LAKE COUNTY

DEPARTMENT OF
GROWTH MANAGEMENT
Planning & Community Design Division

10/12/2007

NURSERY AUTOMATION SERVICES INC
Attn: John W. Gratton
25351 SW 142 AVE
HOMESTEAD, FL 33032-

Re: Project No. 2007080006, **Application No.** 984

Description: NURSERY AUTOMATION SERVICES INC
REZONE FROM MP TO MP

Dear Mr. Gratton:

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,

Rick Hartenstein, Senior Planner/Case Manager
Division of Planning and Community Design
(352) 343-9640 or (352) 343-9739

PLANNING & COMMUNITY DESIGN
Rejection Comments

Item:
Remarks:

Informational Comments

Item: APPLICATION IS SUFFICIENT
Remarks:
Application is sufficient for review, a draft of the staff report and ordinance is attached with this letter.

Review Status: COMPLETE

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

Item:
Remarks:

Informational Comments

Item: TRANSPORTATION
Remarks: Unable to determine the impacts on traffic and stormwater at this time. To be addressed at site plan stage.

Item: RIGHT-OF-WAY
Remarks: Site fronts on CR 468 (# 5205) with 33 feet of recorded right of way from the centerline (66' total). Classified as an Urban Collector requiring 50 feet from centerline (100' total). Will request a Dolan test during the development process.

Also fronts on Lewis Road (# 5105) with 25 feet of recorded right of way from centerline (50 feet total). Classified as an Revised Urban Local requiring 33 feet from centerline (66 feet total). Will request a Dolan test during the development process.

Item: STORMWATER
Remarks: Unable to determine the impacts on traffic and stormwater at this time. To be addressed at site plan stage.

Item: FLOODPLAIN
Remarks: Part of the property is in Flood Zone A.

Item: SITE PLAN / SKETCH
Remarks: A sketch or site plan of what is to be built after the parcel is rezoned would help in the review of this case.

Unable to determine the impacts on traffic and stormwater at this time. To be addressed at site plan stage.

Review Status: COMPLETE

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

Item:
Remarks:

Informational Comments

Item: REVIEW IS COMPLETE
Remarks: 1st review BDH Informational 9-12-07

Fire protection requirements will be reviewed during the Site Plan Submittal Process.

Review Status: COMPLETE

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

Item:
Remarks:

Informational Comments

Item: REZONING ONLY
Remarks: 09/17/07 - No objection to rezoning, however:
>A non-availability letter for central utilities will be required at time of preliminary and site plan submittal.
>The proposed change to HM zoning will require annual IM permits for any existing septic systems to be acquired through the DOH.
-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:
Application is sufficient for review, but please note that an environmental assessment meeting the requirements of LDR 6.04.00 will be required to be submitted with your site plan application if this rezoning is approved.

Development shall be limited in the 100-year floodplain in accordance with LDR 9.07.00 Lot Grading, Erosion, and Floodplain Management Ordinance.

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

Cc: Alfredo Massa, Chief Planner
File
Christyne B. Hamilton, Trustee P O Box 1227 Leesburg FL 34744-1227

LAKE COUNTY PLANNING AND COMMUNITY DESIGN ANALYSIS

PETITION TO REZONE PROPERTY

LAKE COUNTY ZONING BOARD
December 5, 2007

LAKE COUNTY
FLORIDA

BOARD OF COUNTY COMMISSIONERS
December 19, 2007

Case: PH#37-07-1	Case Manager: Rick Hartenstein, Senior Planner	Agenda Item #

- Application Request -

Owner:	Christyne B. Hamilton (Trustee)	**Applicant:**	Nursery Automation Services, Inc./John W. Gratton
Future Land Use:	Urban	**Zoning District:**	Planned Industrial (MP)
Land Use Density:	(7) dwelling units per gross acre	**Zoning Density:**	N/A

Requested Action: The Applicant is requesting an amendment to MP (Planned Industrial) Ordinance #104-88 to allow the location of a business that sells, installs, and repairs automated machinery and equipment related to the horticulture and agriculture industry. The property is presently zoned MP (Planned Industrial) and is limited to the installation of video optical devices and equipment in vans.

- Site Information -

Size of Parcel: 2.0 +/- acres

Map Location: Section 16/ Township 19S/ Range 24E

Location: South Fruitland Park Area – located at southwest corner of CR 468 and Lewis Road. AK# 1740851.

Joint Planning Area: Fruitland Park

Utility Area: Fruitland Park

Site Utilities: Individual well and septic system

Road Classification: CR 468 – Collector and Lewis Road – Local Road

Site Visit: September 25, 2007 **Sign(s) Posted:** September 28, 2007 (2)

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Commissioner's District: 1 (Commissioner Hill)

SURROUNDING LAND USE		SURROUNDING ZONING	
NORTH	Vacant	NORTH	Residential Professional (RP)
SOUTH	Pipe & Plumbing Supply	SOUTH	Planned Commercial (CP)
EAST	Single-Family Residential and Nursery	EAST	Rural Residential (R-1) and Agriculture (A)
WEST	Single-Family Residential	WEST	Medium Residential (R-3)

- Summary of Staff Determination -

STAFF RECOMMENDATION: Staff recommends approval of the request to amend (MP) Planned Industrial Ordinance #104-88 to allow the location of a business that sells, installs, and repairs automated machinery and equipment related to the horticulture and agriculture industry.

ZONING BOARD RECOMMENDATION:

- Summary of Analysis –

On November 8, 1998, the Board of County Commissioners granted zoning approval for manufacturing of video optical devices and equipment installation in vans to survey pipes and underground systems.

The Applicant is currently seeking to amend the existing Ordinance #104-88 to allow the location of a business that sells, installs, and repairs automated machinery and equipment related to the horticulture and agriculture industry.

The subject parcel is approximately two (2) acres in size and is located between Leesburg and Fruitland Park on the west side of CR 468 at the southwest corner of Lewis Road. The site is currently Planned Industrial (MP) and lies within the Urban Future Land Use Category (FLUC), which allows a maximum of 7 dwelling units to the acre for residential development and permits industrial within the land use.

Staff finds that the request is consistent with all applicable provisions of the Comprehensive Plan and LDRs as specified in the analysis below.

- Findings of Fact -

(Per Section 14.03.03 of the Lake County Land Development Regulations)

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

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The proposed rezoning is consistent with the Land Development Regulations (LDR) as seen in Section 3.00.03 that permits the MP Zoning District in the Urban Future Land Use Category. In addition, the use requested by the Applicant is permitted in the MP Zoning District, as established in Table 3.01.03 LDRs, Schedule of Permitted and Conditional Uses.

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 seen in Policy 1-1.6 which states that industrial development shall be allowed within the Urban Land Use Category provided such development meets the location criteria set forth in the Comprehensive Plan.

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

The requested rezoning and its associated land uses are consistent and compatible with the surrounding land use and development pattern. The property is located in an area of the County characterized by low to medium-density residential development, agricultural uses such as citrus, nursery, and tree farm operations, and professional and commercial uses.

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

The applicant wishes to relocate his business to this area to help meet the demand for automation in the horticulture industry, thus the need to amend the zoning to include this use on the 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 roads, sewage, water supply, drainage, solid waste, parks and recreation, schools and emergency medical facilities;**

The proposed amendment would not result in additional demands on public facilities. Public Works comments state that additional right-of-way may be required along CR 468 and Lewis Road. If this rezoning is approved, this will be addressed during the development review process.

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

A staff-conducted GIS analysis shows that there are no wetlands on the subject parcel, but a portion of the property is located within the 100-year flood plain. Development is limited in the 100-year floodplain and will be addressed during the development review process. Staff notes that an environmental assessment addressing habitat and species shall be required during the development review phase of the project.

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.

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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 rezoning and its associated land uses are consistent and compatible with the surrounding land use and development pattern. The property is located in an area of the County characterized by low to medium-density residential development, agricultural uses such as citrus, nursery, and tree farm operations, and professional and commercial uses.

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 consistent and in harmony with the general intent of the Lake County Comprehensive Plan and Land Development Regulations.

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

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

1. The application is consistent with Lake County Comprehensive Plan Policy 1-1.6 which states that industrial development shall be allowed within the Urban Land Use Category provided such development meets the location criteria set forth in the Comprehensive Plan.
2. The application is consistent with Table 3.01.03 of the Land Development Regulations which lists light industrial uses such as assembly and repair of equipment as a permitted use for Planned Industrial.

Therefore, based on these Findings of Fact, staff recommends **APPROVAL** of this request.

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

FINAL ACTION B.C.C.:

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Department of Growth Management
Planning & Development Services

STAFF EXHIBIT

PH #37-07-1

Nursery Automation Services, Inc.

Picture taken from the R/W of CR 468 looking west at the property.

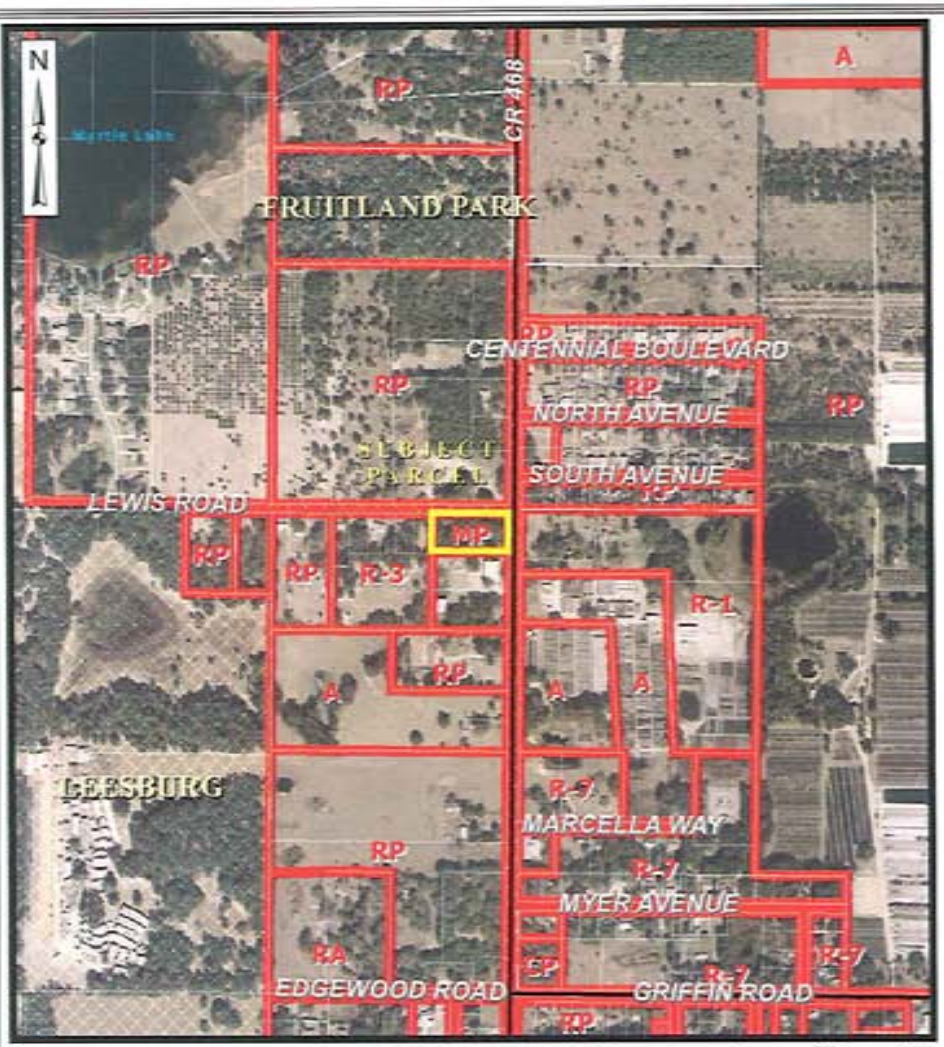
Department of Growth Management
Planning & Development Services

STAFF EXHIBIT

PH #37-07-1

Nursery Automation Services, Inc.

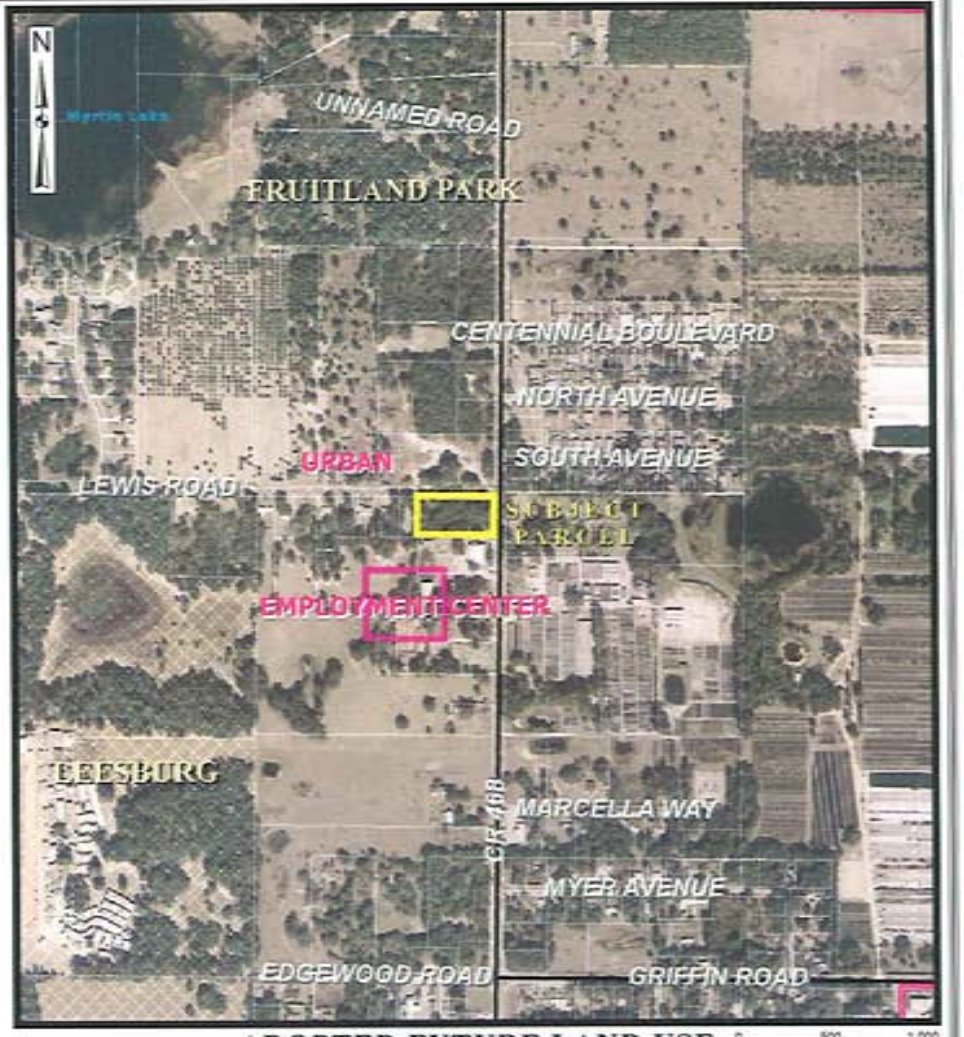
Picture taken from the R/W of Lewis Road looking south at the property.



CURRENT ZONING

MP (PLANNED INDUSTRIAL)

0 500 1,000 FEET



ADOPTED FUTURE LAND USE

URBAN

0 500 1,000 FEET

NURSERY AUTOMATION SERVICES, INC.
JOHN W. GRATTON

CASE NO.
PH# 37-07-1

CASE LOCATION:
16-19S-24E

REQUESTING:
Amend MP Ord.# 104-88

ZONING
LAND USE
SUBJECT PARCEL

MAP COMPOSITION:
SEPTEMBER, 2007

FOCUS AREA

LAKE COUNTY FLORIDA

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

This map product was prepared from a Geographic Information System established by the Lake County Board of County Commissioners. Its employees, agents and personnel, make no warranty as to its accuracy, and in particular its accuracy as to labeling, dimensions, contours, property boundaries, or placement or location of any map features thereon. The Lake County Board of County Commissioners, its employees, agents and personnel MAKE NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE EXPRESS OR IMPLIED WITH RESPECT TO THIS MAP PRODUCT. Independent verification of all data contained on this map product should be obtained by any user of this map.

LAKE COUNTY, FLORIDA
DEPARTMENT OF GROWTH MANAGEMENT
PLANNING & COMMUNITY DESIGN

UTILITY AVAILABILITY LETTER

TO: City of Leesburg
(Utility Service Provider)

FAX: 352·326·8887

FROM: Gregg Madsen

PHONE: 352·343·9739 X5460

FAX: 352·343·9595

Subject: Development Order – Utility Service Area

In an effort to assure governmental cooperation and assistance in the use of approved utility facilities, Lake County shall, per the Land Development Regulations Section 6.12.00, require connection to those facilities upon development, within 1,000 feet of an approved central sewage system and/or within 300 feet of an approved central water system.

Please acknowledge the availability to serve the following property with central utility systems and return this form with the application. Thank you.

Legal Description: Section 16 Township 19 Range 24 Alternate Key No. 1740851

Subdivision N/A Lot ____ Block ____ Additional Legal attached ____

Central Sewer IS NOT within 1,000 feet of the above described property.
(IS OR IS NOT)

Central Water IS NOT within 300 feet of the above described property.
(IS OR IS NOT)

The City/Town of Leesburg will provide service to this property for:
Central Sewer: Yes ____ No ✓
Central Water: Yes ____ No ✓

Wellfield Protection:
To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area.

This property is____ or is not____ within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

City Official, Signature Paul W Adams 8-27-07
Date

City Official, Title Deputy Director Environmental Svc

PZ25

LAKE COUNTY, FLORIDA
DEPARTMENT OF GROWTH MANAGEMENT
PLANNING & COMMUNITY DESIGN

UTILITY AVAILABILITY LETTER

TO: City of Fruitland Park
(Utility Service Provider)

FAX: 352-360-6686

FROM: Lake Co. Planning & Community Design (Rick Hartenstein)

PHONE: 352-343-9739 x 5400

FAX: 352-343-9595

Subject: Development Order – Utility Service Area

In an effort to assure governmental cooperation and assistance in the use of approved utility facilities, Lake County shall, per the Land Development Regulations Section 6.12.00, require connection to those facilities upon development, within 1,000 feet of an approved central sewage system and/or within 300 feet of an approved central water system.

Please acknowledge the availability to serve the following property with central utility systems and return this form with the application. Thank you.

Legal Description: Section 16 Township 19 Range 24 Alternate Key No. 1740851

Subdivision M+B Lot — Block — Additional Legal attached Yes

Central Sewer _____ within 1,000 feet of the above described property.
(IS OR IS NOT)

Central Water _____ within 300 feet of the above described property.
(IS OR IS NOT)

The City/Town of Fruitland Park will provide service to this property for:

Central Sewer: Yes ____ No ✓

Central Water: Yes ____ No ✓

Wellfield Protection:
To protect the principal source of water in Lake County, per section 6.03.00 of the Land Development Regulations, the area within 1,000 feet radius shall be considered a wellhead protection area.

This property is ____ or is not ✓ within 1,000 feet of an existing or future wellhead.

Please attach any conditions that affect the availability of provision of service to this property.

City Official, Signature Peggy Sue Noerman 9-27-07
Date

City Official, Title Community Dev. Director

Date: 9/6/2007

Sec: 16 **Twp:** 19 **Rng:** 24

Department of Public Works
437 Ardice Avenue
Eustis, FL 32726

LAKE COUNTY
FLORIDA

Voice: (352) 483-9081
FAX: (352) 483-9082

FLOOD INSURANCE RATE MAP INFORMATION

Person Inquiring: WILEY GRATTON / NURSERY AUTOMATION SERVICES

Phone Number: 267-9912

Fax Number:

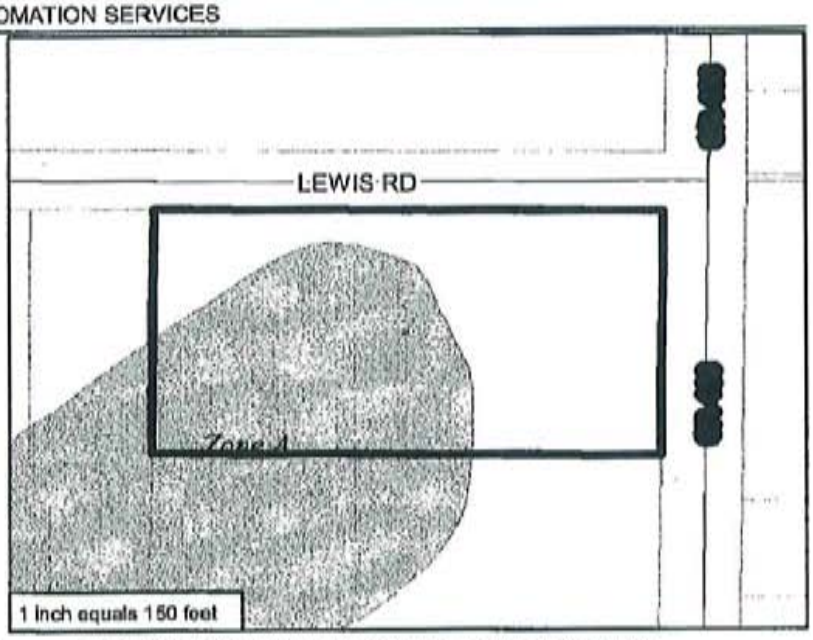
Lake County Community No: 120421

Map No: 12069C **Panel No:** 0308D

Effective Date: 7/3/2002

LEGAL DESCRIPTION OF PROPERTY:
N 233 FT OF W 418.85 FT OF E 447.85 FT . . .

ALT KEY 1740851



This Property is Located (X Partially, ____ Fully) in the Special Flood Hazard Area (SFHA):

- X **ZONE "X"** (Areas of minimal flooding: no shading)
- ____ **ZONE "X Shaded"** (Areas between limits of the 100-yr flood and the 500-yr flood; light shading)
- X **ZONE "A"** (Areas of 100-yr flood; BFE not determined by FEMA)
- ____ **ZONE "AE"** (Areas of 100-yr flood; BFE determined by FEMA)

IF YOUR PROPERTY IS LOCATED IN A NUMBERED OR UNNUMBERED "A" ZONE, YOUR LOWEST FLOOR INCLUDING A BASEMENT, MUST BE ELEVATED AT LEAST 18" ABOVE THE BFE. (per LAKE COUNTY LAND DEVELOPMENT REGULATIONS; 9.07.08)

BASE FLOOD ELEVATION (BFE): 74 **FT. NAVD 1988 , DERIVED FROM:**

- X **Flood Insurance Rate Map (FIRM) identified above (Panel Number)**
- X **Base Flood Elevation (BFE) is undetermined by FEMA**
- ____ **Exact location of property cannot be determined on the FIRM**
- ____ **Aerial Topographic Map**
- ____ **Flood Study**
- X **USGS Survey (quad) Map** BASED ON CONTOUR MAPS

NOTES:

***** Some land may have the presence of Wetlands even if no floodplain is located there. Please refer to those agencies that handle wetlands issues such as FL. D.E.P., S.J.R.W.M.D. and S.W.F.W.M.D for more information *****

Federal law requires that a Flood Insurance Policy be obtained as a condition of a Federally backed mortage or loan that is secured by the building located in a flood zone. Lake County participates in the CRS (Community Rating system) backed by the National Flood Insurance Program. Lake County currently is ranked a Class 8 Community enabling flood insurance to be purchased at a 10% discount rate. For more information on flood insurance visit your public library system or ask your insurance agent.

NOTE: This information is based on the Flood Insurance Rate Map (FIRM) for Lake County. This Document does not imply that the referenced property will or will not be free from flooding or damage. A property not located in a Special Flood Hazard Area may be damaged by a flood greater than that predicted on the FIRM or from a local drainage problem not shown on the map. This document does not create liability on the part of Lake County, nor any officer or employee thereof, for any damage that results from reliance on this determination.

____ **Walk In** X **Phone In**

____ **Insurance Information Distributed**

(Account # 112.50053200.000.7344902)

County Official

FAX | Cover

LAKE COUNTY PUBLIC WORKS
Engineering, Stormwater Department
437 Ardice Ave
Eustis, Fl. 32726

LAKE COUNTY
FLORIDA

P:352-483-9081
F: 352-483-9082
www.lakecountyfl.gov

Sharon For

Date:
Attention: Rick Haertenstein
Company:
Fax No.:
Phone:

From: Wiley Gratton
Company: Lake County Public Works / Stormwater
Subject:
Total Pages:

Business - Nursery Automation Services

JENNIFER HILL *District 1* | ELAINE RENICK *District 2* | DEBBIE STIVENDER *District 3* | LINDA STEWART *District 4* | WELTON G. CADWELL *District 5*

ORDINANCE #2007-

Nursery Automation Services, Inc. (Applicant) and Christyne B. Hamilton, Trustee (Owner)
PH #37-07-1

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

WHEREAS, the Lake County Zoning Board did on the 5th day of December, 2007, review petition PH #37-07-1, a request to amend MP (Planned Industrial) Ordinance # 104-88 to allow the location of a business that sells, installs, and repairs automated machinery and equipment related to the horticulture and agriculture industry. The property is generally located to the south of Fruitland Park on the southwest corner of the intersection of CR 468 and Lewis Road. (Section 16 / Township 19S / Range 24E) (2.0+/- acres) (Alt. Key #1740851)

LEGAL DESCRIPTION: [EXHIBIT "A" - ATTACHED]

AND, after giving Notice of Hearing on petition for a change in the use of land, including a notice that said would be presented to the Board of County Commissioners of Lake County, Florida, on the 19th day of December, 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 Lake County Zoning Map from MP (Planned Industrial) to MP (Planned Industrial) in accordance with this Ordinance. The

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terms and conditions of this Ordinance shall mean and include the total of the following land uses.

A. Land Uses:

1. The sale, installation, and repair of automated machinery and equipment related to the horticulture and agriculture industry and associated uses.

2. Any other use of the site shall require approval of an amendment by the Board of County Commissioners.

B. Setbacks: Setbacks shall be in accordance with the Lake County Land Development Regulations as amended.

C. Design Standards: All outdoor storage of materials shall be concealed within a screened enclosure.

D. Lighting:

1. Light sources to illuminate signs, facades, buildings, parking, and loading areas shall be shaded to prevent direct glare, light spillage, and hazardous interference with adjacent properties.

2. Outdoor lighting poles shall be designed to prevent light from projecting in an upward or horizontal direction.

E. Landscaping: All landscaping shall comply with the landscaping requirements contained in the Lake County Land Development Regulations as amended.

F. Signage: All signage shall comply with the applicable sign requirements contained in the Lake County Land Development Regulations as amended. Neon tubing and scrolling text message boards shall be prohibited.

G. Transportation Improvements:

1. The applicant shall comply with all Lake County access management requirements, as established in the Land Development Regulations.

2. The dedication of additional right-of-way along CR 468 and Lewis Road may be required. This is to be addressed during the development review process

H. Concurrency Management: The applicant shall comply with all applicable concurrency management regulations, as established in the Land Development Regulations. A concurrency test shall be submitted and approved, prior to site plan approval.

I. Development Review and Approval: Prior to the issuance of any permits, the applicant shall submit site plans for review and approval by the County Manager or designee. The

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site plans shall meet all submittal requirements and comply with all County codes and ordinances, as amended.

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

K. 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, Plan, and/or Regulations.

L. 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 pertaining to 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 Chapter XIV of the Lake County Land Development Regulations, as amended.

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

A. After establishment of the facilities as provided herein, the aforementioned property shall only be used for the purposes named in this Ordinance. The Zoning Board and Board of County Commissioners must specifically authorize any other proposed use.

B. No person, firm or corporation shall erect, construct, enlarge, alter, repair, remove, improve, move, convert, or demolish any building structure, or alter the land in any manner (except for normal maintenance activities – i.e. painting, screening, etc.) within the boundaries of the above described land, without first submitting the necessary plans in accordance with Chapter XIV of the Lake County Land Development Regulations, as amended, and receiving approval from the County Manager or designee upon obtaining the permits required from other appropriate governmental agencies.

C. 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.

D. 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 pertaining to 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 Chapter XIV of the Lake County Land Development Regulations, as amended.

Section 3. **Severability:** If any section, sentence, clause or phrase of this Ordinance is held to be

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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 _____, 2007.

FILED with the Secretary of State _____, 2007.

EFFECTIVE _____, 2007.

BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA

_____
WELTON G. CADWELL, Chairman

ATTEST:

_____
JAMES C. WATKINS, Clerk of the
Board of County Commissioners
Lake County, Florida

APPROVED AS TO FORM AND LEGALITY

_____
SANFORD A. MINKOFF, County Attorney

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Exhibit "A"

That part of the Northwest ¼ of the Southwest ¼ of Section 16, Township 19 South, Range 24 East, in Lake County, Florida, bounded and described as follows: From the Northeast corner of the said Northwest ¼ of the Southwest ¼ run North 89 degrees 59' 20" West along the North line of the said Northwest ¼ of the Southwest ¼ a distance of 29 feet to the point of beginning of this description. From said point of beginning, run thence South 00 degrees 23' 50" West along the West line of the right of way of State Road 468, a distance of 233 feet; thence run North 89 degrees 59' 20" West 418.85 feet, thence run North 00 degrees 23' 50" East 233 feet to the center line of a county road; thence run South 89 degrees 59' 20" East along the center line of the said road, 418.85 feet to the point of beginning, less the North 25 feet thereof.

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