



LAKE COUNTY

DEPARTMENT OF
GROWTH MANAGEMENT
Planning & Community Design Division

1/18/2008

BEST BUY MOBILE HOMES INC
10831 ARROW TREE BLVD
CLERMONT, FL 34715-

Re: Project No. 2004060011, Application No. 1055

Description: BEST BUY MOBILE HOMES
REZONE MP TO CP WITH C1 & C2 FOR SALE OF MANUFACTURED & MODEL HOMES

Dear BEST BUY MOBILE HOMES INC:

Your Rezoning application has been reviewed by the Development Review Staff. Review comments are attached. All comments must be satisfied by the applicant prior to receiving a staff approval or being placed on a Public Hearing agenda.

Please respond to comments in the following manner:

- 1. Submit fifteen (15) legible, signed and sealed sets of plans. (19 sets if within Clermont JPA)**
 - Revised sheets shall have revision dates in the title block.
 - Plan revisions must be either circled or their location indicated in the written response letter.
- 2. Provide a written response to all comments.**
- 3. All plans shall provide a space five (5) inches by six (6) inches on the front page of each set of submittals to be used for the County approval stamp.**
- 4. Plan revisions submitted thirty (30) days after the DRS meeting will result in a \$100 Plan Revision fee.**
- 5. When all requested information has been received, it will be circulated to the DRS staff for review.**

The Development Review Staff will then review revised plans and responses to comments for compliance with the appropriate Land Development Regulations and Comprehensive Plan. This review will be completed within fifteen (15) days of receipt of all required information and you will be notified of the results of the review.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,

Development Review
Division of Planning and Community Design
(352) 343-9739

P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 • P 352.343-9739 • F 352.343-9816
Board of County Commissioners • www.lakecountyfl.gov

JENNIFER HILL
District 1

ELAINE RENICK
District 2

DEBBIE STIVENDER
District 3

LINDA STEWART
District 4

WELTON G. CADWELL
District 5

Project No. 2004060011, Application Request No. 1055

PLANNING & COMMUNITY DESIGN DIVISION

Rejection Comments

Item:

Remarks:

Informational Comments

Item: APPLICATION IS SUFFICIENT

Remarks: Please review application and clarify proposed zoning (if applicant deems necessary).

Review Status: COMPLETE

PUBLIC WORKS DEPT. - ROSS PLUTA (352) 483-9041

Rejection Comments

Item:

Remarks:

Informational Comments

Item: RIGHT-OF-WAY

Remarks: Site fronts Causey Rd. (#2240) w/0 to 60 feet total R/W., a local road. Per Ross no Dolan test for rezoning applications.

Also fronts U.S.Hwy27, no R/W requested.

Review Status: COMPLETE

FIRE - BRIAN HAWTHORNE (352) 343-9653 EXT. 5788

Rejection Comments

Item:

Remarks:

Informational Comments

Item: REVIEW IS COMPLETE

Remarks: Informational 1-22-08

Site Plan will be reviewed for Compliance with Fire Codes during the Site Plan Approval Process. Additional Comments may be provided at that time.

Review Status: COMPLETE

HEALTH DEPT. - MARCELO BLANCO (352) 253-6130

Rejection Comments

Item:

Remarks:

Informational Comments

Item: REZONING ONLY

Remarks: 01/09/07 - No objection to rezoning only, however, future submittals will need to address the following:

>An existing system permit/evaluation may be required & the existing annual operating permit (IM permit) for the septic system may require updating.

>The existing well operating permit may require updating.

-MJB-

Review Status: COMPLETE

ENV. PROGRAMS - SCOTT CATASUS (352) 343-3776

Rejection Comments

Item:

Remarks:

Informational Comments

Item:

Remarks:

Review Status: COMPLETE

ENVIRONMENTAL REVIEW- JENNIFER COTCH (352)343-9739

Rejection Comments

Item:
Remarks:

Informational Comments

Item:
Remarks:

Review Status: CANCEL

CONCURRENCY - DEVELOPMENT REVIEW
Rejection Comments

Item:
Remarks:

Informational Comments

Item:
Remarks:

Review Status: COMPLETE

**LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS
PETITION TO REZONE PROPERTY**

LAKE COUNTY ZONING BOARD
March 5, 2008



BOARD OF COUNTY COMMISSIONERS
March 25, 2008

Case: PH #	Case Manager: Karen Ginsberg, Senior Planner	Agenda Item #
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- Application Request -

Owner:	Morgan Jimenez (the "Owner")	Applicant:	Best Buy Mobile Homes (the "Applicant")
Future Land Use:	Suburban, Employment Center	Zoning District:	Planned Industrial District (MP)
Land Use Intensity:	Maximum impervious surface ratio allowed - 70% of the gross development parcel (Comprehensive Plan Policies 1-1.13 (3))	Zoning Density:	Maximum impervious surface ratio allowed - 70% of the gross development parcel (Land Development Regulations Table 3.02.06)

Requested Action: The Applicant is requesting to rezone 10.87 acres from Planned Industrial (MP) to Planned Commercial (CP) to allow for a mobile homes sales office and potential future development compatible with Neighborhood Commercial (C1) and Community Commercial (C2) uses.

- Site Information -

Size of Parcel: 10.87 acres

Map Location: Section 25&36 / Township 21S / Range 25E

Location: Minneola Area on the east side of US Highway 27 north of the intersection of US Highway 27 and County Road 561. Alternate Key Number(s) 1092809, 1302757

Joint Planning Area: Minneola

Utility Area: N/A

Site Utilities: Individual wells and individual septic systems

Road Classification: US Highway 27, urban principal arterial, asphalt

Site Visits: January 10, 2008

Signs Posted:

Commissioner's District: 2 (Renick)

Surrounding Land Use		Surrounding Zoning	
NORTH	Light Industrial, Florida Turnpike (low density residential beyond)	NORTH	Light Industrial (LM)
SOUTH	Vacant commercial	SOUTH	Neighborhood Commercial (C-1), Planned Commercial (CP)
EAST	Vacant agricultural, low density residential	EAST	Rural Residential (R-1), Agriculture (A)
WEST	Commercial	WEST	Neighborhood Commercial (C-1), Planned Commercial (CP)

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff finds the that the proposed rezoning is inconsistent with the Comprehensive Plan and Land Development Regulations as discussed in the analysis below and the Findings of Fact, therefore, Staff recommends **DENIAL** of the application.

ZONING BOARD RECOMMENDATION:

- Summary of Analysis -

The Applicant is requesting to amend Ordinance #2004-17 to change the zoning classification from Planned Industrial (MP) to Planned Commercial (CP). The applicant wishes to amend the Ordinance to allow for the sale of mobile homes, as well as uses compatible within the Neighborhood Commercial (C1) and/or Community Commercial (C2) zoning classification. The site is located in the Minneola Area on the east side of US Highway 27 north of the intersection of US Highway 27 and County Road 561. This area is within the Suburban Future Land Use Category (FLUC) and Employment Center overlay.

Per Policy 1-1.13 (3) Employment Centers shall contain uses of an industrial nature, such as industrial, wholesale, manufacturing, assembly, and warehousing uses. The application is for a Planned Commercial District and the requested uses are for commercial –not industrial – activities. Additionally, per Policy 1-1.13 (3) commercial activity is allowable provided that it is compatible with other development within the Employment Center. Such commercial uses must be part of an approved overall integrated development plan consistent with Policy 1-1.13 (3)(a&b). Specifically, commercial shall be located internally within the center (not along a State Arterial roadway so as to attract pass-by-trips) and orientated towards providing employees of the Employment Center with convenient retail and financial facilities. This submittal is inconsistent with Policy 1-1.13 as the

proposed uses are entirely commercial in nature, do not support an industrial use, and depend on pass-by-trips rather than internal traffic.

Staff finds that the request is not consistent with all elements of the Comprehensive Plan as specified in the analysis below.

- Findings of Fact-

According to the Lake County Land Development Regulations, Section 14.03.03, Standards for Review, in reviewing the application for a rezoning, the Lake County Zoning Board and Board of County Commissioners shall consider:

A. Whether the proposed rezoning is in conflict with any applicable provisions of these Regulations;

The proposed rezoning is consistent with the Land Development Regulations (LDR) as shown in LDR Table 3.00.03 which permits Planned Commercial (CP) Zoning District in both the Suburban Future Land Use Category (FLUC) and Employment Center overlay. Also, as shown in LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, Vehicular Sales are a permitted uses in the CP Zoning District.

B. Whether the proposed rezoning is consistent with all elements of the Lake County Comprehensive Plan;

The proposed rezoning is within an Employment Center. Per Policy 1-1.13 (3) Employment Centers shall contain uses of an industrial nature, such as industrial, wholesale, manufacturing, assembly, and warehousing uses. The application is for a Planned Commercial District and the requested uses are for commercial –not industrial – activities. Additionally, per Policy 1-1.13 (3) commercial activity is allowable provided that it is compatible with other development within the Employment Center. Such commercial uses must be part of an approved overall integrated development plan consistent with Policy 1-1.13 (3)(a&b). Specifically, commercial shall be located internally within the center (not along a State Arterial roadway so as to attract pass-by-trips) and orientated towards providing employees of the Employment Center with convenient retail and financial facilities. This submittal is inconsistent with Policy 1-1.13 as the proposed uses are entirely commercial in nature, do not support an industrial use, and depend on pass-by-trips rather than internal traffic.

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

The requested land uses are inconsistent with an Employment Center and incompatible with the adjacent industrial properties.

D. Whether there have been changed conditions that require a rezoning;

The Applicant is requesting to amend Ordinance #2004-17 to change the allowable uses on the subject property.

- 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;**

At present time, the impacts to public service cannot be determined as a proposed use has not been established. An Affidavit of Deferral has been submitted with this application, thus delaying a concurrency determination until Site Plan submittal.

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

There is no indication that this request will have any adverse impacts on the natural environment. To ensure this, an Environmental Assessment is required as part of the site plan review and approval process prior to the commencement of any additional land disturbance / development.

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

There is no indication that the proposed rezoning would adversely affect the property values in the area.

- H. Whether, and the extent to which, the proposed rezoning would result in an orderly and logical development pattern, specifically identifying any negative effects on such patterns;**

The proposed rezoning is not in conformance with the Comprehensive Plan or Future Land Use designations. Therefore the request would not result in a logical development pattern.

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

The proposed rezoning is inconsistent and not in harmony with the general intent of the Lake County Comprehensive Plan and Land Development Regulations as seen in Policy 1-1.13 (3) and Section 14.03.03(C).

- 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

FINDINGS OF FACT: Staff has reviewed the application for the proposed rezoning and found:

1. The application is consistent with LDR Table 3.00.03 which permits the Planned

Commercial (CP) Zoning District in both the Suburban Future Land Use Category (FLUC) and Employment Center overlay.

2. The application is consistent with LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, which indicates that Vehicular Sales are a permitted uses within the CP Zoning District.
3. The application is inconsistent with Policy 1-1.13 (3) which requires Employment Centers to contain uses of an industrial nature, such as industrial, wholesale, manufacturing, assembly, and warehousing uses.
4. The application is inconsistent with Policy 1-1.13 (3)(a&b) which requires any qualifying commercial development to be located internally within the center (not along a State Arterial roadway so as to attract pass-by-trips) and orientated towards providing employees of the Employment Center with convenient retail and financial facilities.

Based on these findings, staff offers a recommendation of **denial**.

WRITTEN COMMENTS FILED: Supportive: - 0 - Opposition: - 0 -

FINAL ACTION BCC: