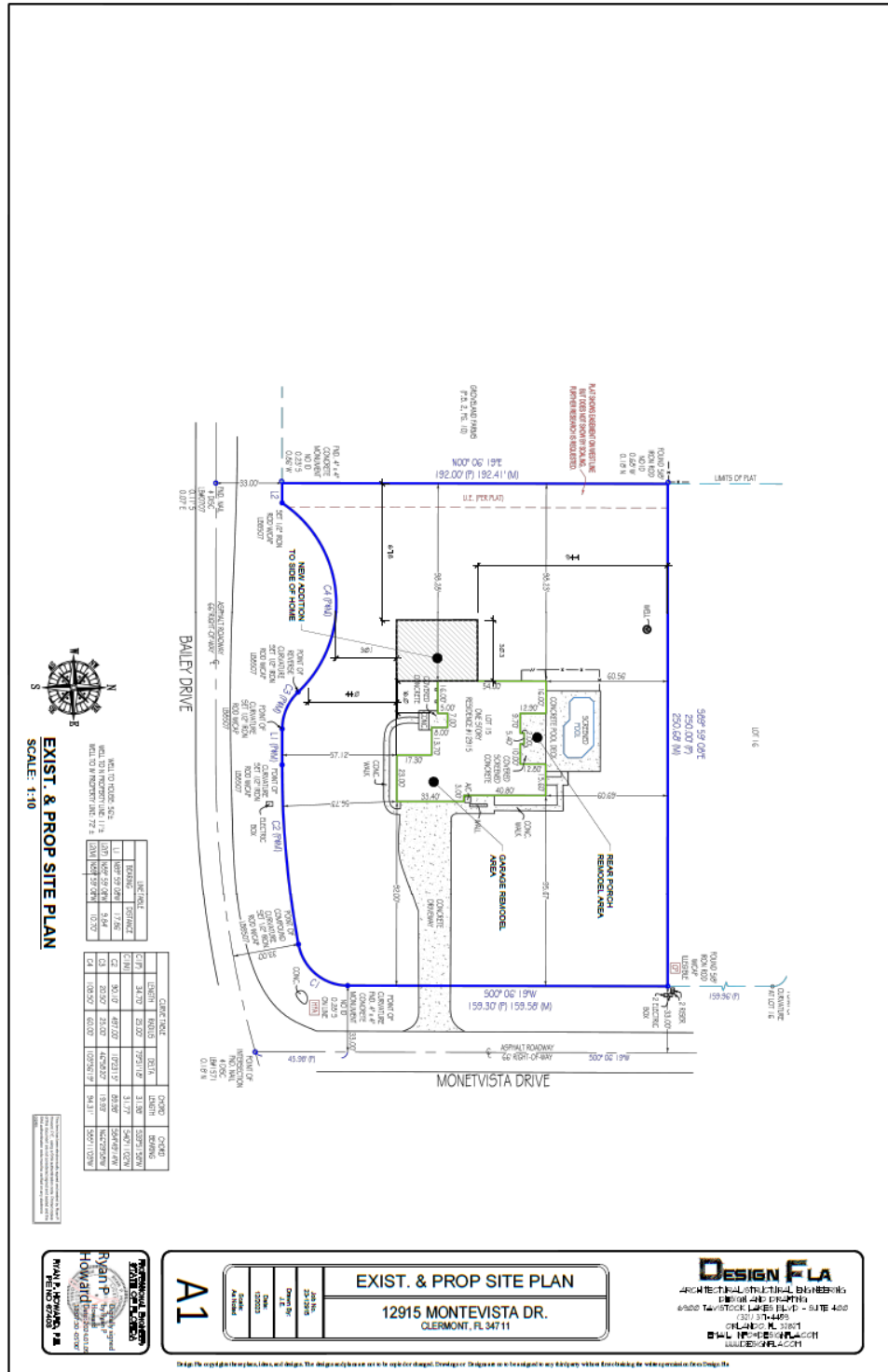
**GARY COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY:

MELANIE MARSH, COUNTY ATTORNEY

1

EXHIBIT "B" – CONCEPTUAL PLAN



2