



REZONING STAFF REPORT

OFFICE OF PLANNING & ZONING

Tab Number: 12

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

Case No. and Project Name: PZ2024-100, Livestock Project

Applicant and Owner: Gage Ryan Merrill

Requested Action: Rezone approximately 2.27 +/- acres from Urban Residential (R-6) District to Rural Residential (R-1) District to allow non-intensive agricultural uses including domestic farm animals on the subject property.

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: 2.27 +/- gross acres

Location: 40507 West 8th Avenue, in the unincorporated Umatilla area

Alternate Key No.: 1039924

Future Land Use: Rural Transition FLUC (Attachment "A")

Current Zoning District: Urban Residential (R-6) District (Attachment "B")

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

JPA/ISBA: N/A

Overlay/Rural Protection Area: N/A

Adjacent Property Land Use Table

Direction	Future Land Use	Zoning	Existing Use	Comments
North	Rural Transition	Urban Residential (R-6)	Residential	Single-Family Residence
South	Rural Transition	Rural Residential (R-1)	Residential	Single-Family Residence
East	Rural Transition	Urban Residential (R-6)	Residential	Single-Family Residence
West	Recreation	Community Facility District (CFD)	Park	North Lake Regional Park

- Summary of Analysis -

The subject parcel is located at 40507 West 8th Avenue, in the unincorporated Umatilla area, contains approximately 2.27 gross acres and is identified by Alternate Key Number 1039924. The subject parcel is zoned as Urban Residential (R-6) District and is designated with a Rural Transition Future Land Use Category (FLUC) by the 2030 Comprehensive Plan. The subject parcel is developed with a single-family residential home with attached garage, and detached carport / pole shed. The GIS maps indicate that the parcel is not located within a flood prone area and there is no indication of wetlands.

For background purposes, on March 22, 2024, the Applicant received a Notice of Code Violation (Case No.: 2024-03-0188), pursuant to LDR Section 3.01.02(B)(1)(2), *Classification of Uses* for the keeping, grazing or feeding of livestock animals. The Notice of Code Violation is shown on Attachment "D".

The subject parcel is located within the East Umatilla Subdivision, (Plat Book 6, Page 87), as shown on Attachment "E".

Pursuant to Resolution 1962-08, portions of the East Umatilla Subdivision were rezoned Rural Residential (R-1) as shown on Attachment "F".

The Applicant is requesting to rezone to Rural Residential (R-1) District to allow the non-intensive agriculture use of milking, feeding, or sheltering of domestic farm animals on the subject property.

The Applicant provided a Project Narrative for the rezoning request as shown on Attachment "G".

- 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 application proposes a rezoning to Rural Residential (R-1) District to allow the non-intensive agricultural use of milking, feeding, or sheltering of domestic farm animals. The proposed use is consistent with LDR Section 3.00.03, *Consistency of Zoning Districts with Land Use Classifications*, and Table 3.00.03, *Land Use – Zoning District Matrix*, which states that the Rural Residential (R-1) District is allowable within the Transitional Land Use Category, which is now known as the Rural Transition FLUC.

The proposed rezoning is consistent with LDR Section 3.00.02(G) *Purpose and Intent of Districts*, which states that the purpose of this district is to provide a transition between agricultural and conservation areas and the more urban residential communities.

Should the request be approved, a zoning permit and building permit will be required for the proposed livestock building and the proposed livestock structures shall be constructed pursuant to LDR Section 3.01.04, *Key to Conditions in the Permitted and Conditional Uses*, which states that a livestock building should maintain a two hundred (200) foot setback from the property line. In the event that a livestock building cannot be constructed because of the two hundred (200) foot setback, then the livestock building shall be as closely centered as possible between the property lines and shall maintain a fifty (50) foot setback from the property line.

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 application proposes a rezoning to Rural Residential (R-1) District to allow the non-intensive agricultural use of milking, feeding, or sheltering of domestic farm animals. The proposed use is consistent with Comprehensive Plan Policy I-1.4.5 entitled *Rural Transition Future Land Use Category*, in which typical uses include agriculture and forestry.

The proposed rezoning is consistent with Comprehensive Plan Policy I-1.2.7 entitled *Agricultural and Equestrian Uses*, which states that agricultural and equestrian uses shall be recognized as a suitable use of property within all Future Land Use Categories.

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 subject property is located within the East Umatilla Subdivision. Portions of the East Umatilla Subdivision were rezoned to Rural Residential (R-1) pursuant to Resolution 1962-08 as shown on Attachment "H".

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

"[m]y property is currently described as "Rural Transition" for "Future Land Use". This is inconsistent with the existing zoning "R6" (Urban Residential District) because "Rural" and "Urban" have opposite meanings. My property is in fact rural by definition and not urban."

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

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

"A portion of the road dividing my property, W. 9th Avenue Umatilla FL 32784, has been vacated and I have added approximately 16,555 feet of land to my property. With the addition of the new land my property would exceed well over two acres. Plenty of grass and space to accommodate livestock and a rural lifestyle, and that would justify rezoning."

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.

Future development 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, *"The proposed rezoning would not result in any or increased demand on any of the listed utilities / public facilities above."*

Water and Sewage

The subject property is serviced by an existing septic tank and well system and shall be consistent with the Florida Department of Health regulations and permitting.

Schools

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

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 #14 is located less than two (2) miles from the subject property at 42700 State Road 19, Altoona, Florida, and will provide advanced life support should an emergency on the property demand this service.

Transportation Concurrency

The proposed request is not anticipated to adversely impact transportation of service as the request is *de minimus*.

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

The Applicant provided the following statement, *"We would like to cultivate the land in such a way to make the natural*

environment even better. If we were to be rezoned to "R1" (Rural Residential), we would have the ability to plant orange trees to harvest, flowers to pick, and maybe even add bee hives to pollinate surrounding plants. We would also like to raise a small amount of livestock as well. We currently have six goats, two miniature pigs, and one pekin duck. Over time we would like to add one to two more species of livestock, a miniature cow and/or chickens and turkeys. My wife and I have always grown up with livestock and would love for our son to experience the same style of living we experienced when we were growing up. Keeping livestock teaches responsibility, compassion for animals, biology, science, life lessons, and also encourages a strong work ethic. We hope to be able to teach all of our children these core subjects the same way we learned them while growing up with livestock."

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

In their Project Narrative (Attachment "G"), the Applicant states that, "The area is surrounded with properties already zoned as "R1 The addition of my property rezoning to "R1" would not decrease the value of any properties near mine."

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

In their Project Narrative the Applicant states that, "The entire East Umatilla Subdivision is broken up into two zones, "R1" and "R6" with the majority being "R1". If we were to be rezoned to "R1" we would correctly fit in with the current development pattern of the East Umatilla Subdivision. Also it is worth noting that the bordering properties to the South of my property are zoned "R1."

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.

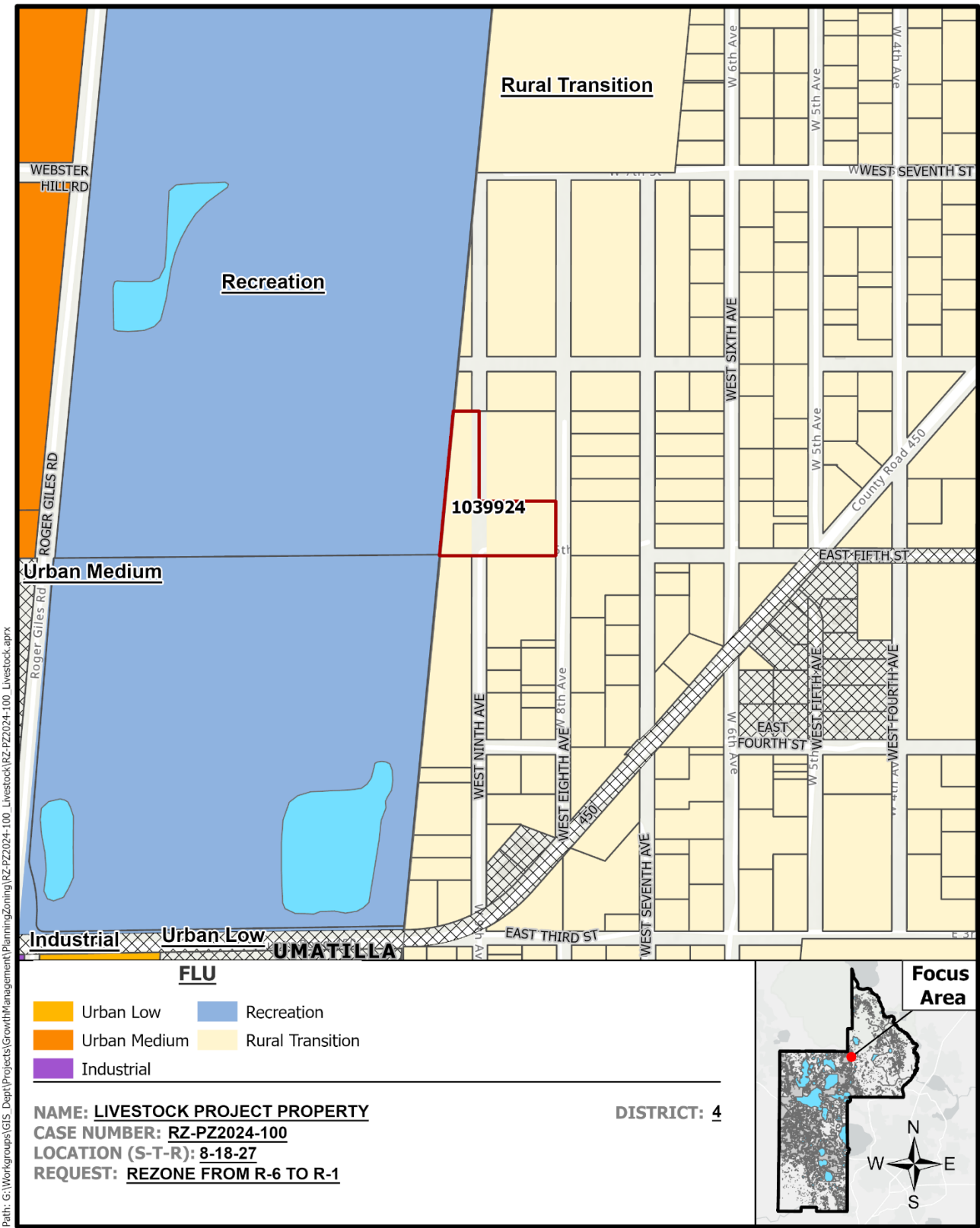
In their Project Narrative the Applicant states that, "We have reason to believe by the actions and words of our neighbors that the vast majority have no problem at all with the proposed rezoning and in fact would encourage it. The improved natural habitat along with the addition of livestock animals provide a much happier environment for the neighborhood. Happiness is in the public interest and happiness leads to harmony."

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

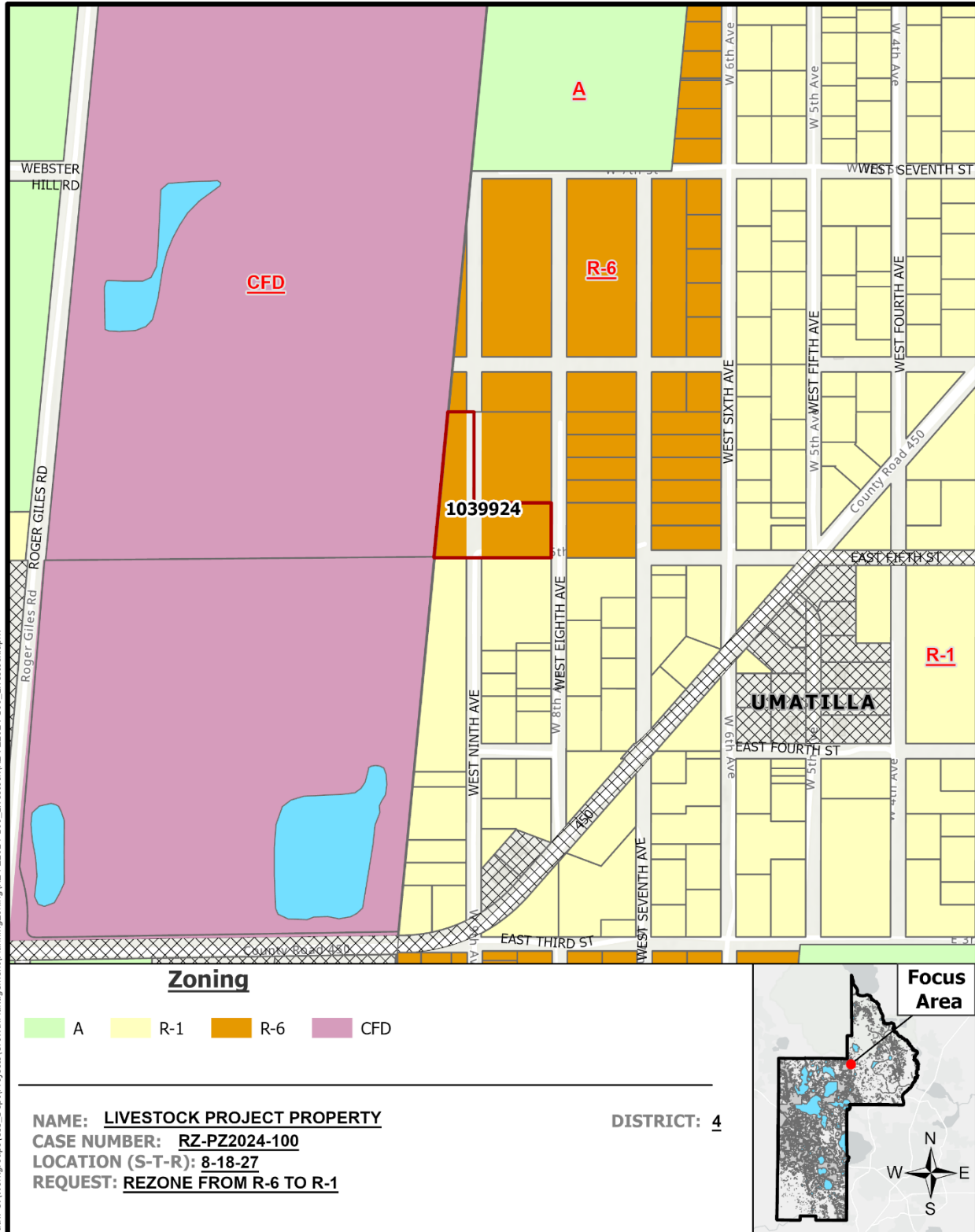


Path: G:\Workgroups\GIS Dept\Projects\GrowthManagement\Planning\Zoning\RZ-PZ2024-100_Livestock\RZ-PZ2024-100_Livestock.aprx

2/13/2025

Attachment "B" – Current Zoning District Map

CURRENT ZONING



Zoning

NAME: LIVESTOCK PROJECT PROPERTY
CASE NUMBER: RZ-PZ2024-100
LOCATION (S-T-R): 8-18-27
REQUEST: REZONE FROM R-6 TO R-1

DISTRICT: 4

Attachment “D”, Notice of Code Violation (1 of 2)



OFFICE OF CODE ENFORCEMENT

NOTICE OF CODE VIOLATION

DATE: 03/22/2024

CASE NUMBER: 2024-03-0188

LOCATION OF VIOLATION: 40507 W 8TH AVE, UMATILLA

IN ACCORDANCE WITH LAKE COUNTY CODE AND/OR LAND DEVELOPMENT REGULATIONS YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF SECTION(S):

23-99. - Accumulation of solid waste prohibited.

It shall be unlawful for any person to accumulate or permit to accumulate upon private property any Solid Waste except in accordance with the provisions of this chapter.

Solid Waste. "Solid Waste" shall mean Sludge unregulated under the federal Clean Water Act or Clean Air Act, Sludge from a waste treatment works, water supply treatment plant, or air pollution control facility, or Garbage, Rubbish, refuse, Special Waste, or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural or governmental operations. Solid Waste includes but is not limited to Biomedical Waste, Bulk Waste, Commercial Waste, Construction and Demolition Debris, Disaster Debris, Electronic Equipment, Garbage, Hazardous Waste, Land Clearing Debris, Radioactive Waste, Recyclable Materials, Residential Waste, Rubbish, Special Waste, Tires, White Goods, and Yard Trash.

3.01.00 - Zoning District Use Regulations.

3.01.01 Generally. The purpose of this section is to describe the specific uses and restrictions that apply to the zoning districts established in these regulations. These regulations are intended to allow Development and use of property only in compliance with the goals, objectives and policies of Lake County as expressed in the Lake County Comprehensive Plan. Permitted uses and conditional uses are listed in the 3.01.03 Schedule of Permitted and Conditional Uses. A use or structure not identified as a permitted use or conditional use under the applicable zoning district listed in the Schedule of Permitted and Conditional Uses, shall be prohibited.

3.01.02 Classification of Uses.

B. Agricultural Uses.

1. General Agriculture. Establishments for the keeping, grazing or feeding of livestock and animals; feedlots; croplands; aquaculture; silviculture; apiaries; honey extracting; and buildings which are an accessory use to these agricultural uses. This category of uses does not include processing or distribution plants for agricultural products and supplies when not an accessory use in conjunction with the agricultural operation. Exotic animals are not included in this classification.

Attachment “D”, Notice of Code Violation (2 of 2)

2. Non-intensive Agriculture. The milking, feeding, or sheltering of farm animals or growing of supplemental food supplies for the domestic, noncommercial use of the families living on the land. Exotic animals are not included in this classification.

3.01.03 Schedule of Permitted and Conditional Uses. (See Chart)

IN ORDER TO PREVENT ANY FURTHER ACTION, THE FOLLOWING CORRECTIVE MEASURES MUST BE TAKEN: Remove and lawfully dispose of all solid waste; Remove all livestock animals from R-6 zoned property, all within 14 days.

DAYS TO COMPLY: 14

Adam Harr

CODE ENFORCEMENT OFFICER
/awh

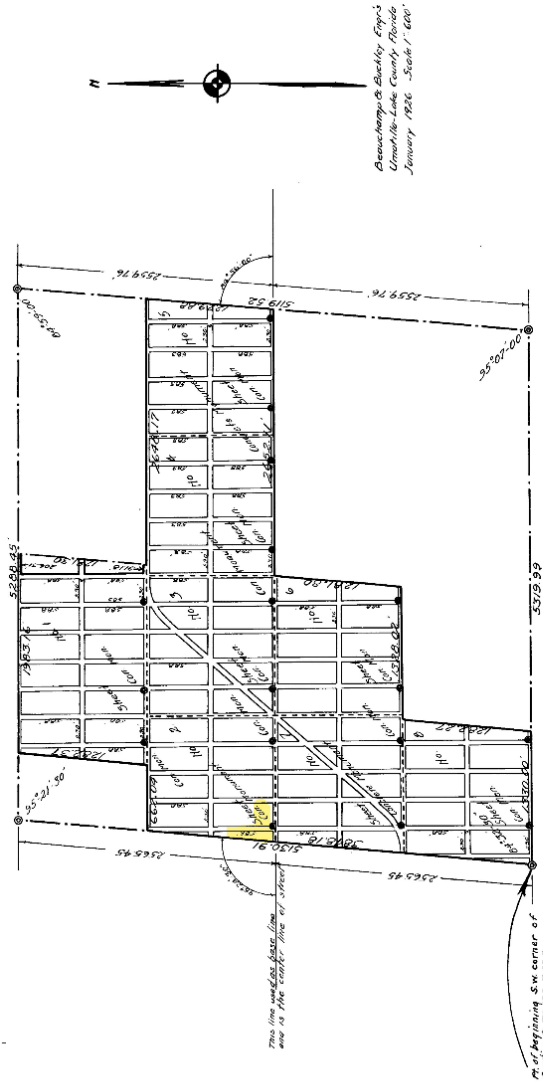
PLEASE FEEL FREE TO CONTACT ME AT **352-636-3703** OR EMAIL ME AT:
adam.harr@lakecountyfl.gov TO DISCUSS YOUR CASE.

ALL LAKE COUNTY CODES CAN BE VIEWED ONLINE AT **WWW.MUNICODE.COM**. IF A PERMIT IS REQUIRED, PLEASE PROVIDE A COPY OF THIS LETTER TO THE OFFICE OF BUILDING .

MAIL TO:
MERRILL GAGE R
40507 W 8TH AVE
UMATILLA, FL 32784



A SUBDIVISION IN SEC. 8-T18S-R27E.
LAKE COUNTY FLORIDA
SHEETS NO. 1 TO 8

[illegible]

<u>20. Wright</u>	<u>Witness</u>	<u>M.A. Evans</u>	<u>Seal</u>
<u>J.W. Adams</u>	<u>Witness</u>	<u>Daphne E. Powell</u>	<u>Seal</u>

I hereby certify that the situated plot of EAST UMATILLA is a true and correct plot as recently surveyed and platted under my direction and that permanent reference monuments have been placed as shown in the above plat.

J. Forest Beardsley
Engineer of Multnomah County

STATE OF FLORIDA } 5.5
COUNTY OF ALACHUA }

COUNTY OF LAKE, 35

I hereby certify that on this day personally appeared before me M. H. Howe and Daphne E. Rowe, his wife, known to me to be the persons who executed this foregoing Dedication and they acknowledged the execution thereof to be their free act and deed for the purposes therein expressed. And I further certify that the said Daphne E. Rowe is a single and unmarried woman and made by her act and acknowledgment that she executed the foregoing dedication freely and voluntarily and without any fear, constraint or apprehension of harm to her said husband.

12th day of January A.D. 1926
W. H. Coward
 Notary Public State of Florida at large
 My commission expires: 12-11-29

This plot was approved by the County Commissioners of Lake County Florida.
January 18 A.D. 1926
Wm. J. [unclear]

W. V. Humphreys
Chairman

Attachment "F", Resolution 1962-08 (1 of 2)

PH 6-62
7-62
8-62

#86

RESOLUTION

WHEREAS, the Lake County Zoning Commission did, on the 21st day of February, 1962, after due notice of the hearing, review applications for changes and revisions of the Zoning of certain areas in Lake County, and did approve certain changes as requested in the particular applications as hereinafter set forth, subject to the approval of the Board of County Commissioners of Lake County, Florida; and the Board of County Commissioners of Lake County, having reviewed said applications and the recommendations of the Lake County Zoning Commission;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Lake County, Florida, that the Zoning Rules and Regulations of Lake County be altered and amended as they pertain to the following tracts of land, to the classifications designated after each description:

6-62-62 1. Begin 440 feet East and 600 feet North of the Southwest corner of Section 13, Township 19 South, Range 25 East, on the East boundary of Haines Creek Road for the point of beginning; thence run East 300 feet, North 385 feet, West 300 feet to the East boundary of Haines Creek Road, South 385 feet to the point of beginning, which is now zoned R-1 (Residential), be, and the same is hereby amended, changed and re-zoned to Classification C-3 (Commercial).

9-20-62 2. Lots 6 and 7, of Lake Harris Estates, according to the Plat thereof filed and recorded in the public records of Lake County, Florida, now zoned as R-1-A (Residential), be, and the same is hereby amended, changed and re-zoned to Classification C-2 (Commercial).

7-62-9-20-62 3. Blocks No. 5 and 12, of Reeves Subdivision of Sorrento, according to Plat recorded in Plat Book 1, page 32, public records of Lake County, Florida, now zoned as R-1 (Residential) be, and the same is hereby amended, changed and re-zoned to Classification R-2 (Residential), with a variance permitting the use of trailer homes.

8-62-9-14-62 4. Blocks 12 to 17, inclusive; 19 to 23 inclusive; 47 to 54 inclusive; 63 to 68 inclusive; 85 to 94 inclusive; and 96, now Zoned as R-1 (Residential) be, and the same is hereby amended, changed and re-zoned to Classification R-1-A (Residential); and that Blocks 105 to 115 inclusive; 37 to 46 inclusive, and 71 to 80 inclusive, now zoned as A (Agriculture) be, and the same is hereby amended, changed and re-zoned to Classification R-1 (Residential); and that Blocks 69, 70, 81 to 84 inclusive, 95, and 97 to 104 inclusive, now classified and zoned as A (Agriculture) be, and the same

Attachment "F", Resolution 1962-08 (2 of 2)

is hereby amended, changed and re-zoned to Classification R-1-A (Residential),
all according to the Plat of East Umatilla Subdivision, a subdivision in Section 8,
Township 18 South, Range 27 East, in Lake County, Florida, said Subdivision some-
times known as Rowe Hollywood Estates.

STATE OF FLORIDA, COUNTY OF LAKE:

I HEREBY CERTIFY, that the above and foregoing
is a true copy of a Resolution adopted by the Board
of County Commissioners in regular session on 12th
March, 1962 as same appears of record in
County Commissioners' Minute Book 19, Page .

WITNESS my hand and official seal this 21st
day of March, A. D. 19 62

FRANK E. OWENS
FRANK E. OWENS, Clerk
Circuit Court, and Ex-officio
Clerk of the Board of County
Commissioners Lake County, Florida

By Florence Robertson
Deputy Clerk

Attachment “G”, Project Narrative (1 of 4)

Project Narrative

To whom it may concern,

My name is Gage Merrill, I am 25 years old, and I live at 40507 W 8th Avenue , Umatilla FL, 32784 (AK# 1039924) with my wife Abigail Merrill and our son Tucker Merrill. I am submitting this rezoning application so that we may be rezoned from “R6” (Urban Residential District) to “R1” (Rural Residential) with the hopes of using my land for agricultural purposes that are not permitted within the “R6” zoning regulations.

Unfortunately, I am not familiar with every definition and phrase used within the “Lake County Code Of Ordinances” so please forgive me if I am not able to address every standard that is required to be met when filling out the rezoning application correctly. The said application requires that I address these following standards and I have tried my best to do so. Please read the following:

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

If we are granted the ability to rezone to “R1” (Rural Residential) , then we intend to use our land for agricultural purposes that fall within the “R1” (Rural Residential) zoning regulations and do not present any conflict with the “Land Development Code”.

B. How the application is consistent with all elements of the Comprehensive Plan.

According to the “2030 Lake County Comprehensive Plan”, “Objective I-7.4” aims for the “PROTECTION OF RURAL LIFESTYLES”. Please see below:

“The County shall institute policies and programs designed to preserve and reinforce the positive qualities of the 7 rural lifestyles enjoyed by residents living in rural areas. The following policies apply to the Rural Future Land 8 Use Series, Wekiva River Protection Area and Green Swamp Area of Critical State Concern.”

Additionally, “Policy I-1.4.5” of the “2030 Lake County Comprehensive Plan” states: The Rural Transition Future Land Use Category is intended to address “edge” conditions where Rural Future Land Use Categories abut Urban Future Land Use Categories. These “edges” represent areas where lower rural densities may be increased for Rural Conservation Subdivisions that utilize clustering techniques.

Attachment “G”, Project Narrative (2 of 4)

My property is consistent with Policy I-1 .4.5 because I believe my property is one of those “edges” that may be increased for rural conservation. I have 2.27 acres with a very low neighborhood population density around us ; we are much more rural than urban and fall in line with the conditions listed above.

With such an emphasis on protecting and recognizing Rural Land and Future Rural Land Use Series, it is necessary for me to point out that my property (40507 W 8th Avenue, AK# 1039924) is categorized under “Future Land Use” as “Rural Transition”. For this reason I see it fit that rezoning under “R1” (Rural Residential) would correctly fall in line with Lake County’s aim to protect Rural Lifestyles and with the “2030 Lake County Comprehensive Plan”.

C. How the proposed rezoning is inconsistent with existing and proposed land uses.

As I outlined above, my property (40507 W 8th Avenue, AK# 1039924) is currently described as “Rural Transition” for “Future Land Use”. This is inconsistent with the existing zoning “R6” (Urban Residential District) because “Rural” and “Urban” have opposite meanings. My property is in fact rural by definition and not urban.

D. A statement describing any changed conditions that would justify rezoning.

A portion of the road dividing my properties, W 9th Avenue Umatilla FI 32784, has been vacated and I have added approximately 16,555 feet of land to my property. With the addition of the new land my property would exceed well over two acres. Plenty of grass and space to accommodate livestock and a rural lifestyle, and that would justify rezoning.

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 result in any or increased demands on any of the listed utilities / public facilities above.

Attachment “G”, Project Narrative (3 of 4)

F. Any impacts the rezoning application would affect the natural environment.

We would like to cultivate the land in such a way to make the natural environment even better. If we were to be rezoned to “R1” (Rural Residential), we would have the ability to plant orange trees to harvest, flowers to pick, and maybe even add bee hives to pollinate surrounding plants. We would also like to raise a small amount of livestock as well. We currently have six goats, two miniature pigs, and one pekin duck. Over time we would like to add one to two more species of livestock, a miniature cow and/or chickens and turkeys. We care about the health and safety of our animals and the health of the environment surrounding them so it is important for us to not overcrowd our land with too many animals. Too many grazing animals would deplete their natural food source and leave our property without much vegetation. However, livestock animals benefit the environment greatly. They eat what is overgrown and provide much needed fertilizer to the soil in the form of manure. This allows for more nutrients in the soil and for more plants to grow and flourish. Livestock also provide great entertainment, learning opportunities, and food security. My wife and I have always grown up with livestock and would love for our son to experience the same style of living we experienced when we were growing up. Keeping livestock teaches responsibility, compassion for animals, biology, science, life lessons, and also encourages a strong work ethic. We hope to be able to teach all of our children these core subjects the same way we learned them while growing up with livestock.

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

The area is surrounded with properties already zoned as “R1”. The addition of my property rezoning to “R1” would not decrease the value of any properties near mine. I have called the Lake County Property Appraiser’s office and confirmed that.

H. How the proposed rezoning would result in an orderly and logical development pattern.

The entire East Umatilla Subdivision is broken up into two zones, “R1” and “R6” with the majority being “R1”. If we were to be rezoned to “R1” we would correctly fit in with the current development pattern of the East Umatilla Subdivision. Also it is worth noting that the bordering properties to the South of my property are zoned “R1”.

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

Attachment “G”, Project Narrative (4 of 4)

We have reason to believe by the actions and words of our neighbors that the vast majority have no problem at all with the proposed rezoning and in fact would encourage it. The improved natural habitat along with the addition of livestock animals provide a much happier environment for the neighborhood. Happiness is in the public interest and happiness leads to harmony.

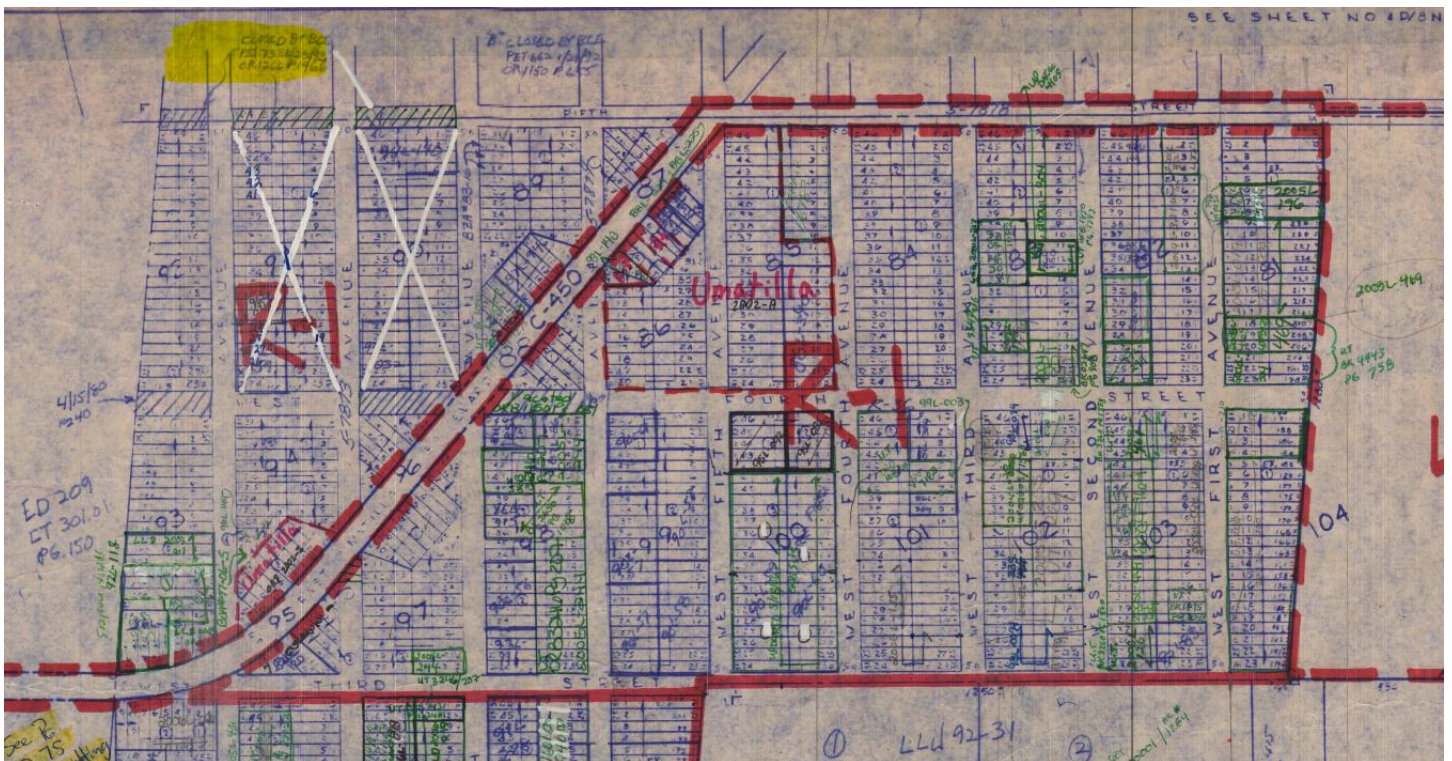
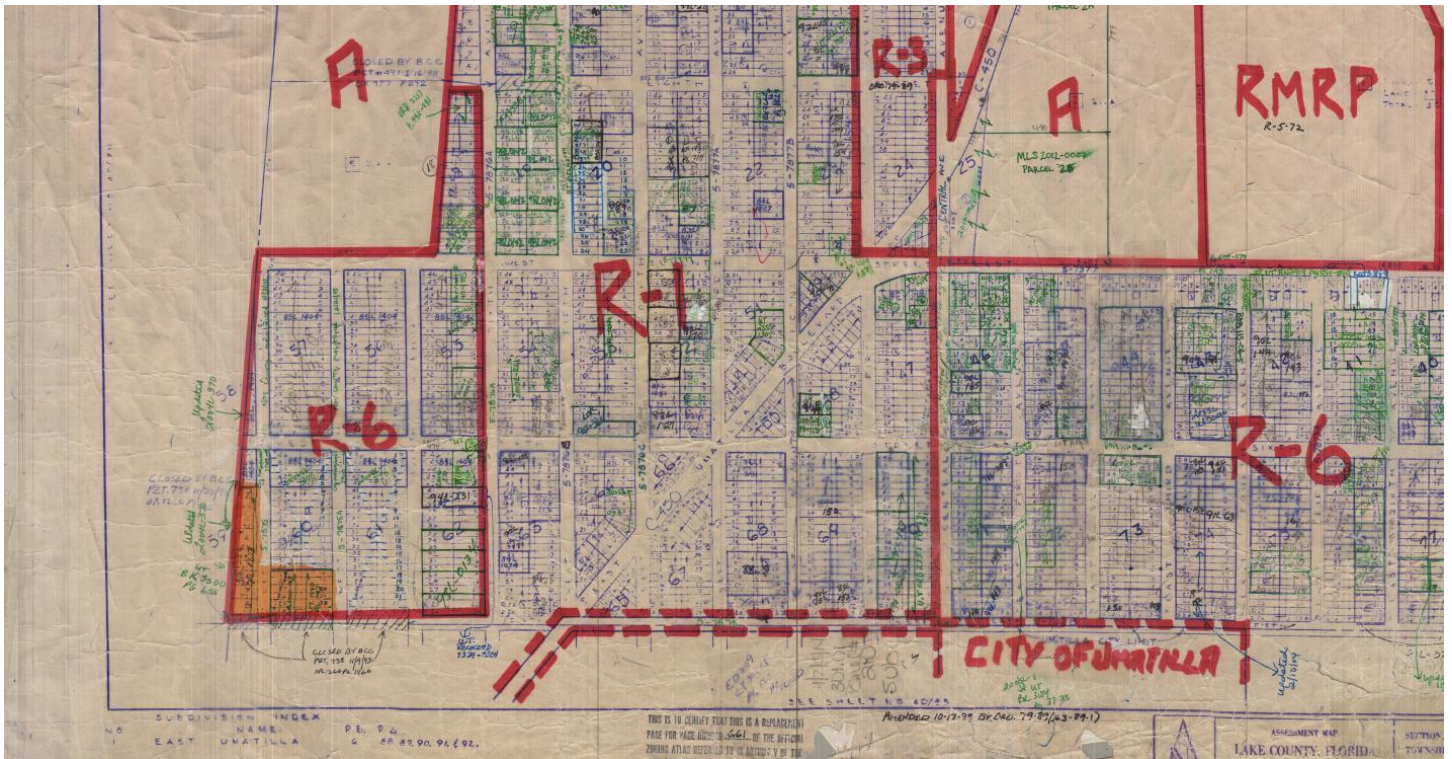
Conclusion:

Thank you for taking the time to read my application for rezoning. It means a lot to my family and I. I hope I have provided the necessary details to move forward and hope that you will take this proposal into serious consideration.

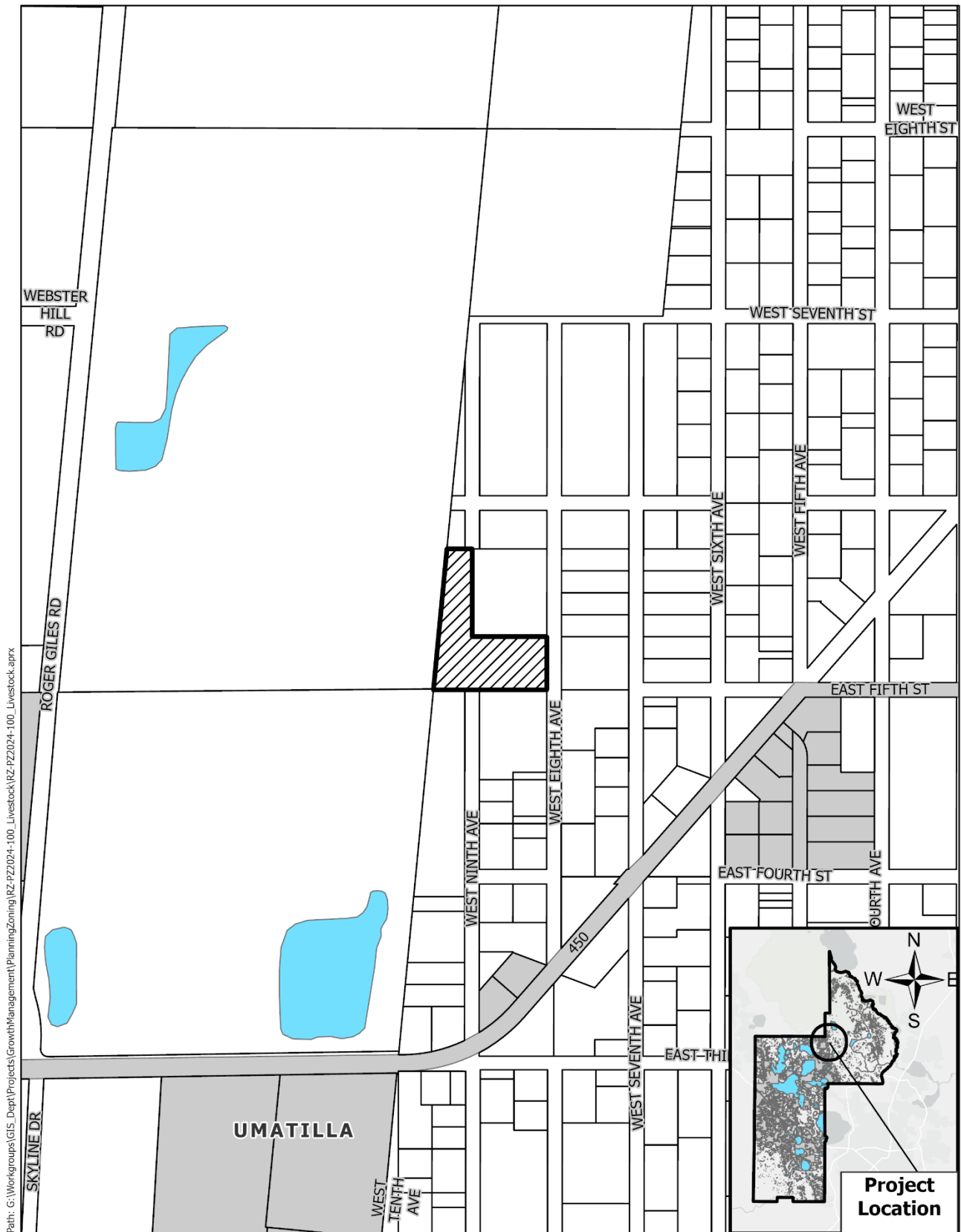
Thank you,

Gage Merrill

Attachment "H", Hunnicut Zoning Maps

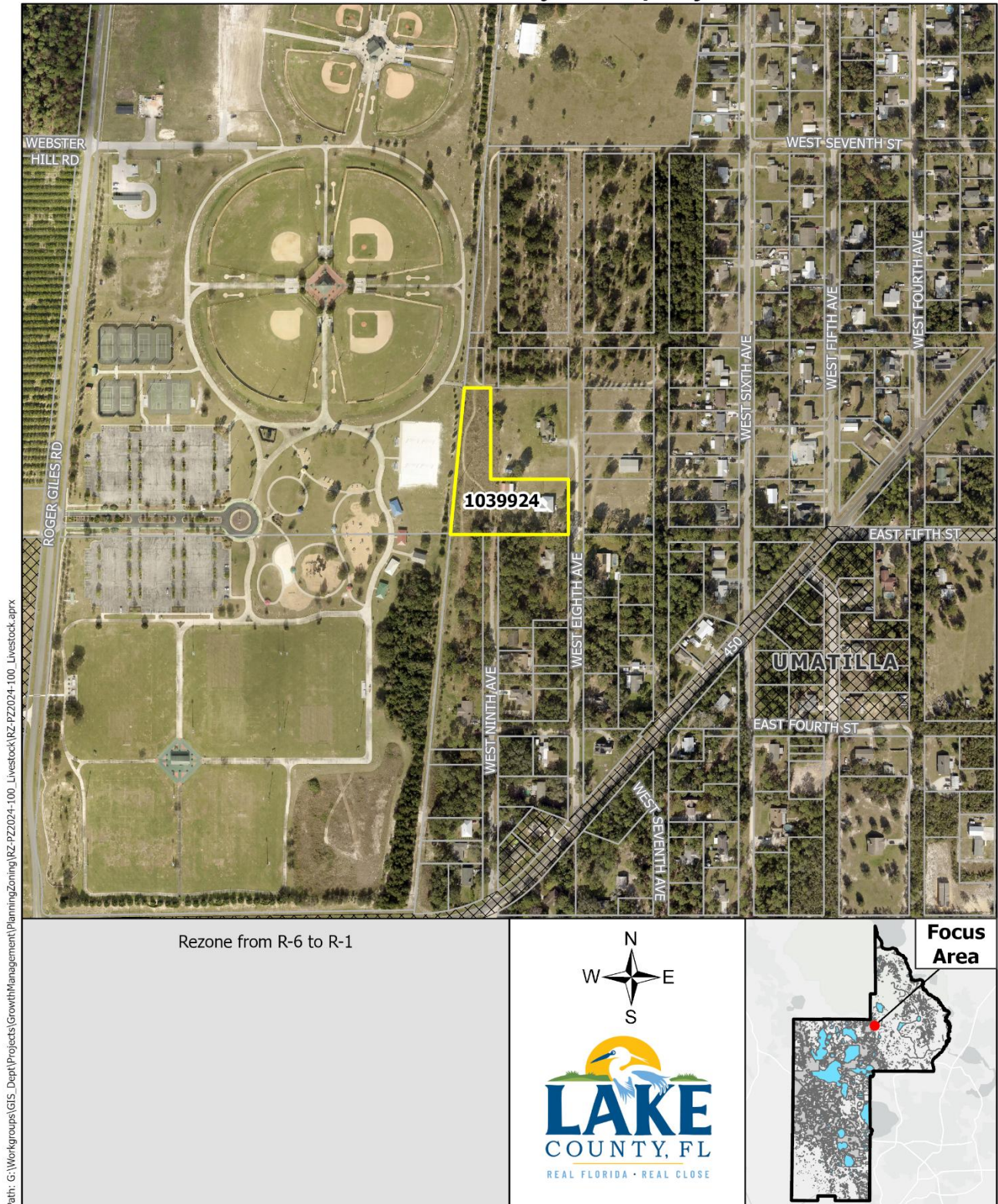


Map of Subject Property



Aerial Map of Subject Property

RZ-PZ2024-100 Livestock Project Property



2/13/2025

ORDINANCE #2025-_____

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; REZONING APPROXIMATELY 2.27 +/- ACRES FROM URBAN RESIDENTIAL (R-6) DISTRICT AND TO RURAL RESIDENTIAL (R-1) DISTRICT TO ALLOW NON-INTENSIVE AGRICULTURAL USES INCLUDING DOMESTIC FARM ANIMALS FOR THE PROPERTY LOCATED AT 40507 WEST 8TH AVENUE, IN THE UMATILLA AREA OF UNINCORPORATED LAKE COUNTY, IDENTIFIED AS ALTERNATE KEY NUMBER 1039924, LOCATED IN SECTION 08, TOWNSHIP 18 SOUTH, RANGE 27 EAST; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Gage Ryan Merrill (the "Applicant" and "Owner") submitted a rezoning application to rezone approximately 2.27 +/- acres from Urban Residential (R-6) District to Rural Residential (R-1) District to allow non-intensive agricultural uses including domestic farm animals for the subject property; and

WHEREAS, the subject property consists of approximately 2.27 +/- acres, is located at 40507 West 8th Avenue in the Umatilla area of unincorporated Lake County, is in Section 08, Township 18, Range 27, identified as Alternate Key Number 1039924, and more particularly described in Exhibit "A":

WHEREAS, the property subject to the request is located within the Rural Transition Future Land Use Category (FLUC) as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

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

WHEREAS, the Lake County Planning and Zoning Board did review Petition PZ2024-100 on the 4th day of June 2025, after giving notice of a hearing for change in the use of land, including notice that the petition would be presented to Board of County Commissioners of Lake County, Florida, on the 1st day of July 2025; and

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

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

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

Section 1. Terms. The County Manager or designee shall amend the Official Zoning Map to rezone the subject property from Urban Residential (R-6) District to Rural Residential (R-1) District. This Ordinance, upon its Effective Date, shall supersede and replace any previous zoning ordinance on the properties.

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 shall become effective upon recordation in the public records of Lake County, Florida. The Applicant shall be responsible for all recording fees.

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 18 through 29, Block 60, and the North ½ of vacated West Fifth Street lying South of Block 60, EAST UMATILLA, according to the plat thereof as recorded in Plat Book 6, page 87, Public Records of Lake County, Florida, and the East ½ of vacated West Ninth Avenue lying West of Lots 24 through 29, Block 60 and the North ½ of vacated West Fifth Street lying South of said East ½ of vacated West Ninth Avenue.

AND

The South 456.5 feet of Block 59, EAST UMATILLA, and the North ½ of vacated West Fifth Street lying South of Block 59, according to the plat thereof as recorded in Plat Book 6, page 87, Public Records of Lake County, Florida, and the West ½ of vacated West Ninth Avenue lying East of the South 456.5 feet of Block 59, and the North ½ of vacated West Fifth Avenue lying South of said West ½ of vacated West North Avenue.

Parcel Number: 08-18-27-0100-059-00000