LAKE COUNTY
DEPARTMENT OF
GROWTH MANAGEMENT
Planning & Community Design Division

MARCH 12, 2008

LAKE UTILITY SERVICES, INCORPORATED
200 WEATHERSFIELD AVENUE
ALTAMONTE SPRINGS, FLORIDA 32714

Re: Project #2008010010, Application Request #1088

Description: LAKE UTILITY SERVICES, INCORPORATED
REZONE FROM R-2 TO CFD

Dear LAKE UTILITY SERVICES INCORPORATED:

Your rezoning application has been reviewed by the Development Review Staff (DRS). The review comments are attached. Requested items and informational comments are highlighted for easy reference. All requested items must be submitted on/before Thursday, March 20, 2008 to remain on the April Public Hearing Agenda.

Please contact me if you have any questions.

Sincerely,

Development Review
Division of Planning and Community Design
352.343.9739

Project #2008010010, Application Request #1088

PLANNING & COMMUNITY DESIGN DIVISION - STACY ALLEN 352.343.9739 X5574
Rejection Comments

Item: APPLICATION IS SUFFICIENT
Remarks: 02-13-08 / Sufficiency Review / Stacy Allen
The following items must be corrected and resubmitted:
Owners' affidavit;
Applicants' affidavit.

INFORMATION ONLY
Items submitted, verified for accuracy and complete:
General development form;
Name of project - Lake Utility Services, Incorporated;
Statement of intended use / description of project - water treatment facility;
Property record card for AK #3837570;
Warranty deed 2947/18;
Boundary survey dated (January 10, 2008) within six (6) months of submittal of application (January 17, 2008), signed/sealed by Jeffrey P. Rhoden, Professional Surveyor and Mapper #5322, State of Florida, with total area in square feet and acres;
Affidavit of deferral of concurrency determination;
Aerial photograph with property boundaries overlain.

Items not required for this rezoning request:
Letter of (utility/water and wastewater) availability from Lake Utility Services, Incoporated;
Environmental assessment.

Informational Comments

Item: LEGAL DESCRIPTION IS ACCURATE
Remarks: 02-13-08 / Sufficiency Review / Stacy Allen
Complete. Legal description reviewed for accuracy.
Review Status: REJECT

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

Item:
Remarks:

Informational Comments

Item: RIGHT-OF-WAY
Remarks: Site fronts Colonnade Circle a non-county maintained road. No R/W requested.

Item: STORMWATER
Remarks: DEP permits will be required at site plan stage.
Review Status: COMPLETE

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

Item:

Remarks:

Informational Comments
Item:
Remarks:
Review Status: COMPLETE

HEALTH DEPT. - MARCELO BLANCO (352) 253-6130
Rejection Comments
Item:
Remarks:

Informational Comments
Item: REZONING ONLY
Remarks: 03/05/08 - No objection to rezoning, however, future review will be required if a well will be installed at this location. -MJB-
Review Status: COMPLETE

ENVIRONMENTAL REVIEW- JENNIFER COTCH (352)343-9739
Rejection Comments
Item:
Remarks:

Informational Comments
Item:
Remarks:
Review Status: COMPLETE

CONCURRENCY - DEVELOPMENT REVIEW
Rejection Comments
Item:
Remarks:

Informational Comments
Item:
Remarks:
Review Status: COMPLETE

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

REZONING APPLICATION

LAKE COUNTY ZONING BOARD
April 2, 2008

LAKE COUNTY
FLORIDA

BOARD OF COUNTY COMMISSIONERS
April 22, 2008

PH #12-08-2 (Lake Utility Services, Inc.)	Case Manager: Stacy Allen, Senior Planner	Agenda Item #1

- Application Request -

Owner:	Lake Utility Services, Incorporated (the "Owner")	**Applicant:**	Lake Utility Services, Incorporated (the "Applicant")
Future Land Use:	Urban Expansion	**Zoning District:**	Community Facility District (CFD)
Existing Land Use Intensity:	vacant	**Existing Zoning Density:**	n/a – non-residential
Proposed Land Use Intensity:	Maximum impervious surface allowed – 80%	**Proposed Zoning Density:**	n/a – non-residential

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

- Site Information -

Size of Parcels: 0.92 acre

Map Location: Section 6, Township 23 South, Range 26 East

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

Future Land Use: Urban Expansion

Current Zoning District: Estate Residential (R-2)

Joint Planning Area: Clermont

Utility Area: Lake Utility Services, Incorporated

Site Utilities: Central water and central sewer

Road Classification: Colonnade Circle – non-County maintained, asphalt

Flood Zone / FIRM Panel: X / 565D

Site Visits: March 11, 2008 **Signs Posted:** 1 on March 11, 2008

Commissioner's District: 2 (Renick)

Surrounding Land Use		Surrounding Zoning	
NORTH	Single-family residential	NORTH	Estate Residential (R-2), Timberlane Subdivision
SOUTH	Single-family residential	SOUTH	Rural Residential (R-1)
EAST	Single-family residential	EAST	Planned Unit Development, Spring Valley PUD
WEST	Single-family residential	WEST	Estate Residential (R-2), Timberlane Subdivision

- Summary of Staff Determination –

STAFF RECOMMENDATION: Staff recommends **approval** of the request to rezone property from the Estate Residential (R-2) Zoning District to the Community Facility District (CFD) for a water treatment facility as specified in the attached Ordinance.

ZONING BOARD RECOMMENDATION:

-Summary of Analysis-

The Applicant is requesting to rezone 0.92 acre from the Estate Residential (R-2) Zoning District to the Community Facility District (CFD) to allow for a water treatment facility. The Timberlane, Phase I Subdivision final plat depicts this area as "Tract D, Water Storage Area" that has been dedicated to Lake Utilities. This plat is attached for your reference.

This request is consistent with the policies of the Comprehensive Plan and the requirements of the Land Development Regulations; therefore, staff recommends approval of this request to rezone property from the R-2 Zoning District to CFD for a water treatment facility as shown on the Timberlane, Phase I final plat and as specified in the attached Ordinance.

- 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; the Community Facility District (CFD) is permitted in the Urban Expansion Future Land Use Category (FLUC). Also, as shown in LDR Table 3.01.03, Schedule of Permitted and Conditional Uses, a major utility is a permitted use in the Community Facility District.

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

The proposed rezoning is consistent with the Comprehensive Plan as stated in Policy 1-12.1, Consideration of Community Facilities. This policy permits necessary community facilities within any FLUC, provided such activity satisfies established criteria of the Comprehensive Plan and LDR. Community facilities shall be designed to blend in with the existing and proposed land uses at the scale of density and intensity of the immediate surrounding area.

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

The requested zoning district and proposed use of a water treatment facility is consistent and compatible with the surrounding land uses and development patterns in the area. The property is located in an area of the County characterized by medium-density single-family residential development.

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

This area of the County has experienced growth in recent years. The water treatment facility will support this and surrounding development.

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;

Approval of this request would increase water treatment capacity for this area. Minimal additional demands on other public facilities will occur as a result of the proposed rezoning.

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 development will have any adverse impacts on the natural environment. The site is currently cleared / vacant. Environmental issues, if any, will be addressed during the development review process.

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 would result in an orderly and logical development pattern as the purpose is to expand public facilities to support existing development.

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 would be in harmony with the general intent of the Comprehensive Plan and Land Development Regulations as stated in Sections A and B above.

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: The proposed rezoning is consistent with the Comprehensive Plan as seen in Policy 1-12.1. It is also consistent with Land Development Regulations Section 3.01.02 E. 15., and Tables 3.00.03 and 3.01.03.

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

WRITTEN COMMENTS FILED: **Support: - 0 -** **Concern: - 0 -** **Oppose: - 0 -**

FINAL ACTION BCC:

Timberlane Phase I

A replat of Tracts 1, 2, 16, 17, and the roadway lying South of Tract 16 and North of Tract 17, and the half roadway lying East of Tracts 1, 16 and 17, MONTE VISTA PARK FARMS, as recorded in Plat Book 2, Page 27, Public Records of Lake County, Florida, lying in Section 6, Township 23 South, Range 26 East, Lake County, Florida, and a partial replat of Tract 15, MONTE VISTA PARK FARMS, as recorded in Plat Book 2, Page 27, public records of Lake County, Florida, lying in Section 6, Township 23 South, Range 26 East, Lake County, Florida.

PLAT BOOK:

PAGE:

Sheet 1 of 2

DEDICATION

Timberlane Phase I

CERTIFICATE OF SURVEYOR

CERTIFICATE OF CLERK

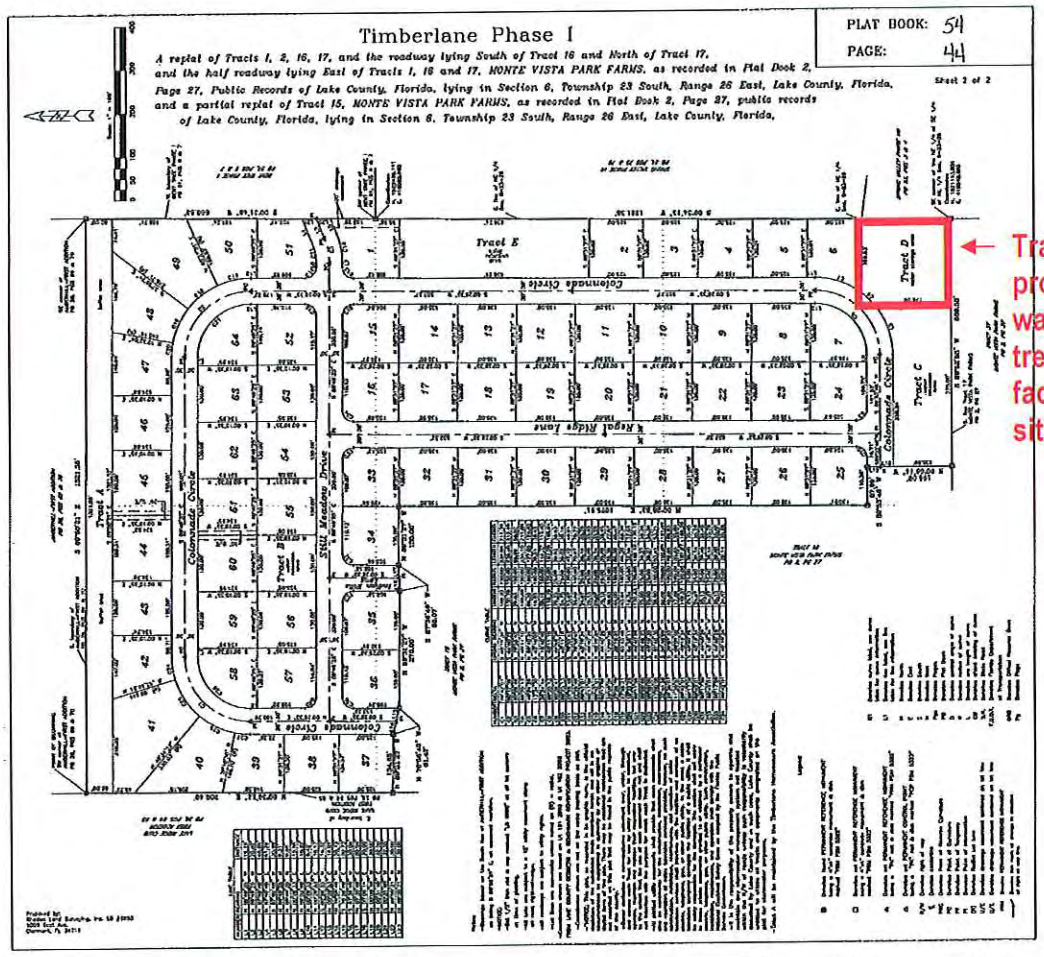
NOT REQUIRED

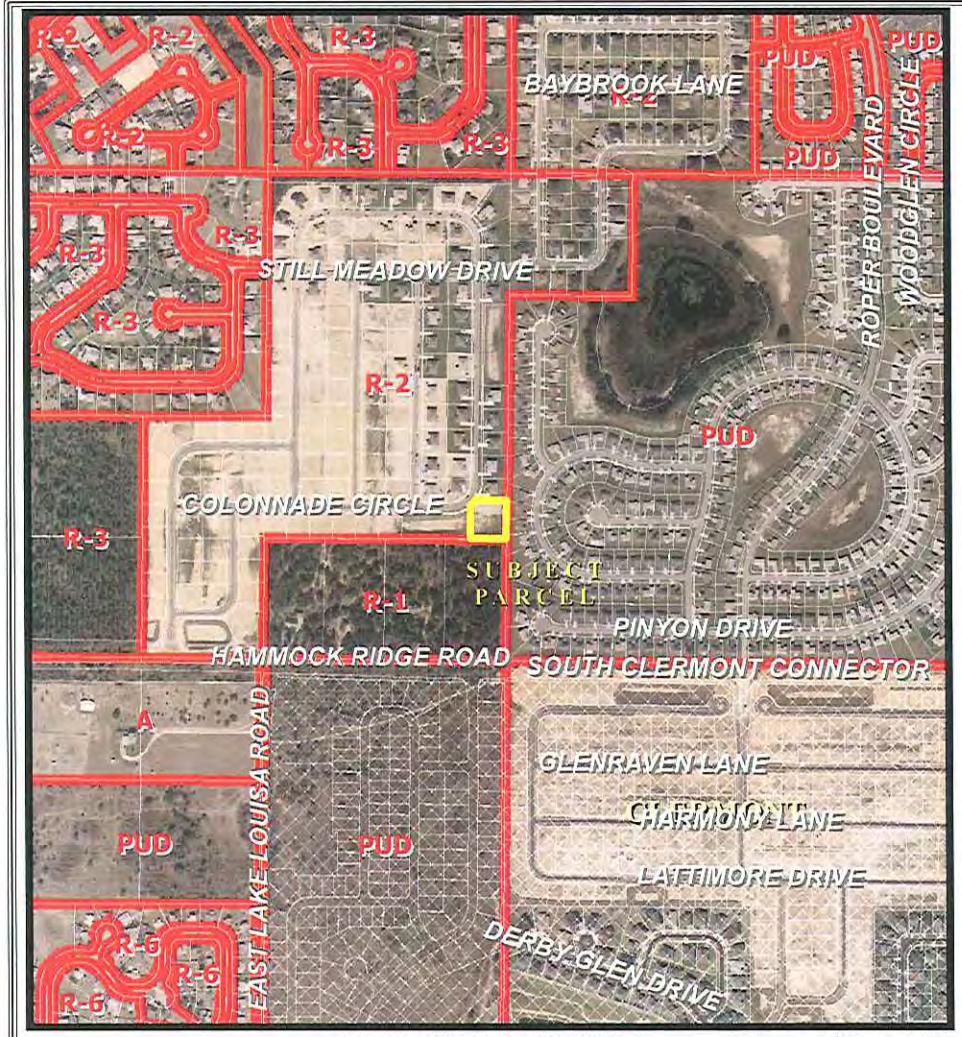
CERTIFICATE OF APPROVAL

CERTIFICATE OF APPROVAL
BOARD OF COUNTY COMMISSIONERS

Date 3/16/05

Book54/Page43 CFN#2005051484 Page 1 of 2

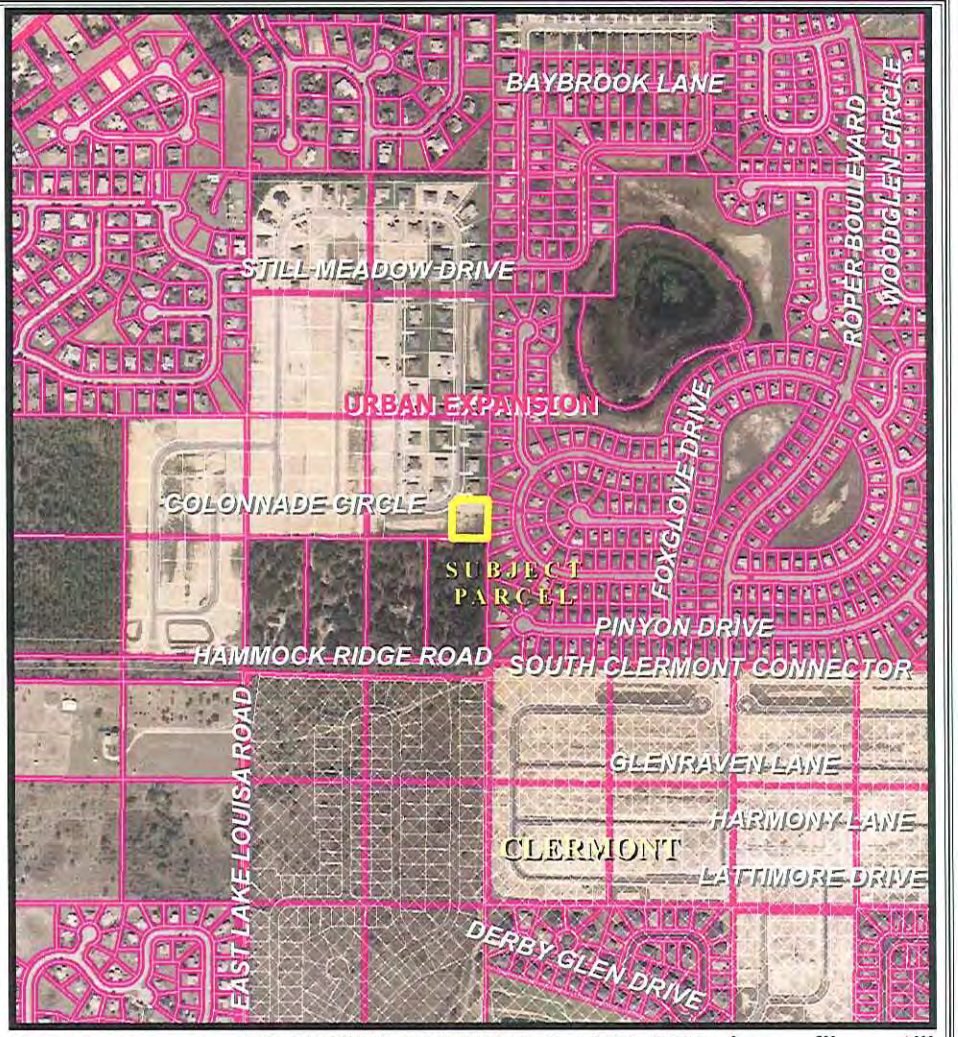

Timberlane Phase I
PLAT BOOK: 54
PAGE: 44
A replat of Tracts 1, 2, 16, 17, and the roadway lying South of Tract 16 and North of Tract 17, and the half roadway lying East of Tracts 1, 16 and 17, MONTE VISTA PARK FARMS, as recorded in Plat Book 2, Page 27, Public Records of Lake County, Florida, lying in Section 6, Township 23 South, Range 26 East, Lake County, Florida, and a partial replat of Tract 15, MONTE VISTA PARK FARMS, as recorded in Plat Book 2, Page 27, public records of Lake County, Florida, lying in Section 6, Township 23 South, Range 26 East, Lake County, Florida,
Sheet 1 of 2
Tract D
Tract E
Tract C
Tract A
Tract B
Colonnade Circle
Still Meadow Drive
Regal Ridge Lane
Tract D, proposed water treatment facility site
Book54/Page44 CFN#2005051484
Page 2 of 2



CURRENT ZONING

ESTATE RESIDENTIAL (R-2)

0 500 1,000 FEET



ADOPTED FUTURE LAND USE

0 500 1,000 FEET

URBAN EXPANSION

LAKE UTILITY SERVICES, INCORPORATED

CASE NO.
PH #12-08-2

CASE LOCATION:
Section 6-T23S-R26E

REQUESTING:
Rezone R-2 to CFD

ZONING
LAND USE
SUBJECT PARCEL

DATA SOURCES:
Lake County GIS Department, Planimetrics, 2006 Aerial Image.
Data Compilation and Map production compliments of the Growth Management Department, Planning and Community Design

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MAP COMPOSITION:
FEBRUARY, 2008

FOCUS AREA

LAKE COUNTY FLORIDA

Department of Growth Management
Division of Planning & Community Design

View of site from
Colonnade Circle.
Posted 03-11-08 / SA

STAFF EXHIBIT
PH #12-08-2
Lake Utility Services, Incorporated, Owner

ORDINANCE #2008-
LAKE UTILITY SERVICES, INCORPORATED
PH #12-08-2

AN ORDINANCE OF THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAKE COUNTY ZONING MAPS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake Utilities, Incorporated (the "Owner") requested a rezoning from Estate Residential (R-2) to Community Facility District (CFD); and

WHEREAS, the subject property consists of 0.92 acre and is located in the Clermont area, south of Clermont / SR50 / Lake Minnehaha and west of US27 on Colonnade Circle in Section 6 – Township 23S – Range 26E having Alternate Key Number 3837570, further described as:

LEGAL DESCRIPTION (EXHIBIT "A" – ATTACHED)

WHEREAS, the property is located within the Urban Expansion Future Land Use Category as shown on the Lake County Comprehensive Plan Future Land Use Map (FLUM); and

WHEREAS, the Lake County Zoning Board did, on the 2nd day of April, 2008, reviewed petition PH #12-08-2;

AND, after giving Notice of Hearing on petition for a change in the use of land, including notice that said ordinance would be presented to the Board of County Commissioners of Lake County, Florida, on the 22nd day of April, 2008; and

WHEREAS, the Board of County Commissioners reviewed said petition, the recommendations of the Lake County Zoning Board, 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; and

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, that the Land Development Regulations of Lake County, Florida, be altered and amended as they

pertain to the above tract of land subject to the following terms:

Section 1. **Terms:** The County Manager or designee shall amend the Zoning Maps from Estate Residential (R-2) to Community Facility District (CFD); as specified in the Land Development Regulations (LDR), as amended, in accordance with this Ordinance.

A. Land use shall consist of a water treatment facility as depicted in EXHIBIT "B" – Conceptual Mater Plan.

Related accessory uses directly associated to the above primary uses may be approved by the County Manager or designee. Any other use of the site shall require approval of an amendment to this Ordinance and EXHIBIT "B" – Conceptual Mater Plan by the Board of County Commissioners.

B. Landscaping / Buffering / Screening: All landscaping / buffering / screening shall comply with the requirements of the Land Development Regulations, as amended.

C. Setbacks: Setbacks shall be in accordance with the Land Development Regulations, as amended.

D. Access Management: The project shall comply with all applicable access management requirements as established in the Land Development Regulations, as amended.

E. Environmental: An environmental assessment of the site addressing habitat and species shall be submitted to the County during the site plan review process for review and approval.

F. Development Review and Approval: Prior to the issuance of any permits, the Owner shall submit a site plan for review and approval by the County Manager or designee. The site plan shall meet all submittal requirements of the Land Development Regulations and comply with all County codes and ordinances, as amended.

G. Future Development Orders: Any requested development order must comply with the Comprehensive Plan and Land Development Regulations, as amended.

H. Future Amendments to Statutes, Code, Plans, and/or Regulations: The specific references in this Ordinance to the Florida Statutes, Florida Administrative Code, Lake County Comprehensive Plan, and Lake County Land Development Regulations shall include any future amendments to the Statutes, Code, Plans, and/or Regulations.

Section 2. **Conditions** as altered and amended which pertain to the above tract of land shall mean:

A. The aforementioned property shall only be used as specified in this Ordinance.

B. This Ordinance shall inure to the benefit of, and shall constitute a covenant running with the land and the terms, conditions, and provisions hereof, and shall be binding upon the

present owner and any successor, and shall be subject to each and every condition herein set out.

C. The transfer of ownership or lease of any or all of the property described in this Ordinance shall include in the transfer or lease agreement, a provision that the purchaser or lessee is made good and aware of the conditions established by this Ordinance and agrees to be bound by these conditions. The purchaser or lessee may request a change from the existing plans and conditions by following procedures contained in the Land Development Regulations, 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, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. **Effective Date.** This Ordinance shall become effective as provided by law.

ENACTED this _____ day of _____, 2008.

FILED with the Secretary of State _____, 2008.

EFFECTIVE _____, 2008.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

_____
WELTON CADWELL, Chairman

ATTEST:

_____
NEIL KELLY, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY

_____
SANFORD A. MINKOFF, County Attorney

EXHIBIT "A" – LEGAL DESCRIPTION

LEGAL DESCRIPTION: TRACT D, TIMBERLANE PHASE I, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 54, PAGES 43 AND 44, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.
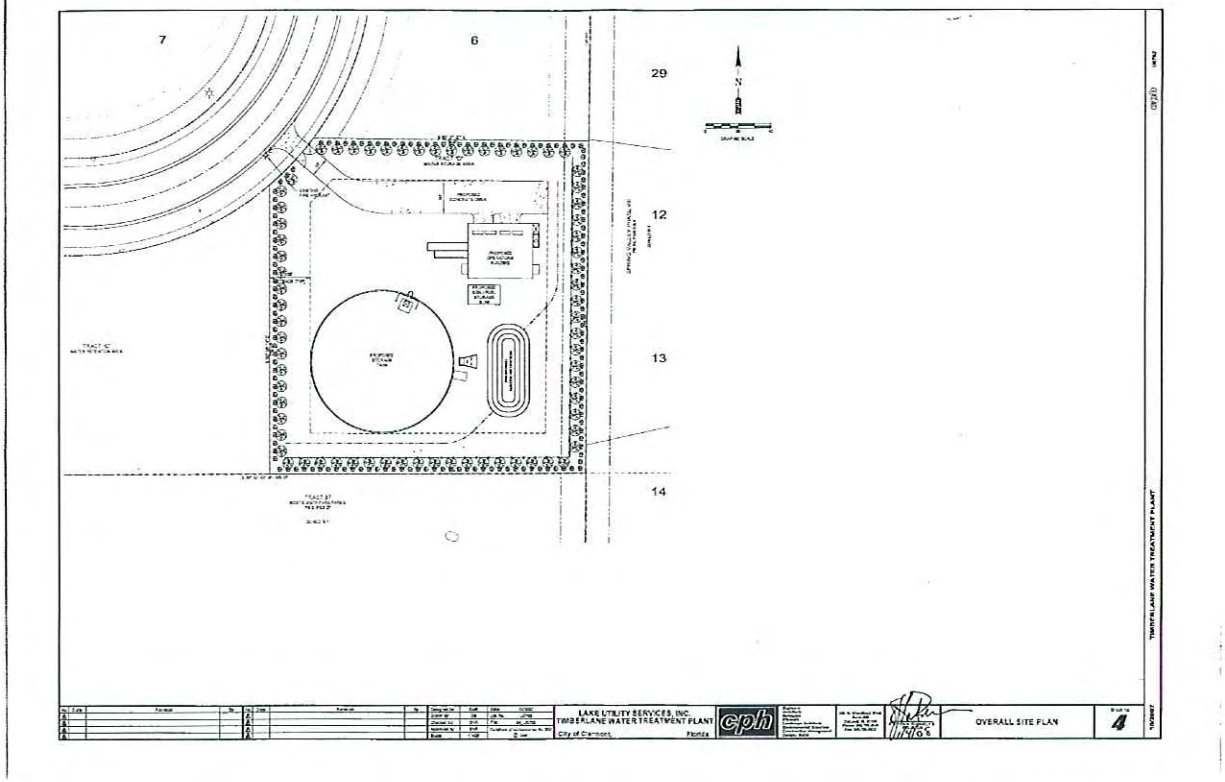
EXHIBIT "B" – MASTER CONCEPTUAL PLAN