



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 2

Public Hearings: Planning & Zoning Board (PZB): April 2, 2025
Board of County Commissioners (BCC): May 6, 2025

Case No. and Project Name: PZ2024-082, TSL Lake Estates Rezoning

Owner/Applicant: Tommy F. Locke and Susan T. Locke

Requested Action: Rezone approximately 6.24 +/- acres from Agriculture (A) District and Community Commercial (C-2) District to Rural Residential (R-1) District to facilitate the creation of three (3) parcels through the preliminary plat process.

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

Case Manager: Shari Holt, Planner II

PZB Recommendation:

Subject Property Information

Size: 6.24 +/- acres (gross)

Location: North of Fletcher Road, and East of State Road 19, Umatilla

Alternate Key No.: 3777487

Future Land Use: Urban Low Density (Attachment "A")

Existing Zoning District: Agriculture District (A) and Community Commercial District (C-2) (Attachment 'B')

Proposed Zoning District: Rural Residential District (R-1) (Attachment 'C')

Joint Planning Area / ISBA: City of Umatilla Interlocal Service Boundary Agreement Area

Overlay Districts: N/A

Adjacent Property Land Use Table

<u>Direction</u>	<u>Future Land Use</u>	<u>Zoning</u>	<u>Existing Use</u>	<u>Comments</u>
North	Urban Low Density	Agriculture (A) and Community Commercial (C-2)	Vacant	Vacant Residential
South	Urban Low Density	Estate Residential (R-2)	Residential	Single-Family Residential
East	N/A	N/A	Lake	Lake Gibson
West	Urban Low Density	Community Commercial (C-2)	Commercial and Right-of-Way	Restaurant establishment east of State Road 19

Staff Analysis

The subject property comprises 6.24 +/- acres, is identified by Alternate Key Number 3777487, and is located north of Fletcher Road and east of State Road 19 in the Umatilla area, adjacent to State Road 19 Minor Commercial Corridor. The subject parcel is vacant and within the Agriculture District (A) District and Community Commercial (C-2) District (Attachment "B"). The property is also designated as Urban Low Future Land Use Category (FLUC) by the 2030 Comprehensive Plan (Attachment "A").

The Applicant is requesting to rezone the property from the Agriculture District (A) and Community Commercial District (C-2) to Rural Residential District (R-1) District to facilitate the creation of three (3) parcels through the preliminary plat process. Each proposed lot will contain approximately 2 +/- acres. Land Development Regulation (LDR) Section 3.00.02 (G) entitled *Purpose and Intent of Districts* defines the purpose of the Rural Residential (R-1) district is to provide a transition between agricultural and conservation areas and the more urban residential communities. It is intended to Permit the Development of single-family homes in an environment that is compatible with the surrounding natural resources.

The subject parcel is located within the City of Umatilla ISBA; on May 15, 2024, the application was provided to the City of Umatilla for review and the City of Umatilla had no comments.

The Applicant provided a Project Narrative and justification for the rezoning request as shown on 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 3.00.03 entitled *Consistency of Zoning Districts with Land Use Classifications*, which states that the Rural Residential (R-1) zoning district is consistent with the Urban Expansion Future Land Use Category (FLUC) now known as the Urban Low Density FLUC.

The rezoning request is consistent with LDR Section 3.01.03 entitled *Schedule of Permitted and Conditional Uses*, which states that single-family dwelling units are permitted within the R-1 zoning district.

The rezoning request is consistent with the maximum density for the R-1 zoning district of one (1) dwelling unit per one (1) acre, as specified by LDR Section 3.02.06, *Density, Impervious Surface, Floor Area, and Height Restrictions*.

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

The rezoning request to R-1 zoning district is consistent with Comprehensive Plan Policy I-1.3.2 entitled *Urban Low Density Future Land Use Category*, which allows residential uses.

The rezoning request to R-1 zoning district is consistent with the maximum density specified by Comprehensive Plan Policy I-1.3.2, *Urban Low Density Future Land Use Category*.

The rezoning request is consistent with Comprehensive Plan Policy I-1.3.2 entitled *Urban Low Density Future Land Use Category*, states that residential uses are permitted within the FLUC at a maximum density of four (4) dwelling unit per one (1) net buildable acres.

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

The proposed rezoning request to R-1 zoning district for single-family residential use is consistent with the adjacent neighboring properties to the north and south. The proposed residential use is consistent with the surrounding residential land uses to the north and south of the subject property.

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

The proposed rezoning request to R-1 zoning district has been requested to create three (3) parcels, approximately two (2) net acres each, for use as single-family residences. The request is consistent with the Comprehensive Plan and LDR as indicated in Sections A through C above.

The Applicant provided the following statement in the Project Narrative, "*The current Agriculture (A) zoning does not allow for plots less than 5 acres.*"

- 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.**

Water and Sewer

The rezoning request to R-1 zoning district is consistent with Comprehensive Plan Policy IX-2.2.2, entitled *Mandatory Central Water Connection*, which states that, new development within the Urban Future Land Use Series shall be required to connect to a public water system, when available. Where central systems are not available, a new development exceeding a density of one unit per net acre shall provide a central water system, unless exempted by the Board of County Commissioners.

The rezoning request to R-1 zoning district is consistent with Comprehensive Plan Policy IX-3.1.2, entitled *Mandatory Sewer Connection*, which states that, new development within the Urban Future Land Use Series shall be required to connect to a public sanitary sewer, when available. Where a public sanitary sewer system is not available, a new development exceeding a density of one unit per net acre shall provide a regional/sub-regional sanitary sewer system, unless exempted by the Board of County Commissioners.

The City of Umatilla Utility Notification Form (Attachment "E") indicates that central water and sewer are not available to the subject property. The rezoning request to R-1 zoning district is proposed to facilitate the creation of three (3) parcels at a density of one (1) dwelling unit per two (2) acres, through the preliminary plat process.

The proposed development will be serviced by septic tank and well system and shall be consistent with the Florida Department of Health regulations and permitting.

Schools

The proposed rezoning request is not anticipated to adversely impact school capacities or levels of service as four (4) dwelling units or less are exempt from school concurrency review.

Parks

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

Solid Waste

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

Public Safety

Lake County Fire Rescue Station #14 is located at 18840 County Road 42 in Altoona, is located less than two (2) miles from the subject property. This facility will provide advanced life support should an emergency on the property demand this service.

Transportation Concurrency

The request is not anticipated to adversely impact the standard Level of Service (LOS) for transportation.

This project will be generating approximately two (2) pm peak hour trips, in which one (1) trip will impact the peak hour direction.

Application approved as project is *de minimis*.

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

An environmental statement from the property owner will be requested with the submittal of the future residential building permit. Should evidence of any endangered, threatened, or special concern species be discovered, the developer/owner should cease construction and pursue permits from the appropriate agency.

Pursuant to LDR Section 6.01.04, *Development Near Wetlands and Waterbodies*, principal structures, buildings, and impervious surface, excluding water dependent structures shall be located at least fifty (50) feet from the Jurisdictional Wetland Line (JWL). A survey delineating the JWL will be required for future development.

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

The Applicant provided the following statement in the Project Narrative (Attachment "D"), "*The plan will not negatively impact property values in the 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 surrounding properties to the south are developed with residential uses, and the property to the north is vacant residential. Therefore, the proposed rezoning is not anticipated to disrupt the existing orderly, logical development pattern in the area. The Applicant provided the following statement in the Project Narrative, "*The plan will, at most, include three (3), two (2) acre estates in the future, and would result in an orderly and logical development pattern equivalent to the development just to the south of the property.*"

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.

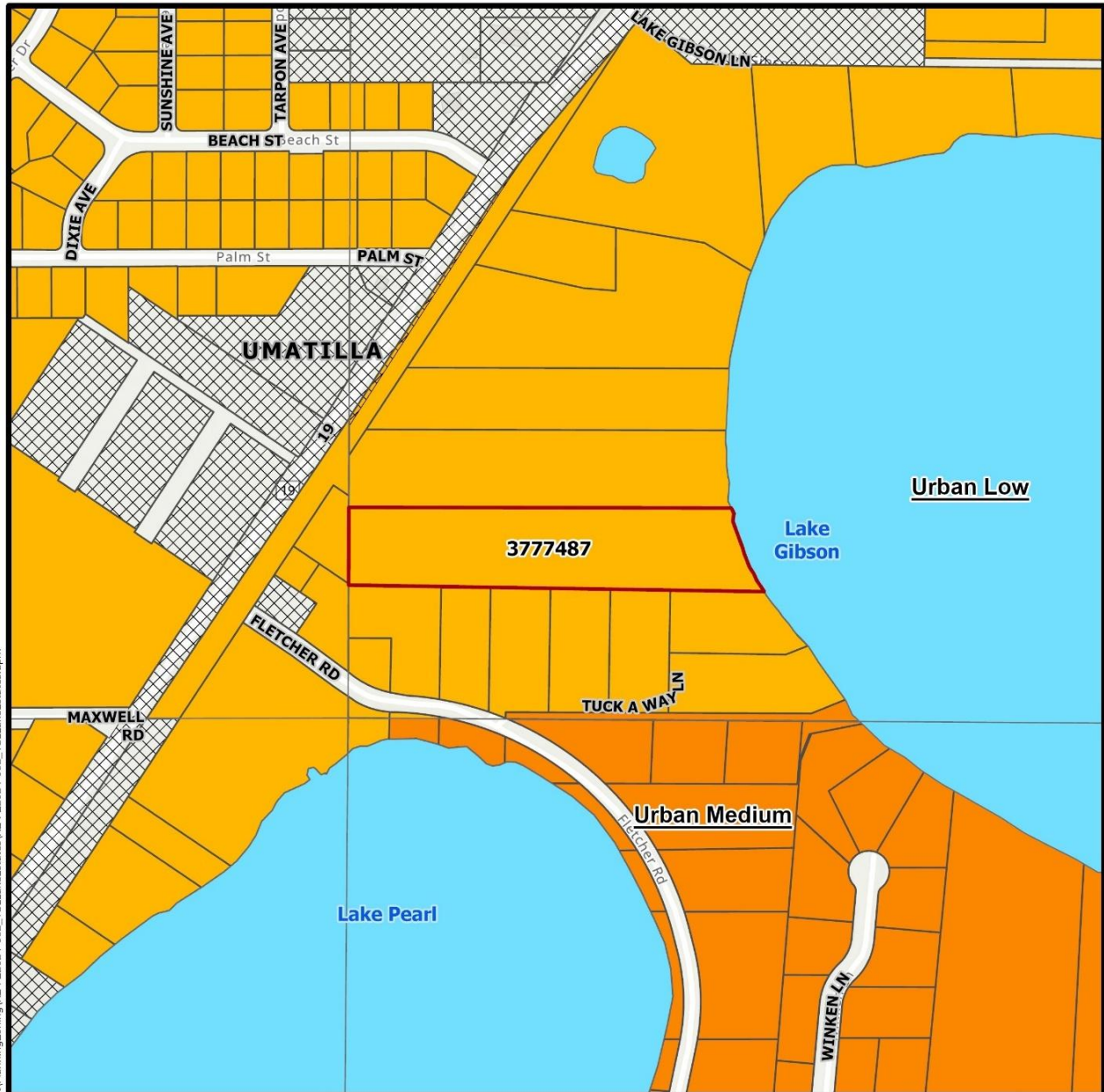
The proposed amendment will not be contrary to the purpose and interest of Lake County's Regulations as stated in Sections A through H above and is in harmony with the general intent of the Comprehensive Plan.

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.

N/A

Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE



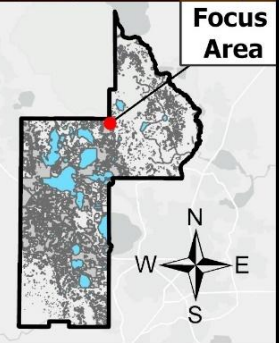
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8/8/2024

FLU

- Urban Low
- Urban Medium

NAME: TSL LAKE ESTATES
CASE NUMBER: RZ-PZ2024-082
LOCATION (S-T-R): 06-18-27
REQUEST: REZONE FROM AGRICULTURE DISTRICT (A) AND COMMUNITY COMMERCIAL (C-2) TO RURAL RESIDENTIAL (R-1)

DISTRICT: 4



Attachment "B" – Existing Zoning Map

CURRENT ZONING



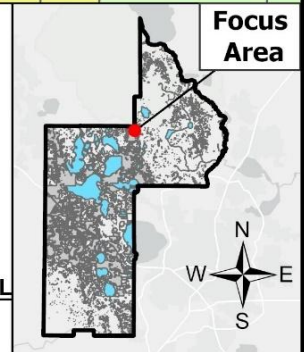
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8/8/2024

Zoning

- A
- R-1
- R-2
- R-3
- C-2
- CFD

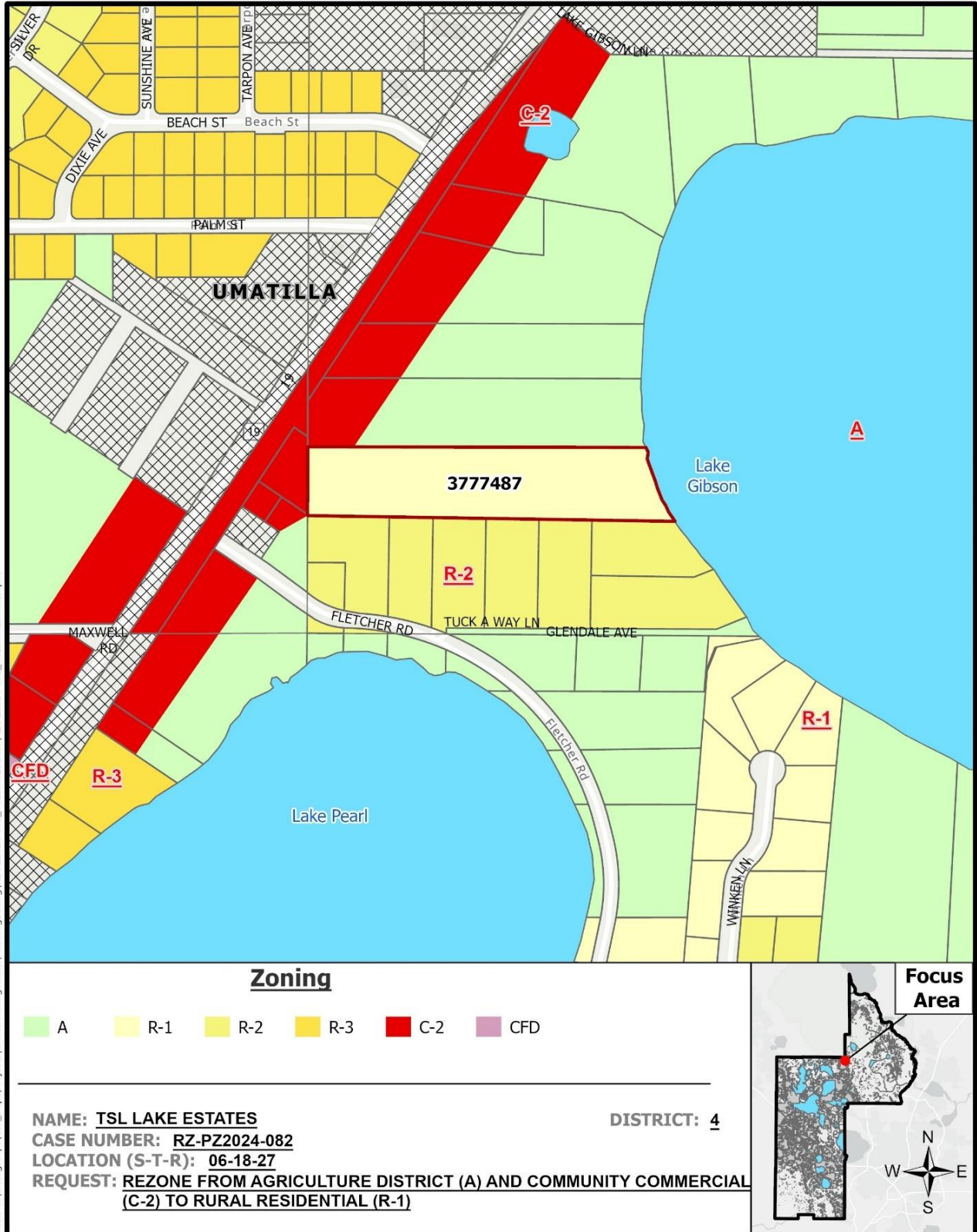
NAME: TSL LAKE ESTATES
CASE NUMBER: RZ-PZ2024-082
LOCATION (S-T-R): 06-18-27
REQUEST: REZONE FROM AGRICULTURE DISTRICT (A) AND COMMUNITY COMMERCIAL (C-2) TO RURAL RESIDENTIAL (R-1)

DISTRICT: 4



Attachment "C" – Proposed Zoning Map

PROPOSED ZONING



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8/8/2024

Attachment “D” – Project Narrative

Project Narrative (Tommy and Susan Locke)

Alt Key: 3777487

The lot is currently ~6+ acres of vacant lake front land. The plan is to rezone the property to Rural Resident (R1) to ultimately split the lot into three (3) plots approximately 2 acres a piece. These plots will serve as future home sites for family members. The current agriculture (A) zoning does not allow for plots less than 5 acres.

- a. This rezoning is NOT in conflict with any applicable provisions of the Land Development Code.
- b. Consistent with all elements of the Comprehensive Plan.
 - I. Future Land Use Element: The plan is compatible with densities and intensities of development protects the long-term integrity of both urban and rural areas.
 - II. Capital Improvements Element: The plan protects investments in and maximizes use of existing facilities.
 - III. Economic Element: The plan does not inhibit the economic development strategic plan.
 - IV. Housing Element: The plan will not disrupt the housing element initiatives.
 - V. Intergovernmental Coordination Element: The plan does not inhibit the intergovernmental coordination element.
 - VI. Parks and Recreation Element: The plan is compatible with the parks and recreation element.
 - VII. Transportation Element: This plan does not incur the transportation element.
 - VIII. Public Facilities Element: This plan will not put an undue burden on the natural environment.
 - IX. Property Rights Element: This plan will not infringe on other individuals' property rights.
- c. There are NO inconsistencies with existing or proposed land uses.
- d. The desire is to split the lot in to three ~2 acre lots for family apportionment.
- e. The plan will NOT exceed the capacity of public facilities (police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, or fire and emergency medical facilities.
- f. There will be no adverse impacts on the natural environment.
- g. The plan will not negatively impact property value in the area.
- h. The plan will, at most, include 3 x ~2 acres estates in the future and would result in an orderly and logical development pattern – equivalent to the development just to the south of the property.
- i. The plan will NOT conflict with the public interest in the area.

Thank you for your consideration.

Tommy and Susan Locke
8035 8 ½ Ave
Hanford, CA 93230

Attachment "E" – Utility Notification Form



Office of Planning and Zoning

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 _____

Administrative Lot Split _____ Commercial Project _____ Rezoning X

Legal description: Section 06 Township 18 Range 27 Alt Key # 3777487

Subdivision N/A Lot _____ Block _____ Additional Legal attached _____

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

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

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

Central Sewage: Yes _____ No X Central Water: Yes _____ No X
Will the connection to the central sewage system be via a _____ gravity line or a _____ force main/pump?

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.

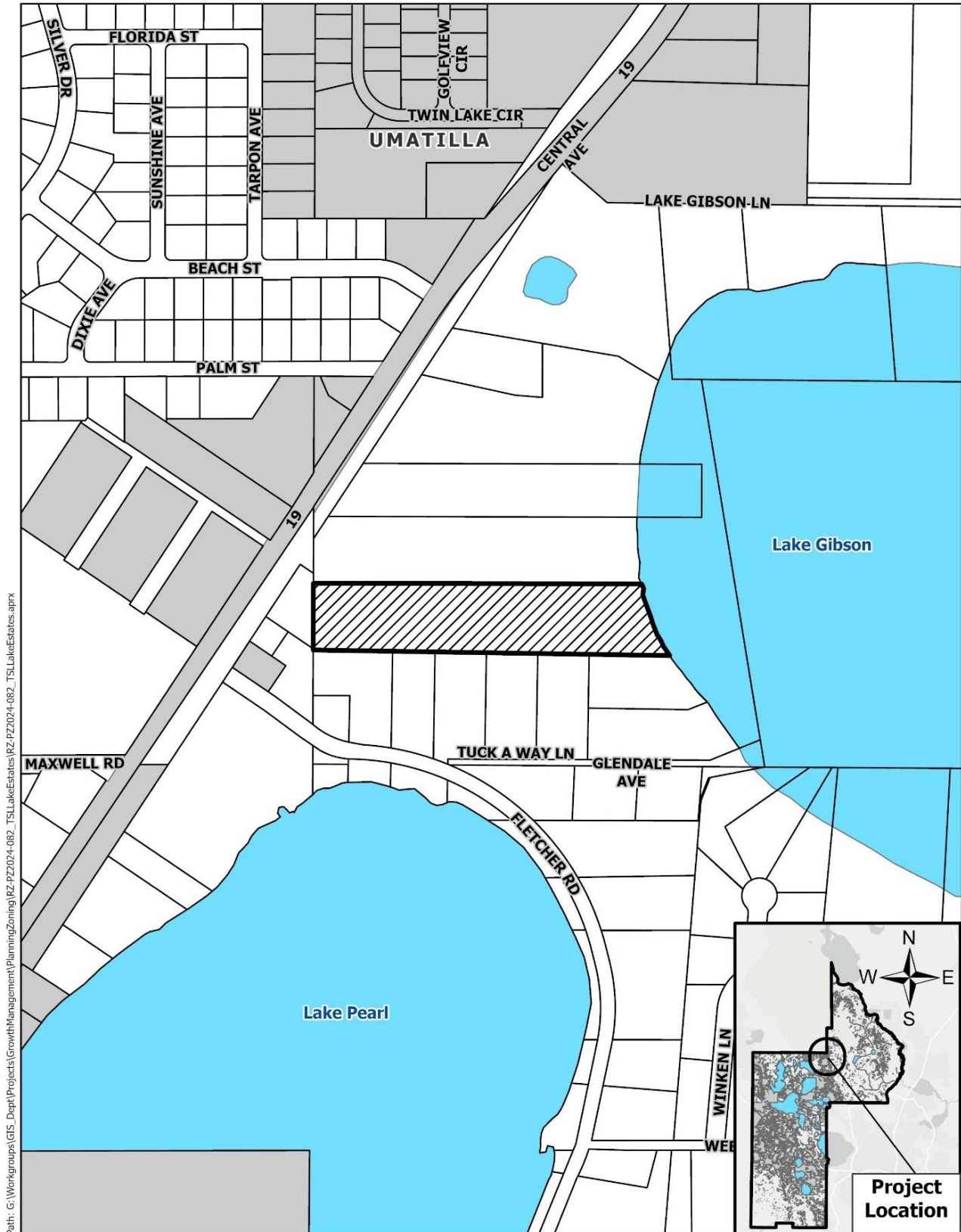
City Official or Private Provider Signature Spene Spudis

Print Name, Title and Entity: City Land Planner Date 2/5/2025

Please return this completed form to the Office of Planning & Zoning via facsimile to (352) 343-9767, or email it to zoning@lakecountyfl.gov.

To be completed by County staff:	Staff Name:	<u>Shari Holt, Planner II</u>	
Date Received:	<u>2/6/2025</u>	Address #:	<u>177220</u>
		Project Name:	<u>TSL Lake Estates</u>

Map of Subject Property

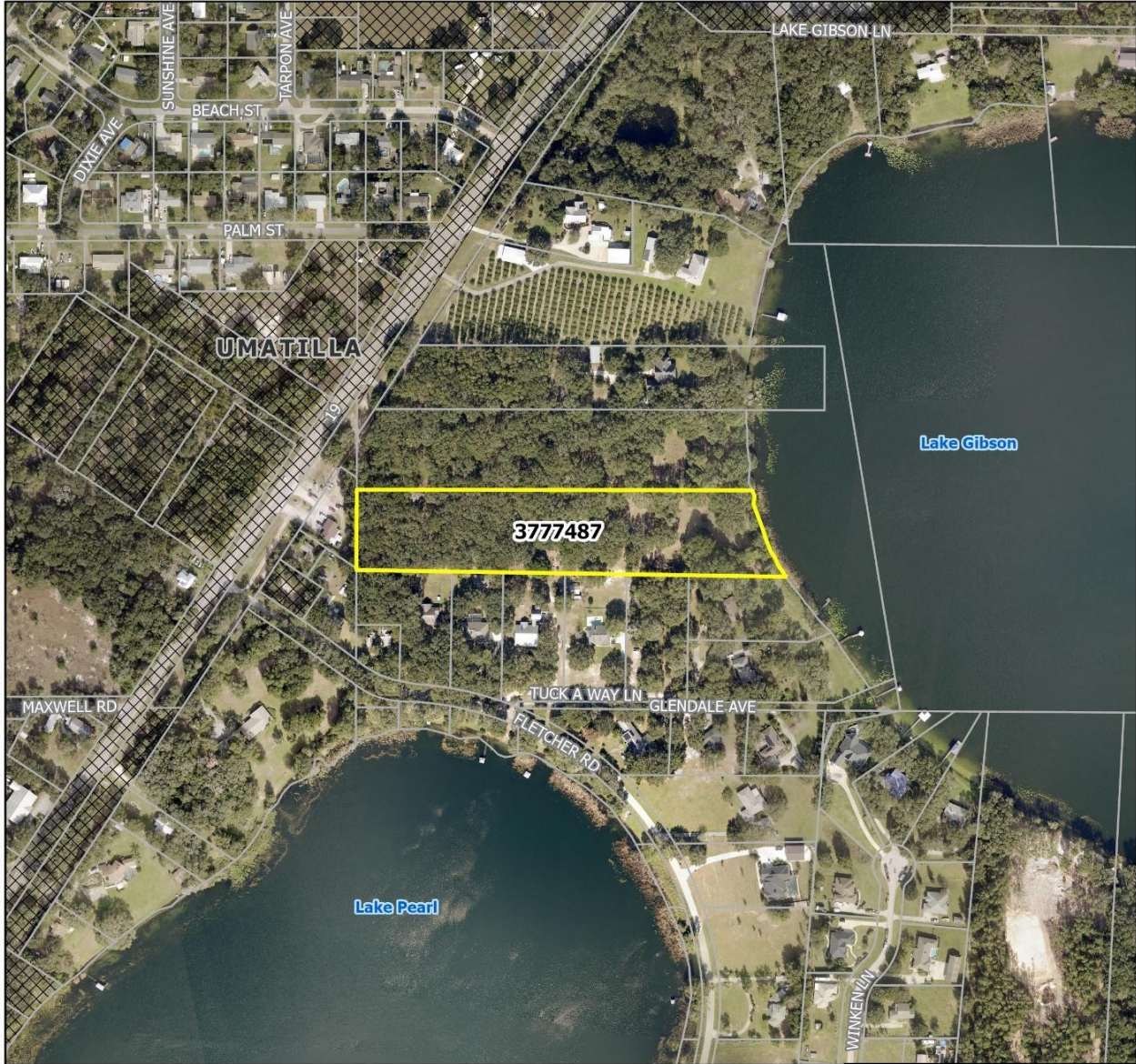


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8/8/2024

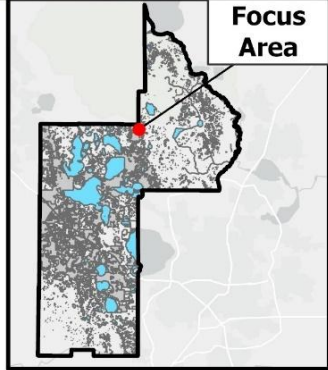
Aerial Map of Subject Property

RZ-PZ2024-082
TSL Lake Estates



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Rezoning from Agriculture District (A) and Community Commercial (C-2) to Rural Residential (R-1)



8/8/2024

ORDINANCE #2025-_____

1
2
3 **AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE**
4 **LAKE COUNTY ZONING MAPS; REZONING APPROXIMATELY 6.24 +/- ACRES FROM AGRICULTURE**
5 **(A) DISTRICT AND COMMUNITY COMMERCIAL (C-2) DISTRICT TO RURAL RESIDENTIAL (R-1)**
6 **DISTRICT TO FACILITATE THE CREATION OF THREE (3) PARCELS THROUGH THE PRELIMINARY**
7 **PLAT PROCESS FOR PROPERTY LOCATED AT NORTH OF FLETCHER ROAD AND EAST OF STATE**
8 **ROAD 19, IN THE UMATILLA AREA OF UNINCORPORATED LAKE COUNTY, IDENTIFIED AS**
9 **ALTERNATE KEY NUMBER 3777487, LOCATED IN SECTION 06, TOWNSHIP 18 SOUTH, RANGE 27**
10 **EAST; AND PROVIDING FOR AN EFFECTIVE DATE.**

11
12 **WHEREAS**, Tommy F. Locke and Susan T. Locke (the “Applicants” and “Owners”) submitted a
13 rezoning application to rezone approximately 6.24 +/- acres from Agriculture (A) District and Community
14 Commercial (C-2) District to Rural Residential (R-1) District to facilitate the creation of three (3) parcels
15 through the preliminary plat process; and

16
17 **WHEREAS**, the subject property consists of approximately 6.24 +/- acres, is located north of Fletcher
18 Road and east of State Road 19 in the Umatilla area of unincorporated Lake County, is in Section 06,
19 Township 18, Range 27, identified as Alternate Key Number 3777487, and more particularly described in
20 Exhibit “A”:

21
22 **WHEREAS**, the property subject to the request is located within the Urban Low Future Land Use
23 Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

24
25 **WHEREAS**, the property will be rezoned to Rural Residential (R-1) in accordance with the Lake
26 County Zoning Regulations; and

27
28 **WHEREAS**, the Lake County Planning and Zoning Board did review Petition PZ2024-082 on the 2nd
29 day of April 2025, after giving notice of a hearing for change in the use of land, including notice that the
30 petition would be presented to Board of County Commissioners of Lake County, Florida, on the 6th day of
31 May 2025; and

32
33 **WHEREAS**, the Board of County Commissioners reviewed said petition, the recommendations of
34 the Lake County Planning and Zoning Board, the staff report and any comments, favorable or unfavorable
35 from the public and surrounding property owners at a public hearing duly advertised; and

36
37 **WHEREAS**, upon review, certain terms pertaining to the development of the above-described
38 property have been duly approved.

39
40 **NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Lake County,
41 Florida, that:

42
43 **Section 1. Terms.** The County Manager or designee shall amend the Official Zoning Map to rezone the
44 subject property from Agriculture (A) District and Community Commercial (C-2) District to Rural
45 Residential (R-1) District. This Ordinance, upon its Effective Date, shall supersede and replace
46 any previous zoning ordinance on the properties.

1 **Section 2. Development Review and Approval:** Prior to the issuance of any permits, the Owner shall
2 submit applications for and receive necessary final development order approvals as provided in
3 the Lake County Comprehensive Plan and Land Development Regulations. The applications for
4 final development orders must meet all submittal requirements and comply with all County codes
5 and ordinances, as amended.
6

7 **Section 3. Severability:** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid
8 or unconstitutional by any court of competent jurisdiction, the holding will in no way affect the
9 validity of the remaining portions of this Ordinance.
10

11 **Section 4. Filing with the Department of State.** The clerk is hereby directed forthwith to send a copy of
12 this Ordinance to the Secretary of State for the State of Florida in accordance with Section
13 125.66, Florida Statutes.
14

15 **Section 5. Effective Date.** This Ordinance shall become effective upon recordation in the public records of
16 Lake County, Florida. The Applicant shall be responsible for all recording fees.
17

18 **ENACTED** this _____ day of _____, 2025.

19 **FILED** with the Secretary of State _____, 2025.

20 **EFFECTIVE** _____, 2025.
21
22

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

25 _____
26 **LESLIE CAMPIONE, CHAIRMAN**
27

28 **ATTEST:**
29

30 _____
31 **GARY COONEY, CLERK OF THE**
32 **BOARD OF COUNTY COMMISSIONERS**
33 **LAKE COUNTY, FLORIDA**
34
35

36 **APPROVED AS TO FORM AND LEGALITY:**
37

38 _____
39 **MELANIE MARSH, COUNTY ATTORNEY**
40
41

EXHIBIT "A"

From the Southwest corner of Government Lot 4 of Section 6, Township 18 South, Range 27 East, Lake County, Florida, run thence North 00 degrees 02'30" East along the West line of Government Lot 4 a distance of 388.20 feet to the Point of Beginning of this description; from said Point of Beginning, run South 89 degrees 15'00" East, 1215 feet, more or less, to the waters of Lake Gibson and a point hereby designated as Point "A"; return to the Point of Beginning, and run North 00 degrees 02'30" East along the West line of Government Lot 4 a distance of 227.28 feet; thence North 89 degrees 57'54" East, 1121 feet, more or less, to the waters of Lake Gibson; thence Southerly along and with said waters of Lake Gibson to intersect the aforementioned Point "A".

THE ABOVE-DESCRIBED PARCEL IS CONVEYED WITH THE FOLLOWING DESCRIBED EASEMENTS:

EASEMENT "A"

A 50.0 foot wide easement for ingress and egress over and across the following described parcel of land: From the Southwest corner of Government Lot 4 of Section 6, Township 18 South, Range 27 East, Lake County, Florida, run thence North 00 degrees 02'30" East along the West line of Government Lot 4 a distance of 465.54 feet to the Point of Beginning of this easement; from said Point of Beginning, continue North 00 degrees 02'30" East along the West line of Government Lot 4 a distance of 291.92 feet to the Southeasterly right-of-way of the abandoned A.C.L. Railroad; thence North 33 degrees 11'00" East along said railroad right-of-way 91.46 feet; thence South 00 degrees 02'30" West, 368.50 feet; thence North 89 degrees 57'30" West, 50.00 feet to the Point of Beginning.

AND

EASEMENT "B"

A 50.0 foot wide easement for ingress and egress over, upon and across the following described parcel of land: That part of the abandoned railroad right-of-way lying in the Southeast 1/4 of Section 1, Township 18 South, Range 26 East, and the Southwest 1/4 of Section 6, township 18 South, Range 27 East, all in Lake County, Florida, bounded and described as follows: From the Southwest corner of Government Lot 4 of Section 6, Township 18 South, Range 27 East, in Lake County, Florida, run North 00 degrees 02'30" East along the West line of said Government Lot 4 a distance of 369.26 feet to a point on the Southeasterly right-of-way line of railroad and the Point of Beginning of this description; from said Point of Beginning, and leaving said Southeasterly right-of-way line of railroad, run North 57 degrees 16'07" West, 101.30 feet to a point in the centerline of State Road No. 19; thence North 32 degrees 43'53" East along said centerline of State Road No. 19 a distance of 50.00 feet; thence leaving said centerline run South 57 degrees 16'07" East, 101.69 feet to a point on the Southeasterly right-of-way line of the aforementioned railroad; thence South 33 degrees 11'00" West along said right-of-way line, 50.00 feet to the Point of Beginning.