

LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
NOVEMBER 25, 2008
ZONING AGENDA

The Lake County Zoning Board held a public hearing at 9:00 a.m. on Wednesday, November 5, 2008, in the County Commissioners Chambers, Second Floor – County Administration Building, 315 West Main Street, Tavares, Florida, to consider petitions for rezonings, 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 25, 2008**, in the County Commissioners Chambers, Second 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
Mr. Jimmy Conner	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
Mr. Egor Emery	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. Erin Hartigan, Assistant County Attorney

GROWTH MANAGEMENT DEPARTMENT REPRESENTATIVES

Ms. Amye King, AICP, 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. Ian McDonald, 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. Julianne Thomas, Senior Planner, Division of Planning & Community Design
Mr. Melving Isaac, 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 5, 2008
 AND
 LAKE COUNTY BOARD OF COUNTY COMMISSIONERS
 November 25, 2008

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.

CUP#08/11/2-2	Patrick and Barbara Henes/Janet Christoff Christoff Kennels	3 Continuance Request to 12-16-08
PH#51-08-2	Clermont-Falls Creek Development, Magnolia Property Associates LLC, and B & L Properties LLC/ Magnolia Property Associates LLC/Magnolia Office Park	4 Withdrawn from Agenda
PH#47-08-2	G & A Real Estate of Davie, Inc. Cecelia Bonifay, Esquire	5
PH#50-08-3	City of Leesburg/Ray Sharp, Environmental Services Director, City of Leesburg/Pump Station	6
CUP#08/11/1-4	Glen and Sharon Treadwell/G. C. Bogardus Dixie Tank Lines	7 Continuance Request to 12-16-08
PH#52-08-5	United Southern Bank/Leslie Campione, P.A. United Southern Bank – Astor	10 Withdrawn from Agenda
PH#44-08-4	Catherine Hanson/Leslie Campione, Esq.	11 Withdrawn from Agenda

REGULAR AGENDA:

MSP#08/7/1-3	Dirtworx	12
PH#28-08-2	John R. Arnold, Trustee/Richey & Cooney	8
CUP#08/10/1-2	John R. Arnold, Trustee/Richey & Cooney (Steven J. Richey) John Arnold Residual Facility	9
PH#49-08-2	Room 4, Inc. and Johns Lake Plaza HOA, Inc./ Ms. Anita R. Geraci, Esquire, on behalf of Head- quarter Orlando, LLC	1
PH#59-06-3	GHL Development, LLC/Horgo Signature Homes	2

CASE NO: PH#49-08-2

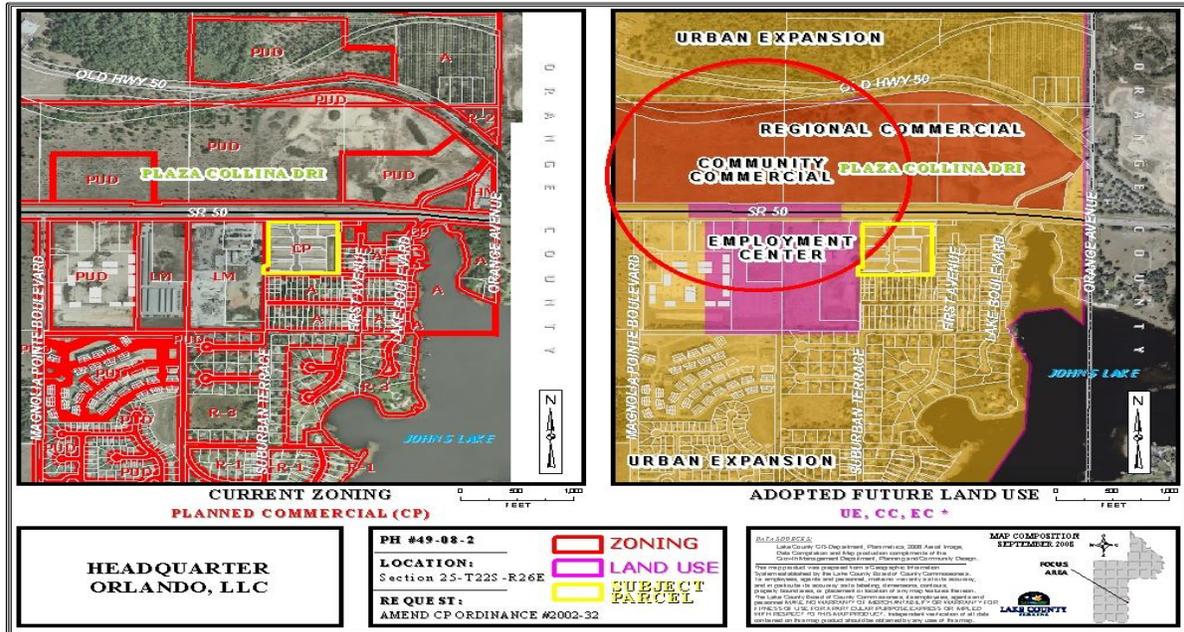
AGENDA NO: 1

OWNER: Room 4, Inc. and Johns Lake Plaza HOA, Inc.

APPLICANT: Ms. Anita R. Geraci, Esquire, on behalf of Headquarter Orlando, LLC

PROJECT NAME: Headquarter Orlando, LLC

GENERAL LOCATION: East of Clermont, south side of SR 50, about 1/4 mile west of Lake/Orange County boundary. Alternate Key Nos. 3839973, 3839976, 3839977, 3839979, 3839980, 3839981, 3839982, 3839983, 3839984, 3839985



APPLICANT REQUEST: The Applicant is requesting to amend Ordinance #2002-32 to allow a car dealership (Vehicular Sales).

SIZE OF PARCEL: 9.35 acres

FUTURE LAND USE: Urban Expansion – n/a, Community Activity Center, – 0.7, Employment Center – n/a

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda, Approval 7-0

CASE NO: PH#59-06-3

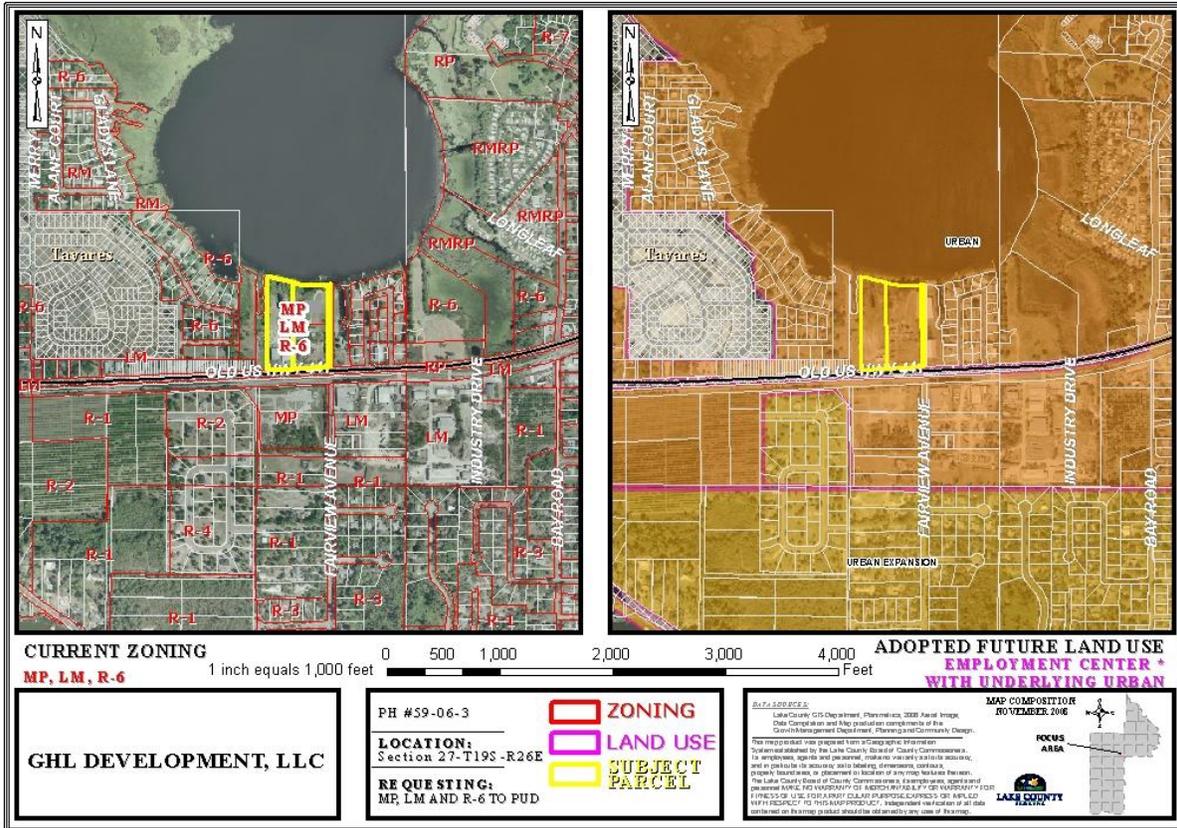
AGENDA NO: 2

OWNER: GHL Development, LLC

APPLICANT: GHL Development, LLC

PROJECT NAME: Horgo Signature Homes

GENERAL LOCATION: Between Tavares and Mt. Dora, north side of Old US Hwy 441. Alternate Key Nos. 1369916, 1369908



* "EMPLOYMENT CENTERS - INCLUDES INDUSTRIAL ZONING AS OF THE DATE OF ADOPTION" (MAP I-1, FUTURE LAND USE PLAN MAP ADOPTED 03/20/01 BY ORDINANCE #2001-30).

APPLICANT REQUEST: The Applicant is requesting to rezone properties from the MP, LM and R-6 Zoning Districts to the Planned Unit Development (PUD) Zoning District to allow a mixed use development consisting of 70 townhomes with recreational facilities and 9,000 square feet of commercial space.

SIZE OF PARCEL: 10.0 acres

FUTURE LAND USE: Employment Center - Old US Hwy 441/Alfred Street Corridor

STAFF RECOMMENDATION: Denial

ZONING BOARD RECOMMENDATION: Regular Agenda, Denial without Prejudice, 7-0 with it being taken into consideration the situation that has occurred over the past three years.

CASE NO: CUP#08/11/2-2

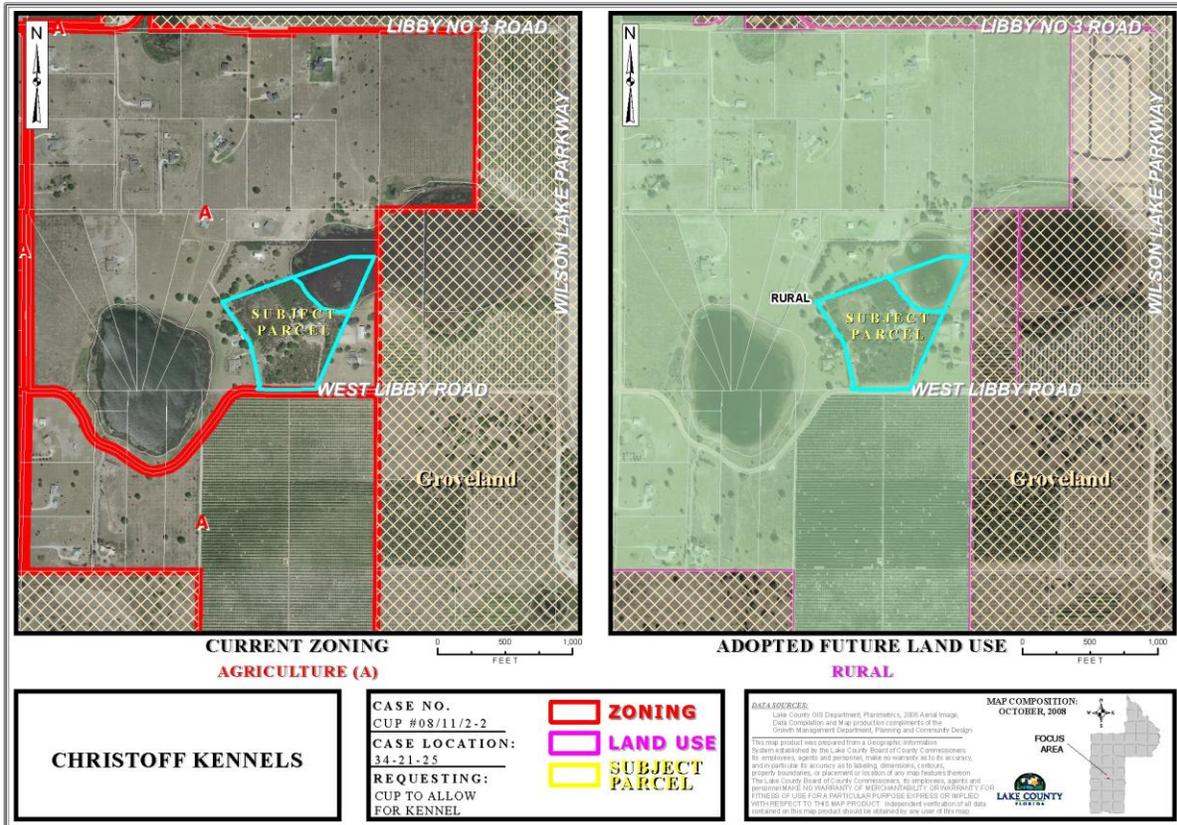
AGENDA NO: 3

OWNERS: Patrick and Barbara Henes

APPLICANT: Janet Christoff

PROJECT NAME: Christoff Kennels

GENERAL LOCATION: Groveland Area – On West Libby Rd., approx. 2 miles from the intersection of Wilson Lake Pkwy and US HWY 27 (Sec.34 T21S R25E) Alternate Key No. 3750144



APPLICANT REQUEST: The Applicant is requesting a Conditional Use Permit (CUP) in the Agriculture Zoning District to allow a dog and cat kennel and caretaker's residence associated with the kennel.

SIZE OF PARCEL: 14.36 Gross Acres

FUTURE LAND USE: Rural

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Regular Agenda, Denial, 7-0

CASE NO: PH#51-08-2

AGENDA NO: 4

OWNERS: Clermont-Falls Creek Development, Magnolia Property Associates LLC, and B & L Properties LLC

APPLICANT: Magnolia Property Associates LLC

PROJECT NAME: Magnolia Office Park

GENERAL LOCATION: Clermont Area – Located along CR 50 at the southeast side of the intersection of CR 50 and Magnolia Pointe Boulevard

APPLICANT REQUEST: The Applicant is requesting to amend Ordinance #2006-8 in order to revise the uses allowed within the PUD.

STAFF RECOMMENDATION: Staff is requesting a continuance to December 3, 2008 due to concerns relating to the property boundaries depicted on the Conceptual Plan provided by the Applicant. This case will be removed from the agenda in order to include Lot 5 of the Planned Unit Development (PUD) and brought back in December as a County-Initiated rezoning for the entire property subject to the PUD.

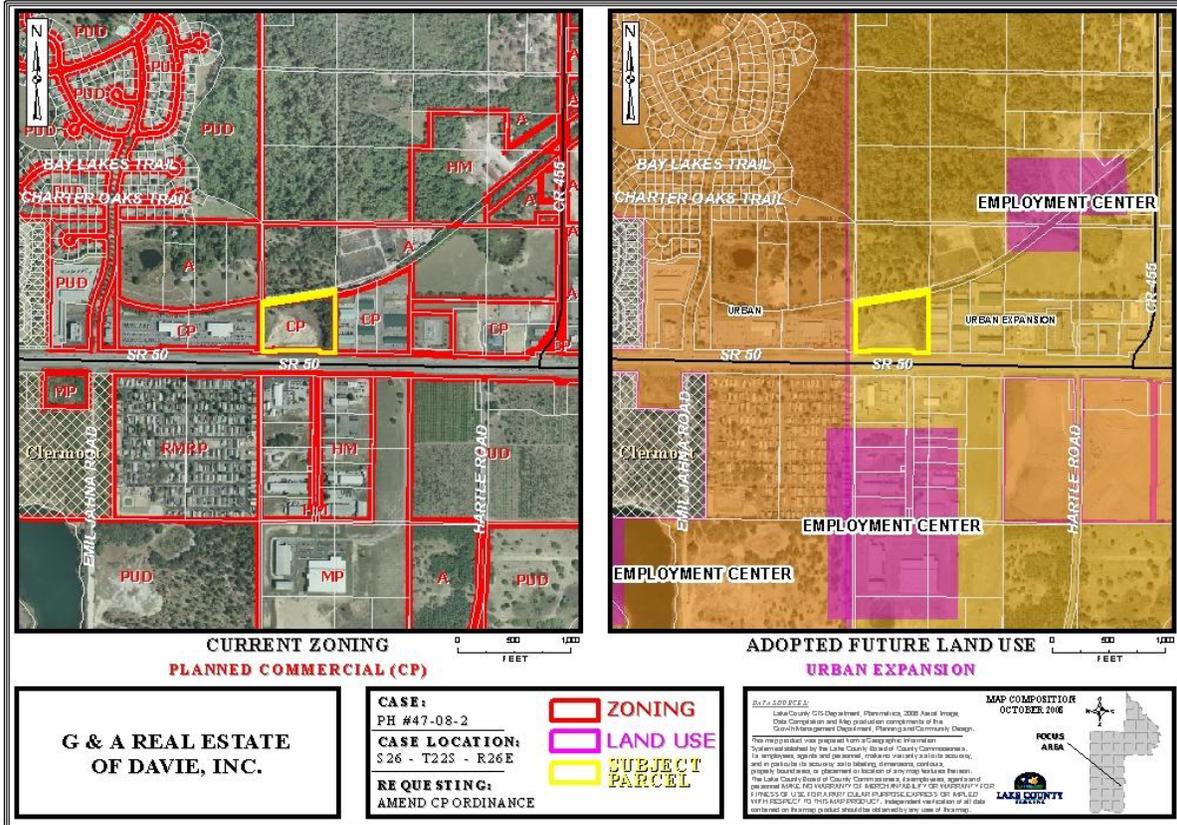
CASE NO: PH#47-08-2

AGENDA NO: 5

OWNER: G & A Real Estate of Davie, Inc.

APPLICANT: Cecelia Bonifay, Esquire

GENERAL LOCATION: East Clermont area, along the North side of Highway 50 West of CR 455.
Alternate Key No. 1118191



APPLICANT REQUEST: Amend Ordinance #2003-81 to allow some C-1 and C-2 commercial uses within the Planned Commercial (CP) District, including but not limited to automobile sales and service.

SIZE OF PARCEL: 335,412 SF (7.7 acres)

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Consent Agenda, Approval, 7-0

CASE NO: PH#50-08-3

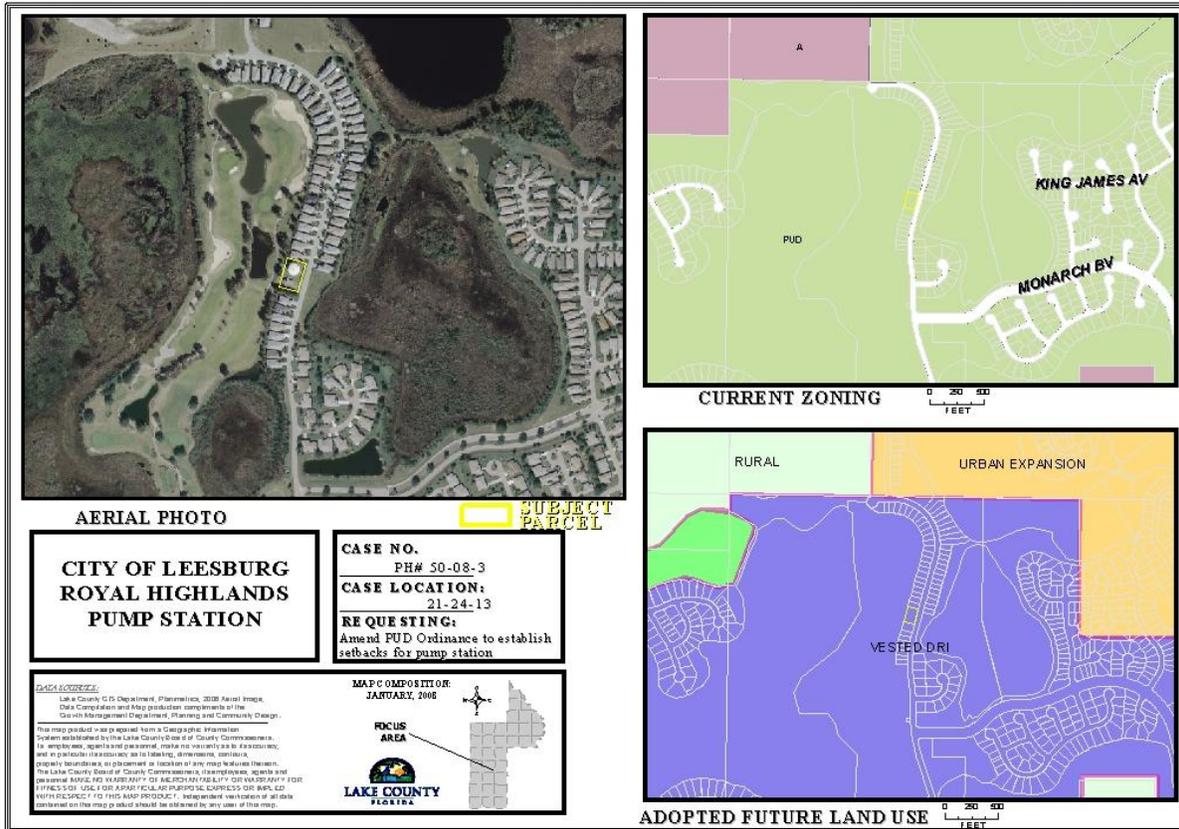
AGENDA NO: 6

OWNER: City of Leesburg

APPLICANT: Ray Sharp, Environmental Services Director/City of Leesburg

PROJECT NAME: Pump Station/City of Leesburg

GENERAL LOCATION: Royal Highlands subdivision. Alternate Key No. 3667301



APPLICANT REQUEST: Amend Ordinance No. 2005-45 to establish building setbacks for potable water and sewer infrastructure facilities within the Royal Highlands subdivision.

SIZE OF PARCEL: 47,331,860 SF (1,086.59 +/- acres)

FUTURE LAND USE: Vested DRI

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Regular Agenda, Approval, 7-0

CASE NO: CUP#08/11/1-4

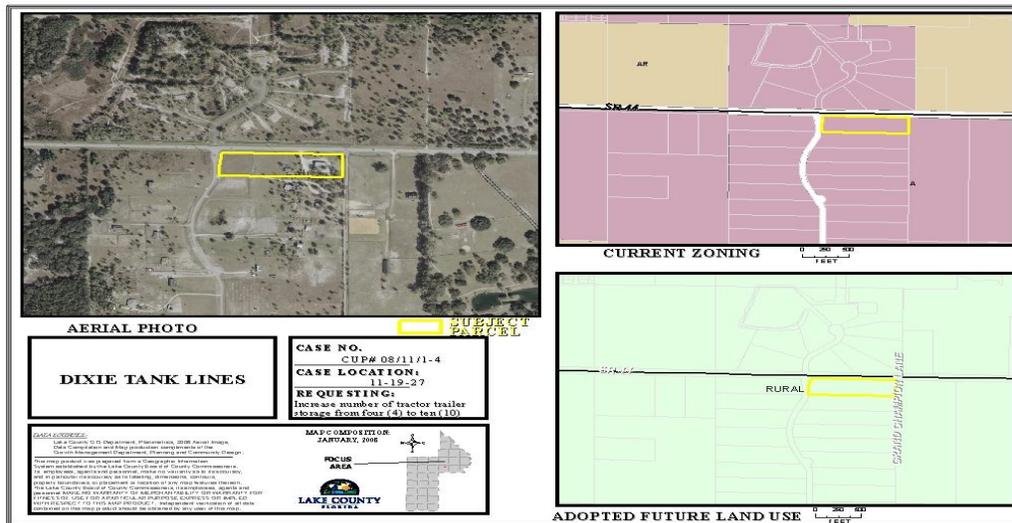
AGENDA NO: 7

OWNERS: Glen and Sharon Treadwell

APPLICANT: G. C. Bogardus

PROJECT NAME: Dixie Tank Lines

GENERAL LOCATION: Off SR 44, ¾ mile East of CR 439. Alternate Key No. 3774736



APPLICANT REQUEST: The Applicant is requesting to amend CUP #2003-73 in order to increase the number of permitted tractor trailer parking from four (4) units to ten (10) units.

SIZE OF PARCEL: 5.21 acres

FUTURE LAND USE: Rural

STAFF RECOMMENDATION: Denial

ZONING BOARD RECOMMENDATION: Regular Agenda, Denial, 7-0. Additional motion to request staff to initiate proceedings to revoke the existing Conditional Use Permit on the subject property.

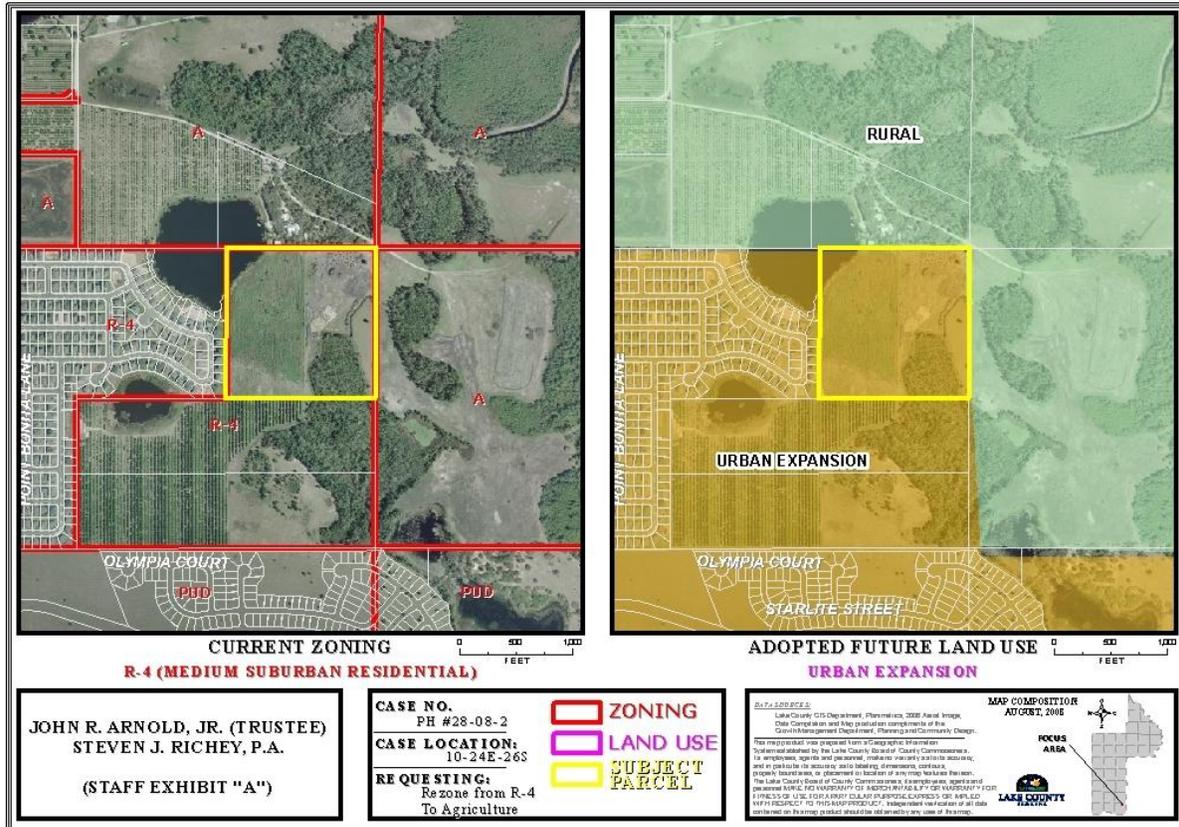
CASE NO: PH#28-08-2

AGENDA NO: 8

OWNER: John R. Arnold, Trustee

APPLICANT: Richey & Cooney

GENERAL LOCATION: South Clermont area-east of US Hwy 27 on a private drive southeast of Frank Jarrell Road. Alternate Key No. 1594812



APPLICANT REQUEST: The owner wishes to rezone the property from Medium Suburban Residential (R-4) to Agriculture (A) to expand his agricultural operations.

SIZE OF PARCEL: 40 +/- Gross Acres

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Regular Agenda, Approval, 7-0

CASE NO: CUP#08/10/1-2

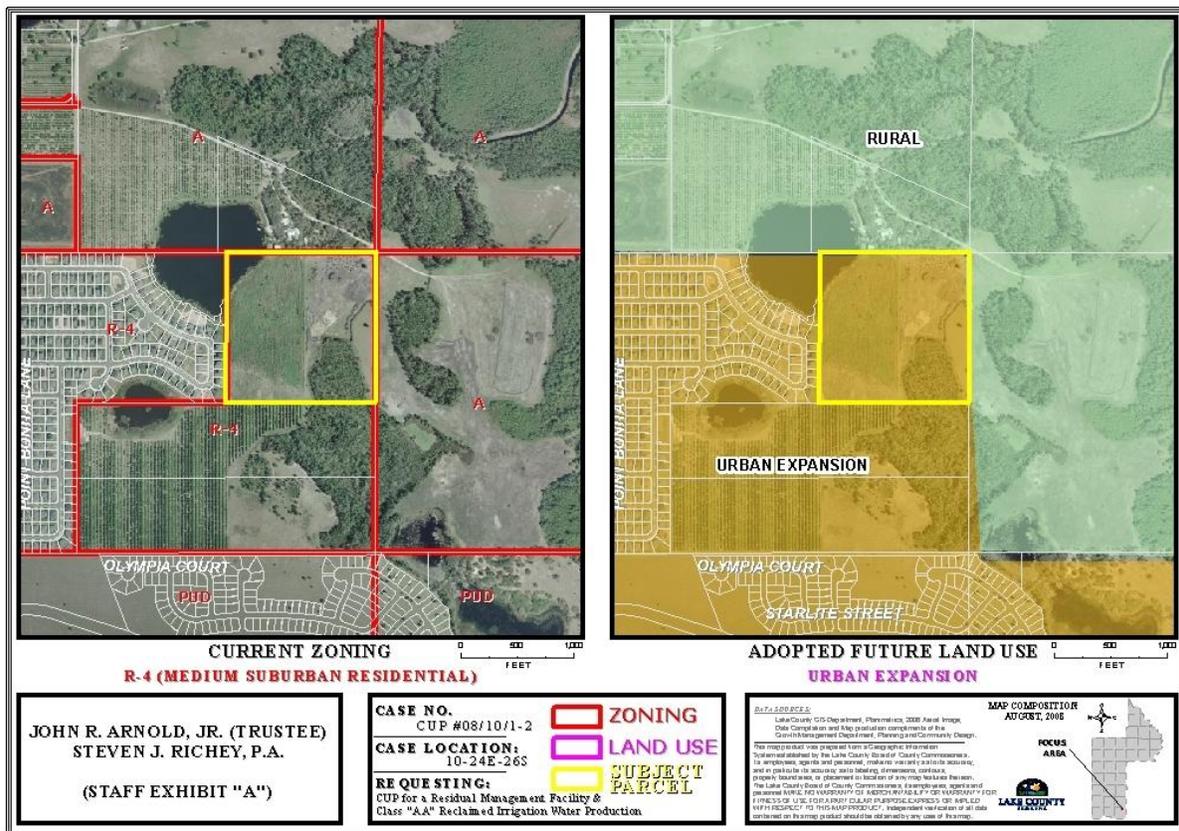
AGENDA NO: 9

OWNER: John R. Arnold, Trustee

APPLICANT: Richey & Cooney (Steven J. Richey)

PROJECT NAME: John Arnold Residual Facility

GENERAL LOCATION: South Clermont area – located east of U. S. Hwy 27 and southeast of Frank Jarrell Road.



APPLICANT REQUEST: The Applicant is requesting a Conditional Use Permit for property in the Agriculture (A) Zoning District to allow the construction and operation of a Residual Management Facility (Waste-water Treatment Plant and Composting Facility), converting treated Class "B" bio-solids into Class "AA" reclaimed water for irrigation and to create fertilizer meeting Class "AA" standards for use with their citrus and hay production.

SIZE OF PARCEL: 40 +/- acres

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Regular Agenda, Approval with the condition that no spreading shall be allowed on the subject 40 acres, 6-0

CASE NO: PH#52-08-5

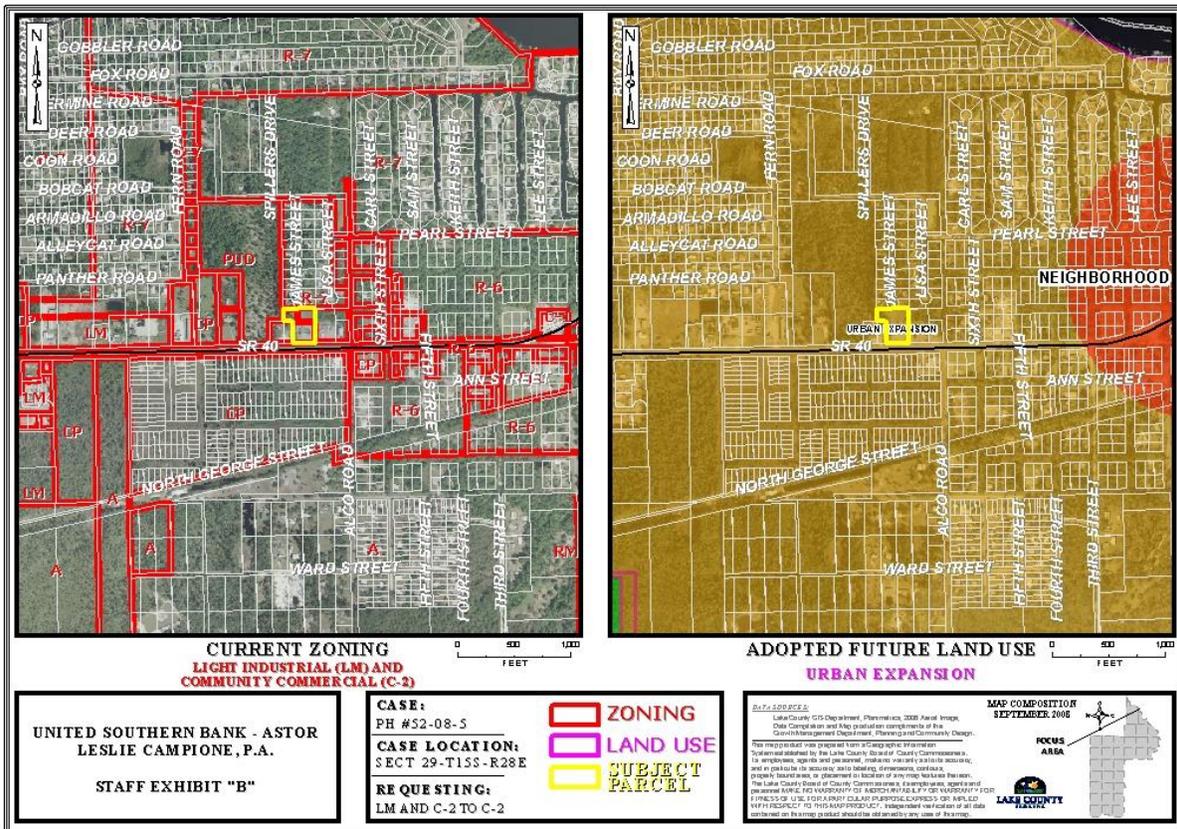
AGENDA NO: 10

OWNER: United Southern Bank

APPLICANT: Leslie Campione, P.A.

PROJECT NAME: United Southern Bank - Astor

GENERAL LOCATION: Astor area – property is located at 24401 SR 40 in Astor. Alternate Key No. 2514671



APPLICANT REQUEST: The Applicant is requesting to rezone approximately 1.56 acres (67,953 SF) from Light Industrial (LM) and Community Commercial (C-2) to C-2 to correct the split zoning and allow the continuation of commercial uses for the property.

SIZE OF PARCEL: 67,953 SF (1.56 acres)

FUTURE LAND USE: Urban Expansion

STAFF RECOMMENDATION: Denial of the request to rezone the property from LM (Light Industrial) and C-2 (Community Commercial) to C-2 (Community Commercial) due to not meeting commercial location criteria for a Community Commercial Center, but can recommend **approval with conditions** to rezone the property from LM (Light Industrial) and C-2 (Community Commercial) to CP (Planned Commercial) with C-1 (Neighborhood Commercial) uses as outlined in the attached Ordinance.

ZONING BOARD RECOMMENDATION: Consent Agenda, Continuance to 12/03/08 Zoning Board public hearing, 6-0

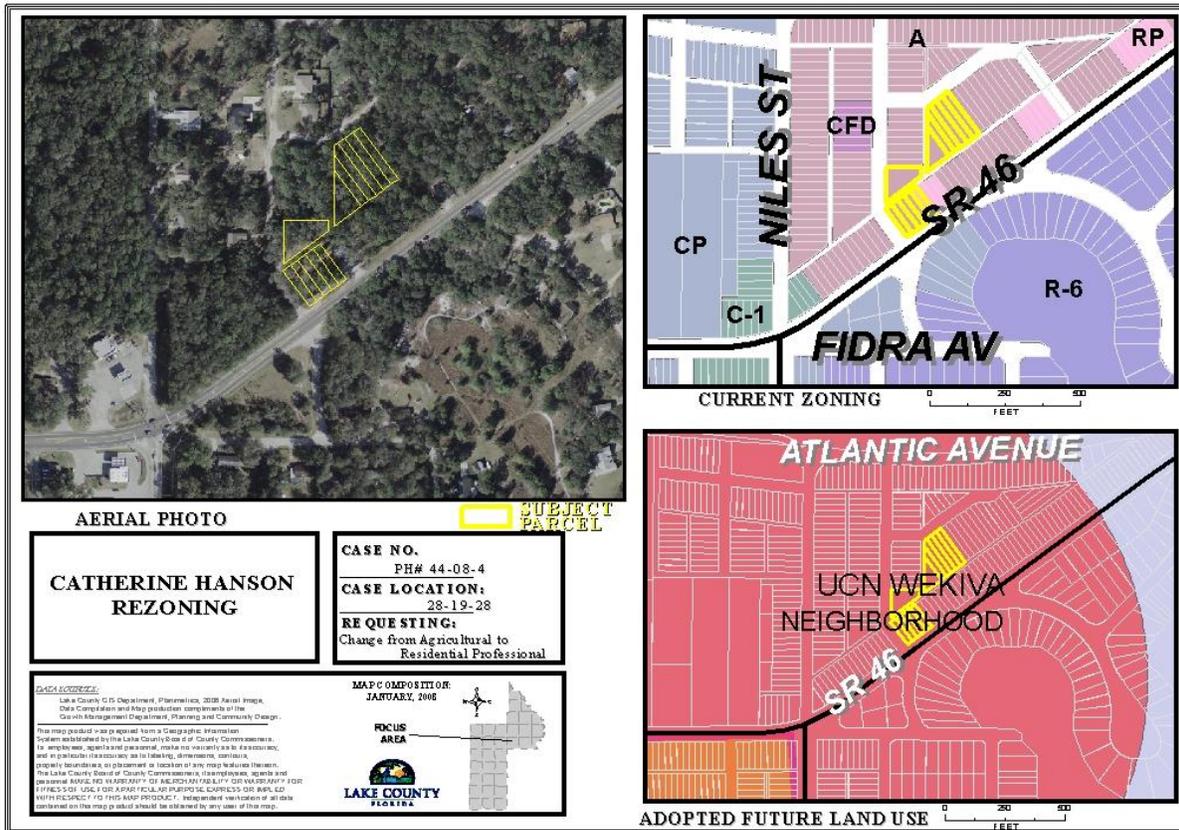
CASE NO: PH#44-08-4

AGENDA NO: 11

OWNER: Catherine Hanson

APPLICANT: Leslie Campione, Esq.

GENERAL LOCATION: Northwest corner of SR 46 & Paducah Street intersection



APPLICANT REQUEST: Rezone 1.9 +/- acres of property from Agriculture (A) to Residential Professional (RP) to accommodate future office professional development.

SIZE OF PARCEL: 1.9 acres

FUTURE LAND USE: Urban Compact Node (UCN) - Wekiva

STAFF RECOMMENDATION: Denial

ZONING BOARD RECOMMENDATION: Regular Agenda, Continuance to 12/03/08 Zoning Board public hearing, 7-0

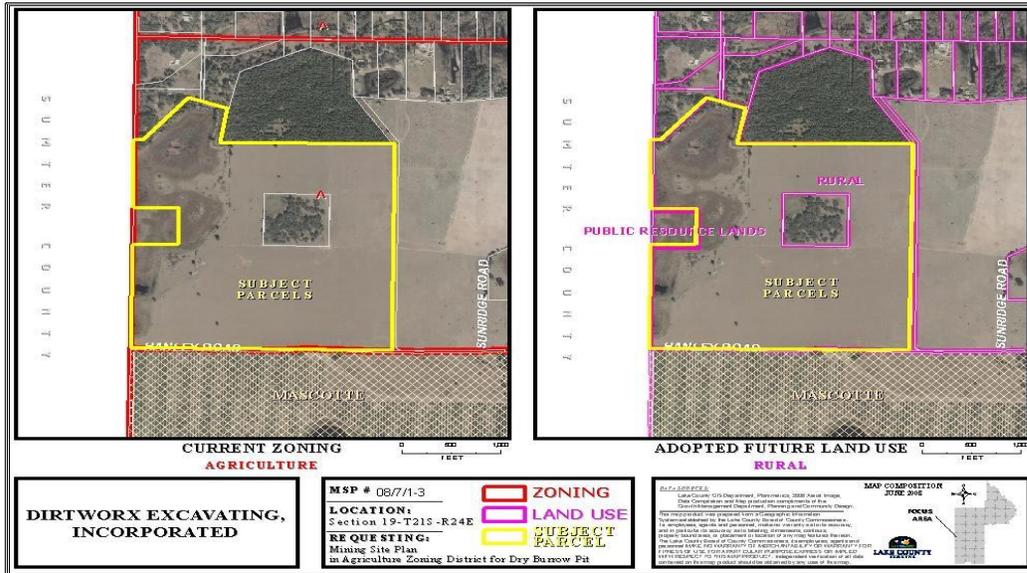
CASE NO: MSP #08/7/1-3

AGENDA NO: 12

OWNER: Robert J. Merritt

APPLICANT: Robert J. Merritt

GENERAL LOCATION: Mascotte area – on Lake/Sumter County line, north of Tuscanooga and Hanley Road Alternate Key Nos. 3666038 and 1297656



APPLICANT REQUEST: The Applicant is requesting a Mining Site Plan (MSP) in the Agriculture Zoning District to allow a dry burrow pit for clean fill and sand (mine).

SIZE OF PARCEL: 158.29 acres

FUTURE LAND USE: Rural

STAFF RECOMMENDATION: Approval

ZONING BOARD RECOMMENDATION: Regular Agenda, Approval, as amended, with the Monday through Friday operating hours being 7 a.m. to 6 p.m. and that no excavation shall take place on Saturday and Sunday. 4-1 (Heard 8/06/08)

PAST BCC ACTION: 30-day Continuance (8/26/08); Continuance to 10/28/08 (9/23/08); Continuance to 11/25/08 with a direction to the applicant's attorney to meet with Ms. Amanda Prevatt, neighboring property owner, regarding some issues she has with the case (10/28/08)