

**LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
AUGUST 26, 2008
ZONING AGENDA**

The Lake County Zoning Board held a public hearing at 9:00 a.m. on Wednesday, August 6, 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.

The recommendations of the Zoning Board will be transmitted to the Board of County Commissioners for their Public Hearing to be held at **10:00 a.m.**, or soon thereafter, on **Tuesday, August 26, 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
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

GROWTH MANAGEMENT DEPARTMENT REPRESENTATIVES

Ms. Amye King, AICP, 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. Ian McDonald, 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. Julianne Thomas, 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
August 6, 2008
AND
LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
August 26, 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.

PH #21-08-4	Robert and Jane Walsh/Robert Walsh/Talon's Ridge	1
PH#37-08-5	Central Florida Council, BSA/Michael D. Harding, P.E. Williams Family Scout Reservation	3 Continued until 9/03/08
PH#42-08-2	Lake County Planning & Community Design/Millbrook Manor	4 Continued until 9/03/08
PH#33-08-1	Lake County/David Hansen, Public Lands Manager Helena Run Rezoning	5
PH#35-08-4	Robert Solomon	6
PH#59-06-3	GHL Development, LLC Horgo Signature Homes	7 Continued until 11/05/08
CUP#499-2 Staff-Initiated Revocation	Roy Skipper and Hubbert Powell Patricia J. Butts	9A
CUP#872-5 Staff-Initiated Revocation	Ralph N. Darden	9B
CUP#91/2/2-1 Staff-Initiated Revocation	C C & B Properties	9C
CUP#968-1 Staff-Initiated Revocation	Clifford Willoughby	9D
CUP#90/7/3-2 Staff-Initiated Revocation	Charles Bradshaw	9E
CUP#00/8/2-4 Staff-Initiated Revocation	Terry Allen/Nextel Communications	9F

CASE NO: PH #21-08-4

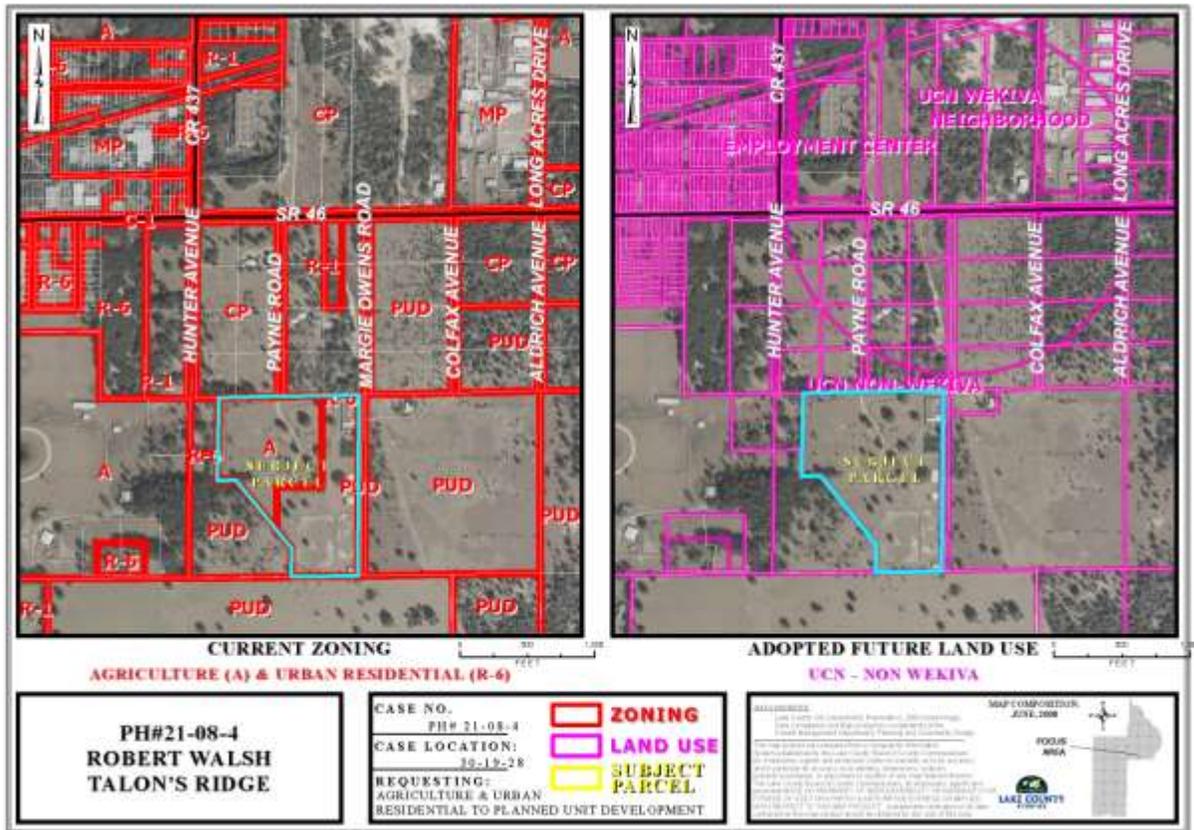
AGENDA NO: 1

OWNERS: Robert & Jane Walsh

APPLICANT: Robert Walsh

PROJECT NAME: Talon's Ridge

GENERAL LOCATION: Sorrento area – on Payne Road, southeast of the intersection of SR 46 and CR 437 North.



APPLICANT REQUEST: The Applicant is requesting to rezone 25.1 acres from Agriculture (A) and Urban Residential District (R-6) to Planned Unit Development District (PUD) to allow for 118 residential dwelling units at a density of 5.5 dwelling units per acre.

SIZE OF PARCEL: 1,093,356 SF (25.1 acres)

FUTURE LAND USE: UCN Non Wekiva

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: 5-0 Approval - Consent Agenda

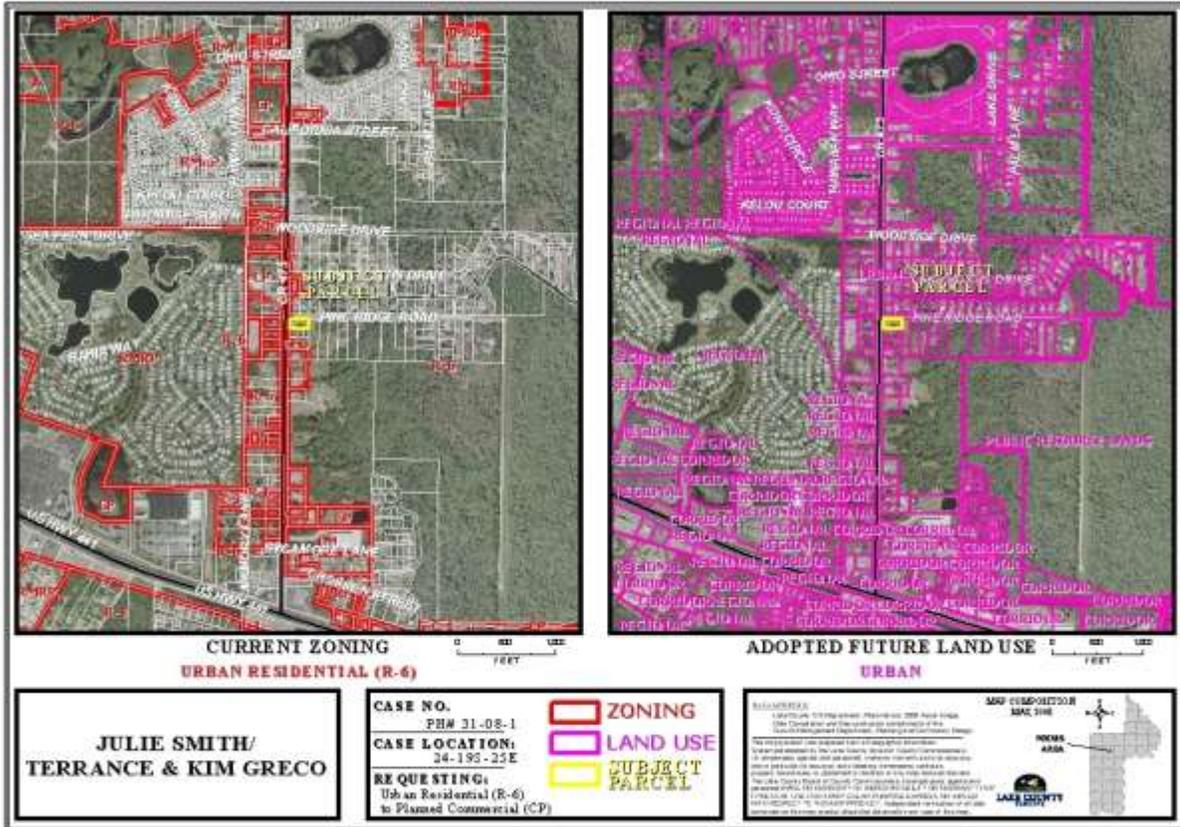
CASE NO: PH#31-08-1

AGENDA NO: 2

OWNERS: Terry and Kim Greco

APPLICANT: Julie Smith

GENERAL LOCATION: Leesburg area – at the southeast corner of CR 473 and Pine Ridge Rd.



APPLICANT REQUEST: The Applicant is requesting to rezone approximately .46 acres (20,000 SF) from Urban Residential (R-6) to CP to permit a limited commercial use for an antique auto sales business on the property.

SIZE OF PARCEL: 20,000 SF (.46 acres)

FUTURE LAND USE: Urban

STAFF RECOMMENDATION: Approval with conditions

ZONING BOARD RECOMMENDATION: 5-0 Denial based on incompatibility - Regular Agenda

CASE NO: PH#37-08-5

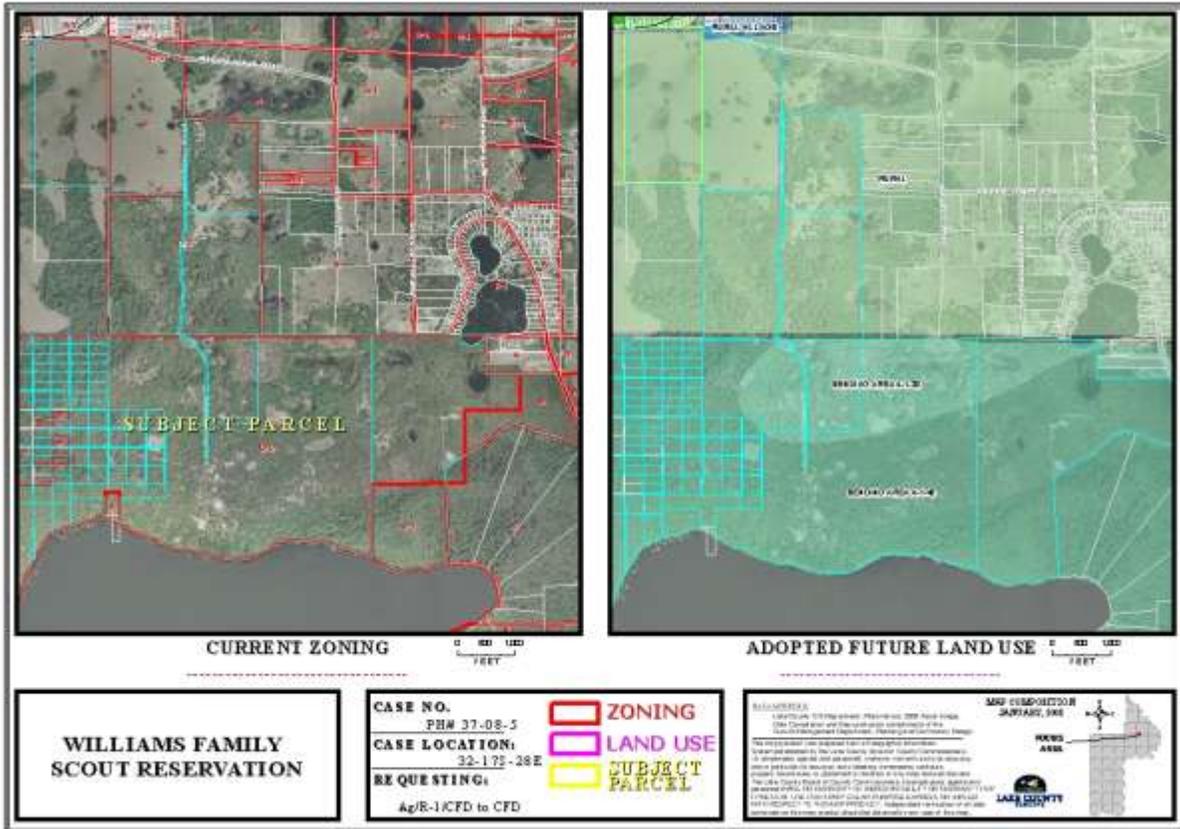
AGENDA NO: 3

OWNER: Central Florida Council, BSA

APPLICANT: Michael D. Harding, P.E.

PROJECT NAME: Williams Family Scout Reservation

GENERAL LOCATION: Paisley area – CR 42 and Boy Scout Road



APPLICANT REQUEST: Amend ordinance to rezone Agriculture (Ag) land area (159.16-acres +/-) as CFD zoning for the purpose of expanding the Leonard & Marjorie Williams Family Scout Reservation.

SIZE OF PARCEL: 1,080 +/- acres

FUTURE LAND USE: Rural/Wekiva Sending A-1-20 & A-1-40

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Continuance until the 9/03/08 Zoning Board Public Hearing

CASE NO: PH#42-08-2

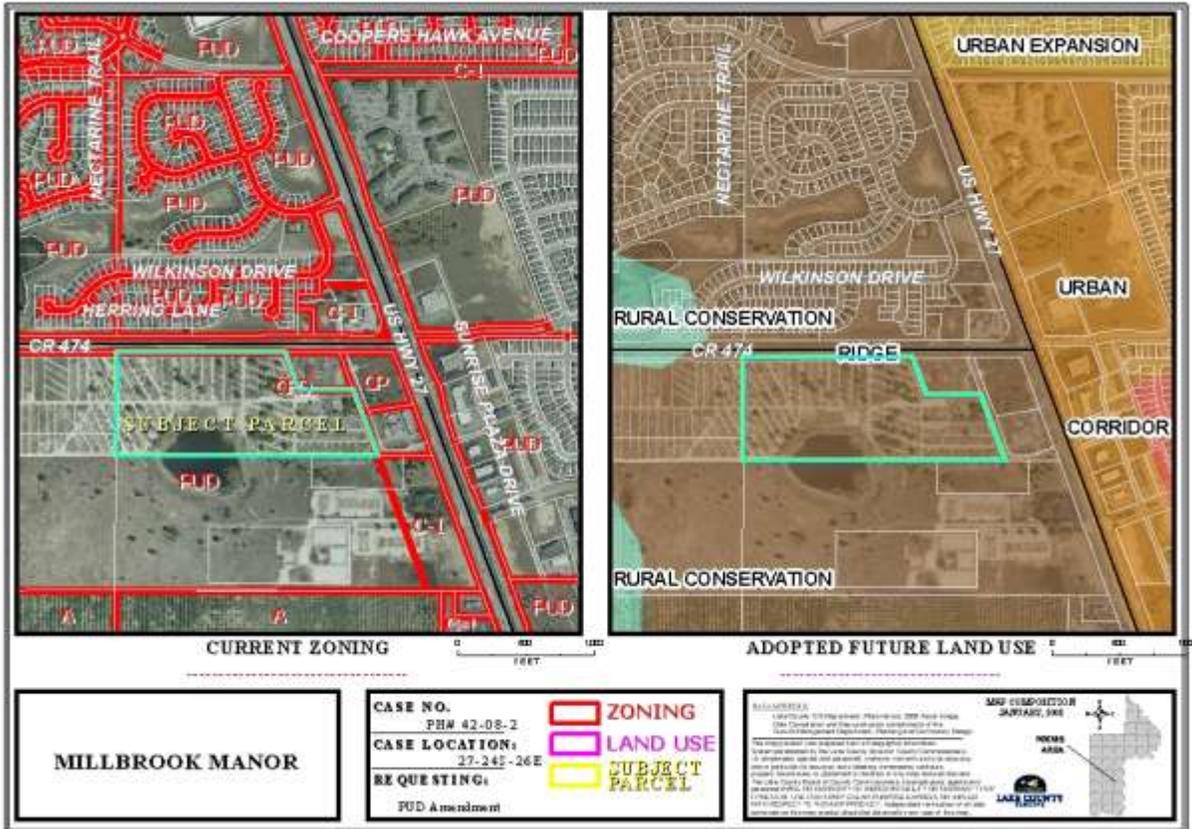
AGENDA NO: 4

OWNER: N/A

APPLICANT: Lake County Planning & Community Design

PROJECT NAME: Millbrook Manor

GENERAL LOCATION: Clermont area – US Highway 27



APPLICANT REQUEST: Amend ordinance to correct scrivener’s error as it pertains to the omission of previously acknowledged short-term activity.

SIZE OF PARCEL: 124.85 +/- acres

FUTURE LAND USE: Green Swamp - Ridge

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Continuance until the 9/03/08 Zoning Board Public Hearing

CASE NO: PH#33-08-1

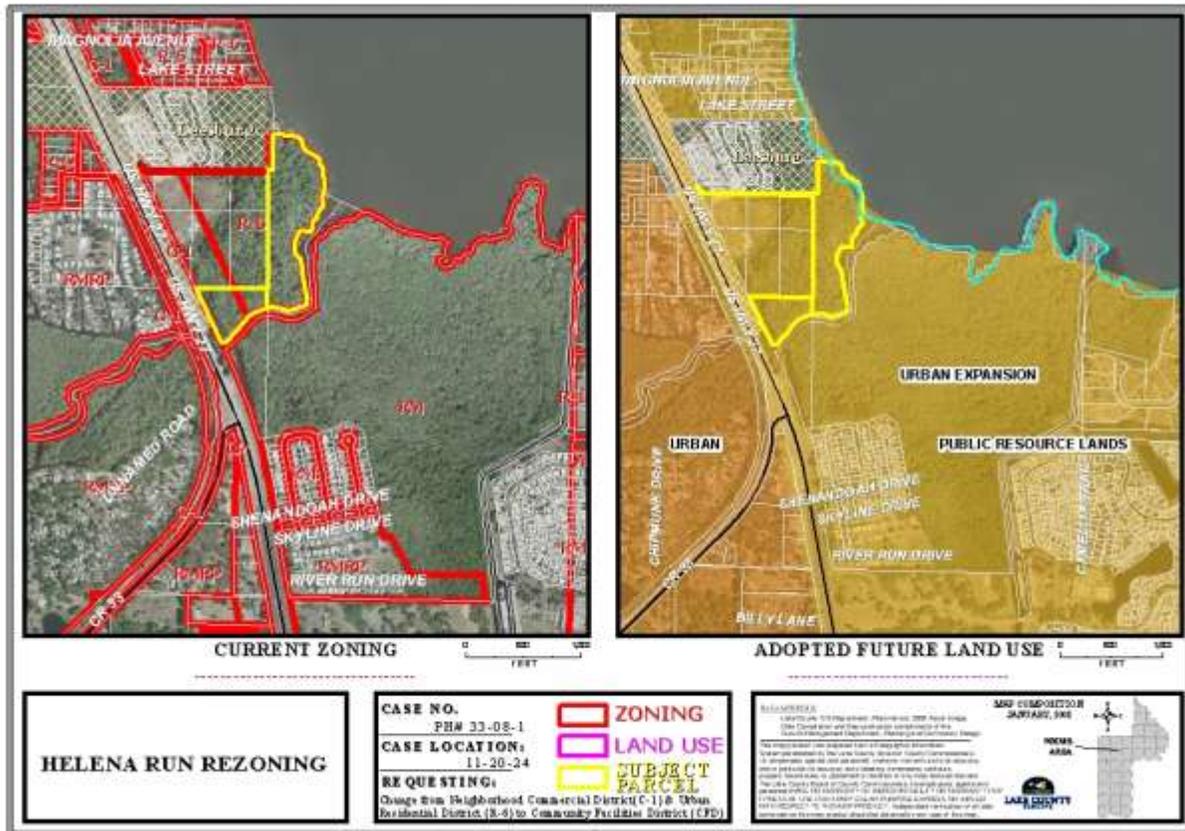
AGENDA NO: 5

OWNER: Lake County

APPLICANT: David Hansen, Public Lands Manager

PROJECT NAME: Helena Run Rezoning

GENERAL LOCATION: US 27 North of 33 on Lake Harris



APPLICANT REQUEST: Change the Zoning from Neighborhood Commercial District (C-1) and Urban Residential District (R-6) to Community Facilities District (CFD) to allow for conservation and passive recreation activities.

SIZE OF PARCEL: 871,200 SF (20 acres)

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: 5-0 Approval - Consent Agenda

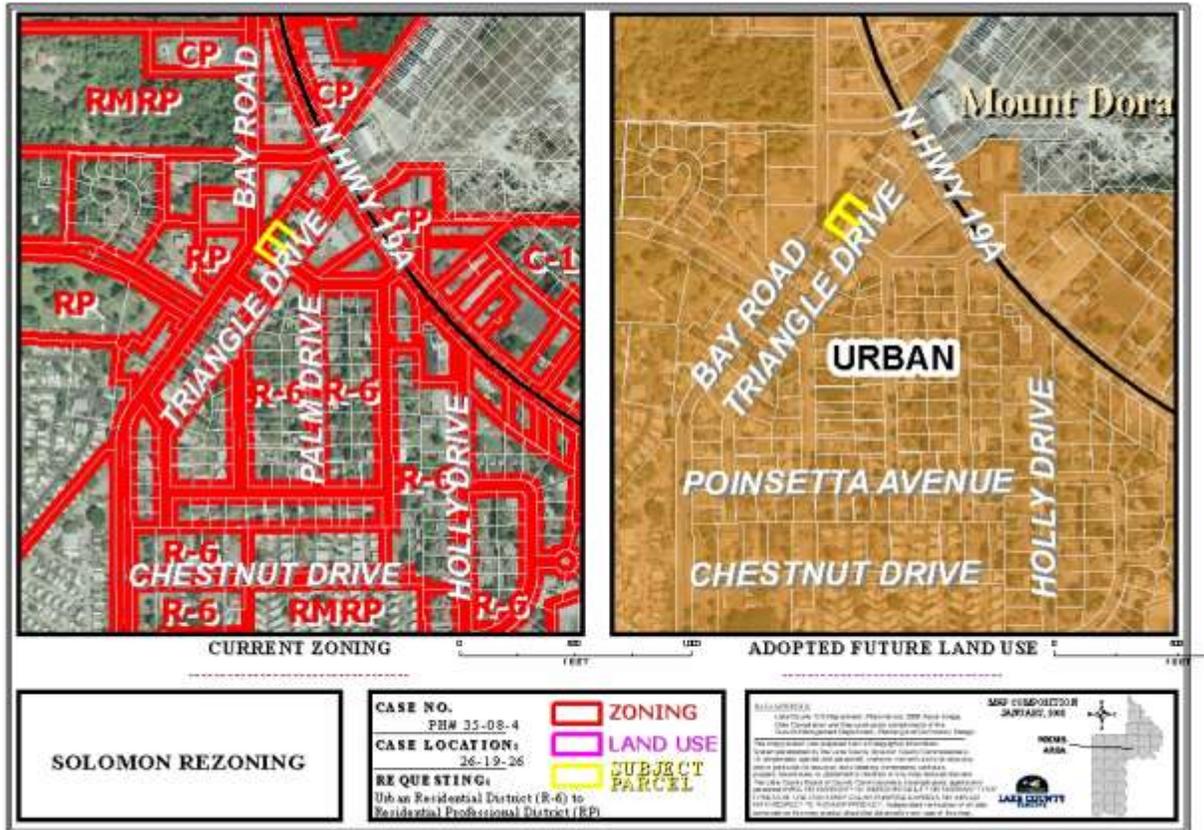
CASE NO: PH#35-08-4

AGENDA NO: 6

OWNER: Robert Solomon

APPLICANT: Robert Solomon

GENERAL LOCATION: On Triangle Dr. near 19A



APPLICANT REQUEST: Change the Zoning from Urban Residential District (R-6) to Residential Professional District (RP) in order to make highest and best use of the property.

SIZE OF PARCEL: 17,500 SF (0.4 acres)

FUTURE LAND USE: Urban

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: 5-0 Approval – Regular Agenda

CASE NO: PH#59-06-3

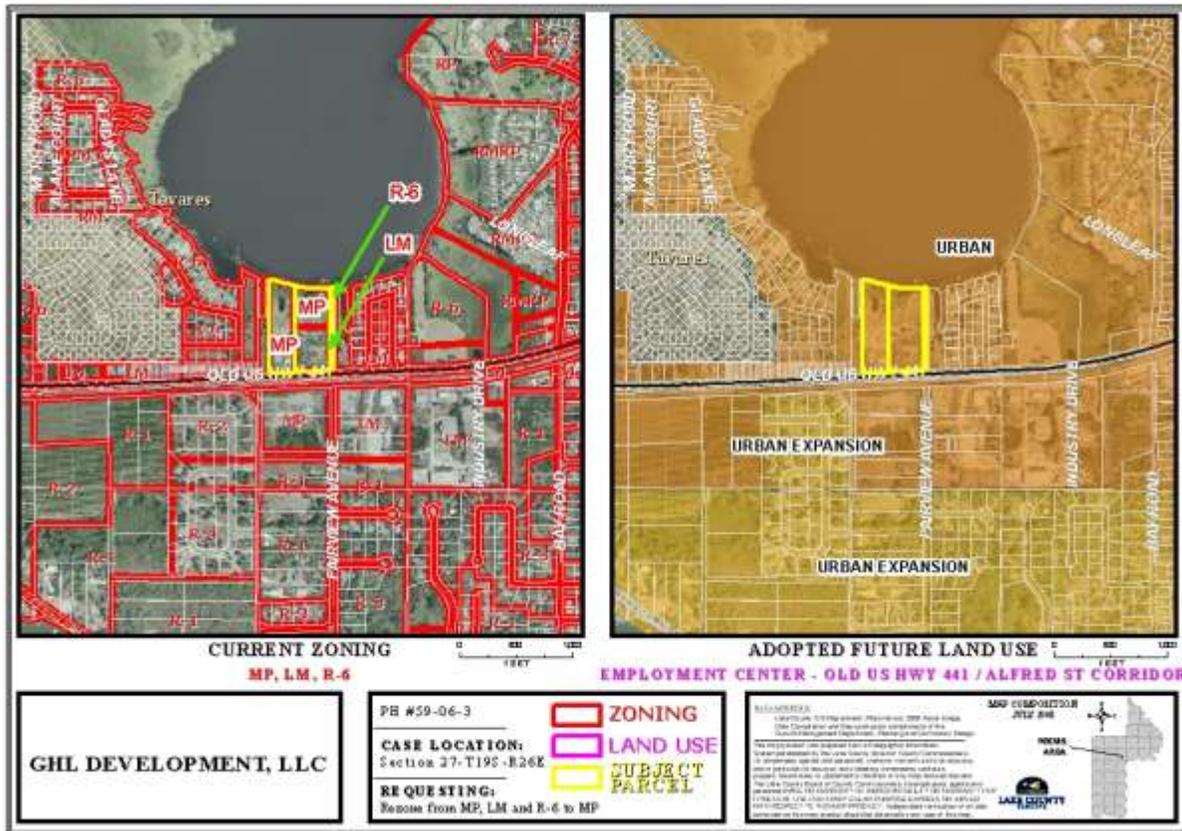
AGENDA NO: 7

OWNER: GHL Development, LLC

APPLICANT: GHL Development, LLC

PROJECT NAME: Horgo Signature Homes

GENERAL LOCATION: Between Tavares and Mt. Dora, north side of Old US Hwy 441



APPLICANT REQUEST: The Applicant is requesting to rezone properties from the MP, LM and R-6 Zoning Districts to the Planned Unit Development (PUD) Zoning District to allow a mixed use development consisting of 75 townhomes with recreational facilities and 9,000 square feet of commercial space.

SIZE OF PARCEL: 10.0 acres

FUTURE LAND USE: Employment Center - Old US Hwy 441/Alfred Street Corridor

STAFF RECOMMENDATION: Denial

ZONING BOARD RECOMMENDATION: Continuance until the 11/05/08 Zoning Board Public Hearing

CASE NO: MSP#08/7/1-3

AGENDA NO: 8

OWNER: Robert J. Merritt

APPLICANT: Robert J. Merritt

PROJECT NAME: Dirtworx Excavating, Incorporated

GENERAL LOCATION: Mascotte area – on Lake/Sumter County line, north of Tuscanooga and Hanley Road, AK #s 3666038 and 1297656



APPLICANT REQUEST: The Applicant is requesting a Mining Site Plan (MSP) in the Agriculture Zoning District to allow a dry burrow pit for clean fill and sand (mine).

SIZE OF PARCEL: 158.29 acres

FUTURE LAND USE: Rural

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: 4-1 Approval, as amended, with the Monday through Friday operating hours being 7 a.m. to 6 p.m. and that no excavation shall take place on Saturday and Sunday – Regular Agenda

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.

From these inspections, it was noted that the uses as permitted for the Conditional Use Permit was terminated due to non-compliance to the terms and conditions or failure to comply within the period as specified within the Conditional Use Permit. Based on these inspections, Staff recommends **Approval** of the revocations of the Conditional Use Permits as indicated.

PUBLIC HEARING NO.: CUP#499-2 (Roy Skipper and Hubbert Powell) Patricia J. Butts (A)

GENERAL LOCATION: Okahumpka / Mascotte area – 1/2 mile West and 300 feet North of the junction of SR 33 and Austin Merritt Road.

REQUEST: Staff-initiated revocation of the terms and uses of the Conditional Use Permit in Agriculture for a cluster housing facilities, which included two (2) mobile homes. The 2nd mobile home has been removed from the site and is no longer being used as originally approved for. (5+/ac)

PUBLIC HEARING NO.: CUP#872-5 (Ralph N. Darden) (B)

GENERAL LOCATION: Astor area – From the intersection of SR 40 and SR 445A, proceed W on SR 40 about 1/10 mile to property on the N side of the road.

REQUEST: Staff-initiated revocation of a Conditional Use Permit in Agriculture issued for placement of a mobile home for the care of a nursery operation. The owner no longer desires the use of the CUP, since the property has been created into three (3) recognized lots the use of the CUP is no longer required nor needed. (5.3 +/ac)

PUBLIC HEARING NO.: CUP#91/2/2-1 (C C & B Properties) (C)

GENERAL LOCATION: Leesburg area – Property lying N of US Hwy 441 at its intersection of Tomato Hill Rd.

REQUEST: Staff-initiated revocation of the terms and uses of the Conditional Use Permit in RMRP for an RV Park. In accordance with the terms of the CUP (3.d) "Construction and Operation shall have begun within six (6) months, otherwise shall be null and void..." site inspections confirmed that the property is vacant to this date. (12 +/ac)

PUBLIC HEARING NO.: CUP#968-1 (Clifford Willoughby) (D)

GENERAL LOCATION: Leesburg area – At the junction of Gray's Airport Rd and Skycrest Blvd, the property is located on the S side of Gray's Airport Rd.

REQUEST: Staff-initiated revocation of the terms and uses of the Conditional Use Permit in C-2 (Community Commercial) for a caretaker's residence in conjunction with an auto repair business. The business no longer exists and the mobile home has been removed from the property. (2.74 +/ac)

PUBLIC HEARING NO.: CUP#90/7/3-2 (Charles Bradshaw) (E)

GENERAL LOCATION: Villa City / South Lake County – Property lying S of US 25/27 & E of C-565 (Villa City Road).

REQUEST: Staff-initiated revocation of the terms and uses of the Conditional Use Permit in RMRP for an RV park. The use is being terminated in accordance with the conditions outlined in the CUP item 3.d. "Construction and/or operation shall have begun within six (6) months otherwise, this permit shall be null and void..." The RV Park was never constructed in accordance with the requirements.

PUBLIC HEARING NO.: CUP#00/8/2-4 (Terry Allen/Nextel Communications) (F)

GENERAL LOCATION: Cassia area - One mile east of the intersection of Hwy 44 and Hwy 44A on north side of road east of the Cassia Community Center.

REQUEST: Staff-initiated revocation of an ordinance (#2000-84) for a Conditional Use Permit in Agriculture for the placement of a 199-foot monopole telecommunication tower on a .23 acre lease parcel. The CUP is being terminated in accordance with the requirements outlined in 3.D. "Construction and/or operation shall have begun within Twelve (12) months otherwise, this permit shall be null and void...." A site visit indicated that the tower was never placed on the site. (24 +/-ac)

PUBLIC HEARING NO.: CUP#89A/9/4-3 (Lloyd and Mary Lou Mackey) (G)

GENERAL LOCATION: Montverde area – From the intersection of C-561A and Triple E Rd; proceed S on Triple E Rd approx. 1/4 mile to easement; W & S on easement approx. 800 ft to property lying E of easement.

REQUEST: Staff-initiated revocation of Conditional Use Permit in Agriculture for the keeping of an RV on site for the care of an infirm relative, whereby amended to allow an additional 6 months stay on site. A site inspection indicated that the RV is now being used for storage, which is in violation of the Lake County Code (6-23) and the Land Development Regulations (10.01.02 D), which also terminates the intended use of the site and renders the CUP invalid. (4 +/-ac)

PUBLIC HEARING NO.: CUP#92/7/2-2 (APAC-Florida Inc.) (H)

GENERAL LOCATION: Florida Turnpike area – Property lying N of Florida Turnpike and W of N. O'Brien Road.

REQUEST: Staff-initiated revocation of the Conditional Use Permit in Agriculture approved for a temporary asphalt plant. Per the condition of the CUP terms 2. (F) #15, "This temporary asphalt plant permit shall be valid for a period of one (1) year from the date of approval by the Board of County Commissioners". A site inspection indicates that the property is vacant. (8 +/-ac)

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