



# REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 3

Public Hearings: Planning & Zoning Board (PZB): March 5, 2025  
Board of County Commissioners (BCC): April 1, 2025

Case No. and Project Name: PZ2024-018, Mountain Lake Drive

Owner: Innovative Investment Group of Central Florida, Inc.

Applicant: Andrew Kager

Requested Action: Rezone approximately 4.04 +/- gross acres from Neighborhood Commercial (C-1) District and Agriculture District (A) to Urban Residential (R-6) District to facilitate a residential development.

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

Case Manager: Christopher Boyce, Compliance & Monitoring Specialist

PZB Recommendation:

### Subject Property Information

Size: 4.04 +/- gross acres

Location: South of Sorrento Avenue and along unimproved Mountain Lake Drive, in the unincorporated Mount Plymouth area

Alternate Key No.: 1360781, 1360790, 1360803, 1670675 and 3949922

Future Land Use: Mt. Plymouth-Sorrento Receiving Area (Attachment "A")

Existing Zoning District: Neighborhood Commercial (C-1) District and Agriculture (A) District (Attachment 'B')

Proposed Zoning District: Urban Residential (R-6) District (Attachment 'C')

Joint Planning Area / ISBA: N/A

Overlay Districts: Mt. Plymouth-Sorrento Special Community, Wekiva River Protection Area and Wekiva Study Area

### Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Mt Plymouth-Sorrento Receiving Area	Agriculture	Right-of-Way and Agriculture	Vacant Large Agriculture Tracts north of Sorrento Avenue
South	Mt Plymouth-Sorrento Receiving Area	Urban Residential (R-6)	Government Wetland	Government Wetland
East	Mt Plymouth-Sorrento Receiving Area	Urban Residential (R-6)	Government Wetland	Government Wetland
West	Mt Plymouth-Sorrento Receiving Area	Urban Residential (R-6)	Residential, Government Wetland and Right-of-Way	Government Wetland and vacant residential lots west of Mountain Lake Drive

**Staff Analysis**

The subject 4.04 +/- gross acres, is identified by Alternate Key (AK) Numbers 1360781, 1360790, 1360803, 1670675, and 3949922, and generally located south of Sorrento Avenue and along Mountain Lake Drive, an unimproved platted right-of-way in the Mount Plymouth area. The subject vacant parcels are zoned Neighborhood Commercial (C-1) District and Agriculture (A) District; designated as Mt Plymouth-Sorrento Receiving Area Future Land Use Category (FLUC) by the 2030 Comprehensive Plan; and located within the Mt. Plymouth – Sorrento Special Community, Wekiva River Protection Area and Wekiva Study Area.

The Applicant is requesting to rezone the property from a Neighborhood Commercial (C-1) District and Agriculture (A) District to Urban Residential (R-6) District to facilitate the development of nine (9) single family homes, as described in the Project Narrative (Attachment “D”).

**Table 1. Existing and Proposed Development Standards.**

	Zoning District	Allowable Density	Maximum Allowed Dwelling Units	Proposed Density	Maximum Impervious Surface Ratio	Maximum Floor Area Ratio	Maximum Building Height
Existing	Neighborhood Commercial (C-1)	N/A	N/A	N/A	70%	0.50	50 feet
Existing	Agriculture (A)	One (1) dwelling unit per five (5) acres	One (1) dwelling unit	N/A	10%	N/A	40 feet
Proposed	Urban Residential District (R-6)	5.5 dwelling units per net acre	22 dwelling units	2.25 dwelling units per net acre	55%	N/A	40 feet

The subject parcels are located within the Mt. Plymouth – Sorrento Special Community, Wekiva River Protection Area and Wekiva Study Area. The rezoning request is consistent with Comprehensive Plan Policy I-2.1, which recognizes the Mount Plymouth-Sorrento Community as part of Lake County with unique character and charm. The Policy requires approaches to land use intensities and densities, rural roadway corridor protection, the provision of services and facilities, environmental protection with the community’s character.

The rezoning request is consistent with Comprehensive Plan Policy I-3.3, which requires that parcels located within the Wekiva River Protection Area utilize land within the Wekiva River Protection Area as defined by Florida Statutes, to implement protection policies and regulations that maintain rural density and character in the aggregate, concentrate development farthest from surface waters and wetlands of the Wekiva River System, minimize impacts on water quantity and quality, protecting native vegetation, wetlands, habitat, wildlife and wildlife corridors, and restrict open space areas to conservation and passive recreational uses.

If the rezoning is approved, the Applicant will be required to comply with all applicable provisions of Comprehensive Plan Objective I-3.4, pertaining to the Wekiva Study Area.

The Applicant provided a Project Narrative as justification for the proposed rezoning request (Attachment “D”).

**Standards for Review (LDR Section 14.03.03)**

**A. Whether the proposed amendment is in conflict with any applicable provisions of the Code.**

The rezoning request is consistent with LDR Section 3.00.02, *Purpose and Intent of Districts*, which specifies the purpose of this district is to provide for medium density single-family residential.

The rezoning request is consistent with LDR Section 3.01.03, which allows single-family dwelling units within the Urban Residential (R-6) District.

The rezoning request is consistent with LDR Section 3.02.06, which states that parcels zoned Urban Residential (R-6) District minimum standards include a 40-foot maximum height, and 55% maximum impervious surface ratio.

The Applicant provided the following statement as part of their justification statement *“This rezoning follows the future land use and the current land use of adjoining lots”*.

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

The rezoning request is consistent with Comprehensive Plan Policy I-2.1, which recognizes the Mount Plymouth-Sorrento Community as part of Lake County with unique character and charm. The Policy requires approaches to land use intensities and densities, rural roadway corridor protection, the provision of services and facilities, environmental protection with the community’s character.

If the rezoning is approved, the Applicant will be required to comply with all applicable provisions of Comprehensive Plan Objective I-3.4, pertaining to the Wekiva Study Area. The Applicant provided the following statement as part of their justification statement *“Yes it precisely follows the future land use code of the Mount Plymouth Receiving area”*.

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

The proposed rezoning request to Urban Residential District (R-6) is consistent with the adjacent neighboring properties, which include vacant land, residential, and agricultural uses as stated in the Adjacent Property and Land Use Table above. This rezoning request would rezone approximately 4.04 +/- acres from Neighborhood Commercial (C-1) and Agriculture (A) District to Urban Residential District (R-6) as shown in the Concept Plan (Attachment “D”).

The Applicant provided the following statement as part of their justification statement *“The adjoining lots are zoned R-6 with single family dwellings and follow suite with the rest of the platted subdivision”*.

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

The rezoning has been requested as the owner desires to construct nine (9) single family residences.

Policy I-3.3.7 entitled Commercial Development within the Wekiva River Protection Area (WRPA) states that commercial development within the WRPA is limited to specified intersections. The subject property is not located at a specified intersection so C-1 zoning is inconsistent with the Comprehensive Plan and therefore must be rezoned to a compatible zoning district.

The Applicant provided the following statement as part of their justification statement *“New subdivisions located across SR46 also are single family dwellings and no commercial infrastructure in adjoining lots”*.

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

Any future development of this property will require an analysis via submittal of a development application to demonstrate that the proposed development does not adversely impact the County’s adopted levels of service to public facilities and services.

The Applicant provided the following statement as part of their justification statement *“The change to single family dwellings will be serviced by well and septic, placing no strange on utility services as well as pervious areas not affecting drainage as well as matching existing layouts for not straining on public safety”*.

Water and Sewer

A septic tank system and well will be used and shall be consistent with the Florida Department of Health Regulations, as amended.

Schools

This Mountain Lake Drive residential project is subject to school concurrency review. Proportionate share mitigation may be required at the time of submittal.

Parks

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

Solid Waste

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

Transportation Concurrency

The request is not anticipated to adversely impact the standard Level of Service (LOS) for transportation as project is deemed *de minimus*.

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

An environmental assessment will be submitted with site plan application to indicate the presence of vegetation, soils, wetlands, threatened and endangered species on the site. Any required State permitting, or mitigation will be obtained before development can commence. All sensitive resources will be addressed through the development review process. New development will be required to meet all criteria specified by the Comprehensive Plan and Land Development Regulations (LDR).

The Applicant provided the following statement as part of their justification statement *“The change from C-1 to R-6 will have less damaging effect on natural areas due to more pervious spaces of single family dwelling”*.

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

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

The Applicant provided the following statement as part of their justification statement *“This project will increase property values creating single family homes in a residential area”*.

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

The subject parcel is surrounded by large tracts of lands developed with residential and agricultural and the proposed rezoning to Urban Residential District (R-6) is consistent with surrounding properties.

The Applicant provided the following statement as part of their justification statement *“Yes this change will suit the future land use as well as the previously platted subdivision adjacent to this parcel”*.

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

The request will not be contrary to the purpose and interest of Lake County’s regulations. The request is in harmony with the general intent of the Comprehensive Plan and LDR as stated in Sections A through H above.

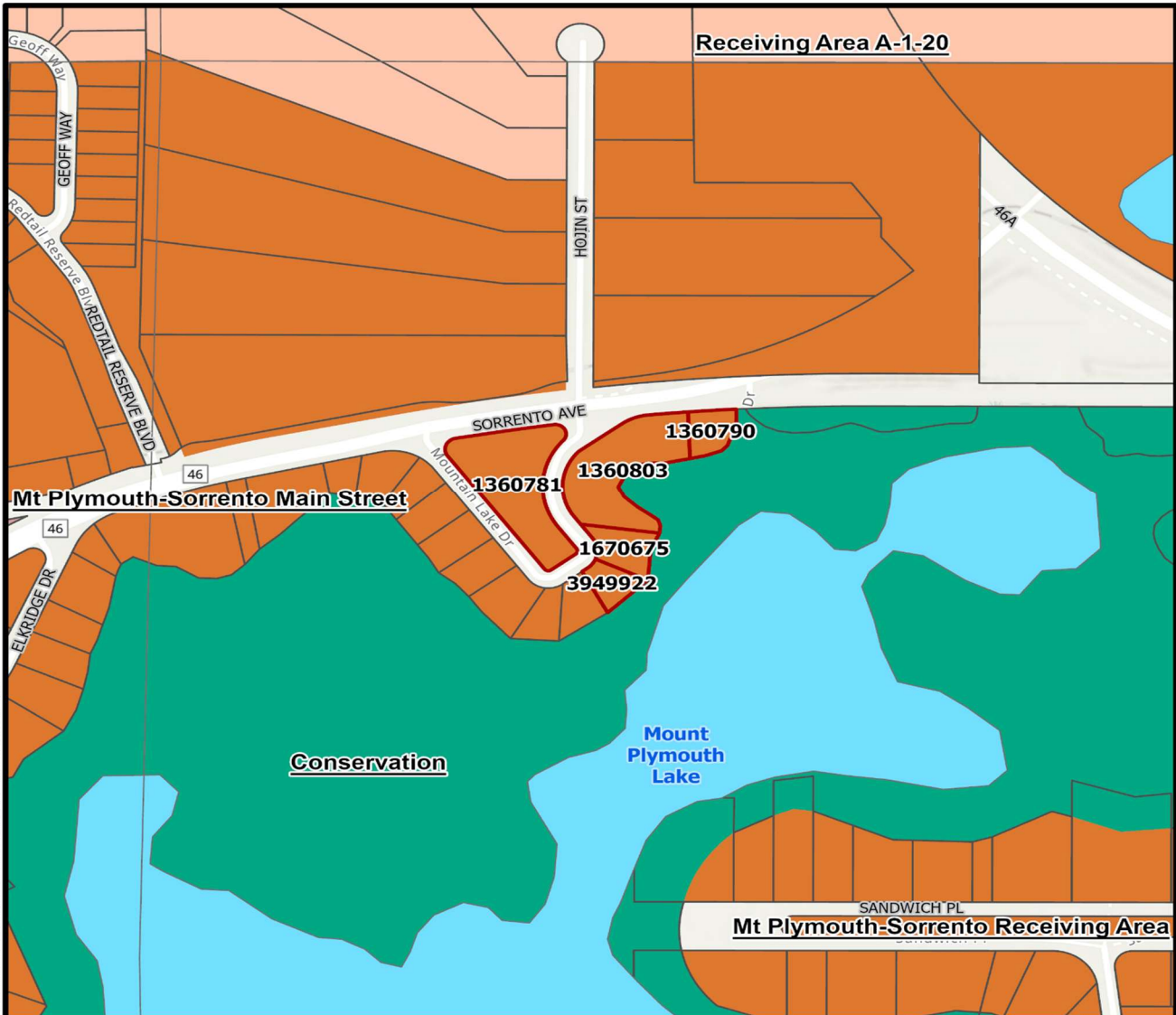
The Applicant provided the following statement as part of their justification statement, *“This change of zoning will match the surrounding area and will not conflict with any parcel in the area”*.

**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 Applicant provided the following statement, *“The goal of this rezoning is to continue the low density housing that is in the surrounding area and create four single family homes located on .33 acre lots per house.”*

# Attachment "A" – Future Land Use Map

## CURRENT FUTURE LAND USE

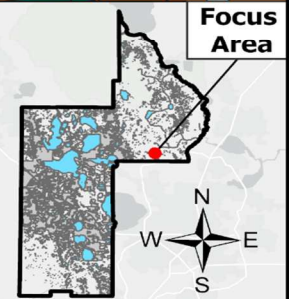


### FLU

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|--|---|
|  Mt Plymouth-Sorrento Main Street |  Receiving Area A-1-20               |
|  Conservation                     |  Mt Plymouth-Sorrento Receiving Area |

**NAME:** MOUNTAIN LAKE DR  
**CASE NUMBER:** RZ-PZ2024-18  
**LOCATION (S-T-R):** 28-19-28  
**REQUEST:** REZONE FROM C-1 & A-1 TO R-6

**DISTRICT:** 4

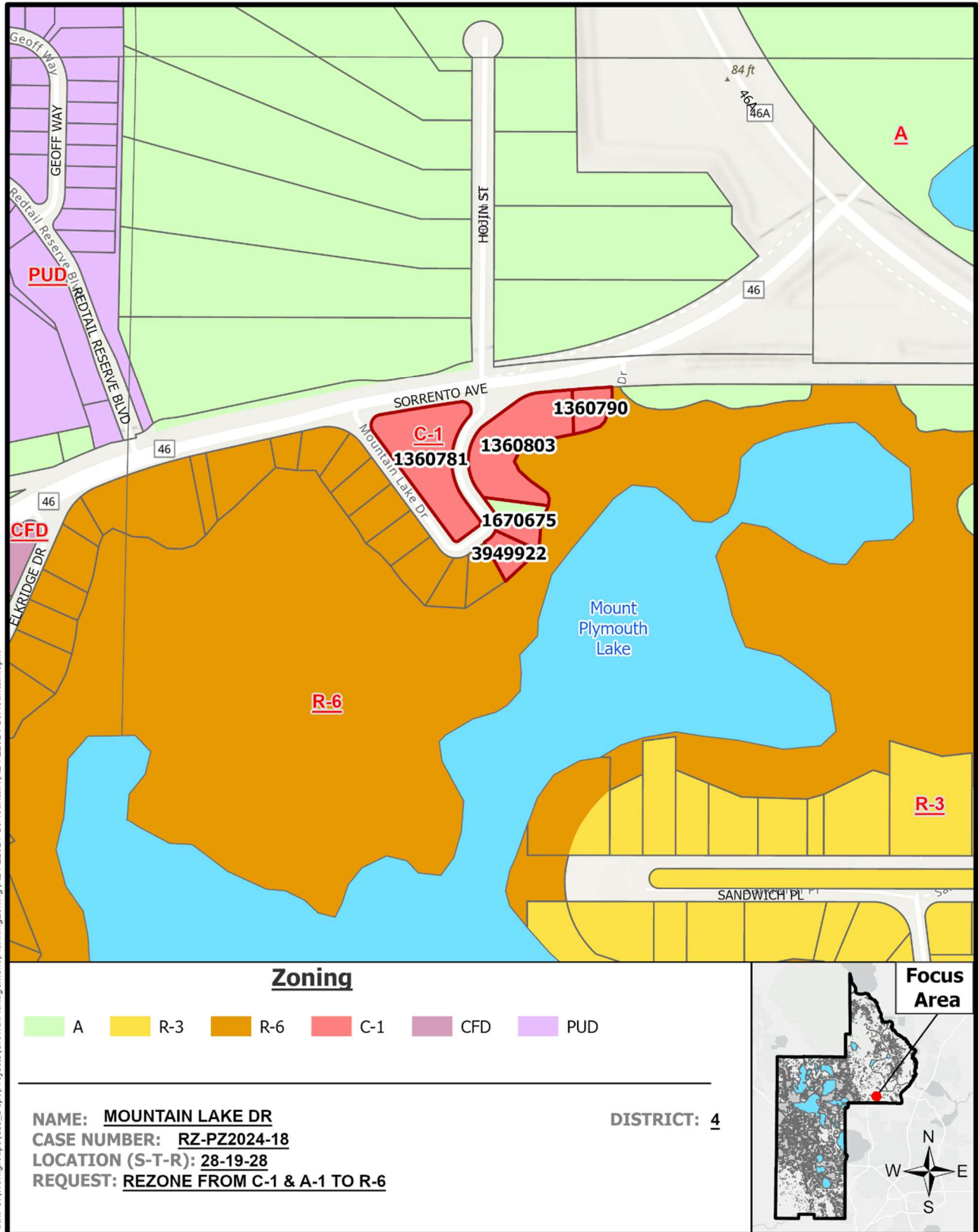


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# Attachment "B" – Existing Zoning Map

## CURRENT ZONING

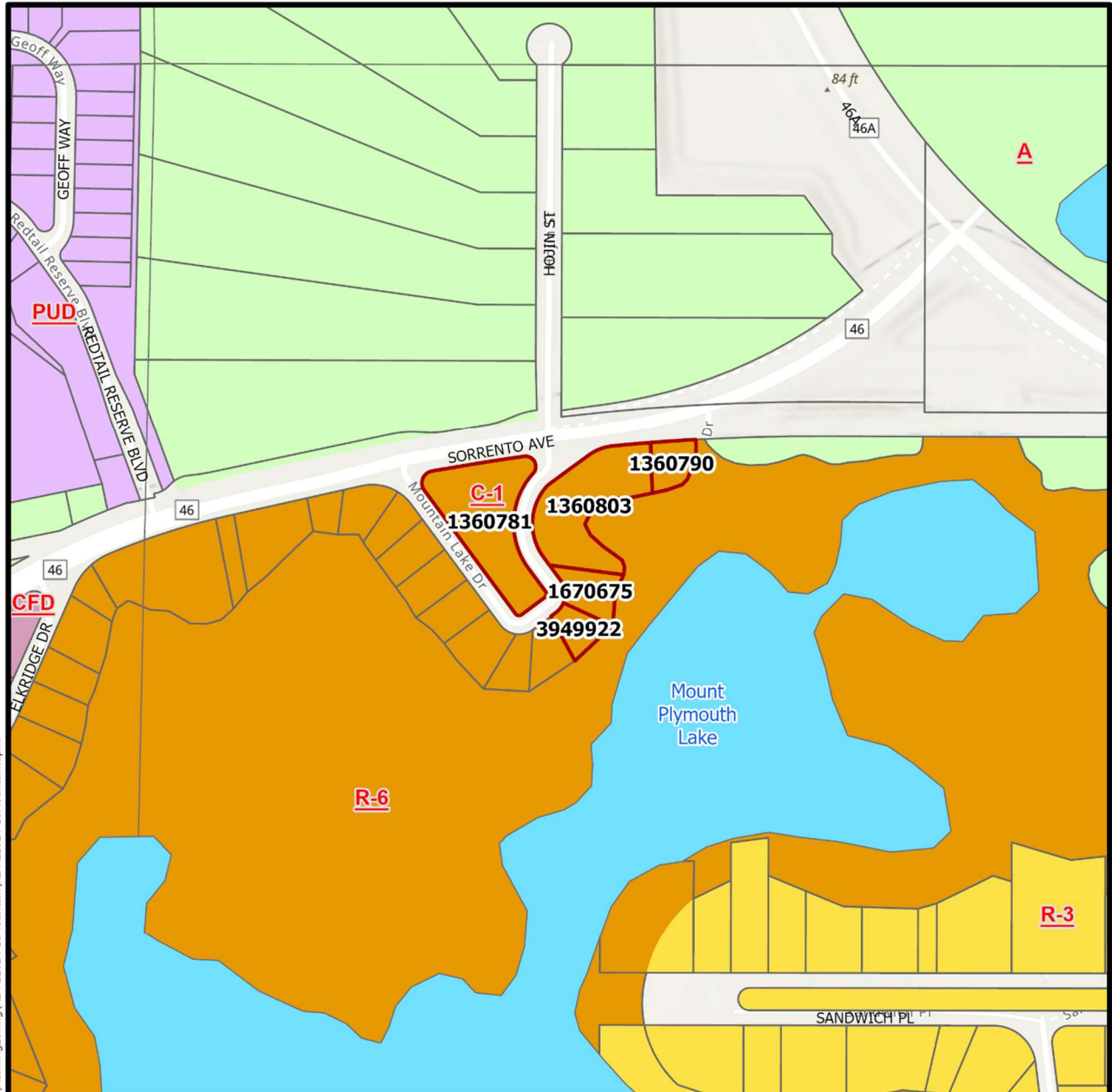


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# Attachment "C" – Proposed Zoning Map

## PROPOSED ZONING



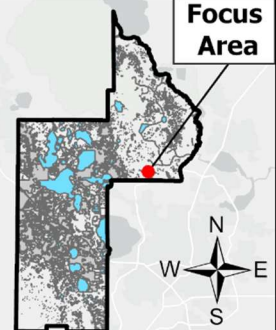
### Zoning

- A
- R-3
- R-6
- C-1
- CFD
- PUD

**NAME:** MOUNTAIN LAKE DR  
**CASE NUMBER:** RZ-PZ2024-18  
**LOCATION (S-T-R):** 28-19-28  
**REQUEST:** REZONE FROM C-1 & A-1 TO R-6

**DISTRICT:** 4

### Focus Area



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# Attachment “D” – Project Narrative

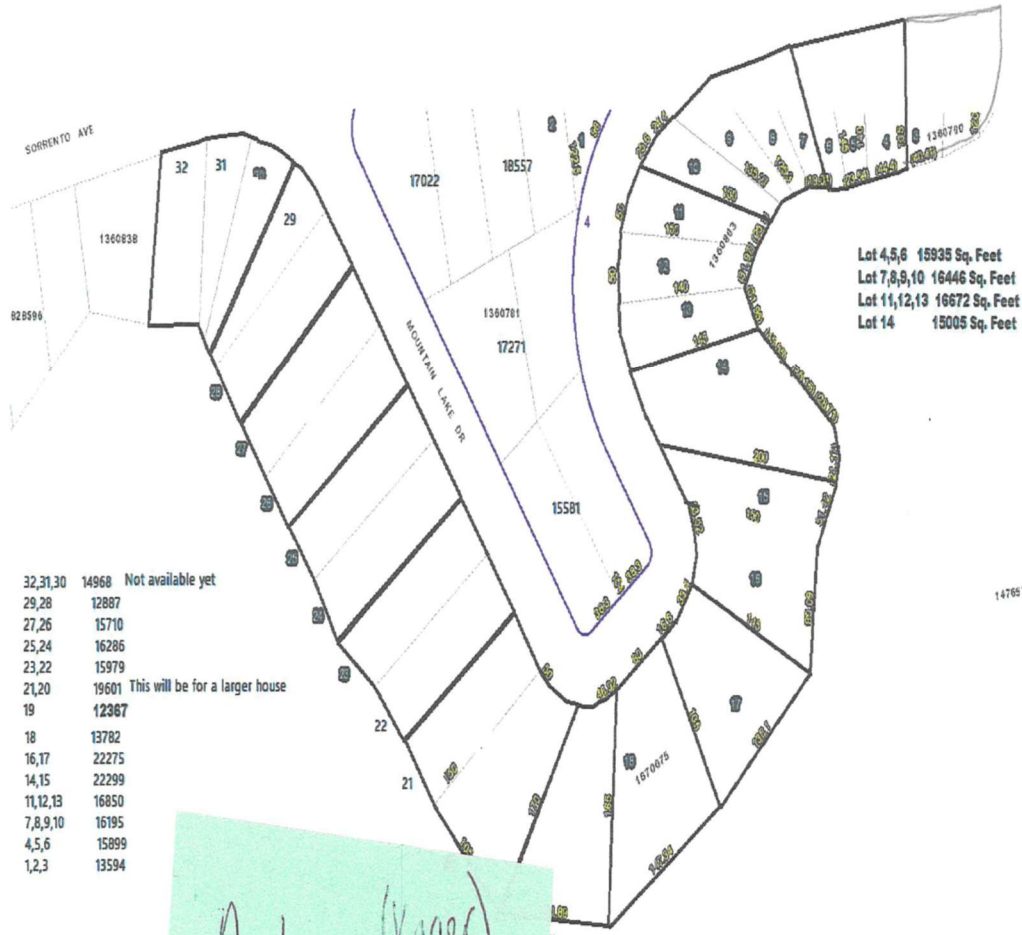
## Rezoning

### Justification Statement

In compliance with LDR Section 14.03.03, please answer the following questions in a separate word document:

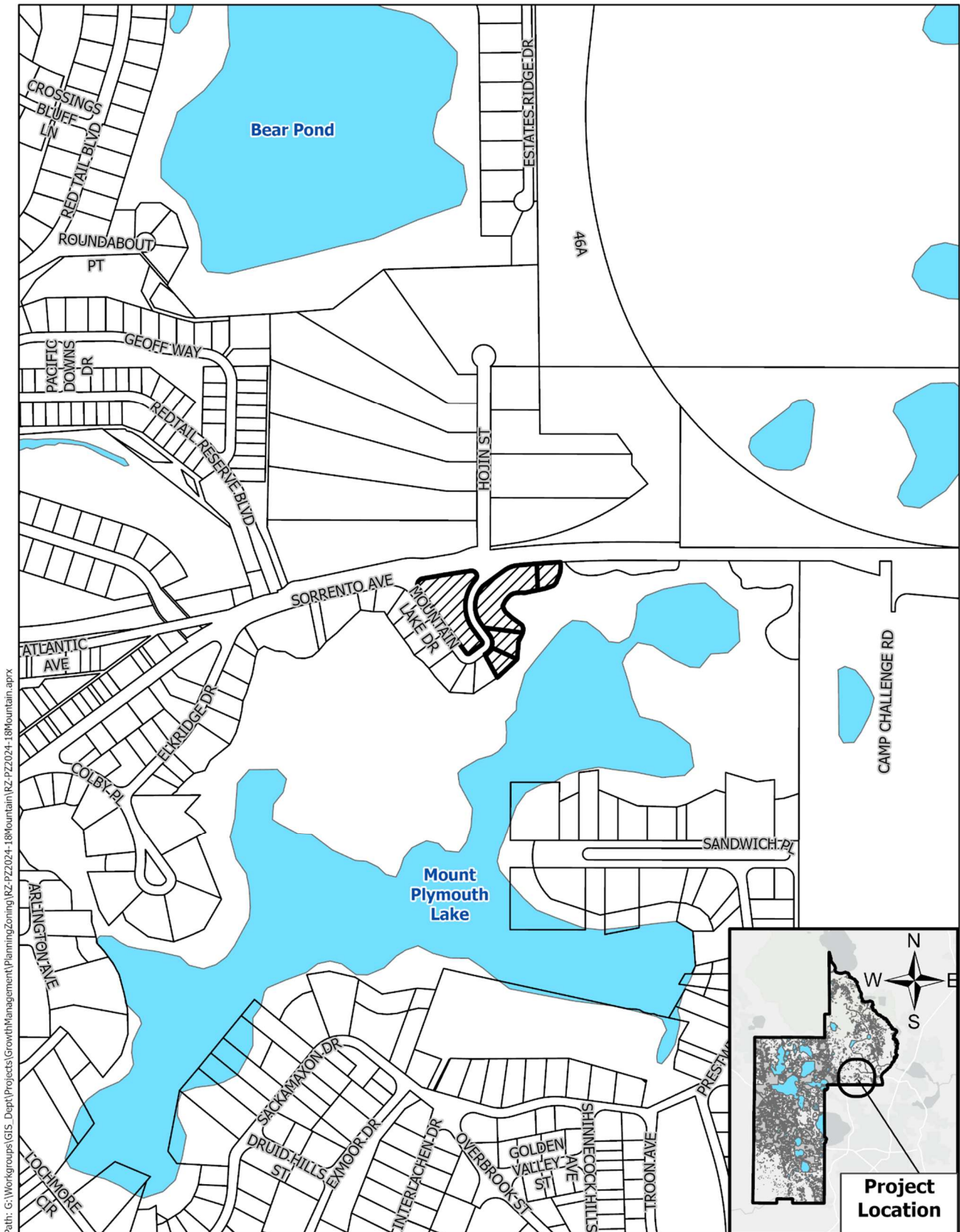
- A. This rezoning follows the future land use and the current land use of the adjoining lots.
- B. Yes it precisely follows the future land use code of the Mount Plymouth Receiving area.
- C. The adjoining lots are zoned R-6 with single family dwellings and follow suite with the rest of the platted subdivision.
- D. New subdivisions located across SR46 also are single family dwellings and no commercial infrastructure in adjoining lots.
- E. The change to single family dwellings will be serviced by well and septic, placing no strain on utility services as well as pervious areas not affecting drainage as well as matching existing layouts for not straining on public safety.
- F. The change from C-1 to R-6 will have less damaging effect on natural areas due to more pervious spaces of single family dwelling.
- G. This project will increase property values creating single family homes in a residential area.
- H. Yes this change will suit the future land use as well as the previously platted subdivision adjacent to this parcel.
- I. This change of zoning will match the surrounding area and will not conflict with any parcel in the area.
- J. The goal of this rezoning is to continue the low density housing that is in the surrounding area and create nine single family homes.

# Attachment "E" – Concept Plan



Andrew (Kager)  
Rezoning  
App

# Map of Subject Property



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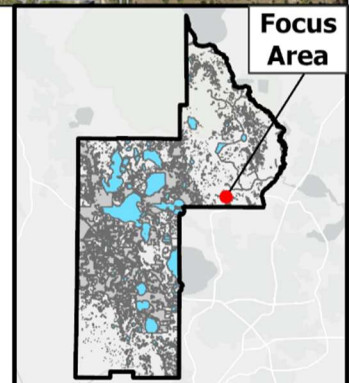
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# Aerial Map of Subject Property

RZ-PZ2024-18  
Mountain Lake Dr



Rezone from C-1 & A-1 to R-6



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ORDINANCE 2025-\_\_\_\_\_

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**AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; REZONING 4.04 +/- ACRES FROM NEIGHBORHOOD COMMERCIAL (C-1) DISTRICT AND AGRICULTURE (A) TO URBAN RESIDENTIAL (R-6) DISTRICT TO FACILITATE A RESIDENTIAL ON PROPERTY IDENTIFIED AS ALTERNATE KEY NUMBERS 1360781, 1360790, 1360803, 1670675 AND 3949922, LOCATED IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE 28 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Andrew Kager (the “Applicant”) submitted a rezoning application on behalf of Innovative Investment Group of Central Florida, INC (the “Owner”), to rezone property from Neighborhood Commercial (C-1) District and Agriculture (A) to Urban Residential (R-6) District to facilitate a residential development; and

**WHEREAS**, the subject property consists of approximately 4.04 +/- gross acres, generally located south of Sorrento Avenue and along Mountain Lake Drive, in the Mount Plymouth area of unincorporated Lake County, in Section 28, Township 19 South, Range 28 East; identified by Alternate Key Numbers 1360781, 1360790, 1360803, 1670675 and 3949922, and more particularly described in Exhibit “A”; and

**WHEREAS**, the property is located within the Mt. Plymouth-Sorrento Receiving Area Future Land Use Category, as shown on the Lake County Comprehensive Plan Future Land Use map (FLUM); and

**WHEREAS**, the Lake County Planning and Zoning Board did on the 5th day of March 2025, review petition PZ2024-018; after giving Notice of 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 1st day of April 2025; and

**WHEREAS**, the Board of County Commissioners reviewed the petition, the recommendations of the Lake County Planning and Zoning Board, 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 rezone the subject property from Neighborhood Commercial (C-1) District and Agriculture (A) District to Urban Residential (R-6) District for the property described in Exhibit “A”. This Ordinance, upon its Effective Date, shall supersede and replace all previous zoning ordinances on the subject property.

**Section 2. Development Review and Approval.** Prior to the issuance of any permits, the Owner shall submit a preliminary plat, construction plans, and final plat for review and approval in accordance with the Comprehensive Plan and Land Development Regulations (LDR), as amended.

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

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

**Section 5. Effective Date.** This Ordinance shall become effective upon recordation in the public records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

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ENACTED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

FILED with the Secretary of State \_\_\_\_\_, 2025

EFFECTIVE \_\_\_\_\_, 2025.

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

\_\_\_\_\_  
**LESLIE CAMPIONE, CHAIRMAN**

**ATTEST:**

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

**APPROVED AS TO FORM AND LEGALITY**

\_\_\_\_\_  
**MELANIE MARSH, COUNTY ATTORNEY**

## Exhibit "A" – Legal Description

**Lots 1 through 9, Block 4, MOUNT PLYMOUTH SUBDIVISION, according to the plat thereof as recorded in Plat Book 8, Page 85A, of the Public Records of Lake County, Florida.**

**ALSO KNOWN AS**

**Lots 1 through 9, inclusive, Block 4, MT. PLYMOUTH SECTION "A", according to the plat thereof recorded in Plat Book 8, Pages 85 through 85D, inclusive, of the Public Records of Lake County, Florida.**

**AND**

**Block 5, Lots 22 to 32, (inclusive) MT. PLYMOUTH SECTION "A", according to the plat thereof as recorded in Plat Book 8, Pages 85 to 85D inclusive, Public Records of Lake County, Florida.**

**AND**

**Lots 1, 2 and 3, Block 5, MT. PLYMOUTH SECTION "A", according to the plat thereof as recorded in Plat Book 8, Pages 85 through 85D, of the Public Records of Lake County, Florida.**

**AND**

**Lots 15 through 21, inclusive, Block 5, MT. PLYMOUTH SECTION "A", according to the plat thereof as recorded in Plat Book 8, Pages 85 through 85D, inclusive, Public Records of Lake County, Florida.**

**AND**

**Lots 4 through 14, inclusive, Block 5, MT. PLYMOUTH SECTION "A", according to the plat thereof as recorded in Plat Book 8, Pages 85 through 85D, inclusive, Public Records of Lake County, Florida.**

**Parcel Identification Number: 281928-0100-004-00100; 281928-0100-005-02200; 281928-0100-005-00100; 281928-0100-005-01500; and 281928-0100-005-00400**