

LAKE COUNTY ZONING BOARD
APRIL 22, 2008
BOARD OF COUNTY COMMISSIONERS AGENDA
REVISED

The Lake County Zoning Board held a public hearing at 9:00 a.m. on April 2, 2008, in the County Commissioners Chambers, Second Floor – County Administration Building, 315 West Main Street, Tavares, Florida, to consider petitions for rezonings, conditional use permits, and mining site plans and to elect officers for the Board.

The recommendations of the Zoning Board will be transmitted to the Board of County Commissioners for their Public Hearing to be held at **9:00 a.m., or soon thereafter, on Tuesday, April 22, 2008**, in the County Commissioners Chambers, Second Floor – County Administration Building, 315 West Main Street, Tavares, Florida.

BOARD OF COUNTY COMMISSIONERS MEMBERS:

Ms. Jennifer Hill, Vice-Chairman	District 1
Ms. Elaine Renick	District 2
Ms. Debbie Stivender	District 3
Ms. Linda Stewart	District 4
Mr. Welton G. Cadwell, Chairman	District 5

ZONING BOARD MEMBERS

Mr. Timothy Morris, Vice-Chairman	District 1
Mr. Scott Blankenship	District 2
Mr. James Gardner, Secretary	District 3
Ms. Phyllis Patten	District 4
Mr. Paul Bryan, Chairman	District 5
Mr. Larry Metz, School Board Representative	
Mr. Mark Wells, At-Large Representative	
Mr. John Childers, Ex-Officio, Non-Voting Military Representative	

COUNTY REPRESENTATIVES

Ms. Cindy Hall, County Manager
Mr. Sanford A. Minkoff, County Attorney
Ms. Melanie Marsh, Deputy County Attorney
Ms. LeChea Parson, Assistant County Attorney

GROWTH MANAGEMENT DEPARTMENT REPRESENTATIVES

Ms. Amye King, AICP, Deputy Director, Department of Growth Management
Mr. Brian Sheahan, AICP, Planning Director, Division of Planning & Community Design
Mr. Steve Greene, AICP, Chief Planner, Division of Planning & Community Design
Mr. Rick Hartenstein, Senior Planner, Division of Planning & Community Design
Ms. Stacy Allen, Senior Planner, Division of Planning & Community Design
Ms. Karen Ginsberg, Senior Planner, Division of Planning & Community Design
Ms. Mary Harris, Associate Planner, Division of Planning & Community Design Division
Ms. Sherie Ross, Public Hearing Coordinator, Division of Planning & Community Design

LAKE COUNTY ZONING BOARD
 April 2, 2008
 AND
 LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
 April 22, 2008

PUBLIC HEARING NO.	PETITIONER	AGENDA NO.
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CONSENT AGENDA:

The Consent Agenda contains items which are recommended for approval and which are not controversial. The Zoning Board / BCC will adopt the entire consent agenda in one motion if no one from the Board or audience has questions, concerns or objections. An item may be removed from the Consent Agenda for a full public hearing at the request of any Commissioner, staff member, or member of the public.

CUP#00/3/1-4 Staff-Initiated Revocation	Donald Holter & Laura Ann Day/Ord#2000-15 Donald Holter & Laura Ann Day (Current Owners)	8 WITHDRAWN
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CONSENT AGENDA:

PH#13-08-5	William E. Norman/James McLay	2
CUP#08/4/1-5	Richard Slaughter/ Sheryl Denan-Verizon Wireless/Ocala National Forest Tower Extension	3
PH#16-08-5	Mark & Shelly Weller	5
PH#10-08-2	Lake County Board of County Commissioners/ David Hansen, Lake County Public Lands Manager	6
PH#03-08-03	Board of Trustees of the Internal Improvement Trust Fund/Board of County Commissioners – Robert Bonilla, Lake County Public Works	9
<u>Staff Initiated Revocations of Conditional Use Permits</u>		8
CUP#97/9/2-4	Robert & Ottitia Chaney/ Ord#1997-66 William Cherry (Current Owner)	
CUP#93/7/3-2	Debra Sasser & Mary Highnote Hemchand Narraph (Current Owner)	
CUP#00/9/2-5	Ronald & Robin Bush/Ord#2000-92 Ronald & Robin Bush (Current Owners)	
CUP#00/1/4-4	Mary Ann Mylott/Ord#2000-2 Robert S. and Ann N. Shields (Current Owners)	

REGULAR AGENDA:

PH#15-08-4	Lake County Board of County Commissioners/ Board of County Commissioners, Bobby Bonilla, Director, Lake County Parks Division	10
PH #11-08-4	Lake Swatara Properties, Inc. Leslie Campione, P. A.	7
PH#12-08-2	Lake Utility Services, Incorporated	1
CUP#08/4/2-4	Shirley Grantham	4
CUP#89/1/1-3 Staff-Initiated Revocation	Dorothy W. Yeager Jeffrey C. Yeager (Current Owner)	11

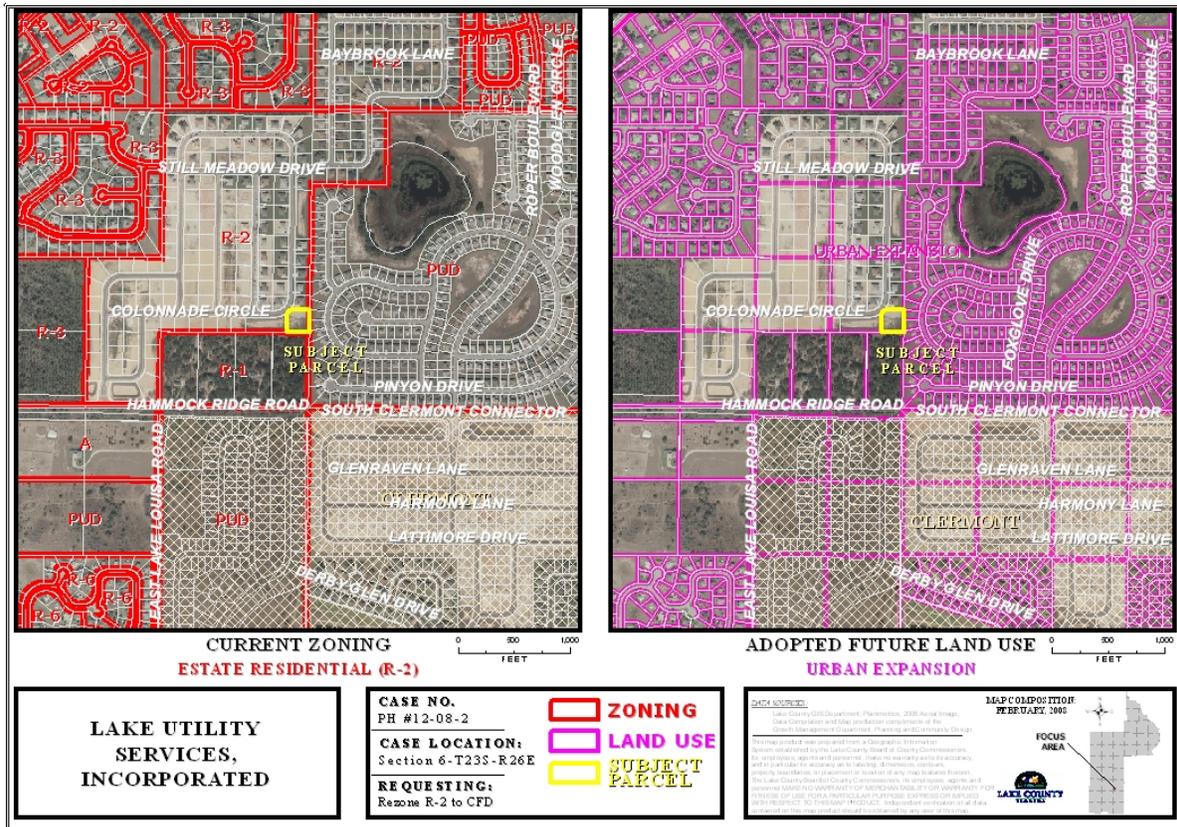
CASE NO: PH#12-08-2

AGENDA NO: 1

OWNER: Lake Utility Services, Incorporated

APPLICANT: Lake Utility Services, Incorporated

GENERAL LOCATION: Clermont area – south of Clermont / SR50 / Lake Minnehaha and west of US27 on Colonnade Circle, Alternate Key Number 3837570



APPLICANT REQUEST: Rezone 0.92 acre from the Estate Residential (R-2) Zoning District to the Community Facility District (CFD) for a water storage treatment facility.

SIZE OF PARCEL: 0.92 acre

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval with the condition that the only treatment permitted on site is post-chlorine injection. (Regular Agenda 5-0)

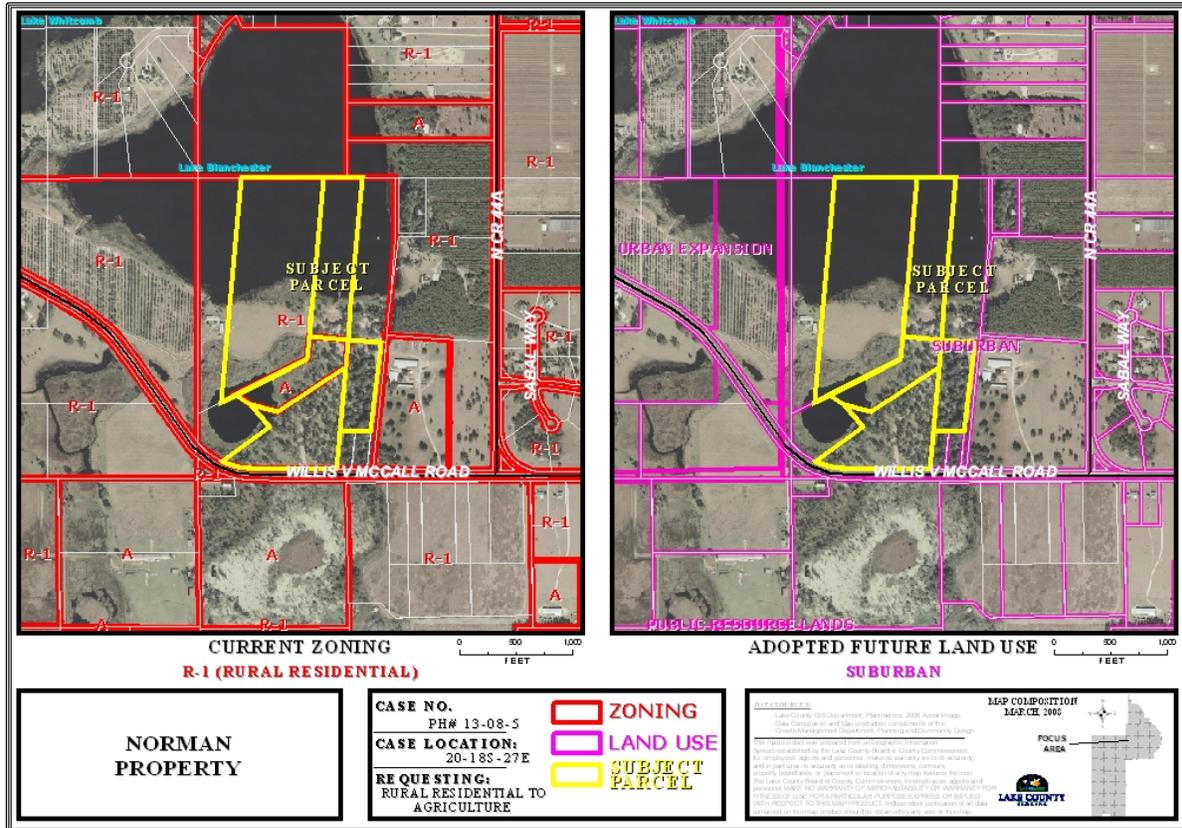
CASE NO: PH#13-08-5

AGENDA NO: 2

OWNER: William E. Norman

APPLICANT: James McLay

GENERAL LOCATION: Umatilla Area, County Road 450A & N. County Road 44A



APPLICANT REQUEST: The applicant is seeking to change the zoning for 76 +/- acres from R-1 to A. The applicant would like to operate the site as a ranch and farm.

SIZE OF PARCEL: 76 +/- Acres

FUTURE LAND USE: Suburban

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval. (Consent Agenda 5-0)

CASE NO: CUP#08/4/1-5

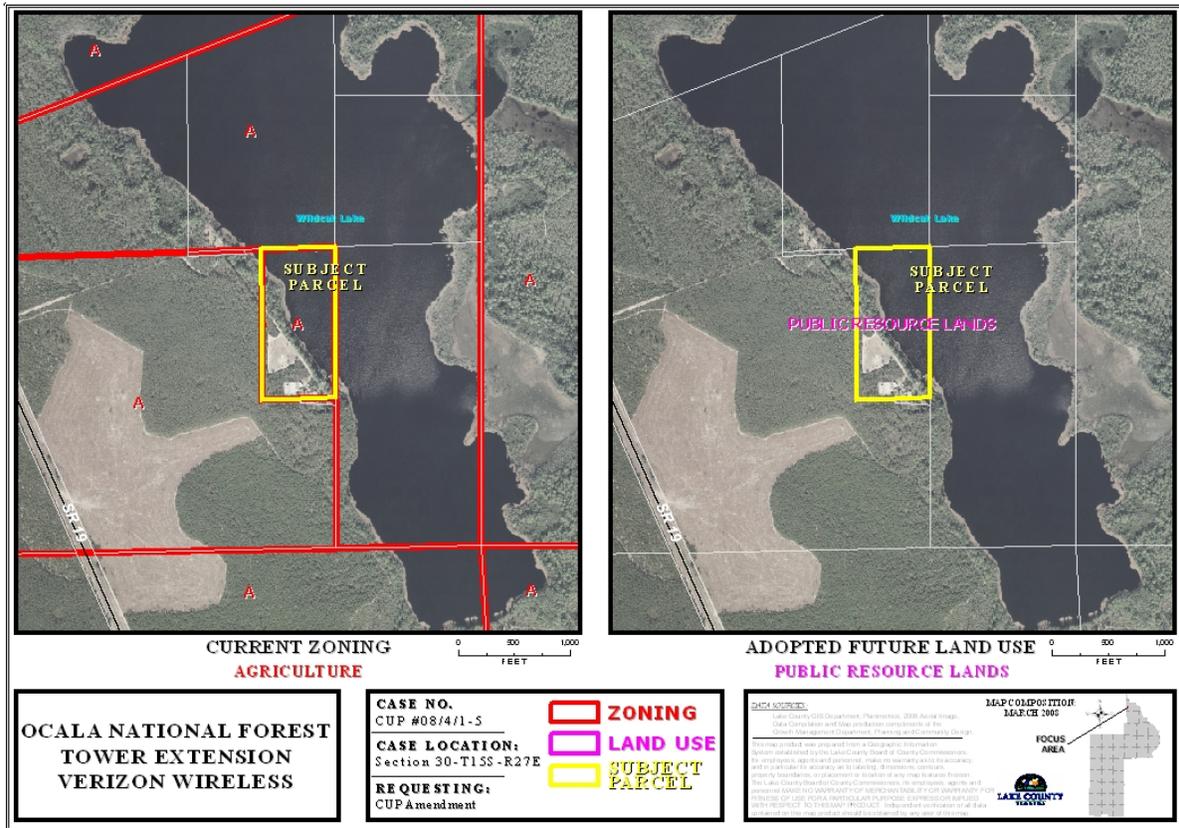
AGENDA NO: 3

OWNER: Richard Slaughter

APPLICANT: Sheryl Denan-Verizon Wireless

PROJECT NAME: Ocala National Forest Tower Extension

GENERAL LOCATION: Astor area – East of SR 19, approximately 1/2 mile south of SR 40 (AK# 3788976)



APPLICANT REQUEST: Consider a proposal to amend an approved CUP (Ordinance #2000-5) to increase the height of an existing 250-foot telecommunications tower by 7-feet, within the Agriculture zoning district.

SIZE OF PARCEL: .23 +/- acre leased area (within 19.9 +/- acre parent parcel)

FUTURE LAND USE: Public Resource Lands

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval with the exclusion of Section 3D in the ordinance (Regular Agenda 5-0)

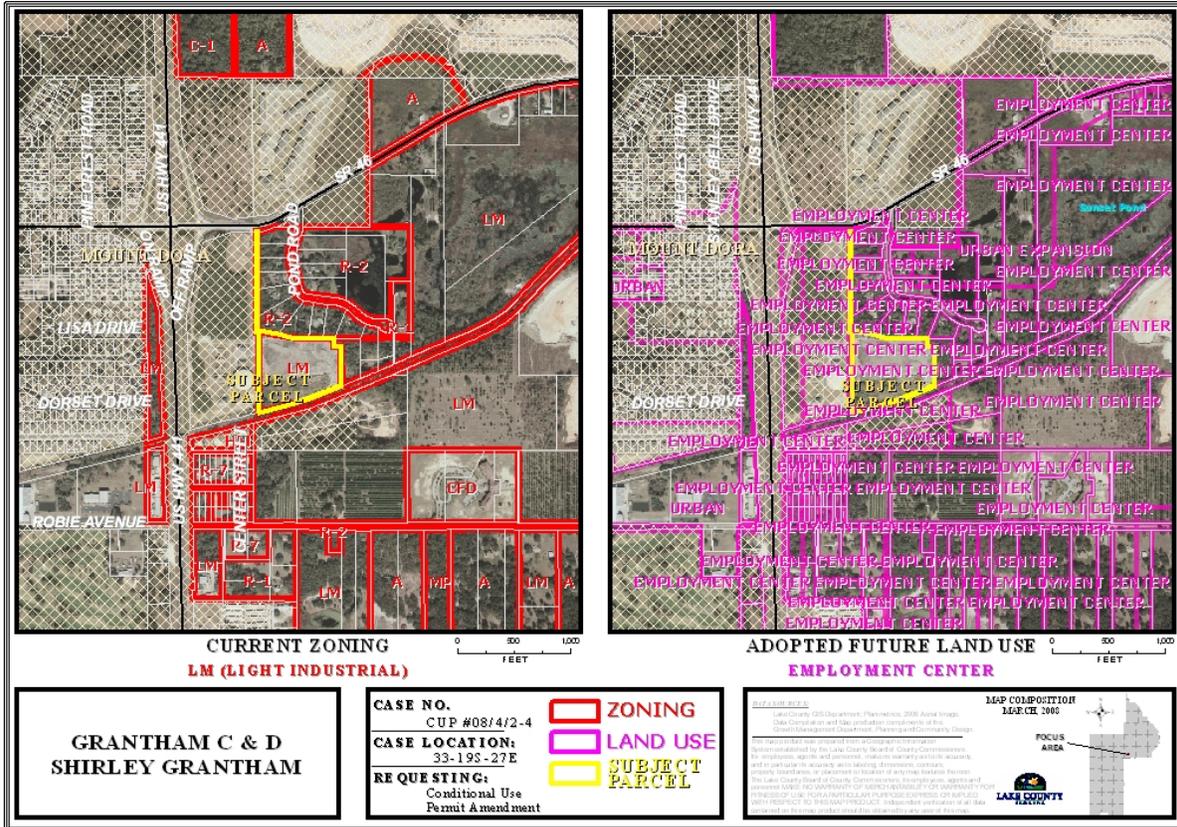
CASE NO: CUP#08/4/2-4

AGENDA NO: 4

OWNER: Shirley Grantham

APPLICANT: Shirley Grantham

GENERAL LOCATION: Mt. Dora area – ¼ mile southeast of the CR 46/US Highway 441 interchange (AK# 3010345)



APPLICANT REQUEST: Approve ordinance amendment to extend the operating time-frames as agreed upon pursuant to Settlement Agreement and as established by the Florida Department of Environmental Protection.

SIZE OF PARCEL: 11.0 +/- acres

FUTURE LAND USE: Employment Center

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval with the change in slope elevation to 140 feet (Regular Agenda 5-0)

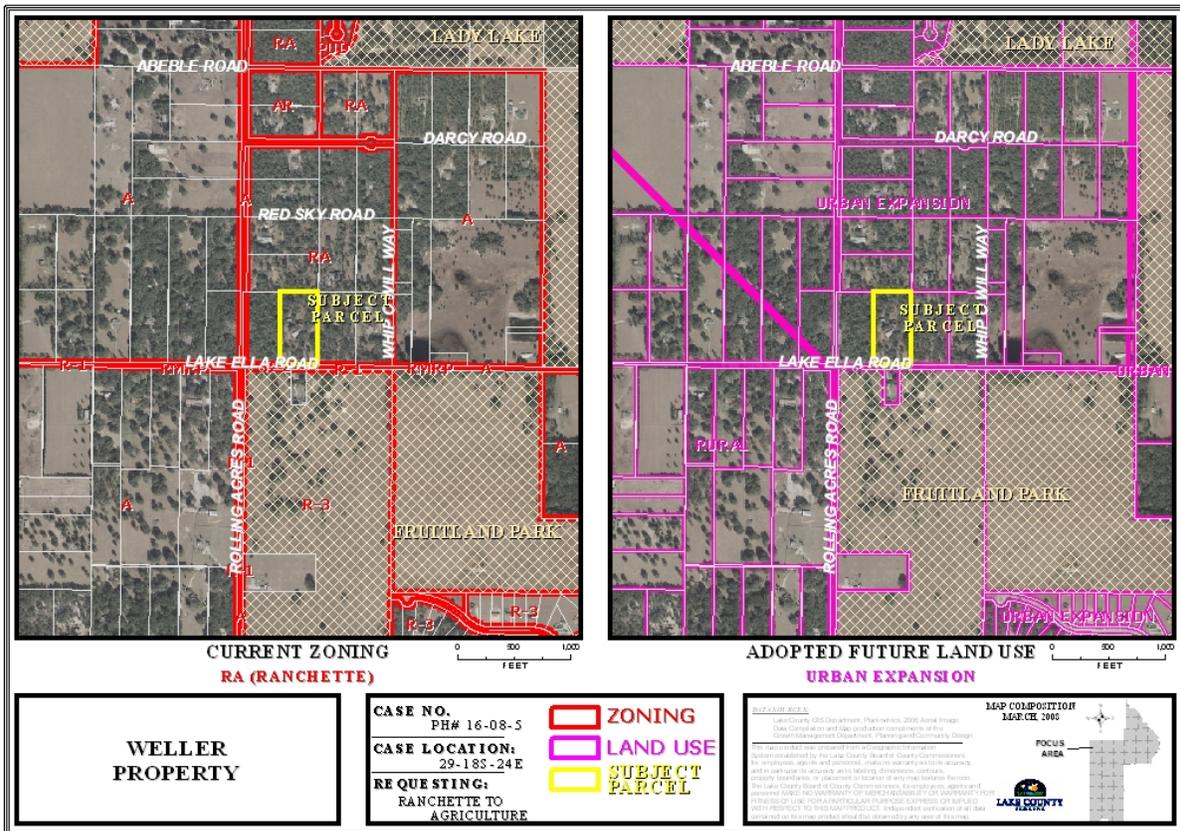
CASE NO: PH#16-08-5

AGENDA NO: 5

OWNERS: Mark & Shelly Weller

APPLICANTS: Mark & Shelly Weller

GENERAL LOCATION: Fruitland Park area – along Lake Ella Road
AK #2505559



APPLICANT REQUEST: Approve applicant's rezoning request to change the zoning of the property from Ranchette (RA) to Agriculture (A).

SIZE OF PARCEL: 5.06 +/- acres

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval (Consent Agenda 5-0)

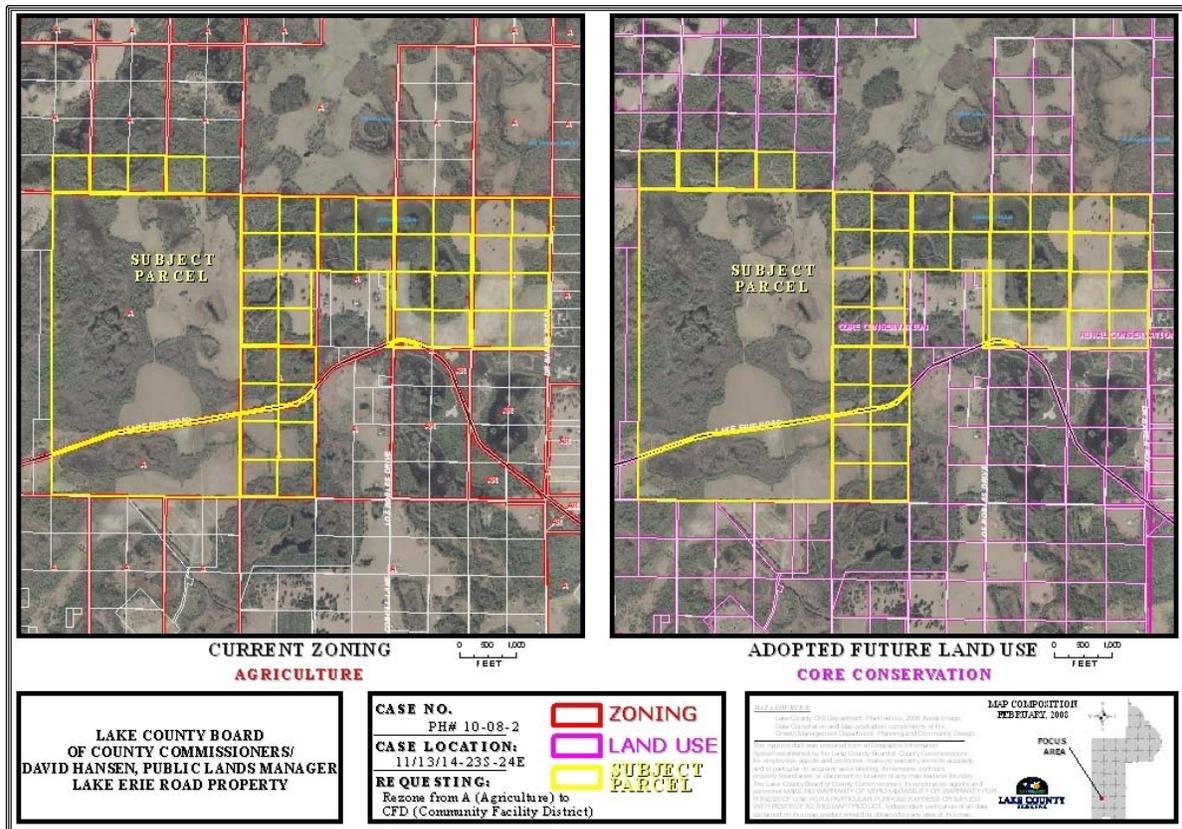
CASE NO: PH#10-08-2

AGENDA NO: 6

OWNER: Lake County Board of County Commissioners

APPLICANT: David Hansen, Lake County Public Lands Manager

GENERAL LOCATION: South Groveland area – property is located on the north and south side of Lake Erie Road-Dist.# 2-0613 between SR 33 and CR 565 (Bay Lake Road-Dist.# 2-0604).



APPLICANT REQUEST: To rezone 832 +/- acres from Agriculture (A) to Community Facility District (CFD) to allow conservation/passive recreational uses

SIZE OF PARCEL: 832 +/- Acres

FUTURE LAND USE: Green Swamp Area of Critical State Concern – Core Conservation

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval (Consent Agenda 5-0)

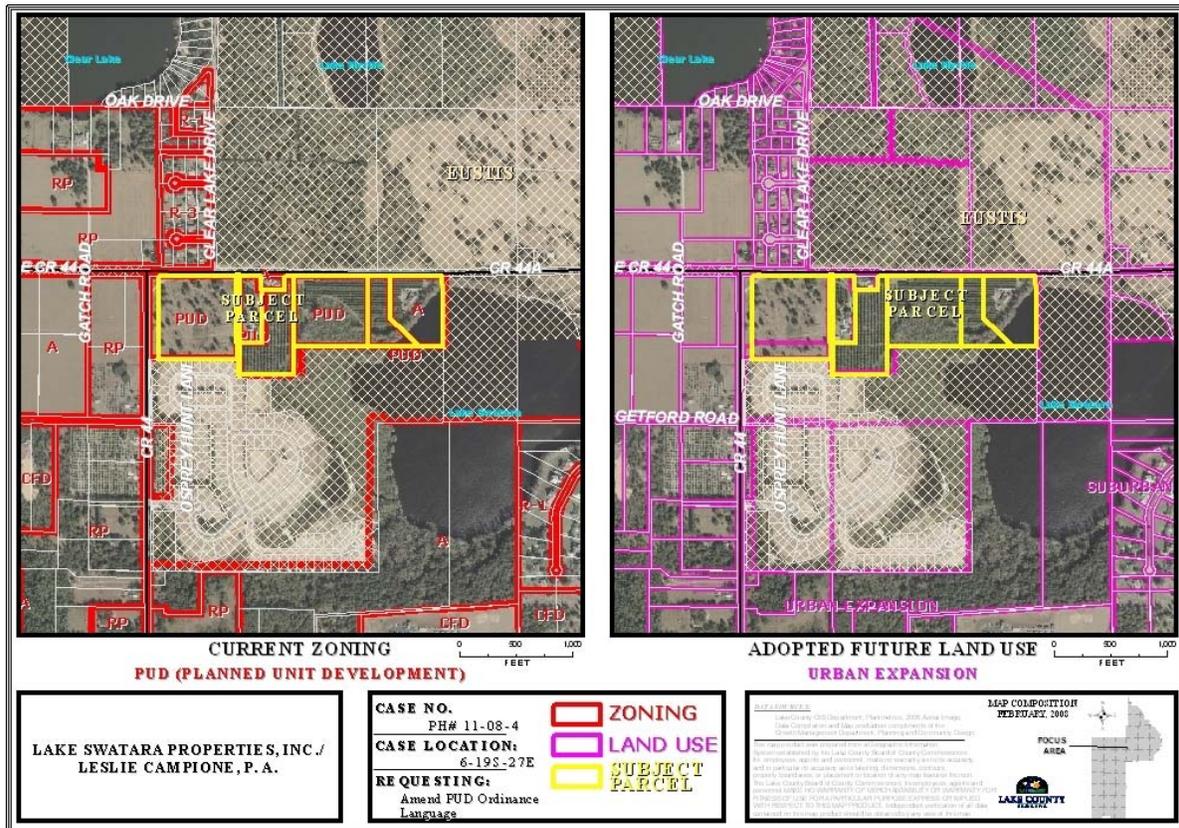
CASE NO: PH#11-08-4

AGENDA NO: 7

OWNER: Lake Swatara Properties, Inc.

APPLICANT: Leslie Campione, P. A.

GENERAL LOCATION: Eustis area – southeast corner of CR 44 and CR 44A (AK#'s 1040141, 1754071, 3834278, and 1040132).



APPLICANT REQUEST: The request has three parts:

1. A waiver of the central potable water service requirement for the Urban Expansion Future Land Use Category (FLUC) under Land Development Regulation (LDR) Section 6.12.01 (A) as it relates to the development of the Swatara Subdivision, Phase 1 (10 Lots); and
2. To amend PUD Ordinance #2007-18 Section 1 (F) to eliminate the requirement for central water service for Phase 1 (10 Lots); and
3. To clarify Section 1 (B)(3) regarding the agricultural uses to allow a wholesale nursery.

SIZE OF PARCEL: 40.78+/- Gross acres

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Denial of Request 1 and Request 2
Approval of Request 3

ZONING BOARD RECOMMENDATION: Approval to allow individual wells for six lots only, subject to the requirement that the owner apply for connection to the City of Eustis water system. If granted, the owner would comply with the requirements for fire hydrants for those lots. If not granted, wells would be permitted. (Regular Agenda 4-1)

WITHDRAWN:

PUBLIC HEARING NO.: CUP#00/3/1-4 Donald Holter & Laura Ann Day/Ord#2000-15

CURRENT OWNERS: Donald Holter & Laura Ann Day

GENERAL LOCATION: Eustis area – From the intersection of CR 44A and CR 439; approximately one mile north to property on east side of road.

REQUEST: Staff-initiated revocation of CUP in Agriculture for slaughter house. Business no longer operating and use has been terminated and non-payment of annual fees. (1 +/-ac)

The following Conditional Use Permits have been reviewed by the Lake County Code Enforcement Division by a physical site inspection pursuant to the Annual Inspection review condition as set forth in the Conditional Use Permits. These Conditional Use Permits have violated the terms and conditions of the permitted use by either failure to comply or non-payment of fees.

Therefore, the Planning & Community Design Staff supports the findings of the Lake County Code Enforcement Division and recommends **approval** for the revocation of the Conditional Use Permits as outlined herein.

PUBLIC HEARING NO.: CUP#97/9/2-4 Robert & Ottitia Chaney/Ord#1997-66

CURRENT OWNER: William Cherry

GENERAL LOCATION: Pine Lakes area – From the intersection of SR 44 and Oak Ave; E on Oak Ave to Country Rd; S on Country Rd to Swift Rd, continue S on Swift Rd to Forest Drive; W & N on Forest Dr approximately 1-1/4 miles to property lying W of Forest Rd on the lake.

REQUEST: Staff-Initiated revocation of the CUP in Agriculture due to the caretaker's residence is deemed unsafe, is vacant/use terminated, and non-payment of annual fees. (11.93 +/-acres)

PUBLIC HEARING NO.: CUP#93/7/3-2 (Debra Sasser & Mary Highnote)

CURRENT OWNER: Hemchand Narraph

GENERAL LOCATION: Ferndale area – From the intersection of C-455 & Trousdale Rd, E & N on Trousdale Rd & 3rd Ave approx. 1-1/4 miles to property lying E of road.

REQUEST: Staff-Initiated revocation of the terms of the conditional use permit, due to the use has been terminated and property is being used as a rental property. (14.59 +/-acres)

PUBLIC HEARING NO.: CUP#00/9/2-5 Ronald & Robin Bush/Ord#2000-92

CURRENT OWNER(S): Ronald & Robin Bush

GENERAL LOCATION: Umatilla / East Lake County area – From the intersection of CR 44 and CR 439; N on CR 439 approx. 4-1/2 miles to Freeman Drive; W on Freeman Dr to Louise Rd; Proceed S on Louise Rd to the end of the cul-de-sac to the property lying SW of the road.

REQUEST: Staff-initiated revocation of the CUP due to use no longer wanted and non-payment of annual fees. (5 +/-acres)

PUBLIC HEARING NO.: CUP#00/1/4-4 Mary Ann Mylott/Ord#2000-2

CURRENT OWNER: Robert S. and Ann N. Shields

GENERAL LOCATION: Pine Lakes area – CR 44 to Forest Drive to corner of Forest Drive and Lakeview Rd.

REQUEST: Staff-initiated revocation due to the use of a mobile home for the care of the infirm is terminated and the mobile home has been removed from the property. (5 +/-acres)

ZONING BOARD RECOMMENDATION: Approval (Consent Agenda 5-0)

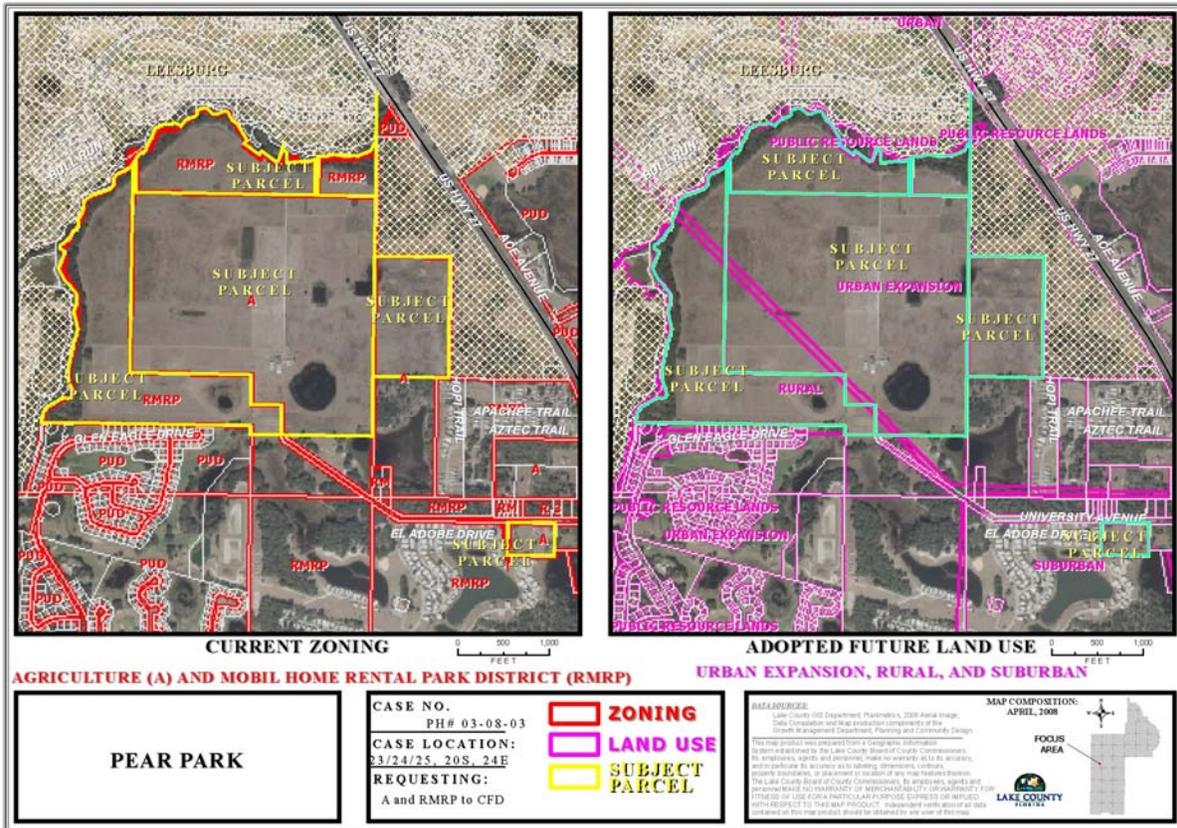
CASE NO: PH#03-08-03

AGENDA NO: 9

OWNER: Board of Trustees of the Internal Improvement Trust Fund

APPLICANT: Board of County Commissioners - Robert Bonilla, Lake County Public Works

GENERAL LOCATION: South Leesburg area – the property is located on the west side of US 27, on the north and south side of University Avenue (AK#s 1296366, 1296242, 1296293, 1296234).



APPLICANT REQUEST: To rezone 272.1 +/- acres from Agriculture (A) and Mobile Home Rental Park District (RMRP) to Community Facility District (CFD) to permit passive recreational uses and use the existing structures for office and storage facilities subject to all conditions set forth in the attached ordinance.

SIZE OF PARCEL: 272.1 +/- Acre

FUTURE LAND USE: Urban Expansion, Suburban, and Rural

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval (Consent Agenda 5-0)

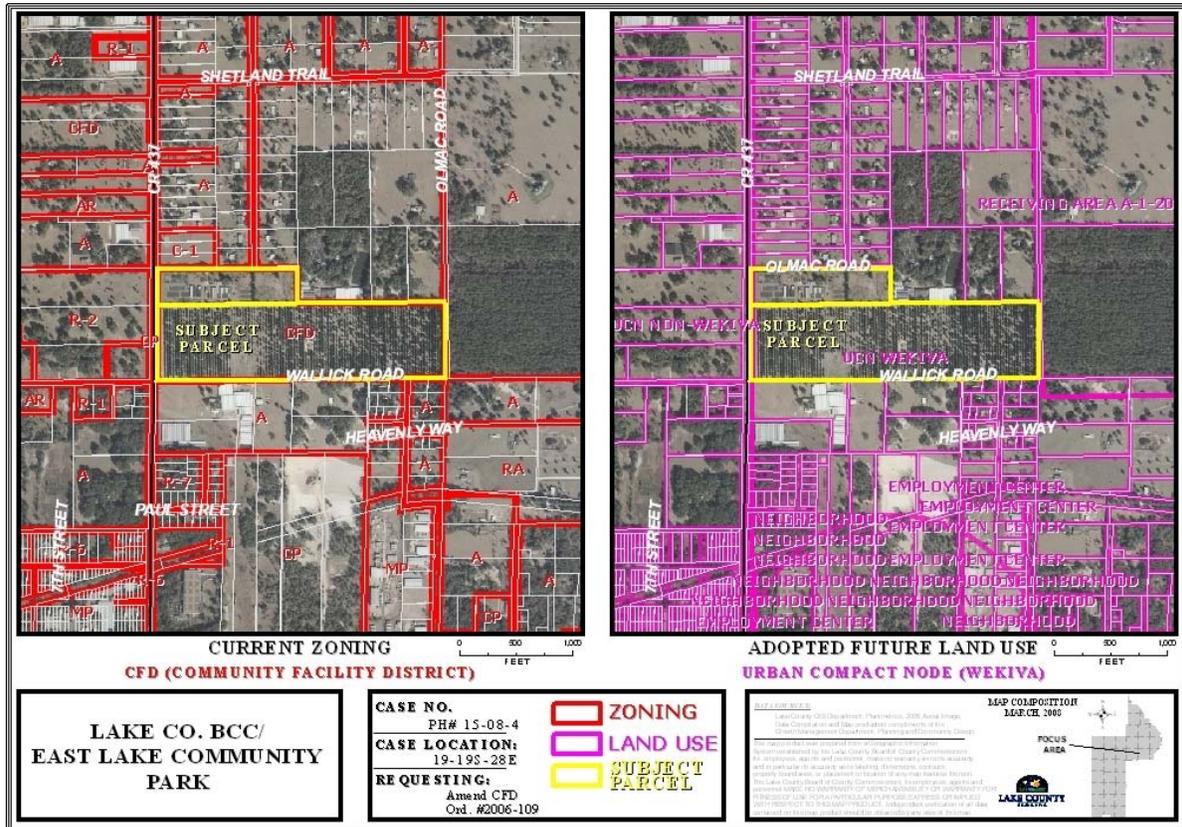
CASE NO: PH#15-08-4

AGENDA NO: 10

OWNER: Lake County Board of County Commissioners

APPLICANT: Board of County Commissioners, Bobby Bonilla, Director, Lake County Parks Division

GENERAL LOCATION: Sorrento area - east and north of the intersection of Wolf Branch Road, Wallick Road, and CR 437.



APPLICANT REQUEST: A text amendment to Ordinance #2006-109 to add the use of a public elementary school to the permitted uses for the property.

SIZE OF PARCEL: 49 +/- Acre

FUTURE LAND USE: Urban Compact Node - Wekiva

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Approval (Regular Agenda 5-0)

The following Conditional Use Permit has been reviewed by the Lake County Code Enforcement Division by a physical site inspection pursuant to the Annual Inspection review condition as set forth in the Conditional Use Permits. These Conditional Use Permits have violated the terms and conditions of the permitted use by either failure to comply or non-payment of fees.

Therefore, the Planning & Community Design Staff supports the findings of the Lake County Code Enforcement Division and recommends **approval** for the revocation of the Conditional Use Permits as outlined herein.

PUBLIC HEARING NO.: CUP#89/1/1-3 Dorothy W. Yeager

CURRENT OWNER: Jeffrey C. Yeager

GENERAL LOCATION: Astatula area – From the intersection of C-561 and C-48; proceed E on C-48 approx. 2-1/4 miles to property lying S of road.

REQUEST: Staff-Initiated revocation due to violations of the terms of the CUP: 2.(A, 1, 2, & 3) and 2.C. (20 +/- acres)

ZONING BOARD RECOMMENDATION: Approval (Regular Agenda 5-0)