

**LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
NOVEMBER 27, 2007
ZONING AGENDA**

The Lake County Zoning Board held a public hearing at 9:00 a.m. on Wednesday, November 7, 2007, in the County Commissioners Chambers, 2nd Floor – County Administration Building, 315 West Main Street, Tavares, Florida, to consider petitions for rezoning, 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 **9:00 a.m., or soon thereafter, on Tuesday, November 27, 2007**, in the County Commissioners Chambers, 2nd 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. Carol Stricklin, AICP, Director, Department of Growth Management
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. Karen Rosick, 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
 NOVEMBER 7, 2007
 AND
 LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
 NOVEMBER 27, 2007

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.

CONSENT AGENDA:

PH#38-07-2	Woodcrest Center Partners, LLC/John W. Kidd, AICP, Senior Planner with Avid Group	1
PH#48-07-2	Ultimate Developers, LLC/Lake County	2
PH#34-07-5	Mark Gould/Debra Granger	3
<u>Staff Initiated Revocations of Conditional Use Permits</u>		4
CUP#86/4/3-4	George R. Turner (Current Owner)	
CUP#90/3/8-4	Elizabeth Salter (Current Owner)	
CUP#91/3/3-3	Phillip J. Schacht (Current Owner)	
CUP#426-1	Thomas & Jody Williams (Current Owners) Don Rutherford (Previous Owner)	
CUP#497-3	Thomas and Margaret Hussey (Current Owners) Gerald White (Previous Owner)	
CUP#688-2	David and Sue Jenkins (Current Owners) Bernard Morse (Previous Owner)	
CUP#726-4	First Chicago Group Inc. c/o James Byerly (Current Owner)/David R. Strickland (Previous Owner)	
CUP#439A-3/CUP#439-3	Green Swamp Wildlife Mgmt/Division of Forestry (Current Owner) /Charles A. Root (Previous Owner)	
CUP#480B-1/CUP#480-1	Hartmann Golf Management Inc. (Current Owner)/ Henry Faber, Jr. Representative for Silver Golf Course (CUP#480-1) and William Herlong (CUP#480-1) (Previous Owners)	
<u>Voluntary Revocations of Conditional Use Permits</u>		5
CUP#494-5	Robert Jeffrey Gonzales and Beverly Jane Swank (Current Owner) / Frank Simar (Previous Owner)	
CUP#88/6/6-5	Joseph & Betty Rawson	
CUP#93/6/2-2	David M. Smith	

REGULAR AGENDA:

PH#31-07-5	Akron Meadows, LLC	6
PH#7-07-4	Eagle Dunes II, LLC—John Gray, Jr.	7
PH#50-06-2	Clonts Grove, Inc./Cecelia Bonifay, Esq., Akerman & Senterfitt	8

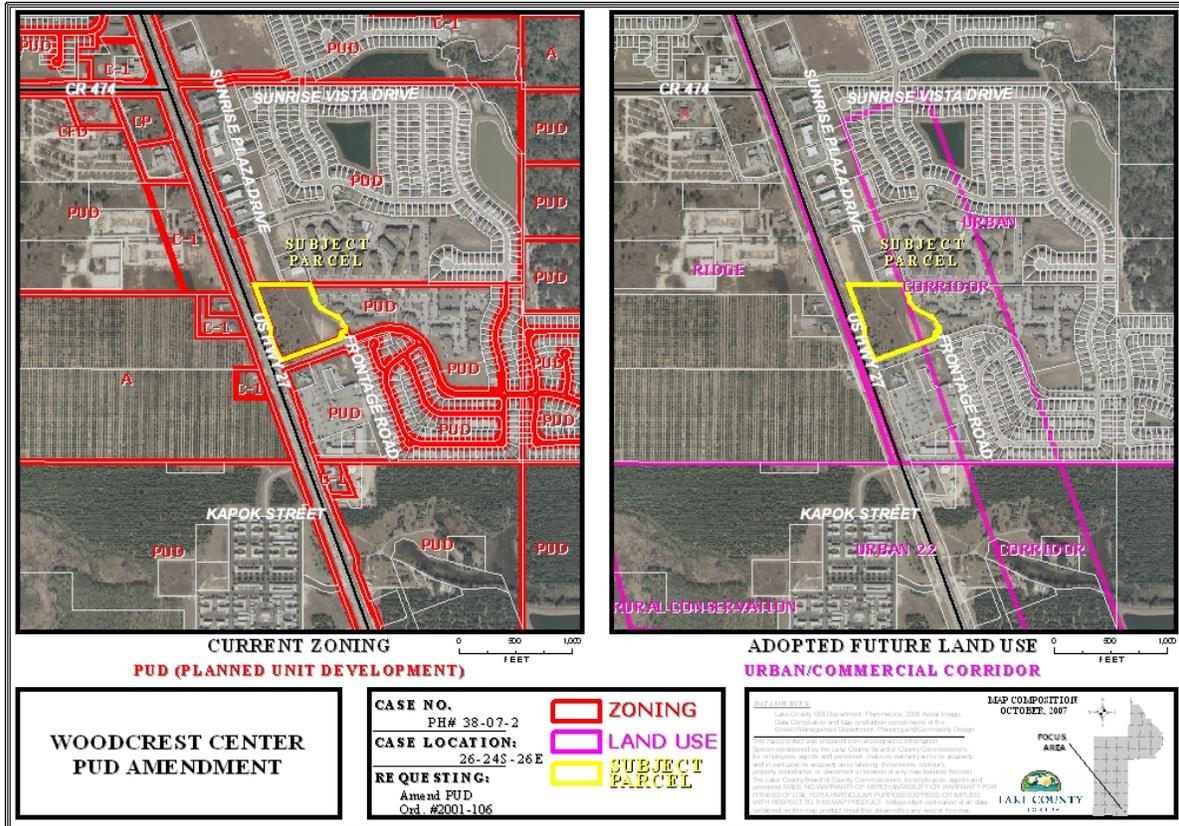
CASE NO: PH #38-07-2

AGENDA NO: 1

OWNER: Woodcrest Center Partners, LLC

APPLICANT: John W. Kidd, AICP, Senior Planner with Avid Group

GENERAL LOCATION: South Lake County area, Woodridge PUD is located on the east side of US 27/SR 25, south of the intersection US 27 / SR 25 and CR 474 in Sections 25 and 26 - Township 24S - Range 26E (Alternate Key Number 3788571)



APPLICANT'S REQUEST: The Owner is requesting to amend Ordinance #2001-106 to change the intersection on US 27 / SR 25 north of Woodcrest Way from a right-in only design to a right-in / right-out design.

SIZE OF PARCEL: 7.62 acres

FUTURE LAND USE: Urban

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda/Approval (6-0)

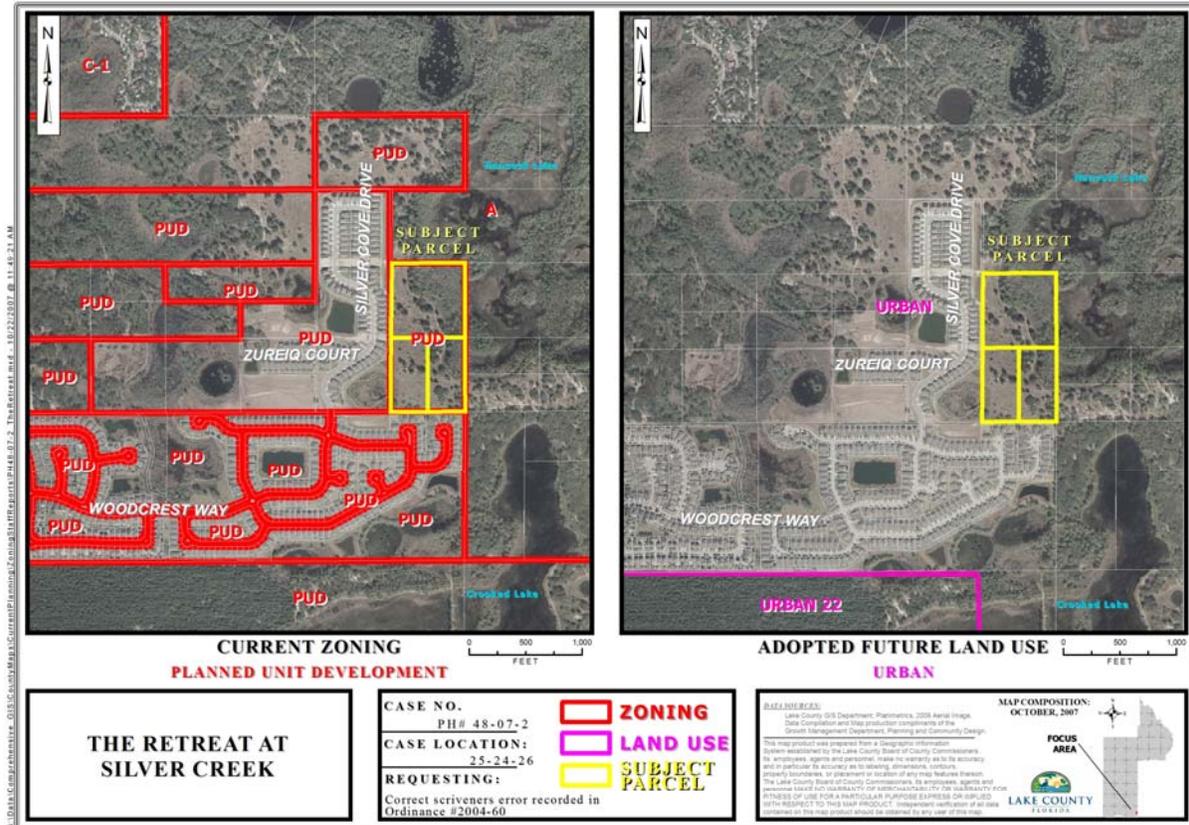
CASE NO: PH#48-07-2

AGENDA NO: 2

OWNER: Ultimate Developers, LLC

APPLICANT: Lake County

GENERAL LOCATION: Four Corners Area, property located east of US Hwy 27, east of Silver Creek PUD



APPLICANT'S REQUEST: This amendment is intended to correct a scrivener's error relating to minimum lot size and width. This amendment is necessary because the development approved by Site Plan # 2004120016 is not consistent with the subsequent approved Ordinance #2004-60. The amended Ordinance and original Staff Report and Ordinance are enclosed.

SIZE OF PARCEL: 20 +/- Acres

FUTURE LAND USE: Urban

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda/Approval (6-0)

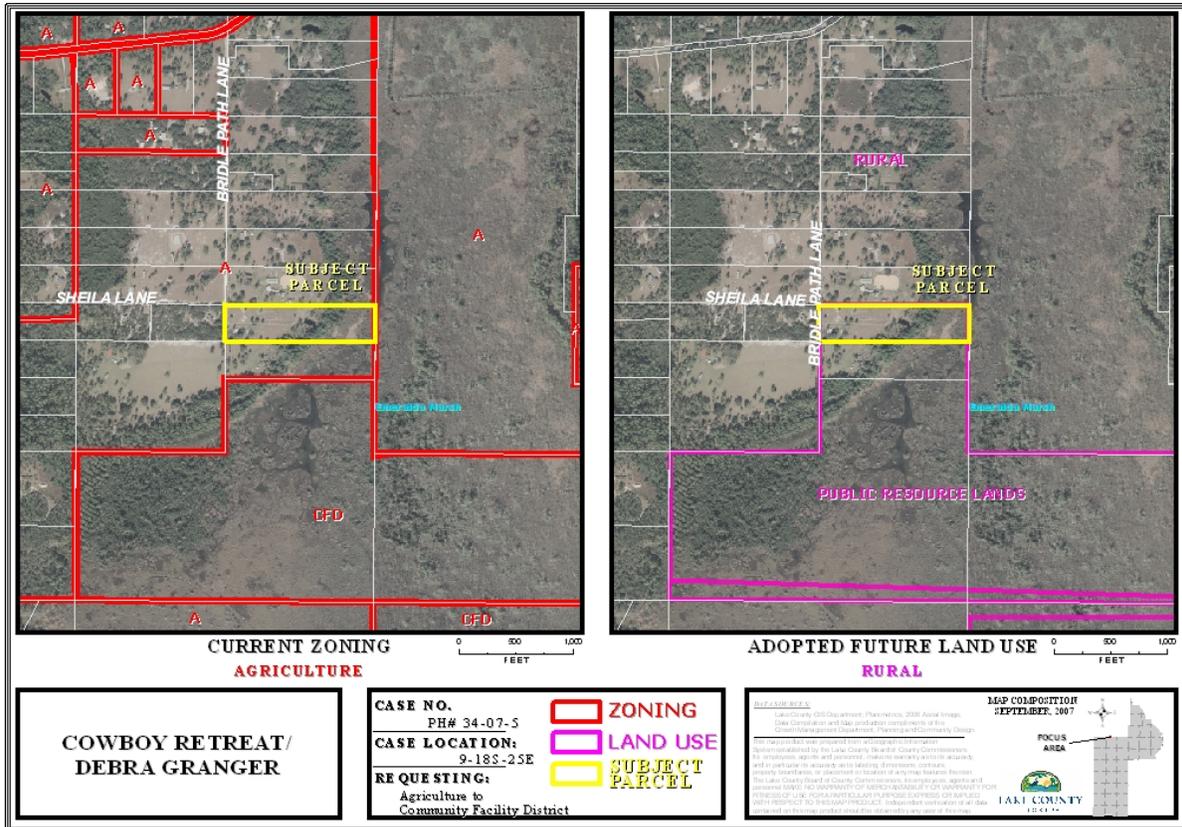
CASE NO: PH#34-07-5

AGENDA NO: 3

OWNER: Mark Gould

APPLICANT: Debra Granger

GENERAL LOCATION: Emeraldal Island area – property is located on the east side of Bridle Path Lane, south of Emeraldal Island Road (40516 Bridle Path Lane).



APPLICANT'S REQUEST: To rezone 10.04 +/- acres from Agriculture (A) to Community Facility District (CFD) to allow a religious retreat and conference center.

SIZE OF PARCEL: 10.04 +/- Acre

FUTURE LAND USE: Rural

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda/Approval (6-0)

STAFF-INITIATED REVOCATIONS

AGENDA NO. 4

Staff recommends **approval** to revoke the following Conditional Use Permits.

CASE NO: CUP#86/4/3-4

CURRENT OWNER: George R. Turner

GENERAL LOCATION: East Lake County / Lake Norris – Intersection of Lake Norris Rd and Eberfsole Rd, E on Eberfsole Rd to Bay Ave to Mitchel Way, S on Mitchel Way to Harbor Way, E on Harbor Way to end of an easement going south, to property on the NW side of the easement. (21-18-28)

REQUEST: Code Enforcement request a Staff-Initiated revocation due to non-payment of annual inspection fees and that the Conditional Use Permit is no longer needed for use of a mobile home as a caretaker’s residence in Agriculture. (78.5 +/-acres)

CASE NO: CUP#90/3/8-4

CURRENT OWNER: Elizabeth Salter

GENERAL LOCATION: Umatilla area – From the intersection of C-439 and Rollingwood Trail; proceed W on Rollingwood Trail approximately 3/4 miles to property lying S of the road. (27-18-27)

REQUEST: Code Enforcement request a Staff-initiated revocation of the Conditional Use Permit in Agriculture Residential (AR) for a plant nursery, due to non-payment of annual inspection fees and the use of the site no longer needed. (5 +/-acres)

CASE NO: CUP#91/3/3-3

CURRENT OWNER: Phillip J. Schacht

GENERAL LOCATION: South Lake County – From the intersection of CR 561 and Lake Nellie Rd, E & S on Lake Nellie Rd approximately 5-1/4 miles to Bobcat Trail; S on Bobcat Trail to property. (6-24-26)

REQUEST: Code Enforcement request a Staff-initiated revocation of the Conditional Use Permit in Agriculture for the keeping of a trained “Indian Elephant”, due to non-payment of annual inspection fees and that the owner no longer resides on the property. (5 +/-acres)

CASE NO: CUP#426-1

CURRENT OWNERS: Thomas & Jody Williams
PREVIOUS OWNER: Don Rutherford

GENERAL LOCATION: Leesburg area – From the intersection of SR 44 and Hickory Hollow Rd, proceed W on Hickory Hollow Rd to intersect Nature Trail, N on Nature Trail along and easement to property lying W of the road.

REQUEST: Code Enforcement request a Staff-initiated revocation of the Conditional Use Permit in Agriculture for operation of cluster housing facility, as the use is no longer needed. Owner has obtained permit for an accessory dwelling. (8.84 +/-acres)

CASE NO: CUP#497-3

CURRENT OWNERS: Thomas & Margaret Hussey

PREVIOUS OWNER: Gerald White

GENERAL LOCATION: Tavares area – From the intersection of CR 448 & Shirley Shores Rd, N on Shirley Shores Rd approximately 1 mile to Lenze Drive, W on Lenze Drive approximately 1/2 mile to property lying N of the road.

REQUEST: Code Enforcement request a Staff-initiated revocation of the Conditional Use Permit in Agriculture for cluster housing, a site inspection determined that the mobile homes have been removed and a single-family residence is built on the property. (12 +/-acres)

CASE NO: CUP#688-2

CURRENT OWNERS: David & Sue Jenkins

PREVIOUS OWNER: Bernard Morse

GENERAL LOCATION: Groveland area – From the intersection of SR 50 and Swampey Road, proceed N along Swampey Rd

REQUEST: Code Enforcement request a Staff-initiated revocation of the Conditional Use Permit in Agriculture for a mobile home as a caretaker's residence, a site inspection indicated the mobile home has been removed from the property. (118 +/-acres)

CASE NO: CUP#726-4

OWNER: First Chicago Group Inc. c/o James Byerly

PREVIOUS OWNER: David R. Strickland

GENERAL LOCATION: Mt Plymouth / Sorrento area – From the intersection of Adair Avenue and Rainey Road, proceed S along Rainey Road to the end to property lying E of the road.

REQUEST: Code Enforcement request Staff-initiated revocation of the Conditional Use Permit in R-1 (Rural Residential) for greenhouses allowing wholesale and retail sales of plant production, due to non-payment of annual review fees. (10 +/-acres)

CASE NO: CUP#439A-3 / CUP#439-3

CURRENT OWNER: Green Swamp Wildlife Mgmt
Division of Forestry

PREVIOUS OWNER: Charles A. Root

GENERAL LOCATION: South Lake County area – Property lying W of US Hwy 25/27, approximately 3 miles N of the intersection of CR 474 and US Hwy 27.

REQUEST: Code Enforcement request a Staff-initiated revocation of the Conditional Use Permits for cluster housing, as the use is no longer there and the property is under the ownership of the State Wildlife Management. (810 +/-acres)

CASE NO.: CUP#480B-1 / CUP#480-1

OWNER: Hartmann Golf Management Inc.

PREVIOUS OWNERS: Henry Faber, Jr.
Representative for Silver Golf Course (CUP#480-1) & William Herlong (CUP#480B-1)

GENERAL LOCATION: Silver Lake area – From the intersection of Radio Rd and Morningside Drive, proceed West on Morningside Drive to Overton Drive, proceed North on Overton Drive to property located South and East of Overton Drive.

REQUEST: Code Enforcement request a Staff-initiated revocation of the Conditional Use Permits issued for a golf course with clubhouse and amenities, as the uses are no longer existing and the clubhouse and facilities have been torn down for future residential development.

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda/Approval (6-0)

VOLUNTARY REVOCATIONS

AGENDA NO. 5

Staff recommends **approval** to the applicant's/owner's request to revoke the following Conditional Use Permits.

CASE NO: CUP#494-5

CURRENT OWNERS: Robert Jeffrey Gonzales and
Beverly Jane Swank

PREVIOUS OWNER: Frank Simar

GENERAL LOCATION: Lisbon area – From the intersection of CR 44 and East Treasure Island Ave, proceed W along E along East Treasure Island Ave to Dennis Rd (non county-maintained road), N on Dennis Rd to property lying E of the road. (4-19-25)

REQUEST: The owners voluntarily request revocation of the terms and uses of the Conditional Use Permit for operation of cluster housing facilities in A (Agriculture) zoning due to the use is no longer needed.

CASE NO: CUP#88/6/6-5

CURRENT OWNER: Joseph & Betty Rawson

GENERAL LOCATION: Altoona area – Property lying W of Hawkins Rd, approximately 4/10 mile N of its intersection with SR 42.

REQUEST: The owner voluntarily request revocation of the terms and uses of the Conditional Use Permit in A (Agriculture) for a mobile home for use as a caretaker's residence. A family lot split has been created and a mobile home is no longer needed.

CASE NO: CUP#93/6/2-2

CURRENT OWNER: David M. Smith

GENERAL LOCATION: Mascotte area – From the intersection of SR 50 & Lee Rd, S on Lee Rd to Stuckey Rd & property lying E of Lee Rd and S of Stuckey Rd.

REQUEST: The owner voluntarily request revocation of the terms and uses of the site for operation of a fish farm in Agriculture zoning, since a aquaculture is a permitted use in the Agriculture zoning district per Land Development Regulations, Section 3.01.02 (Classification of Uses) (B) Agriculture Uses (1) General Agriculture. (7.15 +/-acres)

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda/Approval (6-0)

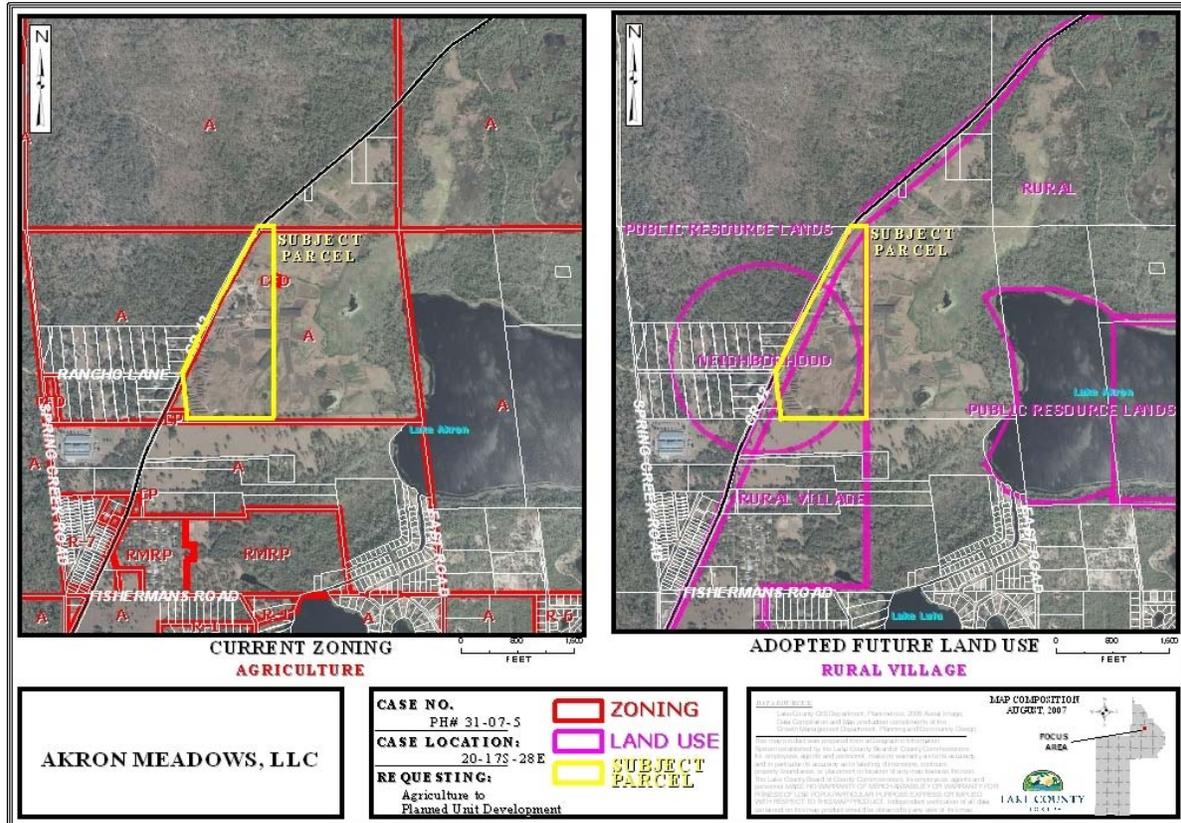
CASE NO: PH # 31-07-5

AGENDA NO: 6

OWNER: Akron Meadows, LLC

APPLICANT: Akron Meadows, LLC

GENERAL LOCATION: Paisley area – property is located on the east side of CR 42 just past the Paisley Community Center aka Swiss Dairy property AK# 1709512, Sections 20/ Township 17S/ Range 28E.



APPLICANT'S REQUEST: To rezone 44.5 acres from Agriculture (A) to Planned Unit Development District (PUD) to allow a single-family residential development consisting of 62 single-family dwelling units.

SIZE OF PARCEL: 44.5 +/- Gross Acres

FUTURE LAND USE: Rural Village

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda /Approval (7-0) 9/05/07

BCC ACTION: Regular Agenda/Continuance to 11/27/07 (10/23/07)

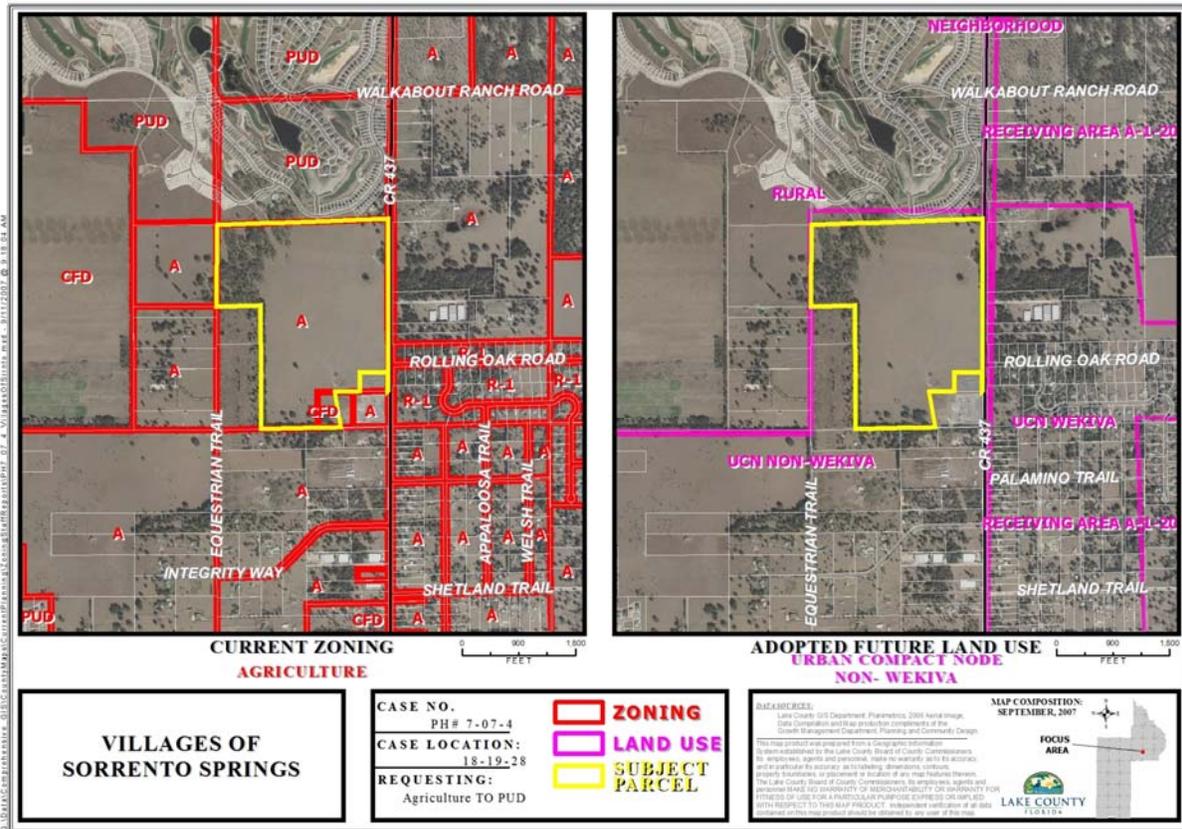
CASE NO: PH #7-07-4

AGENDA NO: 7

OWNER: Eagle Dunes II, LLC – John Gray, Jr.

APPLICANT: Eagle Dunes II, LLC – John Gray, Jr.

GENERAL LOCATION: North Sorrento area – property is located south of SR 44 on the west side of CR 437, south of Sorrento Springs, and north of Integrity Way AK# 2723530.



APPLICANT’S REQUEST: To rezone 161.074 acres from Agriculture (A) and CFD (Community Facility District) to Planned Unit Development District (PUD) to allow a single-family residential development consisting of 522 single-family dwelling units.

SIZE OF PARCEL: 161.074 +/- Acres (Gross) 149 +/- Acres (Net) (Submitted Plan)

FUTURE LAND USE: Mt. Plymouth/Sorrento Urban Compact Node (Non-Wekiva)

STAFF RECOMMENDATION: Denial

ZONING BOARD RECOMMENDATION: Regular Agenda/Denial without prejudice (5-2)

BCC ACTION: Regular Agenda/Continuance to 11/27/07 (10/23/07)

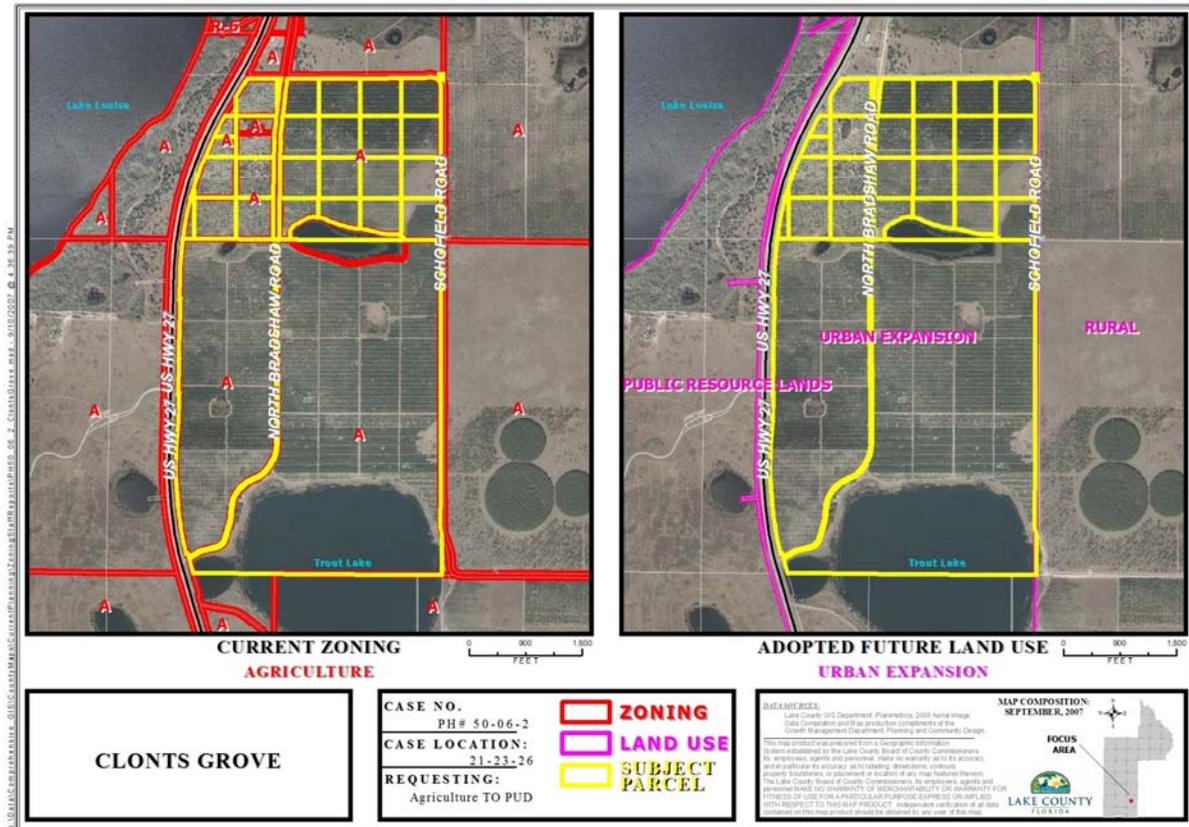
CASE NO: PH#50-06-2

AGENDA NO: 8

OWNER: Clonts Grove, Inc.

APPLICANT: Cecelia Bonifay, Esq., Akerman & Senterfitt

GENERAL LOCATION: South Clermont area – property is located south of Clermont on the east side of US Highway 27 across from Lake Louisa State Park in Sections 21 & 28 Township 23S/ Range 26E



APPLICANT'S REQUEST: To rezone 731.17 acres from Agriculture (A) to Planned Unit Development District (PUD) to allow a mixed use development consisting of: 700 single-family dwelling units (175 acres), 408 multifamily dwelling units (68 acres), 144,000 sf Commercial (48 acres), and 124,000 sf Office (62 acres).

SIZE OF PARCEL: 731.17 +/- Acres (Submitted Plan)

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Denial

ZONING BOARD RECOMMENDATION: Regular Agenda/Denial (6-0)

BCC ACTION: Regular Agenda/Continuance to 11/27/07 (10/23/07)