



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 11

Public Hearings: Planning & Zoning Board (PZB): June 4, 2025
Board of County Commissioners (BCC): July 1, 2025

Case No. and Project Name: PZ2024-105, Oaks Grove Rezoning

Applicant(s): Brian Check, Oaks Grove GP, LLC.

Owner(s): Oaks Grove GP, LLC

Requested Action: Rezone approximately 16.06 +/- acres from Agriculture (A) District to Medium Suburban Residential (R-4) District to facilitate the development of a residential subdivision with a maximum of forty-nine (49) single-family lots.

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

Case Manager: Shari Holt, Planner II

PZB Recommendation:

Subject Property Information

Size: 16.06 +/- acres

Location: 26515 State Road 19 in the unincorporated Howey-in-the-Hills area

Alternate Key No.: 1209102

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

Current Zoning District: Agriculture (A) (Attachment "B")

Proposed Zoning District: Medium Suburban Residential (R-4) District (Attachment "C")

JPA/ISBA: Howey-in-the-Hills Interlocal Service Boundary Agreement Area

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Urban Low Density	Agriculture (A)	Club and Lodge, Marina and Lake	Marina for Mission Inn and Little Lake Harris
South	Urban Low Density	Agriculture (A), Rural Residential (R-1) and Estate Residential (R-2)	Residential, Right-of-Way	Single-Family Residences south of SR 19
East	Urban Low	Agriculture (A) and Estate Residential (R-2)	Agriculture and Lake	Vacant Parcel owned by the State of Florida and Little Lake Harris
West	Urban Low	Agriculture (A) and Rural Residential (R-1)	Club and Lodge and Marina	Marina for Mission Inn

- Summary of Analysis -

The subject property comprises 16.06 +/- acres, is identified by Alternate Key Number 1209102, and is located at 26515 State Road 19 in the unincorporated Howey-in-the-Hills area. The subject parcel is currently developed with an agricultural homesite within the Agriculture (A) District (Attachment “B”). The property is also designated with an Urban Low Density Future Land Use Category (FLUC) by the 2030 Comprehensive Plan (Attachment “A”).

The Applicant is requesting to rezone the property from Agriculture (A) District to Medium Suburban Residential (R-4) District to facilitate the development of a residential subdivision with a maximum of forty-nine (49) single-family lots as shown on the Concept Plan (Attachment “F”). The rezoning request is consistent with the Comprehensive Plan and Land Development Regulations, as residential uses are allowed within the Urban Low Density FLUC and Medium Suburban Residential District (R-4) at a maximum density of four (4) dwelling units per net buildable acre.

Additionally, the rezoning request is consistent with the Comprehensive Plan and Land Development Regulations as the development proposes to provide a minimum 25% of the net buildable area of the entire site as common open space.

Table 1. Existing and Property Development Standards.

	Zoning District	Allowable Development Program	Proposed Development Program	Maximum Impervious Surface Ratio	Minimum Open Space	Building Height
Existing	Agriculture (A)	1 DU / 5 AC	N/A	0.10	N/A	40-feet
Proposed	Medium Suburban Residential (R-4)	N/A	Maximum of 49 single-family dwelling units (4 du/ac)	0.55	25%	40-feet

The subject property is located within the Town of Howey-in-the-Hills Interlocal Service Boundary Agreement Area (ISBA) and the application was provided to the Town of Howey-in-the-Hills for review and comment. The Town of Howey-in-the-Hills had no comments.

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

- Staff Analysis -

LDR Section 14.05.03 (Standards for Review)

A. Whether the rezoning is in conflict with any applicable provisions of the Code (Land Development Regulations).

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 Medium Suburban Residential (R-4) zoning district. The rezoning request is consistent with the maximum density for the Medium Suburban Residential (R-4) zoning district of four (4) dwelling units per one (1) acre, as specified by LDR Section 3.02.06, entitled Density, Impervious Surface, Floor Area, and Height Restrictions.

New development will be required to meet all criteria specified in the LDR, as amended.

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

The rezoning request to Medium Suburban Residential (R-4) 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 Medium Suburban Residential (R-4) zoning district is consistent with the maximum density specified by Comprehensive Plan Policy I-1.3.2, entitled *Urban Low Density Future Land Use Category*, in which residential uses are permitted within the FLUC at a maximum density of four (4) dwelling units per one (1) net buildable acres.

New development will be required to meet all criteria specified in the Comprehensive Plan.

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

The rezoning request to Medium Suburban Residential (R-4) zoning district is consistent with the surrounding land uses, which allow for single-family residential uses.

The Applicant provided the statement below to demonstrate compatibility with the character of the neighborhood:

"The proposed rezoning is not inconsistent with existing proposed land uses in the area. The proposed community will complement the surrounding land uses and provide community amenities and green spaces."

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

The rezoning has been requested as the Applicant desires to develop a residential subdivision with a maximum of forty-nine (49) single-family lots with and minimum common open space of twenty-five percent (25%). The rezoning request provides consistency with the existing Urban Low Density FLUC.

The Applicant provided the statement below to demonstrate compatibility with the character of the neighborhood:

"The growing demand for high quality walkable communities is pushing the need for a residential designation. Agricultural uses surrounding the property have been or are being redeveloped into residential uses. This smaller section of land is not efficient as agriculture on its own."

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.

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.

Water and Sewage

The subject parcel is located within the Town of Howey-in-the-Hills utility notification area; the Town of Howey-in-the-Hills had provided documentation indicating that central sewer and water are not available to the subject parcel (Attachment "E").

Any future development of this property will require that the Applicant comply with Comprehensive Plan Policy IX-2.2.2, entitled Mandatory Central Water Connection, which requires new development exceeding a density of one unit per net acre to provide a central water system, and Comprehensive Plan Policy IX-3.1.2, entitled Mandatory Sewer Connection, which requires new development exceeding a density of one unit per net acre shall provide a regional / sub-regional sanitary sewer system.

Further, according to Comprehensive Plan Policy IX-3.1.1, entitled *Regional Wastewater Service Criteria*, any new development in the Urban Land Use Series where density occurs at one unit per net acre or greater or wastewater discharge of the development is equal to or greater than 100,000 GPD, shall be required to connect to a regional system. However, a central system may be used on a temporary basis until a regional system becomes available. The temporary system must be staffed by a Florida licensed wastewater treatment plant operator in accordance with state regulation and code and must be planned, designed and constructed to serve as a nucleus of a future regional system, or can act as a lift station with minimal modification.

Schools

Lake County Schools reviewed the application and determined that the project will be subject to school concurrency review.

Parks

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

Solid Waste

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

Public Safety

Lake County Fire Station #77 is located less than three (3) miles from the subject property at 13431 Ohio Street, Astatula, and will provide advanced life support should an emergency on the property demand this service. Fire protection water supply and emergency access will be addressed during the site plan review process, should the rezoning request be approved by the Board.

Transportation Concurrency

The standard Level of Service (LOS) for the impacted roadway of SR 19 is "D" with capacity of 888 trips in the peak hour direction. Currently the impacted segment from Lane Park Road to CR 48 is operating at eighty-nine percent (89%) in the pm peak directional hour. This project will be generating approximately forty-six (46) pm peak hour trips; in which twenty-nine (29) trips will impact the peak direction hour, increasing the v/c to ninety-three percent (93%).

A Request for Exemption From doing a full Tier 1 Traffic Impact Analysis is required.

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

An environmental assessment will be submitted with preliminary plat 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).

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 rezoning would affect the property values in the area.

In their Project Narrative (Attachment "D"), the Applicant states that *"The rezoning of this property would positively impact the adjacent properties by improving the residential nature of the area without overly dense growth."*

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

The development proposes half-acre and quarter-acre lots with open space. The land use is consistent with the adjacent subdivision and the surrounding land uses.

The Applicant stated in the Project Narrative (Attachment "D") that, *"This parcel is surrounded by residential growth of a similar manner and would be an infill connecting those residential uses."*

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

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

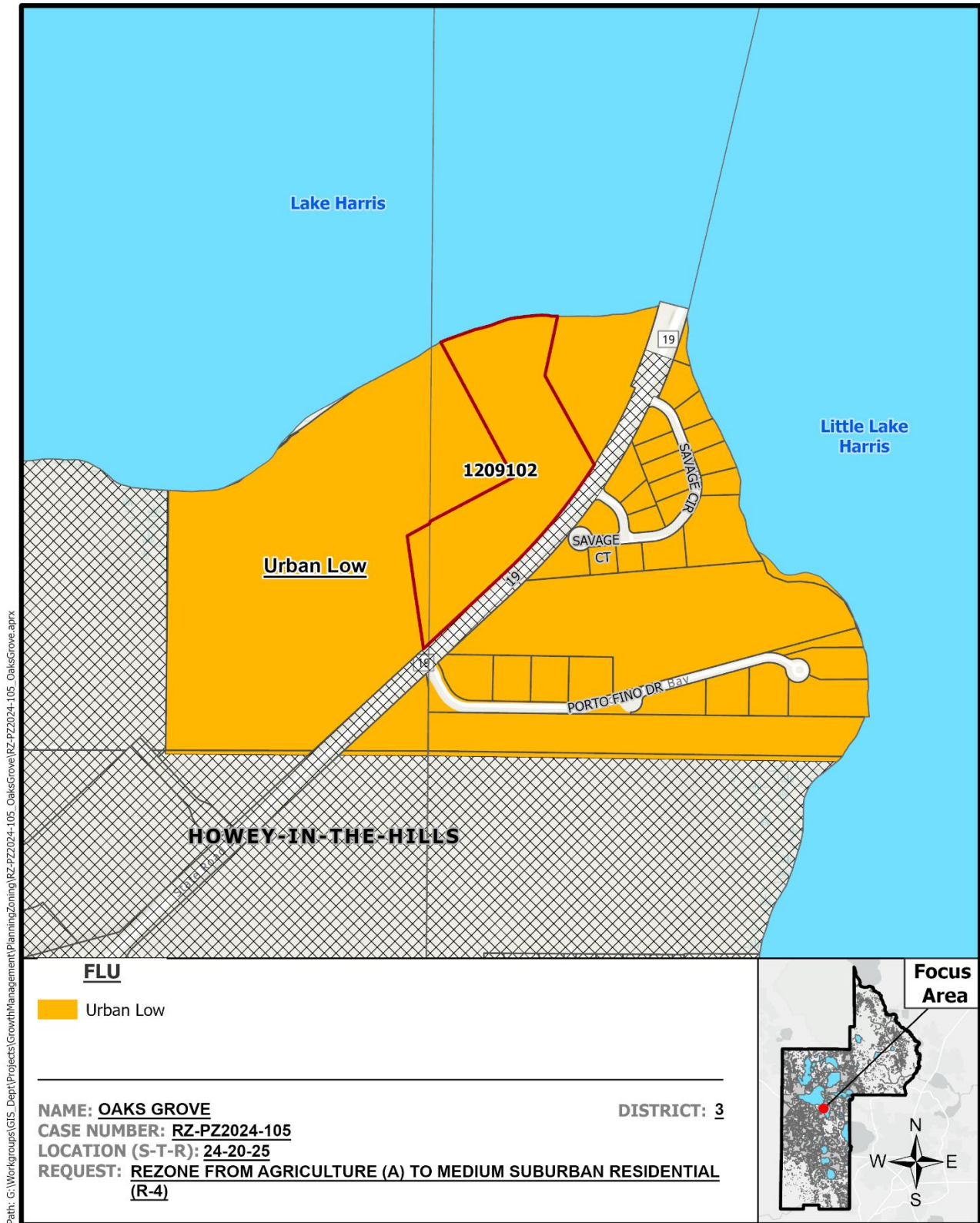
The Applicant stated in the Project Narrative (Attachment "D") that, *"Rezoning of this property would not be a conflict with the public interest and would in fact complete a low-density residential neighborhood on both sides of SR 19."*

- 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

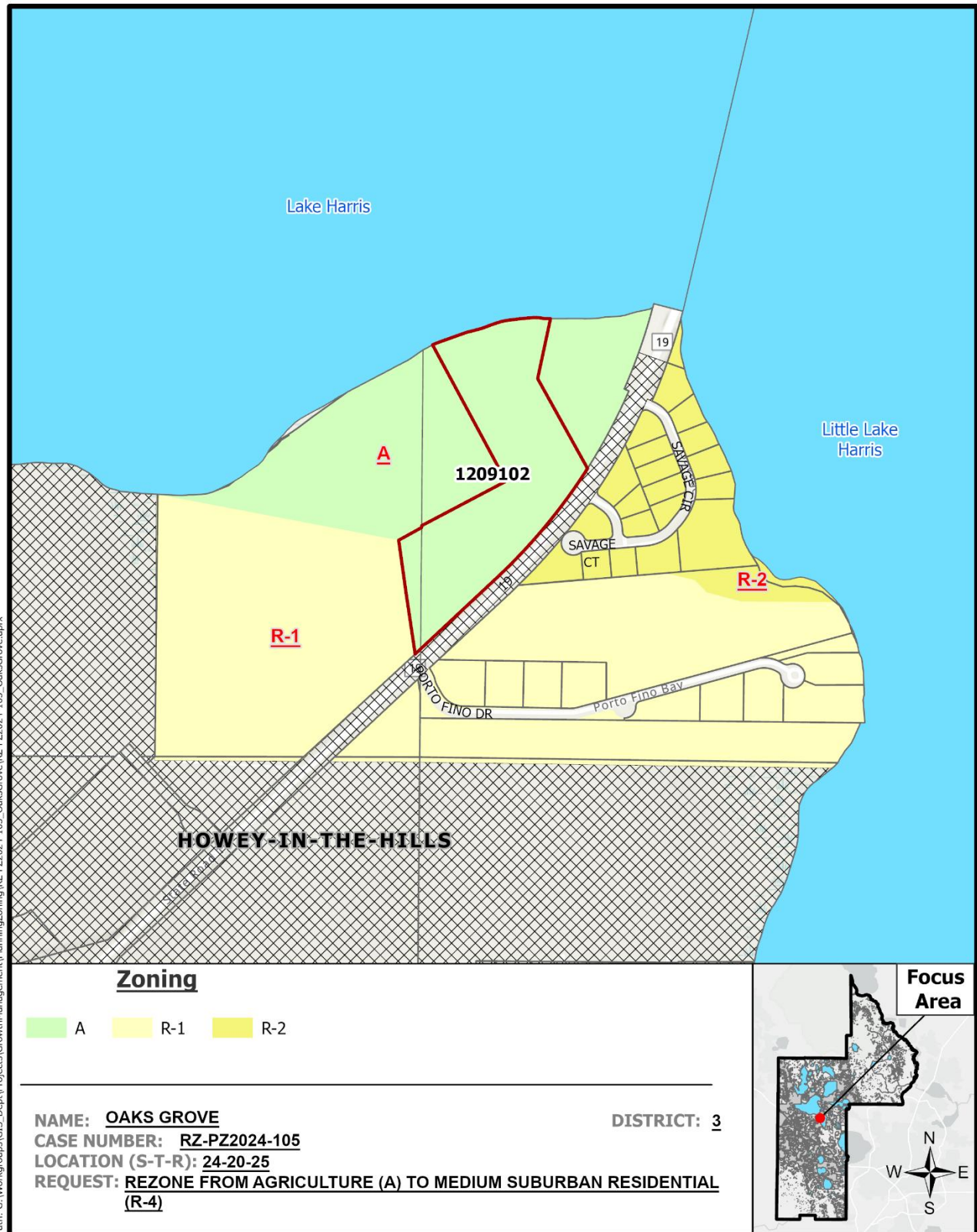
Attachment "A" – Future Land Use Map

CURRENT FUTURE LAND USE



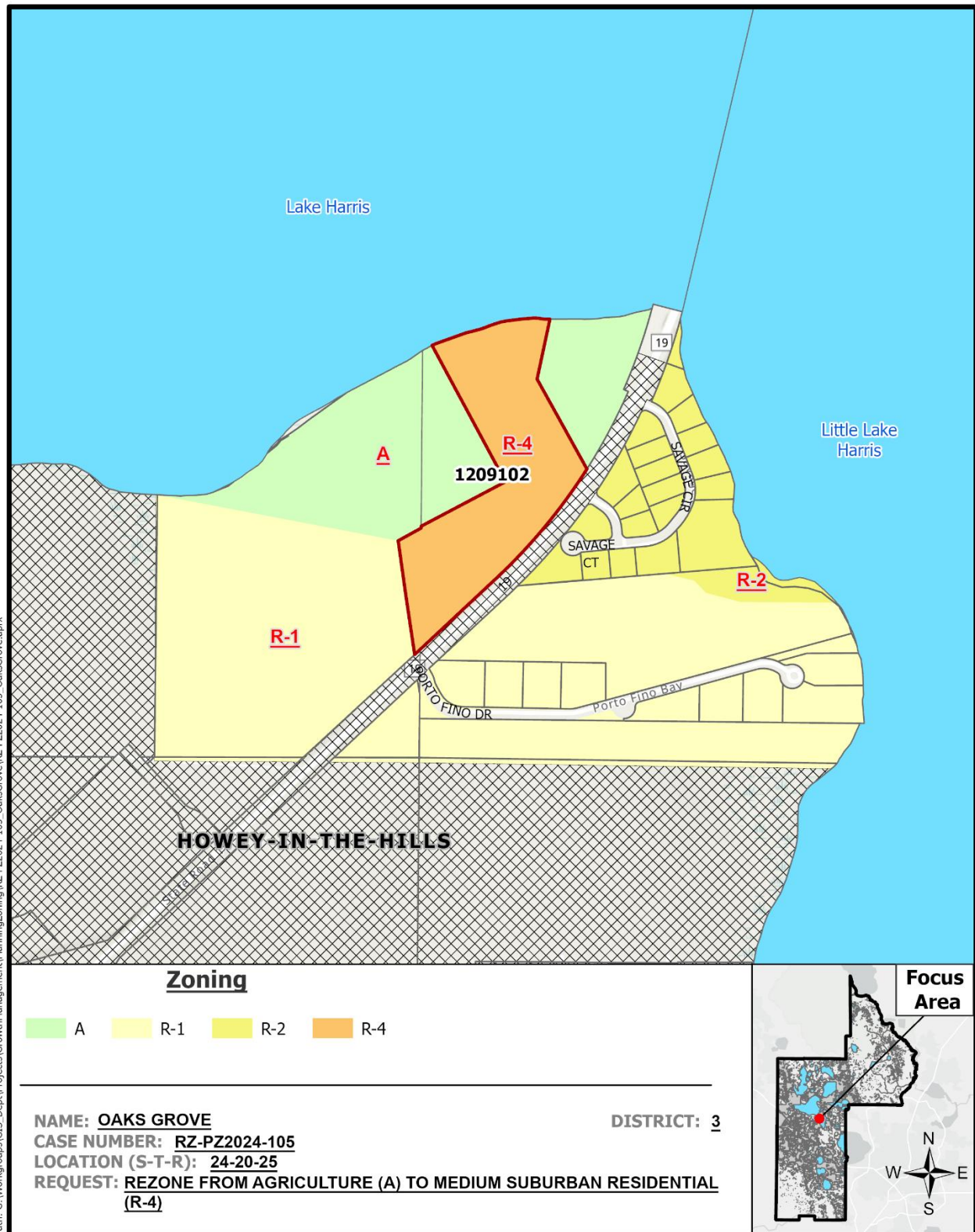
Attachment “B” – Zoning District Map

CURRENT ZONING



Attachment “C” – Proposed Zoning District Map

PROPOSED ZONING



Attachment “D”, Project Narrative (Page 1 of 2)

Oaks Grove Rezoning
26515 State Road 19
Alt Key: 1209102

Project Narrative.

The property is currently being used as a tree farm with an agricultural zoning designation. The proposed community will include larger half-acre residential lots, smaller quarter acre residential lots and green spaces. The development will be designed to create a walkable, connected high quality buffer to the denser residential subdivisions being proposed elsewhere.

Change in Conditions Justifying Rezoning:

The property is surrounded by similar parcels that have been rezoned into residential uses supporting the growth of mixed use and commercial development in the area. This parcel is one of the last outlying parcels to be re-zoned and its current size does not support an agricultural use that is sustainable. Additionally, the need for additional residential options growing the community that support the infrastructure growth outweigh the limited agricultural use.

- a. **Land Development Code**
 - The proposed rezoning does not conflict with any applicable provisions of the Land Development Code. The developer will coordinate and work closely with the County to follow all permitting requirements.
- b. **How the application is consistent with all elements of the Comprehensive Plan:**
 - The proposed community R4 use is consistent with the Comprehensive Plan with a mix of residential densities and a walkable community.
- c. **How the proposed rezoning is inconsistent with existing and proposed land uses:**
 - The proposed rezoning is not inconsistent with existing proposed land uses in the area. The proposed community will complement the surrounding land uses and provide community amenities and green spaces.
- d. **A statement describing any changed conditions that would justify the rezoning:**
 - The growing demand for high quality walkable communities is pushing the need for a residential designation. Agricultural uses surrounding the property have been or are being redeveloped into residential uses. This smaller section of land is not efficient as agriculture on its own.
- e. **Description of how the proposed rezoning would result in demands on public facilities, and whether, or to the extent to which, the proposed rezoning would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities:**
 - The proposed rezoning would not exceed the capacity of public facilities. It would in fact add additional revenue to the community via taxes and fees that would bolster the ability for the community to provide those services. This property is surrounded

Attachment “D”, Project Narrative (Page 2 of 2)

by residential uses already being provided with public services and this property would support those services without extending the reach of providers.

- f. Any impacts the rezoning application would affect the natural environment:**
 - No negative impacts would affect the natural environment. The development of green spaces and storm water management would provide environments for wildlife that do not currently exist.
- g. Whether, and the extent to which, the proposed rezoning would affect the property values in the area:**
 - The rezoning of this property would positively impact the adjacent properties by improving the residential nature of the area without overly dense growth.
- h. How the proposed rezoning would result in an orderly and logical development pattern:**
 - This parcel is surrounded by residential growth of a similar manor and would be an infill connecting those residential uses.
- i. How the proposed rezoning would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations:**
 - Rezoning of this property would not be a conflict with the public interest and would in fact complete a low density residential neighborhood on both sides of SR 19.

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 _____

Legal description: Section 24 Township 20 Range 25 Alt Key # 1209102

Subdivision _____ 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 Howey-in-the-Hills, 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.

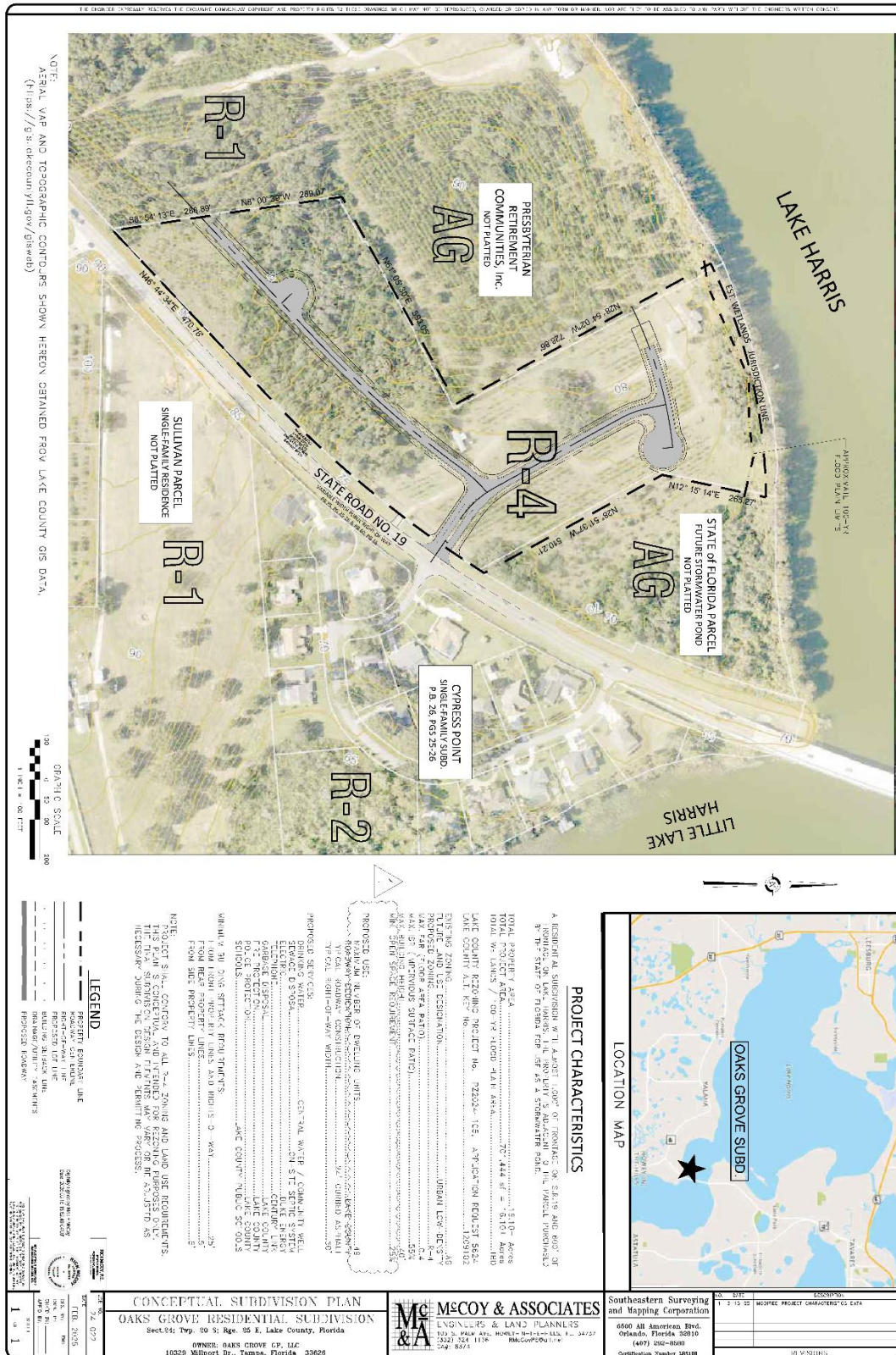
City Official or Private Provider Signature Morgan T. Cates Digitally signed by Morgan T. Cates
Date: 2024.09.13 14:17:20 -04'00'

Print Name, Title and Entity: Morgan Cates, Public Works Director, Howey-in-the-Hills Date 9/13/2024

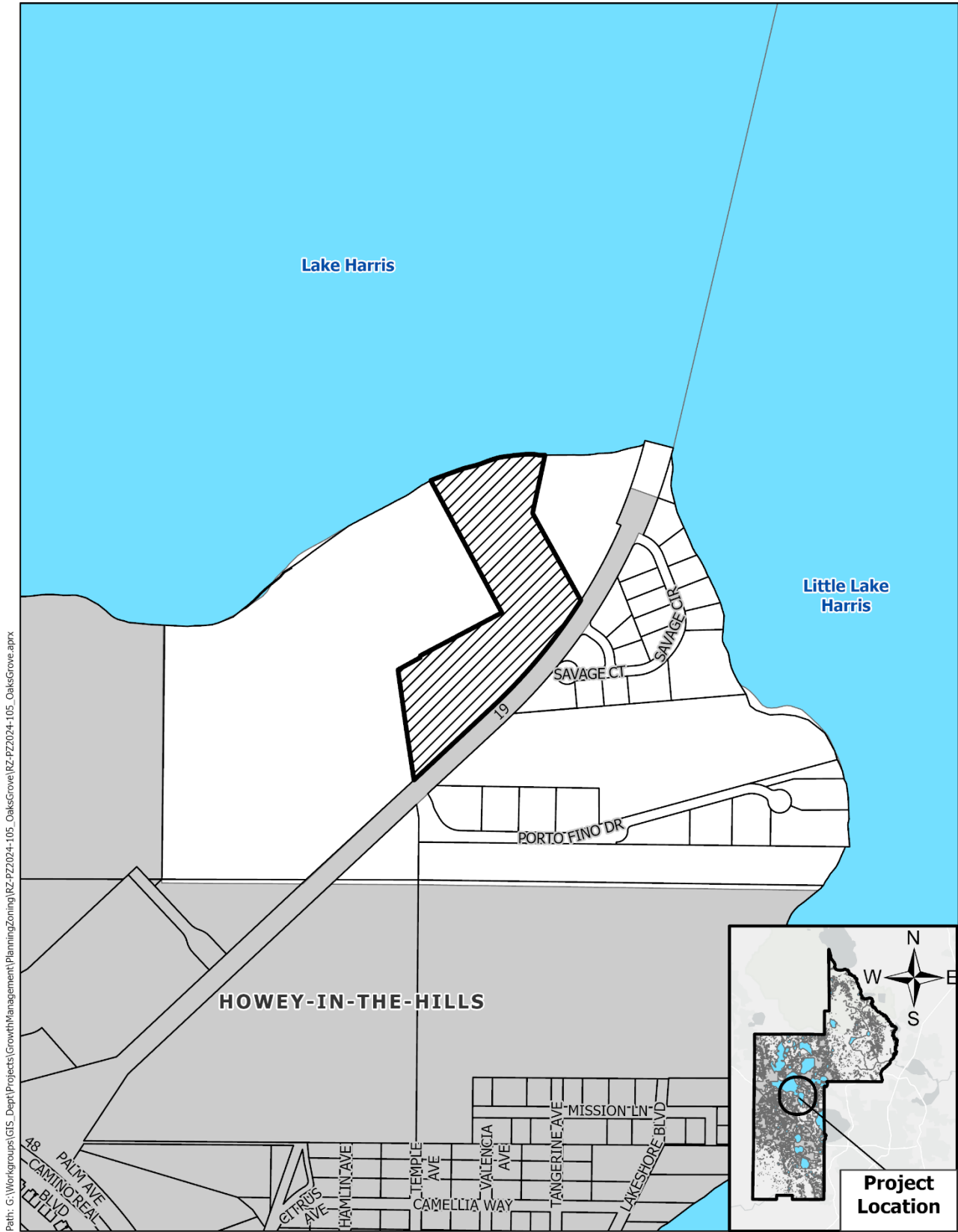
Please return this completed form to the Office of Planning & Zoning via facsimile to (352) 343-9767, or email it to zoning@lakecountyfl.gov.

To be completed by County staff:	Staff Name: <u>Shari Holt, Planner II</u>
Date Received: <u>2/20/25</u>	Address #: _____ Project Name: <u>Oaks Grove RZ</u>

Attachment “F”, Concept Plan

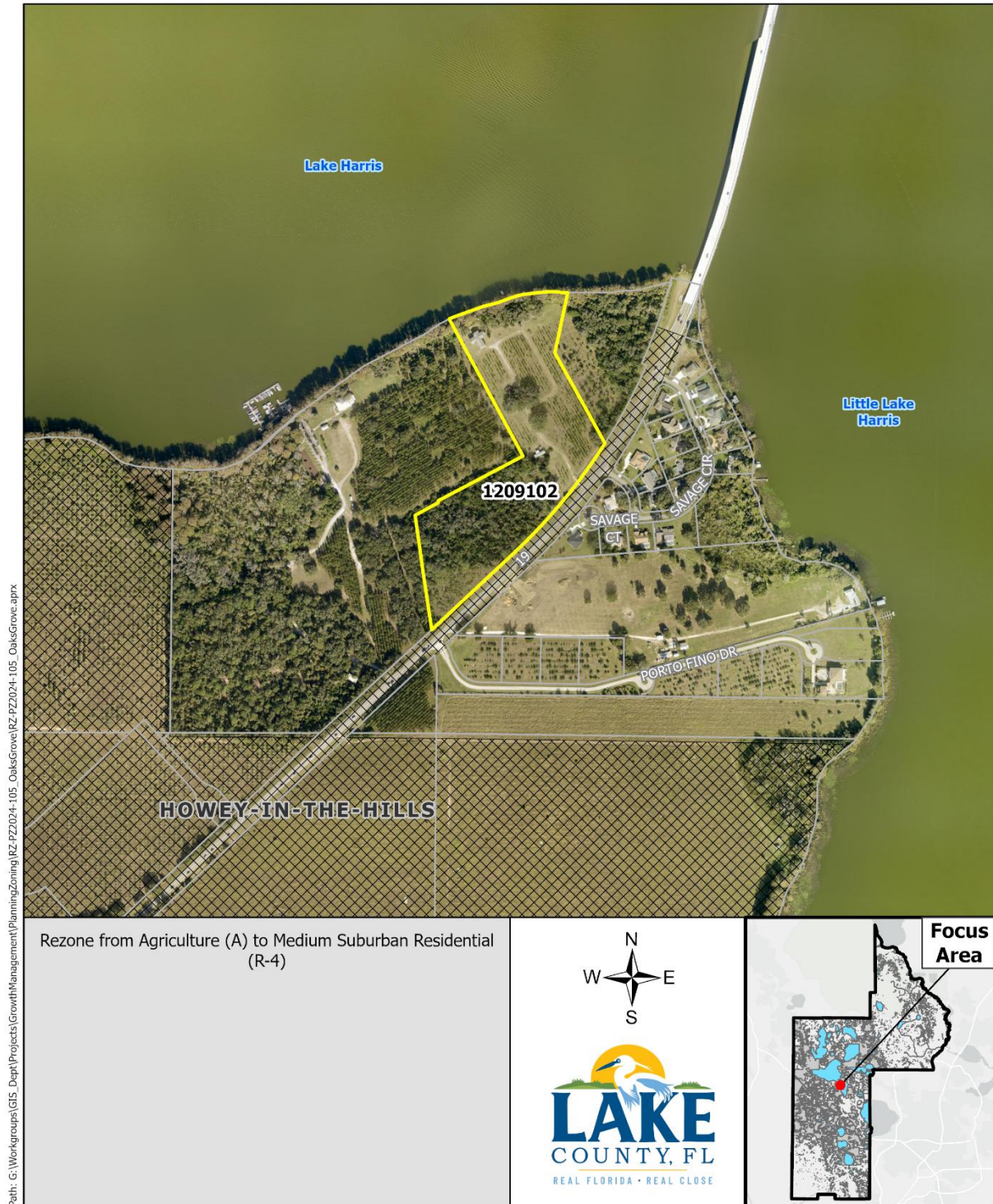


Map of Subject Property



Aerial Map of Subject Property

RZ-PZ2024-105
Oaks Grove



ORDINANCE #2025-__

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; REZONING APPROXIMATELY 16.06 +/- ACRES FROM AGRICULTURE (A) DISTRICT TO MEDIUM SUBURBAN RESIDENTIAL (R-4) DISTRICT TO FACILITATE THE DEVELOPMENT OF A RESIDENTIAL SUBDIVISION WITH A MAXIMUM OF FORTY-NINE (49) SINGLE-FAMILY LOTS, IDENTIFIED AS ALTERNATE KEY NUMBER 1209102, LOCATED IN SECTION 24, TOWNSHIP 20 SOUTH, RANGE 25 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brian Check, (the "Applicant") submitted a rezoning application on behalf of Oaks Grove GP, LLC., (the "Owner"), to rezone approximately 16.06 +/- acres from Agriculture (A) District to Medium Suburban (R-4) District to facilitate the development of a residential subdivision with a maximum of forty-nine (49) single-family lots; and

WHEREAS, the subject property consists of approximately 16.06 +/- acres located at 26515 State Road 19 in the unincorporated Howey-in-the-Hills area in Section 24, Township 20 South, Range 25 East, known as Alternate Key Number 1029102, and more particularly described in Exhibit "A"; and

WHEREAS, the property is located within the Urban Low Density Future Land Use Category; and

WHEREAS, the Lake County Planning and Zoning Board did on the 4th day of June 2025, review Petition PZ2024-105; after giving Notice of Hearing on petition for a change in the use of land, including notice that the Ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 1st day of July 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 from Agriculture (A) District to Medium Suburban (R-4) District for the property described in Exhibit "A". The adoption of this Ordinance shall revoke and replace all previous ordinances.

Section 2. Development Review and Approval: Prior to the issuance of any permits, the Owner shall submit applications for and receive necessary final development order approvals as provided in the Lake County Comprehensive Plan and Land Development Regulations. The applications for final development orders must meet all submittal requirements and comply with all County codes and ordinances, 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 forthwith 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 will become effective as provided by law.

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 J. COONEY, CLERK OF THE
BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

APPROVED AS TO FORM AND LEGALITY:

MELANIE MARSH, COUNTY ATTORNEY

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EXHIBIT "A" - Legal Description.

PARCEL 1:

From the S.W. corner of Government Lot 2, Section 24, Township 20 South, Range 25 East, Lake County, Florida, run N 00°03'50" W along the West line of Government Lot 2 a distance of 816.50 feet to a concrete monument and the Point of Beginning of this description; from said Point of Beginning, run S 84°36'30" W. 70.75 feet to a concrete monument; thence N 07°59'00" W, 288.60 feet; thence N 61°07'00" E, 594.70 feet; thence N 29°23'00" W, 720 feet, more or less, to the waters of Lake Harris and a point hereby designated as Point "A"; return to the P.O.B. and run N 84°24'20" E along a line established in March, 1950, a distance of 318.58 feet, more or less, to the Northwesterly right-of-way of Highway No. 19; thence N 46°23'56" E along said right-of-way of Highway No. 19, a distance of 67.54 feet to the beginning of a curve concave Northwesterly and having a radius of 2814.93 feet; run thence Northeasterly along the arc of said curve through a central angle of 14°55'34" a distance of 733.32 feet to a concrete monument; thence N 29°29'37" W mid-way between the existing rows of citrus trees a distance of 510.00 feet; thence N 11°37'14" E, 270.00 feet, more or less, to the waters of Lake Harris; thence Westerly along and with said waters of Lake Harris to intersect the aforementioned Point "A".

PARCEL 2:

All that part of the following described property lying Northwesterly of State Road No. 19; From the Southwest corner of Section 24, Township 20 South, Range 25 East, Lake County, Florida, run North 0°03'50" West along the West boundary of the Southwest 1/4 of said Section 24, for a distance of 1830.55 feet to the Point of Beginning of this description; From this Point of Beginning run North 89°57'00" West for a distance of 21.95 feet; thence North 8°29'30" West for a distance of 325.45 feet to a 4-inch square concrete monument (being that line described in that "Boundary Agreement" recorded in O.R. Book 683, pages 712-714 inclusive, Public Records of Lake County, Florida); thence as per that "Boundary Agreement" recorded in O.R. Book 363, pages 798-801; inclusive, in the Public Records of Lake County, Florida, go North 84°36'30" East for a distance of 70.75 feet to a 4-inch square concrete monument (which is located 0.80 feet East of a point on the West boundary of the Southwest 1/4 of said Section 24, said point being located 2159.10 feet North 0°03'50" West of the Southwest corner of said Section 24) thence North 84°24'20" East for a distance of 480.00 feet to a 4-inch round concrete monument on the Southeasterly boundary of the 100 foot wide right-of-way of State Road No. 19; thence continue North 84°24'20" East for a distance of 719.35 feet to a 4-inch square concrete monument; thence South 77°00'00" East for a distance of 159.50 feet to a 4-inch square concrete monument; thence South 44°30'40" East for a distance of 83.10 feet to a 4-inch square concrete monument; thence south 75°44'30" East for a distance of 178.30 feet to a 4-inch square concrete monument; thence North 89°37'40" East for a distance of 474.25 feet to a 4-inch square concrete monument; thence continue North 89°37'40" East to the waters of Little Lake Harris being the end of that described boundary in that "Boundary Agreement" recorded in O.R. Book 363, pages 798-801, inclusive, in the Public Records of Lake County, Florida; thence Southerly, along the waters of Little Lake Harris, for a distance of 170 feet, more or less, thence South 74°12'20" West to a 4-inch square concrete monument which is located a distance of 174.00 feet South 29°35'10" East of the concrete monument just previously described; thence continue South 74°12'20" West for a distance of 1264.40 feet to a 4-inch square concrete monument; thence North 0°56'10" West for a distance of 185.20 feet to a 4-inch square concrete monument; thence North 89°57'00" West along established fence line for a distance of 835.55 feet to a 4-inch square concrete monument on the Southeasterly boundary of the 100 foot wide right of way of State Road No. 19; thence continue North 89°57'00" West for a distance of 85.50 feet to the Point of Beginning. LESS AND EXCEPT the 100 foot wide right of way of State Road No. 19; all being in the Public Records of Lake County, Florida.

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