

MINUTES
LAKE COUNTY PLANNING AND ZONING BOARD
October 3, 2018

The Lake County Planning and Zoning Board met on Wednesday, October 3, 2018, in County Commission Chambers on the second floor of the Lake County Administration Building to consider petitions for rezoning requests.

The recommendations of the Lake County Planning and Zoning Board will be transmitted to the Board of County Commissioners (BCC) for their public hearing to be held on Tuesday, October 23, 2018 at 9:00 a.m. in the County Commission Chambers on the second floor of the County Administration Building, Tavares, Florida.

Members Present:

Kathryn McKeeby, Secretary	District 1
Laura Jones Smith, Chairman	District 2
Rick Gonzalez	District 4
Jeffrey Myers	District 5
Kasey Kesselring	At-Large Representative
Sandy Gamble, Vice-Chairman	School Board Representative

Members Not Present:

Lawrence "Larry" King	District 3
Donald Heaton	Ex-Officio Non-Voting Military

Staff Present:

Steve Greene, AICP, Chief Planner, Office of Planning & Zoning
Michele Janiszewski, Chief Planner, Office of Planning & Zoning
Ken Johnson, Senior Planner, Office of Planning & Zoning
Matthew Moats, Assistant County Attorney
Donna Bohrer, Public Hearing Associate, Office of Planning & Zoning
Debi Dyer, Office Associate III, Office of Planning & Zoning
Josh Pearson, Deputy Clerk, Board Support

Chairman Laura Jones Smith called the meeting to order at 9:00 a.m., noted that a quorum was present and led the Pledge of Allegiance.

MINUTES

MOTION by Sandy Gamble, SECONDED by Kathryn McKeeby to APPROVE the Minutes of September 5, 2018 of the Lake County Planning and Zoning Board meeting, as submitted.

FOR: Jones Smith, McKeeby, Gonzalez, Myers, Gamble and Kesselring

AGAINST: None

MOTION CARRIED: 6-0

AGENDA UPDATES

Mr. Steve Greene, Chief Planner, Office of Planning and Zoning, stated that staff recommended for Tab 1 to be pulled and rescheduled for the next meeting due to inadequate public notice. He also noted that concerned citizens and the applicant were in attendance to hear the case.

Ms. Jones Smith asked if staff wanted to reschedule the case to a date certain of the following month.

Mr. Greene replied that this would be his recommendation.

Mr. Rick Gonzalez asked for a legal opinion and if the Board would have to postpone the case or if they could hear it at the current meeting.

Mr. Greene explained that part of staff's process was to notify adjacent property owners; however, the adjacent property owner cards for this case had an incorrect public hearing date. He commented that the public hearing was properly advertised in a local newspaper and that the correct property was properly posted with the correct hearing date.

MOTION by Kasey Kesselring, SECONDED by Sandy Gamble to POSTPONE Tab 1, Rite of Passage Rezoning, until the next Planning and Zoning Board meeting.

FOR: Jones Smith, McKeeby, Myers, Gamble and Kesselring

AGAINST: Gonzalez

MOTION CARRIED: 5-1

Mr. Greene then indicated that the case would be re-advertised and reposted.

TABLE OF CONTENTS

Agenda Updates

Consideration of Minutes: September 5, 2018

CONSENT AGENDA

<u>TAB NO:</u>	<u>CASE NO:</u>	<u>OWNER/APPLICANT/PROJECT</u>
Tab 1	RZ-18-13-5	Rite of Passage Rezoning
Tab 2	RZ-18-05-2	Oak Properties PUD Rezoning
Tab 3	CP-18-10	Public Order & Safety Uses Comprehensive Plan Amendment - Transmittal

Other Business

Adjournment

PUBLIC COMMENT

No one wished to address the Board at this time.

CONSENT AGENDA

Tab 2	RZ-18-05-2	Oak Properties PUD Rezoning
Tab 3	CP-18-10	Public Order & Safety Uses Comprehensive Plan Amendment – Transmittal

Mr. Gonzalez said that Tab 3 referred to public order and safety as a permitted and conditional use in the Comprehensive Plan (Comp Plan) and he asked if this would include communication towers.

Ms. Michelle Janiszewski, Chief Planner, Office of Planning and Zoning, responded that it would include communication towers as long as they were compliant with all of the provisions in the Land Development Regulations (LDRs).

MOTION by Rick Gonzalez, SECONDED by Kasey Kesselring to APPROVE Tabs 2 and 3 on the Consent Agenda.

FOR: Jones Smith, McKeeby, Gonzalez, Myers, Gamble and Kesselring

AGAINST: None

MOTION CARRIED: 6-0

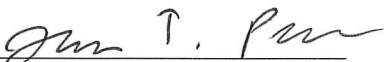
OTHER BUSINESS

Mr. Green stated that the next meeting would be on October 31, 2018 and would be the Board's November 2018 meeting.

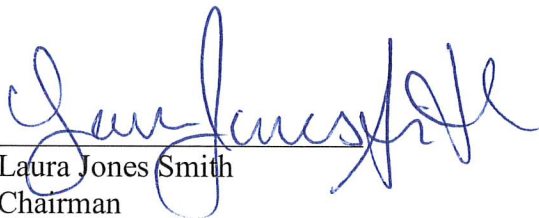
ADJOURNMENT

There being no further business, the meeting was adjourned at 9:05 a.m.

Respectfully submitted,



Josh Pearson
Deputy Clerk, Board Support



Laura Jones Smith
Chairman

Affidavit of Publication

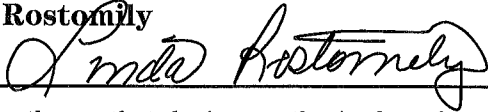
DAILY COMMERCIAL

Serving Lake and Sumter Counties

located in Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared

Linda Rostomily



who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake and Sumter Counties, Florida; that the attached copy of advertisement, being a notice in the matter of

Public Hearing

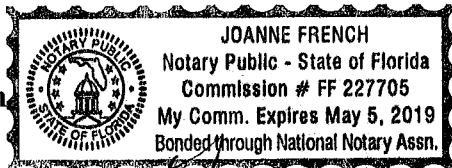
was published in said newspaper in the Lake and Sumter county issues of:

Sept 20, 2018

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake and Sumter Counties, Florida, and that the said newspaper has heretofore been continuously published in said Lake and Sumter Counties, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake and Sumter Counties, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 20 day of Sept A.D., 2018.

Joanne French
Notary Public



Joanne French
(Print, Type or Stamp Name of Notary Public)

AD#

1008 0734

NOTICE OF PUBLIC HEARING

The Lake County Planning & Zoning Board will hold a 9:00 a.m., public hearing on WEDNESDAY, October 3, 2018, in the County Commission Chambers, County Administration Building, 315 West Main Street, Tavares, FL, to consider the following petitions. Recommendations of the Lake County Planning & Zoning Board regarding these petitions will be transmitted to the Lake County Board of County Commissioners at a 9:00 a.m. public hearing, or soon thereafter, on Tuesday, October 23, 2018, in the County Commission Chambers, County Administration Building, 315 West Main Street, Tavares, FL.

All interested citizens are welcome to attend the public hearing and review the petitions in the Office of Planning & Zoning, County Administration Building, Room 510, 315 West Main Street, Tavares, FL. Persons with disabilities needing assistance to participate in any of these proceedings should contact 352-343-9760, 48 hours in advance of the scheduled meeting.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by Board, they will need a record of the proceedings and they may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based. One or more County Commissioners and one or more members of different committees/boards may attend and may participate in discussions on any of the committee/board meetings noticed. All oral and written communications between Planning & Zoning Board members and the public concerning a case are prohibited by Florida Law unless made at the public hearing on the case.

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

PUBLIC HEARING NO.: RZ-18-13-5, Rite of Passage Rezoning Amendment

REQUESTED ACTION: Amend Community Facilities District (CFD) Ordinance 2009-54 to allow for family and youth educational, vocational training, life skills development and recreational services.

GENERAL LOCATION: Paisley area, 46821 Jane Lane

AND PUBLIC HEARING NO.: RZ-18-05-2, Oak Properties, LLC

REQUESTED ACTION: Revoke Conditional Use Permit (CUP) #957-3 and establish a Planned Unit Development (PUD) zoning district on 46.81 acres (Alternate Keys 2665645 and 1453313) to allow residential and commercial development.

GENERAL LOCATION: Clermont area, Northeast of the Intersection of SR 50 and CR 455

OFFICE OF PLANNING & ZONING
315 WEST MAIN STREET
TAVARES, FL 32778
(352) 343-9641

Ad No: 10080734
September 20, 2018

Affidavit of Publication DAILY COMMERCIAL

Serving Lake and Sumter Counties

located in Leesburg, Lake County Florida
STATE OF FLORIDA, COUNTY OF LAKE

Before the undersigned authority personally appeared

Linda Rostomly

Linda Rostomly

who on oath says that she is an authorized employee of the Daily Commercial, a daily newspaper published at Leesburg, in Lake and Sumter Counties, Florida; that the attached copy of advertisement, being a notice in the matter of

Public Hearing

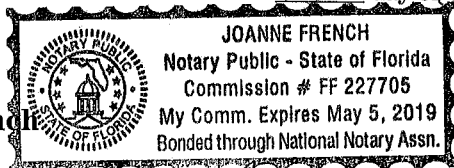
was published in said newspaper in the Lake and Sumter county issues of:

OCT 13, 2018

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake and Sumter Counties, Florida, and that the said newspaper has heretofore been continuously published in said Lake and Sumter Counties, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake and Sumter Counties, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 15 day of Oct, A.D., 2018.

Joanne French
Notary Public



Joanne French
(Print, Type or Stamp Name of Notary Public)

AD#

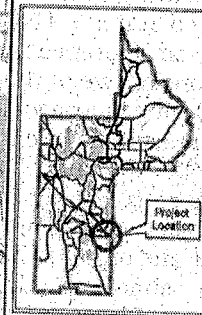
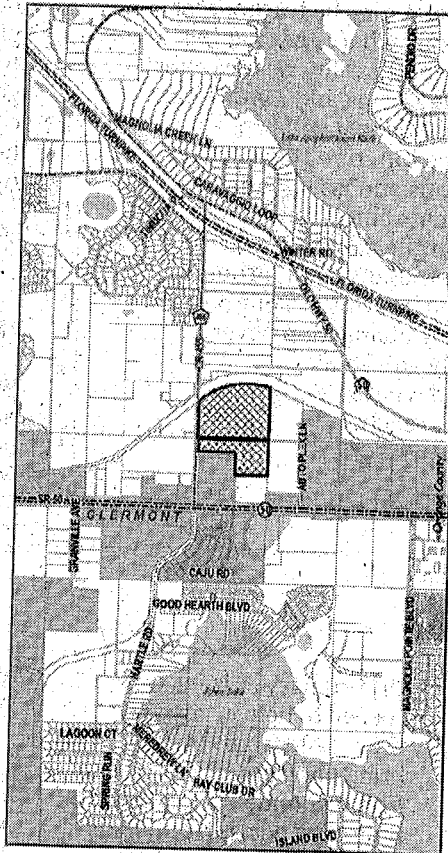
0046705

NOTICE OF PUBLIC HEARING ON COMPREHENSIVE PLAN MAP AMENDMENT

The Board of County Commissioners of Lake County, Florida, proposes to adopt and transmit the following ordinance to the Florida Department of Economic Opportunity, Division of Community Planning and Development:

ORDINANCE 2018-XX
FLU-18-07-2
Oak Properties, LLC

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE FUTURE LAND USE MAP FROM REGIONAL OFFICE TO URBAN HIGH DENSITY FUTURE LAND USE CATEGORY FOR A 41 ACRE PROPERTY LOCATED AT THE NORTHEAST INTERSECTION OF STATE ROAD 50 AND COUNTY ROAD 455 IN THE CLERMONT AREA, AS DESCRIBED IN THIS ORDINANCE; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(1), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.



The public hearing on the ordinance will be held on **October 23, 2018** before the Board of County Commissioners for approval at 9:00 a.m., or as soon thereafter, in the County Commission Chambers, 2nd Floor, Round Administration Building, 315 West Main Street, Tavares, Florida.

The proposed ordinance amending the 2030 Comprehensive Plan Future Land Use Map and the staff report for the proposed amendment shall be available for review at the Office of Planning and Zoning Division, 315 West Main Street, Tavares, Florida, 8:00 a.m. to 5:00 p.m., Monday to Friday, excluding holidays.

Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if any person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at this public hearing, he or she will need a record of the proceedings, and is advised that, for such purposes, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceedings should contact the Department of Facilities Development and Management at (352) 343-9760 at least 48 hours in advance of the public hearing.

Lake County Board of County Commissioners
Office of Planning & Zoning
352-343-9641

0046705 - October 13, 2018

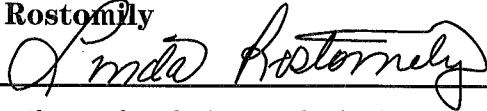
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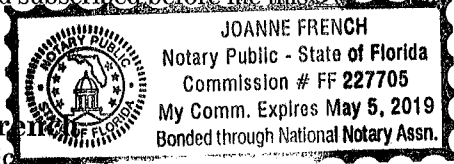
Public Hearing

was published in said newspaper in the Lake and Sumter county issues of:

SEPT 21, 2018

Affiant further says that the said Daily Commercial is published at Leesburg, in said Lake and Sumter Counties, Florida, and that the said newspaper has heretofore been continuously published in said Lake and Sumter Counties, Florida, daily, and has been entered as second class mail matter at the post office in Leesburg, in said Lake and Sumter Counties, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 21 day of Sept A.D., 2018.



Joanne French
Notary Public

Joanne French
(Print, Type or Stamp Name of Notary Public)

AD#

D045937 v

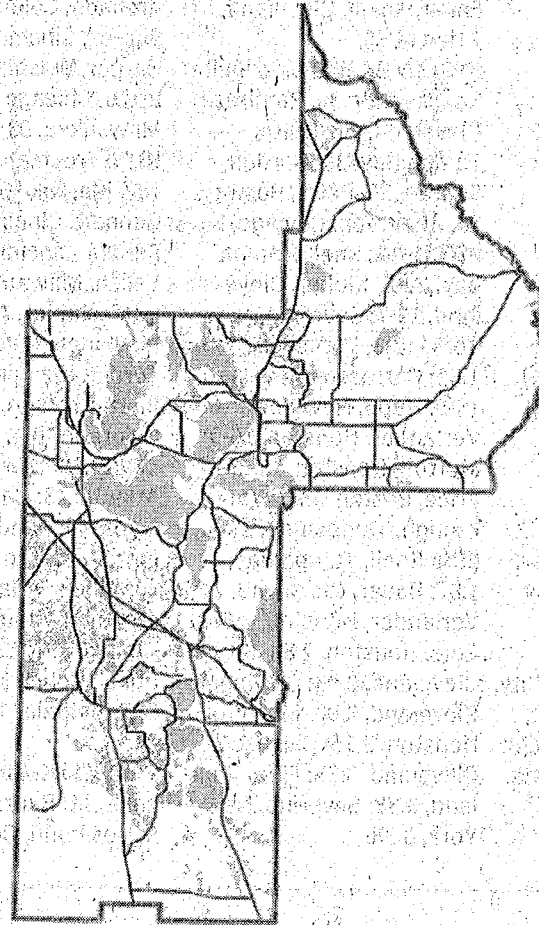
NOTICE OF PUBLIC HEARING ON COMPREHENSIVE PLAN TEXT AMENDMENT

The Board of County Commissioners of Lake County, Florida, proposes to transmit the following ordinance to the Florida Department of Economic Opportunity, Division of Community Planning and Development:

ORDINANCE 2018-XX
CP-18-10

Public Order & Safety Uses

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING THE LAKE COUNTY 2030 COMPREHENSIVE PLAN; AMENDING MULTIPLE POLICIES TO MAKE PUBLIC ORDER AND SAFETY A PERMITTED USE IN MOST FUTURE LAND USE CATEGORIES; AMENDING CHAPTER X ENTITLED 'DEFINITIONS AND ACRONYMS', TO DEFINE DETENTION FACILITIES AND PUBLIC ORDER AND SAFETY USES; PROVIDING FOR PUBLICATION AS REQUIRED BY SECTION 163.3184(11), FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.



Public hearings on the ordinance will be held on **October 3, 2018** before the Planning & Zoning Board and on **October 23, 2018** before the Board of County Commissioners for transmittal of the proposed ordinance to the Florida Department of Economic Opportunity, Division of Community Planning and Development. Both meetings commence at 9:00 a.m., or as soon thereafter, in the County Commission Chambers, 2nd Floor, Round Administration Building, located at 315 West Main Street, Tavares, Florida.

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