



LAKE COUNTY

DEPARTMENT OF
GROWTH MANAGEMENT
Planning & Community Design Division

10/19/2007

TOUCHTON LISA L
34149 SUNLAND AVE
LEESBURG, FL 34788-

Re: Project No. 2007090001, Application No. 1000

Description: LISA TOUCHTON
REZONE - R-6 to R-1

Dear TOUCHTON LISA L:

Your [APPLICATION TYPE] 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,

Handwritten signature of Karen Rosick in black ink.

Development Review
Division of Planning and Community Design
(352) 343-9640 or (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. 2007090001, Application Request No. 1000

PLANNING & COMMUNITY DESIGN 352-343-9739 EXT 5567
Rejection Comments

Item: STAFF REPORT
Remarks: PLEASE SEE ATTACHED STAFF REPORT

Informational Comments

Item:
Remarks:

Review Status: COMPLETE

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

Item:
Remarks:

Informational Comments

Item: RIGHT-OF-WAY
Remarks: Fronts Missouri St (# 5438) w/ no recorded R/W.
Also fronts on Sunland Ave. (# 5439) w/ 30 feet total R/W. Both roads are classified as
local roads requiring 33' from centerline.

Rezoning application, no Dolan requested at this time.

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: 10/17/07 - No objection to rezoning; DOH has no further comments at this time. -MJB-

Review Status: COMPLETE

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

Item:
Remarks:

Informational Comments

Item: REVIEW IS COMPLETE - ITEMS SUBMITTED ARE SUFFICIENT TO CONTINUE REVIEW.
Remarks: 10/17/2007 SC
Environmental Compliance and Enforcement has no comment regarding the rezoning of this site. An environmental assessment of the site will be required following the rezoning and prior to any approval through the Development Review Process.

Review Status: COMPLETE

CONCURRENCY - DEVELOPMENT REVIEW
Rejection Comments

Item:
Remarks:

Informational Comments

Item: PUBLIC WORKS APPROVAL (TRANSPORTATION & STORM WATER)
Remarks: 10/10/07 - Affidavit of Deferral of Concurrency received and in file/jsm.

Item: SOLID WASTE APPROVAL
Remarks: 10/10/07 - Affidavit of Deferral of Concurrency received and in file/jsm.

Item: PARKS & RECREATION APPROVAL (RESIDENTIAL ONLY)
Remarks: 10/10/07 - Affidavit of Deferral of Concurrency received and in file/jsm.

Review Status: COMPLETE

Enclosures: Staff Report and Ordinance

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

PETITION TO REZONE PROPERTY

LAKE COUNTY ZONING BOARD
December 5, 2007



BOARD OF COUNTY COMMISSIONERS
TBD, 2007

Case: PH#43-07-1	Case Manager: Karen Rosick, Planner	Agenda Item
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- Application Request -

Owner:	Lisa Touchton	Applicant:	Lisa Touchton
Future Land Use:	Urban Expansion	Zoning District:	Urban Residential District (R-6)
Land Use Density:	Four (4) dwelling units per acre	Zoning Density:	Six (6) dwelling units per acre

Requested Action: Applicant is requesting to rezone from Urban Residential District (R-6) to Rural Residential (R-1) allowing for the housing of a horse (non-intensive agriculture uses).

- Site Information -

Size of Parcel: 3.7 acres

Map Location: Section 12/ Township 19S/ Range 25E

Location: Leesburg Area –On the corner of Sunland Ave and Missouri St. AK# 1178029.

Joint Planning Area: N/A

Utility Area: City of Leesburg

Site Utilities: Central Water and Central Sewer is not available

Road Classification: Local roads, Sunland Ave and Missouri St.

Site Visit: September 25, 2007 **Sign(s) Posted:** November , 2007

Commissioner’s District: 1 (Commissioner Hill)

SURROUNDING LAND USE		SURROUNDING ZONING	
NORTH	Single-family residential	NORTH	Urban Residential District (R-6)
SOUTH	Single-family residential	SOUTH	Urban Residential District (R-6)
EAST	Single-family residential	EAST	Urban Residential District (R-6)
WEST	Single-family residential	WEST	Urban Residential District (R-6)

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends **Denial** of the request to rezone from Urban Residential District (R-6) to Rural Residential (R-1) allowing for the housing of a horse (non-intensive agriculture uses).

- Summary of Analysis -

The subject parcel is approximately 3.7 acres in size and is located in the Leesburg area at the corner of Sunland Ave. and Missouri St.. The site is currently zoned Urban Residential District (R-6) and lies within the Urban Expansion Future Land Use Category (FLUC). The Urban Expansion FLUC allows a base density of four (4) dwelling units per gross acre. The Applicant is seeking to rezone from Urban Residential District (R-6) to Rural Residential (R-1) allowing for the housing of a horse (non-intensive agriculture uses).

The property is currently zoned Urban Residential District (R-6) which does not permit non-intensive agricultural uses. Section 3.01.03 of the Lake County Land Development Regulations (LDRs) states that non-intensive agricultural uses are not permitted in the Urban Residential District (R-6).

The area is designated Urban Expansion on the Future Land Use Map. The primary function of the Urban Expansion area, as designated on the "Future Land Use Plan Map" shall be to contain urban sprawl, to economically provide for public facilities and services, and to provide for the efficient use of land while providing for the retention of adequate levels of open space and native habitats consistent with the character of Lake County.

Rural Residential (R-1) is allowed in the Urban Expansion FLUC however, the site is completely surrounded by single-family homes mostly on quarter acre lots in the Urban Residential District (R-6) . The rezoning to Rural Residential (R-1), to allow the housing of a horse, would create spot zoning and would not be a logical and orderly development pattern. The rezoning would be in conflict with Policy 1-10.2: Promote Orderly, Compact Growth. Land use patterns delineated on the "Future Land Use Map" shall promote orderly, compact growth. The County shall encourage growth and development in developed areas where public facilities and services are presently in place, and in those areas which public facilities can provide the most efficient service.

Staff finds that the request to rezone from Urban Residential District (R-6) to Rural Residential (R-1) allowing for the housing of a horse (non-intensive agriculture uses) is not consistent with all applicable provisions of the Comprehensive Plan and Land Development Regulations and, therefore, recommends **Denial** of the request to amend the existing ordinance.

- Findings -

(Per Section 14.03.03 of the Land Development Regulations)

- 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 as seen in Section 3.0.04 that permits the Rural Residential (R-1) in the Urban Expansion Future Land Use Category. In addition, the use requested by the Applicant is permitted in the Rural Residential (R-1) Zoning District, as established in Table 3.01.03 LDRs, Schedule of Permitted and Conditional Uses.

However it is not consistent with the Comprehensive Plan as seen in Policy 1-10.2: Promote Orderly, Compact Growth. Land use patterns delineated on the "Future Land Use Map" shall promote orderly, compact growth. The County shall encourage growth and development in developed areas where public facilities and services are presently in place, and in those areas which public facilities can provide the most efficient service.

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

The proposed rezoning is not consistent with the Comprehensive Plan as seen in Policy 1-10.2: Promote Orderly, Compact Growth. Land use patterns delineated on the "Future Land Use Map" shall promote orderly, compact growth. The County shall encourage growth and development in developed areas where public facilities and services are presently in place, and in those areas which public facilities can provide the most efficient service.

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

The use of the property for allowing the housing of a horse (non-intensive agriculture uses) is inconsistent and not compatible with the surrounding land use and development pattern. The property is located in an area of the County characterized by medium-density residential to high density residential development and with the availability of central water and sewer.

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

The Applicants desire to use the property as non-intensive agriculture to house a horse.

- 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 roads, sewage, water supply, drainage, solid waste, parks and recreation, schools and emergency medical facilities;**

As central water and sewer service are presently not available by the City of Leesburg, a public utility, they will not be required to connect.

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

There is no evidence, at this time, of any adverse impacts on the natural environment.

- 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 requested to rezone from Urban Residential District (R-6) to Rural Residential (R-1) allowing for the housing of a horse (non-intensive agriculture uses) is not in keeping with the surrounding development patterns that continue to be primarily Urban in character. Allowing non-intensive agriculture uses would therefore be inconsistent with the surrounding character of medium to high density residential development as well as being inconsistent with the comprehensive plan.

- 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 in harmony with the Land Development Regulations Sections 3.00.03 and Table 3.01.03 which allows the non-intensive agriculture uses in the Rural Residential (R-1) zoning.

However, The proposed rezoning would not be in harmony with the general intent of the Comprehensive Plan as seen in Policy 1-10.2: Promote Orderly, Compact Growth. Land use patterns delineated on the "Future Land Use Map" shall promote orderly, compact growth.

- 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**

NONE.

WRITTEN COMMENTS FILED: Supportive: - - Opposition: - - Speakers Cards:

FINAL ACTION B.C.C.: Approval ()

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

The application is not consistent with Lake County Comprehensive Plan Policy 1-10.2: Promote Orderly, Compact Growth. Land use patterns delineated on the "Future Land Use Map" shall promote orderly, compact growth.

Therefore, based on these Findings of Fact, staff recommends **DENIAL** of this request as the Comprehensive Plan supersedes the Land Development Regulations.

WRITTEN COMMENTS FILED: SUPPORT: -0- OPPOSITION: -0-

FINAL ACTION B.C.C.: